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COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, APRIL 8, 1913. No. 45.

SENATE

TUESDAY, April 8, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. Herbst, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

Mr. HUNTER presented petition of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUFFMAN presented two petitions of citizens of Monroe County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HUNTER presented petition of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. MARTIN presented petition of citizens of Cumberland County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. COOPER presented three petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. MARTIN presented petition of citizens of Cumberland County and petition of Washington Camp No. 710 P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. MARTIN presented petition of citizens of Cumberland County and petition of Washington Camp, No. 710, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING PASSAGE OF SENATE BILL NO. 597.

Mr. HUFFMAN presented petitions of Monroe Grange No. 1414 and Labor Grange No. 1063 favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

The Chair presented two petitions of Mountain Grange No. 1152 favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

LEAVES OF ABSENCE.

Mr. HOMSHER asked and obtained leave of absence for the Senator from Philadelphia, Mr. McIlhenny, for the balance of the week.

Mr. MOORE asked and obtained leave of absence for himself for tomorrow's session.

Mr. GYGER asked and obtained leave of absence for the Senator from Allegheny, Mr. Magee, for the balance of the week.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 807, (House Bill No. 751), entitled:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 850, (House Bill No. 1094), entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act, entitled "An Act relating to receiver's sales" approved the 11th day of May, A. D. 1911, in all cases where notices of said sales have been mailed within the time specified in said act.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 851 (House Bill No. 1097), entitled:

An Act to amend section two of an act entitled "An Act relating to receiver's sales," approved the 11th day of May, A. D. 1911, by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same.

Mr. HERBST, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 810, (House Bill No. 917), entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware County and fixing a penalty for violation of the act.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 539, (House Bill No. 505), entitled:

An Act to amend an act approved the 26th day of May, 1897, entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 849, (House Bill No. 1071), entitled:

An Act amending an act, entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor," and approved the 26th day of April, A. D. 1899, by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 364, entitled:

An Act to fix regulate and establish the fees to be charged by constables in this Commonwealth

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 891 (House Bill No. 857), entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and de-

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termine all issues and other matters in the court of common pleas courts of over and terminer and general jail delivery and courts of quarter sessions of the peace

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 478 (House Bill No. 587), entitled:

An Act to amend Section one of the act of March thirtieth one thousand nine hundred and eleven P. L. twenty-eight entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

Mr. CLARK, from the Committee on Judiciary General, reported as committed, Senate Bill No. 528 (House Bill No. 127), entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred and five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such elections and the indebtedness represented by such bonds

Also, from the Committee on Education, reported as committed, Senate Bill No. 888 (House Bill No. 442), entitled:

An Act amending Section one thousand four hundred and twelve in Article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Mr. JONES, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 682 (House Bill No. 650), entitled:

An Act fixing a closed season for quail and providing a penalty for violation of this act

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 839 (House Bill No. 420), entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty nine) making an appropriation to pay the tuition of students in State Normal Schools

Mr. BUCKMAN, from the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at last evening's session, and the following nominations, which were laid upon the table:

SUPERINTENDENT OF PUBLIC INSTRUCTION FOR THE COMMONWEALTH OF PENNSYLVANIA.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, March 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Nathan C. Schaeffer, of Lancaster, to be Superintendent of Public Instruction for the Commonwealth of Pennsylvania, for the term of four years, to compute from April 1, 1913.

JOHN K. TENER.

JUSTICES OF JHE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Justices of the Peace, to serve until the first Monday in January, 1913:

William Hilty, Carroll Township, Washington County.

John Maxey, Forest City Borough, Susquehanna County, vice P. F. Morrison, Resigned.

L. L. Daniel, Locust Township, Columbia County, vice W. P. Snyder, deceased.

William D. Culton, Shamokin Borough, Northumberland County, vice Francis M. Rowe, deceased.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

A. J. Gresky, Pittsburgh.

LUZERNE COUNTY.

Henry A. Gordon, Wilkes-Barre.

PHILADELPHIA COUNTY.

John J. Conroy, Philadelphia.
John M. Flynn, Philadelphia.
Walter G. Gibson, Philadelphia.
Gustav Hemm, Philadelphia.
Charles C. W. Idler, Philadelphia.
James I. Jellett, Philadelphia.
Charles H. Miller, Philadelphia.
E. E. Miller, Philadelphia.
Chas. J. Schaefer, Philadelphia.

JOHN K. TENER.

BILL INTRODUCED.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 931, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Chambersburg Franklin county and passing through Salem Pleasant Hall and Upper Strasburg to Roxbury

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 932, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Mercersburg Franklin county and passing through Shimpstown Caplick and Welshrun to Upton

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 933, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Greenvillage Franklin county and passing through Scotland and thence by way of Sharpes School House to Fayetteville

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 934, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Mercersburg Franklin county and passing through Marks and thence to a point about two miles west of St. Thomas on Route thirty-seven

Which was committed to the Committee on Public Roads and Highways.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 935, entitled:

An Act to amend an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners Chief Engineer Chief Draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of a State Highway Department and fixing salaries of Commissioner and Deputies and other appointees providing for taking over from the counties or township of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and township desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair

of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township boroughs or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injurying or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to highway department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 936, entitled:

An Act directing the State Librarian to cause certain old church records of this State to be translated preserved and published and making an appropriation therefor

Which was committed to the Committee on Appropriations.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 937, entitled:

An Act making an appropriation to the Volunteers of America Tuberculosis Sanitarium located at Aquashicola near Palmerton Carbon County Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 938, entitled:

An Act making an appropriation to the Home for Aged Veterans and Wives located at Sixty-fifth and Vine streets in the City of Philadelphia

Which was committed to the Committee on Appropriations.

Also, read in his place and presented to the Chair Senate Bill No. 939, entitled:

An Act to amend an act entitled "An Act authorizing appeals from assessments of taxes in this Commonwealth to the courts of common pleas" approved the nineteenth day of April Anno Domini one thousand eight hundred and ninety-nine providing for appeals by any county city borough township school district road district or poor district to which the tax assessed is payable or by any other taxpayer therein

Which was committed to the Committee on Judiciary General.

CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT SUCH LEGISLATION AS WILL BE NECESSARY FOR THE CONSTRUCTION OF A SYSTEM OF PAVED PUBLIC HIGHWAYS CONNECTING THE CAPITALS OF THE SEVERAL STATES OF THE UNION WITH THE NATIONAL CAPITAL AND WITH EACH OTHER, AND ALSO WITH THE PRINCIPAL NATIONAL PARKS.

Mr. KLINE offered the following resolution, which was twice read and referred to the Committee on Public Roads and Highways:

In the Senate, April 7, 1913.

A CONCURRENT RESOLUTION.

Requesting Congress to enact such legislation as will be necessary for the construction of a system of paved public highways connecting the Capitals of the several States of the Union with the National Capital and with each other, and also with the principal National Parks.

Whereas, A uniform system of National Public Highways or roads, conecting the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also with the principal National Parks, will vastly promote commerce between the several States, and reduce the cost of transportation thereof; facilitate and cheapen travel and social intercourse between the people; discourage sectionalism, and render the entire people more cosmopolitan, intellectually, morally and politically; aid the farmer in marketing his produce, and make farm life more agreeable, attractive and profitable; induce Americans to see and know America; beautify all parts of the Union; intersify industrial activities; encourage good road building throughout the continent, and bring the entire people countless blessings, conveniences and joys known only to a highly developed country, and,

Whereas, To secure uniformity, thoroughness and economy in the construction, fitness and adaptability of grades, and avoidance of such local controversies in the selection of routes as would probably delay, if not defeat the entire enterprise, the cost of such a system of highways being beyond the probable financial resources of the several States, it would be necessary that it would be constructed at the expense and under the supervision of the General Government, now, therefore,

Be It Resolved, (if the House of Representatives concur), That the Honorable Congress of the United States is respectfully urged to enact suitable legislation for the location and construction, under the supervision and by the General Government of a system of National Highways or roads, which shall connect the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also, with the principal National Parks; that such National Highways be constructed on firm concrete bases, with hard surfaces, and as nearly dustless as possible; that they be located solely with regard to the greatest public good and feasibility of route and grades, and

Be It Further Resolved, That Congress is earnestly urged to provide in such legislation means of raising the necessary money for the location and construction of such National Highway by the restoration of the internal revenue tax of one thousand eight hundred seventy-nine on tobacco, or in some other manner, as to it shall seem meet and proper, and that the location and construction of such a stem of highways be commenced as means can be provided, throughout the country generally, without giving priortiy to any section or locations, and,

It is Further Resolved, That a copy of this Memorial be forwarded by the Secretary of the Commonwealth of Pennsylvania to the Senate and to the House of Representatives of the United States; and,

Be It Further Resolved, That copies thereof be transmitted by the Secretary of the Commonwealth of Pennsylvania to the Senators and Representatives in Congress from the State of Pennsylvania with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated

POSTPONEMENT OF MEMORIAL SERVICES TO THE LATE DAVID A. WILBERT TO APRIL 22.

Mr. KLINE. Mr. President, on March 26 the Senate agreed to a resolution that five Senators be appointed to draft suitable resolutions expressive of the sense of the Senate upon the death of the late Senator David A. Wilbert, of Allegheny County, and to present the same to a special meeting of the Senate to be held on Tuesday afternoon, April 8, at 3 o'clock. Mr. President, I move that the memorial services be postponed until Tuesday afternoon, April 22, at 2 o'clock.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILL SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 14.

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred and one entitled "An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefore' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" by extending the act to include townships of the second class

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. BUCKMAN.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. BUCKMAN.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Hall,	Kurtz,	Salus,
Clark,	Heacock,	Martin,	Sensenich,
Cooper,	Herbst,	McNichol,	Sheatz,
Crow,	Hilton,	McNichols,	Sones,
DeWitt,	Hoke,	Miller,	Thompson,
Endsley,	Homsher,	Mills,	Vare,
Farley,	Huffman,	Moore,	Washers,
Fisher,	Hunter,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly

MOTION TO FIX SPECIAL ORDER FOR HOUSE BILL NO. 185.

Mr. POWELL. Mr. President, I move that Senate Bill No. 231 (House Bill No. 185) be fixed as a special order of business for consideration on Tuesday, April 22, at 11 o'clock A. M.

Mr. HEACOCK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. BEIDLEMAN. Mr. President, I can see no reason why this Senate should postpone action on the suffrage question until April 22. A great majority of the Senators are here to-day, and this is in accordance with the desire of the Senator from Allegheny. As I said last night when this matter was before the Committee on Judiciary General for discussion, the Senator from Allegheny at that time appeared before the Committee on Judiciary General and expressed his desire for quick action in the settlement of the question and I can see no reason, Mr. President, why the gentleman should have such a change of heart, unless it is because he feels that the success of this bill is prejudiced and liable to defeat, and I do not see any reason, Mr. President, why this Senate should postpone action on this question until April 22. I think we should take the Senator from Allegheny at his word when he appeared before the Judiciary General Committee and expressed his desire that it should be reported out and voted upon before he had to be away from the Senate before this time. He gave as his reasons in the Committee on Judiicary General why he desired to have it reported out, was for early action on the part of the Senate, and in support of the motion made by him in the committee to have this bill reported with an affirmative recommendation was the statement made by some of the other Senators who are in favor of this question that they want to get rid of it and dispose of it at an early date.

Mr. POWELL. Mr. President, I did make such request before the Committee on Judiicary General. One of the rules of this Senate, however, is that matters which take place in committee shall not be discussed in this Senate.

The PRESIDENT. If the gentleman had raised the point of order the Chair would have ruled on it.

Mr. POWELL. Mr. President, I allowed the gentleman to make the statement because at that time my request was disregarded and I was held here to the detriment of my own business owing to the objection of one or two members of the committee and I deferred and stayed here at a personal sacrifice to myself. I cannot agree to this question coming up this week and next week as I do desire to be away a part of the time, and I feel I ought to be granted the same courtesy as I granted Senators who ask to have this bill held over and the only reason they gave was because the people who were opposed to this proposition would be better satisfied if they had a week before it was reported out.

Mr. SALUS. Mr. President, I would like to interrogate the Senator from Allegheny. Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated?

Mr. POWELL. Mr. President, with pleasure.

Mr. SALUS. Mr. President, I wish to ask the Senator from Allegheny, Mr. Powell, if on the 22nd these men who are opposed to woman suffrage should find out that they haven't sufficient votes here to meet their particular demands, would he then agree that the matter go over further.

Mr. POWELL. Mr. President, the reply to that is that this bill to prevail must have a constitutional majority and I am surprised that a gentleman who has been in this Senate for so many sessions as the learned gentleman from Philadelphia should not see that there is no injustice to those opposed to this bill because every man who is absent in effect votes "No," no matter what his stand upon the question is. If there is anything unfair about it I would not ask for it.

Mr. SALUS. Mr. President, I would like the Senator from Allegheny to answer my question and not side track it, not be surprised at what I do; let us not be surprised at what he does. Will the Senator permit himself to be further interrogated?

The PRESIDENT. Will the Senator from Allegheny permit himself to be further interrogated?

Mr. POWELL. Mr. President, I will.

Mr. SALUS. Mr. President, I would like to have an answer "Yes," or "No." It can be very easily made by the Senator. In other words, I would like to put the Senator on record.

Mr. POWELL. Mr. President, If there are any Senators absent whose votes would not in effect be "No," I would certainly be very glad to agree to the gentleman's proposition.

Mr. SALUS. Mr. President, I am still of the opinion that the question remains unanswered. I would like to get the Senator from Allegheny on record because he is a very astute lawyer and I am very much afraid he has answered the question so it will chop with either side of the hatchet. I would like to know from the Senator from Allegheny County if this motion of his to postpone the question until April 22 prevails, if at that time those persons who are opposed to the granting of suffrage to women should come to him and say: "We have some of our men absent to-night, and prefer the question not to go to a vote," will he agree that the consideration of this bill be further postponed?

Mr. POWELL. Mr. President, for the reasons stated, of course I will not, because every Senator who is absent in effect votes "No," and nobody knows that better than the Senator from Philadelphia, Mr. Salus. I do support this motion for the reason that this fixes a time and puts it upon the record. There can be no question hereafter as to what I said or what the Senator from Philadelphia said. The stenographer has our remarks. The record will show that this is a special order of business for Tuesday, April 22. It will come up automatically and be disposed of, and every Senator has a fair notice of that time, and he then can be here, and I shall made no further objection and ask no further postponement and unless there are some extraordinary circumstances I would not consent to a further postponement, but I would not want to state that fact now.

Mr. VARE. Mr. President, just one word. There certainly could be no objection to postponing action on this matter for two weeks. There is certainly nothing unfair about it and that will give those Senators who are away sick an opportunity to get here if they can get well, and I hope the bill will be postponed for two weeks.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BEIDLEMAN and Mr. KLINE and were as follows, viz:

YEAS—22.

Alexander,	Hilton,	Martin,	Powell,
Clark,	Hoke,	Miller,	Sensenich,
Endsley,	Homsher,	Mills,	Sheatz,
Farley,	Huffman,	Moore,	Vare,
Graff,	Judson,	Nulty,	Washers,
Heacock,	Kurtz,		

NAYS—19.

Beidleman,	DeWitt,	Hunter,	Morgan,
Buckman,	Fisher,	Jones,	Salus,
Catlin,	Gerberich,	Kline,	Sones,
Cooper,	Hall,	McNichol,	Thompson,
Crow,	Herbst,	McNichols,	

So the question was determined in the affirmative.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 174 (Senate Bi'l No. 940), entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation

Which was referred to the Committee on Appropriations.

House Bill No. 1639 (Senate Bill No. 941), entitled:

An Act making an appropriation to the Fifteith Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the fiftieth anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission" and June fourteenth Anno Domini one thousand nine hundred and eleven entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the act of Assembly approved May thriteenth Anno Domini one thousand nine hundred and nine creating said Commission and defining the duty thereof" respectively creating said Commission defining the duty thereof and making preliminary appropriations therefor

Which was referred to the Committee on Appropriations.

AMENDMENT TO HOUSE BILL NO. 170, RECALLED FROM THE GOVERNOR.

He also presented to the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 170, entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntington County is located and providing for the disposition of the fund

said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill was reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. CLARK. Mr. President, I move that rule twenty-one which requires amended bills to be noted on the Calendar be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

Said amendments were twice read, and printed as required by the Constitution, as follows:

By inserting a new section, to be known as Section 2, as follows:

Section 2 "In the event of a sale the Commissioner of Fisheries is hereby authorized and directed to execute for and on behalf of the Commonwealth any deed or deeds of convey the title which the Commonwealth of Pennsylvania now has to said property in such form as the same may be prepared by the Attorney General"

Also in section 2, line 1, by striking out the figure "2" and inserting in lieu thereof the figure "3," so that the same shall read "Section 3."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Fisher,	Judson,	Nulty,
Beidleman,	Graff,	Kline,	Powell,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Heacock,	Martin,	Sensenich,
Clark,	Hoke,	McNichol,	Sheatz,
Cooper,	Homsher,	McNichols,	Sones,
Crow,	Huffman,	Mills,	Thompson,
DeWitt,	Hunter,	Moore,	Vare,
Endsley,	Jones,	Morgan,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk inform the House of Representatives accordingly.

BILL RETURNED FROM HOUSE WITH AMENDMENTS.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of this Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts

said bill having been returned by the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

In section 1, line 27, by striking out the word "three" and inserting in lieu thereof the word "five." Also by adding to the section the words "provided that this section shall not apply to road contracts of any township of the first class owning at the time of the passage of this act its own tools implements and machinery necessary for repairing public highways

On the question,

Wil the Senate concur in the same?

Mr. HEACOCK. Mr. President, I introduced this bill at the solicitation of the solicitor of one of the largest first class township of Montgomery County. The law as it stands makes it the duty to advertise all bills over $100. They find it very often inconvenient to do this because of delay, and they ask for an increase to $300. The Senate has amended this bill which makes it so that they do not have to advertise at all, and therefore I hope that the Senate will not concur in the amendments.

And the question recurring,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—1.

Salus,

NAYS—32.

Alexander,	Endsley,	Hoke,	Miller.
Beidleman,	Farley,	Homsher,	Mills,
Buckman,	Fisher,	Huffman,	Moore,
Catlin,	Gerberich,	Hunter,	Morgan,
Clark,	Graff,	Jones,	Nulty,
Cooper,	Gyger,	Judson,	Sensenich,
Crow,	Heacock,	Kline	Sheatz,
DeWitt,	Hilton,	Martin,	Sones,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

QUESTION OF PERSONAL PRIVILEGE.

Mr. KURTZ. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator will state his question of personal privilege.

Mr. KURTZ. Mr. President, there seems to be some misunderstanding on my vote on woman suffrage. I voted consistently on this proposition, that everybody knows, as a general proposition. Last night the Senator from Allegheny, Mr. Powell, asked me personally whether I would be satisfied to have this bill go over and make a special order for it, and I told him that I would, and therefore I voted today to keep my promise on the proposition, and when it comes up again, if it does, I shall certainly vote as I have been voting. I wish to inform the Senators that I want to be consistent on this proposition.

Mr. WASBERS. Mr. President. I rise to a question of personal privilege.

The PRESIDENT. The Senator will state his question of personal privilege.

Mr. WASBERS. Mr. President, the same applies to my case. I had been asked by the Senator from Allegheny, Mr. Powell, to this going over at this time. Therefore I voted as I have. I have not changed my mind any.

REPORTS FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 940, (House Bill No. 174), entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the Commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation therefor

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 941, (House Bill No. 1639), entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May 13th, A. D. 1909, entitled "An Act creating a Commission to be known as the Fiftieth Aniversary of the Battle of Gettysburg Commission, authorizing the Governor to appoint nine members thereof and fill vacanacies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of the expenses of said commission," and June 14th, A. D. 1911, entitled 'An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the Act of Assembly approved May 13th, A. D. 1909, creating said Commission and defining the duty thereof," respectively creating said Commission and defining the duty thereof and making preliminary appropriations therefor.

BILLS ON FIRST READING.

Mr. KLINE. Mr. President, I move that Senate Bill No. 940, (House Bill No. 174), entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation therefor.

And Senate Bill No. 941, (House Bill No. 1639), entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May 13th, A. D. 1909, entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission, authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next Session of General Assembly and making an appropriation for the payment of expenses of said commission," and June 14th, A. D. 1911, entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the Act of Assembly approved May 13th, A. D. 1909, creating said commission and defining the duty thereof," respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor.

be read the first time.

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. KLINE. Mr. President, these bills are asked as a special privilege because of the anniversary of the Battle of Gettysburg. As both these bills refer to the Fiftieth Anniversary of the Battle of Gettysburg it is obligatory that they be put through as soon as possible in order that the funds be available.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 940, (House Bill No. 174), entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 941, (House Bill No. 1639), entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May 13th, A. D. 1909, entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission, authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission," and June 14th, A. D. 1911, entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the Act of Assembly approved May 13th, A. D. 1909, creating said commission and defining the duty thereof," respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 748 on third reading entitled:

An Act rgulating the sale and delivery of malt and brewed liquors at wholesale and providing a penalty for the violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, entitled:

A supplement to an act entitled "An Act to incorporate an academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or other successors to sell and convey in fee simple certain lands

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Farley,	Huffman,	Miller,
Beidleman,	Fisher,	Hunter,	Mills,
Buckman,	Gerberich,	Jones,	Moore,
Catlin,	Graff,	Judson,	Morgan,
Clark,	Gyger,	Kline	Sensenich,
Cooper,	Heacock,		Sheatz,
Crow,	Hilton,	Martin,	Sones,
DeWitt,	Hoke,	McNichol,	Thompson,
Endsley,	Homsher,	McNichols,	Vare,
			Wasbers,

NAYS—1.

Salus,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 771 on third reading entitled:

An Act further regulating transfer of licenses to sell liquors at wholesale and retail

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 772 on third reading entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinuous and spirituous malt or brewed liquors or any admixture thereof approved the thir-

teenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 808, (House No. 810), entitled:

An Act providing for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Farley,	Huffman,	Mills,
Beidleman,	Fisher,	Hunter,	Moore,
Buckman,	Graff,	Jones,	Morgan,
Clark,	Gyger,	Judson,	Salus,
Cooper,	Herbst,	Kline,	Sensenich,
Crow,	Hilton,	Kurtz,	Sones,
DeWitt,	Hoke,	Martin,	Thompson,
Endsley,	Homsher,	Miller,	Vare,
			Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 300, entitled:

An Act to compel the use of blowers upon metal polishing machinery

The first, second, third, fourth, fifth, sixth, seventh and eighth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons companies or corporations operating any factory or workshop where emery wheels or emery belts of any description are used either solid emery leather leather-covered felt canvas linen paper cotton or wheels or belts rolled or coated with emery or corundum or cotton wheels used as buffs shall provide the same with blowers or similar apparatus which shall be placed over beside or under such wheels or belts in such a manner as to protect the person or persons using the same from the articles of dust produced and caused thereby and to carry away the dust arising from or thrown off by such wheels or belts while in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust Provided that grinding machines upon which water is used at the point of the grinding contact shall be exempt from the provisions of this act and provided this act shall not apply to factories or workshops where men are not employed continuously at such wheels or belts more than three hours in twenty-four hours

Section 2 It shall be the duty of any person company or corporation operating any such factory or workshop to provide or construct such appliances apparatus machinery or other things necessary to carry out the purpose of this act as set forth in the preceding section as follows Each and every wheel shall be fitted with a sheet of case iron or hood or hopper of such form and so applied to such wheel or wheels that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by the current of air into a suction pipe attached to same hood or hopper

Section 3 Each and every such wheel six inches or less in diameter shall be provided with a three-inch suction pipe wheels six inches to twenty-four inches in diameter with four inch (such) suction pipe wheels from twenty-four to thirty-six inches in diameter with five inch suction pipes and all wheels larger in diameter than those stated above shall be provided each with a suction pipe not less than six inches in diameter The suction pipe from each wheel so specified must be full size to the main trunk suction pipe and the main suction pipe to which smaller pipes are attached shall in its diameter and capacity be equal to the combined area of such smaller pipes attached by the same and the discharge pipe from the exhaust fan connected with such suction pipe or pipes shall be as large or larger than the suction pipe

Section 4 It shall be the duty of any person company or corporation operating any such factory or workshop to provide the necessary fans or blowers to be connected with such pipe or pipes as above set forth which shall be run at the rate of speed as will produce a velocity of air in such suction or discharge pipes of at least nine thousand feet per minute to an equivalent suction or pressure of air equal to raising a column of water not less than five inches in a U-shaped tube All branch pipes must enter the main trunk pipe at an angle of forty-five degrees or less the main suction or trunk pipe shall be below the emery or buffing wheels and as close to the same as possible and to be either upon the floor or beneath the floor on which the machines are placed to which such wheels are attached All bends turns or elbows in such pipes must be made with easy smooth surface having a radius in the throat of not less than two diameters of the pipe on which they are connected

Section 5 This act shall become operative on the first day of January one thousand nine hundred and fourteen

Section 6 It shall be the duty of any Factory Inspector or prosecuting attorney of any county in this State in which any such factory or workshop is situated upon receiving notice in writing signed by any person having knowledge of such facts accompanied by the sum of one dollar as compensation for his services that such factory or workshop is not provided with such appliances as herein provided for to visit any such factory or workship and inspect the same and for such purpose they are hereby authorized to enter any factory or workshop in this State during working hours and upon ascertaining the facts that the proprietors or managers of such factory or workshop have failed to comply with the provisions of this act to make complaint of the same in writing as informations are now made according to law before a justice of the peace or police magistrate having jurisdiction who shall thereupon issue his warrant directed to the owner manager or director in such factory or workshop who shall thereupon be proceeded against for the violation of this act as now provided by law

Section 7 Any such person or persons or company or managers or directors of any such company or corporation who shall have the charge or management of such factory or workshop who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and not exceeding three hundred dollars

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows:

An Act to compel the use of blowers upon metal polishing machinery

On the question,

Will the Senate agree to the title?

Mr. HUFFMAN. Mr. President, I move to amend the title as follows: By striking out the entire title and inserting in lieu thereof the words "An Act to protect the health and lives of employes in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery, regulating the use of such blowers and apparatus, and providing penalties for violations of this act."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 392, as follows:

An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporation and telegraph telephone or light or power companies" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by petition to the court of common pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the question thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equty" is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone light power company electric motor or electric street railway company occupying the highways of said municipality with its poles wire conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police power is or is not reasonable either party may apply by petition to the court of common pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the question thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 521, as follows:

An Act to amend the second and fifth section of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" Approved June tenth one thousand nine hundred and eleven Relating to reports of the city Planning Commission on certain ordinances and bills and relating to plans and plots submitted to said Planning Commission for approval

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the tenth day of June Anno Domini one thousand nine hundred and eleven entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and for three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" which reads as follows

"Section 2 The clerks of councils shall upon introduction furnish to the City Planning Commission for its consideration a copy of all ordinances and bills relating to the location of any public building of the city and to the location extension widening enlargement ornamentation and parking of any street boulevard parkway park playground or other public grounds and to the vacating of any street or other alteration of the city plan of streets and highways and to the location of any bridge tunnel or subway or of any surface underground or elevated railway The said commission may make a report or suggestion in relation thereto if it deems a report necessary or advisable for the consideration of councils All such reports when delivered to the clerk of councils shall be for the information of the public as well as of councils and the commission shall furnish to any newspaper of the city on request for publication a copy of such report" is hereby amended so as to read as follows

Section 2 The clerks of councils shall upon introduction furnish to the City Planning Commission for its consideration a copy of all ordinances and bills relating to the location of any public building of the city and to the location extension widening enlargement ornamentation and parking of any street boulevard parkway park playground or other public grounds and to the vacation of any street or other alteration of the city plan of streets and highways and to the location of any bridge tunnel or subway or of any surface underground or elevated railway The said commission may make a report or suggestion in relation thereto if it deem a report necessary or advisable for the consideration of councils All such reports when delivered to the clerk of councils shall be for the information of the public as well as of councils and the commission shall furnish to any newspaper of the city on request for publication a copy of any such report Council shall not act upon any such ordinance or bill until thirty days after the City Planning Commission shall have received a copy of the same unless in the mean time said commission shall have approved or disapproved the same and transmitted its report thereon to councils In case said City Planning Commission shall have disapproved any such ordinance or bill it shall require the affirmation vote of three-fourth of all the members constituting council to pass said ordinance or bill"

Section 2 That the fifth section of said act which reads as follows

"Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits shall be submitted to the City Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the City Planning Commission The disapproval of any such plan by the City Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have made actual appropriation of the same by entry use or improvement and owners and purchasers shall be deemed to have notice of the published plans maps and reports of the commission affecting such property within its jurisdiction" is hereby amended so as to read as follows

Section 5 All dedication of streets for public use and all plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits shall be submitted to the City Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such dedication or plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the City Planning Commission The disapproval of any such dedication or plan by the City Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have made actual appropriation of the same by entry use or improvement and owners and purchasers shall be deemed to have notice of the published plans maps and reports of the commission affecting such property within its jurisdiction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 550, as follows:

An Act regulating the use of motor boats and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to operate a motor without a muffler or adequate device to decrease the noise emitted by the exhaust in such a manner as to become a nuisance to any of the citizens of the Commonwealth This section shall not apply to boats operated by steam

Section 2 Any person that shall operate a motor boat in violation of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace shall for each offense be sentenced to pay a fine of not less than ten dollars nor more than fifty

dollars or in default thereof shall be sentenced to undergo an imprisonment for a period of not more than ten days.

Section 3 This act shall become operative on the first day of June one thousand nine hundred and thirteen

Section 4 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 582, as follows:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled 'An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any fire or fire and marine insurance company heretofore or hereafter organized under the laws of this Commonwealth or authorized to transact business therein in addition to the powers heretofore granted by law shall have power to insure against loss or damage caused by the caving in of the surface of the earth above coal mines but nothing in this act shall be deemed as rendering any such company liable for any such loss or damage unless liability therefor shall be expressly assumed in the policy of insurance

Section 2 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 593 (House Bill No. 657), entitled:

An Act to repeal an act entitled "A supplement to the act entitled 'An Act for preventing clandestine marriages'" approved the fourteenth day of February Anno Domini one thousand seven hundred thirty

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 594 (House Bill No. 658), entitled:

An Act to repeal an act entitled "An Act to repeal an act entitled for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (One Smith's Laws twenty-one)

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. CATLIN. Mr. President, I move that Senate Bill No. 656, on second reading, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines in the Commonwealth of Pennsylvania and for the protection and preservation of property connected therewith

be recommitted to the Committee on Mines and Mining for amendment.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 663, as follows:

An Act entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first second and third classes within this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the moral protection and physical welfare of children attending the public schools in cities of the first class within this Commonwealth receiving State aid the governing body of each school building in such cities must provide and employ a matron suitable for supervision of the moral physical and hygenic welfare of the school children outside of the class rooms and such matrons' authority shall extend to the enforcement of privacy and cleanliness in all lavatory arrangements in connection therewith

This act shall become operative immediately upon approval by his excellency the Governor of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 762, as follows:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where there is a question as to any simulated altered or disputed document or writing the opinions of the following persons shall be deemed to be relevant

(a) The opinion of any person acquainted with the handwriting of the supposed writer

(b) The opinion of those who have had special experience with or who have pursued special studies relating to documents handwriting and alterations thereof who are herein called experts

Section 2 It shall be competent for experts in giving their testimony under the provisions of this act to make comparsion of documents and comparison of disputed writing with any documents or writing admitted to be genuine or proven to the satisfaction of the judge to be genuine and the evidence of such experts respecting the same shall be submitted to the jury as evidence of the genuineness or otherwise of the writing in dispute

It shall be competent for experts in formulating their opinion to the court and jury to place the genuine and disputed signatures or writings in juxtaposition and to draw the attention of the jury thereto and it shall be furthermore competent for counsel to require of an expert a statement of the principles on which he has based his work the details of work and his opinion that the results are important to the point in issue or the reasoning analysis and investigation by which he has arrived at his opinion

Section 4 The opinions of the witnesses to handwriting being submitted as competent testimony to the jury the final determination of the questions of genuineness alteration simulation or disputed writing shall remain as heretofore questions for the jury on all the evidence submitted

Section 5 All provisions of this act shall apply to all courts of judicature criminal and civil and to all persons having by law or consent of parties authority to hear receive and examine evidence

Section 6 All acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 763, as follows:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second edition of an act approved the twenty-third day of May one thousand nine hundred seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred seven permitting husband and wife to testify

and providing for the method of services of process" which as amended reads as follows

"Section 2 Whenever such husband shall absent himself from the Commonwealth proceedings may be had against any property real or personal of said husband necessary for the suitable maintenance of the said wife and the court may direct a seizure and sale or mortgage of sufficient of such estate as will provide the necessary funds for such maintenance, and service upon the defendant shall be made in the manner provided in the act of General Assembly entitled 'An Act to authorize the execution of process in certain cases in equity, concerning property within the jurisdiction of the court and on the defendants not resident or found therein" approved the sixth day of April one thousand eight hundred and fifty-nine" is further amended so as to read

Section 2 Whenever any man has heretofore separated or hereafter shall separate himself from his wife without reasonable cause and being of sufficient ability has neglected or refused or shall neglect or refuse to provide suitable maintenance for his said wife proceedings may be had against any property real or personal of said husbnad necessary for the suitable maintenance of the said wife and the court may direct a seizure and sale or mortgage of sufficient of such estate as will provide the necessary funds for such maintenance and service upon the defendant shall be made in the manner provided in the act of General Assembly entitled "An Act to authorize the execution of process in certain cases in equity concerning property within the jurisdiction of the court and on the defendants not resident or found therein" approved the sixth day of April one thousand eight hundred and forty-nine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 764, as follows:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such ctiies or boroughs with a State Highway or State Aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State Aid Highway

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the counties cities and boroughs of this Commonwealth may singly or jointly appropriate and expend moneys for the improvement of highways outside of the limits of such cities or boroughs for the purpose of connecting improved streets in such cities or boroughs with a State Highway or State Aid Highway Provided however that the part of the highway to be improved to make such connection outside of the city or borough limits shall be less than one mile in length

Seciton 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 773, as follows:

A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fireworks and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for the appeals from and reviews of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor and providing that the courts of common pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers heretofore granted to cities of the second class as provided for in an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one and the supplements thereto every city of the second class in its corporate capacity in order to decrease and prevent fire the spread of fire and fire waste loss of life from fire and loss of life or damage to property from unsafe or improper construction or design of buildings is authorized and empowered by ordinance

a To provide for the inspection of the inside and outside of all buidlings and premises at any time

b To provide and require that the owner or occupant of any building shall alter repair or remove any buildings or structures or part thereof or shall remove any combustible or explosives matter or inflammable conditions upon order of the Director of the Department of Public Safety to safeguard life or property and to provide for penalties for disobedience of such orders and to provide that the said Department may close the buildings or premises pending such repairs and if the owner or occupant fails to obey such order may have the necessary work done at the expense of the city said expense to be recovered as hereinafter provided in section three

c To require the installation and maintenance in such buildings as shall be designated of portable fire apparatus such as axes pikes poles hose reels ladders chemical extinguishers portable pumps and other similar appliances

d To require the installation and maitnenance in such buildings as shall be designated of standpipes sprinkling systems nose lines and other similar appliances

e To provide for the keeping of all halls doors stairways passageways aisles fire escapes and exits in such repair and so free from obstruction as to provide in case of fire full free safe and adequate means of escape for those people who use frequent or are employed in such buildings

f To provide for the purpose of preventing fires the spread of fire waste danger to life in case of fire and loss of life or damage to property from unsafe or improper construction or design of buildings regulations and specifications for the construction equipment arangement maintenance alteration and inspection heating cooling and lighting stairways doorways elevators firetowers fire escapes exits aisles passageways floor levels seats fire alarms and all other means of providing safe escape in case of fire of all buildings which may hereafter be constructed for use as stores manufacturing establishments churches theaters dance halls lodging houses tenements dwellings stables storage houses office buildigns hospitals asylums hotels colleges schools dry cleaning establishments garages and all other buildings where a large number of people have homes congregate or are employed

g To provide regulations and specificaitons for the construction and arrangements maintenance alteration and inspection of proper adequate and safe means and appliances to prevent the spread of fires and to enable the occupants to escape safely in case of fire in and all existing buildings used for the purposes set forth in paragraph f of this section

h To provide regulations and specifications for the construction of all chimneys stacks flues smoke pipes and ventilators

i To provide regulations for the manufacture transportation storage sale and use of all fireworks gunpowder dynamite and other explosives including gas under pressure all inflammable substances volatile inflammable liquids and all other inflammables and their products drugs chemicals and generally all substances which may be dangerous or likely to cause fire or injury to life or property in case of fire

j To provide the manufacture of explosives and fireworks

k To prohibit the transportation storage sale or use of nitro-glycerine

l To proivde for the preparation and distribution by the Department of Public Safety of rules and regulations to minimize the danger of fire and lessen fire waste

Section 2 The Director of the Department of Public Safety shall execute and carry out the provisions of this act and of the ordinances enacted pursuant thereto shall make an annual report to the council with recommendations for means of further preventing fires fire waste and loss of life and shall when he deems it desirable make investigation of any or all fires and keep reports thereof

Section 3 Any owner agent or occupant interested who may feel himself aggrieved by an order of the said Department which requires a substantial alteration or repair or the removal of any substantial portion or portions of any building may within thirty days after the service of the order as hereinafter provided present his petition to the Court of Common Pleas of the county wherein the city is situated having first notified the said department of his intention so to do and the court shall then fix a time for a hearing within five days thereafter and may suspend such order pending hearing and thereafter at the time fixed for the hearing a judge of said court shall hear and determine the said appeal and make such order as right and justice may require

In case any owner agent or occupant does not remove or remedy a building or structure or part thereof or remove or remedy dangerous conditions as ordered by the said department and does not appeal to the court of common pleas in such cases as appeals are provided for the said department may remove or remedy or cause to be removed or remedied the building or structure or part thereof or the dangerous condition at the expense of the city the cost thereof to be recovered by the city from said owner or occupant in an action of law in the court of common pleas and when such suit with statement of claim with description of the premises is filed by the city the Prothonotary shall index it upon the judgment docket and the city shall have a lien for the amount of said claim against the said premises

All orders herein provided or issued by the Department of Public Safety and directed to the owner shall be served by pasting a copy or copies in a conspicuous place on the building referred to in such order and by prepaid mailing of a copy thereof on the same day to the owner or owners whose address is known or ascertained by the said department If after a reasonably diligent search the address or addresses of the owner or owners cannot be ascertained said orders shall in addition to posting be served upon the agent or the tenant

or tenants or other responsible occupant of said building if any All orders directed to the occupant shall be served in the manner above provided and in addition thereto by handing a copy thereof to the occupant of the premises

Section 4 The director of the said department shall have the power to summon and compel witnesses to attend and testify before him as to the cause origin and circumstances of any fire and may require the production of any books papers or documents deemed pertinent or necessary to said inquiry and shall have the power to administer oaths and affirmations to any person appearing as witnesses such inquiry to be public

Any witnesses who refuse to obey a summons of the Director of said department or who refuses to be sworn or testify or who disobeys any lawful order of the said director in relation to any such inquiry or who fails or refuses to produce any books papers or documents touching any matter under investigation or who is guilty of any contempt after being summoned to appear before him to give testimony in relation to any such inquiry as aforesaid may be punished for contempt of court and for this purpose application may be made to the Court of Common Pleas within whose jurisdiction the contempt took place for which purpose the Courts of Common Pleas are given jurisdiction

Section 5 The following acts and parts of acts of Assembly of this Commonwealth namely

Sections four five six seven eight ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight twenty-nine thirty thirty-one thirty-two thirty-three thiry-four thirty-five thirty-six thirty-seven thirty-eight thirty-nine forty-one forty-two and forty-three of "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty-five)

Section one of "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other building' approved the eleventh day of June Anno Domini one thousand eight hundred seventy-nine" approved the twelfth day of July Anno Domini one thousand eight hundred ninety-seven (Pamphlet Laws two hundred fifty-nine)

Sections two and three of an act entitled "An Act to amend an act entitled 'An Act to provide for the better security of life and lamb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved the third day of June Anno Domini one thousand eight hundred eighty-five (Pamphlet Laws sixty-eight)

Section one of "An Act to further amend an act entitled 'A supplement to an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred seventy-nine providing additional means of escape' approved the first day of June Anno Domini one thousand eight hundred eighty-three as amended to an act to amend the same approved the third day of June Anno Domini one thousand eight hundred eighty-five" approved the ninth day of May Anno Domini one thousand eight hundred eighty-nine (Pamphlet Laws one hundred sixty-nine)

Section two of "An Act to amend an act entitled 'A supplement to an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred seventy-nine providing additional means of escape' approved the first day of June Anno Domini one thousand eight hundred eighty-three" approved the third day of June Anno Domini one thousand eight hundred eighty-five (Pamphlet Laws sixty-five)

Section nine of "A supplement to an act entitled 'An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class' approved the seventh day of June Anno Domini one thousand eight hundred ninety-five" approved the thirtieth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred ten)

Section thirteen of "An Act to regulate the employment and provide for the health and safety of men women and children in manufacturing establishments mercantile industries laundries renovating works or printing offices and provide for the safety of men women and children in hotels school buildings seminaries colleges academies hospitals storehouses public halls and places of amusement by requiring proper fire-escapes and to provide for the appointment of inspectors office clerks and others to enforce the same" approved May twenty-ninth one thousand nine hundred and one (Pamphlet Laws three hundred twenty-two)

Be and the same are hereby repealed

Section 6 This act shall not go into force or take effect until the first day of January Anno Domini one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 791, as follows:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title to the land embraced within the lines of all streets lanes and alleys within the corporate limits of the municipalities which have been laid out by this Commonwealth shall be vested in the respective municipalities wherein such streets lanes and alleys are located

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 806 (House Bill No. 711), entitled:

An Act relating to the management of penitentiaries jails prisons houses of correction work houses of refuge and reformatories

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 815, as follows:

An Act providing for the making valid of the charters of certain corporations heretofore incorporated for the purpose of supplying heat light and power by means of electricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wherever heretofore any corporation has been incorporated under the provisions of the act of May eighth one thousand eight hundred and eighty-nine (Pamphlet Laws one hundred and thirty-six) amending sub-division eleven class two section two act of April twenty-ninth one thousand eight hundred and seventy-four for the purpose expressed in the applicaaion for its charter of supplying heat light and power by means of electricity to the public within a territory greater than the territory for which by said act said corporation would have had authority to supply light heat and power by electricity it shall be lawful for said corporation within one year from the date of this act to file in the office of the Secretary of the Commonwealh and record in the proper county a certificate under its corporate seal specifying the borough town city or district (part of said larger territory) in which it desires to supply heat light and power or any of them to the public by electricity And if any such borough town city or district after the filing of the original application for the charter was subdivided into two or more separate boroughs or districts the certificate so to be filed may comprehend all such boroughs or districts

Upon the filing and recording of any such certificates said corporation shall be obliged to confine its operation to supply light heat and power or any of them to the public by electricity to the territory specified in said certificate Any such corporation filing and recording such certificate shall thereafter possess the same rights and powers which it would have possessed had the original application for its charter and its charter confined the operations of said company to the borough town city or district thus specified

All property rights easements franchises and privileges belonging to any such corporation theretofore acquired by gift grant grant conveyance municipal ordinance or consent assignment or otherwise shall be vested in and shall be exercised by said corporation as though the original application for charter and charter had been limited in the way specified

Section 2 The Secretary of the Commonwealth is authorized and directed to receive any such certificate and to file the same with the original application for incorporation in his office upon payment of a fee for filing of thirty dollars Provided that nothing herein contained shall enlarge the territory within which any such corporation was authorized by law at the time of its incorporation to supply heat light and power by means of electricity to the public

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 833, as follows:

An Act to consolidate the five courts of common pleas of Philadelphia county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the jurisdiction and powers now vested in the five courts of common pleas of Philadelphia county shall be and hereby are vested in one court of com-

mon pleas which shall be called the court of common pleas of Philadelphia county and shall be composed of all of the judges of the said five courts during the terms of their several existing commissions and their successors elected or appointed in the manner provided by law Such jurisdiction and powers shall extend to all proceedings at law or in equity which have instituted or transferred to the said five courts or any of them subject to such changes and change of venue as may be provided by law

Section 2 The president judge of the said court shall be the one of the judges who is the oldest in continuous commission and shall be commissioned as such president judge for the remainder of his term When the president judge is re-elected he shall be commissed again as president judge and when the president judge shall go out of office the judge of the said court who shall be the oldest in continuous commission shall be commissioned as and be the president judge If there are two or more judges of the said courts whose terms of continuous service commenced at the same time they shall cast lots for priority of commission within thirty days after the approval of this act and shall certify the result to the Governor and if it at any time there are two or more judges of the said court as consolidated by this act whose terms of office will commence at the same time they shall cast lots for priority of commission and certify the result to the Governor within thirty days after the date of their election

Section 3 This act shall go into effect on the first Monday in January in the year of our Lord one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 855, as follows:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when the auditors of any borough township or poor district within this Commonwealth shall have charged any person with any sum of money in their report of audit any taxpayer of said borough township or poor district may proceed to enforce collection thereof for the benefit of said borough township or poor district from such person or his sureties by action or executionary process or both upon filing in the proper court of common pleas a bond with one or more sufficient sureties conditioned to indemnify said borough township or poor district from all costs which may accrue in the proceedings undertaken by such taxpayer

Section 2 When in any borough township or poor district within this Commonwealth an appeal has been taken from the report of the auditors thereof either by the borough township or poor district or by any person or persons charged in such report with any sum of money any taxpayer of said borough township or poor district may intervene in said appeal and either prosecute the same on its behalf or defend it against the appeal of the person or persons charged as aforesaid provided That such taxpayer at the time of intervention shall file in the proper court of common pleas a bond with one or more sufficient sureties conditioned to indemnify the borough township or poor district against all costs which may accure by reason of such intervention subsequently thereto

Section 3 In case of any appeal from any report of auditors of any borough township or poor district any person interested by intervention or otherwise may order the appeal upon the argument list of the court of common pleas of the proper county and testimony and other evidence may be taken on behalf of any person interested before any person authorized to administer an oath upon rule for that purpose served upon the opposite party After hearing argument the court shall file its findings of fact and law and enter judgment in accordance therewith collection of the same to be enforced by the party prevailing by any appropriate proceeding executionary or otherwise provided that if the court after argument shall deem any question or questions of fact so doubtful under the evidence submitted as to render it desirable that an issue should be directed as to such question or questions of fact the court may direct such an issue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 859, as follows:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That banks chartered under the provisions of the law of Pennsylvania be and they are hereby authorized to pay interest upon deposits payable on demand and upon daily balances of deposits subject to check" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That banks chartered under the provisions of the law of Pennsylvania are hereby authorized to pay interest upon deposits payable on demand upon time deposits and upon daily balances of deposits subject to check

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 860, as follows:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistaent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all persons subpoened on behalf of the Commonwealth at the instance of the district attorney or who waive issue of a subpoena and actually attending as witnesses in criminal cases either before the grand jury or court shall at the close of each day's attendance be paid on certificate of the district attorney by warrant drawn by the county commissioners on the county treasury the proper per diem fee and mileage for such attendance to be taxed as costs in the case

Section 2 That all persons heretofore subpoened on behalf of the Commonwealth at the instance of the district attorney and who actually attended as witnesses in criminal cases then or now pending before the grand jury or court shall be forthwith paid on certificate of the district attorney by warrant drawn by the county commissioners on the county treasury the proper per diem fee and mileage for such attendance to be taxed as costs in the case

Section 3 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 862 (House Bill No. 218), entitled:

An Act for the protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

The first, second, third and fourth sections of the bill were read as follows, and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person residing within this Commonwealth to hunt for wild birds or wild animals protected by the game laws of this Commonwealth with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or except in the defense of person or property to shoot at or kill or pursue with intent to take kill or wound any such wild birds or wild animals found within this Commonwealth without first securing a license to so do in accordance with the provisions of this act

Section 2 Whenever the word "person" is used in this act such word shall be taken to include every person all words or terms in this act which refer to person in the singular number shall be taken to include the plural number All words of the plural number shall include the singular number and all words of the masculine gender shall be taken to include the feminine gender

Section 3 For the purposes of this act any person born in the United States of America or any person fully naturalized under the laws of the United States or the son of

any such naturalized person under the age of twenty-one years who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application shall be entitled to the license herein referred to upon the further fulfillment of the requirements of this act

Section 4 Each and every resident of this Commonwealth such resident being a citizen of the United States upon application made verbally or in writing to any county treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this act and the payment to said county treasurer of one dollar shall be entitled to what is herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon Provided That no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian Provided further that no person under fourteen years of age shall be granted a license said license shall be issued on a form prepared and supplied by the Board of Game Commissioners at the cost of the Commonwealth Such license shall bear a description of the person applying for the same with the date of its issue and shall authorize the person named therein to use legal fire-arms for the purpose of hunting and killing any of the wild animals or game birds protected by the laws of this Commonwealth under the restrictions and requirements of existing laws during that year the date of which is inscribed thereon Said certificate shall become void upon the thirty-first day of December next following the date of issue the Game Commission shall also furnish free of charge and the county treasurer shall issue with each license a tag bearing the license number in figures at least one inch in heighth which tag said licensee is required to display on the back of the sleeve between the elbow and the shoulder in such manner that the figures be visible at all times while hunting Provided That it shall be lawful under the provisions of this act for any justice of the peace within this Commonwealth who has qualified therefor by having applied to the county treasurer of the county in which he is located and having received and receipted for the necessary blanks and tags to issue a resident hunter's license and tag on like conditions and in like manner as prescribed for the issuance of licenses by any county treasurer upon payment of fifteen cents to said justice by the said license in addition to the other dollar prescribed as the cost of said license said fifteen cents to be retained by said justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer of the county in which said justice of the peace is located Such report and remittance to be made and done by said justice of the peace within twenty-four hours after the issuance of said license by him Whereupon said county treasurer shall make a record of and otherwise treat said license as though it had been issued from his office except that he shall also note upon his record the name of the justice issuing the license Every justice of the peace shall deliver the book or books from which he has issued licenses together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him to the treasurer of his county during the month of January of each year

The fifth section of the bill was read as follows:

Section 5 Any citizen of the United States resident within this Commonwealth who shall excepting in defense of person or property attempt through the use of a gun or mechanical device before described in this act to hunt for or to take or wound or kill any of the wild birds or animals protected by the laws of this Commonwealth without first being possessed of a "Resident Hunter's License" lawfully issued to him in his name shall be liable to a penalty of twenty dollars for each offense and each day upon which said gun or device is used shall be considered a separate and distinct offense Provided That nothing in this act shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or proprty or from shooting at targets or from hunting for or shooting at in any place in this Commonwealth anything not protected by the laws of this Commonwealth or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family of such owner or lessee such person being a citizen of the United States residing upon and cultivating lands of not less than ten acres in extent from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this act it being distinctly understood that no right is conveyed by this act to hunt upon either private or public property in this Commonwealth contrary to the wishes of those who may own or control such property

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend section 5, in line 18, by striking out the words "of not less than ten acres" and inserting in lieu thereof the words "in this Commonwealth."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

Will the Senate agree to the section as amended?

On the question,

It was agreed to.

The sixth section of the bill was read as follows:

Section 6 For the purpose of this act the fact that any person shall be found in possession of a gun or of a mechanical device of any description possessing the power to propel with force a leaden or metal bullet or pellet either in the field in the forests or on the waters of this Commonwealth shall be considered prima facie evidence that such person is hunting and shall render him liable to display his license tag as aforesaid and to show his "Resident Hunter's License" and a tag to any officer of this Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth or upon demand by the owner or the lessee or by the employe or representatives of such owner or lessee upon whose lands such person may be found in this Commonwealth and for refusing or neglecting to comply with such request such person neglecting or refusing to display his license tag as aforesaid and exhibit his "Resident Hunter's License" shall upon conviction be liable to a penalty of twenty dollars and the fact that any person may be found upon the highways of the Commonwealth in possession of a gun and the dead body of any bird or animal protected by the laws of this Commonwealth shall be considered prima facie evidence that such person is hunting and such person upon demand made by any officer of the Commonwealth whose duty it is to protect the wild birds and game of the State shall be required to display his license tag as aforesaid and exhibit his "Resident Hunter's License" and for refusing to so do shall upon conviction be liable to a penalty of twenty dollars Provided That in all cases of arrest for violation of any of the provisions of this act except where the dead body of any game bird or animal is found in possession of the accused the affidavit of any person charged with such violation denying the charge made shall in every instance overbalance what is termed "prima facia evidence" in any of the provisions of this act and that all penalties collected for violation of any of the provisions of this section shall be paid into the State Treasury to be applied to the purposes otherwise provided for in this act

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend section 6, in line 8, by striking out the last three words "and a tag".

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh, eighth, ninth, tenth, eleventh and twelfth section of the bill were read as follows and agreed to:

Section 7 Each and every county treasurer of this Commonwealth shall keep in a book to be supplied by the Board of Game Commissioners at the cost of the Commonwealth a correct and complete record of all "Resident Hunter's License" issued by him Such book shall be in the form of an alphabetical index and it shall be the duty of each county treasurer to have entered therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward immediately to the Game Commission a complete list of licenses granted with names and addresses of licensees and numbers of their respective license on blanks to be furnished by the Game Commission and this index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the wild birds and game of the Commonwealth

Section 8 Said county treasurers are herewith authorized to retain for services rendered the sum of ten cents from the amount paid by each licensee which amount shall be full compensation for services rendered by him in each case under the provisions of this act and shall remit all balances arising from this source at least once a month to the State Treasurer for the purposes otherwise provided for in this act Each county treasurer shall make his return to the State Treasurer upon a form to be supplied by the Board of Game Commissioners at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary of the Board of Game Commissioners at Harrisburg

Section 9 Any officer of the Commonwealth whose duty it is to protect the wild birds or game of the Commonwealth or to preserve the peace of the Commonwealth shall have the right to arrest without warrant any person caught in the act of violating any provision of this act or in a pursuit immediately following such violation and to seize all guns shooting paraphernalia dogs boats decoys or other appliances used in violation of any provision of this act also all wild birds or animals game or otherwise found either in possession or under control of the suspected person within this Commonwealth All birds and animals or parts thereof not classed as game in this Commonwealth thus seized shall be held subject to the order of the Board of Game Commissioners All guns boats decoys dogs game and shooting paraphernalia seized when such arrest is made shall be held subject to the determination of the proceedings instituted and where the party accused is convicted all game seized shall be forfeited to the Commonwealth of Pennsylvania and as soon as may be shall be forwarded to

the most convenient hospital for the use of the sick or injured therein All guns boats decoys dogs and shooting paraphernalia of every description thus seized shall be held subject to the payment of the penalty imposed and the costs of prosecution and unless security be given as required by section thirteen of this act all such seized guns boats decoys dogs and shooting paraphernalia shall be sold at public auction, after advertising the same for five days by at least five public handbills conspicuously posted in the city borough or township wherein the conviction was secured Any fund thus arising shall be applied First to the payment of the costs of prosecution then to the payment of the penalty imposed and the remainder if any shall be returned to the owner of the property seized Where game dogs boats decoys or shooting paraphernalia of any description shall be seized and the owners thereof escape arrest and refuse to present themselves and make claim to said property all such game after the lapse of three days after the seizure shall be declared forfeited to the Commonwealth and shall be sent to the most convenient hospital for the purpose before indicated in this section All guns dogs boats decoys and other shooting paraphernalia thus seized shall be held for a period of ten days after which time if the owner thereof fails to appear and defend himself against the charges made such property of all description shall be sold in the manner prescribed for the sale of seized property after conviction and the fund arising from such sale be applied as in the case of the sale after conviction Provided That the fact that imprisonment suffered by any person convicted of violating any provision of this act shall not prevent the sale of guns dogs boats decoys or shooting paraphernalia of any description held as the property of the imprisoned party and the application of the fund thus realized to the payment of the costs and the penalty imposed

Section 10 Each and every person resisting arrest for violation of any of the provisions of this act or refusing to go with an officer after an arrest has been made or interfering with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be liable to a penalty of one hundred dollars which penalty when collected shall be applied as are other penalties under the provisions of this act

Section 11 Whenever because of the violation of any of the requirements of this act any person shall be convicted for a first offense and a penalty be imposed and the defendant shall neglect or refuse to at once pay said amount together with the costs of prosecution in lawful money of the United States he shall at once be committed to the common jail of the county in which the conviction is secured for a period of one day for each dollar of penalty imposed unless he shall enter into good sufficient recognizance to either pay the penalty and costs within a period of ten days after the date of said conviction or to certiorari the proceedings under the forms of law or to carry the case to a higher court on appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto For the second or any additional offense after the first offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed Provided That in every case of a conviction for violation of any of the provisions of this act wherein the defendant suffers imprisonment in lieu of a cash payment of the penalty imposed or fails to pay the costs of prosecution all traps guns boats decoys shooting paraphernalia or other appliances used in violation of the law and found in his possession at the time of arrest or proven to have been used in violation of law shall be and they are hereby declared forfeited to the Commonwealth of Pennsylvania and shall be either destroyed or sold as the Board of Game Commissioners may consider best and the money secured through such sale shall be applied by said board first to the payment of the costs incurred and the remainder if any be deposited with the State Treasurer to be used for the purposes herein otherwise provided the defendant being entitled for the first offense only to the credit of one day off his imprisonment for each dollar so deposited with the State Treasurer

Section 12 All licenses fees collected under the provisions of this act and all fines and penalties imposed and collected for violation of any of its provisions shall be paid to the State Treasurer as hereinbefore designated who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the General Appropriation act or by separate appropriation for the payment of bounties It being specifically provided that fifty per centum of any fund returned to the State through or because of the provisions of this act or so much of said fifty per centum as may be needed shall be applied by the Legislature at its biennial sessions to the payment of bounties at the rate of one dollar for each mink killed two dollars for each weasel killed two dollars for each fox killed and four dollars for each wild cat killed and such bounty upon other animals or birds as may hereafter have a bounty placed upon them by the Legislature of the State such bounties to be paid upon proof of such killing as is now provided by the law of this Commonwealth

The thirteenth section of the bill was read as follows:

Section 13 Each and every magistrate justice of the peace and alderman within this Commonwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions of this act excepting where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magistrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrended by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall except as provided for in section six of this act belong to such prosecutor and shall be paid to him by the court receiving the same and the remaining one-half penalty shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the Secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer to be applied to the purposes otherwise provided for in this act Each and every defendant convicted on appeal before any court of this Commonwealth shall be sentenced to pay the penalty imposed by the section violated or to undergo imprisonment in the common jail of the county for one day for each dollar of penalty imposed and unpaid Provided that any person charged with violating any provision of this act may sign an acknowledgment of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector deputy or special deputy game protector the penalty in full as fixed by the act together with the costs accruing to the State to that date and the printed receipt therefor which shall in every instance bear the imprint of the Seal of the Board of Game Commissioners of Pennsylvania and the signature of its secretary shall be evidence of full satisfaction of the offense committed Provided further that when any person or persons are arrested for any violations of the provisions of any section of this act the party or parties making said arrests shall immediately thereafter take or cause to be taken the parties so arrested to the nearest justice of the peace magistrate or alderman for a hearing upon the charge upon which said person or persons were arrested

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend section 13, in line 25, by striking out all of said line after the word "prosecutor" as follows "one half of the penalty thus collected shall except as provided for in section six of this act belong to such prosecutor and shall be paid to him by the court receiving the same and the remaining one-half", and inserting in lieu thereof the word "the".

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourteenth section of the bill was read as follows and agreed to:

Section 14 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 872, as follows:

A Supplement ao an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Forestry Reservation Commission in purchasing lands for forest reservations may pay for such lands at a rate not exceeding ten dollars per acre

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 485, entitled:

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated

And said bill having been read at length the first time,

Ordered, To be laid aside for a second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 759 (House Bill No. 926), entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 760 (House Bill No. 949), entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 761 (House Bill No. 950), entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 828, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 887 (House Bill No. 157), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford county is located and distribute the money received from such sale

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 877, entitled:

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 878, entitled:

An Act providing for the establishment of a State Department of Standardization and Supervision of Accounts requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations form the State or any sub-division thereof to keep accounts and to make reports in the form prescribed by said Department providing for the inspection by said Department of the accounts of all such officers or officers defining the offenses in relation thereto and providing punishments for violations of the provisions thereof

And said bi l having been read at length the first time,

Ordered, To be laid aside for second reading.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, viz:

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 8, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

H. F. Redenbach, Pittsburgh.

BRADFORD COUNTY.

A. Carl Fanning, Towanda.

GREENE COUNTY.

L. W. Sayers, Waynesburg.

LAWRENCE COUNTY.

C. E. Bagnall, Taylor Twp.

PHILADELPHIA COUNTY.

Walter R. Flaherty, Philadelphia.

WESTMORELAND COUNTY.

I. M. Graham, Ligonier.

PHILADELPHIA COHNTY.

John A. Fitzspatrick, Philadelphia.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. MILLS.

That Rule 38, which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. MILLS.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constutition, and were as follows, viz:

YEAS—40.

Alexander,	Graff,	Kline,	Nulty,
Beidleman,	Gyger,	Kurtz,	Powell,
Buckman,	Heacock,	Magee,	Salus,
Catlin,	Herbst,	Martin,	Sensenich,
Clark,	Hilton,	McNichol,	Sheatz,
Cooper,	Hoke,	McNichols,	Sones,
Crow,	Homsher,	Miller,	Thompson,
Endsley,	Hunter,	Mills,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly

REPORT FROM COMMITTEE.

Mr. THOMPSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 616, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning in the southern boundary of the Borough of Nazareth, thence by way of Newburg and Hecktown to a point on the northern boundary of the Borough of Bethlehem, connecting with route number 159.

RECESS.

Mr. THOMPSON. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The ACTING PRESIDENT PRO TEMPORE (Mr. Kline) in the Chair.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILL INTRODUCED.

Mr. ENDSLEY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 942, entitled:

A joint resolution providing for the printing binding and distribution of two publications heretofore published by the State, namely: "Pennsylvania at Gettysburg" and "Report of the Commission to locate the site of the Frontier Forts of Pennsylvania."

Which was committed to the Committee on Printing.

ADJOURNMENT.

Mr. FARLEY. Mr. President, I move that the Senate do now adjourn until to-morrow morning at 10 o'clock.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12.55 o'clock P. M. until Wednesday morning, April 9, 1913, at 10 o'clock.

HOUSE OF REPRESENTATIVES

TUESDAY, April 8, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we pray for the Congress of the United States just assembled in special session. It is an important gathering fraught with interests which affects very vitally not merely the nation as a whole but great multitudes of people. The conditions are comparatively untried and new. Questions will be submitted which will be involved, complicated, perplexing. Thy servants need that wisdom, which is profitable, to direct. Grant them this wisdom. May they be sober, restrained, discreet, temperate. May they not view their office lightly but take very seriously the work which is before them. Bless thy servant, the President of the United States, who has such exceptional opportunities and yet who is so oppressed with heavy responsibilities and beset with insiduous perils. Guard and guide him; may all the men gathered about him, chosen to be his consellors and advisors, be wise and thoughtful men, so that all which is recommended, undertaken, accomplished shall be to the honor of God and for the welfare of the nation, and Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings when on motion of Mr. William F. Blair, the further reading was dispensed with, and the Journal was approved.

SENATE MESSAGES.

The Clerk of the Senate, being introduced, presented extracts from the Journal of the Senate, which were laid upon the table.

BILL INTRODUCED AND REFERRED.

By Mr. ULMAN. House Bill No. 1891.

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gaging stations on certain streams within the Commonwealth of Pennsylvania, authorizing said Commission to issue flood warnings and making an appropriation therefor.

Referred to the Committee on Judiciary Local.

PETITIONS.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

The Speaker presented the petition of citizens of Centre County, praying for the passage of a bill providing for the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

FAVORING THE ERECTION OF A MONUMENT TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. JACKSON presented the petition of citizens of Wayne County, praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. MARTIN presented the petition of Washington Camp, No. 102, P. O. S. of A., praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented a petition of citizens of Schuylkill County, praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. LENKER presented the petitions of Washington Camp, Nos. 390 and 576, P. O. S. of A., praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which were referred to the Committee on Education.

Mr. MELLOTT presented the petition of Washington Camp, No. 309, P. O. S. of A., praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. McCLINTOCK presented the petition of Washington Camp, No. 395, P. O. S. of A., praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

FAVORING THE ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. MELLOTT presented several petitions of citizens of Fulton County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which were referred to the Committee on Appropriations

Mr. SAVACOOL presented the petition of citizens of Bucks County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JACKSON presented the petition of citizens of Wayne County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. ROCKWELL presented the petition of citizens of Tioga County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JAMES A. DUNN presented the petition of Washington Camp, No. 394, P. O. S. of A., praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. H. L. PERRY presented the petition of citizens of York County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JOHN ROBERT JONES presented the petition of Washington Camp, No. 134, P. O. S. of A., praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JOHN ROBERT JONES presented the petition of citizens of Schuylkill County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. McCLINTOCK presented the petition of Washington Camp, No. 395, P. O. S. of A., praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. LENKER presented the petitions of Washington Camps, Nos. 390 and 576, P. O. S. of A., praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which were referred to the Committee on Appropriations.

Mr. MARTIN presented the petition of Washington Camp, No. 102, P. O. S. of A., praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

LEAVES OF ABSENCE.

Mr. ULMAN asked and obtained leave of absence for Mr. Barner for the week, on account of the death of his mother.

BILL PLACED ON CALENDAR.

Mr. BIGGER. Mr. Speaker, I move that House Bill No. 1451, entitled:

An Act providing for the resignation or retirement of certain officers and employees of State institutions and under certain conditions allowing them half pay during the remainder of their lives and making an appropriation therefor

be placed on the Calendar, notwithstanding the negative recommendation on said bill by the Judiciary Special Committee.

Mr. McALLISTER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. BIGGER. Mr. Speaker, the object of this bill is to provide certain benefits for employees who have served in the penal institutions of our State, in insane asylums or reformatories, for the period of twenty-one years, provided they have reached the age of sixty-five and are physically incapacitated for performing the strenuous duties that are required in the institutions. There are certain officers in those institutions that have served for thirty and thirty-five years that are not able to perform the exacting duties required, and we think it is for the benefit of the institutions to have younger and stronger men in those offices. The question is, what is to become of those old men who have served those institutions so faithfully for so long a period, and it is not clear to the management how to keep those men in active service. This bill would simply provide that those men be put on special work after they have reached that age. They must always hold themselves in readiness to perform any service that the management may require of them, and I would ask you gentlemen to put this bill on the Calendar, notwithstanding the negative recommendation of the Judiciary Special Committee. I have no fault to find with the committee. I think it is a very able committee. I think this is only a mistake they have made in this respect and would ask you gentlemen to place the bill on the Calendar.

Mr. LOWERS. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BIGGER. Yes, sir, Mr. Speaker.

Mr. LOWERS. Mr. Speaker, how many men would be affected by this measure if it went into effect?

Mr. BIGGER. Mr. Speaker, I am informed that there are about seven in the Western Penitentiary; as to the other institutions I am unable to say.

Mr. LOWERS. What would be the approximate cost to the State?

Mr. BIGGER. These men are receiving at the present time from seventy to eighty-five and ninety dollars a month; and that would mean from thirty-five to forty-dollars a month for each one if it went into effect. I have no knowledge of the number of men that would be affected in institutions other than the Western Penitentiary.

I might state that we pension our judges fifty per cent. of the amount of salary that they receive. I believe it is only fair and equitable for the State to provide for those old men and officers who have served their best days in those institutions.

On the question recurring,

Will the House agree to the motion?

Sixty-three gentlemen, or more than the number required by the rules, having voted in the affirmative,

The motion was agreed to and the bill will be placed upon the Calendar.

CONCURRENT RESOLUTION RELATIVE TO FINAL ADJOURNMENT.

Mr. SCHUCK offered the following concurrent resolution, which was twice read as follows:

Resolved, if the Senate concur, that the date of final adjournment of the present session of the General Assembly be on Thursday, May 15, 1913.

On the question,

Will the House agree to the resolution?

Mr. HUMES. Mr. Speaker, I move that the resolution be referred to the Committee on Rules.

Mr. SASSAMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. SCHUCK. Mr. Speaker, may I have a word? At the response to a public demand, I introduced this resolution, and believe it is the desire upon the part of the members here to have something to say upon this matter instead of referring it to the wisdom of a few. I do not want it understood that I am an obstructionist to good legislation, nor am I objecting to taking sufficient time to do the work of this House, but I leave it to you, if you had any other business, you would try to do that business in a fixed time. You would fix a specified and alloted time, weeks, months or days, to do a certain task, contract or work. Why shouldn't we do it in this House? I am not arbitrarily contending for this date. All I ask you is not to let this go to the Committee on Rules, which is the graveyard committee of this House. Leave it to the judgment of the members of this House, and not those five men on that committee, who are there perhaps to advance many of their own desires. I ask you to consider this point. Only a week ago this same resolution was introduced, with a week earlier We have been in session here already thirteen weeks. We have had bills shut off three weeks. If you want to make the time in this resolution later, then when this resolution is called up from the Calendar, amend it. I might be one of those who will support an amendment to a later date, but above all let us consider this as a House. This is simply asking you for a referendum vote of the House, instead of referring it to five members of this House. Now, let us not magnify our importance and deceive ourselves into the opinion or belief that our constituents expect us to stay here all summer. They do not expect it. Already they are beginning to write of us as serving a term in the Legislature. All of the papers, in view of the fact that there is talk of a late adjournment, are beginning to talk of us in a derisive way. Let us be business-like. Let us not refer this to the Rules Committee. If you want to amend this to a later day, amend it, but let it be a matter for the House. I am not contending for an arbitrary day, but I am contending for a business-like method of handling this question, instead of referring it to men who perhaps have not finished out their political careers. Some of us have; some of us are here for recreation; others are here

for a vacation; others are ready to go back home. There is one more point. I wish you to remember that the per diem wage of the employees of this House, not of the members, that is fixed, the per diem wage is $1500 a day, or $10,000 a week. Already we have passed the constitutional limit of one hundred days. We have passed it by one month, which means $40,000 extra wages paid to employees. I am asking you not to refer this to the Rules Committee. The Rockwell resolution, which required that a majority of those present and voting should be required to withdraw a negative bill and put it on the Calendar, if it had been considered favorably would have saved us a week, or at least half a week of time. All I ask is to let the House decide on this question.

Mr. HUMES. Mr. Speaker, this is the first time that I have ever heard any man undertake to assert that the office of a member of the Legislature or an employee of the Legislature was created for the convenience of the office holders, and the doctrine that is being promulgated by the gentleman from Westmoreland is merely the annunciation of that doctrine. I do not believe that we feel that we were sent here to consult merely our own convenience as to the performance of our duty, I do not believe that we came here for the purpose of taking a vacation or for the purpose of spending a certain number of days performing the duties that might devolve upon us; and I would like to ask the gentleman from Westmoreland, or any other member of the House, whether or not he has undertaken to ascertain the length of time that will be required to consider the legislation that is pending before this House. The gentleman says that in any private business that we would figure upon a definite time. I will agree with the gentleman that that is true, on condition that we had a definite duty to perform; but here we are undertaking an indefinite duty. We are considering a great number of bills and no man can determine how long it will take to give those bills the proper consideration. I believe, as the gentleman says, that there is great unnecessary expense being incurred here each day by reason of the employees in the House, because we will all agree that there is unnecessary expense attending the employment of some of them; but if this expense is so great, are not the people of the State entitled to some consideration for the expense that is being incurred? And when the gentleman at this time undertakes to fix a date for adjournment, they are merely undertaking to say that we should shut off expenses without returning to the people the consideration to which they are entitled, and the legislation which is merited by them from this session, and I hope that this resolution will be referred to the Committee on Rules, not as a graveyard committee, but as the proper committee to determine questions such as this, that may come before the House; and I believe that that Committee, if it exercises its wisdom, as I believe it will, will make a graveyard of this resolution for the present at least.

MR FLYNN IN THE CHAIR.

Mr. ALTER. Mr. Speaker, I entirely agree with what has been said by the gentleman from Crawford. In my judgment, the definite, arbitrary fixing of a date of adjournment at this time is inopportune and I do not think the gentleman from Westmoreland is justified in referring to the Committee on Rules as a graveyard committee. The Committee on Rules has a very considerable responsibility to this House. The Committee on Rules has imposed upon it the duty of keeping track of the progress of legislation and of advising from time to time what should be the course of the House with reference thereto. A little over a week ago the gentleman introduced and the House sent to the Committee on Rules, a resolution fixing the 8th day of May as the date of adjournment. If the gentleman was right at that time, then the resolution which he introduces this morning will keep the House here a week after the time when it will be able to finish its work. If he was wrong at that time, then he may be wrong at this time in the date which he writes into his resolution. There is one time, Mr. Speaker, for this House to adjourn and that is, when it has completed the work which the members come here to do. We cannot say now how many days or weeks it will take to complete the work which remains to be completed before we can go home and look our constitutents squarely in the faces. As an illustration of the impossibility of determining with accuracy beforehand how long it will take to dispose of a given number of bills, take the Governor's Highway Bill, so-called, which was disposed of last night on second reading. Ordinarily, in figuring how much time it was going to take to get over the second reading, one would decide thirty seconds was sufficient to dispose of that bill on second reading. We all know how much time it consumed. I do not say that time was improperly used, but I simply use it as an illustration of the impossibility of determining beforehand how long it will take to get along with legislation.

Now, Mr. Speaker, this House has been acquitting itself with credit in disposing of the business which has come before it. I know there has been some disposition to send abroad the impression that the House has been wasting its time and has not been doing business. That is unjust to the House. When the gentleman introduced his resolution, fixing the 8th day of May, which was introduced at the end of the week before last—on the 27th of March, I had sufficient curiosity to have the records of this House compared with the records of the two preceding Houses, as to the amount of work done up to that time. I found that up to the 27th of March, this House had passed and sent to the Senate, 204 House Bills. I found that in the session of 1911, up to the same date, the 27th of March, the House had passed and sent to the Senate, 157 House Bills. The House of 1913, gauging it by that standard, which is a fair one, had done thirty per cent. more work up to the 27th of March than had been done by the House of 1911.

Now, it has been suggested that if we fix a specific date of adjournment then we will work up to that date and do more work. Can we well do more work than we have been doing in the same time? Will all discussion of measures cease, if a definite date is fixed? Will time not necessarily be consumed in the proper discussion of measures? You would think to hear some suggestions, not by members of the House, but popular suggestions, that when we stop to discuss a bill we are wasting our time, that the thing we are here to do is to vote on bills and pass them without discussion, without explanation. Mr. Speaker, in my opinion, up to this time in this House, there has not been an undue amount of time devoted to the discussion of measures. Measures of importance coming before this House ought to be discussed. The views of members ought to be compared. I have heard some suggestions here that the Chair was too liberal in recognizing members to discuss bills. Mr. Speaker, if it is desired that bills shall be put through this House, without members who get up in good faith addressing the Chair for the purpose of expressing their views, without such members being recognized and allowed to speak, this House will have to get a new Speaker.

It is said that if you fix a definite date of adjournment you will work faster. In the session of 1909, on the very day the House organized, in entire disregard of what work might come before it, this plan was adopted. On the very day the Speaker was selected the 15th of April was fixed as the date of adjournment. I said a few moments ago that up to the 27th of March this House had passed and sent to the Senate 204 House Bills. In 1909, notwithstanding the fact that on the date of organization the 15th day of April had been fixed as the date of adjournment, the House on the 27th of March had passed and sent to the Senate only 184 House Bills. Does that show that by fixing an arbitrary date of adjournment the House will work faster? The members of this House are not children. They do not need to bind themselves in this manner in order to induce themselves to perform the duty which they recognize.

This resolution, and any such resolution at this time, ought to go to the Committee of Rules. I think the Committee of Rules is a conscientious body of men, and I think as soon as they are able to perceive from the state of work of the House, from the state of work of the Legislature, that a definite date of adjournment can be fixed, they will report out a rule with that date in it. I do not say that that date will be later than the day fixed by this resolution. That I do not know. I am willing to work and I am sure the great majority of the members of the House are willing to work with the utmost diligence to try and get the work of this House finished by that time, then if we have tied ourselves up in a resolution at this time, what will we do? Send a resolution to the Senate extending the time? I fear such a resolution, if this resolution is

once adopted and we get down to the 15th of May and find there is a week or ten days' work yet to be done and we send a resolution over to the Senate extending the time of the adjournment for a week or ten days, I would fear that by some inadvertence that resolution might be referred to the Senate Committee on Judiciary Special.

Mr. Speaker, we might have passed a half dozen bills while this matter has been before the House. I urge, Mr. Speaker, that we devote ourselves with the utmost diligence to performing our work and that we do not take a chance of spoiling the effect of all the good work we have done and are trying to do, by putting this House in the position of saying to the people of Pennsylvania, we are going to quit on the 15th day of May whether we have finished your work or not.

Mr. O'NEILL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. ALTER, permit himself to be interrogated?

Mr. ALTER. I will.

Mr. O'NEILL. Mr. Speaker, if we have a definite date fixed for adjourment, does not the gentleman know that we will save paper and ink and prevent some of our worthy members from spreading themselves on the Journal.

Mr. ALTER. Mr. Speaker, I do not know this to be a fact. I well remember in the session of 1909, notwithstanding as I have said that we fixed the fifteenth day of April as the day of adjournment on the day of the organization of this House, we spent one whole night's session here discussing the local option bill, which had a smaller following in that session than it had in this. And this other point, speaking of paper and ink, if the gentleman are going to suggest that we are to work a great deal faster than we have been working, then who is going to do your printing.

Mr. ALLEN. Mr. Speaker, I quite agree in much that has been said, especially all in relation to the defense of the Rules Committee. At the beginning of this session many of the members of the House felt that a Code of Rules had been adopted in former years which would not justify them in adopting for the government of this session, and thereupon, new rules were prepared which seemed at the time very satisfactory to the members of this House. From the time this House commenced its work, until this time, numerous changes were suggested and numerous changes were considered by the Committee on Rules, and considered for the sole purpose of determining what benefits might come to this House from such changes of the Rules as had been suggested. Several changes have been reported by the Committee on Rules and I think the House will agree that each of those changes has proved of material benefit to this House in the transaction of its business. There has been no endeavor at any time on the part of the Rules Committee to stifle anything that appeared good. There are reposing in the Committee, I believe, at this time, two or more resolutions attempting to fix the day of adjournment. Those matters have been thoroughly discussed by the Committee on Rules, and thoroughly considered from the standpoint of this House and especially from the relation that the membership of this House bears to the people back home. You must take into consideration, Mr. Speaker, that at the very beginning of this session this House was made up of a great majority of members who had pledged themselves to place upon the statute book certain legislation at this session. No time limit was fixed within which to do that. None is provided by the Constitution, certainly the history of this House from the time the House was first organized down to this time establishes no fixed rule by which this House shall adjourn within a limited time. When the members of this House who claimed to be so progressive at that time and demanded so much progressive legislation stepped before the bar of this House, they took an oath to perform their duties of legislators of this great Commonwealth in a certain way, and to perform those duties fully. Now we know, we all know, and none can be so blind but that they can see, none so deaf that they cannot hear that the most important legislation which the various members have pledged to the people of this great Commonwealth still reposes in Committee and it is being considered there from day to day by those Committees from all standpoints. Now, along comes a resolution injected on the spur of the moment, hurled upon the members and we are asked to pass this resolution, and now, and now, if you please, without a moment's thought, without a moment's consideration, we are to say that on the fifteenth day of May at high noon we drop the curtain upon this session leaving behind as undone whatever may be there irrespective of the fact that we have promised to do certain things, and many of them. Mr. Speaker, it has been the thought of the Rules Committee and their action up to this moment that at least the raise of the dawn of the closing day should appear on the horizon before the Committee on Rules made a suggestion to the House as to when that day should end. We have important legislation here, as the Speaker of the House said a moment ago, when he occupied this floor. No man can tell how much time it will take to thoroughly consider those matters. To state another instance, Mr. Speaker. To those members who were sufficiently attentive to their duties to be on the floor of this House on Thursday last, you will recollect and you will recall the fact that almost an entire bill was written by amendments on the floor of this House on Thursday last—a bill that should have come from the Committee and passed second reading within a moment's time, because it should have been reported out of the Committee in amended form, and yet much to the surprise of this House moment after moment dropped away and almost an hour was consumed in re-writing that bill on the floor of the House, when one of the gentleman from Delaware, to save the time of the House, moved that the bill be recommitted to the Committee for the purpose of amendment, which ought to have been done at the very inception of the consideration of that bill. None that were here knew that that time was going to be consumed, and yet it was. Twenty bills could have passed second reading on the floor of this House while that bill was being considered, and at the time the consideration stopped, the bill was no further on than it was at the very beginning. No one knew when the amendments were going to end, and so it was endured from time to time, and the time went on. We have such bills before us now on the calendar, and no one can vouch safe how long it will take for a moment to pass a bill. But five or six minutes are consumed in the calling of the roll. There may be bills upon this calendar and I have seen them from day to day, which, when called, met with justifiable opposition and met with defeat when it appeared at the time, at the very time that the Chair asked the question as to whether or not the House would agree to the bill on third reading, or was making the announcement that the bill had been read at length three times on three different days. Now we all know that from experience, and why this undue haste. Why this undue haste. Is it possible that it is brought about with the expectation of getting through this House certain measures which some one may be interested in, while the measures which you and I and our people are interested in may be left just far enough behind that when the bell rings we are down and out. Is that it? There is no per diem for the members of this legislative body. I hope that no member on the floor of this House is working for a per diem. I hope that he feels the responsible duty which rests upon him, and is moved by a certain patriotic spirit to stay here until duty is done. I for one, Mr. Speaker, am heartily opposed to the consideration of this resolution, to its adoption, and I too, heartily concur in the suggestion that the resolution should be referred to the Committee on Rules, and that Committee will give any member of this House any hearing that he may seek to have why the resolution should be brought out in its present form and adopted.

Mr. HOBBS. Mr. Speaker, let us dispose of this resolution and get down to business and remove these great snowbanks before us before the time of the summer heat comes to melt them away.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

The SPEAKER (George E. Alter) in the Chair.

RESOLUTION RELATION TO COMMITTEE ON RULES REPORTING RESOLUTION.

Mr. SCHUCK. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Moved that the Rules Committee be given instructions to report on this resolution upon the day of adjournment not later than next Monday, April 14th, 1913.

The SPEAKER. The resolution is not in order.

RESOLUTION RELATIVE TO THE COMMITTEE ON RULES BEING DISCHARGED FROM FURTHER CONSIDERATION OF A RESOLUTION.

Mr. ROCKWELL. Mr. Speaker, I desire to offer a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the resolution as follows:

Whereas, the Committee on Rules has had in its possession for more than ten days a resolution to change Rule 37 in relation to requiring sixty votes to put a bill on the calendar notwithstanding the negative recommendation of a committee, and no action taken thereon.

Moved, that the Rules Committee be discharged from the further consideration of said resolution.

Mr. WALTON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the adoption of the motion?

Mr. ROCKWELL. Mr. Speaker, it seems to me that one of the most important things that is delaying us in this matter of getting along with the work is this last rule of allowing sixty members to overrule one hundred and forty-seven members of this House. There has been bill after bill put upon the calendar here by sixty members voting in its favor. If I am correct in my recollection, not a single bill in this session of the House that has been placed upon the calendar in this manner has passed the House. If we are going to adhere to such a foolish rule as that rule of sixty, we might as well discharge every committee of this House, and it seems to me that it is time to get down to the common sense principles of American procedure and let the majority rule.

Mr. S. B. SCOTT. Mr. Speaker, the purpose of the Rule of Sixty is not to prevent or stifle important legislation. The fault has been found with our procedure under that rule. It is not at all that the number is too small but from the fact that committees are content to negative bills and then seem totally afraid to stand up and defend their negative action. Those bills which have been negatived by the committee have been placed upon the Calendar without objection from anybody. Those committeemen who voted to negative a bill and then voted to place it on the Calendar afterwards have practically admitted that their action in negativing a bill has been improper, and when they do that of course the House puts them on the Calendar—when they practically admit that they should not have been negatived. There is then nothing else to do but to put them on the Calendar. Under the rules of the House the procedure is that no bills be negatived unless they ought to be negatived and if they ought to be negatived, the members ought to stand up and say so on the floor of the House and sustain the committee's action when they understand the facts? If the committees will only do that we will have a liberal rule sensibly enforced and we will lose no time and everything will be correct.

Mr. ROCKWELL. Mr. Speaker, just one more word. This sixty rule vote is one of the most absurd propositions we have had in this Legislature. Suppose we have 207 members present. Sixty members vote to put a bill on the Calendar to-day and 147 vote no. Immediately afterwards, one of these move to strike it off. Where are you? You are simply playing "fox and geese" and accomplish nothing.

Mr. SHERN. Mr. Speaker, I heartily concur in the motion made by the gentleman from Tioga. This rule was formulated by the Committee on Committees and we wanted it to be eminently fair as regards the negativing of bills. From past experience we know that it was very difficult for a member to secure one hundred and four votes to have his bill placed on the Calendar when it was negatived by a committee. We knew that there were certain days only—the only days when the consideration for the placing of bills on the Calendar was taken up. But since this rule of sixty has been in operation, it has been, to my mind, a joke. To illustrate: I wish to show how impractical our friend from Philadelphia, Mr. Scott, is; and I wish to designate which Mr. Scott, as we have both of them from Philadelphia (Mr. S. B. Scott) should consider that if there is any man who desires to have a bill placed on the Calendar after it is negatived, that he can accomplish this. There is not a man in this House that cannot go around among the members and talk to them and see them personally and with proper solicitation have a majority help him to put his bill on the Calendar, if there is any reason for it at all. I don't believe that any man in this body who has any industry or energy could fail in this and he could easily succeed in getting his bill placed on the Calendar. There is one point to which I wish to refer: My friend from Philadelphia, Mr. S. B. Scott, argues that if the members would stand up and defend their position after negativing a bill, the effect and result would be different. It shows how impracticable the gentleman from Philadelphia is. I think if he would follow the method suggested in what I have just said he would be more successful and not so often defeated.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I understand that the motion now is to discharge the Committee on Rules.

The SPEAKER. That is correct.

Mr. JOHN R. K. SCOTT. Mr. Speaker, not only is that over-riding the action of this House taken at the beginning this session but, to my mind, it is a discourtesy to the Committee on Rules. The motion was referred to the Committee on Rules. It is true that they have not reported it out within ten days, but surely with the assurance from the Chairman of that committee some action will be taken and, certainly, the gentleman from Tioga will not press his motion so that this question can come before the House will give some assurance to the House that some action will be taken and that the gentleman from Tioga will accept it, and with that assurance that he will withdraw his motion so that this question can come before the House only as presented by the committee and be argued within lines commissioned by parliamentary procedure. You can then go into its merits or demerits. I hope the Chairman of the Committee on Rules will make some statement here in the House as to the purpose of the committee on this question.

Mr. R. J. BALDWIN. Mr. Speaker, the gentleman from Philadelphia, Mr. John R. K. Scott, feels that we should not over-ride the Committee on Rules by a majority vote. That will be the question that will come before us and yet he stands for a proposition where sixty members can over-ride the committee. It seems to me that the gentleman from Philadelphia has taken the position of disrespecting the committee by providing that sixty men can bring the bill out after it is negatived by the committee. The proposition presented in the resolution offered by the gentleman from Tioga will be a majority question. He simply asks whether the majority will agree with him, on his motion, and the gentleman from Philadelphia argues that he is in favor of the proposition where sixty men can over-ride the report of the committee. In my judgment, he has placed himself in a contradictory position. My idea is that he is wrong and as to the rule of sixty. I agree with the gentleman from Tioga, it is a joke, and this House has a desire to dispose of that joke.

Mr. EHRHARDT. Mr. Speaker, it comes with a very bad grace from the gentleman from Tioga to offer a motion to revoke this rule. The Committee on Rules have considered this resolution of his and didn't think it advisable to report on it for the present for the reason that he says, in the last paragraph of his resolution, "A majority of the members present and voting may place a bill upon the Calendar that has been negatived by a committee." If there are less than a majority of members in the House that might give you less than sixty votes if you adopt his resolution—that is possible. The idea is to make that more votes than is required, but the committee does not care if it is discharged and relieved from further consideration.

The SPEAKER. The question now is will the House agree to the resolution?

Mr. ROCKWELL. Mr. Speaker, I demand a roll call.

Mr. R. J. BALDWIN. Mr. Speaker, I second the demand for a roll call.

Mr. SHERN. Mr. Speaker, in order that the House may not misunderstand the Chairman, who is somewhat husky this morning and not very clearly understood, they have given this matter consideration and have not made any report.

The yeas and nays were required by Mr. ROCKWELL and Mr. R. J. BALDWIN, and were as follows:

YEAS—90.

Adams,	Ely,	Leslie,	Roney,
Alworth,	Fahey,	Letzkus,	Schaeffer, A. C
Arthur,	Flynn,	Lowers,	Schuck,
Baldwin, R. J.,	Forster, I. G.,	Malle,	Shaffer, C. A.,
Bass,	Frey,	Mather,	Shern,
Bayle,	Geary,	McAllister,	Sherwood,
Becker,	Gibson,	McArdle,	Snyder,
Berntheizel,	Gramley,	McNichol,	Spangler,
Blair, W. A.,	Gransback,	Miller,	Speiser,
Brosius,	Hackett,	Missimer,	Steele,
Brown,	Hess,	Moore,	Stein,
Brownlee,	Heyburn,	Morrow,	Stone,
Campbell, J. J.,	Hibshman,	Neel,	Swartz,
Cheeseman,	Hoffman,	North,	Ulerich,
Cleary,	Howard, J.,	O'Neill,	Walsh,
Conner,	Isler,	Perry, S. J.,	Walton,
Cox,	Irwin, G. C.,	Piper,	Watson,
Currier,	Jones, E. E.,	Post,	Whitaker,
Curry,	Kenna,	Ramsey,	Whitman,
DeFrees,	Kern,	Reeser,	Wildman,
Dickinson,	Kitts,	Rhoads,	Williams,
Dunn, H. B.,	Kuhn, H. P.,	Rockwell,	Wilson, W. H.,
Eichenberger,			Young, J. H.,

NAYS—95.

Allen,	Ehrhardt,	Klepper,	Reese,
Ambler,	Ewing,	Kuhns, E.G.M.,	Rex,
Baldwin, G. A.,	Foster, J. D.,	Lanius,	Robinson,
Barner,	Gans,	Latshaw,	Sassaman,
Benninger,	Geiser,	Lenker,	Savacool,
Benson,	Glenn,	Lohr,	Scott, J. R. K.,
Bigger,	Good,	Mannion,	Scott, S. B.,
Bittles,	Goss,	Martin,	Semmens,
Blair, W. F.,	Grabe,	Matt,	Shaffer, I. E.,
Bleloch,	Gray, Frank,	McAleer,	Showalter,
Burnett,	Gray, Joseph,	McClintock,	Smith, J. W.,
Caldwell,	Gerry.	McDermott,	Smith, L.,
Campbell, C.M.,	Hemminger,	McKay,	Spillinger,
Carson,	Herman,	Metzenbacher,	Steedle,
Carter,	Hobbs,	Mitchell,	Swift,
Claycomb,	Howard, R.,	Moses,	Thomas,
Cochran,	Humes,	Murphy,	Trach,
Collins,	Irwin, H. H.,	Musser,	Ulman,
Conniff,	Jackson,	Neely,	Walnut,
Davis,	Jones, J. R.,	Newton,	Wilson, J. H.,
Donahoe,	Kaiser,	Peachey,	Wiltbank,
Donnally,	Kaufman,	Pennock,	Young, G. K.
Down,	Keegan,	Perry, H. L.,	Zimmerman,
Dunn, J. A.,	Kennedy,	Price,	Alter,
			Speaker.

So the question was determined in the negative.

REPORT FROM COMMITTEE.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask unanimous consent to report a bill from committee at this time.

The SPEAKER. The Chair hears no objection and consent is granted.

Mr. JOHN R. K. SCOTT, from the Committee on Elections, reported as amended, House Bill No. 93, entitled:

An Act to regulate political campaigns at and prior to elections and primaries, enacting for such purposes provisions among others; to regulate election and primary expenses and contributions therefor; to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate political advertising and the publication of political matter; to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred; to regulate political committees, and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts; to provide for the dissemination of political pamphlets by public authority and for the payment of any deficit in the cost thereof out of public treasuries: to impose duties on the Secretary of the Commonwealth, District Attorneys, County Commissioners, Clerks of Courts, Assessors and their respective subordinate; to regulate investigations of Election Practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances; to vest certain courts with jurisdiction to annual certain elections and nominations, to certify their findings as to other elections and nominations, and to authorize the incurring of election expenses in certain instances; to regulate the procedure on exceptions to campaign accounts; to provide penalties for the violation of this act and to repeal inconsistent legislation.

BILLS RECOMMITTED.

Mr. Wildman. Mr. Speaker, I move that Senate Bill No. 430, file folio 1801 (House Bill No. 1813), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathy Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopathy in the State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing official date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

on page 48 of yesterday's calendar, be recommitted to the Committee on Public Health and Sanitation for a public hearing.

Mr. NORTH. Mr. Speaker,I second the motion.

The motion was agreed to.

Mr LANIUS. Mr. Speaker, I move that House Bill No. 1560, file folio, 3607, entitled:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five

be recommitted to the Committee on Judiciary Special, for the purpose of amendment.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr GANS. Mr. Speaker, I move that House Bill No. 1060, file folio, 4183, entitled:

An Act to prevent fire insurance companies entering into or maintaining pools trusts conspiracies or agreements to control rates of insurance and prescribing penalty et cetera

on page 56 of yesterday's calendar, be recommitted to the Committee on Insurance for the purpose of a hearing.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. DAVIS. Mr. Speaker, I move that House Bill No. 1440, file folio 3013, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

on page 19 of yesterday's calendar, be recommitted to the Committee on Elections, for the purpose of amendment.

Mr. MOSES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 170, as follows:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntington County is located and providing for the disposition of the fund

Whereas The fish hatchery situate on Spruce Creek Huntingdon County is located on a flat which opens from a narrow pass through which Spruce Creek descends and is bounded by high hills which whenever there are any rains shed water into the creek causing such a rapid rise that the hatchery is flooded and the floods are of such extent as to carry away the bridges hatching houses and bulk of the ponds the Fisheries Commission has determined that the property is unfitted for hatchery purposes and that it is for the best interests of the State to abandon said hatchery and dispose of the real estate upon which the same is located Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commisisoner of Fisheries is hereby authorized and directed to sell at public or private sale all of the real estate to which the Commonwealth of Pennsylvania has title now used and composing the fish hatchery situate on Spruce Creek Huntingdon County and that the said property shall be first exposed to public sale at the Court House in Huntingdon Huntingdon County after thirty days' advertisement in at least three newspapers of general circulation two of which shall be newspapers in the County of Huntingdon and that the said Commissioner of Fisheries in the event of his inability to obtain an adequate price for said property by exposing same to public sale may sell

the said property at private sale provided that any sale be approved by the Fisheries Commission and the Governor

Section 2 "In the event of a sale the Commissioner of Fisheries is hereby authorized and directed to execute for and on behalf of the Commonwealth any deed or deeds of convey the title which the Commonwealth of Pennsylvania now has to said property in such form as the same may be prepared by the Attorney General"

Section 3 That the money realized from any such sale shall be deposited in the general fund of the treasury

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Eichenberger,	Lenker,	Robinson,
Allen,	Ely,	Leslie,	Rockwell,
Alworth,	Fahey,	Letzkus,	Roney,
Ambler,	Flynn,	Lohr,	Runk,
Arthur,	Forster, I. G.,	Lowers,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	Mannion,	Schuck,
Bass,	Gans,	Martin,	Scott, J. R. K.,
Bayle,	Geary,	Mather,	Semmens,
Becker,	Gibson,	Matt,	Shaffer, C. A.,
Benninger,	Glenn,	McAleer,	Shaffer, I. E.,
Benson,	Good,	McAllister,	Shern,
Berntheizel,	Gramley,	McClintock,	Sherwood,
Bigger,	Gransback,	McDermott,	Showalter,
Bittles,	Gray, Joseph,	McKay,	Smith, J. W.,
Blair, W. A.,	Hackett,	McNichol,	Smith, L.,
Blair, W. F.,	Haggerty,	Mechling,	Snyder,
Bleloch,	Hemminger,	Metzenbacher,	Speiser,
Brosius,	Herman,	Miller,	Spillinger,
Brown,	Hess,	Missimer,	Steedle,
Brownlee,	Heyburn,	Mitchell,	Steele,
Burnett,	Hibshman,	Moore,	Stein,
Caldwell,	Hobbs,	Morrow,	Stone,
Campbell, C.M.,	Hoffman,	Moses,	Strauss,
Campbell, J. J.,	Howard, J.,	Moulthrop,	Swartz,
Carson,	Howard, R.,	Neel,	Swift,
Carter,	Humes,	Neely,	Thomas,
Cheeseman,	Isler,	Newbaker,	Ulerich,
Claycomb,	Irwin, G. C.,	Newton,	Ulman,
Cleary,	Irwin, H. H.,	North,	Walnut,
Collins,	Jackson,	O'Neill,	Walton,
Conner,	Jones, E. E.,	Peachey,	Watson,
Cox,	Jones, J. R.,	Pennock,	Wetrach,
Currier,	Kaiser,	Perry, H. L.,	Whitaker,
Curry,	Keegan,	Perry, S. J.,	Whitman,
Davis,	Kennedy,	Peters,	Wildman,
DeFrees,	Kern,	Piper,	Williams,
Dickinson,	Kitts,	Post,	Wilson, J. H.,
Donahoe,	Klepper,	Price,	Wilson, W. H.,
Donnally,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Down,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Dunn, H. B.,	Lanius,	Reeser,	Zimmerman,
Dunn, J. A.,	Latshaw,	Rex,	Alter,
Ehrhardt,		Rhoads,	Speaker.

NAYS—1.

Barner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 619, as follows:

An Act to amend the fourth paragraph of section seven of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine conferring additional powers upon townships of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paragraph of section seven of an act of Assembly of this Commonwealth entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Fourth To make regulations respecting pig pens slaughter houses manure pits drains cesspools and manufactories that are offensive to abate nuisances prejudicial to public health and public safety and to colect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals" shall be amended to read as follows

Fourth To make regulations respecting pig pens slaughter house bone boiling establishments manure pits drains cesspools cemeteries or places of burial and manufactories that are offensive to abate nuisances prejudicial to public safety and to collect the cost of such abatement from any person who may be responsible for having created the nuisance Also to prohibit or regulate the running at large of animals To prevent the spread of fires and to secure structural and sanitary safety of the buildings within its limits every township of the first class of this Commonwealth shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins the plans and specifications therefor shall be approved by the township commissioners and to provide for inspection of such construction and repair including the appointment of one or more building inspectors to prescribe limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penlaties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provision of any such ordinance is declared a public nuisance and abatable as such

On the question,

Shall the bill pass finally?

Mr. McNICHOL. Mr. Speaker, I ask that unanimous consent be given in order that this bill may be amended. The sponsor of the bill is perfectly satisfied with the amendment and in order that the amendment may be made I now move that the vote by which this bill passed third reading be reconsidered.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. McNICHOL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, lines 18 and 19, by striking out "cemeteries or places of burial"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read?

Is there any objection?

The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

BILL POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the further consideration of the bill be postponed for the present, in order that I may get some further amendments ready.

Mr. SEMMENS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ELY. Mr. Speaker, I ask unanimous consent at this time to call up House Bill No. 174, on page 33 of yesterday's calendar, Bills on Third Reading. This is one of two bills providing for the transporation of veterans of the Civil War to the Fiftieth Anniversary of the Battle of Gettysburg, to be held at Gettysburg on the second, third and fourth of July.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hear no objection and consent is granted.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 174, as follows:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the Commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation

Whereas, Pursuant to the provisions of an act approved the thirteenth day of May one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the fiftieth anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly, and making an appropriation for the payment of expenses of said commissioners," a commission has been appointed whose duty it will be to arrange for a fitting observance at Gettysburg of the fiftieth anniversary of the Battle of Gettysburg, and,

Whereas, It is eminently proper that such anniversary should be celebrated in a manner befitting this Commonwealth, and,

Whereas, The occasion would be greatly lacking in historic interest if the heroic soldiers who enlisted in this Commonwealth should not attend this celebration, and,

Whereas, It has ever been Pennsylvania's boast that she has never lacked in gratitude to those who went from her soil to uphold the Union, therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg the commission known as the Fiftieth Anniversary of the Battle of Gettysburg Commission is authorized to transport to and from Gettysburg Pennsylvania and to enter into contracts for such transportation such State officials and guests as the Governor may designate such honorably discharged soldiers who enlisted from this Commonwealth and served in a Pennsylvania regiment or any unit of Pennsylvania Volunteers at any period during the Civil War including commands of the Pennsylvania volunteer militia and such honorably discharged soldiers of the regular army of the United States now residents of Pennsylvaia who participated in said battle And if in the judgment of the said Commission it is feasable because of the limited time yet remaining in which to first verify the war record of the applicant and then issue transportation the said Commission may also issue such transportation to all honorably discharged Union soldiers sailors and marines of the Civil War who are now living in Pennsylvania as citizens of this Commonwealth and also to such soldiers who served in the Confederate army and are now living in Pennsylvania as citizens of this Commonwealth Such transportation shall be by railroad from the station in Pennsylvania nearest to the place of residence of the person transported and by the most direct route to and from Gettysburg The Commission is authorized to pay for such transportation at a rate not exceeding two cents (2) per mile The Commission shall give the proper publicity to this act and to make such regulations regarding the furnishing of such transportation as by them shall be deemed necessary

Section 2 Any person who shall personate or attempt to personate or aid any person in personating or in attempting to personate any soldier entitled to transportation under this act or who not being entitled to such transportation shall secure or attempt to secure such transportation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty nor more than one hundred dollars and to undergo an imprisonment in the jail of the proper county for a period of not less than ten days nor more than sixty days

Section 3 To carry out the purpose of this act the sum of one hundred and sixty-five thousand dollars ($165,000) or so much thereof as may be necessary is specifically appropriated to the said Commission Payment of money appropriated by this act shall be made only on warrant of the Auditor General drawn on the State Treasurer on requisition of the Commission and for which specifically itemized vouchers shall be filed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Adams,	Ely,	Lenker,	Rockwell,
Allen,	Ewing,	Leslie,	Roney,
Alworth,	Fahey,	Letzkus,	Rothenberger,
Ambler,	Flynn,	Light,	Runk,
Aron,	Forster, I. G.,	Lohr,	Sassaman,
Arthur,	Foster, J. D.,	Lowers,	Savacool,
Baldwin, G. A.,	Frey,	Malie,	Schuck,
Baldwin, R. J.,	Gans,	Mannion,	Scott, J. R. K.,
Barner,	Geary,	Martin,	Semmens,
Bass,	Geiser,	Mather,	Shaffer, C. A.,
Bayle,	Gibson,	Matt,	Shaffer, I. E.,
Becker,	Glenn,	McAleer,	Shern,
Benninger,	Good,	McAllister,	Sherwood,
Benson,	Goss,	McClintock,	Showalter,
Berntheizel,	Grabe,	McDermott,	Smith, J. W.,
Bigger,	Gramley,	McKay,	Smith, L.,
Bittles,	Gransback,	McNichol,	Snyder,
Blair, W. A.,	Gray, Frank,	Mechling,	Spangler,
Blair, W. F.,	Gray, Joseph,	Metzenbacher,	Speiser,
Bleloch,	Hackett,	Miller,	Spillinger,
Brosius,	Haggerty,	Missimer,	Steedle,
Brown,	Heidinger,	Mitchell,	Steele,
Brownlee,	Hemminger,	Moore,	Stein,
Burnett,	Herman,	Morrow,	Stone,
Caldwell,	Hess,	Moses,	Strauss,
Campbell, C.M.,	Heyburn,	Moulthrop,	Swartz,
Campbell, J. J.,	Hibshman,	Murphy,	Swift,
Carson,	Hobbs,	Musser,	Thomas,
Carter,	Hoffman,	Neel,	Trach,
Claycomb,	Howard, J.,	Neely,	Ulerich,
Cleary,	Howard, R.,	Newbaker,	Ulman,
Cochran,	Humes,	Newton,	Walnut,
Collins,	Isler,	North,	Walsh,
Conner,	Irwin, G. C.,	O'Neill,	Walton,
Conniff,	Irwin, H. H.,	Peachey,	Watson,
Cox,	Jones, J. R.,	Pennock,	Wettach,
Currier,	Kaiser,	Perry, S. J.,	Whitaker,
Curry,	Kaufman,	Peters,	Whitman,
Davis,	Keegan,	Piper,	Wildman,
DeFrees,	Kennedy,	Post,	Williams,
Dickinson,	Kern,	Price,	Wilson, J. H.,
Donahoe,	Kitts,	Ramsey,	Wilson, W. H.,
Donnally,	Klepper,	Reese,	Wiltbank,
Down,	Kuhn, H. P.,	Rex,	Young, G. K.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Lanius,	Richards,	Zimmerman,
Ehrhardt,	Latshaw,	Robinson,	Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WATSON. Mr. Speaker, I ask unanimous consent to call up at this time, House Bill No. 1639, page 33 of yesterday's Calendar, bills on third reading. This is a companion bill to the one just passed.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hears no objection and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1639, as follows:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the fiftieth anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission" and June fourteenth Anno Domini one thousand nine hundred and eleven entitled "An Act making an appropriatio to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said commission and defining the duty thereof" respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor

Whereas, The act of Assembly approved May thirteenth, Anno Domini one thousand nine hundred and nine (Pamphlet Laws one thousand nine hundred and nine, page seven hundred and seventy-seven), created a commission "to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission, whose duty it shall be to consider and arrange for a proper and fitting observance at Gettysburg of the fiftieth anniversary of the battle of Gettysburg with authority to invite the co-operation of the Congress of the United States and of the other States and Commonwealths, the commission to make report of its action with recommendations to the next session of the General Assembly of Pennsylvania," and made a preliminary appropriation for the purpose of carrying out the provisions of said act, and,

Whereas, The act of Assembly approved June fourteenth, Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand nine hundred and eleven, page two hundred and eighty-six made a further preliminary appropriation for the same purpose, and therein expressed a promise on the part of the Commonwealth of Pennsylvania that funds sufficient for the proper reception and care of all our guests during their stay at Gettysburg on said occasion would be granted in due time, and,

Whereas, The Congress of the United States by enactment approved August twenty-sixth, Anno Domini one thousand nine hundred and twelve, authorized and directed the War Department to create and maintain at Gettysburg during the above celebration a great camp around the battlefield with all necessary camp garrison and hospital equipment rations supplies et cetera for visiting veterans of the Civil War conditioned upon the Commonwealth of Pennsylvania bearing one-half of the expense thereof, and,

Whereas, Said Department has so leased adequate grounds therefor and is proceeding so to create thereon such great camp and will so equip and maintain same, therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to enabel the commission to further carry out the provisions of the above recited acts of the General Assembly of Pennsylvania and to meet the obligation imposed upon the Commonwealth of Pennsylvania by the above recited act of Congress the sum of one hundred and ninety-five thousand dollars ($195,000.00) or so much thereof as may be necessary is hereby specifically appropriated said appropriation to be paid by warrant of the Auditor General drawn upon the State Treasurer upon specifically itemized vouchers duly approved by the officers of said commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—195.

Adams,	Fahey,	Letzkus,	Robinson,
Allen,	Flynn,	Light,	Rockwell,
Alworth,	Forster, I. G.,	Lohr,	Roney,
Ambler,	Foster, J. D.,	Lowers,	Rothenberger,
Aron,	Frey,	Malie,	Runk,
Arthur,	Gans,	Mannion,	Sassaman,
Baldwin, G. A.,	Geary,	Martin,	Savacool,

Baldwin, R. J.,	Geiser,	Mather,	Schaeffer, A. C
Barner,	Gibson,	Matt,	Schuck,
Bass,	Glenn,	McAleer,	Scott, J. R. K.,
Bayle,	Good,	McAllister,	Semmens,
Becker,	Goss,	McArdle,	Shaffer, C. A.,
Benninger,	Grabe,	McClintock,	Shaffer, I. E.,
Barner,	Gramley,	McDermott,	Shern,
Berntheizel,	Gransback,	McKay,	Sherwood,
Bigger,	Gray, Frank,	McNichol,	Showalter,
Bittles,	Gray, Joseph,	Mechling,	Smith, J. W.,
Blair, W. A.,	Hackett,	Mellott,	Smith, L.,
Blair, W. F.,	Haggerty,	Metzenbacher,	Snyder,
Bleloch,	Heidinger,	Miller,	Spangler,
Brosius,	Hemminger,	Missimer,	Speiser,
Brown,	Herman,	Mitchell,	Spillinger,
Brownlee,	Hess,	Moore,	Steedle,
Burnett,	Heyburn,	Morrow,	Steele,
Caldwell,	Hibshman,	Moses,	Stein,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stone,
Campbell, J.J.	Hoffman,	Murphy,	Strauss,
Carson,	Howard, J.,	Musser,	Swartz,
Carter,	Howard, R.,	Neel,	Swift,
Cheeseman,	Humes,	Neely,	Thomas,
Claycomb,	Isler,	Newbaker,	Trach,
Cleary,	Irwin, G. C.,	Newton,	Ulerich,
Collins,	Irwin, H. H.,	North,	Ulman,
Conner,	Jackson,	O'Neill,	Walnut,
Conniff,	Jones, J. R.,	Peachey,	Walsh,
Cox,	Kaiser,	Pennock,	Walton,
Currier,	Kaufman,	Perry, H. L.,	Watson,
Curry,	Keegan,	Perry, S. J.,	Wettach,
Davis,	Kennedy,	Peters,	Whitaker,
DeFrees,	Kern,	Piper,	Whitman,
Dickinson,	Kitts,	Post,	Wildman,
Donahoe,	Klepper,	Price,	Williams,
Donnally,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Dunn, H. B.,	Lanius,	Reese,	Wiltbank,
Dunn, J. A.,	Latshaw,	Reeser,	Young, G. K.,
Ehrhardt,	Lenker,	Rex,	Young, J. H.,
Eichenberger,	Leslie,	Rhoads,	Zimmerman,
Ely,		Richards.	Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

Mr. WATSON. Mr. Speaker, I ask leave to call up for the purpose of amendment, House Bill No. 937, on page 54 of yesterday's Calendar, bills on third reading, postponed for the present.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 937, as follows:

An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties.

Whereas, A very large proportion of our population occupy overcrowded and insanitary tenement boarding and lodging houses and

Whereas, It is from these conditions that we derive much personal and industrial inefficiency inebriety dependence tuberculosis and disease in many forms an appalling infant mortality and preventable deaths at all ages a debased citizenship vice and crime all of which lead to physical and moral degeneracy and an ultimate burden upon society and upon the State and

Whereas, We believe that a clean and healthful habitation for the parents work untold influence on a babe yet unborn and that such babe should be received in a home prepared to welcome such a divine blessing that in infancy and youth it should never know the misery and menace of the "slum" but that its environment should promote the highest type of physical and moral development therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Bureau of Housing be established in the State Department of Health with such executive and clerical staff as may be necessary to carry into effect the provisions of this act And the Commissioner of Health with the consent of the Governor is hereby authorized to designate such persons prescribe their titles and respective duties and fix their compensation

Section 2 It shall be the duty of said Bureau to investigate the sanitary conditions of tenement lodging and boarding houses and when the same are found in the opinion of said bureau to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same and to notify the owners or agents thereof in writing setting forth the insanitary or overcrowded conditions thereof and specifying in writing the changes or alterations which shall be made thereto for the purpose of relieving such conditions and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved

A duplicate copy of such notification and service thereof attested by the officer or agent making the same on behalf of the bureau shall immediately after the service thereof be filed in the court of Common Pleas of the county in which such condemned dwelling premises or other building is located and if no appeal be filed within ten days by the owner or agent after service of such notice then an appeal shall be allowed only upon direct order of the court

Section 3 Any appeal from the notification of said bureau through its authorized agents shall set forth the specific facts upon which the appeal is based and upon filing said appeal the court of Common Pleas shall designate three disinterested persons to examine the buildings dwellings and premises and report their conclusions whether the appeal should be dismissed or the order of the bureau enforced or in any way modified Any such finding upon review and hearing by the court shall become final The court shall have the right to fix the compensation of the persons so appointed and such amount shall be paid by the appellant when the findings sustain in whole or in part the notification of said bureau

Upon the expiration of the time designated in the reports to the said court where no appeal is taken or from the final order after appeal the names of those who have failed to comply either with the notice of said bureau or the court's order based upon appeal shall be certified by the officer or agent of said bureau to the district attorney who upon receipt of the same shall cause a prosecution to be at once instituted against such person or persons

Section 4 The officers or agents of this bureau shall have at all times the right of ingress into all premises as aforementioned

Section 5 Any owner or agent of any premises condemned as insanitary or overcrowded who shall neglect to comply with the order of said bureau or with the order of court after appeal and who may continue to rent or use such premises in violation thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined twenty dollars ($20) per day for each day which the premises shall have been used and in default of payment of the same shall be committed to the county jail for such period as the court may direct And there penalties shall apply to the officers of corporations or members of firms either as owners or agents

Section 6 And any owner agent or occupant who interferes with or prevents ingress to any officer or agent of this bureau or to the persons designated by the court for the purposes aforesaid shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty nor more than one hundred dollars for each and every such offense or suffer an imprisonment of not more than sixty days either or both at the discretion of the court

Section 7 The necessary expenses for the salaries of officers and employes and for the operation of this bureau shall be paid from the general appropriation to the Department of Health in the form and manner prescribed for other disbursements

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. WATSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 1: On line 6 add after the word "Act," the following: "throughout the Commonwealth with the exception of cities of the first class."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered. That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 908, entitled:

An Act prohibiting the giving or soliciting or receiving of tips and providing a penalty.

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—63.

Baldwin, R. J.,	Cleary,	Jones, J. R.,	Newton,
Barner,	Cox,	Keegan,	Peachey,
Becker,	Currier,	Kennedy,	Pennock,
Benson,	Down,	Klepper,	Post,
Bigger,	Dunn, H. B.,	Latshaw,	Reeser,
Bittles,	Eichenberger,	Letzkus,	Rex,
Blair, W. A.,	Gibson,	Lowers,	Robinson,
Bleloch,	Glenn,	Malie,	Rockwell,
Brown,	Grabe,	Martin,	Showalter,
Brownlee,	Gramley,	Mellott,	Smith, L.,
Burnett,	Gransback,	Metzenbacher,	Snyder,
Campbell, C.M.,	Gray, Frank,	Mitchell,	Strauss,
Carson,	Gray, Joseph,	Morrow,	Swift,
Carter,	Humes,	Moses,	Ulerich,
Cheeseman,	Isler,	Moulthrop,	Wilson, J. H.,
Claycomb,	Irwin, H. H.,	Neely,	

NAYS—100.

Adams,	Fahey,	McAleer,	Semmens,
Allen,	Flynn,	McAllister,	Shaffer, I. E.,
Alworth,	Forster, I. G.,	McArdle,	Smith, J. W.,
Ambler,	Foster, J. D.,	McClintock,	Spangler,
Aron,	Geary,	McKay,	Spillinger,
Arthur,	Geiser,	McNichol,	Steede,
Bass,	Good,	Miller,	Steele,
Bayle,	Goss,	Missimer,	Stein,
Benninger,	Hackett,	Moore,	Stone,
Berntheizel,	Haggerty,	Murphy,	Thomas,
Blair, W. F.,	Hess,	Musser,	Trach,
Body,	Hibshman,	Neel,	Ulman,
Caldwell,	Hobbs,	Newbaker,	Walsh,
Cochran,	Howard, J.,	North,	Walton,
Conner,	Howard, R.,	O'Neill,	Wettach,
Conniff,	Kaiser,	Perry, S. J.,	Whitaker,
Cox,	Kern,	Price,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Davis,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
DeFrees,	Kuhns, E.G.M.,	Roney,	Wiltbank,
Dickinson,	Lanius,	Rothenberger,	Young, G. K.,
Donahoe,	Lenker,	Sallman,	Young, J. H.,
Donnally,	Leslie,	Savacool,	Zimmerman,
Dunn, J. A.,	Mannion,	Schaeffer, A. C.	Alter,
Ely,	Matt,	Schuck,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECONSIDERATION OF VOTE.

Mr. REESER. Mr. Speaker, I desire to offer a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the motion as follows:

Moved that the vote by which House Bill No. 557, file folio 2679, entitled "An Act to classify certain surface lands as auxiliary forest reserves, to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom, and to provide for expenses attendant thereon," was defeated on final passage, be reconsidered.

Mr. BENNINGER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the adoption of the motion?

Mr. FLYNN. Mr. Speaker, this motion is made to reconsider a bill which was defeated on final passage last week. I understand that this bill has been before the legislature, or legislations of a similar nature, session after session, for the past ten or twelve years, and each and every time it has been defeated on the grounds that this bill would permit large holders of land to place their land in a class whereby they would be exempt from taxation, the maximum assessment being one dollar per acre. Now, I characterize this as nothing more than a scheme on the part of such land owners to escape paying their just taxations and in the county from which I come it would be possible for the lands in entire townships to become exempt as provided under the terms of this bill, without the consent of any of the local authorities, and by simply gaining permission from the Forestry Commission. I do not believe that the members of this House will vote to reconsider this bill, especially those who know just what it would mean to such counties as mine, and to other counties of this Commonwealth. I hope that the motion will be defeated.

Mr. WILLIAMS. Mr. Speaker, repeatedly during this session, I might say, day after day, the vote by which bills had been defeated has been reconsidered, and the bills placed on the Calendar. It is not my purpose at this time to enter into any discussion of these bills. They speak for themselves. I only ask from this House the same fair consideration of this bill that has been given to other bills in similar positions.

The question recurring.

Will the House agree to the adoption of the motion?

The yeas and nays were required by Mr. FLYNN and Mr. SAVACOOL, and were as follows:

YEAS—126.

Adams,	Ely,	Latshaw,	Roney,
Alworth,	Fahey,	Lenker,	Runk,
Baldwin, G. A.,	Forster, I. G.,	Leslie,	Scott, J. R. K.,
Baldwin, R. J.,	Frey,	Letzkus,	Scott, S. B.,
Bass,	Geary,	Light,	Semmens,
Bayle,	Geiser,	Lohr,	Shaffer, I. E.,
Benninger,	Gibson,	Malie,	Showalter,
Benson,	Goss,	Martin,	Smith, J. W.,
Berntheizel,	Gramley,	Mather,	Smith, L.,
Bigger,	Gransback,	McAleer,	Spangler,
Blair, W. A.,	Gray, Frank,	McAllister,	Speiser,
Bieloch,	Haggerty,	McClintock,	Spillinger,
Body,	Hemminger,	McDermott,	Steele,
Brosius,	Hess,	Morrow,	Stone,
Burnett,	Heyburn,	Moses,	Swartz,
Caldwell,	Hibshman,	Moulthrop,	Thomas,
Campbell, C.M.,	Hobbs,	Musser,	Trach,
Carson,	Hoffman,	Neel,	Ulerich,
Carter,	Howard, R.,	Neely,	Ulman,
Cheeseman,	Humes,	Newton,	Walnut,
Claycomb,	Isler,	North,	Walton,
Cleary,	Irwin, G. C.,	Peachey,	Watson,
Conner,	Irwin, H. H.,	Pennock,	Whitaker,
Cox,	Jackson,	Perry, H. L.,	Whitman,
Currier,	Jones, E. E.,	Peters,	Wildman,
Curry,	Jones, J. R.,	Ramsey,	Williams,
Dickinson,	Kaiser,	Reese,	Wilson, J. H.,
Donahoe,	Keegan,	Reeser,	Wilson, W. H.,
Down,	Kennedy,	Rhoads,	Young, G. K.,
Dunn, H. B.,	Kuhns, E.G.M.,	Robinson,	Young, J. H.,
Dunn, J. A.,	Lanius,	Rockwell,	Zimmerman,
Eichenberger,			Alter,
			Speaker.

NAYS—41.

Ambler,	Collins,	Hackett,	Metzenbacher,
Aron,	Conniff,	Howard, J.,	Missimer,
Barner,	Donnally,	Kern,	Murphy,
Becker,	Ewing,	Klepper,	Newbaker,
Bittles,	Flynn,	Kuhn, H. P.,	O'Neill,
Blair, W. F.,	Foster, J. D.,	Mannion,	Post,
Brown,	Glenn,	Matt,	Sassaman,
Brownlee,	Good,	McArdle,	Shaffer, C. A.,
Campbell, J. J.,	Grabe,	McNichol,	Snyder,
Cochran,	Gray, Joseph,	Mellott,	Strauss,
			Swift,

So the question was determined in the affirmative.

The SPEAKER. The question recurs, Shall the bill pass?

Mr. JOSIAH HOWARD. Mr. Speaker, it is not fair to consider this bill except in connection with four other bills. If the Chair will indulge me just for a moment I will submit what I have to offer.

Some years ago the State thought well to conserve water power and waste lands of this State for the benefit of the whole Commonwealth. In doing that, the State provided that a State Forestry Commission should be appointed with power to purchase waste lands within the borders of this Commonwealth. Also provided, Mr. Speaker, that this Commission should have no power to sell any of this land but to hold it perpetually for the benefit of the people of this Commonwealth. More particularly to conserve the water power on these waste lands. Now, Mr. Speaker, the attorney who drew that original bill was very careful to make it so binding that it would hold water in any court in this Commonwealth and so far this bill has held water in every court in this Commonwealth and to-day we have about one million acres situate in the vast beck-woods districts and mountain districts not suitable for farming and it has been taken up by these men and is held and the commission is graudally acquiring all the intervening pieces so that these waste lands will be in one solid body of the different communities to conserve the water power of that community for the benefit of the whole State. In fact, not benefiting that township alone but for the benefit of all the rivers and creeks that empty into the highways and waterways of the Commonwealth. This commission is thoroughly tied up so that it cannot sell the mineral rights that may be found on these tracts. From time to time some interests, we know not what interests, of these measures have come before this House to tear loop-holes into this bill that was so carefully drawn. That is one of the efforts now to put a loop-hole into the original bill.

There are five different bills before this House to-day. One bill provides that this Commission can sell this land or any portion of these lands if it wishes. Former attempts were made to sell the water power. It was always voted down. Now that bill before this House provides that you can sell land which includes the water power.

Mr. WILLIAMS. Mr. Speaker, will the gentleman permit himself to be interrogated?

Mr. JOSIAH HOWARD. Mr. Speaker, I do not wish to be interrupted until I am through.

The SPEAKER. The gentleman from Cameron, Mr. Josiah Howard, declines to yield the floor.

Mr. Josiah Howard. Mr. Speaker, I know what the intent is. I want to say that in answer to the question he intended to raise that this particular bill does not cover that point. I want to say to the members of this House that you have taken four bills into consideration in con-

sidering this subject, because any one of the bills covers the subject which bill has a part of its own. If you carry this, you will cut a loop-hole into this, through which you can drive an ox-cart. It will not be any trouble at all to tie up the water power and particularly a lot of rights. We have for a number of years been trying to conserve for the benefit of the whole Commonwealth. I am just as firmly in favor of conservation as any member on the floor of this House. We have another provision now existing to conserve the rights that we intend by this Commission to conserve, and the water power, for the benefit of the people of the whole Commonwealth. This particular combinations of bills will take out of the power of the local assessors, of the local county commissioners, the right of assessing these lands or any lands belonging to the private hunting clubs and belonging to any recreation park or the lands belonging to any lumber company, taking them out of the hands of the assessors and putting them into this list at one dollar per acre. The argument is made here that twenty-five to fifty or one hundred years from now, if the men or the corporations owning these lands do not pay that back tax, the tax shall be charged to him and he shall furnish a bond to secure that tax. I want to appeal to you that no taxation unless it is levied by the right assessor can ever be replaced when once it has been removed. I rise to a point of order that under the Constitution, no property except such as is exempt by the Constitution shall be relieved of taxation. This bill and this combination of bills will relieve a certain tracts of land of taxation over and above a dollar an acre on assessed value. That value can never be assessed. You can never compel a lumber man to pay a tax then who has timber which is now valued at one hundred and fifty to two hundred dollars an acre. You can never take him back into court and say that ten years ago he should have paid tax on a valuation of one hundred and fifty dollars an acre and therefore you owe this Commonwealth, or you owe this county, or you owe this township the difference between one hundred and fifty dollars and one dollar or one hundred and forty-nine dollars, the full valuation that could have been levied against you ten years ago. I say that this is against the Constitution; it is removing taxation from a private property.

POINT OF ORDER.

I raise the point of order that the bill and the whole combination of bills are out of order because they exempt private property from taxation.

The SPEAKER. The Chair is not able to sustain the point of order.

Mr. WILLIAMS. Mr. Speaker, I hope the members of the House will not be influenced by the remarks of the gentleman from Cameron, Mr. Josiah Howard. It has very largely to do with the lands owned by the Commonwealth of Pennsylvania representing very nearly one million acres. These bills have not anything to do with the lands not owned by the Commonwealth of the State of Pennsylvania, to-day. They have to do with the barren lands and the thought is to try to educate the owners of those lands to place them into the auxiliary reserve so that they may be reforested. It matters not to me whether it takes fifty or one hundred years, so my children or my grandchildren, or your children and grandchildren and your posterity, can reap the benefits of the laws and all laws of this kind, and to that I say Amen.

Mr. JOSIAH HOWARD. Mr. Speaker, I wish to interrogate the gentleman from Tioga, Mr. Williams.

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, yes, sir. I will.

Mr. JOSIAH HOWARD. Mr. Speaker, will the gentleman please inform the members of this House if the Goodyears lands of Cameron and McKean County now assessed under a valuation of one hundred and fifty dollars were relieved under this bill, whether they would not be paying a rate of one dollar on the valuation on this land until they cut them?

Mr. WILLIAMS. Mr. Speaker, yes, but before any lands of that kind would be taken over for the auxiliary forest commission it is up to them. It is not up to the individual to put lands in reservation. The valuation is made to the forestry commission. They investigate the character of the lands and if they deem it advisable, they will do so. The gentleman from Cameron, Mr. Howard, the other day in his remarks admitted as the owner of a large area of strip land in Cameron County that these bills didn't offer any inducement to him. I don't see why he is so unduly alarmed in regard to other large owners of lands.

Mr. HOWARD. Mr. Speaker, I wish to further interrogate the gentleman from Tioga.

The SPEAKER. The gentleman will proceed.

Mr. HOWARD. Mr. Speaker, if this land now assessed can be placed by this bill in that auxiliary forestry today, at one dollar per acre, how will the townships and the counties from which I came and other similar counties ever be able to put it back to one hundred and forty-nine dollars valuation on these lands.

Mr. WILLIAMS. Mr. Speaker, the proposition is preposterous. The gentleman from Cameron knows that active lumber operations carried on today by the Goodyears on the land that he refers to and other cutting of timber amounts to probably twenty-five to fifty millions of feet per year. Practically it is only a question of four or five years and then the timber will be entirely removed.

Mr. JOSIAH HOWARD. Mr. Speaker, I insist on an answer to my question, how a township could ever get back this $149 valuation?

Mr. WILLIAMS. Why, Mr. Speaker, if lands of that character were placed in this auxiliary forest reserve, the lands that he refers to, and that is one of the very few tracts in this State that is timbered with valuable original timber, that if that land were put in the auxiliary timber reserve, the time it is cut it would get more than that valuation back, and when it is cut he knows it will go down to a dollar or two dollars valuation.

Mr. JOSHIAH HOWARD. Mr. Speaker, I ask an answer to my question. How would the township get back that $149 valuation?

Mr. WILLIAMS. Why, when the timber is removed, Mr. Speaker.

Mr. JOSIAH HOWARD. Mr. Speaker, I insist on my point of order. There is no way of placing the valuation on lands in past years. After the year has gone by you cannot go back and assess land for the year before or the year before that. An assessment must be made in the regular way by the regular assessors, and there is a regular day for tax appeals, and if that day of appeal goes by you cannot go into court and place a re-valuation on this land for last year or the year before. These bills are entirely out of order because they remove personal property from the taxation power of the county and of the township, and there is no way of ever putting it back. Mr. Speaker, I represent a county in which this situation exists today. The people are not cutting the timber in Cameron County today. How long before they will remove it, I do not know. Cameron County, like every other county, is trying to be progressive, and issued bonds and is trying to pay off those bonds. Not only will the original virgin timber be affected by this bill, but any other property that has a valuation of more than one dollar, or any individual can grow one half dozen trees and say that they are an auxiliary forest. Any amusement park, or any large timber company, any large paper mill, and we have them in our section, Mr. Speaker—two of them, owned by New York and Pennsylvania companies. The Pennsylvania Railroad Company is growing tie timber. All of those interests can put their land into this auxiliary forest reserve, and I say, Mr. Speaker, you can never get them back on the tax levy after the year has gone by and after the time of appeal has elapsed. I ask for my point of order that the bills are out of order and unconstitutional.

The SPEAKER. The Clerk will call the roll.

Mr. JOSIAH HOWARD. Mr. Speaker, the question is on the point of order?

The SPEAKER. The Chair has already dispensed with the gentleman's point of order. At the time the point of order was raised, the Chair stated that the point of order would not be sustained.

Mr. JOSIAH HOWARD. Mr. Speaker, I understood that you were not able to decide.

The SPEAKER. The Chair stated that the Chair was not able to sustain the point of order. The point of order was overruled.

Mr. FLYNN. Mr. Speaker, I just wish to reiterate what I said before: That this bill means that land owners can have their lands exempt from taxation by placing them in a reserve at the discretion of the State Forestry Commission, and that in a country like mine—there are large townships in

which there is nothing else to tax but this class of land. This bill would be fatal to these townships, and I am sure if the members of this House knew what that meant to us they would vote this bill down.

Mr. JOSIAH HOWARD. Mr. Speaker, I beg your pardon, but I really did not know that my point of order had been decided. I was talking entirely on my point of order. If the Chair allow me, I would like to say a few words on the bill itself.

The SPEAKER. In view of the gentleman's misunderstanding, the Chair will gladly recognize the gentleman from Cameron.

Mr. JOSIAH HOWARD. Mr. Speaker, I do not wish to take up much time on a bill of this kind. All similar bills have been defeated, and I simply wish to call the attention of the House, Mr. Speaker, to what the Forestry Commission is asking for this year, if you will allow me to. Mr. Speaker, the Forestry Commission has acquired about one million acres of land. I think it is nine hundred and some odd thousands, but for round numbers we will call it one million acres of land. This bill provides that any individual or any corporation can go to the Forestry Commission and place their lands under its supervision. As an inducement for individuals to place their lands under the Forestry Commission's supervision, the Forestry Department will pay to the township in which the lands are located the sum of four cents an acre. This four cents an acre will be deducted from the taxes of the owner of the land, whether it is a private party or a corporation. They will be relieved of paying four cents an acre, and the State will replace that to the township by the amount of four cents an acre. This bill provides that this shall be as an inducement for people to place their lands in the auxiliary forest reserve. Now, Mr. Speaker, whoever does that and does it honestly, places his land, in consideration of four cents an acre, under the supervision of the Forest Department.

I wish to call the attention of this House to what the Forest Department is doing on its own lands, and what it might require an individual or a corporation to do. The Forestry Department says, "We wish $6,000 for the salary of the Commissioner; we wish $5,000 for the salary of the Deputy; we wish $6,000 for clerk hire; we wish $6,000 for contingent expenses; we wish $5,000 for traveling expenses of the Forestry Commission; we wish $175,000 for salaries of foresters; we wish $175,000 for salaries of forest rangers; we wish $15,000 for draftsmen and bookkeepers; we wish $20,000 for surveys; we wish $250,000 for labor; we wish $15,000 for examination of titles; we wish $200,000 for maintenance of forests; we wish $42,000 for school tax; we wish $42,000 for road tax; we wish $200,000 for purchase of extra land; we wish $50,000 for extinguishing forest fires; we wish $25,000 for the maintenance of State Forestry Academy; we wish $5,000 for the examination of shade trees; we wish $7,500 for farm forestry and farm wood lots; we wish $6,000 for deficit—examination of titles; we wish $3,500 for deficit—extinguishing forest fires; we wish $5,000 for the purchase of Ginseng seed; and $275,000 for the Chestnut Tree Blight Commission. This will make a total of $1,539,000 that the Forestry Commission is asking this year. $200,000 is for the purchase of new land; the balance of it is for the Chestnut Tree Blight Commission, for labor and for foresters and for examining the lands, amounting to about $1,300,000 to take care of one million acres of land.

Now, Mr. Speaker, I submit that it is no inducement to any honest corporation to relieve them of four cents of tax, to place their lands under the supervision of the Forestry Commission, which is itself expending about one dollar and twenty-five cents an acre to take care of its own land. Mr. Speaker, this does not interfere with the general Forestry Commision. It interferes with it in this way, that it will allow an individual doing, in exchange for four cents, anything that they may require, without any restriction on the Forestry Department. The bill does provide that the owner of these lands can thin out and cut down dying timber or aged timber. Mr. Speaker, we appeared before the Forestry Committee of this House and asked them to insert a clause, if they really thought this was a good bill. We asked the Forestry Committee to insert a clause in this bill that would provide that the cutting of pulp wood and railroad ties and other various products which are not known as timber, and not so designated by the courts of this Commonwealth as timber, should be specified. It would have taken up but line in this bill to insert that clause, Mr. Speaker, and that clause was not inserted. I say that this bill is so poorly drawn that there are no restrictions, no safeguards and no protection to any individual or corporation wishing to place their lands under the Forestry Department. It simply says that you shall be subject to the Forestry Department, without defining in any way what that Forestry Department or Commission can require of you. Mr. Speaker, I want to say that this bill has been changed from the Forestry Commision to the Forest Commission. Now the Forest Commission, as you all know, is subject to change every year. Two members of that Forest Commission are away past the age of the ordinary run of life, I think towards the years of eighty. In all probability they will not have anything to do with this bill, but, Mr. Speaker, they have been worked up to such a pitch in their old age that they are away off on the idea of forest conservation, and have tried this new scheme of opening up the forest reserves of the State of Pennsylvania, and are placing the lands that control the water power of this State in the hands of individuals, without any restrictions on them, nor any safeguards that the forestry bill contains.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Adams,	Fahey,	Lenker,	Runk,
Alworth,	Forster, I. G.,	Leslie,	Scott, S. B.,
Baldwin, G. A.,	Frey,	Letzkus,	Semmens,
Baldwin, R. J.,	Geary,	Light,	Shaffer, I. E.,
Bass,	Geiser,	Lohr,	Sherwood,
Benninger,	Gibson,	Lowers,	Showalter,
Benson,	Goss,	Martin,	Smith, J. W.,
Berntheizel,	Gramley,	Mather,	Smith, L.,
Bigger,	Haggerty,	McAleer,	Spangler,
Blair, W. A.,	Hemminger,	McAllister,	Spillinger,
Bleloch,	Herman,	McClintock,	Steele,
Body,	Hess,	McKay,	Stein,
Brosius,	Heyburn,	McNichol,	Stone,
Brownlee,	Hibshman,	Miller,	Swartz,
Burnett,	Hobbs,	Morrow,	Swift,
Caldwell,	Hoffman,	Moses,	Thomas,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Trach,
Carson,	Humes,	Neel,	Ulerich,
Carter,	Isler,	Neely,	Walnut,
Cheeseman,	Irwin, G. C.,	Newton,	Walsh,
Claycomb,	Irwin, H. H.,	North,	Watson,
Cleary,	Jones, E. E.,	Pcachey,	Wettach,
Conner,	Jones, J. R.,	Perry, H. L.,	Whitaker,
Cox,	Kaiser,	Peters,	Wildman,
Currier,	Kaufman,	Price,	Williams,
DeFrees,	Keegan,	Ramsey,	Wilson, J. H.,
Dickinson,	Kenna,	Reese,	Wiltbank,
Donahoe,	Kennedy,	Reeser,	Young, G. K.,
Down,	Kuhn, H. P.,	Rhoads,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rockwell,	Zimmerman,
Eichenberger,	Latshaw,	Roney,	Alter,
Ely,			Speaker.

NAYS—52.

Aron,	Ewing,	Lanius,	O'Neill,
Barner,	Flynn,	Mannion,	Post,
Becker,	Foster, J. D.,	Matt,	Rex,
Bittles,	Glenn,	McArdle,	Robinson,
Blair, W. F.,	Good,	McDermott,	Rothenberger,
Brown,	Grabe,	Mellott,	Sassaman,
Campbell, J. J.,	Gransback,	Metzenbacher,	Savacool,
Cochran,	Gray, Frank,	Missimer,	Schaeffer, A. C
Collins,	Gray, Joseph,	Mitchell,	Shaffer, C. A.,
Conniff,	Hackett,	Moore,	Snyder,
Curry,	Howard, J.,	Murphy,	Strauss,
Davis,	Jackson,	Musser,	Ulman,
Dunn, J. A.,	Kern,	Newbaker,	Wilson, W. H.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WILLIAMS. Mr. Speaker, at this time I desire to call up bill No. 558, file folio 2687, bills on third reading postponed, on page 52 of yesterday's Calendar. This is a companion bill to the one just passed.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 558, entitled as follows:

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all surface land which may hereafter be classified and set apart as auxiliary forest reserves in the manner provided by law shall be rated in value for the purpose of taxation not in excess of one dollar ($1.00) per acre and shall continue to be so rated so long as the said land remains within the class designated as auxiliary forest reserves Provided however that if the said surface land be underlaid with coal iron ore oil gas or other valuable minerals said minerals may be separately assessed The assessors in the several districts in which such lands are situate shall assess such lands in the manner now or hereafter provided for the assesment of real estate for purposes of taxation as if they had not been set apart as auxiliary forest reserves and shall make their returns in the county commissioners in like manner as is now or hereafter may be provided by law subject to exception appeal and final adjustment

Section 2 Upon receipt of assessment returns from the various assessors the county commissioners shall reduce in their records to a sum not in excess of one dollar ($1.00) per acre the assessment on all those lands which shall have been placed in the class known as auxiliary forest reserves in accordance with certificates filed with them by the "State Forestry Reservation Commission" and the original assessment returns made by said assessors shall be preserved

Section 3 Whenever timber on land which is included in the class of land known as auxiliary forest reserves is about to be harvested the then owner of the timber on said land shall give a bond to the county treasurer in twenty per centum of the amount of the estimated value of the timber to be harvested and to be approved by the court of the county conditioned to pay to the county treasurer within ninety- days after harvesting ten per centum of the value of the trees immediately at and before the time of harvesting which amount shall be ascertained by statement and return under oath or affirmation furnished in triplicate one to the county commissioners one to the county treasurer and one to the commission immediately after havesting by the then owner of the land setting forth said value which sum thus paid shall be divided and distributed by the county treasurer of each county to the county and to the poor district the road district and the school district of the township in which the auxiliary reserve is situate pro rata upon the last assessed mileage of taxation for county poor road and school purposes within said taxing district

Such sum of money when ascertained to be due as a tax by the filing of the foregoing statement and return under oath and as hereinbefore provided directed to be paid to the county treasurer by the owner of an auxiliary forest reserve shall from the time of such filing be and remain a lien upon the land of such owner until payment shall have been made

And be it further provided that all moneys received by the boards of supervisors shall be appropriated exclusively to the opening maintenance and repair of the public roads now or hereafter passing through or into said auxiliary forest reserves or upon which said reserves now or hereafter may abut and in the event that no public highways pass through or into said reserves or none of said reserves abut on such highways then said moneys shall be used for general township road purposes

Section 4 Should the county commissioners be dissatisfied with the return made as hereinbefore provided in section three hereof the court of common pleas of the proper county on petition of the commissioners shall appoint a board of three appraisers who shall go upon the land in question estimate the quantity and value of the trees immediately at and before the time of harvesting and make a return thereof to the court which said return shall then be made the basis upon which each owner shall make payment to the respective county treasurers unless changed upon appeal The said appraisers shall be duly sworn or affirmed before entering upon their work and either party if dissatisfied with the report of the appraisers shall have right of appeal to the court of common pleas of the county within ten days after such report shall be filed and notice thereof given the owner The said appraisers shall be allowed their expenses and a compensation to be fixed by the court botn to be paid by the county commissioners

Section 5 In case of the removal of said lands from the class known as auxiliary forest reserves prior to the maturity of the timber and without payment of the tax of ten per centum of the value thereof as provided in section three of this act the county commissioners shall on notice from the commission ascertain the amount of the taxes which would have been paid by the said owner on the original assessment before the reduction provided for in section two of this act adding legal interest from the date when each tax payment would have become delinquent The said commissioners shall likewise ascertain the amount of taxes which have actually been paid upon the land in question adding legal interest upon all such payments from the date when paid and certify the result thereof to the county treasurer who shall then proceed in the manner provided for the collection or county taxes under genelar laws to recover from such owner the difference between the two amounts with costs Such difference so ascertained to be due as tax as aforesaid shall be and remain a lien upon the land of such owner until payment shall have been made

If such land shall be so removed from said class after the due cutting of a matured crop and the payment of tax thereon the owner shall in that case not be liable for such past assessment but the land shall thereafter be liable to assessment and tax as all other land not classed as auxiliary fores reserves

Section 6 This act shall take effect only beginning with assessments made for the purpose of levying taxes for the fiscal year one thousand nine hundred and fourteen

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. JOSIAH HOWARD. Mr. Speaker, did I consider a while ago that your ruling on the question of taxation applied to the other bill or did not apply to the other bill as an individual bill?

The SPEAKER. The point raised by the gentleman from Cameron was, that the bill then under consideration was unconstitutional. The Chair did not sustain the point of order. The ruling, of course, applied only to the bill then under consideration.

Mr. JOSIAH HOWARD. Mr. Speaker, As I understand this present bill, No. 558, applies to the method of taxation. I would like to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, I will.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to ask the gentleman if this bill does not apply that the local assessor shall not assess the lands beyond a valuation of one dollar, any lands that are placed in what are known as auxiliary forest reserves, lands under the previous bill?

Mr. WILLIAMS. Mr. Speaker, replying to the gentleman from Cameron, I will say that this bill does fix the value of lands taken over into the auxiliary forest reserves, at one dollar per acre, for the purpose of local taxation.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to further interrogate the gentleman, whether it is not a fact that these auxiliary forest reserves are owned by individuals and corporations.

Mr. WILLIAMS. Mr. Speaker, I would say they are.

Mr. JOSIAH HOWARD. Mr. Speaker, then as these lands are owned by individuals and corporations and this bill in itself will provide that these lands shall not be assessed at over one dollar per acre but does provide. Mr. Speaker, I would like to interrogate the gentleman further, does it provide that later on whenever the timber is harvested that then the back taxes shall be charged against the owner? Is that right, Mr. Speaker?

Mr. WILLIAMS. No, Mr. Speaker, it provides that when the timber grown on this land and matures, ten per cent. of its value is paid to the County Treasurer and by him distributed to the County, Township and School Districts.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to interrogate the gentleman further. Does not the bill provide that at any time before the harvesting of the timber that the owner may remove these lands by paying the back taxes?

Mr. WILLIAMS. Mr. Speaker, the owner has the right to withdraw his lands at any time, but when he does his lands are holden for the difference between one dollar and the value at which the lands are assessed when they passed into the auxiliary reserve. In the meantime the State pays to the school district and the township two cents an acre each, the same as it pays on the land that the State owns.

POINT OF ORDER.

Mr. JOSIAH HOWARD. Mr. Speaker, I raise the point of order that that this is unconstitutional under two articles of the constitution. First the State cannot pay the taxes for any township or any county or any municipality or anybody else, except for the purpose of war or other articles mentioned in the constitution. Second, that this particular bill in itself will remove these lands from the power of the local assessor to assess them at their correct value, and they having once been removed and the day of appeal gone by, that there is no method under the constitution by which that back tax can be collected or reassessed for the years gone by. Therefore it is contrary to the constitution by relieving individuals and corporations and exempting them from taxation.

First, that the State cannot pay taxes for anybody else. Second, that the bill will relieve private property and exempt it from taxation and I raise the point of order that the bill is unconstitutional.

Mr. WILLIAMS. Mr. Speaker, when it comes to a constitutional question I cannot discuss it with the gentleman from Cameron, because I am not a constitutional lawyer.

The SPEAKER. The point or order is not sustained.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Adams,	Fahey,	Latshaw,	Schuck,
Alworth,	Forster, I. G.,	Lenker,	Scott, S. B.,
Ambler,	Frey,	Letzkus,	Shaffer, T. E.,
Arthur,	Geary,	Light,	Shern,
Baldwin, G. A.,	Geiser,	Lohr,	Sherwood,
Baldwin, R. J.,	Gibson,	Lowers,	Showalter,
Becker,	Goss,	Mannion,	Smith, J. W.,
Benninger,	Gramley,	Martin,	Smith, L.,
Benson,	Gray, Frank,	Mather,	Spangler,
Berntheizel,	Haggerty,	McAleer,	Speiser,
Bigger,	Hemminger,	McAllister,	Steele,
Blair, W. A.,	Herman,	McClintock,	Stein,
Bleloch,	Heyburn,	McNichol,	Stone,
Body,	Hibshman,	Mechling,	Swartz,
Brosius,	Hobbs,	Miller,	Swift,
Brownlee,	Hoffman,	Mitchell,	Thomas,
Burnett,	Howard, R.,	Morrow,	Trach,
Caldwell,	Humes,	Moses,	Ulerich,
Campbell, C.M.,	Isler,	Moulthrop,	Walnut,
Carson,	Irwin, G. C.,	Neel,	Walsh,
Carter,	Irwin, H. H.,	North,	Walton,
Cheeseman,	Jackson,	Peachey,	Watson,
Claycomb,	Jones, E. E.,	Pennock,	Wettach,
Cleary,	Jones, J. R.,	Perry, H. L.,	Whitaker,
Conner,	Kaiser,	Peters,	Wildman,
Currier,	Kaufman,	Ramsey,	Williams,
DeFrees,	Keegan,	Reese,	Wilson, J. H.,
Dickinson,	Kenna,	Reeser,	Wilson, W. H.,
Donahoe,	Kennedy,	Rex,	Wiltbank,
Down,	Kern,	Rhoads,	Young, G. K.,
Dunn, H. B.,	Klepper,	Rockwell,	Young, J. H.,
Dunn, J. A.,	Kuhn, H. P.,	Roney,	Zimmerman,
Eichenberger,	Kuhns, E.G.M.,	Rothenberger,	Alter,
Ely,		Runk,	Speaker.

NAYS—29.

Aron,	Foster, J. D.,	Malie,	O'Neill,
Bittles,	Glenn,	Matt,	Post,
Blair, W. F.,	Good,	Metzenbacher,	Robinson,
Brown,	Grabe,	Missimer,	Sassaman,
Conniff,	Gray, Joseph,	Murphy,	Savacool,
Davis,	Hackett,	Musser,	Shaffer, C. A.,
Flynn,	Howard, J.,	Newbaker,	Snyder,
			Ulman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Mr. WILLIAMS. Mr. Speaker, I desire to call up at this time House Bill No. 559, file folio 2693, on page 52 of to-day's Calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 559, as follows:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

Whereas by existing law the State forest reserves are subject to an annual charge of two cents per acre for the benefit of schools and two cents per acre for the benefit of roads in the respective districts in which said reserves are located and

Whereas it would be a hardship to withhold from school and road districts the taxes which would otherwise be collected from land classified as auxiliary forest reserves therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all lands which shall hereafter be classified as auxiliary forest reserves shall be subject to an annual charge of two cents per acre for the benefit of the schools and two cents per acre for the benefit of the roads in the respective districts in which said reserves are located Said charge is hereby made payable by the State

Section 2 The State Forestry Reservation Commission shall certify to the respective school districts and road districts throughout the Commonwealth in which auxiliary forest reserves are located the number of acres thus set apart and classified in each district and the charge against the same and shall furthermore certify to the State Treasurer the number of acres as aforesaid and the charge against the same in favor of the respective school and road districts The State Treasurer shall upon the approval of the proper warrant of the commission pay to the several school districts and road districts the amount due the same from the Commonwealth as derived under this act

On the question,

Will the House agree to the bill on third reading?

Mr. JOSIAH HOWARD. Mr. Speaker, I certainly am surprised that this House would deliberately rob the country districts of their share of taxation. Mr. Speaker, I do not believe that the members of the House really understand what they are doing. In our county we have chemical factory corporations owning lands which they are holding for the purpose of cutting chemical wood. We have paper mill corporations owning lands which they are holding simply for the purpose of cutting pulp woods. We have people cutting tie timber. This whole combination of bills, Mr. Speaker, will remove these lands from the regular tax list. Mr. Speaker, I contend that there is nothing in this bill to prevent any of these owners at any time from cutting out their growing timber. It means that the chemical people who cut wood an inch and a half or two inches in diameter and the pulp wood people who cut timber four to six inches in diameter, and the tie people from cutting ties that are eight, ten and twelve inches in diameter can continually cut out and thin out this chemical wood, this pulp wood and this tie timber without ever paying one dollar of taxes over and above the original assessment of one dollar. Mr. Speaker, it is a real hardship on any county or township in which is located this kind of land. Mr. Speaker, this bill in particular—Mr. Speaker, I want to say to the gentleman of the House that I do not intend as the representative of one of those counties to lie down on any one of these bills. I want in the best way I can to present to the members of this House the serious side of it. The serious side is that this people can continually cut this pulp wood and chemical wood and tie timber without paying anything on it. That is an old trick of the lumberman all through the lumber districts, before you could sell lands every two years for taxes, to allow their taxes to accumulate, and the taxing power could only sell that land for taxes every three years. It was an old trick of the lumberman in this district to allow their taxes to accumulate for three years and in those three years to remove the timber, so that when the land was sold at the end of the three years there was nothing left to pay the taxes on the land. The townships lost. That bill was so remedied so that the county treasurer could sell lands every two years. In that way the owner was not able to cut off any large extent of land and escape taxation. This bill provides that whenever the crop is harvested, and the bill was amended the other day that before harvesting your crop you must file with the State Highway Commission an estimate as to the value of the crop which you were going to cut and harvest and that ninety days before harvesting your crop you must pay into the State Treasurer ten per cent. of that value. Now, Mr. Speaker, there is no penalty. I insist, Mr. Speaker, that this bill does not provide any penalty if they do not make this return to the State, and if they do not put in their assessed valuation, if they do not put in their estimate as to how much they are going to cut this year, and yet there is no penalty provided for their not doing so. They can go ahead and cut out their pulp wood and tie wood and even their mature timber without making this return, and if they do not make it there is no penalty provided. Mr. Speaker, I wish the gentlemen of the House would really and seriously consider these bills because they are wrong, because, Mr. Speaker, there is no inducement to any honest owner of lands to put them under the supervision of the Forestry Commission for four cents an acre. It is mean, Mr. Speaker, to impugn wrong motives to large corporations, and you will notice by the papers just this morning that some large wholesale store in New York has acknowledged a judgment for one million dollars for back taxes and back duties which he should have paid. These large corporations get so earnest in their accumulation of money that they will allow things to go along whereby they cheat the Commonwealth out of its share of the taxes and these taxes must be made up by someone else. Now, Mr. Speaker, as a taxpayer in my community I protest that it is not fair to make the other taxpayers in the county make up the deficit by the removing of these lands from the list. My argument is that there is no penalty for not making, and I hope the members of this House will vote down this bill, and I hope the Governor will veto the other bills, which I call are unconstitutional.

Mr. WILLIAMS. Mr. Speaker, it seems from the argument of the gentleman from Cameron that this is a very lengthy bill. It simply authorizes the State to pay to the townships and school districts, two cents an acre each on the lands that are placed in the auxiliary reserve in those townships.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—116.

Adams,	Forster, I. G.,	Light,	Sherwood,
Alworth,	Geary,	Lowers,	Showalter,
Baldwin, G. A.,	Geiser,	Martin,	Smith, J. W.,
Baldwin, R. J.,	Gibson,	Mather,	Smith, L.,
Becker,	Goss,	McAleer,	Spangler,
Benninger,	Gramley,	McAllister,	Speiser,
Benson,	Gray, Frank,	McClintock,	Spillinger,
Berntheizel,	Haggerty,	McNichol,	Steedle,
Bigger,	Hemminger,	Miller,	Steele,
Bittles,	Hess,	Morrow,	Stein,
Blair, W. A.,	Heyburn,	Neel,	Stone,
Bleloch,	Hibshman,	Neely,	Swartz,
Body,	Hobbs,	Newton,	Swift,
Brosius,	Hoffman,	North,	Thomas,
Brownlee,	Isler,	Peachey,	Trach,
Burnett,	Irwin, H. H.,	Pennock,	Ulerich,
Caldwell,	Jones, E. E.,	Perry, H. L.,	Ulman.
Carson,	Jones, J. R.,	Peters,	Walnut,
Carter,	Kaiser,	Ramsey,	Walsh,
Cheeseman,	Kaufman,	Reese,	Walton,
Claycomb,	Keegan,	Rex,	Watson,
Cleary,	Kern,	Rhoads,	Wettach,
Conner,	Kuhn, H. P.,	Rockwell,	Whitaker,
Currier,	Kuhns, E.G.M.,	Roney,	Wildman,
Curry,	Latshaw,	Rothenberger,	Williams,
DeFrees,	Lenker,	Runk,	Wiltbank,
Dickinson,	Leslie,	Scott, S. B.,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Semmens,	Zimmerman,
Eichenberger,		Shaffer, I E.,	Alter,
Ely,			Speaker.

NAYS—31.

Allen,	Flynn,	Mannion,	Newbaker,
Aron,	Foster, J. D.,	Matt,	Post,
Barner,	Good,	Mellott,	Sassaman,
Blair, W. F.,	Grabe,	Metzenbacher,	Savacool,
Brown,	Gransback,	Missimer,	Shaffer, C. A.,
Campbell, J.J.	Gray, Joseph,	Moore,	Snyder,
Davis,	Jackson,	Moses,	Strauss,
Ehrhardt,	Malie,	Murphy,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WILDMAN. Mr. Speaker, with the consent of the sponsor I would like to call up House Bill No. 946, file folio 2311, entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulatig their speed upon the public streets and highways of the Commonwealth of Pennnsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceeding in actions for damages arising therefrom prescribing the penalties for viclations of the provisions of this act and providing for the disposition of fines imposed thereunder"

from page 54 of yesterday's calendar, Bills on Third Reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulatig their speed upon the public streets and highways of the Commonwealth of Pennnsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceeding in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

On the question,

Will the House agree to the bill on third reading?

Mr. WILDMAN. Mr. Speaker, I ask unanimous consent to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read as follows:

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. WILLIAM F. BLAIR. Mr. Speaker, I desire to call up House Bill 256, file folio 1651. from page 53 of yesterday's calendar, Bills on Third Reading Postponed for the present.

Agreeably to order,

The House proceeded to the third reading and consideratin of House Bill No. 256, entitled:

An Act providing for the publication and distribution of a revised edition of the railroad map of Pennsylvania heretofore issued by the Department of Internal Affairs making an appropriation for the work of revising compiling and proof-reading and an appropriation for printing binding and mounting the same and for paper

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Adams,	Fahey,	Leslie,	Robinson,
Allen,	Flynn,	Letzkus,	Rockwell,
Alworth,	Forster, I. G.,	Light,	Roney,
Ambler,	Foster, J. D.,	Lohr,	Rothenberger,
Aron,	Frey,	Lowers,	Runk,
Arthur,	Gans,	Malie,	Sassaman,
Baldwin, G. A.,	Geary,	Mannion,	Savacool,
Baldwin, R. J.,	Geiser,	Martin,	Schaeffer, A. G.
Barner,	Gibson,	Mather,	Schuck,
Bayle,	Goss,	Matt,	Semmens,
Becker,	Gramley,	McAleer,	Shaffer, C. A.,
Benninger,	Gransback,	McAllister,	Shaffer, I. E.,
Benson,	Gray, Frank,	McArdle,	Shern,
Berntheizel,	Gray, Joseph,	McClintock,	Showalter,
Bigger,	Hackett,	McDermott,	Smith, J. W.,
Bittles,	Haggerty,	McKay,	Smith, L.,
Blair, W. A.,	Heidinger,	McNichol,	Snyder,
Blair, W. F.,	Hemminger,	Mechling,	Spangler,
Bleloch,	Herman,	Metzenbacher,	Speiser,
Body,	Hess,	Miller,	Spillinger,
Brosius,	Heyburn,	Missimer,	Steedle,
Brown,	Hobbs,	Mitchell,	Steele,
Brownlee,	Herman,	Morrow,	Stein,
Burnett,	Howard, J.,	Moses,	Stone,
Caldwell,	Humes,	Moulthrop,	Swartz,
Campbell, C.M.,	Isler,	Murphy,	Swift,
Campbell, J. J.,	Irwin, G. C.,	Musser,	Thomas,
Carson,	Irwin, H. H.,	Neel,	Trach,
Carter,	Jackson,	Neely,	Ulerich,
Claycomb,	Jones, E. E.,	Newbaker,	Ulman,
Cleary,	Jones, J. R.,	Newton,	Walnut,
Cochran,	Kaiser,	North,	Walsh,
Collins,	Kaufman,	O'Neill,	Walton,
Conner,	Keegan,	Pennock,	Watson,
Cox,	Keeport,	Perry, H. L.,	Wettach,
Currier,	Kennedy,	Perry, S. J.,	Whitaker,
Curry,	Kern,	Peters,	Wildman,
Down,	Kitts,	Piper,	Williams,
DeFrees,	Klepper	Post,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Price,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Wiltbank,
Donnally,	Lanius,	Reese,	Young, G. K.,
Dunn, J. A.,	Latshaw,	Reeser,	Young, J. H.,
Ehrhardt,	Lenker,	Rex,	Zimmerman,
Eichenberger,		Rhoads,	Alter,
Ely,		Richards,	Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 888, as follows:

An Act designating the blue violet as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

Whereas The Commonwealth of Pennsylvania is one among the eight states of the United States which have up to the present time failed or neglected to adopt some form of floral emblem or State flower and

Whereas The adoption of some emblem as aforesaid would inculcate patriotism in the school children of the State therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the blue violet shall be the State flower or floral emblem of the Commonwealth of Pennsylvania

Section 2 The fourteenth day of June in each year shall be known as blue violet and be celebrated accordingly

Mr. SPANGLER. Mr. Speaker, I desire to interrogate the gentleman from Wayne, Mr. Jackson.

Mr. SPEAKER. Will the gentleman from Wayne, Mr. Jackson, permit himself to be interrogated by the gentleman from York?

Mr. JACKSON. Mr. Speaker, yes, sir.

Mr. SPANGLER. Mr. Speaker, I desire to ask the gentleman why the arbutus was not chosen as the emblematic flower of Pennsylvania.

Mr. JACKSON. Mr. Speaker, the daisy was the choice among a number of those proposed by the school teachers and a number of school children from Wayne County. The daisy was the choice of Wayne County and other counties but the violet seemed to have more friends than the daisy. Much of the objection to the daisy being raised because it is classified as a weed and on that account it was changed to the violet.

Mr. RUNK. Mr. Speaker, I desire to offer an amendment to that bill.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend section 1, line 4, by striking out the words "blue violet" and insert the word "arbutus."

Amend section two, line one by striking out the words "fourteenth day of June" and insert the words "fifteenth day of April"

Also amend section two line two by striking out the word "blue violet" and insert the words "arbutus day."

Mr. JACKSON. Mr. Speaker, I object to the amendment.

The SPEAKER. The amendment is objected to.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Wayne.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JACKSON. Mr. Speaker, yes, sir.

Mr. S. B. SCOTT. Mr. Speaker, I desire to know whether there are any blue violets?—I understand violets were violet violets. I desire to further interrogate the gentleman. Do violets bloom in the spring?

Mr. JACKSON. Mr. Speaker, wild violets bloom in the spring; cultivated violets grow all summer.

Mr. S. B. SCOTT. Mr. Speaker, as to "violets that bloom in the spring" they have nothing to do with the case.

Mr. JOSEPH GRAY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question.

Mr. JOSEPH GRAY. Mr. Speaker, I would like to know if the blue violet is a flower commonly known as the "Johnny-Jump-Up".

The SPEAKER. The question is, will the House agree to the bill on third reading?

ORDER OF THE DAY.

Mr. WILTBANK. Mr. Speaker, the hour of one o'clock has arrived and I call for the orders of the day.

RECESS.

The SPEAKER. The hour of one o'clock having arrived the House will take a recess until three o'clock this afternoon.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.
Mr. SHERN in the Chair.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communications from the Governor, which were read as follows:

APPROVAL OF HOUSE BILL NO. 11.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 11, entitled "An Act to provide for an additional law judge of the several courts of the forty-seventh judicial district."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 245.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 245, entitled "An Act making an appropriation to the State Board of Censors of moving pictures."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 438.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 438, entitled "An Act to amend an act aproved the seventh day of June one thousand nine hundred and eleven entitled 'An Act requiring foundries to be provided with toilet room and water closet regulating same and providing a penalty for violation thereof."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 470.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 470, entitled "An Act authorizing the trustees of the Cottage State Hospital located at Connellsville Pennsylvania to dedicate to public use a certain triangular piece of land upon which shall be opened a public street immediately adjoining property of the institution."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 682.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 682, entitled "An Act authorizing the sale for the best price obtainable by the county commissioners in the several counties of the Commonwealth of lands heretofore or hereafter purchased by said counties at sheriff's sales under judgments obtained on tax claims."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 723.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 723, entitled "An Act to authorize the printing of twenty-five thousand copies Bulletin Number two hundred and nineteen entitled 'Increasing the Winter Yield of Eggs' issued by the Department of Agriculture and making an appropriation therefor."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 845.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 8, entitled: "An Act authorizing the purchase of live stock and farming implements for the new Western Penitentiary in Centre County and authorizing the Board of Inspectors of said penitentiary to charge the cost thereof against the several counties in the Western District."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 850.

Executive Chamber, Harrisburg, April 4, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 850, entitled "An Act authorizing the Board of Inspectors of the Western Penitentiary to remove from time to time buildings machinery appliances and materials from the old penitentiary in Pittsburgh to the new penitentiary in Centre county for use in the erection and equipment thereof."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 883.

Executive Chamber, Harrisburg, April 4, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:
Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 883, entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved March seventh one thousand nine hundred and one providing for the creation of a pension fund for municipal employes."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 529.

Executive Chamber, Harrisburg, April 4, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:
Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 529, entitled "An Act making an appropriation to cover the deficiency incurred in the care treatment and maintenance of the indigent insane of the Commonwealth during the period of five years beginning March first one thousand nine hundred and nine and ending May thirty-first one thousand nine hundred and thirteen."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 259.

Executive Chamber, Harrisburg, April 4, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:
Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 259, entitled "An Act to amend an act approved the twelfth day of May one thousand nine hundred and eleven entitled 'An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same.' "

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 147.

Executive Chamber, Harrisburg, April 4, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:
Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 147, entitled "An Act to provide for the protection and preservation of the Wapiti or Elk in Pennsylvania and prescribing penalties for violation of its several provisions."

(Signed) JOHN K. TENER.

APPOVAL OF HOUSE BILL NO. 116.

Executive Chamber, Harrisburg, April 4, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:
Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 116, entitled "An Act permitting any wholesale or retail licensed liquor dealer or bottler to keep such licensed place of business open during the pendency of any application for transfer of license."

(Signed) JOHN K. TENER.

The SPEAKER. The table will be cleared.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

SENATE MESSAGES.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to House Bill numbered and entitled as follows:

House Bill No. 170, entitled:

"An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund'

Said bill having been recalled from the Governor for the purpose of amendment.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

House Bill No. 68 (Senate Bill No. 344), entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health ad safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

House Bill No. 69 (Senate Bill No. 343), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

House Bill No. 258 (Senate Bill No. 582), entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers' ' approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the army navy or marine corps of the United States

House Bill No. 510 (Senate Bill No. 678), entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennnsylvania and prescribing penalties for violation of its several provisions

With the information that the Senate has passed the same without amendement.

SENATE NON-CONCURS IN AMENDMENTS MADE BY HOUSE TO SENATE BILLS.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill No. 103, entitled as follows:

An Act to provide that certain teachers of long experience in the Comonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the president and secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

Mr. ALLEN. Mr. Speaker, I move that the House insist upon the amendments non-concurred in by the Senate.

Mr. LENKER. Mr. Speaker, I second the motion.

The motion was agreed to.

The Clerk of the Senate being introduced informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill No. 157, entitled as follows:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts'

Mr. ALLEN. Mr. Speaker, I move that the House insist on its amendments and that a Committee of Conference be appointed.

Mr. MOSES. Mr. Speaker, I second the motion.

The motion was agreed to.

REPORTS OF COMMITTEES.

Mr. WILLIAMS, from the Committee on Appropriations, reported as amended, House Bill No. 1007, entitled:

An Act authorizing the apointment of two delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon; and making an appropriation therefor.

Mr. FREY, from the Committee on Judiciary General, reported as amended, House Bill No. 1522, entitled:

An Act relating to lynching, fixing the liability of police officers, constables, sheriffs and deputy sheriffs and the lia-

bility and rights of counties, cities, boroughs, towns and townships for injury or death to persons in custody and prescribing certain penalties.

Mr. LOWERS, from the Committee on Game, reported as committed, House Bill No. 732, entitled:

An Act to provide for the protection of insectivorous and fur bearing animals by fixing a season for trapping or killing the animal commonly called the skunk or pole cat, and providing a penalty for violation of this act.

Mr. SHOWALTER, from the Committee on Judiciary Spceial, reported as committed, House Bill No. 1232, entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court, and the execution of a deed of extinguishment by the prothonotary, in cases where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same, or to comply with any requirements necessary to grant a clear title thereto.

Mr. BITTLES, from the Committee on Counties and Townships, reported as amended, House Bill No. 1600, entitled:

An Act empowering counties to construct, operate and maintain public highways, public highway bridges, and tunnels in the several counties of this Commonwealth, either wholly within or partly within any city, borough or township therein; authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches thereto; authorizing counties to lay out, open, widen, straighten or extend streets and alleys, or parts thereof, within the boundaries of any city, borough or township therein, so as to connect said bridges and tunnels, or public highways, or roads leading thereto, with any public highways therein; or so as to connect any other county bridge or road, nor or hereafter constructed, with any public highway within such city, borough or township; and to grade, pave, macadamize or otherwise improve the same; and authorizing the taking of property for all or any or said purposes; providing for the payment of the cost and expense thereof and compensation therefor, and damages resulting therefrom; and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes.

Mr. DONNALLY, from the Committee on Counties and Townships, reported as committed, House Bill No. 411, entitled:

An Act relating to the time of payment of wages or salaries to officers and employees in counties co-extensive with cities.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1767, entitled:

A supplement to an act entitled "An Act to fix the fees to be allowed the district attorney in counties containing over eight hundred thousand inhabitants" so as to provide for fees in counties containing one million two hundred thousand inhabitants and over.

Mr. COCHRAN, from the Committee on Printing, reported as amended, House Bill No. 931, entitled:

A joint resolution providing for the distribution to each newspaper and periodical published in Pennsylvania of a copy of each annual edition of Smull's Legislative Hand Book, and of a copy daily of the Legislative Journal during the session of the General Assembly.

Mr. BECKER, from the Committee on Counties and Townships, reported as committed, House Bill No. 1460, entitled:

An Act fixing the salary ,and providing for the expenses of township commissioners of townships of the first class of this Commonwealth.

Mr. BASS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1399 (Senate Bill No. 308), entitled:

An Act authorizing the warden, superintendent or person in charge of any pentitentiary, jail, reformatory, workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred.

Mr. WHITAKER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1708, entitled:

An Act relating to the payment of costs in all cases where the judgment, order, sentence or decree of a court is reversed by an appellate court, with or without a venire or order as to costs

Mr. LIGHT, from the Committee on Judiciary General, reported as amended, House Bill No. 1800, entitled:

An Act defining indecent assault and providing penalty for same.

Mr. GLENN, from the Committee on Judiciary General, reported as amended, House Bill No. 1708 (Senate Bill No. 22), entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and a matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid.

Mr. SAMUEL B. SCOTT, from the Committee on Judiciary General, reported as committed, House Bill No. 1646, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania, abolishing the office of Secretary of Internal Affairs.

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1814 (Senate Bill No. 490), entitled:

An Act requiring the prothontary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same.

Mr. CONNIFF, from the Committee on Judiciary General, reported as committed, House Bill No. 1294, entitled:

A supplement to an act entitled "An Act defining and prohibiting pandering; providing penalties for violation hereof; and regulating the competency of certain evidence at the trial thereof" approved the seventh day of June, one thousand nine hundred and eleven

Mr. ROCKWELL, from the Committee on Judiciary General, reported as amended, House Bill No. 1636, entitled:

An Act making it the duty of recorders of deeds of the various counties of this Commonwealth to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyances of real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equilization of taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury.

Mr. WHITAKER, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1591, entitled:

An Act authorizing prosecutors in all criminal prosecutions to be present, in person or by attorney, and with or without a stenographer before the Grand Jury during the examination of witnesses, and to take down the testimony stenographically; and requiring the foreman of the Grand Jury to ask such questions of the witnesses as may be suggested by a prosecutor or by an attorney.

Mr. GOSS, from the Committee on Game, reported with a negative recommendation, House Bill No. 1549, entitled:

An Act prohibiting the hunting, capturing, or killing of game birds with the aid of certain dogs, and providing a penalty.

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported with a negative recommendation, House Bill No. 1438, entitled:

An Act to prevent the evasion of the marriage laws of this Commonwealth by making void marriages solemnized in another State or country contrary to the provisions of the laws of this Commonwealth, and providing a penalty for licensing or solemnizing such marriages.

Mr. BROWNLEE, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1698, entitled:

An Act relating to appeals from the judgments of County Courts to the Supreme and Superior Courts of Pennsylvania, and enabling any cause to be heard by the Appellate Court without regard to the County from which such appeal is taken, and repealing all acts inconsistent herewith.

REPORT FROM THE SUPERINTENDENT OF PUBLIC PRINTING AND BINDING.

The Speaker. The Chair desires to lay before the House a report from the Department of Public Printing and Binding.

The report was read by the Clerk as follows:

Office of Department of Public Printing and Binding
Harrisburg, Pa., April 3rd. 1913.

To the House of Representatives of Pennsnylvania.

Gentlemen:—In reply to the resolution passed by your body on April 2nd, 1913, requesting the Superintendent of Public Printing and Binding to advise the House as to whether or not "the reprinting of bills necessitated by amendments, which merely correct typographical errors, is done at the expense of the State, or whether he holds the printing contractor responsible therefor" the Superintendent begs leave to submit the following information:

Where the reprinting of bills is necessitated by typographical errors, purely the neglect or carelessness of the State Printer, the said State Printer is not only required to reprint the bills at his own expense but to compensate the Commonwealth for any paper consumed in the reprinting.

Very truly yours,
(Signed) A. NEVIN POMEROY,
Superintendent of Printing and Binding.

The SPEAKER. The report will be spread upon the Journal.

BILLS ON THIRD READING.

The SPEAKER. When the House adjourns this morning it had under consideration House Bill No. 888, entitled: the question being,

An Act designating the blue violet as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

Will the House agree to the bill on third reading?

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Adams,	Foster, J. D.,	Malle,	Roney,
Allen,	Frey,	Mannion,	Rothenberger,
Alworth,	Geary,	Martin,	Sassaman,
Arthur	Gibson,	Mather,	Savacool,
Baldwin, G. A.,	Glenn,	Matt,	Schaeffer, A. C
Bass,	Good,	McAleer,	Scott, J. R. K.,
Becker,	Goss,	McAllister,	Semmens,
Benninger,	Grabe,	McArdle,	Shaffer, C. A.,
Benson,	Gramley,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gransback,	McKay,	Shern,
Bigger,	Gray, Frank,	Mellott,	Showalter,
Bittles,	Gray, Joseph,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Haggerty,	Miller,	Smith, L.,
Body,	Herman,	Missimer,	Snyder,
Brosius,	Hess,	Mitchell,	Spangler,
Brown,	Heyburn,	Moore,	Speiser,
Brownlee,	Hobbs,	Morrow,	Spillinger,
Burnett,	Howard, R.,	Moses,	Steedle,
Caldwell,	Humes,	Moulthrop,	Steele,
Campbell, C.M.,	Isler,	Murphy,	Stein,
Campbell, J. J.,	Irwin, G. C.,	Musser,	Stone,
Carson,	Irwin, H. H.,	Neel,	Strauss,
Carter,	Jackson,	Neely,	Swartz,
Cheeseman,	Jones, E. E.,	Newbaker,	Swift,
Claycomb,	Jones, J. R.,	Newton,	Thomas,
Cleary,	Kaiser,	North,	Trach,
Cochran,	Kaufman,	O'Neill,	Ulerich,
Conner,	Keegan,	Peachey,	Ulman,
Conniff,	Keeport,	Pennegar,	Walnut,
Cox,	Kennedy,	Pennock,	Walsh,
Currier,	Kern,	Perry, H. L.,	Walton,
Curry,	Kitts,	Perry, S. J.,	Watson,
Davis,	Klepper,	Peters,	Wettach,
Dickinson,	Kuhn, H. P.,	Piper,	Whitman,
Donahoe,	Kuhns, E.G.M.,	Post,	Wildman,
Donnally,	Lanius,	Price,	Williams,
Down,	Latshaw,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Lenker,	Reese,	Wiltbank,
Dunn, J. A.,	Leslie,	Reeser,	Young, G. K.,
Ehrhardt,	Letzkus,	Rex,	Young, J. H.,
Eichenberger,	Light,	Richards,	Zimmerman,
Ely,	Lohr,	Robinson,	Alter,
Ewing,	Lowers,	Rockwell,	Speaker.
Flynn,			
Forster, I. G.,			

NAYS—1.

Hemminger,

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 60, entitled:

An Act to provide for the pensioning of soldiers sailors and marines who served in the army and navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof

On the question,

Will the House agree to the bill on third reading?

Mr. JOSEPH GRAY. Mr. Speaker, I wonder if the gentleman who introduced this bill has in mind anybody to be benefitted by it that has not already received compensation from the Federal government. I know it is very unpopular to go against any measure providing for the pensioning of soldiers, and the Federal government and the Senate and House of the Federal government have used it as a political foot stool for many years, and it seems now that it is going to break into the State government. I do not believe there is any soldier who served in the Civil War in the State of Pennsylvania who is not provided for in a deserving amount. If there are, I should be glad to find out who they are. I do not see why it is necessary that the State of Pennsylvania should enter into the pension business for any of the soldiers who have already been taken care of. It is rather difficult to talk against a bill of this kind, and a proposition of this kind, because we all know that it can be used with the fire works to get votes by voting for it, and one makes himself unpopular when he votes against it. This bill carries an appropriation of a million and a half of dollars and the necessary amount for incidential expenses. If that were all we might not object to it so much, but it is like every other pension bill, and it will increase in proportion just as the pension bill of the United States have increased. The pension bill is one of the biggest frauds in the United States, because it has always been used by the members to be taken back to their people to secure a re-election. I stand here opposed to this measure unless I see some real necessity for it. I do not think enough of my job here to stand here and vote for it, or let it go through and not oppose it. I think this House should vote this bill down.

Mr. MATT. Mr. Speaker, this bill does not need any recommendation, nor does it need any explanation. Those of you who have read the bill know what it contains. We have but a few of the old boys in blue left in this State who made it possible for you and I to enjoy liberty and a union of the States. Hence, it is not necessary for a speech, and we all know that we are justified in giving the old soldier the paltry sum of five or six or seven dollars a month after they have sacrificed their lives in war. I am going to ask this House to give us their unanimous vote for the old soldiers.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Eichenberger,	Leslie,	Reeser,
Allen,	Ely,	Letzkus,	Rex,
Ambler,	Flynn,	Light,	Richards,
Arthur,	Forster, I. G.,	Lohr,	Rockwell,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Roney,
Baldwin, R. J.,	Frey,	Mannion,	Rothenberger,
Bass,	Gans,	Martin,	Sassaman,
Bayle,	Geary,	Mather,	Savacool,
Becker,	Geiser,	Matt,	Schaeffer, A. C
Benninger,	Gibson,	McAleer,	Scott, J. R. K.,
Benson,	Good,	McAllister,	Shaffer, C. A.,
Berntheizel,	Goss,	McArdle,	Shaffer, I. E.,
Bigger,	Gramley,	McClintock,	Shern,
Bittles,	Gray, Frank,	McDermott,	Showalter,
Blair, W. A.,	Haggerty,	McKay,	Smith, J. W.,
Bleloch,	Hemminger,	McNichol,	Smith, L.,
Body,	Herman,	Mechling,	Snyder,
Brosius,	Hess,	Mellott,	Spangler,
Brown,	Heyburn,	Metzenbacher,	Speiser,
Burnett,	Hibshman,	Miller,	Spillinger,
Caldwell,	Hobbs,	Missimer,	Steele,
Campbell, C.M.,	Howard, J.,	Mitchell,	Stein,
Campbell, J.J.	Howard, R.,	Moore,	Stone,
Carter,	Humes,	Morrow,	Strauss,
Cheeseman,	Isler,	Moses,	Swartz,
Claycomb,	Jackson,	Moulthrop,	Swift,
Cleary,	Jones, E. E.,	Murphy,	Thomas,
Cochran,	Jones, J. R.,	Musser,	Trach,
Collins,	Kaiser,	Neel,	Ulerich,
Conner,	Kaufman,	Neely,	Ulman,
Conniff,	Keegan,	Newbaker,	Walsh,
Cox,	Keeport,	Newton,	Walton,
Currier,	Kenna,	North,	Watson,
Curry,	Kennedy,	Peachey,	Wettach,
Davis,	Kern,	Pennegar,	Whitaker,
DeFrees,	Kitts,	Pennock,	Whitman,
Dickinson,	Klepper,	Perry, H. L.,	Wildman,
Donahoe,	Kuhn, H. P.,	Perry, S. J.,	Williams,
Donnally,	Kuhns, E.G.M.,	Peters,	Wilson, J. H.,
Down,	Lanius,	Piper,	Wiltbank,
Dunn, H. B.,	Latshaw,	Price,	Young, J. H.,
Dunn, J. A.,	Lenker,	Ramsey,	Zimmerman,
Ehrhardt,		Reese,	Alter,
			Speaker.

NAYS—6.

Alworth,	Gray, Joseph,	Scott, S. B.,	Walnut,
Brownlee,	Post,		

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 940, entitled:

An Act defining and regulating the occupation of barbering providing for the licensing of persons engaged in barbering providing for the regulation of students of barbering and the regulation of barber shops barber school and barber colleges and fixing penalties for violation of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STEEDLE. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. JOSIAH HOWARD. Mr. Speaker, I second the motion.

The motion was not agreed to.

The question recurring,

Shall the bill pass finally?

Mr. GEISER. Mr. Speaker, I just wish to add a little thought in behalf of this measure. If this measure had been a law of this State a week ago, this Leigslature would not have been deprived of my very valuable services for two or three days.

Mr. ROCKWELL. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. WALTON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. STEEDLE. Mr. Speaker, I would like to interrogate the gentleman from Tioga?

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. ROCKWELL. I will.

Mr. STEEDLE. Mr. Speaker, I would like to know what is the purpose of dropping the bill from the Calendar?

Mr. ROCKWELL. Mr. Speaker, it appears to me that the purpose of the House was to absolutely defeat the bill and we would save a roll call, as my motion would suggest. If the gentleman wishes to go to a vote I will withdraw my motion.

Mr. STEEDLE. Mr. Speaker, I do wish it to go to a vote This bill has the unanimous endorsement of the American Federation of Labor, and the bill as presented by me at the request of the International Association of Barbers is at the present time a law in twelve states of this country. It has practically and has been a good law in the State of Michigan. It places no hardship whatever on the man who is following up the occupation of a barber at this time, and it was the intention of the International Association of Barbers to introduce this bill for the purpose of eliminating the floater in the barber trade. This bill is meritorious, as was shown by one of the gentleman having suffered with barber's itch, known as tinea pscycosis, which is a very contagious disease, and another common disease which would be eliminated under this bill is inpetigo contagiosis, which is another very contagious disease with which all medical men are familiar, and as the sponsor of this bill I would sooner see the members recording as voting against it than to have it dropped from the Calendar.

The question recurring,

Shall the bill pass finally?

And said bill having been read at length the third time. considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—75.

Adams,	Forster, I. G.,	Letzkus,	Shaffer, C. A.,
Allen,	Foster, J. D.,	Malle,	Shern,
Alworth,	Frey,	Mann,	Smith, L.,
Aron,	Geiser,	Matt,	Spangler,
Bigger,	Glenn,	McAllister,	Speiser,
Campbell, C.M.,	Goss,	McDermott,	Spillinger,
Carter,	Grabe,	Miller,	Steedle,
Cleary,	Gray, Frank,	Moore,	Steele,
Collins,	Gray, Joseph,	Moulthrop,	Stein,
Conner,	Haggerty,	Musser,	Swift,
Conniff,	Humes,	Neely,	Thomas,
Currier,	Jackson,	Perry, H. L.,	Walsh,
DeFrees,	Jones, J. R.,	Perry, S. J.,	Watson,
Dunn, J. A.,	Keeport,	Peters,	Wettach,
Ehrhardt,	Kennedy,	Price,	Wilson, J. H.,
Ely,	Kern,	Richards,	Young, G. K.,
Ewing,	Kitts,	Roney,	Young, J. H.,
Fahey,	Lanius,	Schuck,	Alter,
Flynn,	Leslie,	Semmens,	Speaker.

NAYS—84.

Arthur,	Donahoe,	Latshaw,	Rothenberger,
Baldwin, R. J.,	Down,	Lenker,	Sassaman,
Bass,	Eichenberger,	Lohr,	Schaeffer, A. C
Bayle,	Geary,	Mather,	Scott, J. R. K.,
Becker,	Good,	McAleer,	Scott, S. B.,
Bennlnger,	Gramley,	McArdle,	Shaffer, I. E.,
Berntheizel,	Gransback,	McClintock,	Showalter,
Bleloch,	Hackett,	McKay,	Smith, J. W.,
Body,	Hemminger,	Mitchell,	Snyder,
Brosius,	Herman,	Moses,	Stone,
Brown,	Hess,	Murphy,	Strauss,
Brownlee,	Heyburn,	Neel,	Trach,
Burnett,	Hobbs,	Newbaker,	Ulerich,
Caldwell,	Howard, J.,	Newton,	Ulman,
Campbell, J. J.,	Howard, R.,	North,	Walnut,
Carson,	Irwin, H. H.,	Pennegar,	Walton,
Cheeseman,	Kaiser,	Pennock,	Whitaker,
Claycomb,	Keegan,	Post,	Wildman,
Cochran,	Klepper,	Rex,	Wiltbank,
Curry,	Kuhn, H. P.,	Rockwell,	Zimmerman,
Davis,	Kuhns, E.G.M.,		
Dickinson,			

Less than the majority required by the Constitution having voted in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1030, as follows:

An Act providing for the licensing of railway dining cars club cars and cafe cars upon which liquors are sold regulating the sale of liquors on such cars and providing for the punishment of corporations or individuals violating this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That that on and after July one nineteen hundred and thirteen it shall be unlawful for any corporation to sell spirituous vinous or brewed liquors or any alcoholic beverages upon any dining car club car or safe car operated upon any railroad within the limits of this Commonwealth without having first secured from the State Treasurer a special license as hereinafter provided

Section 2 The State Treasurer shall upon the written application of the general manager of the railroad corporation or other corporation operating such dining car club car or cafe car within this Commonwealth and upon the payment to the State Treasurer of the sum of one hundred dollars for each such license issue to said railroad corporation or other corporation a printed license of which he shall keep a careful record authorizing the sale of liquors as aforesaid upon such car describing such car by its name or number with the name of the corporation operating it Said license to be non-transferable and to be good only for the car described thereon for the year from January one to December thirty-one inclusive or from the date of issue until December thirty-one of the year in which it shall be issued and said license must be displayed in a public place in the car for which it is issued provided That where a car duly licensed in accordance with the provisions of this act shall have been destroyed or permanently removed from the limits of this Commonwealth the State Treasurer may upon proper evidence of the facts being presented to him issue another license for the unexpired portion of the year for which the car destroyed or removed shall have been licensed upon the payment of a transfer fee of ten dollars And provided further That for the year nineteen hundred and thirteen or the unexpired portion thereof after this act shall have gone into effect the fee for such license shall be fifty dollars for each car

Section 3 Liquors shall not be sold or served in licensed dining club or cafe cars within the limits of this Commonwealth except to passengers upon the train to which said car is attached nor shall liquors be sold or served while the car is lying in a terminal station No liquors shall be sold or served on Sunday or to minors or to person visibly intoxicated or to disorderly persons

Section 4 The penalty for any violation of the provisions of this act shall be the revocation of the license for the car whereon the offense was committed and no new license shall be issued for any such car

On the question,

Will the House agree to the bill on third reading?

Mr. McALEER. Mr. Speaker.

The SPEAKER. The gentleman from Philadelphia, Mr. McAleer.

Mr. McALEER. Mr. Speaker, I just want to say a word about this bill which provides that dining cars shall be licensed. I want to call attention of the House to the fact that this bill will not direct the opening of a single additional

saloon in the State of Pennsylvania. It does not provide a place where working men can stop on the way home from their work and spend their wages. They will not on these dining cars, if they are licensed, permit the sale of anything but first class goods. In addition to that, I want to call the attention of the House to the fact that the New York Central Railroad, which is just as short a line between New York and Chicago as the Pennsylvania line, have this service on their dining cars, that we are asking to provide for here. A great deal of the traffic that might go across our State on the Pennsylvania line, passing by large manfacturing plants situated along the line of the railroad, goes west and east over the New York Central line. I think it would be just as well to encourage these people, who travel between New York and Chicago, to travel over the Pennsylvania and through the State of Pennsylvania so that they can see our large manufacturing plants along the line and perhaps become interested in the products of this State. This traffic is worth catering to and I think it is well to extend the same privileges that any line extends and I ask the House to give this bill favorable consideration.

Mr. GEORGE C. IRWIN. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. McALEER. Mr. Speaker, yes, sir.

Mr. GEORGE C. IRWIN. Mr. Speaker, when this bill passed second reading I understood the gentleman from Philadelphia, Mr. McAleer, to say that the Pennsylvania Railroad Company desires the passage of this bill. I now ask if it was desired on the part of the officials of the operating department or the officials of the dining car service?

Mr. McALEER. Mr. Speaker, I asked the general passenger agent of the Pennsylvania Railroad Company and he told me that he desired the passage of this bill, and that is pretty nearly headquarters.

Mr. GEORGE C. IRWIN. Mr. Speaker, I want to state to the members of this House that the organized railroad employees are unalterably opposed to the passage of this measure. Some time ago in New York, after an investigation into an accident, the engineer in charge was held responsible under the charge of being under the influence of liquor. Shortly after that the different railroads throughout this State isued orders that employees are prohibited from the use of intoxicating liquors either while on duty or while off duty. It seems to me that the request for the passage of this bill is very inconsistent on the part of the railroad company in applying for a license to sell goods of an intoxicating character, and at the same time to prohibit its employees the use of those goods, and still further desires to distribute these goods. If the railroad companies desire to sell liquor to their patrons why should they prevent their own employees to take advantage of the use of these goods? I have ridden on dining cars and I have seen employees of railroad companies drink liquor to excess on dining cars; they have become disorderly and they have been censured by their employers and the railroad officials have reprimanded them for their conduct, yet at the same time the railroad company was receiving the financial benefit of the money that they spent. I think, Gentlemen, if all the circumstances are taken into consideration, this bill should certainly be voted down at this time.

Mr. SAMUEL J. PERRY. Mr. Speaker, I desire to interrogate the gentleman from Blair, Mr. George C. Irwin.

The SPEAKER. Will the gentleman from Blair, Mr. George C. Irwin, permit himself to be interrogated?

Mr. GEORGE C. IRWIN. Mr. Speaker, yes, sir.

Mr. SAMUEL J. PERRY. Mr. Speaker, I would like to ask the gentleman from Blair whether the railroad companies would like to have this license or the traveling public?

Mr. GEO. C. IRWIN. Mr. Speaker, according to the provisions of the bill the railroad companies are asking for the license and not the traveling public.

Mr. SAMUEL J. PERRY. Mr. Speaker, I desire to interrogate the gentleman further, and ask him if the railroad companies presented this bill or the traveling public.

Mr. GEO. C. IRWIN. Mr. Speaker, in answer to that I would state that the traveling public presented the bill, but as I understand it it was desired by the railroad companies that the bill be passed.

Mr. ROCKWELL. Mr. Speaker, this bill was carefully considered in the Law and Order Committee, and after going over the arguments for and against it, the committee thought that the bill should be reported negatively to this House. It was so reported, and was one of the bills that was put on the Calendar in spite of the negative recommendation of the committee. The bill is a departure from any action of this State, or any law that ever has been on the statute books. One of the main objections to the bill is this: Every man knows that in order to prosecute anybody for the violation of a liquor law or any criminal offense, you have to prosecute that person in the county where the violation took place. Suppose a dining car which was licensed, start from the City of Harrisburg going to Pittsburgh, and a sale was made to a minor or to a man of known intemperate habits, which are all prohibited by this bill, in order to make the conviction you have to give proof absolutely in what county the violation took place and prosecute in the county where the violation took place. This is a vast departure from any other principle of the anti-liquor laws in that a sale to a minor, to your boy or to mine, taking place upon a dining car, and under the present law the fine or penalty is very severe under this bill. What does it provide? It simply provides that the license shall be revoked. The bill is not in harmony with the rest of the restraining liquor laws of this Commonwealth. It seems to me it is a step in the backward direction from the purpose of the Commonwealth of Pennsylvania to control and regulate the sale of vinous, spirituous, malt and brewed liquors, and it strikes me that we would be doing our duty to vote the bill down.

Mr. McALEER. Mr. Speaker, I want to say to the members of the House that the Pennsylvania Railroad Company did not give me the information that they wanted this bill to pass until I consulted them. After the introduction of the bill they told me that they had applications from many of their customers for the resumption of the service as it originally existed on their lines. As to the fact of the Law and Order Committee reporting this bill negatively, I was told by a member of this committee that the first time this bill was considered by them, the vote to report the bill originally was 12 to 10 in favor of reporting the bill affirmatively. I am perfectly willing to let the bill go to the vote of the House, with the information that the traveling public are in favor of this measure and want the bill passed.

Mr. BROWNLEE. Mr. Speaker, I want to call the attention of the House to the fact that under existing laws granting retail licenses, a violation of the law is punishable by fine and imprisonment. The fine is increased each time; and in addition to that, on a second offense the violator cannot be licensed in any city or county of this Commonwealth. Now, look at this act. The only penalty of this act is a revocation of the license. All you have to do is to run that car out of the State and bring in another one. It is not fair to the retail liquor dealers that all the penalty should be a revocation of the license. And then I want to note in a word: In addition to what has been said as to the difficulty of proving a violation by this act, this is a State-wide act; it is granted by the State Treasurer, and if the act were fair, the violation ought to be proved in any county of the Commonwealth. How are you going to prove a violation of the act on a swift express train, whether it was just on this side of the county line or on the other side. When you undertake to prove your case, the burden of proof is on you as to what county it took place in. The bill is unfair. It is unfair to a large portion of the traveling public. Men and women who are opposed to liquor do not have to go to hotels where it is dispensed, but they do have to travel and they do have to eat, unless they carry their smack with them, and I say it is not fair to a large part of the traveling public.

Mr. SWIFT. Mr. Speaker, I wish to call attention to another fact that arises if this bill passes. There are a large number of ladies in this State that do not want to be compelled to sit in a saloon on wheels, and get their dinner, or breakfast or supper. Not long since, or before the Pennsylvania Railroad ceased violating this act, in 1912, I was on a railroad car, or dining car, in which two ladies were compelled to leave the table because they did not wish to sit at the table where strong drink was being served for those who had called for it. Have we come to a state of things in this old Commonwealth of ours when we are ready to license a saloon on wheels that travels across this State and in its course of travel permit or refuse

rather to be questioned as to the place where, and the time when, it violated an act. I think the point that has been made by two speakers is well made. Is there such a thing in legislation, in all the history of legislation, not only in this State but other States of this great nation of ours, where a corporation by certain rules says that not a single man in our employ shall be permitted to drink, either on duty—and I think possibly—off duty? It says to every one of its employes, "You shall not touch this stuff. Why? Why, because as soon as you do, you endanger the life of every person under our charge and under our care," and if an individual by accident or by practice has imbibed too freely, he suffers a penalty and becomes a criminal—made a criminal, sir,—by a corporation who has asked a license to sell this stuff that it refuses to grant a single employee the right to drink. I tell you, gentlemen, that is inconsistent, and this House, if it is consistent, cannot afford for a moment to consider such a proposition as this, and I hope that this House will honor itself and dignify its womanhood of this Commonwealth; will not honor the organization or the corporation that at this moment has lost its honor in asking this privilege or this license. Let us stand by the highest and best and noblest conditions; let us stand by the institution that has refused to grant its employees a license and say, "If you will not grant your employees a license or privilege to drink, you shall not give it to others to drink. I trust that this House will do itself honor and credit by voting this bill down.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—74.

Adams,	Donahoe,	Isler,	Piper,
Allen,	Dunn, J. A.,	Irwin, H. H.,	Price,
Ambler,	Ehrhardt,	Kaiser,	Reese,
Aron,	Eichenberger,	Keegan,	Richards,
Arthur,	Ewing,	Kenna,	Roney,
Bass,	Fahey,	Kitts,	Rothenberger,
Bayle,	Flynn,	Kuhn, H. P.,	Sassaman,
Becker,	Forster, I. G.,	Letzkus,	Schuck,
Benninger,	Frey,	Malie,	Speiser,
Bigger,	Gans,	McAleer,	Steedle,
Body,	Geary,	McAllister,	Stein,
Carter,	Geiser,	McArdle,	Strauss,
Cochran,	Goss,	McNichol,	Trach,
Conner,	Gransback,	Missimer,	Walsh,
Conniff,	Gray, Joseph,	Moore,	Wettach,
Cox,	Hackett,	Neely,	Wildman,
Curry,	Haggerty,	Perry, S. J.,	Wiltbank,
Davis,	Hibshman,	Peters,	Young, J. H.,
Dickinson,	Howard, J.,		

NAYS—111.

Baldwin, G. A.,	Gramley,	McClintock,	Scott, J. R. K.,
Baldwin, R. J.,	Gray, Frank,	McDermott,	Scott, S. B.,
Benson,	Hemminger,	McKay,	Semmens,
Bittles,	Herman,	Mechling,	Shaffer, C. A.,
Blair, W. A.,	Hess,	Mellott,	Shaffer, I. E.,
Bleloch,	Heyburn,	Metzenbacher,	Shern,
Brosius,	Hobbs,	Miller,	Showalter,
Brown,	Hoffman,	Mitchell,	Smith, J. W.,
Brownlee,	Howard, R.,	Morrow,	Smith, L.,
Burnett,	Irwin, G. C.,	Moses,	Snyder,
Caldwell,	Jackson,	Moulthrop,	Spangler,
Campbell, C.M.,	Jones, J. R.,	Murphy,	Spillinger,
Campbell, J. J.,	Kaufman,	Musser,	Steele,
Carson,	Keeport,	Neel,	Stone,
Cheeseman,	Kennedy,	Newbaker,	Swartz,
Claycomb,	Kern,	Newton,	Swift,
Cleary,	Klepper,	North,	Thomas,
Collins,	Kuhns, E.G.M.,	Peachey,	Ulerich,
Currier,	Latshaw,	Pennegar,	Ulman,
DeFrees,	Lenker,	Pennock,	Walton,
Donnally,	Leslie,	Perry, H. L.,	Watson,
Down,	Light,	Post,	Whitaker,
Dunn, H. B.,	Lohr,	Reeser,	Whitman,
Foster, J. D.,	Mannion,	Rex,	Williams,
Gibson,	Martin,	Rhoads,	Wilson, J. H.,
Glenn,	Mather,	Rockwell,	Young, G. K.,
Good,	Matt,	Savacool,	Zimmerman,
Grabe,		Schaeffer, A. C.,	Alter,
			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 78, entitled:

An Act supplementing and amending sections two hundred and one (201) two hundred and two (202) and two hundred and fourteen (214) of Article two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing for the election of school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the courts of common pleas of the county in which such school district is situated

On the question,

Will the House agree to the bill on third reading?

Mr. STEIN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 2, line 16, by striking out the words "a board of fifteen" and inserting in lieu thereof the word "five."

By striking out in line 17 the words "as follows five for two years" and inserting in lieu thereof the words "for six years."

By striking out in lines 17 and 18 the words "five for four years and five for six years."

By striking out in lines 22, 23, 24, 25 all the words after the word "election," line 22.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1154, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one creating a Bureau of Public Utilities in the Department of Public Safety defining the powers and duties thereof and of the offices thereunder prescribing rules regulations and laws respecting public utilities and authorizing and imposing fines penalties and punishment for violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Adams,	Forster, J. D.,	Lenker,	Sassaman,
Allen,	Frey,	Letzkus,	Savacool,
Alworth,	Gans,	Lohr,	Schaeffer, A. C.
Ambler,	Geary,	Malie,	Schuck,
Aron,	Geiser,	Mannion,	Scott, S. B.,
Arthur,	Gibson,	Martin,	Semmens,
Baldwin, G. A.,	Good,	Mather,	Shaffer, C. A.,
Baldwin, R. J.,	Goss,	Matt,	Shaffer, I. E.,
Bass,	Grabe,	McAleer,	Shern,
Becker,	Gransback,	McAllister,	Sherwood,
Benson,	Gray, Frank,	McArdle,	Showalter,
Bigger,	Gray, Joseph,	McClintock,	Smith, J. W.,
Body,	Hackett,	McDermott,	Smith, L.,
Brosius,	Haggerty,	McNichol,	Snyder,
Brown,	Hemminger,	Mechling,	Spangler,
Brownlee,	Hess,	Missimer,	Speiser,
Burnett,	Heyburn,	Mitchell,	Spillinger,
Caldwell,	Hobbs,	Moore,	Steele,
Campbell, C.M.,	Howard, J.,	Moses,	Stone,
Campbell, J. J.,	Howard, R.,	Moulthrop,	Strauss,
Carter,	Isler,	Musser,	Swartz,
Claycomb,	Irwin, G. C.,	Neel,	Thomas,
Cleary,	Irwin, H. H.,	Neely,	Trach,
Conner,	Jackson,	Newbaker,	Ulerich,
Conniff,	Jones, J. R.,	North,	Ulman,
Cox,	Kaiser,	Pennock,	Walnut,
Curry,	Kaufman,	Piper,	Walsh,
Davis,	Keeport,	Post,	Wettach,
DeFrees,	Kenna,	Price,	Whitaker,
Dickinson,	Kennedy,	Reese,	Whitman,
Donahoe,	Kern,	Rex,	Wildman,
Donnally,	Kitts,	Richards,	Williams,
Dunn, J. A.,	Klepper,	Rockwell,	Wiltbank,
Eichenberger,	Kuhn, H. P.,	Roney,	Young, G. K.,
Ely,	Kuhns, E.G.M.,	Rothenberger,	Zimmerman,
Ewing,	Lanius,	Runk,	Alter,
Flynn,			Speaker.

NAYS—4.

Carson,	Herman,	Hibshman,	Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1264, as follows:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April first one thousand nine hundred and nine and making legal all exemptions thereunder heretofore allowed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all applications for any exemption under the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April first one thousand nine hundred and nine it shall be sufficient and lawful to have two persons appraise the estate so claimed whether the same consist of real or personal property or both

Section 2 That all claims for exemption heretofore allowed under said acts and not having the legal number of appraisers are hereby validated and made legal

On the question,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, at the request of the sponsor of this bill, I ask unanimous consent of the House to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend House Bill No. 1264, file folio, No. 3799:

Section 1, line 4, insert after the word "acts" the following: "entitled, 'An Act relating to the commencement of actions, to judgments and decrees for the payment of money to the widows and children of decedents, and to partitions in the Common Pleas, relative to penalties on telegraph operators, to pleadings in certain actions of debt, to ejectments, writs, to the protection of fences, to partnerships, to limitations of writs of entry in manors, lands, and tenements, to the exemption laws, to reports of the Supreme Court, to appeals realting to wards, boroughs and township officers, to the acknowledgments of deeds and sequestration of life estates,'" approved

Section 1, line 4, strike out the word "of."

Section 1, line 5, insert after the word "fifty-one" the following: "(Pamphlet Laws six hundred and twelve)."

Section 1, line 6, strike out the word "of."

Section 1, line 6, insert after the word "act" the following: "entitled 'An Act to amend Section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates,' passed and approved April eighth, one thousand eight hundred and thirty-three, defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates,' approved"

Section 1, line 7, insert after the words "and nine" the following: "(Pamphlet Laws eighty-seven)."

Amend the title, line 2, strike out the word "of."

Line 2, insert after the word "act" the following: "entitled 'An Act relating to the commencement of actions, to judgments and decrees for the payment of money to the widows and children of decedents, and to partitions in the Common Pleas, relative to penalties on telegraph operators, to pleadings in certain actions of debt, to ejectments, to the protection of fences, to partnerships, to limitations of writs of entry in manors, lands, and tenements, to the exemption laws to reports of the Supreme Court, to appeals relating to wards, borough and township officers, to the acknowledgments of deeds and sequestrations of life estates," approved.

Line 3, insert after the word "fifty-one," the following: "(Pamphlet Laws six hundred and twelve)."

Line 4, strike out the word "of."

Line 4, insert after the word "act" the following: "entitled 'An Act to amend Section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates,' passed and approved April eighth, one thousand eight hundred and thirty-three, defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates," approved."

Line 4, insert after the words "and nine," the following: "(Pamphlet Laws eighty-seven)."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection?

Mr. WILTBANK. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

The SPEAKER. The gentleman is out of order.

Mr. WILTBANK. Mr. Speaker, I object to the insertion of the amendments at this time.

Mr. ROCKWELL. Mr. Speaker, I do not believe that the gentleman who raises this objection understands the purposes of this bill. There is a conflict as to the number of appraisers necessary to have. This is simply an enabling act, and these amendments are simply to cite the acts that are to be amended.

The SPEAKER. The gentleman from Philadelphia, Mr. Wiltbank, would simply delay matters by insisting upon his objection.

Mr. WILTBANK. Mr. Speaker, neither the gentleman from Tioga nor the gentleman from Philadelphia knows what this amendments means as it was read by the Clerk. I perhaps will not be against the bill when it comes before the House. Every section has been amended, and the gentleman from Tioga does not know any more about it than the gentleman from the 10th district of Philadelphia. I hope that this bill will be postponed so we can see what the amendment means. I insist upon my objection.

Mr. BLELOCH. Mr. Speaker, I move that the House resolve itself into a Committee of the Whole.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The gentleman from Tioga, Mr. Rockwell, will kindly assume the Chair as Chairman of the Committee of the Whole.

(Mr. Rockwell in the Chair).

The CHAIRMAN. The Committee of the Whole House having under consideration House Bill No. 1264, for the purpose of special amendment, the Clerk will read the amendments.

The Clerk then read the amendments as follows:

Amend House Bill No. 1364, file folio No. 3799:

Section 1, line 4, insert after the word "acts," the following: "entitled 'An Act relating to the commencement of actions, to judgments and decrees for the payment of money to the widows and children of decedents, and to partitions in the Common Pleas, relative to penalties on telegraph operators, to pleadings in certain actions of debt, to ejectments, to the protection of fence, to partnerships, to limitations of writs of entry in manors, lands, and tenements, to the exemption laws, to reports of the Supreme Court, to appeals relating to wards, boroughs and township officers, to the acknowledgements of deeds and sequestration of life estates," approved

Section 1, line 4, strike out the word "of."

Section 1, line 5, insert after the word "fifty-one" the following: "(Pamphlet Laws six hundred and twelve)."

Section 1, line 6, strike out the word "of."

Section 1, line 6, strike out the word "of."

Section 1, line 6, insert after the word "act" the following: "entitled 'An Act to amend Section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates,' passed and approved April eighth, one thousand eight hundred and thirty-three, defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates," "approved."

Section one, line 7, insert after words "and nine" the following: "(Pamphlet Laws eighty-seven)."

Amend the title, line 2, strike out the word "of."

Line 2, insert after the word "act" the following: "entitled 'An Act relating to the commencement of actions, to judgments and decrees for the payment of money to the widows and children of decedents, and to partitions in the Common Pleas, relative to penalties on telegraph operators, to pleadings in certain actions of debt, to ejectments, to the protection of fences, to partnerships, to limitations of writs of entry in manors, lands, and tenements, to the exemption laws, to reports of the Supreme Court, to appeals relating to wards, boroughs and township officers, to the acknowledgemnts of deeds and sequestration of life estates," "approved."

Line 3, insert after the words "fifty-one" the following: "(Pamphlet Laws six hundred and twelve)."

Line 4, strike one the word "of."

Line 4, insert after the word "act" the following: "entitled 'An Act to amend Section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates,' passed and approved April eighth, one thousand eight hundred and thirty-three, defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates," approved."

Line 4, insert after the words "and nine," the following "(Pamphlet Laws eighty-seven)."

On the question,

Will the Committee agree to the amendments as offered?

Mr. WILTBANK. Mr. Speaker, the question has never been put before the House whether we go into a Committee of the Whole or not.

The CHAIRMAN. The Chair rules that the gentleman from Philadelphia is out of order.

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. ALLEN. Mr. Chairman, there is nothing under consideration by the Committee at this time except the adoption of these amendments. The fact that the House is now in a Committee of the Whole settles that question.

On the question,

Will the Committee agree to the amendments as offered?

They were agreed to.

Mr. ALLEN. Mr. Chairman, I move that the Committee do now rise and report back to the House.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

(Mr. Shern in the Chair).

Mr. ROCKWELL. Mr. Speaker, as Chairman of the Committee of the Whole I report to the House, House Bill No. 1264, as amended.

On the question,

Will the House agree to the report of the Committee of the Whole?

It was agreed to.

The bill on third reading as amended was then agreed to.

Ordered, To lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1246, as follows:

An Act providing and and regarding the releasing on parole of certain prisoners who have been sentenced for life

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person who has been or shall be sentenced to imprisonment for life in any penal institution of this Commonwealth and who shall have served at least fifteen years of such sentence may be paroled by the Governor upon recommendation of the Lieutenant Governor Secretary of the Commonwealth Attorney General and Secretary of Internal Affairs or any three of them after a full hearing upon due public notice and in open session No such person shall be released on parole without the approval of the court that imposed the sentence accompanied by a certificate from the warden or superintendent of the institution that the prisoner has not during his or her confinement been guilty of any wilful infraction of the rules of such institution and that the conduct of such prisoner has been such that the releasing of such prisoner would not be detrimental to the community

On the question,

Will the House agree to the bill on third reading?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend title, line one, after "providing" strike out "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

The bill as amended was then agreed to, on third reading.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Adams,	Flynn.	Letzkus,	Rockwell,
Allen,	Forster, I. G.,	Light,	Roney,
Alworth,	Foster, J. D.,	Lohr,	Rothenberger,
Arthur,	Frey,	Malie,	Runk,
Baldwin, G. A.,	Gans,	Mannion,	Sassaman,
Baldwin, R. J.,	Geary,	Martin,	Savacool,
Bass,	Geiser,	Mather,	Schaeffer, A. C
Bayle,	Gibson,	Matt,	Schuck,
Becker,	Glenn,	McAleer,	Scott, S. B.,
Benninger,	Good,	McAllister,	Semmens,
Benson,	Goss,	McArdle,	Shaffer, C. A.,
Berntheizel,	Gramley,	McClintock,	Shaffer, I. E.,
Bigger,	Gransback,	McKay,	Shern,
Blair, W. A.,	Gray, Frank,	McNichol,	Sherwood,
Blair, W. F.,	Gray, Joseph,	Mechling,	Showalter,
Bleloch,	Hackett,	Mellott,	Smith, J. W.,
Body,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Miller,	Snyder,
Brown,	Hess,	Missimer,	Spangler,
Brownlee,	Heyburn,	Mitchell,	Speiser,
Burnett,	Hibshman,	Moore,	Spillinger,
Caldwell,	Hobbs,	Morrow,	Steedle,
Campbell, C.M.,	Hoffman,	Moses,	Steele,
Campbell, J. J.,	Howard, J.,	Moulthrop,	Stone,
Carson,	Howard, R.,	Murphy,	Strauss,
Carter,	Humes,	Neel,	Swartz,
Cheeseman,	Isler,	Neely,	Swift,
Claycomb,	Irwin, G. C.,	Newbaker,	Thomas,
Cleary,	Jackson,	Newton,	Trach,
Collins,	Jones, J. R.,	North,	Ulerich,
Conner,	Kaiser,	Peachey,	Ulman,
Conniff,	Keegan,	Pennegar,	Walnut,
Cox,	Keeport,	Pennock,	Walsh,
Currier,	Kenna,	Perry, H. L.,	Watson,
Curry,	Kennedy,	Perry, S. J.,	Wettach,
Davis,	Kern,	Peters,	Whitaker,
DeFrees,	Kitts,	Piper,	Whitman,
Dickinson,	Klepper,	Post,	Wildman,
Donahoe,	Kuhn, H. P.,	Price,	Williams,
Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
Ehrhardt,	Lanius,	Reese,	Young, G. K.
Eichenberger,	Latshaw,	Reeser,	Young, J. H.,
Ely,	Lenker,	Rex,	Zimmerman,
Ewing,	Leslie,	Rhoads,	Alter,
Fahey,		Richards,	Speaker.

NAYS—1.

McDermott,

The majority required by the Consitution having voted in the affiramtive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. WILTBANK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. WILTBANK. Mr. Speaker, I have been gagged in this business and this bill that has just been passed has been illegally passed in this House. You have been talking about gag law and here you have it. The question never was put and never was recognized in order and every member of this House knows it.

POINT OF ORDER.

Mr. PIPER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. PIPER. Mr. Speaker, the gentleman from Philadelphia, Mr. Wiltbank, evidently misunderstands that it is Mr. Bigger's bill No. 1246 and not Mr. Heidinger's bill No. 1264, that has just been passed.

Mr. WILTBANK. Mr. Speaker, It is the amended bill that I am now talking about. The amendment is illegal and it is unjustly passed. If there is anything that has ever passed under a gag law, this is it and every gentleman on this floor knows it. The question was never put.

The SPEAKER. The gentleman from Philadelphia, Mr. John R. K. Scott, who has recently shown such utter devotion to the cause of reform will kindly use his influence to reform the gentleman from Philadelphia in regard to his knowledge of Parliamentary Procedure.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the duty that the Chair has given to me, is too great; it is impossible.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 23, entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Adams,	Ely,	Lenker,	Rockwell,
Allen,	Ewing,	Leslie,	Roney,
Alworth,	Fahey,	Letzkus,	Rothenberger,
Ambler,	Flynn,	Light,	Runk,
Aron,	Forster, I. G.,	Lohr,	Sassaman,
Arthur,	Foster, J. D.,	Lowers,	Savacool,
Baldwin, G. A.,	Geary,	Malie,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	Mannion,	Schuck,
Bass,	Gibson,	Martin,	Scott, J. R. K.,
Bayle,	Glenn,	Mather,	Scott, S. B.,
Becker,	Good,	Matt,	Semmens,
Benninger,	Goss,	McAleer,	Shaffer, C. A.,
Benson,	Grabe,	McAllister,	Shaffer, I. E.,
Berntheizel,	Gramley,	McArdle,	Shern,
Bigger,	Gray, Frank,	McClintock,	Sherwood,
Bittles,	Gray, Joseph,	McDermott,	Showalter,
Blair, W. A.,	Hackett,	McKay,	Smith, J. W.,
Blair, W. F.,	Haggerty,	McNichol,	Smith, L.,
Bleloch,	Hemminger,	Mechling,	Snyder,
Body,	Herman,	Metzenbacher,	Speiser,
Brosius,		Miller,	Spillinger,
			Steedle,

Brown,	Hess,	Missimer,	Steele,
Brownlee,	Heyburn,	Mitchell,	Stein,
Burnett,	Hibshman,	Moore,	Stone,
Caldwell,	Hobbs,	Moses,	Strauss,
Campbell, C.M.,	Hoffman,	Moulthrop,	Swartz,
Campbell, J. J.,	Howard, J.,	Murphy,	Swift,
Carson,	Howard, R.,	Musser,	Thomas,
Carter,	Isler,	Neel,	Trach,
Cheeseman,	Irwin, G. C.,	Neely,	Ulerich,
Claycomb,	Irwin, H. H.,	Newbaker,	Ulman,
Cleary,	Jackson,	Newton,	Walnut,
Collins,	Jones, J. R.,	North,	Walsh,
Conner,	Kaiser,	O'Neill,	Watson,
Conniff,	Kaufman,	Peachey,	Wettach,
Conrade,	Keegan,	Pennegar,	Whitaker,
Cox,	Keeport,	Pennock,	Whitman,
Currier,	Kenna,	Perry, H. L.,	Wildman,
Curry,	Kennedy,	Perry, S. J.,	Williams,
Davis,	Kern,	Peters,	Wilson, J. H.,
DeFrees,	Kitts,	Piper,	Wilson, W. H.,
Dickinson,	Klepper,	Post,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Price,	Young, G. K.
Donnally,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Down,	Lanius,	Rex,	Zimmerman,
Dunn, J. A.,	Latshaw,	Rhoads,	Alter,
Ehrhardt,		Richards,	Speaker.
Eichenberger,			

NAYS—1.

Morrow.

The majority required by the Constitution having voted in the affiramtive, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1077, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class "Approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a Forestry Department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Forestry Board

On the question,

Will the House agree to the bill on third reading?

Mr. KAISER. Mr. Speaker, I ask unanimous consent of the House to insert an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as folows:

Amend title, line eight, after "purchase" strike out "of."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended on third reading was then agreed to.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Ehrhardt,	Kuhn, H. P.,	Reese,
Allen,	Eichenberger,	Kuhns, E.G.M.,	Richards,
Alworth,	Ely,	Lanius,	Roney,
Ambler,	Ewing,	Latshaw,	Rothenberger,
Aron,	Flynn,	Lenker,	Runk,
Arthur,	Forster, I. G.,	Leslie,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Letzkus,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	Light,	Schuck,
Bass,	Gans,	Lohr,	Scott, S. B.,
Bayle,	Geary,	Malie,	Semmens,
Becker,	Geiser,	Mannion,	Shaffer, I. E.,
Benninger,	Gibson,	Martin,	Shern,
Benson,	Glenn,	Mather,	Sherwood,
Berntheizel,	Good,	Matt,	Showalter,
Bigger,	Goss,	McAleer,	Smith, J. W.,
Bittles,	Grabe,	McAllister,	Smith, L.,
Blair, W. A.,	Gramley,	McArdle,	Snyder,
Blair, W. F.,	Gransback,	McClintock,	Spangler,
Bleloch,	Gray, Frank,	McDermott,	Speiser,
Body,	Gray, Joseph,	McKay,	Spillinger,
Brosius,	Hackett,	Mechling,	Steedle,
Brownlee,	Haggerty,	Mellott,	Steele,
Burnett,	Hemminger,	Metzenbacher,	Stein,
Campbell, C.M.,	Hess,	Miller,	Stone,
Campbell, J. J.,	Heyburn,		Strauss,
Carson,	Hibshman,	Missimer,	Swartz,
Carter,	Hobbs,	Mitchell,	Swift,
Cheeseman,	Hoffman,	Moore,	Thomas,
Claycomb,	Howard, J.,	Morrow,	Trach,
Cleary,	Howard, R.,	Moses,	Ulerich,
Cochran,	Humes,	Moulthrop,	Ulman,
Collins,	Isler,	Murphy,	Walnut,
Conner,	Irwin, G. C.,	Musser,	Walsh,
Conniff,	Irwin, H. H.,	Neel,	Watson,
Conrade,	Jackson,	Neely,	Wettach,
Cox,	Jones, J. R.,	Newbaker,	Whitaker,
Currier,	Kaiser,	North,	Whitman,
Curry,	Kaufman,	O'Neill,	Wildman,
Davis,	Keegan,	Peachey,	Williams,
DeFrees,	Keeport,	Pennegar,	Wilson, J. H.,
Dickinson,	Kenna,	Pennock,	Wiltbank,
Donahoe,	Kennedy,	Perry, S. J.,	Young, G. K.,
Donnally,	Kern,	Peters,	Young, J. H.,
Down,	Kitts,	Piper,	Zimmerman,
Dunn, J. A.,	Klepper,	Post,	Alter,
		Price,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affiramtive, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1329, (Senate No. 46), entitled:

An Act to amend Section ten of an act entitled "An Act to provide for the protection and preservation of game gamequadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section ten of an act entitled "An Act to provide for the protection and preservation of game gamequadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" which reads as follows

Section 10 It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at wound or take or kill any wild bird other than a game bird or to have such bird or any part thereof in possession or under control within this Commonwealth or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth any such bird or any part thereof protected by the laws of this Commonwealth or to have in possession or under control or to sell or to offer to sell within this Commonwealth either living or dead any wild birds other than a game-bird that has been brought into this Commonwealth from another State or country that is of a kind found in a wild state in this Commonwealth Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each bird shot at wounded killed taken or had in possession or sold offered for sale transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth or for any part thereof in any manner held for a purpose contrary to the provisions of this act Provided however That the bluejay the English sparrow the European starling the kingfisher the shrike the eagle buzzard the asprey sharp-shinned hawk Cooper's hawk goshawk duck hawk pigeon hawk the great-horned owl barred owl the crane the heron the bittern the crow and the raven shall not be protected by any law of this Commonwealth and may be killed at any time and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or gameanimal that have been imported for propagating purposes or to prevent at any time the purchase or sale without this State or the shipment out of the State of the living bodies of English Mongolian or Chinese pheasants or of Belgian hare raised in captivity that are shipped from such place of confinement without being first released or set at liberty in the Commonwealth or to prevent the possesion of the tanned skin or any part thereof of any wild bird or animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported be and the same is hereby amended so as to read as follows

Section 10 It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at or wound or take or kill any wild bird other than a game-bird or to have such bird or part thereof in possession or to have any part of the plumage or skin thereof in possession or under control for purposes of sale or to offer or expose the same for sale within this Commonwealth or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth for any purpose such bird or any part of the plumage or skin thereof or to have such bird in possession or under control for sale or to sell or to offer to sell within this Commonwealth either living or dead any wild bird other than a game bird or any part of the plumage or skin thereof of a kind found either in a wild state in this Commonwealth or that may have been brought into this Commonwealth from another State or country and which belong to the same family as those found in a wild state in this Commonwealth

Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars for each wild bird shot at wounded or killed or taken or had in possession transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth or for any part thereof in any manner taken or held for a purpose contrary to any of the provisions of this act such bird being of a kind found in a wild state in this Commonwealth and any person acting either for himself or as the agent or representative of another who shall sell or barter or who shall attempt to sell or barter or who shall have in possession for sale or barter within this Commonwealth or who shall ship or remove or cause to be shipped or removed out of this Commonwealth for sale or barter a wild bird either living or dead or the skin or the plumage or any part of such bird or skin or plumage of a kind belonging to the same family as those birds found in a wild state in this Commonwealth shall be liable to a penalty of twenty dollars for each birds or bird skin or bird plumage or any part thereof sold offered for sale had in possession for sale or in any manner removed out of this Commonwealth for sale contrary to the provisions of this section Provided however That the blue-jay the English sparrow the European starling the kingfisher the buzzard sharp-skinned hawk Cooper's hawk goshawk duck hawk pigeon hawk the great-horned owl the barred own and the crow shall not be protected by any law of this Commonwealth and may be killed at any time and provided further that the owner or operator of a public or private plant in which fish are artificially raised or retained shall have the right to kill any great blue heron night heron or green heron when such birds are caught in the act of destroying their fish and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animals that have been imported for propagating purposes or to prevent at any time the purchase or sale within this State or the shipment out of the State of live English Mongolian or Chinese pheasants or Belgian hares raised in captivity that are shipped from such place of confinement without being first released or set at liberty in this Commonwealth or to prevent the possession of the tanned skin or any part thereof of any wild animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported or the possession of any part of a wild bird legally taken in this Commonwealth or captured elsewhere and legally imported into this Commonwealth from any other State or country for purposes of study or exhibition or for any other purpose but not for sale Provided That no penalty as provided for by this act for the sale of feathers taken from wild birds not found in a wild state in this Commonwealth shall be imposed for either the sale of such feathers within the Commonwealth or for the shipment of such feathers out of the Commonwealth prior to July first one thousand nine hundred and fourteen

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Eichenberger,	Leslie,	Rockwell,
Allen,	Ely,	Letzkus,	Rothenberger,
Alworth,	[illegible]ing,	Mannion,	Runk,
Ambler,	Flynn,	Martin,	Sassaman,
Arthur,	Forster, I. G.,	Mather,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Matt,	Schaeffer, A. C
Baldwin, R. J.,	Gans,	McAleer,	Schuck,
Bass,	Geary,	McAllister,	Scott, S. B.,
Bayle,	Geiser,	McArdle,	Semmens,
Becker,	Gibson,	McClintock,	Shaffer, C. A.,
Benninger,	Glenn,	McDermott,	Shaffer, I. E.,
Benson,	Goss,	McKay,	Sherwood,
Berntheizel,	Grabe,	McNichol,	Showalter,
Bigger,	Gramley,	Mechling,	Smith, J. W.,
Bittles,	Gransback,	Mellott,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Metzenbacher,	Snyder,
Blair, W. F.,	Gray, Joseph,	Miller,	Spangler,
Bleloch,	Hackett,	Missimer,	Speiser,
Body,	Hess,	Mitchell,	Spillinger,
Brosius,	[illegible]rn,	Moore,	Steedle,
Brown,	Hibshman,	Morrow,	Steele,
Brownlee,	Hobbs,	Moses,	Stone,
Burnett,	Hoffman,	Moulthrop,	Strauss,
Caldwell,	Howard, J.,	Murphy,	Swartz,
Campbell, C.M.,	Howard, R.,	Musser,	Swift,
Campbell, J. J.,	Humes,	Neel,	Thomas,
Carson,	Isler,	Neely,	Trach,
Carter,	Irwin, G. C.,	Newbaker,	Ulerich,
Cheeseman,	Jackson,	Newton,	Ulman,
Claycomb,	Jones, J. R.,	North,	Walnut,
Cleary,	Kaiser,	O'Neill,	Walsh,
Cochran,	Kaufman,	Peachey,	Walton,
Collins,	Keegan,	Pennegar,	Watson,
Conner,	Keeport,	Pennock,	Wettach,
Conniff,	Kenna,	Perry, S. J.,	Whitaker,
Cox,	Kennedy,	Peters,	Whitman,
Currier,	Kern,	Piper,	Wildman,
Curry,	Kitts,	Post,	Williams,
Davis,	Klepper,	Price,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Young, G. K
Donahoe,	Lanius,	Rex,	Young, J. H.,
Down,	Latshaw,	Rhoads,	Zimmerman,
Dunn, J. A.,	Lenker,	Richards,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1374, entitled:

An Act to aid in the suppression of insect pests in Pennsylvania by authorizing the Department of Agriculture to prepare a catalog of the insects of Pennsylvania giving their common and scientific names dates localities food enemies remedies habits and other important points as far as can be ascertained together with illustrations of some of the important types of insects and providing for the publication of said book and the distribution of the same and making an appropriation therefor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED.

Mr. H. B. DUNN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. NORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1196, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, it seems to me that this bill includes a very vicious provision. You will notice that this is an amendment to the school code. In the first place I am suspicious of all amendments to the school code. I think that that code ought to have an opportunity to prove itself in practice. But you will find, especially on file folio 2956, that this bill provides that "no supervising principal or teacher shall be continued in such employment who is engaged in any other profession or business for hire or gain." That means, Mr. Speaker, that no teacher could write books for hire or for gain; that is to say, he cannot follow the profession of author; that he could not take private pupils; that he could not write for technical magazines or translate. In other words, when you have a man of superior ability, whose abilities are such that he could supplement the small salaries that are paid to our educators, that you would absolutely forbid his doing so. The result, of course, is that you take from the service of our schools men of the very highest ability. It seems to me very absurd and very unfair to those men of ability who are able to supplement their earnings by outside work, and is detrimental to the whole school system. The bill goes on to say, "no married female teacher shall be employed or continued in employment unless her husband is unable to support her or unless there are no qualified single female applicants for such position." That seems to be entirely within the province of the local school board. If there is any reason for this, the school boards should decide the question. It seems to me that this bill is entirely out of order, as far as its propriety is concerned, and it ought to be defeated.

Mr. ULERICH. Mr. Speaker, I am in exact accord with the gentleman from Philadelphia, Mr. Scott. This bill is a very pernicious measure in my judgment. Take for example the supervising principal who has been elected for three years but who teaches but eight months out of the year. There are four months out of the year that he has nothing to do. This bill prevents him from doing anything, and adding to his salary, which you know is not very large at best, and it does the same thing with the teacher.

I would like to interrogate the gentleman from Philadelphia, the author of this bill.

The SPEAKER. Will the gentleman from Philadelphia (Mr. James A. Dunn) permit himself to be interrogated?

Mr. J. A. DUNN. I will, Mr. Speaker.

Mr. ULERICH. Mr. Speaker, I would like to ask the gentleman, why should a man, if he has nothing to do for the school board that employes him, why should he be prevented from earning a salary if he chooses to do other work.

Mr. JAMES A. DUNN. Mr. Speaker, if he is receiving a salary honestly and fairly from the school authorities, he should not seek another salary.

Mr. ULERICH. Mr. Speaker and Gentlemen of the House, the school board that hires a man for eight months exject him to get something else and they make the salary accordingly, so that the teacher must do something else. Then there is one of the last provisions in this bill. If a married woman can teach school and is a good teacher and the school board knows she is a good teacher and desires to employ her, why should not the children of this Commonwealth have the benefit of that good teacher instead of an inexperienced teacher? I think we should vote this bill down.

Mr. JAMES A. DUNN. Mr. Speaker and Gentlemen of the House, this bill is presented in behalf of the appeal of the teacher graduates, seeking for justice. After spending many years of their lives in trying to receive an education, even under great hardships and many difficulties and finally reaching a high school and then they spend six years more after reaching the high school, for the purpose of graduating as a teacher. There is a long list of those teachers waiting to be placed in the public schools of this Commonwealth; and after they graduate and after they receive their diplomas they go to the Board of Education, thinking now is the time. They have served their apprenticeship like in all other trades, and they seek a position as teachers in our Commonwealth. What is the reply to those graduates who have spent years of their lives in trying to reach the goal? The reply is: There is no vacancy now; there is no vacancy in the various schools and you had better seek some other employment. Does any corporation or any business firm, where a boy or girl is prepared to go through the course and receive a trade after they reach the goal and receive their diplomas, turn them out on the street and tell them no, there is no place for you in the public schools, there is no place for you in our business; go out in the world and seek some place else.

And now, Gentlemen of this House, today there are married women teaching in the public schools of our Commonwealth who have husbands who can support them and if there are married women who have husbands who can support them, then they ought to get out of the public schools and let their husbands support them, and let those poor graduates take their places. The provision of this law is that if husbands cannot support them, then they have a chance to teach in the schools of our Commonwealth. That is only a fair proposition. A man who marries a woman and cannot support her, why then there is a chance for her, but a man who is earning a living and could support her ought not to ask her to earn a living in order to support him. That is the proposition I offer before you.

If the school teacher is in any other business, probably the other business is paying more than the school teaching. Let them resign and let these poor graduates, waiting on the list, become teachers and take their places. It would not be long before every one of those public schools will be filled up with people just as able, just as capable of fulfilling the duties of teaching in this Commonwealth, as those married women or people who are working at other occupations, give the young graduates a chance. Give the poor family and probably the poor widow who has spent all her money and time to graduate that poor girl and receive the proper education, give her a chance to get the girl in a position after all these years of service.

And then there is this provision in the law that after there is no more on the eligible list of the graduates, then the married woman, or anybody else can come in, but so long as the eligible list is not exhausted whereby the poor girl, the poor graduate, that this amendment will pass and give the poor girl a chance.

Mr. ULERICH. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia further. I would like to ask the gentleman from Philadelphia to tell this House what schools he is talking about? What schools are you stating that there are so many graduates waiting for positions?

Mr. JAMES A. DUNN. I can take you to Philadelphia county and I suppose all other graduates.

Mr. ULERICH. Mr. Speaker and Gentlemen of the House, what he states in Philadelphia, which is the City, although he says Philadelphia county, is not true at all places outside of the great city. Over in our county, and it is true in all rural counties in the State, one-fourth of all the teachers teaching in that county are beginners each year; twenty-five per cent. of the teachers in the rural counties are inexperienced teachers. There is no waiting list; there is not enough experienced teachers to go around. If he would apply this to Philadelphia, not go outside of Philadelphia, where he shows condition like he says, that would probably be all right, but it is not all right for the great Commonwealth of Pennsylvania.

I would like to further interrogate the gentleman from Philadelphia. Are the schools of Pennsylvania run in the interest of teachers or of the children.

Mr. JAMES A. DUNN. Why the school could not run if they did not have the teachers.

Mr. ULERICH. That is not an answer to the question. Are the schools of the Commonwealth run in the interests of the children or of the teachers?

Mr. JAMES A. DUNN. Mr. Speaker, both.

Mr. ULERICH. Mr. Speaker, No, no. The teachers I should say. Now Gentlemen of the House, if there is a teacher in his own city, a married woman, a fine teacher, it don't matter anything about her husband; if he wants to hire a girl to take care of her home work and she wants to teach and she is a good teacher, why shouldn't she be allowed to teach this children, instead of a graduate who has had no experience.

Mr. CONNIFF. Mr. Speaker and Gentlemen of the House, when this bill first appeared on the pink Calendar, I spoke to its sponsor the gentleman presenting it, about the hardship it would work on the country teacher. He agreed with me heartily that the bill might be amended and today I was surprised to see the bill in its present shape on the Calendar and I am surprised that the Committee on Education would have allowed the bill to come out in its present shape.

The gentleman from Philadelphia remarked that we should give places to the graduates of the high school. We are not here legislating in order that these graduates may obtain positions. Our legislation rather should tend to hold in place the experienced teachers, because the experienced teacher has a mission; and today I state candidly that the experienced teacher, the experienced supervising principals cannot live on the salaries that they are paid. The teachers are not only trying to live on their salaries, but they are also trying to gain something for the future and to gain something that may lead them into other schools and other professions, and I think it would be a shame, Gentlemen of the House, if we should pass this bill in its present shape.

Mr. MARTIN. Mr. Speaker, there surely is no merit in this bill. I want to enter my protest against such a vicious measure as this. I am quite sure that if this bill were to pass, within a very few years no teacher without being a graduate of a normal school could teach in a public school. That is not right. I believe in being fair.

Further I want to say that there are teachers in our country districts teaching seven months in the year and farming the rest of the year. What are they supposed to do the other five months if they are teaching seven months, if they are not allowed to get renumeration in some other way? This is perfectly ridiculous and I trust, Gentlemen of the House that you will not stand for such a vicious measure.

Further, I want to say to you, how would teachers live today if they could not do anything but to teach. I have been there for twenty-five or twenty-six years and I have had the experience and know whereof I am speaking and I want to ask you to vote down this bill.

Mr. PIPER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of amendment.

Mr. McNICHOL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

A rising vote was taken and 110 voting in the negative the bill was not agreed to on third reading and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1490, entitled:

An Act regulating the appointment confirmation duties salary and expenses of County Detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Adams,	Ehrhardt,	Letzkus,	Roney,
Allen,	Eichenberger,	Lohr,	Rothenberger,
Alworth,	Ely,	Lowers,	Runk,
Ambler,	Ewing,	Malie,	Sassaman,
Arthur,	Forster, I. G.,	Mannion,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	Matt,	Scott, S. B.,
Bass,	Gibson,	McAleer,	Semmens,
Bayle,	Glenn,	McAllister,	Shaffer, C. A.,
Becker,	Good,	McArdle,	Shaffer, I. E.,
Benninger,	Goss,	McKay,	Shern,
Bergey,	Grabe,	McNichol,	Smith, J. W.,
Berntheizel,	Gramley,	Mellott,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Missimer,	Spangler,
Blair, W. F.,	Gray, Joseph,	Mitchell,	Spillinger,
Body,	Hackett,	Moore,	Steedle,
Brosius,	Haggerty,	Moulthrop,	Steele,
Brown,	Heyburn,	Murphy,	Strauss,
Campbell, C.M.,	Hibshman,	Musser,	Swartz,
Campbell, J. J.,	Hobbs,	Neel,	Swift,
Carter,	Hoffman,	Neely,	Thomas,
Cheeseman,	Isler,	Newton,	Trach,
Claycomb,	Irwin, G. C.,	North,	Ulerich,
Cleary,	Irwin, H. H.,	Peachey,	Ulman,
Cochran,	Jackson,	Pennegar,	Walton,
Collins,	Kaiser,	Pennock,	Watson,
Conner,	Keeport,	Perry, S. J.,	Whitaker,
Conniff,	Kennedy,	Piper,	Whitman,
Cox,	Kern,	Price,	Wildman,
Currier,	Klepper,	Reese,	Williams,
Curry,	Kuhn, H. P.,	Reeser,	Young, G. K.,
DeFrees,	Kuhns, E.G.M.,	Rex,	Zimmerman,
Dickinson,	Lanius,	Rhoads	Alter,
Donahoe,	Leslie,	Rockwell,	Speaker.

NAYS—10.

Benson,	Burnett,	Jones, J. R.,	Miller,
Bittles,	Carson,	Kaufman,	Post,
Brownlee,	Hemminger,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WILLIAM F. BLAIR. Mr. Speaker, I ask unanimous consent to call up out of order House Bill No. 759, on page fourteen, of to-day's Calendar.

The SPEAKER. The Chair hears objection.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1321, entitled:

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate damages and the verdict shall stand good in all other respects

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Adams,	Ewing,	Letzkus,	Runk,
Allen,	Flynn,	Light,	Sassaman,
Alworth,	Forster, I. G.,	Lohr,	Savacool,
Ambler,	Foster, J. D.,	Lowers,	Schaeffer, A. C
Arthur,	Frey,	Mannion,	Schuck,
Baldwin, G. A.,	Gans,	Martin,	Scott, J. R. K.,
Baldwin, R. J.,	Geary,	Mather,	Scott, S. B.,
Bass,	Geiser,	McAleer,	Semmens,
Bayle,	Gibson,	McAllister,	Shaffer, C. A.,
Becker,	Glenn,	McArdle,	Shaffer, I. E.,
Benson,	Good,	McClintock,	Shern,
Berntheizel,	Goss,	McDermott,	Sherwood,
Bigger,	Grabe,	McKay,	Showalter,
Bittles,	Gramley,	McNichol,	Smith, J. W.,
Blair, W. A.,	Gransback,	Mellott,	Snyder,
Blair, W. F.,	Gray, Frank,	Metzenbacher,	Spangler,
Bleloch,	Gray, Joseph,	Miller,	Speiser,
Body,	Hackett,	Missimer,	Spillinger,
Brosius,	Haggerty,	Mitchell,	Steedle,
Brown,	Herman,	Moore,	Steele,
Brownlee,	Hess,	Morrow,	Stein,
Burnett,	Heyburn,	Moses,	Stone,
Caldwell,	Hibshman,	Moulthrop,	Strauss,
Campbell, C.M.,	Hobbs,	Murphy,	Swartz,
Campbell, J.J.	Hoffman,	Musser,	Swift,
Carson,	Humes,	Newton,	Thomas,
Carter,	Isler,	North,	Trach,
Cheeseman,	Irwin, G. C.,	O'Neill,	Ulerich,
Claycomb,	Irwin, H. H.,	Peachey,	Ulman,
Cleary,	Jackson,	Pennegar,	Walnut,
Cochran,	Jones, J. R.,	Pennock,	Walsh,
Collins,	Kaiser,	Perry, H. L.,	Walton,
Conner,	Kaufman,	Perry, S. J.,	Watson,
Conrade,	Keegan,	Peters,	Wettach,
Cox,	Keeport,	Piper,	Whitaker,
Currier,	Kennedy,	Post,	Whitman,
Curry,	Kern,	Price,	Wildman,
Davis,	Kitts,	Reese,	Williams,
DeFrees,	Klepper,	Reeser,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Rex,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Rhoads	Wiltbank,
Donnally,	Lanius,	Richards,	Young, G. K.
Down,	Latshaw,	Robinson,	Young, J. H.,
Dunn, J. A.,	Lesher,	Rockwell,	Zimmerman,
Ehrhardt,	Leslie,	Roney,	Alter,
Eichenberger,		Rothenberger,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1344 (Senate No. 370), entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Ambler,	Fahey,	Leslie,	Rockwell,
Arthur,	Flynn,	Letzkus,	Roney,
Baldwin, R. J.,	Forster, I. G.,	Light,	Rothenberger,
Bass,	Forster, L. G.,	Lohr,	Runk,
Bayle,	Frey,	Lowers,	Sassaman,
Becker,	Gans,	Malie,	Savacool,
Benninger,	Geary,	Mannion,	Schaeffer, A. C
Benson,	Gibson,	Martin,	Schuck,
Bergey,	Glenn,	Mather,	Semmens,
Berntheizel,	Good,	Matt,	Shaffer, C. A.,
Bigger,	Goss,	McAleer,	Shaffer, I. E.,
Bittles,	Grabe,	McAllister,	Shern,
Blair, W. A.,	Gramley,	McArdle,	Sherwood,
Blair, W. F.,	Gray, Joseph,	McClintock,	Showalter,
Bleloch,	Hackett,	McDermott,	Smith, J. W.,
Body,	Haggerty,	McKay,	Smith, L.,
Brosius,	Hemminger,	McNichol,	Snyder,
Brown,	Herman,	Mellott,	Spangler,
Brownlee,	Hess,	Metzenbacher,	Speiser,
Burnett,	Heyburn,	Miller,	Spillinger,
Caldwell,	Hibshman,	Missimer,	Steedle,
Campbell, C.M.,	Hobbs,	Mitchell,	Steele,
Campbell, J.J.	Hoffman,	Moore,	Stein,
Carson,	Howard, J.,	Morrow,	Stone,
Carter,	Howard, R.,	Moulthrop,	Strauss,
Cheeseman,	Isler,	Murphy,	Swartz,
Claycomb,	Irwin, G. C.,	Musser,	Swift,
Cleary,	Irwin, H. H.,	Neely,	Thomas,
Cochran,	Jackson,	Newbaker,	Trach,
Collins,	Jones, J. R.,	Newton,	Ulerich,
Conner,	Kaiser,	North,	Ulman,
Conniff,	Kaufman,	O'Neill,	Walnut,
Conrade,	Keegan,	Peachey,	Walsh,
Cox,	Keeport,	Pennegar,	Walton,
Currier,	Kenna,	Pennock,	Watson,
Curry,	Kennedy,	Perry, H. L.,	Wettach,
Davis,	Kern,	Perry, S. J.,	Whitaker
DeFrees,			Whitman,

Dickinson,	Kern,	Peters,	Wildman,
Donahoe,	Kitts,	Piper,	Williams,
Donnally,	Klepper,	Post,	Wilson, J. H.,
Down,	Kuhn, H. P.,	Price,	Wilson, W. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Ehrhardt,	Lanius,	Reeser,	Young, G. K.,
Eichenberger,	Latshaw,	Rex,	Young, J. H.,
Ely,	Lenker,	Rhoads,	Zimmerman,
Ewing,		Richards,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate, with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1350, entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firm associations and corporations

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Geary,	Lohr,	Roney,
Allen,	Geiser,	Malie,	Rothenberger,
Alworth,	Gibson,	Mannion,	Sassaman,
Ambler,	Good,	Martin,	Savacool,
Bayle,	Goss,	Mather,	Schaeffer, A. C
Becker,	Grabe,	Matt,	Schuck,
Benninger,	Gramley,	McAleer,	Semmens,
Benson,	Gransback,	McAllister,	Shaffer, C. A.,
Berntheizel,	Gray, Frank,	McArdle,	Shaffer, I. E.,
Bigger,	Gray, Joseph,	McClintock,	Shern,
Bittles,	Hackett,	McDermott,	Sherwood,
Blair, W. F.,	Haggerty,	McKay,	Showalter,
Bleloch,	Hemminger,	McNichol,	Smith, J. W.,
Body,	Herman,	Mechling,	Smith, L.,
Brosius,	Hess,	Mellott,	Snyder,
Brown,	Heyburn,	Metzenbacher,	Spangler,
Brownlee,	Hibshman,	Mitchell,	Speiser,
Campbell, C.M.,	Hobbs,	Moore,	Spillinger,
Campbell, J. J.,	Hoffman,	Moulthrop,	Steedle,
Carson,	Howard, J.,	Murphy,	Steele,
Carter,	Howard, R.,	Musser,	Stein,
Cheeseman,	Humes,	Neely,	Stone,
Claycomb,	Isler,	Newbaker,	Strauss,
Cleary,	Irwin, G. C.,	Newton,	Swartz,
Collins,	Irwin, H. H.,	North,	Swift,
Conner,	Jackson,	O'Neill,	Thomas,
Conniff,	Jones, J. R.,	Peachey,	Trach,
Conrade,	Keegan,	Pennegar,	Ulerich,
Cox,	Keeport,	Pennock,	Ulman,
Curry,	Kenna,	Perry, H. L.,	Walsh,
Davis,	Kennedy,	Perry, S. J.,	Walton,
DeFrees,	Kern,	Peters,	Whitaker,
Dickinson,	Kitts,	Piper,	Whitman,
Donahoe,	Klepper,	Post,	Wildman,
Dunn, J. A.,	Kuhn, H. P.,	Price,	Williams,
Ehrhardt,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Eichenberger,	Lanius,	Reeser,	Wilson, W. H.,
Ely,	Lenker,	Rex,	Wiltbank,
Ewing,	Leslie,	Rhoads,	Young, G. K.,
Forster, I. G.,	Letzkus,	Richards,	Young, J. H.,
Foster, J. D.,		Rockwell,	Zimmerman,
Frey,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 886, as follows:

An Act prohibiting trespassing on any railroad or any railroad or railway cars in the Commonwealth of Pennsylvania and providing a penalty therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person not authorized nor empowered except employes off duty and men seeking employment so to do to willfully enter loiter walk ride or otherwise trespass upon any railroad or railway or any railroad engine or car whether the same be passenger freight or other car upon any railroad or railway in any city or borough of this Commonwealth Provided that this act shall not apply to public highways or to designate places for entering or leaving passenger trains

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof before any magistrate or justice of the peace of the city or county wherein such offense shall have been committed shall be sentenced to pay a fine of not more than twenty-five dollars ($25.00) or undergo imprisonment in the jail of the proper county or city or the house of correction for not more than thirty (30) days either or both at the discretion of the court and a violation of the first section of this act on the Sabbath Day commonly called Sunday is hereby declared to be breach of the peace

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. EWING. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, line two, after the word "in" insert the words "cities and boroughs of."

Amend section 1, line 6, strike out the words "so to do."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection?

Mr. STRAUSS. Mr. Speaker, I object.

The SPEAKER. Will the House resolve itself into Committee of the Whole?

It was agreed to.

The SPEAKER. The gentleman from Tioga, Mr. Rockwell, will assume the Chair as Chairman of the Committee of the Whole.

Mr. ROCKWELL in the Chair.

The CHAIRMAN. The Committee of the Whole House having under consideration House bill No. 886, file folio 4115, for the purpose of special amendment. The Clerk will read the amendments.

The amendments were again read as follows:

Amend title, line two, after the word "in" insert the words "cities and boroughs of."

Amend section one, line 6, strike out the words "so to do."

On the question,

Will the Committee agree to the amendments?

Whereupon, a division was called for, fifty-six gentlemen voting in the affirmative and sixty-five in the negative.

The amendment was not agreed to.

Mr. ALLEN. Mr. Chairman, I move you that the Committee of the Whole do now rise and report to the House.

Mr. R. J. BALDWIN. Mr. Chairman, I second the motion.

The motion was agreed to.

Mr. SHERN resumed the Chair.

Mr. ROCKWELL. Chairman of the Committee of the Whole House reported to the House, House Bill No. 886, without amendments.

The SPEAKER. Will the House agree to the report of the Committee of the Whole?

It was agreed to.

The question recurring,

Will the House agree to the bill on third reading?

(The progress of action on the bill was interrupted).

POINT OF ORDER.

Mr. WILTBANK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia, Mr. Wiltbank, will state his point of order.

Mr. WILTBANK. The hour of the day has arrived and I call for the orders of the day.

The SPEAKER. Will the gentleman from Philadelphia insist upon his point of order at this time?

RECESS.

Mr. AMBLER. Mr. Speaker, I move that this House take a recess until 8 o'clock to-night.

Whereupon a division was called for by Mr. R. J. Baldwin, eighty-two gentlemen voting in the affirmative and seventy-two in the negative, the motion was agreed to, and a recess declared until eight o'clock this evening.

AFTER RECESS.

The House reconvened at eight o'clock Post Meridan.
The SPEAKER (George E. Alter) in the Chair.
The SPEAKER. The Chair will partly clear the table.

SENATE MESSAGES.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows, viz:

House Bill No. 236:

An Act regulating the manufacture sale and offering for sale of matresses and fixing penalties for violation hereof

Amendments to said bill made by the Senate having been non-concurred in by the House of Representatives,

With information that the Senate has further amended said bill, in which amendments the concurrence of the House of Representatives is requested.

Mr. ULMAN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments, and ask for a committee on conference.

Mr. SAVACOOL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS SIGNED BY SPEAKER

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 181, entitled:

An Act to amend the second section of an act approved the thirteenth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth" approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount there and by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise

House Bill No. 13, entitled:

A joint resolution ratifying the proposed amendment to section three of article one of the Constitution of the United States of America which provides that senators shall be elected by the people

House Bill No. 794, entitled:

An Act making it unlawful for any person firm or corporation to use the word consul or consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

Senate Bill No. 12, entitled:

An Act supplementary to an act entitled "An Act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined the prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof

Senate Bill No. 57, entitled:

An Act to amend section ninth of the act entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decided the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing metnod of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvements or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriation to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same

Senate Bill No. 14, entitled:

An Act to amend the first section of an act approved the tenth day of June one thousand nine hundred and one entitled An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor" as amended by the first section of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor' approved the tenth day of June one thousand nine hundred and one so as to extend the same to townships of the first class" by extending the act to include townships of the second class

House Bill No. 68, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

House Bill No. 69, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

House Bill No. 170, entitled:

"An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund"

House Bill No. 258, entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the army navy or marine corps of the United States

House Bill No. 510, entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

House Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows, viz:

House Bill No. 547, entitled:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk, as follows:

Page 2, Section 1, line 15, strike out the words "within one week."
Line 17, strike out the words "within six weeks from the date of such notice."

On the question,

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Adams,	Currier,	Klepper,	Price,
Alworth,	Curry,	Kuhn, H. P.,	Reeser,
Ambler,	Davis,	Latshaw,	Rex,
Arthur,	DeFrees,	Lenker,	Rhoads,
Baldwin, G. A.,	Dunn, H. B.,	Letzkus,	Rockwell,
Baldwin, R. J.,	Dunn, J. A.,	Light,	Sassaman,
Barner,	Eichenberger,	Lohr,	Savacool,
Bass,	Ely,	Mannion,	Scott, S. B.,
Becker,	Ewing,	Martin,	Semmens,
Benninger,	Frey,	Mather,	Shaffer, C. A.,
Benson,	Gans,	Matt,	Shaffer, I. E.,
Bergey,	Geary,	McAllister,	Sherwood,
Berntheizel,	Geiser,	McArdle,	Showalter,
Bigger,	Gibson,	McClintock,	Smith, J. W.,
Bittles,	Good,	McKay,	Smith, L.,
Blair, W. A.,	Goss,	Mellott,	Snavely,
Blair, W. F.,	Gramley,	Metzenbacher,	Snyder,
Bleloch,	Gransback,	Miller,	Spangler,
Body,	Gray, Frank,	Missimer,	Stein,
Brosius,	Haggerty,	Mitchell,	Stone,
Brown,	Hemminger,	Moore,	Strauss,
Brownlee,	Herman,	Moses,	Swartz,
Burnett,	Hess,	Moulthrop,	Swift,
Caldwell,	Hibshman,	Musser,	Thomas,
Campbell, C.M.,	Hobbs,	Neel,	Trach,
Campbell, J. J.,	Hoffman,	Neely,	Ulerich,
Carter,	Howard, R.,	Newbaker,	Ulman,
Cheeseman,	Humes,	Newton,	Walnut,
Claycomb,	Isler,	North,	Walton,
Cleary,	Irwin, G. C.,	Pennegar,	Watson,
Cochran,	Irwin, H. H.,	Pennock,	Whitaker,
Collins,	Jackson,	Perry, H. L.,	Williams,
Conner,	Jones, J. R.,	Perry, S. J.,	Young, G. K.,
Conniff,	Kaiser,	Peters,	Zimmerman,
Cox,	Keeport,	Post,	Alter,
			Speaker.

NAYS—1.

Kern,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 39:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

Section one, line eight, strike out the word "immediately."
Section two, line two, strike out all after the word "act" down to the end of the section.
Insert new section four as follows:

Section 4 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and by the Dairy and Food Commissioner to be paid into the State Treasury for the use of the Commonwealth
Make "Section 4" read "Section 5."

Mr. BLELOCH. Mr. Speaker, this act provided that either the Dairy or Food Commissioner or any other citizen of the Commonwealth can bring the prosecution for violations of this act. Now that whole clause permitting individual citizens of this Commonwealth to institute prosecutions under this act has been stricken out by the Senate and the Senate has provided amendments whereby the penalties shall be paid to and collected by the Dairy and Food Commissioner. I do not think that is a wise provision and I think that the right to prosecute violations of this act should be concurrent between the citizens of this Commonwealth and the Dairy and Food Commissioner. That is why I move that the House non-concur in the amendments made by the Senate.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

On the question,

The SPEAKER declared the nays seem to have it.

Whereupon, a division was called for, ninety voting in the affirmative and fifteen in the negative,

And the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 356.

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

Section one, line eight, strike out the word "approval" and insert the word "approved."
Section two, line two, after the word "care" strike out the word "or."

On the question,

Will the House concur in the said amendments?

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Adams,	Dunn, H. B.,	Light,	Rockwell,
Alworth,	Dunn, J. A.,	Lohr,	Rothenberger,
Ambler,	Eichenberger,	Malie,	Runk,
Arthur,	Ely,	Mannion,	Sassaman,
Baldwin, G. A.,	Ewing,	Martin,	Savacool,
Baldwin, R. J.,	Forster, I. G.,	Mather,	Schaeffer, A. C
Bass,	Foster, J. D.,	Matt,	Schuck,
Becker,	Frey,	McAleer,	Scott, J. R. K.,
Benninger,	Gans,	McAllister,	Scott, S. D.,
Benson,	Geary,	McArdle,	Semmens,
Bergey,	Geiser,	McClintock,	Shaffer, C. A.,
Berntheizel,	Gibson,	McDermott,	Shaffer, I. E.,
Bigger,	Glenn,	McKay,	Sherwood,
Bittles,	Goss,	Mellott,	Showalter,
Blair, W. A.,	Gramley,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Gransback,	Miller,	Smith, L.,
Bleloch,	Hackett,	Missimer,	Snyder,
Body,	Haggerty,	Mitchell,	Spangler,
Brosius,	Hemminger,	Moore,	Steedle,
Brown,	Hess,	Morrow,	Stone,
Brownlee,	Heyburn,	Moses,	Strauss,
Burnett,	Hibshman,	Moulthrop,	Swartz,
Caldwell,	Hobbs,	Murphy,	Thomas,
Campbell, C.M.,	Hoffman,	Musser,	Ulerich,
Campbell, J. J.,	Howard, J.,	Neel,	Ulman,
Carson,	Howard, R.,	Newton,	Walnut,
Carter,	Humes,	North,	Walsh,
Cheeseman,	Isler,	O'Neill,	Walton,
Claycomb,	Irwin, H. H.,	Pennegar,	Watson,
Cleary,			

Cochran,	Jackson,	Pennock,	Wettach,
Collins,	Jones, E. E.,	Peters,	Whitman,
Conner,	Jones, J. R.,	Piper,	Wildman,
Conniff,	Kaiser,	Post,	Wilson, J. H.,
Conrade,	Keeport,	Price,	Wilson, W. H.,
Cox,	Klepper,	Ramsey,	Wiltbank,
Currier,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Curry,	Latshaw,	Rex,	Zimmerman,
Davis,	Lenker,	Rhoads,	Alter,
DeFrees,	Letzkus,	Robinson,	Speaker.
Down,			

NAYS—1.

Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate Bill No. 752 (House Bill No. 1896).

A supplement to an act entitled "An Act to incorporate an academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or other successors to sell and convey in fee simple certain lands

Referred to the Committee on Education.

Also Senate Bill No. 13 (House Bill No. 1892).

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 212 (House Bill No. 1893).

An Act to amend Section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

Referred to the Committee on Judiciary General.

Also Senate Bill No. 507 (House Bill No. 1894).

An Act to amend Sections three and seven of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the city treasurer the board of water assessors and collector of delinquent taxes and repealing certain acts relating to certain matters herein provided for" approved May twelve one thousand nine hundred and eleven

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 831 (House Bill No. 1895).

An Act amending Sections four and six of an act approved the second day of April one thousand nine hundred and three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries and repealing certain acts

Referred to the Committee on Judiciary Special.

BILL INTRODUCED AND REFERRED.

By Mr. SEMMENS. House Bill No. 1897.

An Act to amend section four of an act entitled "An Act of an inspector of steam engines and steam boilers for the County of Allegheny" approved the sixth day of June Anno Domini one thousand eight hundred and seventy-three.

Referred to the Committee on Jpudiicary Local.

Mr. JOHN ROBERT JONES asked and received the unanimous consent of the House to call up from page 59 of to-day's Calendar, bills on second reading postponed for the present, House Bill No. 117.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House resumed the second reading and consideration of House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

The SPEAKER. When this bill was last before the House, the question was,

Will the House agree to the first section?

The question recurring,

Will the House agree to the first section?

BILL RECOMMITTED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that this bill be recommitted to the Committee on Elections.

Mr. E. E. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 236.

The SPEAKER. As a Committee of Conference on House Bill No. 236, the Chair appoints the gentleman from Lycoming, Mr. Ulman, the gentleman from Crawford, Mr. Humes, and the gentleman from Crawford, Mr. Bergey.

BILL ON THIRD READING.

The SPEAKER. When the House adjourned at six o'clock this evening, there where pending bill No. 886, on third reading, and the gentleman from Lancaster, Mr. Berntheisel had the floor.

Mr. BERNTHEISEL. Mr. Speaker, I yield to the sponsor of the bill.

BILL RECOMMITTED.

Mr. EWING. Mr. Speaker, I move that this bill be recommitted to the Committee on Railroads.

Mr. HOFFMAN. Mr. Speaker. I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the yeas appeared to have it.

Whereupon,

A division having been called, and eighty-eight gentleman having voted in the affirmative and twenty-five in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1398, (Senate Bill No. 275), as follows:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authorities and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-sixth day of March one thousand eight hundred ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a Superintendent and defining his powers authority and duties and providing

for the appointment of subordinate officers required by this act and fixing the compensation of the same" which reads as follows

"Section 2 The Board of Public Grounds and Buildings shall on the third Tuesday of April of each and every by advertisement inserted daily until the day of letting of contracts in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government Executive Mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered to the Board of Public Grounds and Buildings on or before twelve o'clock meridian on the first Tuesday of June following the date of advertisement who shall on said first Tuesday of June at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Audtitor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the first Tuesday in June" is amended so as to read as follows

Section 2 The Board of Public Grounds and Buildings shall on the second Tuesday of April of each and every year by advertisement inserted daily until the day of opening of bids in twelve newspapers not more than three (3) of which shall be printed in any one county published at such places as the said board may deem proper invite sealed proposals for contracts to furnish all stationery supplies and fuel used by the Legislature the several departments boards and commissions of the State government executive mansion and for distributing the laws journals department reports and other matter and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards commissions and the Executive Mansion said proposals to be delivered on or before twelve o'clock meridian one the second day of May following the date of advertisement to the Board of Public Grounds and Buildings who shall on said second Tuesday of May at twelve o'clock meridian open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidder on each of the items of the several classifications of the schedule and all such contracts so awarded shall severally be void unless first approved by the Governor Auditor General and State Treasurer When no proposal has been received or those received are from irresponsible persons the Board of Public Grounds and Buildings shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same and which shall be opened awarded and approved in like manner as at the general letting on the second Tuesday in May Provided That in any such instance or in the event that requisitions are made upon the Superintendent of Public Grounds and Buildings for any article of furniture furnishing stationery supplies fuel or any other matters or things or for the making of any repairs alterations or improvements the want of which was not anticipated at the time of the making of the annual schedule the said Board of Public Grounds and Buildings may in its discretion authorize the Superintendent of Public Grounds and Buildings to invite proposals from at least two responsible bidders which proposals together with such requisition or requisitions shall be submitted to the Board of Public Grounds and Buildings for approval or disapproval at its next meeting

Section 2 That the third section of said act which reads as follows

"Section 3 That no proposal for any contract shall be considered or accepted unless such proposal be accompanied by the bond in such form and amount as the Board of Public Grounds and Buildings shall direct with at least two sureties or one surety company approved by a judge of the court of common pleas of the county in which the person or persons making such proposals may reside conditioned for the faithful performance of the terms of the contract In the event th contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting" is amended so as to read as follows

Section 3 No proposal for any contract shall be considered unless such proposal be accompanied by a certified check to the order of the State Treasurer in one-fourth the amount of the estimated contract or by a bond in such form and amount as may be prescribed by the Board of Public Grounds and Buildings Such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety two individual sureties approved by a judge of the court of common pleas of the county in which the person or persons making such proposal may reside or of the county wherein shall be located the principal place of business of the persons firm or corporation making such proposal or one surety company authorized to act as surety in this Commonwealth A bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond In the event the contractor or contractors failing to fulfill or comply with the terms of the contract or contracts said contract or contracts shall be awarded to the next lowest responsible bidder or bidders and the Board of Public Grounds and Buildings shall direct the Attorney-General to bring suit against the failing contractor or contractors or his or their bondsmen to recover the loss sustained by the Commonwealth by the re-letting

Section 3 That the fourth section of said act which reads as follows

"Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the day of opening the proposals after which time they shall be returned upon application to the parties filing them" is amended so as to read as follows

Section 4 That all contracts awarded and approved under this act and all bonds given for their faithful performance shall be filed with the Board of Public Grounds and Buildings who shall keep a record of the same and who shall within twenty days after the award certify said copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be held by the Board of Public Grounds and Buildings for a period of sixty days from the date of opening the proposals after which time they shall be returned on application to the parties submitting them

Section 4 The fifth section of said act which reads as follows

"Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of April in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first Tuesday of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum prices fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractors to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractor's bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and when the same have been approved and signed by a ma-

jority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened Such bids as may be made together with a bond in such form as may be prescribed by the Board of Public Grounds and Buildings conditioned for the faithful discharge of the bidders propositions shall be enclosed in envelopes and securely sealed and shall be addressed to and to be mailed or delivered to the Board of Public Grounds and Buildings who shall retain the envelopes unopened until the time fixed by said board for the opening thereof and the board shall have the right to reject any or all bids The bids so received and opened shall be tabulated and be subject to examination by all persons submitting bids and a record thereof shall be made by the Superintendent in a book to be kept for that purpose" is amended so as to read as follows

Section 5 That the enforcement of all contracts provided for by this act shall be under the control and supervision of the Board of Public Grounds and Buildings and for that purpose and all other duties pertaining to said Board they shall be represented by an executive officer to be known as the Superintendent of Public Grounds and Buildings and the Governor shall immediately after the passage of this act appoint with the advice and consent of the Senate a Superintendent of Public Grounds and Buildings The term of office of the Superintendent shall be four years and his duties shall be as follows He shall on or before the first day of February in each year notify the heads of the several departments and of the State boards and commissions and the Chief Clerks of the Senate and House of Representatives respectively to furnish lists of all furniture and furnishings stationery supplies repairs alterations or improvements fuel and all other matters or things that may be needed by their respective departments boards commissions the Senate or House of Representatives for the fiscal year beginning on the first day of June in each year and also to furnish lists of the public documents that are to be shipped On receipt of such notice it shall be the duty of the heads of the several departments the executive officers of the several State boards and commissions and the Chief Clerks of the Senate and House of Representatives to make out detailed lists in accordance therewith giving as far as practicable a detailed description of what is needed similar lists shall be prepared by the Superintendent for the needs of the public grounds and buildings and Executive Mansion Upon the receipt of such lists the Superintendent shall consolidate and classify the articles named therein under such regulations as may be prescribed by the Board of Public Grounds and Buildings taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and whenever deemed necessary by the Board he shall have designs and specifications prepared for their approval of any furniture or furnishing repairs alterations and improvements paying for the preparation of the same out of the Board's general fund and shall state in the list or schedule that the work or articles for which the designs and specifications are prepared are to be done or furnished in accordance therewith and that the designs or specifications will be found in his office for inspection and copies of the same shall be furnished to the successful bidders In preparing the list or schedule he shall in all cases give preference to goods of American production or manufacture The quantities given in the lists or schedule shall be the estimated maximum quantity that is likely to be required during the year but the lists or schedules shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the department et cetera shall require The lists or schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor or contractor's to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor-General from the amount of the contractors bill before settlement is made when so directed to do by the Board of Public Grounds and Buildings and when the Superintendent has so prepared the lists or schedule the same shall be presented to the Board of Public Grounds and Buildings for approval The Board after conferring with the heads of the departments and other persons in authority shall have the power to make such changes therein as may be deemed proper and may standarize any or all supplies stationery and paper in such a way as to secure the maximum of economy commensurate with efficiency When the list or schedule has been approved and signed by a majority of the Board it shall be returned to the Superintendent who shall cause it to be printed in pamphlet form as a schedule of stationery papers supplies fuel furniture furnishings distribution of documents repairs alterations improvements and other matters and things needed for the public grounds and buildings Senate and House of Representatives the several State departments boards and commissions and the Executive Mansion Said schedule shall state that bids will be received on one or more of the items of any classification of the schedule The form of proposal shall be given and all other information which the Board shall consider necessary for the bidder and the Board of Public Grounds and Buildings as heretofore provided shall cause notice of the schedule so printed to be advertised The advertisement shall as briefly as practicable invite bids for the furnishing of the articles named in the schedule and give notice of the time and place where such bids will be received and when they will be opened All bids shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper bond or certified check as provided in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the board of public grounds and buildings who shall retain all envelopes unopened until the time fixed by law for the opening thereof the board shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by all the bidders A record of such bids shall be made by the superintendent in a book to be kept for that purpose

Section 5 That the ninth section of said act which reads as follows

"Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the ending of each fiscal year ending the first Tuesday in June he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of said fiscal year" is amended so as to read as follows

Section 9 The superintendent shall keep a full and complete account of all furniture furnishings stationery supplies or fuel delivered to the several departments boards and commissions and chief clerks aforesaid the public grounds and buildings and Executive Mansion and at the end of each fiscal year ending the thirty-first day of May he shall make a full report of the same to the board of public grounds and buildings He shall also with such report submit a full and complete inventory of all articles of furniture stationery and supplies in his custody at the end of the said fiscal year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Adams,	Dunn, J. A.,	Latshaw,	Rothenberger,
Allen,	Eichenberger,	Lenker,	Runk,
Alworth,	Ely,	Letzkus,	Sassaman,
Ambler,	Ewing,	Light,	Savacool,
Arthur,	Flynn,	Lowers.	Schaeffer, A. C
Baldwin, G. A.,	Forster, I. G.,	Malie	Schuck,
Baldwin, R. J.,	Gans,	Mannion,	Scott, J. R. K.,
Bass,	Geiser,	Martin,	Scott, S. B.,
Becker	Gibson,	Mather,	Semmens,
Benninger,	Glenn,	McAleer,	Shaffer, C. A.,
Benson,	Good,	McAllister,	Shaffer, I. E.,
Bergey,	Goss.	McArdle,	Shern,
Berntheizel,	Gramley,	McClintock,	Sherwood,
Bigger,	Gransback,	Mechling,	Showalter,
Bittles,	Gray, Frank,	Mellott,	Smith, J. W.,
Blair, W. F.,	Gray, Joseph,	Metzenbacher,	Smith, L.,
Bleloch,	Hackett,	Miller,	Snyder,
Body,	Herr,	Missimer,	Spangler,
Brosius,	Herman,	Mitchell,	Spillinger,
Brown,	Hess,	Moore,	Steedle,
Brownlee,	Heyburn,	Morrow,	Stone,
Burnett,	Hibshman,	Moses,	Strauss,
Caldwell,	Hobbs,	Moulthrop,	Swartz,
Campbell, C.M.,	Hoffman,	Murphy,	Swift,
Campbell, J.J.	Howard, J.,	Musser,	Thomas,
Carson,	Howard, R.,	Neely,	Trach,
Carter,	Humes,	Newbaker,	Ulerich,
Cheeseman,	Isler,	Newton,	Ulman,
Claycomb,	Irwin, G. C.,	North,	Walsh,
Cleary,	Irwin, H. H.,	Peachey,	Walton,
Cochran,	Jackson,	Pennegar,	Watson,
Collins,	Kaiser,	Pennock,	Wettach,
Conner,	Keegan,	Perry, S. J.,	Whitman,
Conniff,	Keeport,	Peters,	Wildman,
Conrade,	Kern,	Post,	Wilson, J. H.,
Cox,	Kitts,	Price,	Wilson, W. H.,
Currier,	Klepper,	Reeser,	Wiltbank,
Curry,	Kuhn, H. P.,	Rhoads,	Young, J. H.,
Davis,	Kuhns, E.G.M.,	Robinson,	Zimmerman,
DeFrees,		Rockwell,	Alter,
Donnally,			Speaker.
Down,			

NAYS—2.

Jones, J. R.,	McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1388 (Senate Bill No. 673, entitled:

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement of an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Ewing,	Lenker,	Roney,
Allen,	Flynn,	Letzkus,	Rothenberger,
Alworth,	Forster, I. G.,	Light,	Runk,
Ambler.	Foster, J. D.,	Lohr,	Sassaman,
Arthur,	Frey,	Lowers,	Savacool,
Baldwin, G. A.,	Gans,	Malie,	Schaeffer, A. C
Baldwin, R. J.,	Geary,	Mannion,	Schuck,
Bass.	Geiser,	Martin,	Scott, J. R. K.,
Becker,	Gibson,	Mather,	Scott, S. B.,
Benninger,	Glenn,	Matt,	Semmens,
Benson,	Good,	McAleer,	Shaffer, C. A.,
Bergey,	Goss,	McAllister,	Shaffer, I. E.,
Berntheizel,	Gramley,	McArdle,	Shern,
Bigger,	Gransback,	McClintock,	Sherwood,
Bittles,	Gray, Frank,	McDermott,	Showalter,
Blair, W. F.,	Gray, Joseph,	McKay,	Smith, J. W.,
Bleloch,	Hackett,	McNichol,	Smith, L.,
Body,	Haggerty,	Mechling,	Snyder,
Brosius,	Hemminger,	Metzenbacher,	Spangler,
Brown,	Hess,	Miller,	Spillinger,
Brownlee,	Heyburn,	Missimer,	Steedle,
Burnett,	Hibshman,	Mitchell,	Steele,
Caldwell,	Hobbs,	Moore,	Stein,
Campbell, C.M.,	Hoffman,	Morrow,	Stone,
Campbell, J. J.,	Howard, J.,	Moses,	Strauss,
Carson,	Howard, R.,	Moulthrop,	Swartz,
Carter,	Humes,	Murphy,	Thomas,
Cheeseman,	Isler,	Musser,	Trach,
Claycomb,	Irwin, G. C.,	Neely,	Ulerich,
Cleary,	Irwin, H. H.,	Newton,	Ulman,
Cochran,	Jackson,	North,	Walton,
Collins,	Jones, J. R.,	Peachey,	Watson,
Conniff,	Kaiser,	Pennegar,	Wettach,
Cox,	Keegan,	Pennock,	Whitaker,
Currier,	Keeport,	Perry, H. L.,	Whitman,
Curry,	Kenna,	Perry, S. J.,	Wildman.
Davis,	Kennedy,	Peters,	Wilson, J. H.,
DeFrees,	Kern,	Post,	Wilson, W. H.,
Donnally,	Kitts,	Price,	Wiltbank,
Down,	Klepper,	Ramsey,	Young, G. K.
Dunn, H. B.,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Rhoads,	Zimmerman,
Eichenberger,	Latshaw,	Robinson,	Alter,
Ely,		Rockwell,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1242, entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent of the House to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows.

Amend Section two, line 3, insert after word "record" the words "full information is obtainable."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 804, entitled:

An Act making an appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay for the construction of sewage disposal plants providing the conditions under which the money hereby appropriated shall be disbursed and paid and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants

On the question,

Will the House agree to the bill on third reading?

Mr. NORTH. Mr. Speaker, I ask unanimous consent of the House to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 2, line 4, strike out "State" and insert "Commonwealth."

Amend Section 6, line 2, by striking out the word "by" and inserting the word "for."

Amend Section 8, line 4, by inserting after the word "plants" the words "shall at any time exceed one-half of the cost of such sewage disposal plants."

The SPEAKER. Will the House give its unanimos consent to the insertron of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1244, entitled:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeenth one thousand nine hundred and five so as to include gas and water companies

On the question,

Will the House agree to the bill on third reading?

Mr. MILLER. Mr. Speaker, I ask unanimous consent of the House to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, line 73, by striking out "incorporation" and insert "inspection."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1226, as follows:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the center line of any highway constitutes the dividing line between any city or borough and a township located in the same county it shall be lawful for the commissioners of the county and for the commissioners or road supervisors of such township as the case may be to enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of the roadway of said highway the cost thereof to be borne one-half by the city or borough and one-half by the county and township in equal portions

Section 2 The said alteration or improvement shall be constructed and subsequent repairs shall be made under the supervision of the proper authorities of the said city or borough in compliance with existing laws governing the construction of such alterations or improvements in said city or borough and in further compliance with plans and specifications to be

agreed upon in writing between said city or borough and the commissioners of the county and commissioners or road supervisors of the said township The cost of repairs shall be borne one-half by the city or borough and one-half by the county and township in equal portions

Sections 3 All acts or parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 2, line ten, after the second word "one half" and insert "by the township or."

Also, amend Section 2, line eleven, by adding to end of line "or such other proportion as may be agreed upon by the county or township."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1074, entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Eichenberger,	Letzkus,	Runk,
Allen,	Ely,	Light,	Sassaman,
Alworth,	Ewing,	Lowers,	Savacool,
Ambler,	Forster, I. G.,	Malie,	Schaeffer, A. C
Arthur,	Foster, J. D.,	Mannion,	Schuck,
Baldwin, G. A.,	Frey,	Martin,	Semmens,
Baldwin, R. J.,	Gans,	Mather,	Shaffer, C. A.,
Bass,	Geary,	Matt,	Shaffer, I. E.,
Bayle,	Geiser,	McAleer,	Shern,
Becker,	Gibson,	McAllister,	Sherwood,
Benninger,	Good,	McArdle,	Showalter,
Benson,	Goss,	McClintock,	Smith, J. W.,
Bergey,	Gramley,	McKay,	Smith, L.,
Berntheizel,	Gransback,	McNichol,	Snyder,
Bigger,	Gray, Frank,	Mechling,	Spangler,
Bittles,	Gray, Joseph,	Mellott,	Spillinger,
Blair, W. F.,	Haggerty,	Metzenbacher,	Steedle,
Body,	Hemminger,	Miller,	Stone,
Brosius,	Hess,	Missimer,	Strauss,
Brown,	Heyburn,	Mitchell,	Swartz,
Brownlee,	Hibshman,	Moore,	Swift,
Burnett,	Hobbs,	Morrow,	Thomas,
Caldwell,	Hoffman,	Murphy,	Trach,
Campbell, C.M.,	Howard, J.,	Musser,	Ulerich,
Campbell, J.J.	Humes,	Neely,	Ulman,
Carson,	Isler,	Newton,	Walnut,
Carter,	Irwin, G. C.,	North,	Walsh,
Cheeseman,	Irwin, H. H.,	Peachey,	Walton,
Claycomb,	Jackson,	Pennegar,	Watson,
Cleary,	Jones, J. R.,	Pennock,	Wettach,
Cochran,	Keegan,	Perry, H. L.,	Whitaker,
Collins,	Keeport,	Perry, S. J.,	Whitman,
Conner,	Kern,	Peters,	Wildman,
Conniff,	Kitts,	Post,	Wilson, J. H.,
Conrade,	Klepper,	Ramsey,	Wilson, W. H.,
Cox,	Kuhn, H. P.,	Reeser,	Wiltbank,
Currier,	Kuhns, E.G.M.,	Rhoads,	Young, G. K.,
Curry,	Lanius,	Richards,	Young, J. H.,
Davis,	Latshaw,	Robinson,	Zimmerman,
DeFrees,	Lenker,	Rockwell,	Alter,
Down,	Leslie,	Roney,	Speaker.
Dunn, H. D.,		Rothenberger,	
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1266, entitled:

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the attorney shall have a lien for his compensation for his services upon the client's cause of action claim or counter-claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment

On the question,

Will the House agree to the bill on third reading?

On the question,

Shall the bill pass finally?

Mr. JOSIAH HOWARD. Mr. Speaker, I am not sure of the constitutionality of this bill, and I move that it be postponed for the present.

The SPEAKER. The motion does not appear to be seconded. The bill came through the Committee on Judiciary Special, and its constitutionality may be presumed.

Mr. R. J. BALDWIN. Mr. Speaker, I have an amendment to offer to Bill No. 1266.

The SPEAKER. The bill has passed third reading.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the House reconsider the vote by which the bill passed third reading.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. R. J. BALDWIN. Mr. Speaker I would like to call the attention of the House to just what the provisions of this bill are. Personally, I am opposed to preferential creditors. Well, I might better explain to the House what I mean by that. There are laws on the statute books to-day that give certain interests preference. For instance, we know that sewing machines, soda fountains, and I think some musical instruments are exempt from the landlord's distrain, giving that class of creditors a preference over any other debts that the party may owe. This bill means that the attorney who appears in a suit at law shall be given the preference over all other creditors that he may have. Therefore, I say that I am using the right term when I say "preferential creditors." Now, it seems to me that the man who furnishes the bread and butter, the man who furnishes the coal and keeps the family, should have the preference over almost any other creditor, but it appears that this House is never willing to give to him the garnishee bill. Now, here we are going to make the lawyers of this State preferential creditors. So far as my knowledge of lawyers is concerned, they certainly are, or should be able, at least, to stand along with the ordinary creditors, and especially with the man who furnishes the necessaries of life. I don't think the House ought to pass the bill in this form. I simply wanted to offer an amendment which would place those who furnish the necessaries of life on a level with the attorney who tries the case. The truth of the matter is that I understand from the legal fraternity that the ethics of the fraternity are to collect their money in advance. Those are the ethics of the profession as I understand it from all the lawyers that I have spoken with, and I do not believe it is a good thing to give them this preference over ordinary creditors. If the House thinks that is best, it seems to me that the laymen of this House are surely not going to give the lawyers of this State that preference over those who furnish the people the very necessities of life. I do not believe the House will pass the bill in this form, and I think that the amendment that I was going to offer would put the bill in the form that the House would pass, which means to place those who furnish the necessaries of life on an equal standing with the attorney. If the House desires to pass the bill in this form, of course they can do so, but if they accept these amendments, the lawyers will come back with a compromise and will probably agree to have the amendments go into the bill. I do not think we ought to pass the bill in its present form.

Mr. W. H. WILSON. Mr. Speaker, the gentleman from Delaware is entirely wrong in this conception of the purpose and the meaning of this act. This bill is framed along the lines of the act of 1874, which is now the law and has been since that time, in New York State. The only purpose of this bill is to place the attorney, through whose efforts in the beginning of a suit and the consummation of that suit has

produced results which are favorable to his client, and it puts him precisely in the same position as any mechanic or material man who has furnished labor or materials giving him the right of lien for the things which he has done. Now, this does not affect a client who is honest. It merely guards the attorney who has expended his labors and efforts in bringing about a result which is favorable to that client from settling over the attorney's head. It does not deprive the parties to the suit of the right to amicable adjustment of their differences. It has nothing whatever to do with that phase of the situation. It does not prevent that, but in the event of a settlement in which the attorney is not considered, then it raises the question as to whether or not the attorney is entitled to compensation for the services which he has rendered, and leaves that question up to the court to determine when there is a dispute between the attorney and his client. And there is no reason in the world why this bill should be amended, nor is there any reason in the world why this bill should not pass.

Mr. R. J. BALDWIN. Mr. Speaker, I am frank to say that I may not be able to comprehend good English, but I will read this bill to the House. It is a very short one, and I say again to the House—well I will read the bill. With reference to the first claim in the money collection of a suit at law, it is true that this bill does not provide that if the plaintiff or defendent or prosecutor in a suit wins the case and he and the attorney cannot agree on the fee, that that dispute will be left to the court, but the bill absolutely provides that it shall stand first; the attorney must be paid in full before the other creditors get a cent. Now here is the language of the bill:

> That from the commencement of any action or proceeding either at law in equity or otherwise howsoever or the filing of any counter-claim or any pleading the attorney who appears of record for a party therein shall have a lien for his compensation for his services upon his client's cause of action claim or counter-claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands they may come and the said lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment Provided however that nothing herein contained shall prevent the bona fide compromise or settlement of litgation by the parties thereto subject to the lien of the attorney as provided by his act
>
> That the court in which the cause is brought shall on the petition of the client or of the attorney have jurisdiction to determine and enforce the lien subject to the right of appeal to the person aggrieved as in other cases
>
> All acts or parts of acts inconsistent with this act are hereby repealed

Now, I reassert what I stated first, that the attorney's fee under this bill comes first, no matter what other creditors there may be. It is true that the attorney is entitled to his fee, but it is also true—

Mr. JOSEPH GRAY. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Certainly, Mr. Speaker.

Mr. JOSEPH GRAY. Mr. Speaker, where does that make the attorney's fee a preferred claim? Where is this bill—can he point out the line and the section that does that?

Mr. R. J. BALDWIN. Mr. Speaker, well, I read it to the House and I presume they can see the character of it, but I do know this: Under the common law to-day, that the attorney has the same opportunity under the present law of the State of Pennsylvania to collect any just debt with any other person whom the party might owe. If the bill is intended to simply give him what the law now gives him, then you might as well defeat the bill. If it gives more than that, then the bill ought to be defeated also. Why should this bill make him a preferred creditor, because under the common law to-day every man can collect a just debt. An attorney's charges are just as good in the eyes of the law as any other debt. Evidently, there is some advantage in this bill, and if there is not, then I say, what is it for? And the gentleman from Delaware says it makes him a preferential creditor; and if it doesn't make him a preferential creditor, then there is no need of the law.

Mr. JOSEPH GRAY. Mr. Speaker, I was going to ask the gentleman this question, but since he has sat down I will make the statement.

The SPEAKER. The gentelman from Delaware indicates that he is willing to be interrogated.

Mr. JOSEPH GRAY. Mr. Speaker, the gentleman has stated that the man who furnishes the goods or the means for living to the client is the man who should be taken care of. Now I ask him what would become of this fund if there was no attorney to get it and why is not the attorney entitled to the first dividend if he gets that fund by his labor.

Mr. R. J. BALDWIN. Mr. Speaker, that is a very easy question to answer. There would not be anything for the attorney to collect if there had not been somebody some where created some value. There has evidently somebody furnished some value and why should not the person who furnished that value stand on an equal footing with the gentleman who furnished services? That is all I ask. If there would be nothing for the attorney in this case, if there was not any value, there would not be any attorney where there is no value. When a suit at law take place to collect a debt from an insolvent person where perhaps there are a dozen other parties interested why have not they furnished that which the attorney is trying to secure and after the case is brought, stand with the other creditors and take an equal division of what is left.

Mr. JOSEPH GRAY. Mr. Speaker, I desire to further interrogate him. Will the gentleman from Delaware state who has created the value in the case of a personal injury or accident suit where there has been a recovery?

Mr. R. J. BALDWIN. Mr. Speaker, in the case of a personal injury, in my judgment if the amount involved is worthy a suit at all there is more than three hundred dollars involved and the attorney can collect over and above three hundred dollars; and if there is less than three hundred dollars under the laws of the State of Pennsylvania the man who furnishes the material can collect; and I do not see why even in that case the attorney should have a preference over the ordinary layman. Now, if the attorney is so foolish as to take a case that is over three hundred dollars and does not protect himself so as to be paid for his services, I do not see why the State of Pennsylvania should give him any preference over an ordinary business man. The ordinary business man has to protect himself under the three hundred dollar law. Now why should not the law just as well apply to the attorney's fees as to the ordinary business man?

Mr. JOSEPH GRAY. Mr. Speaker, the gentleman seems to forget. Let us take the case of mechanics liens, where a man has built a house or furnished material. If he files his lien he has created so much property value for his employer, for the person for whom he is working, the man who employed him as contractor or sub-contractor. Now then, if he files his lein he is entitled to the first privilege on that. Now then, if an attorney takes a case where there might not be any other funds where he might save the man who furnishes the goods, where might save for that man money, might get money for him in a case or suit at law, under personal injury, why should he not have a lein in that event, if he has created value through his efforts or ability.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—87.

Adams,	Dunn, J. A.,	Jackson,	Reese,
Allen,	Eichenberger,	Kaiser,	Richards,
Alworth,	Ely,	Kitts,	Roney,
Ambler,	Flynn,	Kuhn, H. P.,	Sassaman,
Arthur,	Forster, I. G.,	Lanius,	Scott, J. R. K.,
Baldwin, G. A.,	Foster, J. D.,	Letzkus,	Scott, S. B.,
Bass,	Frey,	Lohr,	Semmens,
Becker,	Gans,	Malie,	Shern,
Bergey,	Geary,	Mannion,	Sherwood,
Bigger,	Geiser,	McAllister,	Smith, J. W.,
Bleloch,	Gibson,	McKay,	Spangler,
Brosius,	Glenn,	McNichol,	Spillinger,
Brown,	Good,	Mechling,	Steele,
Brownlee,	Grabe,	Miller,	Stone,
Burnett,	Gransback,	Moore,	Strauss,
Carter,	Gray, Frank,	Murphy,	Swartz,
Collins,	Gray, Joseph,	Musser,	Walsh,
Conniff,	Hackett,	Neely,	Weiman,
Cox,	Haggerty,	O'Neill,	Wilson, J. H.,
Curry,	Hemminger,	Peachey,	Wilson, W. H.,
Davis,	Humes,	Piper,	Wiltbank,
Dunn, H. B.,	Isler,		

NAYS—74.

Baldwin, R. J.,	Hibshman,	Matt,	Savacool,
Benninger,	Hobbs,	McAleer,	Shaffer, C. A.,
Benson,	Hoffman,	McClintock,	Shaffer, I. E.,
Blair, W. F.,	Howard, J.,	Mellott,	Showalter,
Body,	Howard, R.,	Metzenbacher,	Snyder,
Caldwell,	Irwin, G. C.,	Morrow,	Trach,
Campbell, C.M.,	Irwin, H. H.,	Moses,	Ulerich,
Campbell, J. J.,	Jones, E. E.,	Moulthrop,	Ulman,
Carson,	Jones, J. R.,	Pennegar,	Walnut,
Cheeseman,	Keegan,	Pennock,	Walton,
Cochran,	Keeport,	Post,	Watson,
Currier,	Kern,	Price,	Wettach,
DeFrees,	Klepper,	Reeser,	Whitaker,
Donnally,	Kuhns, E.G.M.,	Rex,	Whitman,
Down,	Lenker,	Rhoads,	Young, G. K.,
Goss,	Leslie,	Robinson,	Young, J. H.,
Gramley,	Lowers,	Rockwell,	Zimmerman,
Hess,	Martin,	Rothenberger,	Alter,
Heyburn,		Runk,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 365, as follows:

An Act to prevent the procreation of idiots imbeciles feeble-minded and insane persons by the process of sterilization of certain idiots imbeciles feeble-minded or insane persons under certain circumstances and prescribing the conditions under which it may be performed

Whereas, Heredity plays a most important part in the transmission of idiocy and imbecility and it is of very great importance that this class of defectives shall not be allowed to freely propogate their kind and increase the number of the dependents supported by the State; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirteen it shall be lawful for every institution in this State having the care of idiotic imbecile feeble-minded or chronic insane persons which is wholly or in part supported by the State to have on its regular staff of physicians either consultant or resident a neurologist and a surgeon of recognized ability one of whom may be the chief physician of the institution who with the chief physician shall constitute a commission to examine the mental and physical condition of certain of the inmates with the view of deciding upon the necessity of sterilizing them as an adjunct to their medical treatment and when it shall be for the benefit of the patient

Section 2 Whenever at any time the said neurologist surgeon and chief physician agree with respect to any such idiot imbecile feeble-minded or chronic insane person that any progeny of such person would probably be idiotic imbecile feeble-minded or insane and that such person is hopelessly and incurably idiotic imbecile feeble-minded or insane and that sterilization would be for the benefit of the patient and the community and so report in writing signed by all of them to the board of trustees managers or directors of such institutions and where such board approves such recommendation by the affirmative of not less than three-fourths of all the members thereof they shall record upon their minutes an order providing for his or her sterilization by such operation as may be proper for the purpose and they shall report their finding to the court of common pleas of the county to which the patient belongs or of the county in which the hospital is located if the patient shall have no legal settlement in Pennsylvania If the said court shall grant its consent the said operation may be performed Thereupon it shall and may be lawful for any proper surgeon upon the staff of said institution under the direction of the physicians of said institution to perform such operation Provided That such operation shall not be performed except in case where the report of the surgeon neurologist and chief physician hereinabove provided for shall be based on at least one year's observation and test of the idiot imbecile or feeble-minded or chronic insane person within such institution Provided further that when the chief physician is also the surgeon or neurologist above he may sign the said report in both capacities named

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. BLELOCH. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. SPANGLER. Mr. Speaker, I second the motion.

On the question,

The SPEAKER declared the nays seemed to have it.

Whereupon a division was called for,

Forty voting in the affirmative and ninety-nine in the negative and the question was determined in the negative.

On the question recurring,

Shall the bill pass?

Mr. RONEY. Mr. Speaker and Gentlemen of the House. I think this is one bill which sould not pass. I did agree with the sponsor at least I did vote with the sponsor, because of my personal feeling for him. I felt that his wishes in regard to postponing the bill should have consideration. But this, Mr. Speaker, and Gentlemen of the House, is to me a very vicious bill. Just to think of an unfortunate child who is considered by medical experts to be an idiot or imbecile after one years residence in an institution, on the petition of a neurologist and the surgeon and the majority of the members of the Board of Trustees of that institution, being sterilized. Now gentlemen this is a very serious bill. To my mind as serious a bill in its personal aspects or in its relation to human rights as this Legislature shall ever consider. Suppose that child should grow well? You have deprived him of something which is one of the dearest attributes of manhood. I say that Mr. Speaker in a wholly inoffensive and serious manner. Last session at a public hearing before the Public Health and Sanitation Committee in the Senate Caucus Room on the Anti-vivisection bill, I heard one of Philadelphia's most distinguished doctors say that from the vivi-section of animals, the experimentation on animals, they had discovered a serum which injected into imbeciles brought about a normal condition. Why should we take a step backward and say that the State of Pennsylvania shall not provide institutions enough and medical skill high enough to cure these unfortunate brothers of ours. Why, gentlemen, surely this bill will receive absolutely no support, for as I say, can we not expect medical science to advance to such a degree that we will be able to cure these afflicted people and make them well. Why shall we here say, you most unfortunate child of seven years of age, we deem you a permanent and incurable imbecile, and after we have observed you for one year, we will deprive you of your manhood. Gentlemen, this is a very unchristianlike and a very vicious kind of a bill and I ask that the House defeat it.

Mr. BLELOCH. Mr. Speaker, with all due respect for the remarks of the gentleman from Philadelphia, and his opinion on the subject of this class of legislation I am constrained to differ with him. In this present age when science is advancing in all lines, why should we not listen to the march and the call of progress along the lines indicated by this bill. This bill, or a measure somewhat similar to this, has passed the lower House and Senate on several different occasions to have been vetoed by the Governor in the past. This measure provides that idiots, imbeciles and feeble-minded persons confined to an institution either absolutely under the control of the State or receiving State aid for a period of one year, may have an operation performed upon them if in the judgment of a neurologist, who shall either be a consulting or resident physician of that institution, and also the surgeon identified with that institution, who should constitute a commission to determine whether or not some benefit to posterity would be derived from having this operation performed. The findings of that commission are not final under this measure. This bill provides that after the commission is of the opinion that such an operation should be performed they have to petition the courts of Common Pleas of the county from which the inmate of the institution was committed to that institution, and if, in the judgment of the court, such an operation would be beneficial, then the operation can be performed. Legislation of this character has already been placed upon the statute books of ten or twelve different states of our Union, and in many instances the legislation adopted by those states is far more drastic, far more reaching, and far more offensive, if you adopt the opinion of my friend from Philadelphia, Mr. Roney. The purpose of this bill is not only to prevent procreation by those who are affected, and upon whom the operation will be performed, but to prevent the bringing into this world of defectives and degenerates. It is a well known fact to the medical profession that this character of womanhood and manhod such as is described by this bill do not give birth or procreate good healthy and strong-minded men and women. The gentleman from Philadelphia has told you that during the last session there was a big meeting in the Senate Caucus Room in which eminent physicians demonstrated and told how a serum had been discovered which would remedy and cure the class of people described by this bill. Two years have gone by and yet the number of inmates in our institutions for the insane and feeble-minded persons, are not decreased but augmented. If the gentleman's statement is correct, I would say that the number would have been reduced in two years, if the serum he speaks of was meritorious and a cure. Many of our institutions of this State have inmates there that un-

fortunately break away from the institution and stay away and are afterwards brought back to that instituion without the control of the authorities. It is a well known fact that in one institution of this State, within the last six or seven years, one inmate of that institution has broken away and has come back to that institution and has given birth to five children, and in that one institution it is costing that county something like one thousand dollars a year to support those five idiots, or feeble-minded children which will never be worth anything to themselves or to the Commonwealth. Mr. Speaker, speaking about this class of legislation, I would call the attention of the House to the fact that the Legislature of Minnesota even during this present month has passed a bill not similar to this, but providing for this class of an operation to be performed on idiots, habitual criminals and degenerates. Now, Mr. Speaker, I submit there is no reason why this House should not pass this bill at this time. The reason that I moved to have the further consideration of this bill postponed at this time was because I had been promised by the Department of Public Health and Sanitation certain data and information upon which I could go into more elaborate details of the individual states and the course of legislation adopted in those states, of this character, but as that opportunity was denied me, I am obliged to take the bill up at this time, and I feel, Mr. Speaker, that the sentiment of this House, and the sentiment of the upper House and the Governor will be such that this bill will be passed and placed upon our statute books.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—61.

Allen,	Ewing,	Kuhn, H. P.,	Reeser,
Baldwin, G. A.,	Gibson,	Kuhns, E.G.M.,	Rhoads,
Baldwin, R. J.,	Glenn,	Lenker,	Rockwell,
Benson,	Gramley,	Lowers,	Scott, S. B.,
Berntheizel,	Gransback,	Martin,	Shern,
Bigger,	Gray, Frank,	McAleer,	Smith, J. W.,
Blair, W. F.,	Hemminger,	McKay,	Spangler,
Bleloch,	Hess,	McNichol,	Steele,
Brownlee,	Heyburn,	Mitchell,	Ulerich,
Burnett,	Hobbs,	Neel,	Walnut,
Campbell, C.M.,	Howard, J.,	Newbaker,	Walton,
Carson,	Humes,	Newton,	Watson,
Claycomb,	Jones, E. E.,	Peachey,	Whitaker,
Cox,	Jones, J. R.,	Pennock,	Whitman,
Dunn, H. B.,	Klepper,	Post,	Wilson, J. H.,
Ely,			

NAYS—107.

Adams,	Flynn,	Letzkus,	Rothenberger,
Ambler,	Forster, I. G.,	Light,	Runk,
Arthur,	Foster, J. D.,	Lohr,	Sassaman,
Bass,	Frey,	Malie,	Savacool,
Becker,	Gans,	Mannion,	Semmens,
Benninger,	Geary,	Mather,	Shaffer, I. E.,
Bittles,	Geiser,	Matt,	Showalter,
Blair, W. A.,	Good,	McAllister,	Smith, L.,
Body,	Goss,	McArdle,	Snyder,
Brosius,	Grabe,	McClintock,	Speiser,
Brown,	Gray, Joseph,	Mechling,	Spillinger,
Caldwell,	Hackett,	Mellott,	Steedle,
Campbell, J. J.,	Haggerty,	Miller,	Stone,
Carter,	Hibshman,	Moore,	Strauss,
Cleary,	Hoffman,	Moses,	Swartz,
Cochran,	Howard, R.,	Murphy,	Trach,
Collins,	Isler,	Musser,	Ulman,
Conner,	Irwin, G. C.,	Neely,	Walsh,
Conniff,	Irwin, H. H.,	O'Neill,	Wettach,
Currier,	Jackson,	Pennegar,	Widman,
Curry,	Kaiser,	Perry, S. J.,	Wilson, W. H.,
Davis,	Keegan,	Piper,	Wiltbank,
DeFrees,	Keeport,	Price,	Young, G. K.
Dickinson,	Kern,	Rex,	Young, J. H.,
Donahoe,	Kitts,	Richards,	Zimmerman,
Down,	Lanius,	Robinson,	Alter,
Eichenberger,	Leslie,	Roney,	Speaker.
Fahey,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1480, entitled:

An Act amending section fourteen of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for township of each class" approved the twenty-eighth day of April one thousand eight hundred and ninety-nine as amended by an act entitled "An Act to amend section fourteen of an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'" approved the seventh day of June one thousand nine hundred and seven

On the question,

Will the House agree to the bill on third reading?

Mr. CONNIFF. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend Section one, line 8, by striking out "nine" and insert "eight."

Also amend Section 1, line 20, by striking out "sixty" and insert "thirty."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MURPHY. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1386, (Senate Bill No. 52), as follows:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act Regulating Lateral Railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act of Assembly entitled "An Act regulating laterial railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

"That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the Court of Common Pleas of the county in which said interventing land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by the said railroad when making up their report or forming their verdict thereon" be and the same is hereby amended to read as follows namely

That if any owner or owners lessee or lessees of land mills quarries coal mines lime kiln fire clay minerals or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than

ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the Court of Common Pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in the said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening lands by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

On the question,

Will the House agree to the bill on third reading?

Mr. I. GORDON FORSTER. Mr. Speaker, I ask unanimous consent of the House to offer an amendment at this time.

The SPEAKER. **The amendment will be read by the Clerk.**

The Clerk then read the amendment as follows:

Amend page 3, line 59, after the word "explored" insert the following amendment.

"Provided that no land shall be so entered or occupied without the consent of the owner or lessee being first had and secured, where the same is actually used in the mining or operating of mills, quarries, coal mines, lime kilns, fire clay, china clay or kaolin materials, or constitutes a part of a tract so operated or used."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with instruction of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 423 as follows:

An Act prohibiting the placing of earth or any other material in any run creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such run creek or stream without first having constructed in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania a retaining wall or walls along the banks of said runs creeks rivers or streams under the supervision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm municipality or heretofore or hereafter created corporation to deposit any earth or other material in any run creek river or stream or to place or deposit any earth or other material upon the banks of the same or to place or deposit any earth or other material in any place where the same would be likely to slide into or be washed into any run creek river or stream unless and until such person firm or corporation or municipality shall have constructed in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania a retaining wall or walls along the banks of the same under the supervision of the Water Supply Commission of Pennsylvania when in the judgment of said Water Supply Commissios a retaining wall or walls is necessary to prevent said earth or other material from filling in the channels of any run creek river or stream

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a penalty of not less than one hundred dollars ($100) and not exceeding five thousand dollars ($5,000)

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. SEMMENS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend title, lines 5 and 6, by striking out "without first having constructed" and insert "providing for the construction."

Also amend title, line 7, after "Pennsylvania" insert "of."

Amend Section 1, line 17, by striking out "present and insert "prevent."

Also amend Section 1, line 18, by striking out "or" and insert "of."

The SPEAKER. Will the House give unanimous consent to the insertion of these amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with thet instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

Mr. R. J. BALDWIN. Mr. Speaker, it does seem to me that this is regulation almost run mad in this bill. The amendments are simply corrective and under the provisions of this bill no person who may desire to clean out a ditch on his farm, (and the usual custom is to throw it up on the bank), could do so without the consent of the Water Supply Commission of the State of Pennsylvania and if he does, he is liable to a minimum penalty of one hundred dollars and a maximum penalty of five thousand dollars. Why, it is one of the most drastic pieces of legislation I have ever seen presented before this House. A farmer who might go to clean out his ditch, or perhaps would want to straighten it out without the least knowledge of such an act being in the statute books, and in all probability no farmer would know that such a staute was on the books, and it would effect some person who might make objections and bring it before the court with a minimum penalty of one hundred dollars or a maximum penalty of five thousand dollars. If it should happen, in placing manure in a field, that some of it should wash in the stream, the minimum penalty would be one hundred dollars and the maximum penalty five thousand dollars. Why, surely this House will insist upon further amendments on this bill before they will pass it. I am willing to allow the bill to go through if he will admit this and if he is willing to take this out of it, otherwise we might as well defeat the bill now. Certainly this House will never pass a bill of that character.

Mr. ROCKWELL. Mr. Speaker, the gentleman from Delaware, Mr. R. J. Baldwin, is right but he is not right far enough. It goes still further than that. I know an instance of a place where a railroad passes where I cross, where conditions are such that if this bill became a law, it would become prohibitive on the part of the railroad company in operating that railroad. The bank must be shoved out in the stream and they could not do it without building a retaining wall. I suggest that the bill be recommitted to the Manufactures Committee.

Mr. SEMMENS. Mr. Speaker, I think the gentlemen are mistaken, the way they are interpreting this bill. This bill says distinctly wherever the Water Supply Commission deems it necessary to have walls erected or the building of channels for the stream. This is stated in section one, line seventeen.

Mr. R. J. BALDWIN. Mr. Speaker, it is simply to be done under their supervision.

Mr. SEMMENS. Mr. Speaker, the bill says: "Wherever the Water Supply Commission deem such a wall or walls necessary," they can ask to have it put there, to prevent the filling of the channel of the stream, only it does not prevent any one from putting any other thing in the stream as long as you don't fill the channel. I would like to give you my reasons for this bill and I want to make it very plain that the Water Supply Commission must authorize the building of a retaining wall to prevent the filling in of a channel. It says that in so many words and I desire to read: "When in the judgment of said Water Supply Commission, the retaining wall or walls are necessary and to prevent some of the material from falling in the channel." This is to apply only to large streams. I want to read some of my thoughts on this bill, if the gentlemen wish to hear it.

Mr. SPEAKER and Gentleman before voting on this measure I desire to explain what the object of the bill is. First the bill seeks to prevent any corporation or individual from filling in the channel of any river or stream in this Commonwealth. Of course this bill has nothing to do with navigable rivers or streams as they are entirely under Federal control. Now, Mr. Speaker, and Gentleman you might think that as we have a Water Supply Commission in this State that said commission could control the situation but such is not the fact, and it appears that under our present laws there is no State Department or person that can be held responsible for the great damage caused by the filling up of the channels of our streams, the object of the bill is to make some one responsible. This pernicious custom of filling in our streams exists throughout the State, and more particularly by railroad corporations. I do not wish to take up the time of this House but will ask your indulgence while I give you one instance that came under my observation.

The particular case that I refer to is in the Western part of the State, when I first knew the place it was a village in a beautiful valley with a good sized stream running through it, since then large manufacturing plants located there and hundreds of workmen built their humble homes in the valley. A borough was formed, bonds issued, streets paved and the people were happy and prosperous, but gradually the channel of the stream began to fill up and kept filling up until very little rain caused the stream to overflow and flood the streets, homes and business houses, causing great damage and financially ruining many citizens. In looking for the cause of the trouble the citizens and engineers decided that it was largely due to the dumping of earth into the stream by corporations. I personally know of one instance where a railroad company filled the stream completely from bank to bank with furnace slag and other material and forced the stream to mke a new channel for itself which caused the earth to wash down the stream and fill it up.

In this particular case the Water Supply Commission of this great State was asked to interfere. The commission sent its representative from Harrisburg who found conditions just as I have related them. He also saw another railroad company in the act of unloading its cars of dirt and throwing it in the stream, the representative said conditions were deplorable but that his department did not have the power to stop it. The citizens are now mortgaging their little homes for the purpose of raising them above the filled up stream. The borough has bonded itself to the limit for the purpose of raising its streets and if you gentlemen do not give the relief asked for in this bill in a few years conditions will be as bad as ever. I call your attention to Railroad Commission report, briefly the bill says that the Water Supply Commission shall have the power to prevent any person or corporation from filling in the channels of the streams.

When the railroads were originally laid out they, for engineering reasons, as a general thing, follow the courses of the streams. This brought them into close proxmity with these streams. With expanding business and the growth of traffic there has come the necessity of widening the tracks. In many instances throughout the State there has been encroachment. The time is rapidly approaching when these running waters will be recognized to possess incalculable value and their protection is a matter of the utmost importance which ought to be carefully considered by the Legislature.

This bill does not interfere with the Health Department. I ask you to give them this power and then if they do not stop it fire the Commission.

Mr. R. J. BALDWIN. Mr. Speaker, I think there is no doubt but what the parties who drew this bill intended what was best for the State at large, and for the community, and I think that the gentleman who is sponsor for the bill had the same thought and the same desire that it bring no hardship unnecessarily upon the public, but I must reassert that in the drafting of that bill they have done exactly what I told the House. The language is this:

"That it shall be unlawful for any person firm municipality or heretofore or hereafter created corporation to deposit any earth or other material in any run creek river or stream or to place or deposit any earth or other material upon the banks of the same."

That means the smallest rivulet.

"Any earth or other material in any place where the same would be likely to slide into or be washed into any run creek river or stream unless and until such person firm or corporation or municipality shall have constructed in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania."

Now, it is true it does go on and say and also under their supervision, and it is further true that it also goes on and says that if you violate this act you will be subject to a minimum penalty of one hundred dollars or not exceeding five thousand dollars. Now, I don't believe the parties who drafted that bill intended that, and if they did intend this, this House surely should not pass it, and I am perfectly satisfied to have the bill postponed for the present; and that feature should either be corrected or eliminated—the minimum penalty at all hazards should be taken out of this bill.

Mr. WATSON. Mr. Speaker, it occurs to me that this is not such a dangerous bill, and at the same time it is one that is absolutely necessary. Now, it is an every-day occurrence around coal operations and corporations constructing buildings or tracks to pay very little regard whatever to the natural water courses. I know of an instance in our county where the coal company would throw its culp out there into the creek and into the river, obstructing the natural flow of the water, causing a flooded condition of the lands. Now, this is all in the judgment of the water commissioner, and that is not the end of it; it comes before the court, and if the parties who are apprehended on trial are able to show that there is no injury done, why that is the end of it. They couldn't be convicted. I will say, however, while the bill could be drawn, I think that it should not be so drastic, yet I would favor referring this bill back because there is a necessity for it, and I think it could be amended and take out part of this language, leaving it, however, if the natural courses are obstructed so as to cause any damage or any injury in time of floods to any person, that then this part of the law should obtain.

BILL RECOMMITTED.

I move, Mr. Speaker, that this bill be recommitted to the Committee on Manufacturers for amendment.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 106, entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—166.

Adams,	Eichenberger,	Lenker,	Roney,
Allen,	Ely,	Leslie,	Rothenberger,
Alworth,	Fahey,	Letzkus,	Runk,
Ambler,	Flynn,	Light,	Sassaman,
Arthur,	Forster, I. G.,	Lohr,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Schaeffer, A. C.
Baldwin, R. J.,	Frey,	Mannion,	Sommens,
Becker,	Gans,	Martin,	Shaffer, C. A.,
Benson,	Geary,	Mather,	Shaffer, I. E.,
Bergey,	Geiser,	Matt,	Sherwood,
Bernthelzel,	Gibson,	McAleer,	Showalter,
Bigger,	Glenn,	McAllister,	Smith, J. W.,
Bittles,		McArdle,	Smith, L.,
Blair, W. A.,	Gramley,	McClintock,	Snyder,
Blair, W. F.,	Gransback,	McDermott,	Spangler,
Bleloch,	Hackett,	McKay,	Spillinger,
Body,	Hemminger,	Metzenbacher,	Steedle,
Brosius,	Hess,	Miller,	Stein,
Brown,	Heyburn,	Mitchell,	Stone,
Brownlee,	Hibshman,	Moore,	Strauss,
Burnett,	Hobbs,	Morrow,	Swartz,
Caldwell,	Hoffman,	Moses,	Thomas,
Campbell, C.M.,	Howard, J.,	Murphy,	Trach,
Campbell, J. J.,	Howard, R.,	Musser,	Ulerich,
Carter,	Humes,	Neel,	Ulman,
Cheeseman,	Isler,	Neely,	Walsh,
Claycomb,	Irwin, G. C.,	Newbaker,	Walton,
Cleary,	Irwin, H. H.,	Newton,	Watson,
Collins,	Jackson,	O'Neill,	Wettach,
Conner,	Jones, E. E.,	Peachey,	Whitaker,
Conniff,	Jones, J. R.,	Pennegar,	Whitman,
Cox,	Kaiser,	Pennock,	Wildman,

Currier,	Keeport,	Perry, S. J.,	Williams,
Curry,	Kenna,	Piper,	Wilson, J. H.,
Davis,	Kennedy,	Post,	Wilson, W. H.,
DeFrees,	Kern,	Price,	Wiltbank,
Dickinson,	Kitts,	Reese,	Young, G. K.,
Donahoe,	Klepper,	Reeser,	Young, J. H.,
Donnally,	Kuhn, H. P.,	Rex,	Zimmerman,
Down,	Kuhns, E.G.M.,	Richards,	Alter,
Dunn, H. B.,	Lanius,	Robinson,	Speaker.
Dunn, J. A.,	Latshaw,	Rockwell,	
Ehrhardt,			

NAYS—1.

Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1022, as follows:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the constructon of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every municipality shall have power by ordinance to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes and to locate streets or alleys theretofore opened or used for highway purposes of a greater width and to include therein such streets or alleys or parts thereof and to revise the lines of such streets or alleys in accordance therewith and to place the same on the general plan of the streets and alleys of such municipality of such greater width All sub-divisions of property thereafter made shall conform thereto No such location shall be construed to authorize the entry upon taking or appropriation of any property within such located street or alley not theretofore opened or used for highway purposes nor shall the same interfere in any way with the rights of the owners to the full use and enjoyment of such property except that whenever thereafter such located street or alley shall be ordered to be opened widened extended or straightened according to such location buildings erected upon property within the lines of such located streets or alleys after such location was made shall be removed at the expense of the owner and without any liability therefor to such municipality

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Eichenberger,	Latshaw,	Rothenberger,
Allen,	Ely,	Lenker,	Runk,
Alworth,	Ewing,	Leslie,	Sassaman,
Ambler,	Flynn,	Letzkus,	Savacool,
Arthur,	Forster, I. G.,	Lohr,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	Malie,	Scott, S. B.,
Baldwin, R. J.,	Frey,	Mannion,	Semmens,
Becker,	Geary,	Martin,	Shaffer, C. A.,
Benninger,	Geiser,	Mather,	Shaffer, I. E.,
Benson,	Gibson,	Matt,	Sherwood,
Bergey,	Glenn,	McAleer,	Showalter,
Berntheizel,	Good,	McAllister,	Smith, J. W.,
Bigger,	Grabe,	McArdle,	Smith, L.,
Bittles,	Gramley,	McClintock,	Spangler,
Blair, W. A.,	Gransback,	McKay,	Speiser,
Blair, W. F.,	Hackett,	Mechling,	Spillinger,
Body,	Haggerty,	Mellott,	Steedle,
Brosius,	Hemminger,	Metzenbacher,	Steele,
Brown,	Hess,	Miller,	Stein,
Brownlee,	Heyburn,	Missimer,	Stone,
Burnett,	Hibshman,	Mitchell,	Strauss,
Caldwell,	Hobbs,	Moore,	Swartz,
Campbell, C.M.,	Hoffman,	Moses,	Swift,
Campbell, J. J.,	Howard, J.,	Murphy,	Thomas,
Carson,	Isler,	Musser,	Trach,
Carter,	Irwin, G. C.,	Neel,	Ulerich,
Cheeseman,	Irwin, H. H.,	Neely,	Ulman,
Claycomb,			

Cleary,	Jackson,	Newbaker,	Walnut,
Cochran,	Jones, E. E.,	Newton,	Walsh,
Collins,	Jones, J. R.,	O'Neill,	Watson,
Conner,	Kaiser,	Pennegar,	Wettach,
Conniff,	Kaufman,	Pennock,	Whitaker,
Cox,	Keegan,	Perry, S. J.,	Whitman,
Currier,	Keeport,	Peters,	Wildman,
Curry,	Kenna,	Piper,	Williams,
Davis,	Kennedy,	Post,	Wilson, J. H.,
DeFrees,	Kern,	Price,	Wilson, W. H.,
Dickinson,	Kitts,	Reese,	Wiltbank,
Donahoe,	Klepper,	Reeser,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Rex,	Young, J. H.,
Down,	Kuhns, E.G.M.,	Richards,	Zimmerman,
Dunn, J. A.,	Lanius,	Rockwell,	Alter,
Ehrhardt,		Roney,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1404, entitled:

An Act authorizing police magistrates in cities of the second class to suspend sentence on persons adjudged guilty of violation of law or city ordinances on certain terms and conditions and providing for the appointment of probation officers

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Ely,	Mannion,	Savacool,
Allen,	Forster, I. G.,	Martin,	Schaeffer, A. C
Arthur,	Foster, J. D.,	Mather,	Schuck,
Baldwin, G. A.,	Frey,	Matt,	Scott, S. B.,
Becker,	Gans,	McArdle,	Semmens,
Benninger,	Geary,	McClintock,	Shaffer, C. A.,
Benson,	Geiser,	McDermott,	Shaffer, I. E.,
Bergey,	Glenn,	McKay,	Sherwood,
Berntheizel,	Grabe,	Mechling,	Showalter,
Bigger,	Gramley,	Mellott,	Smith, J. W.,
Bittles,	Gransback,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Haggerty,	Miller,	Spangler,
Blair, W. F.,	Hemminger,	Missimer,	Spillinger,
Body,	Hess,	Mitchell,	Steedle,
Brown,	Heyburn,	Moore,	Steele,
Brownlee,	Hibshman,	Morrow,	Stein,
Burnett,	Hobbs,	Moses,	Stone,
Caldwell,	Hoffman,	Moulthrop,	Strauss,
Campbell, C.M.,	Howard, J.,	Murphy,	Swartz,
Campbell, J. J.,	Humes,	Neel,	Swift,
Carson,	Isler,	Neely,	Thomas,
Carter,	Irwin, G. C.,	Newbaker,	Trach,
Cheeseman,	Irwin, H. H.,	Newton,	Ulerich,
Claycomb,	Jackson,	O'Neill,	Ulman,
Cleary,	Jones, E. E.,	Pennock,	Walnut,
Cochran,	Jones, J. R.,	Perry, S. J.,	Walsh,
Collins,	Kaiser,	Peters,	Watson,
Conner,	Keeport,	Piper,	Wettach,
Conniff,	Kern,	Price,	Whitaker,
Cox,	Kuhn, H. P.,	Reese,	Whitman,
Currier,	Kuhns, E.G.M.,	Rex,	Wildman,
Curry,	Lanius,	Rhoads,	Williams,
Davis,	Latshaw,	Richards,	Wilson, J. H.,
DeFrees,	Lenker,	Robinson,	Wilson, W. H.,
Dickinson,	Leslie,	Rockwell,	Wiltbank,
Donahoe,	Letzkus,	Roney,	Young, J. H.,
Donnally,	Lohr,	Rothenberger,	Zimmerman,
Down,	Malie,	Runk,	Alter,
Dunn, J. A.,		Sassaman,	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—1.

Bleloch,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 520, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section 1, line 33, strike out the word "tenth" in line 33, and insert the word "first."

Strike out the two words "November" in line 34, and insert in lieu thereof the words "December" in lieu thereof.

Strike out the words "twenty-fifth" in line 34, and insert in lieu thereof the word "fifteenth."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there objection? The Chair hears objection.

Mr. ROCKWELL. Mr. Speaker, I move to go into committee of the whole House for the purpose of special amendment.

Mr. WALNUT. Mr. Speaker, I second the motion.

On the question,

The SPEAKER declared the nays seemed to have it.

Whereupon a division was called for.

Mr. ROCKWELL. Mr. Speaker, I would just like to make an explanation of this amendment if in order.

The SPEAKER. The vote has been taken, but pending a division the gentleman will make his explanation.

Mr. ROCKWELL. Mr. Speaker, the present deer season is from November 15th to December 30th. This bill proposes to change it from that date until from November 10th to November 25th, advancing the season five days earlier. I have had considerable experience in the hunting line and I have had a great deal of talk on this deer season with a great many experienced hunters. There is a great deal of complaint in the State to-day on the line that the deer are not breeding and experienced hunters give the reason as this, that the breeding season comes now practically in the open hunting season, which is November 15th to December 1st. The hunters going into the woods can kill nothing but bucks. They chase the male deer from day to day and they have no chance to get in relation with the opposite sex, therefore they are not breeding. The remedy for this proposed by experienced men is not to advance the season as this bill proposes, but extend it 15 days later, making it as this amendment proposes, from December 1st to December 15th. I have talked this matter over carefully and thoroughly with the Game Commissioners and with the men connected with the Game Department and they approve of these amendments and this is the only purpose I have in offering these amendments, to protect the deer while they are in the breeding season, giving to the hunter the same 15 days, but putting it 15 days later, and thus give the deer a chance to take care of themselves while in their natural state, while they should be in that position. That is the purpose, Mr. Speaker, of these amendments.

Fifty-six gentlemen voting in the affirmative and 68 in negative, the motion was not agreed to.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ROCKWELL. Mr. Speaker, in view of this situation, it seems to me that we better defeat the bill. The season is better as it is, leaving it from November 15th to December 1st, and the same explanation that I have made in relation to the other applies to this proposed change. The proposed change in the bill simply puts the time five days earlier and to my mind makes it that much worse, and I believe the sentiment of all experienced hunters, those who know, throughout the State would prefer to leave the season as it is, rather than move it forward.

Mr. LOWERS. Mr. Speaker, I believe this bill is all right just as it stands. The Game Committee had this bill before it and discussed it thoroughly, and a number of that committee who are familiar with deer in its every phase, and the Game Commissioner, agreed with the committee that this bill was a wise one. It only opens the season five days earlier, and closes it ten days earlier, so it makes very little change—a matter of a few days—a certainly would not interfere with the deer in any way. I believe that after the committee having discussed this question thoroughly, and gone over it thoroughly and the Game Commissioner of the State agreeing that it was a wise provision, I see no reason why this bill should not be enacted into a law in its present form.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124

Adams,	Flynn,	Leslie,	Richards,
Allen,	Forster, I. G.,	Letzkus,	Rothenberger,
Alworth,	Foster, J. D.,	Lowers,	Runk,
Ambler,	Gans,	Mannion,	Sassaman,
Arthur,	Geary,	Matt,	Savacool,
Becker,	Geiser,	McAleer,	Scott, S. B.,
Benninger,	Glenn,	McArdle,	Semmens,
Bergey,	Good,	McClintock,	Shaffer, C. A.,
Bigger,	Grabe,	McKay,	Sherwood,
Blair, W. F.,	Gramley,	McNichol,	Showalter,
Bleloch,	Gransback,	Mechling,	Smith, J. W.,
Body,	Hackett,	Mellott,	Snyder,
Brown,	Haggerty,	Metzenbacher,	Spillinger,
Brownlee,	Hess,	Missimer,	Steedle,
Caldwell,	Heyburn,	Mitchell,	Steele,
Campbell, J.J.	Hibshman,	Moore,	Strauss,
Carter,	Humes,	Morrow,	Swartz,
Cheeseman,	Isler,	Moses,	Thomas,
Claycomb,	Irwin, G. C.,	Moulthrop,	Trach,
Cochran,	Irwin, H. H.,	Murphy,	Wettach,
Collins,	Jackson,	Neely,	Wildman,
Conner,	Jones, E. E.,	Newbaker,	Williams,
Conniff,	Kaiser,	Newton,	Wilson, J. H.,
Cox,	Keegan,	O'Neill,	Wilson, W. H.,
Currier,	Keeport,	Pennegar,	Wiltbank,
Curry,	Kern,	Pennock,	Young, G. K.
Davis,	Kitts,	Piper,	Young, J. H.,
Dickinson,	Klepper,	Post,	Zimmerman,
Donahoe,	Kuhns, E.G.M.,	Price,	Alter,
Donnally,	Lanius,	Reeser,	Speaker.
Dunn, J. A.,	Latshaw,	Rex,	
Ehrhardt,			

NAYS—22.

Baldwin, G. A.,	Jones, J. R.,	Rockwell,	Swift,
Berntheizel,	Lenker,	Schuck,	Ulman,
Blair, W. A.,	Lohr,	Shaffer, I. E.,	Walnut,
Carson,	Martin,	Spangler,	Walsh,
Hemminger,	Mather,	Stone,	Whitaker,
Hobbs,	Peachey,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. JAMES A. DUNN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and at 10.40 P. M. the House adjourned until to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, APRIL 9, 1913. No. 46.

SENATE

WEDNESDAY, April 9, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant Governor John H. Reynolds) in the Chair.

Prayer by the Chaplain, Rev. A. C. James.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McNICHOLS, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. THOMPSON presented petition of citizens of Beaver County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HEACOCK presented petition of citizens of Montgomery County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. HUNTER presented petition of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. MILLS presented petition of Washington Camp No. 743, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HEACOCK presented petition of citizens of Montgomery County, and petition of Washington Camp No. 474, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. MILLS presented petition of Washington Camp No. 743, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

Mr. HEACOCK presented petition of citizens of Montgomery County and petition of Washington Camp No. 474, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING PASSAGE OF SENATE BILL NO. 597.

Mr. MILLS presented petitions of Sugar Run Grange No. 1429, P. of H., Fairdale Grange No. 1137, P. of H., Towanda Valley Grange No. 204, P. of H., North Arwell Grange No. 1280, P. of H., Open Hand Grange No. 153, P. of H., Iona Grange No. 272, P. of H., and Columbia Grange No. 83, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

The Chair presented petitions of Cush Creek Grange No. 573, P. of H., and Lehman Grange No. 819, P. of H., and two petitions of Asbury Grange No. 563, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

REPORTS FROM COMMITTEE.

Mr. HOKE, from the Committee on Judiciary General, reported with favorable recommendation the following nomination which was laid upon the table:

MEMBER WATER SUPPLY COMMISSION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Benjamin K. Focht, of Lewisburg, to be a member of the Water Supply Commission of Pennsylvania, for the term of four years, vice Frederic W. Fleitz, resigned.

JOHN K. TENER.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 297, entitled:

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream, to purchase, acquire, enter upon, take, use and appropriate private property, within or without its territorial limits, for that purpose, and providing the manner in which damages sustained shall be determined and collected.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 879, entitled:

An Act to provide for the filing, docketing and indexing of judgments and decrees of the District and Circuit Courts of the United States.

Mr. BEIDLEMAN, from the Committee on Judiciary General, reported as amended, Senate Bill No. 312, entitled:

An Act fixing the salaries of county auditors in the several counties of this Commonwealth not exceeding one hundred thousand population.

Mr. HEACOCK, from the Committee on Education, reported as committed, Senate Bill No. 858, entitled:

An Act to provide for the use of school buildings and grounds and other public buildings and grounds for meetings of citizens.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 414, entitled:

An Act authorizing boroughs to supply and to make contract for supplying electric current outside the limits of said boroughs.

Mr. NULTY, from the Committee on Education, reported as committed, Senate Bill No. 889 (House Bill No. 452), entitled:

An Act to repeal section 2806 of the act approved the 18th day of May, A. D. 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith."

Mr. CROW, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 864 (House Bill No. 569), entitled:

An Act to ascertain the fees to be received by the several clerks of the courts of over and terminer, general jail

delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million.

Mr. VARE, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 885, entitled:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 886, entitled:

An Act to provide for the burial of indigent persons who shall die in public institutions and for the allowance for the burial of the same.

Mr. COOPER, from the Committee on Education, reported as committed, Senate Bill No. 846 (House Bill No. 1042), entitled:

An Act to amend section 1125 of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any part thereof that are or may be inconsistent therewith."

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 753, entitled:

An Act authorizing notaries pubic to take affidavits to libels in divorce, and validating all such affidavits heretofore made.

Mr. MILLS, from the Committee on Public Printing, reported as amended, Senate Bill No. 942, entitled:

An Act providing for the printing binding and distribution of two publications heretofore published by the State namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for the editing proofreading and indexing thereof and making an appropriation for said work

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed, Senate Bill No. 756 (House Bill No. 364), entitled:

An Act regulating the sale and storage of linseed oil and compounds and imitations thereof, fixing standards for raw and boiled linseed oil, providing penalties for violations thereof, providing for the enforcement of this act and expenses thereof, providing for examination of samples of linseed oil and repealing an act approved the 23d day of April, 1901, entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the 22d day of April, 1905, entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil,' approved the 23d day of April, A. D. 1901."

Mr. ALEXANDER, from the Committee on Agriculture, reported as committed, Senate Bill No. 812 (House Bill No. 1009), entitled:

An Act to repeal an act approved the 25th day of March, A. D. 1903, entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food."

Mr. CATLIN, from the Committee on Judiicary Special, reported as committed, Senate Bill No. 484, entitled:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth," approved the 25th day of June, 1885.

Also, from the Committee on Elections, re-reported as amended, Senate Bill No. 441, entitled:

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth," approved the 2d day of July, 1839, by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election.

Also, from the Committee on Elections, re-reported as amended, Senate Bill No. 444, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the 10th day of June, A. D. 1893, by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the method of counting the votes.

Also, from the Committee on Elections, re-reported as committed, Senate Bill No. 449, entitled:

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years.

Also, from the Committee on Elections, re-reported as committed, Senate Bill No. 450, entitled:

An Act to amend the title and sections one and two of an act approved June 25th, A. D. 1895, entitled "An Act requiring tax collectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name, amount of tax paid and number of receipt to be sent twenty days before each such election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act.'

Also, from the Committee on Elections, re-reported as committed, Senate Bill No. 451, entitled:

An Act to amend section one of an act approved the 16th day of June, A. D. 1891, entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides," by enlarging the term of assistant assessors, providing for their election every four years and changing the power of filling vacancies from the court of quarter sessions to the county commisisoners.

Also, from the Committee on Elections, re-reported as amended, Senate Bill No. 457, entitled:

An Act to provide for the election at Fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior Courts when such office is to be filled at a municipal election.

Also, from the Committee on Elections, re-reported as amended, Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

Also, from the Committee on Elections, re-reported as amended, Senate Blil No. 876, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms of such officers whenever the Constitution of the United States shall be amended so as to provide for the election of United States Senator by a vote of the electors of several States.

Also, from the Committee on Elections, re-reported as committed. Senate Bill No. 884, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth, a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith.

Also, from the Committee on Elections, reported as amended, Senate Bill No. 883, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party and a condition of the right to vote at primaries in said cities, providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. HOKE.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon the nomination reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. HOKE.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Jones,	Nulty,
Beidleman,	Gerberich,	Judson,	Salus,
Buckman,	Graff,	Kline	Sensenich,
Catlin,	Gyger,	Kurtz,	Sheatz,
Clark,	Hilton,	McNichol,	Sones,
Cooper,	Hoke,	McNichols,	Thompson,
Crow,	Homsher,	Miller,	Vare,
DeWitt.	Huffman,	Morgan,	Wasbers,
Endsley,	Hunter,		

NAYS—0.

Two thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEES.

Mr. KLINE, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 656, entitled:

An Act to provide for the health and safety of persons employed in and about the arthracite coal mines in the Commonwealth of Pennsylvania for the protection and preservation of propert connected therewith, for investigations and inquests after accidents defining the liability of employers and prescribing penalties for violations of this act.

Also, from the Committee on Appropriations, reported as commitetd, Senate Bill No. 585, entitled:

An Act making an appropriation for the restoration of the Brig. Niagara, Commodore Perry's Flag-Ship at the Battle of Lake Erie, for its participation in the events of this Centennial Celebration year, its care and for the erection of a permanent marker, arch or memorial at Erie, Pa.

Mr. BEIDLEMAN, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 296, entitled:

An Act granting the consent of the Commonwealth of Pennsylvania to the City of Harrisburg to construct and maintain a dam in the Susquehanna River for the general improvement of the sanitary conditions of said city

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 254, entitled:

A joint resolution providing for the appointment of a Commission to amend revise and collate the laws relating to the boroughs of the Commonwealth and to suggest new legislation for the welfare of said boroughs and making an appropriation therefor

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 526, entitled:

An Act providing for an Engineers' Commission prescribing its duties and making an appropriation therefor

BILLS INTRODUCED.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 943, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Mount Holly Springs Cumberland county and passing through Hunter's Run and Goodyear Cumberland county and Idasville Adams county and thence by way of the Carlisle and Gettysburg public road through Center Mills Adams county to a point where the public road leading from Heidlersburg to Biglerville crosses the Carlisle and Gettysburg public road and thence to Biglerville Adams county

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 944, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Fayetteville Franklin county and passing through East Fayetteville Station Mount Alto and Quincy to Waynesboro

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 945, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Chambersburg Franklin county thence by way of the Waynesboro road and passing through New Franklin Grindstone Mill Altenwald and Five Works to Waynesboro

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 946, entitled:

An Act to establish as a State Highway a certain section of a public road beginning at Upton and passing through Williamson and thence by way of the Warmspring road through Housan Turkeyfoot and Sunbeam to a point where the Warmspring road intersects Route thirty-seven

Which was committed to the Committee on Public Roads and Highways.

Mr. GYGER read in his place and presented to the Chair Senate Bill No. 947, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at Guthriesville on Route one hundred and thirty-seven thence by way of Bondsville and Fisherville to Thorndale on Route number one hundred and forty-two in Chester county

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 948, entitled:

An Act to establish as a "State Highway" a certain section of a public road beginning on Route one hundred and thirty-seven where the Beaver Creek road intersects said route thence over the Beaver Creek road to a point near Fisherville in Chester county

Which was committed to the Committee on Public Roads and Highways.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 949, entitled:

An Act making an appropriation to the Trustees of the State Hospital for the Criminal Insane at Fairview Wayne county

Which was committed to the Committee on Appropriations.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 950, entitled:

An Act regulating the offering of operation of automobile vehicles for hire in cities of the first class providing for the licensing of said vehicles providing for the licensing of operators chauffeurs or solicitors for said vehicles authorizing them to solicit business upon the highway authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

Which was committed to the Committee on Municipal Affairs.

Mr. FARLEY read in his place and presented to the Chair Senate Bill No. 951, entitled:

An Act relating to employes of any corporations other than a municipal corporation who are by such corporation assigned to do police duty and providing penalties for violation of this act

Which was committed to the Committee on Corporations,

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 952, entitled:

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

Which was committed to the Committee on Agriculture.

Mr. KURTZ read in his place and presented to the Chair Senate Bill No. 953, entitled:

An Act making an appropriation to the Punxsutawney Sanitarium located at Punxsutawney Jefferson County Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 954, entitled:

An Act relating to the trial of civil cases by jury in the courts of this Commonwealth and providing that in any civil cause now pending or hereafter to be brought in any of the courts of this Commonwealth in which a trial by jury is had

and the verdict of a jury awarding damages is rendered the amount of the damages so awarded shall not thereafter be changed increased or reduced either by the court in which the said cause was tried or by any appellate court of this Commonwealth

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 955, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania

Which was committed to the Committee on Municipal Affairs.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 956, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same and making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

Which was committed to the Committee on Elections.

TIME OF NEXT MEETING.

Mr. McNICHOLS offered the following resolution, which was twice read, considered and agreed to:

Resolved, (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, April fourteenth, at nine o'clock.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House, which were laid upon the table.

BILL ON THIRD READING.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 300, as follows:

An Act to protect the health and lives of employees in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery regulating the use of such blowers and apparatus and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons companies or corporations operating any factory or workshop where emery wheels or emery belts of any description are used either solid emery leather leather-covered felt canvas linen paper cotton or wheels or belts rolled or coated with emery or corundum or cotton wheels used as bluffs shall provide the same with blowers or similar apparatus which shall be placed over beside or under such wheels or belts in such a manner as to protect the person or persons using the same from the articles of dust produced and caused thereby and to carry away the dust arising from or thrown off by such wheels or belts while in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust Provided that grinding machines upon which water is used at the point of the grinding contact shall be exempt from the provisions of this act and provided this act shall not apply to factories or workshops where men are not employed continuously at such wheels or belts more than three hours in twenty-four hours

Section 2 It shall be the duty of any person company or corporation operating any such factory or workshop to provide or construct such appliances apparatus machinery or other things necessary to carry out the purpose of this act as set forth in the preceding section as follows Each and every wheel shall be fitted with a sheet of cast iron or hood or hopper of such form and so applied to such wheel or wheels that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by the current of air into a suction pipe attached to same hood or hopper

Section 3 Each and every such wheel six inches or less in diameter shall be provided with a three-inch suction pipe wheels six inches to twenty-four inches in diameter with four inch (such) suction pipe wheels from twenty-four to thirty-six inches in diameter with five inch suction pipe and all wheels larger in diameter than those stated above shall be provided each with a suction pipe not less than six inches in diameter The suction pipe from each wheel so specified must be full size to the main trunk suction pipe and the main suction pipe to which smaller pipes are attached shall in its diameter and capacity be equal to the combined area of such smaller pipes attached by the same and the discharge pipe from the exhaust fan connected with such suction pipe or pipes shall be as large or larger than the suction pipe

Section 4 It shall be the duty of any person company or corporation operating any such factory or workship to provide the necessary fans or blowers to be connected with such pipe or pipes as above set forth which shall be run at the rate of speed as will produce a velocity of air in such suction or discharge pipes of at least nine thousand feet per minute to an equivalent suction or pressure of air equal to raising a column of water not less than five inches in a U-shaped tube All branch pipes must enter the main trunk pipe at an angle of forty-five degrees or less the main suction or trunk pipe shall be below the emery or buffing wheels and as close to the same as possible and to be either upon the floor or beneath the floor on which the machines are placed to which such wheels are attached All bends turns or elbows in such pipes must be made with easy smooth surface having a radius in the throat of not less than two diameters of the pipe on which they are connected

Section 5 This act shall become operative on the first day of January one thousand nine hundred and fourteen

Section 6 It shall be the duty of any Factory Inspector or prosecuting attorney of any county in this State in which any such appliances as herein provided for to visit any such factory writing signed by any person having knowledge of such facts accompanied by the sum of one dollar as compensation for his services that such factory or workship is not provided with such appliances as herein provided for to visit any such factory or workshop and inspect the same and for such purpose they are hereby authorized to enter any factory or workshop in this State during working hours and upon ascertaining the facts that the proprietors or managers of such factory or workshop have failed to comply with the provisions of this act to make complaint of the same in writing as informations are now made according to law before a justice of the peace or police magistrate having jurisdiction who shall thereupon issue his warrant directed to the owner manager or director in such factory or workshop who shall thereupon be proceeded against for the violation of this act as now provided by law

Section 7 Any such person or persons or company or managers or directors of any such company or corporation who shall have the charge or management of such factory or workshop who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and not exceeding three hundred dollars

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, I ask unanimous consent to amend the title in line 3 by inserting after the word "machinery" the words "and specifying the system to be used in connection therewith."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 392, on third reading, entitled:

An Act amending Section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between the municipal corporation and telegraph telephone or light or power companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 521, entitled:

An Act to amend the second and fifth sections of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to report of the City Planning Commission on certain ordinances and bills and relating to dedications plans and plots submitted to said Planning Commission for approval

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Fisher,	Hoke,	Miller,
Beidleman,	Gerberich,	Homsher,	Morgan,
Buckman,	Graff,	Huffman,	Nulty,
Catlin,	Gyger,	Hunter,	Powell,
Clark,	Heacock,	Judson,	Salus,
Endsley,	Herbst,	Kurtz,	Sheatz,
Farley,	Hilton,	McNichols,	Wasbers,

NAYS—1.

Cooper,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 550, entitled:

An Act regulating the use of motor boats and providing a penalty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Endsley,	Homsher,	Powell,
Beidleman,	Farley,	Huffman,	Salus,
Buckman,	Fisher,	Hunter,	Sensenich,
Catlin,	Graff,	Judson,	Sheatz,
Clark,	Gyger,	Kurtz,	Vare,
Cooper,	Herbst,	McNichol,	Wasbers,
Crow,	Hilton,	McNichols,	Gerberich,
DeWitt,	Hoke,	Miller,	Pres. pro tem.

NAYS—1.

Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 582, entitled:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Farley,	Hoke,	Morgan,
Beidleman,	Fisher,	Homsher,	Nulty,
Buckman,	Graff,	Hunter,	Powell,
Catlin,	Gyger,	Judson,	Sensenich,
Clark,	Heacock,	Kurtz,	Sheatz,
Crow,	Herbst,	McNichols,	Vare,
DeWitt,	Hilton,	Miller,	Gerberich, Pres. pro tem.

NAYS—1.

Cooper,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 593 (House Bill No. 657), entitled:

An Act to repeal an act entitled "A supplement to the act entitled 'An Act for preventing clandestine marriages" approved the fourteenth day of February Anno Domini one thousand seven hundred and thirty

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Farley,	Hunter,	Morgan,
Beidleman,	Graff,	Judson,	Powell,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Herbst,	Kurtz,	Sensenich,
Clark,	Hilton,	McNichol,	Sheatz,
Cooper,	Hoke,	McNichols,	Vare,
Crow,	Homsher,	Miller,	Wasbers,
DeWitt,	Huffman,	Mills,	Gerberich,
Endsley,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 594 (House Bill No. 658), entitled:

An Act to repeal an act entitled "An act to repeal an act entitled for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (One Smith's Laws twenty-one)

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Jones,	Powell,
Beidleman,	Fisher,	Judson,	Salus,
Buckman,	Graff,	Kline	Sensenich,
Catlin,	Gyger,	Kurtz,	Sheatz,
Clark,	Heacock,	McNichols,	Vare,
Cooper,	Herbst,	Miller,	Wasbers,
Crow,	Hoke,	Mills,	Gerberich,
DeWitt,	Huffman,	Morgan,	Pres. pro tem.
Endsley,	Hunter,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 663, entitled:

A bill entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first second and third classes within this Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHEATZ. Mr. President, I ask unanimous consent to amend the title of the bill by striking out the words "second and third", and by striking out in the word "classes" the letters "es."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 748, entitled:

An Act regulating the sale and delivery of malt and brewed liquors at wholesale and providing a penalty for the violation thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KLINE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. HERBST. Mr. President, I ask that Senate Bill No. 762, on third reading, entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

go over in its order. I see that this is a bill of Senator Jarrett. Would it not be courteous to have it go over?

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HERBST. Mr. President, I ask that Senate Bill No. 763, on third reading, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred and seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights ad remedies of married women in cases of desertion or non-suppor by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HERBST. Mr. President, I ask that Senate Bill No. 764, on third reading, entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State aid highway when the highway outside of the limits of such cities or boroughs in less than one mile in length and will connect such cities or boroughs with the State highway or State aid highway

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 771, entitled,

An Act further regulating transfer of licenses to sell liquors at wholesale and retail

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KURTZ. Mr. President, I move that question together with the further consideration of the bill be postponed for the present.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 772, on third reading, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinuous and spiritiuous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-stven by regulating the refusal of licenses by the court and by regulating apepals from such refusal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 773, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances ot provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fire works and the transportation storage sale and use of nitroglycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such Department to investigate fires providing for the service of orders made by the said Department and for appeals from and reviews of certain of its orders for the method of recovering money expended by the cities and remedying conditions and the method of obtaining a lien therefor and providing that the courts of common pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

And said bill, having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Endsley,	Homsher,	Nulty,
Beidleman,	Farley,	Hunter,	Powell,
Buckman,	Fisher,	Jones,	Salus,
Catlin,	Graff,	Judson,	Sensenich.
Clark,	Heacock,	Kline,	Sheatz,
Cooper,	Herbst,	Kurtz,	Wasbers,
Crow,	Hilton,	Mills,	Gerberich.
DeWitt,	Hoke,	Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 806 (House Bill No. 711), on third reading, entitled:

An Act relating to the management of penitentiaries jails prisons houses of correction workhouses houses of refuge and reformatories

be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. FARLY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, entitled:

An Act providing for the making valid of the charters of certain corporations hertofore incorporated for the purpose of supplying heat light and power by means of electricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Fisher,	Hunter,	Mills,
Buckman,	Gyger,	Jones,	Morgan,
Clark,	Heacock,	Judson,	Salus,
Cooper,	Herbst,	Kline	Sensenich,
Crow,	Hilton,	Kurtz,	Vare,
DeWitt,	Hoke,	Martin,	Wasbers,
Endsley,	Homsher,	McNichol,	Gerberich,
Farley,	Huffman,	Miller,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 833, entitled:

An Act to consolidate the five courts of common pleas of Philadelphia County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Fisher,	Jones,	Nulty,
Beidleman,	Graff,	Judson,	Powell,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Martin,	Thompson,
Cooper,	Hilton,	McNichol,	Vare,
Crow,	Hoke,	McNichols,	Wasbers,
DeWitt,	Homsher,	Miller,	Gerberich,
Endsley,	Huffman,	Mills,	Pres. pro tem.
Farley,	Hunter,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 855, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to tax payers in conection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Fisher,	Jones,	Nulty,
Beidleman,	Graff,	Judson,	Powell,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Martin,	Thompson,
Cooper,	Hilton,	McNichol,	Vare,
Crow,	Hoke,	McNichols,	Wasbers,
DeWitt,	Homsher,	Miller,	Gerberich,
Endsley,	Huffman,	Mills,	Pres. pro tem.
Farley,	Hunter,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 859, entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Jones,	Morgan,
Beidleman,	Fisher,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Martin,	Sensenich,
Cooper,	Hilton,	McNichol,	Vare,
Crow,	Hoke,	McNichols,	Wasbers,
DeWitt,	Homsher,	Miller,	Gerberich,
Endsley,	Hunter,	Mills,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO RECOMMIT BILL.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 860, on third reading, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

be recommitted to the Committee on Judiciary General.

Mr. WASBERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, a similar bill to this, introduced by Mr. Catlin, is in the Judiciary General Committee now under consideration, and I would ask that this bill be sent back to the same Committee to be considered in conjunction with that bill. There is a similar bill introduced by the same gentleman now in the Judiciary General Committee, and, as a matter of fact, I think it is identical. This bill was reported from the Committee on Judiciary Special, and if it is the same bill it should be considered together with the one now in the Judiciary General. I am simply asking that they be considered together. The bill provides that Commonwealth witnesses shall be paid at the end of every day. Without saying anything about the merits of it, I am asking, as two bills pending here on the same subject and exactly alike, that they be considered together.

Mr. SALUS. Mr. President, I understand this bill has been before the Judiciary Special and that the merits of the bill have been gone into thoroughly, and the Committee thought it advisable that this bill should be reported out and voted on. It seems to me that it would be unfair for one committee to try to regulate the workings of another committee. I know this other committee passed upon this bill and have brought it before this Senate for the purpose of having the Senators vote upon it, and I think this would be an interference by one committee in the business of another committee, and I think it would establish a bad precedent in the Senate and I ask that this motion not be carried because it would be an interference with the business of one committee by another.

Mr. HUFFMAN. Mr. President, if my suggestion is correct that this bill is identical with another bill introduced by the same gentleman I think it is entirely proper that the bill be considered in the same committee. It is not an intereference of one committee by another. If there are two committees considering the same bill then it is time that we join the work of the two committees in one. I am only asking that the bill be sent back for comparison and action upon this bill by the Judiciary General Committee. That is the proper committee in which to consider it anyhow.

Mr. SALUS. Mr. President, I understand from the Senator from Luzerne, Mr. Catlin, that the two bills are not iden-

tical, and that they are different bills. The one refers to fees for witnesses appearing before coroners and this bill is a different proposition altogether. The Senator from Luzerne, Mr. Catlin, also states that if the bills are in any way identical he will appear before the Judiciary General Committee and ask that further consideration of the bill now before that Committee be dispensed with.

Mr. BUCKMAN. Mr. President, the bill which is now before the Committee on Judiciary General is not the same bill as the one now before this body. This bill merely applies to the fees of witnesses who are held in murder cases where they are committed by the coroner and amends the present act in that regard only. Under the present law the witnesses who are committed by coroners may not be paid. The bill which is now before the Judiciary General Committee merely amends the present act to allow those witnesses to be paid the same as those held by justices of the peace or committing magistrates.

Mr. HUFFMAN. Mr. President, I do not want to be persistent, but this bill contains the same elements that are contained in the other bill. It is immaterial whether the other bill provides for the payment of coroner's witnesses. This bill provides for the payment of Commonwealth witnesses at the end of every day and that is precisely what the other bill provides. It is a very important bill. Now the Judiciary General Committee is considering the other bill which has the same elements in it, and this bill ought to be returned. It is not a good bill. There may be some way of arriving at a proper solution of this matter. The passing of a bill of this kind means that in every county in Pennsylvania it will be necessary to have additional clerk hire to make out vouchers daily to pay Commonwealth witnesses. I am only asking what I think it fair here, that this be sent back to the same Committee and that the bills be considered together.

And the question recurring,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, at the request of the Senator from Luzerne, Mr. Catlin, I withdraw the motion.

BILL OVER IN ORDER.

Mr. CATLIN. Mr. President, I ask that Senate Bill No. 860, on third reading, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER.

Mr. JONES. Mr. President, I ask that Senate Bill No. 862 (House Bill No. 218), on third reading, entitled:

An Act for the protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 872, entitled:

A supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. KLINE. Mr. President so that the members of the Senate may understand this bill, today under the law the maximum amount payable for acreage for forestry conservation is $5. Now there are lots of sections in the western part of the State that forestry conservation is necessary which was evidenced just lately by the great floods we had in the western part of the State. Now property in that section has advanced in many instances quite a great deal and this bill merely seeks that the State may increase the maximum amount to $10 instead of $5 per acre for forest conservation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Clark,	Herbst,	Martin,	Sheatz,
Cooper,	Hilton,	McNichol,	Vare,
Crow,	Hoke,	McNichols,	Wasbers,
DeWitt,	Homsher,	Miller,	Gerberich,
Endsley,	Huffman,	Mills,	Pres. pro tem.
Farley,	Hunter,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. WASBERS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 957, entitled:

An Act authorizing the regulation by the Railroad Commission of rates charged by telephone companies for certain message and providing a penalty for violation of this act.

Which was committed to the Committee on Corporations.

REPORTS FROM COMMITTEES.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Military Affairs, reported as committed, Senate Bill No. 882, entitled:

An Act permitting and regulating the use of the several Armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 425, entitled:

An Act providing for the appointment of a commission to investigate and report on the manner of conducting local poor houses, almshouses, county homes, etc., and making an appropriation therefor.

Mr. ENDSLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ENDSLEY, from the Committee on Agriculture, reported as amended, Senate Bill No. 686, (House Bill No. 841), entitled:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same, providing also for the enforcement of the act and fixing penalties for its violation.

Mr. HOMSHER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOMSHER, from the Committee on Education, reported as committed, Senate Bill No. 821, entitled:

An Act providing for the payment of the minimum teachers' salaries by the Commonwealth and making an appropriation therefor.

BILL INTRODUCED.

Mr. CATLIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 958, entitled:

An Act to relieve from the payment of mercantile license, corporations, joint-stock associations and limited partnerships, doing business as wholesale or retail distributors or vendors of merchandise, who pay to the Commonwealth a tax upon their capital stock.

Which was committed to the Committee on Judiciary Special.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 547.

The Chair cleared his table and laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 547, entitled:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL 356.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 356, entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith

HOUSE CONCURS IN SENATE BILL NO. 46.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 46, entitled:

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 370.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 370, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mt. Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred eleven

with the information that the House has passed the same without amendment.

HOUSE INSISTS ON AMENDMENTS TO SENATE BILL NO. 103.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 103, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the President and Secretary of each school board in this Commonwealth to enter into certain contracts and providing penalties for the neglect or refusal to perform such duty

with the information that the House of Representatives insists upon its amendments non-concurred in by the Senate to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. KLINE. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments to the foregoing bill made by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Snyder, Homsher and Kline be such committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE INSISTS UPON AMENDMENTS TO SENATE BILL NO. 157.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

with the information that the House of Representatives insists upon its amendments non-concurred in by the Senate to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. HEACOCK. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments to the foregoing bill made by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. McIlhenny, Judson and Heacock be such committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 39.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 39, entitled:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. HERBST. Mr. President, I move that the Senate insists upon its amendments to the foregoing bill non-concurred in by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

Ordered. That Messrs. Jones, Buckman and Gyger be such committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 67.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 67, entitled:

An Act to repeal of the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the Port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three"

with information that the House has passed the same without amendment.

SENATE BILL NO. 275 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 275, entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five en-

titled "An Act relative to the public grounds and buildings defining the powers of the commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and executive mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same"

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. KLINE. Mr. President, I move that Rule 21, which requires that amended bills be noted on the Calendar, be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Said amendments were twice read and printed as required by the Constitution, as follows:

In section 1, line 51, by striking out the word "second" and inserting in lieu thereof the word "third;" also in line 65, by striking out the word "first" and inserting in lieu thereof the word "second;" also in line 67 by striking out the word "first" and inserting in lieu thereof the word "second;" also in line 79 by striking out the word "first" and inserting in lieu thereof the word "second;" also in line 79 by striking out the word "April" and inserting in lieu thereof the word "May."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Fisher,	Jones,	Mills,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Powell,
Clark,	Heacock,	Kurtz,	Vare,
Cooper,	Herbst,	Martin,	Washers,
Crow,	Hoke,	McNichol,	Gerberich,
DeWitt,	Homsher,	McNichols,	Pres. pro tem.
Endsley,	Hunter,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENT MADE BY THE SENATE. TO HOUSE BILL NO. 236.

The Chair cleared his table and laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives insists on its non-concurrence in the amendments made by the Senate to House Bill No. 236, entitled:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

And has appointed Messrs. Humes, Ulman and Bergey as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the difference existing between the two Houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. KLINE. Mr. President, I move that the Senate insist on its amendments to the foregoing bill non-concurred in by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (already appointed) to consider the differences existing between the two houses in relation to said bill.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Kline, Buckman and Sones be said committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

RESOLUTION TO PRINT PRAYERS.

Mr. VARE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That the prayers of the Chaplain delivered at the opening session of the Senate each day be inserted in the Senate proceedings printed in the Legislative Journal.

BILL INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 959, entitled:

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violation of the same

Which was committed to the Committee on Public Roads and Highways.

TIME OF NEXT MEETING.

The Chair cleared his table and laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has concurred in resolution of the Senate as follows:

In the Senate, April 9, 1913.

Resolved, (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, April fourteenth, at nine o'clock.

RESOLUTION AUTHORIZING THE PRINTING OF AN ACT RELATIVE TO THE UNLAWFUL USE OF THE AMERICAN FLAGS, APPROVED MAY 23, 1907.

He also laid before the Senate for concurrence the following resolution of the House of Representatives which was twice read and referred to the Committee on Public Printing:

In the House of Representatives, April 9, 1913.

Whereas, Many persons in this Commonwealth are not aware of the provisions of the act May twenty-third, one thousand nine hundred and seven (Pamphlet Laws two hundred and twenty-five), prohibiting the unlawful use of the flags of the United States and of this State; therefore, be it

Resolved, (if the Senate concur), That fifty thousand (50,000) copies of the above mentioned act be printed, twelve thousand copies (12,000) for the use of the House, eight thousand (8,000) copies for the use of the Senate, and the remaining thirty thousand (30,000) copies for distribution by the Daughters of the American Revolution

HOUSE CONCURS IN SENATE BILL NO. 517.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building, and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

With the information that the House has passed the same without amendment.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 275, entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the

powers of the commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and executive mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same"

House Bill No. 258, entitled:

An Act to amend an act entitled "An Act to authorize the recorder of deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers" approved the eighth day of April one thousand eight hundred and sixty-eight by requiring the recorder of deeds to record free of charge the discharges of all honorably discharged soldiers sailors and marines resident in this Commonwealth who were enlisted and mustered into the army navy or marine corps of the United States

House Bill No. 510, entitled:

An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions

House Bill No. 810, entitled:

An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds

House Bill No. 68, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

House Bill No. 69, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act

House Bill No. 170, entitled:

"An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund"

House Bill No. 13, entitled:

A joint resolution ratifying the proposed amendment to Section three of Article one of the Constitution of the United States of America which provides that senators shall be elected by the people

House Bill No. 181, entitled:

An Act to amend the Second Section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled "An Act amending Section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty-seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof" by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trust or otherwise

House Bill No. 794, entitled:

An Act making it unlawful for any person firm or corporation to use the word consul or consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 435, entitled:

An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 875, entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Comonwealth' " as amended

The ACTING PRESIDENT PRO TEMPORE (Mr. Charles H. Kline) in the Chair.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 45, on second reading, entitled:

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 759 (House Bill No. 926), as follows:

An Act to classify the species or fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in such part or parts of lakes of more than five thousand acres lying between this and any other State or foreign country as this Commonwealth has jurisdiction over and in any water or on any peninsula or on any bay adjacent to or connected with such lake the following named species of fish are hereby made specifically within the provisions of this act to wit All species or varieties of black or yellow bass rock bass calico bass or strawberry bass crappie muscallonge and grass pike which for the purpose of this act are hereby classified and hereinafter designated as game fish and minnows and killifish which shall hereinafter be designated as minnows or bait fish and all other species of fish shall be called food fish.

Section 2. That it shall be unlawful to fish for or capture any game fish in any waters within the jurisdiction of this Commonwealth described in the first section of this act in any manner or with any device or appliance or by any means whatsoever except a rod and line having not more than three hooks or with a hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a trolling line with spoon hooks attached or for food fish with any device not specifically permitted in this act Any person violating any provision of this section shall on conviction thereof be subject to a penalty of twenty-five dollars or in default of payment undergo imprisonment in the county jail for a period of one day for each dollar of fine unpaid except when otherwise provided and any device appliance or boats used in

violation of the provisions of this section shall be forfeited to the Department of Fisheries.

Section 3. That it shall be unlawful to fish for any kind of fish in any bay or in any waters on any peninsula described in the first section of this act with nets or devices or means of any kind except a rod and line having not more than three hooks or with a hand-line having not more than three hooks attached or with a trolling-line with spoon hooks attached at any time of the year Provided That nothing in this section shall be so construed as to prohibit the use of minnow-nets for angling or scientific purposes or to prohibit the Department of Fisheries from catching fish at any time of the year with nets for the purpose of stocking the waters or for taking spawn or from removing by means of nets by contract or otherwise any fish which it may deem injurious to other game or food fishes Any person violating any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars or in default of payment be imprisoned in the county jail for a period of thirty days and all nets devices appliances or boats used in violating any of the provisions of this section shall be forfeited to the Department of Fisheries.

Section 4. That it shall be unlawful for any person to catch and kill in any waters within the jurisdiction of this Commonwealth described in the first section of this act or have in possession the same being killed more than twenty-five rock bass crappie strawberry or calico bass or more than twelve of any species of black bass grass pike or muscallonge and provided further That it shall be unlawful for any person to catch take or have in possession the same being killed any game fish from the first day of November to the twentieth day of May next ensuing both days inclusive Any person violating any of the provisions of this section shall on conviction be subject to a penalty of five dollars for each and every fish so unlawfully caught killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid.

Section 5. That it shall be unlawful for any person to put or place in any waters described in the first section of this act over which this Commonwealth has jurisdiction any electricity or any explosive or poisonous substances whatsoever or any drug or any poison bait for the purpose of catching taking killing or injuring fish or to allow any dead fish fish offal contents of tannery vats planing mill shavings dye-stuff coal or gas tar coal oil saw-dust tan bark cocculus indicus (otherwise known as fish berries) lime vitrol or any of the compounds thereof refuse from gashouses oil-tanks pipes or vessels or any deleterious destructive or poisonous substances of any kind or character to be turned into or allowed to run flow wash or be emptied into any of the waters aforesaid In case of the pollution of waters by any substances known to be injurious to fishes or fish food it shall not be necessary to prove that such substances have actually caused the death of any particular fish. Any person violating any of the provisions of this section shall on conviction as provided in Section seventeen of this act be subject to a fine of one hundred dollars.

Section 6 That it shall be unlawful to fish in any waters described in the first section of this act and over which this Commonwealth has jurisdiction with dynamite nitro glycerine torpedoes electricity quick-lime or any kind of explosives or poisonous substances or to place such substances in any waters except for engineering purposes when written permission has been given therefor by the proper National State city or county official or officials Any person violating any of the provisions of this section shall on conviction be subject to a fine of one hundred dollars or imprisonment of six months in the county jail

Section 7 That in all cases of arrest made for the violation of any of the sections of this act the possession of the fishes prohibited by such section or the possession of a net nets or other device at or near a place where the use of fish net nets or device is prohibited by such section shall be prima facie evidence of the violation of such section or sections

Section 8 Any person or persons catching or selling game or food fish or minor food fish from the waters of any part of any lake described in the first section of this act for the purpose of making compost or other fertilizing mixture or who makes use of fish for such purpose without the consent in writing of the Department of Fisheries shall on conviction be subject to a penalty of one hundred dollars or an imprisonment of three months in the county jail or both at the discretion of the magistrate or court before whom conviction was had

Section 9 That no net of any description shall be set fastened drawn or used within two miles of the entrance of any bay described in the first section of this act nor within one-fourth mile from shore nor shall any gill-net be set within three quarters of a mile of any other portion of the shore of the part of any lake over which this Commonwealth has jurisdiction described in the first section of this act nor shall any other net or nets other than gill-nets and nets fastened to and supported by poles driven in the ground be set fastened or drawn or used within seventeen miles from such entrance to any bay described in the first section of this act measured in a direct line nor within half a mile from the entrance of any stream Any person violating any of the provisions of this section shall on conviction be subject to a penalty of one hundred dollars or in default of payment be imprisoned in the county jail for a period of three months

Section 10 That it shall be unlawful for any person or persons company or corporation operating nets or devices of whatever description or character in the waters of any part of any lake described in this act to capture and kill any sturgeon under three feet in length or to have in possession the carcassess or flesh of any sturgeon of less than three feet in length Any sturgeon of less than three feet in length which may be captured must be returned forthwith to the waters with care and least possible injury Any person or persons violating or any member of a partnership or officer of a corporation that consents to or permits the violation of any of the provisions of this section shall on conviction be subject to a penalty of twenty-five dollars for each sturgeon illegally captured killed or had in possession or in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid

Section 11 That it shall be unlawful to fish in any part of the waters described in this act over which this Commonwealth has jurisdiction with any gill-net having a mesh of less than three inches stretched mesh fishing measure and more than thirty meshes deep and all gill-nets used in fishing for trout shall have meshes at least five and one-half (5½) inches in size stretched mesh fishing measure or with any pound-net with the net at the back side of the crib having a mesh of less than two and one-half (2½) inches stretched mesh fishing measure and the net of the balance of the crib having a mesh of not less than two and one-half (2½) inches streched mesh fishing measure Any person or persons fishing at any time of the year with gill-nets or pound-nets having meshes of less size than herein described shall on conviction be subject to a fine of one hundred ($100) dollars or in default of payment each person convicted shall be confined in the county jail for a period of three months and all boats nets and other appliances used together with any fish caught shall be forfeited to the Department of Fisheries Provided further That the provisions in regard to size of meshes in pound-nets shall not become effective until the year one thousand nine hundred fourteen

Section 12 That it shall be unlawful for any person persons company or corporation to operate for the purpose of catching fish any boat boats net nets or any device whatsoever except a rod and line having not more than three hooks or hand-line having not more than three hooks or a spear used for catching carp and suckers only or with a troling-line with spoon-hooks attached in any part of any lakes described in this act over which this Commonwealth has jurisdiction without having first paid into the hands of the Department of Fisheries the following amounts as license fees to wit For each row or sail-boat in fishing with gill-nets five dollars for each boat of any other kind under ten tons gross burden so used ten dolalrs for each boat of any kind of from ten to twenty tons gross burden so used fifteen dollars for each boat of any kind over twenty tons gross burden so used twenty dollars for each pound-net ten dollars for any other form of net or device not less than one dollar nor more than five dollars as the Department of Fisheries may determine and in addition to the license fees above set forth the operators of each boat so licensed shall permit a man designated by the Commissioner of Fisheries to accompany such boat at any time when it is engaged in fishing under and by virtue of such license for the purpose of securing for the Department of Fisheries from the fish so caught so much of their spawn as the Department may desire to secure and any person operating or employing others to operate or any member of a partnership or officer of a corporation that employes or consents to the employment of any person to operate any boat net or nets device or devices without having procured from the Department of Fisheries a license as provided in this section authorizing him them or it so to do shall on conviction be subject to a penalty of fifty dollars or in default of payment be imprisoned in the county jail or a period of one day for each dollar of fine unpaid and all fish and nets shall be forfeited to the Department of Fisheries

Section 13. That it shall be unlawful for any person or persons save the owner or owners thereof or their lawful representatives to remove or take fish from any device which has been duly licensed and operated according to the provisions of this act Any person or persons violating thereof of the provisions of this section shall on conviction thereof be subject to a fine of ten dollars for each fish so unlawfully taken provided the total amount of fine shall not exceed one hundred dollars for taking at any one time and in default of payment be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and any fish recovered shall be returned to the owner or owners of the net or device from which they were taken and all boats and appliances used in taking the fish unlawfully shall be forfeited to the Department of Fisheries.

Section 14 That whenever any person persons or company or corporation shall apply to the Department of Fisheries for a license to operate any boat boats net or nets or other device in any waters in which may be used legally under the provisions of this act the Department of Fisheries shall upon receiving the fees provided in the twelfth section of this act issue such license duly signed by the Commissioner of Fisheries which license shall hold good from the time it is issued until the close of the calendar year in which it is issued and shall be carried by the operator or operators of said boat boats net nets device or devices while they are being used Provided That no license shall be issued to a resident of any State or county whose laws prohibit the issuing of a license to a resident of the Commonwealth of Pennsylvania Said license must be shown on demand by any fish warden constable deputy sheriff Fish Commissioner or any authorized representative of the Department of Fisheries Any person having such license in his possession and refusing to show it on demand shall be subject to a penalty of five dollars or be imprisoned in the county jail for a period of one day for each dollar of fine unpaid and provided further That any person persons or corporations operating any boat net nets device or devices under a license issued by the Department of Fisheries who shall fail to comply in every way with the provisions of this act shall have his license revoked by said Department of Fisheries.

Section 15. That it shall be unlawful for all nets except gill-nets and pound-nets to be set fixed or fastened without having attached thereto a buoy of at least eighteen inches in diameter bearing a metallic tag on which the owners name and address which buoy must be plainly visible and above water at all times Any person violating any of the provisions of this section shall on conviction as provided in Section seventeen of this act be liable to a penalty of twenty-five dollars and the confiscation of the net or nets and further provided That any net so required to be buoyed which is found in the water without buoy as above provided and the owner cannot be located shall be confiscated to the Department of Fisheries.

Section 16. That all moneys collected as license fees and fines under the provisions of this act shall be paid as received into the State Treasury for the use of the Commonwealth accompanied by an itemized statement thereof a copy of which shall be filed in the office of the Auditor General and a duplicate thereof when receipted by the Auditor General and the State Treasurer shall constitute a settlement between the Commissioner of Fisheries and the Auditor General and the State Treasurer as to the aforesaid license fees and fines.

Section 17. That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith seize any net nets or device whatever that may be used in any violation of any provision of this act and turn the same over to the Department of Fisheries and they are hereby authorized and commanded to forthwith apprehend and arrest any person or person who may be guilty of violating any of the provisions of this act and take him or them before any justice of the peace magistrate or other legally constituted authority and thereupon make charges of such violation of the law or any of the provisions thereof and the magistrate shall forhwith hear and determine the charge as provided in this act And in case any Fish Commissioner fish warden or other officer named above fails to prove his case and the defendant or defendants are discharged the county shall pay the costs and in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of the fine or fines penalty or penalties the county in which the case is heard shall pay the costs in the first instance without however relieving any defendant or defendants sentenced to pay same Such arrests may be also made on Sunday in which case the person or persons shall be taken before the proper officer and proceeded against on a week day following the arrest All fines penalty or penalties paid to any justice of the peace alderman or magistrate shall be forthwith be paid over by him to the Commissioner of Fisheries All boats and nets or devices forfeited to the Department of Fisheries shall be sold and the money received therefor be paid into the general fund of the State Treasury All illegal devices not preserved for exhibiton purposes to be destroyed.

Section 18. That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint being made before him by the affidavit of one or more persons charging any person with having violated any of the provisions of this act is hereby required and authorized to issue his warrant under his hand and seal directed to a constable police officer or warden requiring such person or persons to be arrested and brought before such justice of the peace alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted such justice of the peace alderman or magistrate shall sentence the person or persons so convicted severally to pay the fine or fines penalty or penalties provided in this act for such violation or violations together with the costs of suit and such fines and penalties shall be appropriated as provided in Section sixteen of this act.

Section 19. That the following acts and parts of acts intended to be supplied by this act be and the same are hereby repealed.

"An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish minor food fish minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and to provide penalties and punishments for any violation of any of the provisions of this act and to repeal all acts inconsistent herewith" approved the twenty-second day of April Anno Domini one thousand nine hundred and five and also an act entitled

An Act to classify the species of fish in such parts of boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsular or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such licenses to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith approved April fourth one thousand nine hundred and seven

And in addition to the above all acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 760 (House Bill No. 949), entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 761 (House Bill No. 950), entitled:

An Act to authorize commisioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 828, as follows:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace" which reads as follows

"Section 2 Upon the petition of any twenty-five reputable citizens in any city of the first class in this Commonwealth it shall at any time hereafter be lawful for the court of quarter sessions the territorial jurisdiction of which includes such city to designate by order or decree as public scales such stationary scales as may be recommended provided or located by such petitioners with the consent of owner or lessee of same to whom the court shall issue a certificate as an official public weighmaster and a sign as such shall be conspicuously displayed on the premises The said appointment as such official weighmaster is to continue with all its privileges duties and obligations till revoked by the court on petition of such weighmaster or on other cause shown on petition to the court signed by ten reputable citizens living in said city Such weigh-stations may be located in different parts of such cities and in such convenient number and locality as shall be proper and necessary for the convenient weighting of coal Such weighmaster or his agent for whom he shall be responsible shall be in attendance at such scales and shall be entitled to charge a fee of thirty cents ($0.30) per load of coal weighed empty vehicles returning to such scales after delivery of coal so weighed shall be re-weighed without further charge An index of all scales so designated shall be kept for public inspection in the office of the clerk of the court of quarter sessions Providing no person engaged in the coal business or employed in the same shall be appointed an official weighmaster and that no official scales be located on the premises where coal is sold" is hereby amended to read as follows

"Section 2 Upon the petition of any twenty-five reputable citizens in any city of the first class in this Commonwealth it shall at any time hereafter be lawful for the court of

quarter sessions the territorial jurisdiction of which includes such city to designate by order or decree as public scales such stationary scales as may be recommended provided or located by such petitioners with the consent of owner or lessee of same to whom the court shall issue a certificate as an official public weighmaster and a sign as such shall be conspicuously displayed on the premises The said appointment as such official weighmaster is to continue with all its privileges duties and obligations till revoked by the court on petition of such weighmaster or on other cause shown on petition to the court signed by ten reputable citizens living in said city Such weigh-stations may be located in different parts of such cities and in such convenient number and locality as shall be proper and necessary for the convenient weighting of coal Such weighmaster or his agent for whom he shall be responsible shall be in attendance at such scales and shall be entitled to charge a fee of thirty cents ($0.30) per load of coal weighed empty vehicles returning to such scales after delivery of coal so weighed shall be re-weighed without further charge An index of all scales so designated shall be kept for public inspection in the office of the clerk of the court of quarter sessions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 887, (House Bill No. 157), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake Crawford county is located and distribute the money received from such sale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. POWELL. Mr. President, I move that Senate Bill No. 887 (House Bill No. 157), the bill just read, be recommitted to the Committee on Game and Fisheries.

Mr. HALL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 877, as follows:

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the salaries of the director or head of each department of cities of the second class of this Commonwealth shall be fixed by the council of said cities in a sum not exceeding eight thousand ($8,000) dollars per annum

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 878, as follows:

An Act providing for the establishment of a State department of standardization and supervision of accounts requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations from the State or any sub-division thereof to keep accounts and records and to make reports in the form prescribed by said department providing for the inspection by said department of the accounts of all such officers or offices defining offenses in relation thereto and providing punishment for violations of the provisions thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and there is hereby created and established a State department of standardization and supervision of accounts Said department shall be under the charge of one person who shall be known as the State examiner of accounts who shall be a skillful accountant well versed in public and municipal accounting The Governor within sixty days after the passage of this act shall appoint said State examiner by and with the consent of the Senate said examiner shall receive a salary of six thousand dollars per annum Said State examiner shall give his entire time to the performance of the duties of his office and shall hold office during good behavior He shall be subject to removal by the Governor for failure to perform the duties of his office or to carry out the provisions of this act but such removal shall only be made by the executive order entered in writing and transmitted to the Senate stating the reasons therefor

Said State examiner shall appoint a deputy State examiner for said department who shall receive a salary of three thousand five hundred dollars per annum one chief clerk for said department who shall receive a salary of two thousand five hundred dolllars per annum and such other employees as shall be necessarry to effectively carry out the provisions of this act Said deputy examiner shall have like qualifications as said examiner and shall hold office during good behavior subject however to be removed by said State examiner for any failure to perform the duties imposed upon him by said State examiner or by the provisions of this act provided however that such removal shall be made only upon his written order transmitted to the Governor giving his reasons therefor

Section 2 Said department shall formulate prescribe and install a uniform system or systems of accounting and reporting in conformity with the provisions of this act which shall exhibit true accounts and detailed statements of funds collected received and expended for or on account of the public for any and every purpose whatsoever and by all public officers employees or other persons and which shall show the receipt use and disposition of all public property and the income if any derived therefrom and shall show all sources of public income and the amounts due and received from each source and shall show all receipts vouchers and other documents kept or that may be required to be kept necessary to sepearate to itself and prove the validity of every transaction and they shall formulate all statements and reports made or required to be made for the internal administration of the office to which they pertain and all reports published or that may be required to be made or published for filing in the office of State examiner or for the information of the people regarding any and all details of the financial administration of public affairs and they shall from time to time make and enforce such changes in the systems and forms of accounting and reporting as shall by them be deemed wise or as may become necessary in order to conform to law

Section 3 Separate accounts shall be kept for every appropriation or fund made by or accruing to the State or any municipal sub-division thereof showing date and manner of each payment made out of the funds provided for such appropriation the name address and vocation of each person firm organization corporation or association to whom paid and for what paid such name vocation and address to be embodied in and verified in all claims by law required to be filed for payment Separate accounts shall be kept for each department undertaking institution and public service industry owned or maintained wholly or partly by the State or any municipal sub-division thereof Such accounts shall show the true and entire cost of the ownership and operation thereof the amount collected annually by general or special taxation for service rendered to the public and the amount and character of the service rendered therefor and the amount collected annually from private users if any for services rendered to them and the amount and character of the service rendered therefor the accounts shall be so kept as to show profit or loss by operation

Section 4 The State examiner shall require from the proper officer of every municipality and every public office or institution as defined in section fourteen hereof financial reports covering the full period of each fiscal year in accordance with the forms and methods prescribed by the State department of standardization and supervision of accounts which said reports shall be prepared certified and filed with the State examiner within sixty days after the close of each fiscal year which shall be December thirty-first of each year in all cases in which the fiscal year is not otherwise fixed by law Such reports shall contain an accurate statement in summarized form from all sources an account of all transfers of funds inter se all accounts due the public treasury but not yet collected and all disbursements and liabilities whether actual or contingent and also

(a) A statement of all income and revenues accrued and how derived and from what source and of all expenses or debts incurred whether paid or not and for what accounts and purposes the same are authorized The acounts of every public service industry owned by any municipality public office or institution to be kept on a commercial basis showing surplus or deficit

(b) A statement of all costs of ownership and operation showing any detailed units and unit of costs and classified in such manner as the said State examiner shall prescribe

(c) A statement of service records and any other statistics which may be required by said State examiner

Section 5 The substance of the reports required by the provisions of this act shall be arranged by the State examiner in such form as shall indicate the comparative receipts of the various sources of revenue and the comparative costs of the several branches of government and shall be published in an annual statement of comparative statistics which shall be printed and issued at the expense of the State as a public document

Section 6 The said department shall formulate prescribe and approve the forms for reports herein required to be made and the State examiner shall annually furnish to the officers required to make reports by the provisions of this act at least ninety days before the time such reports are required to be filed with him such printed blanks and forms on which shall be indicated the information required together with suitable printed instructions for filing out the same in formulating prescribing and installing a uniform system of accounting and reporting the State ex-

aminer may employ necessary clerical assistances and one or more expert assistants at a reasonable compensation to be fixed by said State examiner concurred in by the Governor and such compensation shall be paid out of the appropriation made for said department upon vouchers certified as to correctness by the State examiner and complying in all respects with the law relating to disbursements by State officers

Section 9 It shall be the duty of the State examiner and he is given full power to examine personally or through his representatives all books records and accounts of every public office and officers and of every public institution including all State offices and State institutions and shall make such examination at least once each year On such examinations inquiry may be made as to the financial condition and resources of each municipality or institution whether the laws of the State and the requirements of the said departments of the said department have been complied with and into the methods and accuracy of the accounts and reports of the oce examined Such examinations may be made without notice The State examiner deputy examiners when engaged in making any examination as provided in this act or when engaged in any official duty devolved upon them as such shall have the right to enter into any state county city or township or other public office or offices in this State or any public institution and examine any books records or accounts contained therein or belonging thereto for the purpose of making such examination

Section 10 Any public officer who shall fail or neglect to make certify and file with the State examiner any such report as is required by this act or who shall fail or neglect to follow the direction of the State examiner in keeping the accounts of his office or who shall refuse the State examiner or his representatives access to the books records and accounts or who shall in any way interfere with such examiners in the discharge of their official duties shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one thousand dollars

Section 11 It shall be the duty of all public officers and all boards commissions and institutions maintained wholly or partly by the State or any of its sub-divisions who collect fees or charges for their services or as otherwise provided by law or in the course of their official duty to keep in their respective offices a complete record of all such fees collected from any and every source whatsoever and such officers and persons shall keep a separate record of all such fees as are payable into the public treasury and a separate record showing all fees and salaries received by any officer or person and it shall be the duty of all such officers who employ deputies assistants clerks stenographers or other employes who receive a salary fees from any source whatsoever or other compensation paid with public funds to enter in such fees and salary record the names of all such officers and persons including himself as receive any such compensation and the amount thereof from time to time as the same accrues and to show upon each record the praticulars of each item and from whom and on what account the same accrues and when the same was paid to the officer or other person and by whom paid The forms and records necessary to comply with the provisions of this section shall be devised and formulated by the said department as provided in this act and this section shall be construed to apply to all State officers State institutions State commissioners or commissions and to all county city borough township and school officers in this State

Section 12 It shall be the duty of any officer or person effected by the provisions of this act who collect or receive fines or forfeitures belonging to the State or municipality public office or institution within the State to keep a separate and complete record in like manner as that provided in section eleven hereof and any public officer who shall violate any of the provisions of sections eleven and twelve of this act shall be guilty of misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one thousand dollars

Section 13 The officers provided for by this act shall each give bond for the faithful performance of his duties as follows State Examiner in the sum of ten thousand dollars and each deputy examiner in the sum of five thousand dollars to be approved by the Governor

Section 14 The term "municipality" as used in this act shall be construed to extend to include and mean any county city borough township or school district in this State The term "public office" as used in this act shall be construed to extend to include and mean the office of any and every person who for or on behalf of the State or any municipality holds receives disburses or keeps the accounts of the receipts and disbursements of any public funds The term "public officer" as used in this act shall be construed to extend to include and mean any person who holds receives disburses or is required by law to keep any account the examination and supervision of which is provided for in this act The term "public institution" as used in this act shall be construed to extend to include and mean any institution or public service industry maintained in whole or in part at public expense or supported in whole or in part by appropriations or public funds or by taxation The term "public service industries" as used in this act shall be construed to extend to include and mean any and all public service industries owned either directly by the municipality or to the support of which the municipality contributes from public funds or the capital stock of which the municipality may be the owner of any part or the bonds of which may be owned or guaranteed by the municipality

Section 15 If any person shall give or offer to any State examiner deputy examiner clerk or other employee of said department any money gift emolument compensation or thing of value in order to influence the action of such examiner or other person in any matter pending in said department or in the matter of the examination of any public account or for the purpose of preventing or delaying the examination of any public account or for the purpose of influencing the action of such examiner or other person in framing changing withholding or delaying any report of any examination of any public account he shall upon conviction thereof be subject to a fine not exceeding one thousand dollars and to imprisonment for a period not exceeding one year or both or either and any State examiner deputy examiner clerk or other employee of said department who shall receive or solicit any money gift emolument compensation or thing of value for the purpose of being influenced in any matter pending in said department or in the matter of the examination of any public account or for the purpose of being influenced to change delay or withhold any report of the examination of any public account shall upon conviction thereof be subject to a fine not exceeding five thousand dollars and to imprisonment for a period not exceeding five years or both or either For the purpose of this section the term "public account" shall be construed to extend to include and mean any account the examination of which is provided for in this act

Section 17 The uniform system of accounting and reporting and inspection provided therefor shall be installed as far as possible in all the offices referred to in this act at the beginning of the next fiscal year subsequent to the taking effect of this act

Section 18 It is hereby made the duty of the various officers of the State and its institutions and municipalities to adopt and use the books forms records and systems of accounting and reporting that shall be prescribed by the said department when directed so to do by said department and all forms books and records necessary thereto shall be purchased by said officers and in the manner now provided by law Any officer or person who shall refuse to provide such books forms or records or who shall fail or refuse to use them or who shall fail or refuse to keep the accounts of his office as directed by said department as provided herein shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars ($100.00) and shall forfeit and be removed from such office

Section 19 All laws and parts of laws inconsistent with this act be and the same are hereby repealed provided that the provisions of this act shall not be construed to relieve any officer of any duties now required by law of him with relation to the auditing of public accounts or the disbursements of public funds but the provisions of the act shall be construed to be supplemental to all existing provisions of law safeguarding the care and disbursement of public funds

Section 20 Said department shall have a seal which shall be devised by said State examiner and shall be approved by the Governor Such seal shall be renewed from time to time as necessary A description of the seal with an impression thereof and a certificate of approval of the Governor shall be filed in the office of the Secretary of the Commonwealth All official documents or reports issued by the State examiner shall be authenticated by said seal

Section 21 It shall be the duty of the proper State officers to furnish adequate and suitable quarters for said department in the State capital For the payment of salaries of all officers and employees herein provided and such other expenses as may be necessary for effectively carrying out the provisions of this act the sum of fifty thousand dollars or so much thereof as may be necessary is hereby appropriated for said department from moneys of the State not otherwise appropriated

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940, (House Bill No. 174), entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 941, (House Bill No. 1639), entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a Commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine member thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to the next session of General Assembly and making an appropriation for the payment of expenses of said commission"

and June fourteenth Anno Domini one thousand nine hundred and eleven entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said Commission and defining the duty thereof" respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 364, entitled:

An Act to fix regulate and establish the fees to be charged by constables in this Commonwealth

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 478, (House Bill No. 587), entitled:

An Act to amend Section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 528, (House Bill No. 127), entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred and five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such elections and the indebtedness represented by such bonds

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 539, (House Bill No. 505), entitled:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, entitled:

An Act to establish as a "State Highway" certain section of public road beginning in the southern boundary of the borough of Nazareth thence by way of Newburg and Hecktown to a point on the northern boundary of the borough of Bethlehem connecting with Route Number One Hundred and Fifty-nine

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 682, (House Bill No. 650), entitled:

An Act fixing a closed season for quail and providing a penalty for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. WASBERS. Mr. President, I move that Senate Bill No. 682, (House Bill No. 650), the bill just read, be recommitted to the Committee on Game and Fisheries.

Mr. HALL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 807, (House Bill No. 751), entitled:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over for the compensation and payment thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 810, (House Bill No. 917), entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of the act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 839, (House Bill No. 420), entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 849, (House Bill No. 1071), entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 850, (House Bill No. 1094), entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 851, (House Bill No. 1097), entitled:

An Act to amend section two of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 888, (House Bill No. 442), entitled:

An Act amending section one thousand four hundred and twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free eduction in the public schools of children who are inmates of institutions for the care or training of orphans or other children

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 891, (House Bill No. 857), entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the Court of Common Pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

MOTION TO RECOMMIT BILL.

Mr. DeWITT. Mr. President, I move that Senate Bill No. 891, (House Bill No. 857), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. HERBST. Mr. President, I second the motion.

On the qquestion,

Will the Senate agree to the motion?

Mr. POWELL. Mr. President, I would ask that the Senator withdraw the motion and ask that the bill go over in its order. Mr. Ely, in the House, spoke to me about this bill and I have forgotten just what it was. It is the same bill that applies to two or three counties and to two or three counties only.

Mr. HALL. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, allow himself to be interrogated?

Mr. POWELL. Mr. President, certainly.

Mr. HALL. Mr. President, what objection has the Senator to the bill going back to committee?

Mr. POWELL. Mr. President, Mr. Ely spoke to me about it.

Mr. HALL. Mr. President, the Senator from Allegheny, Mr. Powell, is on that committee.

Mr. POWELL. Mr. President, No, I am not. I ask the Senator to withdraw his motion and let the bill go over in its order.

Mr. HERBST. Mr. President, I object to that insinuation that that committee is the official embalming ground. I am a member of it for once in thirteen years. We are not trying to embalm it and do not like the insinuation of the Senator from Allegheny.

Mr. POWELL. Mr. President, it is not my insinuation. I said that is the general impresion over in the House.

Mr. KLINE. Mr. President, the bill has already been read and therefore it cannot go over in its order. I am of the opinion as the Senator from Allegheny. I am interested in it myself. It is a Westmoreland County bill.

Mr. POWELL. Mr. President, I would ask that the Senator withdraw his motion.

Mr. DeWITT. Mr. President, I will withdraw the motion.

RECESS.

Mr. CROW. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 1350, (Senate Bill No. 960), entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

Which was committed to the Committee on Judiciary Special.

House Bill No. 1490, (Senate Bill No. 961), entitled:

An Act regulating the appointment confirmation duties salary and expenses of County Detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

Which was committed to the Committee on Judiciary Special.

House Bill No. 1120, (Senate Bill No. 962), entitled:

An Act to amend section one of Article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Which was committed to the Committee on Municipal Affairs.

House Bill No. 740, (Senate Bill No. 963), entitled:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1471, (Senate Bill No. 964), entitled:

An Act providing that no self playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern in saloon restaurant moving picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self playing orchestrion or other mechanically operated musical instrumentand providing a penalty for the violation of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1072, (Senate Bill No. 965), entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1184, (Senate Bill No. 966), entitled:

An Act to amend an act approved the sixteenth day of May one thousand eight hundred and ninety-one entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" as amended

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1356 (Senate Bill No. 967), entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holdings of said poor district for alsmhouse

Which was committed to the Committee on Judiciary Special.

House Bill No. 106 (Senate Bill No. 968), enttiled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

Which was committed to the Committee on Appropriations.

House Bill No. 520 (Senate Bill No. 969. entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1022 (Senate Bill No. 970), entitled:

Supplement to an act entitled "An Act in relation to the laying out opening widening strainghtening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1074 (Senate Bill No. 971), entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1404 (Senate Bill No. 972), entitled:

An Act authorizing police magistrates in cities of the second class to suspend sentence on persons adjudged guilty of violation of law or city ordinances on certain terms and conditions and providing for the appointment of probation officers

Which was committed to the Committee on Judiciary Special.

House Bill No. 1077 (Senate Bill No. 973), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a Forestry Department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Forestry Board

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1154 (Senate Bill No. 974), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one creating a Bureau of Public Utilities in the Department of Public Safety defining the powers and duties thereof and of the offices thereunder prescribing rules regulations and laws respecting public utilities and authorizing and imposing fines penalties and punishment for violation thereof

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1246 (Senate Bill No. 975), entitled:

An Act providing for and regarding the releasing on parole of certain prisoners who have been sentenced for life

Which was committed to the Committee on Judiciary General.

House Bill No. 1321 (Senate Bill No. 976), entitled:

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate damages and the verdict shall stand good in all other respects

Which was committed to the Committee on Judiciary Special.

House Bill No. 557 (Senate Bill No. 977), entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Which was committed to the Committee on Judiciary Special.

House Bill No. 558 (Senate Bill No. 978), entitled:

An Act to provide for the assessment and taxation of Auxiliary Forest Reserves and the collection distribution and use of the taxes collected therefrom

Which was committed to the Committee on Judiciary Special.

House Bill No. 559 (Senate Bill No. 979), entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

Which was committed to the Committee on Judiciary Special.

House Bill No. 888 (Senate Bill No. 980), entitled:

An Act designating the blue violet as the floral emblem or State flower for this Commonwealth and fixing a day for the observance of the same

Which was committed to the Committee on Education.

House Bill No. 23 (Senate Bill No. 981), entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

Which was committed to the Committee on Judiciary Special.

House Bill No. 60 (Senate Bill No. 982), entitled:

An Act to provide for the pensioning of soldiers sailors and marines who served in the army and navy of the United States from Pennsylvania in the civil war of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof

Which was committed to the Committee on Pensions and Gratuities.

House Bill No. 256 (Senate Bill No. 983), entitled:

An Act providing for the publication and distribution of a revised edition of the railroad map of Pennsylvania heretofore issued by the Department of Internal Affairs making a appropriation for the work of revising compiling and proof-reading and an appropriation for printing binding and mounting the same and for paper

Which was committed to the Committee on Appropriations.

RECESS.

Mr. POWELL. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

CAMBRIA COUNTY.

Frank C. McClure, Patton.

GREENE COUNTY.

George R. Kramer, Greensboro.

PHILADELPHIA COUNTY.

William E. Stokes, Philadelphia.
Hermann Walzer, Philadelphia.

JOHN K. TENER.

By unanimous consent,

A motion was made by Mr. McNICHOLS.

That Rule 38 which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve into executive session, for the purpose of acting on the foregoing nominations.

Which was agreed to,

Whereupon,

A motion was amde by Mr. McNICHOLS.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	McNichol,	Sones,
Clark,	Hilton,	McNichols,	Vare,
Crow,	Hoke,	Miller,	Wasbers,
DeWitt,	Homsher,	Mills,	Gerberich,
Endsley,	Hunter,	Moore,	Pres. pro tem.
Farley,	Jones,	Morgan,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 363, entitled:

An Act to authorize all cities and boroughs in the Commonwealth of Pennsylvania to construct and maintain comfort and waiting stations and drinking fountains in the public highways of such municipalities and providing the manner of ascertaining and collecting the damages caused by the construction of such improvements

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 634, entitled:

An Act to provide for the purchase or condemnation of inclined planes and property appurtenant thereto and for the extension thereof by cities or counties separately or together and providing for the control and management of such inclined planes

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Elections, reported as committed, Senate Bill No. 956, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National Conventions and of making nominations for certain public offices providing for the payment of the expenses of the same and making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

ADJOURNMENT.

Mr. POWELL. Mr. President, I move the Senate do now adjourn.

Mr. VARE. Mr. President. I second the motion.

The motion was agreed to.

The Senate adjourned at 1.55 o'clock P. M. until 9 o'clock Monday evening, April 14, 1913.

HOUSE OF REPRESENTATIVES

WEDNESDAY, April 9th, 1913.

The House met at 10:00 A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Thou art worthy to receive honor and glory, dominion and power. We bring to Thee our ascription of adoration and praise. Thou hast signally honored us by choosing us to be workers not merely for Thee but with Thee, for the people whom we represent are the objects of Thy tender solicitude and loving care ,and in working for them we are working for Thee. Let us have a conscience in the work which we do. Let no selfishness lead us astray. Let no indifference or carelessness betray us into belittling or depreciating the work which we do. May we have Thy presence and blessing and help this day. We ask it in His name who taught us to say:

Our Father, who are in Heaven, hallowed be Thy name; Thy Kingdom come, Thy will be done on Earth as it is done in Heaven, give us this day our daily bread, and forgive us our debts as we forgive our debtors; lead us not into temptation, but deliver us from evil; for Thine is the kingdom and the power and the glory, forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Kitts, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. MALIE, from the Committee on Law and Order, reported as committed, House Bill No. 1473, entitled:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purposes of obtaining intoxicating liquors

Mr. KEEPORT, from the Committee on Insurance, reported as amended, House Bill No. 698, entitled:

An Act defining fraternal benefit societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sicknes disability or death of their members from funds collected and regulating such benefits providing for the organization of such societies and for their licensing supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality and establishing a standard of salvency requiring annual reports and the appointment of the Insurance Commissioner as attorney for services of process Providing penalties for any violations thereof exempting certain societies requiring beneficial associations other than a fraternal benefit societies to report to the Insurance Commissioner and repealing existing laws

Mr. WHITMAN, from the Committee on Law and Order, reported as committed, House Bill No. 1517, entitled:

A Supplement to an act approved the thirteenth day of May one thousand eight hundred eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or and admixture thereof

Mr. AMBLER, from the Committee on Appropriations, reported as amended, House Bill No. 935, entitled:

An Act providing for the purchase by the Commonwealth of certain lands owned by the A. Cook Sons Company at and near Cooksburg in the Counties of Forest Clarion and Jefferson Pennsylvania for a public park and forest reserve providing an appropriation for said purchase and providing for the appointment of a commission to take charge of said property and defining the powers and authority of said commission and the uses to which the property shall be put

Mr. GEARY, from the Committee on Appropriations, reported as committed, House Bill No. 1883 (Senate Bill No. 661), entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

Mr. PETERS, from the Committee on Ways and Means, reported as committed, House Bill No. 1341 (Senate Bill No. 328), entitled:

A further supplement to an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

Mr. WALNUT, from the Committee on Judiciary General, reported as amended, House Bill No. 1730, entitled:

An Act to amend an act approved the thirty-first day of March one thousand eight hundred sixty estitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

Mr. WALTON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1719, entitled:

An Act amending Article eleven of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the provisions relating to the Sinking Fund Commission

Mr. WALTON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1293, entitled:

An Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth providing for the election of such commissioner and prescribing his powers and duties

PETITIONS.

In the House of Representatives, April 9, 1913.

Mr. H. C. JACKSON presented the petition of citizens of Wayne County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. W. ELMER SAVACOOL presented the petition of citizens of Bucks County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. ALTER presented the petition of Woodside Grange, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. W. W. LENKER presented the petition of citizens of Dauphin County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. JOHN L. LOWERS presented the petition of citizens of Braddock, praying for the passage of House Bill No. 1614.

Which was referred to the Committtee on Labor and Industry.

Mr. W. H. SEMMENS presented the petition of citizens of Allegheny County, praying for the passage of House Bill No. 1614.

Which was referred to the Committtee on Labor and Industry.

Mr. F. H. ROCKWELL presented the petition of citizens of Tioga County, praying for the passage of the Bill regulating the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented the petition of citizens of Schuylkill County, praying for the passage of the bill favoring reading of Holy Bible in Public Schools.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented the petition of Washington Camp No. 134, Port Carbon, praying for the passage of the bill to erect a memorial to the Public Schools and the Founders thereof.

Which was referred to the Committee on Education.

Mr. JAMES A. DUNN presented the petition of Washington Camp No. 197, Lavondale, praying for the passage of the bill for the erection of a monument to founders of Public School System in Penna.

Which was referred to the Committee on Education.

Mr. W. W. LENKER presented the petition of Camp No. 522, P. O. S. of A., Enhaut, Pa., praying for the passage of the bill to erect a memorial to the Public Schools and the Founders thereof.

Which was referred to the Committee on Education.

Mr. W. W. LENKER presented the petition of Washington Camp No. 238, P. O. S. of A., of Lykens, praying for the passage of the bill presented to erect a memorial to the Public Schools and the Founders thereof.

Which was referred to the Committee on Education.

Mr. GEISER presented the petition of citizens of Easton, praying for the passage of the bill for the erection of a monument for the founders of Public School System.

Which was referred to the Committee on Education.

Mr. W. B. GOOD presented the petition of Washington Camp No. 334, P. O. S. of A., of Wapwallopen, praying for the passage of the bill to erect a monument to the Public Schools of Penna. and the founders thereof.

Which was referred to the Committee on Education.

Mr. H. KERN presetned the petition of citizens of Montgomery, Pa., praying for the passage of the bill to erect a monument to the Public Schools and founders of the same.

Which was referred to the Committee on Education.

Mr. ALTER presented the petition of Washington Camp No. 474, praying for the passage of the bill for erection of monument to founders of Public School System.

Mr. ALTER presented the petition of citizens of Montgomery County, praying for the erection of a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. WM. H. KERN presented the petition of citizens of Montgomery County, praying for the erection of a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. W. W. LENKER presented the petition of Camp No. 522, P. O. S. of A., of Enhaut, praying for the erection of a monument to perpetuate the heroism and bravery of Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. W. BRUCE GOOD presented the petition from Washington Camp No. 334, P. O. S. of A., of Wapwallopen, praying for the erection of a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JAMES A. DUNN presented the petition of Washington Camp No. 197, praying for the erection of a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JAMES A. DUNN presented the petition of citizens of Philadelphia, praying for the erection of a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

MOTION.

Mr. C. A. SHAFFER. Mr. Speaker, I move that Senate Bill No. 146, which was reported from Committee with a negative recommendation, be placed upon the Calendar notwithstanding the negative report of the Committee.

POINT OF ORDER.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. S. B. SCOTT. Mr. Speaker, in a report of this kind the title should be read.

The SPEAKER. The title of the bill will be read for the information of the House. The Clerk will read the title.

The title was read by the Clerk as follows:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes"

Mr. S. B. SCOTT. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question.

Mr. S. B. SCOTT. Mr. Speaker, I would like to ask what Committee this was negatived by.

Mr. C. A. SHAFFER. Mr. Speaker, by the Committee on Public Health and Sanitation.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the Chairman of the Committee on Public Health and Sanitation.

Mr. C. A. SHAFFER. Mr. Speaker, the Chairman is Mr. Richards of Allegheny and he is not present.

Mr. S. B. SCOTT. Mr. Speaker, in the absence of the Chairman of the Committee on Public Health and Sanitation, I move that the resolution be postponed for the present.

Mr. C. A. SHAFFER. Mr. Speaker, I consulted with Mr. Richards on this question and I think an explanation at this time is necessary. This bill is for the purpose of the burial of indigent persons and it has come over from the Senate with a unanimous vote and given to the Committee of Public Health and Sanitation. I did not know that this bill was in that Committee, else I should have appeared before it previous to the time when it was reported with a negative recommendation. I think the negative recommendation was made because of a lack of an understanding of the bill. We passed a similar bill to this for the burial of indigent persons for twenty dollars. We find that this bill has been taken undue advantage of by the different counties of the State in the burial of indigent persons and this bill provides an amendment rather to the bill of an increase for the burial of indigent persons; that is the gist of the bill. It should come before this House and it should be placed on the Calendar for the reason that it is necessary to give that much for the burial of indigent persons in the respective counties of this State with a funeral and service and for the furnishing of the outfit for which this amount of money is necessary.

Mr. S. B. SCOTT. Mr. Speaker, I think this circumstance calls, not for a motion to place the bill on the Calendar but for a recommittal, and I move that the bill be recommitted to the Committee on Public Health and Sanitation.

Mr. C. A. SHAFFER. Mr. Speaker, In order to place this bill in proper position I ask unanimous consent to have this bill placed on the Calendar.

The SPEAKER. Is there any objection?

Mr. O'NEIL. Mr. Speaker, I object to that. That bill was well discussed in Committee.

BILL RECOMMITTED.

Mr. S. B. SCOTT. Mr. Speaker, I renew my motion to recommit this bill to the Committee on Public Health and Sanitation.

The motion was agreed to.

RESOLUTION RELATIVE TO NATIONAL AND STATE FLAGS.

Mr. GRAMLEY. Mr. Speaker, I desire to call up resolution No. 37, file folio 4419, entitled:

Copies of act relative to the use of the flags of the United States and Pennsylvania

for the purpose of offering an amendment.

The SPEAKER. The Clerk will read the resolution.

The resolution was read by the Clerk as follows:

Whereas, Many persons in this Commonwealth are not aware of the provisions of the act May twenty-third one thousand nine hundred and seven, (Pamphlet Laws two hundred and twenty-five), prohibiting the unlawful use of the flags of the United States and of this State; therefore, be it

Resolved, (if the Senate concur), that fifty thousand (50,000) copies of the above mentioned act be printed twelve hundred thousand copies (12,000) for the use of the House, eight thousand (8,000) copies for the use of the Senate and the remaining thirty thousand (30,000) copies for distribution by the Daughters of the American Revolution.

Mr. GRAMLEY. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend second line of resolution, by striking out the word "hundred."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, That the resolution as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1184, entitled:

An Act to amend an act approved the sixteenth day of May one thousand eight hundred and ninety-one entitled "An Act in relation to the laying out opening widening straightening extending or cacating streets and alleys and the construction of bridges in the several muncipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expense thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" as amended

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Adams,	Dunn, J. A.,	Latshaw,	Runk,
Allen,	Eichenberger,	Lanius,	Sassaman,
Alworth,	Ely,	Leslie,	Savacool,
Ambler,	Ewing,	Light,	Schuck,
Arthur,	Flynn,	Lohr,	Semmens,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Shaffer, C. A.,
Baldwin, R. J.,	Gans,	Mather,	Shaffer, I. E.,
Bass,	Geary,	Matt,	Smith, J. W.,
Becker,	Geiser,	McAleer,	Smith, L.,
Benninger,	Gibson,	McAllister,	Snyder,
Benson,	Good,	McClintock,	Spangler,
Bergey,	Goss,	Missimer,	Speiser,
Bigger,	Grabe,	Mitchell,	Spillinger,
Bittles,	Gramley,	Moore,	Steedle,
Blair, W. A.,	Gransback,	Morrow,	Steele,
Blair, W. F.,	Gray, Frank,	Moses,	Stone,
Brosius,	Haggerty,	Moulthrop,	Strauss,
Brown,	Hemminger,	Musser,	Swartz,
Brownlee,	Herman,	Neel,	Swift,
Burnett,	Hibshman,	Newbaker,	Thomas,
Caldwell,	Hobbs,	Newton,	Trach,
Campbell, C.M.,	Howard, J.,	North,	Ulman,
Campbell, J. J.,	Howard, R.,	O'Neill,	Walton,
Carson,	Humes,	Peachey,	Watson,
Carter,	Isler,	Pennock,	Wettach,
Cheeseman,	Irwin, G. C.,	Piper,	Whitaker,
Claycomb,	Irwin, H. H.,	Post,	Whitman,
Collins,	Jackson,	Ramsey,	Wildman,
Conner,	Jones, J. R.,		
Cox,			
Currier,	Keeport,	Reese,	Williams,
Curry,	Kennedy,	Reeser,	Wilson, J. H.,
Davis,	Kern,	Rex,	Wiltbank,
DeFrees,	Kitts,	Rhoads,	Young, G. K.,
Donnally,	Klepper,	Richards,	Zimmerman,
Down,	Kuhn, H. P.,	Rockwell,	Alter,
Dunn, H. B.,	Kuhns, E.G.M.,	Rothenberger,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1072, entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Ely,	Lowers,	Rhoads,
Allen,	Ewing,	Martin,	Rothenberger,
Alworth,	Fahey,	Mather,	Sassaman,
Ambler,	Flynn,	Matt,	Savacool,
Arthur,	Foster, J. D.,	McAleer,	Schuck,
Baldwin, R. J.,	Frey,	McAllister,	Scott, S. B.,
Bass,	Gans,	McClintock,	Shaffer, C. A.,
Becker,	Geary,	McDermott,	Shaffer, I. E.,
Benson,	Geiser,	McKay,	Smith, J. W.,
Bergey,	Gibson,	McNichol,	Smith, L.,
Bigger,	Good,	Moehlott,	Snyder,
Bittles,	Gramley,	Metzenbacher,	Spangler,
Blair, W. F.,	Gransback,	Miller,	Spillinger,
Body,	Haggerty,	Missimer,	Steedle,
Brosius,	Hemminger,	Mitchell,	Steele,
Brown,	Hibshman,	Moore,	Stein,
Brownlee,	Hobbs,	Morrow,	Stone,
Burnett,	Howard, J.,	Moses,	Strauss,
Caldwell,	Howard, R.,	Moulthrop,	Swartz,
Campbell, C.M.,	Humes,	Musser,	Swift,
Campbell, J.J.	Isler,	Neel,	Thomas,
Carson,	Irwin, G. C.,	Newbaker,	Trach,
Carter,	Irwin, H. H.,	Newton,	Ulman,
Cheeseman,	Jackson,	North,	Walton,
Claycomb,	Jones, E. E.,	O'Neill,	Watson,
Cleary,	Jones, J. R.,	Peachey,	Wettach,
Collins,	Kaiser,	Pennegar,	Whitaker,
Conner,	Keeport,	Pennock,	Whitman,
Cox,	Kennedy,	Peters,	Wildman,
Currier,	Kitts,	Piper,	Williams,
Curry,	Kuhn, H. P.,	Post,	Wilson, J. H.,
Davis,	Kuhns, E.G.M.,	Price,	Wilson, W. H.,
DeFrees,	Lanius,	Ramsey,	Wiltbank,
Donnally,	Lenker,	Reese,	Young, G. K.,
Dunn, H. B.,	Leslie,	Reeser,	Zimmerman,
Dunn, J. A.,	Letzkus,		Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 740, as follows:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all locomotives except those used exclusively in switching and transfer service operated on any railroad in this Commonwealth by any common carrier shall be equipped between sunset and sunrise with headlights in good and efficient working order of sufficient candle power measured with the aid of a reflector so as to distinguish under normal conditions at a distance of eight hundred feet an object the size of a man and shall be equipped with cab lights of at least eight candle power All locomotives used exclusively in switching and transfer service shall be equipped with headlights as hereinbefore provided of a sufficient candle power measured with the aid of a reflector so as to distinguish under normal condi-

tions at a distance of three hundred fifty feet an object the size of a man and shall be equipped with cab lights of at least eight candle power

Section 2 At least twenty-five per centum of all locomotives operated within this Commonwealth by any common carrier shall be equipped with headlights and cab lights as provided in section one of this act by the first day of January one thousand nine hundred and fourteen fifty per centum by the first day of January one thousand nine hundred and fifteen seventy-five per centum by the first day of January one thousand nine hundred and sixteen and all such locomotives so operated shall be equipped as hereinbefore provided by the first day of January one thousand nine hundred and seventeen

Section 3 Any person firm or corporation or any member of such firm or officer or director of such corporation that shall wilfully violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) Provided however That this section shall not apply to any case where such headlights or cab lights have failed during any trip and are shown to have been in good and efficient working order when such trip was begun

Section 4 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, I would like to know something in relation to this bill and its purposes before I vote upon it. It seems to me that a peculiar condition is required by the provisions of this bill, and I should like to know what the purpose of it is, if it be for safeguarding or what.

Mr. H. H. IRWIN. Mr. Speaker, there are about twenty different states that have a headlight law; some of them call for a power as high as 2,500 candle power. This bill calls for a headlight with a sufficient candle power to see the size of a man eight hundred feet away.

Mr. ALLEN. Mr. Speaker, what are cab lights and what are the purposes of them?

Mr. H. H. IRWIN. Mr. Speaker, a cab light is used on the locomotive in order that the engineer may see the steam gauge, the air gauge and steam heat gauge.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Adams,	Ely,	Letzkus,	Robinson,
Allen,	Ewing,	Light,	Rockwell,
Alworth,	Fahey,	Lohr,	Roney,
Ambler,	Flynn,	Lowers,	Rothenberger,
Arthur,	Foster, J. D.,	Malie,	Runk,
Baldwin, G. A.,	Frey,	Martin,	Sassaman,
Baldwin, R. J.,	Gans,	Mather,	Savacool,
Bass,	Geary,	Matt,	Schaeffer, A. C
Becker,	Geiser,	McAleer,	Schuck,
Benninger,	Gibson,	McAllister,	Shaffer, C. A.,
Benson,	Glenn,	McClintock,	Shaffer, I. E.,
Bergey,	Good,	McDermott,	Smith, J. W.,
Bigger,	Goss,	McKay,	Smith, L.,
Bittles,	Grabe,	McNichol,	Snyder,
Blair, W. A.,	Gramley,	Mellott,	Spangler,
Blair, W. F.,	Gransback,	Metzenbacher,	Speiser,
Body,	Gray, Frank,	Miller,	Spillinger,
Brosius,	Gray, Joseph,	Missimer,	Steedle,
Brown,	Haggerty,	Mitchell,	Steele,
Brownlee,	Herman,	Moore,	Stein,
Burnett,	Heyburn,	Morrow,	Strauss,
Caldwell,	Hibshman,	Moses,	Swartz,
Campbell, C.M.,	Hobbs,	Murphy,	Swift,
Campbell, J. J.,	Hoffman,	Musser,	Thomas,
Carson,	Howard, R.,	Neel,	Trach,
Carter,	Isler,	Neely,	Ulerich,
Cheeseman,	Irwin, G. C.,	Newbaker,	Ulman,
Claycomb,	Irwin, H. H.,	Newton,	Walnut,
Cleary,	Jackson,	North,	Walsh,
Collins,	Jones, J. R.,	O'Neill,	Walton,
Conner,	Keeport,	Peachey,	Watson,
Conniff,	Kennedy,	Pennegar,	Wettach,
Cox,	Kern,	Pennock,	Whitaker,
Currier,	Kitts,	Peters,	Whitman,
Curry,	Klepper,	Piper,	Wildman,
Davis,	Kuhn, H. P.,	Post,	Williams,
Donnally,	Kuhns, E.G.M.,	Price,	Wilson, J. H.,
Down,	Lanius,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Latshaw,	Reese,	Wiltbank,
Dunn, J. A.,	Lenker,	Reeser,	Young, G. K.
Ehrhardt,	Leslie,	Rex,	Zimmerman,
Eichenberger,		Rhoads	Alter,
		Richards,	Speaker.

NAYS—1.

DeFrees,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1471, as follows:

An Act providing that no self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving-picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of Moving Pictures for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving-picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of moving pictures for the use and benefit of this Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed in such self-playing piano orchestrion or other mechanically operated musical instrument

Section 2 Any violation of this act shall constitute a misdemeanor punishable by a fine not exceeding fifty dollars for each offense

Section 3 The State Board of Censors of moving pictures are hereby charged with the enforcement of this act

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, (Mr. James A. Dunn) permit himself to be interrogated?

Mr. JAMES A. DUNN. Yes, Mr. Speaker.

Mr. HUMES. Mr. Speaker, I would like to inquire what becomes of the license fees that are paid to the State Board of Censors under the provisions of this act?

Mr. JAMES A. DUNN. Mr. Speaker, they go into the State Treasury to pay their salary of $7,500.00.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Adams,	Dunn, H. B.,	Lohr,	Runk,
Allen,	Dunn, J. A.,	Lowers,	Schuck,
Alworth,	Eichenberger,	Malie,	Scott, S. B.,
Ambler,	Ely,	Martin,	Semmens,
Aron,	Ewing,	Mather,	Shaffer, I. E.,
Arthur,	Fahey,	McAleer,	Shern,
Baldwin, G. A.,	Flynn,	McAllister,	Showalter,
Baldwin, R. J.,	Frey,	McKay,	Smith, J. W.,
Bass,	Gans,	McNichol,	Snyder,
Becker,	Gibson,	Mechling,	Spangler,
Bergey,	Gramley,	Mellott,	Speiser,
Bigger,	Gransback,	Miller,	Spillinger,
Bittles,	Gray, Frank,	Missimer,	Steedle,
Bleloch,	Haggerty,	Moore,	Steele,
Brosius,	Hemminger,	Morrow,	Stone,
Brownlee,	Herman,	Moses,	Swartz,
Burnett,	Heyburn,	Moulthrop,	Swift,
Carson,	Hibshman,	Neel,	Trach,
Carter,	Hobbs,	Newton,	Ulerich,
Cheeseman,	Hoffman,	North,	Walnut,
Claycomb,	Howard, J.,	O'Neill,	Walsh,
Cleary,	Irwin, H. H.,	Pennegar,	Walton,
Collins,	Jackson,	Pennock,	Watson,
Conner,	Jones, E. E.,	Piper,	Whitman,
Conniff,	Jones, J. R.,	Post,	Wildman,
Cox,	Kaufman,	Ramsey,	Williams,
Currier,	Klepper,	Reese,	Wilson, J. H.,
Curry,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
Davis,	Leslie,	Richards,	Wiltbank,
Donnally,	Light,	Rockwell,	Alter,
			Speaker.

NAYS—28.

Benninger,	Geary,	Kern,	Rothenberger,
Benson,	Geiser,	Letzkus,	Sassaman,
Body,	Good,	McDermott,	Savacool,
Brown,	Goss,	**Murphy,**	Shaffer, C. A.,
Caldwell,	Howard, R.,	Musser,	Thomas,
Cochran,	Humes,	Newbaker,	Ulman,
Foster, J. D.,	Kaiser,	Peters,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 734, as follows:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and the preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse woodcock and wild water fowl

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section 22 of an act entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insertiverous other wild birds and prescribing penalties for violation of its several provisions which now reads as follows

"Section 22 No person shall at any time buy sell or expose for sale or offer for sale any ruffed-grouse commonly called pheasant or quail commonly called Virginia partridge nor any deer or part thereof which shall have been caught killed or taken within this Commonwealth No person shall at any time try to sell expose for sale or offer for sale any ruffed-grouse commonly called pheasant which shall have been killed caught or taken outside of this Commonwealth save only during the open season for ruffed-grouse in this Commonwealth and for thirty days thereafter and no person shall at any time buy sell expose for sale or offer for sale any woodcock or the dead body or any part thereof of any wild-turkey or of any Hungarian quail whether caught killed or taken within or without this Commonwealth Each and every person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each deer or part thereof and twenty-five dollars for each game-bird named in this section of for any part thereof bought sold exposed or offered for sale or otherwise held contrary to any provisions thereof" shall be amended so as to make it read as follows

Section 22 No person shall at any time within this Commonwealth buy or sell or barter or expose for sale or barter or have in possession for sale or barter any elk or any deer or any part of either an elk or a deer that has been killed taken or captured in a wild state in this Commonwealth and no person shall at any time within this Commonwealth buy or sell or barter or attempt to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any wild duck or any wild goose or any other bird of the kind commonly known as wild waterfowl that shall have been killed taken or captured in this Commonwealth or that may have been brought into this Commonwealth for sale between the first day of January and the first day of September of each year Provided that nothing in this section shall be construed to prevent the purchase or sale or introduction into this State at any time of either elk or deer or birds alive for propogating purposes

Each and every person who shall violate any of the provisions of this section relative to the purchase or sale or barter of elk or of deer shall be liable to a penalty of one hundred dollars for each offense

Each and every person who shall violate any provision of this section relative to the purchase or sale or barter of ruffed grouse or of wild turkey or of woodcock or of quail shall be liable to a penalty of twenty-five dollars for each bird or part thereof in any way had in possession or handled contrary to the provisions of this section

Each and every person in any way violating the provisions of this section relating to the sale or barter of wild waterfowl or the bringing of such wild waterfowl into this Commonwealth shall be liable to a penalty of ten dollars for each bird in any way handled contrary to the provisions of this section

On the question,

Will the House agree to the bill on third reading?

Mr. GOSS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Title, line 4. Strike out "birds."
Section 1, line 3. After "act" insert "approved May first, one thousand nine hundred and nine"
Section 1, line 5. After "insectivorous" insert "and"
Section 1, line 42. Strike out "of" insert "or"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1347, (Senate Bill No. 517), entitled:

An Act authorizing any county and city in any county in which the county seat if within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase of condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Flynn,	Lohr,	Sassaman,
Allen,	Forster, I. G.,	Lowers,	Schaeffer, A. C
Ambler,	Foster, J. D.,	Malie,	Schuck,
Aron,	Frey,	Martin,	Scott, J. R. K.,
Arthur,	Gans,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Geary,	McAleer,	Semmens,
Baldwin, R. J.,	Geiser,	McAllister,	Shaffer, I. E.,
Bass,	Gibson,	McClintock,	Shern,
Becker,	Good,	McDermott,	Sherwood,
Benninger,	Grabe,	McKay,	Showalter,
Benson,	Gramley,	McNichol,	Smith, J. W.,
Bergey,	Gransback,	Mechling,	Smith, L.,
Berntheizel,	Gray, Frank,	Miller,	Snyder,
Bigger,	Gray, Joseph,	Missimer,	Spangler,
Bittles,	Haggerty,	Moore,	Speiser,
Blair, W. A.,	Hemminger,	Morrow,	Spillinger,
Blair, W. F.,	Herman,	Moses,	Steedle,
Bleloch,	Hess,	Musser,	Steele,
Body,	Heyburn,	Neel,	Stein,
Brosius,	Hibshman,	Newbaker,	Stone,
Brown,	Hobbs,	Newton,	Strauss,
Brownlee,	Hoffman,	North,	Swartz,
Burnett,	Howard, J.,	O'Neill,	Swift,
Caldwell,	Humes,	Peachey,	Thomas,
Campbell, J.J.	Isler,	Pennegar,	Trach,
Carson,	Irwin, G. C.,	Pennock,	Ulerich,
Carter,	Irwin, H. H.,	Perry, S. J.,	Walnut,
Claycomb,	Jackson,	Peters,	Walsh,
Cleary,	Jones, E. E.,	Piper,	Walton,
Conner,	Jones, J. R.,	Post,	Watson,
Conniff,	Kaiser,	Price,	Wettach,
Cox,	Keeport,	Ramsey,	Whitaker,
Currier,	Kennedy,	Reese,	Whitman,
Curry,	Kern,	Reeser,	Wildman,
Davis,	Kitts,	Rex,	Williams,
DeFrees,	Klepper,	Rhoads,	Wilson, J. H.,
Dunn, J. A.,	Kuhn, H. P.,	Richards,	Wilson, W. H.,
Ehrhardt,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
Eichenberger,	Lanius,	Roney,	Young, J. H.,
Ely,	Lenker,	Rothenberger,	Zimmerman,
Ewing,	Leslie,	Runk,	Alter,
Fahey,			Speaker.

NAYS—4.

Cheeseman,	Matt,	Mellott,	Ulman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1156, entitled:

An Act empowering cities to enact ordinances relating to repairs to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violation of such ordinances

On the question,

Will the House agree to the bill on third reading?

Mr. KAISER. Mr. Speaker, I ask unanimous consent to insert an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1. After "repairs" insert "and improvements"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted according to the instructions of the House.

The bill as amended was then agreed to.

Ordered, To lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration House Bill No. 1120, as follows:

An Act to amend section one of Article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class" which reads as follows

ARTICLE I

"Section 1 In cities of second class the executive power shall be vested in a city recorder and in the department authorized by the act. The office of mayor in said cities is hereby abolished

"The city recorder shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected city recorder five years next before his said election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The city recorder whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by councils

"The city recorder shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office

"If two or more candidates be equal and highest in votes one of them shall be chosen city recorder by a vote of the majority of all the members of the incoming councils in joint convention assembled immediately upon their organization

"When a vacancy shall take place in the office of the city recorder a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a city recorder pro tempore shall be chosen by councils in joint convention by the votes of the majority of members elected and the person elected city recorder shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten or more than twenty days after such vacancy shall take place

"Until the vacancy is filled the president of select council shall act as city recorder

"It shall be the duty of the city recorder

"I To cause the ordinances of the city and the laws of the State to be executed and enforced

"II To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

"III To recommend by message in writing to the councils all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient

"IV To call special meetings of councils or either of them when required by public necessity

"V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

"The city recorder shall call together the heads of departments for consultation and advice upon the affairs of the city at least one a month and at such meetings he may call on the heads of department for such reports as to the subject matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the city recorder Records shall be kept of such meetings and rules and regulations shall be adopted for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted" is hereby amended to read as follows

ARTICLE I

Section 1 In cities of second class the executive power shall be vested in the mayor and in the departments authorized by this act

The mayor shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor whether apointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by councils

The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of four years from the first Monday of January next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of mayor for the next succeeding term

If two or more candidates be equal and highest in votes one of them shall be chosen mayor by a vote of the majority of all the members of the incoming council in convention assembled immediately upon their organizations

When a vacancy shall take place in the office of the mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a mayor pro tempore shall be chosen by council in convention by the votes of the majority of members elected and the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the council to issue a proclamation for such convention to be held not less than ten days nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of council shall act as mayor

It shall be the duty of the mayor

I To cause the ordinances of the city and the laws of the State to be executed and enforced

II To communicate to council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as council may from time to time require

III To recommend by message in writing to the council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

IV To call special meetings of councils when required by public necessity

V To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control management as he may deem proper which it shall be their duty to prepare and submit at once to the mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Flynn,	Light,	Rex,
Allen,	Foster, J. D.,	Lohr,	Rhoads
Ambler,	Frey,	Lowers,	Richards,
Aron,	Gans,	Malie,	Robinson,
Arthur,	Geary,	Martin,	Rockwell,
Baldwin, G. A.,	Geiser,	Mather,	Roney,
Baldwin, R. J.,	Gibson,	Matt,	Rothenberger,
Bass,	Good,	McAleer,	Runk,
Becker,	Gramley,	McAllister,	Sassaman,
Benninger,	Gransback,	McClintock,	Savacool,
Benson,	Gray, Frank,	McDermott,	Schuck,
Bergey,	Gray, Joseph,	McKay,	Semmens,
Bigger,	Hackett,	McNichol,	Shaffer, C. A.,
Bittles,	Haggerty,	Mechling,	Shaffer, I. E.,
Blair, W. A.,	Hemminger,	Mellott,	Shern,
Blair, W. F.,	Herman,	Metzenbacher,	Sherwood,
Body,	Hess,	Miller,	Showalter,
Brosius,	Heyburn,	Missimer,	Smith, J. W.,
Brown,	Hibshman,	Mitchell,	Smith, L.,
Brownlee,	Hobbs,	Moore,	Snyder,
Burnett,	Hoffman,	Morrow,	Spangler,
Caldwell,	Howard, J.,	Moses,	Speiser,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Spillinger,
Campbell, J. J.,			Steedle,

Carter,	Humes,	Murphy,	Steele,
Cheeseman,	Isler,	Musser,	Stein,
Claycomb,	Irwin, G. C.,	Neel,	Stone,
Cleary,	Irwin, H. H.,	Neely,	Strauss,
Cochran,	Jackson,	Newbaker,	Swartz,
Conner,	Jones, E. E.,	Newton,	Swift,
Conniff,	Jones, J. R.,	North,	Thomas,
Cox,	Kaiser,	O'Neill,	Trach,
Currier,	Kaufman,	Peachey,	Ulman,
Curry,	Keeport,	Pennegar,	Walnut,
Davis,	Kennedy,	Pennock,	Walton,
DeFrees,	Kern,	Perry, H. L.,	Watson,
Donnally,	Kitts,	Perry, S. J.,	Wettach,
Down,	Klepper,	Peters,	Whitaker,
Dunn, J. A.,	Kuhn, H. P.,	Piper,	Wildman,
Ehrhardt,	Kuhns, E.G.M.,	Post,	Williams,
Eichenberger,	Leslie,	Price,	Wilson, J. H.,
Ely,	Letzkus,	Ramsey,	Wiltbank,
Ewing,		Reese,	Zimmerman,
Fahey,		Reeser,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1168, entitled:

An Act to provide for the payment of costs and charges on writs of execution or attachment and fixing the liability of sheriff in the execution thereof

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 1, line 11, insert after the word "chattels" the following—"which costs, charges an expenses so paid by the person or persons lodging said writ shall be a part of the costs on said writ and be refunded to the person so paying the same out of proceeds of sale."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted according to the instructions of the House.

The bill as amended was then agreed to.

Ordered, To lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1047, entitled:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

On the question,

Will the House agree to the bill on third reading?

Mr. SCHUCK. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title lines 10 and 11 strike out "and the payment by the petitioner of a part of the costs"
Section 1, line 11, before "In" insert "Section 4"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted according to the instructions of the House.

The bill as amended was then agreed to.

Ordered, To lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1356, entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holdings of said poor district for almshouse

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Adams,	Forster, I. G.,	Lowers,	Rockwell,
Allen,	Foster, J. D.,	Malie,	Roney,
Ambler,	Frey,	Mannion,	Rothenberger,
Aron,	Gans,	Martin,	Runk
Arthur,	Geary,	Mather,	Sassaman,
Baldwin, G. A.,	Geiser,	Matt,	Savacool,
Baldwin, R. J.,	Gibson,	McAleer,	Schaeffer, A. C
Bass,	Glenn,	McAllister,	Schuck,
Bayle,	Good,	McClintock,	Scott, J. R. K.,
Becker,	Gramley,	McDermott,	Scott, S. B.,
Benninger,	Gransback,	McKay,	Semmens,
Bergey,	Gray, Frank,	McNichol,	Shaffer, C. A.,
Berntheizel,	Gray, Joseph,	Mechling,	Shaffer, I. E.,
Bigger,	Haggerty,	Mellott,	Shern,
Bittles,	Hemminger,	Metzenbacher,	Sherwood,
Blair, W. F.,	Herman,	Miller,	Showalter,
Brosius,	Hess,	Missimer,	Smith, J. W.,
Brownlee,	Heyburn,	Mitchell,	Smith, L.,
Burnett,	Hibshman,	Moore,	Snyder,
Caldwell,	Hobbs,	Morrow,	Spangler,
Campbell, C.M.,	Hoffman,	Moses,	Speiser,
Campbell, J.J.	Howard, J.,	Murphy,	Spillinger,
Carter,	Humes,	Neel,	Steedle,
Cheeseman,	Isler,	Neely,	Steele,
Claycomb,	Irwin, G. C.,	Newbaker,	Stein,
Cleary,	Irwin, H. H.,	Newton,	Stone,
Collins,	Jackson,	North,	Strauss,
Conner,	Jones, E. E.,	O'Neill,	Swartz,
Conniff,	Jones, J. R.,	Peachey,	Swift,
Cox,	Kaiser,	Pennegar,	Thomas,
Currier,	Kaufman,	Pennock,	Trach,
Curry,	Keeport,	Perry, H. L.,	Ulerich,
Davis,	Kennedy,	Perry, S. J.,	Ulman,
DeFrees,	Kitts,	Peters,	Walnut,
Dickinson,	Kuhn, H. P.,	Piper,	Walsh,
Donnally,	Kuhns, E.G.M.,	Post,	Walton,
Down,	Lanius,	Price,	Watson,
Dunn, H. B.,	Latshaw,	Ramsey,	Wettach,
Dunn, J. A.,	Lenker,	Reese,	Whitaker,
Ehrhardt,	Leslie,	Reeser,	Whitman,
Eichenberger,	Letzkus,	Rex,	Wildman,
Ely,	Light,	Rhoads,	Williams,
Ewing,	Lohr,	Richards,	Wiltbank,
Fahey,		Robinson,	Zimmerman,
Flynn,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO RECONSIDER VOTE.

Mr. LETZKUS. Mr. Speaker, I move that the vote by which House Bill No. 1167, file folio 2771, entitled:

An Act to authorize the appointment by the county commissioners in counties having not less than two hundred and fifty thousand (250,000) nor more than three hundred and twenty-five thousand (325,000) inhabitants of assessors and assistant assessors prescribing their numbers powers duties procedure and method of their appointment and fixing the salaries to be paid by the proper counties and abolishing the office of ward borough township assessors and assessor of voters in such counties and providing penalties for violation of this act

was defeated on final passage on Wednesday, April 2nd, be reconsidered.

Mr. HOBBS. Mr. Speaker, I was out of the House when the motion was made. I desire to know who made the motion.

The SPEAKER. The gentleman from Allegheny, Mr. Letzkus made the motion and the gentleman from Allegheny Mr. Semmens, seconded it.

Mr. HOBBS. Mr. Speaker, I would like to know how they voted on the bill.

Mr. LETZKUS. Mr. Speaker, I voted in the negative.

The SPEAKER. How did the gentleman from Allegheny, Mr. Semmens, vote on this bill.

Mr. SEMMENS. Mr. Speaker, I voted in the negative.

The SPEAKER. Both gentlemen voted in the negative.

Mr. HOBBS. Mr. Speaker, this bill was very fairly defeated the other day. Gentlemen of the House, if you will give attention for a few minutes, I will try to give you a few reasons why this bill should not be reconsidered. In the first place, for the reason that two years ago a bill which was similar to this—practically the same—

was passed by this House and also the Senate and vetoed by the Governor. Can you conceive of the idea that Governor Tener would reverse himself and sign a bill at this time which he vetoed two years ago, which is practically the same thing. It seems to me that we ought not to embarrass his Excellency by asking him to sign a bill of this kind. There is another thing; we have a large amount of business before us and it seems to me when a bill is defeated especially by a majority vote, that we ought not to take up the time of this House in reconsidering and discussing bills that have been defeated as this one was. With your permission, I will read very briefly the remarks of one gentleman who was a member of the House two years ago, which illustrates the sentiment of that gentleman and of the people of his district. The gentleman was Mr. Brennen of Schuylkill County, who was a member at that time. When they wanted to reconsider the bill at that time, he said, "Mr. Speaker and Gentlemen of the House, I didn't think that we would have any more trouble with this bill after yesterday when it met such an unmerciful defeat. There is one thing about killing the bill, you never know when you have done it because this bill was killed, the people in my county are calling me the "Legislative snake killer." I have not heard of one of my constituents who is favorable to a measure of this kind. In the killing of this bill four of the five representatives of my county voted against it. So far as my county is concerned, I don't think there is one person in the county who wants such a measure and for that reason, I ask the members not to adopt this report."

Gentlemen, the same reason exists today that existed then. This bill should not be reconsidered as it affects Lackawanna County. I believe the same sentiment exists there among a large majority of the tax-payers and that the sentiment is against this bill. One of the gentlemen who discussed this measure the other day, tried to carry the idea that only the country people are opposed to it. gentlemen, I want to state to you that I have received letter after letter from people from the city of Scranton and other parts of my section opposing this bill. Further, the Board of Trade of the City of Scranton is opposed to this bill. There was a committee appointed by the President of the Board of Trade to consider this bill. Men of ability from various parts of the County including the city of Scranton and towns and townships after they had gone thoroughly into the matter in detail they thoroughly decided that this bill should not become a law.

Mr. DAVIS. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Hobbs.

The SPEAKER. Will the gentleman from Lackawanna, Mr. Hobbs, permit himself to be interrogated?

Mr. HOBBS. Mr. Speaker, yes, sir.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman whether he has had any protest against this bill, since the bill was modified to meet the requirements of the city of Scranton or the Board of Trade?

Mr. HOBBS. Mr. Speaker, yes, sir, I have.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman if he has received any petitions to vote for this bill?

Mr. HOBBS. Mr. Speaker, I have received letters and I have received a small petition. By the way, the letters that I have received in favor of this bill were all of the same typewritten character and simply passed around to the people for their signatures. I continue to consider that letters of this kind don't carry the weight in them that an original letter does written by the persons who have a special interest. The letter which is in circular form sent by some one's request is entirely different from a letter written originally by the sender, and so far as petitions or letters are concerned, the letters that I have received against this bill are ten to one. There were ten letters opposing this bill to one that was in favor of the bill. As to the rural districts, I have received letters from all parts of the country. I have since received several letters from the city of Scranton, stating that they were gratified very much to see that this bill was defeated last week. Now, gentlemen, in all fairness to the voters of Lackawanna County and tax-payers who are against this bill, I ask you to vote against this motion to recommit and vote it down.

Mr. DAVIS. Mr. Speaker, in the absence of the sponsor of this bill, as I understand that he is at work down stairs on appropriation bills and not present here, I would like to state to the House and show this House the necessity for this bill. This bill originally was opposed by several Board of Trades of Scranton but in this modified form we have received no protest. I will read you from the Scranton Times, of April 7 of this week:

ELMHURST TAXPAYERS AGAINST ASSESSMENT.

HELD TOWN MEETING TO PROTEST AGAINST WHAT THEY TERM A FARCE.

Taxpayers in Elmhurst held a town meeting Saturday night to express their resentment at what they termed the farcical assessment that have been made

The upshot was the appointment of a committee to protest to the county commissioners and urge them to revise the assessments. If they do not get any satisfaction they will likely go into court and seek to have the assessment in the whole county invalidated.

George Struppled, is the assessor for Elmhurst, but he wasn't at the meeting. His ears must have burned, however, for vigorous denunciation of the assessments were made.

The charge was made that Struppler's house, for which he wouldn't take less than $7,000 was assessed for $2,400. Other properties were assessed for as high as four times their reasonable value.

As an illustration it was set forth that a farm of three acres acres was assessed for as much as a farm of thirteen acres. The same inequality prevails generally, it was asserted by those who spoke. Glaring differences in assessments were freely cited, and on the whole the taxpayers of the borough presented figures to show that the same haphazard manner of making assessments in Elmhurst characterized the asessments as in other parts of the county.

Up to Commissioners

The meeting decided that it was up to the county commissioners to do justice to the farmers and property owners in the borough and George McFadden, Charles S. Teal and Charles Whitney were instructed to go to the commissioners and demand a revision. If it isn't forthcoming it was the sense of the meeting that a public fund should be raised to go into court and have the whole assessment knocked out. Judging from the feeling manifested the taxpayers will stand for no foolishness.

The meeting was under the auspices of the council and the school board. Another meeting for the general public will be held next Saturday night at which a report is to be made by the committee on their visit to the commissioners.

During the meeting another question agitated the citizens. It was averred that the asessment on the property owned by Col. U. G. Schoonmaker was below what it ought to be compared to other assessments. It was also set forth that the uncompleted buildings of Benj. H. Throop, were assessed when they shouldn't be until completed.

It was declared Colonel Schoonmaker had replotted a tract of five or six acres in part, which several years ago he gave to the borough for park purposes. This is along the railroad. A committee was appointed to investigate the change. L. P. Wedeman, Esq., was appointed chairman of the committee, and to act with him Eugene Gottschall and J. Knickerbocker were appointed.

John G. McAskie, Esq., was chairman of the meeting being called upon to assume that office by the gathering. Mr. Teal acted as secretary.

This is a from a paper that originally fought this bill. This bill has been modified to meet the approval of the several societies and Boards of Trade. Unless the commissioners fix this assessment up, I ask you gentlemen to give us a chance to vote to reconsider this bill.

Mr. MANNION. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Davis.

The SPEAKER. Will the gentleman from Lackawanna, Mr. Davis, permit himself to be interrogated?

Mr. DAVIS. Mr. Speaker, Yes, sir.

Mr. MANNION. Mr. Speaker, Two years ago in this House a bill of this kind had passed the House enacting a law, providing the Governor had signed the same. I would like to know under what provision the Governor had refused to sign it. Whether it was for the small portion of assessors; the number in our county, that the Governor had refused to sign such a bill as this?

Mr. DAVIS. Mr. Speaker, The Governor vetoed the bill because he thought nine assessors were not enough. He said there should be more than nine assessors. This bill, as it stands now, is modified to make the amount seven assessors but in the triennial year to increase the number to twelve, which will be sufficient. In the triennial year, we think seven will be enough and under the circumstances, we feel that this bill should be reconsidered.

Mr. MANNION. Mr. Speaker, I further desire to interrogate the gentleman from Lackawanna. If this bill, which provides for six to take the triennial assessment, would be sufficient, why would they insist on the conditions of this bill passing this House, inasmuch as the Governor has refused to sign a bill providing for nine assessors, an insufficient number to take the general assessment of our county.

Mr. DAVIS. Mr. Speaker, I have already said that the bill calls for seven, not six, and in a triennial year increase it to twelve for one year. We cut it down from twelve to seven in order to meet the demands of the taxpayers.

Mr. MANNION. I wish an answer to my question. Mr. Speaker. The bill provided for nine assessors in our county two years ago, and the Governor said the county assessors were insufficient to make the assessments. Now, the bill provides for six.

Mr. DAVIS. I said seven, not six.

Mr. MANNION. Well, what would be the difference. It seems to me on the face of the bill it is very—

Mr. DAVIS. I would like to interrogate the gentleman from Lackawanna, Mr. Mannion.

The SPEAKER. Will the gentleman permit himself to be interrogated.

Mr. MANNION. Yes, sir, Mr. Speaker.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman if he would vote for the bill if it called for twelve assessors.

Mr. MANNION. You are a little previous.

Mr. DAVIS. Mr. Speaker, I would like to interrogate the gentleman further. Do the people protest against twelve assessors in Lackawanna County?

Mr. MANNION. Undoubtedly so; especially in the city which I have the honor to represent.

Mr. HOBBS. Mr. Speaker, there are other reasons why the Governor vetoed this bill. He didn't see any reason why there should be any change made in the present system for these few counties. That was one statement made in his veto message. Now, it only applies to one county, and why should there be a special change for one county of this great Commonwealth in the system of the assessment of property. Now, we are not claiming that the present system is what it ought to be. We are not claiming that we have first class assessments. In fact we believe that the proposition as contained in this bill will not be a benefit to Lackawanna County, but would be a detriment, because of the fact that it opens an opportunity for the building up of a strong political machine. That is one reason. I am not stating or casting any reflection on any of our county officials of having that motive in mind, but even those who may be elected hereafter might grasp that opportunity and undertake that proposition. When these commissioners appoint from seven to twelve men to assess property, they become in a sense creatures of the appointing power. The creature does not rise above its creator, and under the present conditions in Lackawanna County I cannot believe that the motives are as high as some would like to make them out to be.

Mr. DAVIS. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Hobbs.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HOBBS. Proceed.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman whether he believes in the short ballot.

Mr. HOBBS. Mr. Speaker, I am not prepared to give a definite opinion relative to the short ballot proposition.

Mr. DAVIS. This makes the ballot shorter.

Mr. HOBBS. Mr. Speaker, that question does not enter into this proposition, and inasmuch as the county commissioners constitute the board of revision of taxes, it gives them absolute control of fixing the vaulation of property, regardless of the interests and rights of the people. In fact, they are in a position to make a monopoly of it, and I believe that if our county commissioners would devote more time and energy towards readjustment of assessments in Lackawanna County, even under the present system they would accomplish much better results. In regard to the letter that the gentleman read from taxpayers of Elmhurst borough, we are not claiming that all assessments are correct, but this matter reverts to the county commissioners and finally, if the assessments are not what they ought to be, the county commissioners are responsible. Gentlemen, I do not care to take up your time, but let us dispose of this snake as soon as possible. When I was a boy, we used to consider when we killed a snake that its tail would not die until sun-down. Well, several suns have set since this bill was killed, and the tail of it is still wriggling. Gentlemen, let us put our heel on this bill and defeat it permanently.

Mr. DAVIS. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna, Mr. Hobbs.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HOBBS. Certainly, Mr. Speaker.

Mr. DAVIS. Mr. Speaker, I would ask the gentleman if he believes in efficiency and concentration—

Mr. HOBBS. Perhaps it would be well to divide the question.

Mr. DAVIS. And placing responsibility where it belongs?

Mr. HOBBS. As to answering that question, it is complex, and I think he had better separate the question.

Mr. DAVIS. I will make it plainer. We have now in the county of Lackawanna between eighty and ninety assessors making these assessments. We know that they are not efficient. We are not getting the right kind of assessment. Through concentration, this bill will give the efficiency which we are looking for, and place the responsibility. There was a time in the second class cities when the city assessors were elected, and we had the same trouble as we are having now with the eighty or ninety assessors who are elected by districts. Since that system was abolished and the assessors of the cities of the second class are appointed by the mayor, we are getting the efficiency on account of the concentration.

Mr. HOBBS. Mr. Speaker, in answer to this question, I will say that I do believe in efficiency. A man would be very weak, indeed, if he did not believe in efficiency. But when you come to concentration, that is another proposition. Concentration, in this proposition, means this: It gives an opportunity for the county commissioners to appoint the men at large, and they might all reside in the city of Scranton. I want to appeal to you gentlemen in the rural districts, men who are owners of real estate and farms in this State. Do you want a city gentleman who does not know the value of farm property, to come out in the rural districts and assess your property; and vice versa, the gentlemen from the rural districts are not qualified to assess city property or town property. So, from the proposition of concentration, I think that this ought to be sufficient of itself to defeat the reconsideration of this bill. gentlemen, vote it down.

On the question recurring,

The yeas and nays were required by Mr. HOBB and Mr. JOHN ROBERT JONES, and were as follows:

YEAS—76.

Allen,	Dunn, J. A.,	Keegan,	Roney,
Alworth,	Ehrhardt,	Keeport,	Schaeffer, A. C
Ambler,	Eichenberger,	Kennedy,	Semmens,
Aron,	Fahey,	Leslie,	Sherwood,
Arthur,	Forster, I. G.,	Letzkus,	Snyder,
Baldwin, R. J.,	Frey,	Lowers,	Speiser,
Bass,	Gans,	McAleer,	Spillinger,
Bayle,	Gibson,	McArdle,	Steedle,
Berntheizel,	Gransback,	McNichol,	Steele,
Bigger,	Hackett,	Miller,	Stone,
Blair, W. A.,	Haggerty.	Missimer,	Swartz,
Brosius,	Hess,	Moore,	Thomas,
Carter,	Hibshman,	Moses,	Walsh,
Cleary,	Hoffman,	North,	Walton,
Conner,	Howard, J.,	O'Neill,	Watson,
Cox,	Isler,	Perry, S. J.,	Whitaker,
Curry,	Irwin, G. C.,	Reese,	Whitman,
Davis,	Jones, E. E.,	Rhoads,	Wiltbank,
Down,	Kaiser,	Robinson,	Alter.
Dunn, H. B.,			Speaker.

NAYS—96.

Adams,	Ely,	Lanius,	Pennegar,
Baldwin, G. A.,	Flynn,	Latshaw,	Peters,
Becker.	Foster, J. D.,	Lenker,	Post.
Benninger,	Geary,	Light,	Ramsey,
Benson,	Glenn,	Lohr,	Rex.
Bergey,	Goss,	Mannion,	Rockwell,
Bittles,	Grabe,	Martin,	Rothenberger,
Blair, W. F.,	Gray, Frank,	Mather,	Runk.
Bleloch,	Gray, Joseph,	Matt,	Sassaman,
Body,	Hemminger,	McAllister,	Savacool,
Brown,	Herman,	McClintock,	Schuck.
Brownlee,	Hobbs,	McDermott,	Scott, S. B.,
Burnett,	Howard, R.,	McKay,	Shaffer, C. A.,
Caldwell,	Humes,	Mellott,	Shaffer, I. E.,
Campbell, C.M.,	Jackson,	Metzenbacher,	Smith, J. W.,
Campbell, J.J.	Jones, J. R.,	Mitchell,	Smith, L.,
Carson,	Kaufman,	Morrow,	Spangler,
Cheeseman,	Kern,	Moulthrop,	Strauss,
Claycomb,	Kitts,	Murphy,	Swift,
Cochran,	Klepper,	Musser,	Trach,
Collins,	Kuhn, H. P.,	Neel,	Ulerich,
Currier,	Kuhns, E.G.M.,	Newton,	Ulman,
DeFrees,		Peachey,	Walnut,
Donnally,			Zimmerman,

So the question was determined in the negative and the motion was not agreed to.

SENATE MESSAGE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, as follows:

TIME OF SENATE ADJOURNMENT.

In the Senate April 9th, 1913.

Resolved, (if the House of Representatives concur), That when the Senate adjourns today it shall reconvene on Monday evening April 14th, at 9 o'clock.

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the Senate accordingly.

Mr. BLELOCH. Mr. Speaker, I ask unanimous consent to call up at this time, from page 39 of yesterday's Calendar, bills on final passage postponed, Senate Bill No. 160, entitled:

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

for the purpose of amendment. This is a bill that I took exception to last week and Senator Clark and myself have agreed on certain amendments.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1083 (Senate Bill No. 160), entitled:

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

Mr. BLELOCH. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. FRANK GRAY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 1 line 47 by striking the word "repealed" and inserting in lieu thereof the words "amended to read as follows"

Section 1 by adding after line 47 the follwing

"Eleventh The plaintiff in any writ of scire facias sur mechanics' claim or in any other writ to charge particular land with the payment of a statutory lien other than those provided for in clause tenth and excepting also claims for taxes and municipal claims shall file with his precipe an affidavit by himself his agent or attorney setting forth that he believes the persons named by him in such affidavit are the real owners of said property whereupon all such persons shall be made parties to the writ which shall be served by the sheriff by adding to the writ and serving as in the case of a summons all persons other than those named in the writ who may be found in possession of said property or any part thereof or if no one be found in possession thereof then by posting a true and attested copy of the writ on the most public part of said property and

(a) By serging as in the case of a summons such of those named in the writ as may be found in the county in which the writ issues and

(b) By serving as in the case of a summons such of those named in the writ as may be found in any other county of the Commonwealth by the sheriff thereof who shall be deputized for that purpose by the sheriff of the county in which the writ issues and

(c) If all those named in the writ cannot be served as provided in clauses (a) and (b) hereof then by mailing a true and attested copy of the writ in a registered letter to such of those named in the writ whose residences are given as without the Commonwealth and by advertising a brief notice of the contents of said writ once a week for four successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That if all those named in the writ have been personally served or if return registry receipts for the copies mailed are returned by the sheriff with the writ the advertisement above provided for may be dispensed with

Amend the title by striking out in line 1 of the title the word "Repealing" and inserting in lieu thereof the word "Amending"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of Hause Bill No. 1076, as follows:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities both of the second and third class as herein provided.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classifications thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into three classes

Those containing a population of one million or over shall constitute the first class

Those containing a population of one hundred thousand and under one million shall constitute the second class

Those containing a population under one hundred thousand shall constitute the third class" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into four classes

Those containing a population of one million or more shall constitute the first class

Those containing a population of five hundred thousand or more and under one million shall constitute the second class

Those containing a population of one hundred thousand or more and under five hundred thousand shall constitute the third class

Those containing a population under one hundred thousand shall constitute the fourth class

All laws now in force applying to cities of the second class shall apply to both cities of the second and third class herein provided

All laws now in force applying to cities of the third class shall apply to cities of the fourth class herein provided

On the question,

Will the House agreed to the bill on third reading?

Mr. MITCHELL. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. KAISER. Yes, sir, Mr. Speaker.

Mr. MITCHELL. Mr. Speaker, I would like the gentleman to explain to the House the necessity and demand for this legislation.

Mr. KAISER. Mr. Speaker, I will postpone that answer until I get this amendment in the bill.

I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendments as follows:

Line 9, title, after "class" insert "and laws relating to cities of the third class shall apply to cities of the fourth class."

THE SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears objection.

On the question recurring,

Will the House agree to the bill on third reading?

It was not agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1365, entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Adams,	Foster, J. D.,	Lowers,	Rockwell,
Alworth,	Gans,	Malie,	Roney,
Ambler,	Geary,	Mannion,	Rothenberger,
Aron,	Geiser,	Martin,	Runk,
Arthur,	Gibson,	Mather,	Sassaman,
Baldwin, G. A.,	Good,	Matt,	Savacool,
Barner,	Goss,	McAleer,	Schaeffer, A. C
Bass,	Gramley,	McAllister,	Schuck,
Bayle,	Gransback,	McArdle,	Semmens,
Becker,	Gray, Frank,	McClintock,	Shaffer, C. A.,
Benninger,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Benson,	Hackett,	McKay,	Shern,
Bergey,	Haggerty,	McNichol,	Sherwood,
Berntheizel,	Hemminger,	Mechling,	Showalter,
Bigger,	Herman,	Mellott,	Smith, J. W.,
Bittles,	Hess,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Heyburn,	Miller,	Snyder,
Blair, W. F.,	Hibshman,	Missimer,	Spangler,
Bleloch,	Hobbs,	Mitchell,	Speiser,
Body,	Hoffman,	Moore,	Spillinger,
Brown,	Howard, J.,	Morrow,	Steedle,
Brownlee,	Howard, R.,	Moses,	Steele,
Burnett,	Isler,	Moulthrop,	Stein,
Caldwell,	Irwin, G. C.,	Murphy,	Stone,
Campbell, C.M.,	Irwin, H. H.,	Musser,	Strauss,
Carson,	Jackson,	Neel,	Swartz,
Carter,	Jones, J. R.,	Neely,	Swift,
Claycomb,	Kaiser,	Newbaker,	Thomas,
Cleary,	Kaufman,	Newton,	Trach,
Conniff,	Keegan,	North,	Ulman,
Cox,	Keeport,	O'Neill,	Walnut,
Currier,	Kenna,	Peachey,	Walsh,
Curry,	Kennedy,	Pennegar,	Walton,
Davis,	Kern,	Pennock,	Watson,
DeFrees,	Kitts,	Perry, H. L.,	Wettach,
Dickinson,	Klepper,	Perry, S. J.,	Whitaker,
Donahoe,	Kuhn, H. P.,	Peters,	Whitman,
Donnally,	Kuhns, E.G.M.,	Piper,	Wildman,
Down,	Lanius,	Post,	Williams,
Dunn, H. B.,	Latshaw,	Price,	Wilson, J. H.,
Dunn, J. A.,	Lenker,	Ramsey,	Wilson, W. H.,
Ehrhardt,	Leslie,	Reese,	Wiltbank,
Eichenberger,	Letzkus,	Reeser,	Young, G. K.,
Ely,	Light,	Rex,	Young, J. H.,
Fahey,	Lohr,	Rhoads	Zimmerman,
Flynn,		Robinson,	Alter,
Forster, I. G.,			Speaker.

NAYS—1.

Claycomb,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 471, entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

On the question,

Will the House agree to the bill on third reading?

Mr. HERMAN. Mr. Speaker, I wish the sponsor of this bill would explain it to the House.

Mr. GIBSON. Mr. Speaker, the bill authorizes the county commissioners of the several counties to join in co-operative agricultural extension work. The United States Department of Agriculture has started certain work in co-operation with the Pennsylvania State College and this work has been started in a number of counties in the State. The requirements are that the local communities must bear a certain part of the expense. This usually has been started by certain commercial interests taking the intiative and contributing money for it. This bill is an entremely meritorious one, and is simply an enabling act permitting them to carry out the work that is being done by the United States Department of Agriculture and the Pennsylvania State College.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Adams,	Flynn,	Letzkus,	Roney,
Allen,	Forster, I. G.,	Light,	Rothenberger,
Alworth,	Foster, J. D.,	Lohr,	Runk,
Ambler,	Frey,	Lowers,	Sassaman,
Aron,	Gans,	Malie,	Savacool,
Arthur,	Geary,	Martin,	Schaeffer, A. C
Baldwin, G. A.,	Geiser,	Mather,	Schuck,
Baldwin, R. J.,	Gibson,	Matt,	Scott, S. B.,
Barner,	Glenn,	McAleer,	Semmens,
Bass,	Good,	McAllister,	Shaffer, C. A.,
Bayle,	Goss,	McArdle,	Shaffer, I. E.,
Becker,	Grabe,	McClintock,	Shern,
Benninger,	Gramley,	McDermott,	Sherwood,
Benson,	Gransback,	McKay,	Showalter,
Bergey,	Gray, Frank,	McNichol,	Smith, J. W.,
Berntheizel,	Gray, Joseph,	Mechling,	Smith, L.,
Bigger,	Hackett,	Metzenbacher,	Snyder,
Bittles,	Haggerty,	Miller,	Spangler,
Blair, W. A.,	Hemminger,	Missimer,	Speiser,
Blair, W. F.,	Herman,	Mitchell,	Spillinger,
Body,	Hess,	Moore,	Steedle,
Brosius,	Hibshman,	Morrow,	Steele,
Brown,	Hobbs,	Moses,	Stein,
Brownlee,	Hoffman,	Moulthrop,	Stone,
Burnett,	Howard, J.,	Murphy,	Strauss,
Caldwell,	Howard, R.,	Musser,	Swartz,
Carson,	Humes,	Neel,	Swift,
Carter,	Isler,	Neely	Thomas,
Cheeseman,	Irwin, G. C.,	Newbaker,	Trach,
Claycomb,	Irwin, H. H.,	Newton,	Ulerich,
Cleary,	Jackson,	North,	Ulman,
Collins,	Jones, E. E.,	O'Neill,	Walnut,
Conner,	Jones, J. R.,	Peachey,	Walsh,
Conniff,	Kaiser,	Pennegar,	Walton,
Cox,	Kaufman,	Pennock,	Watson,
Currier,	Keeport,	Perry, S. J.,	Wettach,
Curry,	Kenna,	Peters,	Whitaker,
Davis,	Kennedy,	Piper,	Whitman,
DeFrees,	Kern,	Post,	Wildman,
Dickinson,	Kitts,	Ramsey,	Williams,
Donahoe,	Klepper,	Redfield,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Dunn, J. A.,	Lanius,	Rex,	Young, G. K.,
Ehrhardt,	Latshaw,	Rhoads	Young, J. H.,
Eichenberger,	Lenker,	Richards,	Zimmerman,
Ely,	Leslie,	Robinson,	Alter,
Ewing,		Rockwell,	Speaker.
Fahey,			

NAYS—2.

Heyburn, Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. WHITAKER. Mr. Speaker, I desire to call up from page 35 of yesterday's calendar, Bills on Final Passage Postponed, House Bill No. 1102.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1102, entitled:

A further supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the Board of Trustees and repealing the tenth and seventeen sections thereof approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

The question recurring,

Shall the bill pass finally?

Mr. WHITAKER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WALTON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. WHITAKER. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend title by striking out "to" at the beginning of line 1, and insert "supplementing."

Line 11, insert after "providing" the following: "that the Court may make orders," and after "maintenance" the following: "of certain inmates, providing for the payment for the care and maintenance."

Amend section 2, page 4, line 35, strike out after "Institution" the following: "appoint and remove at pleasure all officers and employes thereof."

Line 40, strike out "and" and insert after "subsistence" the following: "training and education."

Line 74, page 7, insert after "law" the following: "If default shall be made in the payment of any such order for the period of three months, the District Attorney or City Solicitor of the proper county shall upon notice from the officers of the said Institution setting forth the amount of the arrearage make application to the proper Court for the enforcement of the said order."

After section 4, add: Page 9 "Section 5 This act shall go into effect on October first, nineteen hundred and fourteen.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was agreed to on third reading.

Ordered, To lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and considera-eration of House Bill No. 1229, entitled:

An Act to amend section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—196.

Adams,	Fahey,	Lenker,	Rockwell,
Allen,	Flynn,	Leslie,	Roney,
Alworth,	Forster, I. G.,	Letzkus,	Rothenberger,
Ambler,	Foster, J. D.,	Light,	Runk,
Aron,	Frey,	Lohr,	Sassaman,
Arthur,	Gans,	Lowers,	Savacool,
Baldwin, G. A.,	Geary,	Malie,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	Mannion,	Schuck,
Bass,	Gibson,	Martin,	Scott, J. R. K.,
Bayle,	Glenn,	Mather,	Scott, S. B.,
Becker,	Good,	Matt,	Semmens,
Benninger,	Goss,	McAleer,	Shaffer, C. A.,
Benson,	Grabe,	McAllister,	Shaffer, I. E.,
Bergey,	Gramley,	McArdle,	Shern,
Berntheizel,	Gransback,	McClintock,	Sherwood,
Bigger,	Gray, Frank,	McDermott,	Showalter,
Bittles,	Gray, Joseph,	McKay,	Smith, J. W.,
Blair, W. A.,	Hackett,	McNichol,	Smith, L.,
Blair, W. F.,	Haggerty,	Mechling,	Snyder,
Bleloch,	Hemminger,	Mellott,	Spangler,
Body,	Herman,	Metzenbacher,	Speiser,
Brosius,	Hess,	Miller,	Spillinger,
Brown,	Heyburn,	Missimer,	Steedle,
Brownlee,	Hibshman,	Mitchell,	Steele,
Burnett,	Hobbs,	Moore,	Stein,
Caldwell,	Hoffman,	Morrow,	Stone,
Campbell, J.J.	Howard, J.,	Moses,	Strauss,
Carson,	Howard, R.,	Murphy,	Swartz,
Carter,	Humes,	Musser,	Swift,
Cheeseman,	Isler,	Neel,	Thomas,
Claycomb,	Irwin, G. C.,	Newbaker,	Trach,
Cleary,	Irwin, H. H.,	Newton,	Ulerich,
Cochran,	Jackson,	North,	Ulman,
Collins,	Jones, E. E.,	O'Neill,	Walnut,
Conner,	Jones, J. R.,	Peachey,	Walsh,
Conniff,	Kaiser,	Pennegar,	Walton,
Cox,	Kaufman,	Pennock,	Watson,
Currier,	Keegan,	Perry, S. J.,	Wettach,
Curry,	Keeport,	Peters,	Whitaker,
Davis,	Kenna,	Piper,	Whitman,
DeFrees,	Kennedy,	Post,	Wildman,
Dickinson,	Kern,	Price,	Williams,
Donahoe,	Kitts,	Ramsey,	Wilson, J. H.,
Donnally,	Klepper,	Reese,	Wilson, W. H.,
Down,	Kuhn, H. P.,	Reeser,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Ehrhardt,	Lanius,	Rhoads	Young, J. H.,
Eichenberger,	Latshaw,	Richards,	Zimmerman,
Ely,		Robinson,	Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1191, entitled:

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

Mr. GEISER. Mr. Speaker, The City of Easton, with about the cities of Lebanon, Hazleton, Carbondale. Bradford, Pittston,, Corry, Oil City, Titusville, Meadville, having less than 30.000 population, falls in the third class of school districts. This class being comprised mostly of boroughs and townships, no provision was made in the code for levying of school taxes on the appraisement as made by the City Assessors but the provision was made general and this whole class of school districts was directed to levy taxes on the appraisement as made by the County Assessors.

In the ten cities affected, it made a change that in some cases seriously affected the revenue of the school districts, and the cities are asking for relief by means of an amendment. It is a matter of local taxation and the proposed amendment simply confers on the ten cities affected, being under 30,000 population, the same privilege that is enjoyed by other cities who happen to be over 30.000, that is, the right to avail themselves of the benefit of their local city assessment for school purposes as they do for municipal purposes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Ely,	Lenker,	Roney,
Allen,	Ewing,	Leslie,	Rothenberger,
Alworth,	Fahey,	Letzkus,	Runk,
Ambler,	Flynn,	Light,	Sassaman,
Aron,	Forster, I. G.,	Lohr,	Savacool,
Arthur,	Foster, J. D.,	Malie,	Schaeffer, A. C
Baldwin, G. A.,	Frey,	Mannion,	Schuck,
Baldwin, R. J.,	Gans,	Martin,	Scott, J. R. K.,
Barner,	Geary,	Mather,	Scott, S. B.,
Bass,	Geiser,	Matt,	Semmens,
Becker,	Gibson,	McAleer,	Shaffer, C. A.,
Benninger,	Glenn,	McAllister,	Shaffer, I. E.,
Benson,	Good,	McClintock,	Shern,
Bergey,	Goss,	McDermott,	Sherwood,
Berntheizel,	Grabe,	McNichol,	Showalter,
Bigger,	Gramley,	Mechling,	Smith, J. W.,
Bittles,	Gransback,	Mellott,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Metzenbacher,	Snyder,
Blair, W. F.,	Gray, Joseph,	Miller,	Spangler,
Body,	Hackett,	Missimer,	Speiser,
Brosius,	Haggerty,	Mitchell,	Spillinger,
Brown,	Hemminger,	Moore,	Steedle,
Brownlee,	Hess,	Morrow,	Steele,
Burnett,	Heyburn,	Murphy,	Stein,
Caldwell,	Hibshman,	Musser,	Stone,
Campbell, J. J.,	Hobbs,	Neel,	Strauss,
Carson,	Hoffman,		Swartz,

Carter,	Howard, J.,	Newbaker,	Swift,
Cheeseman,	Howard, R.,	Newton,	Thomas,
Claycomb,	Isler,	North,	Trach,
Cleary,	Irwin, G. C.,	O'Neill,	Ulerich,
Cochran,	Irwin, H. H.,	Peachey,	Ulman,
Collins,	Jackson,	Pennegar,	Walnut,
Conner,	Jones, J. R.,	Pennock,	Walsh,
Conniff,	Kaiser,	Perry, H. L.,	Walton,
Cox,	Kaufman,	Perry, S. J.,	Watson,
Currier,	Keegan,	Peters,	Wettach,
Curry,	Keeport,	Piper,	Whitaker,
Davis,	Kenna,	Post,	Whitman,
DeFrees,	Kennedy,	Price,	Wildman,
Dickinson,	Kern,	Ramsey,	Williams,
Donahoe,	Kitts,	Reese,	Wilson, W. H.,
Donnally,	Klepper,	Reeser,	Wiltbank,
Down,	Kuhn, H. P.,	Rex,	Young, G. K.
Dunn, H. B.,	Kuhns, E.G.M.,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Lanius,	Richards,	Zimmerman,
Ehrhardt,	Latshaw,	Robinson,	Alter,
Eichenberger,		Rockwell,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203, entitled:

An Act to provide that fines and forfeitures levied and collected for violations of the Game Laws of the Commonwealth shall be paid to the Game Commission for the purpose of acquiring and maintaining game preserves and for acquiring propagating and distributing game

On the question,

Will the House agree to the bill on third reading?

Mr. McKAY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section 1 line 7, by inserting before "Game" the words "State Treasurer for the use of the." Insert after "Commission the words "and shall constitute a fund."

Also amend section 2, line 2, by inserting after "Treasurer" the words "as a special fund for the purposes aforesaid, which said moneys are hereby specifically appropriated solely for such purpose."

Also amend title by striking out in line 3, the word "Commissioner" and insert in lieu thereof the word "Commission."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1202, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse second-hand store or junk shop for failure to provide and keep books showing entries of receipt or acceptance of goods by purchase exchange or otherwise said books to be open to inspection by police and detectives of every city and a sworn report to be filed with the superintendent of police and providing for the violation thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SPEISER. Mr. Speaker, this bill and the bill following were introduced by Mr. Lorenzo Smith, and through inadvertence my name has been attached. The bill is endorsed by the Director of Public Safety of Philadelphia, and all the chiefs of police of the various cities of the Commonwealth have joined with him. It is also endorsed by the Children's Aid Society, and I therefore ask the members of the House to vote in favor of this bill and the bill which follows it.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Forster, I. G.,	Latshaw,	Rothenberger,
Allen,	Foster, J. D.,	Leslie,	Runk,
Alworth,	Frey,	Letzkus,	Sassaman,
Ambler,	Gans,	Light,	Savacool,
Aron,	Gibson,	Lonr,	Schaeffer, A. C
Arthur,	Glenn,	Lowers,	Schuck,
Baldwin, G. A.,	Good,	Martin,	Scott, J. R. K.,
Baldwin, R. J.,	Grabe,	Mather,	Scott, S. B.,
Bass,	Gramley,	McAleer,	Semmens,
Bayle,	Gransback,	McAllister,	Shaffer, C. A.,
Benninger,	Gray, Frank,	McClintock,	Shern,
Benson,	Gray, Joseph,	McDermott,	Sherwood,
Bergey,	Hackett,	McKay,	Showalter,
Bigger,	Haggerty,	McNichol,	Smith, J. W.,
Bittles,	Heidinger,	Mechling,	Smith, L.,
Blair, W. A.,	Hemminger,	Metzenbacher,	Spangler,
Blair, W. F.,	Hess,	Miller,	Speiser,
Body,	Heyburn,	Missimer,	Spillinger,
Brosius,	Hibshman,	Mitchell,	Steedle,
Brown,	Hobbs,	Moore,	Steele,
Brownlee,	Hoffman,	Morrow,	Stone,
Burnett,	Howard, J.,	Moulthrop,	Strauss,
Caldwell,	Howard, R.,	Murphy,	Swartz,
Campbell, C.M.,	Humes,	Musser,	Swift,
Campbell, J.J.	Isler,	Neel,	Thomas,
Carson,	Irwin, G. C.,	Newton,	Trach,
Carter,	Irwin, H. H.,	North,	Ulerich,
Cheeseman,	Jackson,	O'Neill,	Ulman,
Claycomb,	Jones, E. E.,	Peachey,	Walnut,
Cleary,	Jones, J. R.,	Pennegar,	Walsh,
Collins,	Kaiser,	Pennock,	Walton,
Conner,	Kaufman,	Perry, S. J.,	Watson,
Cox,	Keegan,	Piper,	Whitaker,
Currier,	Keeport,	Post,	Whitman,
Curry,	Kenna,	Price,	Wildman,
Davis,	Kennedy,	Ramsey,	Williams,
DeFrees,	Kern,	Reese,	Wilson, J. H.,
Dickinson,	Kitts,	Reeser,	Wilson, W. H.,
Donnally,	Klepper,	Rex,	Wiltbank,
Down,	Kuhn, H. P.,	Richards,	Young, G. K.
Ehrhardt,	Kuhns, E.G.M.,	Robinson,	Young, J. H.,
Eichenberger,	Lanius,	Rockwell,	Zimmerman,
Ely,		Roney,	Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1203, as follows:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation being in possession of goods and chattels of any description belonging to another either as storage or warehouse-man pawn broker second-hand dealer or junk dealer to conceal from any constable or sheriff entrusted with the execution of any writ any such goods or chattels with intent to prevent any such goods or chattels from being taken or levied upon under any such writ

Section 2 The refusal to disclose or point out to any such constable or sheriff the whereabouts of any such goods or chattels shall be evidence of the intent to conceal such goods and chattels as provided for in section one of this act

Section 3 Any keeper owner proprietor or any person in charge of any such storage or warehouse pawnship second-hand store or junk shop who shall violate neglect fail or refuse to comply with all of the provisions of this act or any of them shall be guilty of a misdemeanor and upon conviction before any court of competent jurisdiction be sentenced to pay a fine not exceeding five hundred dollars ($500) or undergo an imprisonment of not more than one year or both at the discretion of the court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Adams,	Fahey,	Lowers,	Runk,
Allen,	Forster, I. G.,	Letzkus,	Sassaman,
Alworth,	Foster, J. D.,	Malie,	Savacool,
Ambler,	Frey,	Mannion,	Schuck,
Aron,	Gans,	Martin,	Scott, J. R. K.,
Arthur,	Geary,	Matt,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	McAleer,	Semmens,
Baldwin, R. J.,	Gibson,	McAllister,	Shaffer, C. A.,
Bass,	Glenn,	McClintock,	Shaffer, I. E.,
Bayle,	Good,	McDermott,	Shern,
Benninger,	Grabe,	McKay,	Sherwood,
Benson,	Gramley,	McNichol,	Showalter,
Bergey,	Gransback,	Mechling,	Smith, J. W.,
Bigger,	Gray, Frank,	Mellott,	Smith, L.,
Bittles,	Gray, Joseph,	Metzenbacher,	Snyder,
Blair, W. A.,	Hackett,	Miller,	Spangler,
Blair, W. F.,	Haggerty,	Missimer,	Speiser,
Bleloch,	Hemminger,	Mitchell,	Spillinger,
Body,	Hess,	Moore,	Steedle,
Brosius,	Heyburn,	Morrow,	Steele,
Brown,	Hibshman,	Moulthrop,	Stein,
Brownlee,	Hobbs,	Murphy,	Stone,
Burnett,	Hoffman,	Musser,	Strauss,
Caldwell,	Howard, J.,	Neel,	Swartz,
Carson,	Howard, R.,	Newton,	Swift,
Carter,	Isler,	North,	Thomas,
Cheeseman,	Irwin, G. C.,	O'Neill,	Trach,
Claycomb,	Irwin, H. H.,	Peachey,	Ulerich,
Cleary,	Jackson,	Pennegar,	Ulman,
Collins,	Jones, J. R.,	Pennock,	Walnut,
Conner,	Kaiser,	Perry, S. J.,	Walsh,
Conniff,	Kaufman,	Peters,	Walton,
Cox,	Keegan,	Piper,	Watson,
Currier,	Keeport,	Post,	Whitaker,
Curry,	Kenna,	Price,	Whitman,
Davis,	Kennedy,	Ramsey,	Wildman,
DeFrees,	Kern,	Reese,	Williams,
Dickinson,	Klepper,	Reeser,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Rex,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Rhoads,	Wiltbank,
Dunn, H. B.,	Lanius,	Richards,	Young, G. K.
Dunn, J. A.,	Lenker,	Robinson,	Young, J. H.,
Ehrhardt,	Leslie,	Rockwell,	Zimmerman,
Eichenberger,	Lohr,	Roney,	Alter,
Ely,		Rothenberger,	Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 969, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

On the question,

Will the House agree to the bill on third reading?

BILLS POSTPONED.

Mr. GOOD. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KITTS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BERGEY. Mr. Speaker, I would like to have the gentleman who is the sponsor of this bill explain upon whom the expenses of this bill will fall.

Mr. AMBLER. Mr. Speaker, this is what is known as the "suburban metropolitan organization" bill, and it provides that the expenses of the commission shall fall upon townships and boroughs, but in no case more than one-tenth of a mill.

Mr. R. J. BALDWIN. Mr. Speaker, I don't like to oppose anybody's legislation in the House, I assure you, but I do really think that this is a piece of legislation that has no power whatever except to collect one-tenth of one mill tax on a territory of the surrounding property, creating a fund of from $15,000 to $20,000 to support a commission. The bill does not give that commission any power whatever, nor does it give the municipalites that come under its power, or under control of it, or under its jurisdiction, any power to get any benefit from it. There is nothing in the bill, to my mind, at all except a number of offices that will not be of any benefit to anybody. I do not know whether the House is acquainted with the provisions of this bill or not, but the bill provides for the creation of an organization to be known as a suburban metropolitan organization, to lay down certain plans reaching anywhere within twenty-five miles of a great city. This commission is entitled, for its services, to one-tenth of one mill of the taxation of all that territory. Now, then, on the other hand, what do they do? They are supposed to put out a comprehensive plan of the territory for future development along certain lines; that is all they do. It is not required in the bill how much work they shall do in order to give them the right to levy on the people, nor does it require in that bill, when one of those communities desires some information from them, that they shall give it, but simply says that a community may ask for a plan. If the Commission says, "We are not ready yet; we haven't had the time," you won't get the benefit. It may be that a bill of this character, properly drawn, with some powers somewhere to compel the commission to do something, and some powers vested somewhere for a community, if it desire information the commission to give it. A bill properly drawn along that line might perhaps meet my approvel, but certainly something of that character ought to be in the bill, or this House ought to consider what it does. That bill will take one-tenth of one mill of the tax levy, giving no mandatory power, no legal power to require anything in return, no mandatory power to compel the commission to perform any services. It may be a favorable plan, if properly regulated, but where it is not regulated as it ought to be, I cannot help but feel that the bill ought not pass in the form it is now.

Mr. BERGEY. Mr. Speaker, this bill affects a very large area in my district and a part of Bucks county also, and I have had no request from that district in support of this measure; and inasmuch as the citizens of that district are not interested, I would ask that the House vote down this bill.

Mr. S. B. SCOTT. Mr. Speaker, it seems to me that the opposition to this bill arises from what might be called a medieval state of mind. The problem before us is this: There is the great City of Philadelphia, which by natural growth has reached its corporate lines. It is rapidly spreading over its corporate lines and thickly settled communities are radiating from it in all directions. Now these communities are split up into a great number of separate jurisdictions, mostly townships, for instance, along the main line of the Pennsylvania Railroad, stretching west from Philadelphia, we have township after township, borough after borough, but all of it forming one homeogenous class of population having similar needs and similar requirements. Now everybody knows that the needs of such a large area of population has to be treated in some unitary and comprehensive way. Not one of these small townships can afford to engage the engineering force or pay for the brains which will lay out plans comprehensive for them all, in such matters as sewerage, roadways and electric light wires, everything which goes to make up the public service in the community; and if there is not some central bureau which has the time, money and skill to think of these plans for each individual unit, it will simply result in the conjuring of unimportant and futile efforts to do the things that with a small expense could be done right for everybody. In fact, it is practically the same problem which faced Philadelphia in 1854 before the consolidation, where there was a great number of minor municipalities all covering the same area, the same unit of population of what is now the City and County of Philadelphia; and in order to get proper development it was necessary to incorporate them into one corporate body. Now the city has grown beyond the county and has reached to Bucks, Montgomery and Delaware counties and it is not possible or thought

wise yet to include that whole territory within the corporate limits of Philadelphia and almost all the good that that would entail can now be done by this simple scheme of erecting a comprehensive metropolitan planning district and the very small cost of a maximum of one-tenth of one mill. It does not mean at all that the commission will use that much, but a maximum of one-tenth of one mill is allowed for this planning commission. What I meant by saying that it was a medieval mind that opposed this bill, was that in the middle ages the towns and cities were cramped within narrow limits and it is only gradually as we come to modern times that the necessity for planning for large areas was thought of, and now every large city, both in this country and abroad, is considering the problem from the widest point of view, so that when a thing is once done it be done for all time, and when done it be done right. It would be a mistake for all future time, in the eastern part of the State at least, not to pass this bill.

Mr. R. J. BALDWIN. Mr. Speaker, I do not know whether I comprehend what the word "medieval" stands for, but I call this a medival bill if I understand the word. Now, I am just as much in sympathy with the proposition as laid down by my friend from Philadelphia as he is, and I will go just as far as he will, along practical lines, to bring about just what he desires. But here is a bill that has nothing in it; that has not any force in it excepting for the collecting of the money; that is the only force to it. It says positively that this large community must subscribe one-tenth of one mill to support an organization that by this bill does not say what it shall be in any way, nor it does not say in a single line that this particular divisons or municipal divisions in this territory, radiating twenty-five miles from the Cty of Philadelphia, shall get any return whatever. This is the only thing that I am complaining about. I am not complaining against the proposition that the gentleman presents to the House. I am simply complaining that the bill is not in the form that it ought to be, nothing mandatory excepting to collect the money. They say you must furnish the money. In all human probability, with a bill of this character, we have the right to feel that the money may not be well spent, and doubt whether competent men would have the handling of it. Under these circumstances the bill ought to be put in some form where it will have some force, or be defeated.

Mr. BERGEY. Mr. Speaker, as this bill is drawn it will take in an area with a total assessment of five hundred million dollars and one-tenth of one mill will permit this commission to collect probably fifty thousand dollars. I see no reason why the suburban districts adjacent to the City of Philadelphia are not able to appoint their own parkway commission, etc., and look after their own respective interests. We are not living in an ancient atmosphere. We are all progressive, and I contend that the people in the territory adjacent to the City of Philadelphia can take care of themselves.

Mr. AMBLER. Mr. Speaker, I want to call the attention of the House to the fact that this bill only affects suburban districts within twenty-five miles of the City of Philadelphia. The gentleman from Montgomery stated it will receive a revenue on five hundred million dollars. I do not know how he gets that or anything about it; and the gentleman from Delaware says it has no power. We don't want it to have power. The only power it has is to suggest plans and, Mr. Speaker, we leave all the power with the local authorities who are elected by the people and they are responsible to the people. This bill simply provides that this commission may form plans and suggest and lay them before these municipal authorities. Our people down in our county and the county of Bucks, and all counties nearby are in favor of this bill and I hope the House will pass it.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Adams,	Eichenberger,	Letzkus,	Runk,
Allen,	Ewing,	Light,	Schaeffer, A. C
Alworth,	Fahey,	Lohr,	Scott, J. R. K.,
Ambler,	Forster, I. G.,	Mannion,	Shaffer, I. E.,
Aron,	Frey,	Mather,	Showalter,
Arthur,	Gans,	McAleer,	Smith, L.,
Baldwin, G. A.,	Geiser,	McArdle,	Snyder,
Bass,	Good,	McClintock,	Spangler,
Becker,	Goss,	McNichol,	Speiser,
Bigger,	Gransback,	Miller,	Spillinger,
Bittles,	Gray, Frank,	Missimer,	Steele,
Blair, W. A.,	Hackett,	Mitchell,	Stein,
Blair, W. F.,	Haggerty,	Moore,	Stone,
Brosius,	Hemminger,	Moses,	Swartz,
Brownlee,	Hobbs,	Neely,	Thomas,
Caldwell,	Howard, J.,	Newbaker,	Ulerich,
Campbell, C.M.,	Isler,	Newton,	Ulman,
Carter,	Irwin, G. C.,	O'Neill,	Walnut,
Cheeseman,	Jackson,	Peachey,	Walsh,
Cleary,	Jones, J. R.,	Pennegar,	Walton,
Conner,	Kaiser,	Pennock,	Watson,
Cox,	Kaufman,	Perry, S. J.,	Whitman,
Currier,	Kennedy,	Piper,	Wildman,
Curry,	Kern,	Price,	Wilson, J. H.,
Davis,	Kitts,	Ramsey,	Wiltbank,
DeFrees,	Kuhn, H. P.,	Reese,	Young, G. K.,
Dickinson,	Lanius,	Reeser,	Young, J. H.,
Down,	Latshaw,	Rex,	Zimmerman,
Dunn, J. A.,	Leslie,	Roney,	Alter,
Ehrhardt,	Lowers,	Scott, S. B.,	Speaker.

NAYS—41.

Baldwin, R. J.,	Ely,	Kuhns, E.G.M.,	Neel,
Benninger,	Foster, J. D.,	Lenker,	Post,
Benson,	Geary,	Martin,	Rockwell,
Bergey,	Grabe,	Matt,	Rothenberger,
Bleloch,	Gramley,	McAllister,	Sassaman,
Campbell, J.J.	Herman,	Obermott,	Schuck,
Carson,	Hibshman,	McKay,	Semmens,
Cochran,	Howard, R.,	Metzenbacher,	Smith, J. W.,
Collins,	Keegan,	Murphy,	Trach,
Donnally,	Kenna,	Musser,	Whitaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ALLEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ALLEN. Mr. Speaker, this morning, when the resolution from the Senate reached this House announcing its intention or adjourning until next Monday night, it was clearly evident as to the temper of the House toward that resolution when the vote was announced. There were quite a few strong "noes" and a general rumbling of "noes" throughout the House, which indicated something. I feel, Mr. Speaker, that the something which was indicated by the sentiment of this House was that the House had somewhat tired of the delay of matters in the other branch of this body. As a member of this House, I feel that since we have been here we have worked conscientiously and diligently and have accomplished much, Mr. Speaker, more than has been accomplished, perhaps, in the same time within years and years. The legislation has been taken up by this House in an orderly and systematic way, notwithstanding the fact, at the beginning of this session when it seemed that the members were torn asunder and that we would have delays or attempted delays and all those things from the various elements on the floor of this House, we have worked, it seems to me, Mr. Speaker, with one purpose in view. As individuals on the floor of this House, the members have stood for what their parties announced to the people. We have taken up and introduced here and have given public hearings to important measures, pledges which your parties and my party made to the people. We brought those bills out on the floor of this House. We have considered them. Some of them are still in the hands of the committees receiving almost daily attention and investigation. Others have passed this House at an early time, and I want to call the House's attention to a series of these bills. In looking over the Senate Calendar I find that three of a series of election bills were referred to the Senate on the 11th of February. Going a little further along two more of that same series of bills were referred on the seventeenth of February, and three more of the series, completing the series, were referred to the Senate on the 24th of February, having passed this House. Mr. Speaker, that series of bills as they came in there were referred to the

Committee on Elections and they still sleep in that Committee. No one of those bills has ever been reported out from that committee notwithstanding the fact, Mr. Speaker, that every party represented upon the floor of this House has promised to the people a purification of the ballot laws and this series of bills which I took up because of the fact that it was the first series that started through this House, this series of bills attempts to do that very thing. Now, Mr. Speaker, I can only speak for myself in relation to one matter. When I appear upon the streets of my home city, I am accosted on every hand almost by people asking me how it happens that I am home even if it is Saturday evening, why I am not down at Harrisburg at work, that we have done nothing. The people as a people, Mr. Speaker, only know what has been done as it is ground out and finally approved from the Executive Chamber. No man who is not in intimate touch with this House knows that the House is having two or three long, tiresome and deliberate sessions every day. No one knows that. You cannot explain to your people how it is that you are working steadily because they only see the limited number of bills that have been passed at this session, although the session is now ten or eleven weeks old. You cannot make your people understand that. Mr. Speaker, that resolution indicated that the temper of this House had been aroused to the point at which the House was about to say to the Senate that we are not satisfied with their convening at eleven o'clock for a few moments, and doing nothing and adjourning on Wednesday at ten or eleven o'clock in the morning, but that we shall expect them to do as we are doing and get down to business, not only taking care or business which originates in that branch of this body, and especially taking care of such measures as this Legislature, as you and I, Mr. Speaker, and as the parties which every member on the floor of this House represents have promised to the people, that they shall give their attention to these pledges and put these pledges into operation.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of Personal Privilege.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the statement made upon the question of personal privilege by the gentleman from Allegheny fully agrees with the view that I take as to the position of this House. Since the beginning of this session, this House, through the very able leadership of its Speaker, has been working from ten o'clock in the morning, through the morning sessions, through the afternoon sessions, and now apparently, will be working through the night sessions. We have not only put through legislation in this House that we have been pledged to put through, but we have acted with extreme fairness to the Senate by putting the Senate's legislation through. In looking over the calendar yesterday I find that no less than twenty-nine Senate Bills are on the calendar, and that the majority o those reached yesterday on third reading and those that were reached to-day, have been passed by this House. Mr. Speaker, we are not being treated by the Senate fair as a House. We are not being treated by the Senate fairly as representatives of constituencies, and it is the duties of this House, not only to itself, but it is the duty to these constituencies to compel the Senate to cease its dilatory proceedings, and while the Joint Resolution was adopted in this House this morning allowing the adjournment for more than three days without opposition. These questions of personal privileges exercised on the floor of the House today should be notice to the Senate, that they cannot expect our concurrence in another week if they persist in ignoring the bills sent to the Senate and in keeping in their committees such important bills as to Convention Bills, as the Assisting Voters Bill, then it is time for this House to insist upon having some action, and not to have our legislation merely starved in the Senate, nor to have ourselves sent back home to ridicule after we carried out our pledges here in this House, simply to be stifled in the Senate. Mr. Speaker, the course of the Senate and the course of this House in permitting the Senate to follow this course, is neither fair to the House, the administration, or to you yourself, Mr. Speaker, presiding over this body. We are all pledged not only to put our legislation through this body, but we are pledged to use the force of this body to make the Senate let go. Now, Mr. Speaker, the question here of personal privilege is the only way we have to give notice to the other body of the government that we do not propose without a protest to tolerate such conduct. That we propose then in our strength—.

Mr. WILTBANK. Mr. Speaker, the hour of one o'clock has arrived.

The SPEAKER. The gentleman from Philadelphia is out of order, and the gentleman from Philadelphia, Mr. John R. K. Scott, has the floor and will proceed.

Mr. JOHN R. K. SCOTT. Mr. Speaker, it is our duty to ourselves and our constituency to exercise this power of personal privilege to serve notice on the other branch of the legislature that we do not propose to tolerate further this delay and this means of stifling our legislation. We have the power here to at least stop the adjournment of the other branch of the Legislature, and if it is presisted in, the continual dilatory tactics of the Senate, the means of adjournment coming here with a joint resolution and asking for an adjournment from Wednesday until Monday night, and meeting from Monday night until Wednesday and doing nothing, and allowing our legislation to remain in the Committee, or to die from starvation, it is time we took notice, and this question now of personal privilege should be given to them as notice that some of us in this House intend to rise each week and protest against concurrence in their joint resolutions.

RECESS.

The SPEAKER. The hour of one o'clock having arrived, this House will now take a recess until three o'clock this afternoon.

AFTER RECESS.

The House re-convened at 3:30 o'clock p. m.
The Speaker (Mr. George E. Alter) in the chair.

REPORTS FROM COMMITTEES.

Mr. BIGGER, from the Committee on Constitutional Reform, reported as committed, House Bill No. 16, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania.

Mr. BIGGER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1692, entitled:

An Act giving the power to mayors of third class cities of this Commonwealth to be present and vote at Council meetings in order to make a quorum and cast a deciding ballot in case of a tie vote.

Mr. MOORE, from the Committee on Insurance, reported as committed House Bill No. 1805 (Senate Bill No. 66), entitled:

A supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commisisoners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof.

Mr. FORSTER, from the Committee on Judiciary General, reported as committed, House Bill No. 1616, entitled:

An Act providing for the return of taxes on seated lands, in counties, poor districts, boroughs, incorporated towns and townships for county, poor, borough, town or township taxes, respectively, and providing for the sale of such lands for taxes.

Mr. McNICHOL, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1886, entitled:

An Act empowering cities of the first class to purchase, lease, locate, construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities, boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter to distribute and dispose of power for lighting and other purposes and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and

to construct with said cities respecting the acquisition construction, operation and use of transit facilities.

Mr. McNICHOL, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1887 (Senate Bill No. 553), entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge, control and management of the transit facilities of cities of the first class.

Mr. SHERWOOD, from the Committee on Insurance, reported as committed, House Bill No. 1804 (Senate Bill No. 65), entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March, one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further provding for the number of pilots and apprentices.

Mr. WALSH, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1403 (Senate Bill No. 556), entitled:

An Act to permit the relocation of certain portions of the track of Street Passenger Railway Companies with the consent of the local authorities.

Mr. SHOWALTER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1815 (Senate Bill No. 502), entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances, providing for contracts, for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same, defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide.

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 507, entitled:

An Act providing for an initiative and referendum system of legislation under certain conditions in all Boroughs within the Commonwealth of Pennsylvania.

Mr. BERGEY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 585, entitled:

An Act to amend the first section of an act, approved the twenty-fifth day of April, one thousand nine hundred and seven, P. L. 193, entitled "A supplement to the act of April third, eighteen hundred and fifty-one, entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties, and authorizing the town council to fix his compensation," so as to include all boroughs, and by changing the length of the term and the time of the election of borough solicitors, and extending the term of the borough solicitors holding office under the act of April twenty-fifth, nineteen hundred and seven.

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1228, entitled:

An Act amending section eighteen of an act entitled, "An Act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes, and for municipal improvements, and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of properties liened, and the manner of disributing the proceeds of such sales," approved the fourth day of June, A. D., one thousand nine hundred and one, as the same was amended by an act approved the sixth day of May, A. D., one thousand nine hundred and nine, changing the method of service by advertisements of writs of scire facias issued upon municipal and tax claims.

Mr. KLEPFER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1846 (Senate Bill No. 523), entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvement the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the Board of Viewers shall show the net result only.

Mr. BROWN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1558, entitled:

An Act empowering cities of the second class to levy, assess and collect taxes for general revenue purposes on street railway, telegraph, electric light or power, water, gas and heat companies or corporations.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1826 (Senate Bill No. 294), entitled:

An Act amending and supplement section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein, and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for the compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the Common Pleas Court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the Common Pleas Court to take such appeal and prescribing the practice in such cases.

Mr. J. H. YOUNG, from the Committee on Public Roads, reported as committed, House Bill No. 1739, entitled:

An Act to provide for the protection of vehicular, pedestrian and animal traffic under trolley wires on Public Highways in the Commonwealth.

Mr. METZENBACHER, from the Committee on Public Roads, reported as committed, House Bill No. 525, entitled:

An Act to amend section eight of an act entitled "An Act relating to roads; providing for the election and appointment of township supervisors in second class township; defining their powers, duties and limitations; relating to road tax, and the expenditures thereof; abolishing the work tax; defining certain duties of the clerk of court; fixing penalties for violation of this act; and making an appropriation to carry out its provisions," approved the fourteenth day of June, Anno Domini, one thousand nine hundred and eleven

Mr. KITTS, from the Committee on Judiciary General, reported as committed, House Bill No. 1367, entitled:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk, to countersign warrants on the county treasurer when properly drawn during such periods as any said county controller may have so designated such clerk in writing to the county treasurer, in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants.

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1793, entitled:

An Act to amend section one of article one of an act approved the seventh day of March, one thousand nine hundred and one, entitled "An Act for the Government of cities of the second class."

Mr. ROCKWELL, from the Committee on Fisheries, reported as amended House Bill No. 1828 (Senate Bill No. 394), entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions.

Mr. LOHR, from the Committee on Forestry, reported as amended, House Bill No. 1844 (Senate Bill No. 417), entitled:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight, providing for the destruction of trees so affected creating a commission to carry out the purpose of this act, fixing penalties for violation of the provisions hereto and making an appropriation therefor" approved June fourteen one thousand nine hundred eleven, Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees.

Mr. GLENN, from the Committee on Judiciary General, re-reported as committed, House Bill No. 551 (Senate Bill No. 3), entitled:

An Act validating certain elections of counties, cities, boroughs, townships, school districts and other incorporated

districts held pursuant to the provisions of an act aproved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendment thereto and validating bonds issued or authorized to be issued in pursuance of such elections.

LEAVES OF ABSENCE.

Mr. SPEISER asked and obtained leave of absence for Messrs. Stone, Speiser, Claycomb, Glenn and Mitchell for the balance of the week, to make the investigation in Schuylkill County.

Mr. REESE asked and obtained leave of absence for himself for the balance of the week.

Mr. MITCHELL asked and obtained leave of absence for Mr. Redfield for the balance of the week.

Mr. CARTER asked and obtained leave of absence for Mr. Herman for the balance of the week.

Mr. BIGGER asked and obtained leave of absence for Mr. Steedle for the balance of the week.

Mr. FREY asked and obtained leave of absence for himself for the balance of the week.

Mr. FORSTER asked and obtained leave of absence for himself for the balance of the week.

SENATE MESSAGES.

The Clerk of the Senate being introduced, returned bills from the House of Representatives, numbered and entitled as follows:

HOUSE BILLS CONCURRED IN BY SENATE.

House Bill 657.

An Act to repeal an act entitled "A supplement to the act entitled "An Act for preventing clandestine marriages'" approved the fourteenth day of February Anno Domini one thousand seven hundred thirty

Also House Bill 658.

An Act to repeal an act entitled "An Act for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (one Smith's Laws twenty-one)

with information that the Senate has passed the same without amendment.

SENATE CONCURS IN HOUSE AMENDMENTS TO SENATE BILL.

Also, the Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made to Senate Bill No. 275, entitled:

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commisioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts or stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same"

SENATE INSISTS ON NON-CONCURRENCE AND APPOINTS CONFERENCE COMMITTEE.

Also, the Clerk of the Senate informed that the Senate insisted upon its amendments non-concurred in by the House of Representatives to House Bill No. 39, entitled:

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

and has appointed Messrs. Jones, Buckman and Gyger a committee to confer with a committee of the House of Representatives, if the House of Representatives shall appoint such committee, on the subject of the difference existing betwen the two Houses in relation to said bill.

Mr. BLELOCH. Mr. Speaker, I move that the House insist upon its amendments and that a Conference Committee be appointed.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

Also, the Clerk of the Senate being introduced, informed that the Senate had insisted upon its amendments non-concurred in on House Bill No. 336, entitled:

An Act making it unlawful to use any type of mining machine in the removal of ribs stumps or pillars in any bituminous coal mine in the State of Pennsylvania

and has appointed Messrs. Kline, Buckman and Jones a Committee of Conference to confer with a committee of the House already appointed on the subject of the difference existing between the two Houses in relation to said bill.

Also, the Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 105, entitled:

An Act to provide that certain teachers of long experience in the Commonwealth of Pennsylvania shall be appointed permanently and defining the manner of changing their positions and salaries making it the duty of the President and Secretary of each school board in this Commonwealth to enter in certain contracts and providing penalties for the neglect or refusal to perform such duty

and has appointed Messrs. Snyder, Homsher and Kline a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. J. H. YOUNG. Mr. Speaker, I move that the House insist upon its amendments and that a conference committee be appointed.

Mr. SNYDER. Mr. Speaker, I second the motion.

The motion was agreed to.

Also, the Clerk of the Senate being introduced informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eight day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

and has appointed Messrs. McIlhenny, Judson and Heacock a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. LESLIE. Mr. Speaker, I move that the House insist upon its amendments and that a conference committee be appointed.

Mr. AMBLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL PLACED UPON CALENDAR.

Mr. CARTER. Mr. Speaker, I move that House Bill No. 1141, entitled:

An Act to fix the compensation and allowances for members of the General Assembly

be placed upon the Calendar and that the committee be discharged from its further consideration.

Mr. ISLER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. CARTER. Mr. Speaker, this bill concerns every member of this House, as well as it concerns me. Some years ago the members of the Assembly of Pennsylvania saw fit to set a salary for the members of the House of Representatives and of the Senate and that salary was fixed at $1,500.00, with mileage, and postage and stationery. Now, under this bill, which is not much of an advance in salary, it does away with the foolish idea of giving all the members of the House $100 worth of postage, which they go around peddling—I do not say every member of the House does, but I have done it and I stand guilty in that respect. Now, if the House takes up this bill and if it passes it and the Senate passes it and we all come back here two years hence—I don't care whether I do or not—but if those who are sitting around me come back here again they will draw a salary of $2,000 under this bill and mileage of twenty cents per circular mile. We have been here since the sixth of January. Another thing, Mr. Speaker, concerning it, is this: We have stationery, $50, we have postage, $100, and $1,500 besides. Now, under this

bill there would be nothing but a straight salary of $2,000 and twenty cents per circular mile, as I mentioned, also $500 for a special or extraordinary session, and mileage.

Mr. ROCKWELL. Mr. Speaker, as Chairman of the Judiciary General Committee, I have in my possession three different bills undertaking to increase the salaries of the members of the General Assembly. We have not acted upon these bills for two or three reasons. One of them is that two of the bills cover not only the members but the employees, and on those two we have waited to get the report of the committee that was investigating the number, character and salaries of the employees, and their duties. Four years ago a bill was passed increasing the salaries of the members of the General Assembly which was vetoed by the Governor. Two years ago a bill was passed in the same way. While I am only speaking for myself—these bills have not been considered—to my mind it would be foolish for this General Assembly to pass another bill raising the salaries of the members of the General Assembly, but I have no interest in the case. If the House sees fit to discharge the committee from further consideration of this bill, I think the committee will not find any fault but if the bill comes out on the floor of the House, I shall vote against it.

On the question recurring,

Will the House agree to the motion?

The motion was agreed to.

The SPEAKER. In pursuance of the adoption of this motion, the Judiciary General Committee will report the bill at the first opportunity.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1029, entitled:

An Act supplementary to an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April one thousand nine hundred and three providing for the separation of dependent and neglected children from incorrigible and delinquent children in places of detention of minors in the custody of the Juvenile Courts of the several counties

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. LOWERS. Mr. Speaker, I find that there has been some question raised as to the advisability of the passage of this act. I believe the bill is a good bill and should be passed. However, in order to meet some of the objections that have been raised, I am perfectly satisfied to postpone this bill for the present. I therefore move to postpone further consideration of this bill for the present.

Mr. KENNEDY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

A division was called for, 111, or more than a majority of the whole House, voting in the affirmative,

And the motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1464, entitled:

An Act regulating to the openings of buildings upon over or under external fire escapes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Eichenberger,	Light,	Roney,
Allen,	Ely,	Lohr,	Rothenberger,
Alworth,	Ewing,	Lowers,	Runk,
Ambler,	Fahey,	Malie,	Sassaman,
Aron,	Flynn,	Mannion,	Savacool,
Arthur,	Forster, I. G.,	Martin,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	Mather,	Schuck,
Baldwin, R. J.,	Gans,	Matt,	Scott, S. B.,
Bass,	Geary,	McAleer,	Semmens,
Bayle,	Geiser,	McAllister,	Shaffer, I. E.,
Becker,	Gibson,	McArdle,	Shern,
Benninger,	Glenn,	McClintock,	Showalter,
Benson,	Good,	McKay,	Smith, J. W.,
Bergey,	Grabe,	Mechling,	Smith, L.,
Berntheizel,	Gramley,	Mellott,	Snavely,
Bigger,	Gray, Frank,	Metzenbacher,	Snyder,
Bittles,	Hackett,	Miller,	Spangler,
Blair, W. A.,	Haggerty,	Missimer,	Speiser,
Body,	Hemminger,	Mitchell,	Spillinger,
Brosius,	Hess,	Moore,	Steedle,
Brown,	Heyburn,	Morrow,	Steele,
Brownlee,	Hibshman,	Moses,	Stein,
Burnett,	Hobbs,	Moulthrop,	Stone,
Caldwell,	Hoffman,	Musser,	Strauss,
Campbell, C.M.,	Howard, J.,	Neely,	Swartz,
Campbell, J.J.	Isler,	Newbaker,	Swift,
Carson,	Irwin, G. C.,	Newton,	Thomas,
Carter,	Irwin, H. H.,	North,	Ulman,
Cheeseman,	Jackson,	O'Neill,	Walnut,
Claycomb,	Jones, E. E.,	Peachey,	Walsh,
Cleary,	Jones, J. R.,	Pennegar,	Walton,
Collins,	Kaiser,	Pennock,	Watson,
Conner,	Kaufman,	Perry, S. J.,	Wettach,
Conniff,	Keeport,	Peters,	Whitaker,
Cox,	Kenna,	Piper,	Whitman,
Currier,	Kennedy,	Post	Wildman,
Curry,	Kern,	Price,	Williams,
Davis,	Kitts,	Ramsey,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wiltbank
Donnally,	Latshaw,	Rhoads	Young, G. K.,
Down,	Lenker,	Richards,	Young, J. H.,
Dunn, H. B.,	Leslie,	Robinson,	Zimmerman,
Dunn, J. A.,	Letzkus,	Rockwell,	Alter,
Ehrhardt,			Speaker.

NAYS—1.

Trach.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1414, entitled:

An Act reorganizing the Attorney-General's Department designating the officers and employes thereof and fixing their salaries

On the question,

Will the House agree to the bill on third reading?

Mr. SPEISER. Mr. Speaker, the reasons for the passage of this bill, as given to me by the Attorney General's office are as follows:

There is no legislative authority for the position of Deputy Attorney General; he is recognized by appropriation acts and acts fixing salaries, but there is no act designating by whom he should be appointed.

The titles of Assistant Deputy Attorney General and Second Assistant Deputy Attorney General, are long, cumbersome and misleading.

There are a half dozen or more separate acts relating to the Department, which by this act are repealed.

There is no increase in the office force, except one stenographer, which is absolutely needed.

There is no change in the salaries except that of Second Deputy Attorney General, whose salary is fixed half way between the First and Third Deputies. The messenger is increased two hundred dollars, and at eleven hundred receives less than many of the messengers in the Capitol.

The stenographers' salaries are increased from one thousand to twelve hundred, to conform to the salaries of the stenographers in other departments. The stenographers in the Attorney General's Department, in addition to the ordinary work concerning which a stenographer must be efficient, are required to be experts in legal work, in the preparation of legal documents, papers and briefs, and if anything, should receive more, and not less than stenographers who do ordinary clerical work.

All other salaries remain as now fixed.

In other words, the entire change in salaries in this whole Department will amount to about seven hundred dollars, and the clerical force is increased with the addition of one stenographer at eleven hundred dollars.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

The SPEAKER. This roll will be verified.

This was done as follows:

YEAS—117.

Adams,	Dickinson,	Keegan,	Runk,
Alworth,	Down,	Keeport,	Sassaman,
Ambler,	Dunn, J. A.,	Kenna,	Schaeffer, A. C
Aron,	Ehrhardt,	Kitts,	Schuck,
Arthur,	Eichenberger,	Leslie,	Scott, S. B.,
Baldwin, R. J.,	Ely,	Letzkus,	Semmens,
Bass,	Ewing,	Lowers,	Shaffer, C. A.,
Bayle,	Fahey,	Malie,	Shern,
Becker,	Flynn,	McAllister,	Smith, L.,
Bergey,	Forster, I. G.,	McArdle,	Snyder,
Berntheizel,	Foster, J. D.,	McNichol,	Spangler,
Blair, W. A.,	Frey,	Mechling,	Speiser,
Blair, W. F.,	Gans,	Missimer,	Steele,
Body,	Geary,	Mitchell,	Stein,
Brosius,	Good,	Moore,	Stone,
Brown,	Gramley,	Morrow,	Strauss,
Brownlee,	Gray, Frank,	Moses,	Swartz,
Burnett,	Gray, Joseph,	Neely,	Thomas,
Campbell, C.M.,	Hackett,	O'Neill,	Trach,
Campbell, J.J.	Haggerty,	Pennock,	Ulman,
Carter,	Hess,	Perry, S. J.,	Walsh,
Claycomb,	Heyburn,	Price,	Walton,
Cleary,	Hibshman,	Ramsey.	Watson,
Collins,	Hobbs,	Reese,	Whitaker,
Conner,	Isler,	Rhoads,	Wildman,
Cox,	Irwin, G. C.,	Robinson,	Williams,
Currier,	Irwin, H. H.,	Rockwell,	Wiltbank,
Curry,	Jackson,	Roney,	Young, J. H.,
Davis,	Kaiser,	Rothenberger,	Alter, Speaker.
DeFrees,			

NAYS—38.

Baldwin, G. A.,	Jones, J. R.,	McAleer,	Post,
Benson,	Kennedy,	McDermott,	Richards,
Carson,	Kern,	McKay,	Savacool.
Cheeseman,	Kuhns, E.G.M.,	Mellott,	Shaffer I. E.,
Donnally,	Lanius,	Metzenbacher,	Smith, J. W.,
Goss,	Latshaw,	Moulthrop,	Snavely,
Grabe,	Lenker,	Musser,	Swift,
Hemminger,	Martin,	Newbaker,	Walnut,
Humes,	Matt,	Newton,	Wilson, J. H.,
		Peters,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1408, entitled:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

BILL RECOMMITTED.

Mr. WALNUT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General. The reason that I make that motion is based on the fact that there is a committee of the House now investigating the whole subject, and which has prepared a report covering the salaries of all House employees. I think this bill should be taken up in connection with that report, and a bill drafted along that line.

Mr. CHEESEMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair is in doubt.

Whereupon,

A division having been called for, ninety-two gentlemen having voted in the affirmative and sixty-five in the negative, the motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 688, entitled:

An Act entitled an act to provide for the destruction and prevent the spread of certain noxious weeds making it the duty of owners of land upon which such weeds grow to cut the same so as to prevent their going to seed making it the duty of supervisors to cut or destroy such weeds on or along public highways and providing penalties for failure to comply with the provisions of the act

On the question,

Will the House agree to the bill on third reading?

Mr. PEACHEY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend title, line 1, by striking out "entitled an act."

The SPEAKER. Will the House give unanimous consent to the amendment? Is there objection? The Chair hears none and the amendment will be made in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended.

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Adams,	Cox,	Jones, E. E.,	Reese,
Allen,	Curry,	Jones, J. R.,	Rex,
Alworth,	Davis,	Kaiser,	Rhoads,
Aron,	DeFrees,	Kennedy,	Richards,
Arthur,	Dickinson,	Kern,	Robinson,
Baldwin, G. A.,	Donahoe,	Kitts,	Rockwell,
Baldwin, R. J.,	Donnally,	Kuhn, H. P.,	Roney,
Bass,	Down,	Lanius,	Runk,
Bayle,	Dunn, H. B.,	Latshaw,	Sassaman,
Becker,	Dunn, J. A.,	Lenker,	Schaeffer, A. C
Benson,	Ehrhardt,	Letzkus,	Shaffer, I. E.,
Bergey,	Eichenberger,	Light,	Sherwood,
Bigger,	Ewing,	Lowers,	Showalter,
Bittles,	Fahey,	Malie,	Smith, J. W.,
Blair, W. A.,	Foster, J. D.,	Martin,	Smith, L.,
Blair, W. F.,	Gans,	Mather,	Snavely,
Bleloch,	Geiser,	McAleer,	Snyder,
Body,	Glenn,	McAllister,	Spangler,
Brosius,	Goss,	McKay,	Speiser,
Brown,	Grabe,	Mechling,	Spillinger,
Brownlee,	Gramley,	Mellott,	Steedle,
Burnett,	Gransback,	Metzenbacher,	Stein,
Caldwell,	Gray, Frank,	Mitchell,	Stone,
Campbell, C.M.,	Haggerty,	Moses,	Swartz,
Campbell, J. J.,	Hess,	Murphy,	Swift,
Carson,	Hibshman,	Musser,	Thomas,
Carter,	Hobbs,	Neely,	Walsh,
Cheeseman,	Hoffman,	Newbaker,	Whitman,
Claycomb,	Howard, J.,	Pennock,	Wildman,
Cleary,	Howard, R.,	Perry, S. J.,	Williams,
Collins,	Irwin, G. C.,	Post,	Wilson, J. H.,
Conner,	Jackson,	Ramsey,	Zimmerman,
Conniff,			Alter, Speaker.

NAYS—11.

Benninger,	Gray, Joseph,	Leslie,	Peters,
Currier,	Heyburn,	Missimer,	Ulman,
Forster, I. G.,	Keegan,	O'Neill,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 960, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

Mr. JAMES A. DUNN. Mr. Speaker, I would like to interrogate the sponsor of the bill.

The SPEAKER. Will the gentleman from Luzerne, Mr. Conniff, permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, Yes, sir.

Mr. JAMES A. DUNN. Mr. Speaker, What is the object or why did you make the change from three-fourth to two-thirds?

Mr. CONNIFF. Mr. Speaker, In the original section of the code, it provided that a teacher who is related to a school director had to get three-fourths of the votes of the School Board. Mr. Speaker, the object is that no teacher could be appointed who is related to a member of the School Board. In several different instances, where there is a brother or a sister or a sister-in-law or a

niece or an aunt. This bill amends that section and provides that any teacher who taught prior to the election of a school director related to her, would not be effected by the section and it also reduces the fractions from three-fourths to two-thirds of the members of the Board.

Mr. JAMES A. DUNN. Mr. Speaker, I would like to further interrogate the sponsor of this bill—how many members of the School Board are there in your district.

Mr. CONNIFF. Mr. Speaker, in some there are seven and where there are seven on the school board, the teacher who is related to a school director has to have six of the seven votes of the school board. This would make it necessary for her to get five of the seven—two-thirds.

Mr. JAMES A. DUNN. Mr. Speaker, Is it not true in the rural districts that there are five.

Mr. CONNIFF. Mr. Speaker, in some there are five. Yes, sir.

Mr. JAMES A. DUNN. Mr. Speaker, in almost all rural districts, as I understand it.

Mr. CONNIFF. Mr. Speaker, no, you could not say in all. I live in a rural district and there, are seven.

Mr. JAMES A. DUNN. Mr. Speaker, I mean in rural districts.

Mr. CONNIFF. Mr. Speaker, in any district that has a population of over five thousand and has seven school directors.

Mr. JAMES A. DUNN. Mr. Speaker, we were talking yesterday in regard to not changing the school code. This is a very small change and why should we go through this process when the school code at the present time requires three-fourth, especially when it is a relative of one of the directors. I don't see why we should make a change in the school code and why we should not let it remain at three-fourths instead of putting it to two-thirds in certain districts. when in almost all the school districts that we have heard about it now means five directors. At the present time the school code distinctly says this. Why, Mr. Speaker, it is a fair proposition for every relative of a school director to be appointed as a school teacher and why not let the law be as it is and enforce it in that way.

Mr. CONNIFF Mr. Speaker, the original section of the school code worked a hardship throughout the State in many sections thereof, for the reason that a teacher that was related to a school director had to get most of the votes of the school board so she could be elected. For instance, if there were seven school directors, she had to get six out of the seven before she could be elected a teacher. In many instances, the school teacher had taught for ten and fifteen or even for twenty years—and I know of some cases where the teacher taught twenty-three years, one case especially, but because of the fact that she had a relative on the school board she could not get the position back because of the fact that the minority of the board objected and this bill provides that where this teacher who had taught for a number of years or had taught prior to the election of that school board, that he or she should not be effected by this section. It is in all fairness to the teacher who has taught a number of years and taught prior to an election of the new school board.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—102.

Ambler,	Ely,	Light,	Reese,
Baldwin, R. J.,	Ewing,	Lohr,	Rex,
Bass,	Flynn,	Lowers,	Rockwell,
Bayle,	Foster, J. D.,	Mannion,	Rothenberger,
Benninger,	Gans,	Martin,	Runk,
Bergey,	Geary,	Matt,	Sassaman,
Bernthelzel,	Geiser,	McAleer,	Savacool,
Bigger,	Glenn,	McAllister,	Schaeffer, A. C
Blair, W. A.,	Good,	McDermott,	Semmens,
Body,	Goss,	McKay,	Shaffer, C. A.,
Brown,	Gray, Joseph,	McNichol,	Shaffer, I. E.,
Brownlee,	Heyburn,	Mechling,	Smith, J. W.,
Campbell, C.M.,	Hobbs,	Metzenbacher,	Snavely,
Campbell, J. J.,	Howard, J.,	Missimer,	Steele,
Carter,	Humes,	Moses,	Stein,
Carson,	Isler,	Murphy,	Strauss,
Cheeseman,	Jackson,	Musser,	Thomas,
Claycomb,	Kaufman,	Neel,	Trach,
Cleary,	Keegan,	Neely,	Ulerich,
Collins,	Kennedy,	Newbaker,	Ulman,
Conniff,	Kern,	O'Neill,	Watson,
Cox,	Kitts,	Perry, S. J.,	Wildman,
Davis,	Kuhns, E.G.M.,	Peters,	Williams,
DeFrees,	Lanius,	Post,	Wilson, J. H.,
Dickinson,	Lenker,	Price,	Wiltbank,
Donahoe,			Alter, Speaker.

NAYS—54.

Allen,	Curry,	Jones, E. E.,	Ramsey,
Alworth,	Dunn, J. A.,	Jones, J. R.,	Rhoads,
Aron,	Ehrhardt,	Klepper,	Scott, S. B.,
Arthur,	Eichenberger,	Leslie,	Smith, L.,
Baldwin, G. A.,	Fahey,	Mallie,	Snyder,
Benson,	Gramley,	McArdle,	Spangler,
Blair, W. F.,	Gransback,	McClintock,	Speiser,
Bleloch,	Gray, Frank,	Mellott,	Spillinger,
Brosius,	Hemminger,	Miller,	Swartz,
Burnett,	Hibshman,	Mitchell,	Swift,
Caldwell,	Hoffman,	Moore,	Walnut,
Conner,	Irwin, G. C.,	Newton,	Walsh,
Currier,	Irwin, H. H.,	Peachey,	Whitaker,
		Pennock,	Young, J. H.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 967, as follows:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by a amendatory act entitled "An Act amending article two article six article sixteen and paragraph twenty-four of article nineteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one by providing for an increase in the number of executive departments in said cities from nine to ten by the creation of the Department of Public Health by increasing the number of persons constituting the Department of Assessors and enlarging and increasing the jurisdiction and powers of said department by providing for an increase in the number of police magistrates in said cities from five to eight and supplementing said act by authorizing the creation of the Department of Public Health providing for the appointment of a director thereof fixing the maximum of his salary and defining the jurisdiction of said department and approved the first day of April Anno Domini one thousand nine hundred and nine which article as so amended reads as follows

"ARTICLE VI"

Department of Assessors

This department shall consist of no less than five (5) nor more than nine persons who shall have been residents of the city for at least ten years all of whom shall not be of the same political party The number of assessors in this department shall be designated by ordinance and they shall from time to time make all valuations for purposes of municipal taxation

They shall classify and divide all real estate in the city into three classes namely built up which shall pay full rates suburban or rural which shall pay two-thirds and agricultural which shall pay one-half They shall trienally make a valuation for all purposes of municipal taxation and shall have the power to administer oaths They shall have the power to make a new assessment in any ward or wards they deem necessary in any subsequent year other than triennial years in the manner prescribed by law for the triennial assessment Any property owners shall have a right to be head by the full board sitting as a board of revision on appeal from any valuation The asessment as aforesaid shall remain the lawful asessment for purposes of city taxation until the next assessment nothing herein contained shall be construed to repeal the act of July nine one thousand eight hundred and ninety-seven providing for the classification of real estate and other property for the purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class except so far as the same is inconsistent herewith

The councils shall by ordinance make all further needful rules and regulations for the government of this department and as affected by an act entitled "An Act providing a uniform rate of asessment and taxation for all real estate

in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven which last mentioned act reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all real estate now asessed and taxed in cities of the second class shall be assessed and taxed for all purposes of such taxation at a uniform rate based on its valuation without discrimination or distinction of any kind and no classification of such real estate for purposes of taxation shall hereafter be made Provided This act shall not effect the assessment of taxes for the year one thousand nine hundred and eleven

"Section 2 All acts or parts of acts inconsistent herewith are hereby repealed" shall be and the same is hereby amended so as to read as follows

"ARTICLE VI"

Department of Assessors

This department shall consist of no less than five (5) nor more than nine persons who shall have been residents of the city for at least ten years all of whom shall not be of the same political party The number of assessors in this department shall be designated by ordinance and they shall from time to time make all valuations for purposes of municipal taxation

They shall classify all real estate in the city in such a manner and upon such testimony as may be adduced before them so as to distinguish between the buildings on land and the land exclusive of the buildings and to certify to the councils of said city the aggregate valuation of city property subject to taxation it shall be the duty of said councils in determining the rate for the years one thousand nine hundred and fourteen and one thousand nine hundred and fifteen to asess a tax upon the buildings equal to nine-tenth of the highest rate of tax required for said years and for the years one thousand nine hundred and sixteen one thousand nine hundred and seventeen and one thousand nine hundred and eighteen to assess a tax upon the buildings equal to eight-tenths of the highest rate of tax required to be assessed for those years and for the years one thousand nine hundred and nineteen one thousand nine hundred and twenty and one thousand nine hundred and twenty-one to assess a tax upon the buildings equal to seven-tenths of the highest rate of tax required to be assessed for those years and for the years one thousand nine hundred and twenty-two one thousand nine hundred and twenty-three and one thousand nine hundred and twenty-four to assess a tax upon buildings equal to six tenths of the highest rate of tax required to be assessed for those years and for the year one thousand nine hundred and twenty-five and for each year thereafter to assess a tax upon the buildings equal to five-tenths of the highest rate of tax required to be assessed for the year one thousand nine hundred and twenty-five and for each year thereafter respectively so that upon the said classes of real estate said city there shall in any year be two rates of taxation

They shall triennially make a valuation for all purposes of municipal taxation and shall have the power to administer oaths They shall have the power to make a new assessment in any ward or wards they deem necessary in any subsequent year other than triennial years in the manner prescribed by law for the triennial asessment Any property owners shall have the right to be heard by the full board sitting as a board of revision on appeal from any valuation The asessment as aforesaid shall remain the lawful assessment for purposes of city taxation until the next assessment Nothing herein contained shall be construed to repeal the act of July nine one thousand eight hundred and ninety-seven providing for the classification of real estate and other property for purposes of taxation and for the election of assessors and prescribing the duties thereof in cities of the second class except so far as the same may be inconsistent herewith

The councils shall by ordinance make all further needful rules and regulations for the government of this department

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Allen,	Ely,	Light,	Rothenberger,
Alworth,	Ewing,	Lohr,	Runk,
Ambler,	Fahey,	Lowers,	Sassaman,
Aron,	Flynn,	Malie,	Savacool,
Arthur,	Forster, I. G.,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Gans,	Matt,	Scott, J. R. K.,
Baldwin, R. J.,	Geary,	McAleer,	Scott, S. B.,
Bass,	Geiser,	McAllister,	Semmens,
Bayle,	Gibson,	McArdle,	Shaffer, I. E.,
Becker,	Goss,	McClintock,	Shern,
Benson,	Grabe,	McKay,	Sherwood,
Bergey,	Gramley,	McNichol,	Showalter,
Berntheizel,	Gransback,	Mechling,	Smith, J. W.,
Bigger,	Gray, Frank,	Metzenbacher,	Smith L.,
Bittles,	Gray, Joseph,	Miller,	Snavely,
Blair, W. A.,	Haggerty,	Missimer,	Spangler,
Blair, W. F.,	Hemminger,	Mitchell,	Speiser,
Brosius,	Hess,	Moore,	Spillinger,
Brown,	Heyburn,	Morrow,	Steele,
Brownlee,	Hibshman,	Moses,	Stein,
Burnett,	Hobbs,	Murphy,	Stone,
Caldwell,	Hoffman,	Musser,	Strauss,
Campbell, C.M.,	Howard, J.,	Neely,	Swartz,
Campbell, J. J.,	Isler,	Newbaker,	Swift,
Carson,	Irwin, G. C.,	Newton,	Thomas,
Carter,	Irwin, H. H.,	North,	Trach,
Cheeseman,	Jackson,	O'Neill,	Ulerich,
Claycomb,	Kaiser,	Peachey,	Ulman,
Cleary,	Keegan,	Pennegar,	Walsh,
Cochran,	Keeport,	Pennock,	Watson,
Collins,	Kenna,	Perry, H. L.,	Whitaker,
Conner,	Kennedy,	Perry, S. J.,	Whitman,
Cox,	Kitts,	Peters,	Wildman,
Currier,	Klepper,	Piper,	Williams,
Curry,	Kuhn, H. P.,	Post,	Wilson, J. H.,
Davis,	Kuhns, E.G.M.,	Price,	Wilson, W. H.,
DeFrees,	Lanius,	Ramsey,	Wiltbank,
Dickinson,	Latshaw,	Reeser,	Young, G. K.,
Donnally,	Leslie,	Rex,	Zimmerman,
Down,	Letzkus,	Rhoads,	Alter,
Dunn, H. B.,		Robinson,	Speaker.
Eichenberger,			

NAYS—5.

Jones, J. R.,	Lenker	Martin,	Rockwell,
Kern,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the amrmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMITTEES OF CONFERENCE APPOINTED.

The SPEAKER. The Chair announces the following Conference Committees appointed in pursuance with the instructions of the House.

Senate Bill No. 157: The gentleman from Huntingdon, Mr. Horace B. Dunn, the gentleman from Blair, Mr. Snyder, and the gentleman from Montgomery, Mr. Ambler.

Senate Bill No. 103: The gentleman from Luzerne, Mr. Conniff, the gentleman from Dauphin, Mr. Martin, and the gentleman from Allegheny, Mr. C. M. C. Campbell.

House Bill No. 39: The gentleman from Berks, Mr. Keeport, the gentleman from Allegheny, Mr. Lowers, the gentleman from Allegheny, Mr. Allen.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 398, as follows:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of July one thousand nine hundred and thirteen every physician in this Commonwealth attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead phosphorous arsenic brass wood-alcohol mercury or their compounds or from anthrax or from compressed air illness or any other ailment or disease contracted as a result of the nature of the patients' employment shall within forty-eight hours send to the State Registrar of Vital Stastics a report stating (a) name address and occupation of patient (b) name and address and business of employer (c) nature of disease and (d) such other information as may be reasonably required by the State Board of Health

The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for The posting of the report within the time required in a stamped envelope addrssd to the office of the State Registrar of Vital Statistics shall be in compliance with this section

Section 2 The State Board of Health and Vital Statistics shall prepare and furnish free of cost to the physicians included in section one standard schedule blanks for the reports required under this act The form and contents of such blanks shall be determined by the State Board of Health and Vital Stastics

Section 3 Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported

Section 4 Any physician who neglects or refuses to send the report or reports as herein required shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five ($5.00) dollars nor more than fifty dollars at the discretion of the court

Section 5 It shall furthermore be the duty of the State Board of Health and Vital Statistics to transmit forthwith a copy of all such reports of occupational diseases to the Chief Factory Inspector

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SPEISER. Mr. Speaker, in the absence of the sponsor of this bill, I move that further consideration of it be postponed for the present.

Mr. BLELOCH. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. JAMES A. DUNN. Mr. Speaker, I move that the vote by which House Bill No. 960, file folio 3155, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

was defeated on final passage, be reconsidered.

Mr. MOORE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Adams,	Dunn, J. A.,	Leslie,	Rockwell,
Ambler,	Ely,	Light,	Roney,
Aron,	Ewing,	Lohr,	Rothenberger,
Arthur,	Fahey,	Malie,	Runk,
Baldwin, R. J.,	Flynn,	Mannion,	Sassaman,
Bass,	Forster, I. G.,	Martin,	Savacool,
Bayle,	Foster, J. D.,	Mather,	Schaeffer, A. C
Benninger,	Gans,	Matt,	Scott, J. R. K.,
Bergey,	Geary,	McAleer,	Semmens,
Berntheizel,	Geiser,	McAllister,	Shaffer, C. A.,
Bigger,	Glenn,	McArdle,	Shaner, I. E.,
Blair, W. A.,	Good,	McClintock,	Shern,
Blair, W. F.,	Goss,	McDermott,	Sherwood,
Body,	Grabe,	McNichol,	Smith, J. W.,
Brosius,	Gransback,	Mechling,	Snavely,
Brown,	Gray, Joseph,	Metzenbacher,	Spangler,
Brownlee,	Hobbs,	Missimer,	Speiser,
Caldwell,	Howard, J.,	Moore,	Steele,
Campbell, C.M.,	Howard, R.,	Moses,	Stein,
Campbell, J. J.,	Humes,	Moulthrop,	Stone,
Carson,	Isler,	Murphy,	Strauss,
Carter,	Irwin, H. H.,	Musser,	Thomas,
Claycomb,	Jackson,	Neel,	Trach,
Cleary,	Kaiser,	Neely,	Ulerich,
Cochran,	Kaufman,	Newbaker,	Ulman,
Collins,	Keegan,	O'Neill,	Walton,
Conner,	Kenna,	Peachey,	Watson,
Conniff,	Kern,	Perry, S. J.,	Wildman,
Cox,	Kitts,	Peters,	Williams,
Curry,	Kuhn, H. P.,	Post,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Price,	Wilson, W. H.,
Dickinson,	Lanius,	Reese,	Wiltbank,
Donahoe,	Latshaw,	Rex,	Zimmerman,
Donnally,	Lenker,	Richards,	Alter,
Down,			Speaker.
Dunn, H. B.,			

NAYS—37.

Allen,	Hemminger,	Letzkus,	Rhoads,
Baldwin, G. A.,	Hess,	McKay,	Schuck,
Becker,	Heyburn,	Miller,	Scott, S. B.,
Benson,	Hibshman,	Mitchell,	Smith, L.,
Bleloch,	Hoffman,	Morrow,	Snyder,
Cheeseman,	Irwin, G. C.,	Newton,	Spillinger,
Ehrhardt,	Jones, E. E.,	Pennegar,	Swartz,
Gramley,	Jones, J. R.,	Pennock,	Swift,
Gray, Frank,	Keeport,	Ramsey,	Walnut,
Haggerty,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1310, entitled:

An Act providing that whenever hereafter before the register of wills of any county of this Commonwealth in any contest relating to the will of a decedent or the issuance of letters of administration or other letters or in any other matter cognizable by law by the said register a disputable matter shall come into controversy the said register shall immediately certify the same into the orphan's court of the said county for hearing and determination and defining when a disputable matter shall be deemed to come into controversy before the register within the meaning of this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. W. H. WILSON. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. LOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 799, entitled:

An Act authorizing persons corporations associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the court of quarter sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DONNALLY. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend by striking out all of Section 2 and inserting in lieu thereof the following:

Section 2. No licensee as aforesaid shall ask, demand or receive a greater interest than three per centum per month. Such interest shall not be payable in advance and shall be computed on unpaid balances. No charge of any nature other than interest may be made except that a fee in addition to the interest allowed by this act may be charged as follows: For sums not exceeding fifty dollars not to exceed one dollar, for sums exceeding fifty dollars not to exceed two dolllars. It shall not be lawful to divide or split up loans under any pretext whatsoever for the purpose of requiring or exacting any other or greater charges than prescribed herein or to make any such charge for renewals or extensions or for any transfers or changes of the loans within one year of the date of the original loan or oftener than once in each year thereafter except in cases where a new and additional sum shall be loaned at the time of such renewal or change at the request of the borrower in which case the fee above provided may be charged for such additional amount loaned. If interest or charges in excess of that herein prescribed shall be asked or received the lender shall thereupon become entitled to recover no more than the principal of said loan with legal interest at six per centum and payments in excess thereof shall be applied to the discharge of the principal of the loan and if any sum in excess of said principal with interest thereon at the rate of six per centum per annum be paid or received such excesses shall be recovered at law and in addition fifty dollars as a penalty to be paid to the borrower.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment, is there any objection?

Mr. COX. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

Mr. DONNALLY. Mr. Speaker, I move that the House go into committee of the whole, for the purpose of special amendment.

Mr. BENSON. Mr. Speaker, I second the motion.

The SPEAKER. Will the House agree to the motion?

Mr. SEMMENS. Mr. Speaker, I object to going into Committee of the whole for special amendment of this bill. There were seven or eight bills presented to that Committee and after a great many meetings this bill was supposed to be the best one in the lot and the Committee reported out.

POINT OF ORDER.

Mr. SHERN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. SHERN. Mr. Speaker, the gentleman is discussing the merits of the bill.

The SPEAKER. The gentleman is speaking on the motion to go into Committee of the whole for a special amend-

ment on motion of Mr. Donnally, seconded by the gentleman from McKean, Mr. Benson, and the gentleman is opposed to going into Committee of the whole for the purpose of amendment.

Mr. SHERN. Mr. Speaker, you are permitting the gentleman to discuss the merits of the bill.

Mr. SEMMENS. Mr. Speaker, my object in speaking is to object to amending this bill in Committee of the whole. I am not one of the fifty-seven varieties of attorneys in this House, but this bill was reported out and has been presented to the House for action.

Mr. LOWERS. Mr. Speaker, I also object to going into Committee of the whole. I also was sponsor for a bill regulating what is known as the Loan Shark evil and that was reported out by Committee and appeared on the calendar on second reading, but being informed that seven or eight bills had been in the Committee of Bank and Banking, I agree to recommit it to the Committee on Banks and Banking as it was the aim of all those who presented these bills to regulate this evil which is one of the greatest evils in the cities to-day. I believed that any attempt to amend the bill given the name of the Cox Bill would be for the purpose of destroying what we seek to obtain through that bill and I think the bill should pass without any further amendments and that it should pass, as it is, on its merits.

The SPEAKER. The question is on the motion to go into Committee of the whole.

The motion was not agreed to.

Mr. COX. Mr. Speaker, The only objection to this bill comes from the loan sharks. The bill as it was presented went to the Committee on Banks and Banking together with nine to ten others in this House on the same subject. The Committee on Banks and Banking appointed a sub-committee who went into consultation on these bills and out of them, out of that lot, my bill was selected and they added certain other features to the bill which has appeared on this calendar under my name. I have here on my desk letters from the various loan sharks opposing this measure and I ask every member of this House to vote for this bill. It provides to license these men, charging them one hundred dollars for the fee and placing them under a bond of five thousand dollars, the said license to be paid to the county in which the license is granted. It regulates the percentage to be charged from one and two-thirds percent up to five percent a month and no other rate can be charged. There is no selling of notes and carrying them off to men and bringing them back to Pennsylvania with protest charges. I ask every member to vote for this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—186.

Adams,	Gans,	Lowers,	Roney,
Alworth,	Geary,	Malie,	Rothenberger,
Ambler,	Geiser,	Mannion,	Runk,
Aron,	Glenn,	Martin,	Sassaman,
Arthur,	Good,	Mather,	Savacool,
Baldwin, G. A.,	Goss,	Matt,	Schaeffer, A. C
Baldwin, R. J.,	Grabe,	McAleer,	Schuck,
Bass,	Gramley,	McAllister,	Scott, J. R. K.,
Bayle,	Gransback,	McArdle,	Scott, S. B.,
Becker,	Gray, Frank,	McClintock,	Semmens,
Benson,	Gray, Joseph,	McDermott,	Shaffer, C. A.,
Bergey,	Haggerty,	McKay,	Shaffer, I. E.,
Berntheizel,	Hemminger,	McNichol,	Shern,
Bigger,	Hess,	Mechling,	Sherwood,
Bittles,	Heyburn,	Mellott,	Showalter,
Blair, W. A.,	Hibshman,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Hobbs,	Miller,	Smith, L.,
Body,	Hoffman,	Missimer,	Snavely,
Brosius,	Howard, J.,	Mitchell,	Snyder,
Brown,	Howard, R.,	Moore,	Speiser,
Brownlee,	Humes,	Morrow,	Spillinger,
Burnett,	Isler,	Moses,	Steedle,
Caldwell,	Irwin, G. C.,	Moulthrop,	Steele,
Campbell, C.M.,	Irwin, H. H.,	Murphy,	Stein,
Campbell, J.J.	Jackson,	Musser,	Stone,
Carson,	Jones, E. E.,	Neel,	Strauss,
Carter,	Jones, J. R.,	Neely,	Swartz,
Cheeseman,	Kaiser,	Newbaker,	Swift,
Cleary,	Kaufman,	Newton,	Thomas,
Conner,	Keegan,	O'Neill,	Trach,
Conniff,	Keeport,	Peachey,	Ulerich,
Cox,	Kenna,	Pennegar,	Walnut,
Curry,	Kennedy,	Pennock,	Walsh,
Davis,	Kern,	Perry, H. L.,	Walton,
DeFrees,	Kitts,	Perry, S. J.,	Watson,
Dickinson,	Klepper,	Peters,	Wettach,
Donahoe,	Kuhn, H. P.,	Post,	Whitaker,
Down,	Kuhns, E.G.M.,	Price,	Whitman,
Dunn, J. A.,	Lanius,	Ramsey,	Wildman,
Ehrhardt,	Latshaw,	Reese,	Williams,
Eichenberger,	Lenker,	Reeser,	Wilson, J. H.,
Ely,	Leslie,	Rex,	Wilson, W. H.,
Ewing,	Letzkus,	Rhoads,	Wiltbank,
Fahey,	Light,	Richards,	Young, G. K.
Flynn,	Lohr,	Robinson,	Young, J. H.,
Forster, I. G.,		Rockwell,	Zimmerman,
Foster, J. D.,			Alter,
Frey,			Speaker.

NAYS—1.

Benninger, Claycomb,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY SPEAKER.

The speaker announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

Senate Bill No. 275,

An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five entitled "An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same"

Whereupon,

The SPEAKER in the presence of the House signed the bill.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1218, entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowance as field batteries for armory rent for rifle practice for clothing and equipment and making said allowance also available for subsistence and additional general military purposes by also providing that the allowance to be received by battalions in the naval force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Adams,	Ely,	Lanius,	Runk,
Allen,	Ewing,	Lenker,	Sassaman,
Alworth,	Fahey,	Leslie,	Savacool,
Ambler,	Flynn,	Letzkus,	Schaeffer, A. C
Aron,	Forster, I. G.,	Light,	Schuck,
Arthur,	Foster, J. D.,	Lohr,	Scott, J. R. K.,
Baldwin, G. A.,	Frey,	Lowers,	Scott, S. B.,
Baldwin, R. J.,	Gans,	Mannion,	Semmens,
Bass,	Geary,	Martin,	Shaffer, C. A.,
Bayle,	Geiser,	Mather,	Shaffer, I. E.,
Becker,	Gibson,	Matt,	Shern,
Bergey,	Good,	McAleer,	Sherwood,
Berntheizel,	Goss,	McAllister,	Smith, J. W.,
Bigger,	Grabe,	McArdle,	Smith, L.,
Bittles,	Gramley,	McClintock,	Snavely,
Blair, W. A.,	Gransback,	McDermott,	Spangler,
Blair, W. F.,	Gray, Frank,	McKay,	Speiser,
Bleloch,	Haggerty,	McNichol,	Spillinger,
Body,	Hemminger,	Mechling,	Steele,
Brosius,	Hess,	Mellott,	Stein,
Brown,	Heyburn,	Miller,	Stone,
Brownlee,	Hibshman,	Missimer,	Strauss,
Caldwell,	Hobbs,		

Campbell, C.M.,	Hoffman,	Mitchell,	Swartz,
Campbell, J. J.,	Howard, J.,	Moore,	Swift,
Carson,	Howard, R.,	Moses,	Thomas,
Carter,	Humes,	Moulthrop,	Trach,
Claycomb,	Isler,	Musser,	Ulerich,
Cleary,	Irwin, G. C.,	Neel,	Ulman,
Cochran,	Irwin, H. H.,	Neely,	Walnut,
Conner,	Jackson,	Newbaker,	Walsh,
Conniff,	Jones, E. E.,	Newton,	Watson,
Cox,	Jones, J. R.,	O'Neill,	Wettach,
Currier,	Kaiser,	Peachey,	Whitaker,
Curry,	Kaufman,	Pennegar,	Whitman,
Davis,	Keegan,	Pennock,	Wildman,
DeFrees,	Keeport,	Perry, S. J.,	Williams,
Dickinson,	Kenna,	Peters,	Wilson, J. H.,
Donahoe,	Kennedy,	Ramsey,	Wilson, W. H.,
Donnally,	Kern,	Reese,	Wiltbank,
Down,	Kitts,	Rex,	Young, G. K.
Dunn, H. B.,	Klepper,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Kuhn, H. P.,	Richards,	Zimmerman,
Ehrhardt,	Kuhns, E.G.M.,	Roney,	Alter,
Eichenberger,		Rothenberger,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1024, as follows:

An Act to amend sections one and eight of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as provided in section eight no individual partnership or unincorporated association shall hereafter engage directly or indirectly in the business of receiving deposits of money for safe-keeping or for the purpose of transmission to another or for any other purpose without having first obtained from a board consisting of the State Treasurer the Secretary of the Commonwealth the commissioner of Banking hereinafter referred to as the "Board" a license to engage in such business Before receiving such license the applicant shall file with the Commissioner of Banking a written statement in the form to be prescribed by the Commissioner of Banking and verified under oath showing the amount of the assets and liabilities of the applicant designating the place where the applicant proposed to engage in business the names and addresses of all partners or members of the unincorporated association that the applicant is a citizen or if the applicant shall constitute a partnership or unincorporated association that a majority of the members thereof having a controlling interest in the business of such partnership are citizens of the Commonwealth of Pennsylvania In addition thereto there shall be presented to the Commissioner of Banking a bond to the Commonwealth of Pennsylvania executed by the applicant and by a surety or sureties approved by the Board conditioned upon the faithful holding of all moneys that may be deposited with the applicant in accordance with the terms of the deposit and the repayment of such moneys so deposited upon the faithful transmission of any money which shall be delivered to such applicant for transmission to another and in the event of the insolvency or bankruptcy of the applicant upon his payment of the full amount recoverable under the conditions of such bond to the assignee receiver or trustee of the applicant as the case may require for the benefit of the persons making such deposits and of such persons as shall deliver money to the applicant for transmission to another The penalty of the bond shall be a sum fixed by the Board which shall not be more than fifty thousand dollars nor less than ten thousand dollars In lieu of the aforesaid bond the applicant may deposit and the Commissioner of Banking shall accept money and securities consisting of bonds of the United States or of this Commonwealth or any municipality thereof or other securities approved by the Board The money and securities so deposited shall be held in the conditions specified in the aforesaid bond If securities be deposited in lieu of the aforesaid bond and shall be accepted as hereinafter provided the Commissioner of Banking shall require the applicant to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such money and securities shall be so deposited Upon the receipt of such application the Commissioner of Banking shall cause to be made an examination of the financial standing and moral character of the applicant as to whether the statements contained in the application are true and to this end the application shall be advertised by the Commissioner of Banking at the expense of the applicant once a week for at least three weeks in two newspapers of general circulation and in the legal periodical if any in the county where applicant proposes to do business or nearest county where such newspapers are published After such advertisement the Board may in its discretion approve or disapprove the application In the event of his approval he shall accept the money securities and bond if there be one and hold them for the purpose herein set fortn and shall issue a license authorizing the applicant to carry on the aforesaid business at the place designated in the application and to be specified in the license certificate For such license the licensee shall pay a fee of fifty dollars Such license shall not be transferred or assigned It shall not authorize the transaction of business at any place other than that described in the license certificate except with the written approval of the Board Immediately upon the receipt of the license certificate issued by the Commissioner of Banking pursuant to this article the licensee named therein shall cause such license certificate to be posted and at times conspicuously displayed in the place of business for which it is issued so that all persons visiting such place may readily see the same It shall be unlawful for any person or partnership or incorporated association holding such license certificate to post such certificate or to permit such certificate to be posted upon premises other than those designated therein or to which it has been transferred pursuant to the provisions of this article or knowingly to deface or destroy any such license certificate If it shall be established to the satisfaction of the Board in accordance with the rules and regulations by it prescribed that an unexpired license certificate issued in accordance with the provisions of this article has been lost or destroyed without fault on the part of the holder the Board shall issue a duplicate license therefor The money and securities deposited with the Commissioner of Banking as herein provided and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety thereof shall constitute a trust fund for the benefit of the depositors of the licensee and of such persons as shall deliver money to such licensee for transmission to another and such beneficiaries shall be entitled to an absolute preference as to such moneys or securities over all general creditors of the license Such money and securities shall in the event of the insolvency or bankruptcy of the licensee be delivered by the Commissioner of Banking on the order or judgment of a court of competent jurisdiction to the assignee receiver or trustee of the licensee designated in such order or judgment The Commissioner of Banking shall cause to be printed annually on the first day of January and distributed upon application a list of all licenses granted and remaining unrevoked the Commissioner of Banking shall from time to time pay over to each such licensee all moneys received by him as interest upon any moneys or securities deposited in accordance wth the provisions of this article All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned into the State Treasury and receipted for by the State Treasurer to the depositor and to be subject to withdrawal only upon the warrant of the Commissioner of Banking and all interest coupons on any securities deposited with the State Treasurer shall be surrendered when due to the owners of said securities upon their request" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as provided in section eight of this act it shall be unlawful for any individual partnership or unincorporated association to engage directly or indirectly in the business of receiving deposits for safe-keeping or for the purpose of transmission to another or for any other person unless a license shall have been obtained therefor in accordance with the provisions of this act Such license shall be issued only by a Board which shall consist of the Commissioner of Banking the Secretary of the Commonwealth and the State Treasurer No such license shall issue until the applicant shall have

1 Filed with the said Commissioner a written statement in the form prescribed by the Commissioner and verified under oath showing the assets and liabilities of the applicant designating the place where the applicant proposes to engage in said business setting forth the name and address of the individual applicant or of each partner or of the members of the association as the case may be The statement shall further show that the individual applicant or a majority of the partners or members having a controlling interest in the business as the case may be are citizens of the United States

2 Filed with the said Commissioner a bond to this Commonwealth executed by the applicant conditioned upon the faithful holding of all moneys that may be deposited with the applicant in accordance with the terms of the deposit and the repayment of such moneys so deposited and conditioned upon the faithful transmission of any moneys which shall be delivered to such applicant for transmission to another and in the event of the insolvency or bankruptcy of the applicant also conditioned upon the payment of the full amount recoverable under the conditions of the bond to the Commissioner of Banking for the benefit of the persons making such deposits and of such persons as shall deliver money to the applicant for transmission to another The amount of the bond shall be fixed by the Board and shall not be less than ten thousand dollars ($10,000) nor more than fifty thousand dollars ($50,000) such bond shall have as surety a surety company authorized to act as surety in Pennsylvania or at least two sureties approved by the Board

3 Deposited in lien of such bond money and securities to an amount fixed by the Board The securities may be bonds of the United States or of this Commonwealth or of any municipality of this Commonwealth or other securities approved by the Board The money and securities so deposited shall be held subject to the same conditions as are

required in case of a bond If securities shall be deposited and accepted in lieu of a bond the Commissioner shall require the applicant to maintain such deposit at a value equal to the amount that would be fixed in case of a bond

4 Paid into the State Treasury the sum of fifty dollars as a license fee

Upon receipt of such application the Commissioner shall cause an examination to be made of the financial standing and moral character of the applicant to ascertain whether the statements contained in the application are true A copy of such application shall by the Commissioner be published at the expense of the applicant once a week for at least three weeks in two newspapers of general circulation and in the legal periodical if any designated by rules of court for the publication of legal notices in the county where the applicant proposes to do business

After such publication has been completed the Board may in its discretion approve or disapprove the application If the application and the bond (or the securities) shall be appproved the bond (or securities) shall be accepted and held for the uses and purposes aforesaid Upon payment by the applicant of the costs of said advertising the license shall then issue authorizing the applicant to carry on the aforesaid business at the place designated in the application and to be specified in the license certificate Such license shall not be transfered nor assigned and shall be valid until revoked Except on the express written approval of the Board such license shall not authorize the transaction of said business at any place or by an person otherwise than as designated in the license certificate

Immediately upon receipt of the said license certificates which shall be issued by the Commissioner on the direction of the Board the licensee or licensees named therein shall cause such certificate to be posted and at all times conspicuously displayed in the place of business for which it shall be issued so that all persons visiting such place may readily see the same

It shall be unlawful for any person partnership or unincorporated association holding such license certificate to post it or permit it to be posted upon premises other than the place designated therein or to which it shall have been transferred in accordance with this act It shall be unlawful for any person to deface or destroy any such certificate or knowingly to permit it to be defaced or destroyed

Whenever it shall be established to the satisfaction of the Board in accordance with rules and regulations by it prescribed that any such license certificate has been lost or defaced or destroyed without fault on the part of the holders the Board shall issue a duplicate license therefor which shall be marked "Duplicate"

The money and securities deposited as aforesaid with the Commissioner and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety thereof shall constitute a trust fund for the benefit of the depositors of the licensee and for the benefit of such persons as shall deliver money to such licensee for transmission to another Such beneficiaries shall be entitled to an absolute preference as to such moneys and securities over all general creditors of the licensee Such moneys and securities shall in the event of the insolvency or bankruptcy of the licensee be delivered by the Commissioner on the order or judgment of a ccurt of competent jurisidiction to the assignee receiver or trustee of the licensee designated in such order or judgment

The Commissioner shall cause to be printed on or about the first day of January of each year and distributed upon application a list of all licenses granted and remaining unrevoked

The Commissioner shall from time to time pay over to each such license all moneys received by him as interest upon any moneys or securities deposited in accordance with the provisions of this act

All moneys and securities so deposited with the Commissioner shall be turned over to the State Treasurer and receipted for by said State Treasurer to the Commissioner and shall be subject to withdrawal only upon written order of the Commissioner All interest coupons on any securities so deposited with the State Treasurer shall be surrendered when due to the respective owners of the securities upon their request

Section 2 The eighth section of said act which reads as follows

"Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotelkeeper who shall receive money for safe-keeping from a guest nor (three) to any express company or telegraph company receiving money for transmission provided such company is not engaged directly or indirectly in the sale of steamship tickets nor (four) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the Commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amount nor (five) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or accounts of any depositor with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency or government State or municipal nor to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor nor (six) to any person firm partnership or unincorporated association now engaged in business as private bankers when such person firm partnership or unincorporated association and his or their predecessors or one or more of the members in such private banking institutions continuously and in the same locality have conducted the business of private banking for a period of seven (7) years prior to the approval of this act and such banking institution is not engaged in the sale as agent or otherwise of railroad or steamship tickets" is hereby amended to read as follows

Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotelkeeper who shall receive money for safe-keeping from a guest nor (three) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first section prescribed where the business is conducted in a city of the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amounts not (four) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or account of any deposit with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency of government State or municipal to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor nor (five) to any person firm partnership or unincorporated association now engaged in business as private bankers when such person firm partnership or incorporated association and his or their predecessor or predecessors or one or more of the members in such private banking institution continuously and in the same locality have conducted the business of private banking for a period of twenty (20) years prior to the approval of this act and such banking institution is not engaged in the sale as agent or otherwise or railroad or steamship tickets

On the question,

Will the House agree to the bill on third reading?

Mr. SEMMENS. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. Will the House give unanimous consent to insert the amendments? The Chair hears objection, and consent is not granted.

RECONSIDERATION OF VOTE.

Mr. SEMMENS. Mr. Speaker, I move to reconsider the vote by which House Bill No. 1024 was ordered to be transcribed for third reading.

Mr. CARTER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HESS. Mr. Speaker, this motion can be discussed, can it not? For the information of the House, I wish to explain the amendment that I had inserted in this bill on Wednesday of last week. As the act stands with the amendments inserted, there are five classes of exemption. The sponsor moves to strike out the fifth class of exemption, and the fifth class exempts as follows: Nor to any person firm, partnership or unincorporated association now engaged in business in the same general location under the same management, or partially the same management, for a term of twenty years. The old act exempted a private bank doing business in the same location as the present under the same management for seven years. Now, I tried to be entirely fair in inserting this amendment, which would exempt only such banks as are doing business in the same management, for twenty years. I felt it would cover the point so completely, and at the same time the depositors would run practically no risk at all. Not only is their stock pledged as security for deposits, not only is their surplus pledged as security for deposits, but in many instances the stockholders are liable to the full extent of their assets

which are pledged for the security of depositors, and this will only exempt such banking institutions as have been in business in the same locality under the same management or partially the same management, for a term of twenty years, and I trust you will not reconsider the vote.

Mr. SEMMENS. Mr. Speaker, the gentleman talks about stockholders in private banks. I say there is no such thing as stockholders in private banks; it is a partnership. Two years ago this bill was introduced in this House with a joker attached to it, exempting all those who had been in the banking business for seven years. Now, when it comes up this time, they extended that period to twenty years. The object of the bill is to put all banks who receive deposits on the same footing, under the supervision of the banking examiner. Now, as the bill was passed last year, with the seven year exemption in it, it has been generally understood since that time, and Mr. John C. Johnson, the eminent attorney from Philadelphia, says the bill is unconstitutional. Now if it is unconstitutional with the seven years in it, of course it is unconstitutional with the twenty year exemption. You might as well kill the bill as to pass it with this twenty year exemption. The object of this bill is this: In some parts of the State we have a great many foreign banks who receive the deposits of the ignorant foreigners.

After they receive sixty to seventy thousand dollars, they skip, and the consequence is that these people are afraid to put their money into the bank afterwards. If a man is doing a legitimate banking business, he should not be afraid of the banking examiner. I hope the gentleman of the House will reconsider the vote by which the bill was amended.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

RECONSIDERATION OF VOTE.

Mr. SEMMENS. Mr. Speaker, I move that the vote by which said bill was agreed to on second reading, be reconsidered.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SEMMENS. Mr. Speaker, I move that the vote by which the title of the bill was agreed to be reconsidered.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SEMMENS. Mr. Speaker, I move that the vote by which the second section of the bill as amended was agreed to be reconsidered.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SEMMENS. Mr. Speaker, I move to reconsider the vote by which the amendment to section two was agreed to.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the amendment to the second section of the bill?

It was not agreed to.

On the question recurring,

Will the House agree to the second section?

It was agreed to.

On the question recurring,

Will the House agree to the title?

It was agreed to.

On the question recurring,

Will the House agree to the bill on second reading?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. SEMMENS. Mr. Speaker, I ask unanimous consent to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read as follows:

Section 1, line 61, strike out "at" and insert "as."

Section 1, line 81, after "at" insert "all."

Section 1, line 84, strike out "incorporated" and insert "unincorporated."

Section 2, line 18, after "first" insert "section prescribed where the business is conducted in a city of the first."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? The Chair hears no objection and the amendments will be inserted in accordance with the instructions of the House.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 30, entitled:

An Act to protect the public health by prohibiting in certain places the keeping of a towel intended for the use of more than one person without after each individual use being properly cleaned

On the question,

Will the House agree to the bill on third reading?

Mr. E. C. M. KUHNS. Mr. Speaker, I really think this is a bill of quite some importance and a bill that ought to be considered before we pass it too quickly. I would like to interrogate the gentleman from Philadelphia, the sponsor of the bill.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. FRANK GRAY. I will.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to ask the gentleman from Philadelphia how he expects to have these towels prepared, and if he expects the keeper of a public place or a hotel to keep a clerk to handle the towels.

Mr. FRANK GRAY. Mr. Speaker, he can have a boy in the washroom to take care of the towels.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to further interrogate the gentleman? Is it not a fact that we find in these public places these roller towels? Does he expect these long roller towels to be taken off and new ones put on every time they are used.

Mr. FRANK GRAY. Mr. Speaker, this bill prohibits the use of roller towels.

Mr. E. G. M. KUHNS. Entirely?

Mr. FRANK GRAY. You can use a little towel.

Mr. E. G. M. KUHNS. Would you not almost have to have a laundry attached to these places?

Mr. FRANK GRAY. This bill requires just a clean towel.

Mr. E. G. M. KUHNS. Would it not be necessary to have a laundry attached to the place?

Mr. FRANK GRAY. Mr. Speaker, this bill does not place a hardship on any one. You know to-day that we have the paper towels, and if you do not care to use them you can use a single individual towel.

Mr. KUHNS. I would like to further interrogate the gentleman. I would like to know whether the gentleman from Philadelphia would be satisfied to use a paper towel.

Mr. FRANK GRAY. Mr. Speaker, I am not satisfied with them but I can use them when I have to.

Mr. McALEER. Mr. Speaker, this is probably one of the most important bills that comes up before this House this session for the reason that nearly every citizen of Pennsylvania is affected and I would ask, Mr. Speaker, that the sponsor of this bill consent to have it sent back to the Committee on Public Health and Sanitation for the purpose of a hearing so that everybody interested in it might be invited to that hearing.

Mr. JOHN ROBERT JONES. Mr. Speaker I second the motion.

On the question,

Will the House agree to the motion?

It was not agreed to.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—83.

Adams,	Dunn, J. A.,	Martin,	Runk.
Alworth,	Ely,	Mather,	Schaeffer, A. C
Ambler,	Foster, J. D.,	McAllister,	Scott, S. B.,
Baldwin, G. A.,	Frey,	McKay,	Sherwood,
Baldwin, R. J.,	Gans,	Miller,	Showalter,
Bass,	Geiser,	Moses,	Smith, J. W.,
Becker,	Glenn,	Moulthrop,	Smith, L.,
Bergey,	Grabe,	Murphy,	Spangler,
Bigger,	Gramley,	Musser,	Spillinger,
Bittles,	Gransback,	Neel,	Steele,
Blair, W. A.,	Gray, Frank,	Neely,	Stone,
Bleloch,	Haggerty,	Newton,	Strauss,
Brosius,	Isler,	O'Neill,	Swift,
Campbell, C.M.,	Jackson,	Peachey,	Thomas,
Cheeseman,	Jones, J. R.,	Pennegar,	Ulerich,
Cleary,	Keeport,	Pennock,	Walnut,
Cox,	Kenna,	Reese,	Walsh,
Curry,	Kennedy,	Rex,	Watson,
Dickinson,	Lenker,	Richards,	Wildman,
Down,	Malie,	Robinson,	Wilson, W. H.,
Dunn, H. B.,		Roney,	Alter, Speaker.

NAYS—69.

Allen,	Currier,	Kitts,	Rhoads,
Aron,	Davis,	Klepper,	Rothenberger,
Arthur,	Donahoe,	Kuhn, H. P.,	Sassaman,
Bayle,	Eichenberger,	Kuhns, E.G.M.,	Savacool.
Benninger,	Ewing,	Mannion,	Semmens,
Blair, W. F.,	Good,	Matt,	Shaffer, C. A.,
Body,	Goss,	McAleer,	Snavely,
Brown,	Gray, Joseph,	McArdle,	Snyder,
Brownlee,	Hemminger,	McClintock,	Stein,
Caldwell,	Heyburn,	McDermott,	Swartz.
Campbell, J. J.,	Hushman,	Mitchell,	Walton,
Carson,	Hobbs,	Moore,	Whitaker,
Carter,	Hoffman,	Morrow,	Whitman,
Claycomb,	Howard, R.,	Newbaker,	Williams,
Cochran,	Kaiser,	Price,	Wilson, J. H.,
Collins,	Keegan,	Ramsey,	Wiltbank,
Conner,	Kern,	Reeser,	Zimmerman,
Conniff,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1377, entitled:

An Act to prevent the person holding the office of president vice-president secretary or treasurer of any building and loan association incorporated under the laws of this Commonwealth or doing business herein from holding the office or performing any of the duties of conveyancer for such building association and providing a penalty for the breach thereof

On the question,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section one, line seven, after "shall" insert "not" Also, amend section two, line eight, strike out "for" and insert in lieu thereof "upon"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1019, as follows:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Commissioner of Banking shall have reason to conclude that any corporation subject to his supervision and examination is solvent or is in an unsafe and unsound condition to do business or that its business or manner of conducting the same is injurious and contrary to the interests of the public or in case any such corporation shall contrary to law suspend payment of its obligations the Commissioner of Banking shall forthwith communicate the facts to the Attorney General and notify the officers and directors of such corporation thus reported to appear before the Atorney Genetral for a hearing within five days after the service of such notice If after such hearing it is determined that the corporation is in an unsafe and unsound condition to do business or its manner of conducting the same is injurious and contrary to the interests of the public the Commissioner of Banking with the assent of teh Attorney General may forthwith take possession of all the property assets and business of such corporation and retain possession of the same until such corporation shall be permitted to resume business or until its affairs are finally liquidated and its dissolution decreed as herein provided Whenever a corporation admits its insolvency the hearing before the Attorney General may be waived with the assent of the corporation affected Immediately upon the taking possession of any such corporation the Commissioner of Banking shall advise the principal officers thereof the reasons for taking such possession and shall also forthwith give notice to any and all banks trust companies corporations associations and individuals holding or in possession of any of the assets of such corporation No bank trust association or individual after such notice has been given by the Commissioner of Banking of his having taken possession of any such corporation shall have obtain or make a lien or charge for any payment advance or clearance thereafter made or liability thereafter incurred against any of the assets of such corporation

Section 2 If any such corporation whose property assets and business have been taken possession of by the said Commisioner of Banking deems itself in any way aggreived thereby it may within ten days after the said Commissioner of Banking has taken possession appeal to the Court of Common Pleas of the county in which said corporation is located or to the court of common pleas of Dauphin county and said court of Common Pleas to which said appeal is taken may thereupon grant a rule upon the said Commissioner of Banking to show cause why the proceedings should not be discontinued and why possession of said property and assets should be surrendered and upon the hearing of the appeal the said Court of Common Pleas shall determine whether said coropration is insolvent or is in an unsafe or unsound condition to do business or whether its busness and manner of conducting the same is injurious and contrary to the interests of the public or whether said corporation has contrary to law suspended payment of any of its obligations After hearing the evidence and determining the facts upon the merits the said court may either dismiss said appeal or sustain the same and direct the Commissioner of Banking to re-deliver the business property and assets of such corporation

Section 3 After taking possession of the property assets and business of any such corporation the Commissioner of Banking shall proceed to collect all moneys accounts debts and claims due or belonging to such corporation and may bring such suits and actions and do all other acts that he may deem necessary to conserve its assets and business Notice of the fact that such possession has been taken by the Commissioner of Banking shall be given by advertisement once a week for at least three months in not less than two newspapers of the county in which said corporation may be located calling upon all persons who have claims against such corporation to present the same to the Commissioner of Banking and to make legal proof thereof not later than one week from the last day of publication of said notice and upon all persons indebted to the corporation to pay such indebtedness

Section 4 Within sixty days after taking possession of the property and assets of any such corporation under the provisions of this act the Commissioner of Banking shall cause an inventory to be made of all such property and assets together with a statement of the liabilities One copy of said inventory shall be kept in the office of the Commissioner of Banking and another copy shall be filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings in said case have already been commenced or if no proceedings have been commenced then in the Court of Common Pleas of the county in which said corporation is located

Section 5 The Commissioner of Banking shall in the first instance pass upon all claims made against such corporation and may reject any claim which does not appear to be valid Notice of the rejection of any claim shall be served personally or by registered letter upon the claimant Any stockholder or other person in interest may file objections to the allowance or to the rejection of any claim by the Commissioner of Banking prior to the time when the Commissioner of Banking shall file his account as hereinafter provided and such objections shall be supported by affidavit Said Commissioner of Banking may apply to the court in which proceedings with reference to the said corporation have already been had or inventory filed for authority to sell or compound any or all bad or doubtful debts or authority to sell real estate or personal property or assets of such corporation which authority may be granted on such terms as the court may direct All claims against such corporation shall be made within six months after possession of such corporation has been taken by the Commissioner of Banking

Section 6 If after taking possession of the business assets and property of such corporation an investigation shall disclose that by proper management the business assets and property may be so managed and conserved as to ultimately render such corporation solvent the Commissioner of Banking may retain possession of such business assets and property and manage the same until such time as he may deem said corporation solvent whereupon the Commissioner of Banking shall surrender to the said corporation the business assets and property aforesaid or the balance thereof remaining after the payment of the whole indebtedness or of such part of the indebtedness as cannot be safely carried by such corporation

Section 7 The Commissioner of Banking may under his hand and official seal appoint one or more deputies to assist him in the collection liquidation distribution management and conservation of the assets of such corporation and certificates of said appointment shall be kept in his office and a copy thereof filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings have been had or inventory filed The Commissioner of Banking may employ such expert legal and other assistants as may be deemed necessary by the said Commissioner of Banking or his deputies in each particular case The Commissioner of Banking may require from any deputies such security for the faithful performance of their duties as he may deem proper The compensation of all deptuy commissioners expert legal and othe asistants and all the expenses of supervision and liquidation management and exoneration shall be fixed by the Commissioner of Banking subject to the approval of the Court of Common Pleas of the county in which proceedings have been had or inventory filed and shall be paid out of the assets of such corporation The moneys collected by the Commissioner of Banking shall from time to time be deposited in one or more banks or trust companies incorporated under the laws of the State of Pennsylvania and shall be properly earmarked and kept separate and apart from the general funds of such banks or trust companies

Section 8 At the expiration of six months from the taking possession of the said corporation or as soon thereafter as is practicable unless the Commissioner of Banking is able to manage and conserve the assets and business of the corporation as provided in section six of this act he shall file a complete account in the Court of Common Pleas of the county in which proceedings have been had or inventory filed showing all the deposits and assets of said corporation all the moneys paid to him on account of the same all exceptions filed to any claims or accounts all indebtedness and all payments made or contracted for by him and the proposed method of distribution to creditors depositors shareholders or stockholders which said method of distribution shall be in accordance with existing laws Notice of the filing of such account shall be advertised as the court may direct Said accounts shall be proceeded with and passed upon as other accounts are in said court If exceptions have been filed with the Commissioner of Banking they shall have the same force and effect as if filed in the court to the said account If no exceptions shall be filed to said account within thirty days after the filing of the same the account shall be confirmed absolutely Upon such confirmation or upon final disposition of the exceptions to the account the Commissioner of Banking shall distribute the money as shown by said account or as decreed by the court and upon the complete distribution of all the assets of said corporation shall report the fact of said distribution to the Court whereupon the said court shall enter a decree of dissolution of said corporation

Section 9 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. MOORE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, line 6, by striking out the word "solvent" after the word is, and insert the word "insolvent."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1379, entitled:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American War

On the question,

Will the House agree to the bill on third reading?

Mr. JOSEPH GRAY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by inserting after the word "war" the following: "and Soldiers, Sailors and Marines who served on Foreign Soil prior to July first, one thousand nine hundred and one."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1208, as follows:

An Act relative to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing certain requirements therefore imposing certain duties upon the seller and the buyer upon the sellor or pledgor and the buyer and pledgee making their violation a misdemeanor and providing penalties therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to sell or pledge in bulk the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures other than in the ordinary course of trade and in the regular and usual course of the seller's business unless the seller or pledgor shall first make and deliver to the purchaser or pledgee a full and complete inventory of the merchandise so proposed to be sold or pledged in which inventory the values shall be set out at the ruling wholesale price and shall further make a true and correct schedule of all persons to whom the seller or pledgor is indebted stating therein the business address of each of said creditors and the amount owing to each of them to which inventory and schedule shall be attached the affidavit of the seller or pledgor that the same is true and correct The purchaser or plegee and the seller or pledgor shall join in giving written notice of the proposed sale or pledge to each of the creditors named in such schedule at least ten days before such sale or pledge shall be consummated and before the purchaser or pledgee takes possession of the merchandise or fixtures proposed to be sold or pledged Such notice may be delivered in person to the creditors or transmitted to them by registered letter postage prepaid addressed according to the schedule furnished Such notice shall state the aggregate value of the merchandise proposed to be sold or pledged as shown by the said inventory the consideration to be paid therefor or the amount to be loaned thereon and the time and manner of making such payment

Section 2 Should said seller or pledgor fail to make such inventory of such merchandise or fixtures or should such inventory of such merchandise or fixtures fail to state the true value of said merchandise and fixtures as above required or should said sellor or pledgor fail to make such true schedule of creditors as herein provided and the purchaser or pledgee shall have knowledge of the fact or in the event the seller or pledgor shall assert that there are no debts against him and the purchaser or pledgee shall fail to require the affidavit above mentioned or should the seller or pledgor and the purchaser or pledgee fail to give each of said creditors named in such schedule the notice above required in the manner above required or should such notice not correctly state the amount of such merchandise proposed to be sold or pledged and the consideration to be paid therefor or the amount to be loaned thereon and the time and manner of making the same then in either of such events such sale or pledge shall be deemed fraudulent and voidable as against the creditors of the seller or pledgor and the purchaser or pledgee shall be liable to the extent of the value of the merchandise so received by him and shall upon application of any of the creditors of the seller or pledgor become receiver and be held accountable to such creditors Provided however that no proceedings at law or equity shall be brought against the purchaser or pledgee to invalidate any such sale or pledge after the expiration of ninety days from the consummation thereof

Section 3 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars ($1,000.00) or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 4 Nothing contained in this act shall prevent voluntary assignments for the benefit of creditors or sales under order of court or by executors administrators receivers or any public officer in his official capacity or by any officer of a court

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I would like to have this bill explained a little bit.

Mr. GANS. Mr. Speaker, the purpose of the present act is to take the place of the Act of March 28th, 1905, Pamphlet Laws, page 62. The present act is an enlargement of the Act of 1905 and in addition to the Act of 1905 it provides that a man cannot sell his goods, stock and fixtures in bulk in defraud of his creditors; this act provides that he cannot sell nor can he pledge his stock, fixtures and merchandise for the purpose of defrauding his creditors and making the punishment similar to the punishment under the Act of 1905. After the passage of the Act of 1905 those who desired to be dishonest in order to avoid that act instead of selling their goods outright would pledge them, that is, they have in many instances placed in a storage warehouse or delivered them over to some person from whom they would take a note

or cash and that person or warehouse after the expiration of a certain time would acquire title to the property and would sell the goods or merchandise as their own and by a secret arrangement turn over to the original seller the purchase price less the commission thereby defrauding the creditor of his honest obligation. This is a meritorious act and one which should receive the support of every member of the House.

When a merchant sells out his business and fails to pay his creditors, whether the intent exists in the first place to defraud his creditors or whether the temptation comes to him after the money is in his pocket and he is too weak to resist it, the consequence is the same and the loss falls upon the creditors or dealers who have sold to this merchant upon good faith and must in consequence of the fraudulent act of the merchant lose the entire amount not only of the goods but of their profit therefrom.

When a fraudulent bulk sale is perpetrated, the stock or other subject matter of the bulk sale usually falls into the hands of a class of men whose operations with such stocks, that they buy for less, sometimes, than the cost of production, also demoralizes the market and again makes the lot of the retailer harder than ever. It is a fundamental proposition of business that that which injuries credit and impairs confidence, injuries all men engaged in trade and ultimately injures the consumer.

This act will offer adequate protection to the creditors of the seller without burdening unduly the honest merchant who intends to pay his debts. In arriving at a solution of this problem we have to guide us the experience of forty-two States of the Union which have had just such a bulk sales law as this in force for a period of ten years and more.

For these reasons and many others that could be advanced this act should pass.

Mr. BLELOCH. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Gans, permit himself to be interrogated?

Mr. GANS. Mr. Speaker, certainly.

Mr. BLELOCH. Mr. Speaker, I would like to have the sponsor of this bill tell us why he thinks this is a meritorious measure.

Mr. GANS. Mr. Speaker, I have already explained that in what I have said.

Mr. BLELOCH. Mr. Speaker, I would like to further interrogate the gentleman from Philadelphia. I understand from the remarks of the sponser of this bill that it is to take the place of legislation that is already on the statute books. If that is the case, it would appear to me that this bill as it is now before the House, is insufficient as an act, as a repealer the Act of 1905, and I would like to know if the sponser does not think that the bill should have a clause in it repealing the act mentioned in his brief.

Mr. GANS. Mr. Speaker, in so far as it conflicts with it, it repeals the Act of 1905.

Mr. HUMES. Mr. Speaker, I don't think this House cares to consider this bill as a joke entirely because there are some serious features connected with it. The Act of 1905 is a meritorious act and it may be possible that this act might be amended in order to prove it. We all believe that merchants should be protected as well as the creditors and I believe that we should undertake to protect the purchasers as well as the merchants. This act goes further and required that the seller must furnish an itemized inventory and appraisement of the stock of goods and carry with it the ruling wholesale price and it also goes so far as to make it an offense under the act if that inventory and appraisement is not a true one. Consequently, it will place any merchant in a position that he would have to have an inventory to determine the real wholesale price of every article of merchandise in the store before he sold it. This information he would have to supply to the purchaser. This amendment is not intended to protect creditors but to protect solely the purchaser. It would impose an unwarranted hardship upon every one concerned and protect in no way any man who buys a large stock of goods. He has a right to buy that stock without an inventory if he wants to do it at a stipulated price. It is not material to the creditor under the Act of 1905 and the amount of the consideration in no way concerns the creditor.

Mr. STEIN. Mr. Speaker, I desire to take issue with the Democratic party as represented by its former leader, the gentleman from Crawford, and wish to state that if the gentleman does not display better logic and more interest in the welfare of his party that the Democrats on this side will depose him and appoint Mr. Gray, of Johnstown, who ought to have the job anyhow. The bill under consideration does not aim to protect any seller nor does it aim to interfere with the rights of any honest man. You gentlemen will agree with me that we are strong for the honest man, and what this bill aims to do, my friends, is this: We have now here on the statute books the Act of 1905 which prohibits a dishonest merchant from selling out his entire stock to the loss and despair of his creditors. In 1905 this House with the assistance of the Democratic friends and merchants who desired to be honest, enacted an act which requires notice of any intent of sale. Commerce has not changed in the last five or seven years and those who still desired to be honest and were honest then were anxious to have the act passed. This act places further safeguards around the sale of the wares of merchants, providing that the merchant shall not sell out his entire stock without notice. It further provides that he cannot pledge his stock to any auctioneer or warehouse without similar notice, just the same as if it were personal property and the law now states that you cannot sell your house without notice and this bill says that you cannot mortgage your property or your goods or your merchandise without notice. There is nothing unfair or unreasonable about it. Would you not consider it very unfair if a man would sell his real estate and would not notify you if you had an interest in it? and you would also consider it unfair if it would be mortgaged with full value without your knowledge if you were interested in it. The protection that the land owner has on lands, the merchants should have and is entitled to the same protection. He is entitled to the same protection when he undertakes to sell or mortgage his entire stock. I will assure you gentlemen that you will do what the honest merchants want who desire things to be right and you will prevent dishonest merchants from accomplishing things they have no right to accomplish, in voting in favor of this bill.

Mr. ROCKWELL. Mr. Speaker, I accomplished my purpose when I asked for a little explanation on this bill, but I did not think that I was going to get some members of the House to make courteous remarks about some of the gentlemen on the opposite side of the House. When the gentleman from Crawford took the floor and fairly and squarely discussed this measure, it seems to me that he was not entitled to be censured in a political manner. This bill is a very wide departure from the present fraudulent sales act, and even if I own a little store with a stock of goods of one hundred dollars, without going through the formality of making an inventory and specifying each item and the correct wholesale price, if I fail to do that I am guilty of a misdemeanor and liable to a fine not to exceed one thousand dollars. I have no objection to the real purpose of the bill, but it is going too far, it seems to me, along that line. If it were amended in that respect, I would be willing to support it, but I do not see how I can, the way it reads.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—89.

Adams,	Eichenberger,	Letzkus,	Roney,
Allen,	Flynn,	Light,	Rothenberger,
Alworth,	Foster, J. D.,	Lowers,	Sassaman,
Ambler,	Gans,	Malie,	Schaeffer, A. C
Aron,	Geary,	Mannion,	Shern,
Arthur,	Gibson,	McAleer,	Sherwood,
Bass,	Good,	McArdle,	Snyder,
Becker,	Gramley,	McNichol,	Spillinger,
Bergey,	Gransback,	Miller,	Steedle,
Bigger,	Gray, Frank,	Missimer,	Steele,
Brosius,	Gray, Joseph,	Moore,	Stein,
Campbell, C.M.,	Haggerty,	Moses,	Strauss,
Carter,	Hemminger,	Murphy,	Swartz,
Claycomb,	Hess,	Neely,	Swift.
Cleary,	Heyburn,	Newton,	Ulman,
Conner,	Howard, J.,	North,	Walnut.
Conniff,	Isler,	Pennegar,	Walsh,
Cox,	Irwin, G. C.,	Pennock,	Walton,
Currier,	Irwin, H. H.,	Perry, S. J.,	Whitaker,

Curry,	Kaiser,	Price,	Whitman,
Davis,	Kaufman,	Ramsey,	Wildman,
Dickinson,	Keeport,	Reeser,	Williams,
Donahoe,	Kenna,	Rex,	Wilson, W. H.,
Dunn, H. B.,	Kitts,	Richards,	Wiltbank,
Dunn, J. A.,	Kuhn, H. P.,		Young, G. K.
Ehrhardt,			

NAYS—76.

Baldwin, G. A.,	Glenn,	Lenker,	Reese,
Bayle,	Goss,	Lohr,	Rhoads,
Benninger,	Grabe,	Martin,	Rockwell,
Benson,	Heidinger,	Mather,	Runk,
Bittles,	Hibshman,	Matt,	Savacool,
Blair, W. F.,	Hobbs,	McAllister,	Schuck,
Body,	Hoffman,	McClintock,	Scott, S. B.,
Brownlee,	Howard, R.,	McDermott,	Shaffer, C. A.,
Burnett,	Humes,	McKay,	Shaffer, I. E.,
Caldwell,	Jackson,	Mellott,	Smith, J. W.,
Campbell, J. J.,	Jones, J. R.,	Metzenbacher,	Smith, L.,
Carson,	Keegan,	Mitchell,	Snavely,
Cheeseman,	Kennedy,	Morrow,	Stone,
Cochran,	Kern,	Musser,	Trach,
Collins,	Klepper,	Neel,	Ulerich,
DeFrees,	Kuhns, E.G.M.,	Newbaker,	Wettach,
Down,	Lanius,	Peachey,	Wilson, J. H.,
Ely,	Latshaw,	Post,	Young, J. H.,
Ewing,			Alter,
Geiser,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 666, entitled:

An Act relating to the administering of oaths or affirmations to administrators executors committee or guardians to qualify them for the performance of their respective duties

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. DeFREES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. IRA E. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 759, entitled:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the court and providing for the sentencing of either or both in their absence

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Adams,	Dunn, J. A.,	Lenker,	Richards,
Allen,	Ehrhardt,	Leslie,	Robinson,
Alworth,	Eichenberger,	Letzkus,	Rockwell,
Ambler,	Ely,	Light,	Roney,
Aron,	Ewing,	Lohr,	Rothenberger,
Arthur,	Fahey,	Lowers,	Runk,
Baldwin, G. A.,	Flynn,	Malie,	Sassaman,
Baldwin, R. J.,	Forster, I. G.,	Mannion,	Schaeffer, A. C
Bass,	Foster, J. D.,	Martin,	Schuck,
Bayle,	Gans,	Mather,	Scott, S. B.,
Becker,	Geary,	Matt,	Semmens,
Benninger,	Geiser,	McAllister,	Shaffer, C. A.,
Benson,	Gibson,	McArdle,	Shaffer, I. E.,
Bergey,	Glenn,	McClintock,	Sherwood,
Bernthelzel,	Goss,	McDermott,	Showalter,
Bigger,	Gramley,	McNichol,	Smith, J. W.,
Bittles,	Gransback,	Mechling,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Mellott,	Snavely,
Blair, W. F.,	Gray, Joseph,	Metzenbacher,	Snyder,
Bleloch,	Haggerty.	Miller,	Speiser,
Body,	Hemminger,	Missimer,	Spillinger,
Brosius,	Hess,	Mitchell,	Steele,
Brown,	Heyburn,	Moore,	Stein,
Brownlee,	Hibshman,	Morrow,	Stone,
Burnett,	Hobbs,	Moses,	Strauss,
Caldwell,	Hoffman,	Moulthrop,	Swartz,
Campbell, C.M.,	Howard, J.,	Murphy,	Swift,
Campbell, J. J.,	Howard, R.,	Musser,	Thomas,
Carson,	Humes,	Neel,	Trach,
			Ulerich,
Carter,	Isler,	Neely,	Ulman,
Cheeseman,	Irwin, G. C.,	Newton,	Walnut,
Claycomb,	Irwin, H. H.,	North,	Walsh,
Cleary,	Jackson,	O'Neill,	Watson,
Cochran,	Jones, E. E.,	Pennegar,	Whitaker,
Collins,	Jones, J. R.,	Pennock,	Whitman,
Conner,	Kaiser,	Perry, S. J.,	Wildman,
Conniff,	Kaufman,	Peters,	Williams,
Cox,	Keegan,	Piper,	Wilson, J. H.,
Currier,	Kenna,	Post,	Wilson, W. H.,
Curry,	Kennedy,	Price,	Wiltbank,
Davis,	Kern,	Ramsey,	Young, G. K.
DeFrees,	Kitts,	Reese,	Young, J. H.,
Dickinson,	Klepper,	Reeser,	Zimmerman,
Donahoe,	Kuhn, H. P.,	Rex,	Alter,
Donnally,	Lanius,	Rhoads,	Speaker.
Down,	Latshaw,		
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 699, entitled:

An Act authorizing the Department of Forestry of the Commonwealth of Pennsylvania by and with the consent of the Governor to sell and convey any land owned or possessed by the Commonwealth for forest reservation purposes which land so to be sold in the judgment of the Forest Reservation Commission its suitable for building site or agricultural purposes or which is not deemed advisable for the Commonwealth to keep and providing a method for conveying the same

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS. Mr. Speaker, I would like the sponsor of this bill to explain it to the House.

BILL RECOMMITTED.

Mr. BLELOCH. Mr. Speaker, if the sponsor of the bill will yield the floor to me, I would like to make a motion that this bill be recommitted to the Committee on Forestry.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1284, entitled:

An Act fixing the salary of the messenger in the State Library

On the question,

Will the House agree to the bill on third reading?

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to have this bill explained by the sponsor.

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WALNUT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER announced the ayes seemed to have it.

Whereupon,

A division was called for, and eighty-five gentlemen voting in the affirmative and twenty in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1419, as follows:

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the corporate authorities of each city and borough within this Commonwealth having a population of more than fifteen thousand inhabitants according to the last decennial census of the United States to erect and maintain public comfort stations for the use of the general public

Section 2 The corporate authorities of each municipality as provided in section one of this act shall immediately after the approval of this act provide for the erection of one or more public comfort stations as the population of such municipality may require Said authorities shall by due advertisement invite sealed proposals for bids for the erection of such public comfort stations and shall let the contracts therefor to the lowest responsible bidder and shall take from such bidder a bond with sufficient security conditioned for the faithful performance of such contract

Section 3 The corporate authorities of any such municipality are empowered to provide for the cost of the erection of such public comfort stations from funds in the treasury of such municipality or to issue bonds therefor in the manner now provided for the issuing of bonds by an act of Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" with its several amendments and supplements

Section 4 The public comfort stations provided for in this act shall be centrally located and shall be so erected that they can be maintained in a sanitary condition Such stations shall have at least one compartment for men and one compartment for women and shall be construed so as to afford privacy

If any municipality shall neglect for a period of two years to carry out the provisions of this act it shall be the duty of the Commissioner of Health to erect such public comfort stations under the provisions of this act as he may deem necessary and collect the cost thereof with an additional penalty of twenty per centum from the proper municipality in an action of assumpsit and in the name of the Commonwealth in the same manner as debts of like amount are recoverable

Section 6 All acts or parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

Mr. STEELE. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title, lines one and two, strike out "the several" and insert "certain."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, To lie over for printing.

Mr. SHERN. Mr. Speaker, I move that this House do now take a recess until eight o'clock this evening.

The SPEAKER. Under a resolution adopted last week, the House was to hold two regular sessions a day and an evening session when necessary. The Chair will state for the information of the House that there are ninety-eight bills on the third reading Calendar, not counting those on the postponed calendar.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask unanimous consent to offer a resolution at this time.

Mr. R. J. BALDWIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

Mr. SHERN. Mr. Speaker, I now renew my motion for a recess.

Mr. McALEER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I hope this motion will not prevail, for the reason that we have many committee meetings tonight, and a special committee meeting at seven o'clock. If we have a session tonight many of the members will not be able to attend, and for that resaon I hope this motion will not prevail.

Mr. C. M. C. CAMPBELL. Mr. Speaker, the Committee on Education has a public hearing at seventy-thirty and quite a number of gentlemen have come from all over the State to attend this meeting. If this motion should prevail, I would like to change the time of that meeting until seven o'clock.

Mr. R. J. BALDWIN. Mr. Speaker, those members who sit here continually from the time the House convenes until it closes are probably like myself, almost exhausted. I believe that if we are here all the time in the House and giving attention to the work of the House, I think it is not fair to ask the members who are present at all times in the House to work any harder than we have been working. I therefore amend the motion of adjournment to read until ten o'clock tomorrow morning.

Mr. HEYBURN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the amendment?

Mr. SHERN. Mr. Speaker, I hope this amendment will not prevail. The members here are anxious to fulfill their mission, and by holding evening sessions will be able to adjourn about the fifteenth of May. If they are remiss in their duty, as was suggested by you, Mr. Speaker, it will probably be the middle of June before we can get away. But, if we work in the evenings from now on, we will probably find that we will be able to adjourn by the fifteenth of May.

Mr. ALLEN. Mr. Speaker, I quite agree with the sentiments of the gentleman from Delaware in relation to adjournment. We have labored strenuously since the time this House convened this week until this time. I believe that those members who have given attention to their duties, and I think all of them have, find themselves back with their work on the Calendar, and not up even to the work of to-day. I noticed to-day on the roll call that frequently members were not in touch with the matter under discussion sufficiently to justify them voting aye or nay on the bill. We lost considerable time on the roll calls because they were not informed at the time the call was made. It took some little time for them to find out just what was being voted upon, and then they asked to be recorded after the call. As I said, we have worked hard here this week, and I do not think we should have a session here this evening, but should adjourn until to-morrow morning so that the members may catch up with their work, and attend to the great amount of work that is before the committees. I think we should adjourn until to-morrow morning.

Mr. McDERMOTT. Mr. Speaker, we have a very important meeting of the Mines and Mining Committee. We have a report from the anthracite region that has taken the Commission over two years to furnish, and it will come up before this committee this evening. It will probably take up until midnight to go over this question, and I hope that the motion to adjourn until to-morrow morning at ten o'clock will prevail.

Mr. JOSEPH GRAY. Mr. Speaker, you have heard what the gentleman from Delaware said with reference to being tired out—I think the gentlemen should have the courtesy not to interrupt when another gentleman is speaking.

POINT OF ORDER.

Mr. McCLINTOCK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. McCLINTOCK. Mr. Speaker, the question of adjournment is not debatable.

The SPEAKER. The question to fix the time of adjournment is debatable. The point of order is not well taken. The gentleman from Cambria still has the floor.

Mr. JOSEPH GRAY. Mr. Speaker, we are all here attending strictly to business. So far as I am concerned I am not exhausted and I agree with the gentleman from Philadelphia in the statement he makes that we should have a session here to-night even though the gentleman from Allegheny says we are behind in our work. I assure you, Mr. Speaker, that when this House is not in session, the members are not here sitting at their desk investigating the legislation. At least, I have not been able to find anybody around here at that time. They are never investigating the legislation until the session opens. If they want to have a meeting of the Mines and Mining Committee, let the members attend it who are interested in it. I think this House ought to have a session to-night.

The question recurring,

Will the House agree to the amendment?

A division having been called, and 133 gentlemen, or more than a majority of the whole House, having voted in the affirmative, the question was determined in the affirmative and the amendment was agreed to.

On the question,

Will the House agree to the motion as amended?

ADJOURNMENT.

The motion was agreed to, and at 6.10 P. M. the House adjourned until to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, APRIL 10, 1913. No. 47.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 10, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER, (George E. Alter) in the Chair.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we stand before Thee as individual men. Each one of us owes allegiance to Thee, and yet Thou hast set us in relationship with those who are about us. By the Divine ordering, we are members of homes and of families, communities and neighborhoods, states and nations. We are made to realize therefore the truth of that scripture that "no man liveth to himself". We cannot live and labor, or speak and act without touching for good or ill the circles which are about us, the institutions with which we are associated. It is a sobering thought, and should give us carefulness. Let us not be dominated by a selfish regard of our own interests, but let us remember others as well, and let us try in all the relationships of our lives, in all that we are and in all that we do, to help others as well as ourselves. Let us not be content that we work no ill, but try very earnestly to work some good. Let us not be satisfied that we do no harm, but try also to benefit and help others. We ask all this in the name and for the sake of Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to the reading of the Journal of yesterday's proceedings, when on motion of Mr. James A. Dunn, the further reading was dispensed with, and the Journal was approved.

BILL INTRODUCED AND REFERRED.

By Mr. HUMES. House Bill No. 1907.

An Act regulating the furnishing of certain information by persons in the employ of this Commonwealth and providing a penalty for violation thereof

Referred to the Committee on Judiciary General.

REPORTS FROM COMMITTEES.

Mr. KEEPORT, from the Committee on Insurance, reported as amended, House Bill No. 731, entitled:

An Act relating to mutual fire insurance companies and fixing penalties for violation of this act

Mr. McALEER, from the Committee on Banks and Banking, reported as amended, House Bill No. 1190, entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

Mr. JOHN ROBERT JONES, from the Committee on Elections, re-reported, as amended, House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

BILLS INTRODUCED.

Mr. AMBLER asked and obtained unanimous consent to introduce a bill, the title of which was first read for the information of the House.

Mr. KITTS asked and obtained unanimous consent to introduce a bill, the title of which was first read for the information of the House.

RESOLUTION.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read by the Clerk.

REQUESTING AN OPINION OF THE ATTORNEY GENERAL AS TO LEGALITY OF ENABLING LEGISLATION TO ACCOMPANY PROPOSED BOND ISSUE AMENDMENT TO THE CONSTITUTION.

Whereas, There is now pending on the third reading Calendar of this House a joint resolution for the amendment of the Constitution of Pennsylvania, permitting the issuing of bonds against the Commonwealth to the extent of fifty million dollars for the building of new roads, and

Whereas, This joint resolution has passed the Legislature of the session of 1911-12, and,

Whereas, It will be necessary for the people of this Commonwealth to vote at the next election upon the acceptance of this proposed amendment, should the same pass this Legislature, and,

Whereas, This present session of the Legislature will more than likely be adjourned sine die before the date of the said election, and,

Whereas, It is questioned by many of the members of this House as to the legality of any enabling legislation that might be passed by this Legislature before the aforesaid proposed amendment to the Constitution is ratified at the next election, and,

Whereas, It is the desire of many of the members of this House to know whether or not such enabling legislation can be passed before they vote upon the third reading of the said joint resolution for the proposed Constitutional amendment,

Therefore be it resolved, That the Attorney General of the Commonwealth of Pennsylvania, be requested to inform this House, on or before Monday, the fourteenth day of April, 1913, whether or not, in his legal option, anticipatory legislation which will comply with the Constitution of this Commonwealth can be passed by the present Legislature which will permit the issuance of bonds in conformity with the proposed amendment to the Constitution of Pennsylvania, provided the said legislation is passed before the joint resolution has been ratified by the people at the election, and provided the said enabling legislation shall not take effect except upon the contingency of the said amendment being adopted at the said election.

Mr. R. J. BALDWIN. Mr. Speaker, I move the immediate consideration of the resolution.

Mr. SHERN. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree tothe resolution?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I have consulted many of the gentlemen with reference to this resolution, both for and against the main question, and I think it meets with the approval of all the members.

The resolution was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 371, entitled:

An Act for the incorporation regulation and government of cities of the third class regulating nomination and elec-

tion of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the third class shall be chartered whenever a majority of the electors of any town or borough or any two or more contiguous towns or boroughs situate within the limits of the same county and having together a population of at least ten thousand according to the last preceding United States census shall vote at any general election in favor of the same and the council or corporate authorities of any such town or borough or of any such contiguous towns or boroughs as the case may be may on their own motion or upon petition of one hundred or more qualified electors thereof shall by resolution duly passed and recorded among the minutes submit the question of whether any such town or borough or whether any such contiguous towns or boroughs shall become a city of the third class to the qualified electors thereof and they shall give notice by the publication of said resolution during at least four weeks immediately prior to the next general election in all of the newspapers published in said towns or boroughs that such an election will be held they shall certify said resolution to the county commissioners of the proper county who shall thereupon cause the said question to be printed at the foot of the official ballot to be used at the said general election in the borough or boroughs aforesaid in the following form "proposed city charter" and below shall be printed on two lines with a square at the right of each the words "for city charter" and 'against city charter" and the electors shall designate with a cross mark (X) in said square their desire to vote for or against such city charter It shall be the duty of the election officers within said town or towns borough or boroughs to count the votes so cast for and against such city charter and make return thereof on blanks to be furnished by the corporate authorities of said town or towns boroughs to the clerk of the court of quarter sessions of the proper county who shall compute the same and certify the result thereof to the corporate authorities aforesaid and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law and in reciving counting and making return to the Secretary of the Commonwealth each duly certified in the manner required by law and in receiving counting and making return of the votes cast the inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections and all the electors inspectors judges and clerks voting at and in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

BILL RECOMMITTED.

Mr. REX. Mr. Speaker, I move that the bill be recommitted to the Committee on Judiciary Special.

Mr. POST. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1225, entitled:

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by innoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be a felony for any person to perform experiments upon any human being either by the administration of drugs or deleterious substances or by the admission within the body of any instruments of any kind whatsoever or by the injection or innoculation of any substances whatsoever without the consent and approval of the person thus subjected given after full knowledge of the nature and probable consequences of the act intended to be performed and in cases of minors lunatics or persons not sui juris without the consent and approval given as aforesaid of the parents guardians or committee of the person to be subjected Provided that nothing in this act shall be construed to prohibit any treatment or operation upon an unconscious immediately necessary to relieve or cure said person from physical ailment And provided further that nothing in this act shall be construed to prohibit the injection or innoculation of any virus or any other substance for the purpose of vaccination

On the question,

Will the House agree to the section?

Mr. LANIUS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 1, line 16, after "unconscious" insert "person"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections and the title of the bill were separately read and agreed to, as follows:

Section 2 Any person or persons convicted of a violation of this act shall ipso facto be forever disqualified from the right to practice medicine surgeny or other healing professions and shall be subject to a fine of not less than five hundred dollars nor more than one thousand dollars or imprisonment for a term not less than three months nor more than one year or both

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by innoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 899, as follows:

An Act to amend an act entitled "An Act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violations of its provisions to be a misdemeanor and providing penalties for violations thereof" approved the fifth day of March one thousand nine hundred and six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the fifth day of March one thousand nine hundred and six entitled "An Act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violation of its provisions to be a misdemeanor and providing penalties for violations thereof" which reads as follows

"Section 2 The Civil Service Commission of each city of the first class shall consist of three commissioners to be appointed by the mayor The persons appointed commissioners shall be men in full sympathy with the purposes of this act Not more than two of the said commissioners at any one time shall be adherents of the same political party The commissioners in each city shall be appointed as follows On the first day of March one thousand nine hundred and six the mayor of each city of the first class shall appoint three commissioners the first to serve for a term of five years the second for a term of three years and the third for the term of one year The mayor shall appoint one of the commissioners president of the commission and one the secretary thereof At the expiration of each of the said terms the mayor shall appoint a commissioner to serve for the full term of five years Thereafter each commissioner shall be appointed for a full term of five years The mayor may at any time remove a commissioner for good cause which shall be stated in writing and made a part of the records of the commission and fill such vacancy or any other vacancy which may occur in said commission by appointment of a successor to serve for the remainder of the unexpired term The commissioners shall hold no other office under the United States the Commonwealth of Pennsylvania or any city or county thereof The president of the commission shall receive a salary of five thousand dollars per year Each of the other commissioners shall be paid a salary of three thousand dollars per year The commissioners shall qualify by filing with the mayor an oath to perform faithfully the duties of their office" is hereby amended to read as follows

Section 2 The Civil Service Commission of each city of the first class shall consist of three members who shall be elected as follows At the municipal election in the year one thousand nine hundred and thirteen and quadriennially thereafter the qualified electors of each such city shall elect three qualified electors of such cities who shall serve as commissioners for a term of four years from the first Monday of January next succeeding their election Each elector of such city shall be allowed to vote for only one commissioner and the three candidates for such office who shall receive the highest number of votes shall be declared elected

The commissioner who shall receive the highest vote cast at such election shall be president of the commission The one receiving the next highest vote shall be secretary of the commission The president secretary and other member of the commission shall receive annually the respective salaries of five thousand dollars ($5,000) four thousand dollars ($4,000) and three thousand dollars ($3,000)

Any vacancy in the commission shall be filled for the unexpired term by appointment by the mayor of the city The commissioners shall hold no other office under the United States or under this Commonwealth or under any

county city borough town or township thereof Each commissioner shall before assuming the duties of his office take and subscribe the oath prescribed by the Constitution of this Commonwealth

Section 2 That section three of said act which reads as follows

"Section 3 The Civil Service Commission in each city shall employ a chief examiner and such other clerks examiners and employes as it may deem necessary or proper to carry out the purposes of this act The clerks examiners and employes shall receive salaries to be fixed by the Civil Service Commission and approved by the mayor Councils shall annually appropriate the terms necessary for the work of the Commission The commission shall not expend or authorize the expenditure of moneys for any purpose in excess of the sums appropriated therefor by law" is hereby amended to read as follows

Section 3 The Civil Service Commission in each city shall employ a chief examiner and such other clerks examiners and employes as it may deem necessary or proper to carry out the purposes of this act Said chief examiner clerks examiners and employes shall be chosen from a classified list of those who have passed an examination with an average of seventy per centum or over The clerks examiners and employes shall receive salaries to be fixed by the Civil Service Commission and approved by the mayor and councils Councils shall annually appropriated the sums necessary for the work of the commission The commission shall not expend or authorize the expenditure of moneys for any purpose in excess of the sums appropriated therefor by law

Section 3 That section six clause one of said act which reads as follows

"Section 6 The Civil Service Commission in each city or the first class shall

"First Prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act All rules so prepared may from time to time be added to amended or rescinded Provided That all rules shall be approved by the mayor before they go into effect but when so approved shall not be annulled or changed except by the Commission with the approval of the mayor" is hereby amended to read as follows

Section 6 The Civil Service Commission in each city of the first class shall

First Prescribe amend and enforce rules and regulations for carrying into effect the provisions of this act All rules so prepared may from time to time be added to amended or rescinded But before prescribing amending or rescinding any such rules the said Commission shall cause the same to be published for five consecutive days in three newspapers having the largest circulation in cities of the first class at least thirty days before such rules are intended to become effective The said Commission shall also cause to be printed such rules as they prescribe amend or rescind and post the said rules in the most suitable places to give full public notice of the same at least thirty days before such rules are intended to become effective Provided that all rules shall be approved by the mayor before they go into effect but when so approved shall not be annulled or changed except by the Commission with the approval of the mayor

Section 4 That section nine of said act which reads as follows

"Section 9 All examinations for positions in the classified service shall be practical in their character and shall relate to those matters which will fairly test the qualifications and fitness of the persons examined to discharge the duties of the office or employment sought by them All examinations shall be free and open to all applicants who have fulfilled the preliminary requirements stated in section ten of this act The examinations of applicants for employment as laborers shall relate to their capacity for labor their habits as to sobriety and industry and their experiences in the kind of work for which they apply All applicants for any position in the classified service may subject to the regulations adopted by the Civil Service Commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least two weeks prior to such examinations The said commission shall adopt reasonable regulations for permitting the presence of representatives of the press at the examinations The names of the candidates passing any examination and the order of their standing on any eligible list shall be made part of the public records of the Civil Service Commission" is hereby amended to read as follows

Section 9 All examinations for positions in the classified service shall be practical in their character and ninety per centum of the questions propounded shall relate to those matters which will fairly test the qualifications and fitness of the persons examined to discharge the duties of the office or employment sought by them All examinations shall be free and open to all applicants who have fulfilled the preliminary requirements stated in section ten of this act The examinations of applicants for employment as laborers shall relate to their capacity for labor their habits as to sobriety and industry and their experiences in the kind of work for which they apply All applicants for any position in the classified service may subject to the regulations adopted by the Civil Service Commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission No application shall be considered nor any applicant examined unless such applicant shall have resided in the proper city at least one year previous to such examination Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least two weeks prior to such examinations Each applicant shall be given at least one week's notice of the time and place when and where the examination is to be held The said commission shall adopt reasonable regulations for permitting the presence of representatives of the press at the examinations The names of the candidates receiving an average of seventy per centum or over shall be placed on the eligible list and shall be made part of the public records of the Civil Service Commission

Section 5 That section fourteen of said act which reads as follows

Section 14 Every position or employment in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall request the certification of eligibles The Civil Service Commission shall thereupon certify from the eligible register most nearly appropriate to the position to be filled the names of the four persons thereon who received the highest averages at examinations held under the provisions of this act Provided however That no such name shall be certified more than four times to the same apointing officer for the same or a similar position The appointing officer shall with sole reference to the relative qualifications and fitness of the candidates make a selection from the three names certified unless objection shall be made by him and sustained by the Commission to one or more of the persons certified for any of the reasons stated in section ten It shall be the duty of the appointing officer to appoint the person so selected for a probationary period as provided in section eight The provisions of this section (fourteen) shall not apply to positions which are especially excepted by the Commission from competitive examinations as provided in section fifteen" is hereby amended to read as follows

Section 14 Every position or employment in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall request the certificate of eligibles The Civil Service Commission shall thereupon certify from the eligible register most nearly appropriate to the position to be filled the names of all persons receiving an average of seventy per centum or over at examinations held under the provisions of this act The appointing officer shall with sole reference to the relative qualifications and fitness of the candidates make a selection from any of the names so certified unless objection shall be made by him and sustained by the Commission to one or more of the persons certified for any of the reasons stated in section ten It shall be the duty of the appointing officer to appoint the person so selected for a probationary period as provided in section eight The provisions of this section shall not apply to positions which are especially excepted by the Commission from competitive examinations as provided in section fifteen

Section 6 That section twenty-five of said act which reads as follows

"Section 25 Any commissioner or examiner or any other person who shall willfully by himself or in cooperation with one or more persons defeat deceive or obstruct any person in respect of his or her right of examination or registration according to this act or to any rules or regulations prescribed pursuant thereto or who shall willfully or corruptly falsely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in their so doing or who shall willfully or corruptly make any false representations concerning the same or concerning the person examined or who shall willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the pospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or aid in any manner any other person to personate him or her in connection with any examination or registration or application or request to be examined or registered shall for each offense be deemed guilty of a misdemeanor" is hereby amended to read as follows

Section 25 Any commissioner or examiner or any other person who shall willfully by himself or in cooperation with one or more persons defeat deceive or obstruct any person in respect of his or her right of examination or registration according to this act or to any rules or regulations prescribed pursuant thereto or who shall willfully or corruptly falsely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in so doing or who shall willfully or corruptly make any false representations concerning the same or concerning the person examined or who shall willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or aid in any manner any other person to personate him or her in connection with any examination or registration or application or request to be examined or registered shall for each offense be deemed guilty of a misdemeanor As additional punishment any commissioner alleged to have willfully violated any of the provisions of this act and found guilty thereof in a court of quarter sessions of the proper county shall be removed from office by the said court and his successor shall be appointed by the mayor of the city to hold office until the first Monday of January following the next municipal election

And said bill having been read at length the second and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1357, as follows:

An Act concerning building regulation and inspection in townships of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to prevent the spread of fires and to secure structural and sanitary safety of the buildings within the limits of townships of the first class within this Commonwealth the board of township commissioners of every such township shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins municipal approval of plans and specifications therefor be secured and to provide for inspection of such construction and repair including the appointment and compensation of one or more building inspectors to provide limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provisions of any such ordinance is declared to be a public nuisance and abatable as such

Section 2 All such building regulation and inspection ordinances heretofore enacted by boards of township commissioners of townships of the first class are hereby validated as being lawfully within their police powers

Section 3 Any person aggrieved by action taken by a board of township commissioners under this act may have an appeal therefrom to the court of common pleas of the county which appeal shall be heard summarily in like manner as an application for a special injunction in equity and the court may correct any mistake in law and also any abuse of discretion appearing in the action of the commissioners

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 330, as follows:

An Act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the prothonotary or clerk of each court of common pleas within this Commonwealth shall on or before the first day of February in each and every year hereafter make return to the Department of Health of the Commonwealth of each and every suit for annulment of marriage or divorce pending or determined in said court during the preceding calendar year specifying with respect to each case

First The term and number of record

Second The full names of both the libellant and the respondent

Third The age race whether white black yellow red or mixed and the occupation of each of them

Fourth The date and the place of the marriage

Fifth The residence of each of the parties at the time of the marriage and at the time of the commencement of the suit

Sixth The date of separation of the parties if a separation has occurred

Seventh The date of the filing of the libel

Eighth The cause or causes alleged for the annulment of marriage or for the divorce

Ninth The manner of the service of the subpoena

Tenth Whether or not the suit was contested

Eleventh The number and names of the children by the marriage

Twelfth The dates and substance of all decrees whether interlocutory or final

Provided that the prothonotary or clerk be relieved from the duty of making return as to such facts as do not appear of record

Section 2 The Secretary of the Commonwealth shall at the expense of the Commonwealth cause to be printed blank forms suitable to carry into effect the purposes of this act and supply them in sufficient numbers to the prothonotaries and clerks of the different courts

Section 3 For every return so made the prothonotary or clerk making it shall receive a fee of..... to be paid by.... and upon neglect or refusal to make such returns the prothonotary or clerk so refusing shall for each such neglect or refusal forfeit and pay the sum of fifty dollars for the uses of the county to be collected as debts of like amount are now collectible

Section 4 The Commissioner of Health shall annually prepare from returns abstracts and tabular statements of the facts relative to divorce in each county and embody them with the necessary analysis in his annual report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 331, as follows:

An Act regulating annulment of marriage divorces and alimony defining the kinds thereof the causes therefor and the defenses thereto regulating the jurisdiction of the courts over the same regulating the procedure of said courts in annulment and divorce proceedings the kind form enforcement and effect of the decrees of said courts and providing for appeals therefrom defining the effect of annulment or divorce upon property rights and upon the status of children and providing for the care custody and support of minor children prohibiting marriage with a particeps criminis declaring the effect of marriage on false rumor of death of either party and of foreign decrees and repealing consolidating and extending existing laws in relation to these subjects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a marriage may be annulled for any of the following causes existing at the time of the marriage

a Incurable physcial impotency or incapacity for copulation at the suit of either party Provided That the party making the application was ignorant of such impotency or incapacity at the time of the marriage

b Consanguinity or affinity according to the table of degrees established by law at the suit of either party But when any such marriage shall not have been annulled during the lifetime of the parties the validity thereof shall not be inquired into after the death of either party

c When such marriage was contracted while either of the parties thereto had a husband or wife living at the suit of either party

d Fraud force or coercion at the suit of the innocent and injured party unless the marriage has been confirmed by the acts of the injured party after knowledge of the facts

e Insanity of either party at the suit of the other or at the suit of the committee of the lunatic or of the lunatic on regaining reason unless such lunatic after regaining reason has confirmed the marriage That where the party compos-mentis is the applicant such party shall have been ignorant of the other's insanity at the time of the marriage and shall not have confirmed it after acquiring knowledge thereof

Section 2 Divorce shall be of two kinds

a Divorce from the bonds of matrimony or divorce a vinculo matrimonii

b Divorce from bed and board or divorce a mensa et thoro

Section 3 The causes for divorces from the bonds of matrimony shall be

a Adultery of husband or wife at the suit of the innocent and injured party

b Bigamy at suit of the innocent and injured party to any prior marriage

c Conviction and sentence at the suit of the innocent party by a competent court having jurisdiction followed by a continuous imprisonment exceeding two years for any of the following crimes arson bigamy burglary forgery felonious kidnapping murder perjury rape highway robbery sodomy buggery or treason Provided that such conviction has been the result of trial in some one of the states of the Union or in a federal court or in some one of the territorial possessions or courts subject to the jurisdiction of the United States or in some foreign country granting a trial by jury followed by an equally long term of imprisonment

d Cruel and barbarous treatment or indignities to the person threats and acts of abuse on the part of either husband or wife such as to endanger the life or health of the other party or to render cohabitation unsafe

e Willful and malicious desertion on the part of either husband or wife and absence from the habitation of the other without reasonable cause for and during the term and space of two years

Section 4 The causes for divorce from bed and board shall be

a Adultery of husband or wife at the suit of the innocent and injured party

b Bigamy at the suit of the innocent and injured party to any prior marriage

c Conviction and sentence at the suit of the innocent party by a competent court having jurisdiction by a continuous imprisonment exceeding two years for any of the following crimes Arson bigamy burglary forgery felonious kidnapping murder perjury rape highway robbery sodomy buggery or treason Provided That such conviction has been the result of trial in some one of the states of the Union or in a federal court or in some one of the territories possessions or courts subject to the jurisdiction of the United States or in some foreign country granting a trial by jury followed by an equally long term of imprisonment

d Cruel and barbarous treatment or indignities to the person threats and acts of abuse on the part of either husband or wife such as to endanger the life or health of the other party or to render cohabitation unsafe

e Willful and malicious desertion on the part of either husband or wife and absence from the habitation of the other without reasonable cause for and during the term and space of two years

f Hopeless insanity of the husband at the suit of the wife

Section 5 No decree for divorce shall be granted if it appears to the satisfaction of the court that the suit has been brought by collusion or that the libellant has procured or connived at the offence charged or has condoned it or has been guilty of adultery not condoned

Section 6 The several courts of common pleas of this Commonwealth shall have and entertain jurisdiction of all actions for annulment of marriage or for divorce

Section 7 For purposes of annulment or marriage jurisdiction may be acquired by personal service upon the respondent within this Commonwealth when either party is a bona fide resident of this Commonwealth at the time of the commencement of the action

Section 8 For the purposes of divorce either absolute or from bed and board jurisdiction may be acquired by personal service upon the respondent within this Commonwealth under the following conditions

a When at the time the cause of action arose either party was a bona fide resident of this Commonwealth and has continued so to be down to the time of the commencement of the action except that no action for absolute divorce shall be commenced for any cause other than adultery or bigamy unless one of the parties has been for the two years next preceding the commencement of the action a bona fide resident of this Commonwealth

b When since the cause of action arose either party has become and for at least two years next preceding the commencement of the action has continued to be a bona fide resident of this Commonwealth Provided The cause of action alleged was recognized in the jurisdiction in which such party resided at the time the cause of action arose as a ground for the same relief asked for in the action in this Commonwealth

Section 9 When the respondent cannot be served personally within this Commonwealth and when at the time of the commencement of the action the libellant is a bona fide resident of this Commonwealth jurisdiction for the purpose of annulment of marriage may be acquired by publication as prescribed by section twenty-seven of this act to be followed where practicable by service upon or notice to the respondent without this Commonwealth or by additional substituted service upon the respondent within this Commonwealth as prescribed by section twenty-eight of this act

Section 10 When the respondent cannot be served personally within this Commonwealth and when at the time of the commencement of the action the libellant is a bona fide resident of this Commonwealth jurisdiction for the purpose of divorce whether absolute or from bed and board may be acquired by publication as prescribed by section twenty-seven of this act to be followed where practicable by service upon or notice to the respondent without this Commonwealth or additional substituted service upon the respondent within this Commonwealth as prescribed by section twenty-eight of this act under the following conditions

a When at the time the cause of action arose the libellant was a bona fide resident of this Commonwealth and has continued so to be down to the time of the commencement of the action except that no action for absolute divorce shall be commenced for any cause other than adultery or bigamy unless the libellant has been for the two years next preceding the commencement of the action a bona fide resident of this Commonwealth

b When since the cause of action arose the libellant has become and for at least two years next preceding the commencement of the action has continued to be a bona fide resident of this Commonwealth Provided The cause of action alleged was recognized in the jurisdiction in which the libellant resided at the time the cause of action arose as a ground for the same relief asked for in the action in this Commonwealth

Section 11 All actions whether for annulment of marriage or for divorce shall be commenced by libel

Section 12 The libel whether for annulment of marriage or for divorce shall set forth therein particularly and specially the following matters

a The fact time place and circumstances of the marriage of the libellant and respondent together with the age color and occupation of each party

b Their subsequent cohabitation if any

c Their respective places of residence at the time of the marriage

d Their respective place of residence since the marriage

e The number sex and ages of the children of such marriages

f That the libellant or respondent has and a bona fide residence in this Commonwealth as required by this act immediately prior to the filing of the libel and that such residence has not been sought for the purpose of obtaining a decree of annulment or divorce

g The present or last known place of residence of the respondent

h The cause or causes for annulment or divorce with the dates places and circumstances thereof Provided That when more than one cause of divorce is alleged each cause shall be set forth in a separate paragraph

i If the cause for annulment or divorce be bigamy the libel shall set forth the name of the prior husband or wife of the respondent and the circumstances of the respondent's prior marriage

j If the cause for divorce be adultery of the respondent the libel shall set forth the name or names if known of the particeps criminis

k If the cause for annulment be the insanity of the respondent at the time of the marriage as specified in section one paragraph e of this act the libel shall contain an averment that the libellant was ignorant of the respondent's insanity at the time of the marriage

l If the cause for divorce be the insanity of the husband as specified in section four paragraph f of this act the libel shall set forth the fact of his hopeless insanity together with such circumstances as may be sufficient to satisfy the court as to the truth of the allegation

m When the husband or wife is a lunatic the libel may be presented by his or her committee in lunacy and the libel shall set forth further the fact of his or her lunacy and such circumstances as may be sufficient to satisfy the court as to the truth of the allegation

n The libel shall contain a prayer for the issuing of a subpoena

o Also a prayer for a decree annulling the marriage or for divorce from the bonds of matrimony or for divorce from bed and board

p The libel shall be signed by the libellant in person by the guardian or next friend of a minor or by the committee in lunacy if presented on behalf of a lunatic

Section 13 The libel shall be verified by the affidavit of the libellant guardian next friend or committee in lunacy as the case may require Such affidavit and all other affidavits in proceedings under this act may be made before one of the judges of the court where the same is to be presented or before the clerk of said court or before any magistrate or justice of the peace of the proper county or before any notary public of this Commonwealth

Section 14 In all actions for annulment of marriage or for divorce the affidavit shall be substantially in the following form

"The above named ..... libellant being duly sworn deposes and says that the facts set forth in the foregoing libel are true and correct to the best of ..... knowledge and belief and that the complaint therein set forth is not made out of levity or by collusion between the said husband and wife for the sole purpose of being freed and separated from each other or for the sole purpose of marrying again but in sincerity and truth for the cause or causes mentioned in said libel"

Section 15 The libel may be presented to the court of common pleas of the county of the place of residence of the husband or wife or to one of the judges thereof as provided by section eighteen of this act

Section 16 The libel shall be prescribed to the proper court or one of the judges thereof either in the term time or in vacation at least thirty days before the next term or any subsequent term or monthly return day

Section 17 Where the cause of divorce is desertion as specified in section three paragraph eight or section four paragraph e of this act the libellant may present the libel to the proper court or any judge thereof as provided in section sixteen of this act at any time not less than six months after not proceed to make the decree of divorce until after the expiration of two years from the time when such desertion took place Provided that said libellant shall have been a bona fide resident of the Commonwealth for the length of time prescribed by sections eight or ten of this act as the case may require

Section 18 The libel must be allowed by a judge and if the averments thereof disclose a prima facie case an order shall be made substantially as follows

"And now to wit ..... the within libel having been presented and read upon due consideration thereof it is ordered that a subpoena issue forthwith as therein prayed for returnable ....."

Section 19 After such order has been made the prothonotary shall forthwith issue a subpoena directed to the respondent commanding him or her to appear at such return day as may be directed by the court or judge thereof and to answer said libel within thirty days thereafter

Section 20 The subpoena shall be delivered to the sheriff of the county in which the suit is brought and be served by him or his deputy or by some one duly authorized by him in writing endorsed upon the subpoena

Section 21 The subpoena shall be served at least fifteen days before the return day thereof

Section 22 If the residence of the respondent be within this Commonwealth or if the respondent be actually within the Commonwealth though not a resident thereof the subpoena shall be served upon the respondent wherever found within this Commonwealth by handing a true and attested copy thereof to him or her personally

Section 23 A copy of the libel shall be served with the subpoena and in the same manner Such copy shall have endorsed thereon a notice requiring the respondent to cause an appearance to be entered by him or her in the common pleas court of the proper county on or before the return day of the writ and an answer to be filed to the libel within thirty days thereafter and stating that if such appearance be not entered and an answer filed the cause may proceed ex parte and a decree for annulment or divorce may be entered against such respondent

Section 24 If the respondent be a lunatic service shall be made personally as aforesaid upon his or her duly appointed committee in lunacy and if the respondent be imprisoned leave of the court which imposed the sentence shall be obtained to make personal service upon such respondent

Section 25 The return of service shall be verified by affidavit of the party making the same stating the time place and manner of such service and also that the person so served is known to him to be the respondent named in the writ

Section 26 If it shall appear from such return that the respondent could not be found within this Commonwealth the court may order an alias subpoena to issue returnable in the same manner and to be served personally as aforesaid together with a copy of the libel and notice and in like manner pluries subpoena may also issue

Section 27 If upon the return of the alias or any pluries subpoena or subpoenas it appears that the respondent cannot be found within this Commonwealth to be served with process then the court or judge awarding the subpoena may order the sheriff to cause notice to be published in one or more newspapers If any of general circulation published in the city or county of this Commonwealth in which the proceedings were had and in the legal periodical if any designated by rule of court in said city or county for the publication of legal notices and also in one or more newspapers of general circulation pub-

lished in the city or county where the respondent had his or her last known residence of if no newspaper be published in such city or county then in such newspaper or newspapers nearest thereto as the court may direct once each week for six successive weeks prior to the first day of the next or any succeeding term of court requiring the said respondent to enter an appearance on or before said day and to file an answer within thirty days thereafter

Section 28 If the place of residence of the respondent is within this Commonwealth and is known to or can be ascertained by the libellant but the respondent cannot be found within this Commonwealth to be served with process then and in that case in addition to the publication provided for by section twenty-seven of this act the court shall order a copy of the subpoena and libel with the notice prescribed by section twenty-three of this act endorsed thereon to be served by the proper official in any one of the following methods

a By handing a true and attested copy thereof to an adult member of the respondent's family at his or her own dwelling house or

b To an adult member of the family with which the respondent resides or

c At the respondent's place of residence to the manager or clerk of the hotel appartment house boarding house or other place of lodging at which the respondent resides or

d At the respondent's place of business to his or her agent partner or the person for the time being in charge thereof if for any cause an attempt to serve at the respondent's residence has failed

Section 29 If the place of residence of the respondent is out of this Commonwealth and is known to or can be ascertained by the libellant then and in that case in addition to the publication hereinbefore provided for the court shall order notice to be served upon the respondent either by personal service of a copy of the libel within a time to be fixed by the order or by registered letter containing a copy of the same In case such personal service cannot be made or in case the exact address of the respondent cannot be ascertained then by publication in a newspaper of general circulation printed in the county and state where such respondent is known to reside or if in a foreign county in the nearest center of population to the residence of the respondent once each week for six successive weeks prior to the first day of the next or any succeeding term of court with the same requirements as to appearance and filing of an answer as hereinbefore prescribed

Section 30 Any one charged as a particeps criminis shall be made a party upon his or her application to the court subject to such terms and conditions as the court may prescribe

Section 31 Each court will have power to adopt general rules not inconsistent with his act regulating all proceedings for annulment of marriage or for divorce and to make such special or interlocutory orders or decrees as the case may require

Section 32 The appearance to be entered by the respondent may be either general or special for determination of questions of jurisdiction Such appearance as well as the appearance for the libellant shall be an attorney whose authority therefor shall be evidenced by a letter of attorney acknowledged before some person duly qualified to take such acknowledgment and attached to and filed with this appearance

Section 33 If the libel be not sufficiently specific as to any of the particulars prescribed by section twelve of this act the respondent having first entered an appearance may at any time before the day fixed for filing an answer apply to the court for a rule on the libellant to furnish a bill of particulars of the cause or causes of complaint referred to in the libel and if the same be not filed within thirty days after service of such rule the court shall on motion of counsel for the respondent enter a judgment or decree of non pros unless for cause shown the time for filing the bill of particulars be extended by the court The respondent may also be required to file a similar bill of particulars of all matters alleged by way of special defence within such time as the court may direct

Section 34 The respondent may at any time within thirty days after the return day of the subpoena or afterwards by leave of court upon cause shown demur or answer to the libel or may demur to part and answer to the rest

Section 35 The answer shall be responsive to the libel arranged in paragraphs corresponding as nearly as may be to the several matters set forth in the libel and shall conclude with a prayer that the libel be dismissed or for a trial by the court or a jury as may be desired If matters of special defence be alleged it shall be set forth in separate paragraphs All answers shall be verified by affidavits of the respondent A copy of the answer shall be served upon the libellant or his or her attorney of record at the time of filing the same

Section 36 Upon the filing of the answer the cause shall be deemed at issue unless the answer shall set up matter of special defence in which case the libellant may file a replication as to such defences only which may conclude with a prayer for a trial by the court or a jury as may be desired

Section 37 If the respondent shall be answer set up as a defense any matter which would be a bar to divorce as specified in section five of this act or which would entitle the respondent to a divorce and shall so desire he or she may present a cross bill alleging the same as a cause for divorce from the libellant If the cross bill be filed separately the proceedings upon such cross bill shall be the same as on the original libel but the respondent may file a cross bill in connection with the answer and following the same as a part thereof In such case a copy of the answer and cross bill shall be served on the libellant or on his or her attorney of record and the further proceedings on the cross bill shall then be the same as on the original libel The cross bill shall be verified by affidavit as in the original libel

Section 38 No amendments to either libel or answer or cross bill shall be allowed except by leave of court upon motion for cause shown All amendments to the libel or cross bill alleging additional causes for divorce shall be verified by affidavit A copy of all amendments to the libel shall be served upon the opposite party or the attorney of record if any in the same manner prescribed for service of the copy of the original libel and a copy of amendments to the answer or cross bill shall be served upon the libellant or his or her attorney of record

Section 39 No discontinuance shall be allowed or recognized except by leave of court duly entered of record and then only upon such terms as may be prescribed by court

Section 40 If the pleadings raise any issue relevant and material to the relief sought which either party may desire to have tried by a jury an issue on the facts alleged or denied in the pleadings shall be framed by the party demanding such trial and presented to the court after notice to the other party for approval Such issue and trial shall be demanded by the answer or replication or at any time before the taking of testimony upon the merits shall have commenced and thereafter such trial by jury shall be allowed only in the discretion of the court upon motion and for cause shown The court may in its discretion and for its assistance frame a specific question or questions of fact for trial by jury when it is satisfied that such trial can be had without prejudice to public morals

Section 41 Where the respondent is served either personally or by publication but does not appear and answer as commanded by the subpoena the libellant may proceed ex parte but full proof shall be required of all the facts alleged in the libel and no decree shall be granted pro confesso

Section 42 All hearings and trials shall be had before the court except as hereinafter provided and shall in all cases be public except where be special order of the court made in its discretion in the interest of public morals such hearings shall be directed to be held privately The court may appoint a master who shall take the testimony and return the same together with a report of the proceedings before him and his opinion of the case to the court and shall have power to adopt rules regulating the proceedings before the master and fixing his fees The court may on application of either party and on such terms if any as the court shall deem proper as to the payment by the party applying of the costs and expenses involved appoint an examiner or master before whom the testimony of witnesses in any other State or foreign county shall be taken

Section 43 In all uncontested cases and in any other case where the court may deem it necessary or proper a disinterested attorney shall be assigned by the court actively to defend the case the fee of such attorney to be fixed by the court and taxed as part of the costs

Section 44 Neither husband nor wife shall be competent to testify against each other in proceedings under this act except where personal service of the subpoena or of a rule to take depositions has been made on the opposite party or where the opposite party appears and defends in which case either may testify fully against the other and except also that in any proceedings under this act either party may be called merely to prove the fact of the marriage

Section 45 No decree for annulment of marriage or for divorce shall be granted unless the cause is shown by affirmative proof aside from any admission on the part of the defendant

Section 46 The fact time place and circumstances of the marriage between the libellant and respondent shall be proved affirmatively

Section 47 The libellant shall prove to the satisfaction of the court that his or her residence in this Commonwealth as required by this act has not been sought for the sole purpose of obtaining the decree prayed for and the testimony of the libellant alone shall not be sufficient to prove the bona fides of such residence

Section 48 When either party shall have been convicted and sentenced for adultery bigamy desertion or any of the crimes specified in section three paragraph c or section four paragraph c of this act the records or such conviction and sentence or an exemplification thereof shall be received in evidence on any application for annulment or divorce by the other party

Section 49 In all cases for annulment of marriage under section one paragraph c of this act or for divorce from bed and board under section four paragraph f of this act the question of insanity shall be fully established but no divorce shall be granted under this act for insanity unless it be proved beyond a reasonable doubt that the respondent is hopelessly insane Provided that if the respondent has been for ten or more years an inmate of an asylum for the insane it shall be prima facie proof of hopeless insanity

Section 50 No record or evidence in any case shall be impounded or access thereto refused except by special order of the court made in its discretion in the interest of public morals

Section 51 If after hearing of any cause or after a jury trial resulting in a verdict for the libellant the court shall be of opinion that the libellant is entitled to a decree annulling the marriage or to a decree for divorce from the bonds of matrimony a decree nisi shall be entered which decree may also include an order for payment of alimony and costs Notice that a decree nisi has been entered and a copy thereof shall be served upon the respondent personally if possible but if notice cannot be served upon the respondent personally then it shall be served upon the attorney of record If notice cannot be personally served upon the respondent and there is no attorney of record the libellant shall publish a notice of the fact that a decree nisi has been entered and the substance thereof once a week for six successive weeks in at least one newspaper of general circulation in the county in which the proceedings were had in the legal periodical if any designated by rule of court of said county for the publication of legal notices and shall give such other notice by advertisement or otherwise as the court may direct

Section 52 The decree nisi shall become absolute after the expiration of one year from the entry thereof unless appealed from or the court before the expiration of said period for sufficient cause upon its own motion or upon the application of any party whether interested or not otherwise orders and at the expiration of one year such final and absolute decree shall then be entered upon application to the court by the libellant unless prior to that time cause be shown to the con-

trary Notice of such intended application shall be served upon the respondent personally if possible at least fifteen days before it is made If personal service is impossible such notices may be served upon the attorney of record If notice cannot be served upon the respondent and there is no attorney of record the libellant shall publish the notice once a week for four successive weeks in one newspaper of general circulation in the county in which the proceedings were had and in the legal periodicals if any designated by rule of court of the said county for the publication of legal notices and give such other notice by advertisement or otherwise as the court may direct

Section 53 In all cases of annulment for any of tne causes specified in section one of this act the decree nisi shall be substantially as follows

"And now ..... This cause having been duly heard and the court being of opinion that the libellant is entitled to a decree annuling the marriage between the said ..... the libellant and the said ..... the respondent a decree nisi is hereby granted which decree shall become absolute after the expiration of one year from the entry thereor unless appealed from or unless the court shall otherwise order (subject nevertheless to such order as the court may enter as to children property rights alimony and costs)"

Section 54 In all cases of divorce from the bonds of matrimony for any of the causes specified in section three of this act the decree nisi shall be substantially as follows

"And now ..... this cause having been duly heard and the court being of opinion that the said ..... the libellant is entitled to a divorce from the bonds of matrimony with the said ..... the respondent a decree nisi is hereby granted which decree shall become absolute after the expiration of one year from the entry thereof unless appealed from or unless the court shall otherwise order (subject nevertheless to such order as the court may enter as to children property rights alimony and costs)"

Section 55 In all cases of annulment for any of the causes specified in section one of this act the final decree entered by the court shall be substantially as follows

"That the said marriage between the said ..... the libellant and ..... the respondent is null and void and all and every the duties rights and claims accuring to either of the said parties in pursuance of said marriage shall and do cease and determine (subject nevertheless to such order as the court may enter as to children property rights alimony and costs)"

Section 56 In all cases of divorce from the bonds of matrimony specified in section three of this act the final decree entered by the court shall be substantially as follows

"That the said ..... the libellant be and ..... is hereby divorced and forever separated from the bonds of matrimony with the said ..... the respondent and the said marriage is hereby ordered adjudged and decreed to be wholly dissolved and all and every the duties rights and claims accruing to either of the said parties in pursuance of said marriage shall and do cease and determine (subject nevertheless to such order as the court may enter as to children property rights alimony and costs)"

Section 57 In all cases of divorce from bed and board for any of the causes specified in section four of this act the court may decree a separation forever thereafter or for a limited time as shall seem just and reasonable with a provision that in case of a reconciliation at any time thereafter the parties may apply for a revocation or suspension of the decree and upon such application the court shall make such order as may be just reasonable with a provision that in case of a reconciliation at any time thereafter the parties may apply for a revocation or suspension of the decree and upon such application the court shall make such order as may be just and reasonable

Section 58 In all cases or divorce from bed and board for any of the causes specified in section four of this act the decree entered by the court shall be substantially as follows

"That the said ..... the libellant and ..... the respondent be separated from bed and board (for such period as the case may required) Provided That in case of reconciliation the parties may at any time thereafter apply to the court for a revocation or suspension of this decree (subject nevertheless to such order as the court may enter as to children property rights alimony and costs)"

Section 59 The court upon granting a divorce from the bonds of matrimony to a woman may allow her to resume her maiden name or the name of a former deceased husband

Section 60 Appeals may be taken only from decrees nisi whether for annulment of marriage or for divorce from the bonds of matrimony and not from final decrees unless objection to granting the same be made as provided by section fifty-two of this act

Section 61 Appeals may also be taken from decrees for divorce from bed and board from all orders for payment of permanent alimony and from all orders relative to the care custody and maintenance of children

Section 62 Appeals in proceedings for annulment or for divorce shall be taken to the Superior Court

Section 63 All such appeals shall be taken within six calendar months from the entry of the order or decree appealed from

Section 64 Either of the parties to any suit or action for annulment of marriage or for divorce whether from the bonds of matrimony or from bed and board may appeal to the Superior Court from the decree entered upon entering into a recognizance before the prothonotary of the court of common pleas in which the cause shall have been tried with at least one good surety in a sum double the amount of the costs incurred conditioned to prosecute the said appeal with effect and the said appeal shall be prosecuted in the usual manner and the judges of the Superior Court shall transmit the record with their judgment thereon with all the proceedings as in other cases to the court below to be carried into effect Provided That where the respondent in any proceeding for annulment or for divorce files with the prothonotary of said court an affidavit that such appeal is not intended for a delay but because he or she believes injustice has been done and that by reason of his or her poverty the said respondent is unable to furnish the required recognizance aforesaid such respondent shall be entitled to take such appeal with the same effect as if the recognizance aforesaid was given

Section 65 Alimony shall be of two kinds (a) Alimony pendente lite with or without counsel fees (b) Permanent alimony with or without counsel fees

Section 66 In all actions for annulment or for divorce whether libellant or respondent at any time after service of the subpoena may apply to the court by petition verified by affidavit setting forth the grounds of her application for a rule upon her husband for alimony pendente lite and counsel fees or for either returnable upon or after the return day of the subpoena

Section 67 If the wife be the libellant such rule shall be served upon the husband in the manner prescribed by section twenty-two of this act for service of the subpoena If the wife be the respondent such rule shall be served upon the husband or his attorney of record if any in the manner prescribed by section thirty-five of this act for service of the answer Upon the return of the rule the court may in its discretion allow such alimony pendente lite either in a fixed sum or payable at stated periods together with counsel fees as the circumstances of the case and the condition of the parties may require

Section 68 If the husband shall neglect or refuse to pay the alimony or counsel fees awarded by the court the wife may after service of the order therefor upon the husband in such manner as the court may direct and upon proof thereof obtain a rule upon the husband for an attachment as for contempt is the libellant an order suspending further proceedings until the order of the court for alimony and counsel fees is complied with

Section 69 In all actions for annulment of marriage or for divorce from the bonds of matrimony at the suit of either party for any of the causes specified in section three of this act except adultery or bigamy on the part of the wife or from bed and board for any of the causes specified in section four of this act except adultery or bigamy on the part of the wife the court at the time of granting the decree may in its discretion having obtained jurisdiction of the husband by due process of law and having due regard to the circumstances of the case and the condition of the parties and upon due proof thereof allow to the wife whether libellant or respondent either a fixed sum or a stated allowance as alimony for her support during their joint lives so long as she remains unmarried or in the case of divorce from bed and board until a reconciliation shall take place and in the case of adultery on the part of the husband the court may further decree that the said husband pay to his said wife in addition thereto the one-half of the value of all money and property of every kind whatsoever which the said husband may have received by gift from his said wife out of her individual and separate money property or estate which amount the said court shall inquire into at or before the granting of the divorce

Section 70 In all cases of annulment of marriage for insanity of the husband as specified in section one paragraph e of this act or of divorce from bed and board for the hopeless insanity of the husband as specified in section four paragraph f of this act the court may in its discretion at or before the time of granting the decree for annulment or divorce if the wife have sufficient means provide for the support of the insane husband out of her estate Provided that the insane husband has not sufficient estate in his own right for his support

Section 71 Whenever a decree for allowance of permanent alimony shall be granted by the court it shall be the duty of the prothonotary of said court to enter the said decree on the judgment docket which said decree when so entered shall be and remain a lien on the real estate of the party against whom the order is made until the same is satisfied for the full amount that may be due up to the period of such satisfaction and after such lien shall be so entered it shall be the duty of the prothonotary upon affidavit by the party entitled to such alimony that any payment under said decree as the same has been made due and payable by the court is due and unpaid to issue execution on the written order of such party or his or her attorney setting forth the amount so due and unpaid which shall be directed to and served by the sheriff in like manner as executions upon judgments and if the court should be of opinion that the said lien is not sufficient for the full or permanent security for payment of said decree it shall have power and authority on satisfactory proof being made that the husband or wife is possessed of sufficient estate real or personal to order that security such as shall be determined and approved by said court be given for the due payment of the said alimony acording to the terms of said decree the security to be either by a bond with sufficient surety or sureties or by mortgage on real estate taken in the name of the Commonwealth to the use of the party entitled to said alimony or by a deposit of money to be invested as the court may deem proper sufficient to secure the payment of said alimony as the same may fall due and the said courts may also enforce such decrees for alimony or for such additional security by attachment for contempt on petition for cause shown as the facts of the case may justify

Section 72 The court may at all times in its discretion upon satisfactory proof of any material change in the circumtances or conditions of the parties suspend increase modify discharge or annul the decree for alimony whether permanent or pendente lite as the facts of the case may justify

Section 73 In all cases for annulment of marriage or for divorce the court may dispose of the costs in its discretion as the circumstances of the case and the condition of the parties may require

Section 74 Payment of the costs may be enforced against the party chargeable therewith either before or after the final decree by attachment execution or action at law

Section 75 A decree nisi for annulment of marriage or a decree nisi for a divorce from the bonds of matrimony shall be a perpetual bar to any and all claims of the libellant or respondent for curtesy (if the husband) or dower (if the wife)

or under the intestate laws of this Commonwealth in the estate of the other unless such decree nisi be reversed on appeal or set aside for cause shown as provided by section fifty-two of this act or unless the parties to the cause become reconciled within the year following the granting of the decree nisi

Section 76 In an action for annulment of marriage the legitimacy of any child born or begotten before the final decree is entered shall not be affected except in the case of children born of a bifamous marriage or where the impossibility of access by husband shall be proved

Section 77 In an action for divorce brought by the wife the legitimacy of any child born or begotten before the commencement of the action shall not be affected

Section 78 In an action for divorce brought by the husband the legitimacy of any child born or begotten before the commission of the offence charged shall not be affected but the legitimacy of any other child of the wife may be determined as one of the issues of the action All children begotten before the commencement of the action shall be presumed to be legitimate

Section 79 Pending the suit or upon a decree for annulment or for divorce whether from the bonds of matrimony or from bed and board or upon petition at any time after such decree or if the decree prayed for the not granted and the parties are living separate and apart from each other the court may make such order as it may deem expedient relative to the care custody and maintenance of the minor children of the parties and may determine which of the parents the children or any of them shall remain and afterwards may from time to time upon the petition of either parent modify and alter such order as the welfare of the said children may require

Section 80 The husband and wife against whom a divorce shall have been obtained upon the ground of adultery shall not marry the person with whom the said crime was committed during the life of the former wife or husband and every such marriage shall be null and void

Section 81 If any husband or wife upon any false rumor in appearance well founded of the death of the other after such other has been absent for the space of two whole years has married or shall marry again he or she shall not be liable to prosecution therefor but such second marriage shall be null and void Provided that the children of such second marriage shall be legitimate

Section 82 Full faith and credit shall be given in all the courts of this State to a decree of annulment of marriage or divorce by a court of competent jurisdiction in another state territory or possession of the United States when the jurisdiction of such court was obtained in manner and in substantial conformity with the conditions prescribed in sections seven eight nine and ten of this act Nothing herein contained shall be construed to limit the power of any court to give such effect to a decree of annulment or divorce by a court of a foreign country as may be justified by the rules of international comity Provided That if any inhabitant of this Commonwealth shall go into another state territory or country in order to obtain a decree of divorce for a cause which occurred while the parties resided in this Commonwealth or for a cause which is not ground for divorce under the laws of this Commonwealth a decree so obtained shall be of no force or effect in this Commonwealth

Section 83 All judgments orders and decrees for alimony and counsel fees whether payable in a fixed sum or at stated periods and all judgments orders and decrees for the support and maintenance of minor children of the parties entered made or granted by the courts of any state territory or country having obtained jurisdiction of the husband by due process of law shall be valid and effectual in this Commonwealth and may be enforced in the same manner as judgments orders and decrees for alimony and counsel fees or for the support and maintenance of children entered made or granted by the courts of this Commonwealth under the provisions of this act upon filing in the proper courts of this Commonwealth a duty authenticated exemplification of the record in such proceedings

Section 84 In this act

"Adultery" means the voluntary sexual intercourse of a married person with a person other than the offender's husband or wife

"Affinity" means relationship by marriage

"Alias subpoena" means a second subpoena

"Alimony" means an allowance out of the estate or income either of husband or wife for the support of the other while living separate or apart

"Annul" means to declare void

"Answer" means the written answer filed by the respondent to the libel in divorce

"Attachment" means attachment as for contempt

"Bigamy" means the marriage of an undivorced married person with another person of the opposite sex during the lifetime of the former wife or husband

"Bill of particulars" means a written statement in detail of the allegations contained in the libel or answer

"Collusion" is an agreement between husband and wife that one of them shall commit or appear to have committed or be represented in the court as having committed acts constituting a cause for divorce for the purpose of enabling the other to obtain a divorce

"Condonation" is the conditional forgiveness of a matrimonial offense constituting a cause for divorce

"Connivance" is the corrupt consent of one party to the commission by the other acts constituting a cause for divorce

"Consanguinity" means relationship by blood

"Co-respondent" means the person charged in the libel with committing adultery with the respondent

"Costs" means the record costs and may include witness' fees stenographers' examiners' masters' and commissioners' fees in the discretion of the court

"Country" includes any possession of our country subject to the jurisdiction of the United States or any foreign country

"Cross bill' means a libel filed by the respondent for the purpose of procuring a divorce from the libellant

"Decree nisi" means a conditional decree to become absolute after the lapse of a given time or upon the happening of a prescribed contingency

"Divorce" means (a) The dissolution of a legal marriage by process of law (b) The judicial separation of a husband and wife from bed and board

"Domicile" means the place where a person lives or has his or her home to which when absent from it he or she intends to return

"Felonious" means done with intent to commit a felony

"Impotency" means lack of power for natural copulation and the begetting of children

"Insanity" means permanent derangement of mind and includes idocy

"Judgment of non pros" means a decree that the case shall be dismissed and proceeded with no further

"Libel" means the petition of the applicant for a divorce

"Libellant" means the applicant for a divorce

"Particeps criminis" means that person with whom a married person commits adultery

"Pluries subpoena" means the third or any subsequent subpoena

"Recrimination" is a showing by the defendant of a similar cause of divorce against the libellant in bar of the libellant's cause of divorce

"Registered letter" means a letter registered at the postoffice as provided by law

"Replication" means the reply filed by the libellant to the answer of the respondent

"Respondent" means the defendant in a suit for divorce

"State" means any one of the United States

"Supoena" means the process issued to compel a party to appear and answer a libel in divorce

"Territory" means any territory of the United States and includes the District of Columbia

"Willfull" means intentional

"Writing" includes print or typewriting

Section 85 The following acts of Assembly and parts of acts namely

1 Section one of an act entitled "An act against incest" passed in the year one thousand seven hundred and five (One Sm. Laws twenty-six)

2 An act entitled "An act concerning divorces and alimony" passed September ninteen one thousand seven hundred and eighty-five (Two Sm. Laws three hundred and forty-three)

3 An act entitled "A supplement to an act entitled 'An act concerning divorces and alimony' " passed April second one thousand eight hundred and four (Four Sm. Laws one hundred and eighty-two)

4 An act entitled "An act concerning divorces" passed March thirteenth one thousand eight hundred and fifteen (Six Sm. Laws two hundred and eighty-six)

5 An act entitled "A supplement to 'An act concerning divorces' " passed February twenty-sixth one thousand eight hundred and seventeen (Six Sm. Laws four hundred and five)

6 Section one of an act entitled "An act to limit the time of appeals in cases of divorce and of the settlement of accounts of guardians executors and administrators" passed February eight one thousand eight hundred and nineteen (Seven Sm. Laws one hundred and fifty-one)

7 Section eight of an act entitled "An act to convey real estate and for other purposes" approved April thirteenth one thousand eight hundred and forty-three (Pamphlet Laws two hundred and thirty-three)

8 So much of section one of an act entitled "An act to annul the marriage contract of Anna Maria Kraft and Lewis Kraft" which became a law April eighteenth one thousand eight hundred and forty-three (Pamphlet Laws three hundred and forty and reads as follows

"And the word 'citizen' used in the eleventh section of the act concerning divorces passed the thirteenth day of March one thousand eight hundred and fifteen shall not be construed to apply to any woman who shall have had a bona fide residence in this State at least one whole year previous to filing her petition or libel"

9 An act entitled "A further supplement to 'An act concerning divorces' " approved April fifteenth one thousand eight hundred and forty-five (pamphlet Laws four hundred and forty-five)

10 Section two of an act entitled "An act to annul the marriage contract between Jesse Benners and Harriet his wife and for other purposes" approved April twentieth one thousand eight hundred and forty-six (pamphlet Laws of one thousand eight hundred and forty-seven Appendix page five hundred)

11 Sections five and six of an act entitled "An act to authorize John Kaufman trustee of the German Reformed congregation worshipping at Kimmerling's church of Lebanon county to sell and convey certain real estate and to authorize the rector church wardens and vestrymen of the Episcopal church of Saint Paul in the City of Philadelphia to sell and convey real estate authorizing the directors of the public schools relative to actions of ejectment extending the jurisdiction of courts in cases of divorces and fixing the time of holding the courts in Butler county" approved April twenty-sixth one thousand eight hundred and fifty (pamphlet Laws five hundred and ninety)

12 An act entiled "A further supplement to the act entitled 'An act concerning divorces' " approved May eight one thousand eight hundred and fifty-four (pamphlet Laws six hundred and forty-four)

13 An act entitled "An act extending the jurisdiction of the courts of this Commonwealth in cases of divorce" approved March ninth one thousand eight hundred and fifty-five (pamphlet Laws sixty-eight)

14 An act entitled "A supplement to an act extending the jurisdiction of the courts of this Commonwealth in cases of divorce passed the ninth day of March one thousand eight hundred fifty-eight (pamphlet Laws four hundred and fifty)

15 An act entitled "An act relating to void marriages" approved April fourteenth one thousand eight hundred and fifty-nine (pamphlet Laws six hundred and forty-seven)

16 An act entitled "A supplement in the several acts of Assembly now in force relating to divorces" approved April eleventh one thousand eight hundred and sixty-two (pamphlet Laws four hundred and thirty)

17 An act entitled "An act relating to proceedings in divorce" approved May twenty-fifth one thousand eight hundred and seventy-eight (pamphlet Laws one hundred and fifty-six)

18 An act entitled "An act to amend the second sub-division of the first section of an act entitled 'A further supplement to the act entitled 'An act concerning divorces' approved May eighth one thousand eight hundred and fifty-four' by extending to the courts jurisdiction to grant divorces when either of the parties has been or shall be convicted of gorgery or any infamous crime either within or without this State and sentenced to imprisonment therefor" approved June first one thousand eight hundred and ninety-one (Pamphlet Laws one hundred and forty-two)

19 An act entitled "A further supplement to an act entitled 'An act extending the jurisdiction of the courts of this Commonwealth in cases of divorce" approved the ninth day of March Anno Domini one thousand eight hundred and fifty-five" approved June eighth one thousand eight hundred and ninety-one (Pamphlet Laws two hundred and forty-seven)

20 An act entitled "An act allowing and providing the manner of taking appeals in cases of divorce" approved June eleventh one thousand eight hundred and ninety-one (pamphlet Laws two hundred and ninety-five)

21 An act entitled "An act further extending the jurisdiction of the courts of this Commonwealth in cases of divorce and repealing an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'A further supplement to an act entitled 'An act extending the jurisdiction of the courts of this Commonwealth in cases of divorce' approved the eighth day of March Anno Domini one thousand eight hundred and ninety-three (pamphlet Laws four hundred and seventy-one)

22 An act entitled "An act authorizing notaries public prothonotaries and clerks of the courts to administer oaths and take affidavits in proceedings in divorce" approved May twenty-second one thousand eight hundred and ninety-five (pamphlet Laws one hundred and five)

23 An act entitled "An act amending section three of an act entitled 'An act concerning divorces' approved the eighth day of May one thousand eight hundred and fifty-four enlarging the same so as to include indignities to the person of the husband" approved June twenty-fifth one thousand eight hundred and ninety-five (pamphlet Laws three hundred and eight)

24 An act entitled "An act empowering the courts of common pleas to appoint masters in divorce proceedings and to adopt rules to regulate the proceedings before the master and fixing his fees" approved March tenth one thousand eight hundred and ninety-nine (Pamphlet Laws eight)

25 An act entitled "An act amending the act entitled 'A further supplement to an act concerning divorces' approved May eighth one thousand eight hundred and fifty-four by providing that conviction for certain enumerated crimes only shall be cause for divorce and repealing the act of June first one thousand eight hundred and ninety-one relating to the same subject" approved March ninth one thousand nine hundred and three (Pamphlet Laws nineteen)

An act entitled "A supplement to an act extending jurisdiction of the courts of this Commonwealth in cases of divorce passed the twenty-sixth day of April one thousand eight hundred and fifty" approved April twenty-eighth one thousand nine hundred and three (Pamphlet Laws hundred and twenty-six)

27 An act entitled "An act to amend section eight of the act approved the thirteenth day of April one thousand eight hundred and forty-three entitled 'An act to convey certain real estate and for other purposes' so as to extend its provisions to the husband or wife of a lunatic or non compos mentis and to further regulate the procedure in action for divorce" approved April eighteenth one thousand nine hundred and five (Pamphlet Laws two hundred and eleven)

28 An act entitled "An act providing for the presentation of libels in divorce to the several courts of common pleas and awarding of subpoenas thereon" approved April twenty-second one thousand nine hundred and five (Pamphlet Laws two hundred and ninety-three)

29 An act entitled "An act providing that where a husband and wife are resident in different counties within this Commonwealth and a cause of divorce shall arise the injured party may institute and prosecute proceedings in divorce in either county" approved April twenty-sixth one thousand nine hundred and five (Pamphlet Laws three hundred and nine)

And all other acts and parts of acts of Assembly of this Commonwealth general special or local appertaining to the subject matter covered by this act be and the same are hereby repealed it being intended that this act shall furnish a complete and exclusive system in itself so far as relates to proceedings for annulment of marriage or for divorce alimony property rights custody and support of children and all matters connected therewith Provided That nothing contained in this act shall affect or apply to any actions for annulment of marriage for divorce now pending

Section 86 This act shall take effect on the first day of January Anno Domini one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SHERN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1089. entitled:

An Act regulating pawnbrokers

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall engage in the business of a pawnbroker without having first obtained a license for carrying on such business in any city or town within this Commonwealth in which the business is to be transacted Such license may be granted by the clerk of the court of quarter sessions of the county where the business is to be located In making application for such license it shall be the duty of the persons so applying to file with the clerk of the court of quarter sessions a written certificate setting forth the names of the owners of said business together with their resident address as well as the proposed location of said business by street and number which said certificate must be signed by all persons whose names appear therein as owners of such proposed business and the signatures thereto duly and properly attested

The second section of the bill was read as follows:

Section 2 It shall be the duty of the said clerk of the court of quarter sessions to keep a book or docket in which he shall enter a record of all such licenses issued together with the names and resident addresses of all owners thereof alphabetically indexed and shall also enter the proposed location of said business which said book or docket shall be a public record of said office and shall at all times be open to the inspection of all persons Before issuing such license as aforesaid it shall be the duty of the said clerk to demand and receive a license fee of twenty-five ($25) dollars

On the question,

Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 2 line 10, after "dolllars" insert "which shall be for the use of the county within which said license is issued and shall be the license fee to do business for a period of one year"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third, fourth, fifth, sixth, seventh, eighth, ninth, tenth and eleventh sections and the title of the bill were separately read and agreed to, as follows:

Section 3 Before any pawnbroker as aforesaid shall be permitted to engage in business he shall be required to file in the court of quarter sessions of the proper county a bond in the name of the Commonwealth in the sum of one thousand ($1,000) dollars with sureties to be approved by the said court conditional for his or their faithful compliance with all the various requirements and provisions of this act and in case any person or persons shall obtain a judgment against any such pawnbroker in any court of competent jurisdiction upon any controversy growing out of any transaction by way of pledge or pawn between said parties and the said judgment be not promptly paid it shall be competent for such judgment creditor upon petition presented to the said court of quarter sessions showing such facts to have said bond marked to his use for the purpose of enforcing payment of such judgment

Section 4 In addition to the bond above mentioned every such pawnbroker before entering business as aforesaid shall be required to take out a policy or policies of insurance against loss by fire or theft and sufficient in amount to cover the fair market value of all articles left for him in pledge as security for loans which said policy or policies of insurance shall also be filed in the court of quarter session and shall be held for the protection of any person or persons whose property pledged with said pawnbroker as aforesaid may be stolen or destroyed by fire

Section 5 No pawnbroker shall ask demand or receive a greater rate of interest than six (6) per centum per annum and in addition thereto he is authorized and permitted to demand and receive for storage and other necessary expenses a sum not exceeding one per cent per month to be charged and collected monthly

Section 6 No pawnbroker shall sell any goods article or thing pawned or pledged until the same shall have remained in his possession for at least four months for dry-goods and clothing of all kinds and at least eight months

for all other articles nor until after at least ten days notice of the time and place of such sale shall have been given to such pawnor or pledgor by registered letter mailed to him at the address given by him and in addition thereto by at least two successive weekly publications of the time and place and the kind of goods in at least one newspaper of general circulation in the county in which such business may be located The last publication to be not less than ten days or more than thirty days before the date set for such sale

Section 7 Every pawnbroker shall keep a book in which shall be fairly written at the time of each loan an accurate account and description of the goods article or thing pawned and also when a watch is pawned the number and the name of the maker thereof and all letters or marks on goods or articles manufactured of gold or silver also the value as appraised by him of all such goods article or thing pawned as aforesaid the sum loaned thereon the date of the loan the rate of charges made thereon the name and residence of the person pawning or pledging said goods article or thing which entry shall be regularly numbered and the name of the pawnor or pledgor alphabetically indeed in said book and the said pawnor shall at the time of receiving such pledge or pawn deliver to the person pawning or pledging the same a certificate or duplicate signed by him and numbered to correspond with his said book and which shall contain the substance of said entry And in every case in which the said goods article or thing be subsequently sold by said pawnbroker in default of redemption of same it shall be his duty to immediately enter in said book opposite said original entry a statement showing the date of said sale the name of the purchaser the amount for which said goods article or thing was sold the total amount of said loan still unpaid together with all interest and charges due thereon separately itemized and the balance if any due said pledgor or pawnor which said book shall at all times be open to the full and free inspection of the owners of the article or of any other person authorized by law to inspect the same

Section 8 In case said owners or any of them do not reside within the county in which said business is located and are not in actual personal charge of said place of business then and in such case service of any notice or process against said owners may be made upon any person in actual charge of said place of business with like effect as if personal service had been made upon the owner

Section 9 It shall be the duty of each and every pawnbroker as aforesaid to display conspicuously in his place of business in plainly printed legible type a copy of this act so placed that it can be readily examined and perused by any one desiring so to do

Section 10 Any person violating any of the provisions of this act except Section three shall forfeit and pay for every such offense the sum of fifty (50) dollars with costs of suit and for a violation of any of the provisions of Section three of this act he shall forfeit and pay the sum of one hundred ($100) dollars with costs of suit

Section 11 This act shall not be construed as in any manner effecting or repealing any of the provisions of the act of Assembly approved the seventh day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws six hundred and seventy-one and being an act entitled "An Act prohibiting pawnbrokers or any employee from making loans to or receiving pledges from minors under the age of sixteen (16) years"

An Act regulating pawnbrokers

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to Order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1586, as follows:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of and to refuse admission to companies associations societies or orders from any State which refuses to permit like companies associations societies or orders organized and operating under the laws of this State to do a like business in said State and designating who may and who may not make examination of said companies associations societies or orders and providing who shall pay the expenses of examinations of such companies associations or orders

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Insurance Department of any State refuses authority to do business to any life fire marine accident liability casualty fidelity or surety company or any fraternal beneficiary order or association chartered and operating under the laws of this Commonwealth the Insurance Commissioner is authorized and directed to prohibit all such companies associations societies or orders from such state from doing a like business in the State of Pennsylvania

Section 2 That whenever any Insurance Department of another State requires an examination of any life fire marine accident liability casualty fidelity or surety company or of any fraternal or beneficiary order or association chartered and operating under the laws of this Commonwealth doing business within said State or having made application for admission to do business therein said department shall have the right to examine such company association society or order of this State said examinations to be made by a regularly appointed examiner of said State who is not employed regularly or from time to time by any state excepting that one requiring the examination or by any life fire marine accident liability casualty fidelity or surety company or any fraternal or beneficiary order or association and the expenses of said examination shall be borne by the state making the same provided however that the valuation made or accepted by the Insurance Department of this State shall be accepted by said examiner for the State making such examinations

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to Order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1683, as follows:

An Act to regulate the taking of samples of foodstuffs by the Dairy and Food Commissioner and any Board of Health or Health Officer or any agent or employes thereof from any producer or vendor in this Commonwealth for the purpose of analysis or any test thereof to inquire or determine the purity and quality of the said sample or foodstuff so taken and defining what shall constitute foodstuffs and imposing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for the Dairy and Food Commissioner or any of his agents or inspectors or for any Board of Health or Health Officer in this Commonwealth or any of its or his agents employes or inspectors to purchase or take or receive either directly or indirectly any quantity or sample of foodstuffs from any producer or vendor in this Commonwealth for the purpose of later determining by examination chemical anaylsis or any other form of inspection as to the quality kind purity standard temperature ingredients contained therein or for the purpose of determining whether the said foodstuffs so taken are in compliance with the several laws of this Commonwealth regulating the sale of foodstuffs unless the said Dairy and Food Commissioner or any of his agents or inspectors or any Board of Health or Health Officer or any of its or his agents or inspectors aforesaid at the time the said sample or quantity of foodstuffs is so taken as above set forth shall deliver or cause to be delivered to the vendor retailer or such person from whom the said sample or quantity of foodstuffs is taken as aforesaid an exact duplicate or sample of such quantity or foodstuffs taken in the same kind of a receptacle or package labelled or marked with some plain mark of identification in accordance with the quantity or sample of foodstuffs to be retained from the said retailer or vendor

Section 2 Unless the provisions of section one of this act are fully complied with no sample of foodstuffs so taken as aforesaid shall be introduced in evidence against any person arrested for the violation of the Pure Food Laws of this Commonwealth

Section 3 The word "foodstuffs" as used in this act shall be held to include all articles of human food the adulteration of which is prohibited by the laws of this Commonwealth

Section 4 Any person violating the provisions of this act upon conviction shall be guilty of misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars ($100) nor less than twenty-five dollars ($25) at the discretion of the court

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to Order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1125, entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State authorities levying and collecting taxes shall as provided under existing laws levy and collect an additional special tax of one mill for road purposes on personal property capital stock and bonds of corporations joint stock associations companies limited partnerships gross earnings of corporations bankers brokers and foreign insurance companies which are now taxed for State purposes including the capital stock and bonds of companies limited co-partnerships and corporations engaged in manufacturing and brewing Provided The provisions of this act shall not apply to mortgages on real estate

The second section of the bill was read as follows:

Section 2 The road taxes collected under the provisions of this act shall be held by the State as a separate road fund to be distributed under the direction of the State Highway Commissioner among the several townships of the State in proportion to the number of miles of public roads in each township for permanent road improvements the provisions of this act as to assessment and collection of taxes shall go into effect on the first day of December one thousand nine hundred and thirteen and the distribution of the road fund so collected shall be made on the first day of April in each year beginning in the years one thousand nine hundred and fourteen

On the question.

Will the House agree to the section?

MOTION TO RECOMMIT.

Mr. SCHUCK. Mr. Speaker, when this bill was reported out of the Roads Committee, it was with the belief that it belonged rightly in the Ways and Means Committee, and that this was deemed the shortest route to the Ways and Means Comimttee. Other bills were returned to this Committee of a similar nature, and I therefore move that this bill be recommitted to the Committee on Ways and Means.

Mr. GRABE. Mr. Speaker, this bill has been before the House and was recommitted to the Roads Committee for a hearing, and had a hearing. It was again reported favorably to this House and I cannot see why this bill should again be referred to the Ways and Means Committee, after due consideration of the Roads Committee, and I hope that the members of this House will not consent to have the bill referred to the Ways and Means Committee.

Mr. WATSON. Mr. Speaker, I second the motion?

On the question.

Will the House agree to the motion?

Mr. GRABE. Mr. Speaker and Gentlemen of the House, the time has come which makes it absolutely necessary that some provision must be made by which to increase our State revenue.

Two years ago the Legislature passed a bill requiring all road tax to be paid in cash, and a report of the same to be made by the various township supervisors to the State Highway Department, and on receipt of such report by the State Highway Department, the State to pay to the various townships on April 1st of each year an appropriation equal to the amount of 50 per cent. on all moneys collected for road purposes or the amount not to exceed $20.00 per mile, which would require approximately $1,600.000 annually. But instead. $250.000.00 per annum was appropriated, which approximately gave to the various townships six and one-fourth per cent. instead of fifty per cent., as promised in the bill of 1911.

Now, Mr. Speaker, many of the township supervisors of the rural districts took up the matter of a more systematic system of road improvement by building concrete culverts adopting the split log drag and are using it at the proper time, which has proven very successful, with the expectation of receiving from the State the fifty per cent. appropriation, as promised by the Legislature of 1911. Now then, Mr. Speaker, and members of the House, and especially those of you who were here two years ago and helped pass that bill, are you going to go on record as the means of providing revenue to comply with a law which you helped place on our statute books, on the strength of which many township supervisors went in debt, which has placed many of them in peculiar positions and the bill now under discussion will apply the remedy.

Now then, the people have complied with the law, which some of you helped give them and are paying their road tax in cash and it is up to this Legislature to provide means by which to comply with the conditions set forth in the Act of 1911.

Mr. Speaker, I consider this a debt the State owes to the people and they are demanding it and, of course, are justly entitled to it. In addition to this there are many other reasons why more revenue should be provided for—the continual creating of new offices, increase of salaries, the continual demand from charitable and educational institutions. This bill, requiring an increase of one mill to be added to personal and corporate property, means millions to the corporations and of course is very objectionable to them which we naturally have to expect and of course did expect it when the bill was presented.

You are all aware of how successful those institutions are in preaching high protective tariff. Now, then, gentlemen, is it not the same class of men that are representing those corporations, pleading their cases and are trembling in their boots for fear they might loose a case for the company they represent? And, of course, you can't blame them, as they are paid for looking after interests of their clients. For many years those corporations preached high protective tariff, in order to protect American labor. How much protection did the American laboring man get out of this protection? When conditions were such that the laboring man should have had an equitable share of that protection, did he? Not by any means. When the laboring man demanded a just share of that protection, what did they get? Why, of course the corporations sent their agents to Italy, Hungary or some other foreign country and imported the very off-scrouring of some of those countries, brought them here to take the place of the mill man, the shop man and positions in many other walks of life. And now what has all this meant to our people? Especially those who through economy tried to earn a home, tried to educate our families and are now taxed almost out of existence, and what for? Why, to maintain charitable and educational institutions, build school houses, to hire teachers and educate the children of those very families that the corporations brought here to take the places of our home men and now those identical corporations are pleading for mercy sake don't increase our tax, although those many years they escaped their just share of tax and many of them became multi-millionaires. The people they brought here were not eligible for taxation and all those conditions brought about under a high protective tariff. And what else has happened. You can go abroad and purchase American manufactured products at from 30 to 40 per cent. cheaper than you can purchase the product in our home market, and the same gentlemen are using similar arguments and would have us believe that they are paying a just and equitable portion of tax.

A gentleman representing one of those large corporatious made the statement before the Road Committee some time ago, "Why if you place an additional mill on our valuation it would increase our tax twenty percent." A gentleman of the Committee asked permission to ask the gentleman a question, which of course was granted. The question: Do I understand the gentleman to say if an addition of one mill be placed on your valuation it would increase your tax twenty per cent.? Answer: It would, 20 to 25 per cent. And gentlemen, I have reason to doubt the gentleman's word. I believe he was sincere in his statement for the reason that those figures would reasonably compare with the report of the Auditor General, as well as that of the report of Internal Affairs. And those are the reports by which we are governed.

And now, gentlemen, you are all fair-minded or you would not have been sent here, and I want to be fair in this question. Was this not an acknowledgment as to the amount of tax his company was really paying? It undoubtedly was.

Now, Mr. Speaker, and Gentlemen of the House, I would like to know if one mill were placed on your valuation how much of a per cent. your tax would be increased? Gentlemen, I pay 26 mills; one mill would increase my tax less than four per cent. and more than this, there are corporations, if one mill was added to their valuation would increase their tax over 30 per cent.

We are not asking any favors. We are simply asking for a square deal, and we propose to get it. If we do not get it at this Legislature, we will get it at the next one. I hope all you gentlemen will stand by this measure, and not vote to recommit it to the Committee on Ways and Means.

Mr. SCHUCK. Mr. Speaker, I want the gentleman from Butler to understand that I did not introduce this motion beacuse I was opposed to the measure, but I introduced it simply to get the bill in its proper place, and that is the Ways and Means Committee. The Roads Committee could not consider this measure, and it was the intention, when it was reported to the House, to recommit it to the Committee on Ways and Means, and the bill of the gentleman from Butler then could be taken up with other bills of a like nature. The bill really belongs in the Ways and Means Committee, at least the members of the Public Roads Committee were of that opinion.

Mr. METZENBACHER. Mr. Speaker, as a member of the Public Roads Committee, I wish to say that this bill was reported out of the Committee on two different oc-

casions with an affirmative recommendation, and there was no understanding on either occasion that this bill was to be referred back to the Ways and Means Committee, but it was reported out of that Committee on two different occasions with an affiramtive recommendation.

Mr. JAMES A. DUNN. Mr. Speaker, I am as much interested in securing good roads as is any member of this Legislature and I have been trying to get some roads for my district in my county I have been trying to get a bill out of the Committee that would benefit the farmers in my county, but up until the prsent time have been unable to get it. I am trying to benefit the farmers of the country districts of Philadelphia County. I think this bill ought to go back to the Committee. Why? Because it creates a special tax on these various corporations,—a special fund to be used for township roads only. Why should we tax the whole State to create a special fund for the townships of this Comomnwealth. In my district we have twenty thousand farmers, and we have not recived one penny of the State Highway Department money for the roads in my district, yet we have over two hunderd miles of road in Philadelphia County. This bill ought to be referred back to the Committee for the reason that there is some question as to its constitutionality, in that it creates a special tax on the corporations, and a special fund for the township roads only. If there is any bill to be passed for the benefit of the farmers, why not have a bill that will be of some benefit to the farmers of my district, who are just as deserving as any other farmers in the State of Pennsylvania.

Mr. WILLIAMS. Mr. Speaker, I desire to interrogate the gentleman from Butler, Mr. Grabe.

The SPEAKER. Will the gentleman from Butler, Mr. Grabe, permit himself to be interrogated?

Mr. GRABE. Mr. Speaker, Yes, sir.

Mr. WILLIAMS. Mr. Speaker, will the gentleman from Butler inform us why he desires to exempt mortgages on real estate from the suggested tax.

Mr. GRABE. Mr. Speaker, when a man buys real estate, and it matters not when he buys it whether he pays cash for it or if he borrows that money to pay for the real estate and when he borrows the money, he pays a tax on that real estate but also has to make provisions to pay the other tax. That is why this is done. We want to encourage men to invest in real estate. We have vast agricultural lands lying all over the State of Pennsylvania that are practicaly earning nothing. The people are crying about the high cost of living and it is principally because they are taxed for idle real estate. Now, they try to save the corporations from paying taxation and the reports that we have to dig up here don't show what should be done.

Mr. WILLIAMS. Mr. Speaker, I desire to further interrogate the gentleman.

The SPEAKER. The gentleman will proceed.

Mr. WILLIAMS. Mr. Speaker, I would like the gentleman from Butler to tell the House the difference between the deferred payment in the purchase of real estate and the cash payment and whether if it is in the form of a mortgage or a judgment, why the acceptance should be made in the one case and not in the other. There are hundreds of cases in the purchase of real estate where the deferred payments are in the shape of a mortgage on the land and some is on judgment. I agree with the principle of this bill and I think that it ought to read that it should apply to a judgment the same as a mortgage.

Mr. GRABE. Mr. Speaker, the intention of that was not to create a double tax on the man that is willing to invest in a home.

On the question,

Will the House agree to the motion?

Whereupon, a division was called for and 60 gentlemen voted in the affirmative and 93 in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the second section?

It was agreed to.

The title of the bill was read and agreed to as follows:

An Act to provide by taxation for the improvement of the public roads in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE.

Mr. SCHUCK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SCHUCK. Mr. Speaker, in reference to the question of veracity, involving Mr. Metzenbacher and myself, I desire to state that this bill was not reported out in the official course of business as being referred to the Ways and Means Committee. This was understood in the Committee in an informal way. I believe that I am stil right and Mr. Metzenbacher is right in his point, also, that it was not officially reported out.

Mr. E. E. JONES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. E. E. JONES. Mr. Speaker, when this matter was discussed in our Committee, at one time there was a resolution offered to report it out with the understanding, by the Public Roads Committee, that it was to be referred to the Ways and Means Committee as a revenue measure and it was the sense of the Committee that that should be the course and they would report it out but that it was entirely up to the House to take whatever course they wanted and if the House saw fit to recommit, it was the House's place to do it; it was not for the Committee to make any recommendation in the matter. Both of the gentlemen are right, in a measure;—The gentleman from Westmoreland in his understanding and the gentleman from Crawford was right as he understood it.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bill to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1142, as follows:

An Act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming houses and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining building and all vacant land in cities of the first class providing for their inspection creating a division of housing and sanitation providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be in cities of the first class a Division of Housing and Sanitation attached to the Department of Public Health and Charities which division and all its officers and employes shall be under the supervision and control of the Director of the Department of Public Health and Charities and shall under said department have jurisdiction over all matters coming within the provisions of this act and all laws ordinances and the rules and regulations of the Board of Health in any way affecting or regulating the use occupany sanitation or maintenance of all buildings the grounds surrounding same and all vacant lands mentioned in this act

ORGANIZATION

Section 2 There shall be a chief of the said division to be known as the Chief of the Division of Housing and Sanitation who shall receive a compensation of not less than three thousand five hundred ($3,500) dollars a year an assistant chief and not less than four supervising inspectors all of whom shall be qualified by training or experience for the duties of their respective positions and there shall be not less than one hundred other inspectors There shall be in addition a statistician and such clerks stenographers and typewriters messengers and other employes as the Director of the Department of Public Health and Charities shall deem necessary subject to the approval of city councils None of the foregoing officers or employes shall be engaged in any other business The city councils with the approval of the mayor shall fix their respective salaries

DUTIES OF OFFICERS

Section 3 The Chief of the Division of Housing and Sanitation shall have the management and direction of all matters coming within the jurisdiction of and pertaining to the Division of Housing and Sanitation. He shall provide and arrange for the inspection of all properties within the city coming under the provisions of this act He shall keep on file suitable records of such inspection together with all permits and orders issued pursuant to this act all of which shall be open to public inspection during business hours

The director of the Department of Public Health and Charities shall have the power to amend revise or revoke any action taken by the chief of said division in the exercise of the discretionary power vested in him by any of the provisions of this act

The assistant chief shall assist in the management and control of all matters pertaining to the Division of Housing and Sanitation and in case of the absence or disability of the chief he shall exercise all the powers of the chief of the Divis on of Housing and Sanitation

The supervisors and other inspectors shall under the direction of their superior officers inspect all properties within the city as often and at such times as the need shall require and shall make adequate records and reports of the same and shall perform such other duties as may properly come within the scope of said division

GENERAL PROVISIONS

Section 4 Definitions Whenever in this act the "present tense" is used it shall be taken to include the future tense Wherever in this act the "masculine gender" is used it shall be taken to include the feminine and neuter genders Wherever in this act the "singular number" is used it shall be taken to include the plural Wherever in this act the word "shall" is used it is to be taken to be mandatory and not directory

The word "person" when used in this act shall be taken to include any association partnership or corporation as well as a natural person

Wherever in this act the word "converted" is used it shall be interpreted to mean either a change in the charter of occupancy or in construction

(2) Full meaning of terms used Wherever in this act the words "ordinances" "regulations" "Bureau of Building Inspection" "Department" or "Board" or "Bureau of Health" occur they shall be construed as if followed by the words "in cities of the first class"

Wherever in this act the words "is occupied" are used applying to any building such words shall be construed as if followed by the words "or is intended arranged or designed to be occupied"

Wherever in this act the words "satisfactory" or "approved" are used they shall be construed as if followed by the words "to" or "by the Chief of the Division of Housing and Sanitation"

(3) A tenement The term "tenement" shall mean any house or building which or a portion of which is occupied as a residence by three or more families living independently of each other and doing their cooking on the premises and having a common right in the halls stairways yard cellar or water closets thereof or some of them or by two or more families occupying apartments above the first floor living independently of each other and having a common right in the halls stairways yard cellar or water closets thereof or some of them

(4) A dwelling The term "dwelling" shall mean any house or building not a lodging house within the terms of the Act of Assembly of July second one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and twenty-eight) "An Act entitled an act to regulate and license public lodging houses in different cities of this Commonwealth" and not a tenement rooming house or inn all or any part of which is occupied as the home or residence of a family or of two or more families living independently of each other and having no common right or use in any hall stairway cellar water closet or privy and whether such house is built singly or as part of a double house or in conjunction with others in an attached or semi-detached row it shall be deemed a dwelling

(5) A two-family dwelling A "two-family dwelling" is any house not a tenement dwelling rooming house or inn and which is occupied by two families who use a common entrance or hallway

(6) A rooming house The term "rooming house" shall mean and include any house or building or portion thereof not a lodging house within the terms of the Act of Assembly of July second one thousand eight hundred and ninety-five (Pamphlet Laws four hundred and twenty-eight) "An Act entitled an act to regulate and license public lodging houses in different cities of this Commonwealth" and not a tenement or an inn and in which persons either as single individuals or as families are harbored or received housed or lodged for hire or otherwise for a single day or night or longer period provided this shall not include a dwelling where less than five persons are so recieved and lodged or where fifty per centum or more of the rooms used for sleeping are used solely by the members of the immediate family owning or leasing and occupying the house and by the domestic servants of such family

Apartment The term "apartment" shall mean a room or suite of two or more rooms which is or are occupied as a home for one or more persons

(7) Grades of buildings For the purpose of this act all buildings herein referred to shall be graded according to their use or occupancy buildings of the highest or first grade shall include all dwellings as hereinbefore defined buildings of the second grade shall include all two-family dwellings as hereinbefore defined buildings of the third and lowest grade shall include all rooming houses and tenements as hereinbefore defined

(8) A living room A "living room" or a room used for "living" purposes is any room not a water closet bath room or other room used solely for storage or closet purposes and which is used in whole or in part for any household purpose

(9) A yard A "yard" is an open unoccupied space on the same lot with a tenement rooming house or dwelling and which space extends in its full width or depth between opposite lot lines

(10) A court A "court" is an open unoccupied space other than a yard on the same lot with a tenement rooming house or dwelling

(11) A sewer A "sewer" is a public sewer or a private sewer tributary thereto and accepted by the bureau of surveys

(12) A school sink A "school sink" is any vault or box used or designated to be used to receive urine and fecal matter which is washed to the sewer by means of a steady or intermittent flow of water

(13) An entrance hall An "entrance hall" is a public hall on the first story admission to which is made from the street or yard court or alley

(14) A public hall A "public hall" is a hall corridor or passageway not within an apartment

(15) A stair hall A "stair hall" includes the stairs stair landings and the portion of any hall through which it is necessary to pass in going between the entrance floor and the roof

(16) A basement A "basement" is a story partly but not more than one-half below the level of the ground surrounding the building and shall be considered the first story of such building

(17) A cellar A "cellar" is a story more than one-half below the level of the ground surrounding the building

APPROVING PLANS

Section 5 All plans for the erection construction or alteration of buildings of the grades referred to in this act or for the alteration of houses already erected or other buildings intended for occupancy for any other grade and all plans for the installation or alteration of heating or ventilating apparatus lighting system plumbing fixtures cesspools sinks or privy wells besides being submitted to the bureaus now charged with approval of the same shall be submitted to the Chief of the Division of Housing and Sanitation for his approval of said plans and of the sanitary conditions surrounding the ground over which the proposed building is to be erected and until such approval is obtained and endorsed on such plans the work of construction or alteration shall not be begun

LIGHT AND VENTILATION

Per Centum of Lot to be Occupied

Section 6 No building shall be occupied as a tenement unless it shall have appurtenant to it in the rear or at the side and as part of the lot upon which it is located an open space equal to at least twenty per centum of the entire area of such lot which open space shall be unobstructed by any overhanging structure except fire-escapes required by law unless however such tenement shall be located upon a corner of two streets neither of which is less than twenty feet in width in which case said tenement shall have an open space attached to it in the rear or at the side next the adjoining lot equal in area to at least ten per centum of the entire area of the lot upon which said tenement is located with open space shall be unobstructed by any overhanging structure except fire-escapes required by law and any such tenement located upon a lot bounded on three sides by streets none of which is less than twenty feet in width may cover the entire area of said lot Provided that at least one window not less than the minimum side hereinafter provided opening from each of the rooms in such tenement shall open upon one of the streets Such open space attached to every tenement shall be at least eight feet in width throughout its entire length No court or open space between tenements or between wings of a tenement shall be of a less width than twelve feet except in buildings erected prior to June seventh one thousand eight hundred and ninety-five and which are not over three stories in height where the open space between the walls of the wings of tenements there shall be an open space not less than five feet in width providing the length of such wing or wings is not more than thirty feet and for each additional ten feet in length there shall be an additional foot in width provided there is in the rear or at the side of the lot upon which the building is erected an open space equal to at least twenty per centum of the entire lot area which open space shall be unobstructed by any overhanging structure except fire-escapes required by law If such tenement is situated on a lot which is bounded upon two opposite sides by streets then at least one end of every such open space shall abut upon one of such streets Every court or shaft furnishing light or air to any such tenement shall open upon one side into a street or into a yard or open space except such shafts as are used solely for ventilation of water closets or bath rooms which for the purpose of cleaning same shall have a door or window giving sufficient access for such purpose on the ground floor leading thereto Buildings erected as tenements or physically altered into tenements prior to June seventh one thousand eight hundred and ninety-five shall be exempt from the provisions of this section governing the percentage of the lot occupied the width between wings and the width of court and such other buildings shall likewise be exempt as have been listed on the records of the Department of Public Health and Charities and consecutively occupied as tenements prior to January first one thousand nine hundred and fourteen

ALTERATION OR BUILDING AND OPEN AREAS

Section 7 No yard court or open area appurtenant to any building of the grades referred to in this act shall be reduced through the erection or alteration of any kind of building on the same lot to a side less than the minimum yard court or open area required when new buildings of like grade are constructed

CHANGE OF OCCUPANCY

Section 8 No building of a higher grade of occupancy shall be converted to the use of a building of a lower grade of occupancy except as provided in section six of this act unless it shall be made to conform in all particulars as to safety in structure and requirements in sanitation and health to the class to which the lower grade belongs No building not now in one of the grades referred to in this act shall be converted into any such grade without conforming to all requirements of this and other acts and of the rules and regulations relating to such grade

TWO-FAMILY DWELLINGS

Section 9 All two-family dwellings unless otherwise specifically stated in this act shall be subject to the same requirements as dwellings

INCREASE THE HEIGHT OF BUILDINGS

Section 10 No building of any grade referred to in this act shall be increased in height if it is situated on a rear lot alley court street or other passageway twenty feet or less in width

LIGHT

Section 11 Whenever the windows of a building used for human habitation receive their light from a yard alley court or passageway the line of which is formed by a fence six feet or over in height wall or building five or less feet distant such fence wall or building facing such yard alley court or passageway shall be whitewashed or painted white and shall be maintained in such condition so as to reflect the maximum available light to such windows

WINDOWS

Section 12 No room in any tenement erected or converted since June seventh one thousand eight hundred and ninety-five shall be occupied for living purposes unless it has a window lighting area of at least twelve square feet the upper half of which surface shall open fully At least one window or windows of required area shall open directly upon a street yard or open area not less than that provided for in section six of this act No room in any other building of the grades referred to in this act shall be occupied for living purposes unless it has a window or windows of an approved lighting area opening to the outer air The upper half of all such windows shall open fully

ALCOVES AND ALCOVE ROOMS

Section 13 No part of any room in any building of the grades referred to in this act shall be enclosed or sub-divided in whole or in part by a fixed or movable partition or other contrivance or device unless such part of the room so enclosed or sub-divided shall contain a separate window as herein required for ordinary rooms and shall have a floor area of not less than seventy square feet

WINDOWS IN HALLS

Section 14 No tenement erected prior to June seven one thousand eight hundred and ninety-five no dwelling converted into a tenement no two-family dwelling or rooming house shall be used for human habitation unless all public halls are lighted on each floor by a window or windows of an approved lighting area opening directly to the outer air the upper half of which surface opens fully provided however that wherever any such public hall cannot reasonably be so lighted and ventilated translucent glass panels of at least four square feet shall be inserted in the wall or in the doors or as transoms above the doors leading to the rooms whose windows open directly to the outer air Such halls shall have a ventilating skylight of satisfactory area in the top floor directly over the stairway and where such is or may be built in it shall be an acceptable substitute for windows either leading to the outer air or to rooms that lead to the outer air on the top floor No tenement erected since June seven one thousand eight hundred and ninety-five shall be occupied for human habitation unless the windows in its public halls conform to the requirements of section three act of Assembly June seven one thousand eight hundred and ninety-five Pamphlet Laws one hundred and seventy-eight A supplement to an act entitled an act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same If after the foregoing provisions have been complied with such public halls are not adequately lighted in the day time the owner lessee or conductor of such house shall keep a proper light burning in the hallways near the stairs as may be necessary from sunrise to sunset

LIGHT IN PUBLIC HALLS AT NIGHT

Section 15 In every public hall near the stairs in a tenement or rooming house an adequate light shall be kept lighted by the conductor from sunset till at least ten post meridian and in the entrance hall and the hall of the second floor above an adequate light shall be kept lighted all night Such light shall be adequately protected by glass shade or wire screen

LIGHT IN CORRIDORS CELLARS ET CETERA

Section 16 Whenever it is necessary to improve the lighting of any hall corridor cellar basement or other part of a two-family dwelling rooming house or tenement used in common by two or more families in addition to the provisions for this purpose otherwise stated in this act the chief of the division of housing and sanitation may order the walls and ceiling or both to be painted or whitewashed kalsomined or papered in white or other approved light color

CELLAR VENTILATION

Section 17 The cellar or space underneath the first floor or basement of every building used for human habitation shall when feasible be so ventilated as too secure a constant supply of fresh air and when feasible shall be lighted by windows

CELLAR AND BASEMENT ROOMS

Section 18 No cellar or cellar room shall be used for human habitation No basement room in any building of the grades referred to in this act shall be used for living purposes other than laundry the finished ceiling of which is less than seven feet above the finished floor level and the walls of which are not damp proof and water proof Such rooms shall have a window area equal to that required in section twelve and it shall not be used for sleeping purposes unless it has along the side containing the window an open area of not less than "two" feet "six" inches wide extending upward from not less than six inches below the level of the floor of such room to the surface of the street This area shall be drained to the sewer The tenant of a cellar room and the tenant of a basement not conforming to the above requirements the agent and his principal renting the same and the owner shall each be subject to the penalties as hereinafter provided for violations of this act

SANITATION

Courts and Areas to be Drained

Section 19 All courts yards areas and alleys about buildings of the grades referred to in this act shall be properly graded so as to receive thorough drainage in all their parts The chief of the division of Housing and Sanitation may order such spaces paved if in his judgment it is necessary in order to preserve a proper drainage or to maintain satisfactory sanitary conditions

RAIN LEADERS

Section 20 The rain conductors of all buildings of the grades referred to in this act shall be connected with the sewer if there is a sewer in the street contigious thereto or if there is no such sewer as soon as such sewer is laid but at no time shall the flow therefrom be permitted to go over the sidewalk or upon of the adjoining property

RAIN CONDUCTORS NOT TO BE USED AS WASTE PIPES

Section 21 No fixture sink closet or drain of any kind receiving house sewage shall empty into a rain conductor nor discharge to a roof draining to a rain conductor

HOUSES TO BE SEWER CONNECTED

Section 22 Every dwelling or rooming house accessible to a sewer shall be connected therewith All privy vaults cesspools and school sinks shall be removed from the premises of any dwelling or rooming house after a sewer has been laid in a contiguous street No building shall be used as a tenement unless it is sewer connected and all cesspools privy vaults and school sinks shall have been removed from the premises thereof

WATER CLOSETS

Section 23 Every dwelling to which a public sewer and water main is accessible shall have a separate and independent water closet of a type approved by the plumbing regulations of cities of the first-class thoroughly flushed at all times in a separate and independent compartment and all water closets hereafter installed shall be in a separate compartment or in a bath room when feasible within the dwelling or attached thereto in such a manner that the same may be entered immediately from the dwelling The floor and wall surface of such compartment about and beneath shall be maintained in good repair and cleanliness One entrance to at least one water closet compartment in every dwelling shall be by hall or passageway independent of a room used for sleeping purposes

NUMBER AND LOCATION OF WATER CLOSETS

Section 24 In every rooming house there shall be at least one water closet in a separate compartment for every four rooms or fractional part thereof approached by an entrance independent of any living room In each two-family house or tenement there shall be at least one water closet contained in a separate compartment for each family occupying the premises except that where there are apartments of one or two rooms there shall be at least one water closet for each two families located in a separate compartment on the same floor with the apartments it is to serve if such location is deemed feasible by the chief of the division of housing and sanitation otherwise it shall be in a place easily accessible to such apartments Such water closet shall be approached by at least one entrance independent of a living room At least one water closet for each other apartment in such buildings shall have at least one entrance by separate hall or passageway independent of a room used for sleeping purposes No water closet shall be maintained in the cellar or basement of any building without a permit from the Bureau of Health but under no circumstances shall the general water closet accommodations of a rooming house or tenement be permitted in a cellar or basement

PRIVIES

Section 25 Where a sewer is not accessible to a dwelling there shall be a privy vault located in the yard thereof and constructed in accordance with the laws ordinances and rules of the Board of Health relating thereto Such privy vault shall be cleaned to the bottom whenever the contents come within three feet of the level of the ground outside or within three feet of the floor of the privy house if such floor is below the level of the surrounding ground and shall be corrected with lime by the tenant or occupant of the property whenever it becomes foul

WATER SUPPLY

Section 26 Where water mains have been placed in a street and there is sufficient pressure to permit same water shall be introduced and be capable of being drawn in full supply in every dwelling and in every apartment of two or more rooms in a two-family house and in a tenement Provided That in sparsely populated districts where there is a well upon the premises and the water therefrom is standard purity required by the Board of Health such well may be considered an acceptable substitute for water in dwellings When one or more apartments consist of but one room there shall be at least one source of water supply in an easily accesible place for every

two such apartments In all rooming houses water shall be introduced and be capable of being drawn in full supply in an accessible place on each floor provided that where less than three (3) rooms are on each floor of a rooming house water may be introduced on every alternate floor Whenever a water fixture is introduced a sink and suitable drain properly trapped leading from it shall also be installed No such sink in a tenement shall be enclosed with any woodwork. No house wherever located shall be occupied as a tenement unless water is installed in each apartment as provided above

PLUMBING

Section 27 All plumbing water closets and the compartments in which they are located pipes and other like fixtures in dwelling rooming houses and tenements shall be installed and maintained unless otherwise provided for in this act in accordance with the plumbing regulations of the cities of the first-class All openings around such plumbing fixtures pipes and like facilities and appliances shall be sealed or made air tight with plaster and all defects obstructions or leakage emitting or liable to emit gas sewer air or excrement of any kind liquid or solid shall be repaired and kept tight

CELLARS TO BE DAMP PROOF AND WATER PROOF

Section 28 All cellars or spaces beneath the first floor or basement of buildings of the grades referred to in this act shall be damp proof and water proof and when in the opinion of the chief of the division of housing and sanitation conditions require it they shall be concreted with good concrete and a finished surface to a depth of not less than four (4) inches and the walls shall be coated with cement or other non-penetrable surfacing to such a depth as to prevent the incoming of water

OCCUPANCY

Overcrowding

Section 29 No room in a dwelling rooming house or tenement when used for sleeping purposes shall be occupied or be permitted to be occupied at any one time by more than would give to each occupant thereof who is over twelve years of age at least four hundred cubic feet of air space nor shall the owner lessee or conductor of any dwelling rooming house or tenement or the lessee of any room or apartment therein permit such room to be occupied in violation of the above provision Whenever any room has been found to be overcrowded as defined by the foregoing the chief of the division of housing and sanitation shall cause a tin placard to be placed upon the door of such room stating the number of occupants the room may accommodate Any person removing or defacing such placard shall be guilty of a violation of this act

UNINHABITABLE HOUSES TO BE VACATED OR DESTROYED

Section 30 Whenever a building of any of the grades referred to in this act or any part thereof for any reason whatsover is unfit for human habitation or is dangerous to life and health the chief of the division of housing and sanitation shall issue an order requiring all persons therein to vacate such building or part thereof within not less than twenty-four hours nor more than thirty days after service of such notice upon the occupants the reason thereof to be mentioned in said order a copy of which shall be served also at the same time upon the last registered owner of such property by leaving the same at the last known residence or address of such owner or if such address is not known by posting the same in a conspicuous place upon such building And it shall thereafter be unlawful to ocupy or to permit the occupancy of such house or any part thereof until the chief of the division of housing and sanitation is satisfied that the dangers from said house have ceased to exist or that it is again fit for human habitation If in the opinion of the chief of said division such house cannot be made fit for human habitation he may order it removed Written notice containing a description of the house deemed unsafe or dangerous to health and of the premises upon which it is situated requiring the same to be removed shall be duly given the owner or owners or one of them provided however if the owner or owners or one of them cannot be found then the notice may be given to the agent in charge of the said property or to an occupant thereof or if the premises are vacant then by posting the notice conspicuously on said premises Such notice shall require the owner or owners or someone on his or their behalf to certify within three (3) days to the chief of said division his or their assent or refusal to remove the building If the owner or owners or someone with authority on his or their behalf shall within the time aforesaid certify his or their assent to the removal of said unsanitary unsafe or dangerous building premises or structure he or they shall be allowed not less than twenty-four hours nor more than thirty days following the giving of notice of such assent in which to commence the removal of the same and he or they shall employ sufficient labor and assistance to remove the same expeditously upon his or their refusal or neglect to comply with any of the requirements of said notice a further notice shall be given in like manner to the person theretofore notified or if the person to be served cannot be found such notice shall be posted conspicuously upon said premises stating that a survey of the premises named in the said notice will be made under the direction of the chief of the bureau of health the chief of the bureau of building inspection and the chief of the bureau of surveys at the time and place therein stated which time shall not be less than twenty-four hours nor more than three days from the time of the service of the said second notice as aforesaid and the said chiefs shall constitute a board of survey for the purpose and shall perform the survey within the time stated and report with promptness and dispatch In case a majority of said board after such survey shall report the building unfit for human habitation the same shall thereby be condemned and notice thereof served on the owner in the same manner as is hereinbefore provided for service of notice of survey If the owner shall fail to proceed as expeditiously as is possible to remove the said building within ten days of the service of such notice the same shall be removed by the chief of the division of housing and sanitation and a lien for the cost of such removal shall be filed therefor and collected as municipal claims are now or may hereafter be by law a lien and collectable or as provided for in section fifty-five of this act

WALL PAPER

Section 31 Whenever the paper on the ceiling or walls of a room in any building of the grades referred to in this act has become loosened so as to collect and hold dust the same shall be removed the walls thoroughly cleansed and new wall paper kalsomine paint or other satisfactory substitute shall be put on No wall paper shall be paced upon the walls of a room where there has been a case of contagious or infectious disease until all paper thereon has been removed and the walls thoroughly cleansed by some satisfactory disinfectant

ANIMALS AND FOWLS IN BUILDINGS

Section 32 No horse cow calf swine sheep or goat shall be kept or slaughtered in a dwelling rooming house or tenement or any part thereof nor shall any other animal or fowl deemed objectionable by the chief of the division of housing and sanitation be kept or slaughtered in any such building nor shall any of the aforesaid animals or such fowl be kept in the yard of any such building or the lot thereof or the property adjoining without the person desiring to keep the same first having obtained a permit from the Bureau of Health Aplication for such permit shall be accompanied by a fee of one dollar and such permit when granted shall expire not later than the calendar year for which it is issued Whenever by reason of the congestion of buildings or people in any area the presence of such animals or such fowl shall be deemed by the Bureau of Health prejudicial or a common nuisance it may refuse to issue any such permit for any property within said area

STORAGE OF CERTAIN GOODS FORBIDDEN

Section 33 No dwelling rooming house or tenement or any part thereof occupied as such shall be used as a place of storage keeping or handling of feed hay straw excelsior cotton paper stock feathers or rags or for any matter or thing dangerous or detrimental to health or life except as hereinafter provided nor shall any such building or any adjacent or cantiguous property receive store or keep dung or manure of any kind except a stable where such cleanings from the stalls may be stored for a period of not longer than seven days in a water tight sanitary bin built wholly inside the building line of the property upon which it is situated Provided that in sparsely populated districts such stable cleanings may be kept for a longer period if kept according to rules and regulations governing the same established by the Board of Health and for this purpose the Board of Health shall be and is hereby empowered to establish such rules and regulations

MANUFACTURING IN HOUSES

Section 34 No part of any dwelling rooming house or tenement shall be used by the tenant members of his family or others for manufacturing purposes or for other than domestic work without a permit from the Bureau of Health and the permit when issued shall expire not later than the calendar year for which it is issued No such permit shall be granted if such use would create dust foul odors or undue noise liable to affect injuriously the health or comfort of the tenants occupants or neighbors or for any reason would effect injuriously the health and safety of those engaged in such manufacturing or other work The permit may be revoked by the Bureau of Health at any time for the same reason for which it may refuse to issue same No such room or rooms when used for manufacturing purposes shall be occupied at any one time by more persons than would give to each ocupant at least four hundred cubic feet of air space

JANITOR

Section 35 In a tenement house occupied by six or more families in which the owner or conductor does not reside there shall be a janitor housekeeper or other responsible person who shall reside in said house and have charge of the same if the chief of the division of housing and sanitation shall so require

FIRE-ESCAPES

Section 36 No buildings of any of the grades referred to in this act shall be used for human habitation unless it is equipped with a fire-escape or fire-escapes as required by law Provided That any building of such grades having less than four (4) stories and used as a rooming house or tenement the third story of which shall contain not more than five (5) rooms and a bath room and such third story is not occupied by more than ten (10) persons and has at least one stairway therefrom shall be exempt from the provisions of the acts of Assembly requiring fire towers and outside fire-escapes for such bildings if every apartment in any of said buildings shall be equipped with a satisfactory wire chain or other safe fire-escape

NO INCUMBRANCES ON FIRE ESCAPES

Section 37 The owner of every occupied building upon which there is a fire-escape shall keep such fire-escape in good order and repair and whenever rusty shall have it properly painted with two coats of paint No persons shall at any time place any incumbrance of any kind before or upon any fire-escape scuttle or bulkhead

WOODEN TENEMENTS

Section 38 No wooden building exceeding three stories in height shall be occupied as a tenement and no wooden building of any height shall be occupied as a tenement if located within the limits established by counils in cities of the first class prohibiting the erection of frame buildings

COMBUSTIBLE MATERIALS PAINTS OILS ET CETERA

Section 39 When a basement or cellar or other room in any dwelling or rooming house is used for a paint or oil shop or for any kind of a store where highly combustible materials or goods are kept the walls and ceilings thereof and all doors leading therefrom to any other room in the house shall be protected by an adequate fire-proofing material All windows into other rooms shall be made of wired glass and the frame work shall be protected by a fire-proofing material Shops or stores dealing in paint oil or other easily inflammable material shall not be allowed in tenement houses

BAKERIES AND FAT BOILING

Section 40 No bakery and no place of business in which fat is boiled shall be maintained in any tenement house which is not fire-proof throughout unless the ceiling side walls and all exposed iron or wood girders or columns within the said bakery or within said place where fat boiling is done are made safe by fireproof materials around the same and there shall be no openings either by door or window or otherwise between said bakery or said place where at is boiled in any tenement house and the other parts of the said building except that a dumb waiter communicating between the place where the baking is done or the fat is boiling and the store above may be maintained if entirely enclosed in a brick shaft with walls not less than eight inches thick without any opening whatever except one door opening into the bakery store so arranged that when one door is opened or partly opened the other door shall be entirely closed

MAINTENANCE

Cleanliness

Section 41 The occupant or tenant of every dwelling and of each apartment in a two-family dwelling the lessee of every rooming house and the conductor of every tenement shall keep the same and every part thereof and the yards and courts and shafts exclusively belonging thereto free from all accumulations of dirt filth garbage or other refuse matters The owner of every such building when notified by the Chief of the Division of Housing and Sanitation shall see that every part thereof and all cellars halls passages walls areas yards courts and spaces appurtenant thereto are kept free from all accumulations of dirt filth garbage or other refuse matters Any person who shall cause or permit any filth refuse or perishable matter to be cast into a shaft court or area or yard in or about such building or shall commit any other nuisance in or about such building shall be subject to a fine as hereinafter provided for violations of this act

GARBAGE AND ASH RECEPTACLES

Section 42 Every owner or tenant occupying a dwelling or an apartment in a two-family house the lessee or conductor of every rooming house and the conductor of every tenement house shall provide for each apartment under his supervision a suitable non-absorbent non-leakable covered receptacle for garbage He shall provide a receptacle of an approved standard for ashes No receptacle either for garbage or ashes shall be filled to within two inches of the top All tenants or occupants of buildings of the foregoing classes shall securely bundle all rubbish waste paper and like refuse in such manner as to prevent it from causing a nuisance upon the property or upon the street when the collectors are taking it away No garbage chutes shall be constructed maintained or used within or about any of the above mentioned grades of houses Contractors or others removing refuse or other waste from such premises shall so handle it as to prevent it from escaping or becoming a nuisance on or to other properties or the public street

REPAIRS

Section 43 Every building of the grades referred to in this act and all parts thereof shall be kept in good repair and the walls damp proof all rain water shall be so drained and carried from such building as to prevent its dripping to the ground or causing dampness in the walls ceilings yards courts or other areas or in those of adjoining properties

BOARD OF PUBLIC HEALTH TO MAKE RULES

Section 44 It shall be the duty of the Board of Health and it is hereby empowered to make such addtional rules and regulation governing the use occupancy and sanitation and maintenance of the buildings of the grades referred to in this act the ground surrounding the same and of unoccupied lands as may from time to time be deemed necessary All such rules and regulations shall be promulgated by advertising three times each in two newspapers published in cities of the first class notice that such rules and regulations have been adopted and where copies thereof may be had Such rules and regulations shall be printed and shall be furnished free upon application by the Bureau of Health

PROVISIONS FOR ENFORCING THE ACT

Licenses

Section 45 On and after January first one thousand nine hundred and fourteen no building shall be occupied or permitted to be occupied as a two-family dwelling rooming house or tenement unless the owner or lessee of such two-family dwelling or rooming house or the conductor of such tenement shall have first applied for and obtained the required license as hereinafter provided which license shall expire not later than the end of the calendar year for which it was issued irrespective of the date of its issuance and shall not be transferable Whenever the interest of such licensee in the property for the occupancy of which the license was issued shall cease or the property shall have been brought within one of the other grades herein mentioned by reason of a change in use or construction said license shall immediately become void provided however that upon the death of the licensee the license shall nevertheless be valid for a period of thirty days from the date of such death in favor of his legal representative or of the person to whom the house passes by law but in no case shall such thirty days extend said license beyond the end of the calendar year for which it was issued

APPLICATIONS

Section 46 Every application for any of the licenses requird by this act shall be in a form approved b ythe Bureau of Health and shall state the name and address of the applicant the nature and extent of his interest in the property for which the license is desired and if the applicant is not the owner or agent thereof then the application shall also state the name and address of the owner or his agent the location of the building the use to which it is to be put whether a two-family dwelling rooming house or tenement and the number of rooms to be occupied together with such other information as may be required by the said Bureau and it shall be accompanied by a fee of one dollar for each such two-family dwelling two dollars for each rooming house and for a tenement such fee shall be one dollar for each apartment that is occupied which fee shall cover the cost of the investigation

Section 47 The chief of the division of housing and sanitation and his duly accredited inspectors shall have the right and are hereby empowered and directed to enter and examine at all reasonable hours all houses or other premises which come within the provisions of this act Such inspectors when making such inspections shall wear a prescribed uniform and shall exhibit a suitable badge to be provided by said division for their further identificatien No person shall refuse or cause to be refused to the said chief or to any duly authoried and uniformed inspector of such division after he shall have exhibited his said badge admittance to such house other building or premises nor shall any person in any way hinder such chief or any such inspector or inspectors in the performance of his or their duty as herein provided

GRANTING LICENSES

Section 48 The Bureau of Health shall without further charge grant to the applicant an occupancy license for the occupancy of the two-family dwelling rooming house or tenement mentioned in the application and which shall have been found after a thorough inspection to comply in all respects with the provisions of this act and of all laws ordinance rules and regulations applicable to such building and the use to which it is intended to be put

WHAT LICENSES SHALL SPECIFY

Section 49 Each license shall clearly specify the name and address of the person to whom it is issued and in addition if such person is other than the owner the name and address of such owner and of his agent if any the location of the building whether it is to be used as a two-family dwelling rooming house or tenement the number or rooms and the maximum number of occupants for each sleeping room and the date of the expiration of the license

RECORD OF LICENSES

Section 5 The Bureau of Health shall keep a public record of all licenses issued under the provisions of this act The original application shall be preserved for a period of one year and shall be open to examination by the public without charge during business hours

REVOCATION OF LICENSES

Section 51 The Bureau of Health shall have the power to revoke any license if the person to whom the license has been granted has violated any of the provisions of this act or of the laws ordinances and rules of the Bureau of Health

APPEALS

Section 52 Any person whose application for a license has been refused or whose license has been revoked shall have the right to appeal within fifteen days to the court of common pleas of the proper county Provided however that such appeal shall not operate to supersede any decision of the chief of the Divisions of Housing and Sanitation pending the entry of a final order by said court unless said appeal is directed to operate as a supersedeas by said court at a preliminary hearing to be held at the time and in the manner provided by its rules for application for preliminary injunctions

UNLAWFUL TO OWN AND OCCUPY OR TO RENT CERTAIN HOUSES WITHOUT A LICENSE

Section 53 On and after the first day of January one thousand nine hundred and fourteen it shall be unlawful for any person to let rent lease to be occupied or conduct any two-family dwelling rooming house or tenement in any city of the first class unless he has secured a license therefor as hereinbefore provided and unless he at all times displays it in a conspicuous place upon the wall within and close to the outer entrance to the house mentioned in said license

PENALTIES FOR VIOLATION

Section 54 Any person who shall violate any of the provisions of this act or of any reasonable rule or regulation of the Board of Health authorized by this act shall be guilty of a misdemeanor and upon conviction shall be fined not less than five ($5.00) dollars or more than fifty ($50.00) dollars for the first offense for a second or subsequent offense by a fine of not less than twenty-five ($25.00) dollars or more than two hundred ($200.00) dollars or by imprisonment for not more than sixty days or by both at the discretion of the court and whenever any person shall have been notified by the Chief of the Division of Housing and Sanitation or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every week that such violation shall have continued after such notification or service of summons

SERVICE OF NOTICE AND ORDER

Section 55 Whenever notice is given requiring compliance with the provisions of any section of this act the same shall be served upon the person required to make such correction or his agent unless otherwise hereinbefore provided by mailing a copy to the residence if known of such person or his agent and on the same day by posting a copy in a conspicuous place upon the premises affected which notice shall not be removed or defaced while the condition mentioned therein exists All such notices shall be complied with within five (5) days after posting the same upon the premises affected and upon failure to do so the Bureau of Health may contract to have the necessary work done and the costs thereof shall be made a lien against such property and collectible in like manner as now provided by law provided however that if there shall be no funds at the disposal of such Bureau for the aforesaid purpose then the Bureau may contract to have such work done and the lien therefor shall be marked to the use of the contractor doing the work and shall be collectible by such contractor as is now provided by law in similar cases

ENFORCEMENT PRIVATE PROSECUTION PROCEDURE

Section 56 Any person shall have the right to institute prosecution for violations of this act by stating upon oath or affirmation the facts alleged as a violation Provided That any person other than a public officer who shall institute a prosecution which shall fail to result in a conviction shall be liable for the costs of such prosecution if in the opinion of the court there shall not have been reasonable grounds for instituting the prosecution

Section 57 Should any part of this act be construed to be invalid or unenforceable the remaining parts of the act so far as they are valid or capable of enforcement shall stand with the same force and effect as if the parts found to be invalid or unenforceable had been omitted

OTHER ACTS REPEALED

Section 58 All acts or parts of acts inconsistent with this act be and the same are hereby repealed but no such acts or parts of acts shall be considered as inconsistent with this act merely because its provisions or any of them cover or relate to the subject or subjects of this act if it does not conflict with or interfere with the enforcement of any of the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 200, as follows:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act to provide for the removal of judges of the supreme superior common pleas and orphans' court permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eleventh day of May one thousand nine hundred and one entitled "An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal' approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives" which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of January Anno Domini one thousand nine hundred and twelve whenever the Governor is of opinion based upon satisfactory medical evidence that a judge of the supreme superior common pleas or orphans' court is by reason of physical or mental disability permanently incapacitated for performing his judicial duties he shall notify said judge of his opinion giving the reasons therefore and if the said judge shall resign within thirty days after such notice and shall hold himself in readiness to advise with his succesors and colleagues and to perform duties as special master referee auditor or examiner in such ways as he may be reasonably able to do he shall receive for the balance of the term for which he was elected if he shall so long live the salary he would have received had he remained in active service

"Any judge of the common pleas or of the orphans' court so resigning who shall have served continuously in judicial office for twenty-five years or more immediately prior to the date of his resignation and shall have reached the age of seventy years or any judge of the supreme or superior court so resigning who shall have served continuously in judicial office for twenty years or more immediately prior to the date of his resignation and who shall hold himself in readiness to advise with his successors and colleagues and to perform duties as special master referee auditor or examiner in such ways as he may be reasonably able to do shall receive during the remainder of his life after the expiration of his said term one-half of the salary which he would have received had he remained in active service

"Any judge of the supreme or of the superior court who shall have served continuously in judicial office for twenty years or more and any judge of the common pleas or orphans' court who shall have reached the age of seventy years and who shall have served continuously in judicial office for twenty-five years or more and who shall hold himself in readiness to advise with his successors and colleagues and to perform such duties as special master referee auditor or examiner in such ways as he may be reasonably able to do after his honorable retirement from office by expiration of his term resignation or otherwise shall receive during the remainder of his life one-half of the salary which he would have received had he remained in active service

"No judge while accepting the benefits of this act shall be entitled to any additional compensation for the performance of any duties assigned to him hereunder and no such judge shall be obliged to accept an assignment of duty from any court other than the court of which he was a member at the time of his retirement

"Any judge wishing to take advantage of the provisions of this act may notify the Governor of his desire so to do or the Governor on his own iniative may notify any judge as provided herein

"All payments under this act shall be made monthly only upon the certificate of the retired judge that he is not engaged in any remunerative business or employment or if the judge himself is unable to make one upon a certificate to that effect from a competent physician

"Any judge or judges who have been retired under the act to which this is an amendment are hereby given all the benefits and advantages and are made subject to the requirement of this act to the same extent and with the same effect as if they had been retired under the provision hereof

"Any vacancy created by a retirement under this act prior to the expiration of the current term that the judge is filling at the time of such retirement shall be filled as now provided by law in cases of vacancies in judicial offices" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act whenever a judge of any of the supreme superior common pleas or orphans' courts of this Commonwealth by reason of physical or mental disability appears to be incapacitated for performing his judicial functions and duties and by reason of such disability has not performed such duties for the period of one year the Governor of this Commonwealth shall appoint a commission consisting of three skillful and disinterested physicians from different counties of the State to examine the said judge and if the said commission shall report that the said judge is permanently incapacitated to perform the duties of his office the Governor shall notify the said judge of such finding and if the said judge shall resign within thirty days of such notice he shall receive for the balance of the term for which he was elected during which he shall live one-half of the salary which he would have received if he had not resigned and the vacancy thus created shall be filled in the manner heretofore provided by law in case of vacancies in judicial office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 146, as follows:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thou-

sand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six which reads as follows

"Section 10 That during the last term of the court of common pleas in each county preceding the first day of January in each year the judges thereof shall appoint one competent person as auditor who after being sworn or affirmed to perform the duties of his office with fidelity and correctness shall immediately after the first of January succeeding his appointment proceed to examine the accounts and dockets of the prothonotary register and recorder and clerks of the several courts of the county for which his appointment was made and generally shall perform with as much despatch as possible all the duties hertofore imposed by law on the county auditors respecting the fees of said officers and the tax on judicial proceedings and shall further ascertain the whole amount of fees charged as well as the whole amount of fees received by each of said officers during the preceding year and make return thereof in his account to the Auditor General and the person appointed shall as soon as his duties are performed receive for his services out of the proper county treasury one dollar and fifty cents for each day necessarily spent in the performance of his duties to be settled by the commissioners of the county and paid on their warrant and it shall be the duty of the Auditor General to see that the provisions of this section and the act to which it is a supplement are carried into effect and to fill all vacancies which may occur in the office of said auditor and if he shall find it expedient he may appoint one additional auditor for the county of Allegheny and one for the city and county of Philadelphia whose services not exceeding the one-half of the whole of the expenses of auditing the accounts of said officers in each of said counties at the per diem rate hereinbefore fixed shall be paid on his warrant out of the State Treasury and the duties imposed on the county auditors by said act to which this is a supplement shall be performed in those counties in which said duties have not yet been performed by the auditor or auditors in the respective counties first appointed under the provision of this section" is amended to read as follows

Section 10 That during the last term of the court of common pleas in each county preceding the first day of January in each year the judges thereof shall appoint one competent person as auditor who after being sworn or affirmed to perform the duties of his office with fidelity and correctness shall immediately after the first day of January succeeding his appointment proceed to examine the accounts and dockets of the prothonotary register and recorder and clerks of the several courts of the county for which his appointment was made and generally shall perform with as much despatch as possible all the duties herefore imposed by law on the county auditors respecting the fees of said officers and the tax on judicial proceedings and shall further ascertain the whole amount of fees charged as well as the whole amount of fees received by each of said officers during the preceding year and make return thereof in his account to the Auditor General and the person appointed shall as soon as his duties are performed receive for his services out of the proper county treasury such compensation for each day necessarily spent in the performance of his duties as the court may direct to be settled by the commissioners of the county and paid on their warrant and it shall be the duty of the Auditor General to see that the provisions of this section and the act to which it is a supplement are carried into effect and to fill all vacancies which may occur in the office of said auditor and if he shall find it expedient he may appoint one additional auditor for the city and county of Philadelphia whose services not exceeding the one-half of the whole of the expenses of auditing the accounts of said officers in each of said counties at the per diem rate hereinbefore fixed shall be paid on his warrant out of the State Treasury and the duties imposed on the county auditors by said act to which this is a supplement shall be performed in those counties in which said duties have not yet been performed by the auditor or auditors in the respective counties first appointed under the provisions of this section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1107, entitled:

An Act relative to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and and providing penalties for fraud against innkeepers and hotelkeepers

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no innkeeper or hotelkeeper whether individual partnership or corporation who constantly has in his inn or hotel a metal safe or suitable vault in good order and fit for the custody of money bank notes jewelry articles of gold and silver manufacture precious stones personal ornaments railroad mileage books or tickets negotiable or valuable papers and bullion and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts and on the transoms and windows of said rooms suitable fastenings and who keeps a copy of this section printed in distinct type constantly and conspiciously posted in not less than ten conspicious places in all in said hoted or inn shall be liable for the loss or injury suffered by any guests unless such guest has offered to deliver the same to such innkeeper or hotelkeepr for custody in such metal safe or vault and such innkeeper or hotelkeeper has omitted or refused to take it and deposit it in such safe or vault for custody and to give such guest a receipt therefor Provided however that the keeper of any inn or hotel shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of three hundred dollars and shall not be liable for any excess of such property whether received or not

Section 2 But such innkeeper or hotelkeeper may by special arrangement with a guest receive for deposit in such safe or vault any property upon such terms as they may agree to in writing but every innkeeper or hotelkeeper shall be liable for any loss of the above enumerated articles of a guest in his in or hotel after said articles have been accepted for deposit if caused by the theft or negligence of the innkeeper or hotelkeeper or any of his servants

The third section was read as follows:

Section 3 It shall be the duty of every guest and of every one intending to be a guest of any hotel in this State upon delivering to the proprietor of such hotel or to his servants any baggage or other articles of property of such guest for safe keeping (elsewhere than to the room assigned to such guest) to demand and of such hotel proprietor to give a check or receipt therefor in such case to evidence the fact of such deilvery and no hotel proprietor shall be liable for the loss of or injury to such baggage or other articles of property of this guest unless the same shall have been actually delivered by such guest to such hotel proprietor or to his servants for safe keeping or unless such loss or injury shall have occurred through the negligence of such hotel proprietor or by his servants or employes in such hotel

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 3, line 2. After "hotel" insert "or inn"
Section 3, line 3. After "hotel" insert "or inn"
Section 3, line 6. After "proprietor" insert "or innkeeper"
Section 3, line 8. After "proprietor" insert "or innkeeper"
Section 3, line 11. After "proprietor" insert "or innkeeper"
Section 3, line 13. After "proprietor" insert or "innkeeper"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The fourth section was read as follows:

Section 4 The liability of the keeper of any inn or hotel whether individual partnership or corporation for loss of or injury to personal property placed by his guest under his care other than that described in the preceding sections shall be that of a depository for hire except that in case such loss or injury is caused by fire not intentionally produced by the innkeeper or his servants such innkeeper shall not be liable Provided however that in no case shall such liability exceed the sum of one hundred and fifty dollars for each trunk and its contents fifty dollars for each valise and its contents and ten dollars for each box bundle or package and contents so placed under his care and all other miscellaneous effects including wearing apparel and personal belongings fifty dollars unless he shall have consented in writing with such guest to assume a greater liability

And provided further whenever any person shall suffer his baggage or property to remain in any inn or hotel after leaving the same as a guest and after the relation of innkeeper and guest between such guest and the proprietors of such inn or hotel has ceased or shall forward the same to such inn or hotel before becoming a guest thereof and the same shall be received into such inn or hotel such proprietor may at his option hold such baggage or property at the risk of such owner

On the question.

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker. I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 4, line 6. After "the" insert "hotel proprietor or"
Section 4, line 7. After "such" insert "hotel proprietor"

On the question.

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The fifth and sixth sections were separately read and agreed to as follows:

Section 5 The keeper of any inn or hotel whether individual partnership or corporation shall have a lien on the baggage and other property in and about such inn belonging to or under

the control of his guests or boarders for the proper charges due him from such guests or boarders for the accommodation board and lodging and for all money paid for or advanced to them not to exceed the sum of two hundred dollars and for such other extras as are furnished at their request and said innkeeper or hotelkeeper shall have the right to detain such baggage and other property until the amount of such charges is paid and such baggage and other property shall be exempt from attachment or execution until such innkeeper's lien and the cost of satisfying it are satisfied

Section 6 The innkeeper or hotelkeeper shall retain such baggage and other property upon which he has a lien for a period of ninety days at the expiration of which time if such lien is not satisfied he may sell such baggage and other property at public auction after giving ten days' notice of the time and place of sale in a newspaper of circulation in the county where the inn or hotel is situated and also by mailing a copy of such notice adressed to said guest or boarder at the place of residence registered by him in the register of such inn or hotel

The seventh section was read as follows:

Section 7. After satisfying the lien and any costs that may accure any residue remaining shall on demand within six months be paid to such guest or boarder and if not so demanded within six months from date of such sale such residue shall be deposited by such innkeeper or hotelkeeper with the treasurer of the county in which the inn or hotel is situated together with a statement of the innkeeper's claim and the cost of enforcing the same a copy of the published notice and of the amounts received for the goods sold at said sale said residue shall by said county treasurer be credited to the general revenue fund of said county subject to a right of said guest or boarder or his representative to reclaim at any time within three years of the date of deposit with said treasurer

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 7, line 7. Strike "innkeeper's" insert "innkeeper or hotel proprietor"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The eighth, ninth, tenth and eleventh sections and the title were separately read and agreed to as follows:

Section 8 Any person who shall obtain food lodging or other accommodation at any hotel inn boarding or eating house with intent to defraud the owner or keeper thereof shall be fined not exceeding one hundred dollars or be imprisond in the county jail not exceeding three months

Section 9 Proof that lodging food or other accommodations were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property or that the person refused or neglected to pay for such food lodging or other accommodation on demand or that he gave in payment for such food lodging or other accommodatin negotiable paper on which payment was refused or that he absconded without paying or offering to pay for such food lodging or other accommodation or that he surreptitiously removed or attempted to remove his baggage shall be prima facie proof of the fraudulent intent mentioned in section eight of this act but this act shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days

Section 10 It shall be the duty of every hotel inn or boarding house keeper within this Commonwealth to keep a copy of section eight and of section nine of this act printed in distinct type posted in not less than ten conspicious places in said hotel inn boarding or eating house

Section 11 That all acts or parts of acts inconsistent with this act are hereby repealed

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1774, entitled:

An Act to provide for the collection and compilation of certain vital statistics throughout the Commonwealth

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commissioner of Health is hereby authorized and directed to consolidate in the Central Bureau of Vital Statistics the necessary organization to secure the collection and compilation of all such vital statistics as the Department of Health is now or hereafter may be by law required to secure The executive head of said Bureau shall be the State Registrar of Vital Statistics who shall receive an annual salary of four thousand dollars ($4,000)

On the question,

Will the House agree to the section?

BILL DROPPED FROM CALENDAR.

Mr. CONNER. Mr. Speaker, as the sponsor of this bill, I move that it be dropped from the calendar.

Mr. SHERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1573, as follows:

An Act to repeal an act entitled "An Act to prohibit the sale of intoxicating drinks in the townships of Ohio in the county of Beaver" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-six in so far as the same applies to the borough of Midland

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-six entitled "An Act to prohibit the sale of intoxicating drinks in the township of Ohio in the county of Beaver" is hereby repealed in so far as the same applies to the borough of Midland which was formed out of part of the township of Ohio in said county of Beaver

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. E. E. JONES. Mr. Speaker, I would like to call up at this time House Bill No. 1469, page two of to-day's calendar, which was passed over.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1469, entitled:

An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax making an appropriation and providing penalties for the violation thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within sixty days after the approval of this act the Governor shall appoint a township deputy State Highway Commissioner whose duties shall relate to the improvement repair and maintenance of township highways and bridges who shall be paid a salary at the rate of six thousand dollars per annum and shall be allowed in addition to salary his actual traveling expenses when incurred in the performance of official duties Before taking office he shall give bond to the Commonwealth in an amount to be determined by the State Highway Commissioner conditioned for the faithful performance of his duties

The State Highway Commissioner shall subject to the approval of the Governor appoint any additional clerks officers and employes that may be required to carry out the provisions of this act fix the rate of their salary which shall not exceed that paid other employes of the department for similar service and the amount of the bond if any they shall be required to give

The salaries and expenses of all such employes shall be paid by the State Treasury upon warrant of the Auditor General out of the moneys appropriated therefor in the same manner as the salaries and expenses of other officers and employes of the State Highway Department are paid

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend section 1, line 5, by striking out the words "township deputy" and inserting in lieu thereof the words "Township Deputy"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The second section of the bill was read as follows:

Section 2 The Township Deputy under the direction of the State Highway Commissioner shall

First Have general supervision of all township highways and bridges which are constructed improved or maintained in whole or in part by the State-aid moneys excepting State and State-aid highways otherwise provided for

Second Prescribe rules and regulations not inconsistent with law fixing the duties of county and township officers in respect to all highways and bridges under his jurisdiction Such rules and regulations shall before taking effect be printed and transmitted to the highway officers affected thereby

Third Compel compliance with laws rules and regulations relating to such highways and bridges by highway officrs and see that the same are carried into full force and effect

Fourth Compile statistics relating to such public highways throughout the State and collect traffic census data and such other information in regard thereto as he shall deem expedient

Fifth Prepare tables showing total number of miles of highways in the State by township and county and file a copy of the same in the office of the State Highway Commissioner

Sixth Make an annual report to the State Highway Commissioner for publication covering the work of his department the condition and needs of the township roads of the Commonwealth and containing such recommendations as he shall deem necessary for their further improvement Said report shall also contain a complete list of the employes in his department and the compensation paid to each which shall be published as part of the State Highway Commissioner's report

Seventh Call such State county or township road meetings or conventions at such times and at such places as he shall deem wise and direct officers and employes of his department to attend

Eighth Perform such other duties and have such other powers as may be conferred by law or imposed by the State Highway Commissioner

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section 2, line 5, by striking out the word "State-aid" and inserting in lieu thereof the words "aid of State"

Amend section 2, line 8, by striking out the words "county and"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The third section of the bill was read as follows:

Section 3 The general supervision of road affairs in every township of the second class shall be in the hands of three qualified electors of such township who shall be styled township supervisors instead of road supervisors as under former laws and who shall be elected at the municipal elections in the odd numbered years for a term of four years The term of all supervisors elected in the year one thousand nine hundred and nine and one thousand nine hundred and ten shall expire on the first Monday of December one thousand nine hundred and thirteen and the term of all supervisors elected in the year one thousand nine hundred and eleven shall expire on the first Monday of December one thousand nine hundred and fifteen At the municipal election in the year one thousand nine hundred and thirteen and at each municipal election thereafter one supervisor shall be elected to fill each vacancy occurring

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend section 3, line 7, by striking out the word "year" and inserting the word "years"

Amend section 3, line 12, by inserting after the word "December", the words "one thousand nine hundred and thirteen or"

Amend section 3, line 12, by inserting after the word "fifteen" the words "as the case may be"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fourth section of the bill was read as follows:

Section 4 On the second Friday in December in the year one thousand nine hundred thirteen and every four years thereafter at one o'clock post meridan the township supervisors of each county of this Commonwealth shall meet in convention at the county court house or some other suitable place to be furnished by the county commissioners at the expense of the county and by a majority vote of the qualified township supervisors present elect one duly qualified person as county superintendent of township roads

It shall be the duty of the county commissioners of the several counties to give notice of such convention and election by advertisement in at least two newspapers once a week for three consecutive weeks the last publication to be at least a week prior to the date of said convention

Said convention shall be called to order by the county commissioners and shall organize by electing a president a secretary and at least two tellers from the township supervisors present The prothonotary of the county shall furnish to the president of such convention a correct duplicate list of the persons serving or acting as township supervisors said list to be arranged alphabetically by townships In taking the vote the president or secretary shall call in alphabetical order by townships the list thus furnished and each supervisor present shall when his name is called rise and announce the name of the candidate for whom he desires to vote or the convention may by majority vote decide to vote by ballot in which case each supervisor shall walk past the tellers and deposit his ballot in a receptacle placed for that purpose The tellers shall keep a correct tally of the vote as cast or count the ballots and report the same to the president who shall announce the vote to the convention In case of any discrepancy effecting the result of the election or in case no candidate receives a majority of the votes cast additional votes shall be taken until one person is duly elected

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 1, line 1, by inserting after the word "Friday," the words "after the first Monday."

Amend Section 4, line 9, by adding after the word "roads," the words "for a term of four years from the first day of January following."

Amend Section 4, line 20, by striking out the word "serving," and inserting in lieu thereof the word "elected."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fifth section of the bill was read as follows:

Section 5 Such convention shall by a majority vote determine the amount of the yearly salary that shall be paid to such superintendent which shall be an amount not less than nine hundred dollars ($900) nor more than one thousand five hundred dollars ($1,500) per year which together with such allowance for traveling and other necessary expenses as the State Highway Commission may deem proper shall be paid monthly by the State out of money appropriated therefor as other salaries and expenses of the Highway Department are paid

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 5, line 4, by striking out the word "nine" and ($900), and inserting in lieu thereof the word "twelve" and ($1,200).

Amend Section 5, line 4, by striking out the word "one" and inserting in lieu thereof the word "two."

Amend Section 5, line 5, by striking out "($1,500)" and inserting in lieu thereof the following: "($2,500)."

Amend Section 5, line 9, by inserting after the word "the" the word "State."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The sixth and seventh sections of the bill were separately read and agreed to as follows:

Section 6 It shall be the duty of the president and secretary of such convention to forthwith certify to the State Highway Commissioner upon blanks to be furnished by him the name and post office address of the person elected county superintendent of township roads together with the number of votes received by him for said office and the names and post office addresses of and number of votes received by the other candidates for said office upon the first and final ballot and the number of supervisors in attendance at such convention also the amount of annual salary fixed upon by said convention for the superintendent so elected together with the number of votes cast for and against said salary

Section 7 If because of lack of size or for any other reason the township supervisors in convention assembled should deem it inadvisable to elect a county superintendent of township roads they may by a majority vote petition the State Highway Commissioner to make such provision for the supervision of their town ship road affairs as he may deem wise and the State Highway Commissioner is hereby authorized in such case to join such county to some other county under mutually satisfactory arrangements creating a district and may allow the county superintendent to whose charge such county is added such additional compensation as he shall deem proper or the State Highway Commissioner may make such other arrangements for the supervision of the township roads

of such county as he may deem best Information of the action herein provided for shall be certified to the State Highway Commissioner upon blanks to be furnished by him in the same manner as provided for in the case of an election.

The eighth section of the bill was read as follows:

Section 8 Every township supervisor attending such convention shall be paid the sum of two dollars for expense and mileage at the rate of three cents per mile for each mile necessary to be traveled between the county seat and the home of such supervisor such sum to be paid out of the road funds of the respective townships upon presentation of a certificate attesting his presence at such convention signed by the president and secretary These provisions as to expenses and mileage may also apply to any other county convention that may be regularly called from time to time for road purposes

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 8, line 9, by inserting after the word "convention" the words "of township supervisors."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The ninth and tenth sections of the bill were separately read and agreed to as follows:

Section 9 If no valid objections to the elections of a county superintendent be filed with the State Highway Commissioner within fifteen days after his election a proper commission shall be issued to the person so elected for the ensuing term by the State Highway Commissioner under the seal of his department

If any objections to the election of any county superintendent be filed with the State Highway Commissioner within fifteen days from the date of election and such objections are signed among others by a majority of the members of not less than one-fifth of the boards of township supervisors entitled to participate in such convention and such objections are verified by the oath or affirmation of at least three objectors then in such case the State Highway Commissioner shall at a hearing inquire into and dispose of such objections The person whose election is so objected to shall have reasonable notice of the time and place of such hearing together with a copy of the objections made to his election At such hearing the State Highway Commissioner may require under oath or affirmation such evidence as he may deem necesary and proper and he is hereby authorized and empowered to administer the necessary oaths to all witnesses testifying before him

Section 10 If the State Highway Commissioner shall decide that such objections are sufficient such election of county superintendent shall be void whereupon he shall refuse to issue a commission to the person so certified by the president and secretary of the convention and the State Highway Commissioner shall then appoint for the full term or the remainder thereof a properly qualified person as county superintendent after having given careful consideration to any recommendations concerning such appointment which may have been made to him by the officers of the proper township supervisors association within ten days after he made public his decision in said case

The eleventh section of the bill was read as follows:

Section 11 For any such hearing herein provided the State Highway Commissioner shall have power to issue subpoena requiring witnesses to attend and testify and any person subpoenaed so to do who shall neglect or refuse to attend and give evidence at any such hearing shall be liable to the same fine and penalties as if he had refused to appear and testify in the court of common pleas of the county in which such hearing is held

Any such hearing may be held at such time and at such place as the State Highway Commissioner may direct and he may direct that so much of the cost and expense incurred on account of such hearing as he may approve shall be paid by the Commonwealth out of the Contingent Fund of the Highway Department

The State Highway Commissioner shall have power before proceeding with any such hearing to require the objectors to the election of any person as county superintendent to file a proper bond in favor of the Commonwealth in such amount and with such surety or sureties as may be approved of by him conditioned that if the said objectors to the said election fail to make good the objections filed by them then in that case they shall pay all necesary costs and expenses incurred on account of the filing of such objections and the hearing disposing of the same

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Section 11, line 13, by inserting after the last word "the," the word "State."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twelfth and thirteenth sections of the bill were separately read and agreed to, as follows:

Section 12 After the election of a county superintendent the duplicate list of township supervisors furnished to the president of the convention the tally sheets and all papers used in connection with the election shall be sealed by the tellers and be by them delivered to the prothonotary of the county who shall retain the same for at least thirty days thereafter and in case any objections are filed to the election of any person as county superintendent said prothonotary shall forthwith transmit all the papers deposited with him by the tellers to the State Highway Commissioner

Section 13 Every county superintendent so elected shall be a representative of the State Highway Commissioner in such county or district and subject to his authority the same as if appointed by him

Any county superintendent may be removed by the State Highway Commissioner at any time for neglect of duty incompetency intemperance immorality or other improper conduct as well as for the violation of any of the provisions of this act Provided That before any county superintendent shall be removed he shall be given a hearing of which he shall have reasonable notice together with a statement of the charges preferred against him

Any vacancy in the office of county superintendent by reason of death removal or otherwise shall be filled for the unexpired term by the State Highway Commissioner after careful consideration of any recommendations concerning it from the officers of the proper supervisors' association made within ten days after the vacancy occurs

The fourteenth section was read as follows:

Section 14 The County Superintendents of Township Roads elected or appointed according to the provisions of this act subject to the rules and regulations of the State Highway Commissioner shall

First, Have the general charge of all township highways and bridges within his district or county and see that the same are improved repaired and maintained as provided by law and according to the rules and regulations of the State Highway Commissioner have the general supervision of the work of constructing improving and repairing township bridges and highways in his district or county so far as is it practical to do so

Second, Visit and inspect highways and bridges in each township of his district or county at least once in each year or whenever directed by the State Highway Commissioner and advise and direct how to repair maintain and improve such highways and bridges

Third, Examine the various formations and deposits of gravel and stone in his district or county for the purpose of ascertaining the materials which are best available and suitable for the improvement of highways therein and when requested by the State Highway Commissioner submit samples of such formations and deposits and make a written report in respect thereto

Fourth, Establish or cause to be established such grades and recommend such means of drainage repairs and improvements as seem to him necessary when requested by the State Highway Commissioner the township or county officers

Fifth, Approve plans and specifications and estimates for the erection and repair of township bridges and culverts and the construction or repair of any township bridges or culverts unless such plans and specifications are in accordance with standards which the State Highway Commissioner is hereby directed to prepare or have been submitted to and approved by the State Highway Commissioner through the superintendent in charge of such county or district and no contract for the repair or construction of any township bridge or culvert shall be valid unless such contract is in accordance with standard plans prescribed or unless the plans specifications and estimates have been prepared or approved by the State Highway Commissioner

Sixth, Report to the State Highway Commissioner annually on or before December first in each year in relation to the township highways and bridges in his district or county containing such matter and in such form as may be prescribed by the State Highway Commissioner Additional reports shall be made from time to time when required by the State Highway Commissioner in respect to such matters as may be specified by him

Seventh, Attend any meeting or convention when directed to do so by the State Highway Commissioner Whenever a public meeting for a county or district shall have been called by the State Highway Commissioner he shall cause due notice to be mailed to each township supervisor or commissioner and such others as shall be directed by the State Highway Commissioner

Eighth, Perform such other duties as may be prescribed by law or the rules and regulations of the State Highway Commissioner

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 14, line 27 by inserting after the word "Commissioner" the word "or" and by striking out the words "or county."

Amend Section 14, line 29, by inserting before the word "the" the following "the construction and maintenance of township highways. He shall not approve of plans or specifications for."

Amend Section 14, line 30, by inserting after the word "Culvert" the words "to be constructed of concrete, stone or iron."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fifteenth section of the bill was read as follows:

Section 15 The supervisors of each township shall meet at the place where the auditors of the respective townships meet to perform their official duties on the first Monday in December one thousand nine hundred and thirteen and yearly thereafter and after being duly sworn or affirmed according to law to discharge their duties with fidelity a copy of the oath to be filed with the township auditors shall organize as a board by electing one of their number as chairman and shall appoint a treasurer and a secretary who may or may not be the same person and who may or may not be a member of the board and the secretary shall perform all the duties formerly performed by the township clerk which office has been abolished and the said secretary shall receive as compensation for his services such sum as shall be fixed by the township auditors Provided That the combined amount paid to said secretary and treasurer shall not exceed two per centum of the money paid out by said treasurer except where such percentage would be less than ten dollars The board shall proceed to levy a road tax which shall not exceed ten mills on each dollar of valuation this valuation to be the last adjusted valuation for county purposes and which shall be furnished to said township supervisors by the commissioners of the proper county Provided That a greater rate than ten mills and not to exceed ten additional mills may be levied by order of the court of Quarter Sessions of the peace of that county upon petition of the board of supervisors with their unanimous recommendation and upon due cause shown Provided however That the said road tax shall hereafter be collected in cash and no such taxes shall be payable in labor or worked out Each township shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January in each year as hereinafter provided for Provided That no township shall receive in any one year more than twenty dollars for each mile of township road in said township Upon receipt of the sworn statement from the board of township supervisors it shall be the duty of the State Highway Commissioner to certify to the Auditor General the amount due the respective township and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of the section to the treasurer of the board of township supervisors which shall be paid out of the moneys appropriated for that purpose Provided however No such payment shall be made until such treasurer has filed in the office of the superintendent of Highways in charge of such county or district and the State Highway Commissioner a certified copy of the bond given by him as hereinafter provided for in this act nor until the agreement for the expenditure of such State money together with the township's money has been made and approved as hereinafter provided for Whenever the township highway funds together with State-aid funds have been exhausted the board of supervisors is hereby authorized to issue a certificate of indebtedness and borrow on the credit of the township money in anticipation of taxes to be collected that year to the end that work may be perfomed in proper season and in accordance with rules and regulations prescribed

The State Highway Commissioner shall furnish from time to time of instruction to each board of township supervisors for the building repairing and maintenance and improvement of township roads and bridges and shall furnish any additional information when called upon to do so The State Highway Commissioner shall also furnish from time to time free of charge standards plans and specifications for permanent improvements in the building of bridges and culverts establishing of grades proper drainage and such other matters as he may deem essential The State Highway Department shall furnish blanks to the supervisors in which said supervisors or a majority of them shall make a sworn statement that the money has expended in building repairing maintaining dragging and improving the township roads according to the instructions standards of the Highway Department so far as the available funds and local conditions make it possible Provided further That upon the neglect or refusal of the supervisors of any township to carry out the instructions rules and regulations of the State Highway Commissioner then the State Highway Commissioner may withhold from said township so neglecting or refusing the amount to which it would otherwise be entitled for the year in which said neglect or refusal occurred

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 15, line 30, by inserting after the word "township" the words coming under the provisions of this act

Amend Section 15, line 43, by striking out the word "aomunt" and inserting in lieu thereof the word amount, and by striking out the word "the" at the end of the line and inserting in lieu thereof the word this.

Amend Section 15, line 48, by striking out the words "of Highways."

Amend Section 15, line 49, by inserting after the word "and" the word with.

Amend Section 15, line 57, by striking out the words "that year."

Amend Section 15, line 61, by inserting after the word "time" the word bulletins.

Amend Section 15, line 71, by inserting after the word "has" the word been.

Amend Section 15, by striking out all of line following line 73, number 71, and inserting the following 74 and specifications or the rules and regulations prescribed by the State.

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The sixteenth section of the bill was read and agreed to as follows:

Section 16 It shall be the duty of the board of township supervisors immediately after their organization as a board to divide their township into one or more road districts and they shall employ a superintendent for the entire township or a roadmaster for each district Township supervisors may require the superintendent or roadmasters to give bond with approved security for faithful performance of their duties and said superintendent or roadmasters shall at all times be subject to removal by the board of supervisors The township supervisors from time to time shall fix the wages to be paid per hour to the superintendent or roadmasters and laborers for work on the roads and bridges Provided however That nothing in this act shall prohibit the board of township supervisors from making a contract for the improvement and keeping in repair of not more than ten miles of road no contract to extend over a period of more than four years and no contract to be given unless approved of and signed by at least two of the board of township supervisors Every contractor for road work shall give bond for the amount of said contract and sign specifications furnished by the township supervisors for the building and care of such contract roads Provided also That nothing in this act shall prohibit the township supervisors should they deem it advisable from overseeing and working on the roads themselves in part or all of the roads in their townships in which case they shall not be required to employ a superintendent or roadmasters The compensation of such supervisors when overseeing or working on roads shall be fixed by the township auditors at the annual meeting in December herein provided for Provided however That the rate per day shall not be less than one dollar and fifty cents nor more than three dollars

The seventeenth section of the bill was read as follows:

Section 17 The township superintendent or the roadmasters under the general direction of the board of supervisors or the supervisors acting as superintendent or roadmasters all subject to the rules and regulations of the State Highway Commissioner shall

First, Have the general care and superintendence of the improvement of the highways and bridges in the township except as otherwise specially provided

Second, Cause such highways and bridges to be kept in repair and free from obstructions caused by snow and give the necessary directions thereof and inspect the highways and bridges within the township during the months of April and October of each year or at such other time as the board of supervisors or the superintendent may direct

Third, Divide the township into as many sections as may be necessary for the proper maintenance and repair of the highways therein and the opening of highways obstructed by snow

Fourth, Employ or hire such persons teams and implements as may be necessary for the proper maintenance and repair of highways and bridges and the removal of obstructions caused by snow subject to the approval of the board of supervisors and provide for the organization and supervision of the persons so employed and work on the roads themselves when directed and reports made and filed giving the names of all persons so employed dates on which work was done and nature and location of same with compensation paid to each and the capacity in which they are employed

Fifth, Construct and keep in repair sluices and culverts and cause the waterways bridges and culverts to be kept open

Sixth, Cause loose stones lying in the beaten track of every highway within his township to be removed Stones so removed shall be conveyed to some place from which they shall not work back or be brought back into the track by road machines road drags or by other implements used in repairing or maintaining such highways

Seventh, Report monthly to the board of supervisors containing the matter and in the form to be prescribed by the State Highway Commissioner

Eighth, Attend such road meetings and conventions as may be called when directed to do so by the board of supervisors

Ninth, Perform such other duties and have such other powers as may be imposed or conferred by law or the rules and regulations of the State Highway Commissioner

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 17, line 10, by inserting after the word "snow" the words trees brush et cetera

Amend section 17, line 25, by inserting after the word "employed" the words including supervisors superintendent or road masters

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The eighteenth section of the bill was read and agreed to as follows:

Section 18 The board of supervisors is authorized to purchase such material machinery road drags tools and implements as shall in its judgment be necessary for making and repairing roads and bridges the same to be the property of the township and used for the benefit of the township and to be properly housed and cared for by the board of supervisors

All contracts for the purchase of power rollers traction engines stone crushers concrete mixers or road machines for grading or scraping shall be made only after consultation with the County Superintendent in charge of such county or district and no such contract shall be valid unless it shall be approved and signed by such superintendent

The nineteenth section of the bill was read as follows:

Section 19 The treasurer appointed by the board of township supervisors shall be required to give bond with at least two sufficient sureties to be approved by the auditors of the township conditioned that the said treasurer shall well and truly account for and pay over all moneys collected or paid by the State as State-aid and received by him for road purposes according to law and such bond shall be filed with the township auditors and a certified copy of the same shall be filed with the County Superintendent and with the State Highway Commissioner He shall pay out such moneys received by him only upon a written order signed by two members of the board of supervisors which order shall be by the use of blanks prepared and furnished by the State Highway Commissioner which is for the purpose of providing a uniform system of accounting and auditing throughout the State

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 19, line 6, by striking out the words "as State-aid" and inserting in lieu thereof the words according to the provisions of this act

On the question,

Wil the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twentieth section of the bill was read and agreed to as follows:

Section 20 Moneys levied and collected or received from the State as State aid according to the provisions of this act shall be expended at such place and in such manner as may be agreed upon by the board of supervisors Such agreement which shall be upon a blank furnished by the State Highway Commissioner shall be written and signed in triplicate by a majority or all of the members of the board and shall be approved by the county superintendent in charge of such county or district and the State Highway Commissioner before the same shall take effect and before the State's money shall be paid to the treasurer of the board of township supervisors as hereinbefore provided One of such triplicate copies shall be filed with the treasurer one in the office of the county superintendent and one with the State Highway Commissioner

The twenty-first section of the bill was read as follows:

Section 21 The board of township supervisors shall annually before their organization meeting in December or as soon thereafter as practicable make or cause to be made written estimate of the amount of money which should be raised in the township for the ensuing year beginning on the first monday of December for the purpose therein set forth which shall be filed with the treasurer Such estimates for the purpose of aiding the board in determining how much road tax to levy shall specify

First The amount of money necessary to be levied and collected for the repair and improvement of highways including sluices

Second The amount of money to be levied and collected for the repair and construction of culverts and bridges

Third The amount of money to be levied and collected for the purchase hire repair and custody of tools implements and machinery

Fourth The amount of money necessary to be levied and collected for other miscellaneous purpose

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend section 21, by striking out the word "monday" and inserting "Monday"

Amend section 21, line 11, by inserting after the word "the" the word "maintenance"

Amend section 21, line 19, by inserting after the word "for" the words "the payment of debts or"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The twenty-second, twenty-third, twenty-fourth and twenty-fifth sections of the bill were separately read and agreed to as follows:

Section 22 After the taking effect of this act the fiscal year shall expire on the day before the first Monday in December in each year and all receipts disbursements contracts or purchases subsequent to that date shall be chargeable to and entered as of record in the fiscal year following

Section 23 The State Highway Commissioner shall supply the necessary books blanks and forms and shall prescribe the method of keeping township accounts of moneys received and expended as provided for in this act for highways machinery bridges tools and implements and for miscellaneous purposes which shall be uniform through the State so far as practicable All books blanks forms reports et cetera provided for in this act shall be forwarded by the State Highway Commissioner to the various boards of supervisors by December first of each year

Section 24 The supervisors for each township shall make or cause to be made a duplicate designating the amount of road tax levied against each taxpayer of the township and deliver the same to the township collector who shall after receiving said dulipcate give notice thereof in the same manner as is now required by law in collection of State county and poor taxes and shall give him a warrant to collect the tax which shall be collected as follows namely To all taxpayers who pay their road tax to the collector before June first of each year an abatement of five per centum shall be made on all road taxes paid to the collector between June first and October first of each year the taxpayers shall pay the full amount of the road tax levied against them and on all road taxes remaining unpaid on the first of October in each year the collector shall add five per centum thereto as penalty for such delinquency and shall collect said penalty in addition to the tax levied said penalty to be his compensation for collecting said delinquent taxes The tax collector shall be allowed two per centum on all taxes collected on his duplicate previous to the first day of June of each year and five per centum on all taxes collected from June first to October first

The tax collector shall keep correct accounts of all moneys collected marking paid on his dulipcate each taxable amount of tax and the date on which paid and said collector shall on the first of each month make a true and correct statement in writing to the secretary of the board of supervisors for their use of all taxes collected during the previous month giving names of taxables and amount collected from each and the total amount received and said collector shall pay over on the first day of each month to the treasurer all moneys collected during the previous month and take his receipt for same In case of the refusal or neglect of any tax collector to comply with the provisions of this act he shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than one hundred dollars or to be imprisoned for a term not exceeding one year or both at the discretion of the court

Section 25 The township supervisors shall meet for the transaction of business once each month at a time to be fixed by the board Two members shall constitute a quorum The board shall be allowed for necessary expenses including office rent and stationery light and fuel to be paid out of the township road funds Upon request the township auditors shall allow those supervisors who do not act in the capacity of superintendent or roadmasters to collect from the township road funds as compensation for serving as township supervisors an amount which will average not less than one dollar nor more than four dollars for each monthly meeting attended the amount to be determined by the township auditors

The twenty-sixth section of the bill was read as follows:

Section 26 In all cases where a vacancy occurs in the board of township supervisors from any cause the court of Quarter Sessions of the peace of the proper county shall not less than ten days after the receipt of a petition signed by one or both of the remaining members of the board and not less than ten owners of real estate who are qualified electors of the township appoint a successor to fill the office for the unexpired term

On the question,

Will the House agree to the section?

Mr. H. B. DUNN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 26 by striking out all the words of the section after the word "cause" on line 2 and inserting instead the following words "the two remaining supervisors shall appoint a sucessor to fill the office for the unexpired term and shall certify his appointment to the prothonotary of the county within fifteen days thereafter In the event of the remaining supervisors failing to agree upon a person to fill the vacancy or in the event of more than one vacancy occurring at the same time the court of Quarter Sessions of the proper county upon petition of at least one supervisor and ten taxpayers of the township shall appoint a person or persons to fill the vacancy or vacancies for the unexpired term or terms."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-seventh section of the bill was read and agreed to as follows:

Section 27 The board of township supervisors shall keep minutes of their proceedings and such books as they may find necessary in the performance of their duties all of which shall be open for the inspection of any taxpayer at all reasonable times and which shall be submitted for the information of the township auditors when said auditors meet to audit the accounts of the treasurer and other township officers and shall deliver such books papers and accounts to their successors The State Highway Commissioner may at such times as may be deemed expedient cause an examination to be made of all accounts and records kept as required by this act and it shall be the duty of all county and township officers to produce all such accounts for examination and inspection at any reasonable time on demand of a duly appointed representative of the State Highway Department It shall also be the duty of the treasurer to produce all such records for inspection of any taxpayer and to submit the same to the township auditors when said auditors meet as herein provided

The twenty-eighth section of the bill was read as follows:

Section 28 It shall not be lawful for any county superintendent township supervisor superintendent or roadmaster to be interested either directly or indirectly in any purchase made or contract relating to roads and bridges except as provided for in this act nor to furnish any materials therefor Any person knowingly violating the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to be imprisoned for a term not exceeding six months both or either at the discretion of the court

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 28, line 10, by adding after the word "court" the words "and shall forfeit his office."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twenty-ninth and thirtieth sections of the bill were separately read and agreed to as follows:

Section 29 If any county superintendent township supervisor township superintendent roadmaster or contractor employed to work on the roads bridges and highways of the Commonwealth shall violate any of the provisions of this act other than those otherwise provided for or shall fail neglect or refuse to carry out the provisions of the same he shall be guilty of a misdemeanor and upon conviction sentenced to pay a fine of not more than fifty dollars ($50) to be collected in the name of the township as other debts of like amount and paid to township treasurer for the use of the road fund of said township

Section 30 The township supeervisors or superintendents of the several townships of this Commonwealth elected or appointed in pursuance of this act shall have all the powers and shall perform all the duties imposed by the existing laws on supervisors of roads and bridges and highways and shall be subject to the same responsibilities and penalties as road supervisors are now subject to except in so far as changed or supplied by the terms of this act

The thirty-first section of the bill was read as follows:

Section 31 The board of supervisors of the several townships shall annually on or before the first day of January in each and every year make a sworn statement to the State Highway Commissioner on blanks furnished by them by the State Highway Commissioner of the whole amount of tax levied during the preceding year for road purposes and the total amount of road taxes collected during the year specifying in such report the amount expended for maintenance or repairs of roads for opening and building of new roads and for macadamizing or otherwise permanently improving roads and the number of miles thus made and the total number of miles of township roads in said township together with the names and addresses of the chairman members and secretary and treasurer of the board and such other matters and things as the State Highway Commissioner may require It shall be the duty of the clerk of courts in each county not later than the twentieth day of November following every municipal election to certify to the State Highway Commissioner the names and post office addresses of all supervisors and commissioners of the respective townships in said county The failure or neglect of any clerk of courts to furnish such list shall be deemed a misdemeanor which on conviction thereof shall be punished by fine of not more than fifty dollars at the discretion of the court

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 31, line 21, by striking out the word "which" and inserting in lieu thereof the word "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirty-second section of the bill was read as follows:

Section 32 The provisions of thi sact shall take effect the first Monday of December Anno Domini one thousand nine hundred and thirteen except those sections providing for the election of township supervisors which shall govern the election of township supervisors at the municipal election in the year one thousand nine hundred and thirteen As this act goes into effect all acts or parts of acts general special or local inconsistent herewith or supplied hereby be and the same are hereby repealed Provided however That an act entitled "An Act enabling the taxpayers of townships and road districts to contract for making at their own expense roads and paying salaries of township or road district officers and thereby preventing the levy and collection of road tax therein" approved June twelfth one thousand eight hundred and ninety-three and the act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county comissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven also "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved April twenty-eighth one thousand eight hundred and ninety-nine also "An Act to amend 'An Act to provide for the classification of townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved April twenty-eighth one thousand eight hundred and ninety-nine" approved the twenty-fourth day of May one thousand nine hundred and one shall not be repealed or affected hereby

On the question,

Will the House agree to the section?

Mr. E. E. JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 32 line 41, by inserting after the word "amend" the words "An Act entitled"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The thirty-third section and the title of the bill were separately read and agreed to, as follows:

Section 33 The sum of three million dollars ($3,000,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act for the two fiscal years beginning the first day of December Anno Domini one thousand nine hundred and thirteen

An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax making an appropriation and providing penalties for the violation thereof

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1023, entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations to set aside from the net profits each year a reserve fund to pay contingent losses and providing how it may be invested and validating such funds heretofore accumulated to permit members to secure repayment of their loans by giving a straight bond and mortgage for a fixed period not to exceed one-half of the loan authorizing them to loan money to other like associations under certain conditions and repealing all other laws inconsistent with this act

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any mutual savings fund or building and loan association now incorporated or hereafter to be incorporated

(a) To set aside from the net profits a sum not to exceed five per centum thereof each year as a reserve fund for the payment of contingent losses until the total amount of such fund so set aside shall equal five per centum of the assets of such association provided that no association shall reduce the dividend or interest payable on voluntary withdrawal as fixed by the board of directors or its by-laws for that purpose and all such funds heretofore accumulated by any such association from its profits not in excess of five per centum of the assets are hereby confirmed and made valid

Provided however that if at any time the assets of the association shall become reduced in amount and the contingent fund should thereby exceed five per centum of the remaining assets of the association then at the next dividend period the amount in excess of five per centum in said contingent fund shall be transferred to the general profit account of such association

(b) To permit members when loans are granted to secure the repayment thereof if so desired by giving to the association a straight bond and mortgage on real estate for a fixed period for an amount not to exceed one-half of the loan and upon such other terms and conditions as may be agreed upon and for the remainder of the loan which shall be on shares of the association and installment bond and mortgage on real estate in form as now provided by law provided that it shall not be lawful to collect premiums or fines on such straight bond and mortgage

(c) To provide in its by-laws that the loans shall be made first to the members of the association or to persons intending to become members if the loan be secured who shall bid the highest premiums for the preference or priority in procuring loans and it shall be competent and lawful for the borrower from such association to agree in writing upon a given rate of premium not to exceed two per centum per annum upon the amount of the loan in addition to the interest to be paid upon such loan without bidding for preference or priority And no premium contracted for under this section with or without bidding shall be deemed usurious although in excess of the legal rate of interest

The second section of the bill was read as follows:

Section 2 When there are moneys remaining in the treasury of any mutual savings fund or building and loan association unapplied for by any of its stockholders and not required to pay withdrawals and matured stock and borrowed money if any it shall be lawful for the board of directors to make temporary loan of such moneys to other mutual savings fund or building and loan associations on interest bearing order note or bond Provided that such order note or bond shall not bear a higher rate of interest than the lawful rate

On the question,

Will the House agree to the section?

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 2 by adding after the word rate in line 9, "provided further that the Board of Directors of any Mutual Savings Fund or Building and Loan Association shall not loan to any other one Mutual Savings Fund or Building and Loan Association more than ten per centum of its assets and not more than twenty-five per centum of its assets in the aggregate may be so loaned."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section of the bill was read and agreed to as follows:

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows:

An Act enlarging the powers of mutual savings fund or building and loan associations to set aside from the net profits each year a reserve fund to pay contingent losses and providing how it may be invested and validating such funds heretofore accumulated to permit members to secure repayment of their loans by giving a straight bond and mortgage for a fixed period not to exceed one-half of the loan authorizing them to loan money to other like associations under certain conditions and repealing all other laws inconsistent with this act

On the question,

Will the House agree to the title?

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend title by striking out the entire title after the words "An Act" and substituting the following:

"Enlarging the powers of mutual savings fund or building and loan associations, authorizing them to accumulate a reserve fund to pay contingent losses, and validating such funds heretofore accumulated; to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans; authorizing said associations to make loans in certain cases upon a stipulated premium; and further authorizing them to loan money to other like associations under certain conditions; and repealing all laws inconsistent with this act."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. LOHRS. Mr. Speaker, I desire to call up at this time, House Bill No. 1658, on page four of to-day's calendar.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1658, entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways country roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county Commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid there for and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing cost of maintenance of such street on the borough

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the eleventh day of May Anno Domini one thousand nine hundred eleven (Pamphlet Laws two hundred forty-four) which reads as follows to wit

Section 18 "Where a portion of a highway constructed or improved under this act or former acts traversing one or more townships shall lie within the limits of or traverse any borough and where the failure of said borough to improve said highway within its limits would leave a break or unimproved section in such continuous highway it shall be lawful for the councils of such borough to authorize by ordinance that proper officials of the borough enter into an agreement with the county commissioners of such county providing that the said commissioners improve the shortest and most reasonable road through said borough which will connect the two ends of such highway or highways Such ordinance shall also stipulate that the borough shall bear thirty-three and one-third (33 1-3) per centum of the total cost of such improvement within its limits and the county shall bear the remaining cost thereof and it shall further provide that the county commissioners shall have the right to issue permits determining the manner in which public service or other corporations or individuals shall place on or under such highway its pipes conduits telegraph lines or other device used in the furtheance of its business After such highway or highways are improved under this section it shall be the duty of the county to keep and maintain such improved highways in good repair The right is reserved however to the borough of policing the portion of such highway within its limits" be and the same is hereby amended to read as follows to 'wit

Section 18 When a borough intervenes between two ends of a county highway and the borough has failed to properly improve the street or streets constituting the shortest and most reasonable road through said borough which will connect the two ends of such highway it shall be lawful for the councils of such borough to authorize by ordinance that the proper officials of the borough contract in the manner herein provided with the county commissioners that the shortest and most reasonable route through said borough connecting the two ends of such highway be improved

Or when a county highway terminates at the corporate limits of a borough in the same or another county and con-

nects with a borough street which the borough has failed to properly improve and the county commissioners of the county in which the borough is located deem the improvement of such borough street necessary in order to make such county highway easily accessible to the residents of the borough or to the traveling public it shall be lawful for the councils of such borough to authorize by ordinance that the proper officials of the borough contract with the county commissioners in the manner herein provided that such borough street be improved Whenever an improvement is made to a borough street pursuant to this section it shall be lawful for the county to pay the total cost of such improvement or the cost may be divided between the borough and the county The borough ordinance authorizing the improvement shall stipulate what percentage of the cost if any shall be borne by the borough and what percentage shall be borne by the county The contract for any such improvement may be taken by the county upon the stipulation of the borough to pay its proportionate share of the cost if any upon the completion of the work or it may be taken by the borough upon a like stipulation of the county or the improvement may be made by joint contract

Before any highway is improved under this section the county commissioners and the proper borough officials shall agree upon the maintenance of the highway Such agreement may provide that such highway shall be kept and maintained in good repair by the borough or it may provide that it shall be kept and maintained in good repair by the county and the cost thereof paid by the borough to the county

The proper borough officials shall have the right to issue permits determining the manner in which public service or other corporations or individuals shall place on or under such highway railway tracks pipes conduits telegraph lines or other devices used in the furtherance of business

On the question,

Will the House agree to the section?

Mr. LOWERS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 1, line 6. After "forty-four" insert the following: "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth, and for the permanent improvement of certain public roads or highways therein; making such originally constructed or improved roads and highways county roads; authorizing the relocation, opening, straightening, widening, extension and alteration of the same, and the vacation of so much of any road as may thereby become unnecessary; providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties, and prescribing penalties for the violation thereof; providing for the taking of property for such improvement, the compensation to be paid therefor, and the payment of damages resulting from such taking, and the manner in which such damages may be determined; providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads; authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof; prescribing a method for improving a county road lying within or traversing a borough, and apportioning the cost of such improvement; and authorizing the vacation of any county road."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefore and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1211, as follows:

An Act extending the jurisdiction of the courts in actions wherein a corporation is or shall be a party

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any action wherein a corporation shall be a party the courts of the county where the action arose shall have jurisdiction equal with that of the courts of the county where such corporation has its principal office or transacts the principal part of its business and plaintiff may bring his action in either jurisdiction and service of process may be made in either jurisdiction in the manner prescribed by existing law

Section 2 This act shall apply to causes of action now existing or arising hereafter

Section 3 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1576, as follows:

An Act to amend an act entitled "An Act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" approved July two one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any corporation organized for profit created by general or special laws may purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation or corporations of this or any other State and while the owner of said stock may exercise all the rights powers and privileges of ownership including the right to vote thereon" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter any corporation created by general or special laws may purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of the capital stock of or any bonds securities or evidences of indebtedness created by any other corporation or corporations of this or any other State and while the owner of said stock may exercise all the rights powers and privileges of ownership including the right to vote thereon

Section 2 All acts or parts of acts general or special inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1283, as follows:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no assignment of or order for wages or salary to be earned in the future to secure a loan shall be valid against the employer of the person making said assignment or order unless said assignment or order is accepted in writing by the employer

Section 2 That no such assignment of or order for wages or salary to be earned in the future to secure a loan shall be valid when made by a married man unless the written consent of his wife to the making of such assignment or order is attached thereto before any such assignment or order is accepted in writing by the employer as provided in the first section of this act

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1282, as follows:

An Act exempting from levy and sale upon execution issued upon any judgment household goods and furniture in use as such to the value of three hundred dollars and providing a method for the apraisal of such household goods and furniture

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter household goods and furniture to the value of three hundred dollars belonging to any defendant and in use as such shall be exempt from levy and sale upon execution issued upon any judgment

That any understanding stipulation or agreement made by any defendant waiving the exemption herein provided for shall be null and void

Section 2 That the sheriff constable or other officer charged with the execution of any writ issued by any court for levying upon and selling the property of any defendant shall if requested by the defendant summon three disinterested and competent persons who shall be sworn or affirmed by the said sheriff constable or other officer to appraise the defendant's household goods and furniture in use as such to the value of three hundred dollars for which service the said appraisers shall be entitled to receive one dollar each to be charged as part of the costs of the proceedin gan all such household goods and furniture appraised as aforesaid of the value of three hundred dollars shall be exempt from levy and sale on such execution

Section 3 Nothing in this act shall be construed to apply to distraint for rent on a landlord's warrant

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1182, as follows:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred and four of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are may be inconsistent therewith" which reads as follows

"Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil unless proper free transportation be furnished to a suitable school in the district on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the cost of his tuition textbooks and school supplies only which shall not exceed that of the tuition text-books and school supplies of other pupils pursuing similar courses or studies in the same schools The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupil to attend the schools of another district on such terms as the two boards of school directors may mutually agree upon

The board of school directors in any school district in this Commonwealth may out of the funds of the district provide for the free transportation of any pupil to and from the public schools' is hereby amended so as to read

Section 1404 Where any pupil in any school district in this Commonwealth resides one and one-half miles or more by the public road from the nearest public elementary school in the district such pupil on obtaining the consent of the board of school directors thereof may attend any public elementary school in another school district more convenient of access without the consent of the board of school directors of the district where such pupil resides and the district where such pupil resides shall promptly pay to the district where such pupil attends the cost of his tuition text-books and school supplies only which shall not exceed that of the tuition text-books and school supplies of other pupils pursuing similar courses or studies in the same schools The board of school directors of any district in this Commonwealth may on account of convenience of access or other reasons permit any pupils to attend the schools of another district on such terms as the two boards of school directors may mutually agree upon Provided That where any pupil resides one and one-half miles or more by the public road the nearest elementary school located in any school district in this Commonwealth it shall be the duty of the board of school directors of the district in which such pupil resides to furnish proper transportation at the expense of the district to and from any school to which such pupil shall be by law entitled or permitted to attend

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1685, as follows:

An Act to amend section one of article six of an act approved the second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" By requiring wash houses to be erected within eight weeks after notice has been served on the owner operator or superintendent

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article six of an act approved the second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" which reads as follows

Section 1 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom The said building shall be maintained in good order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for supplying light heat and water therein or doing any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act" be and the same is hereby amended to read as follows

Section 1 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom which must be constructed within eight weeks from the receipt of said petition The said building shall be maintained in good sanitary condition and order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for supplying light heat or water therein or doing any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offence against this act

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill 1324, entitled:

An Act making public utilities owned by cities boroughs towns and townships and providing for the submission of the question of the sale or lease thereof to the electors of such cities boroughs towns or townships

Sections 1, 2. 3, 4, 5, 6, 7 and 8 were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That the term "Public Utility" as used in this act shall be taken to include any electric light plant electric power plant gas plant fuel or heating plant water supply or power plant sewer or sewage disposal plant street railway or other public utility of a like nature or character

Section 2 No city borough town or township being the owner or owners of any public utility shall have authority or power to sell or lease any such public utility until the question of such sale or lease shall be first submitted to and approved by the electors of such city borough town or township

Section 3 Whenever any city borough town or township shall desire to sell or lease any public utility it shall pass an ordinance or resolution to that effect and provide for the holding of an election for the purpose of obtaining the expression of the election upon such question Notice of such election shall be given to the electors of any such municipality by publication in three newspapers published in such municipality once a week for four weeks immediately preceding such election If less than three newspapers are published in such municipality then such notice shall be published in any newspapers published in such municipality and if no newspaper is published therein then notice shall be given by at least fifty printed hand bills posted in the most public parts of such municipality

Section 4 The advertisements or notices provided for in section three of this act shall state the time and place of holding such election the public utility in question and the proposed manner of disposal thereof a statement under oath by the president or treasurer of the council or corporate authorities of such city borough town or township showing the valuation of such public utility at the last inventory the total earnings and percentage of profit and loss cost of operation and maintenance thereof for the two years last past the name or names of the parties desiring to purchase or lease such public utility and the price or sum offered therefor

Section 5 The corporate authorities of such city borough town or township shall in all cases fix the time of holding any election in pursuance to this act on the day of any municipal or general election unless more than ninety days elapse between the date of the ordinance and any such election Any such election shall be conducted by the regular election officers and all electors of any such city borough town or township qualified under the laws of this Commonwealth to vote at general elections may vote at any such election

Section 6 The ballots used at any such election shall have printed on the outside in large plain letters "PROPOSED SALE OF" (naming public utility) or "PROPOSED LEASING OF" (naming public utility) and said ballot shall contain on the inside a brief statement of the object of the election naming the public utility to be sold or leased the name of the party seeking to purchase or lease the same and the sum offered and below such statement shall be printed in large letters "SHALL THE SALE (OR LEASE) BE MADE" followed by the words "YES" and "NO" and the qualified voters of any such city borough town or township shall at such election mark in the square opposite the words "Yes" and "No" by a cross mark (x) his answer to the question submitted The ballots so voted shall be deposited in a box specially provided for that purpose and shall be counted and a return thereof made by the election board to the clerk of the court of quarter sessions of the proper county and the clerk of the courts shall make a record of the same and shall furnish a certified copy thereof showing the result to the corporate authorities of such city borough town or township and the same shall be placed of record upon the minutes thereof

Section 7 If any such election be held at any time other than on the day of any general or municipal election the expense of holding the same shall be paid by such city borough town or township All penalties for the violation of the election laws of the Commonwealth of Pennsylvania are extended to any such election

Section 8 All acts or parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act making public utilities owned by cities boroughs towns and townships and providing for the submission of the question of the sale or lease thereof to the electors of such cities boroughs towns or townships

On the question,

Will the House agree to the title?

Mr. KAUFFMAN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line one, strike out "making" and insert "defining"

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1732, entitled:

An Act regulating the change of location of the place of business of corporations of the first class

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where a charter has been heretofore granted in the State of Pennsylvania by the court of common pleas of the proper county and the association thus chartered desires to change the location of its place of business a petition signed by the majority of its board of directors shall be filed in the office of the prothonotary in said county setting forth the exact description of the new location the character of the building for what other purpose if any the building has been or is being used the name of the owner of the building and the number of rooms therein and the number to be used by said association

Section 2 Hereafter all applications for charters to be granted by the court of common pleas of the proper county shall set forth in addition to the matters now required by law the facts specified in section one hereof

Section 3 Before any association so granted a charter by the court of common pleas of the proper county shall change the location of its place of business the petition containing the matters enumerated in the preceding sections after being so filed in the prothonotary's office whereof a reocrd shall be kept in said office shall be presented to and the approval had of the court of common pleas of the county that granted the charter for such association

Section 4 This act shall not take effect until sixty days after the passage of the same

The title was read as follows:

An Act regulating the change of location of the place of business of corporations of the first class

On the question,

Will the House agree to the title?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Strike out entire title and insert

"An Act "regulating to applications for charters of corporations of the first class; and regulating the change of location of the place of business of such corporations."

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1820 (Senate No. 590), entitled:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1546, entitled:

An Act to amend section five of an act entitled An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars approved the fifth day of March Anno Domini one thousand nine hundred and six (1906) by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dollars.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of the act approved March fifth one thousand nine hundred and six entitled "An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars which reads as follows

"Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than two hundred and fifty dollars" be amended so that the same shall read as follows

Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than five hundred dollars

On the question,

Will the House agree to the section?

Mr. PENNEGAR. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 1, line 9, by inserting quotation marks " after the word dollars.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act to amend section five of an act entitled An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars approved the fifth day of March Anno Domini one thousand nine hundred and six (1906) by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dollars

On the question,

Will the House agree to the title?

Mr. PENNEGAR. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title, line 1, by inserting quotation marks " after the word entitled.

Amend the title, line 6, by inserting quotation marks " after the word dollars.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1534, as follows:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each township treasurer of each and every township of the first-class within this Commonwealth within thirty days after receiving the tax duplicate shall notify every taxable whose name shall appear on such duplicate Such notice shall contain the rate of taxation the valuation of the property of such taxable the occupation of such taxable the full amount of taxes for which said taxable shall be liable for the current year Such notice shall further state that such taxes are payable shall designate a place and time or times and when they shall be paid and shall further state the time within which an abatement of tax will be allowed when the full amount of tax will be collected and when an additional percentage will be added as a penalty Such notice shall be mailed to the last known post office address of each of said taxables

Section 2 It shall be lawful for the said township treasurers to retain out of the respective taxes collected by them such actual printing and postage expenses as shall be incurred by them in performing the duties herein prescribed Such amounts so retained shall be adjusted by the township auditors at the time of auditing the treasurers accounts

Section 3 Before any allowance is made by the township auditors for commissions due to the township treasurer for taxes collected an affidavit shall be made by the treasurer setting forth that he had complied with the provisions of this act

Section 4 Any township treasurer failing to comply with the provisions of this act shall forfeit all right to commission on any taxes received and collected by him from any taxable not notified as herein provided

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requirnng bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the scond reading and consideration of House Bill No. 1458, entitled:

An Act regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13. 14, 15, 16, 17, 18, 19, 20, 21, 22 and 23 were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "documents" as used in this act shall be taken to mean all documents books pamphlets reports and other publications of similar or analogous nature printed at the expense of the Commonwealth for any department of the State Government or any branch thereof or for the General Assembly or for any legislative committee thereof or for any commission or commissioner authorized by law The term shall not include legislative bills the legislative journal legislative calendars or routine blank books or forms used in the performance of the work of the State Government bulletins issued by the departments of the State Government nor paper books briefs or other documents and papers printed for the use of the Attorney General

Section 2 There is hereby established in the Department of Printing and Binding a division to be known as the "Division of Distribution of Documents"

Section 3 The chief of the Division shall be appointed for the term of four years by the Superintendent of Public Printing and Binding with the approval of the Governor He shall before assuming the duties of his office take and subscribe to the oath or affirmation prescribed by the Constitution of this Commonwealth and shall give bond to the Commonwealth in the sum of ten thousand dollars ($10,000) conditioned on the faithful performance by him of the duties of his office He shall receive an annual salary of two thousand four hundred dollars ($2,400)

Section 4 The Superintendent of Printing and Binding shall appoint in said Division one male stenographer and typewriter who shall receive an annual salary of twelve hundred dollars ($1,200) Additional help for said Division shall be furnished when necessary by the Superintendent of Public Grounds and Buildings

Section 5 It shall be the duty of the State Printer when he shall print any documents at the expense of this Commonwealth to deliver all such documents to the Division of Distribution of Documents Failure or refusal to do so shall constitute a misdemeanor

Section 6 Whenever any documents shall be delivered to the chief of the Division he shall ascertain the number of the same and shall compare the paper printing and binding thereof with the paper printing and binding set forth in the order of the Superintendent of Public Printing and Binding to the State Priter for such documents and if he shall find any variance in the number of documents or in the quality of the paper or the printing or binding he shall report the same at once to the Superintendent of Public Printing and Binding

Section 7 It shall be unlawful for any officer of the State Government or for any legislative committee or for any commission or commissioner authorized by law to have any document printed except by the State Printer unless the State Printer is required to order printing done elsewhere because of the failure of the State Printer to do the work or it is necessary in order to expedite the printing for the said Superintendent of Public Printing to have the printing done elsewhere as now provided by law

Section 8 The chief of said Division shall distribute documents only on a written order addressed to the chief of the Division by the official or person entitled to such documents The distribution of any document the distribution of which is not provided for in this act shall be subject to the approval of the Superintendent of Public Printing and Binding

Section 9 The only persons who shall be entitled to order documents from the Division shall be the following namely the Governor the members of the General Assembly the heads and deputy heads of the various departments of the State Government Each department and each sole commissioner and the chairman of any lawful commission and the chairman of any legislative committee shall be entitled to order from the Division such document not enumerated in this act as may be necessary in the performance of the work of such department of commissioner or commission or committee or institution and also such documents not enumerated in this act as shall embody the results of the work of such department or any bureau or division thereof or of any such commissioner commission or committee

Section 10 As soon as copies of any document are delivered to the Division the Chief shall in writing notify each member of the General Assembly and each official and department and commission and committee of the number thereof to which he or it is entitled If such member of the General Assembly or official or department or commission or committee shall not requisition his or its quota within three months thereafter The documents so remaining unrequisitioned or any part thereof shall then be open to general requisition on the part of such member and official and department and commission and committee without regard to number There shall however be retained such number of each document for future use as the Superintendent of Public Printing and Binding shall determine Notification thereof shall be sent to said members and officials and departments and commissions and committees

Section 11 To the persons entitled to documents the chief shall furnish on request blank forms for orders for documents

Section 12 Whenever any department or committee or commission shall requisition and receive documents for distribution it shall be the duty of the head of such department committee

or commission to file with the Division before the first day of July of each year the exact number of documents of each kind that have been requisitioned but not distributed during the year ending the first day of June preceding said first day of July

Section 13 The Board of Commissioners of Public Grounds and Buildings shall furnish adequate rooms for conducting the affairs of the Division and shall furnish and keep the same duly furnished On requisition of the Chief of the Division countersigned by the Superintendent of Public Printing and Binding it shall furnish all supplies and labor that may be necessary in conducting the affairs of the Division

Section 14 The Superintendent of Public Printing and Binding shall (on requisition of the chief of the Division) furnish all printing that may be necessary in such Division

Section 15 The chief of the division shall on or before the first day of July annually report to the Superintendent of Printing and Binding the number of documents received the manner and on whose order they have been distributed and the number remaining undistributed He shall also report the names of those who in his judgment have unreasonably requested documents or who have exceeded in their orders the number of documents to which they would reasonably be entitled He shall also suggest improved methods leading to economy in the printing and distribution of documents This report or a summary thereof shall be included in the report of said superintendent to the Governor

Section 16 Documents shall be distributed in the following manner only

1 Personally to those entitled thereto or to their duly authorized agent

2 By mail if the documents be requested singly

3 When the documents can be sent more cheaply by commom carrier than by mail the distribution shall be in bulk by contract

Upon the requisition of any member of the General Assembly at any time during their term of office any document requested shall be delivered by mail or otherwise to the address of the person indicated in such requisition Due credit shall be given to the respective member by a slip attached to the front of such document upon which shall be printed "Compliments of John Doe member of the Senate (or of the House of Representatives as the case may be)" This however shall not prevent any member from having his allotment sent on requisition in bulk to his home or business address if he shall so desire

Section 17 During the month of July in each even numbered year the Superintendent of Public Printing and Binding shall by advertisemet solicit proposals for distributing documents which are to be distributed in bulk Such advertisements shall be once a week for four consecutive weeks The advertisements shall state approximately the manner in which the documents shall be shipped and shall give the time and place when and where the proposals shall be opened The Governor shall designate one daily newspaper in each of the following cities wherein such advertising shall appear namely Philadelphia Pittsburgh Scranton and Harrisburg The Governor may also designate one newspaper each in such other counties not to exceed five as he may deem proper The rates for such advertising shall not exceed the ordinary legal rate for such newspaper

Section 18 No proposal shall be considered unless it conforms to all of the following requirements

1 Each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal"

2 Each proposal shall be accompanied by a certificate check to the order of the State Treasurer in one-fourth of the amount of the proposal or by a bond in such form as shall be prescribed by the Superintendent of Public Printing and Binding and in the full amount of the proposal Each bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealth or two sureties approved by a judge of the court of Common Pleas of the county in which the bidder resides or the county wherein shall be located the principal place of business of the bidder

3 Each proposal together with the proper bond or check shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the Superintendent of Public Printing and Binding who shall retain all envelopes unopened until the time fixed by law for the opening thereof

Blank forms for proposals and blank forms for bond and surety with jurisidction thereof shall be furnished by the chief of the division to all prospective bidders

Section 19 Proposals for distributing documents in bulk shall be opened at twelve o'clock meridian on the second Monday of August in even numbered years and the contract for such distribution shall thereupon be awarded to the lowest and best bidder Bids shall not be opened nor a contract awarded except in the presence of the said Superintendent and of the said chief and of the Auditor General The Superintendent of Public Printing and Binding may however reject any or all bids and re-advertise as before The bids when opened shall be tabulated and shall be opened to inspection by all the bidders A record of all bids shall be kept by the Chief of the Division No contract shall be let without the approval of the Governor the Auditor General and the State Treasurer

Section 20 Each contract for the distribution of documents shall be prepared by the Attorney General and shall be for a period of two years from the fifteenth day of August in even numbered years If all proposals shall be rejected and a readvertisement determined upon any contract entered into thereafter shall be drawn so as to expire on the fifteenth day of August in the odd numbered year next ensuing

Section 21 Any bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for the check a bond as herein prescribed otherwise the check shall be retained in lieu of a bond

Section 22 The bonds and checks of all unsuccessful bidders shall be held by said Superintendent of Public Printing and Binding for a period of ten days from the date of opening the proposals after which time they shall be returned to the respective parties submitting them

Section 23 When a contract for the distribution of documents shall be awarded the contracts shall remove all documents to be distributed from the rooms of the division of distribution If the contractor shall fail to comply with the terms thereof the contract may be awarded to the next best and responsible bidder or the Superintendent of Public Printing and Binding may re-advertise and proceed as in the case of a new contract or he may have the work stipulated in the contract performed otherwise at the expense of the de faulting contractor and his surety or the Superintendent of Public Printing and Binding may call upon the surety on the bond to fulfill the terms of the contract If the contract be awarded to the next best bidder or be re-advertised and re-awarded or the work done otherwise as aforesaid the Attorney General shall in the name of the Commonwealth bring action against the defaulting contractor and his surety to recover fully the loss it any sustained by the Commonwealth by such default Any check that accompanied the proposal of such contractor shall be forfeited to the Commonwealth

The twenty-fourth section was read as follows:

Section 24 All documents of this Commonwealth shall be printed and bound and distributed as provided in this act The Governor and each member of the Senate and each member of the House of Representatives and each department and commission and institution shall be respectively entitled to requisition not more than the number of documents respectively hereinafter set forth

1 Two thousand copies each of the Governor's Inaugural Address Annual Biennial and Special Message one thousand of which shall be bound in cloth The Governor shall be entitled to requisition not more than five hundred copies each Senator seven copies each member of the House of Representatives four copies the State Librarian three hundred copies and the Secretary of the Commonwealth one hundred copies

2 Twenty-five thousand one hundred copies of the Pamphlet Laws of each session to be bound in sheep or United States standard buckram as the Superintendent of Public Printing and Binding shall deem most expedient Not more than twenty copies shall be labeled "Property of the Senate" and not more than twenty copies shall be labeled "Property of the House" Each Senator shall be entitled to requisition seventy-five copies each member of the House thirty-five copies the State Librarian five hundred copies the Governor one hundred copies each department five copies the Legislative Reference Bureau fifty copies and the Secretary of the Commonwealth twelve thousand copies to be distributed as provided by law One of the copies to each department shall be bound to match the sets now in each office

3 Three thousand copies of the Appropriation Laws shall be printed and bound in a separate volume in cloth Each Senator may requisition nine copies each member of the House four copies and the Secretary of the Commonwealth fifteen hundred copies

4 Four hundred copies each of the Journals of the Senate and of the House of Representatives to be bound in full sheep or otherwise as the Superintendent of Public Printing and Binding shall deem most expedient Not more than ten copies shall be labeled "Property of the Senate" and not more than ten copies shall be labeled "Property of the House" Each Senator shall be entitled to requisition one copy each member of the House one copy the State Librarian one hundred copies the Legislative Reference Bureau five copies the Secretary of the Commonwealth ten copies

5 Three thousand fifty copies of the report of the Auditor General on the finances Each Senator may requisition five copies eac hmember of the House five copies the Auditor General one thousand two hundred copies the Governor fifty copies the State Lirarian three hundred copies the Legislative Reference Bureau five copies

6 One thousand seven hundred fifty copies of the report of the State Treasurer Each Senator may requisition three copies each member of the House of copies the State Treasurer six hundred fifty copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies

7 On thousand five hundred copies of the general report of the Secretary of Internal Affairs Each Senator may requisition two copies each member of the House one copy the Secretary of Internal Affairs seven hundred copies the Governor fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

8 Four thousand copies of the report of the Secretary of Internal Affairs on Industrial Statistics Each Senator may requisition seven copies each member of the House four copies the Secretary of Internal Affairs two thousand two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau ten copies

9 Three thousand one hundred copies of the report of the Secretary of Internal Affairs on railroads canals and telegraphs Each Senator may requisition eight copies each member of the House five copies the Secretary of Internal Affairs one thousand two hundred copies the Secretary of Internal Affairs one thousand two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

10 Eight thousand four hundred copies of the report of the Department of Mines Each Senator may requisition fifteen copies each member of the House ten copies tht Department of Mines five thousand copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

11 Eleven thousand copies of the report of the Superintendent of Public Instruction Each Senator may requisition eight copies each member of the House five copies the Gov-

ernor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Sueprintendent of Public Instruction nine thousand one hundred copies for distribution among the various school districts of the State and the Legislative Reference Bureau five copies

12 Fifty-six thousand seven hundred copies of the School Laws and Decisions Each Senator may requisition twenty-five copies each member of the House fifteen copies the Governor one hundred copies the Secretary of the Commonwealth two hundred copies the State Librarian three hundred copies the Legislative Reference Bureau one hundred copies and the Superintendent of Public Instruction fifty thousand copies for distribution among the various school districts of the Commonwealth

13 Two thousand copies of the report of the Commissioners of Soldiers' Orphan Schools Each Senator may requisition three copies each member of the House two copies the @overnor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Commissioners one thousand copies

14 Three thousand seven hundred copies of the report of the Adjutant General Each Senator may requisition six copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Adjutant General one thousand eight hundred copies

15 Three thousand nine hundred copies of the report of the Insurance Commisisoner on fire and marine insurance Each Senator may requisition eight copies each member of the House five copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Insurance Commission two thousand copies

16 Five thousand four hundred copies of the report of the Insurance Commissioner on life and accident insurance Each Senator may requisition ten copies each member of the House five copies from Goverdnor fifty copies the Secretary of the Commonwealth fifrty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Insurance Commisisoner two thousand copies

17 Twenty thousand copies of the report of the Secretary of Agriculture Each Senator may requisition fifty copies each member of the House fifty copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Agriculture Experiment Station one hundred copies the Legislative Reference Bureau five copies and the Department of Agriculture two thousand five hundred copies

18 Thirty-two thousand six hundred copies of Smull's Legislative Hand Book Each Senator may requisition one hundred fifty copies each member of the House seventy-five copies each department two hundred copies the compiler of the Hand Book one hundred copies the Governor five hundred copies the State Librarian five hundred copies the Secretary of the Commonwealth five hundred copies the Legislative Reference Bureau one hundred copies From the number requisitioned by each department at least one copy shall be delivered by the head of such department to each officer and clerk therein

19 One thousand seven hundred copies of the report of the Board of Public Charities Each Senator may requisition five copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Board of Public Charities four hundred

20 Seven thousand five hundred copies of the report of the Fisheries Commission Each Senator may requisition thirty copies each member of the House fifteen copies the Governor one hundred copies the Secretary of the Commonwealth two hundred copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Fisheries Commision four hundred copies

21 Three thousand nine hundred copies of the annual report of the Commisioner of Health which may be bound in one or two volumes as theSuperintendent of Public Printing requisition eight copies each member of the House four annd Binding shall deem most expedient Each Senator may copies the Department of Health two thousand copies the Governor fifty copies the Secretry of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

22 Bulletins in pamphlet form issued by the Department of Health monthly or at longer intervals and not more than ten thousand copies at one issue The State Librarian may requisition three hundred copies the Legislative Reference Bureau ten copies and the Department of Health nine thousand copies

23 Two thousand six hundred copies of the report of the Commissioner of Banking on Banks Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Department of Banking seven hundred copies

24 Two thousand six hundred copies of the report of the Commissioner of Banking on Building and Loan Associations Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Department of Banking seven hundred copies

25 One thousand two hundred copies of the report of the Commissioners of the Sinking Fund Each Senator may requisition three copies each member of the House two copies the State Treasurer two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies and the State Librarian three hundred copies

26 Two thousand one hundred copies of the report of the State Librarian Each Senator may requisition five copies each member of the House three copies of the State Librarian one thousand copies the Governor fifty copies and the Secretary of the Commonwealth fifty copies

27 Five hundred copies of the report of the Superintendent of Public Printing and Binding The Superintendent may requisition two hundred and the State Librarian three hundred copies

28 Two thousand two hundred copies of the report of the Attorney General Each Senator may requisition five copies each member of the House three copies the Governor one hundred copies of the Secretary of th Commonwealth one hundred copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Attorney General eight hundred copies

29 Three thousand four hundred copies of the report of the Factory Inspector Each Senator may requisition five copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau twenty-five copies and the Factory Inspector one thousand five hundred copies

30 Two thousand copies of the annual report of the Trustees of Pennsylvania State College and accompanying papers Each Senator may requisition two copies each member of the House one copy the Governor thirty copies the Secretary of the Commonwealth thirty copies the State Librarian one hundred fifty copies and the remaining number for the trustees of the college The President of Pennsylvania State college may have any reprints of any parts of said annual reports or of earlier reports made and bound in paper in such number as he may deem necessary to meet the public demand provided however that the gross cost of the whole number of documents may amount to at least the contract price of five thousand annual reports on the contract for State printing now in force and such reprints of papers from past or future reports as may be necessary to meet the public demand in the judgment of a board consisting of the Governor of the State the Secretary of the Commonwealth the State Printer and Binder and the President of the College

31 Five thousand five hundred copies of the Report of the Department of Forestry Each Senator may requisition each copies each member of the House four copies the Department of Forestry three thousand six hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies and the State Librarian three hundred copies

32 Three thousand copies of the report of the Highway Commissioners Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Highway Commissioner one thousand one hundred copies

33 Bulletins in pamphlet form issued by the Department of Agriculture (other than Zoological Bulletins) not more than twenty-five thousand copies at one issue The State Librarian three hundred copies the Legislative Reference Bureau ten copies and the Department of Agriculture twenty-three thousand copies

34 Bulletins in pamphlet form issued by the Division of Zoology in the Department of Agriculture not more than fifty thousand copies at one issue The State Libririan may requisition three hundred copies the Legislative Reference Bureau ten copies and the Department of Agriculture forty-five thousand copies

35 Twelve hundred copies of the annual report of the Encampment of the Grand Army of the Republic as ordered by the Secretary of Internal Affairs The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Secretary of Internal Affairs eight hundred copies

36 Four thousand copies of the annual report of the Water Supply Commission The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau ten copies and the Water Supply Commission three thousand five hundred copies

37 One thousand four hundred copies of the annual report of the Report of Game Commissioners The State Librarian may requisition three hundred copies the Legislative Reference Bureau five copies and the Board of Game Commissioners one thousand copies

38 Two thousand eight hundred copies of the report of the Railroad Commission with the reports of the common carriers of the State Librarian may requisition three hundred copies the Legislative Reference Bureau five copies and the Railroad Commission two thousand copies

39 Bulletins in pamphlet form issued by the Highway Commissioner other than of automobile licenses and more than ten thousand copies at one issue. The State Librarian may requisition three hundred copies the Legislative Reference Bureau ten copies and the Commissioner of Highways nine thousand copies

40 Five thousand copies of the Annual Report of the State Fire Marshal The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau ten copies each Senator may requisition ten copies each member of the House five copies the Fire Marshal two thousand five hundred copies

On the question,

Will the House agree to the section?

Mr. SCHUCK. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section 24 article 30, page 18, line 228, after the words "number of" insert the words "reports and"

Also line 231 strike out after the word "force" the following, "and such reprints of papers from past or future reports as may be necessary to meet the public demand in the judgment of a board consisting of the Governor of the State the Secretary of the Commonwealth the State Printer and Binder and the President of the College," to the end of the article.

On the question,

Will the House agree to the amendmnets?

They were agreed to.

The section as amended was then agreed to.

Sections 25, 26, 27, 28 and 29 were separately read and agreed to as follows:

Section 25 Whenever any document of any kind not included in this act shall be printed by the State Printer for any branch of the State Government or for the General Assembly or for any legislative committee or for any commission or commissioner authorized by law four hundred and five copies thereof shall be printed in addition to the number called for Of such additional copies the Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies The order for printing such additional copies shall be included by the Superintendent of Public Printing and Binding in his order to the State Printer for such publication

Section 26 If it shall be found at any time that more copies of any document are printed than are actually needed the Governor is authorized by order directed to the Superintendent of Public Printing and Binding to decrease the number of such documents if he may see fit

Section 27 It shall be the duty of the head of each department commission State Library and Chief Clerk of the Senate and House of Representatives at the close of each year to turn over to the Division of Distribution of Documents all such pamphlet bulletins reports et cetera as will not be needed to supply a possible demand and shall take a receipt for the same the Superintendent of Public Printing and Binding to have authority upon approval of the Governor to sell such waste material the proceeds from such sales to be turned into the State Treasury

Section 28 Any person that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and to undergo an imprisonment in the jail of the proper county for a period not exceeding six months

Section 29 The act approved the seventeenth day of April one thousand nine hundred five entitled "An Act to regulate the publication binding and distribution of the public documents of this Commonwealth" and all other acts and parts of acts regulating the number and distribution of public documents and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed But this repeal shall not operate to revive any law not in force at the date of the approval of this act This act shall not become operative until the present contracts for distribution of documents shall have terminated

The title was read as follows:

An Act regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act

On the question,

Will the House agree to the title?

Mr. SCHUCK. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, after heading "An Act" insert "Creating a Division of Distribution of Documents defining its powers and duties."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1868 (Senate No. 465), entitled:

A joint resolution providing for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvania commands in the war for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1119, entitled:

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipal corporations are hereby empowered to construct and maintain street railway tracks with such curves switches connections sidings and other appurtenances as may be deemed necessary upon streets alleys and other highways within said municipalities where street railway tracks are not now laid and lawfully maintained or where no lawful right then exists in any other person or corporation authorizing the laying of said tracks Said corporations may also equip such tracks for operation by electricity or otherwise with poles wires or other overhead surface or subsurface structures Said municipal corporation may also construct and maintain such tracks and equipment upon private property in all cases where under existing laws other corporations might be authorized to construct tracks and equipment thereon

On the question,

Will the House agree to the section?

Mr. ISLER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 1, by striking out in lines 9, 10, 11 the words "or where no lawful right then exists in any other person or corporation authorizing the laying of said tracks."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 Said municipal corporations are hereby empowered to lease said tracks and equipment to other persons or corporations authorized by law to maintain and operate street passenger railways Such leasing may be upon any terms which are agreeable to the said municipal corporation and to the lessee provided that such lease shall not exceed a period of twenty-five years unless provision is made for the termination of the lease at any time upon six months' notice Provided further that the rent reserved in such leases shall be not less than six per centum per annum upon the cost of construction and a sufficient additional amount to maintain said rails and equipment in good order and repair or the said lease may provide that the lessee shall maintain the same in good order and repair and may also provide for such further and additional compensation as may be mutually agreed upon Said lease shall not create an exclusive right in any person or corporation and such tracks and equipment shall at all times be available to any person or corporation having the authority to maintain street passenger railways thereon upon such conditions as are herein provided for and may be agreeable to the parties hereto

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1318, as follows:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein" which reads as follows

"Section 4 Immediately after the organization of council in pursuance of this act after the November election of one thousand nine hundred and thirteen the council shall proceed by lot to fix the terms of councilmen elected in that year One-half of the councilmen then in office shall serve for four years and these shall be apportioned so that there shall be equal or as nearly equal as possible representation by wards in the long term the apportionment to be by lot if it cannot otherwise be made and the remaining one-half of the councilmen which latter one-half is to be selected from those elected in the year one thousand nine hundred and thirteen shall serve two years and bienially thereafter upon the first Tuesday following the first Monday of November in odd numbered years one-half the borough councilmen in each borough council shall be elected Provided That where the number of councilmen in any borough is not divisible by two as where there are seven councilmen or nine or eleven then or in that case three or four or five councilmen as the case may be shall after being selected by law as hereinbefore provided serve for two years and the remainder of the councilmen shall serve for a term of four years and thereafter vacancies shall be filled at the biennial election as the offices become vacant or as the several terms of town council shall expire the purpose of this act being that as nearly as possible one-half of the councilmen of each borough of this Commonwealth shall be elected at each biennial election" is hereby amended to read as follows

Section 4 At the organization of council in pursuance of this act after the November election of one thousand nine hundred and thirteen the council shall proceed to divide the members thereof into two classes The first class shall consist of those elected in one thousand nine hundred eleven for a term of four years with a sufficient number added from those elected in one thousand nine hundred thirteen so that altogether they shall constitute one-half of the entire number of which the council is legally composed and where such entire number is seven nine or eleven then sufficient to constitute three four or five as the case may be and the second class shall consist of the remaining number of councilmen The members of first class shall serve for the term of two years from the date of such organization to wit until the first Monday of January one thousand nine hundred sixteen and the members of the second class shall serve for four years from the date of such organization to wit until the first Monday of January one thousand nine hundred eighteen The selection of short and long term members from those elected in one thousand nine hundred thirteen shall be made by lot except that in boroughs divided into wards the apportionment shall be so made that there shall be equal or as nearly as possible representation by wards in the long term And biennially thereafter upon the Tuesday following the first Monday of November in odd numbered years a sufficient number of councilmen shall be elected for the term of four years to fill the places of those whose terms under the provisions of this act shall expire on the first Monday of January next following such election The purpose of this act being that as nearly as possible one-half of the councilmen of each borough of this Commonwealth shall be elected at each biennial election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1113, entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease purchase condemnation or otherwise and to maintain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface or elevated street railway connecting therewith to corporations or individuals with the right in the municipalities to charge an additional sum for each passenger using against the husband in such case on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh one thousand nine hundred and one Pamphlet Laws five hundred and twenty-three and supplements and amendments thereto.

Sections 1, 2, 3, 4, 5 and 6 were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities are hereby authorized and empowered to construct or to acquire by lease purchase condemnation or otherwise underground street passenger railway or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to maintain and operate the same

Section 2 Said municipalities shall have the right to enact ordinances providing for the laying out of routes or locations for said underground street passenger railways or subways and connecting street passenger railways or elevated railways

Section 3 In case the municipalities desire to obtain any lands or properties necessary for the construction or operation of said railways and are unable to agree with the owner or owners upon the price to be paid therefor the court of Common Pleas of the county wherein said underground street passenger railway is located or any law judge in vacation on application therefor by petition of said municipalities shall appoint three discreet and disinterested persons as viewers and appoint a time not less than ten or more than twenty days thereafter when said viewers shall meet and inspect the property appropriated or intended to be appropriated by said municipality

Section 2 Said viewers having been duly sworn or affirmed justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken and to whom the same is payable and preapare a schedule thereof and give notice to all parties interested of the time (not less than ten days thereafter) and of the place where they shall meet and exhibit the schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever changes are deemed necessary said viewers shall make report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing said premises

Section 5 If the compensation to be paid for any lands or public utility which the municipality desires to obtain for said purposes cannot be agreed upon between the owners thereof and such municipality and if the municipality desires to take possession of such property it shall be lawful for it at any time after the appointment of said viewers to tender its bond with surety as security to the owner or owners of such lands or public utility the condition of which shall be that the said municipality shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided by this act In case the owner or owners of such property refuse to or do not accept said bond the said municipality shall give the owner or owners thereof written notice of the time when the same shall be presented for approval and said bond shall be presented to the Court in which the said petition for the appointment of viewers has been filed and when approved said bond shall be filed in the said court for the benefit of said owner or owners and upon the approval of said bond said municipality may enter upon appropriate take hold use and control such lands or property and shall hold the same in fee simple

Section 6 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report in court or the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or Supreme Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the said municipality The Court of Common Pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

The seventh section was read as follows:

Section 7 Said municipalities shall also have the power to loose to corporations or individuals the railways owned leased or otherwise acquired or controlled by the municipality upon such terms and conditions as may be agreed upon

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section seven, line two, strike out "loose" and insert in lieu thereof the following "lease"

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Sections 8, 9, and 10 were separately read and agreed to as follows:

Section 8 The municipality shall also have the right in addition to any charges made by an operating or leasing company to charge an additional sum not exceeding two (2) cents per passenger for the use of the said underground railway or subway to meet the interests and sinking fund charges on the cost thereof

Section 9 In addition to the powers herein enumerated said municipality owning or controlling said underground street railway together with any surface or elevated street railway connected therewith shall have the rights and powers of underground or elevated passenger railway companies under an act approved June seventh one thousand nine hundred and one Pamphlet Laws five hundred and twenty-three entitled "An Act to provide for the incorporation and government of passenger railways either elevated or underground or partly elevated and partly underground with surface rights"

Section 10 Any act or parts of acts conflicting herewith be and the same hereby repealed

The title was read as follows:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease purchase condemnation or otherwise and to maintain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface or elevated street railway connecting therewith to corporations or individuals with the right in the municipalities to charge an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh one thousand nine hundred and one Pamphlet Laws five hundred and twenty-five and supplements and amendments thereto

On the question,

Will the House agree to the title?

Mr. BIGGER. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line eighteen, after "one" insert the following "An Act to provide for the incorporation and government of passenger railways, either elevated or underground, or partly elevated and partly underground, with surface rights."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1080 (Senate No. 116), as follows:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to throw or cause to be thrown any glass or metal or refuse dangerous or detrimental to the traveling public upon any highway of any township or borough

Section 2 Any person who shall violate the provisions of this act shall upon conviction thereof before any justice of the peace of the proper township or borough be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1112, as follows:

An Act authorizing and empowering municipalities to construct and for this purpose procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase by stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality and to lease the same to corporations or individuals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities are hereby authorized and empowered to construct or to acquire by condemnation lease purchase stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality

Section 2 The said municipality shall have the right to enact ordinances providing for the laying out of the routes or locations of the said street railways electric lights or gas works and other public utilities

Section 3 In case the municipalities desire to obtain any lands or properties necessary for the construction or operation of said public utilities or to acquire by condemnation the existing plants or systems of private companies operating such public utilities and are unable to agree with the owner or owners upon the price to be paid therefor the court of common pleas of the county wherein the said lands or properties or said public utilities or parts thereof are located or any law judge in vacation on application therefor by petition of said municipalities or owners shall appoint three (3) discreet and disinterested persons as viewers and appoint a time not less than ten (10) nor more than twenty (20) days thereafter when said viewers shall meet and inspect the property or public utility appropriated or intended to be appropriated by the said municipality

Section 4 Said viewers having been duly sworn or affirmed justly and impartially to decide and a true report to make concerning matters to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall hear all parties interested and their witnesses and shall estimate and determine the damage for the property taken and to whom the same is payable and prepare a schedule thereof and give notice to all parties interested of the time (not less than ten days thereafter) and of the place where they shall meet and exhibit the schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever changes are deemed necessary said viewers shall make report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing said premises

Section 5 If the compensation to be paid for any lands or public utility which the municipality desires to obtain for said purposes cannot be agreed upon between the owners thereof and such municipality and if the municipality desires to take possession of such public utility it shall be lawful for it at any time after the appointment of said viewers to tender its bond with surety as security to the owner or owners of such lands or public utility the condition of which shall be that the said municipality shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided by this act In case the owner or owners of such property refuse to or do not accept said bond the said municipality shall give the owner or owners thereof written notice of the time when the same shall be presented for approval and said bond shall be presented to the court in which the said petition for the appointment of viewers has been filed and when approved said bond shall be filed in said court for the benefit of said owner or owners and upon the approval of said bond said municipality may enter upon appropriate take hold use and control such lands or public utilities and shall hold the same in fee simple

Section 6 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report in court or the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or Supreme Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the said municipality The said court of Common pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

Section 7 Said municipalities shall also have the power to lease to corporations or individuals the street railways electric light or gas works or other public utilities owned leased or otherwise acquired or controlled by the said municipality upon such terms and conditions as may be agreed upon

Section 8 Any act or part of acts conflicting herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill 1118, as follows:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works or systems of water works or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or sytems of water works

Whereas, It has been determined that under the present legislation municipalities having the power to provide a supply of water for municipal and domestic purposes, have exhausted

the same by reason of franchises granted to private water companies, and

Whereas, It is desirable that all municipalities shall have the power to supply water for municipal and domestic purposes through municipal systems, and

Whereas, It is desirable that such right should not be given to municipalities in competition with private water companies which have constructed water works within the limits of such municipalities without providing for the acquisition of the water works of such private companies upon a basis which is fair and equitable both to the municipalities and to the private companies.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities of this Commonwealth shall have the power and authority to provide a supply of water both for municipal and domestic purposes by the construction and operation of water works or sytems of water works Provided however That where a private water company is now or hereafter supplying any municipality or any part thereof for municipal and domestic purposes that the municipality shall not erect or construct its own water works if the private company shall upon the request of the municipality signify its consent in writing to sell its water works or system of water works to the municipality or so much thereof as may come within the limits of the municipality upon the following basis to wit

The then value of the physical property within fifteen (15) per centum additional thereto and no allowance shall be made for franchise values or for any rights in the streets of the municipality or for earning power either present or future Provided That if a contract between a municipality and a private water company for the purchase of the said water works or portion thereof then upon the terms and conditions provided in said contract

Section 2 If the said water company shall within thirty (30) days after the request of the municipality signify its consent in writing to sell its water works or systems of water works or the portion thereof lying within the municipality upon the basis herein provided then the municipality shall be bound to purchase the same

If the said private water company shall refuse or not so signify its consent in writing within thirty days to sell its water works within said territory upon the basis herein provided then the said municipality shall have the right to lay its water mains and construct its water works or systems of water works in the territory supplied by said company within the limits of such municipality

Section 3 If the said water company shall signify its consent in writing to sell its water works or systems of water works upon the basis herein provided then the court of common pleas of the county within which said municipality is located shall upon the petition of said municipality or the said water company appoint three disinterested persons as viewers or arbitrators who shall appraise the value of the said water works or systems of water works and said viewers or arbitrators and the parties to the said proceedings shall proceed in the same manner and with all the rights and powers given to the viewers and to the parties with reference to the appraisement and acquisition of said property as provided by an act approved March fourteenth one thousand nine hundred and nine (Pamphlet Laws sixty-seven) entitled "An Act authorizing municipalities to purchase or condemn public toll-bridges crossing rivers or streams within the limits thereof and giving power to municipalities to charge and collect tolls or rentals for the use of any such bridge from any railway telephone or telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel and providing for the preservation of existing contracts with such persons and their assignment to such municipality"

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1278, entitled:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys smoke stacks or other source

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all boroughs within this Commonwealth shall have the power to regulate by ordinance production or emmission of smoke or dust from any chimney smoke stack or other source"

On the question,

Will the House agree to the section?

Mr. LOWERS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Amend Section 1, line 6, by striking out the words "or dust." And in line 5, insert after the word "ordinance," the word "the."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys smoke stacks or other source

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1163, entitled:

An Act authorizing and empowering counties to construct and for this purpose procure locations therefore by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities and to lease the same to corporations or individuals

The first and second section were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That counties are hereby authorized and empowered to construct or to acquire by condemnation lease purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities

Section 2 In case the counties desire to obtain any lands or properties necessary for the construction or operation of said public utilities or to acquire by condemnation the existing plans or systems of private companies operating such public utilities and are unable to agree with the owner or owners upon the price to be paid therefor the court of common pleas of the county wherein the said lands or properties or said public utilities or parts thereof are located or any law judge in vacation on application therefor by petition of said counties or owners shall appoint three (3) discreet or disinterested persons as viewers and appoint a time not less than ten (10) nor more than twenty (20) days thereafter when said viewers shall meet and inspect the property or public utility appropriated or intended to be appropriated by the said county

The third section was read as follows:

Section 3 Said viewers having been duly sworn or confirmed justly and impartially to decide and a true report to be made concerning all matters to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken and to whom the same is payable and prepare a schedule thereof and give notice to all parties interested of the time (not less than ten days thereafter) and of the place where they shall meet and exhibit the schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever changes are deemed necessary said viewers shall make a report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing said premises

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend Section 3, line 1, by striking out the word "confirmed" and inserting the word "affirmed."

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The fourth section was read as follows:

Section 4 If the compensation to be paid for any lands or public utility which the county desires to obtain for said purposes cannot be agreed upon between the owners thereof and such county and if the county desires to take possession of such public utility it shall be lawful for it at any time after the appointment of said viewers to tender its bond with surety as security to the owner or owners of such lands or public utility the condition of which shall be that the said county shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided by this act In case the owner or owners of such property refuse to or do not accept the said bond the said county shall give the owner or owners thereof wrtiten notice of the time when the same shall be presented for approval and said bond shall be presented to the court in which the said petition for the appointment of viewers has been filed and when approved said bond shall be filed in the said court for the benefit of said owner or owners and upon the approval of said bond said county may enter upon appropriate take hold use and control such lands or public utilities and shall hold the same in fee simple

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following aemndment.

The amendment was read by the Clerk.

Amend section 4, line 15, by striking out the word "shall" and inserting the word "will"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The fifth, sixth and seventh sections and the title were separately read and agreed to as follows:

Section 5 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report in court for the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or Supreme Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the county The said Court of Common Pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

Section 6 Said counties shall also have power to lease to corporations or individuals the street railways electric light or gas works or other public utilities owned leased or otherwise acquired or controlled by said county upon such terms and conditions as may be agreed upon

Section 7 Any act or parts of acts conflicting herewith are hereby repealed

An Act authorizing and empowering counties to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities and to lease the same to corporations or individuals

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1110, entitled:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eight day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale to the use thereof as will protect such parks parkways and playgrounds and providing for the manner of ascertaining determining awarding and making compensation and damages in all cases where the property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven which reads as follows

"Section 2 It shall be lawful for and the right is hereby conferred upon cities of this Commonwealth to purchase acquire enter upon take use and appropriate neighboring private property within two hundred feet of the boundary lines of such property so taken used and appropriated for public parks parkways and playgrounds in order to protect the same by the resale of such neighboring property with restrictions whenever the councils thereof shall by ordinance or joint resolution determine thereon Provided that in the said ordinance or joint resolution the councils thereof shall declare that the control of such neighboring property within two hundred feet of the boundary lines of such public parks parkways or playgrounds is reasonably in order to protect such public park parkways or playgrounds their environs the preservation of the view appearance light air health or usefulness thereof" be amended as to read as follows

"Section 2 It shall be lawful for and the right is hereby conferred upon cities of this Commonwealth to purchase acquire enter upon take use and appropriate neighboring private property within two hundred feet of the boundary lines of such property so taken used and appropriated for public parks parkways and playgrounds for the purposes of imposing restrictions upon such neighboring property which restrictions whenever the councils thereof shall by ordinance or joint resolution determine thereon Provided That in the said ordinance or joint resolution the councils thereof shall declare that the control by restrictions of such neighboring property within two hundred feet of the boundary lines of such public parks parkways or playgrounds is reasonably necessary in order to protect such public parks parkways or playgrounds their environs the preservation of the view appearance light air health or usefulness thereof

On the question,

Will the House agree to the section?

Mr. J. J. CAMPBELL. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Amend section 1, line 8, by inserting after the word "take" the word "use"

Amend section 1, line 13, by inserting after the word "resale" the words "in regard"

Amend section 1, line 15, by striking out the word "making" and inserting in lieu thereof the word "paying"

Amend section 1, line 21, by striking out the word "private"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The second section was read as follows:

Section 2 That section three of said act which reads as follows

"Section 3 That it shall be lawful for and the right is hereby conferred upon the cities of this Commonwealth to resell such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will fully insure the protection of such parks parkways and playgrounds their environs the preservation of the view appearance light air health and usefulness thereof whenever the councils thereof shall by ordinance or joint resolution determine thereon" be amended so to read as follows

"Section 3 That it shall be lawful for and the right is hereby conferred upon the cities of this Commonwealth to impose such restrictions upon such neighboring property in regard to the use thereof as will fully insure the protection of such public parks parkways and playgrounds For the purpose of imposing restrictions upon such neighboring property whenever the councils thereof shall by ordinance or joint resolution determine such restrictions are necessary in order to protect such public parks parkways and playgrounds their environs and preservation of the view appearance light air health or usefulness thereof

Section 3 That section four of said act which reads as follows

"Section 4 The taking using and appropriating by the right of eminent domain as herein provided of private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds and of neighboring property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect such public parks parkways and playgrounds their environs preservation of the view appearance light air health and usefulness thereof by reselling such neighboring property with such restrictions in the deeds of resale as will protect said property so taken for the aforesaid purpose is hereby declared to be taken using and appropriating of such private property for public use Provided however That the proceeds arising from the resale of any such property so taken shall be deposited in the treasury of said cities and be subject to genral appropriation by the councils of said city" be amended so as to read as follows

Section 4 The taking using and appropriating by the right of eminent domain as herein provided of private property for the purpose of imposing upon neighboring property within two hundred feet of the boundary lines of such public parks parkways and playgrounds restrictions in order to protect such public parks parkways and playgrounds their environs preservation of the view appearance light air health and usefulness thereof by such restrictions is hereby declared to be taking using appropriating and restricting of such private property for public use

On the question,

Will the House agree to the section?

Mr. J. J. CAMPBELL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend section 2, line 7 by inserting after the word "such" the word "public"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eight day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 938, entitled:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one.

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by an act entitled "An Act to amend the eighth section of the act entitled 'An Act to restrain and regulate the sale of vinous and spiritous malt and brewed liquors or any admixture thereof" approved May thirteenth Anno Domini one thousand eight hundred and eighty-seven providing that the license money shall be paid into the treasury of the city county borough and township whenever the licensed places are situated and increasing the amount of license to be paid in cities of the first and second class" approved the ninth day of June one thousand eight hundred and ninety-one which as amended reads as follows

"Section 8 That all persons licensed to sell at retail any vinous spirituous malt or brewed liquors or any admixture thereof in any house room or place hotel inn or tavern shall be classified and required to pay annually for such privilege as follows Persons licensed to sell by retail resident in cities of the first and second classes shall pay the sum of one thousand dollars and those resident in cities of the third class shall pay the sum of five hundred dollars those resident in all other cities shall pay three hundred dollars and those resident in boroughs shall pay the sum of one hundred and fifty dollars those resident in townships shall pay the sum of seventy-five dollars to the treasurer of the respective counties for the use of the counties in the following proportion In cities the sum of one hundred dollars in boroughs and townships one-fifth of the amount of license shall be paid to the treasurer of the respective counties for the use of the counties and the balance shall be paid to the treasurer of the respective cities boroughs and townships for their respective use Provided however That the money thus paid into any township treasury shall be supplied to keeping the roads in good repair" is hereby amended to read as follows

Section 8 That all persons licensed to sell at retail any vinous spirituous malt or brewed liquors or any admixture thereof in any house room or place hotel inn or tavern shall be classified and required to pay annually for such privilege as follows Persons licensed to sell by retail resident in cities of the first and second classes shall pay the sum of one thousand dollars and those resident in cities of the third class shall pay the sum of five hundred dollars those resident in all other cities shall pay three hundred dollars and those resident in boroughs shall pay the sum of one hundred and fifty dollars those resident in townships shall pay the sum of seventy-five dollars to the treasurer of the respective counties for the use of the counties in the following proportion In cities the sum of one hundred dollars in boroughs and townships one-fifth of the amount of license shall be paid to the treasurer of the respective counties for the use of the counties and the balance shall be paid to the treasurer of the respective cities boroughs and townships for their respective use Provided however That the money thus paid into any township treasury shall be supplied to keeping the roads in good repair Of the money thus paid into the treasury of a city of the first class three per centum shall be for the use of the Police Pension Fund of the city

On the question,

Will the House agree to the section?

Mr. J. A. DUNN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 1, line 38. Strike out "supplied" insert "applied."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1044, as follows:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domni nineteen hundred and three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three which reads as follows

Section 2 That no person shall paste paint brand stamp or in any manner whatsoever place upon or attach to any building fence bridge gate out-building or property of another whether within or without the limits of a highway any written printed painted or other advertisement bill notice sign card or poster without first having obtained the written consent of the owner or tenant lawfully in possession or occupancy thereof Provided That nothing herein shall be so construed as to prevent the posting of any notice required by law or order of court to be posted nor to prevent the posting or placing of any notice particularly concerning or pertaining to the grounds or premises upon which the same is so posted or placed" be and the same is hereby amended to read

Section 2 That no person shall paste paint brand stamp or in any manner whatsoever place upon or attach to any building fence bridge gate out-building or property of another whether within or without the limits of a highway any written printed painted or other advertisement bill notice sign card or poster without first having obtained the written consent of the owner or tenant lawfully in possession or occupancy thereof Provided That nothing herein shall be so construed as to prevent the posting of any notice required by law or order of court to be posted"

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1712, as follows:

An Act to authorize the Courts of Common Pleas of any County when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustees for said church to hold and dispose of the title to the property owned by said church and defining the procedure thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any individual church shall become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise the Court of Common Pleas of the county wherein said church is located may appoint as trustees of said church the trustees of the State body or organization representative of the denomina-

tion of which said church was a member to hold and dispose of the title to the property of said church

Section 2 Upon the presentation of a petition to the court of Common Pleas of any county or one of the judges thereof in vacation by any person a number of said church or a member of the State body or organization representative of the same denomination in the State of which said church was a member setting forth that any individual church in said county has become inactive or extinct by reason of no active or resident trustees representing it or otherwise and that its property is liable to be wasted or destroyed the said court or a judge thereof during vacation shall grant a rule to show cause why the prayer of the petition shall not be granted and require a copy of the petition and rule to be published for four successive weeks in at least one newspaper of the county where said church is located of general circulation And upon full hearing of the matter shall make such order in the case as shall be most likely to preserve the property of said church in the interests of the denomination within the State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1749, as follows:

An Act to amend an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" approved the twenty-second day of April Anno Domini one thousand nine hundred and nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters have expired and to validate the conveyances and other instruments of said corporations" approved the twenty-second day of April Anno Domini one thousand nine hundred and nine which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no exercise of franchise grant bargain and sale feoffment deed of conveyance release assignment or other assurance of lands tenements and hereditaments contract or agreement whatsoever made executed and delivered prior to January first one thousand nine hundred and nine by any corporation of this Commonwealth or by the successors of any such manufacturing corporation or land company shall be deemed held or adjudged invalid and defective or insufficient in law by reason of the expiration of the term of its charter but all and every such exercise of franchise grant bargain and sale feoffment deed of conveyance release assignment or other assurance contract or agreement so made executed and delivered shall be as good valid and effectual in law and fact as if the charter of such corporation or of the successors of such corporation had not expired or had been renewed and extended Provided however that such corporation or the successors thereof has accepted the provisions of the Constitution of this Commonwealth and of the acts of Assembly entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four And provided further that no more than twenty years has elapsed since the expiration of the term of such charter" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no exercise of franchise grant bargain and sale feoffment deed of conveyance release assignment or other assurance of lands tenements and hereditaments contract or agreement whatsoever made executed and delivered prior to January first one thousand nine hundred and nine by any corporation of this Commonwealth or by the successors of any such manufacturing corporation or land company shall be deemed held or adjudged invalid and defective or insufficient in law by reason of the expiration of the term of its charter but all and every such exercise of franchise grant bargain and sale feoffment deed of conveyance release assignment or other assurance contract or agreement so made executed and delivered shall be as good valid and effectual in law and fact as if the charter of such corporation or of the successors of such corporation had not expired or had been renewed and extended Provided however that such corporation or the successors thereof has accepted the provisions of the Constitution of this Commonwealth and of the acts of Assembly entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four or is subject thereto without acceptance And provided further that not more than twenty years has elapsed since the expiration of the term of such charter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 869, as follows:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the board of county commissioners in each county of the Commonwealth to provide in the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the board of county commissioners in each county of the Commonwealth to provide furnish and heat within the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county and to provide for the maintenance and care of such children while in custody Provided however that such separate room or rooms or suitable building shall not be attached to or in any way be a part of any county jail or prison

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1860 (Senate No. 644), entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1822 (Senate No. 50), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the education of certain blind children under eight years of age

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1238, entitled:

A Supplement to an act entitled "An Act relating to the grant of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eight-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country who have left personal estate within this Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the author-

ity of the same That whenever hereafter letters of administration or letters testamentary have been granted in any other State territory or foreign county on the estate of a resident thereof supposed to be dead on account of absence for seven or more years from the place of his last domicile it shall be lawful for the person or persons or trust company to whom such letters have been granted to present his their or its petition to the register of wills of the proper county within this Commonwealth where such absentee may have left personal estate owing or belonging to him accompanied by a complete exemplification of the record of the grant of such letters praying for the grant of ancillary letters of administration to some perso nor trust company named in said petition upon the estate of such absentee situate owing or belonging to him within this Commonwealth whereupon it shall be the duty of the said register of will to whom such petition has been presented to certify the same forthwith to the orphans' court of the county the said court is satisfied that the person or trust company named in said petition would be a fit person or trust company to whom such ancilary letters of administration might be issued shall cause to be published in a newspaper of general circulation published in the county and also where practicable in a newspaper published at or near the place beyond the Commonwealth where when last heard from the supposed decedent had his residence once a week for four consecutive weeks notice of the fact of said petition together with notice that on a day certain which shall be at least two weks after the last of these publications the court will hear evidence concerning the alleged absence of the supposed decendent and circumstances and duration thereof

On the question,

Will the House agree to the section?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 1, line 20. Strike out "is" insert "if"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The second section was read as follows:

Section 2 The aforesaid petition shall be supported by the affidavits of at least two persons residents of the ward borough township or other territorial subdivision where the supposed decedent was last known to resident and who are distinterested either as creditors legatees or next of kin of the supposed decendent and who have not been connected in any way with the application of said original letters showing that the said supposed decedent has been absent from his usual place of abode for the space of seven years and upwards and that his whereabouts is not and has not been known for a period of seven years and upwards

On the question,

Will the House agree to the section?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 2, line 4. Strike out "disinterested" insert "not interested"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The third, fourth, fifth, sixth, seventh, eighth and ninth sections were separately read and agreed to as follows:

Section 3 At the hearing the said orphans' court shall take such legal evidence as shall then be offered for the purpose of ascertaining whether the presumption of death is established and no person shall be disqualified to testifying by reason of his or her relationship as husband or wife to the said decedent or of his or her interest in the estate of the person supposed to be dead

Section 4 If satisfied upon the hearing that the legal presumption of death is made out the court shall so decree and shall forthwith cause notice thereof to be inserted for two consecutive weeks in a newspaper published in the county and also in a legal publication if any published in the county and also when practicable in a newspaper published at or near the place beyond the Commonwealth where when last heard from the supposed decedent had his residence The said notice shall require the said decedent if alive or any other person for him to produce to the court within four weeks from the date of its last insertion satisfactory evidence of his continuance in life

Section 5 If within the said period of four weeks evidence satisfactory to the orphans' court of the continuance in life of the said decedent shall not be forthcoming it shall be the duty of the court to order the register of wills to issue letter of administration to the person or trust company mentioned in said petition and the said letters until revoked and all acts done in pursuance thereof and in reliance thereupon shall be as valid as if the supposed decedent were really dead

Section 6 The administrator to whom ancillary letters of administration have been issued as aforesaid shall administer the estate of said supposed decedent in the same manner and with the same effect as the same would be administered under existing laws of this Commonwealth if the supposed decedent were proven to be in fact dead and the said orphans' court at the audit of his account shall decree the balance if any shown thereby to the expenses of administration and the debts of said supposed decedent duly proven and due to residents of this Commonwealtn and the overplus if any to the person or persons or trust company to whom original letters have been issued in the foreign jurisdiction as aforesaid for the purpose of administration and distribution thereof Provided however that before said orphans' court shall decree the payment of said overplus as aforesaid the said court shall be satisfied that the presumption of death of the supposed decedent has been established in said foreign jurisdiction according to law Provided further that before any distribution of the proceeds of the estate of such supposed decedent the alleged creditors residing in this Commonwealth claiming the same shall respectively give sufficient security to be approved by the orphans' court having jurisdiction in such sum and for mas the court shall direct with condition that if the supposed decedent shall in fact be at the time alive they wil lrespectively refund the amounts received by each with interest thereon if they shall not be legally entitled to retain the same

Section 7 The orphans' court may revoke the said letters at any time on due and satisfactory proof that the supposed decedent is in fact alive after which revocation all power of the administrator shall cease but all receipts or disbursements of assets and other acts previously done by him shall remain as valid as if the said letters were unrevoked and the administrator shal settle his account of his administration down to the time of such revocation and shall transfer all assets remaining in his hands to the person as whose administrator he had acted or to his duly authorized agent or attorney

Section 8 That the words "The Register of Wills of the proper County" as used in section one of this act shall be construed to mean the register of wills of the county in which all or the greater portion of the estate or said absentee within this Commonwealth may be found

Section 9 The provisions of this act shall apply to cases of all persons residents of any other State territory or foreign country who either before or after the passage of this act have absented themselves or may hereafter absent themselves from their usual place of abode therein for a period of seven years and who have been or shall have been unheard of for said period of time and who left personal estate situate owning or belonging to them within this Commonwealth

The title was read as follows:

A Supplement to an act entitled "An Act relating to the grant of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country who have left personal estate within this Commonwealth

On the question,

Will the House agree to the title?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Title, line 2. After "of" insert "letters of"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1666, as follows:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven and which as amended by said act reads as follows

"Section 13 That is shall and may be lawful for any company incorporated under the provisions of this act for the purpose of constructing a ship canal either wholly within or partly within and partly without this State as heretofore stated between the waters of the Great Lakes and navigable rivers of this Commonwealth under authority of this or any adjoining State to merge and consolidate its capital stock franchises and property with any other similar company or companies under the laws of this or any other State or the United States whenever the two or more canals of the companies so to be consolidated when constructed by meeting directly or by means of any intervening branch feeder reservoir or other body of water shall or may form a continuous line of navigable waterway such consolidation shall be made under the conditions provisions restrictions and in the manner provided in the second third fourth fifth sixth seventh and eighth sections of an act entitled "An Act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" said act having been approved on the twenty-fourth day of March Anno Domini one thousand eight hundred and sixty-nine and the laws of the United States or of the other State or States in which such canal or canals are or shall be intended to be constructed

Any company incorporated under this act may abandon any portion of the route of its main conal branches feeders of other works upon which the work of construction has not been commenced Provided That if such abandonment would leave a route not forming a continuous line of waterway between the Great Lakes and a navigable river in this Commonwealth such abandonment shall not become lawful until said company adopt a new route as a substitute for such abandoned portion either wholly within or wholly without or partly within or partly without this State or until such company shall by consolidation merger lease purchase or otherwise acquire such substitute route so that the route of such canal shall be a continuous line of navigable waterway from some point either within or without this State on the Great Lakes to a point on a navigable river within this State And provided further that a copy of the resolution or resolutions adopted by the directors attested by the seal of the corporation and the signatures of the president and secretary shall be filed in the office of the secretary of the Commonwealth" be and the same is hereby amended to read as follows

"Section 13 That it shall and may be lawful for any company incorporated under the provisions of this act for the purpose of constructing a ship canal either wholly within or partly within and partly without this State as heretofore stated between the waters of the Great Lakes and navigable rivers of this Commonwealth under authority of this or any adjoining State to merge and consolidate its capital stock franchises and property with any other similar company or companies organized under the laws of this or any other State or the United States whenever the two or more canals of the companies so to be consolidated when constructed by meeting directly or by means of any intervening branch feeder reservoir or other body of water shall or may form a continuous line of navigable waterways such consolidation shall be made under the conditions provisions restrictions and in the manner provided in the second third fourth fifth sixth seventh and eighth sections of an act entitled "An Act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" said act having been approved on the twenty-fourth day of March Anno Domini one thousand eight hundred and sixty-five and the laws of the United States or of the other State or States in which such canal or canals are or shall be intended to be constructed

Any company incorporated under this act may abandon any portion of the route of its main canal branches feeders of other works upon which the work of construction has not been commenced Provided That if such abandonment would leave a route not forming a continuous line of waterway between the Great Lakes and a navigable river in this Commonwealth such abandonment shall not become lawful until said company adopt a new route as a substitute for such abandoned portion either wholly within or wholly without or partly within or partly without this State or until such company shall by consolidation merger lease purchase or otherwise acquire substitute route so that the route of such canal shall be a continuous line of navigable waterway from some point either within or without this State on the Great Lakes to a point on a navigable river within this State And provided further That a copy of the resolution or resolutions adopted by the directors attested by the seal of the corporation and the signatures of the president and secretary shall be filed in the office of the Secretary of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1348, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

The first section was read as follows:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That an amendment be submitted to the people of the Commonwealth of Pennsylvania to amend Section one of Article two of the State Constitution so as to read as follows

Section 1 Legislative Authority The Legislative authority of this Commonwealth shall be vested in a Senate and House of Representatives but the people reserve to themselves power to propose legislative measures laws resolutions and amendments to the Constitution and to enact or reject the same at the polls independent of the General Assembly and also reserve power at their own option to approve or reject at the polls any act item section or any part of any act or measure passed by the General Assembly

Section 1A Initiative The first power reserved by the people is the initiation and not more than fifty thousand legal voters (as may be determined by law) shall be required to propose any measure by intiation petition and every such petition shall include the full text of the measure so proposed Initiative petitions shall be filed with the Secretary of the Commonwealth not less than four months before the election at which they are to be voted upon

The initiation may also be invoked as following if at any time not less than ten days prior to the convening of the general assembly there shall be filed with the Secretary of the Commonwealth an initiative petition for any measure signed by five thousand legal voters he shall transmit certified copies of said measure to the Senate and House of Representatives immediately upon organization If said measure be passed by the general assembly either as petitioned for or in an amended form it shall be subject to referendum petitions as other measures If it shall be enacted in an amended form or if no action is taken thereon within four months from the convening of the General Assembly it shall be submitted to the people by the Secretary of the Commonwealth at the next general election Provided such submission shall be demanded by a supplementary initiative petition signed by thirty thousand legal voters and filed not less than four months before such election Said measure shall be submitted in the form demanded by such supplemental initiative petition which form may be either as originally petitioned for or in any amended or substitute form which may have been proposed by or in the General Assembly or there may be incorporated in said measure any amendment or amendments thereto proposed by or in the General Assembly If the measure so submitted is approved by a majority of the electors voting thereon it shall go into effect and repeal all law in conflict therewith

Section 1B Referendum The second power is the referendum and it may be ordered either by a petition signed by the required number of legal voters or by the General Assembly as other bills are enacted Not more than thirty thousand legal voters (as may be determined by law) shall be required to sign and make a valid referendum petition Laws making appropriations for the maintenance of the State Government or existing State instiutions not exceeding the next previous appropriation for such purpose shall not be subject to referendum petitions The increase in any such appropriation shall take effect as other laws and such increase or any part or item thereof shall be submited to the people upon referendum petition The filing of a referendum petition against one or more items sections or parts of any measure shall not delay the remainder from becoming operative Referendum petition against measures passed by the General Assembly shall be filed with the Secretary of the Commonwealth not later than ninety days after the final adjournment of the session of the General Assembly at which such measures were passed except when adjournment shall be taken temporarily for a longer period than ninety days in which case such petition shall be filed not later than ninety days after such temporary adjournment All measures referred to a vote of the people by referendum petitions shall remain in abeyance until such vote is taken

Section 1C Emergency If it shall be necessary for the preservation of the public peace health or safety that a measure shall become effective without delay such necessity shall be stated in one section and if upon a yea and nay vote three-fourths of all members elected shall vote upon separate roll-calls in favor of the measure going into instant operation such measure shall become operative at the time specified therein It shall be necessary to state in such section the facts which constitute such emergency Provided that an emergency shall not be declared on any franchise or act alienating any property of the State If a referendum petition is filed against an emergency measure such measure shall be a law until it is voted upon by the people and if it is then rejected by a majority of the electors voting thereon it shall be thereby repealed The provisions of this sub-section shall apply to city councils

Section 1D Municipal and Local Initiative and Referendum The initiative and referendum powers of the people are hereby further reserved to the legal voters of each municipality county and district as to all local special and municipal legislation of every character in and for their respective municipalities counties and districts cities and towns may provide for the exercise of the initiative and referendum as to their local legislation Petitions shall be filed with the city clerk or other officer as may be provided by law Not more than ten per cent of the legal voters may be required to order the referendum nor more than fifteen per cent to propose any measure by initiative petition in any municipality county or local sub-division of the State Every extension enlargement purchase grant or conveyance of a franchise or of any rights property easement lease or occupation of or in any road street alley bridge or park thereof in any real property or interest in any real property owned by a municipal corporation whether the same be by statute ordinance resolution or otherwise shall be subject to referendum by petition and shall not be subject to emergency legislation The time for filing referendum petitions against

municipal or local measures shall not be fixed at less than thirty days after the passage thereof by municipal or local legislative bodies

Section 1E General Provisions The word "measure" as used herein means any law bill resolution ordinance charter or constitutional amendment or any other legislative measure All elections on general local and special measures referred to the people of the State or any locality shall be held at the regular general elections except when the Legislature or the Governor shall order a special election but counties cities and towns may provide for special elections on local legislation Any measure submitted to the people as herein provided shall take effect and become law when approved by a majority of the votes cast thereon and not otherwise Such measure shall be in operation on and after the thirtieth day after the election at which it is approved The veto power of the Governor or mayor shall not extend to measures initiated by or referred to the people If conflicting measures submitted to the people shall be approved by a majority of the votes severally cast for and against the same the one receiving the highest number of affirmative votes shall thereby become law No measure approved by a vote of the people shall be amended or repealed by the General Assembly or any city council except by a yea and nay vote upon roll call of three-fourths of all the members elected the whole number of votes cast for Governor at the last preceding general election shall be the basis upon which the number of legal voters necessary to sign local petitions shall be computed except that in municipalities it shall be computed upon the vote cast for mayor Duly legal voters only shall be counted upon petitions Petitions may be circulated and presented in parts but each part of any petition shall have attached thereto the affidavit of the person circulating the same that all the signatures thereon were made in the presence of the affiant and to the best of the affiant's knowledge and belief each signature is genuine and that the person signing is an elector and no other affidavit or verification shall be required The sufficiency of all petitions shall be decided by the Secretary of the Commonwealth or corresponding local officer as the case may be subject to review by courts of record which shall give precedence over all other cases in the adjudication of the same If the Secretary of the Commonwealth or such local officer shall decide any petition to be insufficient he shall without delay notify the sponsors of the petition and permit at least twenty days for correction or amendment In the event of legal proceedings in any court to prevent giving effect to any petition upon any grounds the burden of proof shall be upon the person or persons attacking the validity of the petition Not more than one-half of the signatures upon any petition filed with the Secretary of the Commonwealth shall be from any one county

This section shall not be construed to deprive any member of the General Assembly or city council of the right to introduce any measure The styles of all bills shall be "Be it enacted by the people of (name of State municipality or county as the case may be) All measures of any kind submitted to a vote of the people shall be published as may hereafter be required by law In submitting measures to the people the Secretary of the Commonwealth and all other officials shall be guided by the general laws until additional legislation shall be provided therefor This amendment shall be self-executing but the General Assembly may enact laws to facilitate its operation No legislation shall be enacted to impair or hamper the exercise of the rights herein reserved to the people

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 1 line 17. Strike out the word "initiation" and insert the word "initiative."

Section 1 line 19. Strike out the word "initiation" and insert the word "initiative."

Section 1, line 24. Strike out the word "initiation" and insert the word "initiative."

Section 1 line 63. Strike out the word "aganst" and insert "against."

Section 1, line 78. Strike out the word "roll calls" and insert "roll call."

Section 1, line 83. Strike ou the word "State" and insert "Commonwealth."

Section 1, line 94. Strike out the word "cities" and insert "Cities" with a capital "C."

Section 1, line 100. Strike out the word "State" and insert "Commonwealth." Also strike out the word "of" after county and insert the word "or."

Section 1, line 114. Strike out the word "State" and insert "Commonwealth."

Section 1, line 130. Strike out the word "the" and insert the word "The" with a capital "T."

Section 1, line 158. Strike out the word "styles" and insert "style."

Section 1, line 159. Strike out the word "State" and insert "Commonwealth."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was agreed to.

The title was read and agreed to as follows:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania providing for the initiative and referendum

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1857 (Senate Bill No. 583), as follows:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House bill No. 1186, as follows:

An Act to make the real estate of any pauper liable for the expense of his support maintenance and burial and providing a method for collection of such claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the real estate of any pauper shall be liable for the expenses of his support maintenance and burial incurred by any poor district whether owned at the time such expenses were incurred or acquired thereafter

Section 2 The overseers or directors of the poor or the county commissioners in charge of any poor district may sue for the moneys expended by them on account of such pauper in an action of assumpsit in the proper court of the county and any judgment obtained shall be a lien upon the real estate of such pauper and be collected as other judgments are now collected

Section 3 Any claim as provided for in section one shall have the same force and effect against the real estate of a deceased pauper as other debts of a decedent and shall be ascertained and recovered in the same manner

Section 4 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1547, entitled:

An Act to amend section two of an act entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their counties painted and the bolts of the same tightened as often as may be necessary" approved the twenty-first day of April Anno Domini one thousand nine hundred and three

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of the act approved April twenty-first one thousand nine hundred and three entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts tightened as often as may be necessary" which reads as follows

"Section 2 Said county commissioners shall during the month of March of each year in which it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by section one of this act cause to be published in two newspapers of the proper county a list of such bridges stating their location and specifying the kind and quality of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first day of the following May or as soon thereafter as practicable and the contract for material and work upon each bridge shall be given to the lowest and best bidder" be amended so that the same shall read as follows

Section 2 Said county commissioners shall whenever it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by section one of this act cause to be published at least once a week for four successive weeks in two newspapers of the proper county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first Monday following the close of said three weeks or as soon thereafter as practicable and the contract for material and work upon each bridge shall be given to the lowest and best bidder

On the question,
Will the House agree to the section?

Mr. PENNEGAR. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Section 1, line 32, strike out "three" insert "four"

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was agreed to.
The title was read as follows:

An Act to amend section two of an act entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their counties painted and the bolts of the same tightened as often as may be necessary approved the twenty-first day of April Anno Domini one thousand nine hundred and three

On the question,
Will the House agree to the title?

Mr. PENNEGAR. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Title, line 1, after "entitled" insert "quotation marks."
Title, line 3, after "their" insert "respective"
Title, line 5, after "necessary" insert "quotation marks."

On the question,
Will the House agree to the amendments?
They were agreed to.
The title as amended was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1194, entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth having a population of fifteen thousand or over and prescribing the qualifications powers and duties therefor and abolishing the office of borough auditors in said boroughs

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the qualified electors of every borough in this Commonwealth shall at the municipal election held in November one thousand nine hundred and thirteen and every four years thereafter elect a borough controller who shall be a competent accountant and shall have been a resident of the borough and elector thereof for at least four years prior to his election who shall hold his office for the term and period of four years from the first day of January succeeding his election and until his successor is duly qualified He shall superintend the fiscal concerns of the borough and shall manage the same in the manner required by the laws of this State and the ordinances and resolutions of the borough councils in accordance therewith He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provisions for the settlement thereof is made by law where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the borough councils the facts relating thereto with his opinion thereon He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the borough but shall not be entitled to receive any fee therefor

On the question,
Will the House agree to the section?

Mr. BERGEY. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 1, line 15, strike out "State" insert "Commonwealth"

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth and ninth section of the bill were separately read and agreed to, as follows:

Section 2 The borough controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the borough all trusts in the care of the same all debts due to and owing by the borough all the receipts and expenditures of the various departments of the borough government and all appropriations made by council and the sums under the same respectively

Section 3 He shall have the supervision and control of the accounts of all departments bureaus and officers of the borough who shall collect receive or disburse the public monies or who are charged with the management or custody thereof shall audit their respective accounts and may at any time require from any or all of them a statement in writing of any and all monies or property of the borough in their hands or under their control and he shall immediately upon the discovery of any default irregularity or delinquency report the same to the borough council He shall likewise audit and report upon the accounts of any such officer upon the death resignation removal or expiration of the term of the said officer

Section 4 He shall countersign all warrants upon the borough treasurer the form whereof shall be prescribed by council and shall not suffer any appropriation made by the borough council to be overdrawn but no warrant shall be countersigned unless there is money in the treasury to pay the same In every case in which an appropriation shall be exhausted and the object of which is not completed he shall immediately report the fact to the borough council and accompany such report with a statement of the monies which have been drawn on such appropriation and the particular purpose for which they are drawn Whenever a warrant on the treasurer shall be presented to him to be countersigned the person presenting the same shall if the controller require produce evidence

1 That the amount expressed in the warrant is due to the person in whose favor it is drawn

2 That the supplies or the service for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 5 Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the controller on the contract before it shall take effect as a contract and the payments required by such contract shall be made from the fund appropriated therefor If the controller shall certify any contract in excess of the appropriation made therefor the borough shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the controller to certify contracts for the payment of which sufficient appropriations have been made

Section 6 The borough controller shall from time to time and as often as he may deem expedient or the borough council shall direct suggest plans to the council for the management and improvement of the borough finances and he shall make a report verified by oath or affirmation to the borough council at the first stated meeting in January in each year of the public accounts of the borough and of the trusts in its care exhibiting all the expenditures thereof respectively the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accomplished by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance standing to the debit or credit of such appropriation which report shall be published at the expense of the borough once a week for two weeks in a newspaper of general circulation throughout the said borough

Section 7 In the event of the death resignation or removal from office of the borough controller the court of quarter sessions of the proper county shall fill the said vacancy by the appointment of a person possessing the qualifications for said office as herein provided and the person so appointed to fill the same shall serve until the first day of January succeeding the municipal election occuring at least two months after the happening of such vacancy at which election a successor shall be elected for the unexpired term The borough controller shall before entering upon the duties of his office take and subscribe the oath prescribed by section one of Article seven of the Constitution of this Commonwealth and shall give a lawful bond to the borough with two or more sureties or with a surety company to be approved by the council in such sum as they may by ordinance direct conditioned for the faithful discharge of his official duties The cost of such bond shall be paid by the borough as other bills are paid and the controller shall receive a fixed annual salary to be provided by ordinance of the council not to exceed the sum of ten hundred dollars per annum

Section 8 This act shall not become operative or effective in any boroughs until the council of any borough shall by ordinance duly passed accept the provisions hereof

Section 9 In all boroughs accepting the provisions hereof as provided in section eight the borough auditors now in office shall continue to hold their offices until the first day of January succeeding the election of a borough controller after which date the said office shall be and is hereby abolished

The title of the bill was read as follows:

An Act entitled An Act providing for the election of a borough controller in all boroughs of this Commonwealth having a population of fifteen thousand or over and prescribing the qualifications powers and duties and abolishing the office of borough auditors in said boroughs

On the question,
Will the House agree to the title?

Mr. BERGEY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Title, line 1, strike out "Entitled an act."
Title, lines 2 and 3, strike out "having a population of fifteen thousand or over and."

On the question,
Will the House agree to the amendments?
They were agreed to.
The title as amended was then agreed to.
And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1681, as follows:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled 'An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge' approved June sixth Anno Domini one thousand eight hundred and ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred and eleven"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to amend section three of an act" entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth one thousand eight hundred and ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred and eleven which reads as follows

"Section 1 Such policemen whether heretofore or hereafter appointed shall be under the control and direction of the council of the borough in which they shall be appointed as to the time during which and the place where they shall perform their duties They shall when on duty be subject to the direction of the Chief Burgess or burgess in the enforcement of the ordinances and they shall receive such compensation (to be paid from the borough treasury) as may be agreed upon between them and the council and be subject to removal or discharge at the discretion of the council of such borough be so amended as to read

Section 1 Such policemen whether heretofore or hereafter appointed shall be under the control and direction of the Chief Burgess or Burgess of the borough in which they shall be appointed as to the time during which the place where and the manner in which they shall perform their duties and they shall receive such compensation (to be paid from the borough treasury) as may be agreed upon betwen them and the council and be subject to removal or discharge at the direction of the Chief Burgess or burgess

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1695, entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person employed in the service of this State or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment shall on petition to the proper registration commissioners verified by affidavit and without appearing personally before the commissioners be registered as of the district wherein he shall have resided prior to entering such service In such case a residence by street and number shall not be required but the person shall be registered as of the proper district In the case of persons employed by this Commonwealth no such petition shall be considered unless it be accompanied by a certificate from the Auditor General under the seal of his office setting forth that the proper person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment In the case of persons employed by the Federal Government no such petition shall be considered unless it be accompanied by a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that the proper person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment No such person shall be registered unless he shall produce to the registration commissioners satisfactory proof that he is by payment of taxes and otherwise entitled to registration When any such person so registered shall vote he shall be required by the proper election officers to sign the ballot check list of the proper district

Mr. BIGGER. Mr. Speaker, I desire to offer the following amendment to the bill:

The amendment was read by the Clerk as follows:

Amend the bill by adding the following as section two:
"Section 2 The petitions required by this act shall be upon blank forms, which shall be prepared by the proper registration commissioners, and shall be by them furnished on written application."

On the question,
Will the House agree to the amendment?
It was agreed to.

The title of the bill was read and agreed to as follows:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1448, as follows:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter when ever any person firm or corporation receives in payment of or security for a check upon a bank or trust company such bank or trust company's check upon another person firm or corporation the person firm or corporation so receiving such check shall until payment thereof be entitled in case of liquidation of the bank or trust company drawing such check to the same preference over other creditors as if the amount of said check had been a deposit in said bank or trust company by a depositor

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 347, as follows:

An Act providing for the return of statistics relating to marriages requiring the clerks of the orphans' courts to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the clerk of each orphans' court within this Commonwealth shall on or before the first day of February of each and every year hereafter return to the Department of Health of the Commonwealth a statement of all marriages licenses issued by him during the preceding calendar year and other pertinent facts specifying in each case

One The term and number as shown by the license docket and the date of the license

Two The full names of both the man and woman who propose to be married

Three The residence of each of them

Four The race of each of them whether white black yellow red or mixed

Five The age of each of them and his and her occupation if he or she has such occupation

Six The date of the marriage the place of the marriage and the name of the person by whom the ceremony was performed

Seven The number of former marriages and divorces if any such existed

Eight The names of the parents or guardians in the event that either or both of the parties is or are under age

Provided that the clerk be relieved from the duty of making return as to such facts as may not appear upon his license docket or in the records in his custody

Section 2 The Secretary of the Commonwealth shall at the expense of the Commonwealth cause to be printed blank forms suitable to carry into effect the purposes of this act and supply them in sufficient numbers to the clerks of the different orphans' courts

Section 3 For every return so made the clerk making it shall receive a fee of ..... to be paid by ..... and upon neglect or refusal to make such returns the clerk

so neglecting or refusing shall for each such neglect or refusal forfeit and pay the sum of fifty dollars for the uses of the county to be collected as debts of like amount are collectible

Section 4 The Commissioner of Health shall annually prepare from said reutrns abstracts and tabular statements of the facts relatives to marriages in each county and embody them with the necessary analysis in his annual report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 900, entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

The first, second, third, fourth, fifth, sixth, seventh and eighth sections of the bill were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first and second classes all plastering shall be done in accordance with the provisions of this act and not otherwise that is to say All plastering in dwellings tenements apartments hospitals schools and other buildings when on lath shall be known as three-coat work namely scratch coat brown coat and finish

Section 2 Key space All ceilings stud partitions and furred walls in tenements apartments hospitals schools and other buildings where plastered with lime on wood lath shall have not less than three-eights space between laths All ground and jambs shall mean not less than seven-eights from the stud

Section 3 First coat or scratch coat First or scratch coat shall be of first quality to be scratched thoroughly to make a key to retain second coat and shall be thoroughly dry or set before applying second coat

Section 4 Second coat Second coat or brown mortar shall be of first quality All browning must be straight true with no unevenness or irregularity of surface

Section 5 Finishing When white mortar or any other coat it shall be laid on regular and troweled to a smooth surface showing neither deficiencies or brush marks

Section 6 Cornices or coves All cornices or coves shall be run straight true and smooth

Section 7 Patent plasters When patent plasters are used if of wood lath shall not be less than one-quarter inch key space First coat shall be thoroughly scratched to make key to retain second coat and shall be set before second coat is applied

Section 8 Nothing in this act shall effect the laws of this Commonwealth relative to tenement houses in cities of the first and second classes

The ninth section of the bill was read as follows:

Section 9 To carry out the purposes of this act there shall be established in each city of the first and second class bureau of inspection of plastering whose duty it shall be to enforce the provisions of this act No person shall be appointed to said bureau who shall not have been a competent plasterer of at least ten years practical experience

On the question,

Will the House agree to the section?

Mr. McKENNA. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Strike out Section 9 and insert in lieu thereof the following:

"Section 9. It shall be the duty of the bureau of building inspection in said cities to enforce the provisions of this act. It shall be the duty of the councils of said cities to enact such ordinances as may be necessary for the proper enforcement of this act, and to prescribe reasonable penalties for non-compliance therewith. Any inspector appointed in pursuance of the provisions of this act, or in pursuance with the provisions of any such ordinance, shall be a competent plasterer of at least ten years practical experience."

On the question,

Will the House agree to the amendment

It was agreed to.

The section as amended was then agreed to.

The tenth and eleventh sections and the title of the bill were separately read and agreed to as follows:

Section 10 This act shall take effect on the first day of January one thousand nine hundred and fourteen

Section 11 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

An Act relative to the regulation of plastering in cities of the first and second classes

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1580, as follows:

An Act repealing the act of June fifteenth one thousand eight hundred and seventy-one (Pamphlet Laws three ninety-one) entitled "An act relating to the assessment of damages for the appropriation of land for public use

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act relating to the assessment of damages for the appropriation of land for public use" approved the fifteenth day of June Anno Domini eight hundred and seventy-one (Pamphlet Laws three hundred and ninety-one) be and the same is hereby repealed

And said ibll having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1382, as follows:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in the preparation of specifications for the erection construction and alteration of any public building when the entire cost of such work shall exceed one thousand dollars it shall be the duty of the architect engineer or other person preparing such specifications to prepare separate specifications for the plumbing heating ventilating and electrical work and it shall be the duty of the person or persons authorized to enter into contracts for the erection construction or alteration of such public buildings to receive separate bids upon each of the said branches of work to award the contract for the same to the lowest responsible bidder for each of said branches

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 536, entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the cost damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every township of the first class of this Commonwealth shall have power to lay out establish or re-establish grades of streets or alleys or parts thereof and to construct bridges piers and abutments therefor and sewers and drains in any street or alley or through or on or over private property Every township of the first class shall also have power upon the petition of a majority of property owners in interest based upon the number of feet fronting and abuting on the line of the proposed improvement to be verified by affidavit of one or more parties to said petition (a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purposes of petition) to grade pave curb macadamize or otherwise improve any public street or public alley or part thereof within its corporate limits or which may be in whole or in part boundaries thereof Such township of the first class is hereby authorized to ascertain levy and collect the costs damages and expenses of the sewer or grading paving curbing macadamizing or other improvement of each street or alley in the manner following

Said township of the first class or any person or persons interested may at any time after such work or labor has been done or material furnished or damage done present its her his on their petition in any court of common pleas of the proper county or to any law judge thereof in violation and the court shall appoint three discreet and disinterested persons as viewers and appoint a time not less than twenty or more than thirty days thereafter when said viewers shall meet upon the line of the improvement and view the same and the premises affected thereby The said viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers published in the township of the first class

or of general circulation published in the county in which it is situated and by handbills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of the case

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 1, lines 13, 14 and 15, strike out after "petition" parts in parenthesis.

Section 1, line 27, strike out "violation," insert "vacation."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second, third, fourth and fifth sections of the bill were separately read and agreed to as follows:

Section 2 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them or in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises and examined the property shall hear all parties interested and their witnesses and shall estimate and determine the value of property taken injured or destroyed to whom the same is payable and shall assess the costs and expenses of the sewer or grading paving curbing macadamizing or otherwise improving said street lane or alley upon the property benefited according to benefits and having so estimated and determined the damages together with the benefits as hereinbefore mentioned they shall prepare a schedule thereof and give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence thereon Notice of the time and place of said meeting shall be in the manner provided by law for the service of a summons in personal action upon all parties allowed damages or assessed benefits as shown by said schedule if the parties can be found in the municipality or upon an adult person residing upon the property affected by the assignment in case the owner or reputed owner cannot be found and to all other persons by publication in the newspaper in which the first notice of said view was published When no service is made upon the owner reputed owner or upon an adult person residing upon the property affected said notice where publication thereof has also been made shall be deemed to have been properly served if tacked or conspicuously posted upon the premises After making whatever changes are deemed necessary the said viewers shall make report to the court showing damages and benefits allowed and assessed in each case and file therewith a plan showing the improvement the properties taken injured or destroyed thereby and the properties thereby benefited When said report is filed notice shall be given by publication once in the newspaper or newspapers publishing the notice provided for in section one of this act Said notice shall state the date of the filing of the report and shall contain a schedule of the damages and benefits thereto be filed within thirty days from the date of filing the as shown therein and shall further state that unless execption said report will be confirmed absolutely

Section 3 The payment of damages sustained and costs and expenses incurred by the making of the improvements aforesaid may be made either in whole or in part by said township of the first class or in whole or in part by assessments upon the property benefited by such improvement as said viewers may determine and the court approve and in the latter case the viewers appointed having first estimated and determined the damages apart from the benefits shall also assess said damages or so much thereof as they deem just and reasonable upon the properties pecularily benefited by the improvements including in the said assessment all property for which damages have been allowed if in their judgment such properties will be benefited thereby and shall report the same to said court the total assessment for benefits to pay damages costs and expenses shall not exceed the total costs damages and expenses awarded and agreed upon

Section 4 The viewers provided for in the foregoing sections may be appointed at any time before or at any time after the entry taking appropriation or injury of any property or materials for constructing said improvements or the commencement of the improvements above set forth All court costs incurred in the proceedings shall be defrayed by said township of the first class

Section 5 Upon the report of said viewers or any two of them being filed in said court any part interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or change the said assessments made therein or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same confirmed nisi and in case no exceptions are filed thereto within thirty days he shall enter a decree (as of course) that the said report be confirmed absolutely Within thirty days after the confirmation modification changing or correction of any report any interested party may appeal from the said decree to the Superior Court or to the Supreme Court as the case may be The said report when as finally confirmed shall be conclusive as to any assessments made therein to pay the costs damages and expenses of said improvement Within thirty days after said report is filed in court as aforesaid any party whose property is taken injured or destroyed or who is assessed benefits to pay damages for property taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury according to the course of the common law Upon the trial of any such appeal in court the report of viewers as finally approved confirmed modified or changed by the court shall be prima facie evidence of the benefits as therein mentioned and in case the party appellant does not obtain a verdict more favorable than was the report of the viewers as finally confirmed modified or changed the said appellant shall not recover any costs on the appeal. No appeal under this act shall prevent the filing of liens by any township of the first class for any assessment made by said report but upon the final determination of the issue the court shall make such order as to lien or liens filed as shall appear right and proper

The sixth section of the bill was read as follows:

Section 6 The majority in interest and number required for petitions to the township commissioners shall be fixed as of the date of the presentations of said petition After the passage or approval of any ordinance for the grading paving macadamizing or otherwise improving any street lane or alley notice shall within ten days thereafter be given by hand-bills posted in conspicuous places along the line of the proposed improvement which notice shall state the fact of the passage or approval of the ordinance the date of the passage or approval that the petition for the improvement was signed by a majority in interest and number of owners of property abutting on the line of the proposed improvement and that any person interested and denying the fact that said petition was so signed may appeal to any court of common pleas of the proper county within sixty days from the passage or approval of said ordinance and any person interested may within sixty days from the passage or approval of said ordinance present a petition to any court of common pleas of the proper county setting forth the facts whereupon the said court shall require and determine whether the said improvement was petitioned for by the requisite majority and if said court shall find that it was not so petitioned for shall quash said ordinance but if said court shall find that it was so petitioned for it shall approve the ordinance If no appeal shall be taken as aforesaid or if the court on appeal shall approve the ordinance the township of the first class may proceed with the improvement and thereafter all parties interested shall be stopped from denying the fact that said petition was signed by the requisite majority of property owners as required by this act All assessments for benefits to pay damages costs and expenses shall bear interest at the expiration of thirty days they shall have been finally ascertained and fixed and shall be payable to the treasurer or other proper officer of the township of the first class

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 6, line 1, strike out "and number"

On the question,

Will the House agree to the amendments?

It was agreed to.

The section as amended was then agreed to.

The seventh section and the title of the bill were separately read and agreed to, as follows:

Section 7 Every township of the first class shall have a general plan of its streets and alleys including those which have been or may be laid out but not opened which plan shall be filed in the omce of the engineer or other proper office of the said township and all sub-divisions of property thereafter made shall conform thereto No streets or alleys or parts thereof laid out and confirmed shall afterwards be altered without the consent of the commissioners of the said township of the first class and no map or plot of streets or alleys shall be entered or recorded in any public office of the county in which said township of the first class is situated until approved by the board of commissioners of said township No person shall hereafter be entitled to recover any damages for any buildings or improvements of any kind which shall or may be placed or constructed upon or within the lines of any located street or alley after the same shall have been located or obtained or plan thereof approved by the board of commissioners of said township

An Act authorizing the commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

And said bill having been read at length the second time and agreed to. as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1714, as follows:

An Act regulating the practice before justices of the peace aldermen and magistrates in cases where children under sixteen years are charged with any offense against the criminal laws of this Commonwealth

Whereas it is to the best interests of the State that children charged with crime be protected from public shame and notoriety

And Whereas the children charged with crime are often merely under evil influence and are ignorant of any real criminal intent and it is unfair to them and prejudicial to their future that publicity be given to their wrongful actions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever complaint is made before any justice of the peace alderman or magistrate of this Commonwealth charging any person or persons with an offense or offenses against the criminal laws of this Commonwealth and it shall appear to said justice of the peace alderman or magistrate that the person or persons so charged is or are under the age of sixteen years the said justice of the peace alderman or magistrate shall draw up an information charging said child or children with being delinquent and setting forth all grounds of delinquency which information shall subscribed and sworn to by the complaintant or complainants

Section 2 Whereupon the justice of the peace alderman or magistrate shall issue a warrant for the arrest of said child or children and in default of bail said child or children shall be committed to the House of Detention of the county or to the probation officer or to such other person as the justice of the peace alderman or magistrate may direct in all cases bailable before him now under existing laws

Section 3 After the arrest of the child or children the justice of the peace alderman or magistrate shall return said information immediately to the court of Quarter Sessions of the peace of the county and the child or children shall remain under bail or in custody as provided in the preceding section until the case is disposed of by said court

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1729, as follows:

An Act to amend an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twelfth section of the act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one which reads as follows

"Section 12 Every municipality shall have a general plan of its streets and alleys including those which have been or may be laid out but not opened which plan shall be filed in the office of the engineer or other proper office of the municipality and all sub-divisions of property thereafter made shall conform thereto No streets or alleys or parts thereof laid out and confirmed shall afterwards be altered without the consent of councils and no map or plot of streets or alleys shall be entered or recorded in any public office of the county in which said municipality is situated until approved by councils No person shall hereafter be entitled to recover any damages for any buildings or improvements of any kind which shall or may be placed or constructed upon or within the lines of any located street or alley after the same shall have been located or ordained by councils" is hereby amended so as to read

Section 12 Every municipality shall have a general plan of its streets and alleys parks and playgrounds including those which have been or may be laid out but not opened which plan shall be filed in the office of the engineer or other proper office of the municipality and all sub-divisions of property thereafter made shall conform thereto The location of streets or alleys or parts thereof or parks or playgrounds laid out and confirmed by authority of councils shall not afterwards be altered without the consent of councils and no map or plot of streets or alleys or parks or playgrounds shall be entered or recorded in any public office of the county in which said municipality is situated until approved by councils No person shall hereafter be entitled to recover any damages for the taking for public use of any buildings or improvements of any kind which may be placed or constructed upon or within the lines of any located street or alley or park or playground after the same shall have been located or ordained by councils

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1397 (Senate No. 274) as follows:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five" which reads as follows

"Section 3 The said superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said Superintendent shall be held responsible to the Governor for the faithful performance of their duties

"In the office of the Superintendent of Public Grounds and Buildings an assistant superintendent who shall be an experienced and competent bookkeeper at a salary of twenty-five hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum a stenographer at a salary of twelve hundred dollars per annum a store-keeper who shall be a competent bookkeeper at a salary of fourteen hundred dollars per annum an assistant storekeeper at a salary of ten hundred dollars per annum a nightwatchman for the storeroom and department at a salary of nine hundred dollars per annum a messenger at a salary of seven hundred and twenty dollars per annum an assistant messenger at a salary of six hundred dollars per annum

"For the preservation of good order in the Capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum eighteen policemen at a salary of nine hundred dollars each per annum and five night watchmen at a salary of nine hundred dollars each per annum

"For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum a florist at a salary of ten hundred dollars per annum two assistant florists at a salary of nine hundred dollars per annum an assistant foreman of the grounds at a salary of ten hundred dollars per annum and six caretakers at a salary of seven hundred and twenty dollars each per annum

"For the care maintenance and preservation of the Capitol buildings and furnishings a competent foreman of carpenters at a salary of ten hundred dollars per annum two assistmechanics one each to take care of the marble the painting and the bronze and metal furniture at a salary of twelve hundred dollars each per annum three skilled carpenters at a salary of nine hundred dollars each per annum a skilled cabinetmaker at a salary of nine hundred dollars per annum a clock repairman at a salary of nine hundred dollars per annum ten competent elevator operators at a salary of nine hundred dollars each per annum two skilled painters at a salary of nine hundred dollars each per annum a competent upholster at a salary of nine hundred dollars per annum two competent hardwood-floor finishers at a salary of nine hundred dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of nine hundred dollars each per annum eighteen charmen at a salary of six hundred dollars per annum a chief of the bureau of information at a salary of seven hundred and twenty dollars per annum six guides at a salary of six hundred dollars each per annum two matrons at a salary of four hundred dollars each per annum two female attendants for the public toilets at a salary of three hundred and sixty dollars each per annum two male attendants for the public toilets at a salary of six hundred dollars each per annum

"For operating the mechanical plant a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a

salary of one thousand six hundred dollars per annum a competent night engineer and two assistant engineer at a salary of twelve hundred dollars each per annum six firemen at a salary of nine hundred dollars each per annum a skilled electrician at a salary of fourteen hundred dollars per annum an assistant electrician at a salary of nine hundred dollars per annum a wireman at a salary of nine hundred dollars per annum two pump-runners at a salary of nine hundred dollars each per annum a skilled elevator machinist at a salary of twelve hundred dollars per annum a helper for elevator machinist at a salary of seven hundred and twenty dollars per annum a helper for engine-room at a salary of six hundred dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber-helper at a salary of seven hundred and twenty dollars per annum two motor-tenders at a salary of seven hundred and twenty dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

"For service at the Executive Mansion—a butler at a salary of six hundred dollars per annum a houseman at a salary of four hundred and eighty dollars per annum a night watchman at a salary of seven hundred and twenty dollars per annum one housemaid at a salary of three hundred dollars per annum a laundress at a salary of three hundred dollars per annum a cook at a salary of four hundred and eighty dollars per annum a coachman at a salary of nine hundred dollars per annum and a stableman at a salary of six hundred dollars per annum

"When necessary the Superintendent of Public Grounds and buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings provided That such help shall be paid for out of the superintendent's general fund" is amended so as to read

Section 3 The said Superintendent of Public Grounds and Buildings shall exercise all the powers and perform all the duties of the Superintendent of Public Grounds and Buildings as provided for in the act of General Assembly of the Commonwealth of Pennsylvania approved the twenty-sixth day of March Anno Domini one thousand eight hundred and ninety-five entitled "An Act relative to the Public Grounds and Buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of section twelve Article Three of the Constitution relative to contracts for stationery supplies fuel furniture furnishing distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same and in addition thereto shall appoint subject to the approval of the Governor the following subordinates and employes and the said superintendent shall be held responsible to the Governor for the faithful performance of their duties

In the office of the Superintendent of Public Grounds and Buildings a deputy superintendent In the absence or incapacity of the superintendent and in case of vacancy in the office of superintendent till a successor be appointed the deputy superintendent shall perform all the duties of the superintendent He shall give bond in the penal sum of ten thousand dollars ($10,000) to be approved by the Superintendent of Public Grounds and Buildings conditioned for the faithful performance of his duties and shall receive a salary of twenty-five hundred dollars ($2,500) per annum one clerk at a salary of eighteen hundred dollars per annum one bookkeeper at a salary of fifteen hundred dollars per annum a draughtsman at a salary of fifteen hundred dollars per annum a schedule clerk at a salary of fourteen hundred dollars per annum two stenographers at a salary of twelve hundred dollars each per annum a storekeeper who shall be a competent bookkeeper at a salary of two thousand dollars per annum one assistant storekeeper at a salary of twelve hundred per annum an assistant storekeeper at a salary of ten hundred dollars per annum a night-watchman for the storeroom and department at a salary of ten hundred and twenty dollars per annum a messenger at a salary of ten hundred dollars per annum an assistant messenger at a salary of eight hundred and forty dollars per annum

For the preservation of good order in the capitol grounds and buildings a sergeant of police at a salary of twelve hundred dollars per annum twenty policemen at a salary of ten hundred and twenty dollars each per annum and five night-watchmen at a salary of ten hundred and twenty dollars each per annum

For the care of the conservatory and grounds a foreman who shall be an experienced landscape-gardner and florist at a salary of twelve hundred dollars per annum three assistant florists at a salary of ten hundred and twenty dollars each per annum an assistant foreman of the grounds at a salary of eleven hundred dollars per annum and six caretakers at a salary of eight hundred and forty dollars each per annum

For the care and preservation of the capitol Buildings and furnishings a competent foreman of maintenance at a salary of eighteen hundred dollars per annum a competent foreman of carpenters at a salary of fifteen hundred dollars per annum a competent foreman of painters at a salary of fifteen hundred dollars per annum three expert mechanics one each to take care of the marble the hardwood floors and the bronze and metal furniture at a salary of twelve hundred dollars each per annum six skilled carpenters at a salary of ten hundred and twenty dollars each per annum an assistant marble mechanic at a salary of ten hundred and twenty dollars per annum a locksmith at a salary of ten hundred and twenty dollars per annum a skilled cabinetmaker at a salary of ten hundred and twenty dollars per annum a clock-repairman at a salary of ten hundred and twenty dollars per annum twelve competent elevator operators at a salary of ten hundred and eighty dollars each per annum four skilled painters at a salary of ten hundred and twenty dollars each per annum a competent upholsterer at a salary of ten hundred and twenty dollars per annum three competent hardwood-floor finishers at a salary of ten hundred and twenty dollars each per annum two foreman of charmen who shall have the powers of the Capitol police officers delegated upon them at a salary of ten hundred and twenty dollars each per annum thirty charmen at a salary of seven hundred and twenty dollars each per annum a chief of the bureau of information at a salary of ten hundred and twenty dollars per annum six guides at a salary of nine hundred dollars each per annum two matrons at a salary of four hundred and eighty dollars each per annum two female attendants for the public toilets at a salary of four hundred and eighty dollars each per annum two male attendants for the public toilets at a salary of seven hundred and twenty dollars each per annum

For operating the mechanical plant—a skilled and competent chief engineer at a salary of twenty-five hundred dollars per annum a skilled and competent assistant chief engineer at a salary of one thousand eight hundred dollars per annum a competent night engineer and two assistant engineers at a salary of twelve hundred dollars each per annum six firemen at a salary of ten hundred and twenty dollars each per annum a skilled electrician at a salary of fifteen hundred dollars per annum an assistant electrician at a salary of ten hundred and twenty dollars per annum two wiremen at a salary of ten hundred and twenty dollars each per annum two pumprunners at a salary of ten hundred and twenty dollars each per annum a skilled elevator machinist at a salary of fifteen hundred dollars per annum a competent steam-fitter at a salary of twelve hundred dollars per annum a helper for elevator machinist at a salary of nine hundred dollars per annum a helper for engine-room at a salary of seven hundred and twenty dollars per annum a practical and experienced plumber at a salary of twelve hundred dollars per annum a plumber helper at a salary of nine hundred per annum two motor-tenders at a salary of nine hundred dollars each per annum all of which employes of the mechanical plant shall be under the direct control and supervision of the chief engineer

For services at the Executive Mansion a butler at a salary of seven hundred and twenty dollars per annum a houseman at a salary of five hundred and forty dollars per annum a night-watchman at a salary of ten hundred and twenty dollars per annum a housekeeper at a salary of four hundred and eighty dollars per annum one housemaid at a salary of three hundred and sixty dollars per annum a laundress at a salary of three hundred and sixty dollars per annum a cook at a salary of six hundred dollars per annum a chauffeur at a salary of twelve hundred dollars per annum and a footman at a salary of seven hundred and twenty dollars per annum

When necessary the Superintendent of Public Grounds and Buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care maintenance and preservation of the public grounds and buildings Provided That such help shall be paid out of the Superintendent's General fund

Section 2 This act shall take effect and be in full force on June first one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1433 as follows:

An Act authorizing companies incorporated under the laws of any other State of the United States for quarrying digging excavating manufacturing buying and selling rock stone sand and gravel to erect and maintain buildings and manufacturing establishments and to take have and hold real estate within this Commonwealth necessary and proper for corporate purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall and may be lawful for any company incorporated under the laws of any other State for quarrying digging excavating manufacturing buying and selling rock stone sand and gravel to erect and maintain buildings and manufacturing establishments and to take have and hold real estate within this Commonwealth necessary and proper for corporate purposes provided that nothing herein contained shall be deemed to prevent or relieve real estate taken and held by any such company under the provisions of this statute from being taxed in like manner with other real estate within this Commonwealth and provided further that no foreign corporation shall be entitled to employ any greater amount of capital in any such business in this State than the same kind of corporations organized under the laws of this State are entitled to employ And provided further that every such foreign corporation doing business as aforesaid in this Commonwealth shall be liable to taxation to an amount not exceeding that imposed on corporations organized for similar purposes under the laws of this State and every such foreign corporation taking the benefit of this act shall make the same returns to the Auditor General that are now required by law of the corporations of this State.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1048, as follows:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person partnership or corporation to place or discharge or permit to be placed or discharged in or into any of the running streams of this State any anthracite coal culm refuse from anthracite coal mine or any ashes or to deposit any such coal culm refuse or ashes upon the banks of such stream where the same would be likely to slide into or be washed into such stream Provided however that this act shall not apply to waters pumped or flowing from coal mines where the coal culm ashes or refuse have been removed therefrom or shall not prevent the discharge of sewerage from any public sewer system owned or maintained by any municipality in this Commonwealth

Section 2 Any person firm or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of one hundred dollars for each offense and a further fine of fifty dollars per day for each day the offense is maintained or be imprisoned not exceeding one month or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1162, as follows:

An Act requiring individual drinking cups to be furnished on passenger railway cars and providing a penalty for violation thereof

Whereas by paragraphs thirteen of article three of Interstate Quarantine regulations common carriers are precluded from furnishing common drinking cups glasses or vessels but are not forbidden to use individual cups glasses or vessels which are cleansed by washing in boiling water after each use or are not forbidden to provide or make accessible to passengers sanitary cups for individual use to be destroyed after such use and

Whereas passengers on railway trains may be seriously inconvenienced by not being able to secure drinking water or passenger trains therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all railway companies operating lines of railways and passenger cars including Pullman cars shall furnish and keep on each car at a place accessible to passengers sanitary drinking cups or vessels for individual use which may be secured by the passengers at an expense of not more than one cent each or in lieu thereof shall provide glasses or drinking vessels which may be had upon application to the porter or other official or employee in charge of the car which glass or vessel shall be thoroughly cleansed by washing in boiling water after each individual use

Section 2 Any corporation operating a passenger railway who shall fail to provide drinking vessels in accordance with the provisions of section one of this act in any passenger car operated by them as a common carrier shall be liable upon conviction thereof to a penalty of one hundred ($100) dollars fo reach offense and to costs of prosecution to be collected as debts are collected by law Any porter conductor brakeman or other person in charge of any such passenger car who shall refuse to furnish a drinking vessel to any passenger upon application provided no destructible drinking cups are accessible in the car shall upon conviction thereof in a summary proceeding before a justice of the peace or alderman be sentenced to pay a fine of not more than ten ($10) dollars and costs of prosecution or to undergo imprisonment in the county jail for not more than ten (10) days or both at the discretion of the court

Section 3 Presocutions under this act may be made before any justice or alderman in any county in and through which the line of railway upon which the violation occurred is operated and the fines hereby imposed shall be paid to the use of the county in which the prosecution is made

Section 4 The provisions of this act shall not be interpreted to apply to urban or suburban electric street car lines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1890 (Senate No. 819), entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1187, as follows:

An Act authorizing each city of the first class to establish a municipal pension fund for employes of said city and regulating the payment of such pensions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the cities of the first class be and are hereby authorized to create a municipal pension fund for the pensioning of all employes who have given twenty years of service in said city

Section 2 One half of one per centum of all taxes shall be set aside and appropriated for said municipal pension fund The cities of the first class may set aside and appropriate a sum not to exceed one-half of one per centum of all taxes for such municipal pension fund

Section 3 The employes shall contribute one per centum of their salaries each succeeding month until they retire on pension when same shall cease

Section 4 The pension allowed shall be one-half of the salary received for the two years previous to their retirement

Section 5 The payment of pension shall be made through the department of which said pensioner shall have been last a member

Section 6 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1803, as follows:

An Act to equalize educational advantages throughout the Commonwealth of Pennsylvania by making an inspection and investigation of school districts now unable to provide minimum facilities and providing special appropriation therefor

Whereas A survey of educational conditions made in the Commonwealth during the past year shows that there were twenty-four school districts in the Commonwealth of Pennsylvania having a total of one hundred and forty-nine schools in which the minimum school term could not be maintained by levying the minimum taxes allowed under the old law and

Whereas By reason of the topography of these districts and the remoteness of the inhabitants from each other it is impossible to transport the pupils to central points and thus consolidate the schools and

Whereas The children in these several communities are at great disadvantage as compared with children in other parts of the Commonwealth and

Whereas Section nine hundred six of the School code authorizes the State Board of Education "to equalize through special appropriations for this purpose or otherwise the educational advantages of the different parts of this Commonwealth" therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary be and the same is hereby appropriated for the purpose of equalizing educational advantages in such districts of the Commonwealth of Pennsylvania as are by reason of abandoned industries and other improverished conditions unable to maintain reasonable provisions for the education of the children of such communities

Section 2 The State Board of Education is hereby authorized and empowered to make careful inspection of and investigation and inquiry into the conditions prevailing in the aforesaid districts for the purpose of determining the actual need taking into consideration the actual and taxable value of real estate and personal property in such districts and the relation that such real estate and personal property bears to the tax levy And if as a result of such inspection and investigation the State Board of Education shall find that such district or districts have need of special aid on account of physical industrial or commercial deficiencies or for other good and sufficient reasons then it shall be the duty of the State Board of Education on the basis of the actual needs of such district or districts to recommend a special sum to be paid to such school district or districts out of the appropriation provided in section one of this act said sum to be paid to such district or districts by the State Treasurer on warrants issued by the State Superintendent of Public Instruction

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1426, as follows:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons or corporations engaged in the business of manufacturing spinning or throwing cotton wool or silk yarn or other goods shall be entitled to a lien upon the goods and property of others that may come into their possession for the purpose of being so manufactured spun or thrown into yarn or other goods for the amount of any account that may be due them or any note or notes taken on account of such account from the owners of such cotten wool or silk by reason of any work and labor performed and materials furnished in or about the manufacturing spinning or throwing of the same or other goods of such owner or owners" be and the same hereby is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons or corporations engaged in the business of manufacturing spinning or throwing cotton wool or silk into yarn or other goods or engaged in the business of dyeing cotton wool or silk yarns shall be entitled to a lien upon the goods and property of others that may come into their possession for the purpose of being so manufactured spun or thrown into yarn or other goods or dyed for the amount of any account that may be due them or any note or notes taken on account of such account from the owners of such cotton wool or silk by reason of any work and labor or dyeing performed and materials furnished in or about the manufacturing spinning dyeing or throwing of the same or other goods of such owner or owners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 415, entitled:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred ($500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Amber Amusement Company by its president Harry Brockelhurst or its legal representative

Said sum of five hundred dollars being the amount which the city treasurer of the city of Philadelphia State of Pennsylvania illegally demanded and collected from the said Harry Brockelhurst president of the Amber Amusement Company as proprietor of a moving picture place located at Frankford Avenue Amber and Sergeant Streets in the city of Philadelphia State of Pennsylvania on the first day of December one thousand nine hundred and ten as a State license fee due the said treasurer under the act of June twenty-fourth one thousand eight hundred and ninety-five Pamphlet Laws two hundred and forty-nine and amendment thereto of May twenty-third one thousand nine hundred and seven Pamphlet Laws two hundred and nineteen the said Amber Amusement Company not being liable for the payment of said license fee as said place was used for the exhibition of moving pictures only under the decision of the Superior Court of Pennsylvania in the case of Commonwealth of Pennsylvania versus Fannie C Spiers October term one thousand nine hundred and eleven number two hundred and seventy-four upon the appeal of the plaintiff from the judgment of the court of common pleas number five of the County of Philadelphia to September term one thousand nine hundred and eleven number two thousand seven hundred and fifty-one upon case stated

The title was read as follows:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the illegally demanded and collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

On the question,

Will the House agree to the title?

Mr. WALNUT. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by striking out in line one the words "authorizing and directing the State Treasurer to refund to" and substituting therefor the words "making an appropriation to the"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1562, as follows:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred and ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata share of the cost of said wall from adjoining owner Preserving however all the rights given by statute to owners of party walls erected under said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class approved this seventh day of June one thousand eight hundred and ninety-five" which provides

"Any person or persons who may be now erecting or may desire hereafter to erect any house or building in such cities and who may desire to erect therewith a party wall to be used in common by the person or persons erecting and the owner or owners of the adjoining lot may apply to the said bureau of building inspection of such cities signifying his or their intention to erect a party wall and describing the location of his or their lot and the lot adjoining partly upon which said party wall is to be erected with the plans and specifications of the said proposed wall and the materials of which the same is to be built whereupon it shall be the duty of the said bureau of building inspection to appoint a time at which the superintendent thereof or some person by him authorized will meet the party or parties upon the premises not more than five days thereafter of which application a copy with notice of the time so appointed shall be served by the said bureau of building inspection upon the occupant of said lot at least three days before the time so fixed If said lot is unoccupied the said notice shall be served upon the owner or one of the owners of the same if he reside within the county in which such city is situate at least forty-eight hours before the time fixed Service thereof may be made either personally or by leaving a copy of the notice at the residence of the owner or occupant If there be no owner or occupant resident in the said county or if such owner be unknown such notice shall be posted upon the premises and shall be equivalent to a service At the time appointed the superintendent of the said bureau or some suitable person by him appointed shall have the line dividing said lot properly surveyed by the bureau of engineering and surveys of such city and the land upon which the said party wall is to be erected with the breadth and length of the same and which wall shall be equally one-half upon the land of each of the adjoining owners unless the adjoining owners shall object that said wall as proposed is thicker than necessary for the purpose of any ordinary building If such objection shall be made then the said superintendent or the person by him appointed shall determine how much of said wall shall be placed upon each of said lots and shall decide the same within forty-eight hours after the said objection has been made and his decision shall be final and conclusive upon all parties The said party wall shall be erected by the party first building at his own cost including the cost of the survey plans and specifications herein required and when fully completed the cost of the same shall be ascertained by the said superintendent or his agent who shall at the same time determine the proportion thereof to be paid by the adjoining owner of which he shall give a certificate to the builder which certificate shall be conclusive of all matters therein contained Provided That at least forty-eight hours notice shall be given by said superintendent or his agent to the owner or owners or occupant of said adjoining lot before said certificate shall be given to the builder of the time and place when he may be heard with reference to the same The owner or owners of said adjoining lot his or their heirs assigns or lessees shall not use said party wall by building into

or against it or by in any way using it for any new building or structure until he or they shall have paid for the first builder or builders his heirs or assigns the proportion of the cost of said wall as fixed by said superintendent or his agent or of so much of it as he may desire to use Whenever any party wall shall become impaired in whole or in part or whenever the same shall in whole or in part be unfit or unsafe for the purpose of erecting a new building or buildings upon the adjoining lot and the owner or owners of said wall or any one of the same shall desire to have said wall repaired or shall desire in whole or in part to tear down said wall and have erected a new party wall for the purpose of then erecting a new building any one of the owners of said wall may apply in writing to the bureau of building inspection signifying to such bureau his or their desire in reference to said wall and it shall thereupon be the duty of said superintendent or his authorized agent to examine the same having given notice as prescribed in this section when said examination shall take place the said superintendent or his agent shall within six days after said application has been made decide what if any alteration or repairs shall be made in said walls and whether it is necessary that the whole or any part and if so what part of said party wall shall be torn down and a new one erected for the purpose of new buildings which either party may then desire to erect which decision in writing shall be final and conclusive upon all parties The said Superintendent or his agent shall also determine in what proportion the cost of repairing or of tearing down part or the whole of the old wall and the erection of part or whole of the new wall shall be borne by the respective owners of said lots which decision shall also be in writing and shall be conclusive upon all parties It shall be the duty of any court of Common Pleas of the county within which such city is situate on application made by the proper parties in interest to enjoin and restrain any subsequent builder on the adjoining lot from cutting or breaking into or using said new party wall or any part thereof until he or they shall have first paid to the first builder his heirs or assigns his or their fair proportion of the cost of said party wall or of the cost of in whole or in part tearing down the old wall or in whole or in part of erecting a new party wall as said proportion shall have been estimated by the said Superintendent or his lawful agent of the said Bureau of Building Inspection For the purpose of performing the duties enjoined by this section the said Superintendent and the proper officers of the said Bureau of Building Inspection and their assistants may at all reasonable hours enter upon any of the lands within said city for the purpose of performing the duties herein required All of the necessary expense incurred in and about the performance of the duties named in this section including the preparation of plans and specifications survey and draughts shall be borne and paid by the person or persons at whose instance and request the work shall be done which expenses may be computed in determining the final cost of such party wall All sums of money so paid shall be returned to the city treasurer of such city by the public officer receiving the same In all conveyances of houses and buildings the right to and compensation for the party wall built therewith shall be taken to have passed to the purchasers unless otherwise expressed and reserved and the owner of the house for the time being shall have all remedies in respect to such party wall as he might have in relation to the house to which it is attached All party walls authorized hereby shall be built solidly from the cellar bottom to the top of the fire wall" be and the same is hereby amended to read as follows

Section 9 That the owner or owners of any adjoining lot his or their heirs assigns or lessees shall not use any party wall heretofore erected under the provisions of this act or any other act of Assembly for any new building or structure or for any support to an old building or structure ununtil each of them shall have paid to the first builder or builders his heirs or assigns the proportionate share of the cost of said wall or so much of it as he or they may desire to use

It shall be the duty of any court of Common Pleas of the county within which such city is situate on application made by the proper parties in interest to enjoin and restrain any subsequent builder on the adjoining lot from cutting or breaking into or using said new party wall heretofore erected or any part thereof until he or they shall have first paid to the first builder his heirs or assigns his or their fair proportion of the cost of said party wall and in case the parties cannot agree on the proportionate share said court of Common Pleas shall appoint three viewers one of whom shall be an architect one of whom shall be the Superintendent of the Bureau of Building Inspection or his assistant and a third a disinterested citizen to assess and determine a proportionate share of each In all conveyances of house and building the right to and compensation for the party wall built therewith shall be taken to have passed to the purchasers unless otherwise expressed and reserved together with all rights or privileges which accrue under this act to the original builder thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1175, as follows:

An Act authorizing the purchase or procuring of work labor materials or commodities to the value of one thousand dollars at any one time by cities of the first class without public advertisement for bids and in certain cases without entering into written contracts therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That work labor materials or commodities to the value of one thousand dollars ($1,000) may be purchased or procured at any one time by the proper officer or officers of any city of the first class without advertisement for bids provided that written bids therefor be first invited from at least three persons firms or corporations regularly engaged in the business of manufacturing dealing in furnishing or supplying the same

Section 2 Whenever the officer of such cities having authority to award contracts for such work labor materials or commodities shall be of the opinion that an emergency exists such as not to admit of the delay incidental to the preparation and execution of a written contract or contracts therefor in the usual form it shall be lawful for such officers to purchase or procure such work labor materials or commodities to the value of one thousand dollars ($1,000) at one time by written order and without entering into such contract or contracts A copy of such order together with a full and detailed statement of his reasons for dispensing with a written contract or contracts and together with a designation of the item of appropriation on which it is founded shall be sent by such officer at the time of giving such order to the city controller who shall thereupon duly countersign the same and charge the amount thereof against the proper item of appropriation in the manner required by existing laws with respect to contracts for such work labor materials or commodities

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1132, entitled:

A Supplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessment between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners may in their discretion issue their precepts to the assessors of the respective wards districts boroughs and townships on or before the first day in March of each year for the assessment of such persons as may remove into the respective township ward borough or district between the last assessment and said first day of March and for the reassessment of such property as may have been transferred since the last assessment and for the assessment of those who may have been omitted from last assessment And it shall be the duty of such assessors to make such assessments and return the same before the twenty-fifth of May For such service the said assessors shall receive out of the county funds such compensation as may be fixed by the county commissioners not however exceeding the per diem compensation fixed by law

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 984, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at each and every registration of voters held under any of the election and registration laws of this State whether it is a personal registration or otherwise and in all cities counties boroughs townships and all other districts there shall be a registration and enrollment of the voters according to their respective party preferences and affiliations

On the question,

Will the House agree to the section?

Mr. WALNUT. Mr. Speaker, as I recall it, when this bill was reported out it was with the understanding that it was to be recommitted before it passed second reading. I think the gentleman from Crawford, Mr. Humes, [illegible]ted the bill out, and he probably understands what arrangements were made.

Mr. HUMES. Mr. Speaker, I might say in reply to the gentleman from Philadelphia that this bill was to be amended in a certain particular, and the amendment to be offered covers that particular.

The question recurring,

Will the House agree to the section?

It was agreed to.

The second, third and fourth sections were separately read and agreed to as follows:

Section 2 In all election districts where personal registration is required in addition to other questions to be asked and answered and record made of the answer the voter shall be interrogated and his answer shall be recorded as to the political party with which he is affiliated and at whose next primary he desires to vote and this party preference or affiliation shall be certified with and in the same manner as all other matters of which record is made Provided however that if any voter does not desire to vote at a primary election he shall not be required to answer as to his party affiliation and in such case his party affiliation shall not be recorded

Section 3 In all election districts in which personal registration is not required and in which the registry of voters is made by assessars registers or registrars the person making the registry shall ascertain by inquiry of the voter when practicable and by the best other means in his power the party politics preferences or affiliations of the voter and note and record the same with the residence and other particulars required in registration and the same shall be returned and certified with the names of the voters

Section 4 Any elector who is dissatisfied with the registration made of his party preferences or affiliations or whose preferences and affiliations have not been ascertained designated or recorded may have the registry corrected amended altered or enlarged so as to secure a correct registration in the same manner and by the same process as are provided by law for the correction and amendment of the registry in other particulars provided that such amendments shall not be made later than ten days before any primary election at which the voters desires or intends to vote

The fifth section was read as follows:

Section 5 No voter enrolled or registered as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party and no elector who is not enrolled or registered as a member of some political party shall be permitted to vote at any primary election

On the question,

Will the House agree to the section?

Mr. FLYNN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend House Bill No. 984, file folio 5133, Section 5, by adding after the last word of the section the following:

"Provided, however, that if at any time the laws of this Commonwealth shall provide for the nomination of a candidate or candidates for any office or offices at a non-partisan primary then and in that case every enrolled or registered qualified elector shall be entitled to receive and vote such non-partisan primary ballot in accordance with the provisions of the law authorizing and establishing such primary."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Sections 6, 7, 8 and 9 were separately read and agreed to as follows:

Section 6 Any assessor or registrar willfully violating any of the provisions of this act or willfully registering any false statement of any elector or registry as the member of a political party one whom he knows not to be such or excluding from a party registry or enrollment any voter whom he knows to be entitled thereto shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 7 Any elector who shall willfully make any false affidavit or statement to any assessor or registrar with intent to procure the false party enrollment or registration of himself or of any other voter shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 8 Any voter or elector of the Commonwealth willfully voting or attempting to vote at any primary election in violation of the provisions of this act or any election officer willfully receiving or conspiring to receive the vote of any elector casting the ballot as a voter of any political party not qualified as a member of said party under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 9 All laws or acts of Assembly inconsistent or in conflict herewith be and the same are hereby repealed

The title was read and agreed to as follows:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1343 (Senate No. 366), entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1872, as follows:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighth day of April one thousand eight hundred and sixty seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon" is hereby repealed

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1863 (Senate No. 651), entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne County

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1621, entitled:

An Act empowering incorporated towns of this Commonwealth without petition of the property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof and assess a portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same

The first, and second sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all incorporated towns in this Commonwealth shall have power without petition of property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof which are now or may hereafter be laid out and opened in any of said incorporated towns and collect in the manner hereinafter provided two-thirds of the cost and expenses of the same from the owners of real estate bounding or abutting thereon by an equal assessment on the feet front bounding or abutting as aforesaid said assessment to be estimated by the street commissioner or person in charge of said work or other competent authority designated by the council of said incorporated town Provided That the ordinance authoriz-

ing and directing such improvement shall be adopted and enacted by the affirmative vote of two-thirds of all members comprising the council of said incorporated town and shall be presented to the burgess or chief executive of said incorporated town for his approval If the burgess or chief executive approve said ordinance he shall sign it but if he shall not approve he shall return it with his objections to the council at the next regular meeting thereof when said objections shall be entered at large upon the minutes and at the next succeeding regular meeting of council after return of said ordinance the council shall proceed to a reconsideration thereof If after such consideration all of the members elected to the council shall vote to pass said ordinance it shall then become and be of as full force and effect as if the burgess or chief executive had signed it but in such case the vote of the members of the council shall be determined by yeas and nays and the names and votes of the members shall be entered in the minutes If such ordinance shall not be returned by the burgess or chief executive at the next regular meeting of council after the same shall have been presented to him it shall likewise become and be in as full force and effect as if he had signed it No such ordinance shall be finally adopted and enacted in less than thirty days from the date of its introduction and in the meantime copies of said ordinance shall be published in a newspaper in said incorporated town or circulating therein once a week for two weeks and by at least five handbills posted along the proposed improvement ten days before the final passage in council of such ordinance

Section 2 All municipal assessments for grading paving curbing macadamizing or otherwise improving public streets or parts thereof as aforesaid shall be filed with the clerk or secretary of the incorporated town who shall thereupon cause thirty days written or printed notice to be given to each party assessed either by service on the owner or agent or left on the assessed premises that the assessments are due and payable If said assessments or any of them shall remain unpaid at the expiration of said notice the same shall be placed in the hands of the solicitor of said town for collection whose duty it shall be to collect the same together with five per centum additional as attorney's commission and interest from the completion of the grading paving curbing macadamizing or other improvement by a municipal claim filed against the delinquent owner describing the premises upon which a scire facias may issue When an owner has two or more lots against which there is an assessment for the same improvement all of said lots shall be embraced in one claim

The third section was read as follows:

Section 3 No assessments for grading paving curbing macadamizing or other improvement under the provisions of this act shall be in lieu on real estate for more than six months from the time of the completion of such work unless a claim for the same shall be filed in the office of the prothonotary of the proper county within that time nor shall the same continue a lien longer than five years from the time of filing the claim unless revived by scire facias in the manner provided by law in the case of mechanics' claims

On the question,

Will the House agree to the section?

Mr. C. A. SHAFFER. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 3, line 3, strike out "in lieu" and insert "a lien."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth, fifth and sixth sections were read and agreed to as follows:

Section 4 Every claim shall be a plain statement in which the corporate name of the incorporated town shall be used as a plaintiff and the owner or owners named as defendants and shall contain a description of the property or properties against which it is filed the nature and kind of work done and the time when the same was completed and every claim filed shall be prima facie evidence of all matter therein set forth

Section 5 The term "owner" shall be construed to mean all individuals corporations public or private and associations having any title or interest in the property assessed If the owner to whom notice is required to be given by this act is a nonresident of the incorporated town and his her or their place of residence is known to the clerk or secretary of the incorporated town or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

Section 6 Where the defendant in any writ of scire facias shall be a corporation and the property assessed cannot be sold the scire facias shall be proceeded upon to judgment and a writ of fieri facias shall be issued thereon by virtue of which any personal property of the corporation wherever situated may be levied on and sold or on an attachment in execution may be issued as in other cases

The title was read and agreed to as follows:

An Act empowering incorporated towns of this Commonwealth without petition of the property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof and assess a portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. ALLEN. Mr. Speaker, I desire to call up Senate Bill No. 558, on second reading postponed.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House resumed the second reading and consideration of House Bill No. 1819 (Senate Bill No. 588), entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1370, entitled:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and thirty-nine of the act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven which reads as follows

Section 539 In order to enable the board of school directors in all school districts of the second class to levy and assess the necessary school taxes required by such school districts each year the city clerk or other proper official shall annually on or before the first day of April in each year at the expense of the city furnish each school district of the second class for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable in each school district of the second class stating the name of each taxable the valuation description and kind of property or occupation assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each such school district of the second class" be and the same is hereby amended to read as follows

Section 539 In order to enable the board of school directors in all school districts of the second class to levy and assess the necessary school taxes required by such school district each year the city clerk or other proper official shall annually on or before the first day of April in each year at the expense of the city furnish to each school district of the second class for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable in such school district of the second class stating the name of each taxable the valuation description and kind of property or occupations assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each such school district of the second class The property certified duplicate herein required to be furnished each school district of the second class at the expense of the city shall consist of a bound book printed and indexed according to perform to be submitted by the secretary of the board of school directors of each of such school districts to the city clerk or other proper official on or before the first day of January of each year

On the question,

Will the House agree to the section?

Mr. SASSAMAN. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 43, strike out "perform" and insert "the form."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The title was read and agreed to as follows:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

And said bill having been read at length the second time and agreed to. as amended,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1790, entitled:

An Act to apportion the State into representative districts

The first section was read as follows:

Section 1 Be it enacted by the Senate and House Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That until the next decennial United States census and the apportionment be made thereon by law the House of Representatives shall consist of two hundred and five members and shall be apportioned as follows namely
The City of Philadelphia shall elect forty members and the said city shall be divided into districts as follows
The First District shall consist of the wards and shall elect
The Second District shall consist of the wards and shall elect
The Third District shall consist of the wards and shall elect
The Fourth District shall consist of the wards and shall elect
The Fifth District shall consist of the Wards and shall elect
The Sixth District shall consist of the wards and shall elect
The Seventh District shall consist of the wards and shall elect
The Eighth District shall consist of the wards and shall elect
The Ninth District shall consist of the wards and shall elect
The Tenth District shall consist of the wards and shall elect
The Eleventh District shall consist of the wards and shall elect
The Twelfth District shall consist of the wards and shall elect
The Thirteenth District shall consist of the wards and shall elect
The Fourteenth District shall consist of the wards and shall elect
The Fifteenth District shall consist of the wards and shall elect
The Sixteenth District shall consist of the wards and shall elect
The Seventeenth District shall consist of the wards and shall elect
The Eighteenth District shall consist of the wards and shall elect
The Nineteenth District shall consist of the wards and shall elect
The Twentieth District shall consist of the wards and shall elect
The County of Allegheny shall elect twenty-six members and the said county is hereby divided into fifteen districts as follows
The First District shall consist of the First Second Third and Fifth Wards of the City of Pittsburgh and shall elect two members
The Second District shall consist of the Fourth and Fifteenth wards of the City of Pittsburgh and shall elect one member
The Third District shall consist of the Sixth Ninth Tenth and Eleventh wards of the City of Pittsburgh and shall elect two members
The Fourth District shall consist of the Seventh Eighth Twelfth Thirteenth and Fourteenth wards of the City of Pittsburgh and shall elect two members
The Fifth District shall consist of the Sixteenth Seventeenth Eighteenth Nineteenth and Twentieth wards of the City of Pittsburgh and the township of Lower Saint Clair and shall elect three members
The Sixth District shall consist of the Twenty-first Twenty-second Twenty-third Twenty-fourth Twenty-fifth Twenty-sixth and Twenty-seventh wards of the City of Pittsburgh and shall elect four members
The Seventh District shall consist of the City of McKeesport and shall elect one member
The Eighth District shall consist of the boroughs of Aspinwall Etna Millvale Sharpsburg and Spring Garden and the townships of Indiana O'Hara Reserve Shaler and West Deer and shall elect one member
The Ninth District shall consist of the boroughs of Avalon Bellevue Ben Avon Edgeworth Emsworth Glenfield Haysville Leetsdale Osborne Sewickley and West View and the townships of Aleppo Franklin Hampton Kilbuck Leet McCandless Marshall Ohio Pine Richland Ross Sewickley and Sewickley Heights and shall elect one member
The Tenth District shall consist of the boroughs of Brackenridge Cheswick Oakmont Springdale Tarentum and Verona and the townships of East Deer Fawn Harmar Harrison Penn Plum and Springdale and shall elect one member
The Eleventh District shall consist of the boroughs of Braddock East Pittsburgh Edgewood North Braddock Rankin Swissvale Turtle Creek and Wilkinsburg and the townships of Braddock and Wilkins and shall elect one member
The Twelfth District shall consist of the boroughs of Bridgeville Clairton Dravosburg Duquesne Hays Homestead Munhall West Elizabeth West Homestead Whitaker and Wilson and the townships of Bethel Jefferson Miffin Snowden and Upper Saint Clair and shall elect two members
The Thirteenth District shall consist of the boroughs of Carnegie Coraopolis Crafton Heidelburg Ingram McKees Rocks Oakdale and Thornburg and the townships of Chartiers Collier Crescent Findley Kenunedy Moon Neville North Fayette Robinson South Fayette and Stowe and shall elect two members
The Fourteenth District shall consist of the boroughs of Carrick Dormont Greentree Knoxville Mount Oliver Saint Clair and Westwood and the townships of Baldwin Mount Lebanon Scott and Union and shall elect one member
The Fifteenth District shall consist of the boroughs of East McKeesport Elizabeth Glassport Liberty Pitcairn Port Vue Versailles Wall and Wilmerding and the townships of Elizabeth Forward Lincoln North Versailles Patton South Versailles and Versailles and shall elect one member
The County of Luzerne shall elect eight members and the said county is hereby divided into districts as follows
The First District shall consist of the City of Wilkes-Barre and shall elect two members
The Second District shall consist of the boroughs of and the townships of and shall elect
The Third District shall consist of the boroughs of and the townships of and shall elect
The Fourth District shall consist of the boroughs of and the townships of and shall elect
The Fifth District shall consist of the boroughs of and the townships of and shall elect
The Sixth District shall consist of the boroughs of and the townships of and shall elect
The Seventh District shall consist of the boroughs of and the townships of and shall elect
The County of Lackawanna shall elect six members and the said county is hereby divided into six districts as follows
The First District shall consist of the First Second Third Seventh Thirteenth Sixteenth and Twenty-first wards of the City of Scranton and shall elect one member
The Second District shall consist of the Fourth Fifth Sixth Fourteenth Fifteenth Eighteenth Twentieth and Twenty-second wards of the City of Scranton and shall elect one member
The Third District shall consist of the Eight Ninth Tenth Eleventh Twelfth Seventeenth and Nineteenth wards of the City of Scranton and shall elect one member
The Fourth District shall consist of the City of Carbondale the boroughs of Archbald Blakely Jermyn Mayfield and Vandling and the townships of Carbondale and Fell and shall elect one member
The Fifth District shall consist of the boroughs of Dalton Glenburn Gouldsboro La Plume Moosic Moscow Old Forge Taylor and Waverly and the townships of Benton Clifton Covington Greenfield Lackawanna Lehigh Madison Newton North Abington Ransom Scott South Abington Spring Brook and West Abington and shall elect one member
The Sixth District shall consist of the boroughs of Dickson Dunmore Elmhurst Alyphant Throop and Winton and the townships of Jefferson and Roaring Brook and shall elect one member
The County of Westmoreland shall elect six members and the said county is hereby divided into districts as follows
The First District shall consist of the boroughs of and the townships of and shall elect
The Second District shall consist of the boroughs of and the townships of and shall elect
The Third District shall consist of the boroughs of and the townships of and shall elect
The Fourth District shall consist of the boroughs of and the townships of and shall elect
The County of Schuylkill shall elect five members and the said county is hereby divided into districts as follows
The First District shall consist of the boroughs of and the townships of and shall elect
The Second District shall consist of the boroughs of and the townships of and shall elect
The Third District shall consist of the boroughs of and the townships of and shall elect
The Fourth District shall consist of the boroughs of and the townships of and shall elect
The County of Berks shall elect five members and the said county is hereby divided into two districts as follows
The First District shall consist of the City of Reading and shall elect three members
The Second District shall consist of the residue of the County of Berks not included in the First District and shall elect two members
The County of Montgomery shall elect four members and the said county is hereby divided into four districts as follows
The First District shall consist of the boroughs of Ambler Hatboro Hatfield Lansdale North Wales Royersford Souderton and West Telford and the townships of East Noriton Fanconia

Hatfield Horsham Lower Gwyneed Lower Providence Lower Salford Montgomery Moreland Skippack Towamencin Upper Dublin Upper Gwyneed West Norritan Whitpain and Worcester and shall elect one member

The Second District shall consist of the boroughs of Bridgeport Conshohocken Norristown and West Conshohocken and the townships of Norristown Plymouth and Upper Merion and shall elect one member

The Third District shall consist of the boroughs of Jenkintown Narberth and Rockledge and the townships of Abington Cheltenham Lower Merion Springfield and Whitemarsh and shall elect one member

The Fourth District shall consist of the boroughs of Collegeville East Greenville Greenlane Pennsburg Pottstown Red Hill Schwenksville and Trappe and the townships of Douglass Frederick Limerick Lower Pottsgrove Marlborough New Hanover Perkiomen Salford Upper Hanover Upper Pottsgrove Upper Providence Upper Salford and West Pottsgrove and shall elect one member

The County of Fayette shall elect four members and the said county is hereby divided into two districts as follows

The First District shall consist of the boroughs of and the townships of and shall elect

The Second District shall consist of the boroughs of and the townships of and shall elect

The County of Lancaster shall elect four members and the said county is hereby divided into two districts as follows

The First District shall consist of the City of Lancaster and shall elect one member

The Second District shall consist of the residue of the county of Lancaster not included in the First District and shall elect three members

The County of Cambria shall elect four members and the said county is hereby divided into four districts as follows

The First District shall consist of the City of Johnstown and shall elect one member

The Second District shall consist of the boroughs of Ashville Barnsboro Carrolltown Hastings Patton and Spangler and the townships of Barr Chest Clearfield Dean East Carroll Elder Reader Susquehanna West Carroll and White and shall elect one member

The Third District shall consist of the boroughs of Brownstown Daisytown Dale East Conemaugh Ferndale Scalp Level South Fork Summerhill and Westmont and the township of Adams Conemaugh Croyle East Taylor Lower Yoder Middle Yoder Richland Stoneycreek Upper Yoder and West Taylor and shall elect one member

The Fourth District shall consist of the boroughs of Cassandra Chest Springs Cresson Ebensburg Gallitzin Lilly Lorretto Portage Sankertown Tunnelhill Vintondale and Wilmore and the townships of Allegheny Blacklick Cambria Cresson Gallitzin Jackson Munster Portage Summerhill and Washington and shall elect one member

The County of Washington shall elect four members and the said county is hereby divided into two districts as follows

The First District shall consist of the City of Monongahela and the boroughs of Beallsvile Bentleyville California Centerville Charleroi Coal Center Cokeburg Deemston Donora Elco Ellsworth Finleyville Long Branch Marianna New Eagle North Charleroi Roscoe Speers Stockdale Twilight and West Brownsville and the townships of Allen Carroll East Bethlehem East Pike Run Fallowfield Nottingham Peters Somerset Union West Bethlehem and West Pike Run and shall elect two members

The Second District shall consist of the residue of the County of Washington not included in the First District and shall elect two members

The County of York shall elect four members and the said county is hereby divided into four districts as follows

The First District shall consist of the City of York and shall elect one member

The Second District shall consist of the boroughs of Cross Roads Dallastown Delta East Prospect Fawn Grove Felton Logancille Red Lion Stewartstown Windsor Winterstown Yoe and Yorkanna and the townships of Chanceford East Hopewell Fawn Hopewell Lower Chanceford Lower Windsor North Hopewell Peach Bottom Springfield Windsor and York and shall elect one member

The Third District shall consist of the boroughs of Dillsburg Dover Franklintown Goldsboro Lewisberry Manchester Mount Wolf North York Spring Grove Wellsville West York and York Haven and the townships of Carroll Conewago Dover East Manchester Fairview Franklin Jackson Manchester Monaghan Newberry Paradise Warrington Washington and West Manchester and shall elect one member

The Fourth District shall consist of the residue of York County not included in the First Second or Third Districts and shall elect one member

The County of Dauphin shall elect four members and the said county is hereby divided into two districts as follows

The First District shall consist of the City of Harrisburg and shall elect two members

The Second District shall consist of the residue of the County of Dauphin not included in the First District and shall elect two members

The County of Northampton shall elect three members and the said county is hereby divided into three districts as follows

The First District shall consist of the City of Easton the boroughs of Bangor East Bangor Portland Tatamy and West Easton and the townships of Forks Lower Mount Bethlehem Upper Mount Bethlehem and Washington and shall elect one member

The Second District shall consist of the boroughs of Bath Chapman Nazareth North Catasauqua Northampton Pen Argyl Roseto Walnutport and Wind Gap and the townships of Allen Bushkill East Allen Lehigh Moore Plaineld and Upper Nazareth and shall elect one member

The Third District shall consist of the residue of the County of Northampton not included in the First or Second Districts and shall elect one member

The County of Lehigh shall elect three members and the said county is hereby divided into three districts as follows

The First District shall consist of the City of Allentown and shall elect one member

The Second District shall consist of the boroughs of Bethlehem (wards five six and seven) Catasauqua Coplay and Slatington and the townships of Hanover North Whitehall Washington and Whitehall and shall elect one member

The Third District shall consist of the residue of the County of Lehigh not included in the First and Second Districts and shall elect one member

The County of Delaware shall elect three members and the said county is hereby divided into two districts as follows

The First District shall consist of the City of Chester and shall elect one member

The Second District shall consist of the residue of the county not included in the First District and shall elect two members

The County of Erie shall elect three members and the said county is hereby divided into three districts as follows

The First District shall consist of the First Second and Fifth Wards of the City of Erie and shall elect one member

The Second District shall consist of the Third Fourth and Fifth Wards of the City of Erie and shall elect one member

The Third District shall consist of the residue of the County of Erie not included in the First or Second Districts and shall elect one member

The County of Northumberland shall elect three members and the said county is hereby divided into two districts as follows

The First District shall consist of the boroughs of Herndon Marion Heights Mount Carmel Riverside Shamokin and Snydertown and the townships of Coal East Cameron Gearhart Jackson Jordon Little Mahoney Lower Mahoney Mount Carmel Ralpho Rush Shamokin Upper Mahoney Washington West Cameron and Zerbe and shall elect two members

The Second District shall consist of the residue of the County of Northumberland not included in the First District and shall elect one member

The County of Chester shall elect three members and the said county is hereby divided into districts as follows

The First District shall consist of the boroughs of and the townships of and shall elect

The Second District shall consist of the boroughs of and the townships of and shall elect

The County of Blair shall elect three members and the said county is hereby divided into two districts as follows

The First District shall consist of the City of Altoona and shall elect one member

The Second District shall consist of the residue of the County of Blair not included in the First District and shall elect two members

The County of Clearfield shall elect two members
The County of Lycoming shall elect two members
The County of Beaver shall elect two members
The County of Mercer shall elect two members
The County of Bucks shall elect two members
The County of Butler shall elect two members
The County of Lawrence shall elect two members
The County of Armstrong shall elect two members
The County of Somerset shall elect two members
The County of Indiana shall elect two members
The County of Jefferson shall elect two members
The County of Crawford shall elect two members
The County of Franklin shall elect two members
The County of Lebanon shall elect two members
The County of Venango shall elect one member
The County of Bradford shall elect one member
The County of Cumberland shall elect one member
The County of Carbon shall elect one member
The County of Columbia shall elect one member
The County of McKean shall elect one member
The County of Centre shall elect one member
The County of Tioga shall elect one member
The County of Warren shall elect one member
The County of Bedford shall elect one member
The County of Huntingdon shall elect one member
The County of Susquehanna shall elect one member
The County of Clarion shall elect one member
The County of Elk shall elect one member
The County of Adams shall elect one member
The County of Clinton shall elect one member
The County of Potter shall elect one member
The County of Wayne shall elect one member
The County of Greene shall elect one member
The County of Mifflin shall elect one member
The County of Perry shall elect one member
The County of Monroe shall elect one member
The County of Snyder shall elect one member
The County of Union shall elect one member
The County of Wyoming shall elect one member
The County of Juniata shall elect one member
The County of Montour shall elect one member
The County of Sullivan shall elect one member
The County of Fulton shall elect one member
The County of Forest shall elect one member
The County of Pike shall elect one member
The County of Cameron shall elect one member

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. LOWERS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

BILL RECOMMITTED.

Mr. SHERN. Mr. Speaker, I move to amend the motion to read, that this bill be recommitted to the Committee on Legislative Apportionment. This bill has absolutely no right on the floor of the House at this time, and I therefore move that it be recommitted to that committee.

Mr. ALLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Mr. RICHARDS. Mr. Speaker, I desire at this time to call up House Bill No. 1497.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1497, entitled:

An Act establishing in counties containing a population of from eight hundred thousand to one million four hundred thousand a board for the assessment and revision of taxes for State and county and city purposes prescribing the method of their appointment their powers and duties fixing their salary to be paid by the proper county and abolishing the office of city ward borough and township assessors in so far as respects the assessment of State and county and city taxes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in counties of this Commonwealth containing a population of not less than eight hundred thousand nor more than one million four hundred thousand as shown by the last preceding Federal census all the assessments and valuations of property whether real or personal taxable for State county and city purposes including occupation shall be made by a board consisting of three persons to be designated as the board for the Assessment and Revision of Taxes The members of said board shall be appointed by the County Commissioners and shall hold their office for the term of four years and the said county commissioners shall fill all vacancies in said Board for the unexpired term thereof The said Board shall designate one of its members as President of the Board Each member of said Board shall receive a salary of five thousand ($5,000) dollars per annum payable monthly out of the treasury of the proper county

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. RICHARDS. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. LOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Mr. J. H. YOUNG. Mr. Speaker, I desire at this time to call up House Bill No. 1603.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1603, as follows:

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordinances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the several boroughs of this Commonwealth in addition to the powers now vested in them by law shall have the power by ordinance to prohibit accumulations of garbage or rubbish upon private properties within their respective limits and to prescribe penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE.

Mr. HORACE B. DUNN. Mr. Speaker, I move that the vote by which House Bill No. 1132 was ordered to be transcribed for third reading be reconsidered.

Mr. BODY. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. HORACE B. DUNN. Mr. Speaker, I move that the vote by which House Bill No. 1132 was agreed to on second reading be reconsidered.

Mr. BODY. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. HORACE B. DUNN. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

Mr. BODY. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. HORACE B. DUNN. Mr. Speaker, I move that the vote by which section one was agreed to be reconsidered.

Mr. BODY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the section?

Mr. BODY. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section one (1) by striking out from line 9 the words "between the last essessment and said first day of March" and inserting instead the words "since the last assessment."

On the question,

Will the House agree to the amendment

It was agreed to?.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

A supplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assesors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING.

Mr. CONNIFF. Mr. Speaker, I desire to call up from the postponed Calendar House Bill No. 1798, file folio 4203.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House resumed the second reading and consideration of House Bill No. 1798, entitled:

An Act to amend the fifth section of an act approved the fifth day of May Anno Domini one thousand nine hundred and eleven entitled "An act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the court of Common Pleas and the judges of the Orphans' Courts" providing the annual salary of each of the judges of the Courts of Common Pleas learned in the law in judicial districts having a poulation of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of the act of May fifth Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one hundred and eighty-two) which reads as follows namely

"Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying Commonwealth's civil cases" be and the same is hereby amended so as to read as follows

Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be ten thousand dollars ($10,000) in judicial districts having a population of ninety thousand and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual

salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases

On the question,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 6. After "eighty-two" insert title of Act of 1911, entitled "An act to fix the salaries of the judges of the Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas, and the judges of the Orphans' Courts."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act to amend the fifth section of an act approved the fifth day of May Anno Domini one thousand nine hundred and eleven entitled: "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the court of common pleas and the judges of the orphans' courts" providing that the annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. CONNIFF. Mr. Speaker, I desire to call up House Bill No. 1722, bills on second reading postponed.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House resumed the second reading and consideration of House Bill No. 1722, entitled:

As Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three and providing for the punishment of persons who combine as conspire to prevent competitions in bidding thereon

The first section was read as follows:

Secton 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings is contracting under the act of twenty-first April nineteen hundred and three for the rebuilding of county bridges carried away or destroyed by flood or wind storm shall not exceed in the aggregate award of such contracts the sum of seven hundred and fifty thousand dollars in any one year

On the question,

Will the House agree to the section?

Mr. CONNIFF. Mr. Speaker. I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Sec. 1, line 6. After "three" insert title of the act of 1903, entitled "An Act to amend the first, second, third, fourth and seventh sections of an act approved June third, one thousand eight hundred and ninety-five, entitled 'An Act authorizing the Commonwealth of Pesnsylvania to rebuild county bridges over navigable rivers, and other streams, which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors, and the payment of the cost of rebuilding such bridges' "

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections were read and agreed to as follows:

Section 2 Any corporation person or persons who shall do or permit any act which interferes or prevents fair competition among bidders or submits a collusive bid or enters into collusion in the making or submission of bids or in obtaining the same for any such construction repairing or rebuilding shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment for the term of two years or either or both at the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith are hereby reepaled

The title was read as follows:

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon

On the question,

Will the House agree to the title

Mr. CONNIFF. Mr. Speaker. I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title—line 5. After "three" insert title of the act of 1903, entitled "An Act to amend the first, second, third, fourth and seventh sections of an act, approved June third, one thousand eight hundred and ninety-five entitled 'An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers, and other streams, which have been declared public highways by act of Assembly, where such bridges have been destroyed by flood, fire or other casualty; providing for the appointment of viewers and inspectors, and the payment of the cost of rebuilding such bridges' "

On the question,

Will the House agree to the amendment

It was agreed to?.

On the question,

Will the House agree to the title as amended

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. S. B. SCOTT. Mr. Speaker, I desire to call up at this time House Bill No. 939, from page 8 of to-day's Calendar, which was passed over.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 939, as follows:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate form all claim or interest of such persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any person shall be presumed to be dead on account of absence for seven or more years from the place of his or her last domicile within this Commonwealth any person entitled under the intestate laws of this Commonwealth to any share in his or her estate or the escheator for the Commonwealth may file a petition in the orphans' court of the proper county setting forth the facts which raise the presumption of death The said court shall cause to be advertised in a newspaper published in the county once a week for four successive weeks the fact of such application together with notice that on a day certain which shall be at least two weeks after the last appearance of said advertisement the court will hear evidence concerning the alleged absence of the supposed decedent and the circumstances and duration thereof

Section 2 At the hearing the orphans' court shall take such legal evidence as shall then be offered for the purpose of ascertaining whether the presumption of death is established and no person shall be disqualified to testify by reason of his or her relationship as husband of wife of the supposed decedent or of his or her interest in the estate of the person supposed to be dead

Section 3 If satisfied upon the hearing that the legal presumption of death is made out the court shall so decree and shall forthwith cause notice thereof to be inserted for two successive weeks in a newspaper of general circulation published in the county and also when practicable in a newspaper published at or near the place (beyond the Commonwealth) where when last heard from the supposed decedent had his residence The said notice shall require the supposed decedent if alive or any other person for him to produce to the court within twelve weeks from the date of its last insertion satisfactory evidence of his continuance in life

Section 4 If such evidence is presented to the court within such time the decree shall be annulled but if not shall be confirmed absolutely

Section 5 Whenever the said court shall enter a decree that the presumption of death of any person has been established and that the aforementioned advertising has been completed the real estate of the person presumed to be dead shall pass and devolved as in case of actual death and the persons entitled by will or under the intestate laws may enter and take possession However in case the presumption of death is rebutted by adequate proof that the person presumed to be dead is in fact alive said real estate shall revert to him as fully as though the decree of presumptive death had never been entered subject

however to the payment of the costs and expenses of the proceedings and advertising aforesaid However when the aforementioned decree is confirmed absolutely it may be recorded in the office of the recorder of deeds of the proper county and the persons taking the real estate may sell the same and the purchaser shall take good title free and discharged of any interest or claim of the person presumed to be dead But the vender or vendors of such real estate shall give bond in an amount to be fixed by the orphans' court and with sureties to be approved by said court conditioned to account to and pay over to the supposed decedent in case he is proved to be actually alive the proceeds of said sale When the presumed decedent shall have been absent and unheard of for twenty-one years the bond of such vendor or vendors shall be taken without sureties

Section 6 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. LOWERS. Mr. Speaker, I desire to call up House Bill 1214, from page 10 of to-day's Calendar, which was passed over.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1214, as follows:

An Act prescribing the number of directors of the poor in counties which have provided for the erection of a home for the destitute and insane and fixing the term of service of such directors at six years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any county shall have provided for the erection of a home for the destitute and insane the qualified electors of such county shall elect at the next municipal election under the general election laws of this Commonwealth one reputable citizen of said county to be director of such home of the destitute and insane who shall serve for the term of six years and thereafter at each succeeding municipal election shall elect one reputable citizen of said county to be director as aforesaid to serve for the same term

Section 2 The term of the present incumbent of the office director of the home for the destitute and insane which under existing laws would otherwise expire on the first day of January one thousand nine hundred sixteen and who is senior in service as such director is hereby extended to the first day of January one thousand nine hundred eighteen Should there be no such seniority and more than one director whose terms would expire as aforesaid the said directors shall as soon as convenient after the pasage of this act cast lots to determine who shall be entitled to said extended term and certify the result to the Governor who shall issue a commission to the party entitled to serve as such director to the first day of January one thousand nine hundred eighteen

Section 3 All acts and parts of acts general special or local inconsistent herewith or supplied hereby be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. RONEY. Mr. Speaker, I desire to call up at this time House Bill No. 591, page 7 of to-day's Calendar, which was passed over.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 591, as follows:

An Act relative to Mercantile Appraisers' Lists

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the mercantile appraisers' lists published in each county of the Commonwealth in addition to the names and classification of each person subject to license shall also give the amount of gross volume of business transacted annually upon which the tax is assessed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. NEELY. Mr. Speaker, I desire to call up at this time House Bill 1236, from page 12 of to-day's Calendar, which was passed over.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1236, as follows:

An Act to amend sections three ten twelve fourteen seventeen twenty twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred and one as the same were amended by the act of May fourteenth one thousand nine hundred and nine by further providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requiremnts for the construction of plumbing house drainage and cespools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenah day of May one thousand nine hundred and nine entitled "A act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisos of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" which as amended reads as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing too the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman thereof shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city teasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a boni fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or name of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall render his their or its certificate of registry to the board of bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officer's names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing or house drainage for the ensuing year shall be-

tween the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or forms as may fro mtime to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeyman plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificate issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" be and the same is hereby further amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing too the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be formed competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman thereof shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a boni fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or name of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall urrender his or its certificate of registry to the board or burreau of health

Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officer's names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing or house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and re-register his their or its name or names and business or home address upon such form or form as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeyman plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license of certificate isued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

The license or certificate now or hereafter granted under the provisions of this act may be revoked or temporarily suspended by the director of the department of public safety or the presiding officer of the department or board or bureau of health when any person or persons shall violate any of the provisions of this act or for any other reasonable cause

Section 2 That section three of said act of June the seventh nineteen hundred and one which reads as follows

"Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely be and the same is hereby amended to read as follows

Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely

Except where the replacing of fixtures is required or alterations are to be made which cannot be practically constructed in accordance with the provisions of this act a special permit may be issued by the chief plumbing inspector for such work if in his judgment the conditions require and all reconstruction of old and condemned plumbing shall be done in accordance with the provisions of this act

Section 3 That section eight of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Material of House Drains

Section 8 "The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer except where two houses are built together on a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a "Y" connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownershop and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain Where it is necessary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board of bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with leaded and caulked joints and carried five feet outside cellar wall All drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with leaded and caulked joints or of heavy wrought-iron pipe with screw joints properly secured and carried five feet outside cellar wall and all arrangements of soil or waste pipes shall be as direct as possible Wrought-iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches both above and below the ground and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall One-fourth Inch Per Ft	Fall One-half Inch Per Ft
4 inches.	1,800 sq. ft. drainage area.	2,500 sq. ft. drainage area
5 inches.	3,000 sq. ft. drainage area.	4,500 sq. ft. drainage area
6 inches.	5,000 sq. ft. drainage area.	7,500 sq. ft. drainage area
8 inches.	9,100 sq. ft. drainage area.	13,600 sq. ft. drainage area
10 inches.	14,000 sq. ft. drainage area.	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain-water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house drain be less than four (4) inches in diameter" be and the same is hereby further amended to read as follows

Material of House Drains

Section 8 The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exists except where two houses are built together on a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a "Y" connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownership and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the

whole will be considered as one house drain or where a private automobile garage exists or is erected in the rear of a dwelling and no living quarters in garge the sewer from garage may be connected to house sewer with extra heavy cast-iron pipe carried to garage and the whole will be considered as one house drain

Where it is necessary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board of bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil-pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with leaded and caulked joints and carried five feet outside of all exterior walls all drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with leaded and caulked joints or of heavy galvanized wrought-iron pipe with screw joints properly secured and carried five feet outside exterior cellar walls and all arrangements of soil or waste pipes shall be as direct as possible Wrought-iron iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches and clean-out plugs installed at all abrupt turns Where sewer and waste-pipes are under floor clean out plugs must be brought on forty-five degree angle and finish with floor level and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall One-fourth Inch Per Ft	Fall One-half Inch Per Ft
4 inches.	1,800 sq. ft. drainage area.	2,500 sq. ft. drainage area
5 inches.	3,000 sq. ft. drainage area.	4,500 sq. ft. drainage area
6 inches.	5,000 sq. ft. drainage area.	7,500 sq. ft. drainage area
8 inches.	9,100 sq. ft. drainage area.	13,600 sq. ft. drainage area
10 inches.	14,000 sq. ft. drainage area.	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain-water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house drain be less than four (4) inches in diameter" be and the same is hereby further amended to read as follows

Section 4 That section ten of said act of June seventh nineteen hundred and one which reads as follows

Fresh Air Inlet

"Section 10 A fresh air inlet must be connected with the house drain just inside of the house trap Where under ground it must be of extra heavy cast-iron Said inlet must lead to the outer air and finish with an automatic device approved by the board or bureau of health at a point just outside the front wall of building The fresh air inlet must be of the same size as the drain up to four inches For five or six inch drains it must not be less than four inches in diameter for seven and eight inch drains not less than six inhes in diameter or its equivalent and for larger drains not less than eight inches in diameter or its equivalent be and the same is hereby amended to read as follows

Fresh Air Inlet

Section 10 A fresh air inlet must be connected with the house drain just inside of the house trap Where under ground it must be of extra heavy cast-iron Said inlet must lead to the outer air and finish with an automatic device approved by the board or bureau of health at a point outside of the building or buildings and must not open within ten (10) feet of any window or door Any tenement house or office building three or more stories in height the fresh air inlet must be carried through the roof with extra heavy cast-iron or of galvanized wrought iron screw pipe The fresh air inlet must be of the same size as the drain up to four (4) inches For five or six inch drain it must not be less than four (4) inches in diameter for seven and eight inch drains not less than six (6) inches in diameter or its equivalent and for larger drains not less than eight (8) inches in diameter or its equivalent

Section 5 That section twelve of said act of June seventh nineteen hundred and one which reads as follows

Location of House Sewer

"Section 12 When main sewer is not located on street house sewers must be constructed on outside of buildings and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars

Location of House Sewer

Section 12 When main sewer is not located on street house sewers must be constructed on outside of buildings and lot line and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars

Section 6 That section fourteen of said act of June seventh nineteen hundred and one which reads as follows

Material of Sewers Between Buildings

"Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings it must be constructed of extra heavy cast-iron pipe from a distance corresponding to the length of the foundations of said buildings or adjoining property line

Material of Sewers Between Buildings

"Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings and adjoining property line it must be constructed of extra heavy cast-iron pipe for a distance corresponding to the length of the foundations of said buildings or adjoining property line

Section 7 That section seventeen of said act of June seventh nineteen hundred and one which reads as follows

Subsoil Drains

"Section 17 Subsoil drains must discharge into a sump or receiving tank the contents of which must be lifted and discharged into the drainage system above the cellar floor by some approved method Where directly sewer connected they must be cut off from the rest of the plumbing system by a brass flap-valve on the inlet to the catch-basin and the trap on the drain from the catch-basin must be water supplied as required for cellar drain" be and the same is hereby amended to read as follows

Subsoil Drains

Section 17 Subsoil drains must discharge into a sump or receiving tank the contents of which must be lifted and discharged into the drainage system above the cellar floor by some approved method Where directly sewer connected they must be cut off from the rest of the plumbing system by a brass flap-valve on the inlet to the catch-basin and the trap on the drain from the catch-basin must be water supplied as required for cellar drains When sump tanks are located in any building six or less stories in height it must be provided with a three inch relief pipe and if more than six stories in height it must be a four inch pipe Vent pipes from sump tanks must be carried independently through the roof

Section 8 That section twenty of said act of June seventh nineteen hundred and one which reads as follows

Leader Pipes

"Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the sewer If there be no sewer in the street upon which such buildings front then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter" be and the same is hereby amended to read as follows

Leader Pipes

Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building or buildings from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the said shall be conducted by a pipe or pipes to the storm sewer accessible either from the front or rear of the buildings If there be no storm sewer in the street upon which the building fronts or no such storm sewer otherwise accessible then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter In no event shall the waters from said leaders be allowed to flow into sanitary sewers and in case where storm sewers shall now or hereafter be constructed or provided either in front of the buildings or otherwise accessible the owners shall upon twenty days' notice in writing from the department or health so to do disconnect such leaders from the sanitary sewers and connect them with the storm sewers

The sanitary sewer as referred to in this act shall mean the public sewer which is now or may hereafter be laid to carry domestic or house sewage only

The storm sewer as referred to in this act shall mean the public sewer which is laid for the sole purpose of providing drainage for storm and surface water and excludes all sewage containing fecal matter

Section 9 That section twenty-one of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Material for Inside and Outside Leaders

"Section 21 Inside leaders must be constructed of cast-iron wrought iron or steel with roof connections made gas and water-tight by means of heavy copper-drawn tubing slipped into the pipe The tubing must extend at least seven (7) inches into iron leader pipe Outside leaders may be sheet metal but they must connect with house drain by means of a cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewalks Where the building is located off building line and not liable to be damaged the connection shall be made with iron pipe extending at least one foot above grade level" be and the same is hereby further amended to read as follows

Material for Inside and Outside Leaders

Section 21 Inside leaders must be constructed of cast-iron galvanized wrought iron or steel with roof connections made gas and water-tight by means of heavy copper-drawn tubeing slipped into the pipe The tubing must extend at least seven (7) inches into iron leader pipe Outside leaders may be sheet metal but they must connect with house drain by means of a cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewalks Where the building is located off building line and not liable to be damaged the connection shall be made with iron pipe extending at least one foot above grade level

Section 10 That section twenty-two of said act of June seventh nineteen hundred and one which reads as follows

Trapping of Leaders

"Section 22 All leaders must be trapped with cast-iron running traps so placed as to prevent freezing" be and the same is hereby amended to read as follows

Trapping of Leaders

"Section 22 All leaders must be trapped with cast-iron

traps so placed as to prevent freezing One or more leaders may be connected by one trap where leader traps are placed inside of buildings they must be provided with clean-out plugs caulked in as provided for in section forty-one of said act of June seventh nineteen hundred and one

Section 11 That section twenty-four of said act of June seventh nineteen hundred and one which reads as follows

Exhaust from Steam Pipes et cetera

"Section 24 No steam exhaust blow-off or drip-pipe shall connect with a sewer or house drain leader soil-pipe waste or vent-pipe Such pipes must discharge into a tank or condenser from which suitable outlet to the sewer shall be made Such condensers shall be water supplied to help condensation and protect the sewer and shall also be supplied with relief vent to carry off dry steam" be and the same is hereby amended to read as follows

Exhaust from Steam Pipes et cetera

Section 24 No steam exhaust blow-off or drip-pipe shall connect with a sewer or house drain leader soil-pipe waste or vent-pipe Such pipes must discharge into a tank or condenser from which suitable outlet to the sewer shall be made Such condensers shall be water supplied to help condensation and protect the sewer and shall also be supplied with relief vent to carry off dry steam No over-flow from gasoline storage tanks shall be connected direct to any sewer or drain but may be drained into an open receptor or bell trap

Section 12 That section twenty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Diameter of Soil Pipes

"Section 25 The smallest diameter of any soil-pipe permitted to be used shall be four-inch The size of soil-pipes must be not less than those set forth in the following tables

	Maximum Number of Fixtures Connected to— Soil and Waste Combined		Soil-Pipe Alone	
Size of Pipe.	Branch	Main	Branch	Main
4 in...	48 fixtures.	96 fixtures.	8 water-closets.	16 water-closets
5 in...	96 fixtures.	192 fixtures.	16 water-closets.	32 water-closets
6 in...	268 fixtures.	336 fixtures.	34 water-closets.	68 water-closets

If the building is six (6) and less than twelve (12) stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the highest window and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of buildings

Fixtures with—
One and one-quarter inch traps count as one fixtures
One and one-half inch traps count as one fixture
Two inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four inch traps count as five fixtures" be and the same is hereby further amended to read as follows

Diameter of Soil Pipes

Section 25 The smallest diameter of any soil-pipe permitted to be used shall be four-inch The size of soil-pipes must not be less than those set forth in the following tables

	Maximum Number of Fixtures Connected to— Soil and Waste Combined		Soil-Pipe Alone	
Size of Pipe.	Branch	Main	Branch	Main
4 in...	48 fixtures.	96 fixtures.	8 water-closets.	16 water-closets
5 in...	96 fixtures.	192 fixtures.	16 water-closets.	32 water-closets
6 in...	268 fixtures.	336 fixtures.	34 water-closets.	68 water-closets

If the building is six (6) and less than twelve (12) stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the roof and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of building

Fixtures with—
One and one-quarter inch traps count as one fixtures
One and one-half inch traps count as one fixture
Two inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four-inch traps counts as five fixtures

Section 13 That section twenty-six of said act of June seventh nineteen hundred and one which reads as follows

Changes in Direction

"Section 26 All sewer soil and waste pipes must be as direct as possible Changes in direction must be made with "Y" or half "Y" branches or one-eighth bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T-"Y's" (sanitary T's) will be permitted on upright lines only" be and the same is hereby amended to read as follows

Changes in Direction

Section 26 All sewer soil and waste pipes must be as direct as possible Changes in direction must be made with "Y" or half "Y" branches or one-eighth bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T-"Y's" (sanitary T's) will be permitted on upright lines only The use of saddles or the tapping of soil waste or vent pipes is prohibited unless their use is proven to be absolutely necessary

Section 14 That section twenty-eight of said act of June seventh nineteen hundred and one which reads as follows

Traps for Bath-tubs Water-closets et cetera

"Section 28 Every sink bath-tub basin water-closet slop-hopper or fixture having a waste pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixtures The waste-pipe from the bath-tub or other fixtures must not be connected with a water-closet trap" be and the same is hereby amended to read as follows

Traps for Bath-tubs Water-closets et cetera

Section 28 Every sink bath-tub basin water-closet slop-hopper or fixture having a waste pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixture and the horizontal waste from P trap must not be longer than eighteen inches from vertical vent pipe unless P trap is crown vented The waste-pipe from the bath-tub or other fixture must not be connected with a water-closet trap

Section 15 That section twenty-nine of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Size of Horizontal and Vertical Waste-pipe Traps and Branches

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

Section 29 If the building is ten (10) or more stories in height the vertical waste-pipe shall not be less than three (3) inches in diameter The use of wrought-iron pipe for waste-pipe two inches or less in diameter is prohibited

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures	Size in Inches Trap	Branch
Water-closet	3	4
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (2 or 5)	2	2
Combination sink and tray (for each fixture)	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels restaurants grease trap	..	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4x10 inches drum trap	..	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

be and the same is hereby further amended to read as follows

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

Size of Horizontal and Vertical Waste-pipe Traps and Branches

Section 29 If building is ten (10) or more stories in height the vertical waste pipe shall not be less than three (3) inches in diameter The use of wrought-iron pipe for waste-pipe two inches or less in diameter is prhibited When the waste or soil pipe receives the discharge of any fixture above the first floor they must be extended full calibre at least two feet above the roof well away from any window or air shaft

The size or traps and waste branches for a given fixture shall be as follows

Kind of Fixtures

	Size in Inches Trap	Branch
Water-closet	3	4
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (2 or 5)	2	2

Combination sink and tray (for each fixture)..	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels restaurants grease trap	..	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4x10 inches drum trap	..	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

Section 16 That section thirty-three of said act of June seventh nineteen hundred and one which reads as follows

Safe and Refrigerator Waste-pipes

Section 33 "Safe waste-pipes must not connect directly with any part of the plumbing system Safe waste-pipes must discharge over an open water supplied publicly placed ordinarily used sink placed not more than three and one-half feet above the cellar floor The safe waste from a refrigerator must be trapped at the bottom of the line only and must not discharge upon the ground floor but over an ordinary portable pan or some properly trapped water supplied sink as above In no case shall the refrigerator waste-pipe discharge over a sink located in a room used for living purposes

The branches on vertical lines must be made by "Y" fittings and be carried to the safe with as much pitch as possible Where there is an offset on a refrigerator waste-pipe in cellar there must be cleanouts to control the horizontal part of the pipe

In tenement and lodging houses the refrigerator waste-pipe must extend above the roof and not be larger than one and one-half inches nor the branches less than one and one-quarter inches Refrigerator waste-pipes except in tenement houses and all safe waste-pipes must have brass flap-valves at their lower ends Lead safes must be graded and beatly turned over beveled strips at their edges" be and the same is hereby amended to read as follows

Safe and Refrigerator Waste-pipes

Section 33 A waste-pipe from refrigerators ice-boxes drinking fountains soda water fountains or bar wastes shall not be connected directly with any soil rain waste-pipe or drain or sewer or discharge on the open ground They shall discharge into a movable pan or open sink water supplied or over a floor drain in basement and shall be as short as possible and disconnected from the refrigerator or ice box by at least four (4) inches and where drinking fountains refrigerators or ice boxes are placed in buildings on two (2) or more floors the waste and vent pipes thereof shall be continuous and shall run through the roof and in no case shall it open within six (6) feet of an open soil or waste pipe The size of waste-pipes for refrigerators or drinking fountains for two floors or less shall be at least one and one-half inches and two inches for three three floors and over and under five floors and two and one-half inches for five floors and over Each refrigerator drinking fountain or ice box shall be provided with a separate trap trap for refrigerators or ice boxes shall be known as a drum trap with an accessible trap screw or cleanout Such traps shall be placed in the one and one-half waste-pipe branch and shall be as near as possible to the refrigerator or ice box Such traps need not be separately vented Galvanized wrought-iron screw pipe may be used for such waste pipes

Section 17 That section thirty-four of said act of June seventh nineteen hundred and one which reads as follows

Material for Vent-pipes

Section 34 "All vent-pipes must either be of lead brass loricated porcelain enameled iron or galvanized iron pipe" be and the same is hereby amended to read as follows

Material for Vent-pipes

Section 34 All vent-pipes must either be of lead brass extra heavy cast iron or galvanized iron pipe

Section 18 That section thirty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Ventilation of Traps and Soil Lines

Section 35 "Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables

Maximum Developed

Length in Feet Number of Traps Vented

Size of Pipe	Mains	Branch	Main Vertical
1¼ inch vent ..	20	1	
1½ inch vent ..	40	2 or less	
2 inch vent ..	65	10 or less	20 or less
2½ inch vent ..	100	20 or less	40 or less
3 inch vent ..	10 or more stories	60 or less	100 or less

The branch vent-pipes shall be not less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch trap

One and one-half inches in diameter for one and one-half to two and one-half inch traps

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more water-closets are placed side by side on a horizontal branch the branch line shall have a relief extended as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three (3) inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall not be less than four (4) inches in diameter All house drains and soil lines on which a water-closet is located must have a four-inch main vent line Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of forty feet and not less than three inches in diameter for more than forty feet

No revent from traps under bell-traps will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connections or floor drainage only a two-inch relief must be extended to the roof of building from rear end of main drain House drains constructed for roof drainage only will not require a relief vent

A floor-trap for a shower shall be vented unless located in cellar or ground floor the paving of which renders the trap inaccessible If the number of these fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in brass coupling at wall" be and the same is hereby further amended to read as follows

Ventilation of Traps and Soil Lines

Section 35 Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables and where it is a greater distance than that given in table it shall be one size larger its entire length

Maximum Developed

Length in Feet Number of Traps Vented

Size of Pipe	Mains	Branch	Main Vertical
1¼ inch vent ..	20	1	
1½ inch vent ..	40	2 or less	
2 inch vent ..	65	10 or less	20 or less
2½ inch vent ..	100	20 or less	40 or less
3 inch vent ..	10 or more stories	60 or less	100 or less

The branch vent-pipes shall be not less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch trap

One and one-half inches in diameter for one or two (2) one one-half traps or one two (2) inch traps

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more water-closets are placed side by side on a horizontal branch the branch line shall have a relief extended as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three (3) inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall not be less than four (4) inches in diameter All house drains and soil lines on which a water-closet is located must have a four-inch main vent line Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of sixty-five feet and not less than three inches in diameter for more than sixty-five feet

No revent from traps under bell-traps will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connections or floor drainage only a two-inch relief must be extended to the roof of building from near end of main drain House drains constructed for roof drainage only will not require a relief vent

All bell traps must be caulked in pattern and when bell traps are not used barred gratings may be used caulked into hub of cast iron pipe

A floor-trap for a shower shall be vented unless located in cellar or ground floor the paving of which renders the trap inaccessible If the number of those fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in a brass coupling at wall

Section 19 That section forty-three of said act of June seventh nineteen hundred and one which reads as follows

Setting of Fixtures

Section 43 "The closet and all other fixtures must be set open and free from all inclosing wood or other work Where water-closets will not support a rim-seat the seat must be supported on galvanized iron legs and a drip tray must be used which tray must be porcelain enameled on both sides and secured in place In tenement houses and lodging houses sinks must be entirely open set on iron legs or brackets without any closing wood or other work" be and the same is hereby amended to read as follows

Setting of Fixtures

Section 43 The closet and all other fixtures must be set open and free from all inclosing wood or other work Where water-closets will not support a rim-seat the seat must be supported on galvanized iron legs and a drip tray must be used which tray must be porcelain enameled on both sides and secured in place In all buildings sinks must be entirely open set on iron legs or brackets without any inclosing wood or other work

Section 20 That section forty-five or said act of June seventh nineteen hundred and one which reads as follows

Water-Closet Connections with Soil-Pipes

Section 45 "All eathenware traps must have heavy brass floor plates soldered to the lead bends and bolted to the trap flange and the joint made permanently secure and gas-tight" be and the same is hereby amended to read as follows

Water-Closet Connections with Soil-Pipes

Section 45 All earthenware traps must have heavy brass floor plates soldered to the lead bends or screwed to galvanized wrought-iron or brass pipe or case iron flanges caulked to soil pipe and bolted to the trap flange and the joints made permanently secure and gas-tight

Section 21 That section forty-six of said act of June seventh nineteen hundred and one which reads as follows

Water-Closets Where Located

Section 46 "Water-closets must not be located in sleeping apartments nor in any room or compartment which has not direct communication with external air either by window or air-shaft or at least four square feet" be and the the same is hereby amended to read as follows

Water-Closets Where Located

Section 46 Water-closet apartments must not have direct communication with any dining room or kitchen nor shall any water-closet be placed in any dining room or kitchen Water-closet apartments must not be placed in a dining-room kitchen or sleeping apartment nor have direct communication with a public dining room restaurant or kitchen nor be placed in any room or compartment which has not direct communication with external air either by window or air shaft of at least four square feet And when any window ventilating any water-closet compartment or bathroom opens directly into a vent shaft no window of any room other than water-closet bathroom or hall shall open into such vent shaft

Section 22 That section forty-seven of said act of June seventh nineteen hundred and one which reads as follows

Water-Closets How Supplied

Section 47 "No water-closets except those placed in yards and flush meters volumeters or similar devices shall be supplied directly from the supply pipes" be and the same is hereby amended to read as follows

Water-Closets How Supplied

Section 47 No water-closets except flush meters volumeters of similar devices shall be supplied directly from the supply pipes

Section 23 That section fifty-three of said act of June seventh nineteen hundred and one which reads as follows

Construction of Urinals

Section 53 "All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine The floor and walls of urinal apartments must be lined with similar non-absorbent and non-corrosive material" be and the same is hereby amended to read as follows

Construction of Urinals

Section 53 All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine and must be flushing rim or perforated pipe so as to cleanse all inferior parts all urinals must be supplied by automatic tanks The floor and walls of urinal apartment must be lined with similar non-absorbent and non-corrosive material

Section 24 That section fifty-four of said act of June seventh nineteen hundred and one which reads as follows

Urinal Platforms

Section 54 "The platforms or treads of urinal stalls must not be connected independently to the plumbing system nor can they be connected to any safe waste pipe" be and the same is hereby amended to read as follows

Urinal Platforms

Section 54 The platforms or treads of urinal stalls must not be connected to the plumbing or drainage system nor can they be connected to any safe waste-pipe

Section 25 That section fifty-nine of said act of June seventh nineteen hundred and one which reads as follows

Fixtures Prohibited

Section 59 "Wooden wash-trays sinks or bath-tubs are prohibited inside of buildings Such fixtures must be constructed of non-absorbent material Cement or artificial stone tubs will not be permitted unless approved by the board or bureau of health" be and the same is hereby amended to read as follows

Fixtures Prohibited

Section 59 Wooden wash-trays sinks or bath-tubs plain or lined are prohibited inside of buildings Such fixtures must be constructed of non-absorbent material Cement or artificial stone tubs will not be permitted unless approved by the board or bureau of health

Section 26 That section sixty of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Yard Water-Closets

Section 60 "Water-closets when loctaed in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for clean-out purposes with clean-out caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be provided with four-inch trap and strainer The enclosure of yard water-closets shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit" be and the same is hereby further amended to read as follows

Yard Water-Closets

Section 60 Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for clean-out purposes with clean-out caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit

In casese where pits are not used the traps and supply pipes for water-closets must be protected from freezing by clean earth filled around them and accessible clean-out plugs from traps must be brought to surface of closet floor closet floors must be cemented and graded to door The floors must be at least five (5) inches above grade of yard or yards

Section 27 All acts or parts of acts inconsistent with tne provisions of this act or supplied thereby are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. LETZKUS. Mr. Speaker, I desire to call up House Bill No. 1217, from page 11 of to-day's Calendar, which was passed over.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1217, as follows:

An Act authorizing municipal corporations to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof whether the same be wholly within or partly within and partly without the limits of the municipal corporation providing the method for ascertainment and paying or securing the damages incident to the taking or appropriation of street railways by municipal corporations empowering municipal corporations to maintain operate or lease street railways acquired by them and defining the terms and other incidents of said leases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipal corporations are empowered to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof within their respective limits and also street railways or portions thereof without the limits of said municipal corporations when the tracks of the latter are

connected either directly or indirectly with the tracks of street railways within the said municipal corporations so acquired by said municipal corporations This power shall include all equipment and appliances used in the operation of said street railways including powerhouses and plants cables and wires situate within and without the limits of any of said municiual corporations

Section 2 In case a municipal corporation desires to obtain any street railway or portion thereof and is unable to agree with the owner or owners thereof upon the price to be paid therefor any court of common pleas of the county wherein said municipal corporation is situate or any law judge thereof in vacation on application therefor by petition of said municipal corporation or owner shall appoint three discreet and disinteresed persons as viewers and appoint a time not less than ten nor more than twenty days thereafter when said viewers shall meet and inspect the said street railway and view the same together with the appurtenances and equipment thereof

Section 3 The said viewers having been duly sworn or affirmed justly and impartially to decide and true report to make concerning all matters and things to be submitted to them in pursuance of the provisions of this act and having viewed the said street railway together with the equipment and appurtenances thereof shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken or injured or destroyed and to whom the same is payable and prepare a schedule thereof and give notice to all parties interested of a time not less than ten days thereafter and of a place where they will meet and exhibit said schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever charges are deemed necessary the said viewers shall make report to the court showing the damages allowed and to whom the same is payable and file therewith a schedule showing in detail the property taken

Section 4 The viewers provided for in the foregoing sections may be appointed before or at any time after the entry taking or appropriation of the said street railway or portion thereof together with the equipment and appurtenances thereof The costs incurred in the proceedings aforesaid shall be defrayed by the municipal corporation and each of the viewers shall receive such compensation as may be fixed by the court

Section 5 If the compensation to be paid for any street railway which the municipal corporation desires to obtain cannot be agreed upon between the owners thereof and such municipal corporation and if the municipal corporation desires to take possession of such street railway or portion thereof it shall be lawful for it to tender its bond with surety as security to the owner or owners thereof the condition of which shall be that the said municipal corporation shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided for by this act In case the owner or owners of such street railway refuse or do not accept the said bond the said municipal corporation shall give the owner or owners thereof written notice of the time when the same will be presented for approval and may present said bond to a court of common pleas of the county wherein said municipal corporation is located and when approved the said bond shall be filed in court for the benefit of said owner or owners and upon the approval of said bond said municipal corporation may enter upon appropriate take hold use and control such street railway and the equipment and appurtenances thereof

Section 6 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report in court or the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or to the Supreme Court according to law Upon final confirmation in any of the cases provided for in this section the ward shall be a good and valid judgment against the said municipal corporation The said court of common pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

Section 7 In case any municipal corporation shall discontinue any proceeding taken providing for the appropriation or condemnation of any street railway or portion thereof prior to the entry upon taking or appropriation thereof and before judgment therein the said municipal corporation shall not thereafter be liable to pay any damages which have been or might have been allowed but all costs upon any proceedings had thereon shall be paid by it together with any actual damage loss or injury sustained by reason of such proceedings and such damage loss or injure shall be determined and fixed by the court in which the proceedings are pending

Section 8 Said municiual corporations are hereby empowered to maintain and operate any property acquired by them under the provisions of this act or they may lease the same to corporations authorized by law to construct maintain or operate street railways Such leasing may be for an indeterminate period reserving the right in the municipal corporation to resume possession of said property at the end of any ten year period upon giving six months' notice of its intention so to do or may be for a fixed term not exceeding twenty-five years The rent reserved in such leases must be a sufficient sum to pay the interest and sinking fund charges upon bonds issued by any municipal corporation for the acquisition of the property so leased Said leases shall require the lessees of said property to make adequate provisions for the maintenance and renewal to make properties so that upon the expiration of the term the said property shall be surrendered in good order condition and repaid Said leases may also contain provisions for joint use of tracks and equipment forfeiture in the event of non-compliance with the conditions thereof by the lessees provisions relating to the service to be furnished by the lesse the prices to be chargd therefor and other matters not inconsistnt with the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

LEAVES OF ABSENCE.

Mr. WM. H. WILSON asked and obtained leave of absence for Mr. Frank Gray for the remainder of the week.

The SPEAKER asked and obtained leave of absence for Messrs. Missimer, Hobbs and Harry H. Irwin for the balance of the week.

Mr. WM. F. BLAIR asked and obtained leave of absence for Mr. Price for the balance of the week.

Mr. ALLEN asked and obtained leave of absence for Mr. Mannion for the balance of the week.

Mr. KERN asked and obtained leave of absence for himself for the balance of the week.

Mr. CALDWELL asked and obtained leave of absence for himself for the balance of the week.

Mr. BIGGER asked and obtained leave of absence for Messrs. Malie, Reeser and Wettach for the balance of the week.

Mr. NEEL asked and obtained leave of absence for Mr. Uierich for the balance of the week.

Mr. KENNEDY asked and obtained leave of absence for Mr. Allen and Mr. Keeport after to-day.

Mr. LESLIE asked and obtained leave of absence for himself for the balance of the week.

Mr. SNYDER asked and obtained leave of absence for Mr. Davis for to-day.

Mr. RONEY asked and obtained leave of absence for himself for the balance of the week after to-day.

Mr. O'NEILL asked and obtained leave of absence for himself for the balance of the week, after to-day.

Mr. WALSH asked and obtained leave of absence for himself after to-day for the balance of the week.

Mr. JOHN R. K. SCOTT asked and obtained leave of absence for Mr. Conrade until Monday night.

The SPEAKER asked and obtained leave of absenuce for Mr. John H. Young for the balance of this week and for next week.

Mr. E. E. JONES asked and obtained leave of absence for Mr. Alworth for the balance of the week.

BILL INTRODUCED.

Mr. McALEER. Mr. Speaker, I would like to have unanimous consent to introduce a bill at this time.

The title of the bill was read for information

The SPEAKER Will the House give unanimous consent? The Chair hears no objections and the Clerk will receive the bill

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1025, as follows:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act which provides as follows

"That it shall be the duty of the controllers of cities of the first class to furnish to the councils of said cities on or before the first day of September in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of the said councils on or before the first day of October in each and every year for the year next ensuing the amount of tax money collectible during the year for which such tax shall have been levied shall be ascertained by deducting from the

gross amount yielded by said tax rate the average of such proportion of the annual tax levy for each of the five years immediately preceding as shall have remained uncollected at the end of each of the said years and the tax moneys collectible during the current yetar shall with the average income from sources other than from current tax moneys exclusive of sinking fund receipts (such average of income to be determined by ascertaining the average income during the five years immediately preceding) be set apart for the extinguishment of the floating indebtedness other than which may be outstanding at the passage of this act which the city controller may estimate to be outstanding upon the first of January following for the payment of all lawful obligations due by the city during the fiscal year commencing January first next ensuing and for such expenses of the municipal government as may be authorized by the councils of said cities and the city controller shall not countersign any warrants (except for payments of interest and for sinking fund) pertaining to any of the appropriations until the said councils shall have first passed all appropriations necessary for the expenses for the current year for each department board commission or trust connected with said city nor shall said officer countersign any warrants except as aforesaid until the total of all appropriations all estimates and other lawful obligations shall have been brought within the sum yielded by the tax levy and average income from other sources ascertained as aforesaid and any appropriation or expenditure in excess of this total shall be void and shall have no binding force upon the municipality in default of said councils fixing the tax rate on or before the first day of October in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if councils had themselves established such rate" be and the same is hereby amended so as to read as follows

"It shall be the duty of the controllers of cities of thet first class to furnish to the councils of said cities on or before the first day of November in each and every year a detailed statement of the estimated receipts expenditures and liabilities of every kind for the next fiscal year and it shall be the duty of the said councils to levy and fix a tax rate on or before the first day of December in each and every year for the year next ensuing the amount of tax moneys collectible during the year for which such tax shall have been levied shall be ascertained by deducting from the gross amount yielded by said tax rate the average of such proportion of the annual tax levy for each of the five years immediately preceding as shall have remained uncollected at the end of each of the said years and the tax moneys collectible during the current year shall with the average income from sources other than from current tax moneys exclusive of sinking fund receipts (such average income to be determined by ascertaining the average income during the five years immediately preceding) be set apart for the extinguishment of the floating indebtedness other than that which may be outstanding at the passage of this act which the city controller may estimate to be outstanding upon the first day of January following for the payment of all lawful obligations due by the city during the fiscal year commencing January first next ensuing and for such expenses of the municipal government as may be authorized by the councils of said cities and the city controller shall not countersign any warrants (except for payments of interest and for sinking fund pertaining to any of the appropriations until the said councils shall have first passed all appropriations necessary for the expenses for the current year of each department board commission or trust connected with said city nor shall said officer countersign any warrants except as aforesaid until the total of all appropriations all estimates and other lawful obligations shall have been brought within the sum yielded by the tax levy and average income from other sources ascertained as aforesaid and any appropriation or expenditure in excess of this total shall be void and shall have no binding force upon the municipality in default of said councils fixing the tax rate on or before the first day of December in each and every year then and in that case the rate of the preceding year shall be the rate for the current year and all appropriations shall be made in conformity therewith as if councils had themselves established such rate

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Allen,	Donahoe,	Light,	Runk,
Alworth,	Donnally,	Lohr,	Sassaman,
Arthur,	Down,	Lowers,	Savacool,
Baldwin, G. A.,	Dunn, H. B.,	Martin,	Schuck,
Baldwin, R. J.,	Dunn, J. A.,	Mather,	Scott, S. B.,
Barner,	Ehrhardt,	Matt,	Semmens,
Bass,	Eichenberger,	McAleer,	Shaffer, C. A.,
Becker,	Ely,	McAllister,	Showalter,
Benninger,	Fahey,	McCaig,	Smith, J. W.,
Benson,	Flynn,	McDermott,	Smith, L.,
Bergey,	Foster, J. D.,	McKay,	Snavely,
Berntheizel,	Geary,	Mechling,	Snyder,
Bigger,	Geiser,	Mellott,	Speiser,
Bittles,	Gibson,	Miller,	Spillinger,
Blair, W. A.,	Good,	Moore,	Steele,
Blair, W. F.,	Gramley,	Morrow,	Strauss,
Bleloch,	Gray, Joseph,	Moses,	Swartz,
Body,	Gregerty,	Musser,	Swift,
Brosius,	Hemminger,	Neel,	Thomas,
Brown,	Heyburn,	Neely,	Trach,
Brownlee,	Hibshman,	Newbaker,	Ulman,
Burnett,	Howard, R.,	Newton,	Walnut,
Caldwell,	Isler,	North,	Walsh,
Campbell, C.M.,	Jackson,	O'Neill,	Walton,
Campbell, J.J.	Jones, E. E.,	Peachey,	Watson,
Carson,	Jones, J. R.,	Pennegar,	Whitaker,
Cheeseman,	Kaiser,	Pennock,	Whitman,
Cleary,	Keeport,	Perry, H. L.,	Wildman,
Cochran,	Kennedy,	Post,	Williams,
Collins,	Kitts,	Ramsey,	Wilson, J. H.,
Conner,	Kuhn, H. P.,	Rex,	Wilson, W. H.,
Conniff,	Kuhns, E.G.M.,	Rhoads,	Wiltbank,
Cox,	Lanius,	Richards,	Young, J. H.,
Currier,	Latshaw,	Robinson,	Zimmerman,
Curry,	Lenker,	Rockwell,	Alter,
Davis,	Leslie,	Roney,	Speaker.
DeFrees,	Letzkus,		
Dickinson,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 414, as follows:

An Act to regulate the sale for agricultural purposes of crushed limestone lime gypsum and related products defining said products and prescribing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every bag barrel or other package or quantity of any pulverized limestone ground oyster shells artificial carbonate of lime ground lime spraying lime slaked lime hydrated lime hydrated spraying lime marl gypsum or land plaster sold offered or exposed for sale within this Commonwealth for use as a soil amendment or as an ingredient or reagent in the preparation of any fungicide or insecticde shall have attached to it or be accompanied in the manner provided in section three hereof by a plainly printed statement giving the name and address of the manufacturer or importer and his place of business the brand or trade-name of said material the net weight of the contents of the package when sold in package and a statement declaring with respect to pulverized limestone ground oyster shells and artificial carbonate of lime (a) the degree of fineness of the material in terms of the minimum sieve mesh expressed in fractions of an inch through which the coarsest particles of said material can pass and (b) the minimum percentages contained of available oxids of calcium and magnesium respectively combined as carbonates with respects to lime ground lime spraying lime slaked lime hydrated lime hydrated spraying lime and marl the minimum percentages contained of the available oxids of calcium and magnesium respectifully and with respect to gypsum or land plaster the minimum percentages contained of available calcium oxid and sulphur tri-oxid or sulphuric acid (SO3) respectively which statement shall be held to be the guaranty of the manufacturer or importer that the lot of materials is good to which said statement refers are of the kind and quality or composition and fineness so set forth The provisions of this act shall not however apply to air slacked lime kiln slacks gas house lime or tanners' lime when sold as such

Section 2 For the purposes of this act the materials named in the foregoing section are defined as follows

(1) Limestone is the rock commonly known by that name and consisting chiefly of calcium carbonate or of said carbonate with a smaller molecular proportion of magnesium carbonate

(2) Pulverized limestone is limestone reduced by mechanical means to a fine powder

(3) Artificial carbonate of lime is carbonate of lime artificially produced by any method other than the exposure of lime ground lime slaked lime hydrated lime or spraying lime to the action of the atmosphere

(4) Lime is the product obtained by the complete burning of limestone in a kiln and capable of being reduced by slaking to a fine powder

(5) Ground lime is lime reduced to a fine powder by grinding

(6) Spraying lime is lime of high purity containing not less than ninety-three (93) per centum of calcium oxid and not more than five (5) per centum of magnesium oxid not more than five (5) per centum of carbon dioxide nor more than five (5) per centum of acid insoluble matters iron and aluminum oxids collectively

(7) Slaked lime is the dry finely divided product obtained by the addition of water to lime

(8) Hydrated lime is slaked lime prepared by the aid of stirring or of stirring grinding and screening machinery and is free from hard lumps

(9) Hydrated spraying lime is dry finely divided hydrated lime of purity not less after taking the water of hydration into account than that herein required in the case of spraying lime and of such fineness that all shall pass a standard sieve of one hundred (100) meshes to the inch

(10) Air slaked lime is the more or less finely divided product obtained when lime slaked lime hydrated lime or spraying lime is exposed for a considerable time to the action of the air

(11) Marl is clay highly charged with carbonate of lime-Shell marl is marl in which the carbonate of lime is present chiefly in the form of molluscan shells

(12) Gypsum or land plaster is the finely divided mineral commonly known by that name and consisting chiefly of calcium sulphate

(13) Kiln slaks is refuse lime mixed with ashes and 'core' or imperfectly burned limestone

(14) Gas-house lime is spent lime that has been used as a purifier in the manufacture of illuminating gas

(15) Tanner's lime is spent lime that has been used in the curing of hides

Section 3 The statement required by section one of this act shall in the case of goods sold in package be plainly printed upon the package or upon a tag or label fastened thereto of such quality and in such manner that it shall not be detached in handling and in the case of goods sold in bulk the said statement shall be delivered to the purchaser either with the invoice therefor or with the goods

Section 4 Every manufacturer or importer of one or more of the materials named in Section one of this act for either or both of the purposes therein stated shall on or before the first day of January of each year or before offering them for sale in this Commonwealth for either of said purposes file annually with the Secretary of Agriculture a statement of the names and number of brands of such materials having distinct trade names that he shall offer for sale for either or both of said purposes during the next ensuing Calendar year or remainder thereof together with a copy of the statement declaring the composition of these several brands of said materials as required by Section one of this act

Section 5 In addition to the statement required by sections four of this act every manufacturer or importer of any of the materials named in section one of this act shall on or before the first day of January of each year or before offering them for sale within this Commonwealth file annually with the Secretary of Agriculture an affidavit showing as nearly as practicable the weight of each brand of said materials sold by him or if the producer or vendor be a firm or corporation by its managers officers and agents within the Commonwealth for either or both of the purposes named in section one of this act during the last preceding year and for each brand so sold he shall pay to the Secretary of Agriculture a license fee according to the weight sold as follows For an amount of one hundred tons or less five dollars for an amount exceeding one hundred tons but not exceeding one thousand tons ten dollars for an amount exceeding one thousand tons but not exceeding five thousand tons fifteen dollars and for an amount exceeding five thousand tons twenty dollars and when said fees shall have been paid and the statements required by section four of this act have been filed with the Secretary of Agriculture the party or parties who have made such payment and otherwise complied with the provisions of this act shall be entitled to sell within the Commonwealth the goods specified in said statement and covered by said fees during the year or fraction of a year immediately following said statement If the manufacturer or importer shall not have made during the preceding year any sales within the Commonwealth for the aforesaid purposes of any brand to be offered for sale during the year for which the fee is to be paid he shall pay for each such brand a fee of five dollars Provided that all monies so received shall be immediately paid by the Secretary of Agriculture into State Treasury for the use of the Commonwealth

Section 6 Any person or persons selling offering or exposing for sale for either of the purposes stated in section one of this act any of the materials named therein or brand of the same unless accompanied by the statement required by section one of this act or when so accompanied if the said statement shall be false in any particular or without having complied with all the foregoing provisions of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars for the first offense and not less than two hundred dollars for each subsequent offense it shall be the duty of the Secretary of Agriculture to enforce the provisions of this act and all penalties costs and fines recovered shall be paid to him or his duly authorized agent and by him shall be immediately paid into the State Treasury for the use of the Commonwealth

Section 7 The Secretary of Agriculture is hereby empowered to collect samples of the materials named in Section one of this act either in person or by his duly qualified agent or representative to have them analyzed and to publish the results for the information of the public and for this purpose the said Secretary of Agriculture such assistants agents experts chemists detectives and counsel as he shall duly authorize shall have full access ingress and egress to and from all places of business quarries kilns factories barns buildings carriages cars and vessels used in the manufacture storage transportation or sale of any of the said materials They shall also have power to open any package or vessel containing or supposed to contain any of the said materials and to take therefrom samples for analysis upon tendering the value of said samples Provided That any manufacturer or producer of any of the materials named in section one of this act located in the Commonwealth shall be entitled to have a single sample of any distinct brand for the sale of which he has paid the fee required by section five of this act analyzed by the Department of Agriculture with respect to the points of composition specified in said section one upon sending sample properly sealed and carriage prepaid together with a fee of one dollar for each such analysis but not more than two brands shall be analyzed under the privilege conferred by this proviso for one manufacturer or producer in a single year

Section 8 This act shall go into effect on the first day of January Anno Domini one thousand nine hundred and fourteen

On the question,

Shall the bill pass finally?

Mr. MATT. Mr. Speaker, I should like to ask the sponsor the purpose of this bill.

Mr. LOHR. Mr. Speaker, on account of the fact of the great difference in the quality of gypsum and limestone that is being offered for sale in this State, the Department of Agriculture and the State chemist deemed it advisable that some legislation on this subject should be enacted by this session of the Legislature, and for that purpose they prepared a bill and the Secretary of Agriculture asked me to present it in the House. A public hearing was granted, and the various manufacturers of the different parts of the State appeared at that hearing, and the subject was fully discussed. We have now presented the bill in an amended form, meeting, we think, the requirements of both the manufacturer and the consumer. We believe that the farmer should have a right, and does have a right, to know what he is purchasing when he purchases lime. I have been told that there is lime being sold as lime in this Commonwealth which contains only thirty-five per cent. lime. Others contain seventy-five, while some contain as high as ninety-nine per cent. lime. Now, we have laws regulating the purity of food stuffs, and of drugs and of milk. Not only that, but also of fertilizers. In this progressive age I think it is only right that the farmer should be protected and have some guarantee as to the purity of the lime he is purchasing. I don't think that this should meet any opposition from the farmers. Now, there may be some objection raised that it will increase the cost of lime to the consumer. The consumer of lime may come from a region where lime is usually to a very large extent pure, and this would benefit the farmer instead of injuring him. Lime is shipped into our section of the State from the State of Maryland. and we have no means of knowing what quality of lime we are purchasing. Similar laws are in force in several states, and are in force in the State of Maryland. but in the State of Pennsylvania anything has been allowed to pass for lime. For that reason, from the standpoint of the farmer it is highly important to have some legislation along this line. The chemist of the State College is very anxious to have this law passed, for the good of the agricultural interests of the State. Now, the man who manufactures lime for his own purposes, and the man who purchases raw limestone and manufactures lime for his own purposes, will not be affected by this act. The man who manufactures less than 100,000 tons of lime for sale will be compelled to pay a license of five dollars a year, and the State will analyze his lime for a fee of one dollar, so that he will know what the percentage of lime is in the lime which he is using. The large manufacturers would only be required to pay a license of twenty dollars, and there are very few in the State who would come under that class. The manufacturers, as I gathered from the hearing in the Agricultural Committee, are not opposed to this measure. In fact, if they have good lime they are in favor of the measure, and I fail to see how it could work an injury to the agricultural interests. If anyone can point out to me that this is the case, I would be glad to have them do it, because, as I said before, the farmer or consumer of lime should know what they are purchasing.

Mr. MATT. Mr. Speaker, I would like to interrogate the gentleman from Somerset.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOHR. Yes, sir, Mr. Speaker.

Mr. MATT. Would this bill have a tendency to increase the price of lime to the farmer?

Mr. LOHR. Mr. Speaker, I think not, when you take into consideration the sum of five dollars, compared with the price for which several thousand tons of lime could be sold, it would make such a very small percentage that it would hardly be noticable. I think if the manufacturer of lime has a good grade, he should be glad to have it analyzed, because it would serve as an advertisement. It has been shown by the fertilizers that have been analyzed that the fertilizer manufacturer who has a good grade to put on the market is the fellow that gets the business, and the analysis serves as an advertisement.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I desire to interrogate the gentleman from Somerset.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOHR. Yes, sir, Mr. Speaker.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would like to ask the gentleman whether he has consulted the gentleman from Somerset who own quarries in that county concerning this bill.

Mr. LOHR. Mr. Speaker, I have not made it my business to go over my county and consult limestone quarry owners—there are quite a number—and I have been engaged in other business here in the city.

Mr. CHEESEMAN. Mr. Speaker, I would like to interrogate the gentleman from Somerset.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOHR. Yes, sir, Mr. Speaker.

Mr. CHEESEMAN. Mr. Speaker, in the first part of this bill it says that every bag, barrel or other package shall be tagged. I desire to ask the gentleman, Mr. Speaker, if it would interfere with the sale of limestone when it is not in packages, in carload lots, or in large lots than a package.

Mr. LOHR. Mr. Speaker, in regard to the tagging, that was the idea contemplated in the original bill, but the bill as it now appears in your file folio does away entirely with the tagging. A shipper of limestone can send his analysis of lime along with the invoice of the goods, and it is not necessary to tag the different containers of lime.

Mr. CHEESEMAN. Mr. Speaker, what I desire to know is how it will affect the shipping of carload lots of limestone, how this tag is to be attached in that case.

Mr. LOHR. The analysis will be sent with the invoice of the carload lots instead of tagged.

Mr. CHEESEMAN. Mr. Speaker, I want to say just a word in regard to this bill, as I am somewhat familiar with the production of limestone in a small way as it is produced in our county. It seems to me, gentleman, that this bill is uncalled for, that it is wholly unnecessary and would not be a benefit that is equivalent with the hardship or inconvenience that it would put the manufacturers of limestone to. The manufacturers of lime for agricultural purposes do not receive a large profit from their business, and the adding of any expense to their business will necessarily make the product higher in price. When this subject was discussed before the Agricultural Committee, of which I am a member, the manufacturers appeared there and stated that this condition required would add to the expense of the production of lime, and that that extra expense would not come off of them, but would have to come from the consumer. Now, I don't think it is necessary for the protection of the farmer in the use of lime that anything of this kind should be done. It is not at all similar to manufacture of phosphates. Limestone is ground from the rock, or burned and ground after being burned, and the analysis of that rock can be obtained, which applies to the entire output of that quarry, and once knowing the value of any one quarry, you know the value of all the product, so that I do not see that it is necessary, and I do not think this is a good bill.

Mr. PEACHEY. Mr. Speaker, I am glad that there are so many members in this House who are so wonderfully interested in the farmer. It does my heart good. But I am also interested in these people that are interested in the welfare of the farmers. When you speak with reference to the tax or an increase of the cost of lime, I do not think that five cents per ton would add materially to that. I have heard it talked in a number of counties of this State, and I know that a lot of farmers are imposed upon by the manufacturers and shippers of lime in Pennsylvania.

Mr. Speaker, I believe this is good legislation, and I believe it is something that is needed. I know of many places throughout the State of Pennsylvania, where, as I said before, the farmers have been imposed upon, from the fact that lime, which was shipped into that country did not carry an analysis with it, and the farmers did not know what they were doing. There is a whole lot of difference between lime that is 35, 50 or 75 per cent. of lime from that which has 98 to 99 per cent. of lime in it. If you have the thirty-five per cent. lime you are being doubly opposed upon, so I believe this is good legislation, and I hope the members of this House will vote for it. Further, I wish to say that, in connection with the manufacture, there is no trouble in determining what it really is. We had the State Chemist help formulate this bill. He knows more than any one else what lime really is. Therefore, I say, vote for this bill, because it is a good measure.

Mr. BERGEY. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Somerset permit himself to be interrogated?

Mr. LOHR. Yes, sir.

Mr. BERGEY. Mr. Speaker, I desire to ask the gentleman whether he can State to the House the number of agents that would be required under this bill and the expense to the State.

Mr. LOHR. Mr. Speaker, in reply to the gentleman, I would say, that it would not require very many agents, and the expense of it will be taken care of by this act. The act was so prepared as to make it possible under the act that the licenses themselves should pay for these examinations. All over our State we have fertilizing agents going over the State and taking samples of it. It has been suggested by the Department that the same agents could take samples of the lime, and at a very small expense, these examinations could be made.

Mr. BERGEY. Mr. Speaker, my idea of the purpose of this bill is to create a number of new offices and to place a tax on the sellers of lime to stand that expense, and at the same time, creating new State offices. I think at the present time that it is not necessary to create these new offices, as the State now is overburdened with agents. I think it is just as necessary to license the dealers and sellers of coal, and to analyze coal, as it is to analyze the lime. I see no necessity for this bill except that it increases the number of State offices.

Mr. NORTH. Mr. Speaker, I want to say a word on this bill. I know something about the cost of fertilizer, lime and so forth, and I want to say gentleman that every penny that is added to the cost of commercial fertilizer, let it be lime or any other kind of fertilizer, it simply places a burden on the farmer in the production of his crops, and we all know that the cost of high living is a very important question, and I hope that the members will consider this measure very carefully when they come to vote on it.

Mr. PEACHEY. Mr. Speaker, I desire to interrogate the gentleman from Jefferson, Mr. North.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. NORTH. I will.

Mr. PEACHEY. Mr. Speaker, I would like to ask the gentleman whether lime is a fertilizer?

Mr. NORTH. Mr. Speaker, as I understand the question, lime is not a fertilizer. But to go further in replying to that question, it is one of the best known ingredients to place in the soil in order to bring that soil to the proper condition for the production of crops. It purifies it.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—91.

Alworth,	Gibson,	McCaig,	Scott, J. R. K.,
Arthur,	Gramley,	McClintock,	Scott, S. B.,
Baldwin, G. A.,	Haggerty,	McKay,	Shaffer, I. E.,
Baldwin, R. J.,	Hemminger,	Metzenbacher,	Shern,
Bass,	Heyburn,	Moore,	Showalter,
Bigger,	Hibshman,	Moses,	Snavely,
Blair, W. A.,	Irwin, G. C.,	Neely,	Snyder,
Bleloch,	Jackson,	Newton,	Spangler,
Brownlee,	Jones, J. R.,	Peachey,	Steele,
Campbell, C.M.,	Kaiser,	Pennegar,	Swartz,
Carson,	Keeport,	Pennock,	Thomas,
Cleary,	Kenna,	Perry, H. L.,	Walnut,
Conner,	Kennedy,	Post,	Watson,
Cox,	Kuhn, H. P.,	Ramsey,	Whitman,
Curry,	Latshaw,	Rex,	Williams,
DeFrees,	Leslie,	Rhoads,	Wilson, J. H.,
Down,	Letzkus,	Richards,	Wilson, W. H.,
Dunn, H. B.,	Light,	Robinson,	Wiltbank,
Dunn, J. A.,	Lohr,	Rockwell,	Young, G. K.
Ehrhardt,	Lowers,	Roney,	Young, J. H.,
Eichenberger,	Martin,	Runk,	Alter,
Ely,	Mather,	Schaeffer, A. C.,	Speaker.
Frey,	McAllister,	Schuck,	
Geary,			

NAYS—49.

Bayle,	Cochran,	Kitts,	Sassaman,
Becker,	Collins,	Klepper,	Semmens,
Benninger,	Conniff,	Kuhns, E.G.M.,	Shaffer, C. A.,
Benson,	Dickinson,	Lanius,	Smith, J. W.,
Bergey,	Donahoe,	Matt,	Swift,
Bittles,	Donnally,	McDermott,	Trach,
Blair, W. F.,	Fahey,	Mellott,	Ulman,
Brown,	Flynn,	Neel,	Walsh,
Burnett,	Foster, J. D.,	Newbaker,	Walton,
Caldwell,	Geiser,	North,	Whitaker,
Campbell, J. J.,	Howard, R.,	Rothenberger,	Wildman,
Cheeseman,	Keegan,		Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

RECESS.

The SPEAKER. The hour of one o'clock having arrived, this House will now take a recess until three o'clock this afternoon.

AFTER RECESS.

The House re-convened at 3:00 o'clock P. M.
The SPEAKER, (George E. Alter) in the Chair.

AFTER RECESS.

The House reconvened at 3.00 o'clock P. M.
The SPEAKER (George E. Alter) in the Chair.

REPORTS FROM COMMITTEES.

Mr. LIGHT, from the Committee on Judiciary General, reported as committed, House Bill No. 1871, entitled:

An Act to repeal and act approved the tenth day of April one thousand eight hundred and sixty-nine, entitled "An Act relating to hawking and peddling in the county of Lehigh."

Mr. BERNTHEISEL, from the Committee on Judiciary Special, reported as amended. House Bill No. 45, entitled:

An Act prescribing the method of executing condemned criminals and regulating the same.

Mr. FREY, from the Committee on Judiciary General, reported as committed, House Bill No. 1237, entitled:

A Supplement to an act approved the nineteenth day of June, one thousand nine hundred eleven, entitled "An Act authorizing the release on probation of certain convicts, instead of imposing sentences; the appointment on probation and parole officers, and the payment of their salaries and expenses; regulating the manner of sentencing convicts in certain cases, and providing for their release on parole; their conviction of crime during parole, and their rearrest and reconviction for breach of parole; and extending the powers and duties of boards of prison inspectors of penitentiaries.

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1836, entitled:

An Act to repeal an act approved the second day of July, one thousand nine hundred and one, entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing, removing or injuring the same; what disposition is to be made of moneys collected as penalties, and for keeping a record, by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted.

Mr. EHRHARDT, from the Committee on Judiciary Local, reported as amended, House Bill No. 1525, entitled:

An Act regulating the safe-conveyance of passengers in cars or roller-coasters by providing a guard for all openings; and providing a penalty for the violation hereof.

Mr. LESLIE, from the Committee on Judiciary Local, reported as committed, House Bill No. 1402 (Senate No. 421), entitled:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monogahela Manual Labour Academy'" approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington, Greene and Fayette, approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five so far as it relates to Washington county.

Mr. BITTLES, from the Committee on Agriculture, reported as committed. House Bill No. 1429, entitled:

An Act prohibiting any person to lead, drive, ride, or work, or cause or permit any other person to lead, drive ride, or work, any horse, mare, mule, ox, or any other animal, whether belonging to himself or in his possesion or control, for more than twelve hours in any twenty-four hour period, in any city of the first or second class; Provided, that nothing in this act contained shall be construed to warrant any person's leading, driving, riding, or working any animal a less period than twelve hours when so doing shall in any way violate the laws against curelty to animals; providing a penalty for the violation of this act, and authorizing policemen, constables, or agents of fully incorporated societies or associations for the prevention of cruelty to animals, in the Commonwealth to make arrests on view or by warrants of offenders of this act.

Mr. BODY, from the Committee on Agriculture, reported as amended House Bill No. 1633, entitled:

An Act to amend an act, approved the 8th day of May, one thousand eight hundred and seventy-six, entitled "An Act to establish a State Board of Agriculture," as the same was amended by an act approved the 30th day of March, one thousand nine hundred and eleven, by changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society, and by adding one (1) Representatives of the Pennsylvania Conservation Association.

Mr. STRAUSS, from the Committee on Judiciary General, reported as amended, House Bill No. 1864, entitled:

An Act directing the Legislature Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly, fixing the powers and duties of the Bureau therein; fixing the compensation of the Assistant Director; and making an appropriation therefor.

Mr. GOSS, from the Committee on Agriculture, reported as amended, House Bill No. 1604, entitled:

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteen one thousand eight hundred and ninety-five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to service in said Department.

Mr. COX, from the Committee on Judiciary Local, reported as committed. House Bill No. 1838, entitled:

An Act to repeal the seventh section of an act, approved the fourth day of April, one thousand eight hundred and seventy-two entitled "An Act to authorize the borough of Phoenixville to erect water and gas works, and to supply the said borough with water and gass."

Mr. J. A. DUNN, from the Committee on Judiciary Local, reported as committed. House Bill No. 1877 (Senate Bill No. 284), entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre, situate in the township of Canan, county of Wayne, being a portion of the tract of land purchased for the use of the State hospital for criminal insane.

Mr. SWARTZ, from the Committee on Judiciary Local, reported as amended, House Bill No. 920, entitled:

An Act to prohibit the marriage cohabitation and fornification of white persons with persons of negro blood and providing penalties for the violation hereof.

Mr. DAVIS, from the Committee on Judiciary Local, reported as committed, House Bill No. 1897, entitled:

An Act to amend section four of an act entitled "An Act to provide for the creation of a Board of Examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny" approved the sixth day of June Anno Domini one thousand eight hundred and seventy-three.

Mr. McCAIG, from the Committee on Judiciary Local, reported as committed, House Bill No. 1878 (Senate Bill No. 416), entitled:

Granting to the Delaware and Hudson Company its successors assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipe all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed date the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canan and partly in the borough of Waymart in the county of Wayne.

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 1891, entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gaging stations on certain streams within the Commonwealth of Pennsylvania, authorizing said Commission to issue flood warnings, and making an appropriation therefor.

Mr. R. J. BALDWIN, from the Committee on Ways and Means, reported with a negative recommendation, House Bill No. 383, entitled:

An Act to equalize the Taxation of all properties, real personal, corporate or mixed by the creation of a Tax Commission and repealing all laws or parts of laws inconsistent herewith.

The committee reported to the House the above bill (House Bill No. 383) with a negative recommendation and further reports that the joint tax commission of the Senate and House of Representatives be requested to consider the taxation proposition contained in this bill and report upon the same in their report to the next session of the General Assembly.

(Signed) CHARLES J. RONEY, JR.,
Chairman.

April 10, 1913.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILLS FOR CONCURRENCE.

Senate Bill No. 521 (House Bill No. 1898).

An Act to amend the second and fifth section of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" Approved June tenth one thousand nine hundred and eleven Relating to reports of the city Planning Commission on certain ordinances and bills and relating to plans and plots submitted to said Planning Commission for approval

Which was referred to the Committee on Municipal Corporations.

Senate Bill No. 550 (House Bill No. 1899).

An Act regulating the use of motor boats and providing a penalty

Which was referred to the Committee on Judiciary Special.

Senate Bill No. 562 (House Bill No. 1900).

A Supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies"

Which was referred to the Committee on Insurance.

Senate Bill No. 773 (House Bill No. 1901).

A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires and spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buldings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fireworks and the transportation storage sale and use of nitor-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for the appeals from and reviewers of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor and providing that the courts of common pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

Which was referred to the Committee on Municipal Corporations.

Senate Bill No. 815 (House Bill No. 1902).

An Act providing for the making valid of the charters of certain corporations heretofore incorporated for the purpose of supplying heat light and power by means of electricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth

Senate Bill No. 833 (House Bill No. 1903).

An Act to consolidate the five courts of common pleas of Philadelphia county

Which was referred to the Committee on Judiciary General.

Senate Bill No. 855 (House Bill No. 1904).

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

Which was referred to the Committee on Judiciary General.

Senate Bill No. 859 (House Bill No. 1905).

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

Which was referred to the Committee on Banks and Banking.

Senate Bill No. 872 (House Bill No. 1906).

A Supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forestry reservations by the Department of Forestry"

Which was referred to the Committee on Forestry.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 412, entitled:

An Act authorizing and directing the State Treasurer to refund to Fannie C. Spiers the amount illegally demanded and collected as a State license fee from her as the proprietress of a moving picture place in the State of Pennsylvania.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1503, entitled:

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class and providing a penalty for the violation thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1453, entitled:

An Act to amend article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the metod of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding a new section thereto.

And said bill having been read at length the first time,

Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1521, entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1345 (Senate No. 372), entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1451, entitled:

An Act providing for the resignation or retirement of certain officers and employees of State institutions and under certain conditions allowing them half pay during the remainder of their lives and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 93, entitled:

An Act to regulate political campaigns at and prior to elections and primaries enacting for such purpose provisions amongst others to regulate election and primary expenses and contributions therefor to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate political advertising and the publication of political matter to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred to regulate political committees and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts to provide for all dissemination of political pamphlets by public authority and for the payment of any deficit in the cost thereof out of public treasuries to impose duties on the Secretary of the Commonwealth district attorneys county commissioners clerks of courts assessors and their respective subordinates to regulate investigations of election practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances to vest certain courts with jurisdiction to annul certain elections and nominations to certify their findings as to other elections and nominations and to authorize the incurring of election expenses in certain instances to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1007, entitled:

An Act authorizing the appointment of two delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1522, entitled:

An Act relating to lynching fixing the liability of police officers constables sheriffs and deputy sheriffs and the liability and rights of counties cities boroughs towns and townships for injury or death to persons in custody and prescribing certain penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 732, entitled:

An Act to provide for the protection of insectivorous and fur bearing animals by fixing a season for trapping or killing the animal commonly called the skunk or pole cat and providing a penalty for violation of this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1232, entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of a deed of extinguishment by the prothonotary in cases where the owner or owners of said ground rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release or extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1600, entitled:

An Act empowering counties to construct operate and maintain public highways public highway bridges and tunnels in the several counties of this Commonwealth either wholly within or partly within any city borough or township therein authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches thereto authorizing counties to lay out open widen straighten or extend streets and alleys or parts thereof within the boundaries of any city borough or township therein so as to connect said bridges and tunnels or public highways or roads leading thereto with any public highways therein or so as to connect any other county bridge or road or hereafter constructed with any public highway within such city borough or township and to grade pave macadamize or otherwise improve the same and authorizing the taking of property for all or any of said purposes providing for the payment of the cost and expense thereof and compensation therefor and damages resulting therefrom and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 411, entitled:

An Act relating to the time of payment of wages or salaries to officers and employes in counties co-extensive with cities.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1767, entitled:

A supplement to an act entitled "An Act to fix the fees to be allowed the district attorney in counties containing over eight hundred thousand inhabitants" so as to provide for fees in counties containing one million two hundred thousand inhabitants and over.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 931, entitled:

A joint resolution providing for the distribution to each newspaper and periodical published in Pennsylvania of a copy of each annual edition of Smull's Legislative Hand Book and a copy daily of the Legislative Journal during the session of the General Assembly.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1460, entitled:

An Act fixing the salary and providing for the expenses of township commissioners of townships of the first class of this Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1399 (Senate No. 308), entitled:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1708, entitled:

An Act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1800, entitled:

An Act defining indecent assault and providing penalty for same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1078 (Senate No. 22), entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in [illegible]

matters shall be rendered by judges and requiring certificates from judges before their salaries shall be paid

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1646, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania abolishing the office of Secretary of Internal Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House procceded to the first reading and consideration of House Bill No. 1814 (Senate No. 490), entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1294, entitled:

A supplement to an act entitled "An Act defining and prohibiting pandering providing penalties for violation hereof and regulating the competency of certain evidence at the trial thereof" approved the seventh day of June one thousand nine hundred and eleven.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1636, entitled:

An Act making it the duty of recorders of deeds of the various counties of this Commonwealth to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration thereof or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty or perjury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1473, entitled:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. Bill No. 542, as follows:

An Act Supplementary to an act entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" approved April twenty-three Anno Domini one thousand nine hundred and three conferring power upon the judge or judges of the courts of quarter sessions of the peace who are from time to time assigned to the sessions of said court known as the juvenile court to establish compulsory physical and mental examinations of all children who come within the custody or control of the said juvenile court defining the purpose method and extent of such examination and the character and use of the reports of examining physicians designating the time and place of and authorizing the necessary equipment for such examinations and providing for the installation of said equipment and payment therefor and for the appointment and compensation of examining physicians and assistants for the said work

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the judge or judges of the courts of quarter sessions of the peace within this Commonwealth who from time to time are assigned to sessions of said court known as the juvenile court shall from the date of passage of this act have the power and authority to promulgate a standing rule of the juvenile court within their jurisdiction requiring the compulsory physical and mental examination of all children who shall come within the custody or control of such court and shall have the power and authority upon making such standing rule to appoint a competent physician and assistants for the purpose resident within the jurisdiction at a salary of not more than $1,800.00 a year for each physician and not more than $1,200.00 a year for each assistant to be paid out of the public treasury in the manner provided for the compensation of other county officers said physician and assistants to be removable for cause at the will of the judge or judges of said court The judge or judges aforesaid shall further have the power and authority to designate and set apart suitable quarters for such examination on the premises regularly used as a place of detention of wards of the juvenile court and to direct that such quarters be adequately equipped at the pubilc expense as aforesaid and under the advice and assistance of the chief examining physician with the furnishment and apparatus necessary for the purpose and shall have the power and authority to make and enforce general rules for the conduct of such eraminations not inconsistent with the provisions of this act

Section 2 Such examination shall be thorough for the purpose of diagnosing any physical or mental defect or disorder of the child and shall include examination of the eyes ears teeth throat and nose and lungs the skin vital functions genito-urinary organs and general nervous conditions of the child as well as the application of adequate mental tests for the determining of material deficiency in any of the senses or mental faculties

Section 3 Such examinations shall be conducted within the place of detention provided in the respective counties for the custody of wards of juvenile court in the quarters regularly set apart therein for such examinations and shall be begun and completed immediately upon admission of the child to such place of detention or at the earliest possible time thereafter In the case however of children not actually in the place of detention the examination may be conducted in the home or dwelling place of the child if in the opinion of the examining physician it is suitable for the purpose The parents of the child or any person standing in loco parentis shall have the right to be present at the examination unless there appear to the examining physician special reasons against their presence in the particular case in which event the juvenile court or a judge thereof shall determine and pass finally upon the right to be present of such parents or persons standing in loco parentis

Section 4 Genito-urinary examinations of female children may in the discretion of said court be conducted by a properly qualified woman physician appointed as provided by section one of this act

Section 5 The results of all examinations shall be fully set down at the time thereof by the examining physician or the assistant and tabulated upon blank forms which shall be supplied by the county commissioners of the proper counties upon the order of said juvenile courts and it shall be the duty of the State Board of Health to prescribe the form of such blank promptly after the passage of this act Each examination blank shall be fully filled in and shall be signed and dated by the examining physician and shall be filed in the probation office as part of the history of the case for the use and information of the court and proper probation officer in dealing with the same Such reports shall in no sense constitute a part of the public record but shall be submitted to the court at the hearing of the case They shall not however be open to the inspection of any person or persons other than the judge or judges of said court the proper probation officer the parents of the child or those standing loco parentis except by special order of said court

Section 6 In the event that contagious or infectious disease is discovered or suspected by the examining physician the child under examination shall forthwith be sent to the proper hospital for treatment upon summary order of the examining physician Such order with the physician's report fully setting forth the circumstances shall be submitted to the juvenile court at its first sitting thereafter or to a judge of said court in the interval for confirmation

Section 7 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. KEEPORT. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 225, as follows:

An Act regulatin gthe equipment use and operation of motor boats row boats and canoes and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each motor boat shall carry one life preserver of the standard prescribed by the Board of United States Supervising Inspectors for every person carried on such boat Each such boat shall be equipped with adequate whistle or bell

Section 2 Each motor boat over twenty feet in length shall show in all weathers from sunset to sunrise the following lights when under way

First A white light in the bow visible from straight ahead to ten points on either side thus showing an arc of twenty points of the compass

Second A green light on the starboard or right side visible from straight ahead to two points abaft the beam showing an arc of ten points of the compass

Third A red light on the port or left side visible from straight ahead to two points abaft of the beam The starboard light must not be seen from the port side of the bow nor the port light from the starboard side of the bow

Fourth An after white light which will be visible around the horizon and be placed directly above the keel and higher than the bow light so that it will show distinctly from the bow light and be in a straight line with it when the vessel is seen coming bow on

Section 3 Each motor boat less than twenty feet in length may carry in lieu of the above running lights a combination bow light showing white in the centre red on the port side and green on the starboard side

Section 4 When at anchor each such boat irrespective of its length shall carry from sunset to sunrise a white light showing clear around the horizon and elevated well above the dock

Section 5 The word motor boat wherever used in this act shall mean and include all boats propelled in whole or in part by machinery

Section 6 Each row boat and each canoe used or operated or being at anchor shall show from sunset to sunrise a white light in the bow

Section 7 Any person who shall keep or use or operate any motor boat or row boat or canoe in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace shall be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than one hundred dollars ($100.00) or to undergo an imprisonment in the jail of the proper county for a period of not more than thirty days or both such fine and imprisonment

Section 8 This act shall not apply to such water craft as are registered by the laws of the United States

Section 9 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. BLELOCH. Mr. Speaker, in view of the absence of the sponsor of this bill, I move that further consideration be postponed for the present.

Mr. CONNOR. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 921, as follows:

An Act authorizing cities boroughs incorporated towns and townships to enact ordinances regulating pipes or tubes used to convey gas

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each city borough incorporated town and township may by ordinance prohibit the use of any but metal pipes or tubes in conveying gas to the place or point of actual combustion Provided that this act shall not apply to the conveying of gas to gas fixtures used for lighting or hot plates used for cooking purposes

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Ehrhardt,	Leslie,	Runk,
Allen,	Eichenberger,	Letzkus,	Sassaman,
Arthur,	Ely,	Light,	Savacool,
Baldwin, G. A.,	Fahey,	Lohr,	Schaeffer, A. C
Barner,	Flynn,	Martin,	Schuck,
Bass,	Foster J. D.,	Mather,	Scott, S. B.,
Bayle,	Frey,	Matt,	Semmens,
Becker,	Geary,	McAleer,	Shaffer, C. A.,
Benson,	Geiser,	McAllister,	Shaffer, I. E.,
Bergey,	Gibson,	McCaig,	Shern,
Berntheizel,	Good,	McClintock,	Showalter,
Bigger,	Goss,	McDermott,	Smith, J. W.,
Bittles,	Grabe,	McKay,	Snavely,
Blair, W. A.,	Gramley,	Mechling,	Snyder,
Bleloch,	Gray, Joseph,	Metzenbacher,	Spangler,
Body,	Haggerty,	Miller,	Steele,
Brosius,	Hemminger,	Moore,	Stein,
Burnett,	Heyburn,	Morrow,	Strauss,
Campbell, C.M.,	Hibshman,	Moses,	Swartz,
Campbell, J. J.,	Howard, R.,	Musser,	Swift,
Carson,	Humes,	Neel,	Thomas,
Cheeseman,	Isler,	Neely,	Trach,
Cleary,	Irwin, G. C.,	Newbaker,	Ulman,
Cochran,	Jackson,	North,	Walsh,
Collins,	Jones, E. E.,	Peachey,	Walton,
Conner,	Jones, J. R.,	Pennegar,	Watson,
Conniff,	Kaiser,	Pennock,	Whitman,
Cox,	Kennedy,	Perry, H. L.,	Wildman,
Currier,	Kern,	Peters,	Williams,
Curry,	Kitts,	Post,	Wilson, J. H.,
DeFrees,	Klepper,	Ramsey,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Rex,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Rhoads,	Young, G. K.
Donnally,	Lanius,	Rockwell,	Young, J. H.,
Down,	Latshaw,	Roney,	Zimmerman,
Dunn, H. B.,	Lenker,	Rothenberger,	Alter,
Dunn, J. A.,			Speaker.

NAYS—1.

Richards,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present thhe same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 357, entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence" and imposing duties on conductors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence which reads as folllows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person or persons shall willfully make or cause to be made any loud boisterous and unseemingly noise or by using obscene or profane language disturb and annoy any one who shall be passengers upon any railroad or railway car or who may be visitors at any public or private park or picnic grounds kept for the amusement of the public in this Commonwealth whereby through such conduct he public peace is broken or disturbed or the public annoyed he she or they shall be guilty of the offence of disorderly conduct and upon conviction thereof before any magistrate justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person or persons shall willfully make any loud boisterous and unseemingly noise or by using obscene or profane language disturb and annoy any one who shall be passengers upon any railroad or railway car or who may be visitors at any public or private park or picnic grounds kept for the amusement of the public in this Commonwealth whereby through such conduct the public peace is broken or disturbed or the public annoyed he she or they shall be guilty of the offence of disorderly conduct and upon conviction thereof before any magistrate justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days

It shall be the duty of any conductor in charge of any passenger train on a steam service railroad to arrest on view any person so conducting himself in a disorderly manner in such train and to deliver such person into the custody of any constable or any police officer in the county who shall forthwith deliver such person to the keeper of the proper jail or prison or lockup to await a hearing as aforesaid

On the question,

Shall the bill pass finally?

Mr. GOSS. Mr. Speaker, I do not want to consume your valuable time, but I feel at this time that I ought to make a few remarks concerning the merits of this bill. As a railroad man, I fully realize what this bill will mean to railroad men. As the law is now, the only resort that a conductor has when a man is disorderly on a train is to put him off at a point of safety. If I put a man off the

train at a point of safety and he walks down the railroad track and gets run over or something, gets killed or maimed, I am called up in the office before the officers, and in a measure they hold me responsible because of this man's accident. They may say to me, "Why did you put him off?" and I would say, "Because he was obnoxious and I could not help myself." Then I would be censured for it. This bill provides, if a man becomes disorderly, I can take him and put him under arrest and turn him over to an officer, and they can hold him for a fine of $10 and costs. Gentlemen, I ask you to consider this bill and vote for it on its merits.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Adams,	Dunn, H. B.,	Lanius,	Runk,
Allen,	Dunn, J. A.,	Lenker,	Sassaman,
Arthur,	Ehrhardt,	Leslie,	Savacool,
Baldwin, G. A.,	Eichenberger,	Letzkus,	Schaeffer, A. C
Baldwin, R. J.,	Ely,	Light,	Scott, S. B.,
Barner,	Fahey,	Lohr,	Semmens,
Bass,	Flynn,	Lowers,	Shaffer, C. A.,
Bayle,	Foster, J. D.,	Martin,	Shaffer, I. E.,
Becker,	Frey,	Mather,	Shern,
Benninger,	Gans,	Matt,	Showalter,
Benson,	Geary,	McAleer,	Smith, J. W.,
Berntheizel,	Geiser,	McAllister,	Snavely,
Bigger,	Gibson,	McCaig,	Snyder,
Bittles,	Good,	McClintock,	Spangler,
Blair, W. A.,	Goss,	McKay,	Steele,
Blair, W. F.,	Grabe,	Mechling,	Strauss,
Bleloch,	Gramley,	Miller,	Swartz,
Body,	Haggerty,	Moore,	Swift,
Brosius,	Hemminger,	Morrow,	Thomas,
Burnett,	Heyburn,	Moses,	Trach,
Campbell, C.M.,	Hibshman,	Neel,	Ulman,
Campbell, J. J.,	Howard, J.,	Neely,	Walnut,
Carson,	Isler,	Newbaker,	Walsh,
Cheeseman,	Irwin, G. C.,	Newton,	Walton,
Cleary,	Jackson,	North,	Watson,
Collins,	Jones, E. E.,	Peachey,	Whitaker,
Conner,	Jones, J. R.,	Pennegar,	Whitman,
Conniff,	Kaiser,	Pennock.	Wildman,
Cox,	Keegan,	Perry, H. L.,	Williams,
Currier,	Keeport,	Peters,	Wilson, J. H.,
Curry,	Kennedy,	Post,	Wilson, W. H.,
DeFrees,	Kitts,	Ramsey,	Wiltbank,
Dickinson,	Klepper,	Richards,	Young, G. K.
Donahoe,	Kuhn, H. P.,	Rockwell,	Young, J. H.,
Donnally,	Kuhns, E.G.M.,	Roney,	Zimmerman,
Down,		Rothenberger,	Alter, Speaker.

NAYS—1.

McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 1153, as follows:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflamation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

Whereas statistics show fully thirty (30) per cent of cases of blindness to be due to inflamation of the eyes appearing a few days after birth and whereas experience has proved that this inflamation can be cured and the eye-sight saved in the majority of cases if the proper treatment be instituted at an early stage of the disease

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every physician practicing in any portion of this Commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum (inflamation of the eyes of infants) shall if the said case be located in a township of the first class a borough or a city forthwith make a report in writing to the Health Authorities of said township city or borough and if said case shall be located in a township of the second class or a city borough or township of the first class not having a board of health or body acting as such to the State Department of Health upon blanks supplied for that purpose in which report he shall under his or her own signature state the name of the disease and the name age sex color and nativity of the infant suffering therefrom together with the street and house number of the premises in which said infant may be located or otherwise sufficiently designate the same the date of the onset of the disease the name and occupation of the householder in whose family the disease may have occurred together with such information relating to said case as may be required by said health authorities and the State Department of Health

Section 2 That any mid-wife or nurse or other person having the care of an infant whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth shall report the same in writing to the health authorities of the city borough or township of the first class in which the case may be located or if it be located in a township of the second class or a city borough or township of the first class not having a Board of Health or body acting as such the State Department of Health within six hours after the discovery thereof giving the name of the infant the names of the parents or guardians and the street and number of their residence or otherwise sufficiently designate the same together with the fact that such inflamation or swollen or redness exists and shall make a simlar report in writing to some regularly qualified practicing physician of the district

Section 3 That it shall be the duty of the health authority of the State Department of Health immediately upon receipt of a written report from a mid-wife or a nurse or person other than a practicing physician to notify the parents or guardian or other person having charge of the infant of the ranger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same

Section 4 Every physician in this Commonwealth who shall treat any infant's eyes for aphthalmia neonatorum (inflammation of the eyes of an infant) shall within forty-eight hours after said physician ceases treatment of or attendance upon such case of ophthalmia neonatorum report to the Commissioner of Health of the Commonwealth of Pennsylvania that said physician has treated a certain case of ophthalmia neonatorum giving full information as required in section one of this act stating that he has ceased treatment of or attendance upon said case and what was condition of infant's eyes when physician ceased treatment of or attendance upon said case of ophthalmia neonatorum

Section 5 Every health officer shall furnish a copy of this act to every person who is known to him to act as a mid-wife or nurse in the city borough or township for which he is health officer and the Commission of Health of this Commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers

Section 6 Any physician mid-wife nurse or other person who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any Justice of the Peace of Alderman of the county wherein such offense was committed be sentenced to pay a fine of not less than twenty or more than one hundred ($100) dollars to be paid to the use of the said county and the costs of prosecution or to be imprisoned in the county jail for a period of not less than ten (10) or more than thirty (30) days or both at the discretion of the court

Section 7 An "Act for the prevention of blindness imposing a duty upon all mid-wives nurses or other persons having the care of infants and also upon the health officers and fixing penalties for neglect thereof" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five be and the same is hereby repealed.

On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. SHOWALTER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MITCHELL. Mr. Speaker, I second the motion.

The motion was agreed to.

The question recurring,

Will the House agree to the bill on third reading?

Mr. SHOWALTER. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 2, line 13, strike out "swollen" and insert "swelling"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No 78.

An Act supplementing and amending sections two hundred an one (201) two hundred and two (202) and two hundred and fourteen (214) of article two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be

inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven by providing for the election in school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the courts of common pleas of the county in which such school district is situated

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section two hundred and one (201) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven which reads as follows

"Section 201 The public school system established by this act shall be administered by a board of school directors in each school district to be elected or appointed as follows" be and the same is hereby amended to read as follows

Section 201 The public school system established by this act shall be administered by a board of school directors in each school district to be elected as follows

Section 2 That section two hundred and two (202) of the above mentioned act which reads as follows

"Section 202 In each school district of the first class the judges of the Courts of Common Pleas of the county in which such school district is situated shall in October one thousand nine hundred and eleven (1911) appoint a board of fifteen (15) school directors as follows Five for two years five for four years and five for six years and in October of every second year thereafter shall appoint five members for six years Their terms of office shall begin on the second Monday of November next following their appointment" shall be amended and supplemented to read as follows

"Section 202 In each school district of the first class the people in which such school district is situated shall at the municipal election to be held in November one thousand nine hundred and thirteen elect at large five school directors for six years and at each subsequent municipal election held every second year thereafter the people shall elect at large five school directors who shall serve for a term of six years Their terms of office shall begin on the first Monday of December following their election

Section 3 That section two hundred and fourteen (214) of the above mentioned act which reads as follows

"Section 214 In case any vacancy shall occur in any board of school directors in any school district of this Commonwealth by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class be filled for the unexpired term by the Courts of Common Pleas of the county in which such school district is situated and in a school district of the second third and fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment at which election an eligible person shall be elected for the remainder of the unexpired term Provided That if by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors as is herein provided within thirty (30) days after such vacancy shall have occurred the Court of Common Pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term" shall be amended and supplemented to read as follows

Section 214 In case any vacancy shall occur on any board of school directors in any school district of this Commonwealth by reason of death resignation removal from the district or otherwise such vacancy shall in a school district of the first class if it occur more than thirty (30) days prior to the next ensuing municipal election immediately be filled by the appointment of an eligible person by the judges of the Court of Common Pleas of the county where such district is situated to serve until his successor shall be elected at the next ensuing municipal election and qualify on the first Monday of December following such municipal election to serve for the remainder of the unexpired term of the school director whose death resignation or removal from the district or otherwise caused such vacancy Provided such vacancy occur less than thirty (30) days prior to the first and next ensuing municipal election then the appointment shall be as herein directed and such director so appointed shall serve until the people of such first-class school district shall elect at the second ensuing municipal election a school director at large to serve for the unexpired term and in a school district of the second third and fourth classes the remaining members of the board of school directors shall by a majority vote thereof fill such vacancy within thirty (30) days thereafter In a district of the second third or fourth class the person selected to fill such vacancy shall hold his office if the term thereof so long continues until the first Monday of December after the first municipal election occurring more than thirty (30) days after his appointment at which election an eligible person shall be elected for the remainder of the unexpired term Provided That if by reason of a tie vote or otherwise such vacancy shall not have been filled by the board of school directors as is herein provided within thirty (30) days after such vacancy shall have occurred the Court of Common Pleas of the proper county upon the petition of ten or more resident taxpayers shall fill such vacancy by the appointment of a suitable person for the unexpired term

Section 4 That section three hundred and one (301) of Article III of the above mentioned act which reads as follows

"Section 301 In all school districts of the first class the school year shall begin on the first day of January each year and in all other school districts of this Commonwealth the school years shall begin on the first Monday of July each year In school districts of the first class the school directors appointed as herein provided shall meet and organize annually on the second Monday of November and in school districts of the second third and fourth class the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year When a new school district is created or when the officers of all the school directors of a district become vacant the school directors appointed by the court in any such case shall meet and organize within ten days after their appointment" shall be amended and supplemented to read as follows

Section 301 In all school districts of the first class the school year shall begin on the first day of January each year and in all other school districts of this Commonwealth the school year shall begin on the first Monday of July each year In school districts of the first class the school directors elected as herein provided shall meet and organize annually on the first Monday of December and in school districts of the second third and fourth class the school directors regularly elected or appointed shall meet and organize annually on the first Monday of December each year When a new school district is created or when the offices of all the school directors of a district become vacant the school directors appointed by the court in any such case shall meet and organize within ten days after their appointment

Section 5 That section five hundred and twenty-four (524) of the above mentioned act which reads as follows

"Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of November and before the first Monday of December following

The total annual school tax levy made in any one year by any school district of the first class shall not be less than five nor more than six mills on the dollar of the total assessment of all property assessed and certified for taxation therein" shall be amended and supplemented to read as follows

Section 524 In all school districts of the first class the school taxes for the following fiscal year shall be levied annually by the board of school directors thereof on or after the second Monday of December and before the first Monday of January following

The total annual school tax levy made in any one year by any school district of the first class shall not be more than six mills on the dollar of the total assessment of all property assessed and certified for taxation therein

Section 6 That the above mentioned act be amended and supplmented by adding thereto the following

Section 2825 That the meetings of all the boards of school directors created by this act or any of the committees or sub-committees of such boards of school directors shall at all times be public and any citizen shall be privileged to attend any of these meetings or examine the minutes thereof at any time

Section 7 All acts and all parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. GEARY. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KAISER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1264, as follows:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws in reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgments of deeds and sequestrations of life estates" approved April fourteenth one thousand eight hundred and fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act en-

titled "An Act to amend section one of an act entitled 'An Act relating to the decent and distribution of the estate of intestates' passed and aproved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all aplications for any exemption under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors land and tenements to the exemption laws to reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgments of deeds and sequestration of life estates" approved April fourteenth one thousand eight hundred and fifty-one (Pamphlet Laws six hundred and twelve) and its suplements and under the act entitled "An Act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and aproved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates" aproved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) it shall be sufficient and lawful to have two persons appraise the estate so claimed whether the same consist of real or personal property or both

Section 2 That all claims for exemptions heretofore allowed under said acts and not having the legal number of appraisers are hereby validated and made legal

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Adams,	Flynn,	Martin,	Schaeffer, A. C
Allen,	Foster, J. D.,	Mather,	Schuck,
Arthur,	Gibson,	Matt,	Scott, S. B.,
Baldwin, G. A.,	Good,	McAleer,	Semmens,
Barner,	Gramley,	McAllister,	Shaffer, I. E.,
Bass,	Gray, Joseph,	McCaig,	Shern,
Bayle,	Haggerty,	McClintock,	Showalter,
Becker,	Hemminger,	McDermott,	Smith, J. W.,
Benson,	Heyburn,	McKay,	Smith, L.,
Bergey,	Hibshman,	Mechling,	Snavely,
Berntheizel,	Howard, R.,	Metzenbacher,	Snyder,
Bigger,	Humes,	Miller,	Spangler,
Bittles,	Isler,	Moore,	Spillinger,
Blair, W. A.,	Irwin, G. C.,	Morrow,	Steele,
Blair, W. F.,	Jackson,	Moses,	Strauss,
Bleloch,	Jones, E. E.,	Musser,	Swartz,
Brosius,	Jones, J. R.,	Neel,	Swift,
Burnett,	Kaiser,	Neely,	Thomas,
Campbell, J. J.,	Keegan,	Newbaker,	Trach,
Carson,	Keeport,	Newton,	Ulman,
Cheeseman,	Kennedy,	North,	Walnut,
Cochran,	Kitts,	Peachey,	Walsh,
Conner,	Klepper,	Pennock,	Walton,
Conniff,	Kuhn, H. P.,	Peters,	Watson,
Currier,	Kuhns, E.G.M.,	Post,	Whitaker,
Curry,	Latshaw,	Ramsey,	Whitman,
Dickinson,	Lenker,	Richards,	Wildman,
Donahoe,	Leslie,	Robinson,	Williams,
Donnally,	Letzkus,	Rockwell,	Wilson, J. H.,
Down,	Light,	Roney,	Wilson, W. H.,
Dunn, H. B.,	Lohr,	Rothenberger,	Wiltbank,
Eichenberger,	Lowers,	Runk,	Zimmerman,
Ely,		Sassaman,	Alter,
		Savacool,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1242,.

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

Whereas Owing to the loose and inefficient methods of listing and indexing now employed by may burial ground and cemetery companies and associations it has become exceedingly difficult and at times impossible to discover the location of certain graves or even to find a record of names of persons known to be buried therein therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every burial ground or cemetery company or association shall keep a complete list of the names of every person buried in such burial ground or cemetery arranged alphabetically with the date of burial the exact location of the grave and the number and owner of the lot in which the grave is situated This shall be accomplished by means of a card index or other system in such a way that knowledge of the name of a person or of the lot in which he or she is buried or of the date of burial will furnish a ready reference to the complete record

Section 2 Within two years after the passage of this act every burial ground or cemetery company or association shall have on file for public inspection a complete record if such information is obtainable of all past burials made in such burial ground or cemetery arranged in conformity with the requirements of section one of this act

Section 3 Every person firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceding one thousand dollars

On the question,

Shall the bill pass finally?

Mr. JAMES A. DUNN. Mr. Speaker, the merits of this bill appeal to every representative of this body. It provides that the cemeteries should keep a record of the burials not only for the benefit of the public but for the benefit of the individuals. I am not particularly interested in it, but the Newspaper Men's Association is interested in this bill. They have been very kind to us, and do not ask for much legislation from this body, and I would ask the unanimous vote of this body for this bill for the reason that the newspaper men are particularly interested in it.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Down,	Lenker,	Sassaman,
Allen,	Dunn, H. B.,	Leslie,	Savacool,
Arthur,	Dunn, J. A.,	Letzkus,	Schaeffer, A. C
Baldwin, G. A.,	Ehrhardt,	Light,	Schuck,
Baldwin, R. J.,	Eichenberger,	Lohr,	Scott, J. R. K.,
Barner,	Ely,	Lowers,	Scott, S. B.,
Bass,	Fahey,	Martin,	Semmens,
Bayle,	Foster, J. D.,	Mather,	Shaffer, C. A.,
Becker,	Frey,	Matt,	Shaffer, I. E.,
Benson,	Geiser,	McAleer,	Shern,
Bergey,	Gibson,	McAllister,	Showalter,
Berntheizel,	Good,	McCaig,	Smith, J. W.,
Bigger,	Goss,	McClintock,	Snavely,
Bittles,	Gramley,	McKay,	Snyder,
Blair, W. A.,	Gray, Joseph,	Mechling,	Spangler,
Blair, W. F.,	Haggerty,	Metzenbacher,	Spillinger,
Bleloch,	Hemminger,	Miller,	Steele,
Body,	Heyburn,	Moore,	Strauss,
Brosius,	Hibshman,	Morrow,	Swartz,
Burnett,	Howard, R.,	Moses,	Swift,
Campbell, C.M.,	Humes,	Moulthrop,	Thomas,
Campbell, J. J.,	Isler,	Musser,	Trach,
Carson,	Irwin, G. C.,	Neel,	Ulman,
Carter,	Irwin, H. H.,	Neely,	Walnut,
Cheeseman,	Jackson,	Newbaker,	Walsh,
Claycomb,	Jones, E. E.,	Newton,	Walton,
Cochran,	Jones, J. R.,	North,	Watson,
Collins,	Kaiser,	Peachey,	Whitaker,
Conner,	Keeport,	Pennock,	Whitman,
Conniff,	Kennedy,	Peters,	Wildman,
Cox,	Kitts,	Post,	Williams,
Curry,	Klepper,	Ramsey,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Richards,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Robinson,	Young, G. K.
Donahoe,	Latshaw,	Rockwell,	Young, J. H.,
Donnally,		Roney,	Zimmerman,
		Runk,	Alter,
			Speaker.

NAYS—1.

McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present thhe same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 804, as follows:

An Act making an appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay for the construction of sewage disposal plants providing the conditions under which the money hereby appropriated shall be disbursed and paid and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants

Whereas the construction of adequate sewage disposal plants in the various municipalities entails a considerable expense upon such municipalities and

Whereas many municipalities have exhausted or nearly exhausted their constitutional borrowing capacity and

Whereas the disposal of sewage other than by prescribing it in its raw state to flow into the streams of the Commonwealth is for the common welfare of the people of the State and

Whereas it is intended that State aid be inaugurated for the purpose of aiding and assisting municipalities in the construction of sewage disposal plants under some system which will not permit the larger municipalities or any of them to absorb the fund appropriated for any appropriation period and thus prevent the construction of sewage disposal plants in other municipalities until such time as more money maybe appropriated by the legislative enactment therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million ($1,000,000) dollars or so much thereof as may be necessary for the two years beginning June first Anno Domini one thousand nine hundred and thirteen is hereby appropriated for the purpose of aiding and assisting cities and boroughs and other municipalities to pay the cost of sewage disposal plants as herein further provided

Section 2 Whenever after the passage of this act it shall become necessary for any city borough or other municipality in this Commonwealth in accordance with existing laws to cease discharging their sewage into the waters of the Commonwealth and for this purpose such city borough or other municipality shall submit plans and specifications for the construction of a sewage disposal plant to the Commissioner of Health and such plans and specifications shall have been approved by the Commissioner of Health the councils or other proper authorities of such city borough or municipality may at any time before the first day of March of an even numbered year beginning with the first day of March Anno Domini one thousand nine hundred and fourteen give notice to the Auditor General of the Commonwealth on forms furnished by the Commissioner of Health for that purpose that such plans and specifications have been submitted to and approved by the Commissioner of Health which notice shall also contain the estimated cost of the construction of said plant

Section 3 Immedfately after the first day of March of each even numbered year beginning with the first day of March Anno Domini one thousand nine hundred and fourteen the Auditor General of the Commonwealth shall place to the credit of the cities boroughs or other municipalities from which notices have been received in accordance with section two of the act its estimated proportionate share of any moneys appropriated by act of Legislature for the two years beginning the first day of June of such odd numbered year based upon the total estimated cost of the plants for which such notices have been received and the total appropriation therefor

Section 4 Whenever any city borough or other municipality after having complied with the provisions of section two of this act have actually begun the construction and erection of a sewage disposal plant upon plans and specifications approved by the Commissioner of Health the councils or other proper authorities of such city borough or other municipality shall render quarterly on or within thirty days after the first day of March June September and December respectively beginning with the first day of March Anno Domini one thousand nine hundred and fourteen to the Auditor General of the Commonwealth a statement of the cost of labor and material for the said sewage disposal plant for the previous quarter or if it be the first statement from the time the work was begun

Section 5 During the construction and erection of any sewage disposal plant receiving State aid the Commisioner of Health shall have the right through his engineers and assistants to direct and supervise the work and the material used in order that the same may be up to and in accordance with the plans and specifications approved by him as required by this act The expense of such direction and supervision including services of inspector traveling and other necessary expenses incident thereto shall be paid by the Commissioner of Health out of moneys appropriated for the general expenses of the Department of Health and shall be certified quarterly to the Auditor General of the Commonwealth and shall be deducted from the amount payable to the city borough or other municipality constructing such disposal plant and credited by the State Treasurer to the apropriations to the Department of Health

Section 6 Upon the receipt of a quarterly statement as provided for in section four of this act from the authorities of any city borough or municipality the Auditor General of the Commonwealth shall submit the same to the Commissioner of Health for his approval and when such statement is so approved by the Commissioner of Health shall honor the recognition of the proper authorities of such city borough or other municipality for a proportionate part of its share of monies appropriate for that purpose withholding however from each quarterly payment fifteen per centum of the amount to which such city borough or other municipality would be entitled as a reserve fund to be paid upon final settlement and the adjustment of possible differences between estimated and actual cost and also deducting therefrom the cost of the direction and supervision of the work by the Department of Health

Section 7 Any city borough or other municipality having a sewage disposal plant in the course of construction and unfinished on the first day of June of any odd numbered year may continue to receive its proper proportion of any moneys appropriated for the preceding two years and placed to its credit as provided in section three of this act but may not share in any appropriation for any other period

Section 8 No contribution made by any State appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay the cost of such sewage disposal plants shall at any time exceed one-half of the cost of such sewage disposal plants

Section 9 Nothing contained in this act shall be construed to in any way repeal or interfere with the enforcement of the provisions of an act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

On the question,

Shall the bill pass finally?

Mr. WALNUT. Mr. Speaker, I would like the sponsor of this bill to explain it to the House.

Mr. NORTH. Mr. Speaker, if the members will kindly read the preamble of this bill, it is self-explanatory. Many municipalities have exhausted their constitutional borrowing powers. If this act becomes a law, it wil relieve them very greatly. They need the money, and it is up to the State to help take care of them.

Mr. WALNUT. Mr. Speaker, I wanted to know about the manner in which this money was to be distributed. Is there any check upon the distribution of it to protect us against discrimination between one borough and another and betwene one municipality and another.

Mr. NORTH. On page 2 of this bill, it reads something like this in the Preamble:

Whereas, It is intended that State aid be inaugurated for the purpose of aiding and assisting municipalities in the construction of sewage disposal plants under some system which will not permit the larger municipalities or any of them to absorb the fund appropriated for any appropriation period and thus prevent the construction of sewage disposal plants in other municipalities until such time as more money may be appropriated by the legislative enactment therefore.

If this become a law it will relieve this greatly. It seems to me that its object is very plain and as fully explained as it is possible to make it.

Mr. WALNUT. Mr. Speaker, my thought was this: I wanted to find out if there was any provision which would protect or enable municipalities that had already been sufficiently prompt in complying with the health regulations to build a sewage system of its own. Is there any provision in the bill which would penalize them by not permitting them to receive any of the benefits of this bill.

Mr. NORTH. Mr. Speaker, there is no penalty attached to any municipality that previously built there own disposal plants.

Mr. WALNUT. Mr. Speaker, those municipalities who have issued bonds are now paying interest on those bonds. Those bonds having been issued for the purpose of erecting a sewage plant and should be entitled to the same consideration as other municipalities that may be remiss that have not received money from the State. There was discussion in favor of one municipality as against a municipality that has been prompt—a lax municipality against a prompt municipality, that has provided a proper sewage and they are still paying interest on their bonds.

Mr. NORTH. Mr. Speaker, the purpose of this bill is to give aid to all municipalities. The Commisisoner of Health shall direct that sewage disposal plants must be built. As I stated before many municipalities are bonded to the constitutional limit and if the Health Department of the State, which seems to have the absolute power to direct the building or construction of these disposal plants it will be an impossibility and I think if the gentleman will read this bill carefully and consider it, he will find that it is the only measure that will give the municipality the desired releive.

BILL POSTPONED.

Mr. ROCKWELL. Mr. Speaker, I don't know whether I am actually in favor of this proposition or not. If the State is committed to this bill it would involve in the end a sum of forty to figty million dollars if it is carried out. It seemes to me that it would be wise to postpone action for a few days to permit the members to examine it a little more carefully and I move, Mr. Speaker, that

Further consideration of this bill be postponed for the present.

Mr. NORTH. Mr. Speaker, I object to that. It is a matter that every county in the State will be benefitted by it. and if the gentlemen of the House are not in favor of

this legislation at this time why the sooner they kill it, the better. Personally, I don't live in an incorporated municipality. I live in a first class township and I offered this measure to give relief to the State at large.

The SPEAKER. I would suggest that it might be better to permit the bill to be postponed for the present.

Mr. NORTH. Well, Mr. Speaker, I don't care.

Mr. WALNUT. Mr. Speaker, I second Mr. Rockwell's motion to postpone.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1244, as follows:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five so as to include gas and water companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by petition to the court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity"

"Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits or cables of the said telegraph telephone light or power company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation"

"Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light or power company to properly erect or construct and maintain its poles wires conduits and cables or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence" be amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone light power gas or water company occupying the highways of said municipality with its poles wires conduits cables pipes or mains as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of said poles wires conduits cables pipes or mains under its police powers is or is not reasonable either party may apply by petition to the court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity

Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits cables pipes or mains of the said telegraph telephone light power gas or water company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation

Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light power gas or water company to properly erect or construct and maintain its poles wires conduits cables pipes or mains or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	Donnally,	Letzkus,	Sassaman,
Allen,	Down,	Light,	Savacool,
Arthur,	Dunn, H. B.,	Lohr,	Schaeffer, A. G.
Baldwin, G. A.,	Dunn, J. A.,	Lowers,	Schuck,
Baldwin, R. J.,	Ehrhardt,	Martin,	Scott, J. R. K.,
Barner,	Eichenberger,	Mather,	Scott, S. B.,
Bass,	Ely,	Matt.	Semmens,
Bayle,	Fahey,	McAleer,	Shaffer, I. E.,
Becker,	Foster, J. D.,	McCaig,	Shern,
Benson,	Gans.	McClintock,	Showalter,
Bergey,	Gibson,	McKay,	Smith, J. W.,
Berntheizel,	Good,	Metzenbacher,	Snavely,
Bigger,	Goss,	Miller,	Snyder,
Bittles,	Gramley,	Moore,	Spangler.
Blair, W. A.,	Haggerty,	Morrow,	Spillinger,
Blair, W. F.,	Hemminger,	Moses,	Steele,
Body,	Heyburn,	Neel,	Strauss,
Brosius,	Hibshman,	Neely,	Swartz,
Burnett,	Howard, R.,	Newbaker,	Swift
Campbell, C.M.,	Humes,	Newton,	Thomas,
Campbell, J. J.,	Isler,	North,	Trach,
Carson,	Irwin, G. C.,	Peachey,	Ulman,
Cheeseman,	Jackson,	Pennegar,	Walnut,
Claycomb,	Jones, E. E.,	Pennock,	Walsh,
Cleary,	Jones, J. R.,	Post,	Watson,
Collins,	Kaiser,	Ramsey,	Whitman,
Conner,	Keeport,	Rhoads,	Wildman,
Conniff,	Kennedy,	Richards,	Williams,
Cox,	Kitts,	Robinson,	Wilson, W. H.,
Curry,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
DeFrees,	Lenker,	Roney,	Young, G. K.
Dickinson,	Leslie,	Rothenberger,	Zimmerman,
Donahoe,		Runk,	Alter,
			Speaker.

NAYS—4.

Keegan,	McAleer,	McDermott,	Peters,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present thhe same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1226, as follows:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the center line of any highway constitutes the dividing line between any city or borough and a township located in the same county it shall be lawful for the commissioners of the county and for the commissioners or road supervisors of such township as the case may be to enter into a contract with the city or borough providing for the grading curbing and macadamizing or paving of the roadway of said highway the cost thereof to be borne one-half by the city or borough and one-half by the county and township in equal portions.

Section 2 The said alteration or improvement shall be constructed and subsequent repairs shall be made under the super-

vision of the proper authorities of the said city or borough in compliance with existing laws governing the construction of such alterations or improvements in said city or borough and in further compliance with plans and specifications to be agreed upon in writing between said city or borough and the commissioners of the county and commissioners or road supervisors of the said township The cost of repairs shall be borne one-half by the city or borough and one-half by the township or by the county and township in equal portions or such other proportion as may be agreed upon by the county and township

Section 3 All acts or parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Adams,	Dunn, J. A.,	Letzkus,	Sassaman,
Allen,	Ehrhardt,	Light,	Schaeffer, A. C
Arthur,	Eichenberger,	Lohr,	Schuck,
Baldwin, G. A.,	Ely,	Lowers,	Scott, J. R. K.,
Baldwin, R. J.,	Fahey,	Martin,	Scott, S. B.,
Barner,	Flynn,	Mather,	Semmens,
Bass,	Foster, J. D.,	McAleer,	Shaffer, I. E.,
Bayle,	Geiser,	McAllister,	Shern,
Becker,	Gibson,	McCaig,	Showalter,
Benson,	Glenn,	McClintock,	Smith, J. W.,
Bergey,	Good,	McKay,	Snavely,
Bigger,	Gramley,	Mechling,	Snyder,
Bittles,	Gray, Joseph,	Metzenbacher,	Spangler,
Blair, W. A.,	Haggerty,	Miller,	Spillinger,
Blair, W. F.,	Hemminger,	Moore,	Steele,
Bleloch,	Heyburn,	Morrow,	Strauss,
Body,	Hibshman,	Moses,	Swartz,
Brosius,	Howard, R.,	Moulthrop,	Swift,
Burnett,	Humes,	Musser,	Thomas,
Campbell, C.M.,	Isler,	Neel,	Trach,
Campbell, J.J.	Irwin, G. C.,	Neely,	Ulman,
Carson,	Jackson,	Newbaker,	Walnut,
Cheeseman,	Jones, E. E.,	Newton,	Walsh,
Cochran,	Jones, J. R.,	North,	Walton,
Collins,	Kaiser,	Pennegar,	Watsen.
Conner,	Keeport,	Peters,	Whitaker,
Conniff,	Kennedy,	Post,	Whitman,
Cox,	Kitts,	Ramsey,	Wildman,
Currier,	Klepper,	Rhoads,	Williams,
Curry,	Kuhn, H. P.,	Richards,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Robinson,	Wilson, W. H.,
Donahoe,	Latshaw,	Rockwell,	Wiltbank,
Donnally,	Lenker,	Roney,	Young, G. K.
Down,	Leslie,	Rothenberger,	Zimmerman,
Dunn, H. B.,		Runk,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1386, entitled.

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers.

On the question,

Shall the bill pass finally?

Mr. ROCKWELL. Mr. Speaker, it apepars to me that this bill is not on the Senate File.

The SPEAKER. It appearing that the bill is not on the file it will be passed over in its place.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 946, as follows:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department and shall contain the name of the applicant with place of residence including city or town street and number and post-office address and shall state that said applicant is over sixteen (16) years of age and is qualified to operate a motor-vehicle It shall be signed by the applicant and verified by oath or affirmation Upon the receipt of the application and a fee of two dollars ($2.00) the State Highway Department shall issue to the applicant a license and a badge The license shall contain the licensee's name and residence and the date and number of the license and shall be carried by the licensee at all times when operating a motor-vehicle Upon the badge shall be the words 'Pennsylvania License Driver' the year and the number of the license which it acompanies It shall not be less than two and one half (2½) inches in its greatest diameter and shall be conspicuously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor-vehicle" be and the same is hereby amended to read as follows

Section 5 Every person desiring to operate a motor-vehicle as a paid operator shall first obtain a driver's license Application for license shall be made upon a blank furnished by the Highway Department and shall contain the name of the applicant with place of residence including city or town street and number and post-office address and shall state that said applicant is over sixteen (16) years of age and is qualified to operate a motor-vehicle It shall be signed by the applicant and verified by oath or affirmation Upon the receipt of the application and a fee of two dallars ($2.00) the State Highway Department shall issue to the applicant a license and a badge The license shall contain the license's name and residence and the date and number of the license and shall be carried by the licensee at all times when operating a motor-vehicle Upon the badge shall be the words "Pennsylvania Licensed Driver" the year and the number of the license which it accompanies It shall not be less than two and one-half (2½) inches in its greatest diameter and shall be conspicuously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor-vehicle

On the question,

Shall the bill pass finally?

Mr. GEORGE H. BALDWIN. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. The sponsor is not at present in the House.

BILL POSTPONED.

Mr. GEORGE H. BALDWIN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. SWIFT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 937, as follows:

An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

Whereas, A very large proportion of our population occupy overcrowded and insanitary tenement boarding and lodging houses and

Whereas, It is from these conditions that we derive much personal and industrial inefficiency inebriety dependence tuberculosis and disease in many forms an appalling infant mortality and preventable deaths at all ages a debased citizenship vice and crime all of which lead to physical and moral degeneracy and an ultimate burden upon society and upon the State and

Whereas, We believe that a clean and healthful habitation for the parents work untold influence on a babe yet unborn and that such babe should be received in a home prepared to welcome such a divine blessing that in infancy and youth it should never know the misery and menace of the "slum" but that its environment should promote the highest type of physical and moral development therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Bureau of Housing be established in the State Department of Health with such executive and clerical staff as may be necessary to carry into effect the provisions of this act throughout the Commonwealth with the exception of cities of the first class And the Commissioner of Health with the consent of the Governor is hereby authorized to designate such persons prescribe their titles and respective duties and fix their compensation

Section 2 It shall be the duty of said Bureau to investigate the sanitary conditions of tenement lodging and boarding

houses and when the same are found in the opinion of said bureau to be a menace to those occupying the same or employed therein or to be overcrowded to condemn the same and to notify the owners or agents thereof in writing setting forth the insanitary or overcrowded conditions thereof and specifying in writing the changes or alterations which shall be made thereto for the purpose of relieving such conditions and further specifying the time within which such changes or alterations shall be completed or overcrowding relieved

A duplicate copy of such notification and service thereof attested by the officer or agent making the same on behalf of the bureau shall immediately after the service thereof be filed in the court of Common Pleas of the county in which such condemned dwelling premises or other building is located and if no appeal be filed within ten days by the owner or agent after service of such notice then an appeal shall be allowed only upon direct order of the court

Section 3 Any appeal from the notification of said bureau through its authorized agents shall set forth the specific facts upon which the appeal is based and upon filing said appeal the court of Common Pleas shall designate three disinterested persons to examine the buildings dwellings and premises and report their conclusions whether the appeal should be dismissed or the order of the bureau enforced or in any way modified Any such finding upon review and hearing by the court shall become final The court shall have the right to fix the compensation of the persons so appointed and such amount shall be paid by the appellant when the findings sustain in whole or in part the notification of said bureau

Upon the expiration of the time designated in the reports to the said court where no appeal is taken or from the final order after appeal the names of those who have failed to comply either with the notice of said bureau or the court's order based upon appeal shall be certified by the officer or agent of said bureau to the district attorney who upon receipt of the same shall cause a prosecution to be at once instituted against such person or persons

Section 4 The officers or agents of this bureau shall have at all times the right of ingress into all premises as aforementioned

Section 5 Any owner or agent of any premises condemned as insanitary or overcrowded who shall neglect to comply with the order of said bureau or with the order of court after appeal and who may continue to rent or use such premises in violation thereof shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined twenty dollars ($20) per day for each day which the premises shall have been used and in default of payment of the same shall be committed to the county jail for such period as the court may direct And there penalties shall apply to the officers of corporations or members of firms either as owners or agents

Section 6 And any owner agent or occupant who interferes with or prevents ingress to any officer or agent of this bureau or to the persons designated by the court for the purposes aforesaid shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined not less than fifty nor more than one hundred dollars for each and every such offense or suffer an imprisonment of not more than sixty days either or both at the discretion of the court

Section 7 The necessary expenses for the salaries of officers and employes and for the operation of this bureau shall be paid from the general appropriation to the Department of Health in the form and manner prescribed for other disbursements

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—95.

Allen,	Curry,	Klepper,	Sassaman,
Arthur,	Dickinson,	Kuhn, H. P.,	Schuck,
Baldwin, G. A.,	Donahoe,	Kuhns, E.G.M.,	Scott, S. B.,
Bass,	Donnally,	Latshaw,	Semmens,
Bayle,	Down,	Letzkus,	Shaffer, I. E.,
Becker,	Dunn, J. A.,	Light,	Shern,
Benninger,	Eichenberger,	Lowers,	Showalter,
Benson,	Fahey,	Martin,	Smith, J. W.,
Bergey,	Foster, J. D.,	Mather,	Snyder,
Berntheizel,	Geary,	McAllister,	Spangler,
Bigger,	Gibson,	McCaig,	Steele,
Bittles,	Good,	McClintock,	Swartz,
Blair, W. A.,	Gramley,	McKay,	Swift,
Blair, W. F.,	Gray, Joseph,	Mechling,	Thomas,
Bleloch,	Haggerty,	Miller,	Trach,
Body,	Hemminger,	Moses,	Walnut,
Brosius,	Heyburn,	Moulthrop,	Walsh,
Burnett,	Isler,	Neel,	Watson,
Campbell, C.M.,	Jackson,	Newbaker,	Whitman,
Cheeseman,	Jones, E. E.,	Newton,	Wildman,
Conner,	Jones, J. R.,	Pennock,	Williams,
Conniff,	Keeport,	Richards,	Wilson, W. H.,
Cox,	Kennedy,	Rockwell,	Alter,
Currier,	Kitts,	Roney,	Speaker.

NAYS—28.

Baldwin, R. J.,	Keegan,	Musser,	Spillinger,
Barner,	Lenker,	Peters,	Strauss,
Campbell, J.J.	Matt,	Post,	Ulman,
Dunn, H. B.,	McAleer,	Ramsey,	Wilson, J. H.,
Grabe,	McDermott,	Rothenberger,	Wiltbank,
Howard, R.,	Metzenbacher,	Savacool,	Young, G. K.
Humes,	Morrow,	Snavely,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

The SPEAKER. House Bill No. 1083 (Senate Bill No. 160), being the next bill on the calendar and not on the files, it will be passed over in place.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 734, as follows:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and the preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse woodcock and wild water fowl

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section 22 of an act approved May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectiverous and other wild birds and prescribing penalties for violation of its several provisions which now reads as follows

"Section 22 No person shall at any time buy sell or expose for sale or offer for sale any ruffed-grouse commonly called pheasant or quail commonly called Virginia partridge nor any deer or part thereof which shall have been caught killed or taken within this Commonwealth No person shall at any time try to sell expose for sale or offer for sale any ruffed-grouse commonly called pheasant which shall have been killed caught or taken outside of this Commonwealth save only during the open season for ruffed-grouse in this Commonwealth and for thirty days thereafter and no person shall at any time buy sell expose for sale or offer for sale any woodcock or the dead body or any part thereof of any wild-turkey or of any Hungarian quail whether caught killed or taken within or without this Commonwealth Each and every person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each deer or part thereof and twenty-five dollars for each game-bird named in this section of for any part thereof bought sold exposed or offered for sale or otherwise held contrary to any provisions thereof" shall be amended so as to make it read as follows

Section 22 No person shall at any time within this Commonwealth buy or sell or barter or expose for sale or barter or have in possession for sale or barter any elk or any deer or any part of either an elk or a deer that has been killed taken or captured in a wild state in this Commonwealth and no person shall at any time within this Commonwealth buy or sell or barter or attempt to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any wild duck or any wild goose or any other bird of the kind commonly known as wild waterfowl that shall have been killed taken or captured in this Commonwealth or that may have been brought into this Commonwealth for sale between the first day of January and the first day of September of each year Provided that nothing in this section shall be construed to prevent the purchase or sale or introduction into this State at any time of either elk or deer or birds alive for propogating purposes

Each and every person who shall violate any of the provisions of this section relative to the purchase or sale or barter of elk or of deer shall be liable to a penalty of one hundred dollars for each offense

Each and every person who shall violate any provision of this section relative to the purchase or sale or barter of ruffed grouse or of wild turkey or of woodcock or of quail shall be liable to a penalty of twenty-five dollars for each bird or part thereof in any way had in possession or handled contrary to the provisions of this section

Each and every person in any way violating the provisions of this section relating to the sale or barter of wild waterfowl or the bringing of such wild waterfowl into this Commonwealth shall be liable to a penalty of ten dollars for each bird in any way handled contrary to the provisions of this section

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Allen,	Eichenberger,	Lohr,	Schaeffer, A. C
Arthur,	Ely,	Lowers,	Schuck,
Baldwin, G. A.,	Fahey,	Martin,	Scott, J. R. K.,
Baldwin, R. J.,	Flynn,	Mather,	Scott, S. B.,
Barner,	Foster, J. D.,	Matt,	Semmens,
Bass,	Frey,	McAleer,	Shaffer, I. E.,
Bayle,	Gibson,	McAllister,	Shern,
Becker,	Good,	McCaig,	Showalter,

Benninger,	Goss,	McClintock,	Smith, J. W.,
Benson,	Grabe,	McDermott,	Snavely,
Bergey,	Gramley,	McKay,	Snyder,
Berntheizel,	Gray, Joseph,	Mechling,	Spangler,
Bigger,	Haggerty,	Metzenbacher,	Spillinger,
Bittles,	Hemminger,	Moore,	Steele,
Blair, W. A.,	Heyburn,	Moses,	Strauss,
Blair, W. F.,	Hibshman,	Moulthrop,	Swartz,
Bleloch,	Humes,	Neel,	Swift,
Body,	Isler,	Neely,	Thomas,
Brosius,	Irwin, G. C.,	Newbaker,	Trach,
Burnett,	Jackson,	Newton,	Ulman,
Campbell, C.M.,	Jones, E. E.,	Peachey,	Walnut,
Campbell, J. J.,	Jones, J. R.,	Pennegar,	Walsh,
Carson,	Kaiser,	Pennock,	Walton,
Cheeseman,	Keegan,	Peters,	Watson,
Cochran,	Keeport,	Post,	Whitaker,
Collins,	Kennedy,	Ramsey,	Whitman,
Conner,	Kitts,	Rhoads,	Wildman,
Conniff,	Klepper,	Richards,	Williams,
Cox,	Kuhn, H. P.,	Robinson,	Wilson, J. H.,
Currier,	Kuhns, E.G.M.,	Rockwell,	Wilson, W. H.,
Curry,	Latshaw,	Roney,	Wiltbank,
Dickinson,	Lenker,	Rothenberger,	Young, G. K.
Donnally,	Leslie,	Runk,	Zimmerman,
Down,	Letzkus,	Sassaman,	Alter,
Dunn, H. B.,	Light,	Savacool,	Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1156, as follows:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cases where the obligations to pave repave grade regrade repair or otherwise improve streets in cities has been imposed by contract ordinance or otherwise upon some person or corporation other than the municipality said cities are hereby empowered to enact ordinances regulating the time and manner of making such improvements or repairs Said ordinances may specify the methods of structure and the materials to be used for street paving foundations street railway tracks pipes conduits or other structures in under or upon said streets and may contain any other regulations necessary or desirable in order that said improvements or repairs may be properly and promptly made Said cities are further empowered to enforce said ordinances by imposing a fine or penalty for non-compliance therewith which penalty may be a percentage of the cost of said improvements or repairs not exceeding twenty-five per cent when said improvements or repairs shall be made by said cities after the parties liable to make said improvements or repairs have failed to do so The determination of the necessity for making improvements or repairs shall remain as heretofore with the administrative officer or officers of the several cities and the remedies provided by this act shall be in addition to those already possessed by said cities

Section 2 All acts or part sof acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Allen,	Foster, J. D.,	Lohr,	Roney,
Arthur,	Geary,	Lowers,	Runk,
Baldwin, G. A.,	Good,	Mather,	Sassaman,
Baldwin, R. J.,	Goss,	Matt,	Scott, S. B.,
Barner,	Grabe,	McAleer,	Semmens,
Bayle,	Gramley,	McCaig,	Shaffer, C. A.,
Benson,	Gray, Joseph,	McClintock,	Shaffer, I. E.,
Berntheizel,	Haggerty,	McDermott,	Showalter,
Bigger,	Hemminger,	McKay,	Smith, J. W.,
Bittles,	Hibshman,	Mechling,	Snavely,
Blair, W. F.,	Howard, R.,	Mellott,	Spangler,
Body,	Humes,	Metzenbacher,	Spillinger,
Burnett,	Isler,	Moore,	Steele,
Campbell, C.M.,	Irwin, G. C.,	Morrow,	Strauss,
Campbell, J. J.,	Jackson,	Moses,	Swift,
Carson,	Jones, J. R.,	Moulthrop,	Thomas,
Cheeseman,	Kaiser,	Musser,	Ulman,
Collins,	Keegan,	Newbaker,	Walnut,
Conner,	Keeport,	Newton,	Watson,
Cox,	Kennedy,	Peachey,	Wildman,
Currier,	Kitts,	Pennegar,	Williams,
Curry,	Klepper,	Pennock,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Peters,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Post,	Wiltbank,
Down,	Leslie,	Ramsey,	Young, G. K.
Dunn, H. B.,	Letzkus,	Richards,	Zimmerman,
Eichenberger,	Light,	Robinson,	Alter,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1168, as follows:

An Act to provide for the payment of costs and charges on writs of execution or attachments and fixing the liability of sheriff in the execution thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever writs of execution or attachment are lodged with the sheriff of any county of this Commonwealth in the execution of which he is compelled to seize or take into his custody and possession goods and chattels the person or persons lodging the said writ shall pay to the sheriff the costs charges and expenses incident to the maintenance of the lien of the execution or attachment and the proper keep and conservation of said goods and chattels which costs charges and expenses so paid by the person or persons lodging said writ shall be a part of the costs on said writ and be refunded to the person so paying the same out of the proceeds of sale and should the said person fail or refuse to pay the said costs and charges as aforesaid the said sheriff shall be relieved of any and all liability and responsibility for the loss destruction removal or eloining of said goods and chattels

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Adams,	Flynn,	Light,	Scott, S. B.,
Allen,	Foster, J. D.,	Lohr,	Semmens,
Arthur,	Geary,	Lowers,	Shern,
Baldwin, G. A.,	Geiser	Martin,	Showalter,
Baldwin, R. J.,	Gibson,	Mather,	Smith, J. W.,
Barner,	Good,	Matt,	Snavely,
Bass,	Goss,	McAleer,	Snyder,
Bayle,	Grabe,	McAllister,	Spangler,
Becker,	Gramley,	McCaig,	Spillinger,
Benson,	Gray, Joseph,	McClintock,	Steele,
Berntheizel,	Haggerty,	McKay,	Strauss,
Bigger,	Hemminger,	Mechling,	Swartz,
Bittles,	Heyburn,	Metzenbacher,	Swift,
Blair, W. A.,	Hibshman,	Miller,	Thomas,
Blair, W. F.,	Humes,	Morrow,	Trach,
Body,	Isler,	Moses,	Ulman,
Burnett,	Irwin, G. C.,	Moulthrop,	Walnut,
Campbell, C.M.,	Jackson,	Neel,	Walsh,
Campbell, J.J.	Jones, E. E.,	Neely,	Watson,
Carson,	Jones, J. R.,	Newbaker,	Whitaker,
Cleary,	Kaiser,	Newton,	Whitman,
Collins,	Keeport,	Post,	Wildman,
Conner,	Kennedy,	Ramsey,	Williams,
Conniff,	Kitts,	Rhoads,	Wilson, J. H.,
Cox,	Klepper,	Robinson,	Wilson, W. H.,
Currier,	Kuhn, H. P.,	Rockwell,	Wiltbank,
Curry,	Kuhns, E.G.M.,	Roney,	Young, G. K.
Dickinson,	Latshaw,	Rothenberger,	Young, J. H.,
Down,	Lenker,	Sassaman,	Zimmerman,
Dunn, H. B.,	Leslie,	Savacool,	Alter,
Dunn, J. A.,	Letzkus,	Schuck,	Speaker.
Eichenberger,		Scott, J. R. K.,	
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1047, as follows:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

On the question,

Shall the bill pass finally?

Mr. SCHUCK. Mr. Speaker, if there are any gentlemen in the House who do not understand the provision of the House Bill No. 1047, I would be pleased to explain it. It does not change the act of 1911, but is merely a supplement to it and makes the provision clear relative to board and livery hire to be paid to the viewers and does not make any change in the salary. As you know, the original act of 1911 allows five dollars a day for viewers. When they paid from that the livery hire and board, there was not very much left. Westmoreland County is a county in which the Commissioners will not interpret the act to include these expenses. If there is anybody that wants any further explanation, I would be pleased to give it.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Adams,	Frey,	Lowers,	Schaeffer, A. C
Allen,	Geiser,	Martin,	Schuck,
Arthur,	Gibson,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Good,	McAleer,	Semmens,
Baldwin, R. J.,	Goss,	McAllister,	Shaffer, C. A.,
Barner,	Gramley,	McCaig,	Showalter,
Bass,	Haggerty,	McClintock,	Smith, J. W.,
Bayle,	Hemminger,	McDermott,	Snavely,
Berntheizel,	Heyburn,	McKay,	Snyder,
Bigger,	Hibshman,	Mechling,	Spangler,
Blair, W. A.,	Howard, R.,	Metzenbacher,	Spinnger,
Blair, W. F.,	Humes,	Morrow,	Steele,
Body,	Isler,	Moses,	Strauss,
Brosius,	Irwin, G. C.,	Moulthrop,	Swartz,
Burnett,	Jackson,	Musser,	Swift,
Campbell, C.M.,	Jones, E. E.,	Neel,	Thomas,
Campbell, J. J.,	Jones, J. R.,	Newbaker,	Trach,
Carson,	Kaiser,	Newton,	Ulman,
Cheeseman,	Keeport,	Pennegar,	Walnut,
Collins,	Kennedy,	Pennock,	Walsh,
Conner,	Kitts,	Post,	Walton,
Conniff,	Klepper,	Ramsey,	Watson,
Cox,	Kuhn, H. P.,	Rhoads,	Whitman,
Currier,	Kuhns, E.G.M.,	Richards,	Wildman,
Curry,	Latshaw,	Robinson,	Wilson, J. H.,
Dickinson,	Lenker,	Rockwell,	Wilson, W. H.,
Down,	Leslie,	Roney,	Wiltbank,
Dunn, H. B.,	Letzkus,	Rothenberger,	Young, G. K.
Dunn, J. A.,	Light,	Runk,	Zimmerman,
Eichenberger,	Lohr,	Sassaman,	Alter,
Fly,		Savacool,	Speaker.
Flynn,			
Foster, J. D.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1263, as follows:

An Act to provide that fines and forfeitures levied and collected for violations of the game laws of the Commonwealth shall be paid to the Game Commission for the purpose of acquiring and maintaining game preserves and for acquiring propagating and distributing game

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the approval of this act all fines and penalties levied and collected for the violation of any law of this Commonwealth enacted for the protection of game animals and game birds shall be paid to the State Treasurer for the use of the Game Commission and shall constitute a fund for the purpose of acquiring maintaining game preserves for the purpose of propagating game animals and game birds therein and for the purpose of acquiring propagating and distributing such game animals and game birds in the public covers of the Commonwealth

Section 2 The said moneys shall be deposited with the State Treasurer as a special fund for the purposes aforesaid which said moneys are hereby specifically appropriated solely for such purpose and shall be paid out upon the presentation of properly certified vouchers of the expenditure of money previously drawn and of satisfactory proof to the Auditor General that the expenditure is duly authorized by law and is not excessive for the purpose intended

On the question,

Shall the bill pass finally?

Mr. CHEESEMAN. Mr. Speaker, I understood from the sponsor of this bill that he intended to postpone it, or to have this bill postponed.

Mr. McKAY. Mr. Speaker, this bill has been presented to me to be introduced and I did so by request. As far as I can see the bill is all right

Mr. McALEER. Mr. Speaker, it seems to me that in the collection of these fines and the enforcement of the laws coming out of the general fund of the State that there is no good reason why the fines collected shall go into this sepcial fund for the benefit of the Game Commision. If any one can explain that satisfactorily I am willing to accept the bill.

BILL POSTPONED.

Mr. McKAY. Mr. Speaker, I move that further consideration of this bill be postponed for the present

Mr. HEIDINGER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1377, as follows:

An Act to prevent the person holding the office of president vice-president secretary or treasurer of any building and loan association incorporated under the laws of this Commonwealth or doing business herein from holding the office or performing any of the duties of conveyancer for such building association and providing a penalty for the breach thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any person who shall be the president vice-president secretary or treasurer of any building and loan association inporated under the laws of this Commonwealth or doing business herein shall not hold the office or perform any association of which he may be the president vice-president secretary or treasurer

Section 2 That any building and loan association incorporated under the laws of this Commonwealth or doinb business herein whose president vice-president secretary or treasurer shall at the same time hold or fill the office of conveyancer for such building and loan association shall be liable to a fine in the sum of five hundred dollars to be collected by lawful process instituted by the Attorney General of this Commonwealth upon information furnished by the Commissioner of Banking to be paid to the Treasurer of the Commonwealth and for the use of the Commonwealth

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Adams,	Ehrhardt,	Letzkus,	Scott, J. R. K.,
Allen,	Eichenberger,	Lohr,	Scott, S. B.,
Arthur,	Flynn,	Lowers,	Semmens,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Shaffer, C. A.,
Barner,	Frey,	Mather,	Shaffer, I. E.,
Bayle,	Geiser,	Matt,	Showalter,
Berntheizel,	Gibson,	McAllister,	Snavely,
Bigger,	Good,	McClintock,	Spangler,
Bittles,	Goss,	McDermott,	Spillinger,
Blair, W. F.,	Haggerty,	McKay,	Steele,
Bleloch,	Hemminger,	Metzenbacher,	Strauss,
Brosius,	Heyburn,	Morrow,	Swift,
Burnett,	Hibshman,	Moses,	Thomas,
Campbell, C.M.,	Humes,	Moulthrop,	Trach,
Campbell, J. J.,	Isler,	Neel,	Ulman,
Carson,	Irwin, G. C.,	Newbaker,	Walnut,
Cheeseman,	Jackson,	Newton,	Walsh,
Cochran,	Jones, E. E.,	Pennegar,	Watson,
Conner,	Jones, J. R.,	Pennock,	Whitman,
Conniff,	Kaiser,	Piper,	Wildman,
Cox,	Keeport,	Ramsey,	Wilson, J. H.,
Currier,	Kennedy,	Robinson,	Wilson, W. H.,
Curry,	Kuhn, H. P.,	Roney,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Rothenberger,	Young, G. K.
Dickinson,	Latshaw,	Sassaman,	Zimmerman,
Donnally,	Lenker,	Savacool,	Alter,
Dunn, H. B.,	Leslie,	Schuck,	Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1019, as follows:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the Commissioner of Banking shall have reason to conclude that any corporation subject to his supervision and examination is solvent or is in an unsafe and unsound condition to do business or that its business or manner of conducting the same is injurious and contrary to the interests of the public or in case any such corporation shall contrary to law suspend payment of its obligations the Commissioner of Banking shall forthwith communicate the facts to the Attorney General and notify the officers and directors of such corporation thus reported to appear before the Atorney Genetral for a hearing within five days after the service of such notice If after such hearing it is determined that the corporation is in an unsafe and unsound condition to do business or its manner of conducting the same is injurious and contrary to the interests of the public the Commissioner of Banking with the assent of teh Attorney General may forthwith take possession of all the property assets and business of such corporation and retain possession of the same until such corporation shall be permitted to resume business or until its affairs are finally liquidated and its dissolution decreed as herein provided Whenever a corporation admits its insolvency the hearing before the Attorney General may be waived with the assent of the corporation affected Immediately upon the taking possession of any such corporation the Commissioner of Banking shall advise the principal officers thereof the reasons for taking such possession and shall also forthwith give notice to any and all banks trust companies corporations associations and individuals holding or in possession of any of the assets of such corporation No bank trust association or individual after such notice has been given by the Commissioner of Banking of his having taken possession of any such corporation shall have obtain or make a lien or charge for any payment advance or clearance thereafter made or liability thereafter incurred against any of the assets of such corporation

Section 2 If any such corporation whose property assets and business have been taken possession of by the said Commisioner of Banking deems itself in any way aggreived thereby it may within ten days after the said Commissioner of Banking has taken possession appeal to the Court of Common Pleas of the county in which said corporation is located or to the court of common pleas of Dauphin county and said court of Common Pleas to which said appeal is taken may thereupon grant a rule upon the said Commissioner of Banking to show cause why the proceedings should not be discontinued and why possession of said property and assets should be surrendered and upon the hearing of the appeal the said Court of Common Pleas shall determine whether said coropration is insolvent or is in an unsafe or unsound condition to do business or whether its busness and manner of conducting the same is injurious and contrary to the interests of the public or whether said corporation has contrary to law suspended payment of any of its obligations After hearing the evidence and determining the facts upon the merits the said court may either dismiss said appeal or sustain the same and direct the Commissioner of Banking to re-deliver the business property and assets of such corporation

Section 3 After taking possession of the property assets and business of any such corporation the Commissioner of Banking shall proceed to collect all moneys accounts debts and claims due or belonging to such corporation and may bring such suits and actions and do all other acts that he may deem necessary to conserve its assets and business Notice of the fact that such possession has been taken by the Commissioner of Banking shall be given by advertisement once a week for at least three months in not less than two newspapers of the county in which said corporation may be located calling upon all persons who have claims against such corporation to present the same to the Commissioner of Banking and to make legal proof thereof not later than one week from the last day of publication of said notice and upon all persons indebted to the corporation to pay such indebtedness

Section 4 Within sixty days after taking possession of the property and assets of any such corporation under the provisions of this act the Commissioner of Banking shall cause an inventory to be made of all such property and assets together with a statement of the liabilities One copy of said inventory shall be kept in the office of the Commissioner of Banking and another copy shall be filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings in said case have already been commenced or if no proceedings have been commenced then in the Court of Common Pleas of the county in which said corporation is located

Section 5 The Commissioner of Banking shall in the first instance pass upon all claims made against such corporation and may reject any claim which does not appear to be valid Notice of the rejection of any claim shall be served personally or by registered letter upon the claimant Any stockholder or other person in interest may file objections to the allowance or to the rejection of any claim by the Commissioner of Banking prior to the time when the Commissioner of Banking shall file his account as hereinafter provided and such objections shall be supported by affidavit Said Commissioner of Banking may apply to the court in which proceedings with reference to the said corporation have already been had or inventory filed for authority to sell or compound any or all bad or doubtful debts or authority to sell real estate or personal property or assets of such corporation which authority may be granted on such terms as the court may direct All claims against such corporation shall be made within six months after possession of such corporation has been taken by the Commissioner of Banking

Section 6 If after taking possession of the business assets and property of such corporation an investigation shall disclose that by proper management the business assets and property may be so managed and conserved as to ultimately render such corporation solvent the Commissioner of Banking may retain possession of such business assets and property and manage the same until such time as he may deem said corporation solvent whereupon the Commissioner of Banking shall surrender to the said corporation the business assets and property aforesaid or the balance thereof remaining after the payment of the whole indebtedness or of such part of the indebtedness as cannot be safely carried by such corporation

Section 7 The Commissioner of Banking may under his hand and official seal appoint one or more deputies to assist him in the collection liquidation distribution management and conservation of the assets of such corporation and certificates of said appointment shall be kept in his office and a copy thereof filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings have been had or inventory filed The Commissioner of Banking may employ such expert legal and other assistants as may be deemed necessary by the said Commissioner of Banking or his deputies in each particular case The Commissioner of Banking may require from any deputies such security for the faithful performance of their duties as he may deem proper The compensation of all deptuy commissioners expert legal and othe asistants and all the expenses of supervision and liquidation management and exoneration shall be fixed by the Commissioner of Banking subject to the approval of the Court of Common Pleas of the county in which proceedings have been had or inventory filed and shall be paid out of the assets of such corporation The moneys collected by the Commissioner of Banking shall from time to time be deposited in one or more banks or trust companies incorporated under the laws of the State of Pennsylvania and shall be properly earmarked and kept separate and apart from the general funds of such banks or trust companies

Section 8 At the expiration of six months from the taking possession of the said corporation or as soon thereafter as is practicable unless the Commissioner of Banking is able to manage and conserve the assets and business of the corporation as provided in section six of this act he shall file a complete account in the Court of Common Pleas of the county in which proceedings have been had or inventory filed showing all the deposits and assets of said corporation all the moneys paid to him on account of the same all exceptions filed to any claims or accounts all indebtedness and all payments made or contracted for by him and the proposed method of distribution to creditors depositors shareholders or stockholders which said method of distribution shall be in accordance with existing laws Notice of the filing of such account shall be advertised as the court may direct Said accounts shall be proceeded with and passed upon as other accounts are in said court If exceptions have been filed with the Commissioner of Banking they shall have the same force and effect as if filed in the court to the said account If no exceptions shall be filed to said account within thirty days after the filing of the same the account shall be confirmed absolutely Upon such confirmation or upon final disposition of the exceptions to the account the Commissioner of Banking shall distribute the money as shown by said account or as decreed by the court and upon the complete distribution of all the assets of said corporation shall report the fact of said distribution to the Court whereupon the said court shall enter a decree of dissolution of said corporation

Section 9 All acts and parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. MOORE. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JAMES A. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final pas-

Agreeably to order,

sage of H. R. bill No. 1379, as follows:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war and soldiers sailors and marines who served on foreign soil prior to July one one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of each county are authorized to appropriate moneys for the erection of monuments or memorials in memory of soldiers sailors and marines of the Spanish-American war

On the question,
Shall the bill pass finally?

Mr. JOSEPH GRAY. Mr. Speaker, yesterday I offered two amendments to that bill and the amendments were printed on the title but not in the section.

The SPEAKER. The bill will go over in its place while the correction is made by the printer.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1419, as follows:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commisioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the corporate authorities of each city and borough within this Commonwealth having a population of more than fifteen thousand inhabitants according to the last decennial census of the United States to erect and maintain public comfort stations for the use of the general pubilc

Section 2 The corporate authorities of each municipality as provided in section one of this act shall immediately after the approval of this act provide for the erection of one or more public comfort stations as the population of such municipality may require Said authorities shall by due advertisement invite sealed proposals for bids for the erection of such public comfort stations and shall let the contracts therefor to the lowest responsible bidder and shall take from such bidder a bond with sufficient security conditioned for the faithful performance of such contract

Section 3 The corporate authorities of any such municipality are empowered to provide for the cost of the erection of such public comfort stations from funds in the treasury of such municipality or to issue bonds therefor in the manner now provided for the issuing of bonds by an act of Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" with its several amendments and supplements

Section 4 The public comfort stations provided for in this act shall be centrally located and shall be so erected that they can be maintained in a sanitary condition Such stations shall have at least one compartment for men and one compartment for women and shall be constructed so as to afford privacy

Section 5 If any municipality shall neglect for a period of two years to carry out the provisions of this act it shall be the duty of the Commissioner of Health to erect such public comfort stations under the provisions of this act as he may deem necessary and collect the cost thereof with an additional penalty of twenty per centum from the proper municipality in an action of assumpsit and in the name of the Commonwealth in the same manner as debts of like amount are recoverable

Section 6 All acts or parts of acts inconsistent with this act are repealed

On the question,
Shall the bill pass finally?

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the sponsor of this bill, Mr. Steele.

The SPEAKER. Will the sponsor of this bill, Mr. Steele permit himself to be interrogated?

Mr. STEELE. Mr. Speaker, Yes, sir.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman if this bill applies to every municipality and borough in the State?

Mr. STEELE. Mr. Speaker, Yes, sir. Every borough or city with a population over fifteen thousand with an adequate sewer system.

Mr. ROCKWELL. Mr. Speaker, I desire to ask him if the fifteen thousand was not stricken out and substituted by twelve thousand?

Mr. STEELE. Mr. Speaker, it is not stricken out here

Mr. ROCKWELL. Mr. Speaker, I think it was.

Mr. STEELE. Mr. Speaker, so far as the members of this House are concerned I would like to explain this bill slightly. This bill requires all boroughs and cities of fifteen thousand or over, having an adequate sewer system to build these public comfort stations. We are a little behind the countries on the other side of the ocean. As a matter of fact, while some of the cities of the first and second class have these public comfort stations, yet that, nevertheless, makes it obligatory to provide these public comfort stations for the public in these smaller municipalities for the benefit of visitors who enter the city.

Mr. REUBEN HOWARD. Mr. Speaker, I think the gentlemen will recollect that this bill was amended in committee to read twelve thousand, instead of fifteen thousand.

BILL POSTPONED.

Mr. STEELE. Mr. Speaker, I am perfectly willing to make it twelve thousand and move that further consideration of this bill be postponed for the present.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The next bill is Calendar number 27, House Bill 1102. This seems to be a rather important bill. The sponsor is absent and if there is no objection, it will be passed over in its place.

The Chair would suggest at this time that considerable work might be accomplished if the House would take up the calendar on bills on third reading and only consider such bills as gentlemen see fit to call up for amendment, or such bills as members are willing to put before this House.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 825, entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

On the question,
Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

Mr. WALNUT. Mr. Speaker, this bill merely provides for a slight change in the law governing insurance policies and beneficial associations. It provides that where a person holds an insurance policy in a beneficial association and desires to go into a home and has no dependents, he can make the home his beneficiary. The bill was delivered to me and I was requested to introduce it by the solicitor of the Artisans Order for Mutual Protection. They are desirous of having the bill passed. I suppose most of the members here understand the need of this bill.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Adams,	Foster, J. D.,	Martin,	Scott, J. R. K.,
Allen,	Gibson,	Mather,	Scott, S. B.,
Arthur,	Good,	Matt,	Shaffer, C. A.,
Baldwin, G. A.,	Goss,	McAleer,	Shaffer, I. E.,
Baldwin, R. J.,	Grabe,	McAllister,	Showalter,
Benson,	Gramley,	McClintock,	Smith, J. W.,
Bigger,	Haggerty,	McDermott,	Snavely,
Bittles,	Hemminger,	McKay,	Snyder,
Blair, W. A.,	Heyburn,	Mechling,	Spangler,
Bleloch,	Hibshman	Metzenbacher,	Spillinger,
Body,	Howard, R.,	Moore,	Steele,
Brosius,	Humes,	Moses,	Strauss,
Burnett,	Isler,	Moulthrop,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	Neel,	Swift,
Campbell, J. J.,	Jackson,	Neely,	Thomas,
Carson,	Jones, E. E.,	Newbaker,	Trach,
Cheeseman,	Jones, J. R.,	Newton,	Ulman,
Conner,	Keegan,	North,	Walnut,
Cox,	Keeport,	Pennegar,	Walsh,
Currier,	Kitts,	Piper,	Watson,
Curry,	Klepper,	Post,	Whitaker,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Whitman,
Dickinson,	Latshaw,	Rhoads,	Wildman,
Donnally,	Lenker,	Robinson,	Wilson, J. H.,
Down,	Leslie,	Rockwell,	Wilson, W. H.,
Dunn, H. B.,	Letzkus,	Rothenberger,	Wiltbank,
Dunn, J. A.,	Light,	Runk,	Young, G. K.
Eichenberger,	Lohr,	Sassaman,	Zimmerman,
Ely,	Lowers,	Savacool,	Alter,
Flynn,		Schuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1316, entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy motgages

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Adams,	Foster, J. D.,	Martin,	Semmens,
Allen,	Geiser,	Mather,	Shaffer, C. A.,
Arthur,	Gibson,	McAleer,	Shaffer, I. E.,
Baldwin, G. A.,	Good,	McAllister,	Showalter,
Baldwin, R. J.,	Grabe,	McClintock,	Smith, L.,
Benson,	Gramley,	McDermott,	Snavely,
Bigger,	Gray, Joseph,	McKay,	Snyder,
Bittles,	Haggerty,	Mechling,	Spangler,
Blair, W. A.,	Heyburn,	Moore,	Spillinger,
Body,	Hibshman,	Moses,	Steele,
Brosius,	Humes,	Moulthrop,	Strauss,
Burnett,	Isler,	Neel,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	Neely,	Swift,
Campbell, J. J.,	Jackson,	Newbaker,	Thomas,
Carson,	Jones, E. E.,	Newton,	Trach,
Cheeseman,	Jones, J. R.,	Peachey,	Ulerich,
Collins,	Keeport,	Pennegar,	Ulman,
Conner,	Kennedy,	Pennock,	Walnut,
Conniff,	Kitts,	Piper,	Walsh,
Cox,	Klepper,	Post,	Walton,
Currier,	Kuhn, H. P.,	Ramsey,	Watson,
Curry,	Kuhns, E.G.M.,	Rhoads,	Wildman,
DeFrees,	Latshaw,	Rockwell,	Wilson, J. H.,
Dickinson,	Lenker,	Rothenberger,	Wilson, W. H.,
Donnally,	Leslie,	Runk,	Wiltbank,
Down,	Letzkus,	Sassaman,	Young, G. K.,
Dunn, H. B.,	Light,	Savacool,	Zimmerman,
Eichenberger,	Lohr,	Schuck,	Alter,
Ely,	Lowers,	Scott, J. R. K.,	Speaker.
Flynn,		Scott, S. B.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1526, entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the Executive Judiciary and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May Thirty-first one thousand nine hundred and eleven"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILDMAN. Mr. Speaker, for the information of the House I would like to state that this measure carries with it no appropriation whatever. It might provide for the transfer of a certain amount of money from the printing fund, which has already been appropriated. to the fund for paper. The department is in sore need of paper and has asked that this transfer be made, and I hope the gentlemen of the House will vote for the bill.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—127.

Adams,	Flynn,	Light,	Runk,
Allen,	Foster, J. D.,	Lohr,	Sassaman,
Arthur,	Frey,	Lowers,	Savacool,
Baldwin, G. A.,	Geiser,	Martin,	Schuck,
Baldwin, R. J.,	Gibson,	Mather,	Scott, J. R. K.,
Barner,	Glenn,	McAleer,	Scott, S. B.,
Benson,	Good,	McAllister,	Semmens,
Bigger,	Grabe,	McClintock,	Shaffer, I. E.,
Bittles,	Gramley,	McDermott,	Showalter,
Blair, W. A.,	Gray, Joseph,	McKay,	Smith, J. W.,
Blair, W. F.,	Haggerty,	Mechling,	Snyder,
Bleloch,	Hibshman,	Metzenbacher,	Spangler,
Body,	Hobbs,	Morrow,	Spillinger,
Brosius,	Howard, R.,	Moses,	Steele,
Burnett,	Humes,	Moulthrop,	Strauss,
Campbell, C.M.,	Isler,	Musser,	Swartz,
Campbell, J. J.,	Irwin, G. C.,	Neel,	Swift,
Carson,	Jackson,	Neely,	Thomas,
Cheeseman,	Jones, E. E.,	Newbaker,	Trach,
Cochran,	Jones, J. R.,	Newton,	Ulman,
Collins,	Kaiser,	North,	Walnut,
Conner,	Keegan,	Peachey,	Walsh,
Conniff,	Keeport,	Pennegar,	Watson,
Cox,	Kennedy,	Pennock,	Wildman,
Currier,	Kern,	Piper,	Wilson, J. H.,
Curry,	Kuhn, H. P.,	Post,	Wilson, W. H.,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wiltbank,
Dickinson,	Lanius,	Rhoads,	Young, G. K.,
Donnaliy,	Latshaw,	Robinson,	Zimmerman,
Down,	Lenker,	Rockwell,	Alter,
Dunn, J. A.,	Leslie,	Roney,	Speaker.
Eichenberger,	Letzkus,	Rothenberger,	
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation to pay for the care treatment and maintenance of the indigent insane for the two years ending May thirty-one one thousand nine hundred and fifteen

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. NORTH. I will.

Mr. HUMES. Mr. Speaker, I would like to inquire as to whether or not this bill works a consolidation, in effect, in the system of appropriating heretofore in two appropriation bil's. Last year there were two appropriation bills, as I understand, one for the indigent insane in the State institutions and one for the indigent insane in the county and local institutions, and I would like to know whether or not this bill consolidates both appropriations.

Mr. NORTH. Mr. Speaker, I am not able to answer the question. The bill was handed to me by the Department to present. I made no particular inquiry other than to find out that it was to take care of the indigent insane. If the gentleman will remember, the matter was discussed when the bill was on second reading, I believe, and amended, owing to the fact that there was a decision pending in the Supreme Court at the time. That matter was disposed of, and the bill was amended in the Senate and the amendments were concurred in by the House. That is all I know about it.

The SPEAKER. Perhaps the bill had better go over.

Mr. HUMES. Mr. Speaker, perhaps it should if we cannot have the proper information. Two years ago which had two bills which appropriated each $290,000. This bill appropriates over four millions of dollars and I would like to know whether it is an appropriation for both purposes.

If it is not. I should like some explanation.

The SPEAKER. If there is no objection, the bill will go over in its place as though it had not been taken up. Is there any objection? The Chair hears none, and it is so directed.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1092.

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled an act 'creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" as amended by changing and enlarging the penalties for committing such offense

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-

five 'creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense' " and which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act if any person or persons shall willfully make or cause to be made any loud boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents near by or near to any public highway road street lane alley park square or common within this Commonwealth whereby the public peace is broken or disturbed or the traveling public annoyed he she or they shall be guilty of the offense of disorderly conduct and upon conviction thereof before any justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days Provided however that the defendant or defendants within five days after such conviction may appeal to the court of quarter sessions of the county in which said justice of the peace alderman mayor or burgess shall reside without special allowance therefor upon entering into a recognizance in double the amount of costs and fine conditioned for the appearance of defendant or defendants at the next term of quarter sessions to answer said charge be amended so as to read as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act if any person or persons shall willfully make or cause to be made any loud boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents near by or near to any public highway road street lane alley park square or common within this Commonwealth whereby the public peace is broken or disturbed or the traveling public annoyed he she or they shall be guilty of the offense of disorderly conduct and upon conviction thereof before any justice of the peace alderman mayor police magistrate for the first offense or burgess shall be sentenced to pay the costs of prosecution for the first offense to forfeit and pay a fine not exceeding ten ($10,000) dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail or workhouse of the proper county for a period not exceeding six months Provided however that the defendant or defendants within five days after such conviction may appeal to the court of quarter sessions of the county in which said justice of the peace alderman mayor or burgess shall reside without special allowance therefor upon entering into a recognizance in double the amount of costs and fine conditioned for the appearance of defendant or defendants at the next term of quarter sessions to answer said charge"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—88.

Adams,	Dickinson,	Kuhn, H. P.,	Rockwell,
Arthur,	Donnally,	Leslie,	Rothenberger,
Baldwin, R. J.,	Down,	Letzkus,	Sassaman,
Barner,	Dunn, J. A.,	Light,	Schuck,
Bayle,	Eichenberger,	Lohr,	Scott, J. R. K.,
Benson,	Ely,	Lowers,	Semmens,
Bigger,	Frey,	Mather,	Shern,
Bittles,	Geary,	McAllister,	Showalter,
Blair, W. A.,	Gibson,	Mechling,	Smith, J. W.,
Blair, W. F.,	Good,	Missimer,	Snyder,
Bleloch,	Grabe,	Moore,	Spangler,
Body,	Haggerty,	Moses,	Spillinger,
Brosius,	Heyburn,	Moulthrop,	Steele,
Campbell, C.M.,	Hibshman,	Musser,	Swartz,
Campbell, J. J.,	Humes,	Neel,	Thomas,
Carson,	Isler,	Neely,	Walnut,
Cheeseman,	Irwin, G. C.,	Newton,	Walton,
Conner,	Jackson,	North,	Watson,
Conniff,	Jones, J. R.,	Peachey,	Wilson, W. H.,
Cox,	Kaiser,	Piper,	Young, G. K.
Currier,	Keeport,	Ramsey,	Alter,
Curry,	Kennedy,	Rhoads,	Speaker.
DeFrees,			

NAYS—33.

Allen,	Keegan,	McClintock,	Savacool,
Baldwin, G. A.,	Kitts,	McDermott,	Shaffer, I. E.,
Cochran,	Kuhns, E.G.M.,	McKay,	Snavely,
Dunn, H. B.,	Latshaw,	Metzenbacher,	Swift,
Flynn,	Lenker,	Morrow,	Ulman,
Foster, J. D.,	Martin,	Post,	Walsh,
Geiser,	Matt,	Richards,	Wiltbank,
Gramley,	McAleer,	Roney,	Zimmerman,
Howard, R.,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1697, entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable partition of lands held in common

On the question,

Will the House agree to the bill on third reading?

Mr. FREY. Mr. Speaker, in order that this bill may not take the same course of the bill that has just preceded on account of the inattention of the House, I desire to call your attention to the fact that this bill primarily affects the legal members of the House and provides a cheaper method of distributing the lands of decedents in partition proceedings and allows the guardians of minors to join in petitions inimical to partition of the real estate. I will say in addition that this bill is not opposed by the labor men or of the State Grange.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Adams,	Ely,	Martin,	Scott, J. R. K.,
Allen,	Flynn,	Mather,	Scott, S. B.,
Arthur,	Frey,	Matt,	Semmens,
Baldwin, G. A.,	Geary,	McAleer,	Shaffer, C. A.,
Baldwin, R. J.,	Geiser,	McAllister,	Shaffer, I. E.,
Barner,	Gibson,	McCaig,	Showalter,
Becker,	Good,	McClintock,	Smith, J. W.,
Benson,	Gramley,	McDermott,	Snavely,
Bigger,	[illegible]	Mechling,	Snyder,
Bittles,	Hemminger,	Metzenbacher,	Spangler,
Blair, W. A.,	Heyburn,	Moore,	Spillinger,
Blair, W. F.,	Hibshman,	Morrow,	Steele,
Bleloch,	Howard, R.,	Moses,	Strauss,
Body,	Humes,	Moulthrop,	Swartz,
Brosius,	Isler,	Musser,	Swift,
Burnett,	Irwin, G. C.,	Neel,	Thomas,
Campbell, C.M.,	Jackson,	Newbaker,	Trach,
Campbell, J.J.	Kaiser,	Newton,	Ulman,
Carson,	Keegan,	North,	Walnut,
Cheeseman,	Keeport,	Peachey,	Walsh,
Collins,	Kennedy,	Piper,	Walton,
Conner,	Kitts,	Post,	Watson,
Conniff,	Klepper,	Ramsey,	Whitman,
Conrade,	Kuhn, H. P.,	Rhoads,	Wildman,
Currier,	Kuhns, E.G.M.,	Richards,	Williams,
Curry,	Latshaw,	Robinson,	Wilson, J. H.,
DeFrees,	Lenker,	Rockwell,	Wilson, W. H.,
Dickinson,	Leslie,	Roney,	Wiltbank,
Donnally,	Letzkus,	Rothenberger,	Young, G. K.,
Down,	Light,	Runk,	Young, J. H.,
Dunn, H. B.,	Lohr,	Sassaman,	Zimmerman,
Dunn, J. A.,	Lowers,	Schaeffer, A. C.	Alter,
Eichenberger,		Schuck,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1073, entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Adams,	Geiser,	McCaig,	Semmens,
Allen,	Gibson,	McDermott,	Shaffer, C. A.,
Arthur,	Goss,	McKay,	Showalter,
Baldwin, G. A.,	Grabe,	Mechling,	Smith, J. W.,
Baldwin, R. J.,	Haggerty,	Metzenbacher,	Snavely,
Barner,	Hemminger,	Moore,	Snyder,
Becker,	Heyburn,	Morrow,	Spangler,
Benson,	Hibshman,	Moses,	Spillinger,
Bigger,	Howard, R.,	Moulthrop,	Steele,

Bittles,	Humes,	Musser,	Strauss,
Blair, W. A.,	Isler,	Neel,	Swartz,
Blair, W. F.,	Irwin, G. C.,	Neely,	Swift,
Body,	Jackson,	Newbaker,	Thomas,
Burnett,	Jones, E. E.,	Newton,	Trach,
Campbell, C.M.,	Jones, J. R.,	Peachey,	Ulman,
Campbell, J. J.,	Keegan,	Piper,	Walnut,
Carson,	Keeport,	Post,	Walsh,
Cheeseman,	Kennedy,	Ramsey,	Walton,
Collins,	Kuhn, H. P.,	Rhoads,	Watson,
Conner,	Kuhns, E.G.M.,	Richards,	Whitman,
Conniff,	Latshaw,	Robinson,	Wildman,
Cox,	Lenker,	Rockwell,	Williams,
Curry,	Leslie,	Roney,	Wilson, J. H.,
DeFrees,	Letzkus,	Rothenberger,	Wilson, W. H.,
Dickinson,	Lohr,	Runk,	Wiltbank,
Donnally,	Martin,	Sassaman,	Young, G. K.
Ehrhardt,	Mather,	Savacool,	Zimmerman,
Eichenberger,	Matt,	Schuck,	Alter,
Ely,	McAleer,	Scott, J. R. K.,	Speaker.
Frey,	McAllister,	Scott, S. B.,	
Geary,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. MARTIN. Mr. Speaker, I desire to call up Bill No. 690, from page 48 of the Calendar, bills postponed on third reading, for the purpose of recommitting.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 690, entitled:

An Act to confer upon the school board in each public school district of this Commonwealth authority to establish and maintain an auxiliary teachers board defining the duties of auxiliary teachers and providing for their compensation

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. MARTIN. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

Mr. LENKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1248, as follows:

An Act to fix the salaries of the deputies in the office of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act in counties having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each the salaries of the deputy clerk of the courts deputy controller deputy recorder of deeds deputy county treasurer chief deputy sheriff and chief clerk to the county commissioners shall be twenty-five hundred dollars ($2,500.00) per annum each payable in monthly installments by the treasurer of such county according to existing laws

Section 2 That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. CONNIFF. Mr. Speaker, I ask unanimous consent to insert amendments to this bill at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend the title in line three by striking out the word "and" after the word "sheriff"; and insert the words "and Chief Deputy to the Board for the Assessment and Revision of Taxes" after the word "commissioners" in line three.

Amend section one by striking out the word "and" in line eight after the word "sheriff"; and insert the words "and Chief Deputy to the Board for the Assessment and Revision of Taxes" after the word "commissioners" in line nine

The SPEAKER. Will the House give unanimous consent to the insertion of these amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 80, entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor" and making a further appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Adams,	Ely,	Light,	Runk,
Allen,	Frey,	Lohr,	Sassaman,
Arthur,	Geary,	Lowers,	Savacool,
Baldwin, G. A.,	Geiser,	Martin,	Schuck,
Baldwin, R. J.,	Gibson,	Mather,	Scott, J. R. K.,
Barner,	Good,	Matt,	Scott, S. B.,
Bayle,	Goss,	McAleer,	Semmens,
Benson,	Gramley,	McAllister,	Shaffer, I. E.,
Bigger,	Gray, Joseph,	McCaig,	Showalter,
Bittles,	Haggerty,	McClintock,	Smith, J. W.,
Blair, W. A.,	Hemminger,	McDermott,	Snavely,
Blair, W. F.,	Heyburn,	McKay,	Snyder,
Body,	Hibshman,	Mechling,	Spangler,
Brosius,	Howard, R.,	Metzenbacher,	Spillinger,
Burnett,	Humes,	Moore,	Steele,
Campbell, C.M.,	Isler,	Morrow,	Strauss,
Campbell, J.J.	Irwin, G. C.,	Moses,	Swartz,
Carson,	Jackson,	Moulthrop,	Thomas,
Cochran,	Jones, J. R.,	Neel,	Ulerich,
Collins,	Kaiser,	Neely,	Ulman,
Conner,	Keegan,	Newbaker,	Walnut,
Cox,	Keeport,	Newton,	Walton,
Currier,	Kennedy,	North,	Watson,
Curry,	Kitts,	Peters,	Whitman,
DeFrees,	Klepper,	Piper,	Williams,
Dickinson,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Donnally,	Kuhns, E.G.M.,	Rhoads,	Wilson, W. H.,
Down,	Latshaw,	Richards,	Wiltbank,
Dunn, H. B.,	Lenker,	Robinson,	Young, G. K.,
Dunn, J. A.,	Leslie,	Rockwell,	Young, J. H.,
Ehrhardt,	Letzkus,	Roney,	Zimmerman,
Eichenberger,		Rothenberger,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1507, entitled:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred seven

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill applies to the art jury of Philadelphia. This is a bill that was drafted by Judge Martin, of our bench, and was presented to me for the purpose of being given to this House. This art jury has no compensation given to it, and it merely fixes their power as to the furnishing of plans of certain public buildings, and is under the direction of council.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Adams,	Eichenberger,	Martin,	Schuck,
Allen,	Ely,	Mather,	Scott, J. R. K.,
Arthur,	Frey,	Matt,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	McAleer,	Semmens,
Baldwin, R. J.,	Gibson,	McAllister,	Shaffer, C. A.,
Barner,	Good,	McClintock,	Showalter,
Bayle,	Goss,	McDermott,	Smith, J. W.,
Benson,	Gramley,	McKay,	Snavely,
Bigger,	Gray, Joseph,	Mechling,	Snyder,
Bittles,	Haggerty,	Moore,	Spangler,
Blair, W. A.,	Hemminger,	Morrow,	Spillinger,
Bleloch,	Heyburn,	Moses,	Steele,
Body,	Howard, R.,	Moulthrop,	Strauss,
Brosius,	Humes,	Neely,	Swartz,
Burnett,	Isler,	Newbaker,	Swift,
Campbell, C.M.,	Irwin, G. C.,	Newton,	Thomas,
Campbell, J. J.,	Jackson,	North,	Walnut,
Carson,	Jones, J. R.,	Peachey,	Walsh,
Cheeseman,	Keeport,	Piper,	Walton,
Cochran,	Kennedy,	Post,	Watson,
Collins,	Kitts,	Ramsey,	Whitman,
Conner,	Klepper,	Rhoads,	Wildman,
Conniff,	Kuhn, H. P.,	Richards,	Williams,
Cox,	Kuhns, E.G.M.,	Robinson,	Wilson, J. H.,
Currier,	Latshaw,	Rockwell,	Wilson, W. H.,
Curry,	Lenker,	Roney,	Wiltbank,
DeFrees,	Leslie,	Rothenberger,	Young, G. K.
Dickinson,	Letzkus,	Runk,	Zimmerman,
Down,	Light,	Sassaman,	Alter,
Dunn, H. B.,	Lohr,	Savacool,	Speaker.
Dunn, J. A.,	Lowers.		
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 736, as follows:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said libary" as amended providing such libraries shall be purchased or maintained by appropriations made by the proper counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended by act approved the twenty-fifth day of March one thousand nine hundred and three entitled "An Act to amend the first section of an act approved the eleventh day of May Anno Domini one thousand nine hundred and one entitled 'An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library' so as to extend its provisions to all counties in this Commonwealth not having special or local laws inconsistent therewith" which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That one-half of all fines and forfeitures to which counties in this Commonwealth are by existing laws entitled is hereby directed to be paid by the county treasurer to the committee hereinafter provided for the purchase and support of a law library to be kept in or near the court house of said county for the use of the citizens thereof" is hereby amended to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of each county shall annually appropriate to the committee hereinafter provided such sum or sums as may be directed by the president judge of the court of common pleas of the county for the purchase and support of a law library to be kept in or near the court house of the county for the use of the citizens thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. NORTH. Mr. Speaker, in view of the light house, I move that further consideration of the bill be postponed for the present.

Mr. ALWORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1610, as follows:

An Act to prevent the spread of tree diseases or infestations by compeling the treatment of the same under certain conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any tree or trees in this Commonwealth shall be suffering from any disease or infestation which is communicable to other trees and the existence of which is a menace to fruit trees in the neighborhood thereof the owner of such fruit trees endangered by the existence of said disease or infestation may give notice in writing to the owner of the said diseased or infested tree or trees requiring said owner to remove the said tree or to so treat the same as to abate the danger of communicating the said disease or infestation and at the same time shall transmit a copy of said notice to the Commissioner of Agriculture with a statement of the reasons for such complaint Upon failure of such owner to comply with such notice to the satisfaction of the complainant within ten days the Commissioner of Agriculture shall examine into the facts and make such order as may be reasonably required for the prevention of the spread of said disease or infestation from said tree or trees Upon such order being served upon such owner he shall have the right within ten days to appeal to the court of common pleas of the proper county by petition to set aside the said order and if the court on hearing taking into consideration the expense of complying with the said order and the danger which wil result from a non-compliance therewith shal be satisfied that said order is unreasonable the same shall be set aside If said order shall be sustained then the same shall be complied with by the appellant within a time to be fixed by the court and upon failure to comply therewith the complainant shal have full power and right to carry out the same and to recover the expense thereof from the defaulting owner

Section 2 In case the owner of any diseased or infested tree shall not be a resident of the county within which the same is located notice to the occupant of the property shall be sufficient for all the purposes of this act and where such property is unoccupied and neglected notice shall be given to the owned by registered mail if his address be known otherwise it shall be sufficient to post five copies of the notice in conspicuous places upon the premises

On the question,

Will the House agree to the bill on third reading?

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, lines 13 and 16. Strike out word "Commissioner" in each line and substitute the word "Secretary."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1806 (Senate Bill No. 151), entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	Frey,	Lohr,	Savacool,
Allen,	Geary,	Lowers,	Schuck,
Arthur,	Geiser,	Martin,	Scott, S. B.,
Baldwin, G. A.,	Gibson,	Mather,	Semmens,
Baldwin, R. J.,	Good,	McAleer,	Shaffer, C. A.,
Barner,	Goss,	McAllister,	Shaffer, I. E.,
Bayle,	Grabe,	McClintock,	Showalter,

Benson,	Gramley,	McKay,	Smith, J. W.,
Bigger,	Gray, Joseph,	McDermott,	Snavely,
Bittles,	Haggerty,	Mechling,	Snyder,
Blair, W. A.,	Hemminger,	Metzenbacher,	Spangler,
Body,	Heyburn,	Moore,	Spillinger,
Brosius,	Hibshman,	Moses,	Steele,
Burnett,	Howard, R.,	Moulthrop,	Swartz,
Campbell, C.M.,	Humes,	Musser,	Swift,
Campbell, J. J.,	Isler,	Neel.	Thomas,
Carson,	Irwin, G. C.,	Neely,	Trach,
Collins,	Jackson,	Newbaker,	Ulman,
Conner,	Jones, E. E.,	Newton,	Walnut,
Conniff,	Jones, J. R.,	North,	Walsh,
Conrade,	Kaiser,	Peachey.	Walton,
Cox,	Keegan,	Peters,	Watson,
Currier,	Keeport,	Piper,	Whitaker,
Curry,	Kitts,	Post,	Whitman,
DeFrees,	Klepper,	Ramsey.	Wildman,
Dickinson,	Kuhn, H. P.,	Rhoads,	Williams,
Donnally,	Kuhns, E.G.M.,	Richards,	Wilson, J. H.,
Dunn, H. B.,	Latshaw,	Robinson,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Rockwell,	Wiltbank,
Ehrhardt,	Leslie,	Roney,	Young, G. K.,
Eichenberger,	Letzkus,	Rothenberger,	Zimmerman,
Ely,	Light,	Runk,	Alter,
Flynn,		Sassaman,	Speaker.
Foster, J. D.,			

NAYS—1.

Kennedy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1086, entitled:

An Act relating to meat and meat food products and providing for the inspection of such food and products and the animals from which produced and fixing penalties for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. BIGGER. At the request of the sponsor of this bill, Mr. Wettach, I ask unanimous consent of the House to insert an amendment at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Title, line 1, after "meat and" insert "meat."

Title, line 2, after "such" insert "meat and meat." After "food" strike out "and." After "products" insert "the premises wherein prepared."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1431, entitled:

An Act to amend an act entitled "An Act requiring the prothonotary of the several courts of comomn pleas in this Commonth to keep separate dockets in certain cases" approved the twenty-second day of May one thousand eight hundred seventy-eight by authorizing the courts of common pleas to cause to be entered in the separate docket additional subjects and authorizing the common pleas court by its order to direct the prothonotary to enter all the subjects herein provided for in one index which after such order shall be kept in lieu of the separate ejectment and other indexes now provided by law and providing that such indexes shall be notice

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker. I ask unanimous consent of the House to insert an amendment at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Section 1, line 49, strike out "in any."

Section 1, line 56, strike out "equitay" and insert the word "equity."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there objection? The Chair hears none, and the amendments wi l be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 870, as follows:

An Act to amend an act entitled "An Act to provide for the the better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three as amended so as to extend the provisions thereof to feeble-minded and epileptic persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to provide for better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three which reads as follows

Section 1 "That whenever any indigent female insane patient is to be removed from the county almshouse to a State hospital or asylum for the insane or from one State hospital or asylum for the insane to another State Hospital or asylum or from the home of such indigent patient to an almshouse hospital or asylum or when returned from such institution to her home it shall be the duty of the court under whose order such patient is committed or of the commissioners of the county or of the overseers of the poor of the district to which such patient is chargeabe (if not committed by the court) to provide a female attendant for every female patient in transit at the expense of the proper county or poor district unless such patient is accompanied by a member of her family" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any indigent female insane feeble-minded or epileptic person is to be removed from her home or from an almshouse jail penitentiary State hospital or asylum for the insane or an institution for feeble-minded and epileptic persons to an almshouse jail penitentiary State hospital or asylum for the insane or institution for feeble-minded and epileptic persons or to her home it shall be the duty of the court under whose order such person is committed or of the commissioners of the county or the overseers of the poor of the district to which such person is chargeable (if not committed by the court) to provide a female attendant for every such female person in transit at the expense of the proper county or poor district unless such person is accompanied by a member of her family

Section 2 That the second section of said act as amended which reads as follows

"Section 2 Any public officer superintendent steward director of poor or other person transferring as aforesaid any such female insane patient who shall refuse or neglect to observe the provisions of this act as hereby amended shall be subject to a penalty of two hundred and fifty dollars for each such refusal or neglect which penalty may be sued and recovered in the name of the Commonwealth by the district attorney of the county in which such act of refusal or neglect occurred and the sum so recovered shall be paid into the treasury of the State" be and the same is hereby amended so as to read as follows

Section 2 Any public officer superintendent steward director of poor or other person transferring as aforesaid any such female insane feeble-minded or epileptic person who shall refuse or negelct to observe the provisions of this act as hereby amended shall be subject to a penalty of two hundred and fifty dollars for each refusal or neglect which penalty may be sued and recovered in the name of the Commonwealth by the district attorney of the county in which such act of refusal or neglect occurred and the sum so recovered shall be paid into the treasury of the State

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Adams,	Ely,	Lohr,	Semmens,
Allen,	Flynn,	Lowers,	Shaffer, C. A.,
Arthur,	Frey,	Martin,	Shaffer, I. E.,
Baldwin, R. J.,	Geary,	Mather,	Shern,
Barner,	Geiser,	Matt,	Showalter,
Bayle,	Gibson,	McAleer,	Smith, J. W.,
Benson,	Good,	McAllister,	Snavely,
Bigger,	Goss,	McClintock,	Snyder,
Bittles,	Gramley,	McDermott,	Spangler,
Blair, W. A.,	Gray, Joseph,	Mechling,	Spillinger,
Blair, W. F.,	Hackett,	Metzenbacher,	Steele,
Body,	Hemminger,	Moore,	Strauss,
Brosius,	Heyburn,	Morrow,	Swartz,
Burnett,	Hibshman,	Moses,	Swift,
Campbell, C.M.,	Howard, R.,	Neely,	Thomas,
Campbell, J. J.,	Humes,	Newbaker,	Ulman,
Carson,	Isler,	Newton,	Walnut,
Cheeseman,	Irwin, G. C.,	North,	Walsh,
Collins,	Jackson,	Peachey.	Walton,
Conner,	Jones, J. R.,	Peters,	Watson,
Conniff,	Kaiser,	Piper,	Whitaker,
Cox,	Keegan,	Post,	Whitman,

Currier,	Keeport,	Ramsey,	Wildman,
Curry,	Kennedy,	Rhoads,	Williams,
DeFrees,	Kitts,	Richards,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Robinson,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
Down,	Latshaw,	Roney,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rothenberger,	Zimmerman,
Dunn, J. A.,	Letzkus,	Sassaman,	Alter,
Ehrhardt,	Light,	Scott, J. R. K.,	Speaker.
Eichenberger,		Scott, S. B.,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1434, as follows:

An Act to validate certain sales public and private and certain mortgages of real estate of decedents heretofore made under authority of Orphans' Court upon petition of executors or administrators for payment of debts or for any other lawful purpose.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all sales public and private and all mortgages of real estate of decendents heretofore made under and by virtue of decrees of Orphans' Courts upon petition of executors or administrators for payment of debts of such decedent or for any other lawful purpose shall and the same are hereby declared to be valid and effectual to vest in the purchasers or mortgages the title or mortgages interest as the case may be of such decedents in the real estate so decreed to be sold or mortgaged Provided That adequate security conditioned for the faithful application of the proceeds of such sale or mortgage shall have been given by such executors or administrators as the case may be in acordance with such decrees Provided further That this act shall not apply to any case heretofore judiciously adjudicated

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent of the House to correct a typographical error in line 10. In the printing of the bill an "s" has been added to the word mortgage, and the striking out of it will not in any way affect the passage of the bill.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the Houes.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Adams,	Dunn, H. B.,	Lohr,	Semmens,
Allen,	Dunn, J. A.,	Martin,	Shaffer, C. A.,
Aron,	Ehrhardt,	Mather,	Shaffer, I. E.,
Arthur,	Ely,	Matt,	Shern,
Baldwin, G. A.,	Flynn,	McAllister,	Showalter,
Baldwin, R. J.,	Frey,	McClintock,	Smith, J.
Bayle,	Geiser,	McDermott,	Snavely,
Benson,	Gibson,	McKay,	Snyder,
Bigger,	Good,	Mechling,	Spangler,
Bittles,	Goss,	Metzenbacher,	Spillinger,
Blair, W. F.,	Grabe,	Morrow,	Steele,
Bleloch,	Gramley,	Moses,	Strauss,
Body,	Gray, Joseph,	Moulthrop,	Swartz,
Brosius,	Haggerty,	Neel,	Swift,
Burnett,	Hemminger,	Neely,	Thomas,
Campbell, C.M.,	Heyburn,	Newbaker,	Trach,
Campbell, J. J.,	Hibshman,	Newton,	Ulman.
Carson,	Howard, R.,	North,	Walton,
Cheeseman,	Humes,	Peachey,	Watson,
Collins,	Isler,	Peters,	Whitaker,
Conner,	Irwin, G. C.,	Piper,	Wildman,
Conniff,	Jackson,	Post,	Williams,
Cox,	Jones, J. R.,	Rhoads,	Wilson, J. H.,
Currier,	Keegan,	Richards,	Wilson, W. H.,
Curry,	Kitts,	Rockwell,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Roney,	Young, G. K.
Dickinson,	Leslie,	Sassaman,	Zimmerman,
Donnally,	Letzkus,	Scott, J. R. K.,	Alter,
Down,		Scott, S. B.,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1445, as follows:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Department of Labor and Industry the head of which shall be a commissioner of Labor and Industry who shall be appointed by the Governor by and with the consent of the Senate and who shall hold office for the term of four years from the date of his appointment and who shall receive an annual salary of eight thousand dollars ($8,000) and shall appoint and may at pleasure remove all officers clerks and other employees of the Department of Labor and Industry except as herein otherwise provided

Section 2 The Commissioner of Labor and Industry shall forthwith appoint upon entering upon the duties of his office one chief inspector of the Department of Labor and Industry who shall receive a salary of five thousand dollars ($5,000) a year and who shall during the absence or disability of the Commissioner of Labor and Industry possess all the powers and perform all the duties of the said Commissioner except the power to make appointments and who in addition to his duties prescribed by this act shall perform such other duties and possess such other powers as the Commissioner of Labor and Industry shall prescribe

Section 3 The clerical force of the department excluding that of the different bureaus shall be one chief clerk at an annual salary of one thousand eight hundred dollars ($1,800) one stenographer at an annual salary of one thousand dollars ($1,000) one messenger at an annual salary of one thousand two hundred dollars ($1,200)

Section 4 The Department of Labor and Industry shall be divided into three bureaus as follows

1 Bureau of Inspection
2 Bureau of Statistics and Information
3 Bureau of Arbitration

Together with such other bureaus as the Commissioner of Labor and Industry may deem necessary and shall with the consent of the Governor from time to time establish

Section 5 The Commissioner of Labor and Industry shall establish and maintain branch offices in the cities of Philadelphia and Pittsburgh and in such other cities of the Commonwealth as he may deem advisable Such branch offices shall be subject to the supervision and direction of the Commissioner of Labor and Industry be in immediate charge of such officers or employees as the said Commissioner may designate and the reasonable and necessary expenses of such offices shall be paid as are the other expenses of the said Department of Labor and Industry

Section 6 The Attorney General shall have authority to employ and may at pleasure remove an attorney of the Commonwealth of Pennsylvania who shall represent the Department of Labor and Industry and shall take charge of and assist in the prosecution of actions and proceedings brought by or on behalf of the said Commissioner or of the said Department and who shall act generally as legal adviser to the said Commissioner Such counsel shall receive an annual salary of three thousand dollars ($3,000) to be paid out of the appropriation made to said department The Commissioner of Labor and Industry shall have further power to employ attorneys and counsellors at law to be designated by the Attorney General to assist the counsel in special actions or proceedings or generally in performance of his duties

The said Commissioner of Labor and Industry may purchase such supplies and materials as may be necessary in carrying on the work of his department

Section 7 The Bureau of Inspection subject to the supervision of the Commissioner of Labor and Industry shall have charge of all inspections made pursuant to the provisions of this act and shall perform such other duties as may be assigned to it by the Commissioner of Labor and Industry The said Bureau shall be under the charge of the Chief Inspector hereinabove provided for subject to the supervision and direction of the Commissioner of Labor and Industry

There shall be in the said bureau not less than fifty-eight inspectors divided into four grades as follows

1 Inspectors of the first grade of whom there shall be not less than fifty in number and not less than five of whom shall be women each of whom shall receive an annual salary of one thousand five hundred dollars ($1,500)

2 Inspectors of the second grade of whom there shall be two in number and who shall act as Supervising Inspectors with offices at the cities of Philadelphia and Pittsburgh respectively Each of said inspectors shall receive an annual salary of two thousand five hundred dollars ($2,500)

3 Inspectors of the third grade of whom there shall be not less than two one of whom shall be a woman and both of whom shall be physicians duly licensed to practice medicine in Pennsylvania and who shall act as medical inspectors and each of whom shall receive an annual salary of two thousand five hundred dollars ($2,500)

5 Inspectors of the fourth grade of whom there shall be four one of whom shall be a physician duly licensed to practice medicine in the State of Pennsylvania and who shall be Chief Medical Inspector one of whom shall be a mechanical engineer and expert in ventilation and accident prevention one of whom shall be a chemical engineer and one of whom shall be a civil engineer and expert in fire prevention and building construction Each of the inspectors of the fourth grade shall receive an annual salary of three thousand dollars ($3,000)

Section 8 The Commissioner of Labor and Industry shall from time to time divide the State into districts and shall assign to such districts such inspectors and supervising inspector as may in his judgment appear expedient and shall from time to time assign and transfer such inspectors from one district to any other district or to special duty in any bureau of the said department and may assign an inspector to inspect any special class of factories or establishments and may assign one or more of them to act as clerks in any office of the department

The Commissioner of Labor and Industry shall visit and inspect or cause to be visited and inspected during reasonable hours and as often as practicable every room building or place where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth or of this act and shall cause to be enforced therein the provisions of all such existing laws and of this act and the rules and regulations of the industrial board hereinafter provided for

The Commissioner of Labor and Industry and all inspectors may in the discharge of their duties enter any such place building or room whenever they have reasonable cause to believe that any such labor is being or will be performed therein

Section 9 The inspectors of the third grade shall together with the Chief Medical Inspector hereinabove provided for inspect all rooms buildings and other places subject to the provisions of this act throughout the State with respect to the conditions of work affecting the health of persons employed therein and shall perform such other duties and render such other service as the Commissioner of Labor and Industry shall direct

Section 10 The inspectors of the fourth grade shall constitute a division of industrial hygiene which shall be under the immediate charge of the Commissioner of Labor and Industry The members of the division of industrial hygiene shall make special inspections of factories and mercantile establishments and all rooms buildings or other places subject to the provisions of this act and shall conduct special investigations throughout the Commonwealth of Pennsylvania relative to industrial processes and conditions The members of such division shall prepare material for leaflets and bulletins calling attention to dangers in particular industries and the precautions to be observed to avoid them and shall perform such other duties and render such other services as may be required by the Commissioner of Labor and Industry Each member of said division shall make an annual report to the Commissioner of Labor and Industry which shall be transmitted to the Legislature as part of the annual report of said Commissioner

Bureau of Statistics and Information

Section 11 The bureau of statistics and information shall be under the immediate charge of a chief of the bureau subject to the direction and supervision of the Commissioner of Labor and Industry who shall receive an annual salary of three thousand dollars ($3,000) There shall also be in the office of said bureau an assistant who shall receive a salary of two thousand five hundred dollars ($2,500) and three collectors of statistics who shall receive salaries of two thousand dollars ($2,000) each It shall be the duty of said bureau to keep in touch with labor in the Commonwealth especially in relation to commercial industrial physical educational social moral and sanitary conditions of the wage-earners of the Commonwealth and to the productive industries thereof also to collect assort publish and systematize the details and general information regarding industrial accidents and occupational diseases their causes and effects and the methods of preventing and remedying the same and of providing compensation therefor also to make inquiry and investigation into the condition welfare and industrial opportunities of all aliens arriving and being within the State and to gather information with respect to the supply of labor afforded by such aliens and ascertain the occupations for which such aliens may be best adapted and to bring about communication between the aliens and the several industries requiring labor and to collect assort and publish statistical details and general information relative thereto

The chief or duly authorized deputy shall have power to issue subpoenas administer oaths and take testimonal in all matters relating to the duties herein required of said bureau Any corporation firm or individual doing business within the Commonwealth who shall neglect or refuse for thirty days to answer questions by circular or upon personal application or who shall refuse to obey the subpoena and give testimony according to the provisions of this act shall be liable to a penalty of one hundred dollars to be collected by order of the Commissioner of Statistics in an action of debt in which the Commonwealth of Pennsylvania shall be plaintiff This Bureau shall also be required to collect compile and publish annually the productive statistics of manufacturing commercial and other business interests of the State

Industrial Board

Section 12 There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry and four additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of labor one a wage-earner and one a woman The said additional members shall be designated by the Governor to serve until the first day of January in the years one thousand nine hundred and fifteen one thousand nine hundred and sixteen one thousand nine hundred and seventeen and one thousand nine hundred and eighteen respectively Upon the expiration of each of the said terms the term of office of each associate member thereafter appointed shall be four years from the first of January The Commissioner of Labor and Industry shall be the chairman of the said Board Vacancies shall be filled by appointment for an unexpired term in the same manner as provided for the appointments of the previous holders of the office in which said vacancy occurs

The members of said Board other than the two associate members as hereinabove provided shall receive no additional compensation for services as members of the said Board The four associate members shall each receive a compensation of ten dollars ($10.00) per day and expenses actually and necessarily incurred while engaged in the performance of their duties

The Board shall appoint and may remove a secretary who shall receive a salary to be fixed by the Board The Commissioner of Labor and Industry shall detail from time to time to the assistance of said Board such employees of the Department of Labor and Industry as the Board may require In aid of its work the said Board is empowered to employ experts for special and occasional services The counsel to the Department of Labor and Industry shall act as counsel to the Board without additional compensation

The Board shall hold stated meetings which shall be open to the public at least once a month during the year and shall hold other meetings at such times and places as may be necessary Such meetings shall be called by the chairman or majority of the Board The Board shall keep minutes of its proceedings showing the vote of each member upon every question and records of its examination and other official action

Section 13 The Industrial Board shall have the power to make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of all laws of the Commonwealth the enforcement of which shall now and hereafter be imposed upon the Department of Labor and Industry and the rules and regulations made by the Industrial Board in connection therewith and to subpoena and require the attendance in this Commonwealth of all witnesses and the production of books and papers pertinent to the said investigation and to examine them and such public records as it may require in relation to any matter which it has power to investigate Any witness who refuses to obey a subpoena of the said Board as hereinabove provided for or who refuses to be sworn or to testify or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination by the said Board or who is guilty of any contempt after being summoned to appear before the said Board as above provide may be punished as for contempt of court and for this purpose application may be made to any court within whose territorial jurisdiction the said contempt took place and for which purpose the courts of the Common Pleas of this Commonwealth are hereby given jurisdiction In the course of such investigation each member of said Board shall have power to administer oaths Each member shall have the further power to make personal investigations of all establishments in this Commonwealth where labor is employed

Section 14 All rooms buildings and places in this Commonwealth where labor is employed or shall hereafter be employed shall be so constructed equipped and arranged operated and conducted in all respects as to provide reasonable and adequate protection for the life health safety and morals of all persons employed therein For the carrying into effect of this provision and the provisions of all the laws of this Commonwealth the enforcement of which is now or shall hereafter be entrusted to or imposed upon the Commissioner or Department of Labor and Industry the Industrial Board shall have power to make alter amend and repeal general rules and regulations necessary for applying such provisions to specific conditions and to prescribe means methods and practices to carry into effect and enforce such provisions

Section 15 The rules and regulations of the Industrial Board and the amendments and alterations thereof may embrace all matters and subjects to which power and authority of the Department of Labor and Industry extends and shall be distributed to all applicants Every rule or regulation adopted by the Board shall be promptly published in bulletins of the Department of Labor and Industry and in such daily newspapers as the Board may prescribe and no such rule or regulation shall take effect until thirty days after such publication Any employer employee or other person interested either because of ownership in or occupation of any property affected by any such order or regulation or otherwise may petition for a hearing on the reasonableness of a rule or regulation Such petition for hearing shall be by verified petition filed with the said Industrial Board setting out specifically and in full detail the rule or regulation upon which a hearing is desired and the reasons why such rule or regulation is deemed to be unreasonable All hearings of the Board shall be open to the public Upon receipt of such petition if the issues raised in such peition have theretofore been adequately considered the Industrial Board shall determine the same by confirming without hearing its previous determination or if such hearing is necessary to determine the issue raised the Industrial Board shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the industrial Board may find directly interested in such decision

Section 16 Every person who violates any of the provisions of this act or any of the rules or regulations of the Industrial Board or who resists or interfers with any officer or agent of the Department of Labor and Industry in the performance of his duties in accordance with the said rules and regulations shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment not exceeding one month or both at the discretion of the court

Section 17 There shall be created in the Department of Labor and Industry a Bureau of Mediation and Arbitration the head of which shall be a Chief of Bureau who shall receive an annual salary of three thousand five hundred dollars ($3,500)

Section 18 Whenever a difference arises between an employer and his employees which cannot be readily adjusted the Deputy Commissioner of the Bureau shall proceed promptly to the locality thereof and endeavor by meditation to effect an amicable settlement of the controversy If such settlement cannot be effected the dispute may be arbitrated by a Board composed of the head of the Bureau who shall be chairman thereof and two representatives one selected by the employer and one by the employees A submission to the Board shall be made in writing and the parties thereto shall agree to abide by the determination of the Board Said Board shall render a written decision within ten days after the completion of the investigation one copy thereof to be filed in the Bureau and a copy to be furnished each party to the controversy The deputy commissioner shall make an annual report of his work containing such information as the Commissioner of Labor and Industry may request

Section 19 The Commissioner of Labor and Industry may assign to this Bureau from his department such clerical assistance as from time to time he may think necessary

Section 20 In addition to their respective salaries as hereinabove provided the Commissioners Inspectors and other officers of the Department of Labor and Industry shall receive the expenses actually and necessarily incurred in the performance of their official duties which expenses together with all other necessary expenses under the provisions of this act shall after the approval in writing by the Governor and the Commissioner of Labor and Industry be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 21 Upon requisition of the Commissioner of Labor and Industry the Board of Public Grounds and Buildings shall furnish suitable accommodations in the State Capitol Building for the use of this department

Section 22 Upon requisition of the Commissioner of Labor and Industry an order of the Superintendent of Public Printing and Binding the State Printer shall do the printing and biding necessary for the proper performance of the duties of this department

Section 23 All of the powers and duties now by law vested in and imposed upon the Department of Factory Inspection which is hereby abolished are now hereby vested in the Department of Labor and Industry

Section 24 This act shall take effect on and after the first day of June one thousand nine hundred and thirteen .

Section 25 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The Clerk will read the amendments.

The amendments were then read as follows:

Amend section 7, line 9, strike out the words "not less than"

Amend section 7, line 13, after the word "women" by inserting "and such additional inspectors as the commissioner may deem necessary and proper to appoint from time to time."

Also amend section 18, line 7, strike out after the word "board" the words "composed of the head of the Bureau who shall be chairman thereof and two representatives one selected by the employer and one by the employes" and insert in lieu thereof the following "composed of one person selected by employer and one person selected by employes and a third who shall be selected by the representatives of the employer and employe and such third member of the board shall be selected and appointed within a period of 5 days after the matter has been submitted for arbitration and in the event of any such appointment or selection not being made within a period of 5 days then the chairman of the board shall constitute the third member of the board and be the chairman of the board and if such third representative is chosen by the two representatives of the employer and employe within 5 days then a chairman of the board shall be established by the board itself."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection?

Mr. HUMES. Mr. Speaker, I object to the insertion of the amendments.

Mr. RONEY. Mr. Speaker, I move that this House go into Committee of the Whole for the purpose of special amendment. When I make this motion, however, I wish to state that in the event of the gentlemen from Crawford withdrawing his objection to my amendments, I will not insist upon the motion.

Mr. HUMES. Mr. Speaker, I am not objecting to the amendments as far as they go, but I have some further amendments that I desire to offer in addition to the amendments offered by the gentleman from Philadelphia. The gentleman had a copy of those amendments over night and he knows what they are.

Mr. RONEY. Mr. Speaker, I desire to ask the gentleman if they are the same amendments I saw yesterday.

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. RONEY. Mr. Speaker, then I object, and I renew my motion to go into Committee of the Whole.

Mr. ARTHUR. Mr. Speaker, I second the motion.

It was agreed to.

COMMITTEE OF THE WHOLE.

The SPEAKER. The gentleman from Philadelphia, Mr. Shern, will kindly assume the Chair as Chairman of the Committee of the Whole.

Mr. SHERN in the Chair.

The CHAIRMAN. The Committee of the Whole House having under consideration House Bill No. 1445, the gentleman frfom Philadelphia, Mr. Roney, desires to offer amendments.

The Clerk will read the amendments.

The Clerk again read the amendments as follows:

Amend section 7, line 9, strike out the words "not less than"

Amend section 7, line 13, after the word "women" by inserting "and such additional inspectors as the commissioner may deem necessary and proper to appoint from time to time."

Amend section 18, line 7, strike out after the word "board" the words "composed of the head of the Bureau who shall be chairman thereof and two representatives one selected by the employer and one by the employes" and insert in lieu thereof the following "composed of one person selected by employer and one person selected by employes and a third who shall be selected by the representatives of the employer and employe and such third member of the board shall be selected and appointed within a period of 5 days after the matter has been submitted for arbitration and in the event of any such appointment or selection not being made within a period of 5 days then the chairman of the board shall constitute the third member of the board and be the chairman of the board and if such third representative is chosen by the two representatives of the employer and employe within 5 days then a chairman of the board shall be established by the board itself."

The CHAIRMAN. The question is now on the adoption of the amendments.

Mr. HUMES. Mr. Chairman, my purpose in objecting to the insertion of the amendments offered by the gentleman from Philadelphia was not prompted by any desire to present the insertion of those particular amendments but to enable a further consideration of the bill because of the fact that the amendments offered by the gentleman from Philadelphia are not sufficient, in my estimation, to make this bill what it should be and the portion to which I refer is solely the amendments to section seven. To many who have the bill before you, it will be apparent if I will call your attention to section seven, line nine. I think you will be unable to find anything on the statute books to establish a minimum of employees that can be employed without regard to the amount of work that is to be done.

Mr. RONEY. Mr. Chairman, I desire to interrogate the gentleman from Crawford, Mr. Humes.

The CHAIRMAN. Will the gentleman from Crawford, Mr. Humes, permit himself to be interrogated?

Mr. HUMES. Mr. Chairman, Yes, sir.

Mr. RONEY. Mr. Chairman, does not the gentleman know that line nine now reads "there shall now be in said Bureau fifty-eight inspectors?"

Mr. HUMES. Mr. Chairman, if the gentleman will stirke out the word "shall", and I can see no difference when he says that there shall be fifty-eight or not less than fifty-eight. He seems to have undertaken to confuse the act. He must also agree to strike out the word "shall" and leave it discretionary with the Department of Labor as to how many inspectors are necessary or must agree to my amendment. We know that the maximum number of employees cannot be put on the first day. They must be put on from time to time and the whole purpose for which it is organized must be considered. My desire is not to cripple the department nor to cut down the employees where the department would be insufficient but where the head of the department finds that fifty or forty-nine or forty-five are sufficient to carry it into effect that it is not mandatory that he shall employ fifty-eight men if there is no use for them. It is for that reason that I have a further amendment to offer so as to cary into effect just that spirit. I am in absolute harmony with this bill. I don't believe it is right for us to declare that you must employ fifty-eight or any other number without regard to the duties that they have to perform. We are willing to leave it discretionary with the department but why should we say

that you have got to employ a given number whether you have any use for them or not. That is the substance of our opposition. I therefore submit to the Committee the following further amendment:

The CHAIRMAN. Do they conflict with those already offered.

Mr. HUMES. Mr. Chairman, no sir, they are additional amendments.

The CHAIRMAN. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend by striking out in line 9, the word "shall" and insert in lieu thereof the word "may"
Also, strike out in line 9, the words "not less than"
Also, in line 11, strike out the word "shall" and insert in lieu thereof, the word "may"
Also, in line 12, strike out the words "not less than"
Also, in line 21, strike out the words "not less than."

Mr. RONEY. Mr. Chairman, I agree to those amendments and insist upon my amendment in line 13, in Section 7. I withdraw the other amendments, except amendment to Section 7, line 13, and amendment to Section 18.

The amendment to Section 7 was again read, as follows:

Amend section 7, line 13, after the word "women" by inserting "and such additional inspectors as the commissioner may deem necessary and proper to appoint from time to time."

On the question,

Will the Committee of the Whole House agree to the amendments offered by the gentleman from Philadelphia?

They were agreed to.

On the question,

Will the Committee of the Whole House agree to the amendments offered by the gentleman from Crawford?

They were agreed to.

Mr. EHRHARDT. Mr. Chairman, I move that the Committee of the Whole House rise and report back to the House.

Mr. HAGGERTY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER (George E. Alter) in the Chair.

Mr. SHERN. Mr. Speaker, as Chairman of the Committee of the Whole House, I now report back to the House, House Bill No. 1445, with amendments as inserted therein.

On the question,

Will the House agree to the report of the Committee of the Whole?

It was agreed to.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1362, entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOSEPH GRAY. Mr. Speaker, I want to say that this bill simply allows a lumber company in my county to sue the Commonwealth. They have no right to sue under the Constitution unless the Legislature gives them authority. The court of common pleas of Cambria County will pass upon the case, which is simply a legal proposition, and no man need fear to vote for the bill.

And the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Adams,	Geary,	Lowers,	Semmens,
Allen,	Geiser,	Martin,	Shaffer, C. A.,
Arthur,	Gibson,	Mather,	Shaffer, I. E.,
Baldwin, G. A.,	Good,	Matt,	Shern,
Baldwin, R. J.,	Goss,	McAllister,	Showalter,
Barner,	Grabe,	McClintock,	Smith, J. W.,
Benson,	Gramley,	McDermott,	Snyder,
Bigger,	Gray, Joseph,	McKay,	Spangler,
Bittles,	Haggerty,	Mechling,	Steele,
Blair, W. F.,	Hibshman,	Metzenbacher,	Swartz,
Bleloch,	Howard, R.,	Morrow,	Swift,
Body,	Humes,	Moses,	Thomas,
Brosius,	Isler,	Moulthrop,	Ulman,
Burnett,	Irwin, G. C.,	Musser,	Walnut,
Campbell, C.M.,	Jackson,	Neel,	Walton,
Carson,	Jones, J. R.,	Neely,	Watson,
Cochran,	Kaiser,	Newbaker,	Whitaker,
Conner,	Keegan,	Newton,	Whitman,
Conniff,	Kennedy,	Peachey,	Wildman,
Cox,	Kitts,	Piper,	Williams,
Currier,	Klepper,	Post,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Down,	Latshaw,	Robinson,	Wiltbank,
Dunn, H. B.,	Lenker,	Rockwell,	Young, G. K.,
Eichenberger,	Leslie,	Roney,	Zimmerman,
Ely,	Letzkus,	Scott, J. R. K.,	Alter,
Flynn,	Lohr,	Scott, S. B.,	Speaker.
Frey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read as follows:

House Bill No. 356:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been Litten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith

House Bill No. 547:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

House Bill No. 657:

An Act to repeal an act entitled "A supplement to the act entitled 'An Act for preventing clandestine marriages'" approved the fourteenth day of February Anno Domini one thousand seven hundred thirty

House Bill No. 658:

An Act to repeal an act entitled "An Act for the preventing of clandestine marriages" passed at the session of the General Assembly ending October twenty-eighth one thousand seven hundred and one (one Smith's Laws twenty-one)

Whereupon,

The Speaker, in the presence of the House, signed the same.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented communications in writing from His Excellency, The Governor which were read as follows:

APPROVAL OF HOUSE BILL NO. 443.

Executive Chamber, April 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 443, entitled "An Act fixing the number and salaries of clerks and other employes in the Auditor General's Department."

(Signed) JOHN K. TENER.

Also the following:

APPROVAL OF HOUSE BILL NO. 1166.

Executive Chamber, April 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1166, entitled "An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth."

(Signed) JOHN K. TENER.

BILL INTRODUCED.

Mr. J. H. WILSON. Mr. Speaker, I ask unanimous consent to introduce a bill at this time.

The SPEAKER. The title of the bill will be read for information.

The title of the bill was then read as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State.

The SPEAKER. Will the House give unanimous consent to the introduction of the bill at this time? Is there any objection? The Chair hears none, and the bill will be received by the Clerk.

BILLS RE-REPORTED.

Mr. MATT, from the Committee on Law and Order, re-reported as amended, House Bill No. 1195, entitled:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale between certain designated hours of the day and on certain holidays and prohibiting the use of certain devices intended to increase sales

Mr. GEORGE A. BALDWIN, from the Committee on Law and Order, re-reported as amended, House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof.

BILL ON THIRD READING.

Mr. HUMES asked and received unanimous consent to call up House Bill No. 1704, on page 42 on to-day's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1704, entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population.

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read be the Clerk.

The Clerk then read the amendment as follows:

Title, line 5: Add at the end thereof the following: "by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. LENKER asked and received unanimous consent to call up at this time House Bill No. 1219, on page 37 of to-day's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1219, entitled:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled 'An Act amending section one two three seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain redistricting of inspectors granting to the qualified voters of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector thereof until such time as an inspector should be duly elected" by providing for additional inspectors therein.

On the question,

Will the House agree to the bill on third reading?

Mr. LENKER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Strike out all of bill after word board, in section 7, line 118, and insert the following "or in otherwise qualified according to law, for the position of inspector."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted acording to the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

ADJOURNMENT.

Mr. RONEY. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and (6:40 P. M.) the House adjourned to meet Monday evening, April 14th, 1913, at 8 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, APRIL 14, 1913. No. 48.

SENATE

MONDAY, April 14th, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

The Lord is our Shepherd, we shall not want; He maketh us to lie down in green pastures; He leadeth us beside the still waters; He restoreth our souls; He leadeth us in the paths of righteousness for His name's sake. Yea, though we walk through the valley of the shadow of death, we shall fear no evil, for Thou art with us; Thy rod and Thy staff they comfort us; Thou preparest a table before us in the presence of our enemies; Thou anointest our heads with oil; our cups runneth over. Surely goodness and mercy shall follow us all the days of our lives and we shall dwell in the House of the Lord forever. Be Thou our Shepherd as we enter upon another week of labor. Grant that we may be the sheep of Thy pasture. Lift up Thy countenance upon us and give us peace. We ask it in our Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN THE PUBLIC SCHOOLS.

Mr. WASBERS, presented two petitions of citizens of York County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

The Chair presented petition of Clearfield Council, No. 281, O. U. A. M., praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

AGAINST READING OF THE BIBLE IN PUBLIC SCHOOLS.

The Chair presented petition of the Hertzel Zionist Club of Wilkes-Barre, Pa., against the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. WASBERS presented petition of citizens of York County and petitions of Washington Camp, No. 176, P. O. S. of A., and Washington Camp, No. 472, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. WASBERS presented petition of citizens of York County and petition of Washington Camp, No. 176, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING PASSAGE OF SENATE BILL No. 597.

Mr. CLARK presented petitions of Waterford Grange, No. 423, P. of H., Wattsburg Grange, No. 106, P. of H., Harbour Creek Grange, No. 385, P. of H., Springfield Grange No. 1257, P. of H., and West Greene Grange, No. 1296, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

The Chair presented petitions of Columbia Grange, No. 46, P. of H., Salem Grange, No. 964, P. of H., and Central Grange 1216, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

FAVORING MEMORIAL TO THE REVOLUTIONARY SOLDIERS OF YORK COUNTY.

Mr. WASBERS presented petition of the York Cadets, Incorporated, favoring the passage of a bill to erect a memorial to Revolutionary soldiers of York County, Pennsylvania.

Which was referred to the Committee on Appropriations.

LEAVE OF ABSENCE.

Mr. HERBST asked and obtained leave of absence for the Senator from Northampton, Mr. Morgan, for the balance of the week.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 12.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 11, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 12, entitled "An Act supplementary to an act entitled 'An Act for the protection of the public health by prohibiting the sale offering for sale exposing for sale or having in possession with intent to sell of eggs unfit for food as therein defined and prohibiting the use of such eggs in the preparation of food products providing penalties for the violation thereof and providing for the enforcement thereof' approved the eleventh day of March Anno Domini one thousand nine hundred and nine providing for the denaturing by kerosene of all eggs unfit for food within the meaning of said act and providing penalties for the violation thereof."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 57.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 11, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 57, entitled "An Act to amend section ninth of the act entitled 'An Act providing for the establishment of a State Highway Depart-

ment by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof Conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and proceedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships borough and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act' approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven by defining the method of taking testimony in proceedings for the condemnation of turnpikes and toll-roads providing for the appointment of stenographers therefor and the compensation of the same and the compensation of viewers providing a method whereby the State Highway Commissioner may at any time during said proceedings enter upon and take the said turnpike or toll-road and providing a method for compelling the Commonwealth to pay the damages assessed for the taking of the same."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 275.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 275, entitled "An Act to amend an act approved the twenty-sixth day of March one thousand eight hundred and ninety-five, entitled 'An Act relative to the public grounds and buildings defining the powers of the Commissioners authorizing the Board of Commissioners to carry into effect the provisions of Section twelve Article three of the Constitution relative to contracts for stationery supplies fuel furniture furnishings distribution of documents repairs alterations or improvements and other matters needed by the Legislature the several departments boards and commissions of the State government and Executive Mansion authorizing the appointment of a Superintendent and defining his powers authority and duties and providing for the appointment of subordinate officers required by this act and fixing the compensation of the same."

JOHN K. TENER.

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows, and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Thos. J. Lewis, McKeesport.
Augustus Baker, Pittsburgh.
Samuel E. Claney, Pittsburgh.
Reed B. Coyle, Pittsburgh.
John M. Davies, Pittsburgh.
E. J. Kreh, Pittsburgh.
F. A. McKenry, Pittsburgh.
C. T. Nelson, Pittsburgh.

FAYETTE COUNTY.

John S. Griffiths, Brownsville.

JUNIATA COUNTY.

Homer E. Van Ormer, Delaware Twp.

LUZERNE COUNTY.

Robert L. Gilchrist, Pittston.

NORTHAMPTON COUNTY.

Jacob H. Silfies, Bath.

PHILADELPHIA COUNTY.

George A. Ansley, Philadelphia.
Emanuel Kline, Philadelphia.
Hugh Roberts, Philadelphia.
Nelson Dudley Warwick, Philadelphia.

SCHUYLKILL COUNTY.

Edward Hummel, Pine Grove.
August Knecht, Pottsville.

WASHINGTON COUNTY.

D. M. Fry, Burgettstown.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 14, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

LANCASTER COUNTY.

Ellis Bachman, Strasburg, May 1, 1913.

PHILADELPHIA COUNTY.

H. S. J. Sickel, Philadelphia, May 15, 1912.

WASHINGTON COUNTY.

Miss Minnie A. Leonard, Washington, April 29, 1913.

WESTMORELAND COUNTY.

William F. Wegley, Greensburg, April 21, 1913.

JOHN K. TENER.

REPORTS OF THE PENNSYLVANIA STATE VACCINATION COMMISSION.

He also laid before the Senate communication which was read, as follows

THE PENNSYLVANIA STATE VACCINATION COMMISSION.

Philadelphia, Pa., April 10, 1913.

To the Honorable the Senate and House of Representatives of the General Assembly of Pennsylvania:

As Chairman of the Pennsylvania State Vaccination Commission appointed by His Excellency, the Governor of this Commonwealth; in pursuance of the provisions of a joint resolution of your honorable bodies, entitled "A joint Resolution Providing for the apointment by the Governor of a Commission, to be known as the Pennsylvania State Vaccination Commission, and defining its powers and duties, and making an appropriation for the expenses thereof," approved by the Governor on June 14, 1911 (Pamphlet Laws of 1911, page 940), I have the honor to submit herewith the Report of the Commission, with the Dissenting Reports.

In doing so, I cannot refrain from an expression of my disapproval of the action of the dissenting Commissioner, who submitted the principal dissenting report, Mr. John Pitcairn, for the following reasons:

At the last formal meeting of the Commission, on the twelfth day of March, 1913, held for the purpose of signing the reports, the several reports were presented and duly signed by the respective Commissioners—the majority report was then and there signed by Mr. Edward A. Woods, Dr. Jay Frank Schamberg, Dr. William M. Welch and Emil Rosenberger, being a majority of the Commission; the report prepared by Mr. John Pitcairn was then and there

signed by him, the report prepared by Mr. Henry C. Lippencott was then and there signed by him and the report prepared by Mr. Porter F. Cope was then and there signed by him. It was agreed by the Commissioners that these Reports, which were typewritten, should be printed; that the Chairman should cause this to be done and that no changes should be made therein but that the reports should stand as thus typewritten. The reports were printed by Allen, Lane & Scott; the proofs were read by the respective Commissioners, and after proper corrections, were approved by them. Although it was agreed by the Commission that the reports were final in the form in which they were sent to the printers, numerous changes were made in Mr. Pitcairn's report while in the printer's hands and some changes have again been made after the report was printed, as is evidenced in the copies submitted herewith. Mr. Pitcairn having approved the printed copy of his dissenting report, I protest against the receipt by your honorable bodies of any other than the printed report, without correction.

I am surprised to learn from Mr. Pitcairn that he has personally filed with your honorable bodies and with his Excellency, the Governor, a copy of his dissenting report transmitted directly by himself. This, it seems to me, is improper for two reasons: (1) The majority or the report, had not then been filed; and (2) The reports should be received by your honorable bodies only through the official head of the Commission, namely, its duly elected Chairman.

There are enclosed the signed reports (which contain the changes above mentioned) as well as a copy of the unsigned reports which are just as they were received from the printers.

May I be permitted to add that the Commission at its last meeting passed a resolution requesting your honorable bodies to make provision for the printing of the report and of the minutes of testimony for the guidance of your members and of the people of the State. The minutes of testimony, which are now being revised, will be forwarded to you later. By reference to the testimony one will be enabled to judge of the comparative merits of the report of the Commission and the dissenting reports.

I have the honor to be, gentlemen,

Yours very truly,

EMIL ROSENBERGER,
Chairman.

A duplicate of this letter, as well as of the enclosures has been forwarded by the same mail to the House of Representatives.

(For report see Appendix).

RESOLUTION FROM THE COMMITTEE OF THE EXECUTIVE AND LEGISLATIVE COMMITTEE REPRESENTING THE REPUBLICAN STATE CONVENTION OF PENNSYLVANIA.

He also laid before the Senate the following communication, which was referred to the Committee on Elections:

Harrisburg, Pa., April 14th, 1913.

To the President of the Senate of Pennsylvania:

We, the undersigned Committee of the Executive and Legislative Committee, representing the Republican State Convention of Pennsylvania, beg leave to submit for the respectful consideration of the body over which you have the honor to preside, the accompanying resolution relating to matters of legislation now pending and trust that the same will receive prompt and favorable consideration.

Respectfully sumbitted,

STEPHEN G. PORTER,
HENRY G. WASSON,
Committee.

Whereas, The State Convention held in the City of Harrisburg on the first day of May, 1912, representing over five hundred thousand Republicans who participated in the April primaries, preceding, pledged the party through its representatives in the present General Assembly to the enactment of certain specific laws, and,

Whereas, Said convention authorized the appointment of and Executive and Legislative Committee and charged that committee with the duty of drafting the several measures to conform with the party pledges and presenting the same to the General Assembly, and,

Whereas, The said committee after months of careful investigation and after many public hearings had been held throughout the Commonwealth, prepared bills embodying said pledges and caused the same to be introduced in the House of Representatives, and,

Whereas, Nine of the bills as so introduced have passed the House of Representatives by substantial majorities and have been messaged over to the Senate as follows, to wit:

House Bill No. 118, providing for the nomination by direct vote of all public officers, State as well as municipal.

House Bill No. 253, providing for the holding of a constitutional convention and the election of delegates thereto.

House Bill No. 130, changing the present rule with reference to the assistance that may be rendered a voter in marking his ballot.

House Bills Nos. 104, 123, 131, 122, 98 and 102, mainly increasing the penalties for violations of the laws relating to elections, and,

Whereas, All of said bills have been suffered to remain in different committees of the Senate without the slightest action thereon, since the 19th day of March and some of them since the 11th day of February last, and,

Whereas, Other bills in direct violation of the pledges of the party and in conflict with the bills herein specified, have received favorable consideration by the Committee on Elections in the Senate and are on the Calendar of that body for second reading and for final passage, and,

Whereas, The said Executive and Legislative Committee was duly empowered by the State Convention to represent the party and to appear before the General Assembly and the Governor of the Commonwealth to demand that the pledges of the Republican party be enacted into laws; therefore be it

Resolved, That we, the Legislative and Executive Committee, depreciate the inaction of the Senate of Pennsylvania controlled by members of the Republican party, and demand that the several bills passed by the House of Representatives in fulfillment of the party pledges be taken from Committee and acted upon without further delay, and further be it

Resolved, That the Chairman of the Convention, Hon. Stephen G. Porter, and the Chairman of the State Committee, Henry G. Wasson, Esq., members of this committee, be and they are hereby constituted a committee to present these resolutions as a memorial to the Senate of Pennsylvania.

REPORTS FROM COMMITTEES.

Mr. SNYDER, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 685, (House Bill No. 787) entitled:

An Act to amend an act, entitled "An Act to amend section one of an act, entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit,' approved the 26th day of April, A. D., 1893, providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due," approved the 3d day of May, A. D. 1909

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 895 (House Bill No. 195) entitled:

An Act declaring buildings and parts of buildings used for purposes of fornication, lewdness, assignation and prostitution to be nuisances, providing a method of abating same, establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act

Mr. THOMPSON, from the Committee on Corporations, reported as committed, Senate Bill No. 853, (House Bill No. 1158) entitled:

An Act amending an act approved the 14th day of May, 1889, entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth," as amended providing that the right obtained under an extension or branch shall not be as an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

BILLS INTRODUCED.

Mr. JARRETT read in his place and presented to the Chair Senate Bill No. 984, entitled:

An Act requiring counties to pay officers costs in certain cases where the accused dies before trial

Which was committed to the Committee on Judiciary General.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 985, entitled:

An Act empowering the select and common councils of cities of the first class to levy an ad valorem tax on either land or improvements on land or both and to provide a system for the assessment thereof

Which was committed to the Committee on Municipal Affairs.

Also, read in his place and presented to the Chair Senate Bill No. 986, entitled:

An Act authorizing corporations owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use as a beverage or for medicinal purposes to operate such distillery without a license and regulating the taxation of such corporations

Which was committed to the Committee on Judiciary Special.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 987, entitled:

An Act making a chief burgess of a borough eligible to the office for the next succeeding term

Which was committed to the Committee on Judiciary Special

Also, read in his place and presented to the Chair Senate Bill No. 988, entitled:

An Act to provide for the protection and preservation of game, game-quadrupeds and game-birds and song and in-

sectivorous and other wild birds and prescribing penalties for vilation of its several provisions

Which was committed to the Committee on Game and Fisheries.

Mr. SALUS, by request, read in his place and presented to the Chair Senate Bill No. 989, entitled:

An Act regulating insurance companies, corporations and associations insuring employers aginst liability under the provisions of the workmen's compensation law of 1913

Which was committed to the Committee on Insurance.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 990, entitled:

An Act regulating the qualifications and election of township supervisors in townships of the second class and limiting the term of all present township supervisors

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 991, entitled:

An Act to confirm conveyances of lands made by building and loan associations or companies after expiration of the term of their chartered existence

Which was committed to the Committee on Judiciary General.

Also, read in his place and presented to the Chair Senate Bill No. 992, entitled:

An Act providing for the recharter of building and loan associations or companies after expiration of their charter and for the taking over of all of the property and assets by the rechartered corpration

Which was committed to the Committee on Banks and Building and Loan Associations.

Also, read in his place and presented to the Chair Senate Bill No. 993, entitled:

An Act regulating the sale of exchange of defective or diseased horses and mules and providing a penalty for violation of this act

Which was committed to the Committee on Agriculture.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 994, entitled:

An Act authorizing the State Highway Commissiner to take over the rights of way of canal companies and of railroad and railways companies that have been abandoned or that have been built upon for the use of the State Highway Department for the purpse of locating and constructing State highways and providing a method of condemnation procedure.

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 995, entitled:

An Act prohibiting the offering or giving of premium by any person partnership or crporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vious spirituous malt or brewed liquors and providing a penalty for the violation theroef

Which was committed to the Committee on Law and Order.

Mr. MARTIN read in his place and presented to the Chair Senate Bill No. 996, entitled:

An Act making an appropriation to Carlisle Hospital of Carlisle Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 997, entitled:

An Act to repeal section two of an act approved June 3d 1911, entitled "An Act regulating the printing of the laws of this Commonwealth

Which was committed to the Committee on Judiciary Special.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 998, entitled:

An Act making an appropriation to the Westminster college located at New Wilmington, Lawrence county

Which was committed to the Committee on Appropriations.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 999, entitled:

An Act for the prtection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

Which was committed to the Committee on Judiciary Special.

Mr. MILLS read in his place and presented to the Chair Senate Bill No. 1000, entitled:

An Act to repeal section eight of an act entitled "An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same; to protect the waters within this Commonwealth from unfair improper, wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means; to provide for the appointment of fish wardens and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propagated for profit; to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Which was committed to the Committee on Game and Fisheries.

Mr. POWELL read in his place and presented to the Chair Senate Bill No. 1001, entitled:

An Act to further amend section seven of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the 5th day of May 1911 as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeenth and nineteen of an act entitled '"An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the 5th day of May 1911 by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for cmpliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effects of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of exception or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs'" approved the 2d day of April 1913 by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions exdelicto and providing for bills of particulars

Which was committed to the Committee on Judiciary General.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 1002, entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes; providing for the manner of issuance, restrictions and regulations in the matter of voting therof; and the rights and privileges of the holders thereof; and repealing all acts or parts of acts inconsistent therewith.

Which was committed to the Committee on Corporations.

Also, by request, read in his place and presented to the Chair Senate Bill No. 1003, entitled:

An Act making an appropriation to the Providence General Hospital of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 300, on final passage, entitled:

An Act to protect the health and lives of employes in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery and specifying the equipment to be used in connection therewith regulating the use of such blowers and apparatus and providing penalties for violation of this act.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 663, as follows:

An Act entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first class within this Commonwealth

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the moral protection and physical welfare of children attending the public schools in cities of the first class within this Commonwealth receiving State aid the governing body of each school building in such cities must provide and employ a matron suitable for supervision of the moral physical and hygenic welfare of the school children outside of the class rooms and such matron's authority shall extend to the enforcement of privacy and cleanliness in all lavatory arrangements in connection therewith

This act shall become operative immediately upon approval by his excellency the Governor of the Commonwealth

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Fisher,	Knapp,	Nulty,
Beidleman,	Gyger,	Martin,	Salus,
Clark,	Herbst,	McIlhenny,	Sheatz,
Cooper,	Hilton,	McNichol,	Sones,
Crow,	Homsher,	McNichols,	Thompson,
Daix,	Huffman,	Miller,	Washers,
DeWitt,	Hunter,	Mills,	Gerberich,
Endsley	Jarrett,	Moore,	Pres. pro tem.
Farley,	Jones,		

NAYS—1.

Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate bill No. 392, entitled:

An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between the municipal corporation and telegraph telephone or light or power companies.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. THOMPSON. Mr. President, I ask unanimous consent to amend the bill in section 1, lines 49 and 50, by striking out the words "electric motor or electric street railway company" and inserting in lieu thereof the words "electric motor railway company or traction company;" also in line 64, by inserting after the word "fixed" the words "for answering the said petition the respondent shall make answer within the time fixed;" also by adding to the title the words "by extending the provisions thereof to electric motor and electric street railway companies."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 759 (House Bill No. 926), entitled::

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Graff,	Jones,	Moore,
Beidleman,	Gyger,	Judson,	Nulty,
Buckman,	Hall,	Kline,	Powell,
Clark,	Heacock,	Knapp,	Salus,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Thompson,
Farley,	Hunter,	Miller,	Washers,
Fisher,	Jarrett.	Mills,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 760 (House No. 949), entitled:

An Act to give commissioners of public parks in cities of the first clas the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Knapp,	Salus,

Clark,	Herbst,	Kurtz,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones
DeWitt,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Mills,	Gerberich,
Fisher,	Jones,	Moore,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 761 (House No. 950), entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Knapp,	Salus,
Clark,	Herbst,	Kurtz,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Mills,	Gerberich,
Fisher,	Jones,	Moore,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 762, entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Heacock,	Knapp,	Powell,
Buckman,	Herbst,	Kurtz,	Salus,
Clark,	Hilton,	Martin,	Sensenich,
Cooper,	Hoke,	McIlhenny,	Sheatz,
Crow,	Huffman,	McNichol,	Snyder,
Daix,	Hunter,	McNichols,	Sones,
Endsley,	Jarrett,	Miller,	Thompson,
Fisher,	Jones,	Mills,	Wasbers,
Graff,	Judson,	Moore,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 763, entitled:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred and seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in cases of desertion or non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process' "

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JARRETT. Mr. President, I ask unanimous consent to amend Section 1, line 4, by striking out the word "edition" and inserting in lieu thereof the word "section;" also in line 44, by striking out the word "forty-nine" and inserting in lieu thereof the word "fifty-nine."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 764, entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State aid highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State highway or State aid highway.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Knapp,	Sensenich,
Clark,	Herbst,	Kurtz,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jarrett,	Mills,	Pres. pro tem.
Fisher,	Jones,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 772, on third reading, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 828, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Judson,	Nulty,
Beidleman,	Hall,	Kline	Powell,
Buckman,	Heacock,	Knapp,	Salus,
Clark,	Herbst,	Kurtz,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,		Gerberich.
Fisher,	Jones,	Moore,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McNICHOLS. Mr. President, at the request of the Senator from Luzerne, Mr. Catlin, I ask that Senate Bill No. 860, on third reading, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 862 (House Bill No. 218), as follows:

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person residing within this Commonwealth to hunt for wild birds or wild animals protected by the game laws of this Commonwealth with firearms or with a device of any kind propelling with force a leaden or metal pellet or bullet or except in the defense of person or property to shoot at or kill or pursue with intent to take kill or wound any such wild birds or wild animals found within this Commonwealth without first securing a license to so do in accordance with the provisions of this act

Section 2 Whenever the word "person" is used in this act such word shall be taken to include every person all words or terms in this act which refer to persons in the singular number shall be taken to include the plural number All words of the plural number shall include the singular number and all words of the masculine gender shall be taken to include the feminine gender

Section 3 For the purposes of this act any person born in the United States of America or any person fully naturalized under the laws of the United States or the son of any such naturalized person under the age of twenty-one years who has been a bona fide resident of this Commonwealth for a period of thirty days next preceding his application shall be entitled to the license herein referred to upon the further fulfillment of the requirements of this act

Section 4 Each and every resident of this Commonwealth such resident being a citizen of the United States upon application made verbally or in writing to any county treasurer within the Commonwealth and the presentation of proof that he is a citizen of the United States and a bona fide resident of this Commonwealth under the requirements of this act and the payment to said county treasurer of one dollar shall be entitled to what is herein designated as a "Resident Hunter's License" and a tag with the number of the license thereon Provided That no person under the age of sixteen years shall be entitled to or receive such license without presenting a written request therefor bearing the signature of his father or mother or his legally constituted guardian Provided further that no person under fourteen years of age shall be granted a license said license shall be issued on a form prepared and supplied by the Board of Game Commissioners at the cost of the Commonwealth Such license shall bear a description of the person applying for the same with the date of its issue and shall authorize the person named therein to use legal fire-arms for the purpose of hunting and killing any of the wild animals or game birds protected by the laws of this Commonwealth under the restrictions and requirements of existing laws during that year the date of which is inscribed thereon Said certificate shall become void upon the thirty-first day of December next following the date of issue the Game Commission shall also furnish free of charge and the county treasurer shall issue with each license a tag bearing the license number in figures at least one inch in heighth which tag said licensee is required to display on the back of the sleeve between the elbow and the shoulder in such manner that the figures be visible at all times while hunting Provided That it shall be lawful under the provisions of this act for any justice of the peace within this Commonwealth who has qualified therefor by having applied to the county treasurer of the county in which he is located and having received and receipted for the necessary blanks and tags to issue a resident hunter's license and tag on like conditions and in like manner as prescribed for the issuance of licenses by any county treasurer upon payment of fifteen cents to said justice by the said license in addition to the other dollar prescribed as the cost of said license said fifteen cents to be retained by said justice of the peace as his fee for the issuance of said license and reporting the same and remitting payment therefor to the county treasurer of the county in which said justice of the peace is located Such report and remittance to be made and done by said justice of the peace within twenty-four hours after the issuance of said license by him Whereupon said county treasurer shall make a record of and otherwise treat said license as though it had been issued from his office except that he shall also note upon his record the name of the justice issuing the license Every justice of the peace shall deliver the book or books from which he has issued licenses together with the stubs therein properly filled out and showing the names of each licensee and the number of the license issued to him to the treasurer of his county during the month of January of each year

Section 5 Any citizen of the United States resident within this Commonwealth who shall excepting in defense of person or property attempt through the use of a gun or mechanical device before described in this act to hunt for or to take or wound or kill any of the wild birds or animals protected by the laws of this Commonwealth without first being possessed of a "Resident Hunter's License" lawfully issued to him in his name shall be liable to a penalty of twenty dollars for each offense and each day upon which said gun or device is used shall be considered a separate and distinct offense Provided That nothing in this act shall be construed to prevent any citizen of the United States residing within this Commonwealth from having a gun in his home or from using such gun in defense of either person or proprty or from shooting at targets or from hunting for or shooting at in any place in this Commonwealth anything not protected by the laws of this Commonwealth or to prevent any bona fide owner or any bona fide lessee of lands within this Commonwealth or any member of the family of such owner or lessee such person being a citizen of the United States residing upon and cultivating lands in this Commonwealth from hunting thereon or by and with the consent of the owner thereof from hunting upon the lands immediately adjacent and connected with his own lands without securing the license provided for by this act it being distinctly understood that no right is conveyed by this act to hunt upon either private or public property in this Commonwealth contrary to the wishes of those who may own or control such property

Section 6 For the purpose of this act the fact that any person shall be found in possession of a gun or of a mechanical device of any description possessing the power to propel with force a leaden or metal bullet or pellet either in the field in the forests or on the waters of this Commonwealth shall be considered prima facie evidence that such person is hunting and shall render him liable to display his license tag as aforesaid and to show his "Resident Hunter's License" to any officer of this Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth or upon demand by the owner or the lessee or by the employe or representatives of such owner or lessee upon whose lands such per-

son may be found in this Commonwealth and for refusing or neglecting to comply with such request such person neglecting or refusing to display his license tag as aforesaid and exhibit his "Resident Hunter's License" shall upon conviction be liable to a penalty of twenty dollars and the fact that any person may be found upon the highways of the Commonwealth in possession of a gun and the dead body of any bird or animal protected by the laws of this Commonwealth shall be considered prima facie evidence that such person is hunting and such person upon demand made by any officer of the Commonwealth whose duty it is to protect the wild birds and game of the State shall be required to display his license tag as aforesaid and exhibit his "Resident Hunter's License" and for refusing to so do shall upon conviction be liable to a penalty of twenty dollars Provided That in all cases of arrest for violation of any of the provisions of this act except where the dead body of any game bird or animal is found in possession of the accused the affidavit of any person charged with such violation denying the charge made shall in every instance overbalance what is termed "prima facia evidence" in any of the provisions of this act and that all penalties collected for violation of any of the provisions of this section shall be paid into the State Treasury to be applied to the purposes otherwise provided for in this act

Section 7 Each and every county treasurer of this Commonwealth shall keep in a book to be supplied by the Board of Game Commissioners at the cost of the Commonwealth a correct and complete record of all "Resident Hunter's License" issued by him Such book shall be in the form of an alphabetical index and it shall be the duty of each county treasurer to have entered therein at the close of each week the name and place of residence of each individual to whom a license shall have been issued during that week and to forward immediately to the Game Commission a complete list of licenses granted with names and addresses of licensees and numbers of their respective license on blanks to be furnished by the Game Commission and this index shall be open at any reasonable hour to the inspection of any officer of the Commonwealth whose duty it is by law to protect the wild birds and game of the Commonwealth

Section 8 Said county treasurers are herewith authorized to retain for services rendered the sum of ten cents from the amount paid by each licensee which amount shall be full compensation for services rendered by him in each case under the provisions of this act and shall remit all balances arising from this source at least once a month to the State Treasurer for the purposes otherwise provided for in this act Each county treasurer shall make his return to the State Treasurer upon a form to be supplied by the Board of Game Commissioners at the cost of the Commonwealth and shall in every instance forward a duplicate of such report to the Secretary of the Board of Game Commissioners at Harrisburg

Section 9 Any officer of the Commonwealth whose duty it is to protect the wild birds or game of the Commonwealth or to preserve the peace of the Commonwealth shall have the right to arrest without warrant any person caught in the act of violating any provision of this act or in a pursuit immediately following such violation and to seize all guns shooting paraphernalia dogs boats decoys or other appliances used in violation of any provision of this act also all wild birds or animals game or otherwise found either in possession or under control of the suspected person within this Commonwealth All birds and animals or parts thereof not classed as game in this Commonwealth thus seized shall be held subject to the order of the Board of Game Commissioners All guns boats decoys dogs game and shooting paraphernalia seized when such arrest is made shall be held subject to the determination of the proceedings instituted and where the party accused is convicted all game seized shall be forfeited to the Commonwealth of Pennsylvania and as soon as may be shall be forwarded to the most convenient hospital for the use of the sick or injured therein All guns boats decoys dogs and shooting paraphernalia of every description thus seized shall be held subject to the payment of the penalty imposed and the costs of prosecution and unless security be given as required by section thirteen of this act all such seized guns boats decoys dogs and shooting paraphernalia shall be sold at public auction after advertising the same for five days by at least five public handbills conspicuously posted in the city borough or township wherein the conviction was secured Any fund thus arising shall be applied First to the payment of the costs of prosecution then to the payment of the penalty imposed and the remainder if any shall be returned to the owner of the property seized Where game dogs boats decoys or shooting paraphernalia of any description shall be seized and the owners thereof escape arrest and refuse to present themselves and make claim to said property all such game after the lapse of three days after the seizure shall be declared forfeited to the Commonwealth and shall be sent to the most convenient hospital for the purpose before indicated in this section All guns dogs boats decoys and other shooting paraphernalia thus seized shall be held for a period of ten days after which time if the owner thereof fails to appear and defend himself against the charges made such property of all description shall be sold in the manner prescribed for the sale of seized property after conviction and the fund arising from such sale be applied as in the case of the sale after conviction Provided That the fact that imprisonment is suffered by any person convicted of violating any provision of this act shall not prevent the sale of guns dogs boats decoys or shooting paraphernalia of any description held as the property of the imprisoned party and the application of the fund thus realized to the payment of the costs and the penalty imposed

Section 10 Each and every person resisting arrest for violation of any of the provisions of this act or refusing to go with an officer after an arrest has been made or interfering with an officer of the Commonwealth in the performance of his duty under the provisions of this act shall be liable to a penalty of one hundred dollars which penalty when collected shall be applied as are other penalties under the provisions of this act

Section 11 Whenever because of the violation of any of the requirements of this act any person shall be convicted for a first offense and a penalty be imposed and the defendant shall neglect or refuse to at once pay said amount together with the costs of prosecution in lawful money of the United States he shall at once be committed to the common jail of the county in which the conviction is secured for a period of one day for each dollar of penalty imposed unless he shall enter into good sufficient recognizance to either pay the penalty and costs within a period of ten days after the date of said conviction or to certiorari the proceedings under the forms of law or to carry the case to a higher court on appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto For the second or any additional offense after the first offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed Provided That in every case of a conviction for violation of any of the provisions of this act wherein the defendant suffers imprisonment in lieu of a cash payment of the penalty imposed or fails to pay the costs of prosecution all traps guns boats decoys shooting paraphernalia or other appliances used in violation of the law and found in his possession at the time of arrest or proven to have been used in violation of law shall be and they are hereby declared forfeited to the Commonwealth of Pennsylvania and shall be either destroyed or sold as the Board of Game Commissioners may consider best and the money secured through such sale shall be applied by said board first to the payment of the costs incurred and the remainder if any be deposited with the State Treasurer to be used for the purposes herein otherwise provided the defendant being entitled for the first offense only to the credit of one day off his imprisonment for each dollar so deposited with the State Treasurer

Section 12 All licenses fees collected under the provisions of this act and all fines and penalties imposed and collected for violation of any of its provisions shall be paid to the State Treasurer as hereinbefore designated who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the General Appropriation act or by separate appropriation for the payment of bounties It being specifically provided that fifty per centum of any fund returned to the State through or because of the provisions of this act or so much of said fifty per centum as may be needed shall be applied by the Legislature at its biennial sessions to the payment of bounties at the rate of one dollar for each mink killed two dollars for each weasel killed two dollars for each fox killed and four dollars for each wild cat killed and such bounty upon other animals or birds as may hereafter have a bounty placed upon them by the Legislature of the State such bounties to be paid upon proof of such killing as is now provided by the law of this Commonwealth

Section 13 Each and every magistrate justice of the peace and alderman within this Commonwealth shall have the power of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions of this act excepting where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magistrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrended by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor the penalty shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the Secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer to be applied to the purposes otherwise provided for in this act Each and every defendant convicted on appeal before any court of this Commonwealth shall be sentenced to pay

the penalty imposed by the section violated or to undergo imprisonment in the common jail of the county for one day for each dollar of penalty imposed and unpaid Provided that any person charged with violating any provision of this act may sign an acknowledgment of the offense committed either before or after the beginning of suit and pay to any duly appointed and commissioned game protector deputy or special deputy game protector the penalty in full as fixed by the act together with the costs accruing to the State to that date and the printed receipt therefor which shall in every instance bear the imprint of the Seal of the Board of Game Commissioners of Pennsylvania and the signature of its secretary shall be evidence of full satisfaction of the offense committed Provided further that when any person or persons are arrested for any violations of the provisions of any section of this act the party or parties making said arrests shall immediately thereafter take or cause to be taken the parties so arrested to the nearest justice of the peace magistrate or alderman for a hearing upon the charge upon which said person or persons were arrested

Section 14 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Knapp,	Salus,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Hilton,	McIlhenny,	Sheatz,
Crow,	Hunter,	McNichol,	Snyder,
Daix,	Jarrett,	McNichols,	Thompson,
DeWitt,	Jones,	Moore,	Vare,
Farley,	Judson,	Nulty,	

NAYS—12.

Beidleman,	Herbst,	Huffman,	Mills,
Endsley,	Hoke,	Martin,	Wasbers.
Fisher,	Homsher,	Miller,	Gerberich, Pres. pro tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 877, entitled:

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Herbst,	Knapp,	Powell,
Buckman,	Hilton,	Kurtz,	Salus,
Clark,	Hoke,	Martin,	Sensenich,
Cooper,	Homsher,	McIlhenny,	Sheatz,
Crow,	Huffman,	McNichol,	Snyder,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
Fisher,	Jones,	Mills,	Wasbers,
Graff,	Judson,	Moore,	Gerberich, Pres. pro tem.

NAYS—1.

Heacock,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO RESUME CONSIDERATION OF BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. BUCKMAN. Mr. President, I move that the Senate resume consideration of Senate Bill No. 549 (House Bill No. 813), on third reading postponed for the present, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act.

Mr. ALEXANDER. Mr. President, I second the motion.

Mr. HALL. Mr. President, I object and call for the regular order.

The PRESIDENT. The Chair hears objection.

BILL ON TUIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 878, entitled:

An Act providing for the establishment of a State Department of Standardization and Supervision of Accounts requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations from the State or any sub-division thereof to keep accounts and to make reports in the form prescribed by said Department providing for the inspection by said Department of the accounts of all such officers or offices defining the offenses in relation thereto and providing punishments for violations of the provisions thereof.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. POWELL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. HOKE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 940 (House No. 174), entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battlefield of Gettysburg providing for the expenses of the commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Kline,	Salus,
Buckman,	Hall,	Knapp,	Sensenich,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hilton,	McIlhenny,	Sones,
Crow,	Hoke,	McNichol,	Thompson,
Daix,	Homsher,	McNichols,	Vare,
DeWitt,	Huffman,	Miller,	Wasbers,
Endsley,	Hunter,	Mills,	Gerberich,
Farley,	Jarrett,	Moore,	Pres. pro tem.
Fisher,	Jones,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 941 (House No. 1639), entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth, Anno Domini one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to the next session of General Assembly and making an appropriation for the payment of expenses of said commission" and June fourteenth Anno Dom-

ini one thousand nine hundred and eleven entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the Act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said commission and defining the duty thereof" respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Kline,	Salus,
Buckman,	Hall,	Knapp,	Sensenich,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hilton,	McIlhenny,	Sones,
Crow,	Hoke,	McNichol,	Thompson,
Daix,	Homsher,	McNichols,	Vare,
DeWitt,	Huffman,	Miller,	Washers,
Endsley,	Hunter,	Mills,	Gerberich,
Farley,	Jarrett,	Moore,	Pres. pro tem.
Fisher,	Jones,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

MOTION TO RESUME CONSIDERATION OF BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. BUCKMAN. Mr. President, I move that the Senate resume consideration of Senate Bill No. 549 (House Bill No. 813), on third reading postponed for the present, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germicides and providing penalties for the violation of this act.

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McILHENNY. Mr. President, I move to amend, that this bill be recommitted to the Committee on Public Health and Sanitation for the purpose of a hearing.

Mr. JUDSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. BUCKMAN. Mr. President, I understand from that Chairman of the Committee on Public Health and Sanitation that this bill has been fully and fairly considered by that committee and that there is no necessity to have it recommitted at this late hour. It has already passed the House and is now on final passage in this body.

Mr. McILHENNY. Mr. President, I desire to interrogate the Chairman of the Committee on Public Health and Sanitation.

The PRESIDENT. Will the Senator from Blair, Mr. Jones, permit himself to be interrogated?

Mr. JONES. Mr. President, I will.

Mr. McILHENNY. Mr. President, unfortunately I was not at all the meetings of this committee. Was there any hearings held on this bill?

Mr. JONES. Mr. President, no hearings was had. Mr. Walker, from New York, asked that a copy of the bill be sent him.

Mr. McILHENNY. Mr. President, I understand that if this bill passes there is only one concern can sell disinfectants in Pennsylvania and that is a New York concern; that this bill provides that all disinfectants shall be on a carbonic basis and also saluble in water, and that therefore the manufacturers in Pennsylvania who do not use carbolic acid as their base or have for a disinfectant that which is used, such as sulphur, for burning in the room, would be prevented from doing business here. This bill has been introduced in all of the States of the Union, I believe, and I think has gotten through none but Maryland. It is a bill that ought to be heard before being acted upon by the Senate.

Mr. JONES. Mr. President, the Senator from Philadelphia, Mr. Daix, introduced this bill and it was introduced in the House by Mr. Connor. Mr. Daix is not in shape to present his side of the question to-night, I understand, and I have no objection to the bill remaining on the postponed calendar.

Mr. BUCKMAN. Mr. President, I desire to withdraw my motion that the Senate resume consideration of this bill.

Mr. McNICHOL. Mr. President, I do not think that this is a fair way to treat this bill, because in talking with the Senator from Philadelphia, Mr. Daix, who by reason of illness is not able to assume any of the responsibility of defending the bill at this time, he informs me that the reverse of what the Senator from Philadelphia, Mr. McIlhenny, has stated is really the condition; that there has been but one man in this country by the name of Walker objecting to this bill because he has a monopoly of what is now the existing condition for this disinfectant proposition, and that the contrary is true in reference to the treatment of this bill in the several States of the Union. The bill passed every Legislature in which it has been introduced, and I think out of deference to the Senator from Philadelphia, and owing to his physical condition, that the bill should remain on the calendar where it is without sending it back to committee. He can make a sufficient and substantial explanation of the bill at the proper time, which I think will satisfy all the Senators in this chamber.

Mr. McILHENNY. Mr. President, I am perfectly willing to facilitate the Senator from Philadelphia, Mr. Diax, in what he is trying to do, and I am perfectly willing to withdraw my motion provided it is understood that the Senator from Philadelphia, Mr. Diax, will tell me when he will bring this bill to a vote.

Mr. McNICHOL. Mr. President, on behalf of the Senator from Philadelphia, Mr. Daix, I will say that the Senator will be given that information.

Mr. McILHENNY. Mr. President, I withdraw my amendment to the motion.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 364, as follows:

An Act to fix regulate and establish the fees to be charged by constables in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That from and after the passage of this act the fees to be charged and received by constables in this Commonwealth shall be as follows:

For executing a warrant on behalf of the Commonwealth for each defendant one dollar

For conveying defendants to jail on mittimus or warrant for each defendant one dollar and in addition thereto the actual cost of transportation of such defendant or defendants

For arresting persons guilty of a breach of the peace riotous or disorderly conduct drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any ordinance of any borough for the violation of which a fine or penalty is imposed or offending or suspected of offending against the laws of this Commonwealth protecting timber lands or the violation of any other law of this Commonwealth authorizing arrest by constable without process and bringing such offender before a pustice of the peace for each defendant one dollar

For ever act in or about the commitment of vagrants for every such act one dollar

For the execution of each and every precept issued by a justice of the peace for the bringing of a prisoner from the county jail to the justice's office for a hearing the fee of one dollar

For the execution of each and every precept issued by a justice of the peace for the release of any defendant from the county jail the fee of one dollar

For attending a trial by jury before a magistrate alderman or justice of the peace one dollar and fifty cents per diem

For serving summons on jury selected to try any case before a magistrate alderman or justice of the peace the first juror fifty cents and each additional juror twenty-five cents

For attending hearings in criminal cases one dollar for each and every hearing

For levying a fine or forfeiture on a warrant one dollar.
For taking the body of a defendant into custody on a mittimus where bail is afterwards entered before delivery of body to the jailer one dollar
For executing bail piece one dollar
For executing a search warrant and making return thereon one dollar
For making returns to the court of quarter sessions two dollars and fifty cents
For serving summons notices on referees suitor or tenant either personally or by leaving a copy fifty cents for each person served
For serving subpoena fifty cents for the first witness and twenty-five cents for each additional witness served
For executing attachment seventy-five cents for each defendant and garnishee served
For arresting on a capias or for delivery of goods seventy-five cents
For notifying plaintiff where defendant has been arrested on capias to be paid by plaintiff seventy-five cents
For serving capias execution one dollar
For executing landlord's warrant one dollar
For taking inventory of goods each item five cents
For levying or distraining goods one dollar
For selling goods levied or distrained for each dollar not exceeding one hundred dollars five cents and for each dollar in excess of one hundred dollars three cents and in addition one dollar for clerk hire
For receiving and paying over money paid after a levy without sale on each dollar actually received and paid over by the constable to the creditor three cents
For advertising sale of goods levied or distrained two dollars
For copy of vendue paper when demanded each item three cents
For putting up notice of distress at mansion house or at any other place on the premises fifty cents
For serving scire facias either personally or by leaving a copy for each person served seventy-five cents.
For executing order for removal of pauper one dollar
For serving executions one dollar
For making return of nulla bona or non est inventus on any writ fifty cents
For executing writ of restitution three dollars
For executing writ of possession three dollars
For serving summons in landlord and tenant proceeding seventy-five cents
For taking inventory of goods on an execution each item five cents
For holding appraisement where exemption is claimed by defendant five dollars out of which the constable shall pay to each appraiser one dollar
For attending general special township ward or borough election three dollars and in addition thereto fifty cents for each and every notice served in writing to the several persons elected at such special township ward or borough elections Provided That where any such election be held in any township ward or borough in which there are more than one election district or precinct and a deputy constable is appointed to attend elections held at each of such districts or precincts said deputy constables shall each receive the sum of three dollars
For services not herein specifically provided for the same fees may be charged and received as for similar services
For traveling expenses in the performance of any duty or service required by law each mile going and returning ten cents to be computed by the route usually traveled in going from points and places where said constables may reside or where he receives any paper to be executed to the points or places required to be traveled whether that route be by highways railroads traction lines or otherwise. Provided That in no case shall more mileage be demanded taxed or received than for the miles actually traveled

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed but this act shall not be understood or construed to repeal modify or affect the provisions of the following acts

An Act entitled "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three and the several amendments thereto

An Act entitled "An Act to change the mode of criminal proceedings in Erie and Union counties" approved the first day of May Anno Domini one thousand eight hundred and sixty-one and the several extensions and supplements thereto

An Act entitled "An Act to amend 'An Act to provide for the destruction and to prevent the spread of Canada Thistle' approved the twenty-second day of March Anno Domini one thousand eight hundred and sixty-two" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and eighty-five

An Act entitled "An Act to supplement an act entitled 'An act defining the powers of the several courts of quarter sessions of the peace within the Commonwealth with reference to the care treatment and control of defiant neglected incorrigible and dlinquent children under the age of sixteen years and providing for the means on which such power may be exercised'" approved the seventh day of June Anno Domini one thousand nine hundred and seven

And sand bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 441, as follows:

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth" approped the second day of July one thousand eight hundred and thirty-nine by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seventy-four of an act entitled "An Act relating to the election of this Commonwealth" approved the second day of July one thousand eight hundred and thirty-nine as amended by section one of an act approved the sixteenth day of April Anno Domini one thousand nine hundred and three which reads as follows

"Section 74 As soon as the election shall be finished the tickets list of taxabales one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for all services rendered in the care of the ballot-box or boxes placed in his custody said sum to be paid by the county treasury upon an order drawn by the county commissioners) to answer the call of any person or tribunal authorized to try the merits of such election and the other list of voters tally-papers and certificates shall be inclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed" be amended so as to read as follows

Section 74 As soon as the count shall be finished the tickets list of taxables one of the lists of voters the tally-papers and one of the certificates of the oath or affirmation taken and subscribed by the inspectors judges and clerks shall all be carefully collected and deposited in one or more of the ballot-boxes and such box or boxes being closely bound round with tape shall be sealed by the inspectors and judge of the election and together with the remaining ballot-boxes shall within one day thereafter be delivered by one of the inspectors to the nearest justice of the peace who shall keep such boxes containing the tickets and other documents (said justice of the peace to receive the sum of three dollars per year for all services rendered in the care of the ballot-box or boxes placed in his cutsody said sum to be paid by the county treasurer upon an order drawn by the county commissioners) to answer the call of any person or tribunal authorized to try the merits of such election and the other list of voters tally-papers and certificates shall be inclosed by the said inspectors and judge in a sealed cover directed to the prothonotary of the court of common pleas of the county and shall by some one of them be delivered into his office within three days thereafter where the same shall be filed For the distance necessarily traveled in delivering the ballot-boxes to the justice of the peace as aforesaid such inspector shall be entitled to receive the same mileage as is allowed by law to judges of election for delivering the returns of township elections to the prothonotary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McILHENNY. Mr. President, I move that Senate Bill No. 441, the bill just read, be recommitted to the Committe on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS RECOMMITTED.

Mr. POWELL. Mr. President, I move that Senate Bill No. 444, on second reading, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and elction of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the method of counting the votes.

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHEATZ. Mr. President, I move that Senate Bill No. 449, on second reading, entitled:

An Act fixing the term of registry assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years.

be recommitted to the Committee on Elections.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. McILHENNY. Mr. President, I move that Senate Bill No. 450, on second reading, entitled:

An Act to amend the title and sections one and two of an act approved June twenty-five Anno Domini one thousand eight hundred and ninety-five entitled "An Act requiring tax colectors of townships and boroughs of the Commonwealth to give a numbered tax receipt from a book to be furnished by the county commissioners containing a correspondingly numbered stub and requiring a sheet setting forth name amount of tax paid and number of receipt to be sent twenty days before each election to the county commissioners for public inspection and to provide for punishment of tax collectors violating the provisions of this act."

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHEATZ. Mr. President, I move that Senate Bill No. 451, on second reading, entitled:

An Act to amend section one of an act approved the sixtenth day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" by enlarging the term of assistant assessors companies and for the regulation of home and foreign fire providing for their election every four years and changing the power of filling vacancies from the court of quarter sesions to the county commissioners.

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHEATZ. Mr. President, I move that Senate Bill No. 457, on second reading, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior Courts when such office is to be filled at a municipal election

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. SHEATZ. Mr. President, I move that Senate Bill No. 459, on second reading, entitled:

An Act to amend an act entitled "An Act providing a uniform method of electing certain party officers delegates to State and National Conventions and of making nominations for certain public offices providing for the payment of expenses of the same making certain violations thereof misdemeanors and prescribing for the violation of its provisions" approved the seventeenth day of February Anno Domini one thousand nine hundred and six by providing that the signed consent of the candidate delegate or alternate delegate to State and National conventions and public offices shall accompany every petition to place his name upon a primary ballot providing that no candidate delegate or alternate delegate to State and National conventions or public offices shall be printed upon the ballot of more than one party providing who shall be entitled to sign petitions for nominations at a primary and who shall be a candidate delegate or alternate delegate to State or National convention or public offices and further to provide for the withdrawal of candidates delegates or alternate delegates to State and National conventions and public offices and for the amendment of the uniform primaries act approved the seventeenth day of February Anno Domini one thousand nine hundred and six as amended by section two of the act approved the sixth day of April Anno Domini one thousand nine hundred and eleven by changing the date of the holding of the primary election each year

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 478 (House Bill No. 587), entitled:

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven Pamphlet Laws tyenty-eight entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 485, on second reading, entitled:

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act poviding for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 528 (House Bill No. 127), entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred and five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such elections and the indebtedness represented by such bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 539 (House Bill No. 505), entitled:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 616, as follows:

An Act to establish as a "State Highway" a certain section of public road beginning in the southern boundary of the borough of Nazareth thence by way of Newburg and Hecktown to a point on the northern boundary of the borough of Bethlehem connecting with route number one hundred fifty-nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted in the authority of the same That a certain section of public road beginning in the southern boundary of the borough of Nazareth thence by way of Newburg and Hecktown to a point on the northern boundary of the borough of Bethlehem connecting with route number one hundred fifty-nine shall be adopted June first one thousand nine hundred and fourteen by the Commonwealth as a "State Highway" to be constructed and maintained at the sole expense of the State under the provisions of the existing laws governing main highways

Section 2 The cost and expense of the maintenance construction and improvement of the highway herein described shall be paid out of any moneys appropriated to the State Highway Department for the maintenance reconstruction or improvement of State Highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOLAS. Mr. President, at the request of the Senator from Luzerne, Mr. Catlin, I move that Senate Bill No. 656, on second reading, entitled:

An Act to provide for the health and safety of persons employed in and about the Anthracite coal mines in the Commonwealth of Pennsylvania for the protection and preservation of property connected therewith for investigations and inquests after accidents defining the liability of employers and prescribing penalties for violations of this act

be recommitted to the Committee on Mines and Mining for the purpose of a hearing.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of Senate Bill No. 807 (House Bill No. 751), entitled:

An Act to prrovide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. POWELL. Mr. President, I ask that Senate Bill No. 810, (House Bill No. 917), on second reading, entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of the act

go over in its order. This bill appears to me to be special legislation.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of Senate Bill No. 839 (House Bill No. 420) entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceed to the second reading and consideration of Senate Bill No. 849 (House Bill No. 1071), entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-nine by extending its provisions so as to embrace the practice of the law of this or any State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be read in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and considera tion of Senate Bill No. 850 (House Bill No. 1094), entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be read in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 851 (House Bill No. 1097), entitled:

An Act to amend section two of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 876, on second reading, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms of such offices whenever the Constitution of the United States shall be amended so as to provide for the election of United States Senator by a vote of the electors of several States

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 883, on second reading, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonyealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party and a condition of the right to vote at primaries in said cities providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. KLINE. Mr. President, I move that Senate Bill No. 884, on second reading, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

be recommitted to the Committee on Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 888 (House Bill No. 442), entitled:

An Act amending section one thousand four hundred and twelve in article fourteen of an act approved the eighteenth day of May one thousand nise hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOLS. Mr. President, I move that Senate Bill No. 891 (House Bill No. 857), on second reading, entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace

be recommitted to the Committee on Judiciary General for the purpose of amendment.

Mr. HALL. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO DISCHARGE COMMITTEE FROM CONSIDERATION OF HOUSE BILL NO. 118.

Mr. POWELL. Mr. President, I move that the Committee on Eelections be discharged from the further consideration of House Bill No. 118, entitled:

An Act regulating certain volitical parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of certain party of-

ficers delegates and alternate delegates to National Party Conventions and of a method whereby electors of such political parties may express their choice of candidates for the offices of President of the United States candidates for the offices of United States Senator and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State Committee of a Political party to make and to alter amend and revoke party rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

and that it be placed on the calendar of the Senate and be read for the first time to-night.

Mr. JARRETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McNICHOL. Mr. President, I would like to have some reason assigned for the offering of that motion at this time.

Mr. POWELL. Mr. President, the reasons are that this is one of the bills pledged in the Republican platform at the State Convention held on May first of the past year. providing for the nomination at a direct primary of all officers to be elected by the people. The further reason is that this bill has been in the Committee on Elections, since, as I understand it, the 14th day of March, and there has been plenty of time for the consideration of the bill. In addition to that we had out and advanced on the calendar to second reading a number of bills which are exactly contrary to the bills pledged by the Republican State Convention. This bill provides for the election at a primary and the Senator from Philadelphia a few minutes ago of his own motion recommitted a bill which had been reported out from his committee and advanced to second reading on the calendar, which provides that United States Senators should be nominated and elected at a State convention and it seems to me that this bill should at least be brought out and placed upon the calendar and advanced as far as the Senator's bill and then that they meet upon the calendar for the proper consideration of this Senate.

Mr. McNICHOL. Mr. President, In reply to the Senator from Allegheny, I want to say and desire to state that the Committee on Elections has been considering these election bills for the past three weeks. I think it was over two weeks ago the Committee on Elections took up the entire number of bills which had been committed to its cars. went over these bills very carefully, authorized the Chairman to report out the bills, for the purpose of having them printed, and to have them recommitted to the Committee for further consideration, at which time the whole membership of the Committee will be present, and the Primary Election Bill along with all the other bills will be given due consideration by the Committee on Elections. It is true, as the gentleman states that a convention of some kind declared its desires for certain conditions, but it has taken me up to the present time to discover as to some of these gentlemen who had been delegates last May, what their politics really are today, and I think it is wise for the Committee on Elections to give proper and due consideration to these bills. because as I understand conditions politically from what I read in the newspapers, I do not think it is concerning some of the gentlemen who were present in that convention what may become of the Republican party in the future, and I trust the members of this Committee will sustain the Committee on Elections so far as to say that they have been giving these bills proper and due consideration, and in proper time and due time these bills will be out on the floor of the Senate for consideration and the Senator from Allegheny will have an opportunity to present his proposition.

Mr. HERBST. Mr. President, I find that the Committee on Elections consists of Messrs. McNichol, Chairman; Catlin, Vare, Powell, McNichols, Salus. Graff, Sensenich, Sones, Farley and Gerberich, ex officio. I find by this list of the members of this Committee, that Senator Powell is a member of this Committee. I should like to interrogate the Senator whether he tried to get these bills, out, whether he made a motion in the Committee to report these bills out. because I want to vote against his motion if he did not make a proper effort in the Committee to get them out.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated?

Mr. POWELL. Mr. President, with pleasure.

Mr. HERBST. Mr. President, I would like to know whether he made an effort in the Committee, made a motion to get the bills out in proper form.

Mr. POWELL. Mr. President, I did make a proper effort before that Committee, because I asked the Chairman of that Committee if he would kindly report them out. Mr. President, I have not finished my answer. Everybody in this Senate knows that was all the effort anybody could make in the Committee on Elections.

Mr. HERBST. If that was the only way in which the Senator from Allegheny attempted to bring out these bills, I will not agree to press this motion, as far as I am personally concerned, because there are other gentlemen upon that Committee, and I think the proper way would be for the Senator to go before that Committee, because he is a member of it and make a motion and if the Committee itself votes him down, then he should have a right to come upon the floor of the Senate and try to bring them out, but not before he makes a proper effort in his own committee. I think it very discourteous to the other members of the Committee to make this motion.

Mr. VARE. Mr. President, I hope the members of the Senate will keep this bill in committee for consideration along with the rest of the election bills. So far as this particular bill is concerned, when it gets in proper shape, I expect to vote for it, but I do not see any reason why it should be rushed through without the proper consideration, which I do not think it has had up to this time.

Mr. POWELL. Mr. President, this bill can come out of the committee, be read the first time to-night, be read the second time to-morrow, and then it stands in the same place upon the calendar as the other bills stand and the committee is in proper shape to consider it. Of course, I did not make the motion as the Senator from Berks, Mr. Herbst, says, and there is only one fair way and that is, put these bills upon the calendar side by side. Every Senator will vote for one bill and not for the other then. That is the responsibility of each individual Senator who votes. But these bills should come along and in regard to the politics of this proposition there is only one way to carry out the pledges of the Republican party in this State, and that is to carry them out. The gentleman from Philadelphia was in that convention and made no objection so far as I heard. I had the honor of sitting on the side lines of that convention and was not a delegate, but my recollection is that the Senator from Philadelphia was the most ubiquitous person there. and the man who walked out with more admiration from the people who were on the other side than any one man in that convention, and he should be the last man in the State of Pennsylvania to raise the slightest objection to this motion.

Mr. McNICHOL. It is true that I was in the State Convention, and having had considerable experience in the last twenty or twenty-five years in dealing with steam-rollers, I saw before me on the stage the most improved, up-to-date steam-roller that was ever invented in this or any other State; consequently, having some desire to return to my family, I did not propose to put myself in front of it. Now the Senate of Pennsylvania will give due and proper consideration and deliberation to these bills and I promise the Senator from Allegheny that the Committee on Elections will give consideration and deliberation to them and the result of these deliberations will be apparent to every gentleman upon this floor.

Mr. POWELL. Mr. President, if I may take the time, we have had so many conventions in the State of Pennsylvania. that have heretofore been characterized as one-man conventions, that it ill becomes the gentleman from Philadelphia who has been a part and parcel of steam-rollers in conventions for twenty-five or thirty years, to make one kick about one single steam-roller when the people get their dues. I was in the same situation in the Committee on Elections, therefore I did not make the motion. I ask this Senate for fair treatment. Bring these two bills out and put them on the calendar for second reading the same as the other bills and then let us talk about the consideration of both these bills in the Committee on Elections.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. POWELL and Mr. JARRETT and were as follows, viz:

YEAS—14.

Alexander,	Jarrett,	Mills,	Powell,
Heacock,	Jwdson,	Moore,	Sensenich,
Hilton,	McIlhenny,	Nulty,	Wasbers,
Hoke,	Miller,		

NAYS—30.

Beidleman,	Farley,	Hunter,	Sheatz,
Buckman,	Fisher,	Jones,	Snyder,
Clark,	Graff,	Kline,	Sones,
Cooper,	Gyger,	Kurtz,	Thompson,
Crow,	Hall,	Martin,	Vare,
Daix,	Herbst,	McNichol,	Gerberich,
DeWitt,	Homsher,	McNichols,	Pres. pro tem.
Endsley,	Huffman,	Salus,	

So the question was determined in the negative.

MOTION TO DISCHARGE COMMITTEE FROM CONSIDERATION OF HOUSE BILL NO. 253.

Mr. HILTON. Mr. President, I move that the Committee of Judiciary Special be discharged from the further consideration of House Bill No. 253, entitled:

An Act regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected

and that the bill be placed upon the calendar of the Senate and be read for the first time to-night.

Mr. POWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McILHENNY. Mr. President, I desire to interrogate the Senator from McKean, Mr. Hilton.

The PRESIDENT. Will the Senator from McKean, Mr. Hilton, allow himself to be interrogated?

Mr. HILTON. Mr. President, I will.

Mr. McILHENNY. Mr. President, that bill is what? What does it provide for? Do you know the Senate number?

Mr. HILTON. Mr. President, this is the constitutional convention bill, House Bill No. 253.

Mr. POWELL. Mr. President, I want to say for the information of our Democratic brethren that this bill is a consolidation of the bill introduced by Mr. John R. K. Scott and one introduced, I think, by Mr. Humes, and was agreed upon by the Democrats and Progressives on the House side, and passed the House almost unanimously as I understand it, or passed by a very considerable majority, I don't want to go any further than that.

Mr. CROW. Mr. President, it is very evident from the procedure that this is intended to be a general attack upon the Committees of the Senate. There is nothing before the Senate at this time to indicate that any efforts whatever have been made to get this bill out of committee. It does not even appear from anything that has been said that there has ever been a hearing asked for before the Committee on this bill, or a motion made by any member of the Committee that it be reported favorably or unfavorably, and under these circumstances it seems to me a very dangerous precedent for this Senate to vote to discharge one of its committees from the consideration of a bill and put it upon the calendar without its consent. The committees of the Senate are a time-honored institution. They have played an important part in the legislation of this body, and it is almost without precedent that the members of the Senate have voted to discharge the members of a committee from the consideration of a piece of legislation, unless it appeared that gross indifference and discourtesy has been shown to those interested in the legislation. Now, nothing of that kind appears before the Senate at this time in regard to this piece of legislation, and I most sincerely hope that the members of this Senate will not go on record by making as dangerous a record or precedent as the passing of this motion will make. The committees of the Senate have other legislation in their hands outside of the few that have been specially recommended by the Republican State convention. Every member of the Senate has some piece of legislation in which he is interested and his constituents are interested either in keeping it in committee or seeing that it is reported out. The committees are appointed to perform an essential part of the work and if the committees mean nothing they should not be appointed. If we are to respect them, then the Senate should not go on record as passing this motion.

Mr. HILTON. Mr. President, if I understand right, this bill has been in the Committee for several months, and I do not see the necessity of some one going every day and trying to get an important bill on the calendar when the Committee has had it for consideration for so many months, and it seems to me a good reason to have it put on the calendar and let us vote upon it and see whether the Senate wants it or not.

Mr. McILHENNY. Mr. President, I desire to further interrogate the Senator from McKean, Mr. Hilton.

The PRESIDENT. Will the Senator from McKean, Mr. Hilton, permit himself to be interrogated?

Mr. HILTON. Mr. President, I will.

Mr. McILHENNY. Mr. President, does this bill call for a constitutional convention, or is it merely a way of conducting elections.

Mr. HILTON. Mr. President, I am not so well posted upon the bill. I know it calls for a constitutional convention and it has been in the committee for some months and for that reason I hope it will be brought out of Committee and be considered by this Senate. I favor any important bill that has been in committee for several months coming out. It will be read on three different days and we will have a chance to discuss the bill.

Mr. McILHENNY. It seems unfortunate that in this controversy there seems to be a great deal of politics. Personally I have always voted to discharge any committee from the consideration of a bill and would not have my own feelings hurt in the least if this Senate would discharge any committee from the consideration of any bill that is in that committee. I do think it proper for the good of the State that the entire Senate shall act on important bills, and if the committee does not consider the bill, I do think that any committee should feel sensitive if the Senate should bring out the bill. But it does seem a rather unique proceeding that we should ask a committee to be discharged from the consideration of a bill when nobody seems to know what the bill is. I think a committee ought to be discharged from the consideration of any bill when it is plainly stated before the Senate what the bill is and when the Senate thinks the bill is in shape it should consider and vote it, but if it is a bill the Senate does not know anything about, it seems to me it would be a mistake.

Mr. SNYDER. Mr. President, will the Senator from McKean County, Mr. Hilton, permit himself to be interrogated?

Mr. HILTON. Mr. President, yes, sir.

Mr. SNYDER. Mr. President, when did the Senator from McKean, Mr. Hilton, find out that the bill was in the Committee on Judiciary Special for the first time? When was he informed the first time that the bill was before the Judiciary Special Committee?

Mr. HILTON. Mr. President, I have understood it for some time. I understand that it passed over some time ago from the House and went to the Committee on Judiciary Special.

Mr. SNYDER. That is not an answer to my interrogation. I desire an answer to my interrogation and submit it again. When did the Senator from McKean, Mr. Hilton, learn for the first time that the bill was before the Committee on Judiciary Special.

Mr. HILTON. Mr. President, I was informed a few days ago that it was in the Judiciary Special Committee.

Mr. SNYDER. Mr. President, when? Will the Senator tell me when?

Mr. HILTON. Mr. President, I could not tell you just what time.

Mr. SNYDER. Mr. President, a few days in point of time, senatorial days, or when?

Mr. HILTON. Mr. President, I could not tell you what day it was, a few days ago.

Mr. SNYDER. Mr. President, will the gentleman tell me whether or not within the last twenty-five minutes he was informed of that and a paper handed him and he was asked to make the motion to discharge the committee from the consideration of this bill?

Mr. HILTON. Mr. President, I knew of this bill being in the Judiciary Special Committee before. Mr. President, there are several bills that have passed the House of great importance to the people of the State of Pennsylvania, and this is one of them, and they ought to have the bills passed through the House and Senate. There are a great many of them held up in the committees, and I think that we, as members of the Senate, have a perfect right to ask for the committees to be discharged from the consideration of these bills, and get them upon the calendar of this Senate for the simple reason that we have the chance to consider them.

Mr. SNYDER. Mr. President, the Senator from McKean, Mr. Hilton, is making a speech and not answering an interrogation. I desire to interrogate the Senator from McKean, Mr. Hilton, further.

The PRESIDENT. Will the Senator from McKean, Mr. Hilton, allow himself to be further interrogated?

Mr. HILTON. Mr. President, yes, sir.

Mr. SNYDER. Mr. President, is it not a fact that in the last half hour the Senator from McKean, Mr. Hilton, was handed a slip containing this motion?

Mr. HILTON. Mr. President, I have had a talk with several different people this evening in regard to the importance of several of these bills being reported out of the committees, and I agreed to make the motion to report one of them out and this is the one.

Mr. SNYDER. Mr. President, I still insist upon my interrogation being answered. Will the Senator from McKean, Mr. Hilton, please tell the Senate and Chairman of the Judiciary Special Committee whether or not it is true that in the last half hour he has been asked upon a slip of paper handed to him by somebody in the body of the Senate asking him to move to discharge the Committee on Judiciary Special from the consideration of this bill without his knowledge before hand?

Mr. HILTON. Mr. President, I would like to ask the Senator from Schuylkill, Mr. Snyder, what importance that is to the Senate what talk I have had in the last few minutes in regard to the reporting as important a bill as this is. I have asked that the committee be discharged from the further consideration of this bill because I believe that the committee has had plenty of time to consider it and it should come before the Senate now for our consideration.

Mr. SNYDER. Mr. President, does the Senator from McKean, Mr. Hilton, desire to refrain from answering the question?

Mr. HILTON. Mr. President, I have answered the question.

Mr. POWELL. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Powell, will state his point of order.

Mr. POWELL. Mr. President, my point of order is that if the Senator from Schuylkill, Mr. Snyder, wishes to further interrogate the Senator from McKean, Mr. Hilton, he should address the Chair first.

Mr. SNYDER. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated?

Mr. POWELL. Mr. President, with pleasure.

Mr. SNYDER. Mr. President, does the Senator from Allegheny, Mr. Powell, wish to take the place of the Senator from McKean, Mr. Hilton, and answer for him?

Mr. POWELL. Mr. President, with pleasure again.

Mr. SNYDER. Mr. President, then what does the Senator from Allegheny, Mr. Powell, know about this bill being before the Judiciary Special Committee?

Mr. POWELL. Mr. President, I happen to know that on the day this bill came over from the sponsor for the bill in the House, Mr. John R. K. Scott, told me the bill came over and told me it was in the Committee on Judiciary Special.

Mr. SNYDER. Mr. President, as a lawyer, the Senator from Allegheny, Mr. Powell, should know that "told you so" don't go. Mr. President, I ask the Senator from Allegheny, Mr. Powell, what date this bill was committed to the Committee on Judiciary Special? Will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated?

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be further interrogated?

Mr. POWELL. Mr. President, certainly.

Mr. SNYDER. Mr. President, when was this bill referred to the Committee on Judiciary Special?

Mr. POWELL. Mr. President, I still insist upon my right to answer the two questions that the Senator from Schuylkill, Mr. Snyder, previously asked me.

Mr. SNYDER. Mr. President, when did this bill come from the House?

Mr. POWELL. Mr. President, I was not certain of the exact date.

Mr. SNYDER. Mr. President, I am Chairman of the Committee on Judiciary Special. I am informed from the records that this bill came from the House on March 12th and so far as I can tell it came into my hands during that week, the week of March 14th. Since then the bill has been in my possession and I have been away from the Senate over two weeks.

Mr. POWELL. Mr. President, is the Senator from Schuylkill, Mr. Snyder, further interrogating me?

Mr. SNYDER. Mr. President, I am addressing the Senate and President. The gentleman is all right but he didn't arrive and I let him alone. This bill, as I said before, was sent over from the House, I believe, on March 12th. March 11th final passage in the House, and came over on March 12th, and referred to the Committee on Judiciary Special during the week of March 14th. Now, then, I was away from the Senate for two weeks, unfortunately, for the Senate and myself. During the two weeks prior to that neither Mr. Powell nor Mr. Hilton nor anybody interested in these bills asked for a hearing or asked that the bill be reported for printing or to go the usual course. Now, I submit if any gentleman of the Senate is interested in this bill or any member of the House—the Judiciary Special for the information of the Senator from Allegheny, Mr. Powell, has quite a number of bills, I believe one hundred or two hundred or three hundred in this session in charge, and they are important bills. Now I have not arrived at that stage of public duty when I read every bill as it comes into the Senate, and for the benefit of the gentleman I wish to say that I do not propose to either. Now then in answer to these men who are interested in this bill, neither of them seems to know anything about it. It was their duty to appear before the Committee on Judiciary Special and ask for a meeting, or ask the Chairman, who assumes the right to report bills from committee, and then have them recommitted to the committee. But the Senator from McKean, Mr. Hilton, does not seem to know anything about the bill, and I assure that I did not because to-night is the first I have seen it. It is a bill regulating the manner of conducting any election at which the question of holding a constitutional convention is to be submitted to the electors at the same time that delegates to such a convention are to be elected. And I submit that neither of these gentlemen know a thing about this bill and yet they are here asking that it be reported out of committee. Let them ask for a hearing. Let them ask the Chairman of the committee in a proper way and I have no doubt that they will get proper consideration. I submit to this Senate that it is not even Senatorial courtesy, and I am not playing for Senatorial courtesy, but, Mr. President, it is not Senatorial courtesy to ask that a bill be reported out of committee when neither of the gentlemen who are asking it know anything about the bill, never read it or know anything about it. The Senator from McKean, Mr. Hilton, evades the question; surely he knew nothing about it. My information is that a certain gentleman who is interested in these bills handed him a slip within the last twenty minutes asking him to make the motion. Now, if a Senator asks that a committee be discharged from the further consideration of a bill and the bill be placed upon the calendar he ought to know what he is doing. This isn't the House, and I submit it is a proper, orderly, intelligent proceeding when a Senator has a bill and it is referred to a committee to go to the Chairman of the committee, ask for a meeting, let the bill be argued and reported out. In this instance I would say that not a single member of this body or the House has asked that this bill even be looked at, even referred to, and I say it is gross discourtesy, not only discourtesy but injustice, to any committee to ask that the committee be discharged from the consideration of a bill when no reference was ever made to the bill before, and I ask that the Senate vote down this motion.

Mr. HILTON. Mr. President, will the Senator from Schuylkill, Mr. Snyder, permit himself to be interrogated?

Mr. SNYDER. Mr. President, I will.

Mr. HILTON. Mr. President, if I agree to withdraw this motion so as to give the committee time to consider this bill, will the Senator from Schuylkill, Mr. Snyder, agree to report this bill at next Monday night's session?

Mr. SNYDER. Mr. President, I will make no promises. I have no power to act for this committee. I will agree to give a hearing, if they want it, at a proper time, but I will not agree to report the bill out of committee, as important as this bill is. It is an important matter.

Mr. HILTON. Mr. President, will the Senator from Schuylkill, Mr. Snyder, give this bill a hearing this week

and have a vote taken upon it as to whether or not it will be reported on next Monday night?

Mr. SNYDER. Mr. President, I do not know. I will think it over. You ask for a hearing and I will think it over.

Mr. HILTOIN. Mr. President, if the Senator from Schuylkill, Mr. Snyder, will agree to that I will withdraw my motion.

Mr. SNYDER. Mr. President, I am not asking him to withdraw his motion; I am asking for a vote on the motion.

Mr. HERBST. Mr. President, I want to be understood upon this question. This committee has among its members such independent members as Senator Clark and such Progressives as Senators Mills, Moore and Sensenich, and three Democrats besides, and I wish to state that if the Senator had asked I would certainly have tried to get a hearing and get this committee to act upon this bill, because I am in favor of a constitutional convention myself, but I am not in favor of riding rough shod over our committees in this manner, because I see the whole matter is a matter of playing politics here to-night on the part of these gentlemen bringing up these motions. If this committee will not agree to bring this bill out hereafter I will vote with the Senator to compel them to bring it out. but I think the committee should have had a fair show and the committee has not had the bill several months. This bill was referred to the Committee on Judiciary Special on March 12th. That is just one month instead of two months. I am in favor of doing the right thing in this matter and I believe that these independent Senators and Democrats combined will, if the motion is properly made in this committee, bring this bill before the Senate, but I do not believe in forcing this committee to bring the bill out merely to play politics.

Mr. POWELL. Mr. President, I do not believe in allowing Senatorial courtesy to stand between the people of Pennsylvania and their rights and I want to so state here. This committee has had this bill for one month and two days and the Sentor from Schuylkill, Mr. Snyder, knew when the bill came to him what the bill was. He knew that he was opposed to it, and he knew that he was not going to report this bill out if he could possibly help it, and he knows now in his heart that he will vote against the reporting of this bill out and against it when it is on the calendar. What is the use of the—

Mr. BEIDLEMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Dauphin, Mr. Beidleman, will state his point of order.

Mr. BEIDLEMAN. Mr. President, my point of order is that the Senator from Allegheny, Mr. Powell, is impugning the motives of the Senator from Schuylkill, Mr. Snyder.

Mr. POWELL. Mr. President, I said nothing about his motives. I merely stated the facts, and I heard no objection from the Senator from Schuylkill, Mr. Snyder.

Mr. SALUS. Mr. President, will the Senator from Allegheny, Mr. Powell, permit ihmself to be interrogated?

Mr. POWELL. Mr. President, certainly.

Mr. SALUS. Mr. President, I would like to ask the Senator from Allegheny, Mr. Powell, when he became a mind reader?

Mr. POWELL. Mr. President, I am not a mind reader nor have I so professed, nor the son of a mind reader, as suggested by the Senator from Philadelphia, but I do know that this is an important bill which has been in the committee for a month. There is only one way to act upon it and that is to act upon it. There is only one way to put it out upon the floor of the Senate and that is put it out. The Senator from Schuylkill, Mr. Snyder, I didn't need to read his mind, said that he took upon himself the authority to report bills when requested by a single individual Senator, and then when he was asked by the Senator from McKean, Mr. Hilton, whether he would report this bill out, he said no, he had no authority so to do. He had stated within the hearing of this Senate less than two minutes ago that when he wanted a bill reported out of his commttee, if there was a request by a Senator, or if there was a hearing desired, he gave them the hearing. Now these two statements don't agree. Let us do right by the people of Pennsylvania rather than by each other. I am not impugning the motives of anybody. I am not attacking anybody; I do not want to violate senatorial courtesy, but if I must do all of these to get a vote upon these measures, which are pledged in the Republican platform, then that will I do.

Mr. BEIDLEMAN. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be interrogated?

Mr. POWELL. Mr. President, certainly.

Mr. BEIDLEMAN. Mr. President, last Tuesday night I asked the Senator from Allegheny what party he represents. He went into a beautiful dissertation as to how he happened to be nominated and now I ask him a simple question, "What party in Pennsylvania does he now represent?"

Mr. POWELL. Mr. President, I believe that at that time the President of the Senate said I had sufficiently answered that question. I had not completed it. I came here to represent the Republican voters of the State of Pennsylvania and not the Republican party and not the people who try to run it; that is whom I represent. I represent neither the Republican party, the Washington party, the Democratic party, nor any other party. I represent the voters of the Forty-fourth Senatorial district situated in Allegheny County and I thoroughly and rightly represent them and represent the sentiment of that district, and I owe no allegiance to any party, Republican, Democratic, Prohibition. I can't say Socialist because I never was endorsed by the Socialists, or Progressives. I have been endorsed by four parties and I owe no allegiance to any party, but I represent the sentiments of the voters of the Forty-fourth Senatorial district of Allegheny County, and I believe the men, the voters of Dauphin County, wish that they had a representative as true to their sentiment.

Mr. BEIDLEMAN. Mr. President, I desire to further interrogate the Senator from Allegheny, Mr. Powell.

The PRESIDENT. Will the Senator from Allegheny, Mr. Powell, permit himself to be further interrogated?

Mr. POWELL. Mr. President, certainly.

Mr. BEIDLEMAN. Mr. President, if the Senator from Allegheny, Mr. Powell, dislikes even to tell to what party he belongs or what party he represents, I desire to ask him now of what party he is a member so that the Senate may be advised upon this question of platform, the Democratic platform, and the platforms of the other parties of the State.

Mr. HUFFMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Monroe, Hr. Huffman, will state his point of order.

Mr. HUFFMAN. Mr. President, my point of order is that the matter of the discussion between the two Senators is not germane to the subject.

Mr. HERBST. Mr. President, I call for the enforcement of Rule 4, which allows a member to speak but twice upon the same subject.

The PRESIDENT. The rule will be enforced.

Mr. VARE. Mr. President, I fully agree with the gentleman from Fayette, Mr. Crow. There has been no effort of any kind to get this bill out of committee. I therefore hope the Senate will not discharge the committee from consideration of the bill without some effort of those interested in the bill to get it out of committee.

Mr. HUFFMAN. Mr. President, I just desire to make one statement. I voted against discharging the Elections Committee on the promise that was made by the Chairman that we would have consideration on that bill within a reasonable time. The Chairman of this Committee has replied to the gentleman from McKean, Mr. Hilton, that he will not give him a hearing and will not report it out, and that being the statement and he said it in a rather impertiment manner, and it seemes to me that the gentleman who made the motion should be sustained and this bill should be reported out on the floor.

Mr. SNYDER. Mr. President, the gentleman from Monroe evidently was thinking of things material to Monroe County when I made that response to the gentleman from McKean. I did not—beg pardon, gentlemen—refuse a hearing before this Committee, nor did I refuse to report out the bill. I simply did refuse to say I would have a hearing to-morrow and the bill would be reported out to-morrow.

Mr. POWELL. Mr. President, I desire to interrogate the Senator from Schuylkill, Mr. Snyder.

The PRESIDENT. Will the Senator from Schuylkill, Mr. Snyder, permit himself to be interrogated?

Mr. SNYDER. Mr. President, yes.

Mr. POWELL. Mr. President, I desire to ask the Senator from Schuylkill, Mr. Snyder, if he was not also a candidate on the Progressive ticket.

Mr. SNYDER. Mr. President, I got on the Progressive ticket with my own help, but not by endorsement. I had enough signers sign for me and I was put on the Progressive but not the Washington Party ticket. I have no part nor parcel nor portion nor anything whatever with the Washington Party in Schuylkill County. I was elected on the Republican ticket, with Progressive help and some Democratic help. I owe no allegiance to any party, I owe allegiance to the people of Schuylkill County and the State of Pennsylvania, but that allegiance, Mr. President, has not yet brought me to that condition where I have placed my conscience in the keeping of the Senator from Allgheny. I wish to say to him that when he makes the statement that I am positively opposed to this bill, and that I have made such a statement, and that the Committee does not intend to hear it, that the Senator's information is incorrect, as his information generally is.

Mr. POWELL. Mr. President, I arise to a question of personal privilege.

The PRESIDENT. Will the Senator from Schuylkill, Mr. Snyder, yield to the Senator from Allegheny, Mr. Powell?

Mr. SNYDER. Mr. President, I will.

Mr. POWELL. Mr. President, the gentleman from Schuylkill, Mr. Snyder, is under a misapprehension that I said he said anything about this, and the mere remark of the Senator from Philadelphia, Mr. Salus, as to whether or not I was a mind reader will bear me out in that part, and I do not wish to be misquoted, that is all.

Mr. SNYDER. Mr. President, the statements for the purpose of publication would be such as would be construed that I had given that statement out. I have not made the gentleman my confidant with regard to anything the Judiciary Special Committee will do except upon his own bill. I also said, if he listened to my statement, Mr. President, that bills which were proper I had left out after request and after consultation with the members about them. But that is not pertinent to this issue. This issue is so important that the gentlemen asking that the bill be reported out of Committee do not know anything about it, that important it is. And the gentleman from Allegheny, I submit, knew nothing about it until he had enough time to arrive, to find out what it was about, when he came to the help of the gentleman from McKean. Now, I submit that it is too serious a question to set aside every precedent of this Senate to satisfy the whim of the Senator from Allegheny and the curiosity of the Senator from McKean.

Mr. BUCKMAN. Mr. President, I move the previous question.

Mr. HERBST. Mr. President, I second the motion.

Mr. SALUS. Mr. President, I second the motion.

Mr. KURTZ. Mr. President, I second the motion.

On the question,

Shall the previous question now be put?

It was agreed to.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HILTON and Mr. POWELL, and were as follows, viz:

YEAS—16.

Farley,	Hilton,	Judson,	Nulty,
Fisher,	Hoke,	Miller,	Powell,
Gyger,	Huhman,	Mills,	Sensenich,
Heacock,	Jarrett,	Moore,	Wasbers,

NAYS—28.

Beidleman,	Endsley,	Kline,	Salus,
Buckman,	Graff,	Knapp,	Sheatz,
Clark,	Hall,	Kurtz,	Snyder,
Cooper,	Herbst,	Martin,	Sones,
Crow,	Homsher,	McIlhenny,	Thompson,
Daix,	Hunter,	McNichol,	Vare,
DeWitt,	Jones,	McNichols,	Gerberich, Pres. pro tem.

So thequestion was determined in the negative.

MOTION FOR RECESS.

Mr. POWELL. Mr. President, I move that the Senate do now take a recess for fifteen minutes in order that the Committee on Elections and the Committee on Judiciary Special may advise as to when hearings may be fixed upon these bills. There are several other motions that may consume a great deal of time if this is not done.

Mr. HILTON. Mr. President, I second the motion.

The motion was not agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 254, entitled:

A joint resolution providing or the appointment of a commission to amend revise and collate the laws relating to the boroughs of the Commonwealth and to suggest new legislation for the welfare of said boroughs and making an appropriation therefor

And said bi l having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 296, entitled:

An Act granting the consent of the Commonwealth of Pennsylvania to the City of Harrisburg to construct and maintain a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city

And said bi l having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 297, entitled:

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream to purchase acquire enter upon take use and appropriate private property within or without its territorial limits for that purpose and providing the manner in which damages sustained shall be determined and collected

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 312, entitled:

An Act fixing the salaries of county auditors in the several counties of this Commonwealth not exceeding one hundred thousand population

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 363, entitled:

An Act to authorize all cities and boroughs in the Commonwealth of Pennsylvania to construct and maintain comfort and waiting stations and drinking fountains in the public highways of such municipalities and providing the manner of ascertaining and collecting the damages caused by the construction of such improvements

And said bill having been read at length the first time.

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 414, entitled:

An Act authorizing boroughs to supply and to make contract for supplying electric current outside the limits of said boroughs

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 425, entitled :

An Act providing for the appointment of a commission to investigate and report on the manner of conducting local poorhouses almshouses county homes et cetera and making an arpropriation therefor

And said bi l having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 435, entitled:

An Act providing for the establishment of the Pennsylvania Historical Commisison defining its powers and duties and making an appropriation for its work

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 484, entitled:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 526, entitled:

An Act providing for an Engineers' Commission prescribing its duties and making an appropriation therefor

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 585, entitled:

An Act making an appropriation for the restoration of the Brig Niagara Commodore Perry's flag ship at the battle of Lake Erie for its participation in the events of this centennial celebration year its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 634, entitled:

An Act to provide for the purchase or condemnation of inclined planes and property appurtenant thereto and for the extension thereof by cities or counties separately or together and providing for the control and management of such inclined planes

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 686 (House Bill No. 841), entitled:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 753, entitled:

An Act authorizing notaries public to take affidavits to libels in divorce and validating all such affidavits heretofore made

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 756 (House Bill No. 364), entitled:

An Act regulating the sale and storage of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 812 (House Bill No. 1009), entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degee that renders their flesh unfit for use as food"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 821, entitled:

An Act providing for the payment of the minimum teachers' salaries by the Commonwealth and making an appropriation therefor

And said bill having been read at length the first time, Ordered to be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 846 (House Bill No. 1042), entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 858, entitled:

An Act to provide for the use of school buildings and grounds and other public buildings and grounds for meetings of citizens

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 864 (House Bill No. 569), entitled:

An Act to ascertain the full fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 875, entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 879, entitled:

An Act to provide for the filing docketing and indexing of judgments and decrees of the District and Circuit Courts of the United States

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 882, entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 885, entitled:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 886, entitled:

An Act to provide for the burial of indigent persons who shall die in public institutions and for the allowance for the burial of the same

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 886, the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. CROW. Mr. President. I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 889, (House Bill No. 452), entitled:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time,

Ordered ,To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 942, entitled:

An Act providing for the printing binding and distribution of two publications heretofore published by the State, namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for the editing proofreading and indexing thereof and making an appropriation for said work

And said bill having been read at length the first time,

Ordered ,To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 956, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

And said bill having been read at length the first time,

Ordered ,To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill p. 956, the bill just read, be recommitted to the Committee Elections.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

HOUSE CONCURS IN SENATE BILL NO. 819.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 819, entitled:

A supplement to an act approved the twenty fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assesment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assesors in so far as respects the assesment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

with the information that the House has passed the same without amendment.

SENATE BILL NO. 52 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and charging number of viewers

with the information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

SENATE BILL NO. 160 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 160, entitled:

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

with the information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

HOUSE CONCURS IN SENATE BILL NO. 151.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 151, entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

with the information that the House has passed the same without amendment.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 46, entitled:

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game game quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

Senate Bill No. 67, entitled:

An Act to repeal of the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the Port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three"

Senate Bill No. 370, entitled:

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mt. Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred eleven

Senate Bill No. 517, entitled:

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

House Bill No. 356, entitled:

An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for payment of expenses for such treatment heretofore incurred in good faith

House Bill No. 547, entitled:

A joint resolution requiring the construction of an adequate fish way in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company now the Pennsylvania Water and Power Company at McCall's Ferry providing how and when and by whom such fish way shall be constructed and providing penalties for failure to comply with the terms of this resolution

House Bill No. 657, entitled:

An Act to repeal an act entitled "A supplement to the act entitled 'An Act for preventing clandestine marriages' " aproved the fourteenth day of February Anno Domini one thousand seven hundred thirty

House Bill No. 658, entitled:

An Act to repeal an act entitled "An Act for the preventing of clandestine marriages" passed at the session of the

General Assembly ending October twenty-eighth one thousand seven hundred and one (one Smith's Laws twenty one)

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

RECESS.

Hr. McILHENNY. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objction? The Chair hears none.

Mr. McNICHOL, from the Committee on Elections, re-reported as amended, Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 414, (Senate Bill No. 1004), entitled:

An Act to regulate the sale for agricultural purposes of churshed lime-stone lime gypmsum and related products defining sand products and requiring that they be sold under official tags bearing the manufacturer's or dealer's gurantee providing for its enforcement and prescribing penalties for its violation

Which was committed to the Committee on Agriculture.

House Bill No. 1153, (Senate Bill No. 1005), entitled:

An Act for the prevention of blindness by requiring the reporting of cases of ophalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1379, (Senate Bill No. 1006), entitled:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war

Which was committed to the Committee on Military Affairs.

House Bill No. 80, (Senate Bill No. 1007), entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statute in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor" and making a further appropriation

Which was committed to the Committee on Corporations.

House Bill No. 357, (Senate Bill No. 1008), entitled:

An Act to amend section one of an art approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offense of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offense" and imposing duties on conductors

Which was committed to the Committee on Judiciary Special.

House Bill No. 734, (Senate Bill No. 1009), entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions"

Which was committed to the Committee on Game and Fisheries.

House Bill No. 825, (Senate Bill No. 1010), entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorzing them to create subordinate lodges and to pay benefits upon the sickness disabilitty or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

Which was committed to the Committee on Insurance.

House Bill No. 870, (Senate Bill No. 1011), entitled:

An Act to amend the first and second sections of an act entitled "An Act to provide for the better protection of female insane patients in transit" approved the fourteenth day of April Anno Domini one thousand eight hundred and ninety-three so as to extend the provisions thereof to feeble minded and epileptic persons

Which was committed to the Committee on Judiciary Special.

House Bill No. 921, (Senate Bill No. 1012), entitled:

An Act authorizing cities boroughs incorporated towns and townships to enact ordinances regulating pipes or tubes used to convey gas

Which was committed to the Committee on Corporations.

House Bill No. 1025, (Senate Bill No. 1013), entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act by fixing the first of October in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1047, (Senate Bill No. 1014), entitled:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commisisoners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven, fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

Which was committed to the Committee on Judiciary General.

House Bill No. 1073, (Senate Bill No. 1015), entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1156 (Senate Bill No. 1016), entitled:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1168 (Senate Bill No. 1017), entitled:

An Act to provide for the payment of costs and charges on writs of execution or attachments and fixing the liability of sheriff in the execution thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1226 (Senate Bill No. 1018), entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

Which was committed to the Committee on Judiciary Special.

House Bill No. 1242 (Senate Bill No. 1019), entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

Which was committed to the Committee on Judiciary General.

House Bill No. 1244 (Senate Bill No. 1020), entitled:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five so as to include gas and water companies

Which was committed to the Committee on Judiciary Special.

House Bill No. 1264 (Senate Bill No. 1021), entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws in reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgments deeds and sequestrations of life estates" approved April fourteenth one thousand eight hundred and fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act entitled "An Act to amend section one of an act entitled 'An Act relating to the decent and distribution of the estate of intestates' passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed

Which was committed to the Committee on Judiciary General.

House Bill No. 1316 (Senate Bill No. 1022), entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy motgages

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 1362 (Senate Bill No. 1023), entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

Which was committed to the Committee on Judiciary Special.

House Bill No. 1377 (Senate Bill No. 1024), entitled:

An Act to prevent the person holding the office of president vice-president secretary or treasurer of any building and loan association incorporated under the laws of this Commonwealth or doing business herein from holding the office or performing any of the duties of conveyancer for such building association and providing a penalty for the breach thereof

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 1434 (Senate Bill No. 1025), entitled:

An Act to validate certain sales public and private and certain mortgages of real estate of decedents heretofore made under authority of Orphans' Court upon petition of executors or admistrators for payment of debts or for any other lawful purpose.

Which was committed to the Committee on Judiciary General.

House Bill No. 1507 (Senate Bill No. 1026), entitled:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred seven

Which was committed to the Committee on Judiciary Special.

House Bill No. 1526 (Senate Bill No. 1027), entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the Executive Judiciary and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May Thirty-first one thousand nine hundred and eleven"

Which was committed to the Committee on Appropriations:

House Bill No. 1697 (Senate Bill No. 1028), entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable partition of lands held in common

Which was committed to the Committee on Judiciary General.

House Bill No. 471 (Senate Bill No. 1029), entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

Which was committed to the Committee on Agriculture.

House Bill No. 688 (Senate Bill No. 1030), entitled:

An Act entitled an act to provide for the destruction and prevent the spread of certain noxious weeds making it the duty of owners of land upon which such weeds grow to cut the same so as to prevent their going to seed making it the duty of supervisors to cut or destroy such weeds on or along public highways and providing penalties for failure to comply with the provisions of the act

Which was committed to the Committee on Agriculture.

House Bill No. 759 (Senate Bill No. 1031), entitled:

An Act relating to the costs of prosecution in misdemeanors where the defendant is or has been acquitted by petit jury and the prosecutor or defendant or both are directed by said jury to pay the costs and either or both depart the jurisdiction before sentence of the court and providing for the sentencing of either or both in their absence

Which was committed to the Committee on Judiciary General.

House Bill No. 799 (Senate Bill No. 1032), entitled:

An Act authorizing persons corporations associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the court of quarter sessions supervision of the same regulating precedure and fixing penalties limiting its application declaring violation of its provisons a msdemeanor and prescribing punishment therefor repal of acts inconsistent therewith

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 960 (Senate Bill No. 1033), entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Which was committed to the Committee on Judiciary Special.

House Bill No. 967 (Senate Bill No. 1034), entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amendatory act approved the first day of April Anno Domini one thousanl nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven providing for the classification of real estate for purposes of taxation into two clases to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1152 (Senate Bill No. 1035), entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1191 (Senate Bill No. 1036), entitled:

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May

one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be adminsitered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Which was committed to the Committee on Education.

House Bill No. 1202 (Senate Bill No. 1037), entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse second-hand store or junk shop for failure to provide and keep books showing entries of receipt or acceptance of goods by purchase exchange or otherwise said books to be open to inspection by police and detectives of every city and a sworn report to be filed with the superintendent of police and providing for the violation thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 1203 (Senate Bill No. 1038), entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

Which was committed to the Committee on Judiciary General.

House Bill No. 1218 (Senate Bill No. 1039), entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowance as field batteries for armory rent for rifle practice for clothing and equipment and making said allowance also available for subsistence and additional general military purposes by also providing that the allowance to be received by battalions in the naval force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

Which was committed to the Committee on Military Affairs.

House Bill No. 1229 (Senate Bill No. 1040), entitled:

An Act to amend section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

Which was committed to the Committee on Judiciary General.

House Bill No. 1365 (Senate Bill No. 1041), entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania

Which was committed to the Committee on Judiciary Special.

House Bill No. 1414 (Senate Bill No. 1042), entitled:

An Act reorganizing the Attorney-General's Department designating the officers and employes thereof and fixing their salaries

Which was committed to the Committee on Judiciary Special.

House Bill No. 1464 (Senate Bill No. 1043), entitled:

An Act regulating to the openings of buildings upon over or under external fire escapes

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1042 (House Bill No. 1414), entitled:

An Act reorganizing the Attorney-General's Department, designating the officers and employes thereof and fixing their salaries.

Also, from the Committee on Judiciary Special, reported as committed. Senate Bill No. 1023 (House Bill No. 1362), entitled:

An Act authorizing H. W. Brown and D. E. Brown, citizens of Cambria County, Pennsylvania, doing business as the Woodmen Lumber Company to bring suit in the Court of Common Pleas of Cambria county against the Commonwealth of Pennsylvania.

BILL INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1044, entitled:

An Act to amend an act approved the 4th day of March, 1875, entitled "An Act authorizing the holding of Orphans' courts by other than the regularly commissioned judges in certain cases"

Which was committed to the Committee on Judiciary General.

REPORTS FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 813 (House Bill No. 1099), entitled:

An Act making an appropriation to cover a deficiency in the item of the General Appropriation Act of the 14th day of June, A. D. 1911, making an appropriation for the salaries of eight Orphans Court judges in districts other than Philadelphia and Allegheny Counties.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 960 (House Bill No. 1350), entitled:

An Act to amend an act, entitled "An Act relating to boarding house keepers and authorizing the attachment of wages for persons indebted for boarding," approved the 8th day of May, 1876, with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

Mr. THOMPSON. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on Judiciary Special, reported as committed Senate Bill No. 832, entitled:

An Act regulating the number and election of members of borough councils.

Also, from the Committee on Military Affairs, reported as committed, Senate Bill No. 714. entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia," approved the 15th day of May, A. D 1893, by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the national force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes.

BILLS ON FIRST READING.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 960 (House Bill No. 1350), entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms association and corporations

Senate Bill No. 813 (House Bill No. 1099), entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

Senate Bill No. 1023 (House Bill No. 1362), entitled:

An Act authorizing H. W .Brown and D. E. Brown, citizens of Cambria County, Pennsylvania, doing business as the Woodmen Lumber Company to bring suit in the Court of Common Pleas of Cambria county against the Commonwealth of Pennsylvania.

and Senate Bill No. 1042 (House Bill No. 1414), entitled:

An Act reorganizing the Attorney-General's Department, designating the officers and employes thereof and fixing their salaries.

reported from committee at this evening's session, be read the first time.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

be recommitted to the Committee on Elections.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. McILHENNY. Mr. President, I move that the Senate do now adjourn until 11 o'clock tomorrow morning.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.55 o'clock P. M. until Tuesday morning, April 15, 1913, at 11 o'clock.

HOUSE OF REPRESENTATIVES

MONDAY, April 14th, 1913.

The House met at 8 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, amid the changes and the vicissitudes which are incident to life, we would stay ourselves upon Thee. Thou art the unchanging, the immutable God, the same yesterday, to-day and forever. We are frail and fluctuating, liable to changes, subject to moods, we need the steadiness and the strengthening which comes from Thee. May we be true men, men of principle, with strong convictions, rooted and grounded in the things which we believe, and may we have the courage, and resolution and energy to give expression at suitable times and in suitable ways to the things which we cherish. Deliver us from insincerity and from fickleness. May we have that purity of motives and that integrity of purpose which will make us reliable men, men upon whom the people can lean, and of whom God can approve. Graciously bless this Assembly in the Sessions of this week, sustaining Thy servant, the Speaker, in his arduous work, and enabling us all to fill faithfully and well the places assigned us, through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, April 10th, 1913.

The Clerk proceeded to read the Journal of the proceedings of Thursday, April 10th. 1913, when, on motion of Mr. Humes, the further reading was dispensed with and the Journal was approved.

BILLS INTRODUCED AND REFERRED.

By Mr. PENNEGAR. House Bill No. 1908.

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester relative to elections in West Philadelphia and to assessors in Millerstown Perry county approved the eleventh of March one thousand eight hundred and fifty so far as provides for the taxing of dogs to the township of Londonderry in the county of Chester"

Referred to the Committee on Judiciary Local.

By Mr. KITTS. House Bill No. 1909.

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" insofar as the same refers to the county of Erie

Referred to the Committee on Judiciary General.

By Mr. AMBLER. House Bill No. 1910.

An Act relating to the manufacture sale offering for sale giving leasing furnishing disposing carrying possessing using and attempting to use certain dangerous or deadly instruments or weapons prescribing certain duties of district attorneys and county commissioners and fixing penalites for violation of this act

Referred to the Committee on Judiciary Special.

By Mr. McALEER. House Bill No. 1911.

An Act relating to petroleum and natural gas wells drilled through coal measures within the Commonwealth of Pennsylvania and providing penalties for the violation thereof

Referred to the Committee on Geological Survey.

By Mr. J. H. WILSON. House Bill No. 1912.

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

Referred to the Committee on Municipal Corporations.

PETITIONS.

FAVORING THE MARTIN BRIDGE BILL.

Mr. MARTIN presented the petition of citizens of Dauphin County, praying for the passage of the Martin Bridge Bill.

Which was referred to the Committee on Public Roads.

FAVORING PASSAGE OF HOUSE BILLS NOS. 1294, 195, 365, 1103, 138 AND 178.

Mr. SWARTZ presented the petition of citizens of Snyder County, praying for the passage of House Bills Nos. 1294, 195, 365, 1103, 138 and 178.

Which was referred to the Committee on Law and Order.

FAVORING PASSAGE OF HOUSE BILL NO. 1614.

Mr. SEMMENS presented the petition of citizens of Allegheny County, praying for the passage of House Bill No. 1614.

Which was referred to the Committee on Labor and Industry.

FAVORING GARNISHEE BILL.

Mr. BECKER presented the petition of citizens of Schuylkill County praying for the passage of the Garnishee Bill.

Which was referred to the Committee on Labor and Industry.

Mr. SWARTZ presented the petition of citizens of Snyder County, praying for the passage of the Garnishee Bill.

Which was referred to the Committee on Labor and Industry.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

Mr. BARNER presented the petition of citizens of Cumberland County, praying for the passage of bill providing for the reading of the Holy Bible in the Public Schools.

Which was referred to the Committee on Education.

FAVORING ERECTION OF A MONUMENT TO THE PUBLIC SCHOOLS AND FOUNDERS THEREOF.

Mr. HARRY L. PERRY presented the petition of citizens of York County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. JACKSON presented the petition of citizens of Wayne County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. JOHN ROBERT JONES presented the petition of Washington Camp, No. 507, P. O. S. of A., of Schuylkill County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. HESS presented the petition of citizens of Lancaster County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. J. W. DONAHOE presented the petition of Washington Camp, No. 84, P. O. S. of A., Schuylkill County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. MARTIN presented the petition of Washington Camp, No. 522, P. O. S. of A., Dauphin County, praying for the passage of a bill to erect a monument to Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. SWARTZ presented the petition of Washington Camp, No. 98, P. O. S. of A., Snyder County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. NORTH presented the petition of Washington Camp No. 602, P. O. S. of A., Jefferson County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. DONAHOE presented the petition of Washington Camp, No. 340, P. O. S. of A., Schuylkill County, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

FAVORING ERECTION OF MONUMENT TO MOLLIE PITCHER.

Mr. MARTIN presented the petition of Washington Camp No. 522, P. O. S. of A., Dauphin County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. NORTH presented the petition of Washington Camp No. 602, P. O. S. of A., Jefferson County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. SWARTZ presented the petition of Washington Camp No. 98, P. O. S. of A., Snyder County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. DONAHOE presented the petition of Washington Camp, No. 340, P. O. S. of A., Schuylkill County, praying for the passage of bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. GOOD presented the petitions of Citizens of Luzerne County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. BARNER presented the petition of Citizens of Cumberland County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HARRY L. PERRY presented the petition of Citizens of York County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JOHN ROBERT JONES presented the petition of Washington Camp, No. 507, P. O. S. of A., Schuylkill County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HESS presented the petition of Citizens of Lancaster County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. DONAHOE presented the petition of Washington Camp, No. 84, P. O. S. of A., Schuylkill County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING SENATE BILL NO. 597.

Mr. POST presented the petition of Citizens of Washington County praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

The SPEAKER presented the petitions of Citizens of Jefferson, Allegheny and Lycoming Counties praying for the passage of Senate Bill No. 597.

Which were referred to the Committee on Public Health and Sanitation.

Mr. JACKSON presented the petition of Citizens of Wayne County praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. MARTIN presented the petition of Citizens of Dauphin County praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. POST presented the petition of Citizens of Washington County praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

Mr. BURNETT presented the petition of Citizens of Cumberland County praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Public Health and Sanitation.

The SPEAKER presented the petitions of Citizens of Washington and Montgomery County praying for the passage of Senate Bill No. 597.

Which were referred to the Committe on Public Health and Sanitation.

BILLS INTRODUCED.

Mr. C. A. SHAFFER asked and obtained unanimous consent to introduce a bill the title of which was read for the information of the House.

Mr. WALNUT asked and obtained unanimous consent to introduce a bill the title of which was first read for the information of the House.

REPORTS FROM COMMITTEES.

Mr. SASSAMAN from the Committee on Appropriations reported as committed House Bill No. 1040, entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the City Treasurer of Philadelphia for an auctioneer's license and paid by said City Treasurer into the State Treasury.

Mr. BAYLE from the Committee on Appropriations reported as committed House Bill No. 858, entitled,

An Act making an appropriation for the refunding of certain moneys mistakenly paid into the State Treasury by S. S. Caughey.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Hobbs for the week.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ADAMS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER, The gentleman will state his question of personal privilege.

Mr. ADAMS. Mr. Speaker, I desire to make a motion to offer as a special order House Bill No. 1890, for regulating and appointing of tax collectors. I, therefore, make a motion that House Bill No. 1890, file folio 1821, Senate number 819, entitled,

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the apointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

from page 48 of to-day's calendar be made a special order on third reading at 9:30 to-night.

Mr. POST. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL PLACED UPON CALENDAR.

Mr. BENSON. Mr. Speaker,

The SPEAKER. The gentleman from McKean, Mr. Benson.

Mr. BENSON. Mr. Speaker, I wish to offer a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the motion as follows:

Moved by Mr. Benson and seconded by Mr. Matt, that House Bill No. 383, entitled:

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a Tax Commission and repealing all laws or parts of laws inconsistent herewith

be placed on the calendar, notwithstanding the negative recommendation of the Committee.

The SPEAKER. The question is on the adoption of the motion.

Mr. BENSON. Mr. Speaker, this bill provides for the equalization of taxation of which I have just read the title. Mr. Speaker, if the House will give me its attention, I will give you my reasons why this bill should not only go upon the calendar here to-night but that it should be enacted into a law. What is the tax situation here in the State of Pennsylvania at the present time. I will try to give it to you in as brief remarks as possible. We have here in the State of Pennsylvania at the present time real estate valued at four and a half billions of dollars; and we also have here in the State of Pennsylvania corporate personal property valued at a little over nine billions of dollars. On this we have to pay taxes of about seventeen mills and on this corporate and personal property they only pay an average of less than three mills. Mr. Speaker, just stop to consider—why should real estate be forced to pay an average of seventeen mills and corporate and personal property only be forced to pay an average of three mills. We have before us a bond issue. We are going to bond the State for fifty millions of dollars. Why do we think of bonding the State? Because we don't have enough revenue. That is the reason why. There are nine billion dollars worth of personal property and corporate property in this State on which three mills is paid while real estate pays an average of seventeen mills. Real estate pays fourteen mills more than corporate and personal property. What do we have? You have an increase in the tax in the State of Pennsylvania of one hundred and twenty-six million dollars more than all the taxes that are collected at the present time from the corporate property owners. Why should the Committe on Ways and Means report this bill to the House with a negative recommendation? I realized when I introduced this measure that all the corporate wealth of our State would be opposed to it; I realized that they didn't want it. I want to call your attention to a little situation we have along the New York State line. Along the New York State line the Pennsylvania Railroad only pays one-sixth of the taxes that they do in New York State because the corporations in the State of New York have got to pay a local tax and in the State of Pennsylvania they don't have to do that thing. I also want to call your attention to the report of the tax commission that was appointed by the Senate and also by the House. I will read from page 144 of the report of the tax commission; it reads as follows:

"Your attention is specially directed to "A Comparative Study of Public School Systems in the Forty-eight States," published by the "Russell Sage Foundation." This 'study' shows that Pennsylvania ranks twenty-third in general efficiency among the system of the Union. In current expenditures per child of school child this Commonwealth take twenty-sixth place. In average attendance we rank eighth. In general all-around efficiency Washington is first; Massachusetts second, and New York, third.

"It is not to the credit of our Commonwealth that we should be so far down in such a list, and if we are to attain the position to which our wealth and citizenship entitles us this subject must receive prompt serious and generous consideration. 'No other investment produces so large a return. More money means better schools, better schools mean more efficient citizens, more efficient citizens produce more money—it is a beneficient circle.' "

I also call your attention to page 145 of the Tax Commission's report, which reads as follows:

"The local school tax rate is all that the taxpayers can bear. Your committee strongly urges that educational advantages should be the same for each child, irrespective of the wealth of the community in which he lives. This can only be accomplished by State appropriations, and when the schools are thus equalized there will be no more removals of families from the country to the city, or from a poor to a wealth school district, to get the proper education for their children."

Mr. SPEAKER, just think of the fact that this grand old Commonwealth of ours, instead of leading the list, where she rightfully belongs, is way down in the twenty-third place, and in per capita, per child, we are twenty-sixth, instead of leading the list where we ought to be. This deserves our serious consideration. I want you to give it the attention that it justly deserves at this time. I want to call the attention of every Republican and every Washington Party man in this House tonight, however, to the fact that we have, and they have inserted a plank in their platform pledging this to the people,—that we would favor the repeal of laws exempting corporations from taxation for local purposes.

This bill provids that very thing, and I can't understand why the members of the Ways and Means Committee who have gone out before the people and ra non a platform of that kind, have gone and voted to report negatively a measure of this kind.

The boasted school system of Pennsylvania to which the State is presumed to contribute so liberally, after all, its standing as compared with sister states, tells the true story, that Pennsylvania is not contributing as a state a dollar to its support.

Through a cunningly devised scheme of mathematical juggling a sufficient amount of money is taken from the several counties of the State and then with a blast of the trumpet it is paid back into the School Treasury, less one hundred thousand dollars the amount evidently appropriated for carrying out this accomplished feat of financial juggling. Is there any occassion for surprise when reference is had to the publication of the Russell Sage Foundation to learn that in general efficiency our schools of this great Commonwealth stand twenty-third, while current expenditure per child of school age, this Commonwealth takes the twenty-sixth place among the list of forty-eight States? Are we proud as citizens of this Commonwealth and is it to our credit that we should be so far down in the list? Indeed this melancholy picture might be continued when it is realized that instead of a prospect of advancing nearer to the head of column, we are dropping each school year more nearly to the bottom of the class.

The purpose of the introduction and passage of this bill is to remedy the evils of unjust and unequal taxation. It is provided by this bill that all property, real, personal and mixed, now the subject of taxation in Pennsylvania, should bear a just proportion of the cost of government, state or local. It is to remedy the evils of under valuation of property. By this bill a Tax Commission would be created whose sole duty would be to see that no property subject to taxation should be unjustly taxed. As conditions now stand throughout the agricultural district of a large portion of this Commonwealth, as will be shown by reference to the last census taken by the government for the decade ending 1910, relief must come and speedily if the process as shown by these statistics of the depopulation of these districts is not to be continued.

The ever-rising tax assesment of these communities can have but one effect and that is to drive the population from these rural districts, whether from farm town or village, and were all property assesed for local purposes as well as state, this condition would be remedied.

Mr. SPEAKER. This bill provides among other things that the duties of the Tax Commission shall be:

To assess public utilities for tax purposes.

To equalize and review all local assesments.

To have powers to make re-assessment.

To have the power to examine books of firms and corporations and to report information relating to their financial affairs.

To have general supervision over the assessment of taxes in Pennsylvania.

To confer with, aid and direct local assessors.

To cause the tax laws of this Commonwealth to be enforced.

To have the power to summon and subpoena witnesses, books, etc, and to administer oaths.

To provide books, blanks, and forms for such purposes.

They have power to assess or order property assessed which in the past have escaped assessment.

In no other state of the union, with the possible exception of Delaware are the people required to submit to so humiliating and dishonest system for the purposes of collecting taxes to maintain the government, whether state, national or county. In our neighboring state of New York, which by the way, occupies third place in schools among the states or the union, all public utilities property and all other property are uniformly assessed for all purposes.

With the result that there is no occasion for complaint among the tax payers of the state.

I am not one of that class of people who seriously believe that Pennsylvania, both state and locally, is collecting too much in taxes. Indeed, it is my opinion, that the amount might be doubled and permit the cities, counties and towns of this Commonwealth to accomplish their public and necessary improvements, to properly build and maintain their schools, to adequately reward and compensate our instructors in those institutions and to do such other things, such as the construction of highways and other great public necessities, which would and should put Pennsylvania, not only at the head of the class in educational matters, but preeminently at the head in all matters beneficial to her people. Were this bill a law—I wish the Philadelphia delegation would, at this point, give their attention—were this bill a law Philadelphia, Pennsylvania's metropolis, would not be in the position of hocking her watch to raise money for public improvements absolutely necessary for the development and growth of the city and the comfort and convenience of her population. She as a city, its seems to me, is fortunate, in owning her gas companies, which at this hour, if I understand correctly, her Mayor and City Officers are carrying the title thereto to hock it for the next half century to raise sufficient money to dig a few holes in the ground through which to extend the subway system, while all around on each and every side are untold millions of property, owned by public utilities companies who absolutely escape taxation for local purposes. If these properties were assessed as provided for in this bill, no injury could be-fall either the companies or her people. She would no longer be known as a suburb of Ne wYork, but her financial condition would permit her to develope her vast natural resources, both public and private, and in a word, would take her place among the cities of this nation to which she is justly entitled. It is unnecessary for me to say that an overburdened community, through unjust tax laws can have but one tendency wherether it be in Philadelphia or on some outlying farming district and that is a loss of opportunity and a lack in proper development of resources, together with an inevitable tendency toward depopulation. Mr. Speaker, the members of this House, and also of the Senate, have it within their power, to remedy this existing condition, and I want to ask every member of this House to vote to put this bill on the calendar.

On the question recurring,

Will the House agree to the motion?

Ninety-six gentlemen, or more than the number required by the rules, having voted in the affirmative, the motion was agreed to, and the bill will be placed upon the calendar.

RECONSIDERATION OF VOTE.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I move that the vote whereby House Bill No. 1266, file folio 2989, entitled:

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the atorney shall have a lien for his compensation for his services upon the client's cause of action claim or counter-claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment

was defeated on third reading on April 8th, be reconsidered

Mr. RUNK. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. W. H. WILSON. Mr. Speaker, this is the Lawyers' Fee bill, which was defeated on last Tuesday. The purpose of making this motion is to have the bill recommitted to the Committee on Judiciary Special for amendment, so that it may meet the objection which have been raised on the floor of this House.

Mr. R. J. BALDWIN. Mr. Speaker, does the gentleman agree to have this bill so amended that it will not a first lien?

Mr. W. H. WILSON. Mr. Speaker, the bill will meet the objections of the gentleman from Delaware; yes, sir.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1266, entitled:

An Act concerning the relations between attorney and client on suit being brought in any court of this Commonwealth and providing that the attorney shall have a lien for his compensation for his services upon the client's cause of action claim or counter-claim which shall attach to any award order report decision compromise settlement verdict or judgment in the client's favor and the proceeds thereof in whosoever hands the same may be and which lien shall not be affected or defeated by any compromise or settlement between the parties before or after judgment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL RECOMMITTED.

Mr. W. H. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. SWIFT. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the clerk.

The motion was read by the Clerk as follows:

Moved by the gentleman from Beaver M. Swift, seconded by the gentleman from Philadelphia Mr. Watch that the vote by which House Bill No. 414 file folio 4493 was defeated on final passage last Thursday be reconsidered

On the question,

Will the House agree to the motion?

Mr. LOHR. Mr. Speaker and Gentlemen of the House, the objection which was raised to this bill when presented to the House last Thursday was that it created a new set of office holders; also that it would materially increase the cost of lime; and for those reasons I think the bill should be reconsidered because neither of these facts are the case.

I find by looking over the bill, that according to the license fees as designated in this bill, the increase in the cost of lime to producers of the third class would be three-tenths of one cent per ton; to producers of the second class, one cent per ton, and those of the first class five cents per ton. To those who produce only a small amount it will not increase it more than five cents per ton, while the larger producer will increase one cent per ton and those who produce still more it would increase it three-tenths of one cent per ton, and to those who produce a still larger amount, the increase would be still less proportionately; therefore the increased cost of lime would be so small as not to be noticeable to the consumer. I think this would justify the consumer in paying the increased cost for a ton of lime if he would get the guarantee of analysis which this bill would afford.

On the other hand, it was argued that it would create a lot of new office holders. I think this is not the case, because as was said on last Thursday, this would be taken care of, by the agents of the fertilizer department and the revenue derived from the enactment and the enforcement of this bill is to be devoted entriely to the payment of the expenses incurred in carrying out its provisions, so that this will not be a burden on the State in any sense.

I therefore ask that this vote be reconsidered because of the small House at the time it was taken last Thursday.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken as follows, viz:

YEAS—134.

Adams,	Gans,	Mannion,	Rockwell,
Allen,	Geary,	Martin,	Roney,
Alworth,	Gibson,	Mather,	Runk,
Ambler,	Good,	McAleer,	Schaeffer, A. C
Aron,	Gramley,	McAllister,	Schuck,
Arthur,	Gransback,	McArdle,	Scott, J. R. K.,
Baldwin, R. J.,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Bass,	Hackett,	McClintock,	Shaffer, I. E.,
Bayle,	Haggerty,	McKay,	Shern,
Becker,	Heidinger,	McNichol,	Sherwood,
Berntheizel,	Hemminger,	Metzenbacher,	Showalter,
Bigger,	Herman,	Miller,	Smith, L.,
Blair, W. F.,	Hess,	Missimer,	Snyder,
Bleloch,	Heyburn,	Mitchell,	Spangler,
Campbell, C.M.,	Hibshman,	Moore,	Speiser,
Carson,	Hoffman,	Moses,	Spillinger,
Cleary,	Humes,	Moulthrop,	Steele,
Conner,	Isler,	Neel,	Stone,
Conrade,	Jackson,	Newton,	Swartz,
Cox,	Jones, E. E.,	North,	Swift,
Curry,	Jones, J. R.,	O'Neill,	Thomas,
Davis,	Kaufman,	Peachey,	Walnut,
DeFrees,	Keeport,	Pennegar,	Walsh,
Dickinson,	Kennedy,	Pennock,	Watson,
Donahoe,	Kitts,	Perry, H. L.,	Whitaker,
Donnally,	Kuhn, H. P.,	Perry, S. J.,	Whitman,
Down,	Latshaw,	Peters,	Wildman,
Dunn, J. A.,	Lenker,	Post,	Williams,
Ehrhardt,	Leslie,	Ramsey,	Wilson, J. H.,
Eichenberger,	Letzkus,	Redfield,	Wilson, W. H.,
Ely,	Light,	Reeser,	Wiltbank,
Ewing,	Lohr,	Rex,	Young, G. K.,
Flynn,	Lowers,	Rhoads,	Young, J. H.,
Frey,		Robinson,	Alter,
			Speaker.

NAYS—36.

Benninger,	Cheeseman,	Irwin, G. C.,	Musser,
Bergey,	Claycomb,	Keegan,	Newbaker.
Bittles,	Cochran,	Kern,	Rothenberger,
Body,	Collins,	Kuhns, E.G.M.,	Sassaman,
Brosius,	Conniff,	Lanius,	Savacool,
Brown,	Currier,	Matt,	Trach,
Burnett,	Foster, J. D.,	McDermott,	Ulman,
Caldwell,	Geiser,	Mellott,	Wettach,
Campbell, J.J.	Howard, R.,	Murphy,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RELATIVE TO LOWER TELEPHONE RATES.

Mr. CONNIFF offered the following resolution which was twice read and laid over for printing.

Whereas There has been universal complaint about the high telephone rates in all parts of the Commonwealth; and

Whereas, This condition has been exposed by the report of the State Railroad Commission, wherein reduced rates and new schedules were suggested;

Therefore Be It Resolved, That the State Railroad Commission be instructed to confer with the telephone companies and bring about reduced rates along the lines recommended in their respective schedules, and report to the House of Representatives within fifteen days.

RECONSIDERATION OF VOTE.

Mr. McALEER. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved that the vote by which House Bill No. 30, file folio 3233, was defeated on third reading, April ninth, be reconsidered

Mr. WILTBANK. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the nays seemed to have it.

Whereupon a division was called for. 84 voting in the affirmative and 53 in the negative.

And the question was determined in the affirmative.

The question recurring,

Shall the bill pass finally?

Mr. FRANK GRAY. Mr. Speaker, it seems that we had a little fun about this bill during the past week, and I suppose it was taken as a joke. We realize the fact that the old saw will go here, that a little nonsense now and then is relished even by Assemblymen. But, seriously, this is a meritorious bill, and is very much desired by the State Board of Health. Most any one of us, perhaps, would take a chance on a common drinking cup, or even on a finger bowl, but most of us will draw the line on the roller towel. Out in our own washroom, I find that nearly all the members of this House prefer the individual towels, and use them until we run out of them, and the overworked custodians are unable to get us any more, and we all refrain when possible from using the roller towels. There are many reasons why this bill should pass. Many of you have had the fact brought home to you in traveling over the country. There is a delegation of traveling men in the back part of the House who are interested in this bill, and I think most of you are in favor of it. It was brought to my attention from actual contact myself in this matter. I have been on the road for twenty-five years, and I know what I am talking about. As I said last week when we were having a little fun with this bill, that it would enact no hardship on any one, but would provide something that is needed in the way of towels. We have the fiber or paper towels that can be used. We now come down to the serious question of whether or not this pernicious habit of all wiping on the same towel is to be abolished. It has been abolished in several States; they have abolished it in New York State, which is our nearest neighbor. Kansas abolished it a number of years ago. I hope, gentlemen, that the bill will pass.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken as follows, viz:

YEAS—99.

Adams,	Foster, J. D.,	Letzkus,	Rex,
Alworth,	Frey,	Lohr,	Rhoads,
Ambler,	Geary,	Lowers,	Robinson,
Bass,	Geiser,	Malie,	Roney,
Bayle,	Gibson,	Martin,	Runk,
Benson,	Grabe,	Mather,	Schaeffer, A. C
Bigger,	Gransback,	Matt,	Schuck,
Bittles,	Gray, Frank,	McAleer,	Scott, J. R. K.,
Bleloch,	Hackett,	McAllister,	Semmens,
Burnett,	Haggerty,	McClintock,	Showalter,
Campbell, C.M.,	Heidinger,	McKay,	Smith, J. W.,
Campbell, J. J.,	Herman,	Miller,	Smith, L.,
Cheeseman,	Hess,	Moses,	Spangler,
Cleary,	Hoffman,	Moulthrop,	Speiser,
Conrade,	Humes,	Musser,	Spillinger,
Cox,	Isler,	Neel,	Steele,
Curry,	Irwin, H. H.,	Newton,	Stone,
Davis,	Jackson,	North,	Swift,
DeFrees,	Jones, J. R.,	O'Neill,	Walnut,
Dickinson,	Keeport,	Peachey,	Walsh,
Donnally,	Kennedy,	Pennegar,	Watson,
Down,	Latshaw,	Pennock,	Wildman,
Ehrhardt,	Lenker,	Post,	Wilson, W. H.,
Ely,	Leslie,	Ramsey,	Young, G. K.
Fahey,		Reese,	Alter,
			Speaker.

NAYS—68.

Allen,	Currier,	Lanius,	Sassaman,
Aron,	Donahoe,	Mannion,	Shaffer, C. A.,
Arthur,	Dunn, J. A.,	McArdle,	Shaffer, I. E.,
Barner,	Eichenberger,	McDermott,	Shern,
Becker,	Ewing,	McNichol,	Snavely,
Benninger,	Gramley,	Mechling,	Snyder,
Blair, W. F.,	Hemminger,	Mellott,	Swartz,
Body,	Heyburn,	Metzenbacher,	Trach,
Brosius,	Hibshman,	Missimer,	Ulman,
Brown,	Howard, R.	Mitchell,	Walton,
Caldwell,	Irwin, G. C.,	Moore,	Wettach,
Carson,	Jones, E. E.,	Morrow,	Whitaker,
Claycomb,	Kaiser,	Newbaker,	Whitman,
Cochran,	Kaufman,	Perry, H. L.,	Williams,
Collins,	Kern,	Redfield,	Wilson, J. H.,
Conner,	Kuhn, H. P.,	Reeser,	Wiltbank,
Conniff,	Kuhns, E.G.M.,	Rothenberger,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. FREY. Mr. Speaker, on Thursday or Friday of last week, His Excellency, the Governor, vetoed House Bill No. 168, which was an amendment to the Act of 1834. This bill passed the House with but one dissenting vote and by a unanimous vote passed the Senate. The Governor in his veto said that it was a proper measure but he raised some objections to it in its present form. I have a bill prepared to meet the objections of the Governor, and I ask unanimous consent to introduce it at this time.

BILL INTRODUCED.

The SPEAKER. Will the House give unanimous consent to the introduction of the bill at this time? Is there any objection? The Chair hears none and the bill will be received by the Clerk.

BILLS RECOMMITTED.

Mr. E. E. JONES. Mr. Speaker, I move that House Bill No. 1469, entitled:

An Act relating to roads providing for the supervision construction maintenance and repair of township roads relating to road tax making an appropriation and providing penalties for the violation thereof

on page 35 of to-night's Calendar, which is the Township Supervisors' Bill, be recommitted to the Committee on Appropriations.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SPEISER. Mr. Speaker, I move that House Bill No. 1693, entitled:

An Act prohibiting corporations co-partnerships or companies conducting a cemetery from excluding persons duly authorized by lot holders in said cemeteries to enter said cemeteries to do gardening work and decorations on lots therein and providing a penalty for violation of said act by officers managers agents or employees of said corporations co-partnerships or companies

on page 56 of to-night's Calendar, be recommitted to the Committee on Judiciary Special for the purpose of a hearing. Mr. JAMES A. Dunn. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 698, entitled:

An Act defining fraternal benefit societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected and regulating such benefits providing for the organization of such societies and for their licensing supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality and establishing a standard of salvency requiring annual reports and the appointment of the Insurance Commissioner as attorney for services of process Providing penalties for any violations thereof exempting certain societies requiring beneficial associations other than fraternal benefit socities to report to the Insurance Commissioner and repealing existing laws

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1517, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and considera tion of House Bill No. 935, entitled:

An Act providing for the purchase by the Commonwealth of certain lands owned by the A. Cook Sons Company at and near Cooksburg in the counties of Forest Clarion and Jefferson Pennsylvania for a public park and forest reserve providing an appropriation for said purchase and providing for the appointment of a commission to take charge of said property and defining the powers and authority of said commission and the uses to which the property shall be put

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1883 (Senate No. 661), entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1341 (Senate No. 328), entitled:

A further supplement to an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1730, entitled:

An Act to amend an act approved the thirty-first day of March one thousand eight hundred sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1719, entitled:

An Act amending Article eleven of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the provisions relating to the Sinking Fund Commission

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeab'y to order.

The House proceeded to the first reading and consideration of House Bill No. 1293, entitled:

An Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth providing for the election of such commissioners and prescribing his powers and duties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 16, entit'ed:

A joint resolution proposing an amendment to the Constitution of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1692, entitled:

An Act giving the power to mayors of third class cities of this Commonewalth to be present and vote at council meetings in order to make a quorum and cast a deciding ballot in case of a tie vote

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1805 (Senate No. 66), entitled:

A supplement to an act entitled "An Act to estabi'sh a board of commissioners of navigation for the River Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware River and its navigable tributaries and fixing certain penalties for the vioaltion thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1616, entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1886 (Senate No. 552), entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent c ties boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter to distribute and dispose of power for lighting and other purposes and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to construct with said cities respecting the acquisition construction operation and use of transit facilities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1887 (Senate No. 553), entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1804 (Senate No. 65), entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1403 (Senate No. 556), entitled:

An Act to permit the relocation of certain portions of the track of street passenger railway companies with the consent of the local authorities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1815 (Senate No. 502), entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 507, entitled:

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs within the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 585, entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred and three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the term of the borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1228, entitled:

An Act amending section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one as the same was amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine changing the method of service by advertisements of writs of scire facias issued upon municipal and tax claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1846 (Senate No. 523), entitled:

A supplement to an act entitled "An Act in relation to the layin out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the asessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefitted and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damges are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1558, entitled:

An Act empowering cities of the second class to levy assess and collect taxes for general revenue purposes on street railway telegraph electric light or power water gas and heat companies or corporations

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1826 (Senate No. 294), entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for the compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in form apauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the Common Pleas Court to take such appeal and prescribing the practice in such cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1739, entitled:

An Act to provide for the protection of vehicular pedestrian and animal traffic under trolley wires on public highways in the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 525, entitled:

An Act to amend section eight of an entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1367, entitled:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk to countersign warrants on the county treasurer when properly drawn during such periods as any said county controller may have so designated such clerk in writing to the county treasurer in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1793, entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1828 (Senate No. 394), entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign born residents and prescribing penalties for violation of its provisions

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1844 (Senate No. 417), entitled:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practcal means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" aproved June fourteen one thousand nine hundred eleven Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act to fix the compensation and allowances for members of the General Assembly

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 731, entitled:

An Act relating to mutual fire insurance companies and fixing penalties for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1190, entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1871, entitled:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entitled An Act relating to hawking and peddling in the county of Lehigh

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 45, entit'ed:

An Act prescribing the method of executing condemned criminals and regulating the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1237, entitled:

A supplement to an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boads of prison inspectors of penitentiaries

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1836, entitled:

An Act to repeal an act approved the second day of July one thousand nine hundred and one entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing removing or injuring the same what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted

And said bi'l having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1525, entitled:

An Act regulating the safe-conveyance of passengers in cars of roller-coasters by providing a guard for all openings and providing a penalty for the violation hereof

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1402 (Senate No. 421), entitled:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy' " approved the twentyninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five so far as it relates to Washington county

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1429, entitled:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of fully incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1633, entitled:

An Act to amend an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" as the same was amended by an act approved the thirtieth day of March one thousand nine hundred and eleven by changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society and by adding one (1) Representative of the Pennsylvania Conservation Association

And said bill having been read at length the first time.
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1864, entitled:

An Act directing the Legislature Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the

bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1604, entitled:

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteen one thousand eight hundred and ninety-five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to serve in said Department

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1838, entitled:

An Act to repeal the seventh section of an act approved the fourth day of April one thousand eight hundred and seventy-two entitled "An Act to authorize the borough of Phoenixville to erect water and gas works and to supply the said borough with water and gas"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1877 (Senate No. 284), entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State hospital for criminal insane

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 920, entitled:

An Act to prohibit the marriage cohabitation and fornication of white persons with persons of negro blood and providing penalties for the violation hereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1897, entitled:

An Act to amend section four of an act entitled "An Act to provide for the creation of a Board of Examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny" approved the sixth day of June Anno Domini one thousand eight hundred and seventy-three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. GEARY. Mr. Speaker, I move that House Bill No. 1897, entitled:

An Act to amend section four of an act entitled "An Act to provide for the creation of a Board of Examiners and the appointment of an inspector of steam engines and steam boilers for the county of Allegheny" approved the sixth day of June Anno Domini one thousand eight hundred and seventy-three

be recommitted to the Committee on Judiciary Local.
Mr. McCAIG. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1878 (Senate No. 416), entitled:

Granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed date the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1891, enttiled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gaging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

OPINION FROM THE ATTORNEY GENERAL.

The SPEAKER. The Attorney General of the Commonwealth has sent a communication to the House which will be read by the Clerk.

The Communication was read by the Clerk as follows:

Harrisburg, Pa., April 14, 1913.

To the Honorable, the House of Representatives, Harrisburg, Pa.

Dear Sirs:—This is an acknowledgment of the receipt of your communication of the 10th instant, requesting my opinion on or before Monday the 14th instant.

It is, and long has been, an established rule of the Attorney General's office, to give opinions to the Departments of the State Government, only upon a concrete state of facts, and to refuse to give an opinion upon an suppositions or hypothetical case propounded by any of the Departments; much less, therefore, should such an opinion be given to the Legislature upon some possible bill not as yet introduced into the Legislature, nor, so far as appears, even drafted. In view of this firmly settled and well grounded practice, you will permit me to express the regret that the opinion of this Department was not requested upon some bill actually introduced into your Honorable Body, dealing with the subject matter of the resolution. However, as time seems to be made the essence of your request and as it is my desire to afford a possible light upon the simple propositions involved in your inquiry, I may say that the proposed constitutional amendment, in my opinion, contemplates and requires the adoption of such amendment by the people as a condition precedent to the enactment of any enabling legislation therein and thereby authorized. The present Constitution forbids the creation of such a bonded indebtedness. The purpose of the proposed amendment is to give constitutional authority, not lacking, to the Legislature to create such a bonded indebtedness. Obviously, as it clearly seems to me, the amendment to the Constitution must be first adopted; and then, and not until then will the Legislature have the constitutional authority to enact the necessary enabling legislation.

Faithfully yours,

(Signed) JOHN C. BELL,
Attorney General.

BILLS ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 1153, as follows:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflamation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

Whereas statistics show fully thirty (30) per cent of cases of blindness to be due to inflamation of the eyes appearing a few days after birth and whereas experience has proved that this inflamation can be cured and the eye-sight saved in the majority of cases if the proper treatment be instituted at an early stage of the disease

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every physician practicing in any portion of this Commonwealth who shall treat or examine any infant suffering from ophthalmia neonatorum (inflamation of the eyes of infants) shall if the said case be located in a township of the first class a borough or a city forthwith make a report in writing to the Health Authorities of said township city or borough and if said case shall be located in a township of the second class or a city borough or township of the first class not having a board of health or body acting as such to the State Department of Health upon blanks supplied for that purpose in which report he shall under his or her own signature state the name of the disease and the name age sex color and nativity of the infant suffering therefrom together with the street and house number of the premises in which said infant may be located or otherwise sufficiently designate the same the date of the onset of the disease the name and occupation of the householder in whose family the disease may have occurred together with such information relating to said case as may be required by said health authorities and the State Department of Health

Section 2 That any mid-wife or nurse or other person having the care of an infant whose eyes have become inflamed or swollen or reddened at any time within two weeks after birth shall report the same in writing to the health authorities of the city borough or township of the first class in which the case may be located or if it be located in a township of the second class or a city borough or township of the first class not having a Board of Health or body acting as such the State Department of Health within six hours after the discovery thereof giving the name of the infant the names of the parents or guardians

and the street and number of their residence or otherwise sufficiently designate the same together with the fact that such inflamation or swelling or redness exists and shall make a simlar report in writing to some regularly qualified practicing physician of the district

Section 3 That it shall be the duty of the health authority of the State Department of Health immediately upon receipt of a written report from a mid-wife or a nurse or person other than a practicing physician to notify the parents or guardian or other person having charge of the infant of the ranger to the eyes or eye of said infant by reason of any neglect of proper treatment of the same

Section 4 Every physician in this Commonwealth who shall treat any infant's eyes for aphthalmia neonatorum (inflammation of the eyes of an infant) shall within forty-eight hours after said physician ceases treatment of or attendance upon such case of ophthalmia neonatorum report to the Commissioner of Health of the Commonwealth of Pennsylvania that said physician has treated a certain case of ophthalmia neonatorum giving full information as required in section one of this act stating that he has ceased treatment of or attendance upon said case and what was condition of infant's eyes when physician ceased treatment of or attendance upon said case of ophthalmia neonatorum

Section 5 Every health officer shall furnish a copy of this act to every person who is known to him to act as a mid-wife or nurse in the city borough or township for which he is health officer and the Commission of Health of this Commonwealth of Pennsylvania shall cause a sufficient number of copies of this act to be printed and supplied to the health officers

Section 6 Any physician mid-wife nurse or other person who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any Justice of the Peace of Alderman of the county wherein such offense was committed be sentenced to pay a fine of not less than twenty or more than one hundred ($100) dollars to be paid to the use of the said county and the costs of prosecution or to be imprisoned in the county jail for a period of not less than ten (10) or more than thirty (30) days or both at the discretion of the court

Section 7 An "Act for the prevention of blindness imposing a duty upon all mid-wives nurses or other persons having the care of infants and also upon the health officers and fixing penalties for neglect thereof" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five be and the same is hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—186.

Adams,	Fahey,	Light,	Richards,
Allen,	Flynn,	Lohr,	Robinson,
Alworth,	Forster, I. G.,	Lowers,	Rockwell,
Ambler,	Foster, J. D.,	Malie,	Roney,
Aron,	Frey,	Mannion,	Rothenberger,
Arthur,	Gans,	Martin,	Runk,
Baldwin, G. A.,	Geary,	Mather,	Sassaman,
Baldwin, R. J.,	Geiser,	Matt,	Savacool,
Barner,	Gibson,	McAleer,	Schaeffer, A. C
Bass,	Good,	McAllister,	Schuck,
Bayle,	Grabe,	McArdle,	Scott, J. R. K.
Becker,	Gramley,	McCaig,	Shaffer, C. A.,
Benninger,	Gransback,	McClintock,	Shaffer, I. E.,
Benson,	Gray, Frank,	McDermott,	Shern,
Bergey,	Hackett,	McKay,	Sherwood,
Berntheizel,	Haggerty,	McNichol,	Showalter,
Bigger,	Heidinger,	Mellott,	Smith, J. W.,
Bittles,	Hemminger,	Miller,	Smith, L.,
Blair, W. A.,	Herman,	Missimer,	Snavely,
Blair, W. F.,	Hess,	Mitchell,	Snyder,
Bleloch,	Heyburn,	Moore,	Spangler,
Body,	Hibshman,	Morrow,	Speiser,
Brosius,	Hoffman,	Moses,	Spillinger,
Burnett,	Howard, R.,	Moulthrop,	Steele,
Caldwell,	Humes,	Murphy,	Stone,
Campbell, C.M.,	Isler,	Musser,	Strauss,
Campbell, J. J.,	Irwin, G. C.,	Neel,	Swartz,
Carson,	Irwin, H. H.,	Newbaker,	Swift,
Cheeseman,	Jackson,	Newton,	Thomas,
Claycomb,	Jones, E. E.,	North,	Trach,
Cochran,	Jones, J. R.,	O'Neill,	Ulman,
Collins,	Kaiser,	Peachey,	Walnut,
Conner,	Kaufman,	Pennegar,	Walsh,
Conniff,	Keeport,	Pennock,	Walton.
Conrade,	Kenna,	Perry, H. L.,	Watson,
Cox,	Kennedy,	Perry, S. J.,	Wettach,
Currier,	Kern,	Peters,	Whitaker,
Curry,	Kitts,	Piper,	Whitman,
Davis,	Klepper,	Post,	Wildman,
DeFrees,	Kuhn, H. P.,	Price,	Williams,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Donahoe,	Lanius,	Redfield,	Wilson, W. H.,
Donnally,	Latshaw,	Reese,	Wiltbank,
Dunn, J. A.,	Lenker,	Reeser,	Young, G. K.,
Ehrhardt,	Leslie,	Rex,	Young, J. H.,
Eichenberger,	Letzkus,	Rhoads,	Zimmerman,
Ely,			Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HESS (in the Chair.)

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1386 (Senate No. 52), as follows:

An Act amendng an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act of Assembly entitled "An Act regulating lateral railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

"That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land he or they their engineers agent and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the Court of Common Pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by the said railroad when making up their report or forming their verdict thereon" be and the same is hereby amended to read as follows namely

That if any owner or owners lessee or lessees of land mills quarries coal mines lime kiln fire clay minerals or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvana and not more than ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they think proper to adopt doing no damage to the property explored Provided that no land shall be so entered or occupied without the consent of the owner or lessee being first had and secured where the same is actually used in the mining or operating of mills quarries coal mines lime kilns fire clay china clay or kaolin materials or constitutes a part of a tract so operated or used and thereupon may present a petition to the Court of Common Pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in the said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening lands by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said Court of Common Pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and con-

clusive without further appeal or writ of error and it shall be the duty of said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows, viz:

YEAS—167.

Adams,	Ely,	Letzkus,	Rockwell,
Allen,	Flynn,	Light,	Roney,
Alworth,	Foster, J. D.,	Lohr,	Rothenberger,
Ambler,	Frey,	Lowers,	Runk,
Aron,	Gans,	Malie,	Sassaman,
Arthur,	Geary,	Mannion,	Savacool,
Baldwin, R. J.,	Geiser,	Mather,	Schaeffer, A. C
Barner,	Gibson,	Matt,	Shaffer, C. A.,
Bass,	Good,	McAleer,	Shaffer, I. E.,
Bayle,	Gransback,	McAllister,	Shern,
Becker,	Gray, Frank,	McArdle,	Sherwood,
Benninger,	Hackett,	McCaig,	Showalter,
Bergey,	Haggerty,	McClintock,	Smith, J. W.,
Berntheizel,	Heidinger,	McDermott,	Smith L.,
Bigger,	Hemminger,	McKay,	Snavely,
Bittles,	Herman,	McNichol,	Snyder,
Blair, W. F.,	Hess,	Mechling,	Spangler,
Bleloch,	Heyburn,	Mellott,	Speiser,
Body,	Hibshman,	Metzenbacher,	Spillinger,
Brosius,	Hoffman,	Miller,	Steele,
Brown,	Howard, R.,	Missimer,	Stone,
Burnett,	Humes,	Morrow,	Strauss,
Caldwell,	Isler,	Moses,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	Moulthrop,	Swift,
Campbell, J. J.,	Irwin, H. H.,	Musser,	Thomas,
Carson,	Jackson,	Neel,	Trach,
Cleary,	Jones, E. E.,	Neely,	Ulman,
Cochran,	Jones, J. R.,	Newbaker,	Walsh,
Collins,	Kaiser,	Newton,	Walton,
Conner,	Kaufman,	North,	Wettach,
Conniff,	Keegan,	Peachey,	Whitaker,
Conrade,	Keeport,	Pennegar,	Whitman,
Cox,	Kenna,	Pennock,	Wildman,
Currier,	Kennedy,	Perry, S. J.,	Williams,
Curry,	Kern,	Piper,	Wilson, J. H.,
Davis,	Kitts,	Post,	Wilson, W. H.,
DeFrees,	Klepper,	Ramsey,	Wiltbank,
Dickinson,	Kuhn, H. P.,	Redfield,	Young, G. K.,
Donnally,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Down,	Lanius,	Reeser,	Zimmerman,
Dunn, J. A.,	Leslie,	Rhoads,	Alter,
Ehrhardt,		Robinson,	Speaker.
Eichenberger,			

NAYS—1.

O'Neill,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1083 (Senate Bill No. 160), as follows:

An Act amending part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That so much of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one which reads as follows

"Eleventh The plaintiff in any writ of scire facias sur mechanics' claim or in any other writ to charge particular land with the payment of a statutory lien other than those provided for in clause tenth and excepting also claims for taxes and municipal claims shall file his precipe an affidavit by himself his agent or attorney setting forth that he has caused inquiries to be made in the neighborhood of the property of at least three of those residing or nearest thereto whose names and residences are given and the dates of the inquiries stated and that he believes the persons named by him in such affidavit are the real owners of said property whereupon all such persons shall be made parties to the writ which shall be served by the sheriff by adding to the writ and serving as in the case of a summons all persons other than those named in the writ who may be found in possession of said property or any part thereof or if no one be found in possession thereof then by posting a true and attested copy of the writ on the most public part of said property and

(a) By serving as in the case of a summons such of those named in the writ as may be found in the county in which the writ issues and

(b) By serving as in the case of a summons such of those named in the writ as may be found in any other county of the Commonwealth by the sheriff thereof who shall be deputized for that purpose by the sheriff of the county in which the writ issues and

(c) If all those named in the writ cannot be served as provided in clauses (a) and (b) hereof then by maling a true and attested copy of the writ in a registered letter to such of those named in the writ whose residences are given as without the Commonwealth and by advertising a brief notice of the contents of said writ once a week for four successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That if all those named in the writ have been personally served or if return registry receipts for the copies mailed are returned by the sheriff with the writ the advertisement above provided for may be dispensed with is hereby amended to read as follows

Eleventh The plaintiff in any writ of scire facias sur mechanics' claim or in any other writ to charge particular land with the payment of a statutory lien other than those provided for in clause tenth and excepting also claims for taxes and municipal claims shall file with his precipe an affidavit by himself his agent or attorney setting forth that he believes the persons named by him in such affidavit are the real owners of said property whereupon all such persons shall be made parties to the writ which shall be served by the sheriff by adding to the writ and serving as in the case of a summons all persons other than those named in the writ who may be found in possession of said property or any part thereof or if no one be found in possession thereof then by posting a true and attested copy of the writ on the most public part of said property and

(a) By serving as in the case of a summons such of those named in the writ as may be found in the county in which the writ issues and

(b) By serving as in the case of a summons such of those named in the writ as may be found in any other county of the Commonwealth by the sheriff thereof who shall be deputized for that purpose by the sheriff of the county in which the writ issues and

(c) If all those named in the writ cannot be served as provided in clauses (a) and (b) hereof then by mailing a true and attested copy of the writ in a registered letter to such of those named in the writ whose residences are given as without the Commonwealth and by advertising a brief notice of the contents of said writ once a week for four successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That if all those named in the writ have been personally served or if return registry receipts for the copies mailed are returned by the sheriff with the writ the advertisement above provided for may be dispensed with

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas nays were taken and were as follows:

YEAS—154.

Allen,	Ehrhardt,	Light,	Rockwell,
Alworth,	Eichenberger,	Lohr,	Roney,
Ambler,	Ely,	Lowers,	Rothenberger,
Aron,	Ewing,	Malie,	Sassaman,
Arthur,	Flynn,	Mannion,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	Mather,	Schuck,
Barner,	Gans,	Matt,	Shaffer, C. A.,
Bass,	Geary,	McAleer,	Shaffer, I. E.,
Bayle,	Geiser,	McAllister,	Shern,
Becker,	Gibson,	McCaig,	Sherwood,
Benninger,	Grabe,	McClintock,	Showalter,
Berntheizel,	Gransback,	McDermott,	Smith, J. W.,
Bigger,	Gray, Frank,	McKay,	Smith, L.,
Bittles,	Hackett,	McNichol,	Snyder,
Blair, W. F.,	Haggerty,	Mechling,	Spangler,
Bleloch,	Hemminger,	Mellott,	Spillinger,
Body,	Herman,	Metzenbacher,	Steele,
Brosius,	Hess,	Missimer,	Stone,
Brown,	Heyburn,	Mitchell,	Strauss,
Burnett,	Hibshman,	Moore,	Swartz,
Caldwell,	Howard, R.,	Morrow,	Swift,
Campbell, C.M.,	Isler,	Moulthrop,	Thomas,
Campbell, J. J.,	Irwin, G. C.,	Newton,	Trach,
Carson,	Jackson,	North,	Ulman,
Cheeseman,	Jones, E. E.,	O'Neill,	Walton,
Claycomb,	Kaiser,	Pennegar,	Watson,
Cleary,	Keegan,	Pennock,	Wettach,
Cochran,	Keeport,	Perry, H. L.,	Whitaker,
Conner,	Kenna,	Perry, S. J.,	Whitman,
Conniff,	Kennedy,	Peters,	Wildman,
Conrade,	Kern,	Piper,	Williams,
Currier,	Kitts,	Ramsey,	Wilson, J. H.,
Davis,	Klepper,	Redfield,	Wilson, W. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Young, G. K.
Donnally,	Leslie,	Rex,	Young, J. H.,
Down,	Letzkus,	Rhoads,	Zimmerman,
Dunn, J. A.,		Robinson,	Alter,
			Speaker.

NAYS—1.

Good,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1379, as follows:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war and soldiers sailors and marines who served on foreign soil prior to July one one thousand nine hundred and one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of each county are authorized to appropriate moneys for the erection of monuments or memorials in memory of soldiers sailors and marines of the Spanish-American war and soldiers sailors and marines who served on foreign soil prior to July one one thousand nine hundred and one

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Adams,	Good,	Mather,	Savacool,
Allen,	Gramley,	Matt,	Schaeffer, A. C
Ambler,	Gransback,	McAleer,	Schuck,
Aron,	Gray, Frank,	McAllister,	Scott, J. R. K.,
Arthur,	Hackett,	McCaig,	Shaffer, C. A.,
Baldwin, R. J.,	Heidinger,	McClintock,	Shaffer, I. E.,
Barner,	Hemminger,	McDermott,	Shern,
Bass,	Hess,	McKay,	Sherwood,
Bayle,	Heyburn,	McNichol,	Showalter,
Becker,	Hibshman,	Mechling,	Smith, J. W.,
Benson,	Hoffman,	Metzenbacher,	Smith, L.,
Berntheizel,	Howard, R.,	Miller,	Snavely,
Bigger,	Isler,	Mitchell,	Snyder,
Bittles,	Irwin, H. H.,	Moore,	Spangler,
Blair, W. F.,	Jackson,	Morrow,	Speiser,
Body,	Jones, E. E.,	Moses,	Spillinger,
Brosius,	Jones, J. R.,	Moulthrop,	Steele,
Brown,	Kaiser,	Neel,	Stone,
Burnett,	Kaufman,	Newbaker,	Strauss,
Caldwell,	Keegan,	Newton,	Swartz,
Campbell, C.M.,	Keeport,	North,	Swift,
Campbell, J.J.	Kenna,	O'Neill,	Thomas,
Claycomb,	Kennedy,	Peachey,	Trach,
Cleary,	Kern,	Pennegar,	Ulman,
Cochran,	Kitts,	Pennock,	Walnut,
Collins,	Klepper,	Perry, S. J.,	Walsh,
Conner,	Kuhn, H. P.,	Piper,	Walton,
Conrade,	Latshaw,	Ramsey,	Watson,
Cox,	Lenker,	Redfield,	Wettach,
DeFrees,	Leslie,	Reese,	Whitaker,
Donahoe,	Letzkus,	Reeser,	Whitman,
Dunn, J. A.,	Light,	Rex,	Wildman,
Eichenberger,	Lohr,	Rhoads,	Williams,
Ely,	Lowers,	Rockwell,	Wilson, J. H.,
Ewing,	Malie,	Roney,	Wiltbank,
Fahey,	Mannion,	Rothenberger,	Young, G. K.
Flynn,	Martin,	Runk,	Young, J. H.,
Foster, J. D.,		Sassaman,	Zimmerman,
Geary,			Alter,
Gibson,			Speaker.

NAYS—6.

Alworth,	Grabe,	Herman,	Kuhns, E.G.M.,
Carson,	Haggerty,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. NORTH. Mr. Speaker, I desire to call up at this time House Bill No. 804, file folio 5363, on page 17 of today's calendar, bills on final passage postponed.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 804, as follows:

An Act making an appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay for the construction of sewage disposal plants providing the conditions under which the money hereby appropriated shall be disbursed and paid and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the construction of such sewage disposal plants

Whereas the construction of adequate sewage disposal plants in the various municipalities entails a considerable expense upon such municipalities and

Whereas many municipalities have exhausted or nearly exhausted their constitutional borrowing capacity and

Whereas the disposal of sewage other than by prescribing it in its raw state to flow into the streams of the Commonwealth is for the common welfare of the people of the State and

Whereas it is intended that State aid be inaugurated for the purpose of aiding and assisting municipalities in the construction of sewage disposal plants under some system which will not permit the larger municipalities or any of them to absorb the fund appropriated for any appropriation period and thus prevent the construction of sewage disposal plants in other municipalities until such time as more money maybe appropriated by the legislative enactment therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million ($1,000,000) dollars or so much thereof as may be necessary for the two years beginning June first Anno Domini one thousand nine hundred and thirteen is hereby appropriated for the purpose of aiding and assisting cities and boroughs and other municipalities to pay the cost of sewage disposal plants as herein further provided

Section 2 Whenever after the passage of this act it shall become necessary for any city borough or other municipality in this Commonwealth in accordance with existing laws to cease discharging their sewage into the waters of the Commonwealth and for this purpose such city borough or other municipality shall submit plans and specifications for the construction of a sewage disposal plant to the Commissioner of Health and such plans and specifications shall have been approved by the Commissioner of Health the councils or other proper authorities of such city borough or municipality may at any time before the first day of March of an even numbered year beginning with the first day of March Anno Domini one thousand nine hundred and fourteen give notice to the Auditor General of the Commonwealth on forms furnished by the Commissioner of Health for that purpose that such plans and specifications have been submitted to and approved by the Commissioner of Health which notice shall also contain the estimated cost of the construction of said plant

Section 3 Immediately after the first day of March of each even numbered year beginning with the first day of March Anno Domini one thousand nine hundred and fourteen the Auditor General of the Commonwealth shall place to the credit of the cities boroughs or other municipalities from which notices have been received in accordance with section two of the act its estimated proportionate share of any moneys appropriated by act of Legislature for the two years beginning the first day of June of such odd numbered year based upon the total estimated cost of the plants for which such notices have been received and the total appropriation therefor

Section 4 Whenever any city borough or other municipality after having complied with the provisions of section two of this act have actually begun the construction and erection of a sewage disposal plant upon plans and specifications approved by the Commissioner of Health the councils or other proper authorities of such city borough or other municipality shall render quarterly on or within thirty days after the first day of March June September and December respectively beginning with the first day of March Anno Domini one thousand nine hundred and fourteen to the Auditor General of the Commonwealth a statement of the cost of labor and material for the said sewage disposal plant for the previous quarter or if it be the first statement from the time the work was begun

Section 5 During the construction and erection of any sewage disposal plant receiving State aid the Commisioner of Health shall have the right through his engineers and assistants to direct and supervise the work and the material used in order that the same may be up to and in accordance with the plans and specifications approved by him as required by this act The expense of such direction and supervision including services of inspector traveling and other necessary expenses incident thereto shall be paid by the Commissioner of Health out of moneys appropriated for the general expenses of the Department of Health and shall be certified quarterly to the Auditor General of the Commonwealth and shall be deducted from the amount payable to the city borough or other municipality constructing such disposal plant and credited by the State Treasurer to the appropriations to the Department of Health

Section 6 Upon the receipt of a quarterly statement as provided for in section four of this act from the authorities of any city borough or municipality the Auditor General of the Commonwealth shall submit the same to the Commissioner of Health for his approval and when such statement is so approved by the Commissioner of Health shall honor the recognition of the proper authorities of such city borough or other municipality for a proportionate part of its share of monies appropriate for that purpose withholding however from each quarterly payment fifteen per centum of the amount to which such city borough or other municipality would be entitled as a reserve fund to be paid upon final settlement and the adjustment of possible differences between estimated and actual cost and also deducting therefrom the cost of the direction and supervision of the work by the Department of Health

Section 7 Any city borough or other municipality having a sewage disposal plant in the course of construction and unfinished on the first day of June of any odd numbered year may continue to receive its proper proportion of any moneys appropriated for the preceding two years and placed to its credit as provided in section three of this act but may not share in any appropriation for any other period

Section 8 No contribution made by any State appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay the cost of such sewage disposal plants shall at any time exceed one-half of the cost of such sewage disposal plants

Section 9 Nothing contained in this act shall be construed to in any way repeal or interfere with the enforcement of the provisions of an act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health"

On the question,

Shal the bill pas finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire some explanation from the gentleman from Jefferson, Mr. North.

Mr. NORTH. Mr. Speaker, this bill provides for an expenditure of $500,000 per annum, or $1,000,000 in two years, for the purpose of aiding the various cities and municipalities of the State in erecting or building sewage disposal plants, which work will be completed in about twenty years, or thereabouts. I would say, at the present time, Mr. Speaker, that 269 cities and boroughs and eight townships have bene ordered to prepare plans for sewage disposal plants at an estimated cost of $20,085,000. Now, if this State should aid in the building of these sewage disposal plants, it would take about twenty years, without overburdening the municipalities or the State. It seems to me only fair that the State should aid in this matter.

Mr. ADAMS. Mr. Speaker, I call for the order of the day, which is the sepcial order for the consideration of Senate Bill No. 819, House Bill No. 1890, file folio 1359.

The SPEAKER. The Special Order will follow the bill now under consideration.

The gentleman from Jefferson, Mr. North, has the floor.

Mr. NORTH. Mr. Speaker, it sems to me that the aid that the State should give in this matter would not only be an advantage to the State, but will be a special advantage to the municipalities that have been ordered to build these disposal plants.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Jefferson.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. NORTH. Mr. Speaker, I will.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to ask the gentleman from Jefferson what amount it is contemplated that this legislation will include in its entirety?

Mr. NORTH. Mr. Speaker, I did not catch the gentleman's question.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I asked the gentleman what amount it is contemplated that this legislation will include in its entirety.

Mr. NORTH. Mr. Speaker, for what amount?

Mr. JOHN R. K. SCOTT. Yes, Mr. Speaker, for the scheme, the whole system.

Mr. NORTH. Well, Mr. Speaker and gentleman of the House, in reply to the gentleman from Philadelphia, it will require about twenty million dollars to aid 269 cities and 8 townships which have already been ordered to construct these various disposal plants.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman further, as to whether or not it has been estimated that it will cost between forty and fifty million dollars?

Mr. NORTH. Mr. Speaker, not for those that have already been erected.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to ask the gentleman, is that as far as your estimate of twenty million dollars goes? Merely those that have been in contemplation, that have made request? What is the amount of money that it will cost the State to carry out this legislation in its full scope at it is contemplated, covering the various cities, boroughs and other municipalities?

Mr. NORTH. Mr. Speaker, for those that have already been erected $20,850,000.00; for those that have been considered, about twenty-four million.

On the question recurring

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Adams,	Fahey,	Malie,	Richards,
Allen,	Foster, J. D.,	Mannion,	Robinson,
Ambler,	Frey,	Martin,	Rockwell,
Aron,	Gans,	Mather,	Roney,
Arthur,	Geary,	McAllister,	Rothenberger,
Baldwin, R. J.,	Geiser,	McArdle,	Sassaman,
Bass,	Gibson,	McCaig,	Savacool,
Bayle,	Good,	McClintock,	Schaeffer, A. C
Becker,	Gramley,	McKay,	Schuck,
Benson,	Gransback,	McNichol,	Semmens,
Bergey,	Gray, Frank,	Mechling,	Shaffer, C. A.,
Bigger,	Gray, Joseph,	Metzenbacher,	Shaffer, I. E.,
Bittles,	Hackett,	Miller,	Showalter,
Blair, W. F.,	Haggerty,	Missimer,	Smith, J. W.,
Body,	Heidinger,	Moore,	Snyder,
Brosius,	Hemminger,	Morrow,	Spangler,
Brownlee,	Herman,	Moses,	Speiser,
Campbell, J. J.,	Heyburn,	Moulthrop,	Spiinger,
Carson,	Humes,	Murphy,	Steele,
Cheeseman,	Isler,	Musser,	Stone,
Claycomb,	Irwin, G. C.,	Neel,	Swartz,
Collins,	Irwin, H. H.,	Neely,	Swift,
Conniff,	Jackson,	Newton,	Thomas,
Conrade,	Jones, J. R.,	North,	Trach.
Cox,	Kaiser,	O'Neill,	Ulerich,
Currier,	Kaufman,	Peachey,	Ulman,
Curry,	Keegan,	Pennegar,	Walnut,
Davis,	Keeport,	Pennock.	Walsh,
DeFrees,	Kenna,	Perry, S. J.,	Walton,
Dickinson,	Kennedy,	Peters,	Watson,
Donahoe,	Kuhn, H. P.,	Piper,	Wettach,
Donnally,	Kuhns, E.G.M.,	Post,	Whitaker,
Down,	Latshaw,	Ramsey,	Whitman,
Dunn, H. B.,	Lenker,	Redfield,	Wildman,
Ehrhardt,	Letzkus,	Reese,	Williams,
Eichenberger,	Light,	Reeser,	Wilson, J. H.,
Ely,	Lohr,	Rex,	Wilson, W. H.,
Ewing,	Lowers,	Rhoads,	Wiltbank,

NAYS—10.

Alworth,	Hoffman,	McDermott,	Snavely,
Grabe,	Matt,	Mellott,	Young, G. K.
Hess,	McAleer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER.

The SPEAKER. The hour of nine thirty having arrived, the special order is the consideration of House Bill No. 1890, Senate Bil 819, on page 48 of tonight's calendar.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1890 (Senate bill No. 719), entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred five entitled "An Act established in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

On the question,

Will the House agree to the bill on third reading?

Mr. ADAMS. Mr. Speaker, and gentlemen of the House, I wish to call the attention of the House to the fact that this bill concentrates the power the commissioner's formerly had in the Board of Assessors, by giving the Board of Assessors the power to appoint their tax collectors.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Adams,	Foster, J. D.,	Lohr,	Roney,
Allen,	Frey,	Lowers,	Rothenberger,
Alworth,	Gans,	Malie,	Runk,
Ambler,	Geary,	Mannion,	Sassaman,
Aron,	Geiser,	Martin,	Savacool,
Arthur,	Gibson	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Grabe,	McAleer,	Schuck,
Baldwin, R. J.,	Gramley,	McAllister,	Scott, J. R. K.,
Barner,	Gransback,	McArdle,	Scott, S. B.,
Bass,	Gray, Frank,	McCaig,	Semmens,
Bayle,	Gray, Joseph,	McClintock,	Shaffer, C. A.,
Becker,	Hackett,	McDermott,	Shaffer, I. E.,
Benninger,	Haggerty,	McKay,	Shern,
Bergey,	Heidinger,	McNichol,	Showalter,
Berntheizel,	Hemminger,	Mechling,	Smith, J. W.,
Bigger,	Herman,	Miller,	Snavely,
Bittles,	Hess,	Missimer,	Snyder,
Blair, W. F.,		Mitchell,	Spangler,

Bieloch,	Heyburn,	Moore,	Speiser,
Body,	Hibshman,	Morrow,	Spillinger,
Brosius,	Hoffman,	**Murphy,**	Steedle,
Brownlee,	Howard, R.,	Musser,	Steele,
Burnett,	Humes,	Neel,	Stone,
Caldwell,	Isler,	Neely,	Strauss,
Campbell, C.M.,	Irwin, G. C.,	Newbaker,	Swartz,
Campbell, J. J.,	Irwin, H. H.,	Newton,	Swift,
Carson,	Jackson,	North,	Thomas,
Cheeseman,	Jones, E. E.,	O'Neill,	Trach,
Cleary,	Jones, J. R.,	Peachey,	Ulerich,
Conner,	Kaiser,	Pennegar,	Ulman,
Conrade,	Kaufman,	Pennock,	Walnut,
Cox,	Keegan,	Perry, H. L.,	Walsh,
Currier,	Keeport,	Perry, S. J.,	Walton,
Curry,	Kenna,	Peters,	Watson,
Davis,	Kennedy,	Piper,	Wettach,
Dickinson,	Kern,	Post,	Whitaker,
Donahoe,	Kitts,	Ramsey,	Whitman,
Donnally,	Klepper,	Redfield,	Wildman,
Down,	Kuhn, H. P.,	Reese,	Williams,
Dunn, H. B.,	Lanius,	Reeser,	Wilson, J. H.,
Dunn, J. A.,	Latshaw,	Rex,	Wilson, W. H.,
Ehrhardt,	Lenker,	Rhoads,	Wiltbank,
Eichenberger,	Leslie,	Richards,	Young, G. K.,
Ely,	Letzkus,	Robinson,	Young, J. H.,
Ewing,	Light,	Rockwell,	Zimmerman,
Fahey,			Alter, Speaker.

NAYS—2.

Good,	Kuhns, E.G.M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

BILL ON FINAL PASSAGE.

Mr. HOFFMAN. Mr. Speaker, I desire to call up at this time House Bill No. 946, file folio, 5245, on page 17 of today's calendar. Bills on final passage postponed.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 946, entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Allen,	Dunn, H. B.,	Jones, J. R.,	Roney,
Alworth,	Dunn, J. A.,	Kaufman,	Sassaman,
Ambler,	Ehrhardt,	Keeport,	Savacool,
Aron,	Eichenberger,	Kennedy,	Schaeffer, A. C
Arthur,	Ewing,	Klepper,	Schuck,
Baldwin, R. J.,	Fahey,	Kuhns, E.G.M.,	Scott, J. R. K.,
Barner,	Frey,	Lenker,	Shaffer, C. A.,
Bass,	Gans,	Lowers,	Shaffer, I. E.,
Bayle,	Geary,	Mannion,	Shern,
Becker,	Geiser,	McArdle,	Sherwood,
Bergey,	Gibson,	McCaig,	Snyder,
Berntheizel,	Glenn,	McNichol,	Spangler,
Bigger,	Gransback,	Mechling,	Speiser,
Bittles,	Gray, Frank,	Missimer,	Spillinger,
Blair, W. A.,	Hackett,	Moore,	Stone,
Body,	Haggerty,	Murphy,	Ulman,
Campbell, C.M.,	Heidinger,	Neel,	Walnut,
Carson,	Herman,	Neely,	Walton,
Cheeseman,	Hess,	North,	Wettach,
Cleary,	Heyburn,	O'Neill,	Whitaker,
Conner,	Hibshman,	Perry, S. J.,	Wildman,
Conrade,	Hoffman,	Piper,	Wilson, J. H.,
Cox,	Isler,	Reese,	Wilson, W. H.,
Currier,	Irwin, G. C.,	Rhoads,	Wiltbank,
Curry,	Irwin, H. H.,	Richards,	Zimmerman,
Davis,	Jackson,	Rockwell,	
DeFrees,			

NAYS—57.

Baldwin, G. A.,	Kaiser,	Mellott,	Redfield,
Brown,	Keegan,	Miller,	Reeser,
Burnett,	Kern,	Mitchell,	Rex,
Claycomb,	Kitts,	Morrow,	Semmens,
Cochran,	Kuhn, H. P.,	Moulthrop,	Showalter,
Conniff,	Lanius,	Musser,	Smith, J. W.,
Donnally,	Latshaw,	Newbaker,	Steedle,
Foster, J. D.,	Leslie,	Peachey,	Steele,
Good,	Lohr,	Pennegar,	Swift,
Grabe,	McAleer,	Pennock,	Trach,
Gramley,	McAllister,	Perry, H. L.,	Whitman,
Gray, Joseph,	McClintock,	Peters,	Alter,
Hemminger,	McDermott,	Post,	Speaker.
Howard, R.,	McKay,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. STEELE. Mr. Speaker, I wish to call up House Bill No. 1419, file folio 5449, entitled:

An Act to provide for the erection of public comfort stations in the several cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

from page 18 of today's calendar Bills on Final Passage Postponed, for the purpose of amendment.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1419, as follows:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the corporate authorities of each city and borough within this Commonwealth having a population of more than fifteen thousand inhabitants according to the last decennial census of the United States to erect and maintain public comfort stations for the use of the general public

Section 2 The corporate authorities of each municipality as provided in section one of this act shall immediately after the approval of this act provide for the erection of one or more public comfort stations as the population of such municipality may require Said authorities shall by due advertisement invite sealed proposals for bids for the erection of such public comfort stations and shall let the contracts therefor to the lowest responsible bidder and shall take from such bidder a bond with sufficient security conditioned for the faithful performance of such contract

Section 3 The corporate authorities of any such municipality are empowered to provide for the cost of the erection of such public comfort stations from funds in the treasury of such municipality or to issue bonds therefor in the manner now provided for the issuing of bonds by an act of Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" with its several amendments and supplements

Section 4 The public comfort stations provided for in this act shall be centrally located and shall be so erected that they can be maintained in a sanitary condition Such stations shall have at least one compartment for men and one compartment for women and shall be constructed so as to afford privacy

Section 5 If any municipality shall neglect for a period of two years to carry out the provisions of this act it shall be the duty of the Commissioner of Health to erect such public comfort stations under the provisions of this act as he may deem necessary and collect the cost thereof with an additional penalty of twenty per centum from the proper municipality in an action of assumpsit and in the name of the Commonwealth in the same manner as debts of like amount are recoverable

Section 6 All acts or parts of acts inconsistent with this act are repealed

RECONSIDERATION OF VOTE.

Mr. STEELE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

Mr. STEELE. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend section one, line six, by striking out "15,000" and insert in lieu thereof "12,000."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be prepared for final passage.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1102, as follows:

An Act to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth section of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act "and repealing section two of an act entitled "An act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and pealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic shall be devoted to the segregation care maintenance treatment training and education of epileptic idiotic imbecile or feeble-minded persons of both sexes and shall provide separate classification for the various grades of patients For male patients especial attention shall be given to providing an agricultural training and their employment in the cultivation of the land raising stock fruits vegetables et cetera in accordance with such regulations as the board may prescribe

Section 2 That section nine of an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor approved the fifteenth day of May Anno Domini one thousand nine hundred and three which reads as follows

"Section 9 The said commissioners upon the comp' 'ion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate said trustees shall be a body politic or corporate of the name and style of the State Institution for Feeble-Minded of Eastern Pennsylvania They shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the Constitution and laws of the Commonwealth Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of such manager" be and the same is hereby amended so as to read as follows

Section 9 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the Senate said trustees shall be a body politic or corporate for the name and style of the State Institution for Feeble-Minded of Eastern Pennsylvania They shall manage control and direct all the affairs of the institution appoint make all necessary regulations not herein otherwise specifically provided and not contrary to the Constitution and laws of this Commonwealth for the detention care treatment maintenance employment subsistence training and education of the inmates of the institution assign such duties as they may deem proper to the several officers and employes and exercise such other powers as are elsewhere conferred upon them by this act Of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacanciese shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee

Section 3 That section thirteen of said act which reads as follows

"Section 13 Said board shall receive as inmates of said institution feeble-minded children residents of this State under the age of twenty years who shall be incapable of receiving instruction in the common schools of this State Said Board shall prescribe and cause to be printed instructions and forms of application for the admission of such children and shall include therein interrigartories to which they shall require answers under oath showing such facts as may be needed for the information of the said trustees Such printed instructions and forms shall be furnished to all applicants for the admission of any person or patient in whole or in part as a State beneficially and shall be endorsed by the board of commissioners or directors of the poor of the county in which he or she resides at the time of the making of the application" be and the same is hereby amended so as to read as follows

Section 13 Said board of trustees shall receive as inmates of said institution only such idiotic feeble-minded or epileptic persons as may be committed thereto in the manner hereinafter provided by any of the courts of quarter sessions of the following named counties in the Commonwealth namely

Adams Berks Bradford Bucks Carbon Chester Columbia Cumberland Dauphin Delaware Franklin Lackawanna Lancaster Lebanon Lehigh Luzerne Lycoming Monroe Montgromery Montour Northampton Northumberland Perry Philadelphia Pike Schuylkill Snyder Sullivan Susquehanna Tioga Union Wayne Wyoming and York

It shall be lawful for the husband wife parent guardian or other person standing in loco parentis to such idiotic feeble-minded or epileptic person his or her next of kin the county commissioners or the overseers of the poor or the managers or trustees of any institution having such person in charge or the district attorney of the county in which such person shall reside to apply by petition to the court of quarter sessions of the county in which said idiotic feeble-minded or epileptic person shall be resident setting forth in said petition the age sex and residence of such person the address of his or her parents and the address of the petitioner praying for the commitment of such person to The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic which said petition shall be accompanied by a certificate made under oath after a personal examination of such idiotic feeble-minded or epileptic person by a reputable physician with an experience of at least five years in the actual practice of his profession setting forth that such person is an idiot of feeble-mind or an epileptic and a proper subject for commitment to said institution Thereupon the said court or a judge thereof shall appoint a day for the hearing of the said petition and shall cause notice thereof to be given to all parties in interest and if at the said hearing it shall be made to appear that said person is an idiot of feeble-mind or an epileptic and a proper subject for commitment to said institution and that the best interests of the said person or the welfare of society require such commitment the court shall make an order committing such idiotic feeble-minded or epileptic person to the said Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and direct his or her removal thereto by a proper officer or person at the cost of the said county

At the said hearing the said court or judge shall inquire as to the estate of such idiotic feeble-minded or epileptic person and if the same be sufficient for the purpose shall make an order directing the payment therefrom of the cost of maintaining such person in said institution otherwise that such payment be made by the husband or parent of such idiotic feeble-minded or epileptic person if it appear that the circumstance of said husband or parent are such as to make such an order proper and advisable and any cases are now enforcable by law If default shall be made in the payment of any such order for the period of three months the district attorney or city solicitor of the proper county shall upon notice from the officers of the said institution setting forth the amount of the arrearage make application to the proper court for the enforcement of the said order Where the estate of said idiotic feeble-minded or epileptic person is insufficient and the circumstances of her husband or his or her parent are not such as to warrant an order for maintenance on either of them the said idiotic feeble-minded or epileptic person shall be maintained and cared for in the said institution at the cost of the Commonwealth

The costs of such hearing shall be paid by the county and the court may in its discretion allow a fee of five dollars ($5.00) to the physician making the examination and a fee of ten dollars ($10.00) to the attorney presenting the petition and appearing at the hearing which fees shall be paid by the county

The said board of trustees shall also receive all such idiotic feeble-minded or epileptic persons as may be transferred to such institution from any other State institution by the Committee on Lunacy of the Board of Public Charities and the said Committee on Lunacy shall have authority to transfer any inmate of said institution to any other proper State institution

When in the opinion of the board of trustees it appears probable that the mental condition of any inmate of said institution has so improved that his or her release will be beneficial to such inmate and not incompatible with the welfare of society the said board may recommend the discharge of such inmate to the court committing him or her to said institution which recommendation shall be accompanied by a record of the case of such inmate setting forth the date of his or her commitment the time of his or her detention the history of hfs or her case in the institution and the opinion of the superintendent and medical staff as to his or her present mental condition whereupon the said court may in its discretion after hearing all persons desirous of being heard in the premises issue an order under the seal of the court upon the said board to discharge the said inmate from the said institution

Section 4 That sections eleven twelve fourteen and fifteen of the said act entitled "An Act to provide for the selection of a site and erection of a State Institution for the Feeble-Minded and Epileptic to be called The Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three and section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred

and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven and all acts and parts of acts inconsistent herewith be and the same are hereby repealed

Section 5 This act shall go into effect on October first nineteen hundred and fourteen

Mr. WHITAKER. Mr. Speaker, I desire to offer a word of explanation to this bill. This bill applies merely to two State institutions for epileptic, idiotic and feeble-minded. It is in accordance with recommendations approved by a Commission which the Governor appointed two years ago to investigate and report on the segregation of idiotic and feeble-minded. They have made this recommendation and this bill is drawn in accordance with their recommendation. There are two such institutions in the State: one is at Polk in the western part of the State and the other one is at Spring City in the eastern part of the State. This bill apportions the different counties to these two institutions. To this institution at Spring City it gives the counties in the eastern part of the State. It has always been the practice with the Board of Trustees of this Institution to require that the commitments of patients be made by the Courts and the Courts have uniformly done that committing and discharging on most of the inmates in that Institution. There is some doubt among the Courts as to whether or not they have that power. It is, therefore, our desire to make it clear and give the courts that power to commit and discharge inmates. One other feature of the bill is that it gives the Commission on Lunacy, a branch of the State Board of Charities, power to transfer patients from this Institution to other Institutions and vice a versa; a power which they already have and which they do have among the Insane Asylums. It will make it more definite and economical for all the Institutions if they can adjust matters in accordance with these recommendations and if they can change patients from one Institution to another. It is a State Institution and this bill applies only to this one.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—188.

Adams,	Ewing,	Lohr,	Richards,
Allen,	Fahey,	Lowers,	Robinson,
Alwerth,	Flynn,	Malie,	Rockwell,
Ambler,	Foster, J. D.,	Mannion,	Roney,
Aron,	Gans,	Martin,	Rothenberger,
Arthur,	Geary,	Mather,	Runk,
Baldwin, G. A.,	Geiser,	Matt,	Sassaman,
Baldwin, R. J.,	Gibson,	McAleer,	Savacool,
Barner,	Glenn,	McAllister,	Schaeffer, A. C
Bass,	Good,	McArdle,	Schuck,
Bayle,	Grabe,	McCaig,	Scott, S. B.,
Becker,	Gramley,	McClintock,	Semmens,
Benson,	Gransback,	McDermott,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McKay,	Shaffer, I. E.,
Bernthelzel,	Gray, Joseph,	McNichol,	Shern,
Bigger,	Hackett,	Mechling,	Showalter,
Blair, W. A.,	Haggerty,	Metz,	Smith, J. W.,
Blair, W. F.,	Heidinger,	Metzenbacher,	Smith, L.,
Bleloch,	Hemminger,	Miller,	Snavely,
Body,	Herman,	Missimer,	Snyder,
Brosius,	Hess,	Mitchell,	Spangler,
Brown,	Heyburn,	Moore,	Speiser,
Brownlee,	Hibshman,	Morrow,	Spillinger,
Burnett,	Hoffman,	Moses,	Steedle,
Caldwell,	Howard, R.,	Moulthrop,	Steele,
Campbell, C.M.,	Humes,	Murphy,	Stein,
Campbell, J.J.	Isler,	Musser,	Stone,
Cheeseman,	Irwin, G. C.,	Neel,	Strauss,
Claycomb,	Irwin, H. H.,	Neely,	Swartz,
Cleary,	Jackson,	Newbaker,	Swift,
Collins,	Jones, E. E.,	Newton,	Trach,
Conner,	Jones, J. R.,	North,	Ulerich,
Conniff,	Kaiser,	O'Neill,	Ulman,
Conrade,	Keegan,	Peachey,	Walnut,
Cox,	Keeport,	Pennegar,	Walsh,
Currier,	Kenna,	Pennock,	Walton,
Curry,	Kennedy,	Perry, H. L.,	Watson,
Davis,	Kern,	Perry, S. J.,	Wettach,
DeFrees,	Kitts,	Peters,	Whitaker,
Dickinson,	Klepper,	Piper,	Whitman,
Donahoe,	Kohn, H. P.	Post,	Wildman,
Donnally,	Kuhns, E.G.M.,	Ramsey,	Williams,
Down,	Lenker,	Redfield,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Reese,	Wiltbank,
Dunn, J. A.,	Letzkus,	Reeser,	Young, G. K.
Ehrhardt,	Light,	Rex,	Young, J. H.,
Eichenberger,		Rhoads,	Zimmerman,
Ely,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was deermined in the affirmative.

Ordered, That the Clerk persent the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1248, as follows:

An Act to fix the salaries of the deputies in the offices of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff chief clerk to the county commissioners and chief deputy to the board for the assessment and revision of taxes in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act in counties having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each the salaries of the deputy clerk of the courts deputy controller deputy recorder of deeds deputy county treasurer chief deputy sheriff chief clerk to the county commissioners and chief deputy to the board for the assessment and revision of taxes shall be twenty-five hundred dollars ($2,500.00) per annum each payable in monthly instalments by the treasurer of such county according to exitsing lasw

Section 2 That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

BILL POSTPONED.

On the question,

Shall the bill pass finally?

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ADAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1610, as follows:

An Act to prevent the spread of tree diseases or infestations by compelling the treatment of the same under certain conditions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the the same That whenever any tree or trees in this Commonwealth shall be suffering from any disease or infestation which is communicable to other trees and the existence of which is a meanace to fruit tres in the neighborhood thereof the owner of such fruit trees endangered by the existence of said disease or infestation may give notice in writing to the owner of the said diseased or infested tree or trees requiring said owner to remove the said tree or to so treat the same as to abate the danger of communicating the said disease or infestation and at the same time shall transmit a copy of said notice to the Secretary of Agriculture with a statement of the reasons for such complaint Upon failure of such owner to comply with such notice to the satisfaction of the complainant within ten days the Secretary of Agriculture shall examine into the facts and make such order as may be reasonably required for the prevention of the spread of said disease or infestation from said tree or trees Upon such order being served upon such owner he shall have the right within ten days to appeal to the court of common pleas of the proper county by petition to set aside the said order and if the court on hearing taking into consideration the expense of complying with the said order and the danger which will result from a non-compliance therewith shall be satisfied that said order is unreasonable the same shall be set aside If said order shall be sustained then the same shall be complied with by the appellant within a time to be fixed by the court and upon failure to comply therewith the compliant shall have full power and right to carry out the same and to recover the expense thereof from the defaulting owner

Section 2 In case the owner of any diseased or infested tree shall not be a resident of the county within which the same is located notice to the occupant of the property shall be sufficient for all the purposes of this act and where such property is unoccupied and neglected notice shall be given to the owner by registered mail if his address be known otherwise it shall be sufficient to post five copies of the notice in conspicuous places upon the premise

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—141.

Adams,	Dunn, H. B.,	Leslie,	Reeser,
Allen,	Dunn, J. A.,	Letzkus,	Rex,
Alworth,	Ehrhardt,	Lowers,	Rockwell,
Ambler,	Eichenberger,	Maine,	Roney,
Aron,	Ely,	Mannion,	Schaeffer, A. C
Arthur,	Ewing,	Mather.	Scott, S. H.,
Baldwin, G. A.,	Flynn,	McAleer,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Showalter,
Barner,	Frey,	McCaig,	Smith, J. W.,
Bass,	Gans,	McClintock,	Smith, L.,
Bayle,	Geary,	McDermott,	Snyder,
Becker,	Gibson,	McNichol,	Spangler,
Bergey,	Good.	Mechling,	Speiser,
Berntheizel,	Gramley,	Miller,	Spillinger,
Bigger,	Gransback,	Missimer,	Steedle,
Bittles,	Gray, Frank,	Mitchell,	Steele,
Blair, W. A.,	Gray, Joseph,	Moore.	Stone,
Bleloch,	Hackett,	Morrow,	Swartz,
Body,	Haggerty,	Moses,	Swift,
Brosius,	Heidinger,	Moulthrop,	Thomas,
Brownlee,	Hess,	Musser,	Ulerich,
Burnett,	Hibshman,	Neel,	Walnut,
Campbell, C.M.,	Hoffman,	Neely,	Walsh,
Campbell, J. J.,	Isler,	Newton,	Walton,
Claycomb,	Irwin, H. H.,	North,	Watson,
Cleary,	Jackson,	O'Neill.	Wettach,
Conrade,	Jones, E. E.,	Pennegar,	Whitaker,
Cox,	Jones, J. R.,	Pennock,	Wildman,
Currier,	Kaiser,	Perry, H. L.,	Williams,
Curry,	Kaufman,	Perry, S. J.,	Wilson, J. H.,
Davis,	Keeport,	Peters,	Wiltbank,
DeFrees,	Kenna,	Piper,	Young, G. K.
Dickinson,	Kennedy,	Post.	Young, J. H.,
Donahoe,	Kuhn, H. P.,	Redfield,	Zimmerman,
Down,	Lenker,	Reese,	Alter, Speaker.

NAYS—18.

Benninger,	Herman,	Mellott,	Sassaman,
Benson,	Heyburn,	Newbaker.	Savacool,
Caldwell,	Kern,	Ramsey.	Shaffer, C. A.,
Cheeseman,	Klepper.	Rothenberger,	Trach,
Hemminger.	Kuhns, E.G.M.,		

The majority required by the Constitution having voted in the affirmative, the question was deermined in the affirmative.

Ordered, That the Clerk present same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1086, as follows:

An Act relating to meat and meat food products and providing for the inspection of such meat and meat food products the premises wherein prepared and the animals from which produced and fixing penalties for violation of this act

Section 1 Be it enacted by the Senae and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be established under the direction of the State Live Stock Sanitary Board a service for the examination and inspection of all cattle sheep swine and goats carcasses and parts thereof and meat and food products slaughtered or prepared in any establishment within this Commonwealth for use as human food and for the examination and inspection of any such establishment as to its sanitary condition

Section 2 To carry out the provisions of this act the State Live Stock Sanitary Board is authorized to appoint such inspectors sanitary experts clerks and agents and prescribe such rules and regulations as shall be deemed necessary All inspectors appointed under the provisions of this act shall be duly licensed veterinary physicians The State Live Stock Sanitary Board shall fix the salaries of all such inspectors sanitary experts clerks and agents and in addition thereto they shall be allowed all expenses actually and necessarily incurred in the performance of their duties All such salaries and expenses shall be paid by the State State Treasurer upon warrant of the Auditor General and pursuant to an appropriation made for such purpose

Section 3 The inspectors appointed under the provisions of this act shall make an examination of all cattle sheep swine and goats before the same shall be slaughtered in any establishment for use as human food All cattle sheep swine and goats found on examination to show symptoms of disease shall be slaughtered separately and the carcasses thereof kept separately for further inspection

Section 4 The said inspectors shall make an examination of all carcasses and parts thereof of all sound and diseased cattle sheep swine and goats whether slaughtered or brought into any establishment where the same are prepared as meat and meat food products for human food The inspectors shall mark all carcasses and parts thereof which are healthful and fit for human food "Inspected and passed" All carcasses and parts thereof which are unhealthful or unfit for human food shall be marked "inspected and condemned" and shall be destroyed for human food purposes in the presence of the inspector Whenever it may be deemed necessary a re-examination of said carcasses or parts thereof may be made and if the same have become unfit for human food shall be marked "inspected and condemned" and be destroyed as hereinbefore provided

Section 5 The said inspectors shall examine all meat and meat food products prepared for human food in an establishment and any such meats or meat products which contain dyes chemicals preservatives or ingredients which render such meat or meat food products unhealthful or unfit for human food shall be marked "inspected and condemned" and shall be destroyed as provided in section four of this act All such meat and meat food products which are healthful and fit for human food shall be marked "inspected and passed"

Section 6 To carry out the provisions of sections three four and five of this act the said inspectors shall have acces sat all times by day or by night whether operated or not to every part of any establishment where cattle sheep swine or goats are slaughtered or meat or meat food products are prepared for human food

Section 7 The sanitary experts appointed under the provisions of section two of this act shall make an examination and inspection of all establishments wherein cattle sheep swine or goats are slaughtered or meat or meat food products are prepared for human food Where the sanitary condition of any establishment is such as to render the carcasses or parts thereof of any cattle sheep swine or goats or any meat or meat food products unhealthful or unfit for human food the sanitary expert making such examination shall notify the inspector of said establishment of such condition and it shall be the duty of the inspector to refuse to mark any carcass or part thereof or any meat or meat food products in said establishment "inspected and passed" until such sanitary condition has been remedied

Section 8 Any person firm or corporation that shall be aggrieved at the action of any inspector or saniary expert may appeal from such action to the Court of Common Pleas of the proper county In any such appeal the State Live Stock Sanitary Board shall be the party defendant and the procedure shall be by petition rule and answer Whenever deemed necessary the court may appoint not exceeding three competent persons to make an examination in the premises and at any such examination the inspector or sanitary expert interested may attend The court shall hear the testimony of all parties interested and shall enter such order or decree in such proceeding as shall seem just The costs of said proceeding including the costs of any examination shall be paid by the party against whom such order or decree is entered

Section 9 The provisions of this act shall not apply to animals slaughtered by any farmer for his own use or to retail dealers in meat and meat food products or to establishments operating under federal inspections unless in the opinion of the State Live Stock Sanitary Board the inspection of such establishments shall be deemed a necessity Provided that any person that shall knowingly sell or offer for sale any meat or meat food products which are unhealthful or unfit for human food shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 10 Any person firm or corporation operating any establishment which is under the inspection provided for in this act that shall sell or offer for sale any carcass or part thereof of any cattle sheep swine or goats or any meat or meat food products which have not been examined and marked 'inspected and passed" or any person firm or corporation or any agent employee or officer of such person firm or corporation that shall forge counterfeit or without proper authority use detach deface or destroy the marking of any inspector upon any carcass or part thereof of any cattle sheep swine or goats or upon any meat or meat food products shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding ten thousand dollars or to undergo an imprisonment not exceeding two years or both at the discretion of the court

Section 11 Any person firm or corporation or any agent employe or officer of any such person firm or corporation that shall pay or offer directly or indirectly to any inspectory sanitary expert or any officer agent or employe authorized to perform any of the duties prescribed by this act any money or other thing of value with intent thereby to influence such inspector sanitary expert officer agent or employee in the performance of his duty shall be guilty of a felony and upon conviction shall besentenced to pay a fine of not less than one thousand dollars nor more than ten thousand dollars and to undergo imprisonment of not less than one year nor more than three years

Section 12 Any inspector sanitary expert officer agent or employe authorized to perform any of the duties prescribed in this act who shall receive or accept any money or other thing of value from any person firm or corporation or any agent employee or officer of any such person firm or corporation given with intent to influence any such inspector sanitary expert officer agent or employee in the performance of his duty shall be guilty of a felony and upon conviction shall be summarily discharged from his office or position and be sentenced to pay a fine of not less than one thousand dollars nor more than ten thousand dollars and to undergo imprisonment of not less than one year nor more than three years

Section 13 All acts or parts of acts inconsistent with this act are repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WETTACH. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. KAISER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1431, as follows:

An Act to amend an act entitled "An Act requiring the prothonotary of keep separate dockets in certain cases" approved twenty-second day of May one thousand eight hundred and seventy-eight by authorizing the courts of common pleas to cause to be entered in the separate docket additional subjects and authorizing the common pleas court by its order to direct the prothonotary to enter all the subjects herein provided for in one index which after such order shall ke bept in lieu of the separate ejectment and other indexes now provided by law and providing that such indexes shall be notice to the several courts of common pleas in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section one of an act entitled "An Act requiring the prothonotary of the several courts of common pleas in this Commonwealth to keep separate dockets in certain cases" approved twenty-second day of May one thousand eight hundred and seventy-eight (Pamphlet Laws ninety-five) which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That from and after the passage of this act it shall be the duty of the prothonotaries of the several courts of common pleas in this Commonwelath to keep a separate index docket in which shall be entered in alphabetical order the names of all persons who may be found to be lunatics or habitual drunkards and also the names of all persons or parties against whom injunctions have been granted restraining them from selling or in any way encumbering real estate and the names of all parties against whom decrees in divorce have been granted" be and the same is hereby amended so that the same shall read as follows namely

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That from and after the passage of this act it shall be the duty of the prothonotaries of the several courts of common pleas in this Commonwelath to keep a separate index docket in which shall be entered in alphabetical order the names of all persons who may be found to be lunatics or habitual drunkards and also the names of all persons or parties against whom injunctions have been granted restraining them from selling or in any way encumbering real estate and the names of all parties against whom decrees of divorce have been granted and the court of common pleas of the proper county is hereby authorized and empowered whenever it shall appear advisable to direct the prothonotary of such county also to enter in the separate index docket hereinbefore provided for the names of all parties to suits or bills in partition and the names of all parties to any ejectment suit or action to recover real estate or to compel a conveyance thereof and the names of all parties to adoption proceedings and the name of all parties having their names or any part thereof changed such indexing to be done in both the old and the new names and the names of all parties to all condemnation cases and proceedings in which viewers are prayed for or appointed and the names of all parties to suits in equity affecting real estate in any wise and the names of all parties to proceedings otherwise relating to real estate which the court shall deem advisable to be entered therein and such index shall then be called the Ejectment and Miscellaneous Index and such indexes shall after the preparation of the same be kept in lieu and place of the separate ejectment and other indexes heretofore authorized by law for the indexing of the matters herein enumerated and set forth except such matters proceedings and actions at law in equity or otherwise as shall have been heretofore directed to be enacted upon the direct and adsectum indexes and upon the judgment indexes required to be kept by the prothonotary

Section 2 The entries on the indexes hereinbefore provided for shall include a reference to the number term and court wherein the proceeding was instituted a brief description of the nature or character of the proceedings date when the same was commenced date of judgment or decree and in the case of ejectments and other proceedings in which the real estate affected is described a brief description or reference to the location of the property affected thereby sufficient to identify it without reference to the principal record of such proceeding and such index may contain such other information as may be ordered to be entered therein by the court directing the preparation thereof

Section 3 After the adoption preparation and installation of the index dockets provided for in this act the same shall be constructive notice to all persons of the matters contained in the proceedings so as aforesaid indexed and no person shall be affected with notice of the pendency of any ejectment or other proceeding hereinbefore provided to be indexed unless the same shal be indexed as herein provided for

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—186.

Adams,	Ehrhardt,	Letzkus,	Roney,
Allen,	Eichenberger,	Light,	Rothenberger,
Alworth,	Ely,	Lohr,	Runk,
Ambler,	Ewing,	Lowers,	Sassaman,
Aron,	Foster, J. D.,	Malie,	Savacool,
Arthur,	Frey,	Mannion,	Schaeffer, A. C
Baldwin, G. A.,	Gans,	Martin,	Schuck,
Baldwin, R. J.,	Geary,	Mather,	Scott, S B.,
Bass,	Geiser	Matt,	Semmens,
Bayle,	Gibson,	McAleer,	Shaffer, C. A.,
Becker,	Good,	McAllister,	Shaffer, I. E.,
Benninger,	Grabe,	McArdle,	Shern,
Benson,	Gramley,	McCaig,	Sherwood,
Bergey,	Gransback,	McClintock,	Showalter,
Berntheizel,	Gray, Frank,	McDermott,	Smith, J. W.,
Bigger,	Hackett,	McKay,	Smith, L.,
Bittles,	Haggerty,	McNichol,	Snavely,
Blair, W. A.,	Heidinger,	Mechling,	Snyder,
Blair, W. F.,	Hemminger,	Mellott,	Spangler,
Bleloch,	Herman,	Metzenbacher,	Spillinger,
Body,	Hess,	Miller,	Steedle,
Brosius,	Heyburn,	Missimer,	Steele,
Brown,	Hibshman,	Mitchell,	Stone,
Brownlee,	Hoffman,	Moore,	Strauss,
Burnett,	Howard, R.,	Morrow,	Swartz,
Caldwell,	Humes,	Murphy,	Swift,
Campbell, C.M.,	Isler,	Musser,	Thomas,
Campbell, J. J.,	Irwin, G. C.,	Neel,	Trach,
Carson,	Irwin, H. H.,	Neely,	Ulerich,
Claycomb,	Jackson,	Newbaker,	Ulman,
Cleary,	Jones, E. E.,	Newton,	Walnut,
Cochran,	Jones, J. R.,	North,	Walsh,
Collins,	Kaiser,	O'Neill,	Walton,
Conner,	Kaufman,	Peachey,	Watson,
Conniff,	Keegan,	Pennegar,	Wettach,
Conrade,	Keeport,	Pennock,	Whitaker,
Cox,	Kenna,	Perry, H. L.,	Whitman,
Currier,	Kennedy,	Peters,	Wildman,
Curry,	Kern,	Piper,	Williams,
Davis,	Kitts,	Post,	Wilson, J. H.,
DeFrees,	Klepper,	Ramsey,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Redfield,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Reese,	Young, G. K.
Donnally,	Latshaw,	Reeser,	Young, J. H.,
Down,	Lenker,	Rex,	Zimmerman,
Dunn, H. B.,	Leslie,	Rhoads,	Alter,
Dunn, J. A.,		Rockwell,	Speaker.

NAYS—1.

Fahey,

The majority required by the Constitution having voted in the affirmative, the question was deermined in the affirmative.

Ordered. That the Clerk present same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1445, as follows:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Department of Labor and Industry the head of which shall be a commissioner of Labor and Industry who shall be appointed by the Governor by and with the consent of the Senate and who shall hold office for the term of four years from the date of his appointment and who shall receive an annual salary of eight thousand dollars ($8,000) and shall appoint and may at pleasure remove all officers clerks and other employees of the Department of Labor and Industry except as herein otherwise provided

Section 2 The Commissioner of Labor and Industry shall forthwith appoint upon entering upon the duties of his office one chief inspector of the Department of Labor and Industry who shall receive a salary of five thousand dollars ($5,000) a year and who shall during the absence or disability of the Commissioner of Labor and Industry possess all the powers and perform all the duties of the said Commissioner except the power to make appointments and who in addition to his duties prescribed by this act shall perform such other duties and possess such other powers as the Commissioner of Labor and Industry shall prescribe

Section 3 The clerical force of the department excluding that of the different bureaus shall be one chief clerk at an annual salary of one thousand eight hundred dollars ($1,800) one stenographer at an annual salary of one thousand dollars ($1,000) one messenger at an annual salary of one thousand two hundred dollars ($1,200)

Section 4 The Department of Labor and Industry shall be divided into three bureaus as follows

1 Bureau of Inspection

2 Bureau of Statistics and Information

3 Bureau of Arbitration

Together with such other bureaus as the Commissioner of Labor and Industry may deem necessary and shall with the consent of the Governor from time to time establish

Section 5 The Commissioner of Labor and Industry shall establish and maintain branch offices in the cities of Philadelphia and Pittsburgh and in such other cities of the Commonwealth as he may deem advisable Such branch offices shall be subject to the supervision and direction of the Commissioner of Labor and Industry be in immediate charge of such officers or employees as the said Commissioner may designate and the reasonable and necessary expenses of such offices shall be paid as are the other expenses of the said Department of Labor and Industry

Section 6 The Attorney General shall have authority to employ and may at pleasure remove an attorney of the Commonwealth of Pennsylvania who shall represent the Department of Labor and Industry and shall take charge of and assist in the prosecution of actions and proceedings brought by or on behalf of the said Commissioner or of the said Department and who shall act generally as legal adviser to the said Commissioner Such counsel shall receive an annual salary of three thousand dollars ($3,000) to be paid out of the appropriation made to said department The Commissioner of Labor and Industry shall have further power to employ attorneys and counsellors at law to be designated by the Attorney General to assist the counsel in special actions or proceedings or generally in performance of his duties

The said Commissioner of Labor and Industry may purchase such supplies and materials as may be necessary in carrying on the work of his department

Section 7 The Bureau of Inspection subject to the supervision of the Commissioner of Labor and Industry shall have charge of all inspections made pursuant to the provisions of this act and shall perform such other duties as may be assigned to it by the Commissioner of Labor and Industry The said Bureau shall be under the charge of the Chief Inspector hereinabove provided for subject to the supervision and direction of the Commissioner of Labor and Industry

There may be in the said bureau fifty-eight inspectors divided into four grades as follows

1 Inspectors of the first grade of whom there may be fifty in number and not less than five of whom shall be women and such additional inspector as the commissioner may deem necessary and proper to appoint from time to time each of whom shall receive an annual salary of one thousand five hundred dollars ($1,500)

2 Inspectors of the second grade of whom there shall be two in number and who shall act as Supervising Inspectors with offices at the cities of Philadelphia and Pittsburgh respectively Each of said inspectors shall receive an annual salary of two thousand five hundred dollars ($2,500)

3 Inspectors of the third grade of whom there shall be not less than two one of whom shall be a woman and both of whom shall be physicians duly licensed to practice medicine in Pennsylvania and who shall act as medical inspectors and each of whom shall receive an annual salary of two thousand five hundred dollars ($2,500)

5 Inspectors of the fourth grade of whom there shall be four one of whom shall be a physician duly licensed to practice medicine in the State of Pennsylvania and who shall be Chief Medical Inspector one of whom shall be a mechanical engineer and expert in ventilation and accident prevention one of whom shall be a chemical engineer and one of whom shall be a civil engineer and expert in fire prevention and building construction Each of the inspectors of the fourth grade shall receive an annual salary of three thousand dollars ($3,000)

Section 8 The Commissioner of Labor and Industry shall from time to time divide the State into districts and shall assign to such districts such inspectors and supervising inspector as may in his judgment appear expedient and shall from time to time assign and transfer such inspectors from one district to any other district or to special duty in any bureau of the said department and may assign an inspector to inspect any special class of factories or establishments and may assign one or more of them to act as clerks in any office of the department

The Commissioner of Labor and Industry shall visit and inspect or cause to be visited and inspected during reasonable hours and as often as practicable every room building or place where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth or of this act and shall cause to be enforced therein the provisions of all such existing laws and of this act and the rules and regulations of the industrial board hereinafter provided for

The Commissioner of Labor and Industry and all inspectors may in the discharge of their duties enter any such place building or room whenever they have reasonable cause to believe that any such labor is being or will be performed therein

Section 9 The inspectors of the third grade shall together with the Chief Medical Inspector hereinabove provided for inspect all rooms buildings and other places subject to the provisions of this act throughout the State with respect to the conditions of work affecting the health of persons employed therein and shall perform such other duties and render such other service as the Commissioner of Labor and Industry shall direct

Section 10 The inspectors of the fourth grade shall constitute a division of industrial hygiene which shall be under the immediate charge of the Commissioner of Labor and Industry The members of the division of industrial hygiene shall make special inspections of factories and mercantile establishments and all rooms buildings or other places subject to the provisions of this act and shall conduct special investigations throughout the Commonwealth of Pennsylvania relative to industrial processes and conditions The members of such division shall prepare material for leaflets and bulletins calling attention to dangers in particular industries and the precautions to be observed to avoid them and shall perform such other duties and render such other services as may be required by the Commissioner of Labor and Industry Each member of said division shall make an annual report to the Commissioner of Labor and Industry which shall be transmitted to the Legislature as part of the annual report of said Commissioner

Bureau of Statistics and Information

Section 11 The bureau of statistics and information shall be under the immediate charge of a chief of the bureau subject to the direction and supervision of the Commissioner of Labor and Industry who shall receive an annual salary of three thousand dollars ($3,000) There shall also be in the office of said bureau an assistant who shall receive a salary of two thousand five hundred dollars ($2,500) and three collectors of statistics who shall receive salaries of two thousand dollars ($2,000) each It shall be the duty of said bureau to keep in touch with labor in the Commonwealth especially in relation to commercial industrial physical educational social moral and sanitary conditions of the wage-earners of the Commonwealth and to the productive industries thereof also to collect assort publish and systematize the details and general information regarding industrial accidents and occupational diseases their causes and effects and the methods of preventing and remedying the same and of providing compensation therefor also to make inquiry and investigation into the condition welfare and industrial opportunities of all aliens arriving and being within the State and to gather information with respect to the supply of labor afforded by such aliens and ascertain the occupations for which such aliens may be best adapted and to bring about communication between the aliens and the several industries requiring labor and to collect assort and publish statistical details and general information relative thereto

The chief or duly authorized deputy shall have power to issue subpoenas administer oaths and take testimonal in all matters relating to the duties herein required of said bureau Any corporation firm or individual doing business within the Commonwealth who shall neglect or refuse for thirty days to answer questions by circular or upon personal application or who shall refuse to obey the subpoena and give testimony according to the provisions of this act shall be liable to a penalty of one hundred dollars to be collected by order of the Commissioner of Statistics in an action of debt in which the Commonwealth of Pennsylvania shall be plaintiff This Bureau shall also be required to collect compile and publish annually the productive statistics of manufacturing commercial and other business interests of the State

Industrial Board

Section 12 There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry and four additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of labor one a wage-earner and one a woman The said additional members shall be designated by the Governor to serve until the first day of January in the years one thousand nine hundred and fifteen one thousand nine hundred and sixteen one thousand nine hundred and seventeen and one thousand nine hundred and eighteen respectively Upon the expiration of each of the said terms the term of office of each associate member thereafter appointed shall be four years from the first of January The Commissioner of Labor and Industry shall be the chairman of the said Board Vacancies shall be filled by appointment for an unexpired term in the same manner as provided for the appointments of the previous holders of the office in which said vacancy occurs

The members of said Board other than the two associate members as hereinabove provided shall receive no additional compensation for services as members of the said Board The four associate members shall each receive a compensation of ten dollars ($10.00) per day and expenses actually and necessarily incurred while engaged in the performance of their duties

The Board shall appoint and may remove a secretary who shall receive a salary to be fixed by the Board The Commissioner of Labor and Industry shall detail from time to time to the assistance of said Board such employees of the Department of Labor and Iudustry as the Board may require In aid of its work the said Board is empowered to employ experts for special and occasional services The counsel to the Department of Labor and Industry shall act as counsel to the Board without additional compensation

The Board shall hold stated meetings which shall be open to the public at least once a month during the year and shall hold other meetings at such times and places as may be necessary Such meetings shall be called by the chairman or majority of the Board The Board shall keep minutes of its proceedings showing the vote of each member upon every question and records of its examination and other official action

Section 13 The Industrial Board shall have the power to make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of all laws of the Commonwealth the enforcement of which shall now and hereafter be imposed upon the Department of Labor and Industry and the rules and regulations made by the Industrial Board in connection therewith and to subpoena and require the attendance in this Commonwealth of all witnesses and the production of books and papers pertinent to the said investigation and to examine them and such public records as it may require in relation to any matter which it has power to investigate Any witness who refuses to obey a subpoena of the said Board as hereinabove provided for or who refuses to be sworn or to testify or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination by the said Board or who is guilty of any contempt after being summoned to appear before the said Board as above provide may be punished as for contempt of court and for this purpose application may be made to any court

within whose territorial jurisdiction the said contempt took place and for which purpose the courts of the Common Pleas of this Commonwealth are hereby given jurisdiction In the course of such investigation each member of said Board shall have power to administer oaths Each member shall have the further power to make personal investigations of all establishments in this Commonwealth where labor is employed

Section 14 All rooms buildings and places in this Commonwealth where labor is employed or shall hereafter be employed shall be so constructed equipped and arranged operated and conducted in all respects as to provide reasonable and adequate protection for the life health safety and morals of all persons employed therein For the carrying into effect of this provision and the provisions of all the laws of this Commonwealth the enforcement of which is now or shall hereafter be entrusted to or imposed upon the Commissioner or Department of Labor and Industry the Industrial Board shall have power to make alter amend and repeal general rules and regulations necessary for applying such provisions to specific conditions and to prescribe means methods and practices to carry into effect and enforce such provisions

Section 15 The rules and regulations of the Industrial Board and the amendments and alterations thereof may embrace all matters and subjects to which power and authority of the Department of Labor and Industry extends and shall be distributed to all applicants Every rule or regulation adopted by the Board shall be promptly published in bulletins of the Department of Labor and Industry and in such daily newspapers as the Board may prescribe and no such rule or regulation shall take effect until thirty days after such publication Any employer employee or other person interested either because of ownership in or occupation of any property affected by any such order or regulation or otherwise may petition for a hearing on the reasonableness of a rule or regulation Such petition for hearing shall be by verified petition filed with the said Industrial Board setting out specifically and in full detail the rule or regulation upon which a hearing is desired and the reasons why such rule or regulation is deemed to be unreasonable All hearings of the Board shall be open to the public Upon receipt of such petition if the issues raised in such peition have theretofore been adequately considered the Industrial Board shall determine the same by confirming without hearing its previous determination or if such hearing is necessary to determine the issue raised the Industrial Board shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the industrial Board may find directly interested in such decision

Section 16 Every person who violates any of the provisions of this act or any of the rules or regulations of the Industrial Board or who resists or interfers with any officer or agent of the Department of Labor and Industry in the performance of his duties in accordance with the said rules and regulations shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment not exceeding one month or both at the discretion of the court

Section 17 There shall be created in the Department of Labor and Industry a Bureau of Mediation and Arbitration the head of which shall be a Chief of Bureau who shall receive an annual salary of three thousand five hundred dollars ($3,500)

Section 18 Whenever a difference arises between an employer and his employees which cannot be readily adjusted the Deputy Commissioner of the Bureau shall proceed promptly to the locality thereof and endeavor by meditation to effect an amicable settlement of the controversy If such settlement cannot be effected the dispute may be arbitrated by a Board composed of one person selected by employer and one person selected by employes and a third who shall be selected by the representatives of the employer and the employe and such third member of the board shall be selected and appointed within a period of five days after the matter has been submitted for arbitration and in the event of any such appointment or selection not being made within a period of five days then the chairman of the board shall constitute the third member of the board and be the chairman of the board and if such third representative is chosen by the two representatives of the employer and employe within five days then a chairman of the board shall be established by the board itself A submission to the Board shall be made in writing and the parties thereto shall agree to abide by the determination of the Board Said Board shall render a written decision within ten days after the completion of the investigation one copy thereof to be filed in the Bureau and a copy to be furnished each party to the controversy The deputy commissioner shall make an annual report of his work containing such information as the Commissioner of Labor and Industry may request

Section 19 The Commissioner of Labor and Industry may assign to this Bureau from his department such clerical assistance as from time to time he may think necessary

Section 20 In addition to their respective salaries as hereinabove provided the Commissioners Inspectors and other officers of the Department of Labor and Industry shall receive the expenses actually and necessarily incurred in the performance of their official duties which expenses together with all other necessary expenses under the provisions of this act shall after the approval in writing by the Governor and the Commissioner of Labor and Industry be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 21 Upon requisition of the Commissioner of Labor and Industry the Board of Public Grounds and Buildings shall furnish suitable accommodations in the State Capitol Building for the use of this department

Section 22 Upon requisition of the Commissioner of Labor and Industry an order of the Superintendent of Public Printing and Binding the State Printer shall do the printing and binding necessary for the proper performance of the duties of this department

Section 23 All of the powers and duties now by law vested in and imposed upon the Department of Factory Inspection which is hereby abolished are now hereby vested in the Department of Labor and Industry

Section 24 This act shall take effect on and after the first day of June one thousand nine hundred and thirteen

Section 25 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Mr. RONEY. Mr. Speaker, just a few brief remarks about this bill, which I think, however, by this time has been make very clear and is well known to each member of this House. This is the Department of Labor and Industry bill, which has been endorsed by every benevolent society, every labor organizzation, and every person in the State having anything to do with the Department of Factory Inspection. The bill has been most carefully drawn. This is a very meritorious measure, and I think, Mr. Speaker, that this is the kind of bill which a member would take some pleasure in supporting, and I ask each and every member of the House to vote for this bill.

On the question, recurring.

Shall the bill pass finally?

Agreeaby to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—190.

Adams,	Ehrhardt,	Leslie,	Roney,
Allen,	Eichenberger,	Letzkus,	Rothenberger,
Alworth,	Ely,	Lowers,	Runk,
Ambler,	Ewing,	Malie,	Sassaman,
Aron,	Fahey,	Mannion,	Savacool,
Arthur,	Flynn,	Martin,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	Mather,	Schuck,
Baldwin, R. J.,	Frey,	McAllister,	Scott, S. B.,
Barner,	Gans,	McArdle,	Semmens,
Bass,	Geary,	McCalg,	Shaffer, C. A.,
Bayle,	Geiser,	McClintock,	Shaffer, I. E.,
Becker,	Gibson,	McDermott,	Shern,
Benninger,	Good,	McKay,	Sherwood,
Benson,	Gramley,	McNichol,	Showalter,
Berntheizel,	Gransback,	Mechling,	Smith, J. W.,
Bigger,	Gray, Frank,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Gray, Joseph,	Miller,	Snyder,
Blair, W. F.,	Hackett,	Missimer,	Spangler,
Bleloch,	Haggerty,	Mitchell,	Speiser,
Body,	Hemminger,	Moore,	Spillinger,
Brosius,	Herman,	Morrow,	Steedle,
Brownlee,	Hess,	Moses,	Steele,
Burnett,	Heyburn,	Moulthrop,	Stone,
Caldwell,	Hibshman,	Murphy,	Strauss,
Campbell, C.M.,	Hoffman,	Musser,	Swartz,
Campbell, J.J.	Howard, R.,	Neel,	Swift,
Carson,	Humes,	Neely,	Thomas,
Cheeseman,	Isler,	Newton,	Trach,
Claycomb,	Irwin, G. C.,	North,	Ulerich,
Cleary,	Irwin, H. H.,	O'Neill,	Ulman,
Cochran,	Jackson,	Peachey,	Walnut,
Collins,	Jones, E. E.,	Pennegar,	Walsh,
Conner,	Jones, J. R.,	Pennock,	Walton,
Conniff,	Kaiser,	Perry, H. L.,	Watson,
Conrade,	Kaufman,	Perry, S. J.,	Wettach,
Cox,	Keegan,	Peters,	Whitaker,
Currier,	Keeport,	Piper,	Whitman,
Curry,	Kenna,	Post,	Wildman,
Davis,	Kennedy,	Redfield,	Williams,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Donahoe,	Lanius,	Rex,	Wiltbank,
Donnally,	Latshaw,	Rhoads,	Young, G. K.
Down,	Lenker,	Robinson,	Young, J. H.,
Dunn, H. B.,		Rockwell,	Zimmerman,
Dunn, J. A.,			Alter,
			Speaker.

NAYS—4.

Kern,	Matt,	Mellott,	Snavely,

The majority required by the Constitution having voted in the affirmative, the qeustion was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1219, as follows:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled 'An Act amending section one two three seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about

the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain re-districting of inspectors granting to the qualified electors of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector therefor until such time as an inspector should be duly elected" by providing for additional inspectors therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled 'An Act amending sections one two three and seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain redistricting of inspectors granting to the qualified electors of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector therefor until such time as an inspector should be duly elected" which reads as follows

"Section 7 The qualified electors of the several inspection districts mentioned in this act shall elect respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district six inspectors
Second inspection district five inspectors
Third inspection district one inspector
Fourth inspection district four inspectors
Fifth inspection district two inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eighth inspection district one inspector

Provided That the present mine inspectors in the several inspection districts shall continue in office until the expiration of the terms for which they have been appointed or elected and the number of inspectors to be elected at the coming election shall be reduced by the number of inspectors now regularly appointed or elected and residing and serving in said districts When the terms of the present inspectors shall expire their successors shall be elected in accordance with the provisions of this act until each inspection district shall have its full quota of elected inspectors under this act Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owning to the erection of a new district or for any other reason an inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a board of examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the board of examiners of said district showing that he has passed a successful examination before the said board and is qualified for the position of inspector" is hereby amended to read as follows

Section 7 The qualified electors of the several inspection districts mentioned in this act shall elect respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district nine inspectors
Second inspection district seven inspectors
Third inspection district one inspector
Fourth inspection district seven inspectors
Fifth inspection district four inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eight inspection district one inspector

Provided That the present mine inspectors in the several inspection districts shall continue in office until the expiration of the terms for which they have been appointed or elected and the number of inspectors to be elected at the coming election shall be reduced by the number of inspectors now regularly appointed or elected and residing and serving in said districts When the terms of the present inspectors shall expire their successors shall be elected in accordance with the provisions of this act until each inspection district shall have its full quota of elected inspectors under this act Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owning to the erection of a new district or for any other reason an inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a board of examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the board of examiners of said district showing that he has passed a successful examination before the said board or is otherwise qualified according to law for the position of inspector

On the question,
Shall the bill pass finally?

BILL POSTPONED

Mr. LENKER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MARTIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage tion of H. R. bill No. 1704, as follows:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act to regulate the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriffs of the several counties of this Commonwealth which do not exceed fifty thousand in population to whom are committed the custody of prisoners confined in the county jail shall hereafter receive such allowances for boarding said prisoners as may be fixed by the county commissioners subject to the approval of the courts of Quarter Sessions of the respective counties said compensation not to exceed fifty cents per day for each prisoner" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sheriffs of the several counties of this Commonwealth which do not exceed one hundred fifty thousand in population to whom are committed the custody of prisoners confined in the county jail shall hereafter receive such allowances for boarding said prisoners as may be fixed by the county commissioners subject to the approval of the courts of Quarter Sessions of the respective counties said compensation not to exceed fifty cents per day for each prisoner

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—192.

Adams,	Ely,	Letzkus,	Rockwell,
Allen,	Ewing,	Lohr,	Roney,
Alworth,	Flynn,	Lowers,	Rothenberger,
Ambler,	Foster, J. D.,	Malie,	Runk,
Aron,	Frey,	Mannion,	Sassaman,
Arthur,	Gans,	Martin,	Savacool,
Baldwin, G. A.,	Geary,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	Matt,	Schuck,
Barner,	Gibson,	McAllister,	Scott, J. R. K.,
Bass,	Good,	McArdle,	Scott, S. B.,
Bayle,	Grabe,	McCaig,	Semmens,
Becker,	Gramley,	McClintock,	Shaffer, C. A.,
Benninger,	Gransback,	McDermott,	Shaffer, I. E.,
Benson,	Gray, Frank,	McKay,	Shern,
Berntheizel,	Gray, Joseph,	McNichol,	Sherwood,
Bigger,	Hackett,	Mechling,	Showalter,

Bittles,	Haggerty,	Mellott,	Smith, J. W.,
Blair, W. A.,	Heidinger,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Hemminger,	Miller,	Snavely,
Bleloch.	Herman,	Missimer,	Snyder,
Body,	Hess,	Mitchell,	Spangler,
Brosius,	Heyburn,	Moore,	Speiser,
Brownlee,	Hibshman,	Morrow,	Steedle,
Burnett,	Hoffman,	Moses,	Steele,
Caldwell,	Howard, R.,	Moulthrop,	Stone,
Campbell, C.M.,	Humes,	Murphy,	Strauss,
Campbell, J. J.,	Isler,	Musser,	Swartz,
Carson,	Irwin, G. C.,	Neel,	Swift,
Cheeseman,	Irwin, H. H.,	Neely,	Thomas,
Claycomb,	Jackson,	Newbaker,	Trach,
Cleary,	Jones, E. E.,	Newton,	Ulerich,
Cochran,	Jones, J. R.,	North,	Ulman,
Collins,	Kaiser,	O'Neill,	Walnut,
Conner,	Kaufman,	Peachey,	Walsh,
Conniff,	Keegan,	Pennegar,	Walton,
Conrade,	Keeport,	Pennock,	Watson,
Cox,	Kenna,	Perry, H. L.,	Wettach,
Currier,	Kennedy,	Perry, S. J.,	Whitaker,
Curry,	Kern,	Peters,	Whitman,
Davis,	Kitts,	Piper,	Wildman,
DeFrees,	Klepper,	Post,	Williams,
Dickinson,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Donnally,	Lanius,	Reeser,	Wiltbank,
Down,	Latshaw,	Rex,	Young, G. K.
Dunn, H. B.,	Lenker,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Leslie,	Richards,	Zimmerman,
Ehrhardt,		Robinson,	Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. AMBLER. Mr. Speaker, I desire to call up at this time House Bill No. 1144, file folio 2039, entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

bills on Final Passage, Postponed for present, page 16 of to-night's calendar.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1144, entitled:

An Act to authoriz townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

On the question,

Shall the bill pass finally?

Agreeaby to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS—163.

Adams,	Ehrhardt,	Matt,	Savacool,
Allen,	Eichenberger,	McAleer,	Schaeffer, A. C
Alworth,	Ely,	McAllister,	Schuck,
Ambler,	Ewing,	McArdle,	Scott, S. B.,
Aron,	Fahey,	McCaig,	Semmens,
Arthur,	Flynn,	McClintock,	Shaffer, C. A.,
Baldwin, G. A.,	Foster, J. D.,	McKay,	Shaffer, I. E.,
Baldwin, R. J.,	Frey,	McNichol,	Shern,
Barner,	Gans,	Mellott,	Showalter.
Bass,	Geary,	Metzenbacher,	Smith, J. W.,
Bayle,	Geiser,	Miller,	Smith, L.,
Becker,	Gibson,	Missimer,	Snavely,
Benninger,	Good,	Mitchell,	Snyder.
Benson,	Grabe,	Moore,	Spangler,
Bergey,	Gramley,	Morrow,	Speiser,
Berntheizel,	Gransback,	Moses,	Spillinger,
Bigger,	Gray, Frank,	Moulthrop,	Steedle,
Bittles,	Hackett,	Musser,	Steele,
Blair, W. A.,	Haggerty,	Neel,	Stone,
Blair, W. F.,	Heidinger,	Neely,	Strauss,
Bleloch,	Hemminger,	Newbaker,	Swartz,
Body,	Herman,	Newton,	Swift,
Brosius,	Hess,	North,	Thomas,
Burnett,	Heyburn,	Peachey,	Trach,
Campbell, C.M.,	Hibshman,	Pennegar,	Ulman,
Campbell, J.J.	Hoffman,	Pennock,	Walnut,
Carson,	Jackson,	Perry, S. J.,	Walsh,
Claycomb,	Jones, J. R.,	Peters,	Watson,
Cleary,	Kaiser,	Piper,	Wettach,
Cochran,	Kaufman,	Post,	Whitaker,
Conner,	Keeport,	Ramsey,	Whitman,
Conrade,	Kennedy,	Redfield,	Wildman,
Cox,	Kern,	Reese,	Williams,
Currier,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Curry,	Leslie,	Rex,	Wilson, W. H.,
Davis,	Letzkus,	Rhoads,	Wiltbank,
DeFrees,	Lohr,	Richards,	Young, G. K.
Dickinson,	Lowers,	Rockwell,	Young, J. H.,
Donahoe,	Malie,	Roney,	Zimmerman,
Donnally,	Mannion,	Rothenberger,	Alter,
Down,	Martin,	Sassaman,	Speaker.
Dunn, H. B.,	Mather,		
Dunn, J. A.,			

NAYS—6.

Brown,	Howard, R.,	McDermott,	Murphy,
Conniff,	Keegan,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

The SPEAKER. The Chair will partly clear the desk.

BILLS SIGNED BY THE SPEAKER..

The speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly, and the same being correct, the titles were publicly read as follows:

Senate Bill No. 46.

An Act to amend section ten of an act entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds

Also Senate Bill No. 67.

An Act to repeal the act of January seventh one thousand eight hundred and sixty-four entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three"

Also Senate Bill No. 370.

An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven

Also Senate Bill No. 517.

An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said ownership and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land

Whereupon,

The Speaker, in the presence of the House, signed the same.

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

House Bill 174.

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the Commission in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and making an appropriation

Also House Bill No. 949.

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

Also House Bill No. 950.

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

Also House Bill No. 1639.

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anni-

versary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the fiftieth anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission" and June fourteenth Anno Domini one thousand nine hundred and eleven entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said commission and defining the duty thereof" respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor

With the information that the Senate had passed the same without amendment.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 218.

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

with the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives in requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendments as follows:

In Section 4, line 14, strike out the word "which" and insert the words "said license"; at the end of Section 4 add the following: "to the treasurer of his county during the month of January of each years"; in Section 5, line 18, strike out the words "of not less than ten acres in extent," and insert the words "in this Commonwealth;" in Section 6, lines 7 and 8, strike out the words "resident is herein designated as a;" also in line 8, strike out the word "and a tag" and insert the words "to any officer of this;" in Section 6, line 28, after the word "act" insert the words "except where the dead body of any game bird or animal is found in the possession of the accused;" in Section 13, line 25, strike out the words "one-half of any penalty thus collected shall except as provided for in Section 6 of this act belong to such prosecutor and shall be paid to him by the court receiving the same, and the remaining one-half," and insert the words "the penalty."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeaby to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—128.

Adams,	Davis,	Keegan,	Redfield,
Allen,	DeFrees,	Keeport,	Reese,
Alworth,	Dickinson,	Kenna,	Rhoads,
Ambler,	Donahoe,	Kennedy,	Richards,
Aron,	Down,	Kern,	Roney,
Arthur,	Dunn, H. B.,	Kitts,	Sassaman,
Baldwin, G. A.,	Dunn, J. A.,	Klepper,	Savacool,
Baldwin, R. J.,	Ehrhardt,	Kuhn, H. P.,	Schuck,
Bayle,	Eichenberger,	Kuhns, E.G.M.,	Semmens,
Becker,	Ely,	Lanius,	Snyder,
Benninger,	Ewing,	Leslie,	Spangler,
Benson,	Fahey,	Letzkus,	Steedle,
Bergey,	Frey,	Lowers,	Steele,
Berntheizel,	Gans,	Malie,	Stone,
Bigger,	Geary,	Mannion,	Strauss,
Bittles,	Geiser,	Mather,	Swift,
Blair, W. A.,	Gramley,	McAleer,	Thomas,
Blair, W. F.,	Gransback,	McAllister,	Trach,
Body,	Gray, Frank,	McCaig,	Ulerich,
Brosius,	Hackett,	McClintock,	Walnut,
Brown,	Haggerty,	McNichol,	Walton,
Brownlee,	Heidinger,	Missimer,	Watson,
Caldwell,	Hemminger,	Mitchell,	Wettach,
Campbell, J. J.,	Hess,	Moore,	Whitaker,
Carson,	Heyburn,	Morrow,	Wildman,
Claycomb,	Hibshman,	Musser,	Wilson, J. H.,
Cleary,	Hoffman,	Newbaker,	Wilson, W. H.,
Conner,	Humes,	Newton,	Wiltbank,
Conniff,	Isler,	O'Neill,	Young, G. K.,
Conrade,	Irwin, G. C.,	Perry, S. J.,	Young, J. H.,
Cox,	Irwin, H. H.,	Post,	Alter,
Currier,	Jackson,	Ramsey,	Speaker.
Curry,			

NAYS—24.

Barner,	Light,	Peachey,	Showalter,
Herman,	Martin,	Pennock,	Smith, J. W.,
Jones, E. E.,	Matt,	Peters,	Smith, L.,
Jones, J. R.,	Mermott,	Rockwell,	Swartz,
Latshaw,	Mellott,	Runk,	Ulerich,
Lenker,	Miller,	Scott, S. B.,	Walsh.

The majority required by the Constitution having voted in the affirmative, the qeustion was determined in the affirmative, the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 926:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

With the information that the Senate had passed the same with amendments in which the concurrence of the House is requested.

The SPEAKER: The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

In section 11, line 21, strike out the words "Anno Domini;" in section 19, line 6, strike out the word "the" and insert the word "in"; in line 8, after both words "which" insert the word "fish"; in line 8, after the last word "fish" insert the words "minor food fish;" in line 9 strike out the words "which are" in line 16, after the word "five" insert the words "and also an act entitled;" in line 26, strike out the word "authorities" and insert the word "authority."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeaby to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Dunn, J. A.,	Lanius,	Richards,
Allen,	Ehrhardt,	Latshaw,	Robinson,
Alworth,	Eichenberger,	Lenker,	Rockwell,
Ambler,	Ely,	Leslie,	Roney,
Aron,	Ewing,	Letzkus,	Rothenberger,
Arthur,	Fahey,	Light,	Runk,
Baldwin, G. A.,	Flynn,	Lohr,	Sassaman,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Savacool,
Barner,	Frey,	Malie,	Schaeffer, A. C.
Bass,	Gans,	Mannion,	Schuck,
Bayle,	Geary,	Martin,	Scott, S. B.,
Becker,	Geiser,	Mather,	Semmens,
Benninger,	Gibson,	McAleer,	Shaffer, C. A.,
Benson,	Good,	McAllister,	Shaffer, I. E.,
Berntheizel,	Grabe,	McArdle,	Shern,
Bigger,	Gramley,	McCaig,	Showalter,
Bittles,	Gransback,	McClintock,	Smith, J. W.,
Blair, W. A.,	Gray, Joseph,	McDermott,	Smith, L.,
Bleloch,	Hackett,	McKay,	Snyder,
Brosius,	Haggerty,	McNichol,	Spillinger,
Brown,	Heidinger,	Mechling,	Steedle,
Brownlee,	Hemminger,	Miller,	Steele,
Burnett,	Herman,	Missimer,	Strauss,
Caldwell,	Hess,	Mitchell,	Swartz,
Campbell, C.M.,	Heyburn,	Moore,	Swift,
Campbell, J. J.,	Hibshman,	Morrow,	Thomas,
Carson,	Hoffman,	Moulthrop,	Trach,
Cheeseman,	Howard, R.,	Murphy,	Ulerich,
Claycomb,	Humes,	Neely,	Ulman,
Cleary,	Isler,	Newbaker,	Walsh,
Cochran,	Irwin, G. C.,	Newton,	Watson,
Collins,	Irwin, H. H.,	North,	Wettach,
Conner,	Jackson,	O'Neill,	Whitaker,
Conniff,	Jones, E. E.,	Pennegar,	Whitman,
Conrade,	Jones, J. R.,	Pennock,	Wildman,
Cox,	Keeport,	Perry, H. L.,	Williams,
Currier,	Kenna,	Perry, S. J.,	Wilson, J. H.,
Curry,	Kennedy,	Peters,	Wilson, W. H.,
Davis,	Kern,	Piper,	Wiltbank,
DeFrees,	Kitts,	Post,	Young, G. K.
Dickinson,	Klepper,	Ramsey,	Zimmerman,
Donahoe,	Kuhn, H. P.,	Redfield,	Alter,
Donnally,	Kuhns, E.G.M.,	Reese,	Speaker.
Down,		Rhoads,	
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced presented the folowing communications from His Excellency, the Governor which were read as follows:

APPROVAL OF HOUSE BILL NO. 270.

Executive Chamber, Harrisburg, April 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed "House Bill No. 270, entitled "An Act to authorize and empower the courts of Common Pleas of this Commonwealth to fix by rule or standing order the return day of all writs of execution and final process."

(Signed) JOHN K. TENER.

Also the following:

VETO OF HOUSE BILL NO. 735.

Executive Chamber, Harrisburg, Pa., April 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

Gentlemen:—I return herewith, without my approval, House Bill No. 735, entitled:

"An Act to amend an act entitled 'An Act to authorize incorporated cemetery or burial associations to purchase other grounds and to sell and convey in fee simple such portions of their lands not used or conveyed by them for burial purposes or which may have been re-conveyed to them' approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one with its amendments providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots to the cost of the removal of such bodies and compensation to the owners of the lot or lots therein and the sale of the ground."

Although this bill purports to be merely a further amendment to the act of May 26, 1891, authorizing incorporated cemetery or burial associations to purchase other ground and sell such portions of their lots as have not been used or conveyed by them for burial purposes, or which have been reconveyed to them, and containing but one section, it is more than that. By its provisions it is proposed not only to further amend the said act of 1891 as amended by the act of June 6, 1893, extending the provisions of the act of 1891 to unincorporated church, cemetery or burial associations, and further amended by the act of June 7, 1895, providing for the removal of bodies to other places of interment under certain circumstances, etc., but also to add three new sections providing a comprehensive method for the removal, under certain conditions of all bodies from burial grounds or cemeteries belonging to incorporated or unincorporated church, cemetery or burial associations, under a decree of the court of Quarter Sessions of the proper county.

By the approval of this bill the original act of 1891, containing one section relating to a single subject would be expended into an act containing four sections and referring to a number of matters not within the scope of the original act. This method of legislation, is, in my judgment, unwise, and instead of attempting to accomplish the purpose sought to be attained by this bill, by the present method, a new act prescribing a method for the vacation of burial grounds and cemeteries, under proper circumstances, and more carefully protecting the rights of the owners of lots therein, should be enacted and the present piecemeal legislation upon the subject repealed.

For these reasons the bill is not approved.

(Signed) JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding.

Agreeaby to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—4.

Brownlee,	Campbell, J. J.,	Conniff,	Grabe,

NAYS—156.

Adams,	Gans,	Malie,	Runk,
Alworth,	Geary,	Mannion,	Sassaman,
Ambler,	Geiser,	Martin,	Schaeffer, A. C
Aron,	Gibson,	Mather,	Schuck,
Arthur,	Good,	McAleer,	Scott, S. B.,
Baldwin, R. J.,	Gramley,	McAllister,	Semmens,
Barner,	Gransback,	McArdle,	Shaffer, C. A.,
Bass,	Gray, Joseph,	McCaig,	Shern,
Bayle,	Hackett,	McClintock,	Sherwood,
Benninger,	Haggerty,	McDermott,	Showalter,
Benson,	Heidinger,	McNichol,	Smith, J. W.,
Bergey,	Hemminger,	Mechling,	Smith, L.,
Berntheizel,	Herman,	Miller,	Snyder,
Bittles,	Hess,	Missimer,	Spangler,
Blair, W. A.,	Heyburn,	Mitchell,	Speiser,
Blair, W. F.,	Hibshman,	Moore,	Steedle,
Body,	Hoffman,	Morrow,	Steele,
Brosius,	Humes,	Moulthrop,	Strauss,
Brown,	Isler,	Murphy,	Swartz,
Burnett,	Irwin, H H.,	Musser,	Swift,
Caldwell,	Jackson,	Neel,	Thomas,
Campbell, C.M.,	Jones, E. E.,	Neely,	Trach,
Cheeseman,	Jones, J. R.,	Newbaker,	Ulerich,
Claycomb,	Kaiser,	Newton,	Ulman,
Cleary,	Keegan,	North,	Walnut,
Conner,	Keeport,	O'Neill,	Walsh,
Conrade,	Kenna,	Peachey,	Walton,
Cox,	Kennedy,	Pennegar,	Watson,
Currier,	Kitts,	Pennock,	Wettach,
Curry,	Kuhn, H. P.,	Perry, S. J.,	Whitaker,
Davis,	Kuhns, E.G.M.,	Peters,	Whitman,
DeFrees,	Landis,	Piper,	Wildman,
Dickinson,	Lenker,	Ramsey,	Wilson, J. H.,
Donahoe,	Leslie,	Redfield,	Wiltbank,
Dunn, H. B.,	Letzkus,	Reese,	Young, G. K.
Dunn, J. A.,	Light,	Rhoads,	Young, J. H.,
Ehrhardt,	Lohr,	Richards,	Zimmerman,
Eichenberger,	Lowers,	Robinson,	Alter,
Ely,		Rockwell,	Speaker.
Fahey,			
Foster, J. D.,			

Less than the majority required by the Constitution having voted in the negative, the question was determined in the negative and the Governor's veto is sustained.

ADJOURNMENT.

Mr. ADAMS. Mr. Speaker, I move we adjourn.

Whereupon a division was called for, 114 gentlemen having voted in the affirmative, the House adjourned until tomorrow at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, APRIL 15, 1913. No. 49.

SENATE

TUESDAY, April 15th, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

O, Lord, we read in Thy word, "Study to show thyself approved unto God, a workman that needeth not to be ashamed." We come to Thee at this time praying that Thou wilt be with us throughout this, another day. Another day has come fraught with responsibilities. Grant unto us strength to meet those responsibilities. Another day has come filled with hallowed opportunities. Grant unto us wisdom to avail ourselves of these hallowed opportunities. Help us to feel that we are not only to render unto Caesar the things that are Caesar's, but to render unto God the things that are God's. May we this day then so faithfully serve Thee that we shall be laying up in Heaven treasures where moth and rust do not corrupt and where thieves do not break through and steal. Help us in this our morning's prayer, for Thine is the Kingdom, and the power and the glory, forever. Amen.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. JUDSON presented two petitions of citizens of Washington County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. JUDSON presented petition of citizens of Washington County, favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. JUDSON presented petition of citizens of Washington County, favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

The CHAIR presented petition of Washington Camp No. 454 P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

FAVORING PASSAGE OF SENATE BILL NO. 597.

Mr. CLARK presented petition of Edinboro Grange, No. 947, P. of H., favoring the passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

Mr. MILLS presented petitions of Warren Central Grange, No. 1337, P. of H., Wappasening Grange, No. 188, P. of H., New Milford Grange, No. 289, P. of H., Jobs Corner Grange, No. 1110, P. of H., Troy Grange, No. 182 P. of H., Meshoppen Grange, No. 926, P. of H., Keiserville Grange, No. 608, P. of H., Mehoopany Grange, No. 1139, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

REPORTS FROM COMMITTEES.

Mr. JARRETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 873, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act.

Mr. MILLER, from the Cimmittee on Judiciary General, reported as committed, Senate Bill No. 881, entitled:

An Act to permit viewers to award damages for the vacation of streets roads or highways to abutting owners where no land is actually taken.

Mr. MILLS, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1009 (House Bill No. 734), entitled:

An Act to amend section 22 of the act of May 1st, 1909, entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions," by giving additional protection to ruffed grouse woodcock and wild water fowl.

Mr. HUFFMAN, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 969 (House Bill No. 520), entitled:

An Act to amend an act approved the 1st day of May, 1909, entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions.

Mr. GYGER, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 887 (House Bill No. 157), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the Fish Hatchery at Conneaut Lake, Crawford County, is located and distribute the money received from such sale.

Mr. KLINE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 955, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 954, entitled:

An Act relating to the trial of civil cases by jury in the courts of this Commonwealth and providing that in any civil cause now pending or hereafter to be brought in any of the courts of this Commonwealth in which a trial by jury is had and the verdict of a jury awarding damages is rendered, the amount of the damages so awarded shall not thereafter be changed, increased or reduced either by the court in which the said cause was tried or by any appellate court of this Commonwealth.

Mr. JUDSON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 155, entitled:

An Act providing for the discharge from prison of persons after they have been confined for two years or more for the desertion and non-support of their wives, children, or

both, or for non-compliance with any sentence or order of the Court of Quarter Sessions in relation thereto.

Mr. SHEATZ, from the Committee on Pensions and Gratuities, reported as amended, Senate Bill No. 667 (House Bill No. 32), entitled:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September, 1862, or June, 1863, for the purpose of repelling invasions of the said State by the Arm yof the Confederate States of America and providing methods whereby such annual payments can be obtained, fixing the amount said annual payments creating a commission to have charge of all matters and things appertaining to the same, making an appropriation for the purpose of carrying out the provisions of this act and providing for punishments for the violations thereof.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 1027 (House Bill No. 1526), entitled:

An Act to amend an act approved the 14th day of June, 1911, entitled "An Act to provide for the ordinary expenses of the executive, judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginnig June 1st, 1911, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May 31st, 1911."

Mr. JUDSON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 497 (House Bill No. 580), entitled:

A supplement—An amendment to an act, entitled "A supplement to an act, entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' aproved the 1st day of June, 1885, creating a Department of Wharves, Docks and Ferries for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors, and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes," approved the 8th day of June, A. D. 1907, as amended by an act, entitled "An Act to amend the 15th section of an act approved the 8th day of June, A. D. 1907, entitled 'A supplement to an act, entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the 1st day of June, 1885, creating a Department of Wharves, Docks and Ferries for the improvement regulation and supervision of the construction, extension, alteration maintenance and use of wharves, piers, bulkheads, docks, slips basins, ferries, harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and egulations and fixing cetain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes,' by fixing the number of jury at three," approved the 27th day of April, A. D. 1911.

Also, from the Committee on Judiciary General, re-reported as committed, Senate Bill No. 264, entitled:

An Act to amend an act, entitled "An Act to amend sections 4, 17, 18, 19, 21, 26, 31, 33, 34, and 36 of an act, entitled "An Act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned," approved the 29th day of March, 1803, and vesting the authority over pilot and pilotages in the bay and river Delaware in the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries approved the 8th day of June, 1907, providing for hearing complaints of misbehavior of pilots, authorizing the Board of Commissioners of Navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witness at any hearing or inquiry to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at last evening's session and the following nomination, which were laid upon the table:

REGISTER OF WILLS AND EX-OFFICIO CLERK OF THE ORPHANS' COURT.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, March 20, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, John P. Mahon, of Scranton, to be Register of Wills and ex-Officio Clerk of the Orphans' Court in and for the County of Lackawanna, to serve until the first Monday of January 1914, vice Henry V. Lawler, resigned.

JOHN K. TENER.

BILLS INTRODUCED.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1045, entitled:

An Act creating in counties having a population from three hundred thousand to one million four hundred thousand a Board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said Board and regulating appeals from the decision thereof

Which was committed to the Committee on Municipal Affairs.

Mr. HERBST, (by request) read in his place and presented to the Chair Senate Bill No. 1046, entitled:

An Act to regulate the filing of certificates of nomination and nomination papers and the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties defining the duties of certain public officers in relation thereto and punishing certain offenses in regard to such nominations and election

Which was committed to the Committee on Elections.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1047, entitled:

A supplement to an act entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forest reserves by the Department of Forestry" approved the twenty-fifth day of February Anno Domini one thousand nine hundred and one (Pamphlet Laws page eleven) authorizing the Department of Forestry to designate certain of the foresters within its employ to act as District Foresters in the performance of general forest work other than within the State forests

Which was committed to the Committee on Forestry.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as fonows:

Senate Bill No. 819, entitled:

A supplement to an act approved the twenty-fourth day of March one thousand nine hundred and five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the assessment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

House Bill No. 174, entitled:

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expense of the commision in charge of the transportation prohibiting misrepresentation in obtaining transportation fixing penalties for violation thereof and makng an appropriation

House Bill No. 218, entitled:

An Act for the protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

House Bill No. 926. entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offence is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

House Bill No. 949, entitled:

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

House Bill No. 950, entitled:

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

House Bill No. 1639, entitled:

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacancies that may occur therein the commission to consider and arrange for observance of the fiftieth anniversary of the Battle of Gettysburg to invite the co-operation of the Congerss of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission" and June fourteenth Anno Domini one thousand nine hundred and eleven entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provision of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said Commission and defining the duty thereof" respectively creating said Commission delning the duty thereof and making preliminary appropriations therefor

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

RESOLUTION RELATIVE TO A MEMORIAL SESSION IN COMMEMORATION OF THE LATE SENATORS DAVID A. WILBERT AND JACOB C. STINEMAN.

Mr. KLINE offered the following resolution, which was twice read, considered and agreed to:

Resolved, That a Memorial session of the Senate in commemoration of the late Senators David A. Wilbert, of Allegheny County, and Jacob C. Stineman, of Cambria County, be held on Tuesday evening, April twenty-second, at eight o'clock.

RESOLUTION RELATIVE TO THE APPOINTMENT OF A COMMITTEE TO DRAFT SUITABLE RESOLUTIONS ON THE DEATH OF THE LATE JACOB C. STINEMAN.

Mr. KLINE offered the following resolution, which was twice read considered and agreed to:

Resolved, That a committee of eight members of the Senate be appointed to draft suitable resolutions on the death of the late Senator Jacob G. Stineman, and present said resolutions at a special meeting of the Senate to be held on April twenty-second, one thousand nine hundred and thirteen, at eight o'clock post meridian

SENATE BILLS RETURNED FROM HOUSE OF REPRESENTATIVES WITH AMENDMENTS.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act Regulating Lateral Railroads" extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

said bill having been returned from the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

In the title, by inserting after the word "lessees" the words "as well as owners"; also in Section 1, line 59, by inserting after the word "explored" the words "Provided that no land shall be so entered or occupied without the consent of the owner or lessee being first had and secured there the same is actually used in the mining or operating of mills quarries coal mines lime kilns fire clay china clay or kaolin materials or constitutes a part of a tract so operated or used."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—0.

NAYS—45.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Graff,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hoke,	McIlhenny,	Sones,
Crow,	Homsher,	McNichol,	Thompson,
Daix,	Huffman,	McNichols,	Vare,
DeWitt,	Hunter,	Miller,	Wasbers,
Endsley,	Jarrett,	Mills,	Gerberich,
Farley,	Jones,	Moore,	Pres. pro tem.
Fisher,	Judson,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 60, entitled:

An Act amending part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth nineteen hundred and one

said bill having been returned from the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

In the title by striking out the word "repealing" and inserting in lieu thereof the word "amending"; also in Section one, line 47, by striking out the word "repealed" and inserting in lieu thereof the words "amended to read as follows"

Eleventh The plaintiff in any writ of scire facias sur mechanics' claim or in any other writ to charge particular land with the payment of a statutory lieu other than those provided for in clause tenth and excepting also claims for taxes and municipal claims shall file with his precipe an affidavit by himself his agent or attorney setting forth that he believes the persons named by him in such affidavit are the real owners of said property whereupon all such persons shall be made parties to the writ which shall be served by the sheriff by adding to the writ and serving as in the case of a summons all persons other than those named in the writ who may be found in possession of said property or any part thereof or if no one be found in possession thereof then by posting a true and attested copy of the writ on the most public part of said property and

(a) By serving as in the case of a summons such of those named in the writ as may be found in the county in which the writ issues and

(b) By serving as in the case of a summons such of those named in the writ as may be found in any other county of the Commonwealth by the sheriff thereof who shall be deputized for that purpose by the sheriff of the county in which the writ issues and

(c) If all those named in the writ cannot be served as provided in clauses (a) and (b) hereof then by mailing a true and attested copy of the writ in a registered letter to such of those named in the writ whose residences are given as without the Commonwealth and by advertising a brief notice of the contents of said writ once a week for four successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That if all those named in the writ have been personally served or if return registry receipts for the copies mailed are returned by the sheriff with the writ the advertisement above provided for may be dispensed with."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—45.

Alexander,	Graff,	Jones,	Moore,
Beidleman,	Gyger,	Judson,	Nulty,
Buckman,	Hall,	Kline,	Salus,
Catlin,	Heacock,	Knapp,	Sensenich,
Clark,	Herbst,	Kurtz,	Sheatz,
Cooper,	Hilton,	Magee,	Snyder,
Crow,	Hoke,	Martin,	Sones,
Endsley,	Homsher,	McIlhenny,	Thompson,
Farley,	Huffman,	McNichol,	Vare,
Fisher,	Hunter,	McNichols,	Wasbers,
Gerberich,	Jarrett,	Miller,	Gerberich,
		Mills,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE MESSAGE.

The Clerk of the House of Representatives, being introduced, presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 300, on final passage, entitled:

An Act to protect the health and lives of employes in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery and specifying the equipment to be used in connection therewith regulating the use of such blowers and apparatus and providing penalties for violation of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 392, as follows:

An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between the municipal corporations and telegraph telephone or light or power companies" extending the provisions thereof to electric motor or electric street railway companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees betweeen municipal corporation and telegraph telephone or light or power companies" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by petition to the Court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the question thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not les sthan fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity" is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company electric motor railway company or traction company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by peititon to the Court of Commn Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the question thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at the time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity

And the amendments made thereto having been printed as requiried by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution and were as follows, viz:

YEAS—46.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Salus,
Buckman,	Hall,	Knapp,	Sensenich,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Herbst,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare.
DeWitt,	Huffman,	McNichols,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jarrett,	Mills.	Pres. pro tem.
Fisher,	Jones,	Moore.	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 763, as follows:

An Act to amend the act approved the twenty-third day of May one thousand nine hundred seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-third day of May one thousand nine hundred seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred nine entitled "An Act to amend an act entitled 'An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred seven permitting husband and wife to testify and providing for the method of services of process" which as amended reads as follows

'Section 2 Whenever such husband shall absent himself from the Commonwealth proceedings may be had against any property real or personal of said husband necessary for the suitable maintenance of the said wife and the court may direct a seizure and sale or mortgage of sufficient of such estate as will provide the necessary funds for such maintenance and service upon the defendant shall be made in the manner provided in the act of General Assembly entitled 'An Act to authorize the execution of process in certain cases in equity concerning property within the jurisdiction of the court and on the defendants not resident or found therein" approved the sixth day of April one thousand eight hundred and fifty-nine" is further amended so as to read

Section 2 Whenever any man has heretofore separated or hereafter shall separate himself from his wife without reasonable cause and being of sufficient ability has neglected or refused or shall neglect or refuse to provide suitable maintenance for his said wife proceedings may be had against any property real or personal of said husband necessary for the suitable maintenance of the said wife and the court may direct a seizure and sale or mortgage of sufficient of such estate as will provide the necessary funds for such maintenance and service upon the defendant shall be made in the manner provided in the act of General Assembly entitled "An Act to authorize the execution of process in certain cases in equity concerning property within the jurisdiction of the court and on the defendants not resident or found therein" approved the sixth day of April one thousand eight hundred and fifty-nine

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Farley,	Knapp,	Powell,
Beidleman,	Gyger,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Clark,	Hoke,	McIlhenny,	Snyder,
Cooper,	Huffman,	McNichol,	Sones,
Crow,	Hunter,	McNichols,	Thompson,
Daix,	Jarrett,	Miller,	Vare,
DeWitt,	Judson,	Mills,	Wasbers,
Endsley,	Kline,	Moore,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

The Senate proceeded to the third reading and consideration of Senate Bill No. 364, entitled:

An Act to fix regulate and establish the fees to be charged by constables in this Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, I simply desire to call the attention of the members of the Senate to the fact that this bill will about treble the present costs collected by constables. In addition to the costs that they are now allowed by law, a constable will be allowed a dollar for each hearing he may attend or each continued hearing. In the case of an appraisement he is allowed five cents for each article. You would have some aldermen or justices of the peace in country districts, who would attempt to collect as much money as possible, and you would find that he costs in a criminal case would amount to fifty dollars. It gives ten cents a mile for traveling expenses and gives five dollars for making an appraisement, out of which he must pay two dollars for appraisers, which allows him three dollars net. It revolutionizes the contables' fees, and I don't know of any business by which a man can make more money than to be elected a constable and collect fees under this bill.

Mr. JUDSON. Mr. President, I have not gone over this bill. It was presented to me by the Constables' Association in our County, and it was at their request that I introduced it. I don't know what increase has been made. They gave me to understand that the bill provided particularly, more especially, for instances where they went into the country and the expense of the trip was less than the fees allowed by the constables' fee bill, and it was for that purpose and along that line that the bill was prepared. That is the only explanation I have to make for it.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. JUDSON. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. HERBST. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 478, (House Bill No. 587), entitled:

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Judson,	Moore,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Knapp,	Salus,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Herbst,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Hunter,	McNichols,	Wasbers,
Endsley,	Jarrett,	Miller,	Gerberich,
Farley,	Jones,	Mills,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 528 (House Bill No. 127), entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred and five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such elections and the indebtedness represented by such bonds

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Judson,	Moore,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,	Kurtz,	Sensenich,
Clark,	Herbst,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Homsher,	McIlhenny,	Sones,
Daix,	Huffman,	McNichol,	Thompson,
DeWitt,	Hunter,	McNichols,	Vare,
Endsley,	Jarrett,	Miller,	Wasbers,
Farley,	Jones,	Mills,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 539 (House Bill No. 505), entitled:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred and ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Salus,
Catlin,	Gyger,	Kline,	Sensenich,
Clark,	Hall,	Knapp,	Sheatz,
Cooper,	Heacock,	Kurtz,	Snyder,
Crow,	Herbst,	Magee,	Sones,
Daix,	Hilton,	Martin,	Thompson,
DeWitt,	Homsher,	McIlhenny,	Vare,
Endsley,	Huffman,	McNichol,	Wasbers,
Farley,	Hunter,	McNichols,	Gerberich,
		Miller,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 616, entitled:

An Act to establish as a "State Highway" certain section of public road beginning in the southern boundary of the Borough of Nazareth thence by way of Newburg and Hecktown to a point on the northern boundary of the borough of Bethlehem conecting with Route Number One Hundred and Fifty-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Gerberich,	Kline,	Nulty,
Beidleman,	Graff,	Knapp,	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Herbst,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Huffman,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Mills,	Wasbers,
Farley,	Jones,	Moore,	Gerberich,
Fisher,	Judson,	Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 772, on third reading, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 807 (House Bill No. 751), entitled:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr McILHENNY. Mr. President, I desire to call the attention of the Senate to the provisions of this bill. It applies only to the City of Philadelphia and it regards the janitors for cleaning in the City Hall. Under our present law all the cleaning, &c., of the building is under the charge of the Director of Public Safety. Under this bill it would take the few Court rooms in the City Hall out of the charge of his cleaners and permit the judges of the various Courts to appoint one or more janitors for each court room, and the judges would have the right to fix the salaries which must be paid by the Councils. As it is now the same cleaners clean a great many rooms in the City Hall. If this bill should be passed, it would merely create a lot of unnecessary employees who would have in their charge the cleaning of one or more rooms. The judges now have an ample number of tipstaves who take care of the general custody of the rooms, and there is absolutely no necessity for janitors, to those already there who have charge of the cleaning of the City Hall building. This bill ought not to pass.

Mr. McNICHOL. Mr. President, this is merely a bill to entrust with the Board of Judges that authority they now already possess, except as the selection of the person who performs the actual work. The janitor is selected at the present time by the Director of Public Safety it is true, but his work and the manner of doing it and the hours employed in doing it are absolutely under the supervision and direction of the Board of Judges, and it is simply adjusting a condition to create a more tenable situation between the employee and the employer, and to give the jurisdiction where I think the Senator as a lawyer in his own private judgment believes truly that jurisdiction should exist, and that is with the Board of Judges in the selection of the person. It is a bill that is hardly of any moment except to adjust a condition that should have been adjusted many years ago.

Mr. SALUS. Mr. President, I might say in addition to that, that this position of janitor is somewhat different from that of an ordinary janitor. As the members of this Senate well understand and realize, in the few rooms where, the judges conduct their business they have their valuable papers and they have other documents lying around sometimes not locked up and it is only fair that these judges should have control over the men who clean these rooms and take charge of the rooms during their absence, so that they know who will be accountable to them in case anything should happen to be mislaid or disposed of. A janitor in a court-room is rather an important man after all, and the judges ought to have authority and know whom they are putting in there to take charge of their private apartments.

Mr. McILHENNY. Mr. President, as Senator McNichols says, this matter is not very important, and I have no personal feeling except for good government and general efficiency of our City Hall. The tipstaves, of course, are appointed with the duties that Senator Salus has referred to. Each court-room has a number of well paid men who have charge and general care of the business of the court-room. It makes for efficiency that all of the janitors of the building should be appointed and under the charge of one central head. We have gone on in Philadelphia for a great many years under the present law, and in my judgment there is no reason for creating a separate division for people as low down as janitors in the scale of men's work.

Mr. SALUS. Mr. President, I only want to say one word in reply. These janitors are at work after the tipstaves leave. The tipstaves are not there twenty-four hours a day, and the janitors are really night watchmen of these court-rooms. They will do part of the tipstaves work after they have left.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	DeWitt,	Hunter,	Salus,
Beidleman,	Endsley,	Jarrett,	Sheatz,
Buckman,	Farley,	Jones,	Snyder,
Catlin,	Hall,	Knapp,	Sones,
Clark,	Herbst,	Kurtz,	Thompson,
Cooper,	Hilton,	Martin,	Vare,
Crow,	Hoke,	McNichol,	Wasbers,
Daix,	Homsher,	Miller,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—3.

Huffman,	Judson,	McIlhenny,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 839 (House Bill 420), entitled:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred fifty-nine) making an appropriation to pay the tuition of students in State Normal Schools

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Judson,	Salus,
Beidleman,	Hall,	Knapp,	Sensenich,
Buckman,	Heacock,	Kurtz,	Sheatz,
Catlin,	Herbst,	Magee,	Snyder,
Clark,	Hilton,	Martin,	Sones,
Cooper,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Hunter,	Miller,	Washers.
Endsley,	Jarrett,	Moore,	Gerberich,
Farley,	Jones,	Nulty.	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 849 (House Bill No. 1071), entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Farley,	Kurtz,	Salus,
Beidleman,	Gyger,	Magee,	Sensenich,
Buckman,	Heacock,	Martin,	Sheatz,
Catlin,	Hoke,	McIlhenny,	Snyder,
Clark,	Huffman,	McNichol,	Thompson,
Cooper,	Hunter,	Miller,	Vare,
Crow,	Jarrett,	Moore,	Washers,
Daix,	Judson,	Nulty,	Gerberich,
			Pres. pro tem.

NAYS—5.

DeWitt,	Herbst,	Homsher,	Sones,
Hall,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 850 (House Bill No. 1094), entitled:

An Act to validate receiver's sale of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Farley,	Jarrett,	Salus,
Beidleman,	Graff,	Jones,	Sensenich,
Buckman,	Gyger,	Knapp,	Sheatz,
Catlin,	Hall,	Kurtz,	Snyder,
Clark,	Heacock,	Magee,	Sones,
Cooper,	Hilton,	Martin,	Thompson,
Crow,	Hoke,	Miller,	Vare,
Daix,	Homsher,	Mills,	Washers,
DeWitt,	Huffman,	Moore,	Gerberich,
Endsley,	Hunter,	Nulty,	Pres. pro tem.

NAYS—1.

Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 851 (House Bill No. 1097), entitled:

An Act to amend section two of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	DeWitt,	Judson,	Salus,
Beidleman,	Endsley,	Kline,	Sensenich,
Buckman,	Farley,	Magee,	Sheatz,
Catlin,	Graff,	Martin,	Sones,
Clark,	Gyger,	McIlhenny,	Thompson,
Cooper,	Hoke,	McNichol,	Vare,
Crow,	Hunter,	Mills.	Washers,
Daix,	Jarrett,	Moore,	Gerberich,
		Nulty,	Pres. pro tem.

NAYS—3.

Heacock,	Herbst,	Kurtz,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1035 (House Bill No. 1152), entitled:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide by assessment upon the cities, boroughs and townships within the limits thereof.

BILLS ON THIRD READING AND FINAL PASSAGE.

Mr. KLINE. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 772, on third reading, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight

hundred and eighty-seven by regulating the refusal of licenses by the court and regulating appeals from such refusal

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 772, entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Beidleman	DeWitt,	Kline,	Nulty,
Buckman,	Farley,	Kurtz,	Powell,
Catlin,	Hall,	Magee,	Salus,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hoke,	McNichol,	Thompson,
Crow,	Huffman,	McNichols,	Vare,
Daix,	Hunter,	Miller,	Gerberich, Pres. pro tem.

NAYS—12.

Endsley	Homsher,	Knapp,	Sensenich,
Heacock,	Jarrett,	McIlhenny,	Sheatz,
Hilton,	Judson,	Mills,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 860, entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, it is almost sacrilege to say anything about a bill of the Senator from Luzerne, Mr. Catlin, but I do not believe there is any necessity in Pennsylvania for this bill. Every county in the State is adversely affected. It provides that every witness in a Commonwealth case may come in at the end of the day and demand from the District Attorney an order, which must be given on the County Commissioners and go back to the clerk and get his pay. If he were there for four or five days he would have four or five orders necessitating additional clerk hire and wholly unnecessary additional expense to every county. I am not making this statement because I am specially interested myself any more than anybody else, but being of the opinion that it puts an unnecessary increase of expense on the counties I do not think it ought to pass.

Mr. SALUS. Mr. President, on behalf of the Senator from Luzerne, Mr. Catlin, in this matter, I wish to state that this bill would only follow out the system that we have in Philadelphia. It requires no extra help to comply with its terms. When a man comes into the District Attorney's office he gets his printed slip that he was there on that particular day, goes around to the County Commissioners and there has it approved and he gets his money. It is only fair that these people who are witnesses for the Commonwealth should be paid. I understand it is the habit in some counties for the witnesses to appear before the District Attorney and he is sent home hoping that he will forget to come back. He is possible thirty or forty miles away from the county seat and he cannot afford to come back and get the dollar and fifty cents at the end of the month, and I believe that this bill ought to go through, that it is right for the witnesses that these workmen in particular in the counties should be paid their day's pay for services they render to the Commonwealth, just the same as a juror or any one else employed by the county in the performance of his duties, and I believe this is a good bill. We have the same system in Philadelphia and it works no hardship whatever.

Mr. BUCKMAN. Mr. President, my only objection to this bill is that it is retroactive. I understand this bill would run back five or six years. Any person who has been a witness in a criminal case in the past can come into the District Attorney's office now and the county must pay him the fee.

Mr. MILLS. Mr. President, I want to endorse the meritorious speakers who support this measure, particularly as to how it will work out in country districts. In my own district which comprises three rural counties sometimes witnesses are deprived of their costs for a year. I have in mind a case where the defendant after being indicted committed suicide, and the County Commissioners and the District Attorney refused to pay the witness costs. The ruling in the rural counties is that no costs are paid until after the cases are finally disposed of, and witnesses brought their by compulsory process and who travel long distances should have their pay. This bill is a great improvement over the present rule. It also should make the witness fees payable when they are excused, but to my mind it is an improvement on the old law, and in the case of witnesses who are forced to come hereby compulsory process, it is following out the teachings of the old law which says, "The laborer is worthy of his hire."

Mr. KNAPP. Mr. President, I have no objection to the first section of the bill, I think it is just and all right, but as for the second section, I believe it would make an interminable amount of trouble for our commissioners. There is nothing to limit them in going back ten years. The accounts have been audited, and what would happen in the small counties and what would happen in the larger ones the same way? Every man who had ever been in Court and did not get his fees would be after the Commissioners, and I think it would make a great deal of trouble and a great deal of work and I think it would be a very bad precedent to establish.

Mr. SALUS. Mr. President, one more statement. I believe that it comes with poor grace at this time for anybody to say this would establish a bad precedent, that it would compel the counties of Pennsylvania to pay people what belonged to them. It is immaterial whether these witnesses fees are fifty years back. If they have earned them, they belong to them and under the law they are entitled to them, and I believe there is no county in this State that ought to be small enough to deprive a witness of his paltry one dollar and fifty cents if he earns it; if the Counnty keeps it, the county is cheating him and stealing his money and I believe it is unfair for anybody to oppose the bill on this theory. The county ought to pay the bill.

Mr. KNAPP. Mr. President, under the present law they are not entitled to it. We pass a law that is retrospective to entitle them to something which the law does not give them at all. I believe the counties of Pennsylvania ought to pay and that a bill ought to have been passed before, but I say a retrospective law would be one of the worst precedents that could be established and I think it ought to be defeated.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Gyger,	Martin,	Salus,
Catlin,	Heacock,	McIlhenny,	Sheatz,
Clark,	Hilton,	McNichol,	Snyder,
Crow,	Hunter,	McNichols,	Thompson,
Daix,	Jones,	Mills,	Vare,
DeWitt,	Kline	Moore,	Gerberich,
Farley,	Magee,	Nulty,	Pres. pro tem.

NAYS—15.

Alexander,	Herbst,	Jarrett,	Miller,
Buckman,	Hoke,	Judson,	Sensenich,
Cooper,	Homsher,	Knapp,	Sones,
Hall,	Huffman,	Kurtz,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 888 (House Bill No. 442), entitled:

An Act amending section one thousand four hundred and twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Farley,	Kline	Powell,
Beidleman,	Gyger,	Kline,	Sensenich,
Buckman,	Heacock,	Knapp,	Sheatz,
Catlin,	Herbst,	Kurtz,	Snyder,
Clark,	Hilton,	Magee,	Sones,
Cooper,	Hoke,	Martin,	Thompson,
Crow,	Homsher,	Miller,	Vare,
Daix,	Hunter,	Mills,	Wasbers,
DeWitt,	Jones,	Moore,	Gerberich,
Endsley,	Judson,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 254, as follows:

A joint resolution for the appointment of a commission to amend revise and collate the laws relating to the boroughs of the Commonwealth and to suggest new legislation for the welfare of said boroughs and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the Governor of this Commonwealth is hereby authorized and required to appoint five competent citizens of this Commonwealth as commissioners to revise collate and digest all acts of this Commonwealth relating to boroughs

Section 2 It shall be the duty of the Commissioners to collate and reduce into one act all the acts and parts thereof relating to the boroughs of this Commonwealth and to arrange same systematically omitting therefrom all acts and parts of acts that have been repealed or supplied or which have expired and to prepare and submit such bills to the General Assembly as they shall deem necessary to make the laws regulating the boroughs of this Commonwealth more comprehensive efficient and adapted to the needs of the citizens thereof

Section 3 Said Commissioners shall report the result of their labor to the next General Assembly on or before the first Monday of March in the year one thousand nine hundred and fifteen

Section 4 Said Commissioners shall meet and organize within thirty days of their appointment and elect from the membership a chairman and secretary and as promptly as possible proceed to perform their duties

Section 5 For the purposes of the said Commission the sum of five thousand dollars or so much thereof as may be necessary is hereby appropriated

The Commisisoners shall each receive the sum of five ($5) dollars per day and actual traveling and other necessary expenses while engaged in the performance of their duties as herein authorized The Commissioners shall have power to employ such assistants clerical stenographical and otherwise and at such compensation as the Commission may deem proper for the carrying out of the purposes of this resolution Payment of the moneys hereby appropriated shall be made on warrant of the Auditor General on written order of the Chairman of the Commission countersigned by the secretary accompanied by properly certified and itemized vouchers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 296, as follows:

An Act granting the consent of the Commonwealth of Pennsylvania to the city of Harrisburg to construct and maintain a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city

Whereas The qualified electors of the city of Harrisburg at an election duly and regularly held according to law have by a majority vote authorized an increase of the indebtedness of said city for the construction of a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city and

Whereas The Water Supply Commission of Pennsylvania in accordance with the act of May twenty-eighth one thousand nine hundred and seven has duly approved the plans submitted by the proper officers of said city for the construction of said dam Provided full lawful authority exists for the construction thereof therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the consent of the Commonwealth of Pennsylvania be and the same is hereby granted to the city of Harrisburg to construct and maintain a dam in the Susquehanna river nor to exceed five (5) feet in height above the average river bottom or about two hundred and ninety-two and four-tenths (292.4) feet above sea level at a point between Paxton street and the southern limits of said city for the general improvement of the sanitary conditions of said city Provided all existing laws relating to navigable rivers and streams so far as they apply to the Susquehanna river shall be fully complied with

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 297, as follows:

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream to purchase acquire enter upon take use and appropriate private property within or without its territorial limits for that purpose and providing the manner in which damages sustained shall be determined and collected

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the consent of the Commonwealth of Pennsylvania has been or shall be granted to any city to construct and maintain a dam in a public navigable river or stream flowing through or partly within and partly without its corporate limits for the purpose of improving the sanitary conditions of such city power is hereby conferred upon it to purchase acquire enter upon take use and appropriate private property either within or without its territorial limits for that purpose and if said city cannot agree with the owner or owners lessee or lessees of such private property upon the compensation for the property appropriated or the damages done or when by reason of the absence or legal incapacity of any such owner or owners lessee or lessees no such compensation can be agreed upon the Court of Common Pleas of the county in which such property may be situate or any judge thereof in vacation on application thereto by petition by said city or such owner lessee or any person interested shall appoint viewers in accordance with the existing law or laws governing the taking of private property under the power of eminent domain to view and ascertain the damages done by reason of such taking use appropriation occupancy or injury All proceedings to be had and report made with the right of appeal and exception in accordance with the existing law or laws aforesaid in such case made and provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 312, as follows:

An Act fixing the salaries of county auditors in the several counties of this Commonwealth not exceeding one hundred and fifty thousand population

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the annual salary of each of the county auditors in the several counties of this Commonwealth shall be as follows

In counties containing ten thousand population and less one hundred dollars in counties containing over ten thousand population and not exceeding forty thousand population two hundred dollars in counties containing over forty thousand

population and not exceeding seventy thousand population three hundred dollars in counties containing over seventy thousand population and not exceeding one hundred thousand population four hundred dollars

The salaries herein fixed shall be in full in lieu of all other compensation now allowed them by law for their services

The population of counties for the purpose of this act is to be that ascertained and determined at any time the most recent United States census

Section 2 All acts or parts of acts general special or local inconsistent with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 363, as follows:

An Act to authorize all cities and boroughs in the Commonwealth of Pennsylvania to construct and maintain comfort and waiting stations and drinking fountains in the public highways of such municipalities and providing the manner of ascertaining and collecting the damages caused by the construction of such improvements

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers now existing in the cities and boroughs of this Commonwealth over the public highways therein said cities and boroughs shall also have power to construct and maintain in any of the highways within their corporate limits respectively comfort and waiting stations and drinking fountains or either for the convenience of the traveling public

Section 2 Any damages that may accrue to abutting properties by reason of the construction of the aforesaid improvements or either of them shall be ascertained and collected in the same manner as provided by law for ascertaining and collecting damages to abutting properties caused by the grading of streets in such municipalities respectively

Section 3 All acts or parts of acts in conflict herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 414, as follows:

An Act authorizing boroughs to supply and to make contract for supplying electric current outside the limits of said boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the boroughs of this Commonwealth which are engaged in making and selling electricity for commercial purposes for the use of their inhabitants may whenever their proper authorities deem it advisable so to do supply and make contracts for supplying electricity for commercial purposes to corporations firms and individuals outside the limits of such borough at rates not less than those established from time to time within the limits of such borough Provided That nothing herein contained shall conflict with the corporate rights of any chartered company supplying electric light in territory adjacent to such boroughs or with the rights of the municipal authorities of any other borough

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 425, as follows:

An Act providing for the appointment of a commission to investigate and report on the manner of conducting local poor houses almshouses county homes etc and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is authorized to appoint a commission to be known as Almshouse Commission It shall consist of five members one member of which shall be a physician qualified to practice medicine in Pennsylvania one shall be a person learned in the law and entitled to practice in the Supreme Court of Pennsylvania one shall be a recognized social worker one shall be a person engaged in agriculture and one shall be a representative of labor It shall be the duty of this commission to investigate the various poor houses almshouses county homes and other local public institutions for the maintenance of the poor ascertain the manner of conducting such institutions and the manner of furnishing poor relief in each poor district of the State For that purpose the said commission or a majority thereof may hold hearings at any place in the State and may by subpoena compel the attendance of witnesses and the production of any books and papers The members of the commission shall each receive the sum of five dollars ($5.00) per day while actually and necessarily engaged in the performance of the duties imposed by this act and each member shall be allowed traveling and other necessary expenses actually incurred in the performance of the duties herein imposed

Section 2 The Governor shall designate one member of the commission as chairman The commission shall organize within thirty days from the time of its appointment and shall proceed promptly upon the performance of its duties

Section 3 Upon the completion of such investigation the Commission shall prepare and on or before January first one thousand nine hundred and fifteen present to the Governor a report thereof with such recommendations as it shall deem proper The report shall also contain a comprehensive scheme for administering poor relief in the State and for the betterment of present methods

Section 4 The sum of ten thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to pay the expenses of the commission The expenditure of said moneys shall be made under such regulations as may be prescribed by the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 435, as follows:

An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That within sixty days after the passage of this act the Governor shall appoint five citizens of this Commonwealth who shall constitute the Pennsylvania Historical Commission which commission shall be a body corporate under its title aforesaid and shall be charged with the duty of marking and preserving the antiquities and historical landmarks of Pennsylvania

Section 2 Two of the members of said commission shall be appointed for two years and three members for four years and each thereafter shall be appointed for a term of four years They shall receive no compensation for their services but shall be allowed their actual expenses while engaged upon the business of the Commission

Section 3 The commission shall organize immediately after its appointment by the election of one of its members as chairman another as secretary and another as treasurer and it may adopt such rules of organization and procedure as it may deem necessary and determine the terms and duties of its officers and employes The commission may when necessity demands it appoint a clerk who shall be a stenographer at a salary not to exceed one thousand dollars per annum and a curator at a salary not to exceed twelve hundred dollars per annum

Section 4 The Pennsylvania Historical Commission may upon its own initiative or upon the petition of municipalities or historical societies mark by proper monuments tablets or markers places or buildings within this Commonwealth where historical events have transpired and may arrange for the care and maintenance of such makers or monuments It may also undertake within the means at its command the preservation or restoration of ancient or historic public buildings military works or monuments connected with the history of Pennsylvania and to this end it may contract with cities boroughs and townships for and on behalf of the Commonwealth or with historical societies or other associations with proper bond or security for the maintenance of such buildings works and monuments as a consideration for assistance in their erection restoration preservation or marking by said commission

Section 5 The Pennsylvania Historical Commission may receive for and on behalf of the Commonwealth gifts or bequests of relics or other articles of historical interest which shall be deposited by it in the State Museum and the said commission may except for the Commonwealth gifts and bequests of money or securities for the endowment of its work in accordance with the instructions of the donors and it shall in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the said commission constitute a body of trustees for the care of such funds invest the same in the bonds in this Commonwealth or of any political division thereof the interest and income from which may be used by said commission for its purposes under this act or applied to such uses in line therewith as may be specified by the respective donors of any of said funds

Section 6 A suitable room in the Capitol or in the State Library Building shall be provided for the said commission by the Board of Public Grounds and Buildings in which the office of the commission shall be kept

Section 7 The sum of sixty thousand dollars or so much thereof as may be necessary is hereby appropriated to the Pennsylvania Historical Commission for the two fiscal years beginning June first one thousand nine hundred thirteen and

this and all subsequent appropriations shall be paid by the State Treasurer upon the warrant of the Auditor General upon the presentation by the commission of proper vouchers signed by its chairman and attested by its secretary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 484, as follows:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five which reads as follows

"Section 13 So much of all general acts heretofore passed as is consistent herewith is hereby repealed but this act shall not apply to any taxes the collection of which is regulated by a local law" is hereby amended to read as follows

Section 13 All acts and parts of acts general local and special inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 485, entitled:

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as herinafter provided no motor vehicle shall be operated or driven upon any public street or highway in any city borough township or county in the Commonwealth until the said motor vehicle shall have been registered with the State Highway Department of this Commonwealth

The sescond section of the bill was read as follows:

Definitions

Section 2 The term "motor vehicle" as used in this act shall apply to all wheeled vehicles by any form of engine motor or mechanical power including traction engines vehicles trailing after or propelled by vehicles operated by any form of engine motor or mechanical power excepting road rollers and vehicles which move upon or are guided by a track The term "motor cycle" as used in this act shall apply to all two wheeled motor vehicles

On the question,

Will the Senate agree to the section.

Mr. BUCKMAN. Mr. President, I move to amend in line 3 by inserting after the word "vehicles" the word operated or propelled"; also in line 4 by inserting after the word "engines" the word "and"; also in line 9, by inserting after the word "two" the words "or three"; also in line 9 by inserting after the word "vehicles" the words "of the bicycle or tricycle type."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Registration

Section 2 Application for registration of motor vehicles shall be made to the State Highway Department The application shall contain the full name and residence of the owner or owners with a brief description of the motor vehicle the name the manufacturer's number the character of the motive power and the horse power The horse power of motor vehicles shall be computed according to the rating established at the time of the passage of this act by the Association of Licensed Automobile Manufacturers The said application shall be made upon a blank provided for the purpose by the State Highway Department It shall be signed by the owner or owners in case of point ownership and be cerified by oath or affirmation Upon receipt of the application and the proper fee the State Highway Department shall except as hereinafter provided register the said motor vehicle in a book to be kept for that purpose and shall issue to the owner or owners a registration certificate showing the name and address of the owner or owners the name type horse power and manufacturers' number of the motor vehicle and the registration number thereof also two (2) number tags having thereon the registration number the figures of which shall be not less than five inches in height the maker's number of the vehicle the abbreviated name of the State and the year except in the case of motor cycles the tags of which shall have letters not less than three and one-half (3 1-2) inches in height The number tags for motor vehicles equipped with solid tires shall bear in the corner or corners thereof a star or stars indicating the classification of the vehicle for which it is issued as provided for in section six Applicants for registration or license who reside outside of this State shall in addition to the above requirements designate in their application the State Highway Commissioner as their authorized agent upon whom process may be served

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 2 by striking out the figure "2" and inserting in lieu thereof the figure "3"; also in lines 8 and 9 by striking out the words "the rating established at the time of the passage of this act by the Association of Licensed Automobile Manufacturers" and inserting in lieu thereof the words "recognized American standards"; also in line 27 by striking out the word "six" and inserting in lieu thereof the word "fourteen."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 Motor vehicles owned or kept by manufacturers or dealers for the purpose of demonstrating testing or selling shall be exempt from the necessity of individual registration provided said manufacturer or dealer registers with the State Highway Department in the "dealer' class" Application for such registration shall be made upon a blank provided for the purpose by the State Highway Department which shall set forth the full name and business address of the applicant and shall be verified by oath or affirmation Upon receipt of the application acompanied by the proper fee for each certificate and pair of number tags desired the State Highway Department shall except as hereinafter provided issue to the applicant as many certificates of registration and pairs of number tags as may be desired such tags having thereon the number of the registration in figures not less than five (5) inches in height the year and the words "Pennsylvania Dealer" or an abbreviation thereof The first numeral of such numbers shall be ..... It shall be unlawful under any circumstances to operate a motor vehicle under a dealer's registration unless both number tags are displayed as is provided in this act Provided That not more than ten certificates and sets of tags shall be applied for on any single application and where a greater number of certificates and tags are desired the necessary additional applications shall be made Anyone guilty of violating this provision shall upon conviction before any alderman justice of the peace or magistrate be fined not less than ten dollars nor more than twenty-five dollars and in default of the payment of said fine shall be imprisoned for not more than twenty-five days

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 4 by striking out the word "manufactured" and inserting in lieu thereof the word "manufacturer"; also in line 16 by inserting after the word "be" the word and letter "an X"; also by striking out after the word "made", in line 22, the balance of the section.

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows and agreed to.

Transfer of Registration

Section 5 Upon the transfer of ownership or destruction of any motor vehicle its registration shall expire The original owner may however by proper affidavit accompanying his application register another motor vehicle upon payment of a fee of one dollar ($1) provided such motor vehicle be of equal or less horse power or classification as that originally registered or upon payment of a fee of one dollar ($1) and the difference between the fee paid originally and that due if the motor vehicle be properly registerable in a higher class and such owner shall be assigned the number previously issued to him

The sixth section of the bill was read as follows:

Registration Fees

Section 6 The fee for registration of a motor cycle shall be three dollars

The fee for the registration of motor vehicles equipped with pneumatic tires except motor cycles and as is provided for in the dealer's class (when registration is issued prior to August of any year) shall be

Five dollars for each motor vehicle of less than twenty horse power

Ten dollars for each motor vehicle of twenty and less than fifty horse power

Fifteen dollars for each motor vehicle of fifty horse power or more

The fee for the registration of motor vehicles equipped with solid tires shall be

Ten dollars for each motor vehicle of less than four thousand pounds gross maximum weight of load and vehicle

Fifteen dollars for each motor vehicle of fifty horse power pounds and less than five thousand pounds maximum weight of load and vehicle

Twenty dollars for each motor vehicle of five thousand and less than ten thousand pounds gross maximum weight of load and vehicle

Twenty-five dollars for each motor vehicle of ten thousand and less than fifteen thousand pounds gross maximum weight of load and vehicle

Thirty dollars for each motor vehicle of fifteen thousand and not more than twenty thousand pounds gross maximum weight of load and vehicle The fees for registration of vehicles trailing after or propelled by motor vehicles shall be three dollars for each such vehicle of less than ten thousand (10,000) pounds gross maximum weight of vehicle and load combined five dollars for each such vehicle of more than ten thousand (10,000) pounds and less than twenty thousand (20,000) pounds gross maximum weight of vehicle and load combined

But no motor vehicle shall be registerable which shall exceed eighty-eight (88) inches outside over all width of vehicle and load combined except that motor busses for carrying passengers to be used with the city limits only in cities of the first second and third classes may be registered up to one hundred (100) inches outside over all width of vehicle and load combined or shall exceed a maximum of twenty thousand (20,000) pounds gross weight of vehicle and load combined or shall exceed fifteen thousand (15,000) pounds maximum gross weight of vehicle and load combined or any axle or shall exceed seven hundred (700) pounds maximum gross weight of vehicle and load combined upon any one wheel for each nominal inch of width of solid tire upon the wheel

The fees for registration when issued on or after August first shall be one-half those required above All registration shall expire after December thirty-first of the year for which they were issued

The fee shall be ten dollars for each certificate and pair of number tags issued to persons registered in the dealer's class

No fee shall be charged for the registration of motor ambulances owned and used by any hospital nor for motor fire engines or other fire apparatus motor patrol wagons motor cycles and motor ambulances owned and used by the United States or any city incorporated town or townships or duly authorized volunteer fire departments but all such vehicles shall be registered and shall display number tags as provided for in case of privately owned vehicles Members of volunteer fire companies who operate said motor fire engines or motor fire apparatus shall not be required to have a driver's license while operating said engine or apparatus

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 4 by striking out "vehcles' 'and inserting in lieu thereof the word "vehicles;" also by inserting a new paragraph between lines 15 and 16 as follows: "Five dollars for each motor vehicle of less than three thousand pounds gross maximum weight of load and vehicle;" also in line 16 by inserting after the word "of" the words "more than three thousand pounds and;" also in line 19, after the word "pounds" where at appears the second time, the word "gross;" also in line 38, after the word "combined" by inserting the words "from ninety inches from outside edge to outside edge of tires or rims;" also in line 39 by striking out the word "with" and inserting in lieu thereof the word "within;" also in line 44 by striking out the word "or" where it appears the first time and inserting in lieu thereof the word "upon;" also in line 55 by striking out the words "fee shall" and inserting in lieu thereof the words "license to operate shall be required nor any fee;" also in line 58 by inserting after the word "States" the words "the State of Pennsylvania;" also in line 58 by inserting after the word "city" the word "county;" also in line 59 by striking out the words "or townships" and inserting in lieu thereof the words "borough township;" also by striking out after the word "vehicles" in line 62 the balance of the section.

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh section of the bill was read as follows:

Number Tags

Section 7 No motor vehicle except motor cycles shall be operated upon any public street or highway unless the number tags are displayed conspicuously one on the front and the other on the rear of the motor vehicle in such a manner that they may be easily read They shall at all times be parallel to the axle of the motor vehicle and shall be kept free from oil grease dirt or other substances likely to impair their legibility and shall not be defaced in any manner and between one hour after sunset and one hour before sunrise the rear number tag shall be illuminated so that the number can be plainly distinguished Provided however that the number tags attached to motor cycles must be displayed on the rear thereof the plate or marker to be furnished by the State Highway Department and to be fastened as to be entirely unobscured and to be kept reasonably clean

One set of number tags shall be displayed upon any motor vehicle and except as provided in this act for non-residents no motor tag shall be displayed other than that issued by the State Highway Department In case of the loss of one or both number tags or badge a new pair of tags or badge of another number than that of the lost tag or badge shall be supplied A new tag or tags or badge shall be obtained by filing with the State Highway Department upon a blank furnished by said department an affidavit reciting the loss or destruction of said tag accompanied by a fee of one dollar No owner or operator of a motor vehicles shall be subject to fine or arrest by reason of one number tag or badge being missing provided that he shall make affidavit that the same has been lost destroyed or removed without his knowledge and consent within two days and that he has made application for new tags or badge

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 12 by striking out the word "tags" and inserting in lieu thereof the word "tag;" also in line 15 by inserting after the word "be," where it appears the first time, the word "so;" also in line 17 by inserting before the word "one" the word "only;" also in line 19 by striking out the word "motor" and inserting in lieu thereof the word "number;" also in line 23 by inserting after the word "supplied" the words "by the State Highway Department;" also in line 26 by inserfting after the word "tag" the words "or badge;" also in line 27 by striking out the word "vehicles" and inserting in lieu thereof the word "vehicle;" also in line 31 by striking out the words "two days" and inserting in lieu thereof the words "one week;" also in line 31 by striking out the words "he has made;" also by inserting at the end of the section the following words: "be promptly made and provided he shall display a temporary tag tags or badge bearing the proper number in the interim."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows and agreed to:

Age Limit

Section 8 No person under sixteen years of age whether the owner of a motor vehicle or not shall operate any motor vehicle upon any of the public roads streets or highways of this Commonwealth

The ninth section of the bill was read as follows:

Driver's License

Section 9 Every person desiring to operate a motor vehicle as a paid operator or who is an employe of the owner or custodian thereof shall first obtain a driver's license Application for license shall be made upon a blank furnished by the Highway Department and shall contain the name of the applicant with his place of residence and shall

state that said applicant is over sixteen years of age and is qualified to operate a motor vehicle It shall be signed by the applicant and verified by oath or affirmation

Upon receipt of the application and fee of two dollars ($2) the State Highway Department shall issue to the applicant a driver's license and badge The license shall contain the licensee's name and residence and the date and number of the license It shall be carried by the licensee at all times when operating a motor vehicle Upon the badge shall be the words "Pennsylvania Licensed Driver" the year and the number of the license which it accompanies It shall not be less than two and one-half (2½) inches in its greatest diameter and shall be conspicuously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor vehicle All such licenses shall expire after December thirty-first of the year issued

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 6 by inserting after the word "the," where it appears the first time, the word "full;" also in line 8 by striking out the word "sixteen" and inserting in lieu thereof the word "eighteen."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth section of the bill was read as follows and agreed to:

Section 10 The gross revenues received from registrations and license fees shall be paid by the State Highway Department to the State Treasurer to be used only for the improvement of the roads of the Commonwealth

The eleventh section of the bill was read as follows:

Revocation of Registration or License

Section 11 The Highway Commissioner may at his discretion revoke or suspend upon hearing after due notice in writing mailed to his address as stated in his application of the proposed revocation and the grounds therefor for any period up to one year the registration of any car or the license of any driver upon reasonable grounds for improper conduct in operating a motor vehicle No person shall knowingly permit any motor vehicle which he may own to be driven by any other person whose license has been revoked or by any person to whom registration for motor vehicle has been refused or whose registration of motor vehicle has been revoked

The State Highway Commissioner shall issue printed monthly bulletins giving name and address of each applicant for license together with the number of license issued to said applicant and shall furnish same free of charge to mayor's burgesses police magistrates chiefs of police aldermen and justices of the peace and shall furnish at a nominal fee said bulletin to all other applicants for same

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 8 by inserting after the word "vehicle" the words "any person to whom the registration of a motor vehicle has been refused or revoked shall not drive or operate a motor vehicle upon the public highways of this State;" also in line 11 by inserting after the word "for" the article "a;" also in line 12 by inserting after the word "of" the article "a."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth section of the bill was read as follows:

Section 12 The provisions of the foregoing sections relative to license and registration and the display of number tags shall not apply to a motor vehicle owner by a non-resident of this State other than a foreign corporation doing business in the State provided that the owner thereof shall have complied with the provisions of the law of the foreign country state territory or federal district of his residence relative to registration of motor vehicles and the display of number tags thereon and shall conspicuously display the registration numbers as required thereby The provisions of this section however shall be operative as to a motor vehicle owned by a non-resident of this State only to the extent that under the laws of the foreign country state territory or federal district of his residence like exemption and privileges are granted to motor vehicles duly registered under the law of and owned by residents of this State Any person who is mentally or physically incapacitated shall not be permitted to operate a motor vehicle on the public highways of this State and any person so doing shall have their license revoked

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend by striking out after the word "State," in line 17, the balance of the section and inserting in lieu thereof the words "and if any such person shall have obtained a license it shall be void."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirteenth section of the bill was read as follows:

Sounding Warning

Section 13 Every motor vehicle shall be provided when in use with good and sufficient brakes and with a horn bell or other signal device Motor vehicles shall from one hour after sunset until one hour before sunrise show at least two white lights visible not less than two hundred (200) feet in the direction in which the motor vehicle is proceeding provided however that motor cycles need display only one white light visible in the direction in which they are proceeding

Every operator of a motor vehicle shall sound his horn bell or signal devise giving reasonable warning of his approach whenever necessary to insure the safety of other users of the highways and also when approaching a street or road crossing dangerous curve in any of the cities boroughs or townships of this Commonwealth where the proper authorities shall have erected signs easily readable from the highway and at right angles thereto bearing thereon in letters at least five (5) inches in height the words "Danger blow your horn" The unnecessary sounding of bells horns or other signal devices the unnecessary use of muffler cutouts or their use when approaching or passing any other vehicle or draft animal is prohibited When signaled to do so by the driver of any horse or other animal of draft or burden the operator of a motor vehicle shall stop and if circumstances require it shall stop his engine until the danger has been avoided When overtaken by any other vehicle legally traveling at a greater speed the operator or driver of any motor vehicle when signaled to do so shall turn reasonably to the right of the centre of the highway allowing the other vehicle free passage to the left No person shall drive or operate a motor vehicle upon any public street or highway in this Commonwealth having metal spurs or lugs or other metal projections more than three-fourths ( ) of an inch in length upon the tires thereof except upon natural earth roads or when the streets are covered with ice or snow so that the safety of other users of the highway makes it necessary

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 8 by striking out "disploy" and inserting in lieu thereof the word "display;" also in line 11 by striking out the word "devise" and inserting in lieu thereof the word "device;" also in line 21 by striking out the word "draft;" also in line 21 by inserting after the word "animal" the words "of draft or burden;" also in line 32 by inserting within the parentheses the fraction "¾."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourteenth section of the bill was read as follows:

Speed

Section 14 No person shall operate a motor vehicle on the public highways of the State recklessly or at a rate of speed greater than is reasonable and proper having regard to the width traffic and use of the highway or so to endanger property or the life or limb of any person but no person shall drive a motor vehicle at a rate of speed exceeding one mile (1) in two and one-half (2½) minutes or no person shall drive a motor vehicle having solid tries and weighing more than five thousand (5,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one mile (1) in three (3) minutes and no person shall drive a motor vehicle having solid tries and weighing over ten thousand (10,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in four (4) minutes and no person shall drive a motor vehicle having solid tries and weighing over fifteen thousand (15,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in five (5) minutes provided that the local authorities having charge of any of the highways may in

dangerous or built-up sections place signs marked "Danger run slow" in letters not less than five (5) inches in height Said signs to be placed at right angles to and plainly legible from the highway and facing the traffic the speed of which is to be reduced and at these places the speed limit shall not exceed a rate of a mile in four minutes for a distance beyond said sign of one-quarter of a mile and if such highway is still in a dangerous or built-up section a second sign similar to the above described may be erected and the speed limit shall not exceed the rate of a mile in four minutes for a quarter of a mile beyond said sign and so many signs may be erected as may be necessary At the end of said dangerous or built-up section shall be erected a sign reading "end of fifteen mile limit" in letters not less than five (5) inches in height said signs to be placed at right angles to the highway and facing the traffic When a motor vehicle meets or overtakes a street passenger which his stopped for the purpose of taking on or discharging passengers the motor vehicle shall not pass said car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 8 by striking out the word "or" and inserting in lieu thereof the word "and;" also in line 24 by inserting after the word "of" the words "not more than;" also in line 28 by inserting after the word "for" the words "not more than;" also in line 34 by inserting after the word "passenger" the word "car;" also in line 34 by striking out the word "his" and inserting in lieu thereof the word "has."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifteenth section of the bill was read as follows:

Local Registration and Tax

Section 15 No city county borough incorporated town or township shall adopt enforce or maintain any ordinance rule or regulation contrary to or inconsistent with the terms of this act or fix a rate of speed lower than that permitted by this act or required of any person any license tax upon or registration fee for any motor vehicle or any permit or license to operate motor vehicles upon the public highways except that in parks the proper authorities may restrict the speed of motor vehicles to such a rate as may seem reasonable provided said rate of speed shall not be less than that allowed other vehicles and that legible signs shall be conspicuously placed indicating the rate of speed permitted Operators of motor vehicles shall have the same rights upon the public streets and highways as the drivers of any other vehicles and no public road open to horse drawn vehicles shall be closed to motor vehicles

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 6 by striking out the word "required" and inserting in lieu thereof the word "require;" also in line 15 by inserting after the word "road" the words "other than a park road."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth section of the bill was read as follows:

Intoxication

Section 16 Any person operating a motor vehicle when intoxicated shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment for not more than one year or both at the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 5 by striking out the character and figures "$100" where they appear the second time and inserting in lieu thereof the character and figures "$300."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventeenth section of the bill was read as follows:

Unauthorized Use of Vehicles

Section 17 Any person operating a motor vehicle under any other number than that of its registration or any person operating any motor vehicle without the consent of the owner thereof shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment not exceeding one year or both at the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 4 by inserting after the word "thereof" the words "or any person a motor vehicle the registration of which has been revoked or suspended."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighteenth section of the bill was read as follows and agreed to:

Officers

Section 18 All operators of motor vehicles shall upon request or signal of any constable or police officer who shall be in uniform or shall exhibit his badge or other sign of authority stop and exhibit their registration certificate or license if so required and shall furnish to any legally constituted authority all information in their possession as to the identity of the operator or owner of any motor vehicle

The nineteenth section of the bill was read as follows:

Method of Arrest

Section 19 The constables and police officers of the counties cities boroughs incorporated towns and townships of this Commonwealth may arrest upon view and without warrant any person or persons violating any of the provisions of this act but such officer shall forthwith make and file with the magistrate or justice of the peace before whom the person arrested is taken an affidavit setting forth in detail the alleged violation of the section of the act complained of and furnish a copy to the person arrested In the event of an arrest as aforesaid if the defendant is unable to give sufficient bail for a hearing or for his appearance at court the magistrate before whom he is first taken shall accept as bail any article of sufficient value or provided he is the owner thereof hold in custody the motor vehicle found in the possession of the defendant and the court after the trial of the defendant if no sufficient bail according to law has been given in the meantime shall make such order as to the disposition of such motor vehicle or other article as shall seem just and proper

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 19 by inserting after the word "article" the words "accepted as bail."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twentieth section of the bill was read as follows and agreed to:

Evidence of Responsibility

Section 20 In any proceeding for the violation of provisions of this act the registered number displayed on the motor vehicle shall be prima facie evidence that the owner of said vehicle was then operating the same provided however that if at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said car at the time of the alleged violation of this act and shall submit himself to an examination as to who at that time was operating the car and reveal the name of the person if known then the prima facie evidence arising from the registered number shall be overcome and removed and the burden of proof shifted

The twenty-first section of the bill was read as follows:

Penalties

Section 21 Any person except as provided in sections four sixteen and seventeen violating any of the provisions of this act shall be subject to a fine or penalty of not less than ten dollars ($10) nor more than twenty-five dollars ($25) to be collected by summary conviction before any

magistrate or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of a fine within forty-eight (48) hours bail in double the amount of fine and costs being first entered to undergo an imprisonment in the county prison for a period not exceeding ten (10) days Provided that any person so accused may waive such summary trial or hearing and secure the right of trial by jury before the court of quarter sessions of the peace for the county in which the offense is alleged to have been committed by depositing with the magistrate to whom complaint has been made or before whom he is first taken a sum double the amount of the fine and costs which might be imposed or by entering security to pay the same Any person or persons previously convicted before a court of quarter sessions or magistrate or justice of the peace of this Commonwealth for any violation of the provisions of this act shall upon conviction of a second offense within a period of one year be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than fifty dollars (50) or in case of non-payment of such fine to undergo an imprisonment in the county prison for a period not exceeeding twenty days Any person or persons previously convicted before a magistrate or justice of the peace of this Commonwealth for any violation of the provisins of this act shall upon conviction of a third or subsequent offense within a period of one year be deemed guilty of a misdemeanor and shall be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) or in case of non-payment of such fine to undergo an imprisonment in the county prison for a period not exceeding thirty days (30) Any person or persons accused of a second or subsequent offense shall have the right to a trial by jury in the same manner and upon the same condition as is provided for in the case of persons accused of a first offense provided that if after conviction before a magistrate or justice of the peace the accused desires to appeal to the court of quarter sessions he shall be entitled to do so according to law as in other cases of summary conviction provided he gives bond conditioned upon securing and prosecuting the appeal with effect or otherwise to secure payment of the fines imposed Proceedings under this may also be commenced by the issuance of a warrant in the name of the Commonwealth which warrant may be served by a constable policeman or other officer having authority to serve warrants in any part of the Commonwealth and a copy of the affidavit or information shall be served with such warrant Any officer serving such warrant shall take the defendant before a magistrate or justice of the peace of the county in which the defendant is found who shall take bail for his appearance before the magistrate or justice of the peace who issued the warrant or for a trial by jury in accordance with the provisions of this section

All money articles or value or motor vehicles deposited with any magistrate or justice of the peace as provided in this act shall be returned to the defendants upon the termination of the cause or upon the certificate of the district attorney of the county in which the action is brought

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 2 by striking out the word "four"; also in line 25 by inserting within the parentheses, before the figures "50", the character "$"; also in line 47 by inserting after the word "this" the word "act"; also in line 57 by inserting before the word "the" the word "with"; also in line 57 by striking out the word "section" and inserting in lieu thereof the word "act".

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-second section of the bill was read as follows:

Disposition of Fines

Section 22 All fines and penalties collected under the provisions of this act for violations of the same shall be paid to the State Treasurer except those collected for violations of the provisions as to speed which shall be paid to the treasurer of the city borough or township wherein the violation occurred to be used for the construction repair and maintenance of the highways thereof and sworn statements of all fines and penalties as collected shall also be made by the burgess magistrate justice of the peace or other officer imposing or receiving the same to the State Highway Commissioner Said reports shall be made quarterly not later than the tenth (10) day of the months of January April July and October of each year Any burgess magistrate justice of the peace or other officer who shall fail to make such quarterly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or imprisonment in the county jail for a period of sixty (60) days or both at the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 6 by inserting after the word "borough" the word "town"; also in line 9 by striking out the word "as" and inserting in lieu thereof the word "so"; also in line 9 by inserting after the word "made" the words "upon blanks to be furnished by the State Highway Department."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-third section of the bill was read as follows, and agreed to:

Services of Process in Civil Actions

Section 23 All civil actions for damages arising from the use and operation of any motor vehicle as aforesaid may be brought in the city or county in which the alleged damages were sustained and service of process may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant in the suit or his registered agent resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county

The twenty-fourth section of the bill was read as follows:

Repeal

Section 24 The act approved April twenty-third one thousand nine hundred three entitled "An Act relating to automobiles or motor vehicles providing for the registration thereof regulating the speed limit upon the public highways within this Commonwealth providing for the licensing of the operators thereof and fixing the amount of the license regulating the service of process and of proceeding in actions of damages arising therefrom and prescribing the penalties for the violation of the same" and the act approved April nineteenth one thousand nine hundred and five entitled "An Act relating to automobiles or motr vehicles and regulating the speed limit upon the streets and public highways of this Commonwealth providing for the licensing of the operators thereof by the State Highway Department fixing the amount of said license regulating the service of process and proceedings of actions in damages arising therefrom and prescribing the penalties for the violation of the provisions of the same" and the act approved April twenty-seventh one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violation of the provisions of this act and providing for the disposition of fines imposed thereunder" and the act approved April twenty-first one thousand nine hundred and eleven entitled 'An Act to amend section seven of an act entitled "An Act relating to motor vehicles regulating their speed upon the public highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violation of the provisions of this act and providing for the disposition of fines imposed thereunder" by striking out from section seven of said act the word "hire" wherever it may occur in said section and the act approved June first one thousand nine hundred and eleven entitled "An Act to amend the first section of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" by exempting hospital motor ambulances and motor fire engines and motor fire apparatus and requiring them to be furnished free of charge with registration certificates and number tags" and all other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed

Provided however that the provisions as to registering motor vehicles as set forth in sections one two three four and seven of the act approved April twenty-seventh one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsnylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highway with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of the fines imposed thereunder" and the act approved April twenty-first one thousand nine hundred and eleven entitled "An Act to amend section seven of an act entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators

by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violaitons of the provisions of this act and providing for the disposition of fines imposed thereunder" shall remain in full force and effect until December thirty-first one thousand nine hundred thirteen when the provisions as to registering motor vehicles as set forth in this act shall become effective

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend in line 22 by inserting before the word "regulating" the words "upon public highways with relation to other vehicles"; also in line 28 by inserting after the word "public" the words "streets and."

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penaties for violations of the provisions of this act providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President I move to amend by striking out the entire title and inserting in lieu thereof the following:

An Act relating to motor vehicles and vehicles trailing after or propelled by motor vehicles regulating their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operaton of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used on motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damage arising therefrom providing for arrest and for service of process in proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder

Mr. JONES. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr SALUS, from the Committee on Judiciary General, reported as amended, Senate Bill No. 10, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

BILLS INTRODUCED.

Mr. THOMPSON. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 1048, entitled:

An Act making an appropriation for the purpose of erecting a protection and retaining wall and filling the washout caused by floods of the Beaver and Ohio Rivers and by the erection of dam number one and the abutment thereto of the Beaver division of the Pennsylvania Canal at West Bridgewater Pennsylvania

Which was committed to the Committee on Appropriations.

Mr. KNAPP. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 1049, entitled:

An Act regulating the salaries of county commissioners when said commissioners are directors of the county poor in counties of more than fifty thousand inhabitants

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as amended Senate Bill No. 1002, entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 151, entitled:

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

The ACTING PRESIDENT PRO TEMPORE (Mr. Charles H. Kline) in the Chair.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Graff,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Magee,	Sensenich,
Clark,	Hoke,	Martin,	Sheatz,
Cooper,	Homsher,	McIlhenny,	Snyder,
Crow,	Huffman,	McNichol,	Sones,
Daix,	Hunter,	McNichols,	Thompson,
DeWitt,	Jarrett,	Miller,	Vare,
Endsley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	Gerberich, Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered That the Governor be informed accordingly.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 526, as follows:

An Act providing for an engineers' commisison prescribing its duties and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is authorized to appoint a commisison consisting of five citizens of this Commonwealth who shall have the qualifications demanded for the highest grade membership in the American Society of Civil Engineers the American Institute of Electrical Engineers the American Society of Mechanical Engineers or the American Institute of Mining Engineers This commission to be known as the Engineers' Commission shall serve without compensation other than actual and necessary expenses incurred by them in the performance of their duties It shall be the duty of the Commisison to investigate the advisability of licensing engineers within this Commonwealth who are engaged upon the construction maintenance and operation of works public or private within this Commonwealth where unusual hazards are offered to the lives health and property of the citizens of this Commonwealth and to recommend to the Governor such measures as in their judgment should be enacted into laws The commission shall organize within thirty days after their appointment and shall present their report to the Governor not later than the first day of November one thousand nine hundred and fourteen

Section 2 To carry out the provisions of this act the sum of one thousand dollars ($1,000.00) is hereby specifically appropriated for the use of the commission payment to be made on warrant of the Auditor General on order of the chairman of the commission together with specifically itemized vouchers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 585, as follows:

An Act making an appropriation for the restoration of the Brig Niagara Commodre Perry's Flagship at the Battle of Lake Erie for its participation in the events of this Centennial Celebration year its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

Whereas the States of Pennsylvania New York Ohio Illinois Michigan Wisconsin Minnesota Rhode Island and Kentucky have through commissioners duly appointed for that purpose formed an association and proceeded to erect a memorial at Put-in-Bay Ohio to Commodore Oliver Hazard Perry and his brave men who fought with him at the Battle of Lake Erie and are proposing to hold a centennial celebration during the present year in commemoration of the one hundredth anniversary of that great victory and

Whereas the Brig Niagara to which Commodore Perry transferred his flag from the disabled Lawrence during the battle and which for nearly one hundred years has lain at the bottom of Misery Bay an arm of Presque Isle Bay at Erie has been raised by the Commisisoners appointed by the Governor of Pennsylvania to co-operate with the Commissioners of other States in the celebration of the centennial anniversary of the Battle of Lake Erie and is now the property of the State of Pennsylvania and

Whereas the larger cities upon the Great Lakes from Buffalo to Duluth are proposing to hold celebrations beginning at Erie on July sixth on this the centennial anniversary of that great battle and all of the States participating are very desirous that Commodore Perry's Flagship the Niagara may be one of the features of the celebrations and the people of the whole United States are deeply interested in and concerned about the disposition the State of Pennsylvania is to make of this old Flagship and the part it will take in the events of this centennial year and

Whereas six of the nine ships constituting Commodore Perrys' fleet were built at Erie to wit The Niagara Lawrence Ariel Scorpion Porcupine and Tigress bearing fifty of the fifty-five guns carried by the whole fleet and for the single purpose of fighting this battle and after winning it the fleet returned to Pennsylvania waters at Erie bringing with it all of the enemy's ships it is fitting that a permanent marker arch or memorial be erected at Erie to commemorate not only the bravery of Commodore Perry and his gallant men but the part taken by Pennsylvanians in building the fleet and in fighting the battle including the conspicuous services of Captain Daniel Dobbins of Erie who was instrumental in inducing the Government to build the fleet and was in charge of its construction when Perry arrived in March one thousand nine hundred and thirteen

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy-five thousand dollars be and the same is hereby appropriated from any money in the State treasury not otherwise appropriated to the Commissioners appointed by the Governor of Pennsylvania to co-operate with the Commissioners from other States in the celebration of the centennial anniversary of the battle of Lake Erie for the purpose of restoring the aforesaid Brig Niagara to the condition she was in at the time said battle of Lake Erie was fought as nearly as said Commisisoners can with the exercise of reasonable diligence restore it to its original condition including rigging armory and equipment of every kind and for paying the expenses incident to the proper participation of said Brig in the events of this centennial year and the proper care therefor until further provided for by the Legislature and any balance of said sum hereby appropriated remaining after such restoration and equipment of said Brig and after paying the expenses incident to its participation in said centennial events and providing for care of same as aforesaid is to be paid and expended by said Commission toward the erection of a permanent marker arch or memorial at the city of Erie Pennsylvania commemorating the building of the fleet at that place as well as the splendid manner in which in the hands of the brave Commodore Perry and the gallant men who fought with him it performed its errand at the battle that followed its construction to be expended in conjunction with moneys contributed by the citizens of Erie and others for the purpose of erecting said permanent marker arch or memorial and all of the money hereby appropriated to be paid on the warrant of the Auditor General upon requisition of the President of said Commission and itemized vouchers for all expenditures to be filed with the Auditor General within a reasonable time thereafter

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 634, as follows:

An Act to provide for the purchase or condemnation of inclined planes and property appurtenant thereto and for the extension thereof by cities or counties separately or together and providing for the control and management of such inclined plane

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That any city or county separately or together in such proportions as they may agree upon are authorized to purchase or condemn any property real or personal owned by any person firm association or corporation which is used in the construction or operation of any inclined plane within the limits of the respective county Proceedings for the purchase or condemnation of any inclined plane may be instituted by the proper city or county upon approval thereof by the court of quarter sessions of such county on petition of at least twenty taxpayers of the proper city or county representing that the acquirement of said inclined plane and the property aforesaid would prove beneficial to the county or city or both as the case may be

Section 2 In case the city or county or both together after the approval of said petition by the court desire to obtain such inclined plane and property as aforesaid and is or are unable to agree with the owner or owners thereof upon the price to be paid therefor any court of common pleas of the county wherein said inclined plane is located or any law judge thereof in vacation on application therefor by petition of such city or county or both shall appoint as viewers three members of the board of viewers of the proper county and shall appoint a time not less than ten nor more than twenty days thereafter when said viewers shall meet and inspect the property to be acquired

Section 3 The said viewers having been duly sworn or affirmed justly and impartially to decide and true report to to make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire in pursuance to the provisions of this act and having viewed the said property shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken and to whom the same is payable and prepare notice to all parties interested of the time and place where they will meet and exhibit said schedule and hear all objections thereto and evidence thereon The said notice shall be given by personal service upon all the parties in interest or their attorneys of record residing in such county if such residence is known and to all others by publication by one insertion in one newspaper of general circulation published in such county After hearing the parties desiring to be heard in reference to said schedule at the time designated and making whatever changes shall be deemed necessary the said viewers shall make report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing the location of said inclined plane and the property condemned

Section 4 The viewers provided for in the foregoing sections may be appointed before or at any time after the entry taking or appropriation of said property The costs incurred in the procedings aforesaid shall be defrayed by the petitioner or petitioners and each of the viewers shall receive such compensation as the court may determine

Section 5 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the

same or new viewers with like power as to their report or either party may within thirty days after final decree appeal to the superior or supreme court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the city or county in whole or in part as the case may be The said court of common pleas shall have power to designate what notice shall be given in connection with any part of said proceedings and may make all such orders as may be deemed requisite

Section 6 In case the compensation to be paid for said property which the county or city or both desire to obtain cannot be agreed upon between the county or city and the owner or owners thereof and the county or city or both desire to take possession of said property it shall be lawful for it or them to tender a bond as security to the owner or owners thereof the condition of which bond shall be that the said county or city or both shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties in interest or awarded in the manner provided for by this act In case the owner or owners shall refuse to or do not accept such bond it shall be lawful for such county or city or both together after five days' written notice to the owner or owners or attorney of record to present the same to the court of common pleas appointing said viewers and on approval thereof said inclined plane and property used in connection therewith shall become the property of the county or city or both together in the ratio agreed upon

Section 7 In case any county or city or both together shall discontinue any proceeding taken providing for the appropriation or condemnation of said property as hereinbefore set forth prior to the entry upon taking or appropriation thereof and before judgment therein the said county or city shall not thereafter be liable to pay any damages which have been or might have been allowed but all costs upon any such proceedings had thereon shall be paid by the county or city separately or in its proper share together with any actual damages loss or injury sustained by reason of such proceeding the amount of the same may be determined and fixed by the court in which such proceeding was pending

Section 8 Whenever it shall be deemed necessary to extend or improve any inclined plane purchase or condemned under the provisions of this act additional property for such purpose may be acquired by the city or county or both together in the manner hereinbefore provided for the acquisition of the original property of such inclined plane

Section 9 Any city or county acquiring property under the provisions of this act is authorized to issue bonds guaranteed by such city or county for the payment of such property said bonds to be issued under and conform in all the requirements of an act of Assembly approved the twentieth day of April one thousand eight hundred seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" together with the amendments and supplements thereto

Section 10 Whever any inclined plane shall be purchased or condemned under the provisions of this act the county or city separately or together in proportion to the interest each has therein may purchase property from time to time for its equipment employ such assistants as may be necessary at specified salaries make proper rules and regulations fix reasonable charges for the carriage of persons and freight and in every other way control maintain and operate said inclined plane

Section 11 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, to be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 686 (House Bill No. 841), as follows:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall sell offer or expose for sale any of the following named seeds within the State of Pennsylvania containing any of the seeds of Dodder or Canada Thistle in excess of one (1) seed in three thousand (3,000) and which do not conform to the following standards of purity as determined by weight

For medium red clover mammoth red clover crimson clover alfalfa timothy grass seed barley spelt wheat buckwheat oats and rye ninety-seven per centum (97 per centum) pure

For alsike clover peremial rye grass German millet and Hungarian millet ninety-five per centum (95 per centum) pure

For white clover ninety per centum (90 per centum) pure

For red top grass solid or hulled eighty-five per centum (85 per centum) pure

For Canadian blue grass orchard grass Kentucky blue grass and red top grass unhulled seventy-five per centum (75 per centum) pure

Section 2 It shall be the duty of the Secretary of Agriculture to receive a sample or samples of seeds from any grower seedsman person firm or corporation who shall send such sample to the department for examination and said secretary shall have sample or samples of seeds examined and analyzed in conformity with the provisions of this act and the standards fixed by the regulation provided for herein Said examination and analysis shall be made and reports submitted showing the condition of the same with respect to the percentage of purity and freedom from Doder and Canada Thistle to the sender within fifteen days after the sample is received A fee of twenty-five cents shall be paid for each examination and analysis when the sample is submitted and all moneys so received shall be covered monthly into the State Treasury by the Secretary of Agriculture For the purpose of this act the sample of seed shall consist of not more than four ounces or less than two ounces of the seed to be examined The sample submitted shall have affixed thereto distinctly printed or plainly written in English a statement certifying the name of the seed and the full name and address of the grower or seedman or person or firm or corporation submitting sample for examination and report

Section 3 Any person acting for himself or as agent for another or any member or superintendent or agent of any firm or corporation who violates the provisions of section one of this act shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine of not less than ten dollars or more than twenty-five dollars for each offence. It shall be the duty of the Secretary of Agriculture to enforce the provisions of act and for this purpose he is hereby authorized and empowered by himself or his duly qualified agent or agents to collect samples of the seeds named in section one of this act and to have them examined by a competent expert who shall report to said Secretary of Agriculture and also to the persons firms or corporations from whom such samples were taken the condition of the same with respect to purity and freedom from weed seeds and the report made to the Secretary of Agriculture shall contain the names and post office addresses of the persons firms or corporations from whom the samples were taken which reports may be published from time to time for the information of the public by the Secretary of Agriculture if in his judgment such publication is desirable. The said Secretary of Agriculture or his agents duly authorized by him shall for the purpose of carrying out the provisions of this act have full access ingress and egress to and from all places of business barns buildings vehicles cars and vessels in which such seeds may be stored or in which they may be held for transportation or sale within this State and shall have power to open any packages containing such seeds and take therefrom samples of the same upon tendering to the owner or owners or his or their agents the value of such samples Provided That the owner or owners of such seeds shall be given the opportunity to be present and witness the taking of such samples

Section 4 Any one interfering with the person charged with the enforcement of this act or any of his duly authorized agents when in the discharge of the duties herein enjoined or refusing such persons the privilege of entering any room building or other place where the seeds herein named are kept for sale for seeding purposes within this State shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars together with the costs of prosecution

Section 5 The provisions of this act shall not apply to seeds as defined in this act marked "not clean" and shipped to some market or seed merchant to be cleaned and graded before being offered or exposed for sale or to seeds being held in storage for the purpose of being cleaned and graded

Section 6 All fines and costs imposed and recovered under the provisions of this act shall be paid to the Secretary of Agriculture or his agents and by him immediately covered into the State Treasury and all necessary costs and expenses arising under the provisions of this act shall after approval in writing by the Secretary of Agriculture be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law Provided That the amount so expended shall not exceed four thousand dollars in any one year

Section 7 City magistrates and justices of the peace throughout this Commonwealth shall have jurisdiction to hear and determinate actions arising from violations of the provisions of this act and to hold for court or impose the penalties prescribed subject to appeal as the laws shall direct

Section 8 This act shall take effect and be in force on and after the first day of January one thousand nine hundred and fourteen

Section 9 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 753, as follows:

An Act authorizing notaries public to take affidavits to libels in divorce and validating all such affidavits heretofore made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each notary public of this Commonwealth shall have power to take affidavits to any libel divorce

Section 2 All affidavits heretofore taken before any notary public of this Commonwealth to any libel in divorce are hereby validated and make good in law provided however that no case heretofore judicially decided or in which proceedings at law or equity are now pending shall be affected by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 756 (House Bill No. 364), entitled:

An Act regulating the sale and storage of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812 (House Bill No. 1009), titled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 812 (House Bill No. 1009) entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 813 (House Bill No. 1099), entitled:

An Act making an appropriation to cover a deficiency in the item of the General Appropriation Act of the fourteenth day of June Anno Domini one thousand nine hundred eleven making an appropriation for the salaries of eight orphans' court judges in districts other than Philadelphia and Allegheny counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 821, as follows:

An Act providing for the payment of the minimum teacher's salaries by the Commonwealth and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the minimum salaryof all teachers in the public schools of this Commonwealth shall be paid by this Commonwealth upon orders duly drawn and certified in the same manner as funds are now paid by the Commonwealth to various school districts

Section 2 That the sum of two million dollars be and the same is hereby appropriated for the said purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 846 (House Bill No. 1042), entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 858, as follows:

An Act to provide for the use of school buildings and grounds and other public buildings and grounds for meetings of citizens

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That where the citizens of any community are organized into a non-partisan non-sectarian non-exclusive association for the presentation and discussion of public questions or for other civic activities the school board or other body having charge of schoolhouses or other public buildings or grounds which are capable of being used as meeting places for such organizations may grant the free and convenient use of such buildings or grounds including light heat and janitor service free of charge to such organization for any public meetings or weekly bi-weekly or monthly gatherings at such times as such organizations shall request or designate providing however that such use shall not interfere with nor be contrary to the purposes for which said buildings or grounds were specifically established or erected and provided further that any damage to such property occurring at such meetings shall be paid for by said citizens' organizations ordinary wear and tear excepted

Section 2 The school board or other board having charge of schoolhouses or other public properties may provide for the free and gratuitous use of school houses or other public properties under their charge for such social or recreational activities as in their opinion will not interfere with nor be contrary to the purpose for which they were specifically established or erected any damage to said property occurring at such meetings to be paid for by the citizens making application for the use of such property but it shall be unlawful for such school board or other board aforesaid to act arbitrarily or with impartiality in granting the use of school buildings or other public buildings or grounds as provided by this act and any abuse of their powers by such school board or other board may be corrected by the court upon application for a mandamus or injunction by any of the afore-mentioned organizations or persons as by law in such cases provided

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 864 (House Bill No. 569), as follows:

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after passage of this act the fees to be paid to received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as follows

Appeals from alderman justices of the peace or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachment and seal two dollars

Administering oath other than upon trial of cause and seal fifty cents

Bail piece one dollar and fifty cents

Bail bond one dollar

Bail bond justification of one dollar

Bail notices each fifteen cents

Bench warrant and seal two dollars

Bonds for constables and tax collectors one dollar

Commitment to any State Penitentiary fifty cents

Commitment to county prison fifty cents

Commitment to house of refuge fifty cents

Commitment to insane hospital fifty cents
Certificate of election of constables et cetera one dollar
Certificate and seal fifty cents
Certificate of acknowledgment and seal fifty cents
Certificate for Fairmount Park Commissioners in duplicate two dollars
Certificate of city treasurer one dollar and twenty-five cents
Certificate for payment of jurors fifty cents
Certificate for payment of road jurors fifty cents
Certificate to sheriff to draw jurors two dollars
Certificate to sheriff to draw grand jurors two dollars
Certificate to sheriff to draw special venire and return thereto five dollars
Certificate of official capacity under seal one dollar
Certificate to police department upon return of stolen prop- each twenty-five cents
Certificate where judge acts as committing magistrate affidavits warrants and service three dollars and fifty cents
Certificate and seal of ignored bill seventy-five cents
Certificate and seal in breach of peace seventy-five cents
Certificate and seal in apprentices seventy-five cents
Certificate and seal in reconsideration of sentence seventy-five cents
Certificate to Bureau of Charities of court order of non-support and seal one dollar
Certificate of probation one dollar
Certificate to Director of Public Safety upon application for detective license one dollar
Certificate to prothonotary of elective justices of the peace each name twenty-five cents
Certificate to county commissioners of elective election officers each name twenty-five cents
Certificate to county commissioners (witness fees) and seal each twenty-five cents
Commission on lunacy swearing commission filing and recording three dollars and fifty cents
Commission on lunacy swearing commission filing and recording paupers petition three dollars and fifty cents
Certified copy bill of indictment not exceeding two (2) pages two dollars
Each additional page fifty cents
Certified copy of record docket entry not exceeding one (1) page one dollar
Each additional page fifty cents
Certified copy docket entry in road cases not exceeding one (1) page one dollar
Each additional page fifty cents
Certified copy notes of testimony charge of court and all other papers filed in any case per page twenty cents
Citation and seal one dollar
Constable's return on liquor licenses and seal one dollar and fifty cents
Dog register and seal one dollar and fifty cents
Declaration to become a citizen and seal two dollars
Discharge on ignored bill and seal seventy-five cents
Discharge on bail entered seventy-five cents
Discharge of prisoner from dock seventy-five cents
Exemplification of record bill of indictment not exceeding two (2) pages two dollars
Each additional page fifty cents
Exemplification of record docket entry not exceeding one (1) page one dollar
Each additional page fifty cents
Exemplification certificate and seal one dollar and twenty-five cents
Entering satisfaction of judgment fifty cents
Entering judgment on bond or recognizance upon confession for want of affidavit of defense or upon verdict of demurrer one dollar and twenty-five cents
Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars
Entering revival of judgment by agreement one dollar and twenty-five cents
Filing and entering motion and reason for new trial seventy-five cents
Filing and entering motion in arrest of judgment seventy-five cents
Filing and entering reconsideration of sentence seventy-five cents
Filing and entering bond or recognizance from magistrate seventy-five cents
Filing and entering expense account of candidate for nomination and election to public office under fifty dollars ($50) one dollar
Filing and entering expense account of candidate for nomination and election to public office over fifty dollars ($50) two dollars
Filing and entering expense account of ward and county committees three dollars
Filing and entering magistrate's return seventy-five cents
Filing and entering coroner's return each seventy-five cents
Filing and entering petitions for appointment of auditor or examiners et cetera one dollar
Filing and entering auditor's reports per page twenty cents
Filing and entering petitions and papers not otherwise provided for first page fifty cents
Each additional page twenty cents
Filing petition for change of polling place two dollars
Filing and entering of plea autrefois convict fifty cents
Filing and entering of plea autrefois acquit fifty cents
Filing and entering plea of nolo contendre fifty cents
Filing and entering nolo prosequi ten dollars
Filing and entering docket entries true bill three dollars
Filing and entering docket entries ignored bill two dollars
Filing and entering opinion of Court of Common Pleas Superior Court or Supreme Court one dollar
Filing end entering opinion of court of oyer and terminer or quarter sessions one dollar
Filing and entering certiorari or appeal to Superior or Supreme Court three dollars
Filing and entering remittitur from Superior or Supreme Court two dollars
Filing and entering motions orders appeals or decree to or from courts not herein provided for two dollars
Filing and entering bill of exceptions three dollars
Filing and entering certificate from city controller upon loan bill five dollars
Filing and entering return of election of increase or indebtedness for each return twenty-five cents
Filing and entering certified copy ordinance of councils upon loan bill three dollars
Filing and entering answer to writ of habeas corpus fifty cents
Filing and entering answer to warrant of seizure fifty cents
Filing and entering answer to rules in non-support cases fifty cents
Filing and entering traverse fifty cents
Filing and entering rule for bill of particulars fifty cents
Filing and entering bill of particulars fifty cents
Filing and entering exceptions to bill of particulars fifty cents
Filing petition for division of election districts townships boroughs wards et cetera two dollars
Filing report on same one dollar
Annexation and incorporation of each two dollars
Recording proceedings on above each one hundred words fifty cents
Filing bond and justification upon peddlers junk dealers and itinerant venders license two dollars and fifty cents
Filing and issuing summons on recognizance seventy-five cents
Filing an entering appearance upon suit on recognizance fifty cents
Filing and entering affidavit of defense seventy-five cents
Filing and indexing in card index record of commitment to any State Penitentiary each twenty-five cents
Filing plans in road cases one dollar
Filing order of satisfaction in road cases twenty-five cents
Filing appeals in road cases seventy-five cents
Filing and entering report in road cases five dollars
Filing motion to quash indictment fifty cents
Filing and entering pleas not otherwise provided for each defendent twenty-five cents
Filing and issuing fieri facias sur debt seventy-five cents
Indexing judgments fines et cetera on judgment index each twenty-five cents
Joinder in issue each defendant twenty-five cents
Jury fee in each case four dollars
Jurors defaulting issuing notices to one dollar and fifty cents
Liquor license filing application for affidavit and seal five dollars and fifty cents
Liquor license filing interrogatories in application for and seal fifty cents
Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal frame and glass six dollars and seventy-five cents
Liquor license in transfer of filing and justification of bond constables fee et cetera five dollars and fifty cents
Liquor license filing petition for revocation of one dollar
Monthly return to State board of charities to be paid by county twenty-five dollars
Mandamus and seal four dollars and twenty-five cents
Motions and rules not otherwise herein provided for each fifty cents.
Naturalization certificate duplicate copy of each two dollars and twenty-five cents
Non-support cases record of three dollars
Non-support cases all services not otherwise provided for two dollars
Order of court in non-support cases and seal fifty cents
Order of court in juvenile cases and seal fifty cents
Petition and order for a view and review of a road street or bridge case filing report recording et cetera fifteen dollars
Petition filing of and docketing habitual drunkard proceedings the court orders thereon two dollars
Petition filing of feeble minded person one dollar
Petition filing of insane person one dollar
Petition filing of insane criminal one dollar
Petition filing for writ of habeas corpus two dollars
Release from any institution by order of court fifty cents
Recognizance calling and entering forfeiture of fifty cents
Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving on entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district except upon increase of indebtedness two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Road viewers filing and entering report of five dollars
Search judgment single name forty cents
Search judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scieri facias sur bond three dollars
Scieri facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollar
Seal in every case not otherwise provided for twenty-five cents

Supreme court appeals one dollar and fifty cents
Supreme court on warrant of seizure one dollar and fifty cents
Supreme court return to writ of error one dollar
Supreme court appeals to one dollar and fifty cents
Superior court on warrant of seizure one dollar and fifty cents
Superior court return to writ of error one dollar
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bill of costs one dollar
Venire for grand jury one dollar
Venire to draw special Jury two dollars and fifty cents
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar service provided however that the provisions of this act shall not apply to counties having a population of less than one million as computed by the last preceding United States census

Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual or corporation the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered

Section 3 All laws or parts of laws general local and special inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 875, as follows:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth' " as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article first of an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth' " which reads as follows

"They shall at their first meeting and annually thereafter appoint out of their number a president secretary and treasurer and keep regular minutes of their proceedings they shall hold stated meetings once a month and adjourned and special meetings whenever necessary the treasurer shall give bond with sufficient curety in such amount as the inspectors may fix and determine and shall receive and disburse all moneys belonging to the prison according to the order of the board they shall semi-annually appoint a warden a physician and clerk for the institution and shall fix their salaries as well as those of the under-keepers or overseers and the persons employed about the prison they shall serve without any pecuniary compensation and shall be exempted from military duty from serving on juries and arbitrations or as guardians of the poor they shall visit the penitentiary at least twice in every week to see that the duties of the several officers and attendants are performed to prevent all oppression peculation or other abuse or mismanagement of the said institutions they shall have power if they on conference find it necessary to make such rules for the internal government of said prison as may be inconsistent with the principles of solitary confinement as set forth and declared by this act

They shall attend to the religious instruction of the prisoners and procure a suitable person for this object who shall be the religious instructor of the prisoners Provided their services shall be gratuitous

They shall direct the manner in which all row materials to be manufactured by the convicts in said prisons and the provisions and other supplies for the prisoners shall be purchased and also the sale of all articles manufactured in said prison

They shall cause accurate accounts to be kept by the clerk of all expenditures and receipts in the penitentiaries which accounts respectively shall be annually examined and settled by the auditors of the county of Allegheny and of the county of Philadelphia

They shall on or before the first day of January in every year make a report in writing to the Legislature of the State of the penitentiaries

The report shall contain the number of prisoners in confinement their ages sex place of nativity time of commitment term of imprisonment during the preceding year noticing also those who have escaped or died or who were pardoned or discharged designating the offence for which the commitment was made and whether for a first or repeated offence and when and in what court or by whose order and in such return the inspectors shall make such observations as to the efficiency of the system of solitary confinement as may be the result of their experience and give such information as they may deem expedient for making the said institution effectual in the punishment and reformation of offenders

They shall have power to examine any person upon oath or affirmation relative to any abuse in the said places of confinement or matter within the purview of their duties they shall direct in what manner the rations for the subsitence of the prisoners shall be composed in conformity with the general directions on that subject hereinafter contained

The inspectors in their weekly visits to the several places of confinement shall speak to each person confined therein out of the presence of any of the persons employed therein shall listen to any complains that may be made of oppression or ill conduct of the persons so employed examine into the truth thereof and proceed therein when the complaint is well founded and on such visits they shall have the calendar of the prisoners furnished to them by the warden and see by actual inspection whether all the prisoners named in the said calendar are found in the said prison in the situation in which by the said calendar they are declared to be

A majority of the said inspectors shall constitute a board and may do any of the acts required of the said inspectors two of the inspectors shall be a quorum for the weekly visitations hereby directed to be made

The warden shall not nor shall any inspector without the direction of a majority of the inspectors sell any article for the use of the said penitentiaries or either of them or of the persons confined therein during their confinement nor derive any emolument from such purchase or sale nor shall he or they or either of them receive under any pretense whatever from either of the said prisoners or any one on his behalf any sum of money emolument or reward whatever or any article of value as a gratuity or gift under the penalty of five hundred dollars fine to be recovered in the name of the Commonwealth by an action of debt in any court of record thereof having jurisdiction of sums of that amount" is hereby amended to read as follows

They shall at their first meeting and annually thereafter appoint out of their number a president and a treasurer They shall appoint a secretary who may be of their number if they deem it necessary He shall receive such compensation as the inspectors may fix and he shall keep regular minutes of their proceedings They shall hold stated meetings once a month and adjourned and special meetings whenever necessary The treasurer shall give bond with sufficient surety in such amount as the inspectors shall fix and determine and he shall receive and disburse all moneys belonging to the prison according to the order of the board The inspectors shall elect a warden and a chaplain for a term of four years They shall elect a physician and a clerk for the institution The inspectors shall fix the compensation of the warden chaplain physician clerk underkeepers or overseers and the persons employed about the penitentiary The inspectors shall serve without any pecuniary compensation and shall be exempt from military duty from serving on juries or arbitrations or as guardians of the poor The inspectors or a quorum thereof shall visit the penitentiary at least once in every month to see that the duties of the several officers and attendants are performed to prevent all oppression peculation or other abuse or mismanagement of the said institutions they shall have power if they on conference find it necessary to make such rules for the internal government of said prisons as to them shall seem proper and which shall not be inconsistent with law

They shall attend to the religious instruction of the prisoners and procure suitable persons for this object who shall be the religious instructors of the prisoners in addition to the chaplain

They shall direct the manner in which all raw materials to be manufactured by the convicts in said prisoners and the provisions and other supplies for the prisons shall be purchased and also the sale of all articles manufactured in said prisons

They shall cause accurate accounts to be kept by the clerk of all expenditures and receipts in the penitentiaries which accounts respectively shall be annually examined and settled by the auditors of the County of Allegheny and the County of Philadelphia

They shall have power to examine any person upon oath or affirmation relative to any abuse in the said places of confinement or matter within the purview of their duties they shall direct in what manner the rations for subsistence of the prisoners shall be composed in conformity with the general directions on that subject hereinafter contained

The inspectors in their monthly visits to the several places of confinement shall out of the presence of the persons employed therein listen to any complaints that may be made or oppression or ill-conduct of the persons so employed examine into the truth thereof and proceed therein when the complaint is well founded and on such visits they shall have the calendar of the prisoners furnished to them by the warden and may in their discretion see by actual inspection whether all the prisoners named in the said calendar are found in said prison in the situation in which by the said calendar they are declared to be

A majority of the said inspectors shall constitute a board and may do any of the acts required by said inspectors Two of the inspectors shall be a quorum for the monthly visitations hereby directed to be made

The warden shall not nor shall any inspector without the direction of a majority of the inspectors sell any article for the use of the said penitentiaries or either of them or of the persons confined therein during their confinement nor derive any emolument from such purchase or sale nor shall he or they or either of them receive under any pretense whatever from either of the said prisoners or any one on his behalf any sum of money emolument or reward whatever or any article of value as a gratuity or gift under the penalty of five hundred dollars fine to be recovered in the name of the Commonwealth by an action of debt in any court of record thereof having jurisdiction of sums of that amount

Section 2 Article second of said act which as heretofore amended reads as follows

"The warden may reside outside of the grounds of the penitentiary but his place of residence must be in the vicinity thereof an convenient thereto He shall visit every cell and apartment and see every prisoner under his care at least once in every day he shall keep a journal in which shall be regularly entered the reception discharge death pardon or escape of any prisoner and also the complaints that are made and the punishments that are inflicted for the breach of prison discipline as they occur the visits of the inspector and the physician and all other occurrences of note that concern the state of the prison except the receipt and expenditures the account of which is to be kept in the manner hereinafter directed The warden shall appoint the underkeepers who shall be called overseers and all necessary servants and dismiss them whenever he thinks proper or the board of inspectors direct him so to do He shall report all infractions of the rules to the inspectors and with the approbation of one of them may punish the offender in such maner as shall be directed in the rules to be enacted by the inspectors concerning the treatment of prisoners He shall not be present when the inspectors make their stated visits to the prisoners under his care unles thereto required by the inspectors" is hereby amended to read as follows

The warden shall reside on the grounds of the penitentiary or in the vicinity thereof and convenient thereto He shall visit each cell and apartment at reasonable intervals He shall keep a journal in which shall be regularly entered the reception discharge death pardon or escape of any pirsoner and also the complaints that are made and the punishments that are inflicted for the breach of prison discipline as they occur the visits of the inspectors and the physician and all other occurrences of note that concern the state of the prison except the receipts and expenditures the account of which is to be kept in the manner hereinafter directed

The warden shall appoint the underkeepers who shall be called overseers and all necessary servants and dismiss them whenever he thinks proper or when the board of inspectors direct him so to do He shall report all infractions of the rules to the inspectors and may punish offenders in such manner as shall be directed in the rules to be enacted by the inspectors concerning the treatment of prisoners He shall not be present when the inspectors make their stated visits to the prisoners under his care unles thereto required by the inspectors

Section 3 Section seven of Article two of said act which reads as follows

"Section 7 And be it further enacted by the authority aforesaid That the penitentiaries aforesaid shall be respectively managed by a board of inspectors consisting of five taxable citizens of Pennsylvania who shall be appointed as follows The judges of the Supreme Court of the State shall at the first term of any Supreme Court which shall be held in any of the districts of the State after the passage of this act appoint five taxable citizens residing in the City of Pittsburgh or County of Allegheny who shall be inspectors of the Western State Penitentiary to serve for two years and five taxable citizens residing in the city or county of Philadelphia who shall be inspectors of the Eastern State Penitentiary to serve for two years and until their successors shall be appointed and in case of any vacancy occasioned by death resignation refusal to serve or otherwise the same shall be supplied by the said judges as soon as conveniently may be" is hereby amended to read as follows

Section 7 The penitentiaries aforesaid shall each be managed by a board of inspectors consisting of five taxable citizens of Pennsylvania who shall be appointed by the Governor to serve for a term of four years or until their successors shall have been appointed The mebers of the board of inspectors of the Western Penitentiary shall be residents of the County of Allegheny The members of the board of inspectors of the Eastern Penitentiary shall be residents of the County of Philadelphia Vacancies in either board however occurring shall be filled by appointment by the Governor for the unexpired term The present members of the respective boards shall continue to serve until the expiration of their respective terms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 879, as follows:

An Act to provide for the filing docketing and indexing of judgments and decrees of the district and circuit courts of the United States

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the respective prothonotaries of the several Courts of Common Pleas of this Commonwealth upon payment of the fees allowed by law for similar services to receive and file of record in said courts all judgments and decrees rendered in any district or circuit court of the United States when the same are presented duly certified by the clerk of the court in which any such judgment or decree has been rendered and to docket and index as liens each of said judgments and decrees with and in the same manner as judgments and decrees recovered or entered in the said Courts of Common Pleas are respectively required to be docketed and indexed in order to make the same liens upon real estate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 882, as follows:

An Act permitting and regulating the use of the several armory buildings of the National Buard of Pennsylvania for horticultural and poultry exhibits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That permission to use and occupy armories of the National Guard of the State of Pennsylvania without charging rent therefor is hereby given to exhibitions held by horticultural and poultry association for educational purposes and not conducted for profit intended for division among the members thereof provided however that the said associations obtaining such permission from said Armory Board shall pay the actual expenses of light heat and janitor service during the period in which the said exhibitions are carried on in any of said armories Provided also that the dates for such exhibitions and the conduct of the same shall be subject to the restrictions and rules heretofore governing them

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 885 as follows:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter that no petition for the adoption of any child shall be granted by the courts of this Commonwealth unless the religious belief of the parents of child or the religious denomination in which the child was baptized shall be set forth and the courts shall not grant any petition for adoption of any child to any person or institution of a different faith of that of the said child

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 889, (House Bill No. 452), entitled:

An Act to repeal section two thousand eight hundred and six of an act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 942, as follows:

A joint resolution providing for the printing binding and distributions of two publications heretofore published by the State namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for the editing proof reading and indexing thereof and making appropriations for said work

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the Superintendent of Public Printing and Binding is hereby authorized and directed to print and bind at the expense of this Comonwealth twenty thousand copies of a publication to be entitled "Pennsylvania at Gettysburg" which is to include the report of the Board of Commissioners on Gettysburg Monuments heretofore published and which is to be revised to date the report of the Gettysburg Battlefield Memorial Commission and the report of the Fiftieth Anniversary of the Battle of Gettysburg Commission

Section 2 The Pennsylvania at Gettysburg publication is to be revised and edited by the Secretary of the Fiftieth Anniversary Commission who shall prepare all necessary copy read all proofs of the compilation and index same for which service he is to be paid the sum of two thousand dollars which amount is hereby appropriated

Section 3 The Pennsylvania at Gettysburg publication shall be in not more than three volumes shall be illustrated and shall be bound in half roan binding with gilt edges

Section 4 The distribution of the aforesaid edition shall be as follows Five hundred copies for the use of the Governor one hundred and fifty copies for the use of the Lieutenant Governor one hundred and fifty copies for the use of the Secretary of the Commonwealth five hundred copies for the use of the State Librarian fifty copies each for the use of Attorney General Auditor General Adjutant General State Treasurer Secretary of Internal Affairs Superintendent of Public Instruction Commissioner of Insurance and Superintendent of Public Printing and Binding one thousand copies for the use of the Department of Public Instruction for distribution to school superintendents normal schools and school libraries in the Commonwealth six hundred and fifty copies for the use of the Grand Army of the Republic for distribution among the several posts of the Department of Pensylvania six hundred copies for the use of the Military Order of the Loyal Legion Commandery of the State of Pennsylvania fifty copies for the use of the encampments of the Union Veteran Legion of the State of Pennsylvania two hundred copies for the use of the members of the Battlefield Monument Commission two hundred copies for the use of the Batlefield Memorial Commission four hundred copies for the use of the Fiftieth Anniversary Commission five thousand copies for the use of the Senate and ten thousand copies for the use of the House of Representatives to be delivered to the members and officers of the present Legislature

Section 5 The Superintendent of Public Printing and Binding is also authorized and directed to reprint and bind at the expense of the Commonwealth five thousand copies of the publication entitled "Report of the Commission to Locate the sites of the Frontier Forts of Pennsylvania" as authorized by a concurrent resolution approved the twenty-fourth day of January one thousand eight hundred and ninety-five

Section 6 The Frontier Forts publication is to be revised and edited under the direction of the State Librarian for which service includisg the proof reading he is to be paid the sum of one thousand dollars which amount is hereby appropriated

Section 7 The Frontier Forts publication shall be in two volumes shall be illustrated and shall be bound in half roan binding with gilt edges

Section 8 The distribution of the Frontier Forts publication shall be as follows Fifteen hundred copies for the use of the Senate and twenty-five hundred copies for the use of the House of Representatives to be delivered to the members and officers of the present Legislature five hundred copies for the use of the Executive Department and five hundred copies for the use of the State Librarian

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 960, (House Bill No. 1350), entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages for persons indebted for boarding" approved the eighth day of May one thousand eight hundred seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1023, (House Bill No. 1362), entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodmen Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1042, (House Bill No. 1414), entitled:

An Act reorganizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 685 (House Bill No. 787), entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred nine

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 714, entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia" approved the fifteenth day of May Anno Domini one thousand eight hundred ninety-three by repealing the provisions that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowance as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the national force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 832, entitled:

An Act regulating the number and election of members of borough councils

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 853 (House Bill No. 1158), entitled:

An Act amending an act apporved the fourteenth day of May one thousand eight hundred eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 895 (House Bill No. 195), entitled:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating same establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 964 (House Bill No. 1471), entitled:

An Act providing that no self-playing piano orchestrion or other mechanically operated musical instrument shall be played, operated or permitted in any hotel tavern, inn saloon, restaurant moving-picture parlor, dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December 31st of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of Moving

Pictures for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano, orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 684 (House Bill No. 768), entitled:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit, settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight and said directors are required to be elected in blocks of four each year, fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 902 (House Bill No. 1143), entitled:

An Act to authorize townships of the first class to provide for fire protection.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 1007 (House Bill No. 80), entitled:

An Act supplementing an act approved the 14th day of June 1911 entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor," and making further appropriation.

BILL INTRODUCED.

Mr. CATLIN. Mr. President, I ask unanimous consent to read a bil lin place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 1050, entitled:

A joint resolution providing for the appointment of a Commission to investigate into the cause of mine accidents in the anthracite coal regions of the Commonwealth of Pennsylvania, authorizing the Commission to conduct experiments, and tests, and to enter mines, fixing the compensation of the members of the Commission, and making an appropriation to carry into effect the provisions of this resolution.

Which was committed to the Committee on Judiciary Special.

RECESS.

Mr. MAGEE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE CONCURS IN AMENDMENTS TO BILL NO. 218.

The Chair cleared his table and laid before the Senate communication from the House of Representatives, informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 218, entitled:

An Act for the protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

HOUSE CONCURS IN AMENDMENTS MADE IN THE SENATE TO HOUSE BILL NO. 926.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 926, entitled:

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authorities of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein on offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate, bills of the House of Representatives for concurrence as follows:

House Bill No. 1144 (Senate Bill No. 1051), entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

Which was committed to the Committee on Judiciary Special.

House Bill No. 804 (Senate Bill No. 1052), entitled:

An Act making an appropriation for the purpose of aiding and assisting cities boroughs and other municipalities to pay for the construction of sewage disposal plants providing the conditions under which the money hereby appropriated shall be disbursed and paid and providing a system under which the Commonwealth of Pennsylvania may hereafter aid in the consruction of such sewage disposal plants

Which was committed to the Committee on Appropriations.

House Bill No. 946 (Senate Bill No. 1053), entitled:

An Act to amend section five of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1102 (Senate Bill No. 1054), entitled:

A further supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the Board of Trustees and repealing the tenth seventeenth sections thereof approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

Which was committed to the Committee on Judiciary Special.

House Bill No. 1431 (Senate Bill No. 1055), entitled:

An Act to amend an act entitled "An Act requiring the prothonotary of the several courts of common pleas in this Commonwealth to keep separate dockets in certain cases" approved the twenty-second day of May one thousand eight hundred seventy-eight by authorizing the courts of common pleas to cause to be entered in the separate docket additional subjects and authorizing the common pleas court by

its order to direct the prothonotary to enter all the subjects herein provided for in one index which after such order shall be kept in lieu of the separate ejectment and other indexes now provided by law and providing that such indexes shall be notice

Which was committed to the Committee on Judiciary Special.

House Bill No. 1445 (Senate Bill No. 1056), entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board

Which was committed to the Committee on Judiciary Special.

House Bill No. 1610 (Senate Bill No. 1057), entitled:

An Act to prevent the spread of tree diseases by compelling the treatment of the same under certain conditions

Which was committed to the Committee on Forestry.

House Bill No. 1704 (Senate Bill No. 1058), entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

Which was committed to the Committee on Judiciary General.

COMMITTEE TO DRAFT RESOLUTIONS ON THE DEATH OF THE LATE SENATOR JACOB C. STINEMAN.

The PRESIDENT: On behalf of the President Pro Tempore, I desire to announce as the Committee to draft suitable resolutions on the death of the late Senator Jacob C. Stineman: Senators Kline, Sproul, McNichols, McNichol, McIlhenny Sensenich, Herbst and Judson.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 853 (House Bill No. 1158), entitled:

An Act amending an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended providing that the right obtained under an extension or branch shall not be an exclusive right until the consent of the proper local authorities to occupy and use the streets and highways has been granted

be re-committed to the Committee on Corporations for a hearing.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn until to-morrow morning at ten o'clock.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:12 o'clock P. M. until 10:00 o'clock Wednesday morning, April 16, 1913.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 15, 1913.

The House met at ten o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we would try to understand that Thou art working out a plan in the monotonous routine of our daily life. That there is a discipline which even Omnipotence cannot give without assigning to His servants duty and responsibility and exacting care. It frets us at times and we grow weary of it; we become restless and rebellious; yet, we would never forget that our Lord himself was a carpenter; that He went forth each day from His humble home to unremitting toil; that His hands were hardened and His shoulders bent by the work of a laborer. Let us try to realize the teaching of this: that there is a discipline, a development in daily toil which can come to us in no other way. May we see, therefore, the plan of the great Master Builder in our daily work. May we accept it cheerfully and discharge it faithfully and so co-operate with Him. In this way shall we help to build that finest structure under the skies—the structure of manhood and of character, and Thy name shall have the praise of it, through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to the reading of the Journal of yesterday's proceedings, when, on motion of Mr. Kennedy, the further reading was dispensed with, and the Journal was approved.

BILL INTRODUCED.

Mr. S. B. SCOTT. Mr. Speaker, I ask unanimous consent to introduce an appropriation bill.

The SPEAKER. Is there any objection? The Chair hears none and the Clerk will receive the bill.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 867 (Senate Bill No. 125), entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Allen,	Good,	McDermott,	Runk,
Ambler,	Gransback,	McKay,	Savacool,
Arthur,	Gray, Frank,	Mellott,	Schuck,
Becker,	Haggerty,	Miller,	Scott, S. B.,
Benninger,	Hemminger,	Missimer,	Semmens,
Benson,	Hess,	Morrow,	Shaffer, I. E.,
Bigger,	Hibshman,	Moses,	Showalter,
Body,	Howard, R.,	Moulthrop,	Smith, J. W.,
Brosius,	Jackson,	Musser,	Smith, L.,
Brownlee,	Jones, J. R.,	Newbaker,	Snavely,
Campbell, J. J.,	Kaufman,	North,	Snyder,
Carter,	Kitts,	O'Neill,	Steedle,
Cheeseman,	Kuhn, H. P.,	Peachey,	Steele,
Claycomb,	Kuhns, E.G.M.,	Pennock,	Stone,
Cleary,	Lanius,	Perry, H. L.,	Strauss,
Currier,	Light,	Peters,	Swartz,
Curry,	Malie,	Ramsey,	Thomas,
Donnally,	Mannion,	Redfield,	Ulerich,
Down,	Martin,	Reeser,	Walnut,
Eichenberger,	Mather,	Rex,	Walton,
Flynn,	Matt,	Rhoads,	Wettach,
Foster, J. D.,	McAleer,	Rockwell,	Williams,
Gans,	McAllister,	Roney,	Wiltbank,
Geiser,	McCaig,	Rothenberger,	Young, G. K.,
Glenn,			

NAYS—24.

Baldwin, G. A.,	Heidinger,	McArdle,	Spillinger,
Campbell, C.M.,	Herman,	Metzenbacher,	Swift,
Carson,	Humes,	Mitchell,	Trach,
Conrade,	Kennedy,	Newton,	Ulman,
Cox,	Latshaw,	Piper,	Zimmerman,
Donahoe,	Lowers,	Sassaman,	Alter, Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 105, as follows:

An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain ab-

stracts and notices to be posted by providing for the enforcement of this act by the chief factory inspector and others by prescribing penalties for violations thereof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof and by repealing all acts and parts of acts inconsistent with the provisions thereof

Section 1 Definitions establishment person week day
Section 2 Inclusion of plural and all genders
Section 3 Tours of labor
Section 4 Night work prohibition in manufacturing establishments
Section 5 Night work prohibition females under twenty-one
Section 6 Night work prohibition females under sixteen
Section 7 Mid-day meal periods
Section 8 Intervals between work periods
Section 9 Prohibition of work within four weeks after child-birth
Section 10 Seats
Section 11 Wash and dressing rooms water closets
Section 12 Lunch rooms in certain establishments
Section 13 Exhaust fans in certain establishments
Section 14 Drinking water
Section 15 Enforcement posting abstract of this act and schedule of hours of labor preparation and distribution of abstracts and forms of schedule
Section 16 Enforcement proof of age of certain females
Section 17 Enforcement hindering or delaying factory inspectors
Section 18 Enforcement by the factory inspectors
Section 19 Enforcement private prosecutions procedure
Section 20 Prosecutions procedure appeals
Section 21 Penalties first and second offenses continued violations cumulative exemptions of persons from punishment under certain circumstances
Section 22 Suspension of sentence prohibited for second offenses
Section 23 Disposition of fines
Section 24 Construction of the act not to affect industrial training or education unconstitutionality of a part of the act
Section 25 Acts repealed
Section 26 Date of operation

Definitions Establishment Person Week Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable Provided That this act shall not apply to work in private homes

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

Inclusion of Plural and all Genders

Section 2 Whenever in this act the singular is used the plural shall be included and whenever the masculine gender is used the feminine and neuter shall be included

Hours of Labor

Section 3 (a) On and after the first day of September Anno Domini nineteen hundred and fourteen no female shall be employed or permited to work in or in connection with any establishment for more than six days in any one week or more than fifty hours in any one week or more than nine hours in any one day Provided That whenever any person shall regularly employ or permit all the females in any establishment or in any department of an establishment to work for not more than forty-eight hours in any one week and shall not employ or permit such females to work on Saturday or Sunday the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such females to work for not more than nine hours and thirty-six minutes in any one day Any person having any such permit who shall employ or permit such females or any of them to work for more than nine hours and thirty-six minutes in any one day or more than forty-eight hours in any one week or on Saturday or Sunday shall be guilty of a violation of this act

And provided further That whenever any person shall employ or permit any female over sixteen years of age to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such female to work during seven days in any one week but nothing herein shall be construed as permitting such person to employ or permit such female to work for more than nine hours in any one day or for more than fifty hours in any one week

(b) Prior to September first Anno Domini nineteen hundred and fourteen no female shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than fifty-five hours in any one week or more than ten hours in any one day Provided That whenever any person shall employ or permit any female over sixteen years of age to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such female to work during seven days in any one week which said permit shall indicate the hours of the day between which said employees shall be permitted to work but nothing herein shall be construed as permitting such person to employ or permit such female to work for more than ten hours in any one day or for more than fifty-five hours in any one week

(c) No female under sixteen years of age shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than forty-eight hours in any one week or more than eight hours in any one day

(d) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in conection with such establishment shall not exceed the number of hours prescribed in this section for such females in any one week or any one day

(e) The provisions of this section shall not apply to the work of nurses in hospitals

Night-Work Prohibition in Manufacturing Establishments

Section 4 No female shall be employed or permitted to work in any manufacturing establishment before the hour of six o'clock in the morning or after the hour of ten in the evening of any day provided That this section shall not apply to managers superintendents or persons doing clerical or stenographic work

Night-Work Prohibition Females under Twenty-One

Section 5 No female under twenty-one years of age shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of nine o'clock in the evening of any day

Night-Work Prohibition Females under Sixteen

Section 6 No female under sixteen years of age shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening of any day

Mid-Day Meal Periods

Section 7 Not less than forty-five minutes shall be allowed to every female employed or permitted to work in or in connection with any establishment for the mid-day meal which period shall not be considered a part of the hours of labor Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the time allowed for the mid-day meal may be reduced to not less than thirty minutes

Employees shall not be required to remain in the work rooms during the time allowed for meals

Intervals Between Work-Periods

Section 8 No female shall be employed or permitted to work for more than six hours continuously in or in connection with any establishment without an interval of at least forty-five minutes and no period of less than forty-five minutes hall be deemed to interrupt a continuous period of work Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less tha neight hours in any one day the interval between work-periods may be reduced to not less than thirty minutes

Employees shall not be required to remain in the work-room during the rest periods required by this section

Prohibition of Work Within Four Weeks after Child-birth

Section 9 No person shall with knowledge employ or permit any female to work in or in connection with any establishment within four weeks after child-birth

Seats

Section 10 Every person employing or permitting females to work in any establishment shall provide suitable seats for their use in the rooms where they shall work and shall maintain and keep them there and shall permit the reasonable use thereof by such females At least one seat shall be provided for every three females employed or permitted to work and all seats shall during work-hours be conveniently accessible to the workers for whose use they shall be provided

Wash and Dressing Rooms Water-Closets

Section 11 Every person employing or permitting females to work in any establishment shall provide suitable wash and dressing rooms and water-closets or privies for their use so located as to be accessible to such females In any establishment in which males and females shall be employed or permitted to work separate wash and dressing rooms and water-closets or privies shall be provided for each sex and such wash and dressing rooms and water-closets or privies for each sex shall be entirely separate from those provided for the other sex The water-closets or privies provided for females shall be in the ratio of one for every twenty-five females employed or permitted to work All water-closets or privies shall be properly lighted and shall be separated from the rooms in which employes shall be permitted to work by partitions extending from floor to ceiling and the compartments containing such water-closets or privies shall have sufficient direct outside ventilation by window or other means The entrances to the water-closets or privies shall be screened from the rooms in which employes work and from the entrances to the water-closets or privies provided for the other sex by screens or partitions at least six feet high All water-closets or privies shall at all times be kept clean sanitary and free from all obscene writing or marking

Lunch Rooms in Certain Establishments

Section 12 Any person employing or permitting any female to work in any establishment where white lead arsenic or other poisonous substances or injurious fumes dust or gases shall be present shall provide and maintain a suitable room free from the aforesaid substances fumes dust and gases for the use of said female employees and no such person shall during the time allowed for meals permit any such female to remain in any room where the aforesaid substances fumes dust and gases shall be present

Exhaust Fans in Certain Establishments

Section 13 Any person who shall employ or permit any female to work in any establishment in which poisonous or injurious dust fumes or gases shall be created by the machinery or material in process of manufacture shall provide proper hoods and pipes connected with exhaust fans of sufficient capacity to remove such dust fumes or gases at their point of origin and prevent them from mingling with the air in the room and such fans shall be kept running constantly while such dust fumes or gases shall be generated

Drinking Water

Section 14 Any person employing any female in any establishment shall make reasonable efforts to at all times provide a sufficient supply of clean and pure drinking water Such water shall be supplied through proper pipe connections with water mains which furnish water for domestic purposes or from a spring or well or body of pure water If drinking water be placed in receptacles in the establishment such receptacles shall be properly covered to prevent contamination and shall at all times be kept thoroughly clean Provided that no employer in any establishment shall collect from any such female employee any money for ice furnished in his establishment for drinking purposes for the use of the employees

Enforcement Posting Abstract of This Act and Schedule of Hours of Labor Preparation and Distribution of Abstracts and Forms of Schedule

Section 15 Every person employing or permitting any female to work in any establishment shall keep posted in a conspicuous place in the room where such female shall be employed or permitted to work a printed abstract of the provisions of this act and a schedule of the hours of labor of such female Provided That when any female shall be employed or permitted to work in more than one room in any establishment the aforesaid abstract and schedule shall be required in only one of the said rooms If any female shall be employed or permitted to work in connection with any establishment but not in such establishment the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment

The schedule of hours of labor herein required shall contain the name of the female employed or permitted to work the maximum number of hours such female shall be required or permitted to work on each day of the week with the total for the week the hours of commencing and stopping work and the hours when the time allowed for meals shall begin and end for each day of the week Such female may begin work after the time for beginning and stopping before the time for ending work stated in such schedule but she shall not otherwise be employed or permitted to work in or in connection with any establishment except as stated in such schedule

The Chief Factory Inspector shall prepare the abstract of the provisions of this act and a form for the schedule of hours of labor required by this section Copies of such abstract and such form shall be printed in accordance with the laws of this Commonwealth regulating printing and publishing under the supervision of the Superintendent of Public Printing and Binding and the Chief Factory Inspector shall supply the same upon application to all persons required to post the abstract and schedule aforesaid

Enforcement Proof of Age of Certain Females

Section 16 Whenever any female shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of nine o'clock in the evening of any day who in the judgment of the Chief Factory Inspector or his deputy is under twenty-one years of age or whenever any female shall be employed or permitted to work in any establishment before the hour of seven o'clock in the morning or after the hour of six o'clock in the evening of any day or for more than eight hours in any one day or more than forty-eight hours in any one week who in the judgment of the Chief Factory Inspector or his deputy is under sixteen years of age such officer may demand from any person employing or permitting any such female to work in or in connection with his establishment that such person shall either furnish to such officer within ten days satisfactory evidence such as shall be required by law for the issuing of employment certificates to minors that such female is in fact twenty-one years of age or over or sixteen years of age or over as the case shall be or shall cease to employ or permit such female to work in or in connection with such establishment before or after the hours above named or for more than eight hours in any one day or forty-eight hours in any one week as the case shall be Provided That such employer by thus ceasing to employ or permit such female to work shall not be relieved from any of the penalties provided in this act for the employment or work of a female contrary to law In case such employer shall fail to furnish to said officer within ten days after making such written demand the required evidence of age and shall thereafter continue to employ such female or permit her to work in or in connection with such establishment before or after the hours aforesaid or for more than eight hours in any one day or more than forty-eight hours in any one week as the case shall be proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such female in any prosecution brought therefor

Enforcement Hindering or Delaying Factory Inspectors

Section 17 No person shall hinder or delay the Chief Factory Inspector or any of his deputies in the performance of his duties in the enforcement of this act or refuse to admit or lock out any inspector from any place which said inspector shall be authorized to inspect or refuse to give any inspector any information required for the proper enforcement of this act

Enforcement By the Factory Inspectors

Section 18 It shall be the duty of the Chief Factory Inspector and his deputies to enforce all the provisions of this act They shall visit and inspect establishments and shall have power at any reasonable time to visit and inspect any establishment in or in connection with which any female shall be employed or permitted to work They shall investigate all complaints of violations of this act received by them and shall institute prosecutions for violations of the provisions thereof

Enforcement Private Prosecutions Procedure

Section 19 Any person shall have the right to institute prosecutions for violations of this act by stating upon oath or affirmation the facts alleged as a violation Provided That any person other than a public officer who shall institute a prosecution which shall fail to resulting in a conviction shall be liable for the cost of such prosecution if in the opinion of the court there shall not have been reasonable grounds for instituting the prosecution.

Prosecutions Procedure Appeals

Section 20 All prosecutions for violations of this act shall be instituted before a magistrate alderman or justice of the peace who shall ssue a summons commandng the person charged with a violaton of the act to appear within not more than eight days Upon a conviction after hearing the penalties provided in this act shall be imposed and shall be final unless an appeal be taken to the court of proper jurisdiction within twenty days after the imposition of the penalties aforesaid The defendant may take an appeal by depositing with the magistrate alderman or justice of the peace a sum equal in amount to the fine and costs imposed or entering security to pay the same or by giving sufficient bail for his appearance or both as the magistrate alderman or justice of the peace may direct

Penalties First and Second Offenses Continued Violations Cumulative Penalties Exemption of Person from Punishment Under Certain Circumstances

Section 21 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provision of this act shall be guilty of a misdemeanor

Upon conviction for a violation of any provision of sections three four six seven eight or nine of this act he shall be punished for each and every female in connection with whose employment or work such provision shall have been violated for a first offense by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or by both at the discretion of the court and whenever any person shall have been notified by the Chief Factory Inspector or his deputy or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification

Upon conviction for a violation of any of the provisions of sections ten eleven twelve thirteen fourteen fifteen sixteen or seventeen of this act the punishment shall be without regard to the number of females employed for a first offense not less than twenty-five ($25) dollars or more than fifty ($50) dollars for a second or subsequent offense a fine of not less than fifty ($50) dollars or more than two hundred ($200) dollars or imprisonment for not more than sixty days or both at the discretion of the court and whenever any person shall have been notified by the Chief Factory Inspector or his deputy that he is violating such provision and shall have been given a reasonable time in which to remedy the condition which shall constitute such violation he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Factory Inspector or his deputy for remedying the aforesaid condition Provided

First That any person who shall demand evidence such as shall be required by law for the issuing of employment certificates to minors that any applicant for employment or permission to work in or in connection with his establishment is twenty-one years of age or sixteen years of age as the case shall be and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to a female of the age stated in such evidence of age shall not be liable to punishment for the violation of sub-section (c) of section three or of sections five or six of this act though it shall subsequently appear that such applicant was in fact less than twenty-one years of age or less than sixteen years of age as the case shall have been Provided That this provision shall not apply to any person who shall demand and receive the evidence herein provided for if he knows at the time of receiving such evidence than

the applicant is in fact less than twenty-one years of age or less than sixteen years of age as the case shall be nor shall this provision prevent the punishment of any person for violating sub-section (c) of section three of sections five or six of this act after knowledge of the true age of the female employed

Second That whenever a violation of any provision of this act shall also be a violation of another provision or other provisions of this act penalties may be imposed for the violation of each and every such provision

Third That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fourth That whenever a violation of any of the provisions of this act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and conditions of employment of minors penalties shall be imposed under only one of such acts

Suspension of Sentence Prohibited for Second Offenses

Section 22 It shall not be within the power of the court to suspend sentence where the defendant shall have been convicted of a second or subsequent violation of any provision of this act and in any case where sentence shall have been suspended for a first offense if there be a second prosecution and conviction for a violation of the same provision of this previously violated the full penalty for the first offense shall be imposed in adition to the penalty imposed for the second offense

Disposition of Fines

Section 23 All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector who shall pay the same into the office of the State Treasurer for the use of the Commonwealth

Construction of the Act Not to Affect Industrial Training or Other Education Unconstitutionality of a Part of the Act

Section 24 Nothing in this act shall be construed to prevent females of any age from receiving industrial training or other education in or in connection with any school or educational institution in this Commonwealth

Each section of this act and every part thereof is hereby declared to be an independent section or part of a section and if any section sub-section sentence clause or phrase of this act shall for any reason be held unconstitutional the validity of the remaining phrases clauses sentences sub-sections and sections of this act shall not be affected thereby

Acts Repealed

Section 25 The following acts or parts of acts are hereby repealed

The act entitled "An Act for the preservation of the health of female employes in manufacturing mechanical and mercantile establishments" approved the twenty-second day of March Anno Domini eighteen hundred and eighty-seven (Pamphlet Laws seven)

Section ten of the act entitled "An Act to regulate the employment and provide for the safety of women and children in manufacturing establishments mercantile industries laundry or renovating establishments and to provide for the appointment of inspectors to enforce the same and other acts providing for the safety or regulating the employment of said persons" approved the third day of June Anno Domini eighteen hundred and ninety-three (Pamphlet Laws two hundred seventy-six)

Sections four and eight of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacuring establishments mercantile industries laundries renovating works or printing offices and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-ninth day of April Anno Domini eighteen hundred and ninety-seven (Pamphlet Laws thirty)

Sections six and ten of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacuring establishments mercantile industries laundries renovating works or printing offices and provide for the safety of men women and children and children in hotels school buildings seminaries colleges academies hospitals storehouses public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-ninth day of May Anno Domini nineteen hundred and one (Pamphlet Laws three hundred and twenty-two)

Sections three seven and eight of the act entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employees in all industrial establishments and of men women and children in school houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusement in which proper fire escapes exists and extinguishers are required to provide for the health of all employees and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" approved the second day of May Anno Domini nineteen hundred and five (Pamphlet Laws three hundred and fifty-two)

The following acts or parts of acts are hereby repealed in so far as they are inconsitent with the provisions of this act

Section two of the act entitled "An Act for the relief of the heirs of James Caldwell deceased and relatives to the hours of labor in manufacturing establishments" approved the twenty-first day of April Anno Domini one thousand eight hundred and forty-nine (Pamphlet Laws six hundred and seventy-one)

Sections one and two of the act entitled "An Act to limit the hours of labor constituting a day's work in this State to eight hours" approved the fourteenth day of April Anno Domini one thousand eight hundred and sixty-eight (Pamphlet Laws ninety-nine)

Section eleven of the act entitled "An Act to regulate the employment and provide for the safety of women and children in manufacuring establishments mercantile industries laundry or renovating establishments and to provide for the appointment of inspectors to enforce the same and other acts providing for the safety or regulating the employment of said persons" approved the third day of June Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws two hundred and seventy-six)

Sections one and nine of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacuring establishments mercantile industries laundries renovating works or printing offices and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and ninety-seven (Pamphlet Laws thirty)

Sections one and eleven of the act entitled "An Act to regulate the employment and provide for the health and safety of men women and children in manufacturing establishments mercantile industries laundries renovating works or printing offices and provide for the safety of men women and children in hotels school buildings seminaries colleges academies hospitals storehouses public halls and places of amusement by requiring proper fire escapes and to provide for the appointment of inspectors office clerks and others to enforce the same" approved the twenty-ninth day of May Anno Domini nineteen hundred and one (Pamphlet Laws three hundred and twenty-two)

The act entitled "An Act prohibiting athletic exhibitions of longer duration than twelve hours in each calendar day" approved the eleventh day of April Anno Domini nineteen hundred and three (Pamphlet Laws one hundred and sixty-six)

Sections nine and ten of the act entitled "An Act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employees in all industrial establishments and of men women and children in school houses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusement in which proper fire escapes exists and extinguishers are required to provide for the health of all employees and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the term and salaries of the Chief Factory Inspector and his appointees" approved the second day of May Anno Domini nineteen hundred and five (Pamphlet Laws three hundred and fifty-two)

Section five of the act entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof approved the twenty-ninth day of April Anno Domini nineteen hundred and nine (Pamphlet Laws two hundred and eighty-three)

And all other acts or parts of acts not herein particularly specified which are inconsistent with the provisions of this act

Date of Operation

Section 26 Except as herein otherwise provided this act shall take effect on the first day of September Anno Domini nineteen hundred and thirteen

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. R. J. BALDWIN. Mr. Speaker, this bill and the bill following are what are known as child labor bills. In my mind, I think the House ought to fix a certain day and hour to consider these bills, and that we ought to have a little more time to examine them carefully.

I realize they have been on the calendar since the 22d of January. I do not know when they came into the House from the committee; and I realize that we have had all had an opportunity, if we chose to go before that committee and express ourselves; and I realize that all those interests involved have had that opportunity; and let I think every member in the House will agree with me that very few of us know the full contents of this legislation. It is of far-reaching influence; it affects all of the interests of our State, and legislation of that character should certainly be very well understood before we vote upon it. No legislation,

I believe, in this House, will effect the interests of our State or will have a more far-reaching effect than these two bills. Now I want it understood that I stand for the protection of child labor and female labor, along reasonable lines. I do think that these bills in many features should certainly be amended. With these few suggestions I hope that the friends of these bills will allow or at least second the motion to make these bills a special order for next Monday night. It will not delay the legislation. They will have ample opportunity, for this is final passage. Now we will all know that these bills are coming on next Monday night.

Mr. WALNUT. Make it eleven o'clock to-morrow morning.

Mr. R. J. BALDWIN. Now the gentleman from Philadelphia suggests to-morrow morning at eleven o'clock. Now we cannot give them consideration. We will be busy here to-day with our other legislation and we will likely be busy to-night with our committees. Now there certainly should not be any objection to making these bills a special order. We all know very well that legislation of this character should have careful consideration and if we fix next Monday night, every member of the House can make a careful examination of the bills. I am perfectly satisfied with an intelligent expression of this House when the bills come to final passage. We will have Friday and Saturday and Monday to consider these propositions and it is not delaying the bills unduly to make a special order for them for next Monday night. I am receiving a large number of letters and possibly other members are, questioning the wisdom of these measures in their present form; no objections to the principles of the bills, but to the bills in their particular form at this time. I believe all employers of labor in this State are perfectly satisfied and anxious—the honest employers—that those who impose upon labor, the few—and there are very few—should be brought to book and made to treat their labor properly. But there appears to be in these bills some features that the interests do not believe proper and I hope the gentleman will agree to the postponment; and I therefore move that House Bills No. 105 and 119 be made a special order for next Monday evening, say beginning at nine-thirty o'clock, following the routine of resolutions, etc.

Mr. GANS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WALNUT. Mr. Speaker, I am sorry that I cannot acquiesce in the motion of the gentleman from Delaware. These bills have been on the calendar for at least a month. They have excited considerable discussion and I believe that most every member of the House has found out in some way or other that the bills are on the calendar. I think their attention and understainding has been drawn to the bills over and over again. For that reason I feel that we are not going to be better off on Monday night than we are this morning, and I therefore insist upon having these bills taken up in regular order.

Mr. R. J. BALDWIN. Mr. Speaker, I shall certainly be compelled to vote "No" against these bills in their present form and will be sorry to do it. I realize that I will be misunderstood by many people in my county and I believe the most of the members of this House will be in a similar position. The great interests of our State and the interests of each community are involved in these bills and there are many people who feel that if you vote "No" you want to make slaves of the labor of this State, but you don't nor I don't; and I will go as far as is reasonable to give them the proper protection and I will also go as far as reasonable to protect the great industries of this State. Now I do hope that the House will agree to my motion to postpone these bills and make a special order for them for next Monday night. These are my reasons and it ought to be done.

Mr. PIPER. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Certainly, Mr. Speaker.

Mr. PIPER. Mr. Speaker, I desire to ask the gentleman from Delaware, if we do postpone these bills until next Monday night and make these bills a special order as he has just stated, instead of acting on them to-day, would he vote "yes" on Monday night?

Mr. R. J. BALDWIN. Mr. Speaker, I really believe that this House will take out of these bills certain drastic features that I think ought to come out; but I say further than that, that after making every effort to have these drastic features taken out I will be on record and I expect to support these bills on next Monday night whether I succeed in having them amended or not. I am not begging the question on these bills. I know what is involved.

Mr. PIPER. Mr. Speaker and Gentlemen of the House, I feel that a postponement of action on these bills until next Monday night will not in any way enlighten the members of the House more so than they are enlightened now on these two bills. It has taken considerable time since the beginning of the session of this Legislature to consider these bills. We have had long discussions. We have spent at least six hours on public hearings where all persons could come and be heard. Both sides have been heard. Amendments were offered on second reading. This House did not agree to amendments being inserted on second reading and I feel that postponement until next Monday night in order that the members of the House may read these bills intelligently and be well enlightened in the way before casting their vote for or against them is an unnecessary move. I feel that the man who is interested in the bills has been making a study of them, whether he be for or whether he be against the bills. If there is opposition to-day, surely these men have made a study of the bill. If there is a number of the members in favor of the bill, surely they have made a study of the bill. We may postpone until Monday night for the purpose of letting every man vote intelligently and then make up his mind on how he is going to vote. In the meantime there will be some other important legislation before this House and they may want to make a study of that legislation and in studying that probably forget the study they have made of the two bills now before us. I believe that this is the time to act on these bills. If there is anything wrong with these bills, then let the gentlemen who feel that they are not just and fair cast their vote accordingly. I am pledged not only from the particular point of party view, but as a man who feels that labor should be taken into consideration just as well as the opposition. There is not only one faction of the people interested in this bill. There is not only one faction going to be benefited or hurt. I believe labor is just as much a factor in the State of Pennsylvania as the manufacturing interests and I believe the postponement of the bill here to-day is not necessary and I would ask that the members of the House stand by the sponsor of these bills, Mr. Walnut, as they have stood in their pledges and cast their vote in the interests of the bills as presented.

Mr. R. J. BALDWIN. Mr. Speaker, I dislike to take the time of the House, but it appears that it is necessary to discuss to some extent the effect of this legislation, to show to the House the importance of thoroughly understanding these bills. These bills, as they stand now, in my mind, will bear more heavily upon the very class of labor in this State that desires our support and our protection, than any piece of legislation put upon our statute books. We have here in this legislation the proposition to fix a minimum wage. We have the proposition to fix the number of hours. Who will that legislation injure? Who will it affect? The minimum wage will not affect the proficient. The minimum wage will effect the inefficient workman, because no person is going to hire a wage earner who cannot earn the wage that he pays him, and if the minimum wage is one that the employee cannot earn, it means that he would not be employed. If the number of hours to earn that minimum wage is going to be reduced you will again increase the number of people who will not have any employment. If that doesn't bite deep down into the very gravest questions of this Commonwealth, I would like to know what question does, and I again repeat that I hope this House, knowing that it is a question that does not alone involve the employer of labor but involves the question of the inefficient, the very people that this Commonwealth is coming to the rescue by a legislative body—it is the reason we have a legislative body, to help the weak, not the strong—but here are two pieces of legislation, one fixing the number of hours and the other fixing the wage, that, if carried out as dras-

tically as these bills do, it means the inefficient will be unemployed; and it is for that reason and for my desire to help that class of people and through no desire to help the so-called great captains of industry, but to protect the very people that they claim to be trying to protect, and I feel they have overlooked in the force of their proposition that the forces will rest upon and put out of employment the very persons that they desire to have employed. It is important. It is no great delay to wait until next Monday night for special order. I know very well that the great bulk of the members of this House are just as busy as I am and it is only when matters come face to face that we possibly have time to give them consideration. I know these bills were on the calendar. I know it was my duty to understand them and be prepared to vote on them; but every member of this House knows that with the great mass of legislation, just as important, and others not just as important, that we must peruse and keep before us when on the calendar, that we do not have time to meet these propositions. For that reason I feel that the House can well afford to make these bills a special order for next Monday night and I say it in the interests of labor and not in the interests of the employers of labor.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the "nays" seem to have it.

The yeas and nays were required by Mr. R. J. BALDWIN and Mr. HEYBURN and were as follows:

YEAS—44.

Ambler,	Cox,	Hess,	Neel,
Baldwin, R. J.,	Curry,	Heyburn,	Newbaker,
Bass,	Dickinson,	Hibshman,	North,
Bayle,	Donnally,	Howard, J.,	Reese,
Benninger,	Eichenberger,	Kaiser,	Rhoads,
Blair, W. F.,	Ewing,	Kaufman,	Robinson,
Body,	Frey,	Kern,	Rothenberger,
Caldwell,	Gans,	Leslie,	Sassaman,
Carson,	Grabe,	McCalg,	Steele,
Conner,	Gransback,	Missimer,	Swartz,
Conniff,	Herman,	Morrow,	Wilson, J. H.,

NAYS—133.

Adams,	Geiser,	Malie,	Roney,
Allen,	Gibson,	Martin,	Runk,
Arthur,	Glenn,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Good,	McAleer,	Schuck,
Becker,	Gramley,	McAllister,	Scott, J. R. K.,
Benson,	Gray, Frank,	McClintock,	Scott, S. B.,
Bergey,	Gray, Joseph,	McDermott,	Semmens,
Berntheizel,	Hackett,	McKay,	Shaffer, I. E.,
Bigger,	Haggerty,	McNichol,	Shern,
Bittles,	Heidinger,	Mechling,	Showalter,
Blair, W. A.,	Hemminger,	Metzenbacher,	Smith, J. W.,
Brosius,	Howard, R.,	Miller,	Smith, L.,
Brown,	Humes,	Mitchell,	Snavely,
Brownlee,	Isler,	Moses,	Snyder,
Burnett,	Irwin, G. C.,	Moulthrop,	Speiser,
Campbell, C.M.,	Irwin, H. H.,	Murphy,	Spillinger,
Campbell, J.J.	Jackson,	Musser,	Steedle,
Carter,	Jones, E. E.,	Neely,	Stone,
Cheeseman,	Jones, J. R.,	Newton,	Swift,
Claycomb,	Keegan,	O'Neill,	Thomas,
Cleary,	Keeport,	Peachey,	Trach,
Cochran,	Kennedy,	Pennegar,	Ulerich,
Collins,	Kitts,	Pennock,	Walnut,
Conrade,	Klepper,	Peters,	Walton,
Currier,	Kuhn, H. P.,	Piper,	Watson,
Davis,	Kuhns, E.G.M.,	Post,	Wettach,
DeFrees,	Lanius,	Ramsey,	Wildman,
Donahoe,	Latshaw,	Redfield,	Williams,
Dunn, H. B.,	Lenker,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Rex,	Wiltbank,
Ehrhardt,	Light,	Richards,	Young, G. K.,
Ely,	Lohr,	Rockwell,	Zimmerman,
Fahey,	Lowers,		Alter,
Foster, J. D.,			Speaker.

So the question was determined in the negative and the motion not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Consitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Adams,	Eichenberger,	Leslie,	Robinson,
Allen,	Ely,	Letzkus,	Roney,
Alworth,	Ewing,	Light,	Runk,
Ambler,	Fahey,	Lohr,	Sassaman,
Arthur,	Flynn,	Lowers,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Schaeffer, A. C
Barner,	Frey,	Mannion,	Schuck,
Bass,	Geiser,	Martin,	Scott, J. R. K.,
Bayle,	Gibson,	Mather,	Scott, S. B.,
Becker,	Glenn,	Matt,	Semmens,
Benninger,	Good,	McAleer,	Shaffer, I. E.,
Benson,	Grabe,	McAllister,	Shern,
Bergey,	Gransback,	McArdle,	Showalter,
Berntheizel,	Gray, Frank,	McCalg,	Smith, J. W.,
Bigger,	Gray, Joseph,	McClintock,	Smith, L.,
Bittles,	Hackett,	McDermott,	Snavely,
Blair, W. A.,	Haggerty,	McKay,	Snyder,
Blair, W. F.,	Heidinger,	McNichol,	Spangler,
Bleloch,	Hemminger,	Mechling,	Speiser,
Body,	Hess,	Mellott,	Spillinger,
Brosius,	Heyburn,	Metzenbacher,	Steedle,
Brown,	Hibshman,	Miller,	Steele,
Brownlee,	Howard, J.,	Mitchell,	Stone,
Burnett,	Howard, R.,	Moses,	Strauss,
Caldwell,	Humes,	Moulthrop,	Swift,
Campbell, C.M.,	Isler,	Murphy,	Thomas,
Campbell, J.J.	Irwin, G. C.,	Musser,	Trach,
Carson,	Irwin, H. H.,	Neely,	Ulerich,
Cheeseman,	Jackson,	Newbaker,	Ulman,
Claycomb,	Jones, E. E.,	North,	Walnut,
Cleary,	Jones, J. R.,	O'Neill,	Walsh,
Cochran,	Kaiser,	Peachey,	Walton,
Collins,	Kaufman,	Pennegar,	Watson,
Conner,	Keegan,	Pennock,	Wettach,
Conniff,	Keeport,	Perry, H. L.,	Whitaker,
Conrade,	Kenna,	Perry, S. J.,	Whitman,
Cox,	Kennedy,	Peters,	Wildman,
Currier,	Kern,	Piper,	Williams,
Curry,	Kitts,	Post,	Wilson, J. H.,
Davis,	Klepper,	Ramsey,	Wilson, W. H.,
DeFrees,	Kuhn, H. P.,	Redfield,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Donahoe,	Lanius,	Reeser,	Young, J. H.,
Donnally,	Latshaw,	Rex,	Zimmerman,
Dunn, H. B.,	Lenker,	Rhoads,	Alter,
Dunn, J. A.,		Richards,	Speaker.
Ehrhardt,			

NAYS—6.

Baldwin, R. J.,	Moore,	Rothenberger,	Swartz,
Gramley,	Morrow,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. GRAMLEY. Mr. Speaker, I voted no on this bill, not under a misapprehension, but because I was asked very strongly to vote that way. I now desire to change my vote from no to aye.

Mr. ALLEN. Mr. Speaker, I object.

The SPEAKER. The gentleman from Centre, Mr. Gramley, desires to change his vote from no to aye.

Mr. ALLEN. Mr. Speaker, I object. The gentleman states that he did not vote under a misapprehension. If he desires so to do, he can file his reasons for voting.

The SPEAKER. The Chair hears objections, and the vote will not be changed.

REASON FOR VOTE.

Mr. GRAMLEY. I voted "no" on House Bill No. 105 because a number of my constituents strongly urged me to do so. They claim that if this bill becomes a law it will so seriously affect them that they may be obliged to go out of business.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 119, as follows:

An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates and badges for certain children and prescribing rules for the issuance reissuance filing return and recording thereof by providing that the Chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings requiring certain abstracts and notices to be posted providing for the enforcement of this act by officers of the Department of Factory Inspection and the Department of Mines by the Superintendent of Public Instruction by officers of the Boards of School Directors and by police officers prescribing penalties for violations of the provisions of this act and permitting private prosecutions for violation thereof and defining the procedure in prosecutions thereunder prohibiting suspensions of sentence for second or subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith

Section 1 Definitions "Minor" "Establishment" "Person" "Week" "Day"

Section 2 Inclusion of plural and all genders

Section 3 Work by child under fourteen prohibited in any establishment anywhere during school hours
Section 4 Work by child under sixteen prohibited in injurious occupations
Section 5 Work by child under eighteen prohibited in extra-hazardous occupations
Section 6 Work by any minor prohibited in saloons
Section 7 Hours of labor
Section 8 Night work children under sixteen
Section 9 Night work female minors
Section 10 Nigh work by messengers
Section 11 Mid-day meal periods males under eighteen female minors
Section 12 Intervals between work periods males under eighteen female minors
Section 13 Prohibition boys under twelve girls under eighteen
Section 14 Street trades Hours of labor and night work
Section 15 Enforcement employment certificates required under certain circumstances
Section 16 Enforcement employment certificates to be issued to employer filing return
Section 17 Enforcement employment certificates by whom to be issued
Section 18 Enforcement employment certificates pre-requisities to issuance
Section 19 Enforcement employment certificates evidence of age
Section 20 Enforcement employment certificates school record
Section 21 Enforcement employment certificates shall be issued free
Section 22 Enforcement employment certificates contents signature
Section 23 Enforcement employment certificates re-issuing thereof
Section 24 Enforcement special summer employment certificates
Section 25 Enforcement badges required of newsboys et cetera to be conspicuously worn non-transferable
Section 26 Enforcement badges by whom to be issued
Section 27 Enforcement badges pre-requisites to issuance
Section 28 Enforcement badges shall be issued
Section 29 Enforcement badges contents and form
Section 30 Enforcement public record of the issuance or employment certificates and badges of the refusal of the same
Section 31 Enforcement posting abstract of this act and schedule of hours of labor
Section 32 Enforcement proof of age of certain minors
Section 33 Enforcement hearing to determine the nature of certain occupations publications of findings
Section 34 Enforcement printing and distribution of forms and abstracts by certain officers
Section 35 Enforcement by the Chief Factory Inspector the Chief of the Department of Mines and the school attendance officers
Section 36 Enforcement of street trades provisions by police and attendance officers special attendance officers
Section 37 Enforcement private prosecutions procedure
Section 38 Prosecutions procedure appeals
Section 39 Penalties first and second offenses continued violations cumulative penalties exemption of employers from punishment under certain conditions
Section 40 Special penalties for hindering an enforcing officer
Section 41 Special penalties for encouraging violations
Section 42 Special penalties for improperly issuing certificates or badges
Section 43 Special penalties upon unauthorized persons for issuing certificates or badges
Section 44 Special penalties upon parents for compelling or permitting violations
Section 45 Special penalties upon minors who disobey street trades provisions
Section 46 Suspension of sentence prohibited for second offenses
Section 47 Disposition of fines
Section 48 Construction of the act not to affect industrial training or other educational unconstitutionality of a part of the act
Section 49 Acts repealed
Section 50 Date of operation
Definitions "Minor" "Establishment" "Person" "Week" "Day"

Section 1 Be it enacted by the Senate and House of Represenatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "minor" when used in this act shall mean any individual under twenty-one years of age

The term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whomever payable except a farm or private home Provided That wherever "establishment" is used in any provision of this act such provision shall be construed not to affect work at any of the occupations mentioned in section thirteen of this act

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours

Inclusion of Plural and all Genders

Section 2 Whenever in this act the singular is used the plural shall be included and whenever the masculine gender is used the feminine and neuter shall be included

Work by Child Under Fourteen Prohibited In Any Establishment Anywhere During School Hours

Section 3 No child under fourteen years of age shall be employed or permitted to work in or in connection with any establishment nor shall any child under fourteen years of age be permitted to work on a farm or in a private home or at any of the occupations mentioned in section thirteen of this act during the hours when the public schools of the school district in which such child resides shall be in session

Work by Child Under Sixteen Prohibited in Injurious Occupations

Section 4 No child under sixteen years of age shall be employed or permitted to work in operating or assisting in operating any of the following machines circular or band saws wood shapers wood jointers planers sandpaper or wood polishing machinery wood-turning or boring machinery picker machines or machines used in picking wool cotton hair or any other material carding machines paper-lace machines leather burnishing machines job or cylinder printing presses operated by power other than foot power boring or drill presses stamping machines used in sheet metal and tinware or in paper or leather manufacturing or in washer and nut factories metal or paper cutting machines corner staying machines in paper box factories corrugating rolls as are used in corrugated paper or in roofing or washboard factories steam boilers dough brakes or cracker machinery of any description wire or iron straightening or drawing machinery rolling mill machinery power punches or shears washing or grinding or mixing machinery calendar rolls in paper and rubber manufacturing or other heavy rolls driven by power laundering machinery or in operating a moving picture machine

No child under sixteen years of age shall be employed or permitted to work in any capacity in adjusting or assisting in adjusting any belt to any machinery in proximity to any hazardous or unguarded belts machinery or gearing in connection with any process in which dangerous or poisonous acids are used in such quantity as to be injurious to the health in the manufacture or packing of paints colors or white or red lead in occupations causing dust in injurious quantities in the manufacture or use of dangerous or poisonous dyes in the manufacture or preparation of compositions with dangerous or poisonous gases in the manufacture or use of compositions of lye in which the quantity thereof is injurious to the health upon any railroad whether steam electric or otherwise upon any vessel or boat engaged in the transportation of passengers or merchandise in operating motor vehicles of any description on scaffolding in heavy work in the building trades in any or bituminous coal mine or in any other mine tunnel or excavation except in any office thereof in stripping assorting manufacturing or packing tobacco in or about any distillery brewery or any other establishment where alcoholic liquors are manufactured or bottled in any acrobatic or gymnastic performance or in any other occupation similarly dangerous to the life and limb or injurious to the health or morals of such child which may be found so to be by the Chief Factory Inspector or the Chief of the Department of Mines as hereinafter provided

Work by Child Under Eighteen Prohibited In Extra-Hazardous Occupations

Section 5 No child under eighteen years of age shall be employed or permitted to work in or about blast furnaces docks wharves or quarries in the outside erection or repair of electric wires or upon or in connection with any dangerous electrical machinery or appliances in the running or management of elevators lifts or hoisting machines in oiling or cleaning machinery in motion in the operation or use of emery wheels or any abrasive polishing or buffing wheel where articles of the baser metals or of iridium are manufactured at switch tending gate tending or as brakeman fireman engineer motorman or conductor upon a railroad as pilot fireman or engineer upon any boat or vessel as chauffeur of an automobile or aeroplane in or about establishments wherein gunpowder nitro-glycerine dynamite or other high or dangerous explosive is manufactured compounded or stored in the manufacture of white or yellow phosophorous or phosphorous matches in any other occupation similarly dangerous to the life limb or injurious to the health of morals of such child which may be found so to be by the Chief Factory Inspector or the Chief of the Department of Mines as hereinafter provided

Work by any Minor Prohibited In Saloons

Section 6 No minor shall be employed or permitted to work in or in connection with any saloon or bar-room where alcoholic liquors are sold

Hours of Labor

Section 7 (a) No child under sixteen years of age shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than forty-eight hours in any one week or more than eight hours in any one day

(b) On and after the first day of September Anno Domini nineteen hundred and fourteen no male under sixteen years of age and no female minor shall be employed or permitted to work in or in connection with an establishment for more than six days in any one week or more than fifty hours in any one week or more than nine hours in any one day

Provided That whenever any person shall regularly employ or permit all the males under eighteen years of age and all the female minors in any establishment or in any department of an establishment to work for not more than forty-eight hours in any one week and shall not employ or permit any such males or females to work on Saturday or Sunday the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person in employ or permit such males and females to work for not more than nine hours and thirty-six minutes in any one day Any person having any such permit who shall employ or permit such males or females or any of them to work for more than nine hours and thirty-six minutes in any one day or for more than forty-eight hours in any one week or on Saturday or Sunday shall be guilty of a violation of this act Provided further That whenever any person shall employ or permit any male between the ages of sixteen and eighteen years or any female

between the ages of sixteen and twenty-one years to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such male or female to work during seven days in any one week which said permit shall indicate the hours of the day between which said employees shall be permitted to work but nothing herein shall be construed as permitting such person to employ or permit such male or female to work for more than nine hours in any one day or for more than fifty hours in any one week

(c) Prior to September first Anno Domini nineteen hundred and fourteen no male under eighteen years of age and no female minor shall be employed or permitted to work in or in connection with any establishment for more than six days in any one week or more than fifty-five hours in any one week or more than ten hours in any one day Provided That whenever any person shall employ or permit any male between the ages of sixteen and eighteen years or any female between the ages of sixteen and twenty-one years to work in any establishment at light and non-continuous labor the Chief Factory Inspector may issue a permit good for not more than one year authorizing such person to employ or permit such male or female to work during seven days in any one week which said permit shall indicate the hours of the day between which said employee shall be permitted to work but nothing herein shall be construed as permitting such person to employ or permit such male or female to work for more than ten hours in any one day or for more than fifty-five hours in any one week

(d) Whenever any minor shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours which he shall be employed or permitted to work in or in connection with such establishments shall not exceed the number of hours prescribed in this section for such minor in any one week or any one day

Night Work Children Under Sixteen

Section 8 No child under sixteen years of age shall be employed or permitted to work in or in connection with any establishment before the hours of seven o'clock in the morning or after the hour of six o'clock in the evening of any day

Night Work Female Minors

Section 9 No female minor shall be employed or permitted to work in or in connection with any establishment before the hour of seven o'clock in the morning or after the hour of nine o'clock in the evening of any day

Night Work By Messengers

Section 10 No minor shall be employed or permitted to work as a messenger for a telegraph or messenger company in the distribution transmission or delivery of goods or messages before the hour of six o'clock in the morning or after the hour of eight o'clock in the evening of any day

Mid-day Meal Periods Males under Eighteen Female Minors

Section 11 Not less than forty-five minutes shall be allowed to every male under eighteen years of age and to every female minor employed or permitted to work in or in connection with any establishment for the mid-day meal which period shall not be considered a part of the hours of labor Provided That whenever any such male or female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the time allowed for the mid-day meal may be reduced to not less than thirty minutes employes shall not be required to remain in the work rooms during the time allowed for meals

Intervals between Work Periods Males under Eighteen Female Minors

Section 12 No male under eighteen years of age and no female minor shall be employed or permitted to work for more than six hours continuously in or in connection with any establishment without an interval of at lest forty-five minutes and no period of less than forty-five minutes shall be deemed to interrupt a continuous period of work Provided That whenever any such male or female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the interval between work-periods may be reduced to not less than thirty minutes

Employes shall not be required to remain in the work-rooms during the rest-periods required by this section

Street Trades Prohibited to Boys under Twelve Girls under Eighteen

Section 13 No boy under ten years of age and no girl under eighteen years of age shall in any street or public place distribute sell expose or offer for sale any newspaper magazine periodical or any other article or merchandise of any description or exercise the trade of bootblack or scavanger or any other trade

Street Trades Hours of Labor and Night Work

Section 14 No boy under sixteen years of age shall engage in any of the trades or occupations mentioned in section thirteen of this act for more than eight hours in any one day or before five o'clock in the morning or after eight o'clock in the evening of any day

Enforcement Employment Certificates Required under Certain Circumstances

Section 15 No person shall employ or permit any child under sixteen years of age to work in or in connection with any establishment or during the hours when the public schools of the school district in which such child shall reside are in session on any farm or in any private home or at any of the occupations mentioned in section thirteen of this act until he shall have received an employment certificate for such child issued in the manner provided in this act

Enforcement Employment Certificates To be Issued to Employer Filing Return

Section 16 Every employment certificate shall issued to person who shall expect to employ or permit the child for whom it shall be issued to work When issued it shall forthwith be sent by mail to such person who shall if he employ or permit the child to work keep it on file accessible to any authorized inspector or attendance officer as long as the employment or work shall continue and in case the child shall not be employed or permitted to work or after the person employing or permitting him to work shall have discharged him or shall have been notified that he had permanently terminated his employment or work such person shall within two days return the certificate by mail to the official who shall have issued it Provided that in no case shall such person retain a certificate for a longer period than one week after the transmission of the child's employment or work

Enforcement Employment Certificates By Whom to be Issued

Section 17 Employment certificates shall be issued by the following officers for children residing within their respective school districts In school districts having a district superintendent or supervising principal by such superintendent or supervising principal in school districts having no district superintendent or supervising principal by the secretary of the board of school directors of that district Provided that any district superintendent supervising principal or secretary of the board of school directors hereby authorized to issue such certificates may authorize and deputize in writing any individual to act in his stead for the purpose of issuing such certificates but no certificates shall be issued by any individual to any child in or about to enter such individual's own employment or the employment of a partnership or other unincorporated association or corporation of which such individual shall be a member officer or employee

Enforcement Employment Certificates Pre-Requisites to Issuance

Section 18 The officer authorized to issue employment certificates shall in each case before issuing a certificate receive examine approve and file the following papers duly executed viz

(a) A statement signed by the person for whom the child shall expect to work or by someone duly authorized by such person that he expects to give such child present employment and setting forth the character of such employment

(b) The record of such child properly filled out and signed as hereinafter provided except that for the issuance of a special summer certificate as hereinafter provided no school record shall be required

(c) A certificate signed by a physician appointed by the board of school directors of the school district stating that the child has been thoroughly examined by the said physician and in his opinion has reached the normal development of a child of the age required by law for the occupation in which he shall expect to engage and is in sound health and physically able to be employed in such work as he shall intend to do

(d) Evidence showing that the child is of the age required by law for the occupation in which he shall expect to enagage

Enforcement Employment Certificates Evidence of Age

Section 19 The evidence of age required by section eighteen of this act shall consist of either

(a) A duly certified transcript of the official record showing the date of birth issued by an officer charged with the duty of recording birth or

(b) A baptism certificate or transcript of the record or baptism duly certified and showing the date of birth or

(c) A passport or record of immigration or transcript thereof duly certified showing the age of the immigrant or

(d) In case none of the aforesaid proofs of age shall be obtainable and only in such case the issuing officer may except in lieu thereof any other documentary record of age (other than a school record or an affidavit of age) or transcript thereof duly certified provided such record shall be at least two years old and shall appear to the satisfaction of the issuing officer to be good and sufficient evidence of age or

(e) In case none of the aforesaid proofs of age shall be obtainable and only in such case the issuing officer may except in leiu thereof a record of age as given in the register of a school which the child shall have attended at least two years prior to his application for an employment certificate or

(f) In case none of the aforesaid proofs of age shall be obtainable and only in such case the issuing officer may accept in lieu thereof the signed statement of the physician appointed by the board of school directors stating that after examination it is the opinion of such physician that the child has attained the age required by law for the occupation in which he shall expect to engage Such statement shall be accompanied by a statement signed by the child's parent guardian or custodian (or in case he shall have no parent guardian custodian by his next friend being an adult) certifying to the name date and place of birth of the child and that the parent guardian custodian or next friend signing such statement is unable to produce any of the proofs of age specified in the preceding subdivisions of this section

Enforcement Employment Certificates School Record

Section 20 The school record required by section eighteen of this act shall be filled out and signed by the principal or chief executive officer of the school which the child shall have last attended or by someone duly authorized to act for said principal or chief executive officer and shall be furnished upon demand to the child who after due examination shall be found entitled thereto It shall state the grade last completed by such child and the studies pursued in completion thereof the number of weeks he shall have attended school during the twelve months previous to applying for such school record his name date of birth and residence shown on the records of the school and the name of his parent guardian or custodian

No school record shall be issued or accepted unless it shall certify that the child can read intelligently and write correctly simple sentences in the English languages and has completed a course embracing the following studies writing spelling

arithmetic English language and geography Such studies shall have been pursued to the extent usual in the first five yearly grades in the public schools of this Commonwealth

It shall be the duty of the Superintendent of Public Instruction to ascertain from time to time and to publish by general order for the purpose of this act the extent to which he shall find that the aforementioned studies are pursued in the usual courses completed in such grades Provided That wherever special courses embracing mannual or vocational training or domestic science shall have been established such of these courses as shall be found by the Superintendent of Public Instruction to be substantially equivalent to the courses usually completed in the first five yearly grades in the public schools of this Commonwealth may be accepted in leiu of any or all of the studies aforementioned

When duly executed by the proper authorities of public private or parish schools school records setting forth the facts above enumerated shall be conclusive evidence of such facts

Enforcement Employment Certificates Shall be Issued Fees

Section 21 After the papers required by section eighteen of this act shall have been approved and filed an employment certificate shall be issued for the child applying therefor unless it shall appear to the officer authorized to isuue the same that the employment contemplated is contrary to the provisions of any law of this Commonwealth regulating the employment of children

No fee shall be exacted for issuing an employment certificate or any paper required by section eighteen of this act

Enforcement Employment Certificates Contents Signature

Section 22 The employment certificate shall state the name sex date and place of birth place of residence color of hair and eyes and any distinguishing facial marks of the child for whom it shall be issued It shall state the name and place of business of the person expecting to employ or permit such child to work It shall certify that the child named has personally appeared before the issuing officer and has been examined and that all the papers required by section eighteen of this act have been duly examined approved and filed and that all the conditions and requirements for issuing an employment certificate have been fulfilled Every certificate snall be signed in the presence of the issuing officer by the child for whom it shall be issued It shall bear a number show the date of its issue and shall be signed by the issuing officer

Enforcement Employment Certificates Re-Issuing Thereof

Section 23 Whenever an employment certificate shall have been returned to the official by whom it shall have been issued it shall upon the application in person of the child whose name it bears be re-issued or a transcript thereof shall be issued upon presentation to the said official of a statement signed by the person for whom the child shall except to work or by someone duly authorized by such person that he expects to give such child present employment and getting forth the character of such employment Provided That such official may before re-issuing such certificate or issuing a transcript thereof require a new physician's certificate such as is required by section eighteen of this act to be approved and filed The reissued certificate or transcript shall contain the name of the person to whom it shall be issued and shall be mailed filed and at the termination of the employment or work returned in the manner prescribed in section sixteen of this act

Enforcement Special Summer Employment Certificates

Section 24 Special summer employment certificates may be issued good for employment only during the regular summer vacation of the public schools of the district in which the children for whom they shall be issued shall reside All the conditions and requirements prescribed in this act for the issuing of employment certificates shall apply to the issuing of special summer employment certificates except that the school record and all educational requirements shall be waived Such special summer employment certificates shall expire and become void upon the first day after they shall have become effective that the public schools of the school district in which the respective children shall reside shall be open Such certificates shall bear a conspicious printed statement of the date upon which they may become effective and shall become void and the words "Special Summer Employment Certificate" They shall be of a color distinct from regular employment certificates

Enforcement Badges Required for Newsboys et cetera To be Conspicuously Worn Non-Transferable

Section 25 No boy under sixteen years of age shall engage in any of the occupations mentioned in section thirteen of this act unless a badge shall have been issued to him in the manner provided in this act and any boy to whom a badge shall have been issued in the manner provided in this act shall wear it conspicously exposed whenever he shall be working at any such occupation

No boy to whom a badge shall have been issued in the manner provided in this act shall transfer the same to any other boy

Enforcement Badges By Whom to be Issued

Section 26 The badges required by section twenty-five of this act shall be issued by the same officers who are in section seventeen of this act authorized to issue employment certificates to children

Enforcement Badges Pre-Requisites to Issuance

Section 27 Any officer authorized to issue the badges required by section twenty-five of this act shall before issuing a badge to any boy receive examine approve and file evidence as defined in section nineteen of this act that such boy is twelve years of age or over

Enforcement Badges Shall Be Issued

Section 28 After the evidence required by section twenty-seven of this act shall have been approved and filed a badge shall be issued to the boy applying therefor unless after due investigation it shall be the opinion of the officer authorized to issue the same that such boy is physically or otherwise unfit for such work as he expects to do or is incompetent or unable both to work at the occupation in which he expects to engage and to comply with the laws of this Commonwealth governing school attendance

No fee shall be exacted for issuing a badge or any paper necessary to prove age under section twenty-seven of this act

Enforcement Badges Contents and Form

Section 29 The badges issued by each school district in accordance with the provisions of this act shall be consecutively numbered in the order of their issuance Each badge shall contain on its face its number and the name of the school district in which it shall have been issued

The form of the badges issued in each school district shall be determined by the board of school directors of such district

Enforcement Public Record of the Issuance of Employment Certificates and Badges of the Refusal of the same

Section 30 Public records shall be kept in the office of the officer authorized to issue the employment certificates and badges required by this act in which shall appear all the facts contained in every employment certificate which shall be issued in such office the name of every boy to whom a badge shall have been issued by such officer together with the number of the badge issued to such boy and the name of every child whose application for an employment certificate or badge shall have been refused by such officer with the reason or reasons for refusal and with the name of the school which such child should attend

The files containing the papers required by section eighteen of this act and the evidence of age of boys to whom badges shall have been issued shall be open to public inspection

All such records and papers on the file shall be preserved until the children to whom they shall refer shall have attained the age of sixteen years

Enforcement Posting Abstract of This Act and Schedule of Hours of Labor

Section 31 Every person employing or permitting any male under eighteen years of age or any female minor to work in any establishment shall keep posted in a conspicuous place in the room where such male or female shall be employed or permitted to work a printed abstract of the provisions of this act and a schedule of the hours of labor of such male or female Provided That where any such male or female shall be employed or permitted to work in more than one room of any establishment the aforesaid abstract and schedule shall be required in only one of the said rooms If any male under eighteen years of age or any female minor shall be employed or permitted to work in connection with any establishment but not in such establishment the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment

The schedule of the hours of labor aforesaid shall contain the name and the date of birth of the male or female the maximum number of hours such male or female shall be required or permitted to work on each day of the week with the total for the week the hours of commencing and stopping work and the hours when the time allowed for meals shall begin and end for each day of the week Such male or female may begin work after the time for beginning and stop before the time for ending work started in such schedule but shall not otherwise be employed or permitted to work in or in connection with any such establishment except as stated in such schedule

Enforcement Proof of Age of Certain Minors

Section 32 Whenever any minor shall be employed or permitted to work at any occupation who in the judgment of any officer charged with the enforcement of this act is under the legal age for such work or is working at a time forbidden by law for such minor or whenever any minor shall be employed or permitted to work in or in connection with any establishment or during school hours on any farm or in any private home or at any occupation mentioned in Section thirteen of this act who in the judgment of an officer charged with the enforcement of this act is under sixteen years of age and for whom the person employing or permitting such minor to work shall not be keeping on file an employment certificate such officer may demand from the person employing or permitting such minor to work that he shall either furnish to such officer within ten days evidence of age as defined in Section nineteen of this act that such minor is in fact of the legal age for the work in which he is engaged or over or sixteen years of age or over as the case shall be or shall cease to employ or permit such minor to work as aforesaid Provided That such person by thus ceasing to employ or permit such minor to work shall not be relieved from any of the penalties provided in this act for the employment or work of a minor contrary to law In case such person shall fail to furnish to said officer within ten days after the making of such demand the required evidence of age and shall thereafter continue to employ such minor or permit him to work as aforesaid proof of the making of such demand and of failure to produce the evidence required shall be prima facie evidence of the illegal employment of such minor in any prosecution brought therefor

Enforcement Hearings to Determine the Nature of Certain Occupations Publications of Findings

Section 33 It shall be the duty of the Chief Factory Inspector and the Chief of the Department of Mines within their respective jurisdictions to hold hearings from time to time upon due notice to interested parties and to determine and

find as a fact whether or not any particular trade process of manufacture or occupation or any particular method of carrying on such trade process of manufacture or occupation not specially enumerated in sections four and five of this act is within the prohibitions of the said sections The said officials shall immediately publish any determinations and findings so made by advertisement in at least two public newspapers within this Commonwealth and in an appropriate trade journal if any such trade journal exist and shall include within their respective annual reports all such determinations and findings therefore made whether by themselves or their predecessors

Enforcement Printing and Distribution of Forms and Abstracts By Certain Officers

Section 34 The Superintendent of Public Instruction shall prepare a form of the employment certificates required by section fifteen of this act and of the papers pre-requisite to the issuance thereof as prescribed in section eighteen of this act and he shall supply copies of the same to all officers authorized to issue employment certificates

The Chief Factory Inspector and the Chief of the Department of Mines within their respective jurisdictions shall prepare the abstract of the provisions of this act and a form for the schedule of hours of labor required by section thirty-one of this act and shall distribute copies of the same upon application to all persons required to post such abstract and schedule

Copies of the forms and abstract aforesaid shall be printed in accordance with the laws of this Commonwealth regulating printing and publishing under the supervision of the Superintendent of Public Printing and Binding

Enforcement By the Chief Factory Inspector the Chief of the Department of Mines and the School Attendance Officers

Section 35 It shall be the duty of the Chief Factory Inspector and his deputies to enforce all of the provisions of this act except such as relate to occupations in or in connection with a mine or the outside workings thereof which provisions shall be enforced by the Chief of the Department of Mines and his deputies or to work on a farm or in a private home which shall be enforced by the attendance officers of the several school districts or to the occupations mentioned in section thirteen of this act which shall be enforced as hereinafter provided All the provisions of this act which relate to children under sixteen years of age shall also be enforced by the attendance officers of the several school districts

All of the officers aforesaid shall visit and inspect establishments and shall have power at any time to visit and inspect any place in or in connection with which any minor is employed or permitted to work They shall investigate all complaints of violations of the provisions of this act received by them and shall institute prosecutions for such violations The said officers shall have power to cause the employment certificates required by this act to be produced for their inspection the failure of any employer to produce for such officer upon demand of an employment certificate when the same shall be required by this act shall be prima facie evidence of the illegal employment of any child whose employment certificate shall not be so produced Said officers shall report at once to the officer authorized to issue employment certificates in the school district the name and residence of any child under sixteen years of age discharge for illegal employment Attendance officers shall report at once to the inspector having jurisdiction the name of any minor found illegally employed the name and place of business of the employer and the date of such illegal employment

Enforcement Of Street Trades Provisions by Police and Attendance Officers Special Attendance Officers

Section 36 The provisions of this act relating to children engaged in the corporation mentioned in section thirteen of this act shall be enforced by police officers and by the attendance officers of the respective school districts of this Commonwealth who are hereby vested with full police power for such purpose

The board of school directors of each school district may appoint or designate one or more special attendance officers to have supervision over children engaged in the occupations mentioned in section thirteen of this act and enforce the provisions of this act relating thereto

Enforcement Private Prosecutions Procedure

Section 37 Any person shall have the right to institute prosecutions for violations of this act by stating upon oath or affirmation the facts alleged as a violation provided that any person other than a public officer who shall institute a prosecution which shall fail to result in a conviction shall be liable for the costs of such prosecution if in the opinion of the court there shall not have ben reasonable grounds for instituting the prosecution

Prosecutions Procedure Appeals

Section 38 All prosecutions for violations of this act shall be instituted before a magistrate alderman or justice of the peace who shall issue a summons commanding the person charged with a violation of the act to appear within not more than eight days Upon a conviction after hearing the penalties provided in this act shall be imposed which shall be final unless an appeal be taken to the court of proper jurisdiction within twenty days after the imposition of the penalties aforesaid The defendant may appeal by depositing with the magistrate alderman or justice of the peace a sum equal to the fine and costs imposed or entering security to pay the same or by giving sufficient bail for his appearance or both as the magistrate alderman or justice of the peace may direct

Penalties First and Second Offenses Continued Violations Cumulative Penalties Exemption of Employers from Punishment under Certain Circumstances

Section 39 Any person who whether by himself or for another or through an agent servant or foreman shall violate any provisions of this act shall be guilty of a misdemeanor Except as provided in sections forty to forty-five inclusive of this act upon conviction for a violation of any provisions thereof he shall be punished for each and every minor in connection with whose employment or work such provision shall have been violated for a first offense by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court whenever any person shall have been notified by any officer charged with the enforcement of this act or by the service of a summons in a prosecution that he is violating any provision of this act he shall be punished by like penalties in addition for each and every day that such violation have continued after such notification provided

First That any person to whom an employment certificate shall have been issued for any child by an official authorized to issue employment certificates and who shall have kept the same on file and in the case of such child shall have complied with all the requirements of this act applying to a child of the age stated in such certificate shall not be punished for the employment of such child though it shall subsequently appear that the certificate was improperly issued by such official Provided That immediately upon learning that the certificate was improperly issued such person shall have ceased to employ or permit the child to work until he shall have received a new employment certificate for such child

Second That any person who shall demand the evidence of age defined by section nineteen of this act that any applicant for employment or permission to work is of the legal age for such employment or work or over sixteen years of age as the case shall be and shall receive the same before employing or permitting such applicant to work and who shall have kept the same on file and in the case of such applicant shall have complied with all the requirements of this act applying to an individual of the age stated in such evidence of age shall not be liable to punishment for employing or permitting such applicant to work contrary to the provisions of this act forbidding the work of minors of such applicant's age at certain occupations and at certain times or without an employment certificate as the case shall be though it shall subsequently appear that such applicant was in fact under the legal age for such employment or under sixteen years of age Provided That this provision shall not apply to any person who shall demand and receive the evidence of age herein provided for if he shall know at the time of receiving such evidence that the applicant is in fact under the legal age for such employment or under sixteen years of age as the case shall be nor shall this provision prevent the punishment of any person for violating the aforesaid provisions of this act after knowledge of the true age of the minor employed

Third That whenever a violation of any provision of this act shall also be a violation of another provision or other provision of this act penalties may be imposed for the violation of each and every such provision

Fourth That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Fifth That whenever a violation of any of the provisions of the act shall also be a violation of the laws of this Commonwealth regulating the hours of labor and conditions of employment of females penalties shall be imposed under one of such acts

Special Penalties for Hindering an Enforcing Officer

Section 40 Any person who shall hinder or delay any officer in the performance of his duties in the enforcement of this act or who shall refuse to admit any such officer to or shall lock him out from any place which he is authorized to inspect or who shall refuse to give to the said officer such information as may be required for the enforcement of this act shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than twenty-five ($25) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than fifty ($50) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court

Special Penalties For Encouraging Violations

Section 41 Any person who shall furnish or sell to minor any article of any description with the knowledge that such minor any article of any description with the knowledge that such minor intends to sell such article in violation of any of the provisions of this act or any person who shall knowingly procure aid or abet any minor to violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court

Special Penalties For Improperly Issuing Certificates or Badges

Section 42 Any district superintendent of schools or other person authorize to issue the employment certificates or badges required by this act or any other person charged with the enforcement of any of the provisions of this act who shall violate or fail to comply with any of the provisions of this act or who shall knowingly certify to any untrue statement provided for in this act shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offense by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars or by imprisonment for not more than sixty days or both at the discretion of the court

Special Penalties Upon Unauthorized Persons for Issuing Certificates or Badges

Section 43 Any person other than the persons authorized by this act to issue employment certificates or badges who shall issue an employment certificate for any child or a badge such as is required by section twenty-five of this act to any boy shall be guilty of a misdemeanor and for a first offense he shall be punished by a fine of not less than one hundred ($100) dollars or by imprisonment for not more than sixty days or both at the discretion of the court for a second or subsequent offense by a fine of not less than two hundred ($200) dollars or by imprisonment for not more than ninety days or both at the discretion of the court

Special Penalties Upon Parents for Compelling or Permitting Violations

Section 44 Any Parent guardian or custodian having a minor under his control who shall compel or permit such minor to work in violation of any of the provisions of this act or who shall knowingly certify to any untrue statement for the purpose of obtaining the illegal employment of such minor shall be guilty of a misdemeanor and upon conviction he shall for a first offense be punished by a fine of not less than five ($5) dollars or more than twenty-five ($25) dollars for a second or subsequent offense by a fine of not less than ten ($10) dollars or more than fifty ($50) dollars or by imprisonment for not more than thirty days or both at the discretion of the court

Special Penalties Upon Minors Who Disobey Street Trades Provisions

Section 45 Any child who shall engage in any of the occupations mentioned in section thirteen of this act in violation of any of the provisions of this act shall after a first offense be warned by the officers whose duty it is to enforce the provisions of this act relating to such occupations and his parent guardian or custodian shall be notified that the child is violating the law In case of a second violation such child may be arrested and dealt with as a delinquent

Upon the recommendation of the pricipal or chief executive officer of the school which he is attending or upon his complaint of any attendance officer police officer or probation officer the badge of any boy who shall violate any of the provisions of this act or who shall become delinquent or fail to comply with the legal requirements concerning school attendance may be revoked for a period of three months and taken from such boy by the officer who shall have issued the same

If any boy shall refuse to surrender his badge after his revocation or continue to work at any occupation mentioned in section thirteen of this act after notice of the revocation of his badge, he shall be guilty of a violation of this act and subject to arrest as above provided

Suspensions of Sentence Prohibited for Second Offenses

Section 46 It shall not be within the power of the court to suspend sentence where the defendant shall have been convicted of a second or subsequent violation of any provision of this act and in any case where sentence shall have been suspended for a first offense, if there be a second prosecution and conviction for a violation of the same provision of this act previously violated the full penalty for the first offense shall be imposed in addition to the penalty imposed for the second offense

Disposition of Fines

Section 47 All fines imposed and collected for any violation of this act shall be forwarded to the Chief Factory Inspector or the Chief of the Department of Mines within their respective jurisdictions who shall pay the same into the office of the State Treasurer for the use of the Commonwealth except that fines collected in the enforcement of the provisions relating to the occupations mentioned in section thirteen of this act shall be paid to the treasurer of the board of school directors for the use of the schools of the school district in which the offending child shall have lived

Construction of the Act Not to Affect Industrial Training of Other Education Unconstitutionality of a Part of the Act

Section 48 Nothing in this act shall be construed to prevent minors of any age from receiving industrial training or other education in or in connection with any school or educational institution in this Commonwealth

Each section of this act and every part thereof is hereby declared to be an independent section or part of a section and if any section sub-section sentence clause or phrase of this act shall for any reason be held unconstitutional the validity of the remaining phrases clauses sentences subsections and sections of this act shall not be affected hereby

Acts Repealed

Section 49 The act entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" approved the twenty-ninth day of April Anno Domini nineteen hundred and nine with all amendments thereto is hereby repealed

The act entitled "An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" approved the first day of May Anno Domini nineteen hundred and nine with all amendments thereto is hereby repealed

Sections fourteen hundred and nineteen and fourteen hundred and twenty of Article fourteen of the act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini nineteen hundred and eleven are hereby repealed

All other acts and parts of acts inconsistent with any of the provisions of this act are hereby repealed

Date of Operation

Section 50 Except as herein otherwise provided this act shall take effect on the first day of September Anno Domini nineteen hundred and thirteen

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Adams,	Ely,	Light,	Roney,
Allen,	Fahey,	Lohr,	Runk,
Alworth,	Flynn,	Lowers,	Sassaman,
Ambler,	Foster, J. D.,	Malie,	Schaeffer, A. C
Arthur,	Frey,	Mannion,	Schuck,
Baldwin, G. A.,	Geary,	Martin,	Scott, J. R. K
Barner,	Geiser,	Mather,	Scott, S. B.,
Bass.	Gibson,	Matt,	Semmens,
Bayle,	Glenn,	McAleer,	Shaffer, I. E.,
Becker,	Good,	McAllister,	Shern,
Benninger,	Gramley,	McArdle,	Sherwood,
Benson,	Gray, Frank,	McCaig,	Showalter,
Bergey,	Gray, Joseph,	McClintock,	Smith, J. W.
Berntheizel,	Hackett,	McDermott,	Smith, L.,
Bigger,	Haggerty,	McKay,	Snavely,
Bittles,	Heidinger,	McNichol,	Snyder,
Blair, W. A.,	Hemminger,	Mechling,	Spangler,
Bleloch,	Herman,	Metzenbacher,	Speiser,
Body,	Hess,	Miller,	Spillinger,
Brosius,	Heyburn,	Missimer,	Steedle,
Brown,	Hibshman,	Mitchell,	Steele,
Brownlee,	Howard, J.,	Moses,	Stone,
Burnett,	Howard, R.,	Moulthrop,	Strauss,
Caldwell,	Humes,	Murphy,	Swartz,
Campbell, C.M.,	Isler,	Neely,	Swift,
Campbell, J. J.,	Irwin, G. C.,	Newbaker,	Thomas,
Carson,	Irwin, H. H.,	Newton,	Trach,
Cheeseman,	Jackson,	North,	Ulerich,
Claycomb,	Jones, E. E.,	O'Neill,	Ulman,
Cleary,	Jones, J. R.,	Peachey,	Walnut,
Cochran,	Kaufman,	Pennegar,	Walsh,
Collins,	Keegan,	Pennock,	Walton,
Conner,	Keeport,	Perry, H. L.,	Watson,
Conniff,	Kenna,	Perry, S. J.,	Wettach,
Conrade,	Kennedy,	Peters,	Whitaker,
Cox,	Kern,	Piper,	Whitman,
Currier,	Kitts,	Ramsey,	Wildman,
Curry,	Klepper,	Redfield,	Williams,
Davis,	Kuhn, H. P.,	Reese,	Wilson, J. H.
DeFrees,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H
Dickinson,	Lanius,	Rex,	Wiltbank,
Donahoe,	Latshaw,	Rhoads,	Young, G. K
Donnally,	Lenker,	Richards,	Young, J. H.,
Dunn, H. B.,	Leslie,	Robinson,	Zimmerman,
Dunn, J. A.,	Letzkus,	Rockwell,	Alter,
Ehrhardt,			Speaker.
Eichenberger,			

NAYS—4.

Baldwin, R. J.,	Moore,	Morrow,	Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 878, entitled:

An Act to amend an act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to amend sections two and three of an act entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall constitute the force defining their powers and

duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one housand nine hundred and five by fixing the salaries of the mployes of the Department of State Police also the salaries the officers and men of the State Police"

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. AMBLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ALLEN. Mr. Speaker, I second the motion.

Whereupon, a division was taken, 91 gentlemen voting in the affirmative and 56 in the negative and the motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1139, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and repealing the sixth section thereof

On the question,

Shall the bill pass?

Mr. S. B. SCOTT. Mr. Speaker, I simply desire to ask the sponsor of this bill to explain it.

Mr. FLYNN. Mr. Speaker, this bill is an amendment to the Church Corporations act of 1855. The amendment consists of a proviso to be inserted in section 7 of that act. This proviso is to the effect that money collected for church purposes can only be used in accordance with the rules and canons of the denomination to which the church belongs. The second purpose of the bill repeals sections 6 of that act. The effect of this would be to permit the church authorities or to give them permission to transfer church property to a successor as trustee. This bill effects only one denomination and that is the Catholic Church, of which I am a member. We have consulted eminent legal authority and prominent clergymen of different denominations who are satisfied that this bill will effect no other denomination except our own. The purpose of this amendment is to meet a condition which has arisen whereby a few men in certain communities among foreigners organized a church and collected money for that church and used it for their own profit. That is the purpose of the bill.

Mr. S. B. SCOTT. Mr. Speaker, I am afraid that the House will not gather from the remarks of the sponsor of this bill any conception of the magnitude of the principle which is here involved. This is not the first time that this bill has been before the Legislature. It met defeat at the last session of the Legisature and it is to be hoped that when it is thoroughly understood by this House that it will again meet defeat at its hands.

Briefly stated, Mr. Speaker, this bill may be said to be an attempt to do through the Legislature what has been failed to be done through the Courts, namely, to take from the St. Joseph's Lithuanian Catholic Congregation title to a property and place the same in the hands of the Bishop.

Mr. FLYNN. Mr. Speaker, I desire to interrogate the gentleman.

Mr. S. B. SCOTT. Mr. Speaker, Yes, sir.

Mr. FLYNN. Mr. Speaker, I wish to state to him that that is an unfair statement and that surely this bill will not take from any church their property and it is not the intention of this bill to do so and it will not do so. In support of that we have the advice of some of the greatest legal minds in the Commonwealth.

Mr. S. B. SCOTT. Mr. Speaker, I am glad indeed that the gentleman has perhaps made it necessary for me to take up more time of this House than I otherwise intended to. I intend to say nothing of my own knowledge, but I have here with me the opinions of the Supreme Court and they are recent decisions and I wish simply to read a little bit from them. I will read from 221 Pennsylvania Laws year 1908, the case begins on page 213. The whole opinion is too long to read but I will state that the case rose in a bill in equity in the case of Andrew Krauczunas et al. v. Michael J. Hoban, to compel a coveyance of real estate:

"The plaintiffs, ten in number, bring suit for themselves and their associates, who constitute an unincorporated religious association, named the St. Joseph's Lithuanian Catholic Congregation. The defendant is the Roman Catholic Bishop of the Scranton Diocese."

"So long, therefore, as defendant claims to hold in any degree under this conveyance, he cannot be heard to challenge the ownership of the congregation whose trustee he is therein declared to be. It is fundamental that a trustee, while occupying a place of trust and confidence, cannot be heard to set up an adverse holding; Perry on Trusts, Section 863, and the authorities there cited. While it is not for us to inquire into the reasons for the action of the congregation in directing a conveyance to other trustees, we have no hesitation in saying that if none other existed than the fact that the trustee in office denied the ownership of the party at whose pleasure and for whose use he was made trustee, this of itself would be sufficient to justify the action taken. Again, it is nowhere made to appear how, or by what proceeding, the church, as distinguished from the congregation became invested with the ownership of this property. Conveyance to the church is not pretended; nor is forfeiture on the part of the congregation. Nothing is asserted in this connection but ecclesiastical rules and regulations, which, except as they are aided by legal conveyance are ineffectual to divest any owner of his property. But more than this the position taken by defendant and sustained by the court, is in direct opposition to the law, whose supremacy, over all ecclesiastical rules and regulations when rights of property are concerned, is not to be questioned."

I also wish to read from the State Reports of the Supreme Court of Pennsylvania, as follows:

Now, therefore be it resolved, That all the property of said St. Joseph's Lithuanian Catholic Congregation is, and is hereby declared, subject to the jurisdiction of the Catholic Church and the Catholic Bishop of Scranton, and be it further

Resolved, That Rt. Rev. Michael J. Hoban, Bishop of Scranton, be and is hereby chosen and designated trustee for said St. Joseph's Lithuanian Catholic Congregation of the city of Scranton, Pennsylvania, to hold as such trustee all the property of said Congregation, and the title thereto in accordance with the laws, rules and usages of the Catholic Church in the diocese of Scranton and State of Pennsylvania."

Then, Mr. Speaker other cases have since been brought in which that congregation has indicated its right to hold property by trustees selected by it, and who have worship by independent priests and not by the ecclesiastical authorities. Now, Mr. Speaker, this is a matter that the Supreme Court has said is a settled policy. The history of not only this Commonwealth and its earlier times, but all civilized Europe, for years, has taught the lesson that where ecclesiastics have the great power of spiritual control, they ought not to have, at the same time, the power of economic power over property; and that these two powers are too large to put in the hands of one set of men. Therefore, the State of Pennsylvania, by the act of 1885, and which has been interpreted by the Supreme Court, the State of Pennsylvania decided once for all that its ecclesiastical property shall remain in the control of the non-ecclesiastical members of the congregation. Now, this bill before us is simply for the purpose, by one small clause, to read into the title of the church properties—and again I say, not only of one denomination; it is absurd to suggest that it is only one denomination, because the language of the change is perfectly general, I say the purpose of this bill is to read into the title of ecclesiastical properties the canons, orders and usages of the denominations. To vest in the ecclesiastical authorities and take away from the lay members, by virtue of the law of Pennsylvania, as set out in this bill, should it pass, the usages and canons which are not made by the lay memberds would absolutely determine the legal title of the property; and therefore the whole purpose of the act of 1855 would be reversed and turned upside down. Now, Mr. Speaker, there are churches where the laymen do not make the canons and usages, and if anyone desires to question that assumption, I have the Supreme Court of Pennsylvania back of me. I think, gentlemen, by this time, you should have gotten it clearly in mind that the purpose of this bill is to reverse the settled policy of this State since 1855, by reading into ecclesiastical titles of property all the canons and usages that may be made by particular ecclesiastical denominations. That, I think, is a mistake of public policy, and I hope that the House, having gotten that clearly in mind, will prevent that mistake from being made.

Mr. SWIFT. Mr. Speaker, I wish to call attention, also, to another fact which will appear if we take into consideration the manner in which some other denominations'

affairs are directed. This not only affects the church to which reference has been made, but it also affects every denomination where the affairs of the denomination are directed by bishops or elders. This bill, once enacted into law, it involves the Methodist Episcopal Church, in whose hands rests the administration of the property. It also involves the Episcopalian Church; it also involves the United Brethren Church; and no one can tell where these conditions may end if this bill becomes a law. It is the entering wedge, as I see it, to the union again of Church and State. It will bring surely conditions in the future, may I say it, it might cause struggles and sorrows that were passed through in the time of Henry VIII, when the Church of England was separated from the control of Italy. I say to you that we need to be at this time very watchful and very careful as to this legislation. As has been said, it robs a large and well-organized independent branch of the Roman Church of this country of its property rights. Not only that but it makes possibe the robbing of every other denomination, as I said before, whose adminstrative authority rests in the hands of the bishops, of their property rights. Who can tell what may happen in the board of bishops of the Methodist Episcopal Church if this bill becomes a law? Who can tell what may happen in the board of Episcopalian bishops if this bill becomes a law? It vests in them the authority and the right, not only to direct matters concerning real estate, but also personal property.

I want to call attention to this clause inserted in this act, "other than funds from plate Christmas and Easter collections and annaul voluntary contributions for salaries of clergy teachers organist and sexton," et cetera. Now, if we are not careful, when we read that section we shall be mistaken as to its purport and its meaning. If you will turn back to line 16, in the old law, you will there discover that this act strikes out the simple word "not" "shall not be otherwise taken". The law of 1855 and 1874 and 1907 says, and in line 70 of this enactment it says the same, "shall be taken and held." I want to say to this House, if this act is passed, that the great Roman Church, and the independent Roman Church, which now exists, shall not be permitted to take an offering on Christmas or Thanksgiving or Easter, or on any other day which shall not be under the direction of the bishops or the See at Rome. We have struggled for years to vest the property rights in the hands of the laity of every church and every denomination in this land, and you will discover this, if you have been following history—in 1907, when this act took place and when the authority to the property rights was vested in the hands of the laity, every denomination was called upon to change the charter of its churches, that it might harmonize with this law of 1855 and 1874. A large number of the denominations of this country commenced at once to change their charters. In the Assembly of 1909, a motion was made that the time of extension might be changed that others might change their charters, but at that time a like bill was presented in this House to change the law as it had been enacted in 1855 and 1884 and 1907. It was defeated, and then a motion was made to extend the time again, that churches might change their charters. It became my duty, as presiding officer of our conference, to help change sixty or seventy charters to conform with the original law. Time was given for the extension so that charters could still be changed, and now we come again to meet this same law in this Assembly. The purpose of introducing it was that this church, which stands over against this act, will not be compelled to change its charter to comply with the law as it now stands.

Gentlemen of this House, if this State has determined that this is law and this is right and that this is in conformity with the laws of our Republic and the laws of our State, shall we at this time make possible a condition that shall take from the hands of the laity of this State of ours the right of controlling property, or even directing how its Sunday collections or holiday collections shall be appreciated. I know it is said, and has been repeated over and over again upon this floor that this affects in no way any other denomination than the one referred to here. I want to repeat, if it does, it does not affect a denomination that is congregational in its government. If there are property rights vested in the local church, but where a bishop or where an elder is elected and vested with the power of controlling the finances of the denomination, it immediately opens the way for taking it out of the hands of the laity of that denomination and putting it in the hands of the bishops or elders or those who are put in authority.

Mr. FLYNN. Mr. Speaker, will the gentleman from Beaver permit himself to be interrogated?

The SPEAKER. Will the gentleman from Beaver yield to the gentleman from Elk?

Mr. SWIFT. Mr. Speaker, I will.

Mr. FLYNN. Mr. Speaker, will the gentleman from Beaver state what churches are now held—what church properties are now held in trust by the bishops of the denominations.

Mr. SWIFT. The Roman Church.

Mr. FLYNN. Then, Mr. Speaker, may I ask the gentleman if this is not the only church to which this bill would apply in its effect.

Mr. SWIFT. Mr. Speaker, that may be true, because the Methodist Episcopal Church has changed the charters of its churches to conform with the present act—the Roman Church has not,—because the charters of the various churches of the Episcopal and Methodist Episcopal have changed their charters to conform with this law, but if this bill becomes a law then those churches may change their charters again and it will bring into the Episcopal Church and the Methodist Episcopal Church a controversy that God only knows where and when it may be settled, and I warn this House that we are not simply dealing with conditions that belong to the Great Roman Church but we are dealing with conditions that are now arising and may arise in the future in reference to every church, as I have said before, where the authority vests in Bishops or in Elders.

I said a moment ago and I wish to call to your attention a few brief extracts that I hold in my hand, and therefore state that it really ends at the Union of Church and State: Once a law, we lose control of both our real and personal property, where the authority may be vested in a Bishop; and I ask this House to stand by that for which this nation and this State has struggled in the past. Why, my friends, if you will stop for a moment and consider the battles of the past that have been fought over this very thing, and shall we plunge ourselves backward into the medieval times to fight again the battles that we had supposed had been settled and well settled? Let us now, Mr. Speaker, stand true to what the Supreme Court has settled, what this State and this Nation has settled, and let us see to it that every local church has a right to control its property both real and personal.

Mr. RONEY. Mr. Speaker and Gentlemen of the House, the Supreme Court in a very recent case has decided that where the law of Pennsylvania did not specifically prohibit any particular church regulation, then the canon law of that Church should be the prevailing rule, and in a case from the locality from which arose the case my friend from Philadelphia cited, carried to the Supreme Court as to the question of the disposition of the church collections it was decided there as that was no inhibition in any statute law, that money was disposable according to canonical regulations. Mr. Speaker, and gentlemen, in standing up here today to discuss this bill, I feel a peculiar restraint upon myself, because, reared in a broad atmosphere, I have been educated to look men square in the face and where they have taken me on my merits and I take them on their merits. There is no question of denominational import that has ever been a topic of conversation between us. So today I keenly appreciate the difficulties of speaking on a proposition like this; but I do wish to raise my voice and raise it to the very dome of this Capitol and say that the man who discusses, in connection with this bill, the possibilities of the Union of Church and State knows not whereof he speaks. I say, Mr. Speaker and Gentlemen of the House, that is a foreign topic to this discussion and I want to recall that last session my distinguished friend from Philadelphia, in discussing this very question, mentioned the French revolution and its causes arising from religious grounds, and I want it to be plainly understood, Mr. Speaker and Gentlemen of the House, that I do not think those questions have any real bearing on this proposition at all, and I do not see in this bill, and I have read it just as closely as I could in order that in discussing it I might be absolutely fair to this House, I do not see anything in this bill which robs any lay trustees of their

church property. I do not see anything in this bill which gives the Bishop or gives any clerical body the right to take from lay trustees their real estate holdings. I only see on page 4, in lines 77, beginning with line 77, this addition to the old bill:

"Which control and disposition shall be exercised in accordance with and subject to the rules and regulations usages, canons, discipline and requirements of the religious body or organization to which such church congregation or religious society shall belong."

Which means that in the conduct of religious services or in the carrying on of denominational matters in that church, it shall be controlled and disposed of according to the usages of the church. But suppose the lay trustees of a church hold the title thereto, is there anything in this act which says that the church shall automatically take over and turn it into the control of the Bishop or shall be held subject to the legal title of the canonical regulations of that church?

Mr. SPEAKER and Gentlemen of the House, I do not see anything in this act at all which robs the lay trustees but I only do see in it something to clarify a situation which has been a matter of considerable difficulty and discord in Pennsylvania and which in a very recent case the Supreme Court has considerably narrowed down because of the question of plate collections, that was held to innure to the Bishop and he held according was to the canons, usages and regulations of the church.

Mr. SPEAKER and Gentlemen of the House, I ask you to look at the thing calmly, appreciating the fact that there is no opportunity here of the Union of the Church and the State and that in so far as the Catholic members of this House are concerned, there is nothing more repugnant to their ideas of constitutional liberty than the idea of the Union of Church and State; and I say, gentlemen, this matter but clarifies the situation which the Supreme Court has in a sense clarified and I refer you to that decision and I feel that it is the very crux of the case and I see nothing which robs the lay trustees of their real estate holdings and turns them automatically on the passage of this act over to the clerical body; and I feel, gentlemen, that each man in this House may properly support this bill.

Mr. S. B. SCOTT. Mr. Speaker, I desire to enlighten the gentleman, not in what may happen, but upon what has happened in the case in 233 Pennsylvania, quoting from page 146, 147 and 148. That was the case following the one I read you before. In the case before, the Supreme Court said that the Bishop must lead back to the trustees the control and disposition of the property. He did so lead it back and then excommunicated the congregration, as I have already laid before you. This ended in the excommunication.

The congregation at a meeting then resolved as follwos, among others:

"Resolved that Rt. Rev. Michael J. Hoban, Bishop of Scranton, be, and is hereby chosen and designated trustee for said St. Joseph's Lithunaian Catholic Congregation of the City of Scranton, Pennsylvania.

Now listen here—"to hold as such trustee all the property of said Congregation, and the title thereto in accordance with the laws, rules and usages of the Catholic Church in the Diocese of Scranton and State of Pennsylvania"

In other words they tried to give it to the Bishop to hold that way and you notice the same words that are copied into this bill and are now here in this bill because the Supreme Court said under the act of 1855, they could not do it in that way; that the act of 1855 says that it must be held to innure to the lay members and the lay members could not pass such a resolution giving the control to the Bishop in any way but as trustee for the congregation and not to hold it according to the canons, rules and regulations, and that is the secret for the peculiar words in this bill here. They are there because the Bishop forced them to excommunication but may they lead them to him in that way? The Supreme Court said that they could not do it in that way and so we have the words in this bill and that is the way this bill has been drawn.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to read two letters, one written by myself and an answer thereto, without using any names.

"I am enclosing a copy of House Bill No. 1139, which is up for third reading and final pasage this next week. In my opinion it simply would take the right of appeal to the courts away from Church members and create a perpetual trusteeship in the hands of a Bishop or Arch-Bishop, as the case may be. Of course, it applies more particularly to the Roman Church, but may in some instances affect all other Churches.

"If you care to make an expression on the matter I would be pleased to have your personal opinion, and ask you to write to me at Harrisburg in care of the House of Representatives."

Mr. SPEAKER. I asked to read this letter because it states very clearly what I think is the substance of the whole matter, which is the taking away from the congregation of its right to appeal to the court. I do not think there is any question in the matter excepting the removing of the right of appeal of the laymen to the Supreme Court of Pennsylvania. Certainly Pennsylvania has always stood for religious liberty, and certainly I at least do not wish to interfere with the management of the affairs of any denomination in the State; but Mr. Speaker, I do not think that we ought to vote away the rights of appeal to the Courts of the State of Pennsylvania which are under our laws, supreme. In 1897 the whole question of the charters of all the Churches of Pennsylvania came up and the bill as amended was passed in 1907 and fully defined what was the position of the law in Pennsylvania relating to the charters and the management of all churches in Pennsylvania. Now, Mr. Speaker, if this bill applied only to the Roman Catholic Church, it would be special legislation, and of course out of order; but Mr. Speaker, I wish to say that the Episcopal Church, as well as some of the other churches have Bishops that would use all the powers that were given to them. We have two instances in the last two years. The Rector of Holy Trinity Church, Philadelphia, discharged a minister of a mission which was self-supporting, but under the charter that mission was a part of Trinity Church and the lay members of that mission had no power to vote out the control of the vestry of Trinity Church. It had no power to appeal to the Court, because it was under the sole control of the vestry of the Trinity Church and the vestry had control over this other church which was self-supporting in itself.

The reply follows:

"I acknowledge receipt of copy of House Bill No. 1139, I have gone over this bill with some care and feel that I cannot give it my approval

"In my opinion it is an attempt to take from the laymen of the church the control of the temporal affairs of the church and place the same in the hands of eccleciastics.

"With reference to the Act of 1855, it has been long on our books and interpreted by the courts so that we now have an understanding of what the law is along that line. The results of the amendment we do not know.

"This Bill seems vicious to me in the provision contained in lines 76, 77, 78, 79 and 80 and I am also opposed to Section 2 which is an attempt to repeal Section 6 of the Act of 1855 and its supplements.

"I agree with you that this act applies more particularly to the Roman Church but I see no reason why the laymen of that church are not as a whole, capable of managing their property and also to have some voice in the management of its trusts.

"I want to keep the State in temporal affairs above the church."

There is the case of Bishop Whitehead in Pittsburgh last week. He refused to recognize a minister who was called to a church in Allegheny and the church in Allegheny finally after waiting a month or so gave their minister a six months' leave of absence which was practically accepting his resignation, because they could not get in harmony with the Bishop in regard to that certain minister. Now, Mr. Speaker, wherever any church is controlled by a bishop, and wherever the making of the canons is likely to fall in the hands of the ecclesiastics, that is the clergy and the bishop, then this bill would certainly apply, and because it does apply to those churches who have bishops, I am compelled to vote against the bill.

Mr. COX. Mr. Speaker and Gentlemen of the House, when this bill was introduced in the last session I was absolutely against it because I believed that it touched on the union of the Church and State. When I heard the lawyers argue on one side and the other, I felt that I could not quite understand it from their point of view and voted against the bill. In this session of the Legislature, I made it my business to inquire as far as possible from the church of which I am a member to see if it would affect us in any particular. I have a letter from one of the prominent men connected with the church, whose name I will not mention, but I will read in part what he says to me for the information of the House: "My dear Mr. Cox: I

think this bill is intended to meet the difficulties that the Roman Catholic Church has suffered through the property being held by an archbishop or a bishop rather than by the incorporated parish, and I am inclined to think that the contention is good. In all of our Protestant Churches, almost without exception, the property is vested in a corporation consisting largely of laymen. Sometimes the minister is not a member at all. So that this bill will not affect the standing of our ecclesiastics particularly. All large hospitals and so forth are also held by laymen. Of course, I would not presume to suggest how you should vote on this bill, but I think the principle of it is good and right." Gentlemen, I cannot feel that I will be going wrong to vote for this bill. I do not believe in the union of State and Church, and I believe that we should draw the principle fair and square or I would not have attempted to get information for this bill, and I want to inform the House that I will vote for this bill.

Mr. KITTS. Mr. Speaker, when I saw this bill on the calendar first, it gave me some concern. My legislative district is composed very largely of the Catholic Church, several denominations being therein contained. I do not belong to that order. So I took the bill home and had it carefully gone over by the church people and the attorneys as well. I consulted one Polish attorney on the matter, whose opinion I respect. I also had the bill taken to the Bishop of Erie, through a political friend of mine who is a Catholic. I cannot see in the bill where it would affect the holding of property outside of that denomination. If this bill is instituted to aim at some faction of the Catholic Church not in keeping with the ordinary rule and canons of that church, I cannot see why it should not be enacted into a law. There is no church or division of a church, but that has some uniformity or unison in the method of holding the land and in the collection of their plate, etc. I think this bill is aimed particularly at one sect or one faction of the Catholic Church in Pennsylvania which has pulled away from the ordinary canons and rules and regulations of the church and stood out independently, you might say, a church of their own, and are running it for profit. I have legal opinions and opinions of the church people. If this was a unison of the Church and State, I would be against the bill, but I think that argument is a subterfuge to defeat the real purpose of the bill. I have gone over it carefully. I am not an authority on church matters, but I do contend that I understand the very point at which this bill is aimed, and I do contend that I understand what this bill purports to create, and I give my hearty support to the passage of the act.

Mr. ALLEN. Mr. Speaker, I have listened with some considerable interest to the arguments for and against this measure—this proposed measure. Two years ago, if my memory serves me right, practically the same measure was before this House for consideration. I have listened to the attempts at a scare of the members which have been injected into the arguments as against this bill, but by a careful examination of the bill I find that it is an act to amend an act which has stood upon the statute books for a number of years, and which has received from time to time certain amendments. I must confess, Mr. Speaker, along with the gentleman from Erie, that in church affairs I am not an authority. I do profess, Mr. Speaker, however, to be able to read into a law which now stands on the statute books such proposed changes as may be made, or attempted to be made. I have carefully digested this bill, and I find very few changes from the original law, and it seems to me that there very little which would justify a thinking man to be fearful of the results if this proposed bill were enacted into a statute. To begin with, Mr. Speaker, all denominations have their rules and their general provisions for the conduct of their congregations or for the entire order, and I believe it is earnestly sought by all denominations that the various branches conform to the general rules and laws both in creed and in action and in the rules of conduct for the various congregations as well. I know of no particular branch of any church that is being sought to be reached by this bill, but as I read the bill, it is an endeavor to establish according to the rules and law, to the laws as they now are, a means by which title to church property may pass regularly and in conformity with their general laws. I think this is the main object of this bill. The first change which is injected into the bill, and a great scarecrow was made out of striking out that word "not," but I ask the gentlemen to be fair in considering the matter of the striking out of that word and use in conjunction with the striking out of the word "not" the word which follows the word "be" which is the word "otherwise." I call your attention to line 16 on page two of this bill "or the same shall not be otherwise taken and held." Now when the "not" and the "otherwise" are stricken out, which is a negative way of saying how it shall be held, you have the positive, and then it reads "shall be taken and held," and not "shall not be taken and held otherwise," but shall be taken and held in the very manner which is described in the original portion of the bill, and still, Mr. Speaker, as I suggested, the striking out of that word great stress was laid upon the word "not" but the gentleman was not sufficiently broad to call the attention of the House that the other word "otherwise" which described the condition negatively was also eliminated from the bill, and thereby the description was made in a positive manner. In line 22 of the bill which corresponds to line 76, after the word "otherwise" an addition has been made which is in relation to the rules, regulations, usages or corporate requirements covering and controlling the power of the church, and after the word "herewith" is added "which control and disposition shall be exercised in accordance with and subject to the rules and regulations, usages, or corporate requirements of the religious body or organization to which such church, congregation or religious society shall belong." Now, there is evidently a purpose for the injection of that provision in this bill, and it seems clear to me, Mr. Speaker, that the injection of those few lines in this bill, to which injection the voice of the gentleman from Cameron was raised, is for this purpose, and the very purpose that was suggested in the arguments against this bill, and that was, Mr. Speaker, to meet such conditions or changes of rules and canons of any church or denomination might hereafter adopt as the rule and canon and regulation for that particular church or that particular denomination so that if you please, Mr. Speaker, it would not be necessary that every time a church changed its general rule of action or the canons of that church, that it should have to come before this legislative body, or the successor of this legislative body, to ask this body to broaden the scope which would allow them to make such changes as in their wisdom and in their conduct of their own church they had found to be absolutely necessary for successfully carrying into operation their peculiar denomination. Now, Mr. Speaker, the next changes which is injected into the bill is in line 41, and I take this up in regular order so that the members may follow me. In line 41 in the original bill, the language is "subject to the control and disposition of the lay members thereof," and the words "lay members thereof" are stricken out and in their stead are used the words "as herein provided." Why as herein provided? Because of the fact that already in the previous part of the bill it places in the hands of the one whom this bill will authorize to hold and transact and transmit and hand down all of the real property and business of that institution he has already been named, and so instead of saying, "according to the requirements of the lay member thereof," the words are used, "authority of the lay members thereof," the provision is made, "as herein provided." now, in line 46, after the word "heretofore" and before the word "bequeath" referring to real and personal property was injected the words "other than the funds above excepted." Now, what are the funds above excepted? There is no scarecrow in that, Mr. Speaker, and nothing that should cause any one member of this House any alarm. The funds excepted are set out in the line beginning with line 63.

Whensoever any property real or personal other than funds from plate Christmas and Easter collections and annual voluntary contributions for salaries or clergy teachers organist and sexton shall hereafter be bequeathed devised or conveyed to any ecclesiastical corporation bishop ecclesiastic of other person for the use of any church congregation or religious society for religious worship or sepulture or the maintenance of either the same shall be taken and held subject to the control and disposition of the lay members of such church congregation or religious society or the control and disposition of such constituted officers or representatives thereof.

As to the Christmas contribution, the contribution in relation to the salary of the clergyman, the organist, the sexton, and all that, there is nothing in that. The next

change is in line 53 and follows the word "be"—"in this connection shall hold and be held the property,, real and personal as proposed by changes therein and funds about to be accepted now held by such existing corporations shall be taken and held"—received if you please. If given, why not receive? The next change is in line 54 and follows along the same line of thought, "held subject to the control and disposition" and from that word on, these words are stricken out: "if lay members thereof or such officers or representatives thereof as shall be composed of a majortiy of the lay members, citizens of Pennsylvania having a controlling power according to the rules and regulations, usages or corporate requirements thereof"—all stricken out. These words are inserted—"as herein provided" so that it will read: "shall be held subject to the control and disposition as herein provided with like effect as though such provision had been inserted in the charter of the said corporation when originally granted, any other or different provisions therein notwithstanding." Mr. Speaker, I take it as I have carefully digested this bill that the provisions of this bill are attempting simply to do this one thing. that is to meet the conditions of to-day, not only of to-day but of to-morrow of next year, of ten years hence. Experience shows the church officials either at the church alone or by the lay members of the ecclesiastics, it makes no difference when it is evidence to that regulating ruling and controlling body that changes are necessary for the management and control of that church. It is shown by experience that then and in that event you have upon the statute books of Pennsylvania a statute sufficiently broad to meet these conditions which may be taken in adopted, put before the members governing them, and controlling them and making these conditions absolutely operative. A few years ago on the floor of this House I felt after listening to the arguments pro and con that that bill then should have been adopted and from that time until now, I have never been convinced otherwise. The more thought that I have given to the bill which is now before us, the more study that I have given and the more carefully that I have examined into its merits and its demerits the more I am convinced that this measure ought to be adopted at this time.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—81.

Allen,	Donahoe,	Malie,	Richards,
Ambler,	Down,	Mannion,	Roney,
Aron,	Dunn, J. A.,	McAleer,	Sassaman,
Arthur,	Ehrhardt,	McAllister,	Schuck,
Baldwin, R. J.,	Eichenberger,	McArdle,	Scott, J. R. K.,
Bass,	Ely,	McCaig,	Shern,
Bayle,	Ewing,	McDermott,	Sherwood,
Becker,	Fahey,	McNichol,	Smith, J. W.,
Blair, W. F.,	Flynn,	Mechling,	Speiser,
Body,	Gans,	Missimer,	Spillinger,
Brosius,	Geary,	Moore,	Steedle,
Brown,	Geiser,	Murphy,	Strauss,
Campbell, J. J.,	Gransback,	Neel,	Wettach,
Cleary,	Gray, Joseph,	Neely,	Wildman,
Collins,	Haggerty,	North,	Wilson, J. H.,
Conner,	Heyburn,	O'Neill,	Wilson, W. H.,
Conniff,	Humes,	Pennegar,	Wiltbank,
Conrade,	Keegan,	Peters,	Young, G. K.,
Cox,	Kenna,	Piper,	Alter,
Curry,	Kitts,	Ramsey,	Speaker.
Dickinson,	Letzkus,		

NAYS—98.

Alworth,	Gray, Frank,	Light,	Rockwell,
Baldwin, G. A.,	Hackett,	Lohr,	Rothenberger,
Barner,	Heidinger,	Lowers,	Runk,
Benninger,	Hemminger,	Martin,	Savacool,
Benson,	Herman,	Mather,	Schaeffer, A. C
Bergey,	Hess,	Matt,	Scott, S. B.,
Bigger,	Hibshman,	McClintock,	Semmens,
Bittles,	Hoffman,	McKay,	Shaffer, C. A.,
Brownlee,	Howard, J.,	Mellott,	Shaffer, I. E.,
Burnett,	Howard, R.,	Metzenbacher,	Showalter,
Caldwell,	Irwin, G. C.,	Miller,	Smith, L.,
Campbell, C.M.,	Irwin H H.,	Mitchell,	Snavely,
Carson,	Jackson,	Moses,	Snyder,
Cheeseman,	Jones, J. R.,	Moulthrop,	Spangler,
Claycomb,	Kaiser,	Musser,	Steele,
Cochran,	Kaufman,	Newbaker,	Stone,
Currier,	Keeport,	Newton,	Swartz,
Davis,	Kennedy,	Peachey,	Swift,
DeFrees,	Kern,	Pennock,	Trach,
Donnally,	Kuhn, H. P.,	Perry, H. L.,	Ulerich,
Dunn, H. B.,	Kuhns, E.G.M.,	Post,	Walnut,
Gibson,	Latshaw,	Redfield,	Walton,
Good,	Lenker,	Reese,	Watson,
Grabe,	Leslie,	Reeser,	Williams,
Gramley,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

LEAVE OF ABSENCE.

Mr. EWING asked and obtained leave of absence for Mr. Samuel J. Perry, on account of death of his father, for balance of the week.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1241, entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam boilers steam engines and appliances connected therewith in cities of the second an third class of this Commonwealth and providing penalties for violation"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Ely,	Letzkus,	Roney,
Allen,	Ewing,	Light,	Rothenberger,
Alworth,	Fahey,	Lohr,	Runk,
Aron,	Flynn,	Lowers,	Sassaman,
Arthur,	Foster, J. D.,	Malie,	Savacool,
Baldwin, G. A.,	Frey,	Mannion,	Schaeffer, A. C.
Baldwin, R. J.,	Gans,	Martin,	Schuck,
Barner,	Geary,	Mather,	Scott, J. R. K.,
Bass,	Geiser,	Matt,	Scott, S. B.,
Bayle,	Gibson,	McAleer,	Semmens,
Becker,	Good,	McAllister,	Shaffer, C. A.,
Benninger,	Goss,	McArdle,	Shaffer, I. E.,
Benson,	Grabe,	McCaig,	Shern,
Bergey,	Gramley,	McClintock,	Sherwood,
Berntheizel,	Gransback,	McDermott,	Showalter,
Bigger,	Gray, Frank,	McKay,	Smith, J. W.,
Bittles,	Gray, Joseph,	McNichol,	Smith, L.,
Blair, W. A.,	Hackett,	Mechling,	Snavely,
Blair, W. F.,	Haggerty,	Mellott,	Snyder,
Bleloch,	Heidinger,	Miller,	Spangler,
Body,	Hemminger,	Missimer,	Speiser,
Brosius,	Herman,	Mitchell,	Spillinger,
Brown,	Hess,	Moore,	Steedle,
Brownlee,	Heyburn,	Morrow,	Steele,
Burnett,	Hibshman,	Moses,	Stone,
Caldwell,	Hoffman,	Moulthrop,	Strauss,
Campbell, C.M.,	Howard, J.,	Murphy,	Swartz,
Campbell, J. J.,	Howard, R.,	Musser,	Thomas,
Carson,	Humes,	Neely,	Trach,
Cheeseman,	Isler,	Newbaker,	Ulerich,
Cleary,	Irwin, G. C.,	Newton,	Ulman,
Cochran,	Irwin, H. H.,	O'Neill,	Walnut,
Collins,	Jackson,	Peachey,	Walsh,
Conner,	Jones, J. R.,	Pennegar,	Walton,
Conniff,	Kaiser,	Pennock,	Watson,
Conrade,	Kaufman,	Perry, H. L.,	Wettach,
Cox,	Keegan,	Peters,	Whitaker,
Currier,	Keeport,	Piper,	Whitman,
Curry,	Kenna,	Post,	Wildman,
Davis,	Kennedy,	Ramsey,	Wilson, J. H.,
DeFrees,	Kern,	Redfield,	Wilson, W. H.,
Dickinson,	Kitts,	Reese,	Wiltbank,
Donahoe,	Klepper,	Reeser,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Rex,	Young, J. H.,
Down,	Kuhns, E.G.M.,	Rhoads	Zimmerman,
Dunn, H. B.,	Lenker,	Richards,	Alter,
Dunn, J. A.,	Leslie,	Robinson,	Speaker.
Ehrhardt,		Rockwell,	
Eichenberger,			

NAYS—2.

Claycomb, Metzenbacher,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 726, as follows:

An Act to protect the public health and welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by a commission established by this act prescribing the standard by which such rate shall be determined defining the powers and duties of such commission and regulating the procedure before it imposing certain duties on employes of females over sixteen years of age and children under sixteen years of age compelling newspapers to publish the orders of the commission fixing penalties for violations of this act and providing means of enforcing its provisions

Article 1 Establishment of a Wage Commission

Section 1 Statement of Policy
Section 2 Establishment of a wage commission
Section 3 Term of commissioners
Section 4 Removal of commissioners
Section 5 Secretary of the commission
Section 6 Counsel
Section 7 Marshal
Section 8 Aditional officers and employes
Section 9 Oath of office
Section 10 Salaries and expenses
Section 11 Meetings quorum
Section 12 Offices supplies
Article 11 Powers and Duties of the Commision
Section 13 Investigations and determinations
Section 14 Investigations by one commissioner
Section 15 Orders issuance publication when effective duration
Section 16 Special licenses to certain females exemption of apprentices
Section 17 Investigation and prosecution of violations of orders
Section 18 Examination of books records and documents hearings witnesses subpoenas
Section 19 Public officers to furnish copies of records and give information
Section 20 Records to be kept
Section 21 Copies of records to be furnished to public officers
Section 22 Report required
Section 23 Fees to be charged for copies of records

Article III Procedure Before the Commission

Section 24 Practice in hearings
Section 25 Subpoenas
Section 26 Witnesses
Section 27 Depositions commissions
Section 28 Testimony tending to incriminate immunity
Section 29 Burden of proof in complaints of violations
Section 30 Injunctions jurisdiction

Article IV Duties of Employers

Section 31 Record of employes

Article V Enforcement

Section 32 Enforcement of process
Section 33 Summary proceedings
Section 34 Penalty for the payment of a lower rate of compensation than that fixed by the commission
Section 35 Penalty for discriminating against witness
Section 36 Penalty for concealment of testimony
Section 37 Penalty for false or misleading testimony
Section 38 Penalty on newspaper for refusing to publish orders
Section 39 Private prosecutions procedure
Section 40 Prosecution procedure appeals
Section 41 Suspension of sentence prohibited for second offenses
Section 42 Fines penalties and fees payable to the secretary of the commission
Section 43 Recovery of wages in civil suit

Article VI Construction

Section 44 Terms women eligible to offices
Section 45 Unconstitutionality of a part of the act
Section 46 Act not to impair powers of Secretary of Internal Affairs

Article I Establishment of a Wage Commission

Statement of Policy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is the belief of the General Assembly that the public health and welfare demand that every female over sixteen years of age employed by or permitted to work for any person within this Commonwealth be compensated at such a rate as will enable her to support and maintain herself in health and reasonable comfort and that every child under sixteen years of age employed by or permitted to work for any person within this Commonwealth receive compensation at a rate at which it can earn the amount necessary to enable its parent or guardian to support and maintain it in health and reasonable comfort

Establishment of a Wage Commission

Section 2 To determine the lowest rate of compensation at which females over sixteen years of age may support and maintain themselves in health and reasonable comfort and the lowest rate of compensation at which children under sixteen years of age can earn the amount necessary to enable their parents or guardians to support them in health and reasonable comfort and to order and enforce the payment of such females and children at not less than such rates a commission is hereby established to be known as "The Wage Commission of the Commonwealth of Pennsylvania"

The commission shall consist of three members who shall be appointed by the Governor and the Governor shall from time to time designate one of the members as chairman of the commission

Term of Commissioners

Section 3 The term of office of commissioners shall be three years except that the term of the first commissioners appointed shall be one two and three years respectively from the first Monday in February following their appointment so that the term of one commissioner shall expire on the first Monday in February in each year thereafter A commissioner shall unless removed for cause continue in office until his successor shall have appointed even though his term shall have expired

Whenever a vacancy shall occur in the membership of the commission the Governor shall appoint a commissioner for the residue of the term

Removal of Commissioners

Section 4 The Governor may remove from office any commissioner for inefficiency neglect of duty or misconduct in office Whenever he shall contemplate the removal of any commissioner the Governor shall furnish to such commissioner a copy of the charges against him and afford him an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days' notice If the commissioner be removed the Govenor shall file in the office of the Secretary of of the Commonwealth a complete statement of the charges made against such commissioner and his findings thereon together with a complete record of the proceedings

The determination of the Governor shall in any such case be final

Secretary of the Commission

Section 5 The commission shall appoint a secretary who shall hold office at its pleasure and shall devote his entire time to the duties of his office He shall keep an accurate record of the proceedings of the Commission and of all determination and orders made by it and ordered filed He shall be the custodian of the records of the commission and shall preserve at its principal office all records documents and papers filed with it or entrusted to its care and shall be responsible to the commission for the same

Under the direction of the commission the Secretary shall be its chief executive officer He shall have general charge of its office shall superintend its business give all notices required by this act and perform such other duties as the commission may prescribe He shall be the dispensing officer of the Commission with respect to both requisitions and expenditures

Before entering upon the duties of his office the secretary shall give bond to the use of the Commonwealth in an amount and with sureties approved by the commission conditioned for the faithful performance of his duties

Counsel

Section 6 The Attorney-General shall ex-officio be the general counsel of the commission but the commission may procure the services of other attorneys at such times and for such purposes as it shall deem necessary

Marshal

Section 7 The commission shall appoint a marshal to hold office at its pleasure He shall attend the hearings of the commission preserve order thereat superintend the serving of subpoenas notices and such other papers as the Commission may direct and make such reports and perform such other duties as the commission may prescribe

Additional Officers and Employes

Section 8 The commission shall have power to employ during its pleasure such officers experts statisticians accountants inspectors clerks and employes as it may deem necessary to perform its duties exercise its powers and carry out the provisions of this act

Oath of Office

Section 9 Each commissioner the secretary and the marshal of the commission shall before entering upon the duties of his office take and subscribe before the Secretary of the Commonwealth the oath prescribed by article seven of the Constitution of this Commonwealth

Salaries and Expenses

Section 10 Each of the commissioners and any attorney employed as counsel by the commission shall be compensated at the rate of fifteen dollars ($15.00) for each day's actual service in the work of the commission The Secretary of the commission shall receive an annual salary of three thousand dollars ($3,000) and the marshal shall receive an annual salary of fifteen hundred dollars ($1,500) The commission shall fix the compensation of such officers experts statistician accountants inspectors clerks and employes as it may employ

The members of the commission its secretary attorneys marshal and other officers agents employes and appointees shall be paid in addition to their salary or compensation the board lodging railroad fare and other traveling expenses actually incurred in the performance of their official duties

All salaries and compensation shall be payable at such times as the commission shall direct

Salaries compensation and all expenses of the Commission when properly certified upon voucher by the secretary countersigned by the chairman of the commission shall be paid out of the moneps specifically appropriated for the purpose by warrant drawn upon the State Treasurer by the Auditor-General

Meetings Quorum

Section 11 The commission shall meet for the performance of its duties at such times and at such places within the Commonwealth as it may appoint Provided That stated meetings shall be held at least once a month

Two members of the commission shall constitute a quorum for the transaction of business

Offices Supplies

Section 12 The commission shall maintain its prinicpal office at such place within this Commonwealth as it may appoint and such branch offices may be opened as the Commission shall deem advisable

The Board of Commissioners of Public Grounds and Buildings shall upon the requisition of the secretary of the commission furnish the commission with such books stationery furniture and supplies as may be needed to conduct its affairs properly

The Secretary of the Commonwealth shall prepare and furnish to the commission an official seal

The printing and binding necessary for the proper performance of the duties of the commission and for the preservation of books documents and papers filed with the commission shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding after requisition by the secretary of the commission

ARTICLES II POWERS AND DUTIES OF THE COMMISSION

Investigations and Determinations

Section 13 The commission shall have power upon investigation to determine the lowest rate computed either by time or piece or in any other manner at which a female over sixteen years of age of average ability and skill can earn in the number of hours a female over sixteen years of age may lawfully work in any establishment in any one week compensation sufficient to support and maintain herself in health and reasonable comfort for seven days

(a) The commission may make any such determination for females in any industry or any branch thereof or any occupation upon its own motion

(b) The commission shall determine the rate of compensation above set forth for females over sixteen years of age in any industry or any branch thereof or at any occupation upon the petition of twenty-five persons employing such females or twenty-five such female employes in any such industry or branch thereof or at any such occupation within this Commonwealth

(c) Any person may file with the commission a petition setting forth the conditions in any industry or any branch thereof or at any occupation within this Commonwealth and praying the commission to determine the rate of compensation as above set forth in such industry or branch thereof or at such occupation The commission shall make the determination prayed for unless the petition shall not in the opinion of the commission present facts disclosing the need of such determination

The commission shall have power upon investigation to determine the lowest rate computed either by time or piece or in any other manner at which a child under sixteen years of age of average ability and skill can earn in forty-eight hours compensation equal to the average amount of money necessary to enable the parents or guardians of working children under sixteen years of age to support them in health and reasonable comfort for seven days

The commission may make any such determination for children under sixteen years of age in any industry or branch thereof or at any occupation in or at which it believes that the number of such children employed or permitted to work at an unreasonably low rate of compensation warrants such determination

The commission may determine the rate of compensation for females over sixteen years of age or children under sixteen years of age who work in an establishment at home or in any other place whether they are paid directly or indirectly in money or otherwise by the persons at whose instance directly or indirectly the work is done whether such person shall or shall not own the materials used by such females or children

Upon investigation the commission may divide the Commonwealth into such geographical districts as the facts shall warrant determining the rate of compensation as above set forth in any industry or branch thereof or at any occupation for

Investigations by one Commissioner

Section 14 Any examination investigation or hearing which the commission has power to hold may with the authority and consent of the commission be held by or before any commissioner with like force and effect as if held before the Commission and for such purpose any Commissioner shall have the authority and powers of the Commission

The report of any Commissioner before whom any investigation or hearing shall have been paid together with a complete stenographic record of the testimony upon which the same may be based shall be certified and reported to the Commission and the Commission shall take appropriate action thereon

Orders Issuance Publication When Effective Duration

Section 15 After having determined a rate of compensation for females over sixteen years of age or children under sixteen years of age in any industry or branch thereof or for any occupation the Commission shall issue an order requiring the payment of such females or children at not less than such rate The Commission shall publish such order in so far as it affects the particular locality in at least two newspapers of general circulation in each county twice a week for four weeks

Any order of the Commission fixing a rate of compensation shall become effective at such time as the Commission shall direct but not sooner than ninety days after its date and shall continue in force until it shall have been revoked suspended or modified by the Commission or suspended or annulled by a court of competent jurisdiction

Special Licenses to Certain Females Exemption of Apprentices

Section 16 The Commission may issue to any female over sixteen years of age who shall be physically defective and who shall be employed or permitted to work in any industry or any branch thereof or at any occupation for which a time-rate only shall have been determined a special license authorizing her payment at a lower rate than that fixed by the Commission for the payment of females over sixteen years of age in such industry or branch thereof or at such occupation Provided That the Commission shall in any such license specify the minimum rate of compensation at which the female to whom it shall be issued may be employed or permitted to work Any such license shall become effective upon the date of its issuance and shall remain in force at the pleasure of the Commission

The Commission may include in any order fixing a rate of compensation for females in any industry or branch thereof or at any occupation appropriate provision exempting apprentices in such industry or branch thereof or at such occupation from the operation of the order and regulating the payment of such aprentices In making any such exemption the Commission shall state the maximum percentage of females or children in the particular industry or branch thereof or at the particular occupation to whose work the exemption may apply and any person employing or permitting or directly or indirectly inducing females over sixteen years of age or children under sixteen years of age to work as apprentices in excess of such percentage of the total number of such females or children such person shall employ or permit or induce to work shall procure special licenses from the Commission for all such apprentices in excess of such percentage The Commission shall also fix the maximum period of time during which a worker may receive compensation as an apprentice in any industry or branch thereof or at any occupation for which a minimum rate of compensation shall have been determined

Investigation and Prosecution of Violations of Orders

Section 17 The Commission shall enforce obedience to its orders and compliance with the provisions of this act It may inquire into any neglect or violation of this act by any person employing females over sixteen years of age or children under sixteen years of age or at whose instance directly or indirectly work is done by such females or children or by officers agents formen or employes of any such person It shall investigate all complaints of violations of its orders or of the provisions of this act and it may request the Attorney General or employ counsel to proceed by mandamus injunction or criminal or other appropriate proceedings against any person whom it shall believe guilty of any such violation

Examination of Books Records and Documents Hearings Witnesses Subpoenas

Section 18 The Commission shall have authority

(a) To examine by any of its members or employes the books accounts records contracts agreements memoranda and other documents of any person employing or permitting or inducing any female to work whether kept within or without this Commonwealth and for such purpose to order the production thereof at such times and places as it may specify or at its option vertified copies in lieu thereof but any person required to produce any such matters kept outside the Commonwealth may appear before the Commission and show cause why he should not obey whereupon the Commission shall make such order as it shall deem reasonable

(b) To subpoena witnesses take testimony examine and administer oaths to witnesses in any hearing investigation or examination conducted before it or any of its members in reference to any matter within the supervision of the Commission

(c) For the purpose of inspection to enter or to authorize expert inspectors or other employes to enter any place within this Commonwealth where any female over sixteen years of age or child under sixteen years of age is engaged in work of any sort

(d) To do all things not herein specifically enumerated which shall be requisite to the performance of its functions as defined by this act

Public Officers to Furnish Copies of Records and Give Information

Section 19 All officers boards or commissions of this Commonwealth or any political subdivision therof shall furnish to the Commission upon request and without charge or fee a certified copy of any document or record or part thereof on their files or any data or information in their possession

Records to be Kept

Section 20 The Commission shall keep a complete stenographic record of all proceedings investigations and hearings before it or before any Commissioner

Copies of Records to be Furnished to Public Officers

Section 21 The Commission shall whenever called upon by any officer board or commission of this Commonwealth or any political subdivision thereof furnish to such officer board or commission without charge or fee a certified copy or any document or record on its files or any part thereof or any data or information in its possession

Report Required

Section 22 The Commission shall make an anual report to the Governor on or before the second Monday of January and a duplicate thereof shall be filed with the Secretary of Internal Affairs Its report shall contain

(a) A record of its meetings and an abstract of its proceedings during the preceding year

(b) The result of any investigations and determinations made by it

(c) Such statements facts and explanations as will disclose the working conditions of the females and children engaged in work within this Commonwealth and such suggestions as to the general policy of the Commonwealth or the amendment of its laws with respect to such females and children as may occur to the Commission

(d) Drafts of any bills suggested or recommended by it and the reasons therefor

(e) A statement in detail of the traveling and other expenses and disbursements of the Commissioners and their appointees and employes as well as an estimate of the money necessary for the expense of the Commission for the ensuing year

(f) A statement of the work of the Commission and its employes in enforcing its orders and determinations including the names of all persons found guilty of violations of this act as the result of prosecutions or proceedings instituted by the Commission or its employes

Five thousand copies of the report and as many additional copies as the Commission may deem advisable shall be printed and bound as a public document of the Commonwealth

Fees to be Charged for Copies of Records

Section 23 Except as in this act otherwise provided the Commission shall charge and collect such fees as it shall establish for copies of all official orders documents papers and records Provided that no fee shall be charged for the annual report of the commission

ARTICLE III PROCEDURE BEFORE THE COMMISSION

Practice in Hearings

Section 24 (a) The commission may make reasonable rules regulating the practice in hearings and investigations before it It shall prescribe the manner of service of notices and shall prepare appropriate forms thereof Provided That in the conduct of hearings and investigations the commission shall not be bound by the technical rules of legal evidence

(b) All hearings before the commission or before any commissioner shall be public

(c) Any part may appear before the commission or before any commissioner to be heard in person or by attorney and may examine and cross-examine witnesses and have process to enforce the attendance of witnesses and the production of relevant documents

(d) Except as in this act otherwise provided the costs in proceedings before the commission shall be paid by the Commonwealth

Subpoenas

Section 25 Any subpoena issued by the commission shall be signed by a commissioner or by the secretary of the commission and shall specify at whose instance it is issued It may be served by any adult in any part of the Commonwealth as subpoenas issued out of courts of record shall be served The fees therefor shall be the same as those paid sheriffs for similar services

Witnesses

Section 26 In all proceedings before the commission or any commissioner if the public interest seem to demand it the commission or the commissioners shall have the right to limit the number of witnesses testifying upon any subject matter of inquiry

Each witness subpoenaed to attend before the commission or a commissioner shall receive for each day's attendance the sum of one dollar and fifty cents and mileage at the rate of three cents per mile circular between his home and the place where his presence shall be required to be paid when the witness shall be excused from further attendance except that any witness subpoenaed at the instance of any party other than the commission or a commissioner may before being required to appear demand the fee to which he may be entitled for travel to and from the place at which he may be required to appear and for one day's attendance Provided That no witness who shall have any free transportation shall receive any mileage for the distance he shall have traveled on such free transportation

If the subpoena be issued at the instance of the commission or a commissioner the cost of the service thereof and the fee and mileage of the witness shall be paid by the Commonwealth otherwise fees and mileage shall be paid by the party at whose instance the witness shall be summoned Provided That upon the certification of the commission or commissioner before whom the witness shall have attended that his testimony was material to the matter investigated and that the inquiry was made under just and reasonable circumstances the fees and mileage of such witness shall be paid by the Commonwealth In such case if the fees and mileage or any part thereof have been paid the party who shall have paid them shall be reimbursed

All moneys to be paid by the Commonwealth as provided in this section shall be disbursed by the secretary of the commission upon proper vouchers sworn to by such witnesses and approved by a commissioner out of the funds in his hands for that purpose as provided in this act and shall be included in the expenses of the commission

Depositions Commissions

Section 27 The testimony of any aged infirm going or nonresident witness may be taken by deposition at any time place before any person authorized to administer oaths in this Commonwealth upon reasonable notice and in like manner the testimony of any witness may be taken by consent of the parties For that purpose the attendance of witnesses and the production of books accounts records and other documents may be enforced in the same manner as in the case of investigations or hearings by the commission or a member thereof In the case of witnesses residing or sojourning outside the Commonwealth the party desiring the testimony of such witnesses or the commission or any commissioner may apply to the court of common pleas of the county where the hearing is to be held to issue a commission to take testimony as in the case of civil actions in such court

Testimony Tending to Incriminate Immunity

Section 28 No person shall be excused from testifying or from producing any books accounts records or other evidence in any investigation or hearing before the commission or any commissioner or in making any deposition or answering interrogatories in any commission hereunder when properly ordered to do so for the reason that the testimony books accounts records documents or other evidence required of him may tend to incriminate him or subject him to penalty but no person shall be prosecuted punished or subjected to any penalty for any act transaction matter or thing concerning which after claiming his privilege he shall have testified or produced evidence documentary or otherwise Provided That no person so testifying shall be exempt from prosecution or punishment for any perjury committed by him in so testifying and that nothing herein contained shall be construed as in any manner giving to any individual any immunity of any kind from the law except as herein expressly provided or as giving to any corporation immunity of any kind

Burden of Proof in Complaints of Violations

Section 29 Where any complaint is made of any violation of any lawful order of the commission and a hearing or investigation is had upon said complaint the burden of proof shall be upon the person complained against to show compliance with the order of the commission

Injunctions Jurisdiction

Section 30 No injunction shall issue suspending or annuling any order of the comission except upon notice to the commission and after cause shown upon a hearing The court of common pleas of Dauphin County is hereby clothed with exclusive jurisdiction throughout this Commonwealth of all proceedings for such injunctions subject to an appeal to the Supreme Court

ARTICLE IV DUTIES OF EMPLOYERS

Record of Employes

Section 31 Every person employing females over sixteen years of age or children under sixteen years of age or giving them work shall keep a written record of the names and addresses of all such females or children and shall on request permit the commission or any of its members or agents to inspect the same

ARTICLE V ENFORCEMENT

Enforcement of Process

Section 32 If any individual who shall be subpoenaed to attend before the commission or a commissioner shall fail to obey the command of such subpoena or if any individual in attendance before the commission or a commissioner shall refuse to be sworn or to be examined or to answer any relevant question or to produce any relevant book account record or other document when ordered so to do by the commission or a commissioner or to subscribe and swear to his deposition after it shall have been correctly reduced to writing the commission or commissioner shall have the right to apply to any court of common pleas within this Commonwealth or to any judge thereof by petition setting forth the material facts for an order to enforce such attendance or obedience Such court or judge thereof shall thereupon issue an order requiring such individual to appear before said commission or commissioner and produce such books accounts records or other documents as are desired by the commission or commissioner and give testimony touching the matter in question and any failure to obey the said order after service thereof may be punished by the said court or judge as a contempt in the same manner as in the case of disobedience of the requirements of a subpoena issued from such court or refusal to testify therein

Summary Proceedings

Section 33 (a) Whenever the commission shall be of opinion that any person is violating or is about to violate any provision of this act or to permit the same or to disobey any lawful order of the commission the commission may institute in the court of common pleas of the proper county injunction or other appropriate legal proceedings to restrain such violation of the provisions of this act or of the orders of the Commission and to enforce obedience thereto and the said courts of common pleas are hereby clothed with jurisdiction to hear and determine all such actions

(b) The Attorney-General in addition to the exercise of the powers and duties imposed upon him by law shall upon request of the commission or of his own motion proceed in the name of the Commonwealth by injunction or other appropriate remedy to restrain violations of the provisions of this act or of the orders of the commission or to enforce obedience thereto

Penalty for the Payment of a Lower Rate of Compensation Than That fixed by the Commission

Section 34 Any person who whether by himself or for another or through an agent servant or foreman shall directly in money or otherwise pay any female over sixteen years of age or any child under 16 years of age in any industry or any branch thereof or at any occupation for work done in an establishment at home or in any other place at a rate of compensation lower than that fixed by the commission for such female or child shall be guilty of a misdemeanor and upon conviction he shall be punished for each and every female or child in connection with whose employment or work such offense shall have been committed for a first offense by a fine of not less than ten dollars ($10) or more than fifty dollars ($50) for a second or subsequent offense by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) or by imprisonment for not more than sixty days or both at the discretion of the court and whenever any person shall have been notified by the commission or any agent or employe thereof or by the service of a summons in a prosecution that he is violating any order of the commission he shall be punished by like penalties in addition for each any every day that such

violation shall have continued after such notification Provided That under no circumstances shall any person be sentenced to imprisonment for more than one year for any one violation of this act

Any person at whose instance any female or child shall directly or indirectly be induced to work shall be deemed to pay such female or child compensation even though such female or child procure by purchase or otherwise the materials upon which or out of which the work is done and shall receive from such person directly or indirectly no compensation other than pay for the product of such materials

Penalty for Discriminating Against Witness

Section 35 Any person who shall discharge or in any other manner discriminate against any employe or worker because such employe or worker shall have testified or is about to testify or because such person shall believe that said employe or worker may testify in any investigation or proceeding authorized by this act shall be guilty of a misdemeanor and upon conviction he shall be punished by a fine of two hundred dollars ($200) or by imprisonment for not more than six months or both at the discretion of the court for each offense

Penalty for Concealment of Testimony

Section 36 If any officer director agent or employe of any person employing females over sixteen years of age or children under sixteen years of age conceal himself for the purpose of avoiding service of a subpoena or remove relevant books accounts records or other documents out of this Commonwealth or destroy any such books accounts records or other documents for the purpose of preventing their examination by the commission or a commissioner or any authorized agent thereof he shall be adjudged guilty of contempt upon presentation of the facts by petition in any court of common pleas of this Commonwealth and the said court may impose a fine of not less than one hundred dollars ($100) for each day during the continuance of such concealment or removal If the said court find that such conduct shall have been by the advice or consent of or in any wise aided or abetted by the person employing such females or children then in default of the payment of the said fine by the person in contempt the sum shall be paid by such person and an action shall lie to collect the same in the said court of common pleas

Penalty for False or Misleading Testimony

Section 37 Any person who shall willfully make any false return or report to the commission or to any member thereof or to any agent or any employe acting therefor or who shall testify or affirm falsely to any material fact in any matter wherein an oath or affirmation shall be required or authorized or who shall willfully make any false entry or memorandum upon any account book paper record report or statement of any person employing females over sixteen years of age or children under sixteen years of age or who shall willfully destroy mutilate alter or by any other means or device falsify or destroy the record thereof with the intent to mislead or deceive the commission or any member thereof or any agent or employe acting therefor or who shall willfully or fraudulently obstruct or hinder the commission or any of its members agents or employes in making any examinations of the accounts affairs or conditions of any person employing females over sixteen years of age or children under sixteen years of age or any person who with like intent shall aid or abet another in any of the acts hereinbefore set forth shall be guilty of a misdemeanor and upon conviction in any court of quarter sessions of competent jurisdiction he shall be punished by a fine or not more than one thousand dollars ($1,000) or by imprisonment for not more than eighteen months or both at the discretion of the court

Penalty on Newspaper for Refusing to Publish Orders

Section 38 Any newspaper refusing or neglecting to publish the findings decree or notices of the commission at the regular rates for space taken shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars ($100) for each offense

Private Prosecutions Procedure

Section 39 Any person shall have the right to institute prosecutions for violations of this act by stating upon oath or affirmation the facts alleged as a violation Provided That any person other than a public officer who shall institute a prosecution which shall fail to result in a conviction shall be liable for the costs of such prosecution if in the opinion of the court there shall not have been reasonable grounds for instituting the prosecution

Prosecutions Procedure Appeals

Section 40 Except as in this act otherwise provided prosecutions for violations of this act shall be instituted before a magistrate alderman or justice of the peace who shall issue a summons commanding the person charged with a violation of the act to appear within not more than eight days Upon a conviction after hearing the penalties provided in this act shall be imposed and shall be final unless an appeal be taken to the court of proper juirsdiction within twenty days after the imposition of the penalties aforesaid The defendant may take an appeal by depositing with the magistrate alderman or justice of the peace a sum equal in amount to the fine and costs imposed or entering security to pay the same or by giving sufficient bail for his appearance or both as the magistrate alderman or justice of the peace may direct

Suspension of Sentence Prohibited for Second Offenses

Section 41 It shall not be within the power of the court to suspend sentence where the defendant shall have been convicted of a second or subsequent violation of any provision of this act and in any case where sentence shall have been suspended for a first offense if there be a second prosecution and conviction for a violation of the same provision of this act previously violated the full penalty for the first offense shall be imposed in addition to the penalty imposed for the second offense

Fines Penalties and Fees Payable to the Secretary of the Commission

Section 42 All fines imposed all penalties recovered and all fees collected under the provisions of this act shall be paid to the secretary of the commission and by him paid into the State Treasury

Recovery of Wages in Civil Suits

Section 43 If any employe shall receive less than the compensation provided for in this act he or his guardian representative or if he be dead his legal representative shall be entitled to recover in a civil action the full amount of his compensation as provided for in this act together with costs attorney's fees and exemplary damages notwithstanding any agreement to work at a lower rate of compensation Provided That in any such action the employer shall be credited with any compensation which he shall have paid during the period of work for which the compensation in suit shall have become due

ARTICLE VI CONSTRUCTION

Terms Women Eligible to Offices

Section 44 Except as otherwise expressly provided the term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation and municipality

Whenever in this act the singular is used the plural shall be included Whenever the masculine gender is used the feminine and neuter shall be included and the Governor or the Commission may name a woman to fill any appointive office created by this act

Unconstitutionality of a Part of the Act

Section 45 Each section of this act and every part thereof is hereby declared to be an independent section or part of a section and if any section subsection sentence clause or phrase of this act shall for any reason be held unconstitutional the validity of the remaining pharses clauses sentences subsections and section of this act shall not be affected thereby

Act Not to Impair Powers of Secretary of Internal Affairs

Section 46 Nothing in this act shall be construed to impair the powers and duties of the Secretary of Internal Affairs in the exercise of general supervision over the employment of labor vested in him by the Constitution and laws of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BIGGER. Mr. Speaker, this bill was prepared by the Legislative and Executive Committee of the Republican State Convention. It is the first time a question of this kind has been before the Legislature of Pennsylvania.

The ultimate object of this bill is to have a minimum wage established for women and children in this State. To-day there are thousands of girls working in stores and factories in Pennsylvania for a wage that is inadequate to support them in health and reasonable comfort. It is well-known that this is not only a great hardship upon the employee, but a menace to the State.

A wage that will enable the worker to live in reasonable health and comfort is just as important and necessary as laws regulating the safety and sanitation in factories; laws regulating the supply of water; laws fixing a minimum age for working children; laws in restraint of monoply; and laws regulating the services and charges of public untility corporations. We should prevent by legislation the hardships, cruelty, injustice and social waste due to a vicious competitive system, or the so-called freedom of contract in the matter of wages of women and children.

There is no real freedom of contract in these cases for the women and children are at the mercy of the employer. They are powerless to help themselves, the State must help them if they are helped at all. All just legislation is ultimately for the benefit of society, and every law is justified which, without doing injustice to any class, brings a wider measure of happiness and justice to some class or classes of society. (The Supreme Court of the United States has held that the Police power extends to all public needs).

The natural resources of the United States are sufficient to provide a decent living to all the citizens of this nation for centuries to come, and it is a fearful commentary upon our civilization that in the midst of this great wealth,

women and children who are working long weary hours, are unable to earn enough to supply the bare necessities of life.

The report of the Bureau of Industrial Statistics of the Pennsylvania Department of Internal Affairs, issued for 1911, besides other reports and investigations of a private nature in our possession show, that thousands of minors in this State are receiving less than 5 cents per hours, and that thousands of women are receiving less than 8 cents per hour. These figures reveal a condition of hardship, proverty and disease, which must eventually fall upon the State. All loss is absolute somewhere. Nature is very exacting, and the penalty must be paid. The just scientist, Huxley, has stated that a society based on inadequate wages, whatever temporary success it obtains, must in the end fall, through hideous misery and degradation to utter ruin.

All should have an opportunity in life, at least to the minimum conditions of a reasonable livilihood. To deny this proposition is to assume that citizens are not politically equal as persons, and that some human beings may lawfully be used as mere instruments to the well being of others, against this assumption the principles of natural morality and of democracy, no less than the doctrines of Christianity utter an emphatic protest.

An attempt to wade this protest by pleading considerations of commercial prosperity or social ability, will lack logical and moral truth, for the exploitation of one part of society for the so-called commercial end means in the concrete the subordination of one class of people to another. If this position is assumed it must be depended upon force, both physical and mental, and not upon moral grounds. (There are certain corporate interests that have had their agents here and elsewhere that have contested every proposed law which had for their objects the bettering of the conditions of the working people, and they are even contesting this bill—perhaps blindly—for greed makes men blind to moral and civil responsibility—which would establish a living wage to women and children).

Society exists for the good of all. But social and individual good are interdependent, fostered by the same agencies and retarded by the same obstacles.

Women and childen who are broken down by the hard strain of modern industrialism, and are driven lower and even lower until they accept wages which will not allow them to be properly fed and clothed or comfortably housed, cannot render to the community the services which should be demanded of all American citizens. Idleness is a crime, labor a blessing. But labor under some conditions destroys the body and embitters human life, and underpayment will achieve the same end and move rapidly. It is bad enough to exploit men, but it is visious to exploit women and children in such fashion as to force them to accept a wage which degrades them to a condition incompatible with the public welfare. The evil done to society by inadequate wages and subnormal planes of living is quite as certain, though not always quite as apparent as their evil effects upon the individual directly affected.

Those industries which do not pay wages sufficient for the physical efficiency of its workers are not only unjust to the individual worker, but detremental to the common good. The chief consequences of this situation are:

I. Children who might have become more productive in industrial efficiency through training are deprived of the opportunity.

II. Women workers who do not receive sufficient sustenance are rendered unfit for the burdens of motherhood.

III. Children that are born into the families of these unfortunate people are denied the advantages of healthy, moral and physical development, and they grow up even less efficient than their parents and are forced to live below the normal level.

IV. These defective employees are not able to turn out a fair amount of product while at work.

V. There is a great industrial loss to the community as a result of this condition.

VI. There is also a direct financial loss in the way of private and public charity to these workers in times of sickness, unemployment and old age, and a large expenditure as a result of crime that can be traced directly to these degrading conditions in which the employees must live.

As to the remedy.

There seems to be but one scheme of relief that gives promise of anything like general relief from this deplorable condition, and that is the establishment by law of minimum rates of wages for women and children that will equal or approximate the normal standards of living—the danger line below which wages cannot drop.

This question naturally divides itself into five parts:

The first problem is that of deciding what is the lowest possible rate that will furnish the normal needs of the average employee regarded as a human being living in a civilized community. This is a question of fact to be determined by investigation. At the present time scientific investigation can furnish an answer that is reasonably accuate as a working basis. This rate may change from time to time, hence the wisdom of the wage commission which can adjust the matter.

The second problem is that of determining what employees are not receiving the minimum wage. This is also a question of fact to be determined by investigation. The commission is given ample authority to make investigations and this point can be determined with reasonable accuracy.

The third problem is, can this rate be enforced after it is established. The commission is given full power by law to enforce its mandates similar to the Public Utilities Commisssion. It is to be equipped with efficient officers and we think the State will be able to enforce its orders. At the present time the State is enforcing successfully other laws, where the opportunities of concealement are much greater than the one under consideration. The books of the firm can be examined. The employer and employee must answer under oath. Collateral sources of information can be had, so there will not be much doubt about enforcing the rate.

The fourth problem is, does the minimum wage become the maximum? There is an honest, but unfounded fear among many people. This is not even true where mechanics in our large cities are receiving from 50 to 65 cents per hour as the minimum rate. Many of the more efficient mechanics are receiving considerable more than the minimum. If it is true in these cases where the rate is so high, it is true to a greater extent where wages are only a few cents per hour. Those empolyers who now pay their lowest paid empolyees an inadequate wage, prove by that very fact that they are paying to all their employees the very least that they can get them to take. They have reduced them as far as possible; if it were possible for them to reduce the wages of their higher paid employees, they would do so. They did not let the wages stay up by an oversight. Competition among employers will always enable the superior workmen to get compensation in advance of the lowest minimum. In Victoria, after the minimum wage system had applied to the clothing industry for 6 years the average pay was nearly 20 per cent. higher than the minimum established. This is pretty conclusive evidence that wages continue to vary with the individual capacity of the workers, notwithstanding the establishment of a minimum rate. In spite of keen competition there are many employers in every industry that are paying, even in the absence of any legal minimum wage, fair and reasonable wages to their employees. If you force the underpaying employer to pay more, the other employer will still pay more, than the minimum rate, so there is no reason for fear that the minimum shall become the maximum in these industries.

The fifth problem is, will this increase the cost of living?

My answer to that is, if it did, even then it would be a good investment for the State notwithstanding, for it is better to pay a little more for commodities if it means a little more happiness and joy to those now in distress and want. But experience has demonstrated that the evil results predicted by the opponents of labor have not taken place, but on the contrary, every reduction in the number of hours of employment and every increase in the wages of workmen have been beneficial not only to the workmen, but to the State. For in the greater number of instances the greater part of the additional cost has been met by a greater efficiency in the productive process, also, in the increased efficiency of machines. Another part has come out of the unreasonable profits of the employers.

It is very obvious that physically and mentally strong workmen can do more effective service than those physically and mentally weak.

Also, the purchasing ability of the employee, whose wages has been advanced, has been increased, hence he can create new demands.

We hear a great deal in Pennsylvania and the nation today about the conservation of our natural resources and the exploitation of the soil. We now see our past folly. We now know that the cost of restoring our farming land to its normal productivity will be much greater than would have been originally the cost of preventing its waste, and that the average level of prices of farm products will in the long run be much higher than it would have been had farmers adopted years ago the method of prevention. This early saving in prices of agricultural products will not compensate for the latter loss arising from the deterioration of the land.

Neither will the early saving in the costs of the commodities produced by the exploited workers compensate the loss due to lower industrial efficiency, sickness, poverty and crime. Hence in the long run it is much better to conserve the health and well-being of our citizens by seeing that they receive a wage that will enable them to live in reasonable comfort and happiness, by so doing we are protecting the best interests of the State.

I read from the highest medical authority in the United States:

"To show the rapid waste of the human race on account of subnormal industrial conditions, I quote from very high authority. This editorial was published in the Medical Record of February 19, 1910. 'Great Britain is to-day confronted by a not only numerically great but steadily increasing class of physical, mental and moral defectives of her own producing, who have in turn created problems in sociology, criminology and public health which threaten her very national existence. It is stated that the average British recruit for the Crimean War, when England contained a large class of well-fed, sturdy yeomanry, was nearly three inches taller, and nearly thirty pounds heavier than the average recruit for the Boer War two generations later, when an undernourished, degenrate population, four out of five of which lived in cities, was found to have developed. * * * * If it cannot be justly claimed that a large part of the American population is as yet suffering from chronic mal-nutrition—as is the case with the British masses—still it can be safely asserted that our poorer classes are already on its verge."

Mr. SPANGLER. Mr. Speaker, I do not waver in my sympathy and consideration for the man woman or child who works by the sweat of his or her face, but to my mind the measure that is before us is a Utopian one. It is a condition that we would all like to see come to pass. There is not one of us here who would not like to see every woman and child who works and every man who labors receive more money than he gets now; but there are certain limits beyond which we, as legislators cannot go in order to bring the working man and working woman and child more pay than his employer can afford to pay. Under this bill three commissioners would have the power to go into any shop and determine what would be a liveable wage. I challenge the power of any board of three commissioners to go into the diversity of manufacturing plants in this State and determine what is a fair and what is a liveable wage. We cannot compel an employer whom the commissioners direct to pay a certain wage, to pay that particular wage, and what will be the result? It will mean that men who now are able to earn enough to keep soul and body together might not be able to earn that so-called living or minimum wage and instead of earning the wage that they now earn at present they would earn no wage at all. There is nothing in this bill to prevent the employer from discharging an employee whom he thinks is not worth the minimum wage as fixed by the commission. The result would be that the last state would be worse than the first.

I therefore feel, gentlemen, that although we all are in sympathy with the sentiments as expressed in this bill, we must challenge the practicability of its operation.

Mr. BIGGER. Mr. Speaker, on the third of last September, the people of Ohio adopted the following amendment to their Constitution:

"Laws may be passed fixing and regulating the hours of labor, establishing a minimum wage and providing for the comfort, health, safety and general welfare of all employees; and no other provision of the Constitution shall impair or limit this power."

The gentleman refers to men. I might state that this bill does not contemplate the wage for men it is simply for women and children. In Ohio, just recently, under the provisions of an amendment to the constitution adopted on September third, there was an industrial commission created. The provision passed almost unanimously and in the House there was only sixteen votes against it. That Industrial Commission in Ohio has not only the power to regulate and set the rate for children and women, but also have the authority to set the minimum rate for men. They are empowered to set the wages for corporations as well as for public and private work and the authority of this commission is similar to the authority given in the Public Utilities Law. They have the authority to contemplate such power as is given under the public service law "said power and authority shall include the power to inquire into and regulate the service, rates, fares, tolls or charges of any and all public service companies, including individual and joint rates, the charges for long and short transmission of messages and conversations" and so on. So the authority of this commission is similar to that which is given under the public service law.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BIGGER. Mr. Speaker, yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, As I understand this bill it does not fix any minimum wage, but places the power in the hands of the commission?

Mr. BIGGER. Mr. Speaker, yes sir. After investigation. The Governor appoints a commission consisting of three, and after an investigation by this commission this commission has the power to determine the lowest possible rate for the wage.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Fahey,	Lenker,	Richards,
Allen,	Flynn,	Leslie,	Robinson,
Alworth,	Foster, J. D.,	Letzkus,	Roney,
Ambler,	Geary,	Lohr,	Savacool,
Aron,	Geiser,	Lowers,	Schaeffer, A. G.
Arthur,	Gibson,	Malie,	Scott, J. R. K.,
Baldwin, G. A.,	Glenn,	Mannion,	Scott, S. D.,
Baldwin, R. J.,	Good,	Martin,	Semmens,
Bass,	Gramley,	Mather,	Shaffer, C. A.,
Becker,	Gransback,	McAleer,	Shaffer, I. E.,
Benson,	Gray, Joseph,	McAllister,	Shern,
Bergey,	Hackett,	McArdle,	Showalter,
Bigger,	Haggerty,	McCaig,	Smith, J. W.,
Blair, W. A.,	Heidinger,	McClintock,	Smith, L.,
Blair, W. F.,	Hemminger,	McDermott,	Snavely,
Bleloch,	Herman,	McKay,	Snyder,
Brosius,	Hess,	McNichol,	Speiser,
Brownlee,	Heyburn,	Mechling,	Spillinger,
Burnett,	Howard, R.,	Miller,	Steedle,
Campbell, C.M.,	Humes,	Moses,	Steele,
Campbell, J. J.,	Isler,	Moulthrop,	Stone,
Carson,	Irwin, G. C.,	Murphy,	Swift,
Carter,	Irwin, H. H.,	Musser,	Thomas,
Cheeseman,	Jackson,	Neely,	Ulerich,
Clavcomb,	Jones, E. E.,	Newbaker,	Walnut,
Cleary,	Jones, J. R.,	Newton,	Walsh,
Cochran,	Kaiser,	North,	Walton,
Collins,	Kaufman,	O'Neill,	Watson,
Conniff,	Keegan,	Peachey,	Wettach,
Currier,	Keeport,	Pennegar,	Whitaker,
Curry,	Kenna,	Pennock,	Wildman,
Davis,	Kern,	Perry, H. L.,	Williams,
Dickinson,	Kitts,	Piper,	Wilson, J. H.,
Donahoe,	Klepper,	Ramsey,	Wilson, W. H.,
Donnally,	Kuhn, H. P.,	Redfield,	Wiltbank,
Down,	Kuhns, E.G.M.,	Reese,	Young, G. K.
Dunn, H. B.,	Lanius,	Reeser,	Young, J. H.,
Ehrhardt,	Latshaw,	Rex,	Zimmerman,
Ely,			Alter,
Ewing,			Speaker.

NAYS—18.

Berntheizel,	Hoffman,	Post,	Schuck,
Body,	Howard, J.,	Rhoads,	Sherwood,
Conner,	Mellott,	Rothenberger,	Spangler,
Schuck,	Moore,	Sassaman,	Swartz,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 796, entitled:

An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties" as amended by an act approved the thirteenth day of June Anno Domini nineteen hundred and eleven "An Act amending the twentieth section of an act approved the first day of May Anno Domini one thousand nine hundred and five entitled 'An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of an act entitled "An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties' as amended by an act approved the sixth day of June Anno Domini one thousand nine hundred and seven entitled 'An Act to amend sections five nine fifteen nineteen twenty and twenty-five of an act entitled "An Act to provide for the immediate registration of all births by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the Capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in the Commonwealth' approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a bureau and providing certain penalties which was approved the first day of May Anno Domini one thousand nine hundred and five by extending the territory in which burial permits shall be valid providing for the issuance of burial permits without fees establishing a method for securing the given names of children making a uniform date for the returns of local registrars providing for certain fees in cities of the first and second class to be paid by the counties and abolishing all other systems of registration of births and deaths' by changing the fees for birth and death certificates"

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Blair, Mr. Claycomb, permit himself to be interrogated?

Mr. CLAYCOMB. I will.

Mr. HUMES. Mr. Speaker, I would like to inquire as to the necessity of the increase in this appropriation from thirty thousand to eighty thousand dollars?

Mr. CLAYCOMB. Mr. Speaker, When this bill was first drawn up, it was thought that thirty thousand dollars would carry the expense necessitated by it. I made inquiry from different sources and ascertained that from eighty thousand to one hundred dollars, perhaps, would be necessary to carry the expense. I put it then at eighty thousand dollars to be conservative, but I question very much whether that will fully meet the expenditure necessitated by the bill.

Mr. HUMES. Mr. Speaker, I would like to inquire as to whether or not the appropriation for this same purpose of not includes in the general appropriation bill.

Mr. CLAYCOMB. No, it is not.

Mr. HUMES. Mr. Speaker, I note on page eighty-seven of the general appropriation bill as last before the House an appropriation of thirty thousand dollars for the payment of the expenses of registrars of births and deaths in cities of the first and second class.

Mr. CLAYCOMB. Mr. Speaker, I was not aware of that, but this likely to meet the deficiency created by this bill to which this act is an amendment. The law as it stands on the statute books at this time allowed the registrars fees and were payable by the State in cities of the first and second classes. Now, the appropriation was ten thousand dollars for that but that expense alone ran as high as from thirty thousand to forty thousand dollars, and I suppose that deficiency was to meet the expenditure caused by the act to which this is an amendment and not to take the place of this act.

Mr. HUMES. Mr. Speaker, I would call attention to the fact that that appropriation which provides for the appropriation of the thirty thousand dollars is for the two fiscal years beginning June first, 1913, and is not a deficiency appropriation.

Mr. CLAYCOMB. I suppose that you are correct, but this appropriation was made from the reports from the Department of Health, but it is not a Department bill. The Clerk informs me that the expense which would be necessary to carry this bill would amount to from eighty to one hundred thousand dollars and the deficiency, if there be any, would have to be made up at the next session.

BILL RECOMMITTED.

Mr. HUMES. Mr. Speaker, I would call the gentleman's attention to the fact that there is nothing in the title of the bill as it now stands which shows that it carries an appropriation. If it has not been before the Appropriation Committee, this bill should be referred to that committee. Therefore, Mr. Speaker, I move that this bill be recommitted to the Appropriation Committee.

Mr. CLAYCOMB. Mr. Speaker, I am perfectly satisfied with that, and I will second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1272, entitled:

An Act making an appropriation to pay for the care treatment and maintenance of the indigent insane for the two years ending May thirty-one one thousand nine hudred and fifteen

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—194.

Adams,	Ely,	Light,	Rothenberger,
Allen,	Fahey,	Lohr,	Runk,
Alworth,	Flynn,	Lowers,	Sassaman,
Ambler,	Frey,	Malie,	Savacool,
Arthur,	Gans,	Mannion,	Schaeffer, A. C.
Baldwin, G. A.,	Geary,	Martin,	Schuck,
Baldwin, R. J.,	Geiser,	Mather,	Scott, J. R. K.,
Barner,	Gibson,	Matt,	Scott, S. B.,
Bass,	Glenn,	McAleer,	Semmens,
Becker,	Good,	McAllister,	Shaffer, C. A.,
Benninger,	Goss,	McArdle,	Shaffer, I. E.,
Benson,	Gramley,	McCaig,	Shern,
Bergey,	Gransback,	McClintock,	Sherwood,
Berntheizel,	Gray, Frank,	McDermott,	Showalter,
Bigger,	Gray, Joseph,	McKay,	Smith, J. W.,
Bittles,	Hackett,	McNichol,	Smith, L.,
Blair, W. A.,	Haggerty,	Mechling,	Snavely,
Blair, W. F.,	Heidinger,	Metzenbacher,	Snyder,
Bleloch,	Hemminger,	Miller,	Spangler,
Body,	Herman,	Missimer,	Speiser,
Brosius,	Hess,	Mitchell,	Spillinger,
Brown,	[illegible]urn.	Moore,	Steedle,
Brownlee,	Hibshman,	Morrow,	Steele,
Burnett,	Howard, J.,	Moses,	Stone,
Caldwell,	Howard, R.,	Moulthrop,	Strauss,
Campbell, C.M.,	Humes,	Murphy,	Swartz,
Campbell, J. J.,	Isler,	Neel,	Swift,
Carson,	Irwin, G. C.,	Neely,	Thomas,
Carter,	Irwin, H. H.,	Newbaker,	Trach,
Cheeseman,	Jackson,	Newton,	Ulerich,
Claycomb,	Jones, E. E.,	North,	Ulman,
Cleary,	Jones, J. R.,	O'Neill,	Walnut,
Cochran,	Kaiser,	Peachey,	Walsh,
Collins,	Kaufman,	Pennegar,	Walnut,
Conner,	Keegan,	Pennock,	Walton,
Conniff,	Keeport,	Perry, H. L.,	Wettach,
Conrade,	Kenna,	Peters,	Whitaker,
Cox,	Kennedy,	Piper,	Whitman,
Currier,	Kern,	Post,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Davis,	Klepper,	Redfield,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Donahoe,	Lanius,	Rex,	Young, G. K.,
Donnally,	Latshaw,	Rhoads,	Young, J. H.,
Dunn, H. B.,	Lenker,	Richards,	Zimmerman,
Dunn, J. A.,	Leslie,	Robinson,	Alter,
Ehrhardt,	Letzkus,	Rockwell,	Speaker
Eichenberger,		Roney,	

NAYS—1.

Mellott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 135, as follows:

An Act providing for the further government and regulation of cities of the second and third class by authorizing the initiative and referendum methods of legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no ordinance resolution or other measure except emergency measures ordained or enacted by councils or council of any city of the second or third class in this Commonwealth shall become a law until the expiration of thirty days after its enactment An emergency measure shall be deemed to include only such measures as are immediately necessary for the temporary preservation of peace or health or for the safety of the community and shall not include more than one subject nor shall it grant or sell a franchise or license to a corporation firm or individual for a longer period than six months nor shall it include a provision for the purchase or sale by the municipality of real estate All emergency measures must be expressly stated in the title and body of the measure and the facts creating the necessity shall be stated in one section of the measure and an emergency measure in order to become a law shall receive in its favor a two-thirds vote of all the members of council and shall be presented to and approved in writing by the mayor within ten days after its final passage by councils All emergency measures when passed and approved as above provided shall have full force and effect according to their provisions until amended or repealed or until disapproved on referendum as hereinafter provided

Section 2 That during the period of thirty days following the enactment of any ordinance resolution or other measure ten per centum of the registered voters of the municipality affected calculated upon the total number of votes cast for all candidates for the office of mayor at the last preceding election for that office may by referendum petition filed with the mayor demand that such ordinance measure or resolution or any part thereof shall be submitted by referendum ballot to the voters of the municipality affected for final decision at the polls in the manner provided by section seventeen of this act and such ordinance resolution or other measure so submitted shall become a law or be effective or in case of an emergency measure remain in force and effect only in case it receives in its favor a majority of all the votes cast for and against the said measure Otherwise it shall be null and void and of no effect Provided that the portion of any measure upon which a referendum vote is not demanded shall become a law at the time measures upon which no referendum vote is demanded become laws And provided further that if the measure upon which referendum vote is pending be repealed before the day set for election no election shall be held and all proceedings shall be stayed

Section 3 Fifteen per centum of the registered voters of any city of the second or third class calculated upon the total number of votes cast for all candidates for the office of mayor at the last preceding election for that office may propose to the legislative authorities thereof a peoples' measure proposing the enactment of an ordinance resolution or other measure by initiative petition filed with the mayor who shall number the same as provided in section fourteen of this act and shall promptly transmit three certified copies of the same to council omitting however the names and addresses of the petitioners Any peoples' measure thus proposed by initiative petition to the council shall have precedence over all other measures except emergency masures and shall be finally acted upon either by its enactment without change or by the said council proposing a competing measure not later than within a period of one month from the filing of the said initiative petition with the mayor A competing measure competing with a peoples' measure if proposed shall be proposed by passing the same in the manner provided by law for the enactment of other measures But no competing measure shall become a law unless it be approved by the electors at the polls in the manner provided for by this act Each of such competing measures and shall be finally acted upon either by its enactshall otherwise bear the same number and designating words as the corresponding measure proposed by initiative petition

Any peoples' measure so proposed by initiative petition unless the same shall have been enacted without change within a period of one month from the filing of such petition with the mayor shall be submitted by the mayor by initiative ballot to the voters of the municipality effected together with any competing measure relating entirely to the same subject that may be proposed instead by council All such measures shall be submitted in such form that the voters can choose between the peoples' measure proposed by initiative petition and competing measure or reject both by marking a cross (X) in the square to the right of the words indicating their choice

Section 4 If a peoples' measure proposed by initiative petition is enacted without change by council it shall not be submitted to the people for a referendum vote unless demanded by referendum petition as herein provided

Section 5 When there has been a competing measure proposed by council to compete with a peoples' measure proposed by initiative petition at the polls the measure receiving in its favor a majority of the votes cast for and against both measures shall become a law

Section 6 Any measure on which a referendum vote of the people is demanded in accordance with section two of this act shall be submitted to the voters of the municipality affected not later than the next succeeding municipal election provided the petition for the referendum vote shall have been filed with the mayor at least thirty days before such election and provided that the legality of the petition if contested shall have been decided finally and in favor of the petitions at least three weeks before election day otherwise such measure shall be submitted by referendum ballot to a vote of the electors at the first general or special municipal election thereafter

Section 7 Any people's measure proposed by initiative petition in accordance with the provisions of this act and not enacted without change within one month after the day of filing the petition with the mayor shall be submitted by initiative ballot together with any competing measure that may have been proposed by council to the voters of the municipality not later than the next succeeding municipal election provided at least sixty days intervene between the day of filing the petition with the mayor and the election day but in case sixty days would not intervene between the day of filing the petition and election day then the people's measure proposed by initiative petition and any competing measure proposed by council shall be submitted by initiative ballot to a vote of the electors at the next succeeding general or special municipal election held thereafter

Section 8 The mayor shall issue a proclamation such as is provided for in section seventeen of this act and shall call a special election for the purpose of voting upon any measure as provided in this act if such special election be demanded either by a two-thirds vote of the legislative body or by the petitioners in the petitions filed otherwise the said vote shall be taken at the next general or special municipal election provided, however that if at the time any ordinance resolution or other measure or portion thereof is ready for submission to the voters not more than three months will intervene until the next municipal election no special election shall be held and provided further that no such special election shall be called except by proclamation of the mayor issued and published at least three weeks prior thereto and in accordance with the provision of section seventeen of this act

Section 9 Ordinances resolutions or other measures or parts thereof in all such municipalities except the emergency measures provided for in section one of this act upon which a referendum vote of the voters is not demanded as herein provided shall become and be in full force and effect at the expiration of thirty days after enactment unless the time be extended by the measures

Section 10 All ordinances resolutions or other measures submitted to a vote of the legal voters and approved by a majority of all the votes cast thereon shall become effective or become laws and be in full force and effect from and after the date of the official announcement of the vote unless otherwise uprovided in such ordinances resolutions or other measures All ordinances resolutions or other measvote of the electors and not approved by a majority of all the votes cast thereon shall be null and void and of no effect

Section 11 The veto power of the mayor shall not extend to the ordinances resolutions or other measures which have been approved by the people at the polls in accordance with the provisions of this act

Section 12 The councils or council of any such city may enact measures expressly conditioned upon the ratification of the same by a majority of the voters thereon Such measures shall be submitted as referendum measures are submitted but without requiring referendum petitions to be filed thereon

Any ordinance resolution or other measure passed by councils and intended to amend or repeal any ordinance resolution or other measure or part or parts thereof approved by the voters at the polls shall be submitted by referendum ballot to the voters for final action as referendum measures are so submitted by the provisions of this act but no referendum petition for the same shall be required and no such measure to amend or repeal such a measure shall be valid unless approved by the voters at the polls in accordance with the provisions of this act

Section 13 Referendum petitions required under section two of this act in case a vote on the whole measure enacted by ordinance or passed by resolution is desired shall set forth the official number of the measure and the full title and full text of the measure in case only a portion of such ordinance resolution or other measure shall be requested to be submitted to a referendum vote the whole portion of such measure to be submitted shall set forth in such petition together with the official number of the measure and the full title and text of the whole measure

Section 14 Initiative petitions immediately upon being filed with the mayor shall by him be numbered consecutively each municipality beginning with number one and continuing year after year without duplication of numbers Each people's measure proposed by initiative petition shall be designated in the proclamation provided for in section seventeen as "people's measure number (.....)" (giving its number) and by designating words not exceeding one hundred which may be selected by the petitioners and by the full title and text of the measure so proposed and the said people's measure shall be designated upon the official ballots in exactly the same manner as in the proclamation except that the text of the body of the measure need not be printed upon the ballots each competing measure proposed by council shall bear the same number and designating words as the corresponding people's measure both in the proclamation and upon the official ballots except that it shall have a suitable title and be called or

named a competing measures instead of a people's measure Each measure or portion thereof upon which a vote of the electors has been requested by referenum petition shall be designated in the said proclamation as a "referendum petition or ordinance (resolution or other measure as the case may be or portion thereof as the case may be) number (.....)" (giving the official number of the measure) together with the official title and the full text of the measure and the portion thereof to be submitted in case only a portion is to be submitted The designation of such measure upon which a referendum vote has been requested shall be exactly the same upon the official ballots as in such proclamation except that the full text of the body of the measure need not be printed upon the official ballots but in case only a portion of such measure is submitted the whole portion thereof shall be printed upon the official ballots

Section 15 All petitions filed with the mayor under the provisions of this act shall be public records and shall be open to inspection at all reasonable times As soon as any such petition is filed the mayor shall mark it filed with the date of filing and shall post a notice of that fact at a conspicuous place in the city hall notice to bear the date of its posting For a period of ten days after posting of such notice any registered voter or voters of the city who may wish to question the sufficiency of the said petition in any respect may do so by filing a petition in a Court of Common Pleas of the county in which said city is situated which petition shall set forth specifically by way of exception the defects alleged If exceptions are taken to any of the signatures such exceptions shall state specifically the names and addresses of persons to whose signatures exceptions are taken In no case no such exceptions are filed within the said period of ten days the petition in question shall be deemed valid and sufficient in every respect and shall not be further subject to question providd however that in case exceptions have been filed within the ten days they may be amended and enlarged at any time prior to the final order on the exceptions but not afterwards in the discretion of the court having jurisdiction thereof

Such exceptions shall be taken up and decided without delay by said court and shall have precedence over all other business Should the court find from the evidence that such a number of names should be stricken from the petition as would reduce the number of signatures below the number required by this act the court shall by order grant a reasonable time to secure additional signatures Should exceptions be taken to purely formal and technical defects in the said petition not affecting the substance thereof or the manifest intention of the petitioners the court shall direct amendments to be made correcting such defects Should the petition be found fatally defective the court shall by order allow a reasonable time for a new petition to be prepared and filed in accordance with the provisions of this act and in the meantime no ordinance resolution or other measure affected by such petitions shall become a law until after final order of court under such exceptions and in case a new petition be filed within the time ordered by the court it shall have the same effect as the original petition filed within the original period of thirty days herein provided The decision of the Court of Common Pleas in such exceptions shall be final and not subject to appeal or review

Section 16 Each referendum petition initiative petition and competing measure may be accompanied by argumets prepared by the petitioners or a committee thereof consisting of not more than six hundred words for or against the measure to be voted upon Such argument shall be included in the proclamation of the mayor issued under section seventeen of this act and shall appear immediately following the respective measures to which they relate

Section 17 When any ordinance resolution or other measure or portion thereof is ready for submission to the voters the mayor shall issue and publish a proclamation stating the date of the election and setting forth any and all referendum measures people's measures and competing measures and other measures ready for submission to the voters and which are to be voted upon by the electors designating each in the manner herein provided Said proclamation shall be published once at least three weeks next preceding the election in each daily newspaper in the municipality Said mayor shall file five certified copies of such proclamation with the county commissioners of the county in which the municipality is situate in order that said county commissioners may prepare the official ballots according to the provisions of this act

Section 18 The county commissioners of any county upon the receipt from the mayor of any municipility within the county of a certified copy of the proclamation provided in section seventeen of this act shall cause to be printed officials ballots and sample ballots to be used at the polling place within such municipality substantially in the forms required by section twenty-fifth of this act for the purpose of voting upon measures enumerated in this act and in the manner provided in this act The said county commissioners shall designate each measure according to the manner required by section fourteen of this act The county commissioners shall as heretofore provide for the placing of suitable return sheets of all official ballots and sample ballots at the polling places at and before the opening of the polls on the day of election Should such election be held in conjunction with any other election separate official ballots and sample ballots shall be provided and used for the election under this act

Section 19 The compensation to be paid to election officers in case of special election shall be the same as provided by law and shall be paid by the county commissioners of the proper county but any additional expense incurred by the county commissioners in executing the provisions of this act shall be charged to and paid by the municipally on account of which the said additional expenses were incurred All other expenses of any and every kind made necessary in executing the provisions of this act shall be paid by the municipality affected

Section 20 Elections provided for by this act shall be held at the regular polling places by the regular election officers and in case of the absence of the election officers or the absence of any of them their places shall be filled as provided by law The said election shall be conducted during the hours by law provided for and in accordance with the general election laws of the Commonwealth and any qualified voter may vote for or against any single measure and any qualified voter may designate his choice of two measures if one be a people's measure and the other a competing measure or he may express his disapproval of both such measures by a cross mark (X) in a square of sufficient size on the official ballot at the right of the words indicating his choice The returns of election shall be on separate sheets and shall be delivered to the prothonotary of the court or courts of common pleas of the proper county and by him delivered to the judges of the Court or Courts of Common Pleas as provided by law for computation and the result thereof shall be certified by the proper officer of the said Court of Courts of Common Pleas to the mayor who shall cause the same tto be entered on the municipal records and the mayor shall forthwith issue a proclamation in brief form giving the result of such election The municipal officer in charge of the municipal records shall keep a complete record of all measures and petitions filed and a complete record of the proceedings thereon

Section 21 In case a competing measure is submitted to a vote of the electors and neither it nor the corresponding people's measure receives in it favor a majority of all the votes cast for and against both of them the one receiving the larger vote in its favor if they together receive more than one-half of the total vote cast for and against both measures shall be re-submitted by itself at the next election the procedure to be the same as for a new people's measure except that no measure competing with it shall be admitted and no additional petition shall be required and it shall be the duty of the mayor to include the said measure in his proclamation to be issued three weeks before the next election under the provisions of this act

Section 22 Any measure or part or parts of any measure rejected by the people at the polls shall not be nor shall any measure containing substantially the same provisions be enacted by council within two years after such rejection nor shall such a measure be again proposed within one year after such rejection at the polls unless it is proposed by an initiative petition signed by at least twenty-five per centum of the registered voters of the municipality calculated upon the basis herein provided

Section 23 The following shall be substantially the form of referendum petition for a vote of the electors upon any ordinance resolution or other measure or upon any part or parts of any ordinance resolution or other measure enacted by the council of the municipality The form of the referendum petition may be varied from so as clearly to indicate the measure or portion of any measure which a referendum vote is demanded

Referendum petition on Ordinance (or style of other measure as the case may be) To be numbered with official number of the Number ..... measure

(Exact copy of the title and text of the measure)

"To the Honorable ..... Mayor of the municipality)

We the undersigned citizens and legal voters of the (name of the municipality) respectfully demand that the foregoing measure (or part of measure as follows namely ..... as the case may be) shall be referred to the voters of the (name of the municipality) and that a refrendum vote be taken thereon in accordance with the provisions of an act of Assembly relating to referendum voting approved (date of the act)

Signatures	Residence Adresses
Give street and house number (if any)	
.....	.....
.....	.....
.....	.....

Section 24 The following shall be substantially the form of an initiative petition for use in proposing any ordinance resolution or other measure or any amendment to or repeal of any ordinance resolution or other measure which the petitioners may propose for enactment by the council of the municipality or else directly by the electors of the municipality The form of the initiative petition may be varied from so as to enable the petitioners conveniently and clearly to express the purpose of the petition

Initiative Petition number (Numbered by mayor consecutively beginning at number one in the order of filing with the mayor)

Designating words not exceeding one hundred selected by the Petitioners

(Full title and text of the proposed measure)

"To the honorable mayor of the (name of municipality)

We the undersigned citizens and legal voters of the (name of the municipality) respectively demand that the foregoing people's measure shall be referred by you to the councils or council of the (name of the municipality) for enactment without change or else that the said foregoing people's measure be referred to the voters of the (name of municipality) and that an initiative vote of the electors be

taken thereon in accordance with the provisions of an act of Assembly relating to initiative voting approved (date of act)

Signatures Residence Adresses
Give street and house number (if any)

....
....
....

Section 25 (Forms of ballot) The forms of the referendum initiative official ballots shall be substantially the same as the following sample form The proper designating words and numbers and titles and other features of measures to be voted upon shall be printed in their proper places on the official ballots and sample ballots

Referendum and initiative official ballot

To indicate your choice place a cross mark (X) in the square opposite and to the right of the words expressing your choice

People's measure No (..) (here insert the proper number)

(Here insert the proper "designating words" not exceeding on hundred)

(Here insert the proper title of the people's measure)

Competing measure No (....) (here insert the same number as that of the foregoing people's measure)

(Here insert the proper "designating words" not exceeding one hundred)

(Here insert the proper title of the competing measure)

Mark below

(Make one mark (X) only)

I vote for People's measure No (....)
I vote for Cempeting measure No (....)
I vote against both measures

Referendum Petition:

Here insert the word "Ordinance" or style of other measure as the case may be

Here insert official number of measure

Enacted on .....day of .....

(Here insert the official title of the measure)

Mark below

(Make one mark (X) only)

I vote against:
Here insert the word "Ordinance" or style of other measure as the case may be No (....)
I vote in favor of
Here insert the word "Ordinance" or style of other measure as the case may be No (....)

(In case only a part of an ordinance resolution or other measure is submitted for referendum vote then the form shall be substantially as follows)

Referendum petition on part of ordinance No (.....) enacted .....day of .....

(Here insert the part of ordinance resolution or other measure to be voted on)

Mark below

(Make one mark (X) only)

I vote against said part of measure
I vote in favor of said part of measure

Section 26 The signatures to any petition filed under the provisions of this act need not be appended to one paper but duplicate or multiple petitions in the same form shall be treated as one petition

Section 27 In case of the absence or incapacity of the mayor of his failure or refusal to act as herein provided any judge of the Court of Common Pleas of the county in which such city is situate shall upon petition setting forth the facts direct any other municipal officer to perform the duties of any part of them hereby imposed on the mayor

Section 28 All acts or parts of acts inconsistent herewith are hereby repealed

Section 29 This act shall take effect at once

On the question,

Will the House agree to the bill on third reading?

Mr. MOSES. Mr. Speaker, I would like to have the sponsor tell us something about this bill. I do not understand it.

Mr. HUMES. This is a bill extending the, or rather providing for the initative or referendum in cities of the second and third class in this Commonwealth. Under the terms of this bill, the referendum petition shall contain the signatures of ten per cent. of the voters voting at the preceding mayorality election and for an intiative petition, fifteen per cent. of the voters.

Mr. KITTS. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. I will.

Mr. KITTS. Mr. Speaker, I would like to have a little further explanation. Will the gentleman explain what the referendum consists of, or whether it just refers to city matters in the line of franchies, etc., or what?

Mr. HUMES. It includes all subjects except emergency matters, and emergency matters are very elaborately defined in the first section of the bill. Emergency matters are defined in the bill as being deemed to "include only such measures as are immediately necessary for the temporary preservation of peace or health or for the safety of the community and shall not include more than one subject nor shall it grant or sell a franchise or license to a corporation firm or individual for a longer period than six months nor shall it include a provision for the purchase or sale by the municipality of real estate. All emergency measures must be expressly stated to be such in the title and body of the measure and the facts creating the necessity shall be stated in one section of the measure and an emergency measure in order to become a law shall receive in its favor a two-thirds vote of all the members of council and shall be presented to and approved in writing by the mayor within ten days after its final passage by councils or council All emergency measures when passed and approved as above provided shall have full force and effect according to their provisions until amended or repealed or until disapproved on referendum as hereinafter provided" and all other matters than the matters defined under that provision are subject to the referendum vote of the people upon the filing with the Mayor within thirty days after the passage of the act by councils of a petition signed by ten per cent. of the voters.

Mr. KITTS. Mr. Speaker I would like to interrogate the gentleman further. Will the gentleman state for the information of the House what city officers may be affected by the recall proviso in the bill and under what method they would be recalled ?

Mr. HUMES. If the gentleman will tell me what sections of this bill mentioned in any way the recall, I will undertake to interpret it.

Mr. KITTS. Mr. Speaker, I understood the gentleman to say that this bill attempted the recall, but I had not had time to read the bill.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—120.

Adams,	Foster, J. D.,	Lanius,	Rhoads,
Alworth,	Frey,	Latshaw,	Richards,
Baldwin, G. A.,	Geary,	Lenker,	Rothenberger,
Barner,	Geiser,	Leslie,	Sassaman,
Becker,	Gibson,	Light,	Savacool,
Benninger,	Glenn,	Lohr,	Scott, S. B.,
Benson,	Good,	Mannion,	Semmens,
Bergey,	Gramley,	Martin,	Showalter,
Bigger,	Gray, Frank,	Mather,	Smith, J. W.,
Bittles,	[illegible]gerty,	Matt,	Smith, L.,
Blair, W. A.,	Heidinger,	McAleer,	Snavely,
Blair, W. F.,	Hemminger,	McClintock,	Spillinger,
Bleloch,	Herman,	McDermott,	Steedle,
Body,	Howard, R.,	McKay,	Steele,
Brosius,	Humes,	Mellott,	Stone,
Burnett,	Isler,	Metzenbacher,	Strauss,
Caldwell,	Jackson,	Miller,	Swift,
Campbell, C.M.,	Jones, E. E.,	Mitchell,	Trach,
Campbell, J. J.,	Jones, J. R.,	Morrow,	Ulerich,
Carson,	Kaiser,	Moulthrop,	Walnut,
Carter,	Kaufman,	Murphy,	Walsh,
Cheeseman,	Keegan,	Neel,	Watson,
Claycomb,	Keeport,	Neely,	Whitman,
Cleary,	Kennedy,	Newton,	Williams,
Cochran,	Kern,	Peachey,	Wilson, J. H.,
Currier,	Kitts,	Pennock,	Wiltbank,
Davis,	Klepper,	Perry, H. L.,	Young, G. K.
DeFrees,	Kuhn, H. P.,	Post,	Young, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Zimmerman,
Down,		Rex,	Alter,
Ehrhardt,			Speaker.

NAYS—34.

Baldwin, R. J.,	Eichenberger,	Letzkus,	Pennegar,
Bass,	Ely,	McAllister,	Ramsey,
Bayle,	Ewing,	McCaig,	Sherwood,
Brown,	Hackett,	Missimer,	Snyder,
Conner,	Hess,	Moore,	Spangler,
Conrade,	Heyburn,	Moses,	Swartz,
Cox,	Irwin, G. C.,	North,	Thomas,
Dickinson,	Irwin, H. H.,	O'Neill,	Walton,
			Wildman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE.

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were ordered to lie over on the desk for the present.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1578, entitled:

An Act requiring the sheriff prothonotary and all other county officers receiving moneys as such officers to be credited to others to give quarterly written notice to such party or parties of the amount standing to his her or their credit during the preceding quarter

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—185.

Adams,	Ely,	Light,	Rothenberger,
Allen,	Fahey,	Lowers,	Runk,
Alworth,	Foster, J. D.,	Malie,	Sassaman,
Aron,	Frey,	Mannion,	Savacool,
Arthur,	Gans,	Martin,	Schaeffer, A. C
Baldwin, R. J.,	Geary,	Mather,	Schuck,
Barner,	Geiser,	Matt,	Scott, J. R. K.,
Bass,	Gibson,	McAleer,	Scott, S. B.,
Bayle,	Glenn,	McAllister,	Semmens,
Becker,	Good,	McArdle,	Shaffer, C. A.,
Benninger,	Gramley,	McCaig,	Shaffer, I. E.,
Benson,	Gransback,	McClintock,	Shern,
Bergey,	Gray, Frank,	McDermott,	Sherwood,
Berntheizel,	Hackett,	McKay,	Showalter,
Bigger,	Haggerty,	Mechling,	Smith, J. W.,
Bittles,	Heidinger,	Mellott,	Smith, L.,
Blair, W. A.,	Hemminger,	Metzenbacher,	Snavely,
Blair, W. F.,	Herman,	Miller,	Snyder,
Bleloch,	Hess,	Missimer,	Spangler,
Body,	Heyburn,	Mitchell,	Speiser,
Brosius,	Hibshman,	Moore,	Spillinger,
Brown,	Hoffman,	Morrow,	Steedle,
Brownlee,	Howard, J.,	Moses,	Steele,
Burnett,	Howard, R.,	Moulthrop,	Stone,
Caldwell,	Humes,	Musser,	Strauss,
Campbell, C.M.,	Isler,	Neel,	Swartz,
Campbell, J. J.,	Irwin, G. C.,	Neely,	Swift,
Carter,	Irwin, H. H.,	Newbaker,	Thomas,
Cheeseman,	Jackson,	Newton,	Trach,
Claycomb,	Jones, E. E.,	North,	Ulerich,
Cleary,	Jones, J. R.,	O'Neill,	Ulman,
Cochran,	Kaiser,	Peachey,	Walnut,
Collins,	Kaufman,	Pennegar,	Walsh,
Conner,	Keegan,	Pennock,	Walton,
Conniff,	Keeport,	Perry, H. L.,	Watson,
Conrade,	Kern,	Peters,	Wettach,
Cox,	Kitts,	Piper,	Whitaker,
Curry,	Klepper,	Post,	Whitman,
Davis,	Kuhn, H. P.,	Ramsey,	Wildman,
DeFrees,	Kuhns, E.G.M.,	Redfield,	Williams,
Dickinson,	Lanius,	Reese,	Wilson, J. H.,
Donahoe,	Latshaw,	Reeser,	Wilson, W. H.,
Donnally,	Lenker,	Rex,	Young, G. K.,
Down,	Leslie,	Rhoads,	Young, J. H.,
Dunn, H. B.,	Letzkus,	Richards,	Zimmerman,
Ehrhardt,		Robinson,	Alter,
Eichenberger,		Roney,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY THE SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 819.

A Supplement to an act approved the twenty-fourth day of March one thousand nine hundred five entitled "An Act establishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and couty purposes prescribing their powers and duties and abolishing the office of ward borough and township assessors in so far as respects the asesment of State and county taxes" providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors

Also Senate Bill No. 151,

An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof

Also House Bill No. 174,

An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysburg providing for the expenses of the Commisison in charge of the transportation prohibiting misrepresentations in obtaining transportation fixing penalties for violation thereof and making an appropriation

Also House Bill No. 218,

An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received

Also House Bill No. 926,

An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisidiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith

Also House Bill No. 949,

An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law

Also House Bill No. 950,

An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles

Also House Bill No. 1639,

An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commisison to further carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a commisison to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vancancies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other States and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission" and June fourteenth Anno Domini one thousand nine hundred and eleven entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said commission and defining the duty thereof" respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor

Whereupon, the Speaker in the presence of the House signed the same.

RECESS.

The SPEAKER. The Hour of one o'clock having arrived, this House will take a recess until three o'clock this afternoon.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.

The Speaker (George E. Alter) in the Chair.

REPORTS FROM COMMITTEES.

Mr. WHITAKER, from the Committee on Judiciary Special reported as committed House Bill No. 1825, (Senate Bill No. 259), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth'"

Mr. MATHER, from the Committee on Game reported as amended House Bill No. 894, entitled:

An Act to prohibit the capturing killing or exposing to sale of woodcock within this Commonwealth for a period of six years and providing penalties for the violation of its provisions

Mr. GIBSON, from the Committee on Judiciary Local reported as committed House Bill No. 1618, entitled:

An Act authorizing Boyd L. Hunter a citizen of Centre County Pennsylvania to bring suit in the court of common pleas of Danphin County against the Commonwealth of Pennsylvania

Mr. ALWORTH, from the Committee on Corporations reported as amended, House Bill No. 1853, (Senate Bill No. 717), entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Mr. J. A. DUNN, from the Committee on Judiciary Local reported as committed House Bill No. 1435, entitled:

An Act to amend Section 1 of an act entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" approved the fourteenth day of April Anno Domini one thousand nine hundred and five limiting the lands to which the provisions of said act shall apply

Mr. BROSIUS, from the Committee on Judiciary Special reported as committed House Bill No. 961, entitled:

An Act to amend the twenty-eighth section of an act entitled An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws, page four hundred thirty-seven) so as to include all acts of embezzlement committed within statutory period

Mr. MITCHELL, from the Committee on Judiciary Special reported as amended House Bill No. 1354, entitled:

An Act making it a misdemeanor to sell or offer for sale any ticket or tickets for admission to or for a seat or seats in any theatre or place of public amusement or entertainments for a sum in excess of the price regularly charged therefor by the management of such theatre or place of public amusement or entertainment and providing the penalty for violations of the provisions of such act

Mr. NEWTON, from the Committee on Counties and Townships, reported as committed House Bill No. 1849, (Senate Bill No. 567), entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first-class townships from portions of a second class township or townships

Mr. LESLIE, from the Committee on Judiciary Local, reported as committed House Bill No. 1368, entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to locate construct maintain and operate a reservoir at or in the vicinity of the head waters of the Youghiogheny River upon lands situate wholly in this State or partly in this State and partly in the State of Maryland for the purpose of controlling and regulating the flow of the said Youghiogheny River and the river or rivers to which it is tributary defining the powers of said Commission for the purpose providing for the payment of damages for property and rights taken in exercise of the right of eminent domain herein conferred and making an appropriation for carrying out the provisions of this act

Mr. SWARTZ, from the Committee on Judiciary Local, reported as committed House Bill No. 1650, entitled:

An Act requiring in certain counties that deeds conveying real estate recite the full consideration therefor and providing a penalty for the failure to recite such consideration

Mr. SEMMENS, from the Committee on Corporations reported as committed House Bill No. 1881, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

Mr. REX, from the Committee on Judiciary Special reported as committed House Bill No. 1840, (Senate Bill No. 156), entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

Mr. BERGEY, from the Committee on Municipal Corporations reported as committed House Bill No. 1653, entitled:

A further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty-one authorizing the Corporate Authorities of any Borough to levy and collect a license tax on hacks carriages omnibuses and motor vehicles carrying persons or property for pay to regulate the operation and compensation of such vehicles within the limits of any such Borough and other points or places"

Mr. MATT, from the Committee on Law and Order, reported as committed House Bill No. 1824 (Senate Bill No. 178), entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

Mr. MILLER, from the Committee on Judiciary General, reported as committed House Bill No. 873, entitled:

An Act to amend an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution

Mr. BENNINGER, from the Committee on Counties and Townships reported as committed House Bill No. 1486, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

Mr. E. G. M. KUHNS, from the Committee on Judiciary Special reported as committed House Bill No. 1895 (Senate Bill No. 831), entitled:

An Act amending sections four and six of an act approved the second day of April one thousand nine hundred three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries and repealing certain acts

Mr. STRAUS, from the Committee on Judiciary General, reported as committed House Bill No. 1909, entitled:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the County of Erie

Mr. STRAUSS, from the Committee on Judiciary Special, reported as committed House Bill No. 1768, entitled:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one' approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies."

Mr. REUBEN HOWARD, from the Committee on Law and Order reported as committed House Bill No. 1306, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervisions and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes"

Mr. CONNIFF, from the Committee on Judiciary Special, reported as committed House Bill No. 1879, (Senate Bill No. 464), entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

Mr. BROWNLEE, from the Committee on Judiciary Special reported as committed House Bill No. 1852, (Senate Bill No. 694), entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Mr. WATSON, from the Committee on Railroads reported as committed House Bill No. 1810, (Senate Bill No. 322), entitled:

An Act to extend the time for commencing and the time for opening and completing of certain railroads and railways in this Commonwealth

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed House Bill No. 1907, entitled:

An Act regulating the furnishing of certain information by persons in the employ of this Commonwealth and providing a penalty for violation thereof

Mr. COX, from the Committee on Judiciary Local reported as committed House Bill No. 1908, entitled:

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the County of Chester relative to elections in West Philadelphia and to assessors in Millerstown Perry County approved the eleventh of March one thousand eight hundred and fifty so far as provides for the taxing of dogs to the township of Londondery in the County of Chester"

Mr. LOHR, from the Committee on Game reported as amended House Bill No. 1359, entitled:

An Act to repeal the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions"

Mr. NEELY, from the Committee on Judiciary Special reported as amended House Bill No. 1789, entitled:

An Act regulating process pleading and practice in all civil cases whether at law in equity in divorce or otherwise howsoever hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act

Mr. McNICHOL, from the Committee on Public Health and Sanitation, re-reported as amended House Bill No. 556, entitled:

An Act to provide for the compensation by the proper county of the licensed practitioner of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death birth and health and the various reports of contagious and reportable diseases and other medical certificates and reports required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioner of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act

Mr. SPEISER, from the Committee on Municipal Corporations, reported with a negative recommendation House Bill No. 299, entitled:

An Act relating to the government of cities of the first class

Mr. BERNTHEIZEL, from the Committee on Judiciary Special reported with a negative recommendation on House Bill No. 1701, entitled:

An Act enabling the Burgess and Council of any borough or incorporated town by ordinance to annex to the borough or incorporated town adjacent territory upon a majority vote of said borough or incorporated town and adjacent territory to be annexed

Mr. W. H. WILSON, from the Committee on Municipal Corporations reported with a negative recommendation House Bill No. 125, entitled:

An Act relating to the councils of cities of the first class of the Commonwealth of Pennsylvania

Mr. SPANGLER, from the Committee on Judiciary Special reported with a negative recommendation House Bill No. 1876, (Senate Bill No. 713), entitled:

An Act providing for the appointment of district attorneys when vacancies occur

Mr. ADAMS, from the Committee on Judiciary Special reported with a negative recommendation House Bill No. 1869, (Senate Bill No. 201), entitled:

An Act relating to the fees of attorneys-at-law in the several courts of this Commonwealth

Mr. ALLEN, from the Committee on Appropriations reported as committed House Bill No. 266, entitled:

An Act making an appropriation to the Gettysburg Battlefield Memorial Commission for various purposes

BILLS INTRODUCED.

Mr. LORENZO SMITH, asked and obtained unanimous consent to introduce a bill the title of which was read for information.

Mr. McNICHOL, asked and obtained unanimous consent to introduce a bill, the title of which was read for information.

OBJECTION TO THE INTRODUCTION OF BILLS.

Mr. KITTS. Mr. Speaker, the 17th day of March we set as the last day for the introduction of bills into this House. Many bills have been introduced since that time, no member seeming to object to the introduction for fear the sponsor might take it as a personal matter. I wish to give notice that hereafter upon the introduction of every bill I shall object and I wish to file my objection in advance on the record, unless it happens to be an appropriation bill which has been overlooked.

Mr. MATT. Mr. Speaker, I desire to ask the gentleman whether he includes to-day.

Mr. KITTS. Mr. Speaker, I do not object to those that are in. I would like to ask the gentleman from Bedford whether he has any he wishes to introduce?

Mr. MATT. Well, Mr. Speaker, I have one for local option.

Mr. KITTS. Mr. Speaker, reluctantly I will withdraw my objection in favor of the gentleman from Bedford.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1482, entitled:

An Act fixing the compensation of the chief clerk and the five clerks in the Department of Mines

On the question,

Will the House agree to the bill on third reading?

Mr. KUHNS. Mr. Speaker, I would like to interrogate the sponsor of this bill, as I see it fixes the salary of a certain number of clerks.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated.

Mr. THOMAS. Mr. Speaker, Yes, sir.

Mr. KUHNS. Mr. Speaker, I would like to have the gentleman from Luzerne inform the House what the salary of the Chief Clerk was and how much it will be increased by this bill.

Mr. THOMAS. Mr. Speaker, the salary of the Chief Clerk is sixteen hundred dollars and will be increased to two thousand dollars, an increase of four hundred dollars per year.

Mr. KUHNS. Mr. Speaker, I would like him also to tell us what the salary of the five assistant clerks is now and what the increase will be.

Mr. THOMAS. Mr. Speaker, the present salaries are fourteen hundred dollars and the increase will be sixteen hundred dollars, making an increase of two hundred dollars each per year.

Mr. Speaker and Gentlemen of the House I have been requested to present this bill by the clerks from the Mining Department. Two years ago this bill came before the House and passed the House and also passed the Senate. Several other Departments at the Capitol, including the Insurance Department, also the Forestry Department, are receiving four hundred dollars more than the chief clerk of the Department of Mines and the other clerks in proportion, and I ask the gentleman of the House to vote for this bill to place this Department on an equal basis with the other Departments.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McDERMOTT. Mr. Speaker, and Gentlemen of the House, it appears to me that all those salaries that are asked to be increased, from the first bill introduced to the present one, if this keeps on until we adjourn next month, instead of having fifty million dollars to build roads with, it will take the fifty million dollars for increased salaries. It seems to me that every place your turn your face you come in contact with an increase in salary. It appeals to

me as legislation of salary grab and I am opposed to the bill. I think there is redress for any man who works in this Department, and if he isn't getting sufficient salary to live on, he can resign. I think I can do likewise. If I haven't sufficient salary to act as legislator in this House. I have a remedy two years hence, not run for election.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—78.

Adams,	Curry,	Keeport,	Schaeffer, A. C
Allen,	Dickinson,	Kenna,	Schuck,
Alworth,	Down,	Kitts,	Semmens,
Ambler,	Ehrhardt,	Letzkus,	Shaffer, I. E.,
Baldwin, R. J.,	Ely,	Lowers,	Spangler,
Becker,	Ewing,	Mannion,	Speiser,
Bergey,	Frey,	McAllister,	Spillinger,
Bernthelzel,	Geary,	McCaig,	Steedle,
Bigger,	Gray, Frank,	McClintock,	Steele,
Blair, W. A.,	Hackett,	Miller,	Stone,
Brosius,	Haggerty,	Mitchell,	Swartz,
Brown,	Heidinger,	Moses,	Thomas,
Caldwell,	Heyburn,	Newton,	Walsh,
Carter,	Howard, J.,	North,	Whitaker,
Claycomb,	Isler,	Pennegar,	Wildman,
Cleary,	Irwin, G. C.,	Pennock,	Wilson, J. H.,
Collins,	Irwin, H. H.,	Reese,	Wilson, W. H.,
Conner,	Kaiser,	Rex,	Young, J. H.,
Conrade,	Keegan,	Roney,	Zimmerman,
Cox,			Alter,
			Speaker.

NAYS—86.

Aron,	Foster, J. D.,	Lenker,	Rhoads,
Baldwin, G. A.,	Gans,	Light,	Robinson,
Barner,	Geiser,	Lohr,	Rockwell,
Bass,	Good,	Martin,	Rothenberger,
Benninger,	Grabe,	Matt,	Runk,
Benson,	Gramley,	McAleer,	Sassaman,
Blair, W. F.,	Gray, Joseph,	McDermott,	Savacool,
Body,	Hemminger,	McNichol,	Scott, S. B.,
Brownlee,	Herman,	Mechling,	Shaffer, C. A.,
Burnett,	Hess,	Mellott,	Sherwood,
Campbell, C.M.,	Hibshman,	Metzenbacher,	Smith, J. W.,
Campbell, J.J.	Hoffman,	Missimer,	Smith, L.,
Carson,	Howard, R.,	Moulthrop,	Snavely,
Cheeseman,	Jackson,	Musser,	Snyder,
Cochran,	Jones, J. R.,	Neel,	Swift,
Currier,	Kern,	Newbaker,	Trach,
Donnally,	Klepper,	O'Neill,	Ulman,
Dunn, H. B.,	Kuhn, H. P.,	Peters,	Walnut,
Dunn, J. A.,	Kuhns, E.G.M.,	Post,	Walton,
Fahey,	Latshaw,	Redfield,	Watson,
Flynn,		Reeser.	Wettach,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301, as follows:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives children whether legitimate or illegitimate or aged parents by directing that imprisonment in such cases be at hard labor in such institution as the court shall name with the wages payable to the wives children or parents providing for the disbursement of moneys collected on forfeitures of bonds bail bonds or recognizances and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct and providing for the payment of the expenses incident to the carrying out of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children whether legitimate or illegitimate or in any proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves the court having jurisdiction shall commit the defendant to imprisonment for want of a bond with security or otherwise the court may order the defendant to be imprisoned at hard labor under existing laws or laws that may hereafter be passed in such penal or reformatory institution in this Commonwealth as the court shall direct or the court may discharge a defendant upon his own recognizance in the custody of a desertion probation ffcer or other person subject to such conditions as the court may in its discretion impose

Section 2 Whenever any defendant shall be ordered to be imprisoned at hard labor under the provisions of this act there shall be paid by the official in charge of the penal or reformatory institution in which such defendant is imprisoned to the person designated in the order of court as the proper recipient of such money to be disbursed by said recipient as the order of court may direct the sum of sixty-five cents for each day Sundays and legal holidays only excepted during which he remains imprisoned Such sum shall be paid as one of the general running expenses of such institution and if the labor done in such institution is not sufficient to pay the general running expenses of such institution such sum shall be charged to and paid by the county from which such defendant was committed

Section 3 Whenever the court having jurisidiction of such proceedings may deem it necessary or desirable it may appoint one or more discreet persons of good character to serve as desertion probation officers during the pleasure of the court for the performance of such duties as the court shall direct Said probation officer or officers shall receive a salary to be determined by the court and this together with the necessary expenses incurred while in the actual performance of duty shall be paid monthly by the county as directed by the court It shall be the duty of the probation officer or officers so appointed to make such investigation as may be required by the court to furnish to the court such information and assistance as the coort may require to take such charge of any defendant before or after trial as may be directed by the court and when so directed to collect and pay over to the proper persons money ordered to be paid by any defendant and in general to do and perform such service as the court may direct

Section 4 If the defendant in any such proceeding shall violate the terms of the order of court the court may issue an attachment upon the petition of such defendant's parent wife child or children or of any other person or persons having knowledge of the facts

In case of the forfeiture of a bail bond in any such proceeding the court may order that any sum collected thereon by suit or otherwise shall be paid in whole or in part to such parent wife child or children In case of the forfeiture of any bond or recognizance with or without surety given as security under any order of court any sum collected thereon by suit or otherwise shall be paid to such parent wife child or children Such payment shall not bar in any way affect the power of the court to enforce its orders against the defendant by attachment or otherwise

Section 5 All laws or parts of laws inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HEIDINGER. Mr. Speaker, I understand there is some question about this bill and in the absence of the sponsor I move the further consideration be postponed for the present.

Mr. GEARY. I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1740, as follows:

An Act to provide for an additional law judge of the several courts of the forty-fifth judicial district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in addition to the judges provided by existing laws for the forty-fifth judicial district of the Commonwealth of Pennsylvania comprising the County of Lackawanna an additional law judge is hereby authorized and provided for the several courts of the said forty-fifth judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided by law for judges learned in the law as if the said office had been established at the time of and subject to the provisions of an act entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts" approved the fourteenth day of April Anno Domini one thousand nine hundred and three and its supplement

Section 2 Either of the judges of the said forty-fifth judicial district shall have authority to execute all the powers and perform all the duties now conferred by the Constitution and laws upon the president judge of said district and shall have equal jurisdiction

Section 3 At the next general election after the passage of this act the qualified electors of the said fortyfifth judicial district shall elect in the manner prescribed by law for the election of the president judge a competent person learned in the law to serve as such additional law judge in said district from the first Monday of January Anno Domini one thousand nine hundred and fourteen for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge

Section 4 The Governor is hereby authorized by and with the consent of the Senate to appoint some competent person learned in the law as an additional judge of said forty-fifth judicial district until the first Monday of January succeeding the next general election

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. ALWORTH. Mr. Speaker, I would ask that further consideration of this bill be postponed for the present.

Mr. EHRHARDT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 285, as follows:

An Act providing for the appointment and qualifications of instructors and demonstrators in agriculture and making an appropriation for the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the Secretary of Agriculture is hereby authorized to appoint ten citizens of this Commonwealth who shall be qualified by actual experience for such work as special instructors in the science of agriculture and demonstrators of approved agricultural methods The instruction shall be given and demonstration work done at such time and places and under such conditions as may be prescribed by the Secretary of Agriculture The sum of forty thousand dollars or so much thereof as may be needed is hereby specifically appropriated for carrying out the provisions of this act for two years beginning June one one thousand nine hundred and thirteen

On the question,
Will the House agree to the bill on third reading?

Mr. NORTH. Mr. Speaker, just by way of explanation I would say that the provisions of this bill are under the supervision of the Department of Agriculture, and is simply a measure to get the necessary information directly to the farmer, relative to the condition of his soil, etc. We passed a bill the other day, I believe, relative to the analyzing the quality of fertilizer, lime, etc., and this is a step along the same line.

The question recurring,
Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—141.

Adams,	Eichenberger,	McAleer,	Schaeffer, A. C
Allen,	Ewing,	McAllister,	Schuck,
Ambler,	Fahey,	McArdle,	Shaffer, I. E.,
Aron,	Frey,	McCaig,	Shern,
Arthur,	Geary,	McClintock,	Sherwood,
Barner,	Geiser,	Miller,	Showalter,
Bass,	Gibson,	Missimer,	Smith, J. .,
Bayle,	[illegible]ood,	Mitchell,	Smith, L.,
Becker,	Gramley,	Moore,	Snyder,
Berntheizel,	Gransback,	Morrow,	Spangler,
Bigger,	Gray, Frank,	Moses,	Speiser,
Bittles,	Haggerty,	Moulthrop,	Spillinger,
Blair, W. A.,	Herman,	Neel,	Steedle,
Blair, W. F.,	Hess,	Neely,	Steele,
Body,	Hoffman,	North,	Stone,
Brosius,	Howard, J.,	O'Neill,	Strauss,
Brown,	Isler,	Peachey,	Swartz,
Brownlee,	Irwin, G. C.,	Pennegar,	Swift,
Campbell, C.M.,	Irwin, H. H.,	Pennock,	Thomas,
Campbell, J. J.,	Jackson,	Peters,	Ulerich,
Carter,	Jones, E. E.,	Piper,	Ulman,
Cheeseman,	Jones, J. R.,	Post,	Walnut,
Claycomb,	Kaufman,	Ramsey,	Walsh,
Cleary,	Keeport,	Redfield,	Walton,
Collins,	Kenna,	Reese,	Watson,
Conner,	Kennedy,	Reeser,	Wettach,
Conrade,	Kern,	Rex,	Whitaker,
Cox,	Kuhn, H. P.,	Rhoads,	Wildman,
Currier,	Lanius,	Richards,	Wilson, J. H.,
Curry,	Letzkus,	Robinson,	Wilson, W. H.,
Dickinson,	Lohr,	Rockwell,	Young, G. K.
Donahoe,	Lowers,	Roney,	Young, J. H.,
Donnally,	Mannion,	Rothenberger,	Zimmerman,
Down,	Martin,	Runk,	Alter,
Dunn, J. A.,	Mather,	Sassaman,	Speaker.
Ehrhardt,			

NAYS—15.

Baldwin, G. A.,	Grabe,	Matt,	Newbaker,
Caldwell,	Hackett,	McDermott,	Snavely,
Carson,	Hemminger,	Mellott,	Trach,
Foster, J. D.,	Humes,	Musser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 573, as follows:

An Act regulating the sale of anthracite coal fixing standards of size and quality thereof and requiring inspectors of weights and measures in certain cases to make a test thereof and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation engaged in the preparation or sale of anthracite coal shall sell any coal to any person firm or corporation unless at least eighty-two per centum by weight of the quantity of coal so sold shall be of the following size

(a) Coal commonly known and sold as "Broken" shall be of a size that will not pass through a mesh two and three-fourth (2 3-4) inches square and the standard square mesh shall be four (4) inches square or if the mesh is round the coal shall not pass through a mesh of a diameter of three and one-four (3 1-4) inches and the standard round mesh shall be four and one-half (4 1-2) inches in diameter Provided however that no "Broken" coal shall be sold containing more than one per centum of slate and two per centum of "bone"

(b) Coal commonly known and sold as "Egg" shall be of a size that will not pass through a mesh two (2) inches square and the standard mesh shall be two and three-fourth (2 3-4) inches or if the mesh is round the coal shall not pass through a mesh of a diameter of two and one-fourth (2 1-4) inches and the standard round mesh shall be three and one-fourth (3 1-4) inches in diameter Provided however that no "Egg" coal shall be sold containing more than two per centum of slate and two per centum of "bone"

(c) Coal commonly known and sold as "Stove" shall be of a size that will not pass through a mesh one and three-eights (1 3-8) inches square and the standard square mesh shall be two (2) inches square or if mesh is round the coal shall not pass through a mesh of a diameter of one and one-half (1 1-2) inches and the standard round mesh shall be two and one-fourth (2 1-4) inches in diameter Provided however that no "Stove" coal shall be sold containing more than four per centum of slate and three per centum of "bone"

(d) Coal commonly known and sold as "Chestnut" shall be of a size that will not pass through a mesh three-fourths (3-4) of an inch square and the standard square mesh shall be one and three-eighths (1 3-8) inches square or if the mesh is round the coal shall not pass through a mesh of a diameter of seven-eights (7-8) of an inch and the standard round mesh shall be one and one-half (1 1-2) inches in diameter Provided however that no "Chestnut" coal shall be sold containing more than five per centum of slate and five per centum of "bone"

(e) Coal commonly known and sold as "Pea" shall be of a size that will not pass through a mesh one-half (1-2) of an inch square and he standard square mesh shall be three-fourths (3-4) of an inch square or if the mesh is round the coal shall not pass through a mesh of a diameter of nine-sixteenth (9-16) of an inch in diameter Provided however that no "Pea" coal shall be sold containing more than nine per centum of slate and nine per centum of "bone"

(f) Coal commonly known and sold as "Buckwheat" shall be of a size that will not pass through a mesh one-fourth (1-4) of an inch square and the standard square mesh shall be one-half (1-2) of an inch square or if the mesh is round the coal shall not pass through a mesh of a diameter of five-sixteenths (5-16) of an inch and the standard round mesh shall be nine-sixteenths (9-16) of an inch in diameter

Section 2 Any person firm or corporation engaged in the preparation or sale of anthracite coal that shall sell any coal containing more than eighteen per centum of coal of a smaller size or a larger per centum of slate or "bone" or both as provided in section one of this act shall upon the demand of the purchaser thereof replace said coal so sold with coal of the standard herein required and in the case of the refusal by such person firm or corporation to replace said coal no liability shall attach to the purchaser thereof to pay for said coal and in case the purchaser of any such coal has paid for the same and the seller thereof refuses to replace the same it shall be lawful for such purchaser to sue and recover by an action at law the amount so paid If any dispute shall arise between the seller and the purchaser as to quality of the coal sold it shall be the duty of the inspector of weights and measures within the district where said coal was sold upon application of either the seller or purchaser to make a test of said coal and if the test shows that the coal was sold is not of the standard required by section one of this act the seller shall replace the same and in the case of refusal to do so no liability shall attach to the purchaser thereto to pay for the same or in case the purchaser has paid for the same it shall be lawful for such purchaser to sue and recover by an action at law the amount so paid

Section 3 All acts and parts of acts inconsistent with this act are repealed.

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. REESE. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MECHLING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 871, entitled:

An Act to amend the second and third sections of an act entitled "An Act to provide for the employment of the insane feeble-minded and epilieptic persons confined in institutions wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles good and products made in State institutions for the care of the insane feeble-minded and epileptic persons" approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven so as to permit of the sale of articles manufactured and produce raised by insane feeble-minded and epileptic inmates of such institutions for the benefit of such persons

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Adams,	Dunn, J. A.,	Latshaw,	Rhoads,
Allen,	Ehrhardt,	Lenker,	Richards,
Alworth,	Eichenberger,	Leslie,	Robinson,
Ambler,	Ely,	Letzkus,	Rockwell,
Aron,	Ewing,	Light,	Roney,
Arthur,	Fahey,	Lohr,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Runk,
Baldwin, R. J.,	Frey,	Malie,	Sassaman,
Barner,	Gans,	Mannion,	Savacool,
Bass,	Geary,	Martin,	Schuck,
Bayle,	Geiser,	Matt,	Scott, S. B.,
Becker,	Gibson,	McAleer,	Semmens,
Benninger,	Good,	McAllister,	Shaffer, C. A.,
Bergey,	Gramley,	McArdle,	Shaffer, I. E.,
Berntheizel,	Gransback,	McClintock,	Shern,
Bigger,	Gray, Frank,	McDermott,	Sherwood,
Bittles,	Gray, Joseph,	McKay,	Showalter,
Blair, W. A.,	Hackett,	McNichol,	Smith, J. W.,
Blair, W. F.,	Haggerty,	Mechling,	Smith, L.,
Body,	Heidinger,	Metzenbacher,	Snavely,
Brosius,	Hemminger,	Miller,	Spangler,
Brown,	Herman,	Missimer,	Speiser,
Brownlee,	Hess,	Mitchell,	Spillinger,
Burnett,	Heyburn,	Moore,	Steedle,
Caldwell,	Hibshman,	Morrow,	Steele,
Campbell, C.M.,	Hoffman,	Moses,	Stone,
Campbell, J. J.,	Howard, J.,	Moulthrop,	Swartz,
Carson,	Howard, R.,	Musser,	Swift,
Carter,	Humes,	Neel,	Thomas,
Cheeseman,	Isler,	Neely,	Trach,
Claycomb,	Irwin, G. C.,	Newbaker,	Ulerich,
Cleary,	Irwin, H. H.,	Newton,	Ulman,
Cochran,	Jackson,	North,	Walsh,
Collins,	Jones, J. R.,	O'Neill,	Walton,
Conner,	Kaiser,	Peachey,	Watson,
Conniff,	Kaufman,	Pennegar,	Wettach,
Conrade,	Keegan,	Perry, H. L.,	Whitaker
Cox,	Keeport,	Peters,	Wildman,
Currier,	Kenna,	Piper,	Williams,
Curry,	Kennedy,	Post,	Wilson, J. H.,
Davis,	Kern,	Price,	Wilson, W. H.,
Dickinson,	Kitts,	Ramsey,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Redfield,	Young, G. K.
Donnally,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Down,	Lanius,	Reeser,	Zimmerman,
Dunn, H. B.,		Rex,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 351, as follows:

An Act to amend an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five so as to make it a misdeameanor to sell anthracite coal by short weight

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section two of an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twentysixth day of June Anno Domini one thousanl eight hundred anl ninety-five which section reads as follows

Section 2 Any person firm or corporation guilty of violating the provisions of section one of this act whereby it is attempted to sell less than two thousand two hundred and forty pounds to a ton or a proper proportion thereof to quantities less than a ton shall upon conviction thereof before any justice of the peace or alderman after hearing on complaint made shall be allowed for variation in scales

Be and the same is hereby amended so that as amended the same shall read as follows

Section 2 Any person firm or corporation who shall sell less than two thousand two hundred and forty pounds of anthracite coal to a ton or a proper proportion thereof to quantities less than a ton shall be guilty of misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars for the first offense and for the second offense one hundred dollars and to undergo an imprisonment not exceeding one year or both or either in the discretion of the court Provided That in all cases thirty pounds shall be allowed for the variation in scales

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. REESE. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MECHLING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1302, entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred and twenty-two thousand six hundred twenty-four two thousand six hundred twenty-six and two thousand six hundred twenty-seven thereof and also conferring upon tax payers similar rights in regard to the reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. ALWORTH. Mr. Speaker, I will.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman how the provisions of this bill correspond to the provisions of the bill introduced by the gentleman from Jefferson, Mr. North, which was passed a couple of weeks ago by the House. I think that bill covers the same points.

Mr. ALWORTH. Mr. Speaker, I was not aware that there was any other bill that met the conditions that this bill was intended to meet.

Mr. HUMES. I note that this bill is very much like the Act of 1911 with reference to the appeals from the Auditor's report, and it seems to affect the question of appeal more than any other feature of the law.

Mr. ALWORTH. This amendment is intended to make appeals from a surcharge by the Auditor effective. It provides that where a Board has been surcharged by the auditors that an interested taxpayer may upon filing a bond intervene as a party plaintiff and prosecute that appeal to a final judgment to the benefit of the school district. At the present time the fact has developed that where a school board has been surcharged by the Auditor that the Board itself would appeal from that surcharge and the appeal would remain stationary and the Board would positively fail to prosecute this surcharge against itself to final judg-

ment. This amendment is intended to meet that condition so that where school boards are surcharged an interested taxpayer may intervene as a party plaintiff and make that surcharge effective against the Board.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Ehrhardt,	Light,	Robinson,
Allen,	Eichenberger,	Lowers,	Rockwell,
Alworth,	Ewing,	Malie,	Roney,
Ambler,	Flynn,	Mannion,	Rothenberger,
Aron,	Foster, J. D.,	Martin,	Runk,
Arthur,	Frey,	Mather,	Sassaman,
Baldwin, G. A.,	Gans,	Matt,	Schaeffer, A. C
Baldwin, R. J.,	Gibson,	McAleer,	Schuck,
Barner,	Good,	McAllister,	Scott, S. B.,
Bass,	Gramley,	McArdle,	Semmens,
Bayle,	Gransback,	McCaig,	Shaffer, C. A.,
Benninger,	Gray, Joseph,	McClintock,	Shaffer, I. E.,
Berntheizel,	Hackett,	McDermott,	Shern,
Bigger,	Haggerty,	McKay,	Sherwood,
Bittles,	Heidinger,	McNichol,	Smith, J. W.,
Blair, W. A.,	Herman,	Mechling,	Smith, L.,
Blair, W. F.,	Hess,	Metzenbacher,	Snavely,
Body,	Heyburn,	Miller,	Snyder,
Brosius,	Hibshman,	Missimer,	Spangler,
Brown,	Hoffman,	Mitchell,	Speiser,
Brownlee,	Howard, J.,	Moore,	Spillinger,
Burnett,	Howard, R.,	Morrow,	Steedle,
Caldwell,	Humes,	Moses,	Steele,
Campbell, C.M.,	Isler,	Moulthrop,	Strauss,
Campbell, J. J.,	Irwin, G. C.,	Neel,	Swartz,
Carson,	Irwin, H. H.,	Newbaker,	Swift,
Carter,	Jackson,	Newton,	Thomas,
Cheeseman,	Jones, E. E.,	North,	Trach,
Claycomb,	Jones, J. R.,	O'Neill,	Ulerich,
Cochran,	Kaiser,	Peachey,	Ulman,
Collins,	Keeport,	Pennegar,	Walnut,
Conner,	Kenna,	Pennock,	Walton,
Conniff,	Kennedy,	Perry, H. L.,	Wettach,
Conrade,	Kern,	Peters,	Whitaker,
Cox,	Kitts,	Piper,	Whitman,
Currier,	Kuhn, H. P.,	Post,	Wildman,
Curry,	Kuhns, E.G.M.,	Price,	Williams,
Davis,	Lanius,	Ramsey,	Wilson, J. H.,
DeFrees,	Latshaw,	Redfield,	Wilson, W. H.,
Dickinson,	Lenker,	Reese,	Wiltbank,
Donnally,	Leslie,	Reeser,	Young, G. K.,
Dunn, H. B.,	Letzkus,	Rhoads,	Young, J. H.,
Dunn, J. A.,		Richards,	Zimmerman,
			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1543, as follows:

An Act making it unlawful for the commisisoners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any county commissioners of any county in this Commonwealth to make any contract to repair build or rebuild any county bridge or bridges without first making due advertisement for at least three weeks or in case of emergency one week for sealed bids or proposals to repair erect build or rebuild any county bridge or bridges in at least three newspapers published in the county where said proposals or bids are asked for said advertisement to contain the description of the repairs or plans of the kind of bridge required and fixing the time when the proposals or bids shall be closed and when said bids or proposals shall be opened

Section 2 The proposals or bids must be accompanied with such security as the county commissioners may require which must be filed with the chief clerk or some one in charge of the commissioners office at least one hour before the time fixed for the opening of the said bids or proposals the time of the filing of said bid or bids must be marked on the outside of said bids and the person's name with whom filed

Section 3 The said bid or proposal shall be opened in public and in the presence of not less than two of the county commissioners and the chief clerk and a record made of each and every bid

Section 4 The commissioners shall immediately or as soon thereafter as possible after the time fixed for the opening of said bids award the contract for the repair building or rebuilding of said bridge or bridges to the lowest responsible bidder upon the condition that said bidder must within ten days after notice of award of said contract sign and execute a contract for the faithful performance of the proposal and furnish a bond in a sum not exceeding the amount of the contract which contract and bond shall first be approved by the court of quarter sessions Provided That if the lowest bidder neglects to comply with the conditions of his bid within the time required the county commissioners shall award the same to the next lowest bidder and provided further That in case all bids are too high or unreasonable in the opinion of the county commissioners the county commisisoners may reject any and all bids and advertise for new bids

Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than two hundred and fifty dollars

Section 6 Any and all acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass?

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1835, (Senate Bill No. 611), entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of expenses of maintaining and treating persons committed thereto"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Ely,	Light,	Robinson,
Allen,	Fahey,	Lohr,	Rockwell,
Alworth,	Flynn,	Lowers,	Roney,
Ambler,	Foster, J. D.,	Malie,	Rothenberger,
Aron,	Frey,	Mannion,	Runk,
Arthur,	Gans,	Martin,	Sassaman,
Baldwin, R. J.,	Geary,	Matt,	Savacool,
Barner,	Geiser,	McAleer,	Schaeffer, A. C
Bass,	Gibson,	McAllister,	Schuck,
Bayle,	Good,	McArdle,	Scott, S. B.,
Becker,	Gramley,	McCaig,	Shaffer, C. A.,
Bergey,	Gransback,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gray, Frank,	McDermott,	Shern,
Bigger,	Hackett,	McKay,	Sherwood,
Bittles,	Haggerty,	McNichol,	Showalter,
Blair, W. A.,	Heidinger,	Mechling,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mellott,	Snyder,
Body,	Hess,	Metzenbacher,	Spangler,
Brosius,	Heyburn,	Miller,	Speiser,
Brown,	Hibshman,	Mitchell,	Spillinger,
Brownlee,	Hoffman,	Moore,	Steedle,
Burnett,	Howard, J.,	Morrow,	Steele,
Caldwell,	Howard, R.,	Moses,	Stone,
Campbell, C.M.,	Humes,	Moulthrop,	Strauss,
Campbell, J. J.,	Isler,	Musser,	Swartz,
Carson,	Irwin, G. C.,	Neel,	Swift,
Carter,	Irwin, H. H.,	Neely,	Thomas,
Cheeseman,	Jackson,	Newbaker,	Trach,
Cleary,	Jones, E. E.,	Newton,	Ulerich,
Cochran,	Jones, J. R.,	North,	Ulman,
Collins,	Kaiser,	O'Neill,	Walsh,
Conner,	Kaufman,	Peachey,	Walton,
Conniff,	Keegan,	Pennock,	Watson,
Conrade,	Keeport,	Perry, H. L.,	Wettach,
Cox,	Kenna,	Peters,	Whitaker,
Currier,	Kennedy,	Piper,	Whitman,
Curry,	Kitts,	Post,	Wildman,
Davis,	Kuhn, H. P.,	Ramsey,	Williams,
DeFrees,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Dickinson,	Latshaw,	Reese,	Wiltbank,
Down,	Lenker,	Reeser,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Richards,	Zimmerman,
Ehrhardt,			Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1620, as follows:

An Act to provide that threes shrubs vines plants and seeds sold in Pennsylvania may be guaranteed true to the variety for which they are sold and providing a legal method whereby the grower can obtain financial redress from the dealer or seller being "a legal indemnity plan for growers"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same in order to provide for the assurance of buying or selling trees shrubs vines plants and seeds true to the variety named offered sold or ordered in Pennsnylvania it shall be legal to proceed as follows

Any nurseryman or dealer may file a bond of two thousand dollars or more with the Secretary of Agriculture which bond shall be held for suit and indemnity in case any trees shrubs vines plants or seeds prove upon producing fruit or reaching maturity that they are not of the variety ordered and paid for by the grower with an indemnity of one dollar for each year or single part of a year that each falsely labeled tree shrubs vine or tenth of an acre or less single unit of plants or seeds shall have been grown by the purchaser

Section 2 Provided however that the purchaser shall have informed the seller before buying that he wishes to buy in accordance with this legal indemnity plan and upon ordering his trees shrubs vines plants or trees shall also inform the Secretary of Agriculture as to the number and kind of quantity respectively of each variety ordered and the name and address of the seller It shall then be the duty of the Secretary of Agriculture provided the seller has filed with him a bond as herein mentioned to furnish said seller as many indestructible tags as may be needed to place one on each tree shrub vine or one-tenth of an acre or single fraction thereof plants or seeds purchased or sold The tags shall be provided and sent by mail for the actual cost of preparing and mailing which cost shall be paid by the purchser These tags shall bear the name of the variety or varities respectively ordered and shipped and also the names and addresses of the seller and purchase and the date of buying The seller shall attach proper tag to each respective tree shrub or vine to variety named on said tag and the same shall be kept on its proper tree shrub or vine until planted when it may be removed and attached by copper wire or other durable device to a stake or rod driven into the ground beside the tree shrub or vine to which it was originally affixed The planter shall within a week from the time of planting send to the Secretary of Agriculture and also to the seller or nurseryman a chart of that portion of his premises showing the exact location of each tree shrub of vine planted in accordance with the provisions of this act It shall be the duty of the Secretary of Agriculture within six months to send an inspector with the chart to compare the labeled planting and note any inaccuracies of labels or charts

Section 3 When the labeled tree shrub or vine first produces fruit if the owner doubts the accuracy of the original labeling he shall notify the Secretary of Agriculture who shall cause the bearing tree shrub or vine to be examined and named at once The inspector shall notify the grower and Secretary of Agriculture of his determinations If the name of the variety given is not in acocrdance with that of the respective label the grower can legally bring suit in court against the bond of the seller for an amount equal to one dollar for each year or single fraction thereof that each tree shrub or vine wrongly labeled shall have been planted

Section 4 It shall be the duty of the Secretary of Agriculture to report to all inquirers and make special published mention at least once per year of all nurserymen and sellers of trees shrubs vines plants and seeds who shall take advantage of this opportunity to bond themselves in Pennsylvania to insure the accurate labeling of their wares Although such bonding shall be voluntary by the dealer no grower shall make claim for damages under this act who has not purchased his trees shrubs vines plants or seeds of a properly bonded and listed dealer as recorded by the Secretary of Agriculture of Pennnsylvania and otherwise acted in accordance with the provisions of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Flynn,	Light,	Rex,
Allen,	Foster, J. D.,	Lohr,	Rhoads,
Alworth,	Frey,	Lowers,	Richards,
Ambler,	Gans,	Malie,	Rockwell,
Aron,	Geary,	Mannion,	Roney,
Arthur,	Geiser,	Martin,	Rothenberger,
Barner,	Gibson,	Mather,	Sassaman,
Bass,	Good,	Matt,	Savacool,
Bayle,	Gransback,	McAleer,	Schaeffer, A. C
Becker,	Gray, Joseph,	McAllister,	Schuck,
Benninger,	Hackett,	McArdle,	Semmens,
Berntheizel,	Haggerty,	McCalg,	Shaffer, C. A.,
Bigger,	Heidinger,	McClintock,	Shaffer, I. E.,
Blair, W. A.,	Hemminger,	McDermott,	Shern,
Blair, W. F.,	Herman,	McKay,	Sherwood,
Body,	Hess,	McNichol,	Showalter,
Brosius,	Heyburn,	Mechling,	Smith, J. W.,
Brownlee,	Hibshman,	Metzenbacher,	Snyder,
Burnett,	Hoffman,	Miller,	Spangler,
Caldwell,	Howard, J.,	Missimer,	Speiser,
Campbell, C.M.,	Howard, R.,	Mitchell,	Spillinger,
Campbell, J.J.	Isler,	Moore,	Steedle,
Carter,	Irwin, G. C.,	Morrow,	Steele,
Cheeseman,	Jackson,	Moses,	Stone,
Claycomb,	Jones, E. E.,	Moulthrop,	Strauss,
Cleary,	Jones, J. R.,	Murphy,	Swartz,
Cochran,	Kaiser,	Newbaker,	Thomas,
Collins,	Kaufman,	Newton,	Trach,
Conner,	Keegan,	North,	Ulerich,
Conniff,	Keeport,	O'Neill,	Ulman,
Conrade,	Kenna,	Peachey,	Walsh,
Cox,	Kennedy,	Pennegar,	Walton,
Currier,	Kern,	Pennock,	Watson,
Curry,	Kitts,	Peters,	Whitaker,
Dickinson,	Klepper,	Piper,	Whitman,
Donnally,	Kuhn, H. P.,	Post,	Wildman,
Dunn, J. A.,	Latshaw,	Price,	Williams,
Ehrhardt,	Lenker,	Ramsey,	Wilson, J. H.,
Eichenberger,	Leslie,	Redfield,	Wiltbank,
Ely,	Letzkus,	Reese,	Young, G. K.,
Ewing,		Reeser,	Zimmerman,
Fahey,			Alter,
			Speaker.

NAYS—2.

Bergey, Bittles,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 426, as follows:

An Act relating to divorce

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several courts of Common Pleas shall have jurisdiction in any action in divorce for any cause now or hereafter allowed by law notwithstanding the fact that the marriage of the parties and the cause for divorce occurred outside of this Commonwealth and that both parties were at the time of the occurrence of said cause domiciled without this Commonwealth and that the respondent has been served with the subpoena only by publication as required by law In such cases the libellant shall be a competent witness to prove his or her residence within this Commonwealth

Section 2 The said costs shall also entertain jurisdiction of all cases of divorce from the bonds of matrimony for any cause now or hereafter provided for by law when the libellant or applicant for such divorce shall at the time of filing the petition or libel in divorce have been a resident of this Commonwealth for one year previous to the filing of the petition or libel in divorce

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. CHEESEMAN. Mr. Speaker, I call for a verification of the roll.

The SPEAKER. The roll will be verified.

Which was done as follows:

YEAS—119.

Adams,	Dunn, J. A.,	Kennedy,	Piper,
Allen,	Ehrhardt,	Kern,	Price,
Alworth,	Eichenberger,	Kitts,	Ramsey,
Ambler,	Ely,	Klepper,	Redfield,
Aron,	Ewing,	Leslie,	Reese,
Arthur,	Fahey,	Letzkus,	Reeser,
Baldwin, R. J.,	Flynn,	Lohr,	Rex,
Barner,	Foster, J. D.,	Lowers,	Robinson,
Bass,	Frey,	Malie,	Rockwell,
Bayle,	Geary,	Mannion,	Roney,
Becker,	Good,	Mather,	Rothenberger,
Berntheizel,	Gransback,	Matt,	Runk
Bigger,	Gray, Frank,	McArdle,	Sassaman,
Blair, W. A.,	Gray, Joseph,	Mechling,	Savacool,
Blair, W. F.,	Hackett,	Mellott,	Shaffer, C. A.,
Body,	Haggerty,	Metzenbacher,	Shern,
Brosius,	Heidinger,	Miller,	Snavely,
Brownlee,		Missimer,	Spangler,
Burnett,	Hibshman,	Mitchell,	Steedle,
Caldwell,			Steele,

Campbell, C.M.,	Hoffman,	Morrow,	Stone,
Carter,	Howard, J.,	Moses,	Strauss,
Claycomb,	Humes,	Neely,	Swartz,
Cleary,	Isler,	Newbaker,	Thomas,
Conner,	Irwin, G. C.,	Newton,	Watson,
Conrade,	Irwin, H. H.,	North,	Whitaker,
Cox,	Jackson,	O'Neill,	Whitman,
Currier,	Kaiser,	Peachey,	Wildman,
Curry,	Kaufman,	Pennegar,	Wilson, J. H.,
Dickinson,	Keeport,	Pennock,	Wiltbank,
Donnally,	Kenna,	Peters,	Zimmerman,

NAYS—36.

Baldwin, G. A.,	Herman,	McClintock,	Smith, J. W.,
Benninger,	Hess,	McDermott,	Smith, L.,
Campbell, J. J.,	Howard, R.,	McKay,	Snyder,
Carson,	Jones, J. R.,	Musser,	Swift,
Cheeseman,	Keegan,	Perry, H. L.,	Ulman,
Cochran,	Latshaw,	Post,	Walnut,
Gibson,	Lenker,	Scott, S. B.,	Williams,
Grabe,	Martin,	Shaffer, I. E.,	Young, G. K.,
Hemminger,	McAleer,	Showalter,	Alter,
			Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1523, entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—175.

Adams,	Ely,	Latshaw,	Robinson,
Allen,	Ewing,	Lenker,	Rockwell,
Ambler,	Fahey,	Leslie,	Roney,
Aron,	Flynn,	Letzkus,	Rothenberger,
Arthur,	Foster, J. D.,	Light,	Runk,
Baldwin, G. A.,	Frey,	Lohr,	Sassaman,
Baldwin, R. J.,	Gans,	Lowers,	Savacool,
Bass,	Geary,	Malie,	Schaeffer, A. C
Bayle,	Geiser,	Mannion,	Shaffer, C. A.,
Becker,	Gibson,	Martin,	Shaffer, I. E.,
Benninger,	Gramley,	McAleer,	Shern,
Benson,	Gransback,	McAllister,	Sherwood,
Bergey,	Gray, Frank,	McArdle,	Showalter,
Berntheizel,	Gray, Joseph,	McCaig,	Smith, J. W.,
Bigger,	Hackett,	McClintock,	Smith, L.,
Bittles,	Haggerty,	McDermott,	Snavely,
Blair, W. A.,	Heidinger,	McKay,	Snyder,
Blair, W. F.,	Hemminger,	McNichol,	Spangler,
Brosius,	Herman,	Mechling,	Speiser,
Brown,	Hess,	Metzenbacher,	Spillinger,
Brownlee,	Heyburn,	Miller,	Steedle,
Burnett,	Hibshman,	Missimer,	Steele,
Caldwell,	Hoffman,	Moore,	Stone,
Campbell, C.M.,	Howard, J.,	Morrow,	Strauss,
Campbell, J. J.,	Isler,	Moses,	Swartz,
Carson,	Irwin, G. C.,	Murphy,	Swift,
Carter,	Irwin, H. H.,	Musser,	Thomas,
Cheeseman,	Jackson,	Neely,	Trach,
Claycomb,	Jones, E. E.,	Newbaker,	Ulerich,
Cleary,	Jones, J. R.,	Newton,	Ulman,
Cochran,	Kaiser,	North,	Walnut,
Collins,	Kaufman,	O'Neill,	Walton,
Conner,	Keegan,	Peachey,	Watson,
Conniff,	Keeport,	Peters,	Wettach,
Conrade,	Kenna,	Piper,	Whitaker,
Cox,	Kennedy,	Post,	Whitman,
Currier,	Kern,	Price,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Dickinson,	Klepper,	Redfield,	Wilson, J. H.,
Donahoe,	Kuhn, H. P.,	Reese,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Dunn, J. A.,	Lanius,	Rex,	Young, J. H.,
Ehrhardt,		Rhoads,	Zimmerman,
Eichenberger,		Richards,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

LEAVES OF ABSENCE.

The SPEAKER. The Chair asks leave of absence for Messrs. Rockwell, Roney, S. B. Scott, and Kitts, to sit as a sub-committee of the Committee on Judiciary General, on the Public Utilities Bill for the balance of this afternoon's session.

The Chair hears no objection, and leave is granted.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1772, entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BROWNLEE. Mr. Speaker, this act is not mandatory; it simply provides that the controller in a county under 150,000 population may have a solicitor. The salary is not fixed, but it cannot exceed $1,000, and it must be approved by the court. A practice has grown up of allowing him to get advice from the solicitor to the county commissioners. This is a vicious practice, because they are often antagonistic. I think this is a meritorious act.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Adams,	Dunn, H. B.,	Kuhn, H. P.,	Rex,
Allen,	Ehrhardt,	Kuhns, E.G.M.,	Rhoads,
Ambler,	Eichenberger,	Lanius,	Rothenberger,
Arthur,	Ely,	Latshaw,	Schaeffer, A. C
Baldwin, G. A.,	Ewing,	Leslie,	Schuck,
Baldwin, R. J.,	Fahey,	Letzkus,	Scott, J. R. K.,
Bass,	Frey,	Lohr,	Semmens,
Bayle,	Geary,	Lowers,	Shaffer, C. A.,
Becker,	Geiser,	Malie,	Shaffer, I. E.,
Bergey,	Gibson,	Mannion,	Showalter,
Berntheizel,	Gramley,	Martin,	Smith, J. W.,
Blair, W. A.,	Gransback,	Mather,	Spangler,
Blair, W. F.,	Gray, Frank,	McAleer,	Spillinger,
Body,	Gray, Joseph,	McAllister,	Steedle,
Brosius,	Hackett,	McArdle,	Stone,
Brown,	Haggerty,	McCaig,	Strauss,
Brownlee,	Heidinger,	McClintock,	Swartz,
Burnett,	Hemminger,	McKay,	Swift,
Caldwell,	Herman,	Miller,	Thomas,
Campbell, C.M.,	Heyburn,	Missimer,	Trach,
Campbell, J.J.	Hibshman,	Mitchell,	Ulerich,
Carson,	Howard, R.,	Morrow,	Ulman,
Carter,	Isler,	Moulthrop,	Walnut,
Cheeseman,	Irwin, G. C.,	Musser,	Walsh,
Cleary,	Irwin, H. H.,	Neel,	Watson,
Cochran,	Jackson,	Neely,	Wettach,
Collins,	Jones, E. E.,	Newbaker,	Whitaker,
Conniff,	Jones, J. R.,	Newton,	Whitman,
Conrade,	Kaiser,	O'Neill,	Wildman,
Currier,	Kaufman,	Peachey,	Williams,
Curry,	Keegan,	Pennegar,	Wiltbank,
Davis,	Keeport,	Pennock,	Young, G. K.,
DeFrees,	Kenna,	Perry, H. L.,	Young, J. H.,
Dickinson,	Kennedy,	Reese,	Zimmerman,
Donahoe,	Klepper,	Reeser,	Alter,
Down,			Speaker.

NAYS—15.

Benson,	Hess,	Mellott,	Snavely,
Claycomb,	Hoffman,	Moses,	Snyder,
Donnally,	Kern,	Price,	Walton,
Foster, J. D.,	McDermott,	Savacool,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1038, as follows:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the Governor is hereby authorized to appoint a commission to be known as the "Agricultural Commission" consisting of seven citizens of this Commonwealth one of whom shall be connected with the Department of Agriculture of this Commonwealth one with the Pennsylvania State College one with the Department of Education of this Commonwealth one with the Pennsylvania State Grange and one with the State Horticultural Asociation of Pennsylvania

It shall be the duty of this Commission to promote the agricultural industries of the State by investigation suggestion and by every other means within its power with a view of developing to the utmost the fertility of the soil and of bringing its products to the consumer with the greatest economy

Section 2 Within thirty days after its appointment the Commission shall organize by the election of a chairman and secretary The Governor may remove any commissioner for neglect of duty and may fill any vacancy in the Commission however caused

Section 3 Biennially or oftener the Commission shall present a written report of its findings to the Governor who shall lay such report with his recommendations before the General Assembly at its next regular session The commissioners shall serve without compensation but shall be allowed their actual traveling and other expenses necessarily and actually incurred in the performance of the duties herein prescribed The salaries and remuneration if any of any person employed or engaged by the Commission shal be fixed by it

Section 4 To carry out the purpose of this act the sum of ten thousand ($10,000.00) dollars or so much thereof as may be necesary is specifically appropriated Payments shall be made upon order of the chairman of the Commission on warrant of the Auditor General and shall be subject to such regulations as may be prescribed by the Auditor General

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Ewing,	Lenker,	Rex,
Allen,	Fahey,	Leslie,	Rhoads,
Ambler,	Flynn,	Letzkus,	Richards,
Aron,	Foster, J. D.,	Light,	Robinson,
Arthur,	Gans,	Lowers,	Rothenberger,
Baldwin, G. A.,	Geary,	Malie,	Runk,
Baldwin, R. J.,	Geiser,	Mannion,	Sassaman,
Bass,	Gibson,	Martin,	Savacool,
Bayle,	Glenn,	Mather,	Schaeffer, A. C
Becker,	Good,	Matt,	Schuck,
Benninger,	Goss,	McAleer,	Scott, J. R. K.,
Berntheizel,	Grabe,	McAllister,	Scott, S. B.,
Bigger,	Gramley,	McArdle,	Semmens,
Bittles,	Gransback,	McCaig,	Shaffer, C. A.,
Blair, W. A.,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Body,	Gray, Joseph,	McKay,	Shern,
Brosius,	Hackett,	McNichol,	Sherwood,
Brown,	Haggerty,	Mechling,	Showalter,
Brownlee,	Heidinger,	Mellott,	Snyder,
Burnett,	Hemminger,	Metzenbacher,	Spangler,
Caldwell,	Herman,	Miller,	Speiser,
Campbell, C.M.,	Hess,	Missimer,	Spillinger,
Campbell, J.J.	Heyburn,	Mitchell,	Steedle,
Carson,	Hibshman,	Moore,	Steele,
Carter,	Hoffman,	Morrow,	Stone,
Cheeseman,	Howard, J.,	Murphy,	Strauss,
Claycomb,	Isler,	Musser,	Swartz,
Cleary,	Irwin, G. C.,	Neel,	Swift,
Collins,	Irwin, H. H.,	Neely,	Thomas,
Conner,	Jackson,	Newbaker,	Ulerich,
Conniff,	Jones, E. E.,	Newton,	Ulman,
Conrade,	Jones, J. R.,	North,	Walnut,
Cox,	Kaiser,	O'Neill,	Walsh,
Currier,	Kaufman,	Peachey,	Watson,
Curry,	Keegan,	Pennegar,	Wettach,
Davis,	Keeport,	Pennock,	Whitaker,
DeFrees,	Kenna,	Perry, H. L.,	Wildman,
Dickinson,	Kennedy,	Peters,	Williams,
Donahoe,	Klepper,	Piper,	Wilson, J. H.,
Down,	Kuhn, H. P.,	Post,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,	Wiltbank,
Dunn, J. A.,	Lanius,	Redfield,	Young, G. K.,
Ehrhardt,	Latshaw,	Reese,	Young, J. H.,
Eichenberger,		Reeser,	Zimmerman,
Ely,			Alter,
			Speaker.

NAYS—5.

Cochran,	Howard, R.,	Kern,	Snavely,
	Trach,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1436, entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Adams,	Fahey,	Letzkus,	Richards,
Allen,	Flynn,	Lohr,	Robinson,
Ambler,	Foster, J. D.,	Lowers,	Rothenberger,
Aron,	Frey,	Malie,	Runk,
Arthur,	Gans,	Mannion,	Sassaman,
Baldwin, G. A.,	Geary,	Martin,	Savacool,
Baldwin, R. J.,	Gibson,	Mather,	Schaeffer, A. C
Barner,	Glenn,	Matt,	Schuck,
Bass,	Good,	McAleer,	Scott, J. R. K.,
Bayle,	Grabe,	McAllister,	Semmens,
Becker,	Gramley,	McArdle,	Shaffer, C. A.,
Benninger,	Gransback,	McCaig,	Shaffer, I. E.,
Benson,	Gray, Frank,	McClintock,	Shern,
Bergey,	Gray, Joseph,	McDermott,	Sherwood,
Berntheizel,	Hackett,	McKay,	Showalter,
Bigger,	Haggerty,	McNichol,	Smith, J. W.,
Bittles,	Heidinger,	Mechling,	Smith, L.,
Blair, W. A.,	Hemminger,	Mellott,	Snavely,
Blair, W. F.,	Herman,	Metzenbacher,	Snyder,
Body,	Hess,	Miller,	Spangler,
Brown,	Heyburn,	Missimer,	Spillinger,
Brownlee,	Hibshman,	Mitchell,	Steedle,
Burnett,	Hoffman,	Moore,	Steele,
Caldwell,	Howard, J.,	Morrow,	Stone,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Strauss,
Campbell, J.J.	Isler,	Murphy,	Swartz,
Carson,	Irwin, G. C.,	Neel,	Swift,
Carter,	Irwin, H. H.,	Neely,	Thomas,
Cheeseman,	Jackson,	Newbaker,	Trach,
Claycomb,	Jones, E. E.,	Newton,	Ulerich,
Cleary,	Kaiser,	North,	Ulman,
Conner,	Kaufman,	O'Neill,	Walnut,
Conniff,	Keegan,	Peachey,	Walsh,
Conrade,	Keeport,	Pennegar,	Walton,
Cox,	Kenna,	Pennock,	Watson,
Currier,	Kennedy,	Perry, H. L.,	Wettach,
Curry,	Kern,	Piper,	Whitaker,
Davis,	Kitts,	Post,	Whitman,
Dickinson,	Klepper,	Price,	Wildman,
Donahoe,	Kuhn, H. P.,	Ramsey,	Williams,
Down,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Dunn, H. B.,	Lanius,	Reese,	Young, J. H.,
Ehrhardt,	Latshaw,	Reeser,	Zimmerman,
Eichenberger,	Lenker,	Rex,	Alter,
Ely,	Leslie,	Rhoads,	Speaker.
Ewing,			

NAYS—1.

Brosius,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1762, entitled:

An Act to amend an act approved the twenty-sixth day of April one thousand eight hundred and fifty entitled "An Act to provide for the establishment of true meridian lines and of standard measures for surveyors' chains and to regulate the practice of surveying in this Commonwealth"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Adams,	Ely,	Leslie,	Reeser,
Allen,	Ewing,	Letzkus,	Rex,
Alworth,	Fahey,	Light,	Rhoads,
Ambler,	Foster, J. D.,	Lohr,	Richards,
Aron,	Frey,	Lowers,	Robinson,
Arthur,	Gans,	Malie,	Rothenberger,
Baldwin, G. A.,	Geiser,	Mannion,	Runk,
Baldwin, R. J.,	Gibson,	Martin,	Sassaman,
Barner,	Glenn,	Mather,	Savacool,
Bass,	Good,	Matt,	Schaeffer, A. C
Bayle,	Goss,	McAleer,	Schuck,
Becker,	Grabe,	McAllister,	Scott, J. R. K.,
Benninger,	Gransback,	McArdle,	Semmens,
Benson,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Bergey,	Gray, Joseph,		Shaffer, I. E.,

Berntheizel,	Hackett,	McClintock,	Sherwood,
Bigger,	Haggerty,	McDermott,	Snowalter,
Bittles,	Heidinger,	McKay,	Smith, J. W.,
Blair, W. A.,	Hemminger,	McNichol,	Smith, L.,
Blair, W. F.,	Herman,	Mechling,	Snyder,
Body,	Hess,	Mellott,	Spangler,
Brosius,	Heyburn,	Metzenbacher,	Speiser,
Brown,	Hibshman,	Miller,	Spillinger,
Brownlee,	Hoffman,	Missimer,	Steedle,
Burnett,	Howard, J.,	Moore,	Steele,
Caldwell,	Howard, R.,	Morrow,	Stone,
Campbell, C.M.,	Isler,	Moses,	Strauss,
Carter,	Irwin, G. C.,	Moulthrop,	Swartz,
Cheeseman,	Irwin, H. H.,	Murphy,	Swift,
Claycomb,	Jackson,	Musser,	Thomas,
Cleary,	Jones, E. E.,	Neel,	Trach,
Cochran,	Jones, J. R.,	Neely,	Ulerich,
Collins,	Kaiser,	Newbaker,	Ulman,
Conner,	Kaufman,	Newton,	Walnut,
Conniff,	Keegan,	North,	Walsh,
Conrade,	Keeport,	O'Neill,	Walton,
Cox,	Kenna,	Peachey,	Watson,
Currier,	Kennedy,	Pennegar,	Wettach,
Curry,	Kern,	Pennock,	Whitaker,
Davis,	Kitts,	Perry, H. L.,	Whitman,
DeFrees,	Kuhn, H. P.,	Peters,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Piper,	Williams,
Donahoe,	Lanius,	Post,	Wiltbank,
Down,	Latshaw,	Price.	Young, G. K.,
Ehrhardt,	Lenker,	Ramsey,	Zimmerman,
Eichenberger,		Redfield,	Alter,
		Reese,	Speaker.

NAYS—2.

Carson, Gramley,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1003, (Senate Bill No. 23), as follows:

An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That on and after the passage of this bill and its approval by the Governor of the Commonwealth the Chief Executive shall appoint not less than five and not more than seven women residents of each county desiring to avail itself of the provisions of this act to act as trustees in whom shall be intrusted the carrying into effect the provisions of this act To provide monthly payment as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes such payment to be made direct to the recipient by the State Treasurer upon warrants drawn by the Auditor General and direct to the recipient by the County Treasurer Such payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

Section 2 The administration of this act shall lie solely in the hands of the trustees appointed annually by the Governor They shall serve without pay but shall be permitted to charge for traveling expenses in making investigations of cases before a final recommendation is made to the Auditor General and county treasurer The trustees shall provide a headquarters and appoint an investigator and a stenographer (if necessary) also suitable furnishings stationery and postage but at no time shall the yearly expense be more than three thousand dollars for counties with cites of the first class twenty-four hundred dollars for counties with cities of the second class eighteen hundred dollars for counties with cities of the third class and twelve hundred dollars for counties other than the aforesaid classes with the exception of the first year when the trustees shall be permitted to expend an additional sum of not more than five hundred dollars if necessary for furnishings In order to carry the provisions of this act into effect an appropriation of two hundred thousand dollars from moneys not otherwise appropriated is hereby made proportioned to the counties of the Commonwealth according to their respective population in the Census of one thousand nine hundred and ten by the Auditor General and State Treasurer upon the passage and approval of this bill the State Treasurer shall place the proportionate amount of the entire appropriation to the various counties upon the books of the State Treasury to the credit of the trustees one-half of which amount shall be available the first year after approval and the remainder the second year or until another appropriation may become available provided however that no county through their trustees or otherwise shall receive their allotment of the States appropriation unless an equal amount has been provided by the government of such county desiring the benefits under this act

Section 3 The trustees shall in no case recommend payment to any widow or abandoned mother until they are thoroughly satisfied that the recipient is worthy in every way and that in order to keep her children in her own home a monthly payment is necessary but then only upon satisfactory reports from a teacher in the district school stating that the child or children of the recipient of this fund are attending school provided they are of proper age and physically able to do so The combined total maximum payment shall not exceed twelve dollars per month for one child twenty dollars per month for two children twenty-six dollars per month for three children and five dollars per month for each additional child These payments to continue at the will of the trustees but not beyond the time that the law will permit a child to secure employment

Section 4 Four copies of a complete record of each family that is in receipt of any payment under the provisions of this act the number of children their full names ages and places of residence shall be provided one copy to be on file in the office of the trustees as a public record one copy to be kept as a record in the juvenile court and in counties where no such court exists the records shall be kept on file in the Orphans' Court and one copy to be forwarded with each application for a warrant to the Auditor General and one copy to the County Treasurer The copy to the Auditor General and the County Treasurer shall be sworn to by the Investigator and approved by at least a majority of the trustees

Section 5 No family shall be a beneficiary under this act unless the mother has been a continuous resident of the county in which she is apply for the benefits under this act for a period of three years

Section 6 Any person securing an allowance not entitled thereto shall be declared guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars or imprisonment for not more than one year or both as the court may decide

Section 7 A detailed report of the number of beneficiaries the amount expended the advantages and disadvantages of the system improvement and recommendations shall be made by the trustees to the members of the General Assembly at the beginning of the session of one thousand nine hundred and fifteen

Section 8 All laws or parts of laws inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr GEORGE A. BALDWIN. Mr. Speaker, this is the so-called Mothers' Pension Bill. The House passed a bill several days ago that continued the same subject matter as this bill, and called for the appointment of a commission. It seems to me, therefore, that it is hardly in order to consider this bill on its merits at the present time, and I, therefore, move that further consideration of it be postponed for the present.

Mr. SWIFT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. PIPER. Mr. Speaker, I realize it is true that about a month ago this House passed a bill here requesting the appointment of a commission to investigate for the next two years as to whether or not the destitute children of this State were entitled to any pension, I feel that this bill as it is drawn by Senator Sheatz in the State Senate, and having passed the State Senate, should be considered here to-day, and I believe that the bill is meritorious and should be passed to-day by the members of this House. Had I known, Mr. Speaker, and Gentlemen of the House, one month ago that the intention of the men who supported the bill for a commission was going to in any way injure the present bill now before us, I would not have sustained that bill. It was given to understand at that time that if we were to support the bill for a commission they would be willing to also support this bill. We consented to that proposition and I feel it would be very unfair to deprive the destitute children of the State of their individual rights simply because a bill has passed for the purpose of appointing a commission. We all understand that the Governor has either the right to veto or sustain the commission bill just the same rights that he will have if this bill is pased by this House to-day. The Commission bill has not yet been acted upon in the Senate. This bill has passed the Senate and I believe if we want practical experience as to whether or not this is going to be good legislation, or bad legislation, the best experience would be to experiment with this bill. If in two years from now, we think it is a failure and is not benefiting the State of Pennsylvania, there will be no trouble in repealing the act. I do not believe any of us feel like going to the expense if it is unnecessary and I believe if the body of men who may sit here two years hence should feel that this has been an expense and not the proper legislation will take the stand to properly repeal the act. I would ask, Mr. Speaker and members of the House, that you sustain the bill to-day and vote down the motion to postpone for the present.

Mr. STRAUSS. Mr. Speaker, just a word of explanation in regard to this bill. The bill provides that the state shall appropriate two hundred thousand dollars annually and ap-

portion it among the counties in proportion to population so that the whole state is treated alike. It is a general bill. The money is appropriated by the state. The proposition contained in this bill is not new or startling.

In 1771 this identical principle was enacted into law. It was then enacted as a special act for the city of Philadelphia. It was then administered by overseers of the poor appointed in every township of the State. I think there were two or three appointed. This bill passed in 1771 for the city of Philadelphia was afterwards made a general statute, and it remained a law for a long time, and out of this statute were evolved the large poor houses which we have in the different counties I have on my desk now a contract containing such poor relief. It was entered into 1826 by the overseers of a township with the husband to the effect that he would well support his wife. They agreed to pay him three dollars a month for doing this. Under the Walnut bill we take these young children under sixteen years of age who are poor—that is the reason they work—under the age of sixteen we take them out of the factories where many of them take care of themselves and earn their own living and we give them no place to go to Why shall we not spend a little money to take care of them? We have money for everything else, why not a few dollars for these poor children who must either be supported or support themselves, but far above all there is a humanitarian principle contained in the bill. We are taking care of those who cannot take care of themselves, and therefore, let us vote down this motion and pass the bill as it is written. This bill and the Stein bill that we passed will go together for two years and at the end of that time we will evolve a principle that is just and proper, and there wont be any trouble in doing it because the poor and friendless will never have much powerful influence here as to bring up an act or a law that is not just and fair and right.

Mr. McCLINTOCK. Mr. Speaker, I see no reason why we should postponed this bill. I think this has been fairly considered and that the people of this State expect it to be passed at this time. When the Stein bill asking for a commission to be appointed was before this House, it was referred to a committee and passed a few days later with the understanding by the sponsor of that bill that he was in favor of any of the mothers' pension bills then in committee. Now we have a bill before us which has passed through the Senate, and all that has to be done in order to complete that piece of legislation is for the House to pass it. And gentlemen, as far as explaining the bill is concenned, there is nothing much to be explained about it. It simply provides this. That there will be a commission of ladies appointed in the several counties and they will take up all such cases as should come under this measure, such as widows, or destitute women and mothers, or if they have a drunken husband, or a husband that leaves for some other cause, instead of being compelled to put their children in some home, they will be permitted to keep them at home by getting help through State aid Now, gentlemen, I do not see any reason why we should postpone this bill at all. I think it should be passed by this House by unanimous vote.

The question recurring,

Will the House agree to the motion?

It was not agree to.

Mr. G. A. BALDWIN. Mr. Speaker, there is opposition to this bill because it is based on the wrong theory. It is called a pension bill, while it is not a pension bill at all. A pension is based on the theory that a person receives a pension because he has done something entitling him to that pension. This bill is not based on that theory at all and this idea is not based on that theory. The relief that is distributed by the terms of the bill is based not on any service that the person is supposed to have performed, but on account of their being in need. In other words, it is simply another way of distributing relief that is already covered or allowed by existing law. I hope that the members of the House will not vote for this bill because of the belief which they may entertain that there is no law upon our statute book authorizing relief to be granted to destitute mothers and children, because we have such laws. The poor laws of the State provide for that very relief that is granted by this bill. It is nothing more or less than simply outdoor relief which is already granted by the poor commissioners and by the poor boards in cases where the laws are administered by such boards. So it is a misnomer to call it a pension bill; it is not a pension bill; it is simply another way of distributing some money for which there is plenty of law at the present time. The bill ought to be voted down. There is no demand for it.

Mr. WATSON. Mr. Speaker, I think if we ever have had a worthy bill before this House or in this session, this is the one. The gentleman from Beaver (George A. Baldwin) evidently failed to recall the scene in the widow's home when the poor director comes and requests here to hand her children—those children of hers—over to them or fails to realize the pangs when she accepts aid from the poor directors and that she be branded as a pauper. It is the children that we are thinking about in this bill; the little flock around the disconsolate widowed mother weeping under the loss of her husband, struggling night and day to keep that little brood with her where they may grow up under the care and under the domination of her good advice, to be brought up to be good citizens of this Commonwealth. If they are taken to an asylum, there is an average struck and the best child that goes there leaves very possibly one-half worse than when they went there. Asylums are a last resort and I do hope that the Legislature of the State of Pennsylvania will not be repudiated all over the United States of America with so little heart that they will not take care of the desolate children and the widows and the abandoned mothers. The gentleman says "pensions are rewards for service" but what greater service to the Commonwealth has ever been rendered than that by the mother who brings forth her children and works and toils for them night and day? A soldier is entitled to no more credit than the mother who raises a good family of children.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Adams,	Ewing,	Lenker,	Rhoads,
Allen,	Fahey,	Leslie,	Richards,
Ambler,	Flynn,	Letzkus,	Robinson,
Arthur,	Forster, I. G.,	Lohr,	Rothenberger,
Baldwin, R. J.,	Foster, J. D.,	Lowers,	Runk,
Barner,	Frey,	Malie,	Sassaman,
Bass,	Gans,	Mannion,	Savacool,
Bayle,	Geary,	Martin,	Schaeffer, A. C
Becker,	Geiser,	Mather,	Schuck,
Benson.	Gibson,	Matt,	Scott, J. R. K.,
Berntheizel,	Good,	McAleer,	Semmens,
Bigger,	Grabe,	McAllister,	Shaffer, C. A.,
Bittles,	Gramley,	McArdle,	Shaffer, I. E.,
Blair, W. A.,	Gransback,	McCaig,	Shern,
Blair, W. F.,	Gray, Frank,	McClintock,	Sherwood,
Body,	Gray, Joseph,	McDermott,	Showalter,
Brosius,	Hackett,	McKay,	Smith, J. W.,
Brown,	Haggerty,	McNichol,	Smith, L.,
Brownlee,	Heidinger,	Mechling,	Snavely,
Burnett,	Hemminger,	Mellott,	Snyder,
Caldwell,	Herman,	Metzenbacher,	Spangler,
Campbell, C.M.,	Hess,	Miller,	Speiser,
Campbell, J. J.,	Heyburn,	Missimer,	Spillinger,
Carson,	Hibshman,	Moore,	Steedle,
Carter,	Hoffman,	Morrow,	Steele,
Cheeseman,	Howard, J.,	Moses,	Stone,
Claycomb,	Howard, R.,	Moulthrop,	Strauss,
Cleary,	Isler,	Murphy,	Swartz,
Cochran,	Irwin, G. C.,	Musser,	Swift,
Collins,	Irwin, H. H.,	Neel,	Thomas,
Conner,	Jackson,	Neely,	Ulerich,
Conniff,	Jones, E. E.,	Newbaker,	Ulman,
Conrade,	Jones, J. R.,	Newton,	Walnut,
Cox,	Kaiser,	North,	Walsh,
Currier,	Kaufman,	O'Neill,	Walton,
Curry,	Keegan,	Peachey,	Watson,
Davis,	Keeport,	Pennegar,	Wettach,
DeFrees,	Kenna,	Pennock,	Whitaker,
Dickinson,	Kennedy,	Perry, H. L.,	Whitman,
Donahoe,	Kern,	Piper,	Wildman,
Donnally,	Kitts,	Post,	Williams,
Down,	Klepper,	Price.	Wilson, J. H.,
Dunn, H. B.,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Redfield,	Young, G. K.
Ehrhardt.	Lanius.	Reese,	Young, J. H.,
Eichenberger,	Latshaw,	Reeser,	Zimmerman,
Ely,		Rex,	Alter, Speaker.

NAYS—5.

Baldwin, G. A.,	Benninger.	Light,	Mitchell,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

REASONS FOR VOTE.

Mr. LORENZO SMITH. Mr. Speaker, I desire to file this my reason for voting for this bill, the Mother's Pension Bill.

Every right produces a corresponding duty, hence may be inferred the positive duty of society, to give every individual, an adequate opportunity and an adequate education to prepare it for future efficiency. For if society has the right to the services of every one of its members—this right necessarily involves some duties; and what can that duty more directly be, than that society should give all its children such an education, as will fit them for the services it intends to exact from them in after life? And if parents are unable to give their children such an education, it is the duty of society or the State to assist them; and if they are unwilling, society should take the place of parents, and perform the duties of parents. No one can violate the laws of God, nor the government of the world, with impunity; and the more sacred the trust, the greater will be the effects of a disregard of them.

Every one must and will find a livelihood; nor has society the choice, whether or not to provide for its members; for if an individual is not put in a way to make a living, he will seek it by unlawful means: if he is not educated—to lead a sober, industrious life, he will lead a life of dissipation; and if society refuses to take care of him, in his minority, he will force it to notice him—as an object of self-defence. This society cannot avoid giving an education and a livelihood to all whom providence has placed in its bosom; nor help devoting time and expense to them; for they are by birth and circumstances, dependent upon its assistance.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1304, entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled "An Act relating to executors and administrators."

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS— 188.

Allen,	Ely,	Lenker,	Rex,
Ambler,	Ewing,	Leslie,	Rhoads,
Arthur,	Fahey,	Letzkus,	Richards,
Baldwin, G. A.,	Foster J. D.,	Light,	Robinson,
Baldwin, R. J.,	Frey,	Lohr,	Rothenberger,
Barner,	Gans,	Lowers,	Runk,
Bass,	Geary,	Malie.	Sassaman,
Bayle,	Geiser,	Mannion,	Savacool.
Becker,	Gibson,	Martin,	Schaeffer, A. C
Benninger,	Glenn,	Mather,	Schuck,
Benson,	Good,	Matt,	Scott, J. R. K.,
Bergey,	Grabe,	McAleer,	Semmens,
Berntheizel,	Gramley,	McAllister,	Shaffer, C. A.,
Bigger,	Gransback,	McArdle,	Shaffer, I. E.,
Bittles,	Gray, Frank,	McCaig,	Shern,
Blair, W. A.,	Gray, Joseph,	McClintock,	Sherwood,
Blair, W. F.,	Hackett,	McDermott,	Showalter,
Body,	Haggerty,	McKay,	Smith, J. W.,
Brosius,	Heidinger,	McNichol,	Smith, L.,
Brown,	Hemminger,	Mechling,	Snavely,
Brownlee,	Herman,	Mellott,	Snyder,
Burnett,	Hess,	Metzenbacher,	Spangler,
Caldwell,	Heyburn,	Miller,	Speiser,
Campbell, C.M.,	Hibshman,	Missimer,	Spillinger,
Campbell, J. J.,	Hoffman,	Mitchell,	Steede,
Carson,	Howard, J.,	Moore,	Steele,
Carter,	Howard, R.,	Morrow,	Stone,
Cheeseman,	Isler,	Moses,	Strauss,
Claycomb,	Irwin, G. C.,	Moulthrop,	Swartz,
Cleary,	Irwin, H. H.,	Murphy,	Swift,
Cochran,	Jackson,	Musser,	Thomas,
Collins,	Jones, E. E.,	Neel,	Trach,
Conner,	Jones, J. R.,	Neely,	Ulerich,
Conniff,	Kaiser,	Newbaker,	Ulman,
Conrade,	Kaufman,	Newton,	Walnut,
Cox,	Keegan,	North,	Walsh,
Currier,	Keeport,	Peachey,	Walton,
Curry,	Kenna,	Pennock,	Watson,
Davis,	Kennedy,	Perry, H. L.,	Wettach,
DeFrees,	Kern,	Piper,	Whitaker,
Dickinson,	Kitts,	Post,	Whitman,
Donahoe,	Klepper,	Price,	Wildman,
Donnally,	Kuhn, H. P.,	Ramsey,	Williams,
Down,	Kuhns, E.G.M.,	Redfield,	Wiltbank,
Dunn, H. B.,	Lanius,	Reese,	Young, G. K.
Dunn, J. A.,	Latshaw,	Reeser,	Young, J. H.,
Ehrhardt,			Zimmerman,
Eichenberger,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 743, as follows:

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls raised on such land and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That where any land shall be leased the rent of which shall be wholly or partly a share or portion of the crops and animals and fowls raised thereon including a share or portion of the products of such animals and fowls it shall be unlawful for any tenant to remove or appropriate to his or her use from such land the share of the lessor or landlord unless specific permission in writing from such lessor or lanlord be given to such tenant so to do

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or to undergo an imprisonment in the jail of the county for a period not exceeding six months or both

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The Clerk will read the amendment for information.

The amendment was then read by the Clerk as follows:

Amend section one, line eight, insert the word "knowingly" after the first word "to."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment?

Mr. HOFFMAN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection.

Mr. R. J. BALDWIN. Mr. Speaker, I might say that the sponsor of this bill is perfectly satisfied with this amendment. Perhaps I might say to the House that they certainly don't intend that a person who may be a tenant, farming a property on share, who might unknowingly, perhaps, take a little more than his share that you are going to fine him a hundred dollars minimum or five hundred dollars maximum, or put him in jail. The word "knowingly" should certainly go in.

The SPEAKER. Does the House give its unanimous consent to the insertion of the amendment?

Mr. HOFFMAN. Mr. Speaker, I object.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the House go into Committee of the Whole for the purpose of special amendment.

Mr. MATT. Mr. Speaker. I second the motion.

The motion was agreed to.

COMMITTEE OF THE WHOLE.

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, kindly act as Chairman of the Committee of the Whole.

Mr. WILLIAMS in the Chair.

The Chairman. The Committee of the Whole has under consideration House Bill No. 743, file folio No. 4987, to which the gentleman from Delaware desires to offer amendments.

The Clerk will read the amendments.

The amendments were read as follows:

Amend section 1 by inserting the word "knowingly" after the first "to" in line 8.

Amend Section 2 by striking out all after the word "of" in line 3, down to and including the figures "$100" in line 4.

On the question,

Will the Committee agree to the amendments?

They were agreed to.

Mr. R. J. BALDWIN. Mr. Chairman, I move that the Committee of the Whole House do now arise and report back to the House.

Mr. COX. Mr. Chairman, I second the motion.

The motion was agreed to.

The SPEAKER (George E. Alter) in the Chair.

Mr. WILLIAMS. Mr. Speaker, as Chairman of the Committee of the Whole House, I report back to the House, House Bill No. 743, file folio 4987, with amendments as inserted therein.

On the question,

Will the House agree to the report of the Committee of the Whole?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1319, as follows:

An Act to establish in cities of the third class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof and providing for the payment of the expense thereof by the proper county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every city of the third class there shall be provided in the way hereinafter mentioned a house or houses of detention for the reception of all untried juvenile offenders and neglected and dependent children under the age of sixteen years of the county containing said house or houses of detention who may be in the custody of an officer appointed or elected under any law of this Commonwealth and whose cases may be under judicial investigation under any laws of this Commonwealth pending such investigation and final determination of such case or cases

Section 2 House or houses of detention established under the provisions of this act shall be provided by a board of managers consisting of three members said board of managers to be appointed by the judges of the court of quarter sessions of the peace having jurisdiction in the said respective cities

Section 3 The board of managers provided for in this act shall serve without compensation and shall hold office for three years and until their successors are appointed subject to removal by the judge of said court

Section 4 The duties of said board of managers shall be to provide a house or houses and may when possible contract with any duly incorporated society having for one of its objects the protection of children to establish maintain and conduct said house or houses of detention such contracts for establishing maintaining and conducting such house or houses to be submitted to the judges of the court of quarter sessions for its approval If such contract is not made then the board shall provide such house or houses by leasing the same or otherwise for the reception of children to be placed therein under the provisions of this act keep the same in repair and generally to fit and furnish said house or houses so that the same may be suitable for the care of the children intended to be received generally to supervise and oversee the management of said house or houses unless such contract as aforesaid has been made with an incorporated society as aforesaid in which case such society's board of managers or directors shall oversee and supervise said house or houses

Section 5 Expenses incurred in the performance of the said duties of the board of managers appointed by the court as aforesaid shall be itemized and presented with proper vouchers to the county commissioners of the county containing the city for which said board of managers were appointed who shall be required to pay the said expenses

Section 6 If a contract is not made with an incorporated society as aforesaid the board of managers as appointed by the court shall appoint a man and woman to take charge of the house and children committed to such house of detention which said appointees shall generally maintain order and discipline among the children so committed into their keeping The salary or compensation to be paid to said caretakers or appointees shall be fixed by the board of managers and certified to the county commissioners as one of the expenses of maintaing such house or houses of detention as are established by this act

Section 7 It shall not be essential to commit a delinquent dependent or neglected child to the house of detention established by this act if in the judgment of the probation officer now or hereafter to be appointed under any present existing law or laws of this Commonwealth it should be deemed expedient to otherwise dispose of said child

Section 8 The cost and expense of maintaining the houses of detention by this act established shall be provided by the respective counties containing the said house or houses of detention as the cost and expenses of maintaining county prisons are now provided

All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—189.

Adams,	Ewing,	Light,	Rhoads,
Allen,	Fahey,	Lohr,	Richards,
Ambler,	Foster, J. D.,	Lowers,	Robinson,
Arthur,	Frey,	Malie,	Rothenberger,
Baldwin, G. A.,	Gans,	Mannion,	Runk,
Baldwin, R. J.,	Geary,	Martin,	Sassaman,
Barner,	Geiser,	Mather,	Savacool,
Bass,	Gibson,	Matt,	Schaeffer, A. C
Bayle,	Glenn,	McAleer,	Schuck,
Becker,	Grabe,	McAllister,	Scott, J. R. K.,
Benninger,	Gramley,	McArdle,	Semmens,
Benson,	Gransback,	McCaig,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	McDermott,	Shern,
Bigger,	Hackett,	McKay,	Sherwood,
Bittles,	Haggerty,	McNichol,	Shewalter,
Blair, W. A.,	Heidinger,	Mechling,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mellott,	Smith, L.,
Body,	Herman,	Metzenbacher,	Snavely,
Brosius,	Hess,	Miller,	Snyder,
Brown,	Heyburn,	Missimer,	Spangler,
Brownlee,	Hibshman,	Mitchell,	Speiser,
Burnett,	Hoffman,	Moore,	Spillinger,
Caldwell,	Howard, J.,	Morrow,	Steedle,
Campbell, C.M.,	Howard, R.,	Moses,	Steele,
Carson,	Isler,	Moulthrop,	Stone,
Carter,	Irwin, G. C.,	Murphy,	Strauss,
Cheeseman,	Irwin, H. H.,	Musser,	Swartz,
Claycomb,	Jackson,	Neel,	Swift,
Cleary,	Jones, E. E.,	Neely,	Thomas,
Cochran,	Jones, J. R.,	Newbaker,	Trach,
Collins,	Kaiser,	Newton,	Ulerich,
Conner,	Kaufman,	North,	Ulman,
Conniff,	Keegan,	O'Neill,	Walnut,
Conrade,	Keeport,	Peachey,	Walsh,
Currier,	Kenna,	Pennegar,	Walton,
Curry,	Kennedy,	Pennock,	Watson,
Davis,	Kern,	Perry, H. L.,	Wettach,
DeFrees,	Klepper,	Peters,	Whitman,
Dickinson,	Kuhn, H. P.,	Piper,	Wildman,
Donahoe,	Kuhns, E.G.M.,	Post,	Williams,
Donnally,	Lanius,	Price,	Wilson, J. H.,
Down,	Latshaw,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Redfield,	Wiltbank,
Dunn, J. A.,	Leslie,	Reese,	Young, G. K.
Ehrhardt,	Letzkus,	Reeser,	Young, J. H.,
Eichenberger,		Rex,	Zimmerman,
Ely,			Alter, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 416, entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—182.

Allen,	Ely,	Light,	Richards,
Ambler,	Ewing,	Lohr,	Robinson,
Arthur,	Foster, J. D.,	Lowers,	Rothenberger,
Baldwin, G. A.,	Frey,	Malie,	Runk,
Baldwin, R. J.,	Gans,	Mannion,	Sassaman,
Barner,	Geary,	Martin,	Savacool,
Bass,	Geiser,	Mather,	Schaeffer, A. C
Bayle,	Gibson,	Matt,	Schuck,
Becker,	Good,	McAleer,	Scott, J. R. K.,
Benninger,	Goss,	McAllister,	Semmens,
Benson,	Grabe,	McArdle,	Shaffer, C. A.,
Bergey,	Gramley,	McCaig,	Shaffer, I. E.,
Berntheizel,	Gransback,	McClintock,	Shern,
Bigger,	Gray, Joseph,	McDermott,	Sherwood,

Bittles,	Hackett,	McKay,	Showalter,
Blair, W. A.,	Haggerty,	McNichol,	Smith, J. W.,
Blair, W. F.,	Heidinger,	Mechling,	Smith, L.,
Body,	Hemminger,	Mellott,	Snavely,
Brosius,	Herman,	Metzenbacher,	Snyder,
Brown,	Hess,	Miller,	Spangler,
Brownlee,	Heyburn,	Missimer,	Speiser,
Burnett,	Hibshman,	Mitchell,	Spillinger,
Caldwell,	Hoffman,	Moore,	Steedle,
Campbell, C.M.,	Howard, J.,	Morrow,	Steele,
Campbell, J. J.,	Howard, R.,	Moses,	Stone,
Carson,	Isler,	Moulthrop,	Strauss,
Carter,	Irwin, G. C.,	Murphy,	Swartz,
Cheeseman,	Irwin, H. H.,	Musser,	Swift,
Claycomb,	Jackson,	Neely,	Thomas,
Cleary,	Jones, J. R.,	Newbaker,	Trach,
Cochran,	Kaiser,	Newton,	Ulerich,
Collins,	Kaufman,	North,	Ulman,
Conner,	Keegan,	O'Neill,	Walnut,
Conniff,	Keeport,	Peachey,	Walsh,
Conrade,	Kenna,	Pennegar,	Walton,
Cox,	Kennedy,	Pennock,	Watson,
Currier,	Kern,	Perry, H. L.,	Wettach,
Curry,	Klepper,	Peters,	Whitaker,
Davis,	Kuhn, H. P.,	Piper,	Whitman,
Dickinson,	Kuhns, E.G.M.,	Price,	Wildman,
Donahoe,	Lanius,	Ramsey,	Williams,
Donnally,	Latshaw,	Redfield,	Wiltbank,
Down,	Lenker,	Reese,	Young, G. K.
Dunn, J. A.,	Leslie,	Reeser,	Young, J. H.,
Ehrhardt,	Letzkus,	Rex,	Zimmerman,
Eichenberger,		Rhoads,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 405, entitled:

An Act authorizing the appointment of a commission to inquire into the causes and results of industrial accidents to study advanced methods for safeguarding against the same to inquire into the subject of fair compensation for those injured or killed as a result thereof and to study the operation and effect of the Workmen's Compensation Law of one thousand nine hundred and thirteen and making an appropriation for the expenses of said commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Allen,	Dunn, J. A.,	Kuhn, H. P.,	Rex,
Alworth,	Ehrhardt,	Kuhns, E.G.M.,	Rhoads,
Ambler,	Eichenberger,	Lanius,	Richards,
Aron,	Ely,	Latshaw,	Robinson,
Arthur,	Ewing,	Lenker,	Rothenberger,
Baldwin, G. A.,	Flynn,	Leslie,	Runk,
Baldwin, R. J.,	Foster, J. D.,	Letzkus,	Sassaman,
Barner,	Frey,	Light,	Savacool,
Bass,	Gans,	Lohr,	Schaeffer, A. C
Bayle,	Geary,	Lowers,	Schuck,
Becker,	Geiser,	Mannion,	Scott, J. R. K.,
Benson,	Gibson,	Martin,	Semmens,
Berntheizel,	Glenn,	Mather,	Shaffer, C. A.,
Bigger,	Good,	McAleer,	Shaffer, I. E.,
Bittles,	Goss,	McAllister,	Shern,
Blair, W. A.,	Gramley,	McArdle,	Sherwood,
Blair, W. F.,	Gransback,	McCaig,	Showalter,
Body,	Gray, Frank,	McClintock,	Smith, J. W.,
Brosius,	Gray, Joseph,	McDermott,	Smith, L.,
Brown,	Hackett,	McKay,	Snyder,
Brownlee,	Haggerty,	McNichol,	Spangler,
Burnett,	Heidinger,	Mechling,	Speiser,
Caldwell,	Hemminger,	Mellott,	Spillinger,
Campbell, C.M.,	Herman,	Missimer,	Steedle,
Campbell, J. J.,	Hess,	Mitchell,	Steele,
Carson,	Heyburn,	Moore,	Stone,
Carter,	Hibshman,	Morrow,	Strauss,
Cheeseman,	Hoffman,	Moses,	Swartz,
Claycomb,	Howard, J.,	Moulthrop,	Swift,
Cleary,	Howard, R.,	Murphy,	Thomas,
Cochran,	Humes,	Musser,	Ulerich,
Collins,	Isler,	Neely,	Walnut,
Conner,	Irwin, G. C.,	Newbaker,	Walton,
Conniff,	Irwin, H. H.,	Newton,	Watson,
Conrade,	Jackson,	North,	Wettach,
Cox,	Jones, J. R.,	Pennegar,	Whitaker,
Currier,	Kaiser,	Pennock,	Whitman,
Curry,	Kaufman,	Perry, H. L.,	Wildman,
Davis,	Keegan,	Piper,	Williams,
DeFrees,	Keeport,	Price,	Wiltbank,
Dickinson,	Kenna,	Ramsey,	Young, G. K.
Donahoe,	Kennedy,	Redfield,	Young, J. H.,
Donnally,	Kern,	Reese,	Zimmerman,
Down,	Kitts,	Reeser,	Alter,
Dunn, H. B.,	Klepper,		Speaker.

NAYS—7.

Kern,	Metzenbacher,	Trach,	Wilson, J. H.,
Matt,	Snavely,	Ulman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1816, (Senate Bill No. 518), entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MOSES. Mr. Speaker, I want to call the attention of the members of the House to this bill, this is Senate Bill No. 518 and it was introduced by Senator Diax from Philadelphia. The bill provides that from and after the passage of this act the annual salary of each county solicitor, appointed or elected by the Board of County Commissioners in the several counties of this Commonwealth, having a population of over one hundred and fifty thousand (150,000) and less than two hundred and fifty thousand (250,000) may be twenty-five hundred dollars ($2,500) per annum, payable monthly etc.

The act of 1895 fixes the salary at one thousand ($1,000) dollars, and that is the amount paid now in Cambria County and the other six counties covered by this act; unless some of them have some special act for their particular county.

Mr. SPEAKER. I am opposed to giving any commissioner in any county the right to make a sliding salary of this kind, to my mind it would be bad legislation and would cause all kind of trouble and I do not believe this House will stand for it.

Again Mr. Speaker. This bill affects only seven counties in the State, namely Berks, Cambria, Fayette, Schuylkill, Lancaster, Montgomery and Westmoreland.

This bill does not affect Philadelphia County and I know of no good reason why a member of the Senate from Philadelphia should be the sponsor for it.

I don't think that any member from any county affected by this bill was even consulted about it, and I don't believe that any of them want it.

Mr. Speaker, I want to ask every member of this House to vote no on this bill.

Mr. WILTBANK. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass?

Mr. ULERICH. Mr. Speaker, this bill affects the county from which I come and while it seems a harmless proposition at first, the bill provides that the commissioners may pay twenty-five hundred dollars to the county solicitor. The Courts in some places have decided that "may" means "shall", and I feel quite sure that most of the counties affected by this bill will so decide that "may" means "shall" and the county solicitor will get about twenty-five hundred dollars, which is too much for any county solicitor in the counties affected by this bill. We get very efficient services in Westmoreland County,—I think we do mostly— for one thousand dollars.

BILL STRICKEN FROM CALENDAR.

Mr. WILTBANK. Mr. Speaker, I move that we strike this bill from the Calendar.

Mr. MOSES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 432, entitled:

An Act defining the duties of the State Police

BILL POSTPONED.

Mr. SCHUCK. Mr. Speaker, in the absence of the sponsor I move the further consideration of this bill be postponed for the present.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 741, as follows:

An Act to regulate the practice of optometry in the State of Pennsylvania To provide for the establishment of a State board of optometric examiners To define the powers and duties of said board of optometric examiners To provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the practise of opotometry is hereby defined to be the employment of any means other than the use of drugs for the measurement of the powers of vision and the adaption of lenses for the correction and aid thereof

Section 2 There shall be established a board of optometric examiners for the State of Pennsylvania The board shall consist of five members and each of said members shall serve for a term of three years from the first day of August next after his appointment or until his successors is appointed with the exception of those first appointed who shall serve as follows namely two for one year two for two years and one for three years from the first day of August Anno Domini one thousand nine hundred and thirteen Each member of said board shall possess sufficient knowledge of theoretical and practical optics to practice optometry and shall have been a resident of this State actually engaged in the practice of optometry for at least five years The appointment to membership on said board of examiners shall be made by the Governor within thirty days after the passage of this act

Section 3 The Governor shall appoint the members of said board of examiners from the full list of the members in good standing of the Pennsylvania Optical Society who are eligible for appointment upon said board of optometric examiners which list shall be transmitted to the Governor under the seal and signed by the president and secretary of the said association In case of failure of said optometric association to submit said list as aforesaid the Governor shall appoint members in good standing of said optometric association without restriction provided however that said members shall be qualified as aforesaid

Section 4 The Governor shall in his first appointments designate the number of years for which each appointee shall serve in case of vacancy by death or otherwise there shall be appointed in like manner a person to serve through such unexpired term Each person who shall be appointed to serve on said board of optometric examiners shall receive a certificate of appointment from the Secretary of the Commonwealth Each and every member of said board shall within ten days after appointment on being apraised of the same take and subscribe an oath before the Secretary of the Commonwealth to faithfully and impartially perform the duties of said office

The board shall be and is hereby authorized to take testimony concerning all matters within its jurisdicton and the presiding officer for the time being of the said board or of any committees thereof may issue subpoenas and adminster oaths to witnesses The board of examiners shall make and adopt all necessary rules regulations and by-laws not inconsistent with the Constitution and laws of the State or of the United States whereby to perform its duties and transact its business required under the provisions of this act

Section 5 The first meeting of the board of optometric examiners shall be held on the first Tuesday of August one thousand nine hundred and thirteen at Harrisburg and subsequent meetings for organization in August annually suitable notice in the usual form being given by the secretary of the board to each of the members thereof specifying the time and place of meeting The said board may hold other meetings at such other times and places as it may determine and a majority of the members of said board shall constitute a quorum

At the first meeting of the board and at each annual meeting in August an organization shall be effected by the election from its membership of a president a secretary and a treasurer who shall hold office for the period of ten years or until their successors are chosen

Section 6 For the purpose of examining applicants for license the board of optometric examiners shall hold two stated meetings in each year due notice of which shall be made public at such times and places as the board may determine At said meetings a majority of the members of the board shall constitute a quorum thereof but the examination may be conducted by a committee of one or more members of the board of examiners duly authorized by said board but no certificate to practice shall be granted on an affirmative vote of less than three Said examinations shall be conducted in writing in accordance with such rules and regulations as the State Board of Optometric Eaminers shall fix formulate and adopt for that purpose and may be supplemented by practical examinations After each such examination the committee having charge thereof shall without unnecessary delay act upon the same An official report of such action signed by each acting member of said committee of examiners stating the examination average of each candidate in each branch the general average and the result of the examination whether successful or unsuccessful shall be transmitted to the said State Board of Optometric Examiners Said reports shall embrace all the examination papers questions and answers thereto and such written reports as result from the practical tests as hereinbefore specified All such examination papers and reports shall be kept for reference and inspection for a period of not less than five years The board shall keep a record of its proceedings and a register of applicants for certificates giving the name and location of a duly registered optometrist under whom the applicant studied or the name and location of the institution granting the applicant the degrees of doctor of or diplomat in optometry the date of his or her diploma and also whether the applicant was rejected or granted a certificate and the number of the certificate granted The record and register shall be prima facie evidence of all matters recorded therein

Section 7 All fees provided for in this act shall be paid in advance to the treasurer of the board to be held by him as a fund for the use of the State Board of Optometric Eaxminers The compensation and expenses of the members and officers of said board and all expenses proper and necessary in the opinion of said board to discharge its duties under and to enforce the law shall be paid out of such fund upon warrant of the president and secretary of said board and no expenses shall be created to exceed the income of fees and fines as herein provided The salaries shall be fixed by the board but shall not exceed ten dollars per day of actual service per member and railroad and hotel expenses An account of all moneys received and disbursed by said board pursuant to this act shall be included in an annual report to be made to the Governor which report shall be taken from a record to be kept by the secretary of all the proceedings of the said board and of its committees which shall be a part of the records of said board and the same shall at all times be open to public inspection and shall be prima facie evidence of all matters recorded therein

Section 8 Any person who is engaged in the practice of optometry in this State at the time of the approval of the act may deliver to the secretary of the board of opometric examiners on or before the first Monday of January one thousand nine hundred fourteen a written application for a certificate to practice optometry together with satisfactory proof that the applicant is not less than twenty-one years of age is of good moray character and that he or she has been engaged in the practice of optometry in this State for more than two years next prior to the passage of this act and upon the payment by the applicant of a fee of five dollars the secretary of the said board of optometric examiners shall issue to such applicant a certificate of exemption from such eamination which certificate shall be registered and entitled and authorize such applicant to practice optometry in this State and which certificate of exemption shall be subscribed by every member of the Board of Optometric Examiners Provided That any person entitled to apply for such certificate of exemption who fails to make such written application as herein set forth shall be deemed to have waived his or her right to such certificate

Every certificate to practice optometry issued under the provisions of this act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Optometric Examiners Before such certificate shall be issued it shall be numbered and recorded in a book to be kept by the secretary of the Board of Examiners and the number of such certificate and the number of the book and the page therein containing such recorded copy shall be noted upon the face of said certificate A photograph of the person registered under said certificate shall be filed with the record and a duplicate thereof affixed to the certificate In all legal proceedings the record the photograph so kept in custody of the Board of Examiners or certified copies thereof shall be prima facie evidence of the facts therein stated Said records shall under proper restrictions for their safe-keeping be open to public inspection

Section 9 From and after the approval of this act any person not hereinbefore authorized to practice optometry in this State and desirous of entering upon such practice may deliver to the secretary of the State Board of Optometric Examiners upon the payment of a fee of twenty-five dollars a written application for certificate together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character has a preliminary education equivalent to at least two years in a registered high school and has also studied at least three years in a registered optometrist's office or has graduated from a school of optometry maintaing a standard satisfactory to the said Board of Examiners Such proof shall be made if required on affidavit Upon the making of said payment and proof the State Board of Optometric Examiners if satisfied with the same shall admit said applicant to examination as to his other qualifications for the practice of optometry which examination shall be conducted in accordance with such rules and regulations as the said Board of Examiners shall fix formulate and adopt for that purpose On receiving from the committe of examiners delegated to conduct examinations as provided for in Section six of this act official re-

port of the examination of any applicant for certificate the said State Board of Optometric Examiners shall issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified to practice optometry a certificate to practice optometry in the State of Pennsylvania as provided for in Section eleven of this act In case of failure at any such examination the candidate after the expiration of six months and within two years shall have the privilege of a second examination Having failed upon a second examination as herein provided application anew may be made upon conforming with the standard of qualification both as to character preliminary and optometric education in force at the time of said application and upon payment of a fee of twenty dollars

Section 10 Applicants examined and holding certificates of the State Boards of Aptometric Examiners of other States on the payment of a fee of twenty dollars to the State Board of Optometric Examiners and filing in the office of the State Board of Optometric Examiners a copy of such certificate certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said Board of Examiners is substanially the same as is provided in Section nine of this act may without further examination receive a certificate conferring on the holder thereof of all the rights and privileges provided by Section eleven of this act

Section 11 The certificate of registration or exemption provided for in this act shall authorize the holder thereof to practice optometry as defined by Section one of this act

Section 12 From and after the first Monday of January one thousand nine hundred and fourteen no person shall enter upon or continue the practice of optometry in the State of Pennsylvania unless he or she has complied with the provisions of this act and shall have exhibited to the prothonotary of the court of common pleas of the county in which he or she desires to practice optometry a certificate duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of fifty cents to be duly registered in the office of the prothonotary of the court of common pleas of the said county and every person holding such certificate and registered as aforesaid and practicing optometry shall display his or her certificate of registration or exemption in a conspicuous place in the principal office wherein he or she practiced optometry and whenever required shall exhibit such certificate to said Board of Examiners or its authorized representative And whenever practicing said profession of optometry outside of or away from his or her principal office or place of business he or she shall deliver to each customer or person so fitted with glasses a bill of purchase which shall contain his or her signature home postoffice address and the number of his or her certificate of registration or exemption together with a specification of the lenses furnished and the price charged therefor and any person who shall practice or attempt to practice optometry as defined by this act or who shall use any of the terms or letters—optometrist optometry doctor doctor of optometry diplomat in optometry or Opt. D. or any other title or letters under such circumstances as to induce belief that the person who uses such terms is engaged in the practice of optometry without having first obtained the certificate herein provided for or contrary to the provisions of this act or who shall under any other term or name practice or attempt to practice optometry as defined by this act or who shall falsely personate a registered optometrist of a like or different name or who shall buy or sell or fraudulently obtain a certificate of registration or exemption issued to another or who shall practice or attempt to practice or offer to practice optometry or make public representation of being qualified to practice optometry without having such certificate as hereinbefore provided for or who for the purpose of obtaining such certificate shall falsely represent himself or herself to be entitled thereto shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county wherein the offence shall have been committed shall be sentenced to pay a fine of not exceeding one hundred dollars or to undergo an imprisonment in the county jail for not less than thirty days nor more than ninety days for each offence either or both at the discretion of the court Such fines when collected shall be paid to the common school fund of the county in which such conviction may be made Provided however That nothing contained in this act shall be construed as affecting the practice of medicine or the practice of osteopathy nor shall this act apply to person who neither practice no profess to practice optometry who sell spectacles eyeglasses or lenses either on prescription from such physisians or osteopaths or from such duly qualified optometrists or as merchandise from permanently located and established places of business

Section 13 On and after the approval of this act the State Board of Optometric Examiners shall refuse to grant a certificate to an applicant to practice optometry in this State and is empowered to revoke any certificate of registration or exemption granted by it under this act conferring on a person the right to practice optometry upon the presentation to said State board of a court record showing the conviction in due course of law of said person of a crime involving moral turpitude The State Board of Optometrical Examiners upon such evidence and proof shall cause the name of such convicted person to be removed from the record in the office of the prothonotary of the proper county The State Board of Optometric Examiners may refuse revoke or suspend the right to practice optometry in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate the performance of professional duties or fraud or deceit in the practice of optometry Any person who holds a certificate under this act or who is an applicant for examination for a certificate to practice optometry in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of certificate or for causing the refusal of the right to be examined for a certificate shall be furnished by the State Board of Optometric Examiners with a copy of the complaint which charges or compalint may be preferred by any person or corporation or by the said board on its own initiative and filed with the secretary of said board The said Board of Examiners when charges are preferred shall designate three of their number as a committee to hear and determine such charges or complaint A time and place for the hearing of said charges or complaint shall be fixed by said committee as soon as convenient and a copy of the charges or complaint together with a notice of the time and place when they will be heard and determined shall be served upon the accused or his or her counsel at least ten days before the date actually fixed for said hearing Where personal service or service upon counsel cannot be effected and such fact is certified on oath by any person duly authorized to make legal service the board shall cause to be published for at least seven times for at least twenty days prior to the hearing in two daily papers in the county in which the accused was last known to reside or practice a notice to the effect that at a definite time and place a hearing will be had for the purpose of hearing charges against the accused upon an application to revoke or suspend his or her certificate At said hearing the accused shall have the right to cross-examine the witnesses against him or her and to produce in his or her defence and to appear personally or by counsel The said committee shall make a written report of its findings and recommendations to be signed by all its members and the same shall be forthwith transmitted to the secretary of said board If the said committee shall unanimously find that said charges or any of them are sustained and shall unanimously recommend that the certificate of the accused be revoked or suspended or his registration be annulled or removed the Board of Examiners may thereupon in their descretion revoke or suspend said certificate or annul said registration or do both If the board shall annul such registration they shall forthwith transmit to the prothonotary of the court of common pleas of the county or counties in which the accused is registered as an optometrist a certificate under the seal of the said board certifying that such registration has been annulled and said prothonotary shall upon receipt of said certificate file the same and forthwith mark said registration "annulled" Any person who shall practice or attempt to practice optometry after his or her registration has been marked "annulled" shall be deemed to have practiced optometry without registration Where the certificate of any person has been revoked or his or her registration has been annulled as herein provided the board may after the expiration of one year entertain an application for a new certificate in like manner as original applications for certificates are entertained and upon such new application they may in their discretion exempt the applicant from the necessity of undergoing an examination

Section 14 Nothing in this act shall be construed to give any person licensed under the provisions of this act the right to attach to his name as a prefix or suffix the title Doctor Oculist Ophtalmologist Doctor of Opthalmology or any word or abbreviation indicating that he is engaged in the treatment or the diagnosis of disease or injuries of the human eye or to use drugs or medicine in any form for the treatment or examination of the human eye or to use any therapeutic measures or agencies other than glasses for the correction of vision Nothing in this act shall be construed to apply to persons licensed to practice medicine or surgery in the State of Pennsylvania

Section 15 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. STEEDLE. Mr. Speaker and Gentlemen of the House, I want to call the House's attention to the body of this bill. This bill, as I understand, has been before this House on many occasions, has been defeated on the floor of the House and on one occasion, I believe, vetoed by the Governor.

I am sorry that I have to take issue with my friend from Allegheny (Mr. Allen) the sponsor of the bill, but, gentlemen, I believe in all fairness to every man who strives for a livelihood in this Commonwealth, that this bill is an injustice. Permit me to cite you that this bill is very unspecific in what it shall be. First an foremost they are asking this House to pass a bill for their particular interests, the erection of a house upon which they neither have foundations or nothing else. They are asking you to give them a Board of Examiners. They admitted before the committee on Public Health and Sanitation that they had no recognized school in the Commonwealth of Pennsylvania. That being true, and they admit it. I think it is wrong that they come here and ask us to give them a Board of Ex-

aminers before they have a recognized college in the State and set forth what studies shall be pursued in that college.

Secondly, they are not specific in stating as to what the applicant shall be examined in. All they say is, that the applicant shall be examined in optometry. The examination in optometry might be construed as a mechanical examination of the eye. To be a perfect optometrist a man must certainly have a knowledge of the anatomy of the eye; he must have some knowledge of the physiology of the eye and he must also be compenent in the pathological condition, in order to appreciate the condition of that eye. Now these men do not tell us what they are going to examine the applicant in but they ask us to give them a bill and they may ask the applicant a question in Greek, if they do not like him or if he does not come from the school they think he should come from. It is unfair to the medical profession. If they are sincere in what they want and if they are as specific in their bill and they want this act why are they not men enough to set forth the particular qualification and knowledge of diseases of the eye that shall be required of all applicants for examination. The position, gentlemen, is this: A boy who is going to school is required to have a perticular knowledge before he enters a medical college. He takes four years in that course on a theoretical basis and one year of practice. A man who possibly works in a jeweler's store, who has a side issue of examining eyes, has an employee who is possibly working there and sees Mr. Smith examining the eye by these lenses and feels that he is just as competent as Mr. Smith to examine that individual's eye or this, who may apply. He immediately puts out a sign "Optician." He may and he may not have gone to any school of optometry or any college or hospital to take a post-graduate course, but the mechanical knowledge he has learned by observation in and by practice as being in the position of a student in the store of the man who employs him. A doctor comes along who has taken a special course in optometry and he must compete with that man, who may know as much about the eye as the elephant does about flying an aeroplane. We do not ask anything, gentleman, but what is fair. If these men are sincere and they mean what they say, they mean to be honest, then they should in that bill provide a specific course of study, what the student has to study and what the applicant is going to be examined in when he comes before the Board for the examination. I will leave that to any fair-minded man. if that is not right.

In lieu of the fact that we do not know what they are doing, nor what they intend to do, I think, gentlemen of the House, that you should vote down this measure. It now than at any other time that it appeared before this has been voted down heretofore, and the bill is no different House.

Mr. LORENZO SMITH. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEEDLE. I will.

Mr. LORENZO SMITH. Mr. Speaker, I would like to ask the gentleman if there is any medical college in the State of Pennsylvania that provides for the examination of eyes, and testing by lenses in the regular course?

Mr. STEEDLE. No.

Mr. LORENZO SMITH. Why not?

Mr. STEEDLE. There is none. The people interested in this bill admit that they have no school in the State.

Mr. LORENZO SMITH. I am speaking of the medical colleges.

Mr. STEEDLE. Oh, yes, there is a post-graduate course, which teaches not only mechanical refraction, but also the condition of the eye.

Mr. LORENZO SMITH. I understand that, but what medical institution teaches practical refraction?

Mr. STEEDLE. All medical schools. You can take a post-graduate course in any of them.

Mr. LORENZO SMITH. Is it in the regular curriculum?

Mr. STEEDLE. Not in the regular curriculum but in a special course. Gynaecology is under a special course, and diseases of the ear and ear come under a special course.

Mr. LORENZO SMITH. Is there any medical college that provides the mechanical appliances for making lenses?

Mr. STEEDLE. Did you say grinding lenses? Is that what you said?

Mr. LORENZO SMITH. Yes.

Mr. STEEDLE. No.

Mr. LORENZO SMITH. I have had experiences with oculists and physicians in my time. I was at one itme made purblind by a physician.

Mr. AMBLER (in the Chair).

POINT OF ORDER.

Mr. WILTBANK. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. WILTBANK. Mr. Speaker, my point of order is this: that the two gentlemen are talking to one another and not addressing the Speaker.

The SPEAKER. The Chair rules that the point of order is not well taken.

Mr LORENZO SMITH. One of the most prominent oculists in Philadelphia made me purblind for nine months. I did not know where else to go for redress, and at the request of the family physician, I went to a certain optometrist. I went there and by the lenses he gave me I have been given perfect vision, and have had it ever since. I think that so many people and physicians being oculists have spoiled a lot of good farmers and blacksmiths.

Mr. ALLEN. Mr. Speaker, I have refrained from the time that this bill has been upon the calendar from annoying the members in relation to this particular bill because of the fact that the bill was of some considerable length. The only thing I have done has been to call the members attention to the bill and ask them to read it for themselves. It has been suggested from various sources on the floor of this House, in a sort of secret lobby that has gone on, that this is a very vicious bill, and, Mr. Speaker, I want to go upon record in this matter, standing as sponsor for this bill, with a straight out statement that there is no vicious provision in this bill, that the bill is good, legitimate and a splendid bill to write upon the statute books of this great State and make the State of Pennsylvania the thiry-first State that has adopted this same bill. A few days ago, Mr. Speaker, I found in my mail an indication from some medical fraternity somewhere that three certain governors had vetoed a bill of this kind. Granted. At the same time, Mr. Speaker, thirty other governors, who perhaps were as broad-minded and as uninfluenced and unbiased as they, set their approval to this bill after it had passed in the various branches of the legislature in those thirty different States; and not later than this week, or the last of last week, did the Governor of New Jersey that progressive little State that has furnished us our last President, affix his signature to the bill, thereby enrolling the thirtieth State under the banner of this bill. Now I want Mr. Speaker, and I throw myself open on this matter to any inquiry that may come so soon as I have finished with the digest of this bill,—I want to digest this bill from the beginning to the end with this House, and I do that for the purpose that I believe I can enlighten some of the member of this House in relation to this matter, and dissipate that fearful ghost that has been held up that this is dark and forboding. The first section of this bill defines exactly what Optometry is, and I have refrained up until now from asking any of those opposed to the bill just what it means fearful that they may not have read the definition as set out in the bill and which will hereafter. if this bill becomes a law, define Optometry. It is the employment of any means other than the use of drugs for the measurement of the powers of vision, and the adaption of lenses for the correction and aid thereof. Nothing is simpler, nothing more simpler than that could be placed before an intelligent mind, and I believe, Mr. Speaker, that no one here can be mislead as to just what Optometry is, as we are considering that science to day. Section two of the bill tells you how the Board is constituted,—a new Board, like every other progressive step that has been made in relation to any branch of science,—a new Board is established and appointed by the Governor of this great Commonwealth for the purpose of watching the odds and ends, the details and workings of that particular branch, whatever it may be. Just a few years ago, Mr. Speaker, we have had several new branches recognized, and not only recognized but laws laid down for their regulation, in this and in all other Commonwealths and States of this

great Nation. How long has it been Mr. Speaker, since the Legislature of the State of Pennsylvania wrote on the statute books the rules and regulations governing Osteopathy, and who, today raises his voice against that particular branch of treatment? There are advocates of that school to-day that four or five or ten years ago fought, and fought viciously, that particular school. How long has it been since the two great medical schools of this nation were separated from each other and fighting each other at every point, and absolutely refusing to meet in consultation at the bedside for conference and consultation in relation to a case requiring medical attention? I need not say, I feel that every member of this House is acquainted with those facts, and I do not want to get too far away from this particular subject. Section three tells not who but to what class of people shall the Governor restrict himself in making the appointment for the Board of Examiners. Section four gives and defines the terms of the members of the Board, and also gives authority to the Board to have hearings in relation to such matters as may come before it for official attention. Section five tells you of the Board meetings, and the first meeting of the Board, while Section six gives you the time of examinations which the Board shall hold. Also it specifies in what manner these examinations shall be held, and the suggestion which was made a few moments ago in relation to this particular feature of the bill is so absurd that I hesitate even to recognize it in passing, that someone who is being examined, for whom the Board had it in, would be asked a question in Greek about which he would know nothing. How absolutely absurd; and if the gentleman would only acquaint himself with the conditions of the bill in relation to the examination, he would find that the examinations are to be conducted in writing, the same as any other examination, Mr. Speaker, if you please, and the same line of questions would be asked each individual applicant for that examination. The papers of the examination,—it might be conducted in a sub-committee of the General Board, and in that case the papers of the examination are filled with the General Board where they are kept open to public inspection for a term of five years, and at that time, or during that time, Mr. Speaker, if you please, any of those who might be opposed to this particular school, any of those who might be opposed to advancement in this particular line, have ready and free access to those files, and I doubt not but that if those reports were dishonest and if the results were certified as they should not be, and those eminent gentlemen were to call the attention of the coming legislators to those facts, no doubt the remedy would be provided.

There is nothing fearful in that.

Section seven provides for the fees for examination and also the salaries of the Board which are not, if you please, Mr. Speaker, at the State's expense but as is provided in the bill are to be paid solely and wholly out of the money which comes into the hands of the Board for examination fees. So then this does not cost the State one single penny except, perhaps, and I want to be just as honest as I know how, because perhaps it might cost the State ten or fifteen or twenty-five cents for a certificate—for the certificates which are granted to the original board appointed by the Governor and which the Secretary of the State must certify to and to which he must attach his seal. Section eight also provides in relation to the certificates and here again I go back to this section for just a moment. I might as well pay attention to this section in passing, because it is one of the important sections in this bill. The latter part of this section says

Every certificate to practice optometry issued under the provisins of this act shall be signed by each member of the Board of Examiners and shall have affixed to it by the person authorized to affix the same the seal of the State Board of Optometric Examiners Before such certificate shall be issued it shall be numbered and recorded in a book to be kept by the secretary of the Board of Examiners and the number of such certificate and the number of the book and the page therein containing such recorded copy shall be noted upon the face of said certificate

The reason for that evidences itself in the further reading of this bill which is so plain and so broad fixed and determined in its purposes that it seems to me that the reading of the bill will give greater weight and greater significance than I might be able to do in my own language. I will read:

A photograph of the person registered under said certificate shall be filed with the record and a duplicate thereof affixed to the certificate In all legal proceedings the record and photograph so kept in the custody of the Board of Examiners or certified copies thereof shall be prima facie evidence of the facts therein stated Said records shall under proper restrictions for their safe-keeping be open to public inspection

As is provided further in this bill, Mr. Speaker, every practitioner of this sceince must have exposed in the most public place in his office where he practices optometry this certifiate; on that certificate is a registered number and on that certificate is his likeness. If that same practitioner goes from his office on a single certificate, he must furnish to the one to whom he makes it a bill of sale on which shall appear his recorded number and that for the purpose of identifying him absolutely in the home office and to the State so that no one other than he to whom the certificate was originally handed could appear under that name and under that certificate number. For the purpose, Mr. Speaker, if you please, of defeating any attempt at fraud or deceit on the part of the scores and hundreds of fakirs who infest this land. Section nine provides in relation to a preliminary examination and which to my surprise there is a showing of the absolute lack of information of those who are attacking this bill. It provides also as to the preliminary education with which one shall be possessed before he evens applies for an examination for a certificate to the optometry board. If the gentleman will stop and read on line seven under, section nine they will find out just as I have suggested. You will find it set out there just to that effect. Section ten provides in relation to those who have practiced and are now practicing and who hold certificates or, who are in other states which have adopted this law. It provides for who may have certificates in this State and who may receive certificates which will allow them to parctice under the laws of Pennsylvania, and under this law. Section eleven gives you the effects of the certificates. Section 12 tells you when those who are unauthorized by a certificates from a board to be established under this law when that shall stop, which is on the first day of January, 1914. The penalties, Mr. Speaker, are fully set out in section 12. I hesitate to take the time to discuss this and yet in the few more words that I may have to say in relation to the bill, I believe that I ought to say this in regard to the penalty. The penalties which are provided in this bill are penalties which would touch, if this bill were operative, that class of men who go about the country from door to door and impose upon an unsuspecting public in the way of having attention paid to their eyesight. There is no question on that, and I believe that the members of this House who live in rural districts that will agree with me that every day throughout this Commonwealth there are traveling men who impose upon the public. Doubtless some of these men know these facts and know that they do impose upon the public in this way. It is learned that some one has defective sight. Perhaps they have gone to an occulist, if you please, and even to one of the very highest class, that has failed to do them any good in the treatment of the same, and their sight has failed to respond and some one of these traveling salesmen comes along with a glass perhaps that may be a little off color and tells them that it is a medicated glass and if they will wear this glass, it will restore their sight and from what he has learned as to their financial conditions, he sets a price upon this glass of fifty to a hundred dollars and from that unsuspecting man or woman he gathers in his victim and one hundred dollars and leaves them with a pair of cheap glasses made out of the cheapest bottle glass. Now, Mr. Speaker, the balance of the bill is simply the penalizing and defining of the matters which are touched upon from these sections which I have just defined. The purpose of this bill, Mr. Speaker, is not to recognize any particular branch of people who are doing business and who are not recognized. Let me call your attention to just one other thing, so that there may be no mistake. I want to read from line fifty, of section twelve, so as to dissipate from some of the minds of the members on the floor of this House, the charge that this bill affects the medical fraternity, "that nothing contained in this act shall be construed as effecting the practice of medicine or the practice of osteopathy, nor shall this act apply to persons who neither practice nor profess to practice optometry." So much in relation to medicine and further than that under section fourteen, line ten, it states "Nothing in this act shall be construed to apply to persons licensed to practice medicine or surgery in the State of Pennsylvania."

Now, why the interest which has been manifested against this bill and what is proposed in the bill? First, if you please, as to the purposes: The purpose of the bill is to meet the very condition which I have outlined a moment ago. It is to drive from practice these men in this State a practice to-day is not regulated by law; it is to drive that trade which is defrauding and deceiving the people of this Commonwealth, who are too poor, perhaps, to consult igorant. It is to keep them from being defrauded and an occulist, or, if not too poor, too greedy or perhaps too from being deceived and to drive these men out of this Commonwealth. The people who are to-day practicing that deceit and doing that defrauding; it is they that we wish to drive out. It is for that purpose and none other. If this practice were not already going on, there would be no call for such a bill as this. It has been suggested that there is no school is this State. Perhaps not, but I believe, if my observation serves me right, that the great surgeons of this country and the great doctors, if you please, of to-day, pride themselves upon having taken a post graduate course abroad. Why? Because of the fact that on the other side of the water, they claim to have schools that are more advanced than in this country. So it is in this particular branch as in all other branches of medicine, as in all other branches of science; as in all other branches, if you please, where the stamp of law has been placed upon any particular science, that there must be a starting point. That starting point, Mr. Speaker, is not to-day. It is not to-day and in this Commonwealth. That starting point was some years ago, after a strenuous and hard and bitter and continuous struggle for years and years that starting point has been made from that time on down until these states, one state after another, have fallen in and why? I ask the gentlemen who may oppose this bill whether or not with their breath of education and enlightenment in matters of this kind, whether or not a single state that has adopted the opometry board as provided for in this bill, whether there is any one single state that has wiped it off the statute books? Not one. Why? Because of the fact that it has been found that it meets the needs for which the bill is written and that it meets the conditions of those people who require it. Not every man, Mr. Speaker, can go to an occulist who may charge ten or fifteen or twenty-five dollars for a special eximination, as to his eyesight. Not every one can do that. If he cannot go there, let us at least have him go where there is protection, and that is what this is intended for. We can not go to all the highest price surgeon, as you or I might and are willing to do, Mr. Speaker, if we had an operation to be performed, we might want to go away off out beyond into another state, up in Minnesota.

The two brothers, whose reputation, perhaps, stands as high as any other in this land. We might want to submit ourselves to their care, or if we could not we would do the next best thing. No doctor, perhaps, would be justified unless he had a surgical training to amputate my left arm. I am sure no lawyer would. I am sure no banker would. And neither would the doctor feel justified in going into a bank and running a banking institution without some training, or before our courts of law to try out some serious question. Every tub stands on its own bottom, and in this particular case, Mr. Speaker, having fully set out in this bill our abolute divorcement from surgery, from medicine, or anything else that might claim to have a sisterhood or cousin relationship to this, we ask in the name of the people of this State of Pennsylvania who need this protection; we ask it not against any school of medicine, or surgery, or any school of oculists, or anybody else; but we ask it in the name of the people of this great State of Pennsylvania. This is a bill which has been adopted by thirty other states and has not, up to this moment been found wanting, and we ask that you adopt and pass this measure.

The SPEAKER. It is evident that this bill will involve some discussion, and the Chair would suggest that if the gentleman so desires, he can move to postpone further consideration until 10:30, or until whatever hour to-morrow he may prefer.

HOUSE BILL NO. 741 MADE A SPECIAL ORDER.

Mr. ALLEN. Mr. Speaker, I suspect that there will be other speakers in relation to this matter, and move that 11 o'clock A. M. to-morrow be made a special order for the consideration of this bill.

Mr. RICHARDS. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz

House Bill No. 127.

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such election and the indebtedness represented by such bonds

House Bill No. 420.

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State normal schools

House Bill No. 442.

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

House Bill No. 505.

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

House Bill No. 587.

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth."

House Bill No. 751.

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof

House Bill No. 1071.

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

House Bill No. 1094.

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

House Bill No. 1097.

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

With information that the Senate has passed the same without amendment.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the

House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill No. 160.

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

The SPEAKER. The House should have a session this evening. There may be, and doubtless are, a number of members who have committee meetings to attend, probably not a large number, but if we could sit this evening, as we did last week, taking up only such bills as the sponsors are willing to call up in a light House, a great deal of work could be done, occasioning no inconvenience. This is merely a suggestion of the Chair.

RECESS.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that we take a recess until 8:00 o'clock this evening.

The motion was agreed to and (at 6:08 o'clock P. M.) the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER, (George E. Alter) in the Chair.

BILL INTRODUCED.

Mr. GLENN, asked and received unanimous consent to introduce an appropriation bill, the title of which was first read for information.

REPORTS FROM COMMITTEES.

Mr. SHOWALTER, from the Committee on Geological Survey, reported as committed, House Bill No. 1911, entitled:

An Act relating to petroleum and natural gas wells drilled through coal measures within the Commonwealth of Pennsylvania and providing penalties for the violation thereof

Mr. SHOWALTER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1773, entitled:

An Act to amend section twenty-seven of an act approved the fourth day of June one thousand nine hundred one, entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements, and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment or such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales

Mr. WILTBANK, from the Committee on Corporations, reported as committed, House Bill No. 1536, entitled:

An Act authorizing counties to charge telephone telegraph electric light or gas light companies or other public service corporations now maintaining poles on county roads a reasonable license fee providing for the removal of such poles in case of non-payment requiring such companies hereafter occupying county roads to agree in writing with the county commissioners in relation to such occupancy and the compensation to be paid therefor and providing for the use of all monies received under this act

Mr. WALNUT, from the Committee on Judiciary General, re-reported as amended, House Bill No. 228, entitled:

An Act to regulate and improve the civil service of the Commonwealth of Pennsylvania and of the counties and of cities of the third class providing that the act shall take effect at once in so far as it relates to the civil service of the Commonwealth of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the civil service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making any violation of its provisions a misdemeanor and providing penalties for any violation thereof

BILLS SIGNED BY THE SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 127.

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school-districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such election and the indebtedness represented by such bonds

House Bill No. 420:

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State normal schools

House Bill No. 442:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

House Bill No. 505:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

House Bill No. 587.

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

House Bill No. 751.

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof

House Bill No. 1071:

An Act amending an act enitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the praice of the law out of court as well as before the courts

House Bill No. 1094:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

House Bill No. 1097:

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

Whereupon,

The SPEAKER, in the presence of the House signed the same.

SENATE MESSAGES.

SENATE NON-CONCURS IN AMENDMENTS MADE BY HOUSE.

The Clerk of the Senate being introduced informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill No. 52, entitled as follows:

An Act amending an act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

Mr. BENSON. Mr. Speaker, I move that the House adhere to its amendments.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

REPORT FROM THE COMMISSIONER OF HEALTH.

The Chair laid before the House the special report of the Commissioner of Health, in pursuance with the resolution of the House of Representatives.

The report was read in part, when Mr. Humes made a motion that the report lie on the table for the present, which motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1085, as follows:

An Act to amend sections three four six and seven and to repeal section five of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven which reads as follows

"Section 3 The owners lessees occupiers or managers of all abattoirs slaughtering packing butchering meat-canning meat-manufacturing or rendering establishments and of places or vehicles where meat is prepared stored sold or transported shall keep such establishments places and vehicles in a wholesome clean and sanitary condition" is hereby amended to read as follows

"Section 3 The owners lessees occupiers or managers of all abattoirs slaughtering packing butchering meat-canning meat-manufacturing or rendering establishments and of places or vehicles where meat is prepared stored sold or transported shall keep such establishments places and vehicles in a wholesome clean and sanitary condition and shall protect meats and meat food products from being handled by prospective purchasers or other unauthorized persons and from exposure to flies and other objectionable insects

Feeding offal blood other slaughter house refuse or the carcasses of dead animals to swine is forbidden Except for immediate slaughter swine shall not be kept within one hundred yards of any establishments or places mentioned in this section

Section 2 Section four of said act which reads as follows

"Section 4 The Governor is hereby authorized and empowered to appoint ten persons to serve as agents to assist in the enforcement of the provisions of this act Such agents shall have knowledge of the diseases of meat producing animals and shall be versed in the conditions that affect the soundness healthfulness and wholesomeness of animal food products An appropriate standard for fitness for appointees to these offices shall be established and maintained by the State Livestock Sanitary Board" is hereby amended to read as follows

Section 4 Agents of the State Livestock Sanitary Board may be assigned to assist in the enforcement of the provisions of this act Such agents shall have knowledge of the diseases of meat producing animals and shall be versed in the conditions that affect the soundness healthfulness and wholesomeness of animal food products An appropriate standard of fitness for such agents shall be established and maintained by the State Livestock Sanitary Board

Section 3 Section six of said act which reads as follows

"Section 6 It shall be the duty of agents of the State Livestock Sanitary Board as provided in this act to perform such services prescribed by this act as may be imposed by authority of the State Livestock Sanitary Board Such agents are authorized without let or hindrance to enter upon any premises or to enter any place building vehicle or vessel used for the storage preparation or transportation of animals or their products and to examine in any way that may be necessary any animals meats or meat food product there found for the purpose of determining whether such animals meats or meat food products are or may be made into sound wholesome and healthful human food Animals carcasses or parts thereof that are unsound unhealthful unwholesome or otherwise unfit for human food shall be rejected or condemned and said animals carcasses or parts or products thereof shall be treated and disposed of in such a way that they cannot be used as human food as shall be provided by the rules of the State Livestock Sanitary Board" is hereby amended to read as follows

Section 6 Agents of the State Livestock Sanitary Board are authorized without delay let or hindrance to enter upon any premises or to enter any place building vehicle or vessel used for the storage preparation or transportation of animals or their products and to examine in any way that may be necessary any animals meats or meat food product there found for the purpose of determining whether such animals meats or meat food products are or may be made into sound wholesome and healthful human food Animals carcasses or parts thereof that are unsound unhealthful unwholesome or otherwise unfit for human food shall be rejected or condemned and said animals carcasses or parts or products thereof shall be treated and disposed of in such a way that they cannot be used as human food as shall be provided by the rules of the State Livestock Sanitary Board

Section 4 Section seven of said act which reads as follows

"Section 7 It shall be the duty of the agents of the State Livestock Sanitary Board as provided by this act to make examinations of slaughtering packing meat-canning rendering or similar establishments and of places where meats or meat food products are manufactured prepared stored or sold for the purpose of ascertaining whether the said establishments or places are constructed arranged equipped managed or cared for in such a way as injuriously to affect the soundness healthfulness or wholesomeness or otherwise to render unfit for human food the meats or meat food products therein prepared stored or sold In case the establishment or the manner in which it is arranged equipped managed or cared for shall be found to be defective in such particulars as to make it proable that by virtue of such defect or defects the meats or meat food products may be rendered unsound unhealthful unwholesome or otherwise unfit for human food it shall be the duty of the agent of the State Livestock Sanitary Board to notify the owner occupier or manager thereof as to the nature of the particular defects found and report the same to the State Livestock Sanitary Board The said Board shall thereupon send to the owner occupier or manager of the defective establishment or place a notice in writing in which the defect or defects shall be described and the owner occupier or manager shall thereupon within reasonable time remedy remove or abolish the said defects In the case that a defect in respect to the construction arrangement equipment management or care of a slaughtering packing meat-canning rendering or similar establishment or of a place where meat or meat food products are manufactured prepared stored or sold deemed by the State Livestock Board to be of such a nature as to render it probable that the meat or meat food products therein prepared stored or sold may by virtue of said defect be rendered unsound unhealthful or unwholesome or otherwise unfit for human food is not removed or abolished within reasonable time to be designated by the State Livestock Sanitary Board after notice from the said Board the said establishment or place may be closed and the owner occupier or manager thereof and all other persons are forbidden to use the said establishment or place for the preparation storage or sale of meats or meat food products until the said defect is remedied removed or abolished in a way that is approved by an authorized agent of the State Livestock Sanitary Board" is hereby amended to read as follows

Section 7 It shall be the duty of the agents of the State Livestock Board to make examination of slaughtering packing meat-canning rendering or similar establishments and of places where meats or meat food products are manufactured prepared stored or sold for the purpose of ascertaining whether the said establishments or places are constructed arranged equipped managed or cared for in such a way as injuriously to affect the soundness healthfulness or wholesomeness or otherwise to render unfit for human food the meats or meat food products therein prepared stored or sold In case the establishment or the manner in which it is arranged equipped managed or cared for shall be found to be defective in such particulars as to make it proable that by virtue of such defect or defects the meats or meat food products may be rendered unsound unhealthful unwholesome or otherwise unfit for human food it shall be the duty of the agent of the State Livestock Sanitary Board to notify the owner occupier or manager thereof as to the nature of the particular defects found and report the same to the State Livestock Sanitary Board The said Board shall thereupon send to the owner occupier or manager of the defective establishment or place a notice in writing in which the defect or defects shall be described and the owner occupier or manager shall thereupon within reasonable time remedy remove or abolish the said defects In the case that a defect in respect to the construction arrangement equipment management or care of a slaughtering packing meat-canning rendering or similar establishment or of a place where meat or meat food products are manufactured prepared stored or sold deemed by the State Livestock Board to be of such a nature as to render it probable that the meat or meat food products therein prepared stored or sold may by virtue of said defect be rendered unsound unhealthful or unwholesome or otherwise unfit for human food is not removed or abolished within reasonable time to be designated by the State Livestock Sanitary Board after notice from the said Board the said establishment or place may be closed and the owner occupier or manager thereof and all other persons are forbidden to use the said establishment or place for the preparation storage or sale of meats or meat food products until the said defect is remedied removed or abolished in a way that is approved by an authorized agent of the State Livestock Sanitary Board

Section 5 Section five of said act is hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WETTACH. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KENNA. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1465, as follows:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative of said exhibition and providing for the repayment to the county by the State of the sum so paid" which as heretofore amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated county agricultural association paying premiums upon exhibits exclusive of premiums on trials of speed holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided That in case there is more than on claimant in any one year for said fund the county commissioners shall apportion and divide said one thousand dollars among the several claimants according to the amount of premiums on agriculture stock fruit and other exhibits exclusive of premiums on speed actually paid by each claimant at the last fair held by said claimant. Provided Said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums provided furthere that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held and provided further that any county fair association receiving State aid as aforesaid shall issue a permit to any citizen of this Commonwealth applying for the same to maintain upon the grounds of said association during the progress of any fair a stand for the sale of merchandise for the conducting of an amusement enterprise under and subject to the rules and regulations adopted by said association upon payment of the changes by it established which charges shall be uniform upon the same class of business or amusement" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars to each of the incorporated county agricultural associations being premiums upon exhibits exclusive of premiums on trials of speed holding in their county an annual agricultural exhibition in the interests of stock raising grain poultry handiwork fruit dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or only receive under this act the sum they each and severally pay in premiums provided further that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held And provided further That any county fair association receiving State aid as aforesaid shall issue a permit to any citizen of this Commonwealth applying for the same to maintain upon the grounds of said association during the progress of any fair a stand for the sale of merchandise or the conducting of an amusement enterprise under and subject to the rules and regulations adopted by said association upon payment of the charges by it established which charges shall be uniform upon the same class of business or amusement

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Adams,	Dunn, J. A.,	Lenker,	Rex,
Allen,	Eichenberger,	Leslie,	Rockwell,
Alworth,	Fahey,	Letzkus,	Rothenberger,
Arthur,	Frey,	Light,	Savacool,
Baldwin, G. A.,	Geary,	Lohr,	Schaeffer, A. C
Bass,	Geiser,	Mannion,	Schuck,
Becker,	Gibson,	Martin,	Scott, J. R. K.,
Benninger,	Glenn,	Mather,	Semmens,
Benson,	Good,	McAleer,	Shaffer, I. E.,
Bergey,	Grabe,	McAllister,	Shern,
Berntheizel,	Gramley,	McCaig,	Showalter,
Bigger,	Gransback,	McClintock,	Spangler,
Bittles,	Gray, Joseph.	McDermott,	Stone,
Body,	Haggerty,	McKay,	Strauss,
Brownlee,	Heidinger,	Miller,	Swartz,
Caldwell,	Hemminger,	Missimer,	Swift,
Campbell, J. J.,	Herman,	Mitchell,	Thomas,
Carson,	Heyburn,	Moore,	Trach,
Carter,	Hibshman,	Morrow,	Ulerich,
Cheeseman,	Humes,	Moses,	Ulman,
Cleary,	Isler,	Moulthrop,	Walnut,
Collins,	Irwin, G. C.,	Musser,	Walton,
Conner,	Irwin, H. H.,	Newton,	Watson,
Conniff,	Jackson,	O'Neill,	Williams,
Conrade,	Jones, J. R.,	Peachey,	Wilson, J. H.,
Cox,	Kaiser,	Pennock,	Wilson, W. H.,
Currier,	Keegan,	Post,	Wiltbank,
Curry,	Kenna,	Redfield,	Young, G. K.
Davis,	Kitts,	Reese,	Zimmerman,
DeFrees,	Kuhn, H. P.,	Reeser,	Alter,
Down,	Kuhns, E.G.M.,		Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 154, as follows:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

Whereas the act of May thirteenth one thousand eight hundred and eighty-seven Pamphlet Laws one hundred nine to twelve provides as follows "It shall be the duty of each constable in the county to visit at least once in each month all the places within their respective jurisdiction where any of said liquors are sold or kept"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the fees of constables of townships boroughs and cities of the third class for such monthly visits made by a constable shall be twenty-five (25) cents for each place visited in his jurisdiction and six (6) cents for each and every mile actually traveled in making such visit or visits which number of monthly visits and places visited and miles actually traveled in making such visits shall be verified by oath by the constable and filed with the commissioners of the respective counties

Section 2 The fees and compensation provided for in section one of this act shall be paid by the treasurer of the respective county upon vouchers issued by the county commissioners

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—125.

Adams,	Ehrhardt,	Lenker,	Rockwell,
Arthur,	Eichenberger,	Leslie,	Rothenberger,
Baldwin, G. A.,	Fahey,	Letzkus,	Savacool,
Bass,	Flynn,	Light,	Schuck,
Becker,	Frey,	Lohr,	Scott, S. B.,
Benninger,	Geary,	Mannion,	Semmens,
Benson,	Geiser,	Martin,	Shaffer, I. E.,
Bergey,	Gibson,	Mather,	Sherwood,
Berntheizel,	Good,	Matt,	Showalter,
Bigger,	Grabe,	McAleer,	Smith, J. W.,
Bittles,	Gramley,	McAllister,	Spangler,
Body,	Gransback,	McCaig,	Stone,
Brownlee,	Gray, Joseph,	McClintock,	Swartz,
Caldwell,	Hemminger,	McDermott,	Swift,
Campbell, J.J.	Hess,	McKay,	Thomas,
Carson,	Heyburn,	Mechling,	Trach,
Carter,	Hibshman,	Miller,	Ulerich,
Cheeseman,	Howard, R.,	Missimer,	Ulman,
Cleary,	Humes,	Mitchell,	Walnut,
Cochran,	Isler,	Moore,	Walsh,
Collins,	Irwin, G. C.,	Morrow,	Wettach,
Conner,	Irwin, H. H.,	Musser,	Whitaker,
Conniff,			

Conrade,	Jackson,	Newton,	Whitman,
Cox,	Jones, J. R.,	Peachey,	Wildman,
Currier,	Kaiser,	Pennock,	Williams,
Curry,	Keegan,	Piper,	Wilson, J. H.,
Davis,	Kenna,	Post,	Wiltbank,
DeFrees,	Kitts,	Redfield,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rex,	Zimmerman,
Dunn, J. A.,	Latshaw,	Rhoads,	Alter,
		Robinson,	Speaker.

NAYS—3.

Alworth, Haggerty, Moses,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1346, (Senate Bill No. 386), entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GIBSON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1660, entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon the indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Adams,	Ehrhardt,	Klepper,	Reese,
Allen,	Eichenberger,	Kuhn, H. P.,	Reeser,
Alworth,	Ewing,	Kuhns, E.G.M.,	Rex,
Arthur,	Fahey,	Latshaw,	Rhoads,
Baldwin, G. A.,	Flynn,	Lenker,	Robinson,
Bass,	Frey,	Leslie,	Rockwell,
Becker,	Geary,	Letzkus,	Rothenberger,
Benninger,	Geiser,	Light,	Runk,
Benson,	Gibson,	Lohr,	Savacool,
Bergey,	Glenn,	Mannion,	Schaeffer, A. C
Berntheizel,	Good,	Martin,	Schuck,
Bigger,	Grabe,	Mather,	Semmens,
Bittles,	Gramley,	Matt,	Shaffer, I. E.,
Body,	Gransback,	McAleer,	Shern,
Brown,	Gray, Joseph,	McAllister,	Sherwood,
Brownlee,	Haggerty,	McArdle,	Showalter,
Caldwell,	Heidinger,	McCaig,	Smith, J. W.,
Campbell, J. J.,	Hemminger,	McClintock,	Spangler,
Carson,	Herman,	McDermott,	Stone,
Carter,	Heyburn,	McKay,	Strauss,
Cheeseman,	Hibshman,	Mechling,	Swartz,
Cleary,	Howard, J.,	Metzenbacher,	Thomas,
Cochran,	Humes,	Miller,	Ulerich,
Collins,	Isler,	Missimer,	Walnut,
Conner,	Irwin, G. C.,	Moore,	Walsh,
Conniff,	Jackson,	Morrow,	Watson,
Conrade,	Jones, E. E.,	Moses,	Wettach,
Cox,	Jones, J. R.,	Murphy,	Williams,
Currier,	Kaiser,	Musser,	Wilson, J. H.,
Curry,	Keegan,	Peachey,	Wiltbank,
Davis,	Keeport,	Pennock,	Young, G. K.,
DeFrees,	Kenna,	Piper,	Zimmerman,
Down,	Kennedy,	Post,	Alter,
Dunn, H. B.,	Kitts,	Redfield,	Speaker.
Dunn, J. A.,			

NAYS—3.

Mitchell, Newton, Swift,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1437, as follows:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the commissioners and poor directors in all counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants in which there is or shall hereafter be erected a county poor house or hospital for the insane to purchase all supplies for the maintenance of the inmates of such poor house or hospital by written contract said commissioners and directors of the poor shall by advertisement inserted in at least one newspaper of the county in which said institution is located for two weeks invite sealed proposals for the furnishing of such supplies and shall award all such contracts to the lowest responsible bidder and shall take from such bidder a bond with sufficient sureties conditioned for the faithful performance of his contract

Section 2 The provisions of this act shall not apply to counties having a population of twenty-five thousand inhabitants and less than fifty thousand where the contract for such supplies involves an expenditure of less than one hundred dollars ($100) to counties having a population of more than fifty thousand and less than seventy-five thousand inhabitants where such contract involves an expenditure of less than one hundred and fifty dollars ($150) to counties having a population of more than seventy-five thousand and less than one hundred thousand inhabitants where such contract involves an expenditure of less than two hundred ($200) dollars and to counties having a population of more than one hundred thousand and less than one hundred and fifty thousand inhabitants where such contract involves an expenditure of less than three hundred dollars ($300)

Section 3 Any county commissioner or director of the poor violating the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or to undergo an imprisonment not exceeding six months

Section 4 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Adams,	Geary,	Lenker	Rhoads,
Allen,	Geiser,	Letzkus,	Robinson,
Arthur,	Gibson,	Light,	Rockwell,
Baldwin, G. A.,	Glenn,	Lohr,	Rothenberger,
Bass,	Good,	Mannion,	Savacool,
Becker,	Grabe,	Martin,	Schaeffer, A. C.
Benninger,	Gramley,	Matt,	Semmens,
Benson,	Gransback,	McAleer,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	McAllister,	Sherwood,
Bigger,	Haggerty,	McArdle,	Showalter,
Bittles,	Heidinger,	McClintock,	Smith, J. W.,
Body,	Hemminger,	McDermott,	Spangler,
Brownlee,	Herman,	McKay,	Strauss,
Caldwell,	Heyburn,	Mechling,	Swartz,
Carter,	Hibshman,	Miller,	Thomas,
Cleary,	Humes,	Mitchell,	Trach,
Cochran,	Isler,	Moore,	Ulerich,
Collins,	Irwin, G. C.,	Morrow,	Ulman,
Conner,	Irwin, H. H.,	Moses,	Walton,
Conniff,	Jackson,	Murphy,	Watson,
Conrade,	Jones, J. R.,	Musser,	Wettach,
Cox,	Kaiser,	Newton,	Wildman,
Currier,	Kern,	Pennock,	Williams,
Curry,	Kitts,	Piper,	Wilson, J. H.,
Davis,	Klepper,	Post,	Young, G. K.,
Down,	Kuhn, H. P.,	Redfield,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	Zimmerman,
Dunn, J. A.,		Rex,	Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. H. B. DUNN. Mr. Speaker, I desire to call up at this time House Bill No. 1004, (Senate Bill No. 120), on page thirteen of today's Calendar.

Mr. ULERICH. Mr. Speaker, this bill as amended in the Senate, is exactly the same as the bill we passed last week, the election bill, which was the bill introduced by myself, which was the same thing, and if we can get rid of it now, I am perfectly satisfied.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1004, (Senate Bill No. 120), as follows:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the pay of judges inspectors and clerks at all elections to be held within this Commonwealth shall be five dollars each Provided That the provisions of this act shall not repeal any special act now in force in any of the counties of this Commonwealth and shall not apply to any city co-extensive with a county and shall not alter or affect in any manner the compensation of return judges as fixed by existing laws

Section 2 All acts or parts of acts inconsistent herewith except as recited in section one are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Adams,	Gibson,	Martin,	Rockwell,
Allen,	Glenn,	Mather,	Rothenberger,
Arthur,	Good,	McAleer,	Savacool,
Baldwin, G. A.,	Grabe,	McAllister,	Schaeffer, A. C
Bass,	Gransback,	McArdle,	Scott, S. B.,
Becker,	Haggerty,	McClintock,	Semmens,
Benninger,	Heidinger,	McDermott,	Shaffer, I. E.,
Benson,	Hemminger,	McKay,	Sherwood,
Bergey,	Heyburn,	Mechling,	Showalter,
Bigger,	Hibshman,	Missimer,	Smith, J. W.,
Bittles,	Howard, J.,	Mitchell,	Spangler,
Body,	Humes,	Moore,	Stone,
Brownlee,	Isler,	Morrow,	Strauss,
Caldwell,	Irwin, G. C.,	Moses,	Swartz,
Campbell, J.J.	Irwin, H. H.,	Moulthrop,	Swift,
Cheeseman,	Jones, J. R.,	Murphy,	Thomas,
Cleary,	Kaiser,	Neel,	Trach,
Conner,	Keegan,	Neely,	Ulerich,
Conniff,	Kern,	O'Neill,	Ulman,
Conrade,	Kitts,	Peachey,	Walnut,
Cox,	Klepper,	Pennegar,	Watson,
Currier,	Kuhn, H. P.,	Pennock,	Wildman,
Curry,	Kuhns, E.G.M.,	Piper,	Williams,
Davis,	Lenker,	Post,	Wilson, J. H.,
Down,	Leslie,	Redfield,	Young, G. K.,
Dunn, H. B.,	Light,	Reeser,	Zimmerman,
Dunn, J. A.,	Lohr,	Rex,	Alter,
Eichenberger,	Mannion,	Robinson,	Speaker.
Geiser,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. NEELY. Mr. Speaker, on behalf of the gentleman from Philadelphia, I want to call up House Bill No. 1013, file folio 2759, on page twenty-five of today's Calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1013, as follows:

An Act to amend further the tenth section of an act entitled "An Act providing when how upon what property an to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one as heretofore amended by changing the procedure for reviving and continuing the liens of municipal and tax claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one which as heretofore amended read as follows:

"Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after confirmation of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where an appeal is taken from the assessment for the recovery of which such municipal claim is fixed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no account is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said porperties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment o nthe scrie facias and in cases of other than tax claims ater judgment on the scire acias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scrie facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests or record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The protonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index of it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such

suggestion and averment within five years of filing the claim or the issuing of any writ of scrie facias thereon or of any judgment thereon or of the filing or any prior suggestion the averment of default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment or revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost" shall be and the same is hereby amended to read as follows

Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where no appeal is taken from the assessment for the recovery of which such municipal claim is filed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If the final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which final judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no amount is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facie or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests of record that the above claim is still due and owning to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim of the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment or default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost

On the question,

Will the House agree to the bill on third reading?

Mr. NEELY in behalf of Mr. Speiser, Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title in line nine by striking out the word "as heretofore amended" and inserting in lieu thereof the following:

"As the same was amended by an act approved the first day of May one thousand nine hundred and seven, and as the same was further amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine, and as the same was further amended by an act approved the twentieth day of June one thousand nine hundred and eleven"

Amend section 1 line 12 striking out the words "as heretofore amended" and inserting in lieu thereof the following words:

"As the same was amended by an act approved the first day of May one thousand nine hundred and seven, and as the same was further amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine, and as the same was further amended by an act approved the twentieth day of June one thousand nine hundred and eleven"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1647, entitled:

An Act authorizing and empowering municipalities to establish separate and distinct grades on the same street or highway

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Adams,	Gray, Joseph,	Mather,	Schaeffer, A. C
Allen,	Haggerty,	Matt,	Schuck.
Arthur,	Heidinger,	McAleer,	Scott, S. B.,
Becker,	Hemminger,	McAllister,	Semmens,
Benninger,	Herman,	McClintock,	Shaffer, I. E.,
Benson,	Heyburn,	McDermott,	Sherwood,
Bergey,	Hibshman,	McKay,	Showalter,
Berntheizel,	Howard, J.,	Mechling,	Smith, J. W.,
Bittles,	Humes,	Miller,	Snyder,
Blair, W. F.,	Irwin, G. C.,	Morrow,	Spangler,
Brownlee,	Irwin, H. H.,	Moses,	Stone,
Caldwell,	Jackson,	Moulthrop,	Strauss,
Campbell, J.J.	Jones, J. R.,	Murphy,	Swartz,

Carson,	Kaufman,	Neel,	Swift,
Carter,	Kern,	Neely,	Thomas,
Cheeseman,	Kitts,	Newton,	Trach,
Cleary,	Klepper,	Peachey,	Ulerich,
Cochran,	Kuhn, H. P.,	Pennegar,	Ulman,
Collins,	Kuhns, E.G.M.,	Pennock,	Walnut,
Conrade,	Latshaw,	Post,	Wettach,
Donnally,	Lenker,	Redfield,	Whitman,
Down,	Letzkus,	Reeser,	Wildman,
Flynn,	Light,	Rex,	Williams,
Geary,	Lohr,	Robinson,	Wilson, J. H.,
Geiser,	Malie,	Rockwell,	Young, G. K.,
Goss,	[illegible]ion,	Rothenberger,	Zimmerman,
Grabe,	Martin,	Sassaman,	Alter,
Gramley,		Savacool,	Speaker.

NAYS—6.

Bass,	Currier,	McArdle,	Missimer,
Conner,	Eichenberger,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1809 (Senate Bill No. 316), as follows:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the pasage of this act the Board of Game Commissioners of this Commonwealth shall have the power and authority to close for a term of years to the purposes of hunting elk and deer found in a wild state in any of the territory that may to the residents of that territory appear necessary to the protection of elk and deer placed or found thereon such territory in no instance to be less than one county in area and in no instance to exceed four contiguous counties in any one tract in this Commonwealth

Section 2 That whenever at least two hundred citizens of any county in this Commonwealth shall through written petition certify to the Board of Game Commissioners that in their opinion an absolutely closed season is necessary to insure the better protection and consequent increase of elk and deer found in a wild state in that county in which such citizens may reside and asking that such county be closed to hunting for a period the Board of Game Commissioners shall forward to said petitioners and others a blank form setting forth such questions as they may consider best suited to determine the quantity of game and game conditions in the county in question which said forms with replies to entitle such answers to consideration before said Board of Game Commissioners shall be returned to said board on or before the return day as fixed upon said forms such petitioners shall also publish for at least three consecutive weeks at their own expense in at least two prominent newspapers in the county to be closed the statement that such petition has been filed with its purpose and the return day for information as fixed by the Board of Game Commissioners and shall file with said board duly certified copies of such notices as published in each newspaper on or before said return day If the written answers as returned shall fail to satisfy said Board of Game Commissioners that such closed season is necessary or those opposing such action shall demand a hearing before said board then a hearing shall be had upon such date and at such place within the county to be affected as may be decided upon by the said Board of Game Commissioners the expense of such hearing to be paid by those demanding the same If after the receipt of the written answers or the public hearing or both the Board of Game Commissioners shall be satisfied such closed season is necessary to insure the better protection of elk and deer found in a wild state and its consequent increase they are herewith empowered and directed to declare a closed season not to exceed five years for elk and deer found in a wild state as the investigation may demonstrate is needy in that county or in those several counties not exceeding four in number and adjourning one another that through the separate action of its citizens has been in accord with the requirements of this act

The Board of Game Commissioners to make such closed season effective and binding shall be required to publish annually their decision and action regarding this matter in at least five newspapers if there be that many in each county affected thereby and to have notices of such ruling declaring such county closed to hunting printed upon cloth annually distributed in reasonable numbers throughout the affected territory

Each and every person violating the requirements of such ruling made by the Board of Game Commissions under the requirements of this act shall be liable to a penalty of two hundred dollars for each elk and one hundred dollars for each deer taken killed wounded or attempted to be taken killed or wounded upon said closed territory

Section 3 Each and every magistrate justice of the peace and alderman within this Comomnwealth shall have the power to hear and determine all cases of summary conviction in matters pertaining to violation of any of the provisions of this act All actions for violation of any of the provisions this act except where the defendant is taken in the act of violating the law or in a pursuit immediately following such violation shall be commenced by affidavit made within one year after the date of such violation and any magristrate justice of the peace or alderman in this Commonwealth on complaint made before him by affidavit by one or more persons of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game protector or any officer of the Commonwealth whose duty it is to protect the game and wild birds of the Commonwealth and cause such person to be brought before him such magistrate justice of the peace or alderman who shall hear the evidence and determine the guilt or innocence of the person accused and if such person be convicted of the offense charged he shall be sentenced to pay the full penalty prescribed by the section violated together with the costs of prosecution All penalties thus recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such amount in full to the secretary of the Board of Game Commissioners at Harrisburg Where any officer of the Commonwealth other than a salaried officer is the prosecutor one-half of any penalty thus collected shall be paid to such prosecutor by the court receiving the same and the remaining one-half shall be as soon as the case is fully determined before him forwarded by such magistrate justice of the peace or alderman to the secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which such money shall have been collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution and it shall be the duty of said secretary of the Board of Game Commissioners to at least once a month make return of moneys thus collected to the State Treasurer who shall keep the moneys thus collected as a fund separate and apart solely for the purpose of wild bird and game protection and for the purchase and propagation of game under the supervision of the Board of Game Commissioners of the Commonwealth of Pennsylvania and for the payment of bounties under the provisions of law The several purposes to which the fund so received by the State Treasurer shall be applied to be clearly designated by an act of the Legislature either in the general appropriation act or by separate apropriation for the payment of bounties Any defendant being dissatisfied with the finding of the magistrate justice of the peace or alderman in a trial for a violation of any provision of this act shall be entitled to an appeal under the provisions of section fourteen of article five of the Constitution and the laws of Pennsylvania relating thereto which said court on the conviction of the defendant of such offense and his failure to pay the penalty in full imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time as prescribed by this act Provided That any person caught in the act or charged with a violation of any provisions of this act may at his descretion either before or after the bringing of suit sign an acknowledgement of the offense committed and pay to any duly authorized game protector or deputy game protector the penalty in full as fixed by the section violated together with costs if any to date and the receipt which he shall receive therefrom and which in all instances shall bear the imprint of the seal of the Board of Game Commissioners and the signature of its secretary shall be evidence of full satisfaction of the offense committed

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Adams,	Dunn, H. B.,	Lenker,	Rhoads,
Allen,	Dunn, J. A.,	Leslie,	Robinson,
Arthur,	Ehrhardt,	Letzkus,	Rothenberger,
Bass,	Eichenberger,	Lohr,	Sassaman,
Bayle,	Flynn,	Malie,	Savacool,
Becker,	Frey,	Mannion,	Schaeffer, A. C
Benninger,	Geiser,	Martin,	Schuck,
Benson,	Glenn,	Mather,	Scott, S. B.,
Bergey,	Good,	McAleer,	Semmens,
Berntheizel,	Grabe,	McAllister,	Shaffer, I. E.,
Bigger,	Gramley,	McArdle,	Shern,
Bittles,	Gransback,	McClintock,	Sherwood,
Blair, W. F.,	Gray, Joseph,	McDermott,	Showalter,
Body,	Haggerty,	McKay,	Smith, J. W.,
Brownlee,	Heidinger,	Mechling,	Spangler,
Caldwell,	Hemminger,	Miller,	Strauss,
Campbell, C.M.,	Herman,	Missimer,	Swartz,
Campbell, J.J.	Heyburn,	Mitchell,	Thomas,
Carson,	Hibshman,	Moore,	Trach,
Carter,	Howard, R.,	Morrow,	Ulerich,
Cheeseman,	Humes,	Moulthrop,	Ulman,
Claycomb,	Isler,	Musser,	Walsh,
Cleary,	Irwin, G. C.,	Neel,	Walton,
Cochran,	Irwin, H. H.,	Neely,	Watson,
Collins,	Jackson,	Newton,	Whitaker,
Conner,	Jones, J. R.,	O'Neill,	Whitman,
Conniff,			

Conrade,	Kaiser,	Peachey,	Wildman,
Cox,	Kaufman,	Pennegar,	Williams,
Currier,	Keegan,	Pennock,	Wilson, J. H.,
Curry,	Kenna,	Piper,	Wiltbank,
Davis,	Kennedy.	Post,	Young, G. K.
DeFrees,	Kern,	Redfield,	Young, J. H.,
Dickinson,	Kitts,	Reese,	Zimmerman,
Donnally,	Kuhn, H. P.,	Reeser,	Alter,
Down,	Latshaw,		Speaker.

NAYS—1.

Moses,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1335 (Senate Bill No. 77), as follows:

An Act to exempt from the payment of inheritance taxes bequests and devises to institutions of purely public charity

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all bequests and devises to institutions of purely public charity shall be exempt from liability for inheritance taxes provided that this shall not apply to institutions incorporated under the laws of any other State or country

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Adams,	Geary,	Lohr,	Roney,
Allen,	Geiser,	Malie,	Rothenberger,
Arthur,	Gibson,	Mannion,	Runk,
Baldwin, R. J.,	Glenn,	Martin,	Sassaman,
Bass,	Good,	Mather,	Savacool,
Bayle,	Grabe,	Matt,	Schaeffer, A. C
Becker,	Gramley,	McAleer,	Schuck,
Benninger,	Gransback,	McAllister,	Scott, S. B.,
Benson,	Gray, Frank,	McArdle,	Semmens,
Bergey,	Gray, Joseph,	McClintock,	Shaffer, C. A.,
Berntheizel,	Haggerty,	McDermott,	Shaffer, I. E.,
Bigger,	Heidinger,	McKay,	Shern,
Bittles,	Hemminger,	Miller,	Sherwood,
Blair, W. F.,	Heyburn,	Missimer,	Showalter,
Body,	Hibshman,	Mitchell,	Smith, J. W.,
Brownlee,	Howard, J.,	Moore,	Snyder,
Caldwell,	Howard, R.,	Morrow,	Spangler,
Campbell, C.M.,	Humes,	Moses,	Steele,
Campbell, J. J.,	Isler,	Moulthrop,	Stone,
Carter,	Irwin, G. C.,	Murphy,	Strauss,
Cheeseman,	Irwin H. H.,	Neel,	Swartz,
Claycomb,	Jackson,	Newton,	Swift,
Cleary,	Jones. J. R.,	O'Neill,	Thomas,
Collins,	Kaiser,	Peachey,	Trach,
Conner,	Kaufman,	Pennegar,	Ulerich,
Conniff,	Keegan,	Pennock,	Ulman,
Conrade,	Kitts,	Piper,	Walnut,
Cox,	Klepper,	Post,	Walsh,
Currier,	Kuhn, H. P.,	Ramsey,	Watson,
Curry,	Kuhns, E.G.M.,	Reese,	Whitaker,
Dickinson,	Lanius,	Reeser,	Whitman,
Donnally,	Latshaw,	Rex,	Wildman,
Down,	Lenker,	Rhoads,	Williams,
Dunn, H. B.,	Leslie,	Richards,	Wilson, J. H.,
Dunn, J. A.,	Letzkus,	Robinson,	Wiltbank,
Eichenberger,	Light,	Rockwell,	Zimmerman,
Frey,			

NAYS—1.

Alter,
Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1250, entitled:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts to the rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the exisiting rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlraging the scope of the said act so as to make it apply to all cases in which any writing is in question

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Adams,	Gibson,	Martin,	Rockwell,
Allen,	Glenn,	Mather,	Runk,
Arthur,	Grabe,	Matt,	Sassaman,
Bass,	Gramley,	McAleer,	Savacool,
Bayle,	Gransback,	McAllister,	Schaeffer, A. C
Becker,	Gray, Joseph,	McArdle,	Schuck,
Benninger,	Haggerty,	McCaig,	Scott, S. B.,
Benson,	Heidinger,	McClintock,	Semmens,
Bigger,	Hemminger,	McKay,	Shaffer, C. A.,
Bittles,	Herman,	Mechling,	Shaffer, I. E.,
Blair, W. F.,	Hess,	Metzenbacher,	Shern,
Body,	Heyburn,	Miller,	Sherwood,
Brownlee,	Howard, J.,	Missimer,	Showalter,
Caldwell,	Howard, R.,	Moore,	Smith, J. W.,
Campbell, C.M.,	Humes,	Morrow,	Snyder,
Campbell, J.J.	Isler,	Moses,	Strauss,
Carson,	Irwin, G. C.,	Moulthrop,	Swartz,
Carter,	Irwin, H. H.,	Musser,	Swift,
Cheeseman,	Jackson,	Neel,	Thomas,
Cleary,	Jones, J. R.,	Neely,	Trach,
Collins,	Kaiser,	Newton,	Ulerich,
Conner,	Keegan,	Peachey,	Ulman,
Conniff,	Kitts,	Pennegar,	Walnut,
Conrade,	Klepper,	Perry, H. L.,	Walsh,
Cox,	Kuhn, H. P.,	Piper,	Watson,
Currier,	Kuhns, E.G.M.,	Post,	Whitaker,
Curry,	Lenker,	Ramsey,	Wildman,
Davis,	Leslie,	Redfield,	Williams,
Donnally,	Letzkus,	Reese,	Wilson, J. H.,
Down,	Light,	Rex,	Wiltbank,
Dunn, H. B.,	Lohr,	Rhoads,	Young, G. K.,
Eichenberger,	Malie,	Richards,	Zimmerman,
Ely,	Mannion,	Robinson,	Alter,
Flynn,			Speaker.
Geiser,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1476, as follows:

An Act creating a Rebuilding and Insurance Fund under the control of the Board of Commissioners of Public Grounds and Buildings for the restoration and repairing of any structure building or equipment owned by the Commonwealth and accidentally destroyed or damaged and for the payment of premiums of insurance upon such property and making an appropriation to carry out the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Rebuilding and Insurance Fund which shall be used for the purpose of restoring and replacing any structure building or equipment owned by the Commonwealth of Pennsylvania which may be accidentally destroyed or damaged and for the payment of all premiums of insurance upon such structures buildings and equipment

Section 2 The Board of Commissioners of Public Grounds and Building is authorized to invest said fund in such securities as are authorized for the investment of the moneys in the Sinking Fund of this Commonwealth The Board shall make and publish annually in the month of January a report of the condition of said fund and the amount thereof expended during the preceding year

Section 3 The interest of said fund shall be used to restore and repair any structure building or equipment owned by the Commonwealth which shall be accidentally destroyed or damaged If at any time the interest of said fund shall not be sufficient for any such purpose the said board is authorized to use so much of the principal sum of said fund as may be necessary

Section 4 Payment of money from said fund shall be on requisition of the Board accompanied by itemized and certified vouchers and on warrant of the Auditor General

Section 5 All rebuilding authorized by this act shall be done in accordance with the original plans and specifications unless the Board shall deem it to the interests of the Commonwealth to deviate therefrom No part of said fund shall be used in the erection of new buildings nor in the erection of any new addition to any building

Section 6 After the passage of this act it shall be the duty of the Board of Commissioners of Public Grounds and Buildings to insure all structures buildings and equipment owned by the Commonwealth of Pennsylvania and to use so much of the interest derived from said fund as may be necessary for the payment of the premiums of such insurance Whenever said fund shall amount to the sum of five million dollars the said Board is authorized and empowered to cancel all insurance upon such structures buildings and equipment and any moneys that shall enure to the Commonwealth by reason of such cancellation shall be added to and form part of the principal fund created by this act

Section 7 The sum of five hundred thousand dollars is hereby specifically appropriated to carry out the provisions of this act

Section 8 All acts or parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I would like some explanation of this bill.

Mr. KERN. Mr. Speaker, this is to create a rebuilding and insurance fund for the State. Large corporations like the Pennsylvania Railroad Company and like John Wanamaker of Philadelphia are doing this kind of work, and why shouldn't it be a good proposition for the State instead of paying out thousands of dollars yearly to insurance people. This bill has been recommended by the different Departments of the State. For instance, you will find in the Board of Public Charities that they have recommended a law of this kind.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. KERN. I will.

Mr. ROCKWELL. Mr. Speaker, I would like to ask the gentleman how much of an appropriation this bill carries.

Mr. KERN. $500,000.

The SPEAKER. The attention of the Chair has been called to the fact that this bill has not as yet been before the Committee on Appropriations.

BILL RE-COMMITTED.

Mr. WALNUT. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. KERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 754, entitled:

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage a main building and a subway at the State Arsenal Harrisburg Pennsylvania and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings are hereby authorized and directed to have prepared plans and specifications for the erection at the State Arsenal Harrisburg Pennsylvania of a garage main building and a subway to connect the manufacturing and storage building with the main building and after advertising for bids in not less than two daily newspapers for a period of three weeks shall proceed to let the contract for the building of the garage main building and subway herein provided for to the lowest and best bidder with the right to them to reject all bids submitted and readvertise in the manner aforesaid for bids and upon the acceptance of the lowest and best bidder to enter into a contract on behalf of the Commonwealth for the same with such bidder under the advice and direction of the Attorney General

Section 2 That the sum of one hundred and two thousand five hundred dollars ($102,500) or so much thereof as may be necessary is hereby specifically appropriated to the Board of Commissioners of Public Grounds and Buildings for the erection of said buildings and subway as follows namely

For the construction of an automobile garage of fire-proof materials the sum of two thousand dollars ($2,000) or so much thereof as may be necessary

For the construction of a new main building of fire-proof materials the sum of ninety-eight thousand dollars ($98,000) or so much thereof as may be necessary

For the construction of a subway to connect the proposed new fireproof main building with the manufacturing and storage building the sum of two thousand five hundred dollars ($2,500) or so much thereof as may be necessary

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—96.

Adams,	Curry,	Herman,	McArdle,
Allen,	Davis,	Heyburn,	McClintock,
Arthur,	DeFrees,	Hibshman,	Morrow,
Baldwin, R. J.,	Dickinson,	Howard, J.,	Moses,
Bass,	Donahoe,	Howard, R.,	Neel,
Becker,	Down,	Isler,	Neely,
Benninger,	Dunn, H. B.,	Irwin, G. C.,	O'Neill,
Benson,	Dunn, J. A.,	Irwin, H. H.,	Piper,
Bergey,	Eichenberger,	Jackson,	Reeser,
Bigger,	Flynn,	Jones, J. R.,	Rockwell,
Bittles,	Frey,	Kaiser,	Rothenberger,
Body,	Geary,	Kaufman,	Sassaman,
Brownlee,	Geiser,	Kennedy,	Schuck,
Caldwell,	Gibson,	Kitts,	Semmens,
Campbell, C. M.,	Glenn,	Klepper,	Shaffer, C. A.,
Campbell, J. J.,	Good,	Kuhn, H. P.,	Sherwood,
Carson,	Grabe,	Kuhns, E. G. M.,	Showalter,
Carter,	Gramley,	Lenker,	Snyder,
Claycomb,	Gransback,	Leslie,	Thomas,
Cleary,	Gray, Joseph,	Letzkus,	Wildman,
Collins,	Hackett,	Malie,	Williams,
Conner,	Haggerty,	Martin,	Wilson, W. H.,
Conrade,	Heidinger,	McAleer,	Young, J. H.,
Cox,	Hemminger,	McAllister,	Alter,
			Speaker.

NAYS—19.

Bayle,	Keegan,	Miller,	Shaffer, I. E.,
Blair, W. F.,	Latshaw,	Mitchell,	Smith, J. W.,
Currier,	Matt,	Moulthrop,	Swift,
Donnally,	McDermott,	Newton,	Wilson, J. H.,
Humes,	McKay,	Post,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. HUMES. Mr. Speaker, I desire to call the attention of the House to the fact that this bill appropriates over two hundred thousand dollars and has not as yet been before the Appripriation Committee. I do not know whether it is in order or not at the present time, but if it is I should like to move to recommit this bill to the Committee on Appropriations.

The SPEAKER. There is nothing in order at the present time except the calling of the roll. The Chair was about to suggest that the bill not having apparently received enough votes to secure its passage, that the roll may be announced, and then the bill be reconsidered and sent to the Committee on Appropriations.

Mr. WILDMAN. Mr. Speaker, I desire to inquire whether or not remarks are in order at the present time? I ask unanimous consent of the House to say a few words on this bill at this time.

The SPEAKER. Will the House give unanimous consent to permit the gentleman to speak on the bill at this time? Is there any objection? The Chair hears none, and permission is granted.

Mr. WILDMAN. Mr. Speaker, I am very much afraid that the gentlemen are not familiar with the terms and conditions of this measure. In 1911, the General Assembly appropriated twenty thousand dollars for the purpose of reconstructing and remodeling the old arsenal building. Upon investigation it was found that this was absolutely useless because the building is inadequate and obsolete. The State of Pennsylvania has between eighty thousand and one hundred thousand dollars' worth of paraphernalia belonging to the National Guard of Pennsylvania stored in that building. The building itself is a veritable fire trap; the insurance premium on the building at the present time is one dollar and twenty cents per hundred. If any of you gentlemen know anything of insurance rates, you will know that insurance companies consider this a great risk. In order to safeguard the paraphernalia of the State Guard, the State has erected small wooden buildings throughout the grounds to accommodate a portion of this paraphernalia, so that in case a fire should occur that it will not all be consumed. It is not only the financial loss to the State that is involved, if fire should take place, but it would put the National Guard to a great deal of inconvenience if it should be destroyed. I believe that the proper thing to do is to pass this measure. I think it is a great mistake to vote this bill down.

Mr. HUMES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. If there is no objection to the gentleman from Crawford, he can explain his position.

Mr. HUMES. Mr. Speaker, I want it distinctly understood that I don't raise this question because of any opposition to this bill or the purposes embraced in it. I believe

the bill is probably a meritorious one but I believe that the practice of passing bills before they are considered by the Appropriation Committee is a bad habit we have gotten into and I think the Appropriation Committee ought to have a check on this expenditure and that is the only reason I raise the question and not because of any opposition to the merits of the measure.

Mr. BAYLE. Mr. Speaker, I move to reconsider the vote by which this bill failed on final passage.

The SPEAKER. Under the rules a motion to reconsider is not in order until some other business is transacted.

(Bills Nos. 872 and 952 were called and passed over.)

RECONSIDERATION OF VOTE.

Mr. BAYLE. Mr. Speaker, I move that the vote by which House Bill No. 754, entitled:

An Act authorizing the Board of Commissioners of Public Grounds and Buildings to let contracts for the building of a garage a main building and a subway at the State Arsenal Harrisburg Pennsylvania and making an appropriation therefor

failed on final passage be reconsidered.

Mr. KITTS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. BAYLES. Mr. Speaker, I move that House Bill No. 754 (title just read) be recommitted to the Committee on Appropriations.

Mr. LENKER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1024, as follows:

An Act to amend sections one and eight of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as provided in section eight no individual partnership or unincorporated association shall hereafter engage directly or indirectly in the business of receiving deposits of money for safe-keeping or for the purpose of transmission to another or for any other purpose without having first obtained from a board consisting of the State Treasurer the Secretary of the Commonwealth the commissioner of Banking hereinafter referred to as the "Board" a license to engage in such business Before receiving such license the applicant shall file with the Commissioner of Banking a written statement in the form to be prescribed by the Commissioner of Banking and verified under oath showing the amount of the assets and liabilities of the applicant designating the place where the applicant proposed to engage in business the names and addresses of all partners or members of the unincorporated association that the applicant is a citizen or if the applicant shall constitute a partnership or unincorporated association that a majority of the members thereof having a controlling interest in the business of such partnership are citizens of the Commonwealth of Pennsylvania In addition thereto there shall be presented to the Commissioner of Banking a bond to the Commonwealth of Pennsylvania executed by the applicant and by a surety or sureties approved by the Board conditioned upon the faithful holding of all moneys that may be deposited with the applicant in accordance with the terms of the deposit and the repayment of such moneys so deposited upon the faithful transmission of any money which shall be delivered to such applicant for transmission to another and in the event of the insolvency or bankruptcy of the applicant upon his payment of the full amount recoverable under the conditions of such bond to the assignee receiver or trustee of the applicant as the case may require for the benefit of the persons making such deposits and of such persons as shall deliver money to the applicant for transmission to another The penalty of the bond shall be a sum fixed by the Board which shall not be more than fifty thousand dollars nor less than ten thousand dollars In lieu of the aforesaid bond the applicant may deposit and the Commissioner of Banking shall accept money and securities consisting of bonds of the United States or of this Commonwealth or any municipality thereof or other securities approved by the Board The money and securities so deposited shall be held in the conditions specified in the aforesaid bond If securities be deposited in lieu of the aforesaid bond and shall be accepted as hereinafter provided the Commissioner of Banking shall require the applicant to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such money and securities shall be so deposited Upon the receipt of such application the Commissioner of Banking shall cause to be made an examination of the financial standing and moral character of the applicant as to whether the statements contained in the application are true and to this end the application shall be advertised by the Commissioner of Banking at the expense of the applicant once a week for at least three weeks in two newspapers of general circulation and in the legal periodical if any in the county where applicant proposes to do business or nearest county where such newspapers are published After such advertisement the Board may in its discretion approve or disapprove the application In the event of his approval he shall accept the money securities and bond if there be one and hold them for the purpose herein set forth and shall issue a license authorizing the applicant to carry on the aforesaid business at the place designated in the application and to be specified in the license certificate For such license the licensee shall pay a fee of fifty dollars Such license shall not be transferred or assigned It shall not authorize the transaction of business at any place other than that described in the license certificate except with the written approval of the Board Immediately upon the receipt of the license certificate issued by the Commissioner of Banking pursuant to this article the licensee named therein shall cause such license certificate to be posted and at all times conspicuously displayed in the place of business for which it is issued so that all persons visiting such place may readily see the same It shall be unlawful for any person or partnership or uncorporated association holding such license certificate to post such certificate or to permit such certificate to be posted upon premises other than those designated therein or to which it has been transferred pursuant to the provisions of this article or knowingly to deface or destroy any such license certificate If it shall be established to the satisfaction of the Board in accordance with the rules and regulations by it prescribed that an unexpired license certificate issued in accordance with the provisions of this article has been lost or destroyed without fault on the part of the holder the Board shall issue a duplicate license therefor The money and securities deposited with the Commissioner of Banking as herein provided and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety thereof shall constitute a trust fund for the benefit of the depositors of the licensee and of such persons as shall deliver money to such licensee for transmission to another and such beneficiaries shall be entitled to an absolute preference as to such moneys or securities over all general creditors of the license Such money and securities shall in the event of the insolvency or bankruptcy of the licensee be delivered by the Commissioner of Banking on the order or judgment of a court of competent jurisdiction to the assignee receiver or trustee of the licensee designated in such order or judgment The Commissioner of Banking shall cause to be printed annually on the first day of January and distributed upon application a list of all licenses granted and remaining unrevoked the Commissioner of Banking shall from time to time pay over to each such licensee all moneys received by him as interest upon any moneys or securities deposited in accordance wth the provisions of this article All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned into the State Treasury and receipted for by the State Treasurer to the depositor and to be subject to withdrawal only upon the warrant of the Commissioner of Banking and all interest coupons on any securities deposited with the State Treasurer shall be surrendered when due to the owners of said securities upon their request" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That except as provided in section eight of this act it shall be unlawful for any individual partnership or unincorporated association to engage directly or indirectly in the business of receiving deposits for safe-keeping or for the purpose of transmission to another or for any other person unless a license shall have been obtained therefor in accordance with the provisions of this act Such license shall be issued only by a Board which shall consist of the Commissioner of Banking the Secretary of the Commonwealth and the State Treasurer No such license shall issue until the applicant shall have

1 Filed with the said Commissioner a written statement in the form prescribed by the Commissioner and verified under oath showing the assets and liabilities of the applicant designating the place where the applicant proposes to engage in said business setting forth the name and address of the individual applicant or of each partner or of the members of the association as the case may be The statement shall further show that the individual applicant or a majority of the partners or members having a controlling interest in the business as the case may be are citizens of the United States

2 Filed with the said Commissioner a bond to this Commonwealth executed by the applicant conditioned upon the faithful holding of all moneys that may be deposited with the applicant in accordance with the terms of the deposit and the repayment of such moneys so deposited and conditioned upon the faithful transmission of any moneys which shall be delivered to such applicant for transmission to another and in the event of the insolvency or bankruptcy of the applicant also conditioned upon the payment of the full amount recoverable under the conditions of the bond to the Commissioner of Banking for the benefit of the per-

sons making such deposits and of such persons as shall deliver money to the applicant for transmission to another The amount of the bond shall be fixed by the Board and shall not be less than ten thousand dollars ($10,000) nor more than fifty thousand dollars ($50,000) such bond shall have as surety a surety company authorized to act as surety in Pennsylvania or at least two sureties approved by the Board

3 Deposited in lien of such bond money and securities to an amount fixed by the Board The securities may be bonds of the United States or of this Commonwealth or of any municipality of this Commonwealth or other securities approved by the Board The money and securities so deposited shall be held subject to the same conditions as are required in case of a bond If securities shall be deposited and accepted in lieu of a bond the Commissioner shall require the applicant to maintain such deposit at a value equal to the amount that would be fixed in case of a bond

4 Paid into the State Treasury the sum of fifty dollars as a license fee

Upon receipt of such application the Commissioner shall cause an examination to be made of the financial standing and moral character of the applicant to ascertain whether the statements contained in the application are true A copy of such application shall by the Commissioner be published at the expense of the applicant once a week for at least three weeks in two newspapers of general circulation and in the legal periodical if any designated by rules of court for the publication of legal notices in the county where the applicant proposes to do business

After such publication has been completed the Board may in its discretion approve or disapprove the application If the application and the bond (or the securities) shall be appproved the bond (or securities) shall be accepted and held for the uses and purposes aforesaid Upon payment by the applicant of the costs of said advertising the license shall then issue authorizing the applicant to carry on the aforesaid business at the place designated in the application and to be specified in the license certificate Such license shall not be transfered nor assigned and shall be valid until revoked Except on the express written approval of the Board such license shall not authorize the transaction of said business at any place or by an person otherwise than as designated in the license certificate

Immediately upon receipt of the said license certificates which shall be issued by the Commissioner on the direction of the Board the licensee or licensees named therein shall cause such certificate to be posted and at all times conspicuously displayed in the place of business for which it shall be issued so that all persons visiting such place may readily see the same

It shall be unlawful for any person partnership or unincorporated association holding such license certificate to post it or permit it to be posted upon premises other than the place designated therein or to which it shall have been transferred in accordance with this act It shall be unlawful for any person to deface or destroy any such certificate or knowingly to permit it to be defaced or destroyed

Whenever it shall be established to the satisfaction of the Board in accordance with rules and regulations by it prescribed that any such license certificate has been lost or defaced or destroyed without fault on the part of the holders the Board shall issue a duplicate license therefor which shall be marked "Duplicate"

The money and securities deposited as aforesaid with the Commissioner and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety thereof shall constitute a trust fund for the benefit of the depositors of the licensee and for the benefit of such persons as shall deliver money to such licensee for transmission to another Such beneficiaries shall be entitled to an absolute preference as to such moneys and securities over all general creditors of the licensee Such moneys and securities shall in the event of the insolvency or bankruptcy of the licensee be delivered by the Commissioner on the order or judgment of a court of competent jurisidiction to the assignee receiver or trustee of the licensee designated in such order or judgment

The Commissioner shall cause to be printed on or about the first day of January of each year and distributed upon application a list of all licenses granted and remaining unrevoked

The Commissioner shall from time to time pay over to each such license all moneys received by him as interest upon any moneys or securities deposited in accordance with the provisions of this act

All moneys and securities so deposited with the Commissioner shall be turned over to the State Treasurer and receipted for by said State Treasurer to the Commissioner and shall be subject to withdrawal only upon written order of the Commissioner All interest coupons on any securities so deposited with the State Treasurer shall be surrendered when due to the respective owners of the securities upon their request

Section 2 The eighth section of said act which reads as follows

"Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotelkeeper who shall receive money for safe-keeping from a guest nor (three) to any express company or telegraph company receiving money for transmission provided such company is not engaged directly or indirectly in the sale of steamship tickets nor (four) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the Commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first section prescribed where the business is conducted in a city of the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amount nor (five) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or accounts of any depositor with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency or government State or municipal nor to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor nor (six) to any person firm partnership or unincorporated association now engaged in business as private bankers when such person firm partnership or unincorporated association and his or their predecessors or one or more of the members in such private banking institutions continuously and in the same locality have conducted the business of private banking for a period of seven (7) years prior to the approval of this act and such banking institution is not engaged in the sale as agent or otherwise of railroad or steamship tickets" is hereby amended to read as follows

Section 8 The foregoing provisions shall not apply (one) to any corporation authorized to do business under the provisions of the banking laws of the Commonwealth to any corporation authorized to receive deposits under the laws of this Commonwealth nor to any association organized under the national banking act nor (two) to any hotelkeeper who shall receive money for safe-keeping from a guest nor (three) to any individual partnership or unincorporated association who would otherwise be required to comply with the provisions of this act who shall file with the commissioner of Banking a bond in the sum of one hundred thousand dollars approved by the Board as to form and sufficiency for the purpose and conditioned as in the first section prescribed where the business is conducted in a city of the first or second class and if conducted elsewhere in the State such bond shall be in the sum of fifty thousand dollars or in lieu thereof money or securities approved by the Commissioner of Banking of the same amounts not (four) to any individual partnership or incorporated association licensed under the laws of this Commonwealth to do a brokerage business holding a membership in a lawfully incorporated brokerage exchange and doing only such banking as shall be incidental to such brokerage business The books or records showing the deposit or account of any deposit with any individual partnership or unincorporated association filing a bond money or securities approved by the Board as provided in this section shall not be subject to any visatorial power inspection or examination by the Commissioner of Banking nor to examination or inspection by or production in any department or agency of government State or municipal to inspection examination or production in any court in any judicial proceeding except in cases of insolvency or bankruptcy or a judicial proceeding or investigation involving the rights and liabilities of a creditor or depositor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Adams,	Dickinson,	Lowers,	Rothenberger,
Allen,	Donnally,	Malie,	Sassaman,
Arthur,	Down,	Mannion,	Savacool,
Baldwin, R. J.,	Dunn, H. B.,	McAleer,	Schuck,
Bass,	Dunn, J. A.,	McAllister,	Scott, S. B.,
Bayle,	Eichenberger,	McArdle,	Simmons,
Becker,	Frey,	McClintock,	Shaffer, C. A.,
Benninger,	Geary,	McDermott,	Shaffer, I. E.,
Benson,	Geiser,	McKay,	Sherwood,
Bergey,	Gibson,	Mechling,	Showalter,
Berntheizel,	Glenn,	Mellott,	Smith, J. W.,
Bigger,	Haggerty,	Metzenbacher,	Snyder,
Bittles,	Hemminger,	Miller,	Spangler,
Blair, W. F.,	Heyburn,	Missimer,	Strauss,
Body,	Hibshman,	Mitchell,	Swartz,
Brosius,	Howard, J.,	Moore,	Swift,
Brownlee,	Isler,	Morrow,	Thomas,
Burnett,	Irwin, G. C.,	Moses,	Trach,
Caldwell,	Irwin, H. H.,	Moulthrop,	Ulerich,
Campbell, C.M.,	Jackson,	Musser,	Ulman,
Campbell, J. J.,	Jones, J. R.,	Neel,	Walnut,
Carson,	Kaiser,	Neely,	Walsh,
Carter,	Kennedy,	Newton,	Watson,
Cheeseman,	Kern,	Pennock,	Wettach,
Claycomb,	Kitts,	Peters,	Whitaker,
Cleary,	Kuhn, H. P.,	Piper,	Whitman,
Collins,	Kuhns, E.G.M.,	Post,	Wildman,
Conner,	Latshaw,	Ramsey,	Williams,
Conniff,	Lenker,	Redfield,	Wilson, J. H.,
Conrade,	Leslie,	Reese,	Wiltbank,
Currier,			Young, G. K.,

Curry,	Letzkus,	Reeser,	Young, J. H.,
Davis,	Light,	Rex,	Zimmerman,
DeFrees,	Lohr,	Robinson,	Alter,
		Rockwell,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. ELY. Mr. Speaker, I desire to call up House Bill No. 1607 from page 14 of to-day's calendar which was passed over.

The SPEAKER. If there is no objection, this bill will be taken up.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1607, entitled:

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population prescribing their powers duties authority and compensation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Adams,	Gramley,	Mannion,	Schuck,
Allen,	Gransback,	Martin,	Scott, S. B.,
Arthur,	Gray, Joseph,	Mather,	Semmens,
Baldwin, R. J.,	Hackett,	Matt,	Shaffer, C. A.,
Bass,	Haggerty,	McAleer,	Shaffer, I. E.,
Bayle,	Heidinger,	McAllister,	Shern,
Bigger,	Hemminger,	McClintock,	Sherwood,
Brosius,	Herman,	McDermott,	Showalter,
Burnett,	Hess,	McKay,	Smith, J. W.,
Campbell, C.M.,	Heyburn,	Mechling,	Smith, L.,
Campbell, J.J.	Hibshman,	Metzenbacher,	Snyder,
Carson,	Howard, J.,	Miller,	Spangler,
Carter,	Howard, R.,	Missimer,	Steele,
Cheeseman,	Humes,	Mitchell,	Stone,
Claycomb,	Isler,	Moore,	Strauss,
Cleary,	Irwin, G. C.,	Moses,	Swartz,
Conner,	Irwin, H. H.,	Moulthrop,	Swift,
Conniff,	Jackson,	Neel,	Thomas,
Conrade,	Jones, J. R.,	Neely,	Ulerich,
Cox,	Kaiser,	Newton,	Walsh,
Currier,	Kaufman,	Peachey,	Watson,
Curry,	Keegan,	Pennock,	Wettach,
Davis,	Kennedy,	Peters,	Whitaker,
DeFrees,	Kitts,	Piper,	Whitman,
Dickinson,	Klepper,	Post,	Wildman,
Dunn, H. B.,	Kuhn, H. P.,	Rapsey,	Williams,
Dunn, J. A.,	Lenker,	Redfield,	Wilson, J. H.,
Ehrhardt,	Leslie,	Reeser,	Wilson, W. H.,
Eichenberger,	Letzkus,	Richards,	Wiltbank,
Ely,	Light,	Robinson,	Young, G. K.
Flynn,	Lohr,	Roney,	Young, J. H.,
Frey,	Lowers,	Rothenberger,	Zimmerman,
Geiser,	Malie,	Sassaman,	Alter,
Gibson,		Savacool,	Speaker.
Good,			

NAYS—9.

Becker,	Caldwell,	Kuhns, E.G.M.,	Trach,
Benninger,	Donnally,	Rex,	Ulman,
Bergey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. R. J. BALDWIN in the Chair.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 645, as follows:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibitin of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitle "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words 'place of amusement or dramatic or theatrical or operatic or vaudeville performances circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudville performances or tragedies or comedies or farces or for the exhibition of trained animals or contests of personal skill or of circuses or menageries or museums or wild west shows or any performance or act for the amusement of the public but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or steropticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any building tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or any performance or act for the amusement of the public until and unless an annual license or licenses for the buildings or building tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance or contest shall have first been had and obtained from the city or county treasurer of the city or county (borough or township) in which said buildings tents enclosure or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or steropticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irrespective of the number of chairs or seating capacity in such places of amusement building tent or enclosure the sum of five hundred dollars ($500)

In cities of the second class where such place of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such places of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet of floor or ground space as an equivalent

Section 4 The annual license for any place of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such place of amusement buildings tents or enclosures

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of either or all exhibiting in any building tent or enclosure (other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or steropticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances or contests of personal skill or in the performance of some act for the amusement of the public and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of two hundred and fifty dollars ($250) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) Whereby the owner or lessee thereof shall be permitted to give exhibitions or performances in any city county or borough of the State

Section 6 The city or county treasurer of any city or county (borough or township) where such places of amusement buildings or tents or enclosures are situated shall upon receipt of

the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer (of any city borough or township)

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid The term City Treasurer as used in this act refers only to the Treasurer of the city co-extensive with the county

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer of the cities (boroughs or townships) for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclosures in which the same are to be held upon the certificate of the director of public safety of the cities of the first class or of the proper municipal officer of the cities of the second and third class boroughs or townships setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances or contests intended to be given, are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordnce with the laws and ordinances regulating the erection construction or alteration of such places at the time of erection construction or alteration thereof either as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre"

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the applicants who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the amount of chairs in such place of amusement building tent or enclosure or the number of cars which transports any circus trained animals menagerie or wild west show Every applicant shall be required to sign and make oath or affirmation as to the correctness thereof

If a false oath shall be made by any person to such application the one so swearing shall be guilty of the crime of perjury and shall be punished as such

Section 9 It shall be the duty of each applicant to fill up the blank as provided as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

In any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess him or it with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assessment when so made shall be final and conclusive and without appeal and the applicant so assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement buildings tents or enclosures and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclsure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license money to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right to appeal to the mercantile appraisers and city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser and city or county treasurer or board of mercantile appraisers he they or it shall have the right to appeal to the court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relied upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer or the Mercantile Appraiser or Board of Mercantile Appraissers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shal upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers he shall not thereafter be permitted in a suit for the recovery of said license to set up a defence either that he is not subject to the payment of the license fee so assessed against him or any other ground of defence which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile Appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer to sue for the recovery of all licenses duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July of each and every year within thirty days after that date provided however if said city or county treasurer is satisfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said taxes and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July on each and every year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such person a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county treasurer the correct list of all persons assessed giving the names and business address of the persons liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer of the cities boroughs or townships) after hearing all parties under oath or affirmation which he is hereby empowered to administer it shall be proven that the exhibition performances or contests given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annual and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer of the cities (boroughs or townships) shal have full power to prevent any exhibition performance entertainment or contest from being held exhibited or performed until the provisions of this act have been fully complied with

Section 16 The Department of Public Safety of the cities of the first class or the proper municipal officers of the cities of the second and third class boroughs or townships shall have full power to inquire into any immortal tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment or contest and shall further if said charges are proven (after notice to all the parties in interest) to be true forbid such exhibitions performances entertainments or contests and for that purpose shall have full power to direct the proper officers to close the said places of amusement buildings or building tents or enclosures in which said exhibitions performances entertainments or contests are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings or building tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer or the director of public safety of cities of the first class or proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclosures shall have the right to appeal in writing to the court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear the person or persons aggrieved and determine the character of the applicant nature of the exhibition or permormance and whether such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not or as a theatre in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do and perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city borough or township of this Commonwealth

Section 19 The act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June

fifth one thousand nine hundred and one entitled an act supmental to an act entitled an act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class approved the fifth day of May one thousand eight hundred and ninety-nine shall be held not to apply to places of amusement buildings tents or enclosures which have been erected constructed or altered and now in actual use a moving picture place where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a "moving picture place"

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment or contest as herein provided in any city borough or township of this Commonwealth without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offence a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open any such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the said license year to wit May first of each year

And that such license when granted shall not be transferred to any person or any other building tent or enclosure during the year for which it is granted except that it may be transferred to the lawful representatives of any deceased license or purchaser at any insolvent or bankrupt sale for the remainder of the term of any calendar year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures "of like character" as amended by the act approved May twenty-third one thousand nine hundred and seven entitled an act to amend the first section of an act entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character providing that in cities of the first class the owner or owners or lesee or lessees of a building the capacity of which is less than three hundred persons shall pay thirty dollars ($30.00) and as further amended by the act approved May eleventh one thousand nine hundred and eleven entitled an act to amend the first section of an act entitled an act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as amended by an act approved the twenty-third day of May Anno Domini one thousand nine hundred and seven providing that in cities of the second class the owner or owners or lessee or lessees of a building the seating capacity of which does not exceed one thousand persons nor is less than four hundred persons shall pay an annual license of seventy-five dollars and where the seating capacity is less than four hundred persons shall pay thirty dollars together with any other amendments thereof or therto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

The SPEAKER (George E. Alter) in the Chair.

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 19, line 6, before "an" insert double quotation marks.

Section 19, line 7, before "an act to create" insert single quotation marks.

Section 19, line 10, after "class" insert single quotation marks.

Section 19, line 11, after "ninety-nine" insert double quotation marks.

Section 23, line 9, strike out first "an" before "An" insert double quotation marks

Section 23, line 19, after ($30.00) insert double quotation marks.

Section 23, line 20, before "an" insert double quotation marks.

Section 23, line 21, before "an act to" insert single quotation marks.

Section 23, line 36, after "dollar" insert double quotation marks.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 330, entitled:

An Act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHERN. Mr. Speaker, this act was introduced and drafted for the purpose of conforming with the uniform divorce law which has been introduced in the House, passed on second reading, and recommitted to the Committee on Judiciary General. The Committee on Judiciary General intend to report out the bill—(I see one of the members of that committee shaking his head to the contrary, but I think the bill will be reported out). If the bill is passed by this House and the Senate, it is simply for the purpose of providing statistics of pending divorces and divorces that have been granted.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Ewing,	Light,	Runk,
Allen,	Foster, J. D.,	Lohr,	Sassaman,
Arthur,	Gans,	Lowers,	Schuck,
Baldwin, R. J.,	Geary,	Malie,	Scott, S. B.,
Bass,	Geiser,	Mannion,	Semmens,
Bayle,	Gibson,	Martin,	Shaffer, C. A.,
Becker,	Glenn,	McAleer,	Shaffer, I. E.,
Benninger,	Good,	McAllister,	Shern,
Benson,	Grabe,	McArdle,	Sherwood,
Bigger,	Gramley,	McCaig,	Showalter,
Bittles,	Gransback,	McClintock,	Smith, J. W.,
Body,	Gray, Joseph,	McDermott,	Smith, L.,
Brownlee,	Hackett,	McKay,	Snyder,
Burnett,	Haggerty,	Mechling,	Spangler,
Caldwell,	Heidinger,	Metzenbacher,	Steele,
Campbell, C.M.,	Hemminger,	Miller,	Stone,
Campbell, J. J.,	Herman,	Missimer,	Strauss,
Carson,	Heyburn,	Mitchell,	Swartz,
Carter,	Hibshman,	Moore,	Swift,
Cheeseman,	Howard, J.,	Morrow,	Thomas,
Claycomb,	Howard, R.,	Moses,	Trach,
Cleary,	Isler,	Moulthrop,	Ulerich,
Collins,	Irwin, G. C.,	Newton,	Ulman,
Conner,	Irwin, H. H.,	Peachey,	Walnut,
Conniff,	Jackson,	Pennegar,	Walsh,
Conrade,	Jones, J. R.,	Pennock,	Walton,
Cox,	Keegan,	Peters,	Watson,
Currier,	Kennedy,	Piper,	Wettach,
Curry,	Kern,	Post,	Whitaker,
Davis,	Kitts,	Ramsey,	Wildman,
DeFrees,	Klepper	Redfield,	Williams,
Dickinson,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Donnally,	Latshaw,	Rex,	Wiltbank,
Dunn, H. B.,	Lenker,	Robinson,	Young, G. K.
Dunn, J. A.,	Leslie,	Rockwell,	Young, J. H.,
Ehrhardt,	Letzkus,	Roney,	Zimmerman,
Eichenberger,		Rothenberger,	Alter,
Ely,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1089, as follows:

An Act regulating pawnbrokers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall engage in the business of a pawnbroker without having first obtained a license for carrying on such business in any city or town within this Commonwealth in which the business i sto be transacted Such license may be granted by the clerk of the court of quarter sessions of the county where the business is to be located In making application for such license it shall be the duty of the persons so applying to file with the clerk of the court of quarter sessions a written certificate setting forth the names of the owners of said business together with their resident address as well as the proposed location of said business by street and number which said certificate must be signed by all persons whose names appear therein as owners of such proposed business and the signatures thereto duly and properly attested.

Section 2 It shall be the duty of the said clerk of the court of quarter sessions to keep a book or docket in which he shall enter a record of all such licenses issued together with the names and resident addresses of all owners thereor alphabetically indexed and shall also enter the proposed location of said business which said book or docket shall be a public record of said office and shall at all times be open to the inspection of all persons Before issuing such license as aforesaid it shall be the duty of the said clerk to demand and receive a license fee of twenty-five ($25) dollars which shall be for the use of the county within which said license is issued and shall be the license fee to do business for a period of one year

Section 3 Before any pawnbroker as aforesaid shall be permitted to engage in business he shall be required to file in the court of quarter sessions of the proper county a bond in the name of the Commonwealth in the sum of one thousand ($1,000) dollars with sureties to be approved by the said court conditional for his or their faithful compliance with all the various requirements and provisions of this act and in case any person or persons shall obtain a judgment against any such pawnbroker in any court of competent jurisdiction upon any controversy growing out of any transaction by way of pledge or pawn between said parties and the said judgment be not promptly paid it shall be competent for such judgment creditor upon petition presented to the said court of quarter sessions showing such facts to have said bond marked to his use for the purpose of enforcing payment of such judgment

Section 4 In addition to the bond above mentioned every such pawnbroker before entering business as aforesaid shall be required to take out a policy or policies of insurance against loss by fire or theft and sufficient in amount to cover the fair market value of all articles left for him in pledge as security for loans which said policy or policies of insurance shall also be filed in the court of quarter session and shall be held for the protection of any person or persons whose property pledged with said pawnbroker as aforesaid may be stolen or destroyed by fire

Section 5 No pawnbroker shall ask demand or receive a greater rate of interest than six (6) per centum per annum and in addition thereto he is authorized and permitted to demand and receive for storage and other necessary expenses a sum not exceeding one per cent per month to be charged and collected monthly

Section 6 No pawnbroker shall sell any goods article or thing pawned or pledged until the same shall have remained in his possession for at least four months for dry-goods and clothing of all kinds and at least eight months for all other articles nor until after at least ten days notice of the time and place of such sale shall have been given to such pawnor or pledgor by registered letter mailed to him at the address given by him and in addition thereto by at least two successive weekly publications of the time and place and the kind of goods in at least one newspaper of general circulation in the county in which such business may be located The last publication to be not less than ten days or more than thirty days before the date set for such sale

Section 7 Every pawnbroker shall keep a book in which shall be fairly written at the time of each loan an accurate account and description of the goods article or thing pawned and also when a watch is pawned the number and the name of the maker thereof and all letters or marks on goods or articles manufactured of gold or silver also the value as appraised by him of all such goods article or thing pawned as aforesaid the sum loaned thereon the date of the loan the rate of charges made thereon the name and residence of the person pawning or pledging said goods article or thing which entry shall be regularly numbered and the name of the pawnor or pledgor alphabetically indeed in said book and the said pawnor shall at the time of receiving such pledge or pawn deliver to the person pawning or pledging the same a certificate or duplicate signed by him and numbered to correspond with his said book and which shall contain the substance of said entry And in every case in which the said goods article or thing be subsequently sold by said pawnbroker in default of redemption of same it shall be his duty to immediately enter in said book opposite said original entry a statement showing the date of said sale the name of the purchaser the amount for which said goods article or thing was sold the total amount of said loan still unpaid together with all interest and charges due thereon separately itemized and the balance if any due said pledgor or pawnor which said book shall at all times be open to the full and free inspection of the owners of the article or of any other person authorized by law to inspect the same

Section 8 In case said owners or any of them do not reside within the county in which said business is located and are not in actual personal charge of said place of business then and in such case service of any notice or process against said owners may be made upon any person in actual charge of said place of business with like effect as if personal service had been made upon the owner

Section 9 It shall be the duty of each and every pawnbroker as aforesaid to display conspicuously in his place of business in plainly printed legible type a copy of this act so placed that it can be readily examined and perused by any one desiring so to do

Section 10 Any person violating any of the provisions of this act except Section three shall forfeit and pay for every such offense the sum of fifty (50) dollars with costs of suit and for a violation of any of the provisions of Section three of this act he shall forfeit and pay the sum of one hundred ($100) dollars with costs of suit

Section 11 This act shall not be construed as in any manner effecting or repealing any of the provisions of the act of Assembly approved the seventh day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws six hundred and seventy-one and being an act entitled "An Act prohibiting pawnbrokers or any employee from making loans to or receiving pledges from minors under the age of sixteen (16) years"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Adams,	Geary,	McCaig,	Shaffer, I. E.,
Allen,	Gibson,	McClintock,	Shern,
Arthur,	Glenn,	McDermott,	Showalter,
Baldwin, R. J.,	Good,	McKay,	Smith, J. W.,
Bayle,	Grabe,	McNichol,	Smith, L.,
Becker,	Gramley,	Metzenbacher,	Snyder,
Bergey,	Gransback,	Miller,	Spangler,
Bigger,	Gray, Joseph,	Missimer,	Spillinger,
Bittles,	Hackett,	Mitchell,	Steedle,
Brosius,	Heidinger,	Moore,	Steele,
Brownlee,	Herman,	Morrow,	Stone,
Burnett,	Heyburn,	Moses,	Strauss,
Caldwell,	Howard, J.,	Musser,	Swartz,
Campbell, C.M.,	Isler,	Neely,	Swift,
Campbell, J. J.,	Irwin, G. C.,	Newbaker,	Thomas,
Carson,	Jackson,	Newton,	Trach,
Carter,	Jones, E. E.,	O'Neill,	Ulerich,
Cheeseman,	Kennedy,	Peachey,	Ulman,
Claycomb,	Kern,	Pennegar,	Walnut,
Cleary,	Kitts,	Pennock,	Walsh,
Conner,	Klepper,	Peters,	Walton,
Conrade,	Kuhn, H. P.,	Piper,	Watson,
Cox,	Kuhns, E.G.M.,	Post,	Wettach,
Curry,	Lenker,	Redfield,	Whitaker,
DeFrees,	Leslie,	Reese,	Whitman,
Dickinson,	Letzkus,	Reeser,	Wildman,
Donnally,	Lohr,	Rhoads,	Williams.
Down,	Lowers,	Robinson,	Wilson, J. H.,
Dunn, H. L.,	Mannion,	Rothenberger,	Wilson, W. H.,
Dunn, J. A.,	Martin,	Sassaman,	Wiltbank,
Ehrhardt,	Mather,	Savacool,	Young, J. H.,
Eichenberger,	Matt,	Schuck,	Zimmerman,
Ely,	McAleer,	Semmens,	Alter,
Ewing,	McAllister,	Shaffer, C. A.,	Speaker.
Foster, J. D.,			

NAYS—1.

Bass,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1586, entitled:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of and to refuse admission to companies associations societies or orders from any state which refuses to permit like companies associations societies or orders organized and operating under the laws of this State to do a like business in said State and designating who may and who may not make examination of said companies associations societies or orders and providing who shall pay the expenses of examinations of such companies associations or orders

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Adams,	Ely,	McArdle,	Sassaman,
Allen,	Ewing,	McCaig,	Savacool,
Arthur,	Foster, J. D.,	McClintock,	Semmens,
Baldwin, R. J.,	Geiser,	McKay,	Shaffer, C. A.,
Bass,	Gibson,	McNichol,	Shaffer, I. E.,
Bayle,	Good,	Mechling,	Shern,
Bergey,	Gransback,	Mellott,	Sherwood,
Bigger,	Gray, Frank,	Metzenbacher,	Showalter,
Bittles,	Heidinger,	Miller,	Smith, J. W.,
Brosius,	Hemminger,	Missimer,	Smith, L.,
Brownlee,	Herman,	Mitchell,	Spangler,
Burnett,	Hayburn,	Moore,	Spillinger,
Caldwell,	Howard, J.,	Morrow,	Steedle,
Campbell, C.M.,	Isler,	Moses,	Steele,
Campbell, J. J.,	Irwin, G. C.,	Moulthrop,	Stone,
Carson,	Jackson,	Musser,	Strauss,
Carter,	Jones, J. R.,	Neel,	Swartz,
Cheeseman,	Kennedy,	Neely,	Swift,
Claycomb,	Kern,	Newbaker,	Thomas,
Cochran,	Kitts,	Newton,	Trach,
Collins,	Klepper,	O'Neill,	Ulerich,
Conner,	Kuhn, H. P.,	Peachey,	Ulman,
Conniff,	Kuhns, E.G.M.,	Peters,	Walsh,
Conrade,	Latshaw,	Piper,	Walton,
Cox,	Leslie,	Post,	Watson,
Currier,	Letzkus,	Ramsey,	Whitman,
Curry,	Light,	Redfield,	Wildman,
Down,	Lohr,	Reese,	Wilson, J. H.,
Davis,	Lowers,	Reeser,	Wiltbank,
DeFrees,	Mannion,	Richards,	Young, G. K.
Dickinson,	Martin,	Robinson,	Young, J. H.,
Donnally,	Mather,	Rockwell,	Zimmerman,
Dunn, H. B.,	McAleer,	Rothenberger,	Alter,
Dunn, J. A.,	McAllister.	Runk,	Speaker.
Eichenberger,			

NAYS—1.

Frey,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1658, as follows:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways country roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county Commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid there for and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing cost of maintenance of such street on the borough

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section eighteen of the act approved the eleventh day of May Anno Domini one thousand nine hundred eleven (Pamphlet Laws two hundred forty-four) "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" which reads as follows to wit

Section 18 "Where a portion of a highway constructed or improved under this act or former acts traversing one or more townships shall lie within the limits of or traverse any borough and where the failure of said borough to improve said highway within its limits would leave a break or unimproved section in such continuous highway it shall be lawful for the councils of such borough to authorize by ordinance that proper officials of the borough enter into an agreement with the county commissioners of such county providing that the said commissioners improve the shortest and most reasonable road through said borough which will connect the two ends of such highway or highways Such ordinance shall also stipulate that the borough shall bear thirty-three and one-third (33 1-3) per centum of the total cost of such improvement within its limits and the county shall bear the remaining cost thereof and it shall further provide that the county commissioners shall have the right to issue permits determining the manner in which public service or other corporations or individuals shall place on or under such highway its pipes conduits telegraph lines or other device used in the furtheance of its business After such highway or highways are improved under this section it shall be the duty of the county to keep and maintain such improved highways in good repair The right is reserved however to the borough of policing the portion of such highway within its limits" be and the same is hereby amended to read as follows to wit

Section 18 When a borough intervenes between two ends of a county highway and the borough has failed to properly improve the street or streets constituting the shortest and most reasonable road through said borough which will connect the two ends of such highway it shall be lawful for the councils of such borough to authorize by ordinance that the proper officials of the borough contract in the manner herein provided with the county commissioners that the shortest and most reasonable route through said borough connecting the two ends of such highway be improved

Or when a county highway terminates at the corporate limits of a borough in the same or another county and connects with a borough street which the borough has failed to properly improve and the county commissioners of the county in which the borough is located deem the improvement of such borough street necessary in order to make such county highway easily accessible to the residents of the borough or to the traveling public it shall be lawful for the councils of such borough to authorize by ordinance that the proper officials of the borough contract with the county commissioners in the manner herein provided that such borough street be improved Whenever an improvement is made to a borough street pursuant to this section it shall be lawful for the county to pay the total cost of such improvement or the cost may be divided between the borough and the county The borough ordinance authorizing the improvement shall stipulate what percentage of the cost if any shall be borne by the borough and what percentage shall be borne by the county The contract for any such improvement may be taken by the county upon the stipulation of the borough to pay its proportionate share of the cost if any upon the completion of the work or it may be taken by the borough upon a like stipulation of the county or the improvement may be made by joint contract

Before any highway is improved under this section the county commissioners and the proper borough officials shall agree upon the maintenance of the highway Such agreement may provide that such highway shall be kept and maintained in good repair by the borough or it may provide that it shall be kept and maintained in good repair by the county and the cost thereof paid by the borough to the county

The proper borough officials shall have the right to issue permits determining the manner in which public service or other corporations or individuals shall place on or under such highway railway tracks pipes conduits telegraph lines or other devices used in the furtherance of business

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Adams,	Ewing,	Malie,	Runk,
Allen,	Fahey,	Mannion,	Sassaman,
Arthur,	Foster, J. D.,	Martin,	Savacool,
Baldwin, R. J.,	Gans,	Mather,	Schaeffer, A. C
Barner,	Geary,	Matt,	Schuck,
Bass,	Geiser,	McAleer,	Scott, S. B.,
Bayle,	Gibson,	McAllister,	Semmens,
Benninger,	Good,	McArdle,	Shaffer, C. A.,
Benson,	Gramley,	McCaig,	Shaffer, I. E.,
Bergey,	Gransback,	McClintock,	Shern,
Berntheizel,	Gray, Frank,	McNichol,	Sherwood,
Bigger,	Hackett,	Mechling,	Showalter,
Bittles,	Heidinger,	Mellott,	Smith, J. W.,
Body,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Miller,	Spangler,
			Spillinger,

Brownlee,	Heyburn,	Missimer,	Steedle,
Burnett,	Hibshman,	Mitchell,	Steele,
Caldwell,	Howard, J.,	Moore,	Stone,
Campbell, C.M.,	Humes,	Moses,	Strauss,
Campbell, J. J.,	Isler,	Neely,	Swartz,
Carter,	Irwin, G. C.,	Newbaker,	Swift,
Cheeseman,	Irwin, H. H.,	Newton,	Thomas,
Claycomb,	Jackson,	O'Neill,	Trach,
Cleary,	Jones, J. R.,	Peachey,	Ulerich,
Collins,	Kaiser,	Pennegar,	Ulman,
Conner,	Kenna,	Pennock,	Walsh,
Conrade,	Kennedy,	Peters,	Walton,
Cox,	Kern,	Piper,	Watson,
Currier,	Klepper,	Post,	Whitaker,
Curry,	Kuhn, H. P.,	Ramsey,	Whitman,
Davis,	Kuhns, E.G.M.,	Redfield,	Wildman,
DeFrees,	Latshaw,	Reese,	Williams,
Dickinson,	Lenker,	Reeser,	Wilson, J. H.,
Donahoe,	Leslie,	Rex,	Wilson, W. H.,
Donnally,	Letzkus,	Robinson,	Wiltbank,
Down,	Light,	Rockwell,	Zimmerman.
Ehrhardt,	Lohr,	Roney,	
Eichenberger,	Lowers,	Rothenberger,	Alter,
Ely.			Speaker.

NAYS—2.

Keegan, McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1683, entitled:

An Act to regulate the taking of samples of foodstuffs by the Dairy and Food Commissioner and any board of health or health officer or agent or employes thereof from any producer or vendor in this Commonwealth for the purpose of analysis or any test thereof to inquire into or determine the purity and quality of the said sample or foodstuff so taken and defining what shall constitute foodstuffs and imposing a penalty for the violation of this act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. SNYDER. Mr. Speaker, I would like to hear this bill explained by the sponsor.

Mr. KITTS. Mr. Speaker, in my experience as an attorney it has come to my notice that the Board of Health or other inspectors or some agent who is going about the county and city at large, taking samples of foods for chemical analysis to determine into their purity and quality and standard, etc., often goes up to a store or stand or farmer's milk wagon wherein any article of food products are sold and slyly sneaks away a sample and two or three months later a prosecution may be brought and the man who sold this particular stuff may be unaware of this intention and may be out of that kind of product and may not have a sample out of that particular can of milk and he is brought into court entirely unprepared to defend any prosecution, for violation of the Dairy and Food laws. I drew this bill to provide that when any Dairy and Food agent, or Board of Health or any other inspectors should go to the vendor of anything known as food stuff in this Commonwealth and take away a food sample for the purpose of later having it chemically analyzed that at the same time he takes a sample away, he shall hand to the vendor or man from whom he secures it, the same kind of a sample and in the same kind of receptacle and marked the same for identification. Then that gives the vendor or farmer or producer a little notice of what he may expect, and he himself can go out and have his food stuff analyzed and prepare himself if there should be a prosecution. For instance, let me relate a little experience: In my legislative district was a grocer, and one of the inspectors came along one day and said, give me a little lard; and he said, "I haven't any lard, but I have a compound;" and he sold it to him for just what it was, did not misrepresent it; it was branded on the tub, and the analysis was given, and a month later they instituted a prosecution against that grocery man, and in the meantime he had sold out of this particular product and had quit dealing with the firm from whom he bought it, and when he sent on he could not get a sample, such as was taken and used in the prosecution; and you can see the disadvantage the vendors are placed in when suit is brought.

Mr. Speaker, I believe that in some cases the agents or inspectors manufacture evidence and the man is placed at a great disadvantage. This bill is simply drawn and aimed to correct that difficulty. It requires that whosoever shall take a sample that that person shall give to the vendor a similar sample in a similar package, and on failure so to do that sample so taken cannot be introduced in evidence. It also provides for some penalty.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Ely,	Mannion,	Rothenberger,
Allen,	Ewing,	Martin,	Runk,
Arthur,	Fahey,	Matt,	Sassaman,
Baldwin, R. J.,	Flynn,	McAleer,	Savacool,
Barner,	Foster, J. D.,	McAllister,	Schaeffer, A. C.
Bass,	Geiser,	McArdle,	Schuck,
Bayle,	Good,	McClintock,	Scott, S. B.,
Benson,	Grabe,	McDermott,	Semmens,
Bigger,	Gramley,	McKay,	Shaffer, C. A.,
Bittles,	Gransback,	McNichol,	Shaffer, L. E.,
Body,	Gray, Frank,	Mechling,	Shern,
Brosius,	Gray, Joseph,	Mellott,	Sherwood,
Brownlee,	Hackett,	Metzenbacher,	Showalter,
Burnett,	Haggerty,	Miller,	Smith, L.,
Caldwell,	Heidinger,	Missimer,	Snyder,
Campbell, C.M.,	Hemminger,	Mitchell,	Spangler,
Campbell, J. J.,	Herman,	Moore,	Spillinger,
Carter,	Heyburn,	Morrow,	Steedle,
Cheeseman,	Hibshman,	Moses,	Steele,
Claycomb,	Hoffman,	Moulthrop,	Stone,
Cleary,	Howard, J.,	Neel,	Strauss,
Cochran,	Howard, R.,	Newbaker,	Swartz,
Collins,	Humes,	Newton,	Swift,
Conner,	Isler,	O'Neill,	Thomas,
Conniff,	Irwin, H. H.,	Peachey,	Trach,
Conrade,	Jones, J. R.,	Pennegar,	Ulerich,
Cox,	Keegan,	Pennock,	Ulman,
Currier,	Kern,	Peters,	Walton,
Curry,	Kitts,	Piper,	Watson,
Davis,	Klepper,	Post,	Whitaker,
DeFrees,	Kuhn, H. P.,	Ramsey,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Williams,
Donahoe,	Leslie,	Reese,	Wilson, J. H.,
Donnally,	Letzkus,	Rex,	Wilson, W. H.,
Down,	Light,	Richards,	Wiltbank,
Dunn, H. B.,	Lohr,	Robinson,	Young, G. K.,
Dunn, J. A.,	Lowers,	Rockwell,	Zimmerman.
Ehrhardt,	Malle,	Roney,	Alter,
Eichenberger,			Speaker.

NAYS—5.

Benninger,	Blair, W. A.,	Irwin, G. C.,	Jackson,
	Latshaw,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1125, entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

On the question,

Will the House agree to the bill on third reading?

Mr. GRABE. Mr. Speaker, I ask unanimous consent of the House to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend line 13 by inserting after the word "mortgages and judgments given in the purchase of" and strike out the word "on."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment. Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 146, entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Adams,	Eichenberger,	Letzkus,	Roney,
Allen,	Ely,	Light,	Rothenberger,
Arthur,	Ewing,	Lohr,	Runk,
Baldwin, R. J.,	Fahey,	Lowers,	Sassaman,
Barner,	Flynn,	Malie,	Savacool,
Bass,	Foster, J. D.,	Mannion,	Schuck,
Bayle,	Frey,	Martin,	Semmens,
Beeker,	Gans,	Mather,	Shaffer, C. A.,
Benson,	Geary,	McAleer,	Shaffer, I. E.,
Bergey,	Geiser,	McAllister,	Shern,
Berntheizel,	Glenn,	McArdle,	Sherwood,
Bigger,	Good,	McCaig,	Showalter,
Bittles,	Grabe,	McClintock,	Smith, J. W.,
Blair, W. F.,	Gramley,	McDermott,	Smith, L.,
Body,	Gransback,	McNichol,	Snyder,
Brosius,	Gray, Frank,	Metzenbacher,	Spangler,
Brownlee,	Hackett,	Miller,	Spillinger,
Burnett,	Haggerty,	Missimer,	Steedle,
Caldwell,	Heidinger,	Mitchell,	Steele,
Campbell, C.M.,	Hemminger,	Morrow,	Stone,
Campbell, J. J.,	Herman.	Moulthrop,	Strauss,
Carson,	Heyburn,	Murphy,	Swartz,
Carter,	Hibshman,	Neel,	Swift,
Cheeseman,	Hoffman,	Neely,	Thomas,
Claycomb,	Howard, J.,	Newbaker,	Trach,
Cleary,	Howard, R.,	Newton,	Ulerich,
Cochran,	Irwin, G. C.,	O'Neill,	Ulman,
Collins,	Irwin, H. H.,	Peachey,	Walton,
Conner,	Jackson,	Pennegar,	Watson,
Conniff,	Jones, J. R.,	Pennock,	Wettach,
Conrade,	Kaiser,	Peters,	Whitaker,
Cox,	Kaufman,	Piper,	Wildman,
Currier,	Keegan,	Post,	Williams,
Curry,	Kern,	Ramsey,	Wilson, J. H.,
Davis,	Kitts,	Redfield,	Wiltbank,
DeFrees,	Klepper,	Reese,	Young, G. K.,
Dickinson,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Donahoe,	Kuhns, E.G.M.,	Rex,	Zimmerman,
Donnally,	Leslie,	Richards,	Alter,
Ehrhardt,		Rockweil,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1107, as follows:

An Act relative to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and and providing penalties for fraud against innkeepers and hotelkeepers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no innkeeper or hotelkeeper whether individual partnership or corporation who constantly has in his inn or hotel a metal safe or suitable vault in good order and fit for the custody of money bank notes jewelry articles of gold and silver manufacture precious stones personal ornaments railroad mileage books or tickets negotiable or valuable papers and bullion and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts and on the transoms and windows of said rooms suitable fastenings and who keeps a copy of this section printed in distinct type constantly and conspiciously posted in not less than ten conspicious places in all in said hoted or inn shall be liable for the loss or injury suffered by any guests unless such guest has offered to deliver the same to such innkeeper or hotelkeepr for custody in such metal safe or vault and such innkeeper or hotelkeeper has omitted or refused to take it and deposit it in such safe or vault for custody and to give such guest a receipt therefor Provided however that the keeper of any inn or hotel shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of three hundred dollars and shall not be liable for any excess of such property whether received or not

Section 2 But such innkeeper or hotelkeeper may by special arrangement with a guest receive for deposit in such safe or vault any property upon such terms as they may agree to in writing but every innkeeper or hotelkeeper shall be liable for any loss of the above enumerated articles of a guest in his in or hotel after said articles have been accepted for deposit if caused by the theft or negligence of the innkeeper or hotelkeeper or any of his servants

Section 3 It shall be the duty of every guest and of every one intending to be a guest of any hotel or inn in this State upon delivering to the proprietor of such hotel or inn to his servants any baggage or other articles of property of such guest for safe keeping (elsewhere than to the room assigned to such guest) to demand and of such hotel proprietor or innkeeper to give a check or receipt therefor in such case to evidence the fact of such delivery and no hotel proprietor shall be liable for the loss of or injury to such baggage or other articles of property of this guest unless the same shall have been actually delivered by such guest to such hotel proprietor or innkeeper or to his servants for safe keeping or unless such loss or injury shall have occurred through the negligence of such hotel proprietor or innkeeper or by his servants or employes in such hotel

Section 4 The liability of the keeper of any inn or hotel whether individual partnership or corporation for loss of or injury to personal property placed by his guest under his care other than that described in the preceding sections shall be that of a depository for hire except that in case such loss or injury is caused by fire not intentionally produced by the hotel proprietor or innkeeper or his servants such hotel proprietor or innkeeper shall not be liable Provided however that in no case shall such liability exceed the sum of one hundred and fifty dollars for each trunk and its contents fifty dollars for each valise and its contents and ten dollars for each box bundle or package and contents so placed under his care and all other miscellaneous effects including wearing apparel and personal belongings fifty dollars unless he shall have consented in writing with such guest to assume a greater liability

And provided further whenever any person shall suffer his baggage or property to remain in any inn or hotel after leaving the same as a guest and after the relation of innkeeper and guest between such guest and the proprietors of such inn or hotel has ceased or shall forward the same to such inn or hotel before becoming a guest thereof and the same shall be received into such inn or hotel such innkeeper may at his option hold such baggage or property at the risk of such owner

Section 5 The keeper of any inn or hotel whether individual partnership or corporation shall have a lien on the baggage and other property in and about such inn belonging to or under the control of his guests or boarders for the proper charges due him from such guests or boarders for the accommodation board and lodging and for all money paid for or advanced to them not to exceed the sum of two hundred dollars and for such other extras as are furnished at their request and said innkeeper or hotelkeeper shall have the right to detain such baggage and other property until the amount of such charges is paid and such baggage and other property shall be exempt from attachment or execution until such innkeeper's lien and the cost of satisfying it are satisfied

Section 6 The innkeeper or hotelkeeper shall retain such baggage and other property upon which he has a lien for a period of ninety days at the expiration of which time if such lien is not satisfied he may sell such baggage and other property at public auction after giving ten days' notice of the time and place of sale in a newspaper of circulation in the county where the inn or hotel is situated and also by mailing a copy of such notice adressed to said guest or boarder at the place of residence registered by him in the register of such inn or hotel

Section 7. After satisfying the lien and any costs that may accure any residue remaining shall on demand within six months be paid to such guest or boarder and if not so demanded within six months from date of such sale such residue shall be deposited by such innkeeper or hotelkeeper with the treasurer of the county in which the inn or hotel is situated together with a statement of the innkeeper or hotel proprietors claim and the cost of enforcing the same a copy of the published notice and of the amounts received for the goods sold at said sale said residue shall by said county treasurer be credited to the general revenue fund of said county subject to a right of said guest or boarder or his representative to reclaim at any time within three years of the date of deposit with said treasurer

Section 8 Any person who shall obtain food lodging or other accommodation at any hotel inn boarding or eating house with intent to defraud the owner or keeper thereof shall be fined not exceeding one hundred dollars or be imprisond in the county jail not exceeding three months

Section 9 Proof that lodging food or other accommodations were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property or that the person refused or neglected to pay for such food lodging or other accommodation on demand or that he gave in payment for such food lodging or other accommodatin negotiable paper on which payment was refused or that he absconded without paying or offering to pay for such food lodging or other accommodation or that he surreptitiously removed or attempted to remove his baggage shall be prima facie proof of the fraudulent intent mentioned in section eight of this act but this act shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days

Section 10 It shall be the duty of every hotel inn or boarding house keeper within this Commonwealth to keep a copy of section eight and of section nine of this act printed in distinct type posted in not less than ten conspicious places in said hotel inn boarding or eating house

Section 11 That all acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent of the House to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Section 1, line 16, strike out "guests" and insert "guest."
Section 2, line 1, strike out "but such" and insert "any."
Section 2, line 7, after "innkeeper" insert "or."
Section 3, line 5, after "than" strike out "to" and insert "in."
Section 7, line 1, strike out "and," Begin "after" with capital "A."
Section 7, line 12, after "reclaim" insert "said residue."
Section 11, line 1, strike out "That." Begin "all" with capital "A."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time. Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1023, as follows:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for any mutual savings fund or building and loan association now incorporated or hereafter to be incorporated

(a) To set aside from the net profits a sum not to exceed five per centum thereof each year as a reserve fund for the payment of contingent losses until the total amount of such fund so set aside shall equal five per centum of the assets of such association provided that no association shall reduce the dividend or interest payable on voluntary withdrawal as fixed by the board of directors or its by-laws for that purpose and all such funds heretofore accumulated by any such association from its profits not in excess of five per centum of the assets are hereby confirmed and made valid

Provided however that if at any time the assets of the association shall become reduced in amount and the contingent fund should thereby exceed five per centum of the remaining assets of the association then at the next dividend period the amount in excess of five per centum in said contingent fund shall be transferred to the general profit account of such association

(b) To permit members when loans are granted to secure the repayment thereof if so desired by giving to the association a straight bond and mortgage on real estate for a fixed period for an amount not to exceed one-half of the loan and upon such other terms and conditions as may be agreed upon and for the remainder of the loan which shall be on shares of the association and installment bond and mortgage on real estate in form as now provided by law provided that it shall not be lawful to collect premiums or fines on such straight bond and mortgage

(c) To provide in its by-laws that the loans shall be made first to the members of the association or to persons intending to become members if the loan be secured who shall bid the highest premiums for the preference or priority in procuring loans and it shall be competent and lawful for the borrower from such association to agree in writing upon a given rate of premium not to exceed two per centum per annum upon the amount of the loan in addition to the interest to be paid upon such loan without bidding for preference or priority And no premium contracted for under this section with or without bidding shall be deemed usurious although in excess of the legal rate of interest

Section 2 When there are moneys remaining in the treasury of any mutual savings fund or building and loan association unapplied for by any of its stockholders and not required to pay withdrawals and matured stock and borrowed money if any it shall be lawful for the board of directors to make temporary loan of such moneys to other mutual savings fund or building and loan associations on interest bearing order note or bond Provided that such order note or bond shall not bear a higher rate of interest than the lawful rate provided further that the board of directors of any mutual savings fund or building and loan association shall not loan to any other one mutual saving fund or building and loan association more than ten per centum of its assets and not more than twenty-five per centum of its assets in the aggregate may be so loaned

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Flynn,	Mannion,	Runk,
Allen,	Foster, J. D.,	Martin,	Sassaman,
Arthur,	Frey,	Mather,	Savacool,
Baldwin, R. J.,	Geary,	Matt,	Schaeffer, A. C.
Barner,	Geiser,	McAleer,	Schuck,
Bass,	Gibson,	McAllister,	Scott, S. B.,
Bayle,	Glenn,	McArdle,	Semmens,
Becker,	Good,	McClintock,	Shaffer, C. A.,
Benninger,	Grabe,	McDermott,	Shaffer, I. E.,
Benson,	Gramley,	McKay,	Shern,
Bergey,	Gransback,	McNichol,	Showalter,
Bigger,	Gray, Frank,	Mechling,	Smith, J. W.,
Bittles,	Haggerty,	Mellott,	Smith, L.,
Blair, W. A.,	Heidinger,	Metzenbacher,	Snyder,
Body,	Hemminger,	Miller,	Spangler,
Brosius,	Herman,	Mitchell,	Spillinger,
Brownlee,	Heyburn,	Moore,	Steele,
Caldwell,	Hibshman,	Morrow,	Stone,
Campbell, C.M.,	Hoffman,	Murphy,	Strauss,
Campbell, J. J.,	Howard, J.,	Musser,	Swartz,
Carter,	Howard, R.,	Neel,	Swift,
Cheeseman,	Humes,	Newbaker,	Thomas,
Claycomb,	Isler,	Newton,	Trach,
Cleary,	Irwin, G. C.,	North,	Ulerich,
Cochran,	Irwin, H. H.,	O'Neill,	Ulman,
Conniff,	Jackson,	Peachey,	Walnut,
Conrade,	Jones, J. R.,	Pennegar,	Walsh,
Cox,	Kennedy,	Pennock,	Walton,
Currier,	Kern,	Peters,	Watson,
Curry,	Kitts,	Piper,	Wettach,
Davis,	Klepper,	Post,	Wildman,
DeFrees,	Kuhn, H. P.,	Redfield,	Williams,
Dickinson,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Donahoe,	Latshaw,	Reeser,	Wilson, W. H.,
Donnally,	Lenker,	Rhoads,	Young, G. K.
Dunn, H. B.,	Leslie,	Richards,	Young, J. H.,
Ehrhardt,	Letzkus,	Robinson,	Zimmerman,
Eichenberger,	Light,	Rockwell,	Alter,
Ely,	Malie,	Roney,	Speaker.
Ewing,		Rothenberger,	

NAYS—2.

Missimer, Gans,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McDERMOTT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McDERMOTT. Mr. Speaker, on February 27th, on page 526 of the Legislative Journal, where the figures "55,000" appear, it should read "95,000 population." I desire the correction made.

The SPEAKER. The Clerks will make a note of the correction.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1211, entitled:

An Act extending the jurisdiction of the courts in actions wherein a corporation is or shall be a party

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Adams,	Fahey,	Mannion,	Runk,
Allen,	Flynn,	Martin,	Sassaman,
Arthur,	Foster, J. D.,	Mather,	Savacool,
Baldwin, R. J.,	Gans,	Matt,	Schaeffer, A. C.
Barner,	Geary,	McAleer,	Semmens,
Bass,	Geiser,	McAllister,	Shaffer, C. A.,
Bayle,	Gibson,	McClintock,	Shaffer, I. E.,
Benson,	Gramley,	McDermott,	Shern,
Bigger,	Gransback,	McKay,	Sherwood.
Bittles,	Hackett,	McNichol,	Showalter,
Blair, W. A.,	Haggerty,	Mechling,	Smith, L.,
Body,	Hemminger,	Mellott,	Snyder,
Brosius,	Herman,	Metzenbacher,	Spangler,
Brownlee,	Heyburn,	Miller,	Steedle,
Burnett,	Hibshman,	Mitchell,	Steele,
Caldwell,	Hoffman,	Moore,	Stone,

Campbell, C.M.,	Howard, J.,	Morrow,	Strauss,
Campbell, J.J.	Humes,	Moulthrop,	Swartz,
Carter,	Isler,	Neely,	Swift,
Cheeseman,	Irwin, G. C.,	Newton,	Thomas,
Cleary,	Irwin, H. H.,	O'Neill,	Trach,
Cochran,	Jackson,	Peachey,	Ulerich,
Collins,	Jones, J. R.,	Pennegar,	Ulman,
Conner,	Kenna,	Pennock,	Walsh,
Conniff,	Kennedy,	Peters,	Walton,
Conrade,	Kern,	Piper,	Watson,
Cox,	Kitts,	Post,	Whitman,
Currier,	Kuhn, H. P.,	Ramsey,	Wildman,
Curry,	Kuhns, E.G.M.,	Reese,	Williams,
Davis,	Lenker,	Reeser,	Wilson, J. H.,
Dickinson,	Leslie,	Rex,	Wilson, W. H.,
Donnally,	Letzkus,	Rhoads,	Wiltbank,
Down,	Light,	Richards,	Young, G. K.,
Dunn, J. A.,	Lowers,	Rockwell,	Zimmerman,
Ehrhardt,	Malie,	Roney,	Alter,
Eichenberger,		Rothenberger,	Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1576, entitled:

An Act to amend an act entitled "An Act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" approved July second one thousand nine hundred and one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Adams,	Eichenberger,	Malie,	Rothenberger,
Allen,	Ely,	Mannion,	Runk,
Arthur,	Foster, J. D.,	Martin,	Sassaman,
Baldwin, R. J.,	Frey,	Matt,	Savacool,
Barner,	Gans,	McAllister,	Semmens,
Bass,	Geary,	McArdle,	Shaffer, C. A.,
Bayle,	Gibson,	McClintock,	Shaffer, I. E.,
Becker,	Good,	McDermott,	Shern,
Benson,	Grabe,	McKay,	Sherwood,
Bigger,	Gramley,	McNichol,	Showalter,
Bittles,	Gransback,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Gray, Joseph,	Miller,	Smith, L.,
Body,	Hackett,	Missimer,	Snyder,
Brosius,	Haggerty,	Moore,	Spangler,
Brownlee,	Heidinger,	Morrow,	Spillinger,
Burnett,	Hemminger,	Moses,	Steedle,
Caldwell,	Herman,	Moulthrop,	Steele,
Campbell, C.M.,	Heyburn,	Musser,	Stone,
Campbell, J.J.	Hibshman,	Newbaker,	Strauss,
Carter,	Hoffman,	Newton,	Swartz,
Cheeseman,	Howard, R.,	O'Neill,	Swift,
Claycomb,	Humes,	Peachey,	Thomas,
Cleary,	Isler,	Pennegar,	Trach,
Cochran,	Irwin, G. C.,	Pennock,	Ulerich,
Collins,	Irwin, H. H.,	Peters,	Walsh,
Conniff,	Jackson,	Piper,	Watson,
Conrade,	Jones, J. R.,	Post,	Whitaker,
Cox,	Kern,	Ramsey,	Wildman,
Currier,	Kitts,	Redfield,	Williams,
Curry,	Klepper	Reese,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
DeFrees,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Dickinson,	Latshaw,	Richards,	Young, J. H.,
Donahoe,	Leslie,	Robinson,	Zimmerman,
Donnally,	Letzkus,	Rockwell,	Alter,
Dunn, J. A.,		Roney,	Speaker.
Ehrhardt,			

NAYS—2.

Lenker, Ulman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. MELLOTT. Mr. Speaker, I desire to call up House Bill No. 1454 from page 13 of to-day's calendar, which was passed over.

The SPEAKER. If there is no objection, the bill will be taken up.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1454, entitled:

An Act for the better protection of wild turkeys in this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Adams,	Ehrhardt,	Lowers,	Rothenberger,
Allen,	Eichenberger,	Malie,	Runk,
Arthur,	Ewing,	Mannion,	Sassaman,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Savacool,
Barner,	Gans,	Matt,	Schuck,
Bass,	Geiser,	McAleer,	Scott, J. R. K.,
Bayle,	Gibson,	McAllister,	Scott, S. B.,
Becker,	Good,	McClintock,	Semmens,
Benson,	Gramley,	McDermott,	Shaffer, C. A.,
Bigger,	Gransback,	McKay,	Shern,
Bittles,	Gray, Frank,	McNichol,	Sherwood,
Blair, W. A.,	Hackett,	Mechling,	Showalter,
Body,	Haggerty.	Metzenbacher,	Smith, J. W.,
Brosius,	Heidinger,	Miller,	Snyder,
Brownlee,	Hemminger,	Mitchell,	Spangler,
Burnett,	Herman,	Moore,	Steedle,
Caldwell,	Heyburn,	Moulthrop,	Steele,
Campbell, C.M.,	Hibshman,	Murphy,	Stone,
Campbell, J. J.,	Hoffman,	Neel,	Swartz,
Carter,	Howard, J.,	Newbaker,	Swift,
Cheeseman,	Isler,	Newton,	Thomas,
Claycomb,	Irwin, G. C.,	O'Neill,	Trach,
Cleary,	Jackson,	Peachey,	Ulerich,
Collins,	Jones, J. R.,	Pennegar,	Walsh,
Conner,	Kennedy,	Peters,	Watson,
Conniff,	Kitts,	Piper,	Whitaker,
Conrade,	Klepper,	Post,	Wildman,
Cox,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Currier,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Curry,	Latshaw,	Rhoads	Young, G. K.,
Davis,	Lenker,	Robinson,	Young, J. H.,
DeFrees,	Leslie,	Rockwell,	Zimmerman,
Dickinson,	Letzkus,	Roney,	Alter,
Donnally,	Light,		Speaker.
Dunn, H. B.,			

NAYS—1.

Ulman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1283, entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Eichenberger,	Mannion,	Sassaman,
Allen,	Fahey,	Martin,	Savacool,
Arthur,	Flynn,	Mather,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	Matt,	Scott, S. B.,
Barner,	Frey,	McAleer,	Semmens,
Bass,	Gans,	McAllister,	Shaffer, C. A.,
Bayle,	Geiser,	McArdle,	Shaffer, I. E.,
Becker,	Glenn,	McDermott,	Sherwood,
Benninger,	Good,	McKay,	Showalter,
Benson,	Gransback,	McNichol,	Smith, J. W.,
Bergey,	Gray, Joseph,	Metzenbacher,	Smith, L.,
Bigger,	Hackett,	Miller,	Snyder,
Bittles,	Haggerty,	Missimer,	Spangler,
Blair, W. A.,	Heidinger,	Mitchell,	Spillinger,
Body,	Hemminger,	Moore,	Steedle,
Brosius,	Herman,	Morrow,	Steele,
Brownlee,	Heyburn,	Murphy,	Stone,
Burnett,	Hibshman,	Neel,	Strauss,
Caldwell,	Hoffman,	Neely,	Swartz,
Campbell, C.M.,	Howard, J.,	Newbaker,	Swift,
Campbell, J. J.,	Isler,	Newton,	Thomas,
Carter,	Irwin, G. C.,	O'Neill,	Trach,
Cheeseman,	Irwin, H. H.,	Peachey,	Ulerich,
Claycomb,	Jackson,	Pennegar,	Ulman,
Cochran,			

Collins,	Jones, J. R.,	Pennock,	Walnut,
Conner,	Kennedy,	Peters,	Walsh,
Conniff,	Kern,	Piper,	Walton,
Conrade,	Kitts,	Post,	Watson,
Cox,	Klepper,	Ramsey,	Whitaker,
Currier,	Kuhn, H. P.,	Redfield,	Williams,
Curry,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Davis,	Latshaw,	Reeser,	Wilson, W. H.,
DeFrees,	Lenker,	Rex,	Wiltbank,
Dickinson,	Leslie,	Rhoads,	Young, G. K.
Donahoe,	Letzkus,	Richards,	Young, J. H.,
Donnally,	Light,	Robinson,	Zimmerman,
Down,	Lohr,	Rockwell,	Alter,
Dunn, J. A.,	Lowers,	Roney,	Speaker.
Ehrhardt,	Malie,	Rothenberger,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to call up House Bill No. 952, file folio No. 5051, on page 15 of to-day's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 952, as follows:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncoked for human food and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to use night soil as a fertilizer or otherwise on any ground on which vegetables of a variety or varieties which are eaten uncooked for human food are being grown

Provided however that the term "night soil" for the purposes of this act shall be construed to include only human excrement and the contents of privy wells and that any such night soil which shall have been treated by any process approved by the Commissioner of Health of the State Department of Health to remove its objectionable features shall not be within the prohibition of this act.

Section 2. Any person firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be fined not less than twenty-five dollars ($25.00) or more than one hundred dollars ($100.00) for each offense or imprisonment for not more than two months or both in the discretion of the court.

Section 3 This act shall take effect on the first day of September one thousand nine hundred and fourteen

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this is the bill about which the members have been receiving letters from the Commander of the Navy Yard, and which some of my colleagues so seriously opposed until they had amended it. Now they are all in favor of it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Adams,	Ely,	Mather,	Semmens,
Allen,	Flynn,	Matt,	Shaffer, C. A.,
Arthur,	Foster, J. D.,	McAleer,	Shaffer, I. E.,
Baldwin, G. A.,	Frey,	McAllister,	Shern,
Barner,	Geary,	McKay,	Sherwood,
Bass,	Geiser,	McNichol,	Showalter,
Becker,	Glenn,	Mechling,	Smith, J. W.,
Benninger,	Good,	Mellott,	Smith, L.,
Benson,	Grabe,	Metzenbacher,	Snyder,
Bergey,	Gramley,	Missimer,	Spangler,
Bigger,	Gransback,	Mitchell,	Spillinger,
Bittles,	Gray, Joseph,	Moore,	Steedle,
Blair, W. A.,	Hackett,	Morrow,	Steele,
Body,	Haggerty,	Moulthrop,	Strauss,
Brosius,	Heidinger,	Murphy,	Swift,
Brownlee,	Hemminger,	Neel,	Thomas,
Burnett,	Herman,	Newbaker,	Trach,
Caldwell,	Heyburn,	Newton,	Ulman,
Carter,	Hibshman,	O'Neill,	Walnut,
Cheeseman,	Hoffman,	Pennegar,	Walsh,
Cleary,	Howard, J.,	Pennock,	Walton,
Conner,	Humes,	Peters,	Watson,
Conniff,	Isler,	Post,	Wettach,
Conrade,	Irwin, G. C.,	Redfield,	Whitaker,
Cox,	Jones, J. R.,	Reese,	Whitman,
Currier,	Keegan,	Reeser,	Wildman,
Curry,	Kitts,	Rex,	Williams,
Davis,	Kuhn, H. P.,	Richards,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Rockwell,	Wilson, W. H.,
Dickinson,	Lenker,	Rothenberger,	Wiltbank,
Donahoe,	Leslie,	Runk,	Young, G. K.,
Donnally,	Letzkus,	Sassaman,	Young, J. H.,
Down,	Light,	Savacool,	Zimmerman,
Dunn, J. A.,	Mannion,	Scott, J. R. K.,	Alter,
Ehrhardt,	Martin,	Scott, S. B.,	Speaker.
Eichenberger,			

NAYS—2.

Dunn, H. B., Ewing,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES.

Mr. SHERN, from the Committee on Ways and Means, reported as committed House Bill No. 1760, entitled:

An Act to amend section twenty-three of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine

Mr. SMITH, from the Committee on Ways and Means, reported as committed House Bill No. 1575, entitled:

An Act to further amend section twenty-one of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine," approved June first one thousand eight hundred and eighty-nine

Mr. ELY, from the Committee on Ways and Means, reported as amended House Bill No. 912, entitled:

An Act levying a tax on anthracite coal and providing for the collection and distribution of the same

Mr. W. H. WILSON, from the Committee on Ways and Means, reported as committed House Bill No. 1694, entitled:

An Act to provide revenue by taxation

Mr. McNICHOL, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 823 (Senate Bill No. 146), entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes"

Mr. BURNETT, from the Committee on Ways and Means, reported as committed House Bill No. 1516, entitled:

An Act to amend section two of an ace entitled "A supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending and extending the provisions thereof' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

Mr. SASSAMAN, from the Committee on Appropriations, reported as committed House Bill No. 513, entitled:

An Act making an appropriation to the Brelsford Packing and Storage Company and Evans-Burtnett Company of Harrisburg in payment for meats and groceries furnished by them at the instance of the Adjutant General of Pennsylvania under directions from the Governor for the relief of the sufferers from the Austin dam disaster occurring September thirtieth one thousand nine hundred and eleven

Mr. MELLOTT, from the Committee on Ways and Means, reported as committed House Bill No. 1690, entitled:

An Act to repeal an act entitled "An Act to amend the first section of an act entitled 'A further supplement to an Act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first, fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollar

of its actual value' by relieving and exempting from the provisions thereof savings institutions having no capital stock" approved May first one thousand nine hundred and nine

Mr. PETERS, from the Committee on Ways and Means, reported as committed House Bill No. 1689, entitled:

An Act to provide for the assessment and collection of taxes on personal property

Mr. GANS, from the Committee on Public Health and Sanitation, re-reported as amended, House Bill No. 1813 (Senate Bill No. 430), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

Mr. McNICHOL. Mr. Speaker, I would like to call up at this time House Bill No. 1282, bills on third reading, page 21 of to-day's calendar.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1282, entitled:

An Act exempting from levy and sale upon execution issued upon any judgment huosehold goods and furniture in use as such to the value of thre hundred dollars and providing a method for the appraisal of such household goods and furniture

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

BILL POSTPONED.

Mr. McNICHOL. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. PIPER. I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. HERMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11.05 o'clock P. M.) the House adjourned until to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, APRIL 16, 1913. No. 50.

SENATE.

WEDNESDAY, April 16, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

As the heart panteth after the water brooks, so panteth our souls after Thee, Oh God. Yes, our souls thirst after Thee, the living God. So teach us to number our days that we may apply our hearts unto wisdom. Help us to always remember that the golden goal of each day is not man's approval but the Divine approval. Even Thy "Well done, thou good and faithful servant, thou hast been faithful over a few things, I will make thee ruler over many things." Help us this day, then, to be faithful in the work which Thou hast committed unto us. Help us to remember that "No man is born into the world whose work is not born with him." May we then do that work which Thou shalt commit unto us this day. May the record of this day be one of work well done and of service well rendered. We ask it in our Redeemer's name. Amen.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. JARRETT presented two petitions of citizens of Mercer County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr KLINE presented two petitions of citizens of Allegheny County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HOKE presented eight petitions of citizens of Franklin County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. ENDSLEY presented eight petitions of citizens of Somerset County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING PASSAGE OF SENATE BILL NO. 597.

Mr. JARRETT presented petitions of Woodcock Center Grange, No. 1034, P. of H., Gresham Grange, No. 1471, P. of H., Athens Grange, No. 304, P. of H., Hydetown Grange, No. 1239, P. of H., and Rundell Grange, No. 871, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

Mr. MILLS presented petitions of Keystone Grange, No. 754, P. of H., and Clifford Grange, No. 1399, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

FAVORING PASSAGE OF HOUSE BILLS NOS. 1294, 195, 365, 1103 AND 138 AND SENATE BILL NO. 178.

Mr. JARRETT presented petitions of T. C. Fry, Linesville, Pa., Neighborhood Sunday School, Titusville, Pa., and Trinity Evangelical Congregation of Meadville, Pa., favoring the passage of House Bills Nos. 1294, 195, 365, 1103 and 138 and Senate Bill No. 178.

Which were referred to the Committee on Law and Order.

AGAINST "CHILD LABOR" BILL.

Mr. KLINE presented petition of citizens of Allegheny County, protesting against the passage of the "Child Labor" bill.

Which was referred to the Committee on Judiciary Special.

FAVORING AMENDMENT TO "CHILD LABOR" BILL.

Mr. HOKE presented petition of citizens of Franklin County, favoring the passage of amendment to the "Child Labor" Bill.

Which was referred to the Committee on Judiciary Special.

FAVORING THE PASSAGE OF SENATE BILL NO. 413.

Also, presented two petitions of citizens of Franklin County, favoring the passage of Senate Bill No. 413.

Which were referred to the Committtee on Public Roads and Highways.

FAVORING STATE ROAD FROM SCOTLAND TO SHIPPENSBURG.

Also, presented petition of citizens of Franklin County, favoring a State Road from Scotland to Shippensburg.

Which was referred to the Committee on Public Roads and Highways.

LEAVES OF ABSENCE.

Mr. JARRETT asked and obtained leave of absence for the Senator from Warren, Mr. Knapp, for the balance of the week.

REPORTS FROM COMMITTEES.

Mr. ENDSLEY, from the Committee on Agriculture, reported as amended, Senate Bill No. 913, entitled:

An Act entitled an act directing the Agricultural Department of State College to set apart ten acres of land as an experimental farm to be planted with farm crops native to Pennsylvania and cultivated in accordance with the preamble as set forth in this act

Mr. COOPER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 838 (House Bill No. 409, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

Mr. ALEXANDER, from the Committee on Forestry, reported as committed, Senate Bill No. 827, entitled:

A supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations established for the purpose of preventing forest fires

Mr. HOKE, from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 11, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

Mr. MARTIN, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 381 (House Bill No. 265), entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 968 (House Bill No. 106), entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1045, entitled:

An Act creating in counties having a population from three hundred thousand to one million four hundred thousand a Board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said Board and regulating appeals from the decision thereof

Mr. CLARK, from the Committee on Education, reported as amended, Senate Bill No. 592 (House Bill No. 655), entitled:

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

Mr. SENSENICH, from the Committee on Law and Order, reported as committed, Senate Bill No. 995, entitled:

An Act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof

Mr. GYGER, from the Committee on Agriculture, reported as committed, Senate Bill No. 834, entitled:

An Act enabling the Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

Mr. HILTON, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 719 (House Bill No. 53), entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT SUCH LEGISLATION AS WILL BE NECESSARY FOR THE CONSTRUCTION OF A SYSTEM OF PAVED PUBLIC HIGHWAYS CONNECTING THE CAPITALS OF THE SEVERAL STATES OF THE UNION WITH THE NATIONAL CAPITAL AND WITH EACH OTHER, AND ALSO WITH THE PRINCIPAL NATIONAL PARKS.

Mr. McNICHOLS, from the Committee on Public Roads and Highways, reported concurrent resolution as follows, which was laid upon the table:

A CONCURRENT RESOLUTION

Requesting Congress to enact such legislation as will be necessary for the construction of a system of paved public highways connecting the Capitals of the several States of the Union with the National Capital and with each other, and also with the principal National Parks,

Whereas, A uniform system of National Public Highways or roads, connecting the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also with the principal National Parks, will vastly promote commerce between the several States, and reduce the cost to transportation thereof; facilitate and cheapen travel and social intercourse between the people; discourage sectionalism, and render the entire people more cosmopolitan, intellectually, morally and politically; aid the farmer in marketing his produce, and make farm life more agreeable, attractive and profitable; induce Americans to see and know America; beautify all parts of the Union; intersify industrial activities; encourage good road building throughout the continent and bring the entire people countless blessings, conveniences and joys known only to a highly developed country, and,

Whereas, To secure uniformity, thoroughness and economy in the construction, fitness and adaptability of grades, and avoidance of such local controversies in the selection of routes as would probably delay, if not defeat the entire enterprise, the cost of such a system of highways being beyond the probable financial resources of the several States, it would be necessary that it would be constructed at the expense and under the supervision of the General Government, now, therefore,

Be It Resolved, (if the House of Representatives concur), That the Honorable Congress of the United States is respectfully urged to enact suitable legislation for the location and construction, under the supervision and by the General Government of a system of National Highways or roads, which shall connect the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also, with the principal National Parks; that such National Highways be constructed on firm concrete bases, with hard surfaces, and as nearly dustless as possible; that they be located solely with regard to the greatest public good and feasibility of route and grades, and,

Be It Further Resolved, That Congress is earnestly urged to provide in such legislation means of raising the necessary money for the location and construction of such National Highway by the restoration of the internal revenue tax of one thousand eight hundred seventy-nine on tobacco, or in some other manner, as to it shall seem meet and proper, and that the location and construction of such a stem of highways be commenced as means can be provided, throughout the country generally, without giving priority to any section or locations, and,

Be It Further Resolved, That a copy of this Memorial be forwarded by the Secretary of the Commonwealth of Pennsylvania to the Senate and to the House of Representatives of the United States; and,

Be It Further Resolved, That copies thereof be transmitted by the Secretary of the Commonwealth of Pennsylvania to the Senators and Representatives in Congress from the State of Pennsylvania with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated.

BILLS INTRODUCED.

Mr. MOORE read in his place and presented to the Chair Senate Bill No. 1059, entitled:

An Act authorizing courts of common pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to restrict the lien thereof to a part only of the real estate of such defendant or defendants

Which was committed to the Committee on Judiciary General.

Mr. HEACOCK read in his place and presented to the Chair Senate Bill No. 1060, entitled:

An Act making an appropriation to the State Hospital for the Insane for the Southeastern District of Pennsylvania at Norristown to cover a deficiency

Which was committed to the Committee on Appropriations.

Mr. DeWITT read in his place and presented to the Chair Senate Bill No. 1061, entitled:

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the County of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy

Which was committed to the Committee on Judiciary Special.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 1062, entitled:

An Act to amend the first section of an act approved the fourteenth day of April Anno Domini one thousand nine hun-

dred and three entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth and providing penalties for violation of its provisions and repealing an act approved the twenty-fourth day of April one thousand nine hundred and one" by making the license fee twenty dollars instead of ten dollars as at the present time

Which was committed to the Committee on Game and Fisheries.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 1063, entitled:

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the payment repayment to the county by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year

Which was committed to the Committee on Agriculture.

Also read in his place and presented to the Chair Senate Bill No. 1064, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioners decides the work to be done by the State providing aid in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the government maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 1065, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or requiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring same in the government and improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of costs of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act

Which was committed to the Committee on Public Roads and Highways.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 1066, entitled:

An Act relating to borough and township auditors requiring and regulating the publication and filing by them of certain statements of accounts audited by them at the expense of the proper district

Which was committed to the Committee on Judiciary Special.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 1067, entitled:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fireproof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

Which was committed to the Committee on Municipal Affairs.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 1068, entitled:

An Act providing for exhibits demonstrations and lectures by the Department of Agriculture and its Bureaus at County Fairs and other Agricultural and Horticultural Exhibitions and making an appropriation therefor

Which was committed to the Committee on Appropriations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

TIME OF NEXT MEETING.

Mr. CROW offered the following resolution, which was twice read, considered and agreed to:

Resolved (if the House of Representatives concur), That when the Senate adjourns today it shall reconvene on Monday evening, April twenty-first, at nine o'clock.

Ordered. That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION FAVORING PASSAGE BY CONGRESS OF UNITED STATES SENATE RESOLUTION NO. 25.

Mr. JONES offered resolution, which was twice read as follows

Whereas, The protection of the migratory and insectivorous wild birds is essential to the prosperity of man, because of their work in consuming insert pests and the seeds of noxious weeds; and,

Whereas, The Biological Survey of the National Department of Agriculture has been engaged in exhaustive investigations to determine the foods of said birds, and their effect on said destructive insect pests and noxious weeds; and,

Whereas, The publication and distribution of information concerning the beneficial results of the work of said birds has been resulting in a steady and increasing appreciation of the necessity of protecting and preserving the birds aforesaid; and,

Whereas, There is now pending before the Congress of the United States a joint resolution looking toward the international protection of migatory birds, which is known as Senate Resolution No. 25; therefore, be it

Resolved, (if the House of Representatives concur) That the United States Senators and the members of Conogress from Pennsylvania be urged to lend their votes and influence to the end that Senate Resolution No. 25 shall be passed and the international protection of our migratory birds be thus assured; and, be it further

Resolved (if the House of Representatives concur), That the United States Senators and the members of Congress from Pennsylvania be urged to support the work of Biological Survey in every proper and consistent manner.

Mr. JONES. Mr. President, I ask unanimous consent that Rule 39 be suspended in order that the resolution just read may be considered at this time.

Mr. HEACOCK. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONCURRENT RESOLUTION REQUESTING CONGRESS TO ENACT SUCH LEGISLATION AS WILL BE NECESSARY FOR THE CONSTRUCTION OF A SYSTEM OF PAVED PUBLIC HIGHWAYS CONNECTING THE CAPITALS OF THE SEVERAL STATES OF THE UNION WITH THE NATIONAL CAPITAL AND WITH EACH OTHER, AND ALSO WITH THE PRINCIPAL NATIONAL PARKS.

Mr. KLINE. Mr. President, I move that Rule 39 be suspended in order to consider the resolution reported from the Committee on Public Roads and Highways at this morning's session.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read as follows:

A CONCURRENT RESOLUTION

Requesting Congress to enact such legislation as will be necessary for the construction of a system of paved public highways connecting the Capitals of the several States of the Union with the National Capital and with each other, and also with the principal National Parks

Whereas, A uniform system of National Pubic Highways or roads, connecting the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also with the principal National Parks, will vastly promote commerce between the several States, and reduce the cost of transportation thereof; facilitate and cheapen travel and social intercource between the people; discourage sectionalism, and render the entire people more cosmopolitan, intellectually, morally and politically; aid the farmer in marketing his produce, and make farm life more agreeable, attractive and profitable; induce Americans to see and know America; beautify all parts of the Union; intensify industrial activities; encourage good road building throughout the continent and bring the entire peopde countless blessings, conveniences and joys known only to a highly developed country, and,

Whereas, To secure uniformity, thoroughness and economy in the construction fitness and adaptability of grades, and avoidance of such local controversies in the selection of routes as would probably delay, if not defeat the entire enterprise, the cost of such a system of highways being beyond the probable finanacial resources of the several States, it would be necessary that it would be constructed at the expense and under the supervision of the General Government, now, therefore,

Be it Resolved, (if the House of Representatives concur), That the Honorable Congress of the United States is respectfully urged to enact suitable legislation for the location and construction under the supervision and by the General Government of a system of National Highways or roads, which shall connect the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also, with the Principal National Parks; that such National Highways be constructed on firm concrete bases, with hard surfaces, and as nearly dustless as possible; that they be located solely with regard to the greatest public good and feasibility of route and grades, and,

Be it further Resolved, That Congress is earnestly urged to provide in such legislation means of raising the necessary money for the location and construction of such National Highway by the restoration of the internal revenue tax of one thousand eight hundred seventy-nine on tobacco, or in some other manner, as to it shall seem meet and proper, and that the location and construction of such a stem of highways be commenced as means can be provided, throughout the country generally, without giving priority to any section or locations, and,

It is Further Resolved, That a copy of this Memorial be forwarded by the Secretary of the Commonwealth of Pennsylvania to the Senate and to the House of Representatives of the United States, and,

Be it Further Resolved, That copies thereof be transmitted by the Secretary of the Commonwealth of Pennsylvania to the Senators and Representatives in Congress from the State of Pennsylvania with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein produced

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. MARTIN. I rise at this time to a question of personal privilege.

The PRESIDENT. The Senator from Cumberland, Mr. Martin, will state his question of personal privilege.

Mr. MARTIN. Mr. President, yesterday, when bills were on third reading, I was called from my desk by one of my constituents. While talking with him and before coming back to my desk again, the roll call had passed my name. I inquired from one of the Senators as to what bill was being voted on, and he replied the "School Bill," which is Senate Bill No. 888. I said I wanted to be recorded as voting for that bill, and I arose after the roll was taken and asked to be recorded as voting "aye." Afterwards I discovered that I had voted "aye" on Senate Bill 772, which was a misapprehension, as I was misinformed and by mistake I voted for a bill I did not want to vote for, thinking I was voting for Senate Bill No. 888.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

BUCKS COUNTY.

Edward T. Clucas, Falls Twp.

CAMBRIA COUNTY.

Miss Cecelia Conrad, Cresson Twp.

LACKAWANNA COUNTY.

Michael Roberts, Jermyn.

LEBANON COUNTY.

Levi S. Peiffer, Bethel Twp.

PHILADELPHIA COUNTY.

Miss Elizatbeth M. Doak, Philadelphia.
Horace V. Shick, Philadlephia.

SCHUYLKILL COUNTY.

John T. Moore, Cass Twp.

BEAVER COUNTY.

L. V. Obney, Beaver.

LEHIGH COUNTY.

Pacquale Stravino, Whitehall Twp.

SNYDER COUNTY.

Charles S. Mattern, West Beaver Twp.

JOHN K. TENER.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 160, entitled:

An Act repealing part of section one of an act entitled "An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

House Bill No. 127, entitled:

An Act to validate certain elections held between the tenth day of April Anno Domini one thousand nine hundred five and the first day of May Anno Domini one thousand nine hundred and nine upon the question of increasing the indebtedness of counties cities boroughs townships school-districts or other incorporated districts or municipalities of this Commonwealth all bonds issued pursuant to such election and the indebtedness represented by such bonds

House Bill No. 420, entitled:

An Act making an appropriation to cover a definciency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven (Appropriation Acts page two hundred and fifty-nine) making an appropriation to pay the tuition of students in State Normal schools

House Bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to stablish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

House Bill No. 505, entitled:

An Act to amend an act approved the twenty-sixth day of May one thousand eight hundred ninety-seven entitled "An Act in relation to officers taking illegal fees and providing a penalty therefor"

House Bill No. 587, entitled:

An Act to amend section one of the act of March thirtieth one thousand nine hundred and eleven (Pamphlet Laws twenty-eight) entitled "An Act to provide for the payment by the proper county of witnesses committed and held in default of bail to appear and testify on behalf of the Commonwealth"

House Bill No. 751, entitled:

An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof

House Bill No. 1071, entitled:

An Act amending an act entitled "An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" and approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts

House Bill No. 1094, entitled:

An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled "An Act relating to receiver's sales" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act

House iBll No. 1097, entitled:

An Act to amend section two of an act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of proving the giving of the same

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

HOUSE CONCURS IN SENATE BILL NO. 611.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto"

with information that the House had passed the same without amendment.

HOUSE INSISTS UPON AMENDMENT TO SENATE BILL NO. 52.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

with the information that the House of Representatives insists upon its amendment non-concurred in by the Senate to said bill.

APPOINTMMENT OF COMMITTEE OF CONFERENCE.

Mr. HERBST. Mr. President, I move that the Senate insists upon its non-concurrence in the amendment to the foregoing bill made by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such a committee to consider the differences existing between the two houses in relation to said bill.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

Oredered ,That Messrs. Hall, Vare, and McNichol be such committee on the part of the Senate and that the clerk inform the House of Representatives accordingly.

SENATE BILL NO. 23 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 23, entitled:

An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one three four five six seven and eight

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. SHEATZ. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

In the title by striking out before the word "applicable" the words "entitled an act"; also, in the title, by striking out after the word "forth" the words "in sections one, two, three, four, five, six, seven and eight"; also in section 2, line 2, by inserting after the word "appointed" the word "annually"

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Fisher,	Kline	Powell,
Beidleman,	Graff,	Kurtz,	Salus,
Buckman,	Gyger,	Magee,	Sensenich,
Clark,	Hall,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
Daix,	Homsher,	McNichols,	Thompson,
DeWitt,	Jarrett,	Miller,	Vare,
Endsley,	Jones,	Mills,	Wasbers.
Farley,	Judson,	Moore,	Gerberich.
		Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 316 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 316, entitled:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires amended Bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

In Section 2, line 46, by striking out after the word "wounded" the words "or had in possession." Also in line 47 by striking out after the word "wounded" the words "or had in possession".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Heacock,	Magee,	Sensenich,
Beidleman,	Herbst,	McNichols,	Sheatz,
Clark,	Hilton,	Miller,	Snyder,
Cooper,	Homsher,	Mills,	Sones,
Crow,	Jarrett,	Moore,	Thompson,
Daix,	Jones,	Nulty,	Vare,
Farley,	Judson,	Powell,	Wasbers,
Fisher,	Kurtz,	Salus,	Gerberich,
Gyger,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 77 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 77, entitled:

An Act to exempt from the payment of inheritances taxes bequests and devices to institutions of purely public charity

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr.CROW. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

In the title by striking out the word "devices" and inserting in lieu thereof the word "devises". Also in Section 1, line 7, by striking out the word "county" and inserting in lieu thereof the word "country".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Fisher,	Jones,	Powell,
Beidleman,	Graff,	Judson,	Salus,
Buckman,	Gyger,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Clark,	Herbst,	McIlhenny,	Snyder,
Cooper,	Hilton,	McNichols,	Sones,
Crow,	Hoke,	Miller,	Thompson,
Daix,	Homsher,	Mills,	Wasbers,
DeWitt,	Hunter,	Moore,	Gerberich,
Farley,	Jarrett,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 120 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 120, entitled:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. MILLS. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution, were twice read as follows:

In Section 1, line 6, by striking out after the word "Commonwealth" the words "except primary elections for the conduction of the same", also, in line 7 by striking out after the word "each" the words "and that at all primary election the said pay shall be two dollars and fifty cents each".

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Graff,	Kline	Salus,
Beidleman,	Gyger,	Kurtz,	Sensenich,
Buckman,	Heacock,	Magee,	Sheatz,
Catlin,	Herbst,	Martin,	Snyder,
Clark,	Hilton,	McIlhenny,	Sones,
Cooper,	Hoke,	McNichol,	Thompson,
Crow,	Homsher,	McNichols,	Vare,
Daix,	Huffman,	Miller,	Wasbers,
DeWitt,	Hunter,	Mills,	Gerberich,
Endsley,	Jarrett,	Moore,	Pres. pro tem.
Farley,	Jones,	Nulty,	
Fisher,	Judson,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE.

Mr. McILHENNY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at today's session, which were laid upon the table.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Judson,	Nulty,
Beidleman,	Graff,	Kline,	Powell,
Buckman,	Gyger,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Herbst,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
Daix,	Homsher,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Washers,
Endsley,	Jarrett,	Mills,	Gerberich,
Farley,	Jones,	Moore,	Pres. pro tem.

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

SENATE BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 300, on final passage, entitled:

An Act to protect the health and lives of employes in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery and specifying the equipment to be used in connection therewith regulating the use of such blowers and apparatus and providing penalties for violation of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 254, entitled:

A joint resolution providing for the appointment of a commission to amend revise and collate the laws relating to the boroughs of the Commonwealth and to suggest new legislation for the welfare of said boroughs and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Fisher,	Jones,	Moore,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Kurtz,	Salus,
Clark,	Heacock,	Magee,	Sones,
Cooper,	Herbst,	Martin,	Thompson,
Crow,	Hilton,	McIlhenny,	Washers,
DeWitt,	Hoke,	Miller,	Gerberich,
Endsley,	Homsher,	Mills,	Pres. pro tem.
Farley,	Jarrett,		

NAYS—1.

Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 296, entitled:

An Act granting the consent of the Commonwealth of Pennsylvania to the City of Harrisburg to construct and maintain a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Clark,	Herbst,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
DeWitt,	Homsher,	McNichols,	Thompson,
Endsley,	Huffman,	Miller,	Washers,
Farley,	Jarrett,	Mills,	Gerberich,
Fisher,	Jones,	Moore,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 297, entitled:

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream to purchase acquire enter upon take use and appropriate private property within or without its territorial limits for that purpose and providing the manner in which damages sustained shall be determined and collected

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jones,	Nulty,
Beidleman,	Fisher,	Judson,	Powell,
Buckman,	Graff,	Kurtz,	Salus,
Clark,	Gyger,	Magee,	Sensenich,
Cooper,	Heacock,	Martin,	Snyder,
Crow,	Hilton,	McNichols,	Sones,
Daix,	Hoke,	Miller,	Thompson,
DeWitt,	Huffman,	Mills,	Washers,
Endsley,	Hunter,	Moore,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 312, entitled:

An Act fixing the salaries of county auditors in the several counties of this Commonwealth not exceeding one hundred thousand population

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WASBERS. Mr. President, I ask unanimous consent to amend the title, in line 2, by striking out the words "and fifty"; also section 1, in line 19, by striking out the words "at any time" and inserting in lieu thereof the word "by."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 363, entitled:

An Act to authorize all cities and boroughs in the Commonwealth of Pennsylvania to construct and maintain comfort and waiting stations and drinking fountains in the public highways of such municipalities and providing the manner of ascertaining and collecting the damages caused by the construction of such improvements

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Will the Senate agree to the bill?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Fisher,	Jones,	Nulty,
Beidleman,	Graff,	Judson,	Salus,
Buckman,	Gyger,	Kline,	Sensenich,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Herbst,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	Miller,	Thompson,
Endsley,	Hunter,	Mills,	Wasbers,
Farley,	Jarrett,	Moore,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 414, entitled:

An Act authorizing boroughs to supply and to make contract for supplying electric current outside the limits of said boroughs

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. HOKE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 425, entitled:

An Act providing for the appointment of a commission to investigate and report on the manner of conducting local poorhouses almshouses county homes et cetera and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Fisher,	Jarrett,	Moore,
Buckman,	Graff,	Jones,	Nulty,
Clark,	Heacock,	Judson,	Salus,
Cooper,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Magee,	Thompson,
Daix,	Huffman,	Martin,	Wasbers,
DeWitt,	Hunter,	Miller,	Gerberich,
Farley,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 435, entitled:

An Act providing for the establishment of the Pennsylvania Historical Commisison defining its powers and duties and making an appropriation for its work

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Beidleman,	Fisher,	Jarrett,	Moore,
Buckman,	Graff,	Jones,	Nulty,
Clark,	Gyger,	Judson,	Salus,
Crow,	Heacock,	Kurtz,	Sensenich,
Daix,	Herbst,	Magee,	Sones,
DeWitt,	Hoke,	Martin,	Thompson,
Endsley,	Homsher,	McNichols,	Wasbers,
Farley,	Hunter,	Miller,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 484, entitled:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Fisher,	Jones,	Nulty,
Beidleman,	Graff,	Judson,	Salus,
Buckman,	Gyger,	Kline,	Sensenich,
Clark,	Heacock,	Kurtz,	Snyder,
Cooper,	Herbst,	Magee,	Sones,
Crow,	Hilton,	Martin,	Thompson,
Daix,	Hoke,	McNichol,	Wasbers,
DeWitt,	Homsher,	McNichols,	Gerberich,
Endsley,	Hunter,	Miller,	Pres. pro tem.
Farley,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 485, entitled:

An Act relating to motor vehicles and vehicles trailing after or propelled by motor vehicles regulating their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operation of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damages arising therefrom providing for arrest and for service of process and proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That except as hereinafter provided no motor vehicle shall be operated or driven upon any public street or highway in any city borough township or county in the Commonwealth until the said motor vehicle shall have been registered with the State Highway Department of this Commonwealth

Definitions

Section 2 The term "motor vehicle" as used in this act shall apply to all wheeled vehicles operated or propelled by any form of engine motor or mechanical power including traction engines and vehicles trailing after or propelled by vehicles operated by any form of engine motor or mechanical power excepting road rollers and vehicles which move upon or are guided by a track The term "motor cycle" as used in this act shall apply to all two or three wheeled motor vehicles of the bicycle or tricycle type

Registration

Section 3 Application for registration of motor vehicles shall be made to the State Highway Department The application shall contain the full name and residence of the owner or owners with a brief description of the motor vehicle the name the manufacturer's number the character of the motive power and the horse power The horse power of motor vehicles shall be computed according to recognized American standard The said application shall be made upon a blank provided for the purpose by the State Highway Department It shall be signed by the owner or owners in case of joint ownership and be verified by oath or affirmation Upon receipt of the application and the proper fee the State Highway Department shall except as hereinafter provided register the said motor vehicle in a book to be kept for that purpose and shall issue to the owner or owners a registration certificate showing the name and address of the owner or owners the name type horse power and manufacturers' number of the motor vehicle and the registration number thereof also two (2) number tags having thereon the registration number the figures of which shall be not less than five inches in height the maker's number of the vehicle the abbreviated name of the State and the year except in the case of motor cycles the tags of which shall have letters not less than three and one-half (3 1-2) inches in height The number tags for motor vehicles equipped with solid tires shall bear in the corner or corners thereof a star or stars indicating the classification of the vehicle for which it is issued as provided for in section fourteen Applicants for registration or license who reside outside of this State shall in addition to the above requirements designate in their application the State Highway Commissioner as their authorized agent upon whom process may be served

Section 4 Motor vehicles owned or kept by manufacturers or dealers for the purpose of demonstrating testing or selling shall be exempt from the necessity of individual registration provided said manufacturer or dealer registers with the State Highway Department in the "dealers class" Application for such registration shall be made upon a blank provided for the purpose by the State Highway Department which shall set forth the full name and business address of the applicant and shall be verified by oath or affirmation Upon receipts of the application accompanied by the proper fee for each certificate and a pair of number tags desired the State Highway Department shall except as hereinafter provided issue to the applicant as many certificates of registration and pairs of number tags as may be desired such tags having thereon the number of the registration in figures not less than five (5) inches in height the year and the words "Pennsylvania Dealer" or an abbreviation thereof the first numeral of such number shall be an X It shall be unlawful under any circumstances to operate a motor vehicle under a dealer's registration unless both number tags are displayed as is provided in this act Provided That not more than ten certificates and sets of tags shall be applied for on any single application and where a greater number of certificates and tags are desired the necessary additional applications shall be made

Transfer of Registration

Section 5 Upon the transfer of ownership or destruction of any motor vehicle its registration shall expire The original owner may however by proper affidavit accompanying his application register another motor vehicle upon payment of a fee of one dollars ($1) provided such motor vehicle be of equal or less horse power or classification as that originally registered or upon payment of a fee of one dollar ($1) and the difference between the fee paid originally and that due if the motor vehicle be properly registerable in a higher class and such owner shall be assigned the number previousy issued to him

Registration Fees

Section 6 The fee for registration of a motor cycle shall be three dollars

The fee for the registration of motor vehicles equipped with pneumatic tires except motor cycles and as is provided for in the dealer's class (when registration is issued prior to August of any year) shall be

Five dollars for each motor vehicle of less than twenty horse power

Ten dollars for each motor vehicle of twenty and less than fifty horse power

Fifteen dollars for each motor vehicle of fifty horse power or more

The fee for the registration of motor vehicles equipped with solid tires shall be

Five dollars for each motor vehicle of less than three thousand pounds gross maximum weight of load and vehicle

Ten dollars for each motor vehicle of more than three thousand pounds and less than four thousand pounds gross maximum weight of load and vehicle

Fifteen dollars for each motor vehicle of four thousand pounds and less than five thousand pounds gross maximum weight of load and vehicle

Twenty dollars for each motor vehicle for five thousand and less than ten thousand pounds gross maximum weight of load and vehicle

Twenty-five dollars for each motor vehicle of ten thousand and less than fifteen thousand pounds gross maximum weight of load and vehicle

Thirty dollars for each motor vehicle of fifteen thousand and not more than twenty thousand pounds gross maximum weight of load and vehicle The fees for registration of vehicles trailing after or propelled by motor vehicles shall be three dollars for each such vehicle of less than ten thousand (10,000) pounds gross maximum weight of vehicle and load combined five dollars for each such vehicle of more than ten thousand (10,000) pounds and less than twenty thousand (20,000) pounds gross maximum weight of vehicle and load combined

But no motor vehicle shall be registerable which shall exceed eighty-eight (88) inches outside over all width of vehicle and load combined or ninety inches from outside edge to outside edge of tires or rims except that motor busses for carrying passengers to be used within the city limits only in cities of the first second and third classes may be registered up to one hundred (100) inches outside over all width of vehicle and load combined or shall exceed a maximum of twenty thousand (20,000) pounds gross weight of vehicle and load combined or shall exceed fifteen thousand (15,000) pounds maximum gross weight of vehicle and load combined upon any axle or shall exceed seven hundred (700) pounds maximum gross weight of vehicle and load combined upon any one wheel for each nominal inch of width of solid tire upon the wheel

The fees for registration when issued on or after August first shall be one-half those required above All registration shall expire after December thirty-first of the year for which they were issued

The fee shall be ten dollars for each certificate and pair of number tags issued to persons registered in the dealer's class

No license to operate shall be required nor shall any fee be charged for the registration of motor ambulances owned and used by any hospital nor for motor fire engines or other fire apparatus motor patrol wagons motor cycles and motor ambulances owned and used by the United States the State of Pennsylvania or any city county incorporated town borough townships or duly authorized volunteer fire departments but all such vehicles shall be registered and shall display number tags as provided for in case of privately owned vehicles

Number Tags

Section 7 No motor vehicle except motor cycles shall be operated upon any public street or highway unless the number tags are displayed conspicuously one on the front and the other on the rear of the motor vehicle in such a manner that they may be easily read They shall at all times be parallel to the axle of the motor vehicle and shall be kept free from oil grease dirt or other substances likely to impair their legibility and shall not be defaced in any manner and between one hour after sunset and one hour before sunrise the rear number tag shall be illuminated so that the number can be plainly distinguished Provided however that the number tags attached to motor cycles must be displayed on the rear thereof the plate or marker to be furnished by the State Highway Department and to be so fastened as to be entirely unobscured and to be kept reasonably clean

Only one set of number tags shall be displayed upon any motor vehicle and except as provided in this act for non-residents no number tag shall be displayed other than that issued by the State Highway Department In case of the loss of one or both number tags or badge a new pair of tags or badge of another number than that of the lost tag or badge shall be supplied by the State Highway Department A new tag or tags or badge shall be obtained by filing with the State Highway Department upon a blank furnished by said department an affidavit reciting the loss or destruction of said tag or badge accompanied by a fee of one dollar No owner or operator of a motor vehicle shall be subject to fine or arrest by reason of one number tag or badge being missing provided that he shall make affidavit that the same has been lost destroyed or removed without his knowledge and consent within one week and that application for new tags or badge be promptly made and provided he shall display a temporary tag tags or badge bearing the proper number in the interim

Age Limit

Section 8 No person under sixteen years of age whether the owner of a motor vehicle or not shall operate any motor vehicle upon any of the public roads streets or highways of this Commonwealth

Driver's License

Section 9 Every person desiring to operate a motor vehicle as a paid operator or who is an employee of the owner or custodian thereof shall first obtain a driver's license Application for license shall be made upon a blank furnished by the Highway Department and shall contain the full name of the applicant with his place of residence and shall state that said applicant is over eighteen years of age and is qualified to operate a motor vehicle It shall be signed by the applicant and verified by oath or affirmation

Upon receipt of the application and fee of two dollars ($2) the State Highway Department shall issue to the applicant a driver's license and badge The license shall contain the licensee's name and residence and the date and number of the license It shall be carried by the licensee at all times when operating a motor vehicle Upon the badge shall be the words "Pennsylvania Licensed Driver" the year and the number of the license which it accompanies It shall not be less than two and one-half (2 1-2) inches in its greatest diameter and shall be conspicuously worn on the front of the outer garment of the licensee at all times when said licensee is operating a motor vehicle All such licenses shall expire after December thirty-first of the year issued

Section 10 The gross revenues received from registrations and license fees shall be paid by the State Highway Department to the State Treasurer to be used only for the improvement of the roads of the Commonwealth

Revocation of Registration or License

Section 11 The Highway Commissioner may at his discretion revoke or suspend upon hearing after due notice in writing mailed to his address as stated in his application of the proposed revocation and the grounds therefor for any period up to one year the registration of any car or the license of any driver upon reasonable grounds for improper conduct in operating a motor vehicle Any person to whom the registration of a motor vehicle has been refused or revoked shall not drive the license which it accompanies It shall not be less than two

or operate a motor vehicle upon the public highways of this State No person shall knowingly permit any motor vehicle which he may own to be driven by any other person whose license has been revoked or by any person to whom registration for a motor vehicle has been refused or whose registration of a motor vehicle has been revoked

The State Highway Commissioner shall issue printed monthly bulletins giving name and address of each applicant for license together with the number of license issued to said applicant and shall furnish same free of charge to mayors burgesses police magistrates chiefs of police aldermen and justices of the peace and shall furnish at a nominal fee said bulletins to all other applicants for same

Section 12 The provisions of the foregoing sections relative to license and registration and the display of number tags shall not apply to a motor vehicle owned by a non-resident of this State other than a foreign corporation doing business in the State provided that the owner thereof shall have complied with the provisions of the laws of the foreign country State territory or Federal district of his residence relative to registration of motor vericles and the display of number tags thereon and shall conspicuously display the registration numbers as required thereby The provisions of this section however shall be operative as to a motor vehicle owned by a non-resident of this State only to the extent that under the laws of the foreign country State territory or Federal district of his residence like exemption and privileges are granted to motor vehicles duly registered under the law of and owned by residents of this State Any person who is mentally or physically incapacitated shall not be permitted to operate a motor vehicle on the public highways of this State and if any such person shall have obtained a license it shall be void

Sounding Warning

Section 13 Every motor vehicle shall be provided when in use with good and sufficient brakes and with a horn bell or other signal device Motor vehicles shall from one hour after sunset until one hour before sunrise show at least two white lights visible not less than two hundred (200) feet in the direction in which the motor vehicle is proceeding provided however that motor cycles need display only one white light visible in the direction in which they are proceeding

Every operator of a motor vehicle shall sound his horn bell or signal device giving reasonable warning of his approach whenever necessary to insure the safety of other users of the highways and also when approaching a street or road crossing dangerous curve in any of the cities boroughs or townships of this Commonwealth where the proper authorities shall have erected signs easily readable from the highway and at right angles thereto bearing thereon in letters at least five (5) inches in height the words "Danger blow your horn" The unnecessary sounding of bells horns or other signal devices the unnecessary use of muffler cutouts or there use when approaching or passing any other vehicle or animal of draft or burden is prohibited When signaled to do so by the driver of any horse or other animal of draft or burden the operator of a motor vehicle shall stop and if circumstances require it shall stop his engine until the danger has been avoided When overtaken by any other vehicle legally travelling at a greater speed the operator or driver of any motor vehicle when signaled to do so shall turn reasonably to the right of the center of the highway allowing the other vehicle free passage to the left No person shall drive or operate a motor vehicle upon any public street or highway in this Commonwealth having metal spurs or lugs or other metal projections more than three-fourths (3-4) of an inch in length upon the tires thereof except upon natural earth roads or when the streets are covered with ice or snow so that the safety of other users of the highway makes it necessary

Speed

Section 14 No person shall operate a motor vehicle on the public highways of the State recklessly or at a rate of speed greater than is reasonable and proper having regard to the width traffic and use of the highway or so as to endanger property or the life or limb of any person but no person shall drive a motor vehicle at a rate of speed exceeding one mile (1) in two and one-half (2 1-2) minutes and no person shall drive a motor vehicle having solid tires and weight more thon five thousand (5,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one mile (1) in three (3) minutes and no person shall drive a motor vehicle having solid tires and weighing over ten thousand (10,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) mile in four (4) minutes and no person shall drive a motor vehicle having solid tires and weighing over fifteen thousand (15,000) pounds gross maximum weight of vehicle and load combined at a greater rate of speed than one (1) miles in five (5) minutes provided that the local authorities having charge of any of the highways may in dangerous or built-up sections place signs marked "Danger run slow" in letters not less than five (5) inches in height Said signs to be placed at right angles to and plainly legible from the highway and facing the traffic the speed of which is to be reduced and at these places the speed limit shall not exceed a rate of a mile in four minutes for a listance beyond said sign of not more than one-quarter of a mile and if such highway is still in a dangerous or built-up section a second sign similar to the above described may be erected and the speed limit shall not exceed the rate of a mile in four minutes for not more than a quarter of a mile beyond said sign and so many signs may be erected as may be necessary At the end of said dangerous or built-up section shall be erected a sign reading "end of fifteen mile limit" in letters not less than five (5) inches in height said signs to be placed at right angles to the highway and facing the traffic When a motor vehicle meets or overtakes a street passenger car which has stopped for the purpose of taking on or discharging passengers the motor vehicle shall not pass said car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so

Local Registration and Tax

Section 15 No city county borough incorporated town or township shall adopt enforce or maintain any ordinance rule or regulation contrary to or inconsistent with the terms of this act or fix a rate of speed lower than that permitted by this act or require of any person any license tax upon or registration fee for any motor vehicle or any permit or license to operate motor vehicles upon the public highways except that in parks the proper authorities may restrict the speed of motor vehicles to such a rate as may seem reasonable provided said rate of speed shall not be less than that allowed other vehicles and that legible signs shall be conspicuously placed indicating the rate of speed permitted Operators of motor vehicles shall have the same rights upon the public streets and highways as the drivers of any other vehicles and no public road other than a park road open to horse drawn vehicles shall be closed to motor vehicles

Intoxication

Section 16 Any person operating a motor vehicle when intoxicated shall be deemed guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment for not more than one year or both at the discretion of the court

Unauthorized Use of Vehicles

Section 17 Any person operating a motor vehicle under any other number than that of its registration or any person operating any motor vehicle without the consent of the owner thereof or any person operating a motor vehicle the registration of which has been revoked or suspended shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than three hundred dollars ($300) or imprisonment not exceeding one year or both at the discretion of the court

Officers

Section 18 All operators of motor vehicles shall upon request or signal of any constable or police officer who shall be in uniform or shall exhibit his badge or other sign of authority stop and exhibit their registration certificate or license if so required and shall furnish to any legally constituted authority all information in their possession as to the identity of the operator or owner of any motor vehicle

Method of Arrest

Section 19 The constables and police officers of the counties cities boroughs incorporated towns and townships of this Commonwealth may arrest upon view and without warrant any person or persons violating any of the provisions of this act but such officer shall forthwith make and file with the magistrate or justice of the peace before whom the person arrested is taken an affidavit setting forth in detail the alleged violation of the section of the act complained of and furnish a copy to the person arrested In the event of an arrest as aforesaid if the defendant is unable to give sufficient bail for a hearing or for his appearance at court the magistrate before whom he is first taken shall accept as bail any article of sufficient value or provided he is the owner thereof hold in custody the motor vehicle found in the possession of the defendant and the court after the trial of the defendant if no sufficient bail according to law has been given in the meantime shall make such order as to the disposition of such motor vehicle or other article accepted as bail as shall seem just and proper

Evidence of Responsibility

Section 20 In any proceeding for the violation of provisions of this act the registered number displayed on the motor vehicle shall be prima facie evidence that the owner of said vehicle was then operating the same provided however that if at any hearing or proceeding the owner shall testify under oath or affirmation that he was not operating the said car at the time of the alleged violation of this act and shall submit himself to an examination as to who at that time was operating the car and reveal the name of the person if known then the prima facie evidence arising from the registered number shall be overcome and removed and the burden of proof shifted

Penalities

Section 21 Any person except as provided in section sixteen and seventeen violating any of the provisions of this act shall be subject to a fine or penalty of not less than ten dollars ($10) nor more than twenty-five dollars ($25) to be collected by summary conviction before any magistrate or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of a fine within forty-eight (48) hours bail in double the amount of fine and costs being first entered to undergo an imprisonment in the county prison for a period not exceeding ten (10) days Provided that any person so accused may waive such summary trial or hearing and secure the right of trial by jury before the court of quarter sessions of the peace for the county in which the offense is alleged to have been committed by depositing with the magistrate to whom complaint has been made or before whom he is first taken a sum double the amount of the fine and costs which might be imposed or by entering security to pay the same Any person or persons previously convicted before a court of quarter sessions or magistrate or justice of the peace of this Com-

monwealth for any violation of the provisions of this act shall upon conviction of a second offense within a period of one year be sentenced to pay a fine of not less than twenty-five dollars ($25) nor more than fifty dollars ($50) or in case of nonpayment of such fine to undergo an imprisonment in the county prison for a period not exceeding twenty days Any person or person previously convicted before a magistrate or justice of the peace of this Commonwealth for any violation of the provisions of this act shall upon conviction of a third or subsequent offense within a period of one year be deemed guilty of a misdemeanor and shall be sentenced to pay a fine of not less than fifty dollars ($50) nor more than two hundred dollars ($200) or in case of non-payment of such fine to undergo an imprisonment in the county prison for a period not exceeding thirty (30) days Any person or persons accused of a second or subsequent offense shall have the right to a trial by jury in the same manner and upon the same condition as is provided for in the case of persons accused of a first offense provided that if after conviction before a magistrate or justice of the peace the accused desires to appeal to the court of quarter sessions he shall be entitled to do so according to law as in other cases of summary conviction provided he gives a bond conditioned upon securing and prosecuting the appeal with affect or otherwise to secure payment of the fine imposed Proceedings under this act may also be commenced by the issuance of a warrant in the name of the Commonwealth which warrant may be served by a constable policeman or other officer having authority to serve warrants in any part of the Commonwealth and a copy of the affidavit or information shall be served with such warrant Any officer serving such warrant shall take the defendant before a magistrate or justice of the peace of the county in which the defendant is found who shall take bail for his appearance before the magistrate or justice of the peace who issued the warrant or for a trial by jury in accordance with the provisions of this act

All money articles of value or motor vehicles deposited with any magistrate or justice of the peace as provided in this act shall be returned to the defendants upon the termination of the cause or upon the certificate of the district attorney of the county in which the action is brought

Disposition of Fines

Section 22 All fines and penalties collected under the provisions of this act for violations of the same shall be paid to the State Treasurer except those collected for violations of the provisions as to speed which shall be paid to the treasurer of the city borough town or township where in the violation occurred to be used for the construction repair and maintenance of the highways thereof and sworn statements of all fines and penalties so collected shall also be made upon blanks to be furnished by the State Highway Department by the burgess magistrate justice of the peace or other officer imposing or receiving the same to the State Highway Commissioner Said reports shall be made quarterly not later than the tenth (10) day of the months of January April July and October of each year Any burgess magistrate justice of the peace or other officer who shall fail to make such quarterly reports and returns or either of them shall be deemed guilty of a misdemeanor in office and upon conviction thereof shall be subject to a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) or imprisonment in the county jail for a period of sixty (60) days or both at the discretion of the court

Services of Process in Civil Actions

Section 23 All civil actions for damages arising from the use and operation of any motor vehicle as aforesaid may be brought in the city or county in which the alleged damages were sustained and service of process may be made by the sheriff of the county where the suit is brought deputizing the sheriff of the county wherein the defendant in the suit or his registered agent resides or where service may be had upon him under the existing laws of this Commonwealth in like manner as process may now be served in the proper county

Repeal

Section 24 The act approved April twenty-third one thousand nine hundred three entitled "An Act relating to automobiles or motor vehicles providing for the registration thereof regulating the speed limit upon the public highways within this Commonwealth providing for the licensing of the operators thereof and fixing the amount of the license regulating the service of process and of proceding in actions of damages arising therefrom and prescribing the penalties for the violation of the same" and the act approved April nineteenth one thousand nine hundred and five entitled "An Act relating to automobiles or motor vehicles and regulating the speed limit upon the streets and public highways of this Commonwealth providing for the licensing of the operators thereof by the State Highway Department fixing the amount of said license regulating the service of process and proceedings of actions in damages arising therefrom and prescribing the penalties for the violation of the provisions of the same" and the act approved April twenty-seventh one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" and the act approved April twenty-first one thousand nine hundred and eleven entitled 'An Act to amend section seven of an act entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relations to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violation of the provisions of this act and providing for the disposition of fines imposed thereunder" by striking out from section seven of said act the word "hire" wherever it may occur in said section and the act approved June first one thousand nine hundred and eleven entitled "An Act to amend the first section of an act approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" by exempting hospital motor ambulances and motor fire engines and motor fire apparatus and requiring them to be furnished free of charge with registration certificates and number tags" and all other acts or parts of acts inconsistent herewith shall be and the same are hereby repealed

Provided however that the provisions as to registering motor vehicles as set forth in sections one two three four and seven of the act approved April twenty-seventh one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highway with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of the fines imposed thereunder" and the act approved April twenty-first one thousand nine hundred and eleven entitled "An Act to amend section seven of an act entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" shall remain in full force and effect until December thirty-first one thousand nine hundred thirteen when the provisions as to registering motor vehicles as set forth in this act shall become effective

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Hunter,	Moore,
Beidleman,	Fisher,	Jones,	Nulty,
Buckman,	Graff,	Judson,	Salus,
Catlin,	Gyger,	Kurtz,	Sensenich,
Clark,	Heacock,	Magee,	Snyder,
Cooper,	Herbst,	Martin,	Sones,
Crow,	Hilton,	McNichol,	Thompson,
Daix,	Hoke,	McNichols,	Wasbers.
DeWitt,	Homsher,	Miller.	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 526, entitled:

An Act providing for an Engineers' Commission prescribing its duties and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Hunter,	Moore,
Beidleman,	Fisher,	Jarrett,	Nulty,
Buckman,	Graff,	Jones,	Salus,
Clark,	Gyger,	Kline,	Snyder,
Cooper,	Heacock,		Sones,
Crow,	Herbst,	Magee,	Thompson
Daix,	Hilton,	Martin.	Wasbers,
DeWitt,	Hoke,	McIlhenny,	Gerberich,
Endsley,	Homsher,	McNichol,	Pres. pro tem.

NAYS—1.

Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 585, on third reading, entitled:

An Act making an appropriation for the restoration of the Brig Niagara Commodore Perry's flag ship at the battle of Lake Erie for its participation in the events of this centennial celebration year its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 634, entitled:

An Act to provide for the purchase or condemnation of inclined planes and property appurtenant thereto and for the extension thereof by cities or counties separately or together and providing for the control and management of such inclined planes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Judson,	Moore,
Beidleman,	Heacock,	Kline,	Nulty,
Buckman,	Herbst,	Kurtz,	Salus,
Crow,	Hilton,	Magee,	Sensenich,
Daix,	Hoke,	Martin,	Sheatz,
DeWitt,	Homsher,	McIlhenny,	Snyder,
Endsley,	Huffman,	McNichol,	Sones,
Farley,	Hunter,	McNichols,	Thompson,
Fisher,	Jarrett,	Miller,	Wasbers,
Graff,	Jones,	Mills,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 686 (House Bill No. 841), entitled:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Heacock,	Kurtz,	Salus,
Beidleman,	Herbst,	Magee,	Sensenich,
Buckman,	Hilton,	Martin,	Sheatz,
Clark,	Homsher,	McIlhenny,	Snyder,
Cooper,	Huffman,	McNichol,	Sones,
Crow,	Hunter,	McNichols,	Thompson,
Daix,	Jarrett,	Miller,	Vare,
Endsley,	Jones,	Mills,	Wasbers,
Graff,	Judson,	Moore,	Gerberich,
Gyger,	Kline,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 753, entitled:

An Act authorizing notaries public to take affidavits to libels in divorce and validating all such affidavits heretofore made

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

Mr. KURTZ. Mr. President, I ask unanimous consent to amend the title in line 2 by striking out the words "all such" and inserting in lieu thereof the words "certain."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably eo order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 756 (House Bill No. 364), entitled:

An Act regulating the sale and storage of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Fisher,	[illegible]	Sensenich,
Beidleman,	Graff,	Martin,	Sheatz,
Buckman,	Herbst,	Miller,	Sones,
Clark,	Hilton,	Mills,	Vare,
Cooper,	Homsher,	Moore,	Wasbers,
Crow,	Hunter,	Nulty,	Gerberich,
Endsley,	Judson,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 810 (House No. 917), entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of the act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Hall,	Jones,	Mills,
Beidleman,	Heacock,	Judson,	Moore,
Buckman,	Herbst,	Kurtz,	Sensenich,
Crow,	Hilton,	Magee,	Sheatz,
Daix,	Homsher,	Martin,	Sones,
Endsley,	Huffman,	McNichol,	Vare,
Graff,	Hunter,	Miller,	Gerberich, Pres. pro tem.

NAYS—1.

McIlhenny,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. ENDSLEY. Mr. President, I ask that Senate Bill No. 812 (House Bill No. 1009), on third reading, entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 813, (House No. 1099), entitled:

An Act making an appropriation to cover a deficiency in the item of the General Appropriation Act of the fourteenth day of June Anno Domini one thousand nine hundred eleven making an appropriation for the salaries of eight orphans' court judges in districts other than Philadelphia and Allegheny counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Gyger,	Martin,	Sheatz,
Beidleman,	Heacock,	McIlhenny,	Snyder,
Buckman,	Herbst,	Miller,	Sones,
Clark,	Homsher,	Mills,	Thompson,
Crow,	Hunter,	Moore,	Vare,
Daix,	Jones,	Nulty,	Washers,
Endsley,	Judson,	Powell,	Gerberich,
Farley,	Kurtz,	Salus,	Pres. pro tem.
Graff,	Magee,	Sensenich,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 821, entitled:

An Act providing for the payment of the minimum teachers' salaries by the Commonwealth and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Gyger,	Martin,	Sheatz,
Beidleman,	Heacock,	McIlhenny,	Sones,
Buckman,	Hilton,	Miller,	Vare,
Crow,	Homsher,	Mills,	Washers,
Daix,	Jones,	Moore,	Gerberich,
Farley,	Judson,	Nulty,	Pres. pro tem.
Fisher,	Kurtz,	Salus,	
Graff,	Magee,	Sensenich,	

NAYS—2.

Herbst, Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 846, (House No. 1042), entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Heacock,	Magee,	Sheatz,
Beidleman,	Hilton,	McIlhenny,	Sones,
Crow,	Homsher,	Miller,	Vare,
Daix,	Huffman,	Mills,	Washers,
Endsley,	Hunter,	Moore,	Gerberich,
Farley,	Jones,	Nulty,	Pres. pro tem.
Graff,	Judson,	Salus,	
Gyger,	Kline,	Sensenich,	

NAYS—2.

Herbst, Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 858, entitled:

An Act to provide for the use of school buildings and grounds and other public buildings and grounds for meetings of citizens

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	Gyger,	Magee,	Sheatz,
Beidleman,	Herbst,	Martin,	Snyder,
Buckman,	Hilton,	Miller,	Sones,
Crow,	Hunter,	Moore,	Vare,
Daix,	Jones,	Nulty,	Washers,
Farley,	Judson,	Salus,	Gerberich,
Graff,	Kurtz,	Sensenich,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 864 (House Bill No. 569), entitled:

An Act to ascertain the full fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend section 1, line 129, page 6, by inserting after the word "election" and before the word "of" the words "upon the question;" also in section 1, line 175, page 7, by striking out the word "twenty-five" and inserting in lieu thereof the word "five."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 875, entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Fisher,	Magee,	Snyder,
Beidleman,	Graff,	McIlhenny,	Sones,
Buckman,	Gyger,	McNichol,	Thompson,
Cooper,	Hall,	McNichols,	Vare,
Crow,	Herbst,	Moore,	Gerberich,
Daix,	Hunter,	Nulty,	Pres. pro tem.
Endsley,	Jones,	Salus,	
Farley,	Kline,	Sheatz,	

NAYS—2.

Heacock, Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 879, entitled:

An Act to provide for the filing docketing and indexing of judgments and decrees of the District and Circuit Courts of the United States

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Graff,	Kline,	Sensenich,
Beidleman,	Gyger,	Kurtz,	Sheatz,
Buckman,	Hall,	Magee,	Snyder,
Clark,	Herbst,	Martin,	Sones,
Cooper,	Hoke,	McIlhenny,	Thompson,
Crow,	Huffman,	McNichol,	Vare,
Daix,	Hunter,	McNichols,	Wasbers,
Endsley,	Jones,	Moore,	Gerberich,
Farley,	Judson,	Salus,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REQUEST FOR BILL OVER IN ORDER.

Mr. HERBST. Mr. President, in the absence of the Senator from Northampton, Mr. Morgan, I ask that Senate Bill No. 882, on third reading, entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

go over in its order.

The PRESIDENT. Is there objection?

Mr. KURTZ. Mr. President, I do not know that there is any occasion for that. Last week I asked the same privilege, or was going to. I do not think it is necessary; I think all the members of the Senate will vote for it anyway.

The PRESIDENT. The Chair hears objection.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 882, entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Gyger,	Kurtz,	Sheatz,
Beidleman,	Hall,	Magee,	Snyder,
Buckman,	Heacock,	Martin,	Sones,
Clark,	Herbst,	McIlhenny,	Thompson,
Cooper,	Hilton,	McNichol,	Vare,
Crow,	Homsher,	Moore,	Wasbers,
Daix,	Hunter,	Nulty,	Gerberich,
Endsley,	Jones,	Powell,	Pres. pro tem.
Farley,	Judson,	Salus,	
Graff,	Kline	Sensenich,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 885, entitled:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. HUFFMAN. Mr. President, I ask unanimous consent to amend section 1, line 9, by striking out the words "person or."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 887 (House No. 157), entitled:

An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Conneaut Lake Crawford county is located and distribute the money received from such sale

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MOORE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 889 (House Bill No. 452), entitled:

An Act to repeal section two thousand eight hundred and six of an act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special, or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Farley,	Judson,	Nulty,
Beidleman,	Fisher,	Kline	Salus,
Clark,	Graff,	Kurtz,	Snyder,
Cooper,	Gyger,	Magee,	Sones,
Crow,	Herbst,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Hunter,	Mills,	Wasbers.
Endsley,	Jones,	Moore,	Gerberich.
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 942, entitled:

An Act providing for the printing binding and distribution of two publications heretofore published by the State, namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for the editing proofreading and indexing thereof and making an appropriation for said work

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. ENDSLEY. Mr. President, ask unanimous consent to amend the title, in line 1, by striking out the words "A joint resolution" and inserting in lieu thereof the words "An act".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 960 (House No. 1350). entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages for persons indebted for boarding" approved the eighth day of May one thousand eight hundred seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Graff,	Martin,	Sheatz,
Beidleman,	Gyger,	McIlhenny,	Snyder,
Buckman,	Heacock,	McNichol,	Sones,
Cooper,	Homsher,	Miller,	Thompson,
Crow,	Hunter,	Mills,	Vare,
Daix,	Jones,	Moore,	Wasbers,
DeWitt,	Judson.	Nulty,	Gerberich,
Endsley,	Kurtz.	Salus,	Pres. pro tem.
Farley,	Magee,	Sensenich,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1023 (House No. 1362), entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodmen Lumber Company to bring suit in the Court of Common Pleas of Cambria county against the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Judson,	Moore,
Beidleman,	Fisher,	Kline,	Salus,
Buckman,	Graff,	Kurtz,	Snyder,
Catlin,	Gyger,	Magee,	Sones,
Clark,	Heacock,	Martin,	Thompson,
Cooper,	Homsher,	McIlhenny,	Wasbers
Crow,	Huffman,	McNichol,	Gerberich,
Daix,	Hunter,	McNichols,	Pres. pro tem.
Endsley,	Jones,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1042 (House Bill No. 1414), entitled:

An Act reorganizing the Attorney-General's Department designating the officers and employes thereof and fixing their salaries

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Endsley,	Kurtz,	Salus,
Buckman,	Farley,	Magee,	Sheatz,
Catlin,	Graff,	Martin,	Snyder,
Clark,	Hall,	McIlhenny,	Sones,
Cooper,	Homsher,	McNichol,	Thompson,
Crow,	Hunter,	McNichols,	Gerberich,
Daix,	Jones,	Moore,	Pres. pro tem.
DeWitt,	Kline,	Nulty,	

NAYS—4.

Heacock,	Herbst,	Judson,	Miller,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

REPORTS FROM COMMITTEES.

Mr. SALUS. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1033 (House Bill No. 960), entitled:

An Act to amend section 1207 of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are or may be inconsistent therewith."

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1050, entitled:

A joint resolution providing for the appointment of a Commission to investigate into the cause of mine accidents in the Anthracite coal regions of the Commonwealth of Pennsylvania, authorizing the Commission to conduct experiments and tests, and to enter mines, fixing the compensation of the members of the Commission and making an appropriation to carry into effect the provisions of this resolution.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1056 (House Bill No. 1445), entitled:

An Act creating a Department of Labor and Industry, defining its powers and duties establishing an Industrial Board, prescribing a standard of reasonable and adequate protection to be observed in the rooms, buildings and places where labor is employed empowering the said Industrial Board to make alter, amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 683 (House Bill No. 745), entitled:

An Act authorizing the creation division and consolidation of wards and a reappointment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward.

BILL INTRODUCED.

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1069, entitled:

An Act to provide for the execution of orders of the Court of Quarter Sessions for support and maintenance of a wife or children, or both, and for the execution of judgments entered upon contracts for such support and maintenance by subjecting estates owned by the husband and wife by entireties and the rents issues and profits thereof to such executions.

Which was committed to the Committee on Judiciary General.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 264, as follows:

An Act to amend an act entitled "An act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled "An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned" approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilot and pilotages in the bay and River Delaware in the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the Board of Commissioners of Navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witness at any hearing or inquiry to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act entitled "An act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled "An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned" approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilots and pilotages in the bay and river Delaware in the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven which reads as follows

"Section 31 If any pilot shall misbehave himself in the execution of his duty so that damage shall accure by reason of his negligence or incapacity it shall be lawful for the person or persons injured or aggrieved to complain to the said Board of Commissioners of Navigation who shall thereupon appoint a time and place of hearing of which due notice shall be given such pilot and upon due proof made thereof to the said Board of Commissioners of Navigation it shall be lawful for them to fine such pilot in any sum not exceeding the amount of the pilotage of the ship or vessel to which such damage shall have happened for the use of decayed pilots their widows and children or to suspend such pilot for any term which the said Board of Commisioners of Navigation may deem proper and in every case of suspension the pilot shall deliver up his license to the said Board of Commissioners of Navigation to be by them kept till the time for which he may have been suspended shall have expired Provided always That any one who shall consider himself aggrieved by the decision of the said Board of Commissioners of Navigation shall have the right to have such decision reviewed by the court of common pleas of the said County of Philadelphia And provided further Nothing herein shall prevent any person or persons recovering his or their damages in a court having jurisdiction over the same" be and the same is hereby amended so as to read as follows

Section 31 If any pilot shall misbehave himself in the execution of his duty so that damage shall accure by reason of his negligence or incapacity it shall be lawful for the person or persons injured or aggrieved to complain to the Board of Commissioners of Navigation who shall hear the said complaint in the manner hereinafter provided but in all cases of accident or casualty in which a pilot of a vessel in charge of a pilot is involved it shall be the duty of the pilot in charge of the navigation of such ship or vessel at the time of such accident or casualty to make a true and detailed report thereof in writing to said Board of Commissioners of Navigation within forty-eight hours after leaving such ship or vessel and upon the receipt of said report or in case of the neglect or refusal of any pilot to make a report as aforesaid it shall be lawful for the said Board of Commissioners of Navigation to institute and conduct an inquiry into the facts and circumstances connected with such accident or casualty In either of said cases the said Board of Commisioners of Navigation shall appoint a time and place of hearing any complaint of misbehavior against a pilot or of inquiry into the facts and circumstances connected with any accident or casualty in which a pilot may be involved as aforesaid of which hearing or inquiry such pilot shall be given due notice In conducting such hearing or inquiry the said Board of Commissioners of Navigation shall have power to compel the attendance of witnesses by issuing subpoenas which may be served in any part of the Commonwealth and to administer oaths and affirmations to all witnesses produced for examination which oaths or affirmations shall be administered by the President of the Board of Commissioners of Navigation or any member thereof presiding at such hearing or inquiry If upon due proof the said Board of Commissioners of Navigation shall decide that a pilot has been guilty of misbehavior in the execution of his duties or find that any accident or casualty in which a pilot is involved was due to the negligence or incapacity of Board of Commisioners of Navigation to institute and conduct such pilot while in charge of the navigation of such ship or vessel it shall be lawful for the said Board of Commissioners of Navigation in either case to fine such pilot in any sum not exceeding the amount of pilotage of the ship or vessel damaged or involved in the accident or casualty for use of decayed pilots their widows and children or to suspend such pilot for any term which the said Board of Commissioners of Navigation may deem proper and in every case of suspension the pilot shall deliver up his license to the said Board of Commissioners of Navigation to be by them kept till the time for which he may have been suspended shall have expired or to revoke the license of such pilot Provided always That any one who shall consider himself aggrieved by the decision or findings of the said Board of Commissioners of Navigation shall have the right to have such decision or findings reviewed by the court of common pleas of the said County of Philadelphia And Provided further Nothing herein shall prevent any person or persons recovering his or their damage in a court having jurisdiction over the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 685 (House Bill No. 787), as follows:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred

and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" "approved the third day of May Anno Domini one thousand nine hundred and nine"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgment for the amount so admitted to be due" "approved the third day of May Anno Domini one thousand nine hundred and nine" which now reads as follows

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however that in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in and such action is admitted to be due the city solicitor shall within thirty days after the service of the writ in such suit file the affilavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in other cases" be and the same is hereby amended so that it shall read as follows

Section 1 That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however That in any action of assumpsit now pending or hereafter when all or any part of plaintiff's claim in any such action is admitted to be due the city solicitor within thirty days after the service of the writ of such suit file the affidavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in such cases

In case of the failure or refusal of the director or chief office of the said department to make or of the city solicitor to file such affidavit the plaintiff may by proper petition to the court take depositions to establish if possible the fact as to whether or not any amount is due by the defendant to the plaintiff and if it appears from such depositions that any amount is due by defendant to plaintiff the court may thereupon enter judgment for the amount so admitted or thus shown to be due plaintiff by defendant

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 714, as follows:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military pruposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section nine of said act which reads as follows

"Section 9 The Divisions of each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and shall receive the same allowances for armory rent for rifle practice for clothing and equipment as are received by such companies The battalions shall be treated as battalions in the National Guard and shall be entitled to all allowances of such battalions for armory rent rifle practice clothing and equipment The Naval Force when organized shall be entitled to all the privileges and allowances of a regiment of the National Guard The word "armory" as used in this act and in the Military Code of Pennsylvania shall be held to include a vessel anchored moored or secured to the land while used only as an armory for the purpose of instruction drill or defence" be and the same is hereby amended to read as follows

Section 9 The divisions in the Naval Force shall be considered the equivalents of field batteries of the National Guard and shall receive the same allowances as are received by such field batteries for armory rent for rifle practice for clothing and equipment which allowances shall also be additionally available for such subsistence and additional general military purposes as may from time to time be authorized by the Adjutant General The battalions of the Naval Force shall be treated as battalions in the National Guard shall be entitled to all allowances of such battalions for armory rent rifle practice clothing and equipment which allowances shall also be additionally available for such subsistence and additional general military purposes as may from time to time be authorized by the Adjutant General The Naval Force when organized shall be entitled to all the privileges and allowances of a regiment of the National Guard The word "armory" as used in this act and in the Military Code of Pennsylvania shall be held to include a vessel anchored moored or secured to the land while used only as an armory for the purpose of instruction drill or defence

And said bill having been read at length the second time anu agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 832, as follows:

An Act regulating the number and election of members of borough councils

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any borough by virtue of any act or decree of court has now more than one member of council from each ward the proper court of quarter sessions on the petition of twenty or more electors of the borough and after due notice to the borough council may decrease the number of members to be elected from each ward to two or to one in the discretion of the court After the making of the decree there shall be no election in any ward of the borough for members of the council until by the expiration of terms of office of members in office at the time of making the decree the number in each ward shall have been reduced to the number designated in the decree of court Thereafter upon the expiration of the term or terms of office of each member of council there shall be elected in each ward two or one member of council as the case may be to serve for four years If said number be fixed at two and the terms of members of council then serving shall expire simultaneously one person to fill the office shall be elected for two years and one for four years and biennially thereafter one person shall be elected in the ward to such office for a term of four years

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 895 House Bill No. 195), on second reading, entitled:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating same establishing a method of procedure against those who used said buildings or parts for such purposes and providing penalties for violation of this act

be recommitted to the Committee on Judiciary General for amendment.

Mr. HALL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion

Mr. McNICHOLS. Mr. President, I desire to interrogate the Senator from Monroe. Mr. Huffman.

The PRESIDENT. Will the Senator from Monroe, Mr. Huffman, permit himself to be interrogated?

Mr. HUFFMAN. Mr. President, I will.

Mr. McNICHOLS. Mr. President, for what purpose is this motion made?

Mr. HUFFMAN. Mr. President, just as I stated, for amendment. I did not know the substance of this bill until this morning. Although I am in sympathy with the purpose of it, I am certainly not in sympathy with the bill as it is drawn. It has a provision in it, as an illustration, that a decree may be entered by an equity court under peculiar conditions and that decree be entered of record

against the property in the Recorder's office as a mortgage is entered and that it shall follow the lands and the heirs and assigns of the owners of the property. I take it that if a decree of that kind were entered against a property that an innocent purchaser would become liable to action, liable to contempt of court. Now I am in favor of the bill if that can be modified so that it can be treated along regular lines.

Mr. McNICHOLS. Mr. President, I do not so understand My interpretation of the measure is a temporary injunction to restrain the present occupant of a building from using it for that purpose and to prevent the owner from renting it to occupants or another tenant for the same purpose and they have a right by trial. I am afraid that my interpretation and understanding of this bill is somewhat different from that of the Senator from Monroe. I really can see no harm in it. It cannot follow the property from tenant to tenant provided of course the property is used for proper purposes. I wish he would withdraw his objections and allow the bill to go over so that the Senator will nave ample opportunity to look into its provisions.

Mr. HUFFMAN. Mr. President, I am willing to do that. I am holding to my position, however, that this bill should be amended. It certainly is a piece of mongrel legislation as it stands now. I do not care if it refers to bawdy houses or to what it refers. I am willing to defend what I think is right on this subject, and I do not think that any Senator can afford to have real estate tied up in the way this bill would tie it up. I wish the Senator would withdraw his objection and allow it go to a committee of lawyers to consider, and I am willing to have it sent back here and will vote for it, and have no objection to the bill at all.

Mr. McNICHOLS. Mr. President. I want this bill right. I am very much interested in it and I have no objection at all to its going to the Committee on Judiciary General for the very purpose that the Senator from Monroe mentions, and from the fact that the membership is composed solely of lawyers I know from a legal standpoint it would be right, and I withdraw my objection to the motion of the Senator from Monroe.

And the question recurring,

Will the Senate agree to the motion

It was agreed to.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 963 (House Bill No. 740), entitled:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 10, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 155, entitled:

An Act providing for the discharge from prison of persons after they have been confined for two years or more for the desertion and non-support of their wives children or both or for non-compliance with any sentence or order of the court of quarter sessions in relation thereto

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 497 (House Bill No. 580), entitled:

A supplement An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkhears docks slips basins ferries harbors and harbor structues in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 667, (House Bill No. 32), entitled:

An Act to provide for an annual payment to citizens of Pennsylvania who while as citizens of Pennsylvania volunteered in defense of said State at the call of the Governor of said State either in September one thousand eight hundred and sixty-two or June one thousand eight hundred and sixty-three for the purpose of repelling invasions of the said State by the army of the Confederate States of America and providing methods whereby such annual payments can be obtained fixing the amount of said annual payments creating a commission to have charge of all matters and things appertaining to the same making an appropriation for the purpose of carrying out the provisions of this act and providing for punishments for the violations thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 667, (House Bill No. 32), the bill just read, be recommitted to the Committee on Appropriations.

Mr. HALL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 684, (House Bill No. 768), entitled:

An Act to change and fix the terms of directors of the poor and auditors to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight and said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 873, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 881, entitled:

An Act to permit viewers to award damages for the vacation of streets roads or highways to abutting owners where no land is actually taken

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 902, (House Bill No. 1143), entitled:

An Act to authorize townships of the first class to provide for fire protection

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 954, entitled:

An Act relating to the trial of civil cases by jury in the courts of this Commonwealth and providing that in any civil cause now pending or hereafter to be brought in any of the courts of this Commonwealth in which a trial by jury is had and the verdict of a jury awarding damages is rendered the amount of the damages so awarded shall not thereafter be changed increased or reduced either by the court in which the said cause was tried or by any appellate court of this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 954, the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 955, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 964, (House Bill No. 1471), entitled:

An Act providing that no self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving-picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of Moving Pictures for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 969, (House Bill No. 520), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1002, entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting thereof and the rights and privileges of the holders and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1007, (House Bill No. 80), entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the city of Washington and making an appropriation therefor" and making a further appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1009, (House Bill No. 734), entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse woodcock and wild water fowl

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1027, (House Bill No. 1526), entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest of the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1035, (House Bill No. 1152), entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commissions for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, viz:

APPROVAL OF SENATE BILL NO. 14.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentleman:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 14, entitled: "An Act to amend the first section of an act approved the tenth day of June, one thousand nine hundred one, entitled: 'An Act authorizing and empowering boroughs and incorporated towns to take, use and appropriate private property for necessary public buildings and work within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor,' as amended by the first section of an act approved the fifth day of May, one thousand nine hundred eleven, entitled: 'An Act to amend section one of 'An Act authorizing and empowering boroughs and incorporated towns to take use and appropriate private property for necessary public buildings and works within the corporate limits of such municipality and providing for the manner of ascertaining determining awarding and paying compensation and damages therefor,' approved the tenth day of June, one thousand nine hundred and one, so as to extend the same to townships of the first class by extending the act to include townships of the second class."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 819.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentleman:—I have the honor to advise you that I have this day approved anl signed Senate Bill No. 819, entitled: "A Supplement to an act approved the twenty-fourth day of March, one thousand nine hundred and five, entitled: "An Act estab-

lishing in counties containing a population of from three hundred thousand to one million a board for the assessment and revision of taxes for State and county purposes prescribing their powers and duties and abolishing the office of ward, borough and township assessors in so far as respects the assessment of State and county taxes,' providing for the appointment by said board of collectors of county taxes in cities of such counties and defining the powers and duties of such collectors."

JOHN K. TENER.

RECESS.

Mr. KURTZ. Mr. President, I move that the Senate now take a recess for ten minutes.

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order,

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 1362, entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria County against the Commonwealth of Pennsylvania

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 146 (Senate Bill No. 1070), entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public offices" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

Which was committed to the Committee on Judiciary Special.

House Bill No. 952 (Senate Bill No. 1071), entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1023 (Senate Bill No. 1072), entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 1211 (Senate Bill No. 1073), entitled:

An Act extending the jurisdiction of the courts in actions where a corporation is or shall be a party

Which was committed to the Committee on Judiciary General.

House Bill No. 1283 (Senate Bill No. 1074), entitled:

An Act relating to assignment of order for wages or salary to be earned in the future to secure a loan

Which was committed to the Committee on Judiciary Special.

House Bill No. 1454 (Senate Bill No. 1075), entitled:

An Act for the better protection of wild turkeys in this Commonwealth

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1576 (Senate Bill No. 1076), entitled:

An Act to amend an act entitled "An Act authorizing corporations organized for profit to purchase hold sell assign transfer mortgage pledge or otherwise dispose of the shares of capital stock of or any bonds securities or evidences of indebtedness created by any other corporation" approved July second one thousand nine hundred and one

Which was committed to the Committee on Corporations.

House Bill No. 1683 (Senate Bill No. 1077), entitled:

An Act to regulate the taking of samples of foodstuffs by the Dairy and Food Commissioner and any board of health or health officer or agent or employees thereof from any producer or vendor in this Commonwealth for the purpose of analysis or any test thereof to inquire into or determine the purity and quality of the said sample or foodstuff so taken and defining what shall constitute foodstuffs and imposing a penalty for the violation of this act

Which was committed to the Committe on Public Health and Sanitation.

House Bill No. 330 (Senate Bill No. 1078), entitled:

An Act providing for the return of statistics relating to the annulment of marriage and divorce proceedings requiring the clerks of the courts of common pleas to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

Which was committed to the Committee on Judiciary General.

House Bill No. 1089 (Senate Bill No. 1079), entitled:

An Act regulating pawnbrokers

Which was committed to the Committee on Judiciary Special.

House Bill No. 1586 (Senate Bill No. 1080), entitled:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of and to refuse admission to companies associations societies or orders from any State which refuses to permit like companies associations societies or orders organized and operating under the laws of this State to do a like business in said State and designating who may and who may not make examination of said companies associations societies or orders and providing who shall pay the expenses of examinations of such companies associations or orders

Which was committed to the Committee on Insurance.

House Bill No. 1658 (Senate Bill No. 1081), entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways country roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the County Commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing cost of maintenance of such street on the borough

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 154 (Senate Bill No. 1082), entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

Which was committed to the Committee on Judiciary General.

House Bill No. 1024 (Senate Bill No. 1083), entitled:

An Act to amend sections one and eight of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

Which was committed to the Committee on Judiciary Special.

House Bill No. 1150 (Senate Bill No. 1084), entitled:

An Act to amend sections one and two of the act of April twenty-third nineteen hundred and three (Pamphlet Laws two hundred and ninety-two) entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessment and the reassessment between the periods of the triennial asssssments of property and fixing the time for the return thereof" by directing that the county commissioners shall issue their precepts for the triennial assessment and intermediate reassessments on or before the first Monday of July

Which was committed to the Committee on Judiciary General.

House Bill 1437 (Senate Bill No. 1085), entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

Which was committed to the Committee on Judiciary Special.

House Bill No. 1465 (Senate Bill No. 1086), entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" as amended

Which was committed to the Committee on Agriculture.

House Bill No. 1607 (Senate Bill No. 1087), entitled:

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population prescribing their powers duties authority and compensation

Which was committed to the Committee on Judiciary General.

House Bill No. 1647 (Senate Bill No. 1088), entitled:

An Act authorizing and empowering municipalities to establish separate and distinct grades on the same street or highway

Which was committed to the Committee on Judiciary General.

House Bill No. 1660 (Senate Bill No. 1089), entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorenys upon the indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county as amended

Which was committed to the Committee on Judiciary General.

House Bill No. 105 (Senate Bill No. 1090), entitled:

An Act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Chief Factory Inspector and other by prescribing penalties for violations thereof by permitting private prosecutions under this act by defining the procedure in prosecutions thereunder by prohibiting suspensions of sentence for second or subsequent violations thereof and by repealing all acts and parts of acts inconsistent with the provisions thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 119 (Senate Bill No. 1091), entitled:

An Act to provide for the health safety and welfare of minors by forbidding their employment or work in certain occupations and under certain specified ages by restricting their hours of labor and regulating certain conditions of their employment by requiring employment certificates and badges for certain children and prescribing rules for the issuance re-issuance filing return and recording thereof by providing that the Chief Factory Inspector or the Chief of the Department of Mines shall under certain conditions determine and find whether certain occupations are within the prohibitions of this act and providing for the publication of such findings requiring certain abstracts and notices to be posed providing for the enforcement of this act by officers of the Department of Factory Inspection and the Department of Mines by the Superintendent of Public Instruction by officers of the board of school directors and by police officers prescribing penalties for violations of the provisions of this act and defining private prosecutions for violations thereunder prohibiting suspensions of sentence for second or subsequent violations thereof and repealing all acts and parts of acts that are inconsistent therewith

Which was committed to the Committee on Judiciary Special.

House Bill No. 135 (Senate Bill No. 1092), entitled:

An Act providing for the further government and regulation of cities of the second and third class

Which was committed to the Committee on Municipal Affairs.

House Bill No. 285 (Senate Bill No. 1093), entitled:

An Act providing for the appointment qualifications and compensations of instructors and demonstrators in agriculture and making an appropriation for the same

Which was committed to the Committee on Agriculture.

House Bill No. 405 (Senate Bill No. 1094), entitled:

An Act authorizing the appointment of a commission to inquire into the causes and results of industrial accidents to study advanced methods for safeguarding against the same to inquire into the subject of fair compensation for those injured or killed as a result thereof and to study the operation and effect of the Workmen's Compensation Law of one thousand nine hundred and thirteen and making an appropriation for the expenses of said commission

Which was committed to the Committee on Corporations.

House Bill No. 416 (Senate Bill No. 1095), entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and report and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 426 (Senate Bill No. 1096), entitled:

An Act relating to actions for divorce

Which was committed to the Committee on Judiciary General.

House Bill No. 726 (Senate Bill No. 1097), entitled:

An Act to protect the Public Health and Welfare by providing that certain females over sixteen years of age and certain children under sixteen years of age employed or permitted to work within this Commonwealth receive compensation at not less than a rate to be determined upon investigation by commission estbalished by this act prescribing the standard by which such rate shall be determined defining the powers and duties of such commission and regulating the procedure before it imposing certain duties on employers of females over sixteen years of age compelling newspapers to publish the orders of the commission fixing penalties for violations of this act and providing means of enforcing its provisions

Which was committed to the Committee on Judiciary Special.

House Bill No. 871 (Senate Bill No. 1098), entitled:

An Act to amend the second and third sections of an act entitled "An Act to provide for the employment of the insane feeble-minded and epileptic persons confined in insti-

tutions wholly or in part maintained by the State for the care and treatment of the insane feeble-minded and epileptic persons and providing for the distribution of the supplies manufactured articles goods and products made in State institutions for the care of the insane feeeble-minded and epileptic persons" approved the twenty-eighth day of May Anno Domini one thousand nine hundred and seven so as to permit of the sale of articles manufactured and produce raised by insane feeble-minded and epileptic inmates of such institutions for the benefit of such persons

Which was committed to the Committee on Judiciary General.

House Bill No. 1241 (Senate Bill No. 1099), entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam boilers steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

Which was committed to the Committee on Judiciary General.

House Bill No. 1038 (Senate Bill No. 1100), entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

Which was committed to the Committee on Agriculture.

House Bill No. 1272 (Senate Bill No. 1101), entitled:

An Act making an appropriation to pay for the care treatment and maintenance of the indigent insane for the two years ending May thirty-one one thousand nine hundred and fifteen

Which was committed to the Committee on Appropriations.

House Bill No. 1302 (Senate Bill No. 1102), entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred twenty-two two thousand six hundred twenty-four two thousand six hundred twenty-six and two thousand six hundred twenty-seven thereof and also conferring upon tax payers similar rights in regard to the reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

Which was committed to the Committee on Education.

House Bill No. 1304 (Senate Bill No. 1103), entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred thirty-four entitled "An Act relating to executors and administrators

Which was committed to the Committee on Judiciary General.

House Bill No. 1319 (Senate Bill No. 1104), entitled:

An Act to establish in cities of the third class a house or houses of detention for delinquent dependent and neglected children and providing for the management and maintenance thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 1436 (Senate Bill No. 1105), entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

Which was committed to the Committee on Judiciary General.

House Bill No. 1578 (Senate Bill No. 1106), entitled:

An Act requiring the sheriff prothonotary and all other county officers receiving moneys as such officers to be credited to others to give quarterly written notice to such party or parties of the amount standing to his her or their credit during the preceding quarter

Which was committed to the Committee on Judiciary General.

House Bill No. 1523 (Senate Bill No. 1107), entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

Which was committed to the Committee on Judiciary General.

House Bill No. 1620 (Senate Bill No. 1108), entitled:

An Act to provide that trees shrubs vines plants and seeds sold in Pennsylvania may be guaranteed true to the variety for which they are sold and providing a legal method whereby the grower can obtain financial redress from the dealer or seller being "a legal indemnity plan for growers"

Which was committed to the Committee on Agriculture.

House Bill No. 1762 (Senate Bill No. 1109), entitled:

An Act to amend an act approved the twenty-sixth day of April one thousand eight hundred and fifty entitled "An Act to provide for the establishment of true meridian lines and of standard measures for surveyors' chains and to regulate the practice of surveying in this Commonwealth"

Which was committed to the Committee on Judiciary General.

House Bill No. 1772 (Senate Bill No. 1110), entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

Which was committed to the Committee on Judiciary Special.

House Bill No. 695 (Senate Bill No. 1111), entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the automobile division

Which was committed to the Committee on Appropriations.

House Bill No. 1446 (Senate Bill No. 1112), entitled:

A supplement to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven making it the duty of every fire insurance company or association doing business in this State to give certain notices and make certain reports to the State Fire Marshall with relation to fire losses on property in Pennsylvania and of any rating bureau to furnish information to said State Fire Marshall and providing a penalty for the violation of this act

Which was committed to the Committee on Insurance.

House Bill No. 1590 (Senate Bill No. 1113), entitled:

An Act to amend an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh day of June one thousand eight hundred and seventy-nine

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN, from the Committee on Public Health and Sanitation, reported resolution as follows:

CONCURRENT RESOLUTION FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND REPORT TO THE NEXT SESSION OF THE LEGISLATURE ALL MATTERS PERTAINING TO COLD STORAGE AND THE PRESERVATION OF FOOD PRODUCTS.

A concurrent resolution for the appointment of a Commission to investigate and report to the next session of the Legislature all matters pertaining to cold storage, and the preservation of food products, and the length of time goods shall remain under refrigeration or cold storage, and to the branding and sale of such aticles, and making an appropriation to meet the expenses of the said Commission.

Whereas, There has been and is, considerable agitation regarding cold storage, and the preservation of food products, as well as the length of time that goods shall remain under refrigeration or cold storage, and the proper branding and sale of such articles

And Whereas, It is of the utmost importance that a thorough and complete investigation and study of the whole matter of refrigeration and cold storage should be made at the present time.

Therefore, Be it Resolved, (if the House concur) That a Committee of five members of the General Assembly, three to be appointed by the President pro tempore of the Senate, and two by the Speaker of the General Assembly to investigate at the earliest possible moment, and to report at the next session of the General Assembly a comprehensive bill covering the following questions:—

1 The necessity of cold storage, and the proper provisions for the protection of perishable products.

2 The value of such products to the producer and the community at the period of the greatest production when the supply exceeds the demand and at all other times

3 The length of time articles should remain under refrigeration or cold storage

4 Whether refrigerator or cold storage products shall be branded, and if so, what shall be determined to be refrigerator products or cold storage products, or both.

5 The effect on the price of commodities by reason of placing them under mechanical refrigeration or cold storage.

6 The relation for cold storage or refrigeration to the high cost of living.

7 The effect of cold storage legislation in other States.

8 The advisability of a uniform cold storage or refrigeration law; provided that the actual expenses incurred by the committee shall not exceed the sum of $10,000, which shall be provided for in the general appropriation bill.

Mr. HUNTER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNTER, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 657, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Appropriations, reported as committed, Senate Bill No. 220, entitled:

An Act making an appropriation to the General Braddock Memorial Park Association of Fayette County.

Mr. KURTZ. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KURTZ, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 803, (House Bill No. 570), entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars, providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act.

HOUSE NON-CONCURS IN RESOLUTION FIXING TIME OF ADJOURNMENT.

The Clerk of the House of Representatives being introduced, presented communication from the House of Representatives, informing the Senate that the House of Representatives has non-concurred in resolution as follows:

In the Senate, April 16, 1913.

Resolved (if the House of Representatives concur), That when the Senate adjourns to-day it shall reconvene on Monday evening, April twenty-first at nine o'clock.

MOTION TO ADJOURN.

Mr. POWELL. Mr. President, I move that the Senate do now adjourn until ten o'clock tomorrow morning.

Mr. JUDSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CROW. Mr. President, I move to amend the motion that the time of adjournment be changed from ten o'clock tomorrow morning to next Monday night at nine o'clock.

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion to amend?

Mr. POWELL. Mr. President, the Constitution of the State of Pennsylvania says that neither House of the Legislature may adjourn over three days without the consent of the other House, and I raise the point of order that the amendment is out of order.

The PRESIDENT. The Chair decides the point of order not well taken for the reason set forth in the decisions of the House of Representatives on points of order, etc., (page 951, Smull's Legislative Handbook, at the bottom of the page) as follows: " A motion was made that when the House adjourns this Wednesday evening it be to meet on next Monday evening at 9 o'clock. The point of order was submitted that it was unconstitutional for the House to adjourn for more than three days without the consent of the Senate. The Speaker decided the point of order not well taken; that an adjournment of the House from Wednesday to the succeeding Monday was not an adjournment for more than three days as provided by the Constitution of Pennsylvania, Sunday being a dies non. See Buckalew on the Constitution of Pennsylvania, edition 1883, p. 52, Construction: It has long been held that the three days' limitation in this section (section 14, art. 2) is exclusive of Sundays, and such is the settled construction. Therefore, whether natural or secular days were intended by the authors of the limitation is not now a question of practical importance. West Philadelphia Passengers Ry. Co. vs. Union Passengers Ry. Co., Bancroft vs. Same, 29 Legal Intelligencer, 196; 4 Leg. Gaz. 193 (Journal H. R. 1897, p. 1114).

Mr. POWELL. Mr. President, It is not my understanding that the decisions of the House are binding upon the Senate, and there is no decision heretofore made by the Senate of Pennsylvania, or any presiding officer thereof, that adjourning from Wednesday until Monday is not adjourning over three days. I take the position that it is absolutely unconstitutional for us to adjourn without the concurrence of the House. The statement that Sunday is a dies non is not in point, for the reason that it has always been the custom under the Constitution of the United States for the Congress of the United States to sit when the last day of its term comes upon a Sunday to complete its work and Sunday is at least a day. The sun rises and goes through its usual course and sets, and I take the position that in writing the Constitution of the State of Pennsylvania the people meant that a day was a day. The people pay interest on their money for Sundays.

Mr. CROW. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Fayette, Mr. Crow, will state his point of order.

Mr. CROW. Mr. President, my point of order is that the discussion is not germane inasmuch as the Chair has already disposed of this question.

The PRESIDENT. The Chair decides the point of order well taken.

Mr. POWELL. Mr. President, I appeal from the decision of the Chair.

The PRESIDENT. The Senator from Allegheny, Mr. Powell, will prepare his appeal.

APPEAL FROM DECISION OF THE CHAIR.

"The Senator from Allegheny, Mr. Powell, appeals from the decision of the Chair 'that an adjournment from Wednesday of one week to the next succeeding Monday is not an adjournment over three days under the Constitution of the Commonwealth.'"

(Signed) A. W. Powell, Seconded Charles E. Mills.

The PRESIDENT. The Secretary will kindly put the question.

The SECRETARY. The question is, shall the decision of the Chair stand as the judgment of the Senate?

On the question,

Mr. POWELL. Mr. President, I do not want to leave the impression that I am making a foolish or senseless objection here, but this is a constitutional question. I suppose the situation is here that some of the Senators have bills that are on third reading and final passage in the House now. They are read and passed finally and some question

comes up and this question goes before the Supreme Court and the record having been made, somebody is liable to lose his legislation. The members of this body are almost all here in the Senate and can meet tomorrow and adjourn, and I am only raising objection for the purpose of protecting somebody's legislation. Personally I have nothing in which I am interested. It seems to me that we ought to do the sensible and conservative thing and not get mad because the House of Representatives refuses to let us adjourn, rather take the chance of unconstitutional legislation.

Mr. BEIDLEMAN. Mr. President, in the decision which was cited by the Chair upon this point of order there are expressly stated two decisions of the Supreme Court of Pennsylvania upon which the Speaker of the House of Representatives then relied, and surely, Mr. President, if the Supreme Court has decided in two cases which are cited in the decision which has just been rendered by you, there certainly cannot be any question in the opinion of this Senate, any honest opinion, on the question whether Sunday is a dies non. That has been decided by the highest court of the State and not having been questioned or overruled. There is no question of the constitutional provision that we cannot adjourn for any period longer than three days. We have the right, by the decision of the Speaker of the House in the session of 1897, to adjourn from this morning until Monday evening at nine o'clock.

Mr. HUFFMAN. Mr. President, I do not see that this question is anything more than a game of politics. My position here is that we having done all our work that is on the Calendar—I have reference to bills on second and third reading—there is nothing further for us to do. I have been in my seat every day, and I think nearly every other Senator has been, and it does not seem to me to be dignified to have the Senate of Pennsylvania sit in our seats here another twenty-four hours for the purpose of gratifying the wishes of an uproarious and unruly House. There has been no reason alleged here for keeping us in our seats. All of us have worked on Committees attending hearings and have been here taking care of the business of the State and our respective constituents. Laying aside all political questions, I want it distinctly understood that if there is anything to be done I am willing to stay here, but there not being anything I am against it, and I think the Constitutional question that has been decided here by the President is correct, because the Supreme Court has said it and of course would sustain it again and nobody's legislation is in harm or endangered.

And the question recurring,

Shall the decision of the Chair stand as the judgment of the Senate?

By a viva voce vote it was agreed to and the appeal was not sustained.

And the question recurring,

Will the Senate agree to the motion to amend?

Mr. CROW. Mr. President, in behalf of the amendment to the motion, I desire to say that no act of discourtesy of the Senate toward the House is intended. It was rumored on the floor of the Senate before the introduction of the resolution this morning that the House would not concur in the resolution to adjourn. The propriety or impropriety of submitting a resolution to the House was discussed and it was the unanimous opinion of those in conference that the Senate should not establish the precedent of extending any act of discourtesy to the House, and for that reason, with the knowledge that in all probability it would not be concurred in, the resolution was sent across. It was the position of those who discussed it that there was no ill feeling in the Senate of Pennsylvania toward the House of Representatives. The feeling is cordial, always has been cordial, and it is the desire of the members of the Senate that that relationship remain. The amendment to this motion was not offered at this time as any act of discourtesy on our part toward the House. We want the cordial relations to remain even after this amendment is adopted. There is no question about the Senate having the right to adjourn until next Monday evening at 9 o'clock. That question has already been decided. There is no necessity for the Senate remaining in session longer than three days a week as the Calendar now stands. It will be discovered that practically all of the bills on the Senate Calendar at this time are House Bills. There is no necessity from the standpoint of an overburdened calendar for the Senate to remain here and I sincerely hope the amendment to the motion will prevail.

Mr. McILHENNY. Mr. President, I have always stood in the unique position here of not belonging to any political party in the Senate, and I certainly have no desire to shirk my public duty as the representative of my district, but it is quite evident to anybody who knows anything about the Legislature of Pennsylvania, that it is possible for the Senate to finish its work a day or a day and a half before the House, and that being so there is no reason why we should neglect our own duties to be here for a mere form, and therefore I do not see why the Senate should refuse to accede to this amendment, simply because the House is a little sensitive over something the Senate might have done. In the four years I have been in the Senate the House has always gotten a little offended at the Senate, sometimes one week, sometimes another, but after the session is over every little irritation that may be there is dissipated, and next time we come back just as cordial as ever, and I think it proper that we should take care of things at home so long as our business at Harrisburg does not suffer by reason of our absence, and as long as our Calendar does not require us, by all means let us adopt this amendment.

Mr. POWELL. Mr. President, the Senators seem to fail to realize that we passed this morning a great number of bills on second reading, which, if we stay until to-morrow will be on third reading, and we shall have the same sized Calendar we had this morning.

And the question recurring,

Will the Senate agree to the motion to amend?

It was agreed to.

On the question,

Will the Senate agree to the motion as amended?

It was agreed to.

ADJOURNMENT.

The Senate adjourned at 1:22 o'clock P. M. until Monday evening, April 21, at 9 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April, 16th, 1913.

The House met at 10:00 o'clock A. M.
The Speaker (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev J. E. Wright, offered the following prayer:

O God, we pray for the great populous cities of our Commonwealth; those centers of large influence, with their splendid possibilities; with heir wealth of young, aggressive, virile life, reaching out upon every side of them and touchng for good or for evil the regions adjacent to them, where the forces of good stand forever face to face with the forces of evil; where law and order and virtue and temperance must forever contend with lawlessness, criminality, debauchery and vice.

We pray that Thou wouldst strengthen the hands of those who are earnestly trying to uplift and purify the cities raise up an increasing army of heroic souls who shall stand by them and fight with them. Give them wisdom and courage and persistent energy, and if there be any legislation submitted to us here which may help in those great interests, let us give thoughtful and serious consideration to them and utter our decisions in conformity with the truth.

We ask this in the name of Him who has taugh us to say: Our Father Who art in Heaven, hallowed be Thy name. Thy kingdom come. Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors. And lead us not into temptation, but deliver us from evil; for Thine is the Kingdom and the Power and the Glory, forever, Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday, when, on motion of Mr. Barner, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEE.

Mr. SNYDER, from the Committee on Appropriations, reported as committed, House Bill No. 321, entitled:

An Act making an appropriation to reimburse Mrs. Rose S. Zacharias for money erroneously paid into the State Treasury for purchase money of vacant land.

LEAVES OF ABSENCE.

Mr. GEISER asked and obtained leave of absence for Mr. Goss, for the balance of the week on account of sickness.

Mr. MATHER asked and obtained leave of absence for Mr. Stone for this morning's session.

BILL INTRODUCED.

Mr. COCHRAN asked and obtained unanimous consent for the introduction of a joint resolution, the title of which was first read for the information of the House.

BILL RECALLED FROM GOVERNOR.

Mr. EHRHARDT offered the following resolution, which was twice read, considered and agreed to.

CONCURRENT RESOLUTION.

In the House of Representatives, April 16, 1913.

Resolved (if the Senate concur)That House Bill number seven hundred ninety-four, entitled "An Act making it unlawful for any person, firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for advertising purposes and providing a penalty therefor," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION NO. 38.

Mr. CONNIFF. Mr. Speaker, I call up resolution No. 38, file folio 6005, for the Investigation of telephone rates.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

Whereas There has been universal complaint about the high telephone rates in all parts of the Commonwealth and

Whereas This condition has been exposed by the report of the State Railroad Commission wherein reduced rates and new schedules were suggested

Therefore be it resolved that the State Railroad Commission be instructed to confer with the telephone companies and bring about reduced rates along the lines recommended in their respective schedules and report to the House of Representatives within fifteen days

On the question,

Will the House agree to the resolution?

It was agreed to.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, viz:

VETO OF HOUSE BILL NO. 85.

Executive Chamber, Harrisburg, April 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, House Bill No. 85, entitled:

"An Act to repeal the second section of an act approved the first day of April one thousand seven hundred ninety-seven entitled 'An Act to regulate the manner of selling loaf-bread and to repeal certain existing laws respecting the same'"

The act of Assembly sought to be repealed has been in force for more than a century. I am not advised that it has worked any hardship, nor am I advised of any good reoson for its repeal at this time.

For these reasons the bill is not approved.

(Signed) JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding.

Mr. ALLEN. Mr. Speaker, I desire just a moment of the House's attention in relation to this veto. It would seem from the veto and the reasons given therefore, that not only wine, but all things improve with age. This bill, as stated in the veto, has been upon the statute books for more than 100 years—116 years—and at the time the bill was before this House for passage I called the attention of the House to the provisions of the bill which was a repealer for this law which stands upon the statute books.

"All loaf bread made for sale within this Commonwealth shall be sold by the pound avoirdepois; and every baker or other person offering the same for sale, shall keep at his or her house, or at such other place at which he or she shall at any time offer or expose for sale any such bread, sufficient scales and weights lawfully regulated for the purpose of weighing the same; and if any baker or other person shall sell or offer for sale any loaf bread in any other manner, the contract respecting the same shall be void; and the person offending against this act shall, on conviction, forfeit and pay the sum of ten dollars for every such offense, one half to the use of the informer, and the other half to the use of this Commonwealth; and it shall be the special duty of the clerk of the market, in any place where such officer is appointed, to discover and prosecute all persons offending against this act." Mr. Speaker, I submit as a matter of fact that this law has been on the statute books since that time, but I feel that the Executive has been illy advised in relation to the hardships which have been imposed on account of this act. I call your attention to a case cited in the Weekly Notes on Cases, No. 3, a case which was passed upon in 1876, in which a man by the name of Johnston had been working for a man by the name of Kolb and Johnston bought a loaf of bread from Kolb which he sold at six cents a loaf. Kolb was to furnish Johnston the bread at five cents a loaf. Johnston established a route for bread and had been working but about one month when Kolb, seing that the route had been established, concluded that he would take over the route, and did take the same away from Johnston. Johnston thereupon instituted a suit of law against Kolb to recover for his earnings and also on a breach of contract. The Court in that case held that Johnston had no action because of the fact that the contract was null and void for the reason that he had made a contract to buy the bread and sell the bread by the loaf instead of selling it at so much per pound. Then a motion was made to take off the non-suit which had been granted in the case, but that motion was overruled. This is but one of the cases which has fallen under this act and that act still stands to-day, and the courts now hold that if any wholesale baker were to sell and continue to sell for weeks and months bread in large quantities to any retailer, selling it to him by the loaf, and not by weight, that that contract is absolutely null and void. If I were to go to a retailer and that retailer were to sell me a loaf of bread for five or ten cents, and he sells it to me in any other manner than by weight, I can make a charge against him under this law, and all the court can do is to fine him ten dollars, and I take one-half of the ten dollars and the State takes the other half. The only reason that I take up this time at this moment in making the explanation of this matter is that I do not want any veto to be read before this House, and appear upon any bill which I may have had introduced and passed in this House without attempting to show that the bill did have some merit. I do not expect this House to overrule the veto of the Governor, but I do expect myself to go on record as against the veto which has been entered against this bill because I feel that the Governor has been illy advised in relation to this law.

The question recurring,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—54.

Allen,	Collins,	Lenker,	Rex,
Alworth,	DeFrees,	Lohr,	Rockwell,
Baldwin, G. A.,	Geary,	Malie,	Scott, S. B.,
Barner,	Geiser,	Mather,	Semmens,
Benson,	Grabe,	Matt,	Smith, J. W.,
Bergey,	Gray, Frank,	McDermott,	Smith, L.,
Bigger,	Hemminger,	Mellott,	Snavely,
Brownlee,	Isler,	Metzenbacher,	Steedle,
Burnett,	Jones, J. R.,	Musser.	Swift,
Caldwell,	Kaiser,	Newbaker,	Trach,
Campbell, J.J.	Kaufman,	Peachey,	Walnut.
Carson,	Kern,	Pennock,	Wettach,
Cheeseman,	Lanius,	Post,	Zimmerman,
Cochran	Latshaw,		

NAYS—95.

Ambler,	Flynn,	McAllister,	Schaeffer, A. C
Arthur,	Frey,	McCaig,	Schuck,
Baldwin, R. J.,	Gans,	McClintock,	Shaffer, C. A.,

Bass,	Good,	McNichol,	Shaffer, I. E.,
Bayle,	Gramley,	Miller,	Sherwood,
Berntheizel,	Gransback,	Missimer,	Showalter,
Blair, W. A.,	Hackett,	Mitchell,	Snyder,
Blair, W. F.,	Haggerty,	Moore,	Spillinger,
Bleloch,	Heidinger,	Morrow,	Steele,
Brosius,	Herman,	Moses,	Strauss,
Brown,	Heyburn,	Moulthrop,	Swartz,
Campbell, C.M.,	Hibshman,	Murphy,	Thomas,
Cleary,	Hoffman,	Neel,	Ulerich,
Conner,	Jackson,	North,	Walsh,
Conrade,	Keegan,	O'Neill,	Walton,
Cox,	Kenna,	Pennegar,	Watson,
Currier,	Kennedy,	Ramsey,	Whitaker,
Davis,	Kitts,	Redfield,	Whitman,
Dunn, H. B.,	Kuhn, H. P.,	Reese,	Williams,
Dunn, J. A.,	Kuhns, E.G.M.,	Rhoads,	Wiltbank,
Ehrhardt,	Leslie,	Roney,	Young, J. H.,
Eichenberger,	Light,	Rothenberger,	Alter,
Ely,	Martin,	Runk,	Speaker.
Ewing,	McAleer,	Sassaman,	
Fahey,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the veto of the Governor is sustained.

Also, VETO OF HOUSE BILL NO. 168.

Executive Chamber, Harrisburg, April 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, House Bill No. 168, entitled:

"An Act to amend an act approved the fourteenth day of April, one thousand eight hundred and thirty-four, entitled: 'An Act relative to the organization of the courts of justice.'"

The provisions of this act are so broad in their application to all the courts throughout the Commonwealth, with respect to the appointment of criers and tipstaves and to the compensation to be paid them that, if enacted, there would be danger that it would repeal, by necessary implication, the provisions of laws enacted since the act of 1834, regulating the compensation to be made to tipstaves, according to legislative classifications, based upon the population of the several counties—a result which, though perhaps not intended, would doubtless be the effect of this bill if approved.

A bill confined to the appointment of additional criers necessary for the proper transaction of the business of the courts, (which was apparently the purpose intended to be accomplished), so as not to repeal the intervening legislation referred to, would receive my approval.

For these reasons the bill is not approved.

(Signed,) JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Mr. FREY. Mr. Speaker, I move that this veto be laid upon the table.

Mr. STEIN. Mr. Speaker, I second the motion.

It was agreed to.

Also, VETO OF HOUSE BILL NO. 271.

Executive Chamber, Harrisburg, April 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, House Bill No. 271, entitled:

"An Act to amend an act entitled 'An Act to amend the first section of an act entitled 'An Act increasing the salaries of tipstaves in the courts of any county in this Commonwealth having a population of not less than five hundred thousand,' approved the thirtieth day of May, Anno Domini one thousand eight hundred and ninety-five, by changing the limit of population of such counties and increasing the minimum and maximum limits of said salaries," approved the first day of June, Anno Domini one thousand nine hundred and eleven, by further changing the limit of population of such counties."

I know of no good reason requiring the increased compensation authorized under the provisions of this bill. I therefore withhold my approval from it.

(Signed,) JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Mr. STEIN. Mr. Speaker, I move that this veto be laid upon the table.

Mr. FREY. Mr. Speaker, I second the motion.

It was agreed to.

Also, VETO OF HOUSE BILL NO. 189.

Executive Chamber, Harrisburg, April 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, House Bill No. 189, entitled: "An Act to repeal section ten of an act passed the fifth day of April, Anno Domini one thousand eight hundred and forty-nine, entitled: 'An Act to vacate Long Lane in the County of Philadelphia, in relation to promissory notes and counterfeit endorsements and for other purposes.'"

The tenth section of the Act of 1849, sought to be repealed, was intended to remedy the hardships suffered by banking institutions, owing to the stringent requirements of the common law. Under this Act of 1849, when fraud has been practiced upon a banking institution, the bank is given the right to recover from the forger or from a person to whom it may have paid a check bearing the forged signature of one of its depositors or a forged endorsement.

The proposed repeal of the Act would therefore mean a return to the ancient policy of the common law and the hardships it was intended to remedy, in the face of the fact that such hardships would be multiplied many hundred fold, owing to the enormous increase in the volume of commercial transactions of to-day.

The well-considered Negotiable Instrument Act of 1901 did not repeal the Act of 1849. There does not seem to me to be any good and sufficient reason why such a repealing bill should now be passed, and I accordingly veto the same.

(Signed,) JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Mr. STEIN. Mr. Speaker, I move that this veto be laid upon the table.

Mr. FAHEY. Mr. Speaker, I second the motion.

It was agreed to.

RECONSIDERATION OF VOTE.

Mr. NEWBAKER. Mr. Speaker, I move that the vote by which House Bill No. 1208, file folio 4037, entitled:

An Act relative to the sale or pledge in bulk of the whole or a large part of a stock of merchandise and fixtures or merchandise or fixtures not in the ordinary course of business providing certain requirements therefor imposing certain duties upon the seller and the buyer upon the seller or pledgor and the buyer or pledgee making their violation a misdemeanor and providing penalties therefor

failed on final passage on April 9th, be reconsidered.

Mr. C. A. SHAFFER. Mr. Speaker, I second the motion.

The SPEAKER. The question is on the adoption of the motion to reconsider.

Whereupon, a division was called for, and 47 gentlemen having voted in the affirmative and 61 in the negative,

The motion was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1590, entitled:

An Act to amend an act entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" approved the eleventh lay of June one thousand eight hundred and seventy-nine

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this is the bill that was prepared by the Advisory Committee under Mayor Blankenburg of Philadelphia. The Mayor of Philadelphia has requested this House to pass it.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Allen,	Frey,	Lowers,	Savacool,
Ambler,	Gans,	Malie,	Schaeffer, A. C
Arthur,	Geary,	Mannion,	Schuck,
Baldwin, G. A.,	Geiser,	Martin,	Scott, J. R. K.,
Baldwin, R. J.,	Gibson,	Mather,	Scott, S. B.,
Barner,	Good,	Matt,	Semmens,
Bass,	Grabe,	McAleer,	Shaffer, C. A.,
Bayle,	Gramley,	McAllister,	Shaffer, I. E.,
Becker,	Gransback,	McCaig,	Shern,
Benninger,	Gray, Frank,	McClintock,	Sherwood,
Benson,	Hackett,	McKay,	Showalter,
Bergey,	Haggerty,	McNichol,	Smith, J. W.,
Bigger,	Hemminger,	Mellott,	Smith, L.,
Blair, W. A.,	Herman,	Metzenbacher,	Snavely,
Blair, W. F.,	Hess,	Missimer,	Snyder,
Body,	Heyburn,	Mitchell,	Spangler,
Brosius,	Hibshman,	Moore,	Spillinger,
Brownlee,	Hoffman,	Morrow,	Steedle,
Caldwell,	Howard, J.,	Moses,	Steele,
Campbell, C.M.,	Howard, R.,	Musser,	Stein,
Campbell, J.J.	Isler,	Neel,	Strauss,
Carson,	Irwin, G. C.,	Newbaker,	Swartz,

Cheeseman,	Irwin, H. H.,	North,	Swift,
Claycomb,	Jackson,	O'Neill,	Thomas,
Cleary,	Jones, J. R.,	Peachey,	Trach,
Collins,	Kaiser,	Pennegar,	Ulerich,
Conner,	Kaufman,	Pennock,	Ulman,
Conrade,	Keegan,	Piper,	Walnut,
Curry,	Keeport,	Post,	Walsh,
Davis,	Kenna,	Price,	Walton,
DeFrees,	Kennedy,	Ramsey,	Watson,
Donahoe,	Kern,	Redfield,	Whitaker,
Donnally,	Kitts,	Reese,	Whitman,
Down,	Klepper,	Reeser,	Wildman,
Dunn, H. B.,	Kuhn, H. P.,	Rhoads,	Williams,
Dunn, J. A.,	Kuhns, E.G.M.,	Richards,	Wilson, W. H.,
Ehrhardt,	Lanius,	Robinson,	Wiltbank,
Eichenberger,	Latshaw,	Rockwell,	Young, G. K.,
Ely,	Lenker,	Roney,	Young, J. H.,
Fahey,	Leslie,	Rothenberger,	Zimmerman,
Flynn,	Light,	Runk,	Alter,
Foster, J. D.,	Lohr,	Sassaman,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1050, as follows:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in all counties of this Commonwealth containing a population of not less than two hundred and sixty thousand nor more than eight hundred thousand as shown by the last preceeding United States census the county controller shall be and is hereby authorized and empowered to designate and appoint one person learned in the law to act as his solicitor It shall be the duty of said solicitor to advise upon all legal matters that may be submitted to him and to conduct any litigation desired by said county controller The said solicitor shall hold office for the term for which the controller was elected and shall receive a salary of two thousand dollars per annum to be paid out of the county treasury

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Allen,	Dunn, H. B.,	Kern,	Ramsey,
Alworth,	Dunn, J. A.,	Kitts,	Redfield,
Baldwin, G. A.,	Ehrhardt,	Kuhn, H. P.,	Reese,
Baldwin, R. J.,	Eichenberger,	Kuhns, E.G.M.,	Reeser,
Barner,	Ely,	Lanius,	Rex,
Bayle,	Fahey,	Latshaw,	Richards,
Becker,	Flynn,	Leslie,	Robinson,
Benninger,	Foster, J. D.,	Letzkus,	Rockwell,
Benson,	Gans,	Light,	Roney,
Bergey,	Geary,	Lohr,	Runk,
Bigger,	Geiser,	Lowers,	Sassaman,
Bittles,	Gibson,	Malie,	Savacool,
Blair, W. A.,	Good,	Mannion,	Schaeffer, A. C
Blair, W. F.,	Grabe,	Mather,	Schuck,
Brosius,	Gramley,	McAleer,	Semmens,
Brown,	Gransback,	McAllister,	Shaffer, C. A.,
Brownlee,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Burnett,	Hackett,	McClintock,	Smith, J. W.,
Caldwell,	Haggerty,	McKay,	Spangler,
Campbell, C.M.,	Heidinger,	McNichol,	Spillinger,
Campbell, J.J.	Hemminger,	Metzenbacher,	Steedle,
Carson,	Herman,	Miller,	Steele,
Carter,	Hess,	Missimer,	Stein,
Cheeseman,	Heyburn,	Mitchell,	Strauss,
Claycomb,	Hibshman,	Moore,	Swartz,
Cleary,	Hoffman,	Morrow,	Thomas,
Collins,	Howard, J.,	Moses,	Trach,
Conner,	Howard, R.,	Musser,	Ulerich,
Conniff,	Isler,	Neel,	Ulman,
Conrade,	Irwin, G. C.,	Newbaker,	Watson,
Cox,	Irwin, H. H.,	North,	Whitaker,
Currier,	Jackson,	O'Neill,	Whitman,
Curry,	Kaiser,	Peachey,	Wilson, J. H.,
Davis,	Keegan,	Pennegar,	Young, J. H.,
DeFrees,	Keeport,	Pennock,	Zimmerman,
Dickinson,	Kenna,	Peters,	Alter,
Donnally,	Kennedy,	Piper,	Speaker.
Down,			

NAYS—6.

Jones, J. R.,	Scott, S. B.,	Walnut,	Wettach,
Martin,	Smith, L.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 695, entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the automobile division

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to hear from the sponsor of this bill as to what the object of the bill is.

Mr. NEEL. Mr. Speaker, this bill is to provide for the deficiency in the Highway Department—in the Automobile Division. The appropriation that was made two years ago was not enough to carry on the work of the department for two years by $35,000.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Alworth,	Geiser,	Matt,	Roney,
Arthur,	Gibson,	McAleer,	Rothenberger,
Baldwin, R. J.,	Good,	McAllister,	Runk,
Bass,	Grabe,	McArdle,	Sassaman,
Bayle,	Gramley,	McCaig,	Savacool,
Becker,	Gransback,	McClintock,	Schaeffer, A. C
Benson,	Gray, Frank,	McDermott,	Schuck,
Bigger,	Hackett,	McKay,	Semmens,
Bittles,	Haggerty,	McNichol,	Shaffer, C. A.,
Blair, W. A.,	Heidinger,	Mechling,	Shaffer, I. E.,
Blair, W. F.,	Hemminger,	Mellott,	Shern,
Bleloch,	Herman,	Metzenbacher,	Sherwood,
Brosius,	Heyburn,	Miller,	Showalter,
Brownlee,	Hibshman,	Missimer,	Smith, J. W.,
Caldwell,	Hoffman,	Mitchell,	Smith, L.,
Campbell, C.M.,	Howard, J.,	Moore,	Snyder,
Carter,	Howard, R.,	Morrow,	Spillinger,
Cheeseman,	Isler,	Moses,	Steedle,
Claycomb,	Irwin, G. C.,	Musser,	Steele,
Cleary,	Irwin, H. H.,	Neel,	Stein,
Collins,	Jackson,	Neely,	Strauss,
Conner,	Kaiser,	Newbaker,	Swartz,
Conniff,	Kaufman,	Newton,	Swift,
Conrade,	Kenna,	North,	Thomas,
Cox,	Kennedy,	O'Neill,	Trach,
Currier,	Kern,	Peachey,	Ulerich,
Curry,	Kitts,	Pennegar,	Ulman,
Davis,	Klepper,	Pennock,	Walton,
Dickinson,	Kuhn, H. P.,	Piper,	Watson,
Donahoe,	Kuhns, E.G.M.,	Post,	Whitaker,
Donnally,	Latshaw,	Price,	Williams,
Down,	Lenker,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Leslie,	Redfield,	Wiltbank,
Ehrhardt,	Letzkus,	Reese,	Young, G. K.
Eichenberger,	Lowers,	Reeser,	Young, J. H.,
Ely,	Malie,	Richards,	Zimmerman,
Fahey,	Mannion,	Robinson,	Alter,
Flynn,	Martin,	Rockwell,	Speaker.
Foster, J. D.,	Mather,		
Gans,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1447, entitled:

A further supplement to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven to provide revenue for the enforcement of the act to which this is a supplement

by imposing a tax upon the premiums of all fire insurance companies and associations doing business in this Commonwealth."

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, this is a bill placing a tax of one-fourth of one per cent. on insurance companies, to be used for the purpose of paying the expenses of the Fire Marshal's Department. As it affects mutual companies, there has been such great opposition to it, that I thought I would not at this time insist on this bill being passed.

BILL STRICKEN FROM CALENDAR.

Mr. RONEY. Mr. Speaker, I therefore move, that this bill be dropped from the Calendar.

Mr. HESS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1446, entitled:

A supplement to an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven making it the duty of every fire insurance company or association doing business in this State to give certain notices and make certain reports to the State Fire Marshal with relation to fire losses on property in Pennsylvania and of any rating bureau to furnish information to said State Fire Marshal and providing penalty for the violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, this bill simply provides that fire losses shall be reported to the State Fire Marshal's Department. It is simply a bill in keeping with the following bill which has been proposed at this time, and which I ask you to support, in order to make the State Fire Marshal's Department a real beneficial institution, so far as the interests of the State are concerned.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—171.

Alworth,	Ewing,	Light,	Rockwell,
Ambler,	Fahey,	Lohr,	Roney,
Arthur,	Foster, J. D.,	Lowers,	Runk,
Baldwin, G. A.,	Frey,	Malie,	Sassaman,
Baldwin, R. J.,	Gans,	Mannion,	Savacool,
Barner,	Geary,	Martin,	Schaeffer, A. C
Bass,	Geiser,	Mather,	Schuck,
Bayle,	Gibson,	Matt,	Scott, S. B.,
Becker,	Good,	McAleer,	Semmens,
Benson,	Grabe,	McAllister,	Shaffer, C. A.,
Bergey,	Gramley,	McArdle,	Shaffer, I. E.,
Bigger,	Gransback,	McCaig,	Shern,
Bittles,	Gray, Frank,	McClintock,	Sherwood,
Body,	Gray, Joseph,	McNichol,	Showalter,
Brosius,	Hackett,	Mellott,	Smith, J. W.,
Brown,	Haggerty,	Missimer,	Snavely,
Brownlee,	Heidinger,	Mitchell,	Spangler,
Burnett,	Hemminger,	Moore,	Spillinger,
Caldwell,	Herman,	Morrow,	Steedle,
Campbell, C.M.,	Hess,	Moses,	Steele,
Carson,	Heyburn,	Moulthrop,	Stein,
Carter,	Hibshman,	Murphy,	Swartz,
Cheeseman,	Hoffman,	Neel,	Swift,
Claycomb,	Howard, J.,	Neely,	Thomas,
Cleary,	Humes,	Newbaker,	Trach,
Cochran,	Isler,	Newton,	Ulerich,
Collins,	Irwin, G. C.,	North,	Ulman,
Conner,	Irwin, H. H.,	O'Neill,	Walnut,
Conniff,	Jackson,	Peachey,	Walsh,
Conrade,	Jones, J. R.,	Pennegar,	Walton,
Cox,	Kaiser,	Pennock,	Watson,
Currier,	Keegan,	Perry, H. L.,	Whitaker,
Curry,	Keeport,	Peters,	Whitman,
Davis,	Kenna,	Piper,	Wildman,
DeFrees,	Kennedy,	Post,	Williams,
Dickinson,	Kitts,	Price,	Wilson, J. H.,
Donahoe,	Klepper,	Ramsey,	Wilson, W. H.,
Donnally,	Kuhn, H. P.,	Redfield,	Wiltbank,
Down,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Dunn, H. B.,	Latshaw,	Reeser,	Young, J. H.,
Dunn, J. A.,	Lenker,	Rhoads,	Zimmerman,
Ehrhardt,	Leslie,	Richards,	Alter,
Eichenberger,	Letzkus,	Robinson,	Speaker.
Ely,			

NAYS—4.

Allen,	Henninger,	McDermott,	Snyder,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER.

The SPEAKER. The hour of eleven o'clock having arrived the House will resume consideration of House Bill No. 741, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State board of optometric examiners to define the powers and duties of said board of optometric examiners to provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act

the question being

Shall the bill pass finally?

Mr. NEWBAKER. Mr. Speaker, when the House adjourned last evening, I was endeavoring to obtain recognition by the Speaker for the purpose of making a reply to the remarks of the gentleman from Allegheny, the Sponsor of what is known as the Optometry Bill.

Now Mr. Speaker while I do not propose to go into the demerits of this bill at very great length, I wish to voice my opposition to its enactment into law.

Of all the delicate and important organs of the human body, the eye is considered the most important and to become an eye specialist skilled in the diagnosis and treatment of its disease, long years of study and practice are necessary. A real qualified eye specialist should have been an experienced general practioner before taking up this important specialty so that he might be able to appreciate the results of diseases of other organs as affecting vision in a reflex way which is well known to frequently occur.

Section eight of this bill provides:

Any person who is engaged in the practice of optometry in this State at the time of the approval of the act may deliver to the secretary of the board of optometric examiners on or before the first Monday of January one thousand nine hundred fourteen a written application for a certificate to practice optometry together with satisfactory proof that the applicant is not less than twenty-one years of age is of good moral character and that he or she has been engaged in the practice of optometry in this State for more than two years next prior to the passage of this act and upon the payment by the applicant of a fee of five dollars the secretary of the said board of optometric examiners shall issue to such applicant a certificate of exemption from such examination which certificate shall be registered and entitled and authorize such applicant to practice optometry in this State and which certificate of exemption shall be subscribed by every member of the Board of Optometric Examiners

It will be noticed that if this bill is enacted into law it will permit any person over twenty-one years of age who has been peddling "Specs" up and down the highways and byways, lanes and alleys of this State for more than two years, upon the payment of $5 to the Secretary of the Board of Optometry Examiners to receive a Certificate of Exemption from examination which will authorize him to practice Optometry in this State and is permitted to practice, he will be authorized to append the letters D. O. meaning—Doctor of Optometry to the end of his name and another swarm of doctors manufactured by the quick process, or while you wait and being of the commercial varisty. They will soon be advertised as D. O. in every neighborhood in the Commonwealth. If I remember correctly, the gentleman from Allegheny intimated in his remarks that if he were in need of the services of an eye specilist, he would consult one of established reputation and ability and I agree with the gentleman that he would be wise in doing so and the humblest individual in the land would be equally wise in doing the same thing. All occulists, I mean real eye specialists, write prescriptions for opticians or would be optometrists or Doctors of Optometry to fill and this is as it should be a practitioner of medicine sends his prescriptions to a druggist, a surgeon requiring apparatus for the correction of a deformity, sends his patient to the maker of such apparatus.

These mechanical trades are not professions, they are occupations affiliated with the medical profession and in accordance with the eternal fitness of things they occupy the exact status with relation to the medical profession they should occupy and I hope this House will not disturb this relation by giving this bill a majority vote. In this connection, Mr. Speaker, I desire to read for the further edification of the Members of this House a couple of communications from Medical Societies of Standing in this State which speak for themselves.

The first is under date of April 1st, 1913, addressed to a member of this House.

Dear Sir:—At a special meeting of the Allegheny County Medical Society, the following resolution was unanimously adopted.

Resolved, That the Allegheny County Medical Society, made up of eight hundred and fifty-five legally qualified and registered physicians, hereby protests against the passage of House Bill 741, which has for its purpose the legalizing of opticians so as to give them the power to do what properly belongs to the ophthalmologists and is a well recognized part of the practice of medicine. We feel that the passage of this bill would be unwise legislation and would not properly safeguard the people of this great Commonwealth. It is a well-known fact that the work these men propose to do without the use of drugs, cannot be done thoroughly, accurately and scientifically without the use of drugs, and especially so in children, whom it is the duty of the State to safeguard above all others,, for they are not possessed with mature minds to cry out against any mistakes which may be thrust upon them and who are not able to describe their symptoms accurately or intelligently. We, therefore, feel that the passage of this bill would put the stamp of approval and the seal of this great State upon work which at best, under the proposed act, could only be done in a haphazzard fashion and that it would result only in harm to the people of this Commonwealth.

We would respectfully call your attention to this Bill, and request your aid in defeating it. Respectfully yours,

JOHN W. BOYCE, President.
S. A. CHALFONT, Recording Secretary.

Further, a communication forwarded by the Commission for the Conservation of Vision of the Medical Society of the State of Pennsylvania, as follows:

To the Members of the State Legislature:

We respectfully call your attention to the following facts in reference to House Bill No. 741, introduced by Honorable G. W. Allen, which relates to what is termed "Optometry."

Governor Deneen, of Illinois, in his veto of the Optometry bill, said: "A doctor who treats the eye is called an oculist as distinguished from a person, uneducated in medicine, who may learn to use a set of trial lenses in a few weeks and call himself an Optemetrist."

In his veto of the Optometry bill in Ohio, Governor Harmon said: "One who is not skilled in optical surgery and medicine surely cannot be safely trusted to tell whether these are not required instead of the mechanical treatment (testing for glasses) he is able to give, and the time lost in discovering the need of these will often make resort to them useless."

"* * * * * by giving the authority of the State to many who lack the proper education and training, as this bill would, in my judgment, do, the public would be misled as to their qualifications."

"Many of them (schools of Optometry) are mere correspondence schools."

Governor O'Neal, in his veto of the Alabama Optometry bill, said: "While Optometrists propose to deal only with the optics of the eye, to draw the line that separates the optics of the organ from its diseases must require a thorough knowledge of everything that appertains to the eye; that is, of its optics, anatomy, physiology and its diseases."

"In vetoing this bill I am not depriving opticians or persons dealing in glasses of any right that legitimately belongs to them."

As members of the Commission on the Conservation of Vision we believe that in certain cases the use of drugs is necessary to accurately determine the proper glass. That the assertions of the Optometrists that certain famous oculists approve of Optometry is wholly unwarranted, and at the time at which they wrote some of these oculists, now dead, had probably never heard of "Optometry," while the statements of others have been rendered possible of being misconstrued because they have not been fully quoted.

Finally, as representing some ten thousand physicians in Pennsylvania, we respectfully request your aid in opposing a measure, by means of which the moral and legal support of this great State is to be granted to a certain class of practitioners, giving them an authority, prestige and privilege not warranted by their insufficient preparation and training."

By opposing this bill we believe you will be protecting the interests of your constituents and the citizens of this State.

This communication is signed by the leading occulists of the City of Philadelphia and in the State, among them the following:

S. D. Dixon, M. D., Honorary Chairman.
W. C. Posey, M. D., Wills Eye Hospital, Chairman.
C. P. Franklin, M. D., Philadelphia.
Wendell Reber, M. D., Temple University.
T. B. Holloway, M. D., University Hospital, Secretary.
Wm. Zentmayer, M. D., Wills Eye Hospital.
Wm. W. Blair, M. D., University of Pittsburgh.
Ewd. R. Heckel, M. D., University of Pittsburgh.
Ewd. Stieren, M. D., Pittsburgh.
C. M. Harris, M. D., Johnstown.
L. H. Taylor, M. D., Wilkes-Barre, President of State Society.
J. Geo. Becht.
Samuel T. Bodine.
O. H. Burritt.
Frank Miles Day.
A. C. Dinkey.
Theo. N. Ely.
L. C. Madeira.
I. P. Pardee.
Col. J. M. Schoonmaker.
Benj. G. Wells.

I also want to read you some of the reasons why the physicians of the State of Pennsylvania oppose this bill, which are as follows:

"This bill grants to opticians (optometrists) the right to adjust lenses to people's eyes in need thereof, and denies them the right to use drugs. Without the use of drugs, in certain cases, even the most competent physicians cannot properly adjust lenses to eyes, especially in children, and great harm can be produced by attempting such practice without the use of drugs.

"This bill is an invasion of the Sphere of Medicine in one of its most important branches, and confers privileges on certain people, which, in accordance with the wording of the Act, they are utterly incompetent to exercise

"The knowledge of optics alone, however extensive, does not render a person competent to do the work this bill would give opticians the right to do.

"The many diseased conditions of the body which may influence the eyes and vision are not considered at all.

"The ability to make a diagnosis is necessary to enable one to discriminate between visual defects due to diseases and those due solely to optical errors, both of which often exist at the same time and this ability requires more than a knowledge of optics.

"It is a most vicious type of special legislation in that it permits an examining board of opticians to discriminate between opticians who apply for certificates of exemption.

"The recommendation of this board is necessary before these certificates can be granted and this board can limit its recommendation to a chosen few, forming an optical trust.

Gentlemen I think I have made it as plain as possible why this bill should not become a law and I hope that it will be defeated and defeated finally. There is no reason why Pennsylvania, the home of medicine in America, where the science first took his origin, should approve of a measure of this kind, because some other State does so.

Mr. STEELE. Mr. Speaker, in answer to the arguments brought forth by the gentleman from Allegheny in his speech last night, I would like to prove to the members of this House that this is not only a vicious bill, but also a deceiving bill, deceiving in so far as States that it wishes to protect the public from the traveling salesmen of glasses and vicious in spite of the fact that they say they wish to protect the public in that they wish to take that money away for the traveling peddler and put it in their own pockets.

Now, before we go further, let us understand the meaning of some of these terms that have been put forward in this bill, First, an oculist is a man who has had a preliminary training in the fundamental principles of the science, has spent four years in a medical college and then taken a post graduate course of probably a year or more, and the man who is a specialist in eye diseases is an oculist and physician. An optician is a man who has not studied any fundamental diseases of the eye, has not gone to a medical college and not a graduate and therefore has had no post graduate work. That man is an optician. Now opticians are divided into two classes. First, we have the manufacturing optician. This is a man who manufacturers lenses and mountings and he sells them to the retail optician. The retail optician is divided into two classes. First we have a dispensing optician. This is the man who mounts lenses and fills the prescriptions of oculists. Then we have the refracting optician. This is the man who besides grinding lenses and mounting them and filling the prescriptions of doctors, that man also measures eyes. No last of all is the optometrist, who is merely the tester of eyes. In their definitions in this bill you will read where they say that optometry is "defined to be the employment of any means other than the use of drugs for the measurement of the powers of vision and the adaptation of lenses for the correction and aid thereof." Note, that this is without the use of drops. Now we claim that there is no man that can measure or test the eyes adequately without the use of drops. Why here is a lot of men coming to you to-day and asking you to vote for a bill, an optometry bill, who do not know any more about the inward working of eyes about the retinae, about the crystaline lenses, about diseases of the eyes, than what you do. All that these men know

how to refract lenses and to fit for glasses. That is all they know; and how these men are going to give an examination to men to pass an examination which they think is something adequate for the protection of the general public is something I do not know.

They tell us to vote for this bill in order that they may have the right to examine the eyes. How can they make an examination of the eye when they do not know anything about the eye or the inner workings of the eye, and would not know a cataract from a glaucoma. There is no man here who can stand up and tell me that he can examine eyes without the use of drops. They tell us that the use of drops is a serious matter, but I tell you gentleman that it is not a serious matter, between childhood and the age of forty to use drops in order to be adequately informed as to what you have when you do make an examination of the eyes. One disease that we find from examination of the eye is the chocked disk that you find from the start of Bright's Disease, and that can be found from an examination of the eye. In the examination of the eye, a man who is a physician is better able to detect that condition, so far as the examination of the eye is concerned, than these optometrists. They will tell you that the reason they want this bill to pass is because they wish to stop those traveling vendors from selling glasses and faking the public. There is no set of men who can stop them. If they wish to go around to the different houses and the people allow them to do it, and the authorities allow them, there is no set of men who can stop these fakirs. There might be a law to get some of them, but you cannot stop them all. The idea of this bill is this; the members of that profession or business want to have their profession recognized, and the moment that they do have recognition, they will be able to advertise in the newspapers and in the journals and call themselves doctors of Optometry, and the moment they put that word "Doctor" before their names, they begin to fake the public, because they are not doctors. Instead of being oculists, they will call themselves doctors of Optometry, and will advertise, "I cure without the use of drugs. The moment they do that, they are commencing to fake, just as they are faking in their bill, and I want to read you a part of the bill. On Page 5001 it reads like this:

> And whenever practicing said profession of optometry outside of or away from his or her principal office or place of business he or she shall deliver to each customer or person so fitted with glasses a bill of purchase which shall obtain his or her signature home post office address and the number of his or her certificate of registration or exemption together with a specification of the lenses furnished and the price charged therefor and any person who shall practice or attempt to practice optometry as defined by this act or who shall use any of the terms or letters optometrist optometry doctor doctor of optometry diplomat in optometry or Opt. D. or any other title or letters under such circumstances as to induce belief that the person who uses such terms is engaged in the practice of optometry without having first obtained the certificate herein provided for.

If you have a matter of law that you wish to have put through this House, would you have it put through by a doctor or by a lawyer, I ask you that first? In this instance we have a lot of men instead of coming to the physicians for a confirmation of the bill, they employ a lawyer to do this work. Why do they do this? There are nine or ten doctors in this House and one oculist. It does not mean a cent to me one way or the other whether this bill passes or not. I do not treat eyes. If I find a diseased condition of the eye I send the case to the oculist. If there is some error in refraction, I send it to the optician. If these gentlemen are sincere why do they not go to the State Board of Licensure. This Board will meet them more than half-way in an effort to draw up some law to protect the public. There is no man but knows that we have in this State a Board which is second to none in the United States, and I will not take off my hat to any one from any State who says his Board is as good, or equal to ours. We have on that Board seven good, honorable, upright men. I only want to close by saying this, that if you pass this bill and it goes to the Senate and is OKed by the Governor, you have placed these men upon pinnacle to examine other men. You are going to allow these men to examine the eyes when they know nothing about the eyes, being simply testers of eyes. I ask every man in this House to vote this bill down, because it is a most vicious and deceiving bill, no matter what any person says to the contrary.

Mr. CHEESMAN. Mr. Speaker, I shall not take much of you time in what I have to say on this bill but I want to make plain to you some things that seem to be mistifying. In the first place, I want to say, there is no law to-day that protects the public against fakers in Optometry. Any man can go out and advertise himself as a specialist in fitting glasses to the eyes, and there is no law to hinder him, no law to protect the public against him. We propose by this law to measure out some protection to the public. Can we make things any worse than they are by the passage of this law. If it is not a complete law, affording complete and absolute protection, it is better than none, and it will regulate to some extent the nefarious practice of those who are utterly incompetent to treat the eyes in any shape at all. This bill is in force, or a similar law, in thirty States of this Union. Can it be such avicious law if it is enforced in thirty States in the Union. There is nothing vicious in it. Where does the opposition to this bill come from? We find a large part of the opposition in the medical profession, but not all doctors are opposed to this law. I have had a letter from one doctor in Butler county asking me to vote against this bill. Not all of them, but some, and many of them and physicians in this House, have admitted to me that there are merits in this bill. The medical profession asks that they alone be allowed to exercise this right. Now let me call your attention to this. The medical schools do not provide any regular course of medicine for a special course for the treatment of the eye. If a physician is to practice as an oculist, he must take a special course. Now if this is the case, why is it that none of the doctors should practice it? That contention will not stand. As to the use of drops, I want to say this, as the speaker before me, the gentleman from Allegheny, has said that eyes cannot be fitted except by the use of drops, correctly. Personal illusions are not to my taste, but here I ask your indulgence. I had my eyes treated by different doctors, I had my eyes treated by a doctor who used drops, and for ten years I failed to get a satisfactory adjustment of the lenses for my eyes. I went to an Optometrist and the first and only test I had gave me a complete and perfectly satisfactory adjustment, and the use of drops did not do it. My experience has been duplicated by others which I know of personally. Then again the optometrist does not charge the exorbitant prices. A member came to me a few minutes ago and said that he had paid an oculist twenty-five dollars for fitting glasses to his eye, and that he got a good fit. I paid five dollars and received perfect satisfaction, and gentleman that is the reason why the medical profession are opposing this bill, if you sift it down. They it will bestow upon the one receiving the certificate, the title of doctor. Why are they so jealous about the use of the title? This bill provides for some preparation, that the applicant must have been for two years in the office of some practicing optician, or in some school of Optometry. It gives him some title, and if he has the title of doctor, what is wrong about it. He can go out to-day and hang up his shingle and call himself a doctor without any certificate at all. I can see no reason now why any man should vote against this bill, and I hope it will receive the support of all the members of this House.

Mr. DICKINSON. Mr. Speaker, I move that this bill be dropped from the Calendar.

Mr. FAHEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, it seems to me that the gentleman from Dauphin is attempting to do something here that he does not appreciate his action. The bill has been discussed at some length, was discussed yesterday at some length, if you please Mr. Speaker, and was put over until this time for further consideration. It was presumed at that time that the bill would be thoroughly discussed pro and con. I challenged debate on the matter yesterday in opening upon this bill. The challenge has been accepted up to this time. I saw at the time the gentleman from Butler was recognized by the Chair some two or three gentlemen who seemed to be anxious to be heard on the matter. It being my privilege to open the discussion, I felt that these gentlemen would have the privilege of taking their turn and being alowed to talk on the merits of the bill. The motion to strike from the Calendar will not clarify matters, Mr. Speaker, because that will require a yea and nay vote, or it could be demanded just the same as on a bill.

It will not advance matters in the least, if the bill itself were to be defeated on final passage, and if the bill were to

be stricken from the calendar by a roll call it would take the same length of time to call the roll, as it would upon final passage. If the House stood and refused to strike the bill from the calendar then in that event there would be two roll calls. Now, why this action? I hope, Mr. Speaker, in order that this question may be thoroughly thrashed out, in order that proper courtesy may be shown to the members of this House who have some interest in the passage of this bill, the same courtesy that has been accorded to other members of this House in relation to their bills, I ask that this motion be voted down at this time, and if there be further discussion in this matter, then that it be allowed to proceed.

Mr. DICKINSON. Mr. Speaker, I withdraw my motion to strike the bill from the Calendar.

Mr. RUNK. Mr. Speaker, I am going to give you specific charges against optometry, right in Harrisburg. There are cases right here that are sufficient grounds for opposing this bill. If I will be given the attention of the House ,I can present to you in three or four minutes all that I wish to say.

Mr. Speaker, Dr. Steele has given us a comprehensive definition of the Oculist, the Optician and the Optometrist. I shall refer only only to the Optometrist. "By their fruits ye shall know them."

Here are a few references which can be easily proven:

Inquiries among a number of eye specilists, revealed fifty cases of blindness, resulting from Glaucoma, or what is known as hardening of the eye balls, which was not recognized by the Optometrists, who placed glasses on these patients, all of whom were told to that if they would wear the glasses for awhile their sight would return. Had these patients been properly treated they would not now be blind. These are the Optometrists whom it is proposed to in this bill to license and thereby give a false standing in the eyes of the public. Does this look as though the Optometrists refers all cases of diseased eyes to the physician?

The Optometrists claim that they give cheap service to those who cannot afford to pay an occulist his fee. The occulist of this State give more than half of their time without compensation to examination and prescribing for the poor and those who are in moderate circumstances. One specialist whose office I visited last week, treated forty-five patients in one day. Twenty-one of these patients paid him a fee for services. The other twenty-four received treatment free, and those who needed glasses received them at a price, averaging $3.00. Does this look like prohibitive prices on the part of physician specialists?

Into an eye specialist's office in Harrisburg some time ago, came a young man with twelve pair of glasses, one pair from each of twelve Optometrists he had visited for treatment. Examination revealed the fact that he had a disease of the eyes which was cured by the proper treatment and he needs no glasses and never did. Do we propose to license these twelve Optometrists without an examination and thus aid them in further deceiving the public?

You have no doubt all noticed the tall blind man selling chewing gum opposite the Court House on Market street in this City. He had his right eye removed seventeen years ago and has worn a glass eye ever since. The nerve of the left eye has been absolutely dead for four years. At various times, each of three Optometrists, without an examination, approached this man and offered to give him his sight in the left eye for sums varying from fifty to two hundred dollars, and one man offered to give him sight in the right eye for $300.00, notwithstanding this poor man had a glass eye.

A gentleman, who operates one of the machines, setting the type by which these vast numbers of bills before us are printed, lost two and one-half years trying to regain his eyesight, which had been gradually failing. Before he went to a specialist when his disease was discovered. He was nearly blind and talked of jumping into the river. His disease was in his small bowels, and when corrected his eyesight cleared up and he has not lost time in five years. He needed no glasses, although Optometrists had given him glasses for two and one-half years.

Last and not least is the case of a Harrisburg High School girl. I have photos of her eyes, before and after an operation by a specialist. Seven pair of glasses had been furnished her by Optometrists until her vision disappeared entirely. The eye specialist performed an operation on her brain which brought back full vision in one eye and half vision in the other. She needed no glasses, is now married and is the mother of a healthy boy.

These men who have made these disastrous blunders are the men whom you propose in this bill to license without examination and thereby legislate an aducation into their offices artificially bringing them in the eyes of the public on a plane equal to the eye-specialist, who has spent seven years or more in college and many more in post-graduate work. You will put them in position to make many fold more blunders.

The sponsor of this bill has said that the optometrist of the future according to this bill will have to be educated. What? He must have two years high school and then spend a certain time in the office of one of the men who make these awful bunders. Is the pupil likely to be superior to his teacher?

I know there are people who cannot afford to pay high prices to an expensive occulist but a great many occulists will treat free where people cannot afford to pay the prices. Take the institutions in Philadelphia; I can point you to one after another, among them the Medico-Chi College, and I don't know how many hundreds of cases are treated there every year for nothing, and these institutions receive appropriations for that purpose from the State. If these optometrists can be licensed through the passage of this bill, they will put the name "Doctor" on their windows and they will go on faking the public. I am opposed to giving these men a license and I have made specific charges why a license should not be granted. The only stock in trade an optometrist has is his glasses, and that is all he knows and he does not pretend to know anything else. He will drive people into blindness and I wish everybody could see these pnotographs.

Mr. ALLEN. Mr. Speaker, just one word. Yesterday, when the discussion was open, I tried to carry the House through the bill pointing out the various provisions in this bill challenging the gentlemen who had opposed it on the floor of the House to indicate in any section or in portion of the bill where any great danger lay. This morning I have listened with some considerable interest to all that has been said and to the action that has been taken and to the open charges of fraud and deceit and all that based upon I know not what. Now, Mr. Speaker, I would like to interrogate the gentleman from Mountour.

The Speaker. Will the gentleman from Mountour, Mr. Newbaker, permit himself to be interrogated?

Mr. NEWBAKER. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I would like to know whether or not he be an M. D?

Mr. NEWBAKER. Mr. Speaker, yes, sir, I am.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether he now makes the eye a specialty?

Mr. NEWBAKER. Mr. Speaker, I do not.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not he relies on his own examination in reference to the eye?

Mr. NEWBAKER. Mr. Speaker, I do so far as diseases are concerned which can be treated by a general practitioner, but when I find anything which I don't understand as a specialist, I recommend my patients to an eye specialist for a consultation.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Montour whether or not there are any evidences of troubles which manifest themselves in the stomach when the source of trouble lies far distant from that organ?

Mr. NEWBAKER. Mr. Speaker, exactly; I agree with that.

Mr. ALLEN. Mr. Speaker, I ask further if in such cases and under such circumstances, it would not be necessary to call in nerve specialists and that specialists would be needed for proper examination and would they not be the proper persons?

Mr. NEWBAKER. Mr. Speaker, No, sir; Because an eye specialist and not a general practitioner would be required, who is conversant with all those pathological conditions which in a reflex way effect the vision. That is why you would consult an occulist.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steele.

The SPEAKER. Will the gentleman from Allegheny, Mr. Steele, permit himself to be interrogated?

Mr. STEELE. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman what the word "doctor" means?

Mr. STEELE. Mr. Speaker, I will have to answer that in my own way.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman what the word oculist means? But first what D. D. means?

Mr. STEELE. Mr. Speaker, Doctor of Divinity.

Mr. ALLEN. Mr. Speaker, what does doctor mean particularly in connection with divinity?

Mr. STEELE. Mr. Speaker, that he must be a graduate from a college and hold a diploma from that college and be a professional man.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman what D. D. S. means?

Mr. STEELE. Mr. Speaker, It means Doctor of Dentistry.

Mr. ALLEN. Mr. Speaker, I would like to ask the gentleman what M. D. means?

Mr. STEELE. Mr. Speaker, it means doctor of medicine.

Mr. ALLEN. Mr. Speaker, what does doctor mean?

Mr. STEELE. Mr. Speaker, it is used in connection with medicines; he must have the science of medicine to practice, and necessarily is required to have a diploma by law, in order to treat disease.

Mr. ALLEN. Mr. Speaker, the meaning of the word "Doctor" expresses in one word learned—is not that it?

Mr. STEELE. Mr. Speaker, not necessarily so.

Mr. ALLEN. Mr. Speaker, I said a moment ago that I had listened with some degree of expentancy to see where they could indicate in this bill any deficiencies or its dangers and up to this moment, I challenge the honest judgment of every member of this House, as to whether or not that challenge was accepted or whether anything has been done in that particular line. It was indicated Mr. Speaker, upon the floor of this House a few moments ago by the gentleman from Allegheny and I use his own words that if the optometrists want recognition, let them go to our Board of Licensure—our Board of Licensure and why? They don't propose, Mr. Speaker, to practise medicine. They use no drugs. Optometry itself, as the gentleman stated in his opening argument, was defined in the bill and he said in his own words, that it meant absolutely nothing and yet, in the very next breadth before the intelligence of this House, he says "Go to our Board of Licensure" and if they place their stamp of approval upon you, it means something. Why? A doctor of dentistry, if you please, would not need to go to a State Medical Board of Licensure in order to prove himself a dentist; neither would a blacksmith, neither would a fireman, neither would a lawyer.

Well, I don't know, Mr. Speaker, that there is anything so hallowed that has ever manifested itself and hung a halo around the word "doctor". Let us be fair. The statement was urged that there were no honest men to-day who knew anything about their profession who are to-day fitting glasses, unless they come under our Board of Licensure, and know how to administer drugs. Mr. Speaker, I do not propose to take up the time of this House; I know its value. I do not propose to take up the time of this House in answering every insinuating innuendo that has been worked into this argument. It was suggested that if this profession, if you please, if this profession which, according to the medical catalogue, seems to be at the very foot, and is named before the refracting oculists, and those other varieties—I could not keep up with them because I am not a medical man—who if this profession saw fit to introduce a bill so that the first place they could come would be to our profession, the medical profession.

And I say they took somebody that was not a medical man to introduce the bill upon the floor of this House. I presume, Mr. Speaker, that when they sought a lodging place for the handling of that bill, they thought it would be better in the hands of a layman who was better able to take care of it justly and fairly and according to its merits and without any bias of any kind, whatsoever. Mr. Speaker, I desire at this time to say to the members of this House that there is merit, and no demerit has been held up before you by any single one of those who have attacked this bill; there is merit; there is meat in every line of the bill; and has anyone yet told you why, starting in 1901, twelve ago, when this law was first written upon the statute books of one single state in these United States, and that during the last twelve years it has come down and been written into the statute laws of thirty states, has anyone told you that any of those states have found it to be a fake, or have repealed the law when it was once written upon their books? No. Not that. But we don't want it unless it comes under the State Board of Licensure, and if it comes under that we will take care of that particular branch. Why, Mr. Speaker, it is not the first time that the same bid was made by this same profession, and yet it has broadened, and broadened from year to year. As was suggested upon the floor of this House yesterday by one of the same profession, this bill has been before the House before. Yes. And it was suggested to you further by that same authority that when it was first introduced it failed to come out of the committee. Very true. And as time went on it was re-introduced and came out of the Committee. Very true. And was licked upon the floor of the House. Very true. And it was said that again it was introduced and that it came out from the Committee, was passed and was vetoed. Progress, progress every day. Yes, Mr. Speaker, and when this Legislature in its wisdom writes upon the statute books of Pennsylvania this same bill that is now before you for your consideration to-day, it will but be doing that same thing which the states and states of high intelligence have done during the past twelve years, and Pennsylvania has the opportunity to-day to be the thirty-first in that same category on this subject, and I ask this House to support this bill.

Mr. NEWBAKER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. ALLEN. Mr. Speaker, so far as I am able to respond.

Mr. NEWBAKER. Mr. Speaker, I desire to ask the gentleman whether in the study of law there is any department devoted to the science of oculists.

Mr. ALLEN. No.

Mr. STEELE. Mr. Speaker, it seems to me to be the delight of the member from Allegheny to try to lessen the courtesy of the members of the House toward the medical profession and of the medical profession to themselves. But because that gentleman has dared to say that, I wish to inform you, Mr. Speaker and Gentlemen of the House, that he has not succeeded in doing it with me. And although he has not tried to uphold our State Medical Board of Licensure in Pennsylvania, it will not make me believe that. I believe it to be the finest medical board in the United States, bar none.

Mr. STEELE. Mr. Speaker, with reference to the address of my colleague the sponsor of this bill, yesterday he informed this House, and tried to bring out the result of the happy family of the medical profession, due to the various branches being joined under the Act of 1911, when the osteopathic, homeopathic, eclectic and allopathic joined hands. That, gentlemen, is the very thing we were glad to hear him say. That is selfevident and proof of my argument of yesterday, when we asked that those gentlemen, with their bill of optometry, specifically tell us what they are going to do and what they are going to examine their applicants in.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STEEDLE. Delighted, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, when he says, "tell us," whom does he mean?

Mr. STEEDLE. Mr. Speaker, the members of this House.

Mr. ALLEN. Mr. Speaker, I beg pardon; I misunderstood the gentleman.

Mr. STEEDLE. Mr. Speaker, I quote you from the Act of 1909, when the Osteopathic Bill passed this House. In their bill they specifically state what the student of Osteopathy shall be taught. They further go into the subject and state what the applicant before the Board of Examiners shall be examined in, and which is specifically set forth in the bill in the Act of 1909. They say:

"Upon the making of said payment and proof, the State Board of Osteopathic Examiners, if satisfied with the same, shall admit said applicant to examination as to his other qualifications for the practice of steopathy: which examination shall include the subjects of anatomy, physiology, chemistry, toxicology, pathology, diagnosis, hygiene, obstetrics," et cetera.

And that is, gentlemen, just exactly what we want these gentlemen to do; to show us in their hearts that they are sincere; that they are not going to infringe upon our profession; stating it before this House; and in answer to the gentleman from Allegheny, I ask you whether those thirty states who have recognized this act have not specifically set forth the study and the questions that the applicants are examined in.

Mr. ALLEN. Mr. Speaker, in reply to the gentleman, having asked the question of me, I wish to say in reply that this is the same bill that has passed in those states.

Mr. STEEDLE. Mr. Speaker, if those gentlemen in the other states have erred, it is no reason why Pennsylvania should do likewise. It is right and only proper that we should get that protection, just as well as the legal profession by introducing a bill in this House that would permit the layman to practice law before a squire and not before the Judges of the Supreme Court. And that is what this this is. These men have stolen an art and they are asking this House to protect them and to protect that stolen art that they have stolen from the medical profession.

In reference to what the gentleman from Butler has said, he is absolutely misinformed when he says that the medical colleges of this state do not teach diseases of the eye. I want to inform the gentleman that at the University of Pittsburgh, if you will look at the curriculum, three hours every week are required on diseases of the eye.

Mr. CHEESEMAN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steedle.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STEEDLE. Yes, sir, Mr. Speaker.

Mr. CHEESEMAN. Mr. Speaker. I desire to ask the gentleman if he means to say that this course must be taken by every student.

Mr. STEEDLE. Absolutely; in his fourth year; yes.

Mr. CHEESEMAN. Mr. Speaker, I was informed by a member of this House, who is a physician, that such is not the case. If it is, I will turn it over on the other fellow.

Mr. STEEDLE. Mr. Speaker, I just want to say to that that it is only hearsay that the gentleman has. We will prove that in the University of Pittsburgh, University of Pennsylvania, the Medico-Chi and the Temple of Philadelphia all provide that a certain number of hours per week be given to education on treatment of diseases of the eye. It is in the curriculum and is stated very plainly therein.

The gentleman from Allegheny makes it a question of our board of licensure. It is not ours; it is the State's and belongs to the people. He saw fit, in 1911, as a member of this House, to pass this medical licensure act, and the medical licensure board willingly invite these men to apply to them to be taken in under the fold and give them the necessary protection. But no. In their subterfuge in this bill, they refuse to do that. Why? Because they know that if they do not comply with what is right; if they do not take up the study; have no preliminary qualifications; that they shall not practice optometry. Therefore, gentlemen, I ask you, in all fairness to every man—we are not opposed to the bill , without due occasion. If it were not for the subterfuge; if they would specifically state what they would teach us, or what they would teach their men; and specificaly state what they would examine their applicants in we would not oppose it. Therefore, Mr. Speaker and Gentlemen of the House, I ask you to vote this bill down and vote no.

In answer to the gentleman from Allegheny when he said that no other state specifically states what questions shall be asked of the applicants, I want to say that in Massachusetts and New York they do qualify them.

Mr. R. J. BALDWIN. Mr. Speaker, up to within an hour of this bill's being put on the calendar as a special order, I was opposed to it, but since listening to the arguments made in this House, I have been convinced by the opposition to this bill that we ought to pass it. And the very first question I will ask is: Have we been mistaken in the past in this State when we provided what we thought was a protection to the public, when we required the legal fraternity, the medical fraternity, and those who practice pharmacy to be somewhat qualified and to be of good character before they can hang out their shingle. If that be true, that we were mistaken in that, then we should not only vote this bill down, but go a step further; we should abolish this board that makes the examinations of those who shall have the right to use the "M.D." We should dismiss the board that gives the legal fraternity the right to hang out their shingle; and also the board which examines applicants to conduct a pharmacy. I don't think we have been mistaken. Now, every member of this House knows well, if he will stop to think, that, at the present time, no person, irrespective of character, irrespective of ability, can start down the road with some glasses in his hand and call himself an optician as anybody can hang out a shingle in Harrisburg or any township, borough or city in this State and practice optometry, without character, without any of the requirements that his legislature certainly ought to give to the public. The first thing, in my judgement, of importance in your medical board is to examine character, because the truth is that when I get sick the only man interested in keeping me sick is the medical doctor whom I call in to attend me. But as a matter of fact, conditions are not as they were fifty years ago when the fakes were imposing upon the public in practicing medicine and hanging out a shingle with M. D. I recollect very well of one of them when I was a boy fifty years ago, who simply read a few books and then started out in the neighborhood with a little satchel and was an M. D. But legislatures in the past saw the evils of that condition and they have now statutory law that thte man must present himself before a Board skilled or learned in that profession and after he proves his character—the most important part of it because if he has no character and practices the medical profession he may keep me sick to get my dollar and if he has good character, which I am glad to say that I believe ninety-nine and half per cent. of those practicing to-day have, he will absolutely, honestly treat his patient and try to cure him or try to relieve him, in other words. Now that thought you can all see as it runs through my mind, without my enlarging upon it. At the present time in this State anybody can go out and fake himself as an optometrist. If you pass this bill you will at least do one thing: Hereafter they will have to appear before a board appointed by the Governor of this State who will undoubtedly, irrespective—the Democrats think they will have control next time, and I have no doubt if they elect a governor they will elect a man who will see that the Board he appoints, is composed of men of good character and ability and they will inquire into the character of these men that ask for this privilege. They will see that they have had at least two years experience. Wont that be better than the conditions we have now? If it will better the conditions, and if it has been shown that these boards that have been created in the past to protect the public against fakirs have been along the right lines, have produced good results, then why should we hesitate one second to pass this bill and give to the Governor of the State the right to name the number provided for in the bill to make this examination which will at least insure good character in the future, if nothing more, and that is the great protection in the bill after all. I believe the bill should pass, and it is along the line we have gone in every profession The legal profession will not let you go so far as to let you read law without passing on you and when you read law four years they will want to see if they will allow you to hang up your shingle. If this thing is wrong, then those things are. We reap benefits from that and we will reap benefit from this, not in a year, but in the end undoubtedly it will elevate the profession and it will put men in that profession, who when I go to have my eyes eamined, will say, "You are not a fit patient for me. Go see an oculist". It is undoubtedly a proper bill to pass and it is not dangerous.

Mr. NEWBAKER. Mr. Speaker, in reply to the gentleman, I wish to state that the Board of Medical Licensure and Examination will take care of all applicants who wish to qualify as professional optometrists. They have offered to do so and we only need one Board. We have a single Board of exaimners in this State. The policy of legislation to control medical sects in this State is to require all sects to be examined before one Board. Afterwards they can practice any particular school of practice they wish to do. That is the policy of this State and it is statutory for all other sects. That is what I wish to say.

The previous question was moved by Mr. Walton, and others, but no other gentlemen desiring to insist upon discussing the bill, the question was put by the Chair.

Shall the bill pass?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—63.

Allen,	DeFrees,	Lanius,	Ramsey,
Ambler,	Dunn, H. B.,	Latshaw,	Rex,
Arthur,	Dunn, J. A.,	Leslie,	Rhoads,
Baldwin, R. J.,	Eichenberger,	Letzkus,	Rothenberger,
Bigger,	Ewing,	Lowers,	Scott, J. R. K.,
Blair, W. F.,	Frey,	Mannion,	Sherwood,
Brosius,	Gray, Frank	McAleer,	Smith, L.,
Brownlee,	Hackett,	McArdle,	Stein,
Burnett,	Hess,	McClintock,	Thomas,
Campbell, C.M.,	Hibshman,	McDermott,	Walsh,
Carson,	Hoffman,	Miller,	Watson,
Cheeseman,	Jackson,	Missimer,	Williams,
Cochran	Kaiser,	Moore,	Young, G. K.
Conner,	Keeport,	Murphy,	Young, J. H.,
Cox,	Kennedy,	Pennock,	Alter,
Curry,	Klepper,	Piper,	Speaker.

NAYS—114.

Alworth,	Good,	McCaig,	Schuck,
Baldwin, G. A.,	Grabe,	McNichol,	Scott, S. B.,
Barner,	Gransback,	Metzenbacher,	Semmens,
Becker,	Gray, Joseph,	Mitchell,	Shaffer, C. A.,
Benninger,	Haggerty,	Morrow,	Shaffer, I. E.,
Benson,	Heidinger,	Moses,	Shern,
Bergey,	Hemminger,	Moulthrop,	Showalter,
Blair, W. A.,	Herman,	Musser,	Smith, J. W.,
Bleloch,	Heyburn,	Neel,	Snyder,
Body,	Howard, J.,	Neely,	Spangler,
Caldwell,	Howard, R.,	Newbaker,	Spillinger,
Campbell, J.J.	Humes,	Newton,	Steedle,
Claycomb,	Irwin, G. C.,	North,	Steele,
Cleary,	Irwin, H. H.,	Peachey,	Stone,
Collins,	Jones, E. E.,	Pennegar,	Swartz,
Currier,	Jones, J. R.,	Perry, H. L.,	Swift,
Davis,	Kaufman,	Peters,	Trach,
Dickinson,	Keegan,	Post,	Ulerich,
Donahoe,	Kenna,	Price,	Ulman,
Donnally,	Kern,	Redfield,	Walnut,
Ely,	Kitts,	Reeser,	Walton,
Fahey,	Kuhn, H. P.,	Richards,	Wettach,
Flynn,	Kuhns, E.G.M.,	Robinson,	Whitaker,
Foster, J. D.,	Light,	Roney,	Wildman,
Gans,	Lohr,	Runk,	Wilson, J. H.,
Geary,	Martin,	Sassaman,	Wilson, W. H.,
Geiser,	Mather,	Savacool,	Wiltbank,
Gibson,	Matt,	Schaeffer, A. C.	Zimmerman,
Glenn,	McAllister,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 14, 1913.

Resolved, (if the House of Representatives concur), that when the Senate adjourns to-day it shall reconvene on Monday evening, April 21, at 9 o'clock.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Mr. S. B. SCOTT. Mr. Speaker, it appears that the Senate is refusing to take any action whatsoever on the most important measures which the House has passed to the Senate. The Senate by its vote has placed itself on record that it will not discharge the committees which are holding these measures. It seems to me that the House must in some way express its disapproval of the action of the Senate in regard to these matters. I think the way to do it, Mr. Speaker, is to refuse to permit the Senate to adjourn until there has been some action on the measures which the House has passed. I am utterly opposed to this resolution, and in order that the members might go upon record, I call for the yeas and nays.

Mr. SHERN. Mr. Speaker, on page 23 of Smull's Handbook, in section fourteen of the Constitution of the State of Pennsylvania, it reads as follows: "Neither shall, without the consent of the other, adjourn for more than three days, nor to any other place than that in which the two houses shall be sitting." On page 951, in the decisions of the House on points of order, you find the following: "A motion was made that when the House adjourns this Wednesday, it will be to meet on next Monday evening at nine o'clock. The point of order was submitted that it was unconstitutional for the House to adjourn for more than three days without the consent of the Senate. The Speaker decided the point of order not well taken; that an adjournment of the House from Wednesday until the succeeding Monday was not an adjournment for more than three days as provided by the Constitution of Pennsylvania, Sunday being a dies non. See Buckalew on the Constitution of Pennsylvania, edition 1883, page 52. Construction: it has long been held that the three days limitation in this section (section 14, article 2), is exclusive of Sundays, and such is the settled construction. Therefore, whether natural or secular days are intended by the authors of the limitation is not now a question of practical importance. Judicial Opinion: West Philadelphia Passenger Ry. Co. vs. Union Pacific Ry. Co., and Bancroft vs. same, 29 Legal Intelligencer, 196, 4 Leg. Gaz. 193." What is the use of all this talk and buncombe when it makes no difference to the Senate whether we concur in the resolution or not. Since Sunday is a dies non it is immaterial whether we concur in that resolution or not.

Mr. ALLEN. Mr. Speaker, I take it that the resolution simply sounds the sentiment of both branches of this Legislature as to the action of these two bodies. If the approval of this House is stamped upon the resolution which is now before us, then in that event those members of the House who see fit can place themselves on record as standing shoulder to shoulder with the line of action adopted by the Senate. If this House, notwithstanding the fact, perhaps, that it may not be able to reconvene the Senate or hold it in session until such time as we may allow it to adjourn until next Monday, notwithstanding the fact, Mr. Speaker, the voices of the individual members of this House upon a vote upon this resolution either says that they approve or disapprove of the action of the Senate. It seemed to me a week ago when this same resolution was introduced into this House that the sentiment of the members was evidenced itself here in unmistakable terms, and I believe that at this time the members of this House individually who are responsible to their constituents for not only the work that is being done here but the work that is being done across the way, are willing to go upon record and I heartily approve of the suggestion of the gentleman from Philadelphia, Mr. S. B. Scott, that a roll call be taken on this matter so as to determine the individual sentiment of the members of this House in relation to this matter.

Mr. JOHN R. K. SCOTT. The suggestion that has been made by the gentleman from Philadelphia, Mr. Shern, that the concurrence of the House in this resolution is not necessary, to my mind is not relevant to this present question now before the House. The Senate has seen fit to send a concurrent resolution to this House for us to approve of their adjournment until Monday. It is for this House to say whether or not we do approve of their adjournment. If we do not we should vote against concurrence. If the Senate sees fit through their presiding offer to decide that they have the right to adjourn or to take a recess until next Monday night, that is for that body to decide through its presiding officer, and we have no way of enforcing their proper decision But for a gentleman of this House to raise the question here and ask us to concur in the concurrent resolution of the Senate merely because of the decisions which he has read to the House, which many of us feel have no weight, it take it it should in no wise guide the votes of the members of this House. We are here now to say whether or not we approve of the defiant attitude of the Senate, whether or not we will become a party to their refusing to act on the legislation that we have sent there. We have by this vote to say whether or not we approve of the Chairman of the Judiciary Special Committee, for instance, standing on the floor of the Senate and refusing to give even hearings, refusing to give either hearings to the members of the Senate or outside parties to so important a bill as the Constitutional Convention Bill; whether we approve of the Chairman of the Elections Committee refusing to put upon the floor of the Senate so important a bill as the State-wide Primaries Bill which has been clamored for throughout this entire Commonwealth; whether we are going to approve of such conduct, whether we are going to become a party to such stifling of legislation. Mr. Speaker, I hope that the members of this House, for the sake of ourselves and for the sake of the presiding officer

of this body, will stamp our disapproval upon such conduct and refuse to concur in this resolution for adjournment.

Mr. JOHN ROBERT JONES. Mr. Speaker, this is an important matter, and I do not regard any action of the House in refusing to concur with the Senate's desire to adjourn is a discourtesy to the Senate. I sponsored certain election bills which the House passed. Those bills carried out the pledges of a political party of this State and were agreed to by another party of this State. They have been in the hands of the Senate Elections Committee for weeks and weeks. They have taken no action upon them. yet week after week they come here with a resolution asking us to consent to their adjournment stating broadcast to the State that their calendar is clear. The calendar may be clear, but the truth of the matter is that these important measures are still in the hands of the committees and the Senate refuses to discharge its committees from the consideration of those measures. It is not the question here of whether or not the Senate has the right to adjourn without our consent. The question here is that they ask our consent and if you agree to it as members of this House, you agree to their manner of acting on these measures, and I say to you, Mr. Speaker, that it is about time that the House refuses to approve of the conduct of the Senate on matters of legislation which have been promised to the people of Pennsylvania, and I ask this House not to concur in this resolution for adjournment.

The question recurring,

Will the House concur in the resolution of the Senate?

The yeas and nays were required by Mr. S. B. SCOTT and Mr. ALLEN, and were as follows:

YEAS—45.

Ambler,	Eichenberger,	Kenna,	Piper,
Arthur,	Ely,	Kuhn, H. P.,	Price,
Baldwin, R. J.,	Ewing,	Leslie,	Robinson,
Berntheizel,	Fahey,	McArdle,	Roney,
Conrade,	Gans,	McCaig,	Rothenberger,
Cox,	Gransback,	McNichol,	Shern,
Curry,	Haggerty,	Missimer,	Sherwood,
Davis,	Heyburn,	Mitchell,	Thomas.
Dickinson,	Hibshman,	Moore,	Wettach,
Dunn, J. A.,	Hoffman,	North,	Wildman,
Ehrhardt,	Howard, J.,	O'Neill,	Wiltbank,
			Young, J. H.,

NAYS—135.

Allen,	Grabe,	Matt,	Schaeffer, A. C
Baldwin, G. A.,	Gramley,	McAleer,	Schuck,
Barner,	Gray, Frank,	McAllister,	Scott, J. R. K.,
Becker,	Hackett,	McClintock,	Scott, S. B.,
Benninger,	Heidinger,	McDermott,	Semmens,
Benson,	Hemminger,	McKay,	Shaffer, C. A.,
Bergey,	Herman,	Mellott,	Shaffer, I. E.,
Bigger,	Hess,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Howard, R.,	Miller,	Smith, L.,
Bleloch,	Humes,	Morrow,	Snavely,
Body,	Isler,	Moses,	Snyder,
Brosius	Irwin, G. C.,	Moulthrop,	Spangler,
Brownlee,	Irwin, H. H.,	Murphy,	Spillinger,
Burnett,	Jackson,	Musser,	Steedle,
Caldwell,	Jones, E. E.,	Neely,	Steele,
Campbell, C.M.,	Jones, J. R.,	Newbaker,	Stein,
Carson,	Kaiser,	Newton,	Stone,
Cheeseman,	Kaufman,	Peachey,	Swift,
Claycomb,	Keegan,	Pennegar,	Trach,
Cochran	Keeport,	Pennock,	Ulerich,
Collins,	Kennedy,	Perry, H. L.,	Ulman,
Conner,	Kern,	Peters,	Walnut,
DeFrees,	Kitts,	Post,	Walsh,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Walton,
Donnally,	Lanius,	Redfield,	Watson,
Down,	Latshaw,	Reese,	Whitaker,
Dunn, H. B.,	Lenker,	Rex,	Whitman,
Flynn,	Letzkus,	Rhoads,	Williams,
Foster, J. D.,	Light,	Richards,	Wilson, J. H.,
Frey,	Lohr,	Rockwell,	Wilson, W. H.,
Geary,	Malle,	Runk,	Young, G. K.
Geiser,	Mannion,	Sassaman,	Zimmerman,
Gibson,	Martin,	Savacool,	Alter,
Glenn,	Mather,		Speaker.
Good,			

So the question was determined in the negative and the resolution of the Senate is not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1444, entitled:

An Act to amend the second third fourth fifth sixth seventh eighth eleventh twelfth and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven by extending the powers and duties of the State Fire Marshal his deputies and assistants and providing penalties for violations of said act as amended and to repeal the fourteenth section of said act

On the question,

Will the House agree to the bill on third reading?

Mr. JOSIAH HOWARD. Mr. Speaker, I ask unanimous consent to offer a special amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend Section 2, line 40, by adding after the word "whatever' 'the words "within the corporate limits of cities, boroughs and villages of the Commonwealth."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment?

Mr. RONEY. Mr. Speaker, I object to the amendment.

The SPEAKER. The Chair hears objection to the amendment.

Mr. JOSIAH HOWARD. Mr. Speaker, if I might be allowed to explain the purpose of this amendment I should like to do so.

The SPEAKER. If there is no objection, the gentleman will be permitted to explain the purpose of this amendment.

The SPEAKER. For the information of the House the amendment will be again read. (the amendment was then again read)

Will the House give its unanimous consent to accept the amendment?

Mr. RONEY. Mr. Speaker, I object to the amendment.

The SPEAKER. The gentleman from Cameron, Mr. Josiah Howard, desires to explain the amendment, if there is no objection?

Mr. JOSIAH HOWARD. Mr. Speaker, under an act of Congress the National Government has a testing bureau at Pittsburgh for testing explosives of all kinds. They have a corp of chemists which give you a permit for your powder. Your powder goes to the testing station, then you get a permit to use that powder in mines and other places. There is also a national board for the safe transportation of explosives of all kinds. The head of that board is in New York. This board has power to visit your factory and power to make regulations regarding the packing and storing and transportation of dynamite all over the United States. I believe. This bill as now worded gives the fire marshal of this State power to do all these things and do them with more force than this national board has. There is no limitation whatever to this fire marshal's power. The purpose of this amendment is that the fire marshal shall have power to regulate the storing of dynamite in the cities. boroughs and villages so that no store-keeper can keep explosives in his store or building except under such regulations as the fire marshal provides. The purpose of the amendment is that he shall not have power to visit the dynamite factories and the powder magazines and regulate the packing and the storing of these explosives in the magazines and at the factory themselves, but shall have absolute power in the cities and boroughs and villages and this amendment puts it in those words, "boroughs and villages." I think it is very necessary that these words go in to limit this power to the "villages and boroughs."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment?

Mr. RONEY. Mr. Speaker, I object and if the House will permit me, I will explain my reasons for the objection.

The SPEAKER. If there is no objection the gentleman will proceed.

Mr. RONEY. Mr. Speaker, in this amendment, the purpose of which is to restrict the supervising powers of the fire marshal, except as to cities boroughs and villages, this would permit the storage of large quanitities of highly explosive materials in other portions of the Commonwealth outside of boroughs where there would be no supervisory powers for the protection of human life and property. As I understand the question, the federal law on explosives in the United States inspection only applies as to manufacture

and shipment, but it would not affect the storage of it. They would have no supervision over the storage of dynamite in the State—is that right?

Mr. JOSIAH HOWARD. Mr. Speaker, no sir. They do have supervision on the packing and storage of explosives and on the manufacturing and packing, and state that boxes shall be lined and what kind of boxes shall be used and how it shall be stored and shipped and the grade of explosive matter is determined by this National Board. I will like to say, for instance, that the Pennsylvania Railroad Company under the rules of this Board has no right to carry any powder that has over 60 per cent of nitroglycerine in it, anyway at all, and it is by commission instead of by one man.

Mr. RONEY. Mr. Speaker, I desire to interrogate the gentleman from Cameron.

The SPEAKER. Will the gentleman from Cameron, Mr. Josiah Howard permit himself to be interrogated?

Mr. JOSIAH HOWARD. Mr. Speaker, yes, sir.

Mr. RONEY. Mr. Speaker, I desire to ask the gentleman from Cameron, is there any inspection as to the storage of explosives in country stores by the government?

Mr. JOSIAH HOWARD. Mr. Speaker, I don't know. My amendment gives this fire marshal that power in the country stores.

Mr. RONEY. Mr. Speaker, that is not an answer to my question. I ask if there is any inspection of explosives in country stores?

Mr. JOSIAH HOWARD. Mr. Speaker, I don't know.

Mr. RONEY. Mr. Speaker, then I renew my objection to the amendment.

Mr. JOSIAH HOWARD. Mr. Speaker, I move that the House go into Committee of the Whole for the purpose of special amendment.

Mr. CLAYCOMB. Mr. Speaker, I second the motion.

Whereupon, a division was called for and 33 gentlemen voting in the affirmative and 79 in the negative.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I was not aware as to whether or not any very great consideration had been given this bill by the members of this House, but those who have not investigated its provisions, I believe should. There are two ways in which the expenses of the State can be built up to an outrageous degree; one is by a salary-raiser the other is by a job-creator, and this bill comes under the latter class. This bill, to start with, provides for two more special deputies than the existing law provides for, at a salary of $2,500 a year; it also provides for a statistician at $2,500 a year; a chief clerk at $2,000 a year; a messenger at $1,000 a year, and such other clerks and deputies as the Chief Fire Marshal shall see fit to appoint, and the compensation shall be fixed by him. This bill even goes further than that; it provides that the chief clerks of the boards of county commissioners and the supervisors of townships shall be assistant fire marshals under the provisions of this bill, and that it shall be their duty, every time a fire occurs in their community, to communicate by wire that fact to the Chief Fire Marshal, and it makes it a misdemeanor for any one of those supervisors to fail to telegraph the notice of the fire to the Chief Fire Marshal. Why, I can imagine no greater outrage than to undertake to impose a duty and to make the failure to perform that duty a misdemeanor, upon county supervisors, county commissioners' clerks, burgesses, and chairman of councils in boroughs—

Mr. RONEY. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Very gladly, Mr. Speaker.

Mr. RONEY. Mr. Speaker, where in this bill does it appear that the Assistant Fire Marshal must wire to the State Fire Marshal?

Mr. HUMES. Mr. Speaker, if the gentleman will indulge me just a moment—

Mr. RONEY. Mr. Speaker, I would call your attention to Section 4 on page 7, which says that the report shall be made in writing.

Mr. HUMES. Mr. Speaker, I would call your attention to the provision in line 52 on page 7 of the bill, "Provided however That such assistants shall notify the State Fire Marshal at his office in Harrisburg immediately by telegraphic message of not more than ten words of the occurence of any such fire;" and next in line 59 it says, "Any of the aforesaid assistants of the State Fire Marshal who shall neglect or refuse to report to the State Fire Marshal," et cetera, "shall be guilty of a misdemeanor."

Mr. RONEY. Mr. Speaker, I desire to ask the gentleman whether in line 59, making it a misdemeanor, it refers to telegraphic messages or written reports.

Mr. HUMES. Mr. Speaker, the reports that the act calls for are telegraphic reports, and the final clause sets forth that failure to report as required by the act shall be a misdemeanor, and I think that the members of the House can interpret that without my going into the question any further.

With reference to the powers given to deputy fire marshals to destroy buildings where the buildings are dangerous in the fire sense, it also gives that power to assistant supervisors and county commissioners' clerks as assistants to the chief fire marshal. Are you in favor of extending such a power as that to the promiscous fire marshals that this act provides all over the State. And it goes further and authorizes the Chief Fire Marshal to employ such attorneys and detectives as he shall see fit. Now, I only mentioned the provisions of this bill in a general way. I call your attention to a condition which is confronting this House and this Assembly. We are confronted to-day with the General Appropriation bill that is from ten to twelve million dollars in excess of the amounts appropriated in that bill two years ago; and to-day the Appropriations Committee is struggling in an effort to cut down these general appropriation bills to a point that will be within the estimated revenues for the next two years. In that bill of two years ago, there was an appropriation of $70,000 to the Chief Fire Marshal and his Department. In this bill this year the State Fire Marshal is asking for $273,000, and that bill and the appropriation that he is asking for is based upon the theory that you are going to enact this bill into a law and make necessary an increase of over $200,000 in the estimated expenses of that Department. The general appropriation bill discloses more than this bill discloses. You will note in this bill two new deputies are provided for—the third and fourth special deputies—at $2,500 a year, with the power to employ such others as the State Fire Marshal may deem necessary, and the general appropriation bill shows what the purpose is. They dared not in this bill put in the real purpose and the real motive that is back of this bill, but in the general appropriation bill they ask for an apropriation covering forty deputy fire marshals in the State, so that by this bill you are not only creating those two additional special deputies, but you are enabling the State Fire Marshal to appoint forty additional deputies that the general appropriation bill provides for. It is about time that we call a check on some of these expenditures, if we are going to get them within the revenues of the State. The passage of this bill means that in the General Appropriation bill you have to increase that $70,000 that was appropriated two years ago to $273,000 that is being asked for by that department this year. I think this bill ought to be defeated by this House.

Mr. RONEY. Mr. Speaker, this is a bill to reorganize the State Fire Marshal's Department. It is to make it an efficient branch of the State government, and it is quite true, as the gentleman from Crawford has said, that in the redistricting of the State for the purpose of the work of the Fire Marshal's Department, that forty additional inspectors would be required for the purpose of doing efficient work. If, however, the House in its wisdom should feel, when the general appropriation bill comes up, that the forty inspectors provided for in the general appropriation bill would not be a good thing, as regards the matter of expense, that can be taken care of; but I do not want the House to lose sight of the fact that, if we are to have a State Fire Marshal's Department that is worth being called a State Fire Marshal's Department, it is going to cost some money. Now, the great difficulty which the State Fire Marshal's Department has been working under, under the act of 1911, is that it has no police powers. They simply go and investigate a fire and can only rely upon the action taken in that district by the district attorney of the county in which it occurs. They are asking for police powers, and they are asking that reports, written reports of the fires in the various parts of the States, be immediately transmitted to Harrisburg, so that the proper statistics may be had for use in its report. It is only in case of fires of incendiary

origin, where is to make an investigation as to the cost of it, that a telegraphic message has been required. I admit that the act is not particularly clear in respect to that, but that is clearly the purpose of the Fire Marshal in regard to that. Now, gentlemen, I do not think the cry about the increase in the appropriation ought to be the controlling question. This House is going to pass at this session of the Legislature, I hope, bills which will increase the revenues of this State between six and seven millions of dollars. I want this House to consider the one primary question. Is this State Fire Marshal's Department worth having? Is it doing anything or not? Gentlemen, I ask you in considering this bill to bear in mind that the State Fire Marshal wants control over the whole State insofar as supervision, jurisdiction and inspection is concerned. There is some opposition from the cities on the ground that it interferes with the local control exercised by the local fire department. I say that insofar as that is concerned, it is only a questinon of concurrent authority, concurrent jurisdiction, and there will be no conflict in the working out of this bill by them. This bill, whilst it provides right here definitely for two assistant deputy fire marshals, a chief clerk and a statistician, and whilst in the general appropriation bill, there is a provision for the appointment of forty additional inspectors, I say that these two propositions are separate, and the question now is whether to reorganize the department insofar as regulation is concerned, with powers over the whole State, and in addition of giving this State Fire Marshal and his deputies police powers, are matters for this House to consider now. I ask the members of this House to support this bill.

Mr. HUMES. Mr. Speaker, just one word in reply to the suggestion of the gentleman from Philadelphia. I do take issue with the gentleman that it is the province of the Fire Marshal's Department to make this a detective bureau for the purpose of tracing down and punishing crimes. I do agree with the gentleman that it is probably within the proper province of that department to use all reasonable means so that proper precautions are taken to prevent fire, but I say that after a fire has occurred, whether it be the result of a crime, or whether it be simply from the misfortunes of war, that the responsibility for punishing and invoking the criminal law lies with the criminal courts and the criminal authorities of the several communities, and I want to say to the gentleman from Philadelphia that where there is any question as to a fire being of incendiary origin, the insurance companies themselves undetake to investigate as to whether or not there is a criminal offence. Very few men will undertake to say that an insurance company does not go to the limit in ferreting out the crime of arson. I believe—

Mr. RONEY. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HUMES. Yes, sir, Mr. Speaker.

Mr. RONEY. Mr. Speaker, is it not a fact that the insurance companies in the State of New York have been lately discovered to be forming an arson trust?

Mr. HUMES. Mr. Speaker, I think it is not. That might have been the purpose of some of the local agents but it has not been the purpose of the companies themselves. I believe the criminal laws of this Commonwealth should be invoked by the State authorities. I believe the departments of the State government should direct their efforts to improving conditions generally in this or any other particular and leave the criminal laws to be enforced in the criminal courts by the district attorney and county detectives of the local communities, aided, as they will be in this case, by the insurance companies that are most concerned.

Mr. ROCKWELL. Mr. Speaker, I do not know whether I can make myself heard or not, or whether I can make my voice heard on this question, but I want to go back to the session of 1911, when the Fire Marshal Bill was originally passed. There seemed to be a demand for regulation of this character to investigate the causes of fires and to trace out their incendiary origin and prosecute the perpetrators if possible. There were two companion bills introduced, the Fire Marshal Bill and the bill to tax insurance companies one-fourth of one mill upon their gross receipts for the purpose of paying the expenses to be incurred under the Fire Marshal Bill. The Insurance companies were in favor of both of them. It was agreed in the Insurance Committee that they were both to go through, that the Fire Marshal Bill was not to go through unless the revenue raiser went through. When the taxing bill came out it was defeated in violation of the agreement and the understanding and they passed the Fire Marshal Bill. When the Fire Marshal Bill came up in 1911, I opposed it as being in violation of that understanding and agreement and I made a speech on the floor of this House against it, and I and my colleague from my county and several others even though we voted against it, were recorded as voting for it. I did not vote for it, but I am opposed to it because it was in violation of the gentlemens' or legislative agreement entered into at that time. Now, we come here for this consideration of a bill to reorganize a Department which has only been in existence two years and has only been in working order for four, five or six mnoths, and we have a proposition to change the salary list, from $70,000.00 to $303,000.00, and I have before me the report of the appropriation Committee in which these items are asked for and I will read them for your information.

They ask for the salary of the Fire Marshal, $10,000.00, for the salary of the Chief Assistant, $8,000.00; for the salaries of four deputies, $24,000.00; for the salary of the Statistician, $5,000.00; for the salary of the Chief Clerk, $4,000.00; for the salary of the messenger, $2,000.00 for the salaries of clerks and stenographers, $30,000.00; for the salaries of forty deputies, $120,000.00; for contingent expense, $100,000.00, making a total of $303,000.00 asked for in the General Appropriation bill for two years; and the appropriation for 1911, was $70,000.00, making an increase of $273,000.00. For these reasons it seems to me that a Department which has only been organized for the short term that this has, ought to be let alone and get itself in some kind of shape before we approach it in this magnificent form that this bill calls for.

Mr. R. J. BALDWIN. Mr. Speaker, do I understand that the salary proposition is contained in this bill? That is correct, is it not?

Mr. ROCKWELL. I understand this salary proposition in the Appropriation Bill was based on this bill.

Mr. R. J. BALDWIN. Mr. Speaker, and Gentlemen of the House I know that my friend from Tioga never tries to give a wrong impression to the House. I know that absolutely, but I have found him to be like myself, and like myself sometimes he makes mistakes. I make them oftener than he makes them, sometimes.

It is true that there were two companion bills here in 1911. It is also true that the Standard Insurance Companies, doing business in the State of Pennsylvania, did agree absolutely that the great benefits that would come from the Fire Marshal's Department would mean in the end, in their opinion a great economy, not only to the people but to themselves. They must have believed that or they would never have authorized those whom they knew intimately in the House to go on the floor and say so. I am a local real estate and fire insurance man and naturally come in contact with the leaders of the fire insurance companies in Pennsylvania doing business with headquarters in the City of Philadelpha. On account of that, they naturally, when they come to Harrisburg, talk to me on legislation on that line. Some people may call it "lobbying" but I believe that is the proper thing to do. I do not think anything of a legislator who allows himself to be influenced; but however, my friend from Tioga forgets that after the proposition to tax these companies was opposed the representatives who were acquainted with and in close contact with the Standard Fire Insurance Companies, myself amongst the number, and the records, if you will go back to the session of 1911, will prove that that is so,—stood for this tax, insofar as the Standard Companies were concerned and almost exhausted themselves on this floor to persuade the House to pass that bill in accordance with that agreement. Now, my friend from Tioga well knows that that whole proposition came from the Mutual Companies. I do not know at all whether the Mutual Companies did say in any way or indicate in any way that they would be willing to bear part of that expense. I do not know whether the gentleman from Tioga knows that, but I say that I do know that insofar as the Mutual Companies are concerned that they did indicate that they would be glad to bear an expense of one-fourth per cent. on their business, to assist the State in putting this into operation and it was believed at the time that if all the

companies would agree to it it would be no burden on the State, but when the bill came up all the mutual companies, or at least men whom I think were in contact with the desires of Mutual Companies, persuaded the House not to pass the bill because they persuaded the House that it would not be right to require Mutual Companies to pay that tax. They persuaded the House that in the past the Legislature of Pennsylvania, having never placed a tax on Mutual Companies, that it should not now place a tax on Mutual Companies. The point I want to make, the most impressive point I want to make is, that I think my friend from Tioga will concede that he was mistaken when he gave the House the impression that there was any bad faith on the part of the Standard Insurance Companies. That answers the question of what occurred in 1911.

Now, getting a little further into the bill, the gentlemen from Tioga and the gentleman from Crawford, I think agree that this bill that is now before us, carries with it no appropriation. The bill perhaps provides for more deputies than the old law. This bill provides for more deputies, but it says nothing about salaries, consequently the salary question should not be considered in considering this bill.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Sure, Mr. Speaker.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman if he has read the bill.

Mr. R. J. BALDWIN. Mr. Speaker, I have not read it carefully enough. If I mistake not, the bill don't do anything but increase the number of employees, but don't increase the salaries.

Mr. ROCKWELL. It increases the salaries. It fixes the number of dollars.

Mr. R. J. BALDWIN. Mr. Speaker, I do not want to misinform the House on that particular, but I do want to impress the House that that ought not to defeat this bill. That if that salary proposition is one that you don't agree with that you ought to postpone the bill. Every member of this House knows well that with the cost of the fire losses to the citizens of Pennsylvania and the great fire losses in this government of ours, we certainly need something to be done. Over in continental Europe where they carry out the very principles involved in this bill, where the government takes a hand in investigating every fire, where the government takes a hand in ferreting out and punishing those responsible for incendiarism, I think that is responsible for the fact that the fire loss in continental Europe is about 10 per cent. on the average of what the fire loss is in America and in the State of Pennsylvania. Now, if the fire loss in continental Europe is ten per cent. of what it is in this State there is something they are doing over there that we are not doing. Those who have studied the question and have given the most thought to it, believe it is because the government has not depended upon the local authorities to ferret out and punish. Experience, I think, will teach all of us that while we have a suspicion that a neighbor has done something that has led to a fire, we don't like to meddle with it, we don't like to get into a quarrel with our neighbor and don't want to be at odds with him because he is our neighbor. The result is, if you have a State Fire Marshal's Department, with men entirely out of the neighborhood, the men can go down there and get the facts and I believe a great good will come from this bill. I want to say I hope this bill will not be defeated. If it provides for undue salaries I do think the gentleman from Philadelphia, the sponsor of the bill, should have it postponed until that salary question can be adjusted, I don't want to see the bill defeated. There is too much good in it. There is too great an interest at stake to defeat it.

Mr. JOSAIH HOWARD. Mr. Speaker, the sponsor of this bill says that perhaps it is not properly worded. There is only one part of it that is properly worded, and that is the part which is to give absolute power to one man. There is no question about that in the whole bill; one man should have all this power to appoint his own assistants, as many as he pleases, to do what he pleases and through the General Apropriation Bill he asks for three hundred thousand dollars, as reported, which is four times as much as the present law requires for two years. This bill would never have been passed, Mr. Speaker, in my opinion, if these drastic measures had been there two years ago. The bill was simply a Fire Marshal's Bill, to act as detective in finding out the cause of fires and finding ways to prevent fires from being set. Mr. Speaker, I just want to call your attention to one clause. The State of Pennsylvania manufactures more explosives of all kinds, black powder, dynamite and explosives of all kinds, caps and fuses, than any other State in the Union. This business is not alone the business of the explosive people, but Mr. Speaker, I want to read from a letter I receivd this morning:

"That in a State with so many industries and enterprises depending to a greater or less extent upon the use of explosives, for the prosecution of the business, no one man is sufficiently well qualified to make reasonable and just rules applicable alike to all such enterprises; that this act if it became a law would make the handler and consumer of explosives wholly subject to the will, and perhaps the caprice of a single individual."

Mr. Speaker, I want to say to the members of this House that the explosive factory has to ship its goods on the same days on which they are made. An explosive factory perhaps produces two carloads of explosives in one day. These goods must be forwarded at once. There is no provision in this bill for the manufacturer to appeal from the decision of the fire marshal. His order is arbitrary. It would mean that he would shut down the factory because there is no way of getting out of it. You cannot appeal to any body. I was talking to the Fire Marshal this morning and he said "Oh, yes, you can appeal to the Court". If you read Section 3, there is no appeal in it.

Mr. Speaker, there is no way at all for a person to get away from the orders of the Fire Marshal in any part of the State. The bill is so arbitrary and so drastic in its provisions, Mr. Speaker, that I move it be dropped from the calendar.

Mr. HUMES Mr. Speaker, I second the motion.

The motion was not agreed to.

BILLS POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

RECESS.

The SPEAKER. The hour of one o'clock having passed, this House will now take a recess until three o'clock this afternoon.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Mr. Kennedy for the balance of the week.

Mr. McARDLE asked and obtained leave of absence for Mr. Avon for the balance of the week on account of sickness.

Mr. SHERN asked and obtained leave of absence for himself for to-morrow.

SUPPLEMENTARY REPORT FROM THE COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer a supplementary report from the Committee on Committees at this time.

The SPEAKER. The report will be read by the Clerk.

The Clerk then read the report as follows:

April 16th, 1913.

H. W. Body is hereby appointed a member of the Committee on Legislative Apportionment, vice John M. Flynn resigned.

John M. Flynn is appointed a member of the Committee on Congressional Apportionment, vice H. W. Body, resigned.

(Signed) SAMUEL B. SCOTT
J. H. ROCKWELL
JOHN ROBERT JONES
CHAS. AMBLER
EDWARD P. BENSON
JNO. T. MATT
GEO. W. ALLEN
A. S. MOULTHROP
W. H. WILSON
J. M. FLYNN
Committee on Committees.

Mr. S. B. SCOTT. Mr. Speaker, I move the adoption of the report.

Mr. JOSIAH HOWARD. Mr. Speaker, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. RONEY, from the Committee on Judiciary General, reported as committed, House Bill No. 1568, entitled:

An Act to provide for an additional law judge of the several court of the Eleventh judicial district.

Mr. ARTHUR, from the Committee on Public Roads, reported as committed, House Bill No. 1276, entitled:

An Act to amend section ten of an act approved the tirty-first day of May, one thousand nine hundred eleven, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth: providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships and counties from any further obligation and expense to improved or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highwys wholly and in part; requiring the State Highway Commission to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides that work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townshihs or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township, or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Mr. SAVACOOL, from the Committee on Education, reported as committed, House Bill No. 1449, entitled:

An Act supplementing and amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local or any parts thereof that are or may not be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the boards of school visitors.

Mr. GEISER, from the Committee on Judiciary General, reported as committed, House Bill No. 1483, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment.

Mr. CONNIFF, from the Committee on Judiciary General, reported as committed, House Bill No. 1608, entitled:

An Act to protect attorneys and counsellors-at-law in their fees for legal services and providing for a lien thereof and the manner of enforcing the same.

Mr. JOSEPH GRAY, from the Committee on Judiciary General, reported as amended, House Bill No. 1417, entitled:

An Act requiring the heads of the Executive Department to issue bi-monthly reports and transmit the same to the Governor, members of the General Assembly and others

Mr. STEELE, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 970, entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March, Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education, and enlarging the authority and powers and extending the duties of the State Pharmaceutical Examining Board.

Mr. HUMES, from the Committee on Municipal Corporations, reported as committed, House Bill No. 996, entitled:

An Act to amend Article VI of an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth," approved the first day of June, Anno Domini, one thousand eight hundred eighty-five, so as to permit the heads of departments to each appoint one deputy to sign warants drawn in accordance with payrollls and salary lists approved by the head of the department: providing for the manner of appointing deputies; and the filing of payrolls and salary lists so approved with the controlller.

Mr. FREY, from the Committee on Judiciary General, reported as committed, House Bill No. 1847 (Senate Bill No. 524), entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised.

Mr. W. H. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1389 (Senate Bill No. 124), entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents."

Mr. ULERICH, from the Committee on Banks and Banking, reported as committed, House Bill No. 1874 (Senate Bill No. 658), entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, House Bill No. 1336 (Senate Bill No. 121), entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife, residents of the city of Harrisburg, Dauphin County, Pennsylvania, to bring suit or suits against and to recoverr from the Commonewalth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown fom an elevator in the Capitol building at Harrisburg, Dauphin County, Pennsylvania.

Mr. REDFIELD, from the Committee on Banks and Banking, reported as committed, House Bill No. 1875 (Senate Bill No. 659), entitled:

An Act enabling the Board consisting of the State Treasurer, Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said Board under the provisions of the act of June nineteenth one thousand nine hundred and eleven, entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof."

Mr. McCAIG, from the Committee on Public Roads, reported as amended, House Bill No. 1002, (Senate Bill No. 2), entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department, establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder."

Mr. ULMAN, from the Committee on Banks and Banking, reported as committed, House Bill No. 1873 (Senate Bill No. 574), entitled:

An Act to amend section one of an act entitled 'A supplement to an act of Assembly of the Commonwealth of Pennsylvania" entitled 'An Act to provide for the incorporation

and regulation of certin corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four, as the same has been supplemented by acts of Assembly of said Commonwealth approved on the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninetyfive twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositories of a trust company drawn thereon.

Mr. SAVACOOL, from the Committee on Banks and Banking, reported as committed, House Bill No. 1905 (Senate Bill No. 859), entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits.

Mr. STEIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1340 (Senate Bill No. 276), entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind of character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation therto as amended.

Mr. SHERWOOD, from the Committee on Manufactures, re-reported as amended, House Bill No. 423, entitled:

An Act regulating the placing of earth or any other material in any creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such creek river or stream providing for the construction in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania of a retaining wall or walls along the banks or said creeks rivers or streams under the supervision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act.

Mr. SWIFT, from the Committee on Banks and Banking, reported with a negative recommendation, House Bill No. 1279, entitled:

An Act requiring certain banks, banking companies, and trust companies to keep their banking department open during certain hours on certain holidays.

RECONSIDERATION OF VOTE.

Mr. MITCHELL. Mr. Speaker, I move that the vote by which House Bill No. 1076, entitled:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities both of the second class and third class as herein provided

was not agreed to on third reading on April 9th be reconsidered.

The SPEAKER. The question is on the motion to reconsider.

Mr. MITCHELL. Mr. Speaker, this bill was introduced by Mr. Kaiser of Allegheny County, providing for the reclassification of cities and it was not agreed to last Tuesday. A number of persons interested from third class cities desire a re-consideration. A number of members are anxious to permit certain amendments, which would be satisfactory to those who raised objections at the time of its defeat.

Mr. ADAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. GEISER. Mr. Speaker, I move that the bill (title just read) be now recommitted to the Committee on Corporations.

Mr. STEELE. Mr. Speaker, I second the motion.

The motion was agreed to.

RE-RECONSIDERATION OF VOTE.

Mr. COX. Mr. Speaker, I move that the vote by which Senate Bill No. 125, file folio of the Senate 119, entitled:

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons

on page two of yesterday's calendar defeated on final passage be reconsidered.

The SPEAKER. The question is on the adoption of the motion to reconsider.

Mr. GIBSON. Mr. Speaker, this is a bill defeated yesterday, the first bill on the calendar, with a light House, by a few votes. It will be placed on the postponed calendar and the amendments inserted to meet the objections. I hope the members will not hesitate to reconsider this vote. The gentlemen interested in it are anxious to reconsider it.

Mr. HUMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL POSTPONED.

Mr. COX. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

CONCURRENT RESOLUTION.

Mr. McNICHOL. Mr. Speaker, I ask unanimous consent of the House for the suspension of rule 33, inorder that I may present at this time a concurrent resolution. The resolution that I propose to present calls for an amendment to the Constitution. This resolution was presented at the last session of the Legislature and was favorably acted upon but through some over-sight was not presented for final action. It provides for the continuance of judges whose terms expire in an off year that they may continue through their term without the necessity of a re-appointment. I therefore ask the House to give unanimous consent to the suspension of the rule in order that that resolution may be presented.

The SPEAKER. Will the House give unanimous consent to the suspension of the rule for the purpose stated?

Mr. WALNUT. Mr. Speaker, I ask for a ruling of the Chair as to whether or not it would be possible in view of the fact that this amendment was passed as a concurrent resolution whether or not it could be introduced as a joint resolution at this session.

The SPEAKER. The form of the resolution would necessarily vary. It might be better for the gentleman from Philadelphia to ask for the suspension of the rule which prevents his introducing it as a joint resolution.

Mr. McNICHOL. Mr. Speaker, in order that the Chair may permit my request, I understand the Chair to say that it would be better for me to ask for the suspending of the rule?

The SPEAKER. The Chair does not sustain the point of order. There was no point of order raised but the gentleman from Philadelphia, Mr. Walnut, suggested the question as to whether a resolution having passed at the last session in the form of one resolution could be passed at this session in a different form and if it would be effective?

Mr. WALNUT. Mr. Speaker, at the last session it passed as a concurrent resolution. In view of the new rule a concurrent resolution cannot be used. Mr. McNichol has requested the suspension of the rule to pass the resolution. I would like information as to whether or not this resolution which had been a concurrent resolution in 1911 can be

introduced as a joint resolution in 1913, or whether it would have to follow directly the same form of resolution.

The SPEAKER. As it was a concurrent resolution, in 1911, it would be the opinion of the Chair that it would be much safer to pass it as a concurrent resolution now. That is the form in which the gentleman desires to present it. The Chair hears no objection to the rule being suspended for that purpose. The rule is therefore suspended and the gentleman from Philadelphia offers the concurrent resolution which will be read by the Clerk.

The Clerk then read the resolution as follows:

CONCURRENT RESOLUTION.

PROPOSING AN AMENDMENT TO SECTION THREE, OR ARTICLE EIGHT OF THE CONSTITUTION OF PENNSYLVANIA.

Section 1. Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania (if the Senate concurs), That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the Eighteenth Article there.

Section 2. Amend Section 3, of Article 8, which reads as follows: "All judges selected by the electors of the State at large may be elected at either a general or municipal election, as circumstances may require. All the elections for judges of the courts for the several judicial districts for the county, city, ward, borough, and township officers, for regular terms of service shall be held on the municipal election day, namely, the Tuesday next following the first Monday of November in each odd number of years, but the General Assembly may by law fix a different day, two-thirds of all the members of each House consenting thereto; provided, that such election shall always be held in an odd number of years," so to read:

Section 3. All judges elected by the electors of the State at large may be elected at either a general or municipal election, as circumstances may require. All the elections for judges of the courts for the several judicial districts, and for county, city, ward, borough, and township officers for regular terms of service, shall be held on the municipal election day, namely, the Tuesday next following the first Monday of November in each odd numbered year, but the General Assembly may by law fix a different day, two-thirds of all the members of each House consenting thereto, provided that such election shall always be held in an odd numbered year: Provided further, that all judges for the courts of the several judicial districts holding office at the present time whose terms of office may end in an odd numbered year shall continue to hold their offices until the first Monday of January in the next succeeding even numbered year.

The SPEAKER. Ordered to lie over for printing.

RECONSIDERATION OF VOTE.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the vote by which House Bill No. 937, file folio, entitled:

An Act to establish a Bureau of Housing for the Sanitary Inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

was defeated on final passage be reconsidered.

Mr. McALEER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WATSON. Mr. Speaker, last Thursday evening there were ninety-five votes for the bill and twenty-eight against it and eighty-three absent.

This is a worthy bill and has no appropriation to it. It regulates mining towns more particularly than anything else where these is no municipality, that grow up possibly in a year to one thousand fifteen hundred people, possibly eighty-five per cent. of them foreigners. I would like very much that it be put on the calendar and have an opportunity to pass.

On the question recurring.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 937, entitled:

An Act to establish a Bureau of Housing for the Sanitary Inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. WATSON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 497, as follows:

An Act relating to the nomination of candidates for the office of United States Senator; providing for the expression by the electors, at the general election next preceding the election of a United States Senator by the General Assembly, of their choice of candidates for such office; providing for the counting, returning, tabulating and certifying of the votes cast at said general election for all candidates for the office of United States Senator; prescribing the manner in which candidates nominated by nomination papers or certificates of nomination for the General Assembly may declare their intention with respect to their voting in the General Assembly for the choice of the electors for the office of United States Senator and providing for notations on the ballot respecting declarations made by candidates for the General Assembly, however, nominated."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That nominations of candidates for the office of United States Senator at any general election next preceding the election of a United States Senator by the General Assembly may be made by any group or body of electors not constituting a political party by nomiation papers in the same manner and subject to the same requirements and regulations as nominations of candidates for the office of Representative in the Congress of the United States may be made by nomination papers and the names of all candidates for the office of United States Senator nominated under the provisions of this act or of any other act shall be transmitted by the Secretary of the Commonwealth included in the sheriffs' proclamation and printed on the official ballots for such election under the name of the office of United States Senator all in the same manner and order and subject to the same regulations as are or may be provided by law respecting the names of candidates for the office of such Representative in Congress

Section 2 The votes for all candidates for the office of United States Senator at any general election shall be counted and returned and the return computed returned and certified all as provided by law with respect to the votes for candidates for the office of Representative in the Congress of the United States and shall be publicly canvassed and tabulated by the Secretry of the Commonwealth beginning at noon on the second Tuesday of December and continuing each day thereafter until completed and shall as soon as the State Senate and House of Representatives shall have assembled and organized be returned and certified by the Secretary of the Commonwealth to the President pro tempore of the Senate and to the Speaker of the House of Representatives

Section 3 Each candidate for the office of Senator or Member of the House of Representatives of the General Assembly of this Commonwealth named in any nomination papers or certificate of nomination may if a United States Senator is to be elected by the General Assembly during the term of office for which such candidate seeks to be elected file with such nomination papers or certificate of nomination the statement hereinafter set forth but his failure to file such statement shall not be a valid ground on the part of the Secretary of the Commonwealth for refusal to receive and file his nomination papers or certificate of nomination

Such statement if any be made shall be in substantially the following form

STATEMENT

I hereby declare to the people of Pennsylvania and to the people of .....(Senatorial or Representatve district) that during my term of office I will always vote without regard to my individual or party preference for that candidate for United States Senator who shall receive the highest number of votes cast in the State for that position at the election next preceding the election of such United States Senator

.....
Signature of candidate for nomination

On the ballot used at the election after or under the name of each candidate for State Senator or Member of the State House of Representatives whether nominated at a primary or by nomination papers or by certificate of nomination shall appear the words

"Signed statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" or

"Refused to sign statement promising to vote for the candidate for United States Senator who receives the highest number of votes cast at the election" according as the candidate filed or failed to file the above statement with his nomination petition for the primary or with his nomination papers as the case may be

On the back of each specimen ballot for the general election next preceding the election by the General Assembly of a United States Senator or for any any election at which a State Senator is to be nominated the County Commissioners shall print this section

Section 4 Nothing herein contained is intended to repeal or supersede any act of Assembly or part of act of Assembly requiring nominations for the office of United States Senator State Senator or Member of the State House of Representatives to be made at a primary held pursuant to law

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this is an amendment to the constitution, and as such I think this bill should not be passed at this time.

I therefore move that further consideration of the bill be postponed for the present.

Mr. E. E. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1400 (Senate bill No. 405) entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HESS. Mr. Speaker, I call the attention of the House to the fact that House Bills Nos. 1400 and 1401 are practically companion bills enlarging the powers of the committee on lunacy and of the present department of charity. When the bill creating the present department of charity was passed in 1869, there were but five purely state institutions, and ten semi-state instiutions over which that department had control, and upon which they could make recommendations. To show you how the work of this department has grown allow me to say that the year after this bill was passed—1870—the entire appropriation of the State to private institutions was $387,205. In 1911 the total appropriations to State, semi-State and private institutions amounted to $15,558,453. From these figures, you will see the enormous increase in appropriations to charity.

The Act of 1269 which established the Board of Public Charities was passed when there were only five institutions entirely supported by the State and ten institutions partly supported by the State. The compensation of the Secretary was then fixed at $3,000 a year and has remained so ever since, nothwithstanding the fact that in 1913 his duties have increased a hundred fold and at the present time the State institutions, semi-State institutions, private hospitals, Sanatoria and Homes that receive State aid, amount to 309.

In addition to this, the Secretary of the Board has to keep an eye on the institutions which do not receive State aid and the total number of institutions under the supervision of the Board of Public Charities amounts to at least five hundred.

Besides inspecting these institutions, the Secretary of the Board of Public Charities has to approve the maintenance accounts of the 17,000 insane scattered through the State and County institutions of Pennsylvania, for which this year the Commonwealth of Pennsylvania will appropriate four millions of dollars, every cent of which has to be approved by him before the Auditor General can issue warrants on the State treasurer.

In addition to this, the Secretary and General Agent of the Board has to keep a close supervision over all jails, almshouses, penitentiaries and reformatories.

In view of this tremendous increase in the responsibilities devolving upon those officials, in view of this tremendous increase in the amount of money for which they now make requisition to this Legislature to appropriate for the maintenance of these different institutions. I think it is only fair that the salary that was fixed when that board was established in 1869 should be increased as per this bill, and I trust that this House will vote in accord with that system.

Mr. HUMES. Mr. Speaker, I am not prepared to say just what the merit or demerit of these particular bills may be. At this time I do not care to oppose any meritorious feature of the bill, but merely to call the attention of this House to the condition that confronts us. The platforms of all political parties last fall promised some reform along the line of controlling and supervising the charitable institutions. This is one of the bills that it is contended by the Board of Public Charities would be a step in that direction. There are other bills pending in the Legislature which have for their purpose the carrying out of this same purpose. These bills are in committee. The other two propositions have not up to this time been presented to the House for its consideration. I believe the purpose of all of us is to do what is best for the institutions of a charitable nature in the State, but I do not think that it is fair to ask this House to pass this particular portion of legislation along the line until we have had an opportunity to consider the whole question as it has been presented in the other legislation that is pending. It strikes me that all of these bills should be considered by the committee at the same time, and in order that that may be done, I want to move at this time that further consideration of these bills, Nos. 1400 and 14001, be postponed for the present.

Mr. SHERN in the Chair.

Mr. HESS. Mr. Speaker, allow me to say, in answer to the gentleman from Crawford, Mr. Humes, that the Speaker is conversant with the fact that several additional bills are now being considered by committee, covering practically the same grounds, and I am sure that the committee to which they are entrusted will give them due consideration and do what in their wisdom seems best. If those bills come out upon our calendars and this House in its wisdom sees fit to pass them, they go to the Senate and are passed by the Senate and become a law, it would simply repeal these bills, so that this House takes no chance whatever in passing these bills at this time, because if the bills that the gentleman refers to should eventually become law, they would supersede and repeal these bills. If they should not, then there is no question but that this department should have enlarged powers in accord with the declarations of the platforms of several of the parties. And these bills will establish that provision, and I trust that the House will not vote to have these bills postponed at this time.

Mr. S. B. SCOTT. The gentleman from Crawford is correct. It is very strange that when there are matters requiring very careful handling, there is a measure raising salaries, but not reaching the heart of the situation. Now, I think there is no greater affair in our State Government. There is no more legal reform that can be instituted than a proper correlation and control of the general charitable appropriation. This can only be done by instituting some adequate department, or else by general constitutional or statutory reform, by which the Legislature is not compelled to decide upon the merits or demerits of every charitable institution, but make the appropriations in one lump. One or the other of these logical methods must be adopted if we are to reach the seat of the trouble; not simply raising salaries, and increasing the powers of the board of charities. I think this bill ought to be postponed until the whole subject can be adequately determined.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

A division was called for, 80 voting in the affirmative and 82 voting in the negative,

And the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I believe that these bills ought to be defeated at this time. It has been correctly stated by the gentleman from Crawford that these bills do not touch the heart of the trouble. What this House ought to do is to insist that the bill introduced by the gentleman from Allegheny, provdiing for a complete reorganization of the whole subject matter, come out of the committee. Now, that bill represents the specific party pledges, both of the Republican and Washington parties, and a majority of the members of this House are specifically committed to the passage of that legislation. It is the bill prepared by the Republican State Committee and has the endorsement of the Washington Party State Committee. As I said a moment ago, it represents the written pledge of a majority of the members of this House, and we should not agree to any half-way measures as proposed in this bill, which after all is only a salary-raising subterfuge.

Mr. HUMES. Mr. Speaker, these two bills taken together embody a considerable increase in the expenditures during the next two years and the question naturally is, is there a corresponding benefit. These bills have not been considered in connection with the other legislation before this House, and I do not want to be placed in the

position of having anything that I may say, indicate that I am expressing myself in favor of any part of the bill to which the gentleman from Beaver has just referred. Personally I think it accomplishes nothing toward the reform that we are seeking; but we know that this subject must be met; we know that an additional expenditure must be made. The other bills affecting this subject are now in the hands of the Appropriation Committee and it strikes me that this bill ought to be in their hands, in order that it can be considered along side of the other legislation that is intended to accomplish the reform that we all pretend to seek. There is no allegation that this bill in itself will accomplish anything toward the reforms sought and I therefore move that this bill be recommitted to the committee on appropriations.

Mr. WALNUT. Mr. Speaker, I second the motion.

Mr. HUMES. Mr. Speaker, I demand a roll call.

Mr. WALNUT. Mr. Speaker, I second the call.

Mr. HESS. Mr. Speaker, there is unquestionably a very great deal of merit in this bill. It increases the powers of the Board of Charities. A number of things that in the past they could only recommend, they can enforce under the provisions of this bill. The gentleman from Crawford, Mr. Humes, has admitted that this bill is an improvement over the law at the present time. In view of the light House at this time, I will withdraw my objection to the postponement, so that each one shall have an opportunity to study these bills carefully. They don't carry with them the expenditure of very much money. The amount of additional money that these bills carry with them is very small as compared with the additional expenditure that is carried with the other bills, that have been referred to in the discussion on this bill, and if it is the sense of the House that more information is wanted, there are members who wish to study these bills more completely, I will withdraw my objection to postponement at this time; in fact, I will move that the further consideration of this bill be postponed.

The SPEAKER. The Chair will remind the gentleman that that motion was made and defeated and the motion now before the House is, that this bill be recommitted to the Committee on Appropriations.

Mr. HESS. Mr. Speaker, if the mover will withdraw that motion, I will move to have further consideration postponed.

Mr. HUMES. Mr. Speaker, I insist on my motion.

Mr. BAYLE. Mr. Speaker, I would like to be heard on this question. Mr. Speaker and Gentlemen of the House, I am very much surprised to hear from the gentleman from Crawford (Mr. Humes) who thus far has cried reform, and now is working reform backward. The only thing on earth is to move forward and when you tell me that the old State of Pennsylvania cannot afford to pay her hired servants the wage that is their due, I cannot understand the gentleman from Crawford (Mr. Humes), who comes from no mean city, no mean county, rich in her agricultural resources, rich in every line, and yet he stands on this floor today and questions the meagre salary of men that are earning their wage. Gentlemen we are rich; we are powerful; and shall we rank with those lower things in life where we question the man that earns his money? Shall we come here and try to delay this question from time to time in order that we may defeat it? Let us look under the sinister motives. They tell us future legislation is in store. I tell you that to-day is due today's duty; tomorrow something else. Therefore, Gentlemen of this House, I trust that you will not stand by this motion that the gentleman from Crawford County has made, but that today you will answer this question and give to the men of Pennsylvania, that are faithfully serving the old State of Pennsylvania and her charitable institutions, that which belongs to them.

Mr Speaker, and Gentlemen of the House, I thank you.

Mr. GIBSON. Mr. Speaker, is a motion to amend the motion so as to postpone the bill and place it upon the postponed calendar in order?

The SPEAKER. No, the only matter in order is the motion to recommit, which was duly made and seconded. The roll will be called.

YEAS—78.

Baldwin, G. A.,	Dunn, H. B.,	Latshaw,	Price,
Baldwin, R. J.,	Foster, J. D.,	Lenker,	Rex,
Becker,	Geiser,	Light,	Rothenberger,
Benninger,	Gibson,	Lohr,	Sassaman,
Benson,	Glenn,	Martin,	Savacool,
Bergey,	Grabe,	Mather,	Scott, S. B.,
Bigger,	Gramley,	Matt,	Shaffer, C. A.,
Bittles,	Heidinger,	McDermott,	Shaffer, I. E.,
Blair, W. F.,	Hemminger,	Mellott,	Smith, J. W.,
Bleloch,	Herman,	Metzenbacher,	Snavely,
Body,	Howard, R.,	Musser,	Snyder,
Brosius,	Humes,	Neel,	Steele,
Burnett,	Jackson,	Newbaker,	Strauss,
Caldwell,	Jones, J. R.,	Peachey,	Trach,
Campbell, C.M.,	Kaufman,	Pennegar,	Ulman,
Carson,	Keegan,	Pennock,	Walnut,
Cheeseman,	Keeport,	Perry, H. L.,	Wilson, J. H.,
Cochran,	Kern,	Peters,	Young, G. K.
DeFrees,	Klepper,	Post,	Zimmerman,
Donnally,	Kuhns, E.G.M.,		

NAYS—105.

Adams,	Gransback,	McCaig,	Scott, J. R. K.,
Alworth,	Gray, Frank,	McClintock,	Semmens,
Ambler,	Gray, Joseph,	McKay,	Shern,
Arthur,	Hackett,	McNichol,	Sherwood,
Bass,	Haggerty,	Miller,	Snowalter,
Bayle,	Hess,	Missimer,	Smith, L.,
Berntheizel,	Heyburn,	Mitchell,	Spangler,
Blair, W. A.,	Hibshman,	Moore,	Spillinger,
Brownlee,	Hoffman,	Morrow,	Steedle,
Carter,	Howard, J.,	Moses,	Stein,
Cleary,	Isler,	Murphy,	Stone,
Conner,	Irwin, G. C.,	Neely,	Swartz,
Conrade,	Irwin, H. H.,	North,	Swift,
Cox,	Jones, E. E.,	O'Neill,	Thomas,
Dickinson,	Kaiser,	Piper,	Ulerich,
Donahoe,	Kitts,	Ramsey,	Walton,
Down,	Kuhn, H. P.,	Redfield,	Watson,
Dunn, J. A.,	Lanius,	Reese,	Wettach,
Ehrhardt,	Leslie,	Reeser,	Whitman,
Eichenberger,	Letzkus,	Rhoads,	Wildman,
Ely,	Lowers,	Robinson,	Williams,
Ewing,	Malie,	Rockwell,	Wilson, W. H.,
Frey,	Mannion,	Roney,	Young, J. H.,
Gans,	McAleer,	Runk,	Alter,
Geary,	McAllister,	Schaeffer, A. C	Speaker.
Good,	McArdle,		

So the question was determined in the negative and the motion was not agreed to.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—114.

Adams,	Ehrhardt,	Leslie,	Robinson,
Allen,	Eichenberger,	Letzkus,	Roney,
Alworth,	Ewing,	Lowers,	Sassaman,
Ambler,	Flynn,	Malie,	Schaeffer, A. C
Arthur,	Frey,	Mannion,	Semmens,
Baldwin, R. J.,	Gans,	McAleer,	Shaffer, C. A.,
Bass,	Geary,	McArdle,	Shern,
Bayle,	Gibson,	McCaig,	Sherwood,
Becker,	Good,	McClintock,	Spillinger,
Berntheizel,	Gramley,	McNichol,	Steedle,
Bigger,	Gransback,	Mechling,	Steele,
Blair, W. A.,	Gray, Joseph,	Miller,	Stein,
Blair, W. F.,	Hackett,	Missimer,	Swartz,
Brownlee,	Haggerty,	Mitchell,	Swift,
Carter,	Hess,	Moore,	Thomas,
Claycomb,	Heyburn,	Morrow,	Ulerich,
Cleary,	Hibshman,	Moses,	Ulman,
Collins,	Hoffman,	Murphy,	Walton,
Conner,	Howard, J.,	Neel,	Watson,
Conniff,	Isler,	Neely,	Wettach,
Conrade,	Irwin, G. C.,	Newbaker,	Whitaker,
Cox,	Irwin, H. H.,	North,	Whitman,
Currier,	Jackson,	O'Neill,	Wildman,
Curry,	Jones, E. E.,	Piper,	Wilson, W. H.,
Davis,	Kaiser,	Ramsey,	Wiltbank,
Dickinson,	Keeport,	Reese,	Young, G. K.
Donahoe,	Kenna,	Reeser,	Young, J. H.,
Down,	Kitts,	Rhoads,	Alter,
Dunn, J. A.,	Kuhn, H. P.,		Speaker.

NAYS—74.

Baldwin, G. A.,	Ely,	Matt,	Rothenberger,
Barner,	Foster, J. D.,	Mather,	Runk,
Benninger,	Geiser,	Martin,	Savacool,
Benson,	Glenn,	McAllister,	Schuck,
Bergey,	Grabe,	McKay,	Scott, J. R. K.,
Bittles,	Gray, Frank,	McDermott,	Scott, S. B.,
Bleloch,	Heidinger,	Metzenbacher,	Shaffer, I. E.,
Body,	Hemminger,	Mellott,	Showalter,
Brosius,	Howard, R.,	Musser,	Smith, J. W.,
Burnett,	Jones, J. R.,	Newton,	Smith, L.,
Caldwell,	Kaufman,	Peachey,	Snavely,
Campbell, C.M.,	Keegan,	Pennock,	Snyder,
Campbell, J.J.	Kern,	Perry, H. L.,	Stone,
Carson,	Klepper,	Peters,	Strauss,
Cheeseman,	Lanius,	Post,	Trach,

Cochran	orker,	Redfield,	Walnut,
DeFrees,	Light,	Rex,	Williams,
Donnally,	Lohr,	Rockwell,	Wilson, J. H.,
Dunn, H. B.,			Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Mr. SHERN in the Chair.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. RONEY. Mr. Speaker, I second the motion.

The SPEAKER. The motion is out of order. There is nothing before the House except the calling of the roll.

Mr. CHEESEMAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. CHEESEMAN. Mr. Speaker are we voting upon the bill or upon the motion to postpone the consideration of the bill.

The SPEAKER. The House is voting upon the bill.

Mr. CHEESEMAN. Then, Mr. Speaker, I desire to change my vote from aye to no.

Mr. ROCKWELL. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his quesiton of information.

Mr. ROCKWELL. Mr. Speaker, after we had finished voting on the question to recommit this bill to the Committee on Appropriations, the gentleman from Lancaster arose to make a motion, and the Chair refused to recognize him. I would like to know why he was not recognized.

The SPEAKER. There was nothing in order but the calling of the roll. A motion to postpone having been defeated, and a motion to recommit having been defeated, there was nothing before the House except the calling of the roll.

Mr. ROCKWELL. Mr. Speaker, could not another motion to postpone the bill be made.

The SPEAKER. No, sir. A motion to reconsider the vote by which the motion to postpone was defeated could have been made. The gentleman from Lancaster had his opportunity to make this motion when he arose to ask the gentleman from Crawford to withdraw his motion to recommit the bill, in order that the gentleman from Lancaster could make a further motion for the postponement of the bill. A motion to postpone having previously been defeated and a motion to recommit having been defeated, and there being no other motion before the House, there was nothing in order but the calling of the roll.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the Speaker, whether or not the Speaker understood the motion of the gentleman from Lancaster.

The SPEAKER. No, I did not. But the gentleman from Lancaster has been here for a number of sessions and is well versed in parliamentary procedure. The Chair cannot read the gentleman's mind.

Mr. ROCKWELL. Mr. Speaker, how could the Chair rule a motion out of order if the motion was not understood by the Chair?

The SPEAKER. The gentleman from Lancaster did not make a motion to reconsider the vote, and there was nothing in order but the calling of the roll.

Mr. BERGEY. Mr. Speaker, I call for a verification of the roll.

The SPEAKER. Is the call for a verification seconded?

Mr. HEMMINGER. Mr. Speaker, I second the call for verification.

Mr. ROCKWELL. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. ROCKWELL. Mr. Speaker, I desire to ask if it is necessary to have a call for a verification of the roll seconded?

The SPEAKER. No, sir.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1401 (Senate Bill No. 406), entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—135.

Adams,	Ewing,	Kuhn, H. P.,	Rex,
Allen,	Fahey,	Kuhns, E.G.M.,	Rhoads,
Alworth,	Flynn,	Lanius,	Robinson,
Ambler,	Foster, J. D.,	Leslie,	Roney,
Arthur,	Frey,	Letzkus,	Schaeffer, A. C
Baldwin, R. J.,	Gans,	Lowers,	Schuck,
Bass,	Geary,	Malie,	Semmens,
Bayle,	Gibson,	Mannion,	Shaffer, C. A.,
Becker,	Glenn,	Martin,	Shern,
Benninger,	Good,	McAleer,	Sherwood,
Berntheizel,	Gramley,	McAllister,	Spangler,
Bigger,	Gransback,	McArdle,	Spillinger,
Blair, W. A.,	Gray, Frank,	McCaig,	Steedle,
Brosius,	Gray, Joseph,	McClintock,	Steele,
Brownlee,	Hackett,	McNichol,	Stone,
Campbell, C.M.,	Haggerty,	Mechling,	Swartz,
Carter,	Heidinger,	Miller,	Swift,
Claycomb,	Herman,	Missimer,	Thomas,
Cleary,	Hess,	Mitchell,	Ulerich,
Collins,	Heyburn,	Moore,	Walnut,
Conner,	Hibshman,	Morrow,	Walsh,
Conniff,	Hoffman,	Moses,	Walton,
Conrade,	Howard, J.,	Neel,	Watson,
Cox,	Isler,	Neely,	Wettach,
Currier,	Irwin, G. C.,	Newbaker,	Whitaker,
Curry,	Irwin, H. H.,	Newton,	Whitman,
Davis,	Jackson,	North,	Wildman,
DeFrees,	Jones, E. E.,	O'Neill,	Williams,
Dickinson,	Jones, J. R.,	Peachey,	Wilson, W. H.,
Donahoe,	Kaiser,	Peters,	Wiltbank,
Down,	Kaufman.	Piper,	Young, G. K.,
Dunn, H. B.,	Keeport,	Ramsey,	Young, J. H.,
Dunn, J. A.,	Kenna,	Reese,	Alter,
Ehrhardt,	Kennedy,	Reeser,	Speaker.
Eichenberger,			

NAYS—46.

Baldwin, G. A.,	Donnally,	Light,	Scott, J. R. K.,
Barner,	Ely,	Lohr,	Scott, S. B.,
Bergey,	Geiser,	Mather,	Shaffer, I. E.,
Bittles,	Grabe,	Matt,	Showalter,
Blair, W. F.,	Hemminger,	Mellott,	Smith, L.,
Body,	Howard, R.,	Metzenbacher,	Snavely,
Burnett,	Humes,	Post,	Snyder,
Caldwell,	Keegan,	Redfield,	Trach,
Campbell, J.J.	Kern,	Rockwell,	Ulman,
Carson,	Kitts,	Rothenberger,	Wilson, J. H.,
Cheeseman,	Lenker,	Sassaman,	Zimmerman,
Cochran,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1371, entitled:

An Act empowering poor districts to establish and maintain an industrial home for the care and training of pauper children

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALNUT. Mr. Speaker, I would like to inquire of the sponsor of this bill some explanation of the purpose of it.

Mr. LOWERS. Mr. Speaker, the purpose of this bill is clearly set forth in a very concise way in the body of the proposed act itself. This bill was given to me by the

directors of the poor of the county of Allegheny. The present law provides that the directors of the poor shall take dependent children and place them in homes or charitable institutions. In that county they have sixty children, or over, and have been unable so far to procure homes for them, or to place them in other chaitable institutions. Therefore, this act is offered, in order that they may erect somewhere a school for these children.

Mr. WALNUT. Mr. Speaker, I would like to call the attention of the House to the fact that this bill reverses a policy which has existed in this Commonwealth since 1883. Prior to that time, I believe they had homes for dependent children. It was determined that it was highly improper, and would be very much better to put children in private homes than it was to create a place of general public detention. I believe we should consider seriously this bill before we reverse this policy.

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. WALNUT. Yes, sir.

Mr. LOWERS. Mr. Speaker, I would ask the gentleman what he would suggest as to the situation that I have outlined where directors of the poor have found it impossible to provide for these children places in homes or private institutions.

Mr. WALNUT. Mr. Speaker, I am speaking altogether in view of the objection that I have heard raised to this bill by people in Philadelphia who take the point of view that I have just expressed. I am not thoroughly familiar with the circumstances to be remedied in Allegheny, but apparently the same situation has not arisen in Philadelphia, and this bill applies, not only to Allegheny County, but to every county in the State.

Mr. STEELE. Mr. Speaker, I hate to take issue with my friend from Allegheny, Mr. Lowers, but to pass this bill at this time would be a step backward. Under our law, children can only be put in the almshouses and retained there up till about three weeks. At the end of that time, they are either put in private institutions or are put in private families. Now, the fact that these children can be put in private families is good for the children, and you will, by passing a law of this kind, put all of our children in almshouses, the stigma of which will stay with them for the rest of their lives. Mr. Speaker, as I said before, a vote for this bill would be a step backward.

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Steele.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. STEELE. Yes, sir.

Mr. LOWERS. Mr. Speaker, I would ask the gentleman from Allegheny what he would suggest as to the disposition of the sixty or more children that are at present committed to the Allegheny County Home.

Mr. STEELE. With reference to the sixty or more children that we have in the Allegheny County Home, I do not know whether we have that many, but if we do I think it is a very small majority of dependent children in Allegheny, if we have only sixty in Allegheny County.

Mr. LOWERS. Mr. Speaker, I submit that the gentleman did not answer my question. I am interested in the care of those children, in the disposal of their future, and if the gentleman or any member of the House can suggest a wiser plan to care for those children, I would be very glad to join in bringing about that plan.

Mr. SEMMENS. Mr. Speaker, I desire to interrogate the gentleman from Alegheny, Mr. Lowers.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOWERS. Yes, sir.

Mr. SEMMENS. Mr. Speaker, in view of the fact that those children are now in a new county almshouse or poorhouse, and your bill proposes to put up an additional almshouse, does that better their condition any?

Mr. LOWERS. Mr. Speaker, in reply to the gentleman's question, I would state that they do not propose to erect a new home in the sense that they are going to erect an additional building. They already have a home in which these children are housed. But they have no provision made for the education and training of those children, looking towards their future lives, and this bill provides for that.

Mr. SPANGLER. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Lowers.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOWERS. Yes, sir.

Mr. SPANGLER. Mr. Speaker, would not this bill have a tendency to reverse the present policy of the children's protective societies, which is to keep small children away from poorhouses?

Mr. LOWERS. Mr. Speaker, in reply to that, I am told that the societies referred to by the gentleman have so far neglected to take care of the sixty children of that county that I refer to, and if they have neglected and failed to take care of those children, we must necessarily make some provision for them. This act is not mandatory; it is in the nature of an enabling act.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—57.

Adams,	Down,	Jackson,	Piper,
Arthur,	Ehrhardt,	Jones, E. E.,	Ramsey,
Baldwin, R. J.,	Eichenberger,	Keeport,	Reese,
Bass,	Gransback,	Klepper,	Roney,
Bayle,	Gray, Frank,	Letzkus,	Schuck,
Berntheizel,	Hackett,	Lowers,	Scott, J. R. K.,
Blair, W. A.,	Haggerty,	Malie,	Shern,
Campbell, C.M.,	Heidinger,	Mannion,	Snyder,
Claycomb,	Hemminger,	McAleer,	Spillinger,
Cox,	Heyburn,	McArdle,	Walsh,
Currier,	Hibshman,	McClintock,	Walton,
Curry,	Hoffman,	Missimer,	Watson,
Davis,	Howard, J.,	Moses,	Whitaker,
Dickinson,	Irwin, G. C.,	O'Neill,	Whitman,
			Williams,

NAYS—102.

Baldwin, G. A.,	Flynn,	Martin,	Runk,
Barner,	Foster, J. D.,	Mather,	Sassaman,
Becker,	Frey,	Matt	Savacool,
Benninger,	Gans,	McAllister,	Scott, S. B.,
Benson,	Geary,	McCalg,	Semmens,
Bergey,	Geiser,	McDermott,	Shaffer, I. E.,
Bigger,	Grabe,	McKay,	Sherwood,
Bittles,	Gramley,	McNichol,	Showalter,
Bleloch,	Gray, Joseph,	Miller,	Smith, J. W.,
Body,	Herman,	Mitchell,	Smith, L.,
Brosius,	Howard, R.,	Moore,	Snavely,
Brownlee,	Humes,	Morrow,	Spangler,
Burnett,	Isler,	Murphy,	Steedle,
Campbell, J.J.	Jones, J. R.,	Neel,	Steele,
Carson,	Kaiser,	Newbaker,	Stone,
Cheeseman,	Keegan,	Newton,	Swift,
Cochran	Kenna,	Peachey,	Thomas,
Conner,	Kern,	Pennock,	Trach,
Conniff,	Kuhn, H. P.,	Perry, H. L.,	Ulerich,
Conrade,	Kuhns, E.G.M.,	Peters,	Walnut,
DeFrees,	Lanius,	Post,	Wettach,
Donahoe,	Latshaw,	Redfield,	Wilson, J. H.,
Donnally,	Lenker,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Light,	Rex,	Wiltbank,
Ely,	Lohr,	Rothenberger,	Young, G. K.
Ewing,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

RECONSIDERATION OF VOTE.

Mr. RONEY. I desire to make a motion at this time for the reconsideration of a bill which was defeated on Thursday last, and desire to state for the information of the House that if this motion to reconsider is carried the bill will be placed on the postponed calendar.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by the gentleman from Philadelphia that the vote by which House Bill 1092, file folio 3517, entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of this Commonwealth or near thereto and fixing penalties for committing such offense by changing and enlarging the penalties for committing such offense

On page 32, of Thursday's Calendar, April 10, 1913, failed on final passage, be reconsidered.

Mr. McCLINTOCK. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?
It was agreed to.

BILL POSTPONED.

Mr. RONEY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1327, entitled:

An Act regulating the returns by constables of violations of the laws of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—180.

Allen,	Foster, J. D.,	Lowers,	Roney,
Arthur,	Frey,	Malie,	Rothenberger,
Baldwin, G. A.,	Gans,	Mannion,	Runk,
Baldwin, R. J.,	Geiser,	Martin,	Sassaman,
Barner,	Gibson,	Mather,	Savacool,
Bass,	Good,	Matt,	Schaeffer, A. C
Bayle,	Grabe,	McAleer,	Scott, S. B.,
Becker,	Gramley,	McAllister,	Semmens,
Benson,	Gransback,	McArdle,	Shaffer, C. A.,
Bergey,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	McClintock,	Shern,
Bigger,	Hackett,	McDermott,	Sherwood,
Bittles,	Haggerty,	McKay,	Smith, J. W.,
Blair, W. A.,	Heidinger,	McNichol,	Smith, L.,
Blair, W. F.,	Hemminger,	Mellott,	Snavely,
Body,	Herman,	Metzenbacher,	Snyder,
Brosius,	Hess,	Miller,	Spangler,
Brown,	Heyburn,	Missimer,	Spillinger,
Brownlee,	Hibshman,	Mitchell,	Steedle,
Burnett,	Howard, J.,	Moore,	Steele,
Caldwell,	Howard, R.,	Morrow,	Stein,
Campbell, J.J.	Isler,	Moses,	Stone,
Carter,	Irwin, G. C.,	Murphy,	Strauss,
Cheeseman,	Irwin, H. H.,	Musser,	Swartz,
Claycomb,	Jackson,	Neely,	Swift,
Cleary,	Jones, E. E.,	Newbaker,	Thomas,
Cochran	Jones, J. R.,	Newton,	Trach,
Collins,	Kaiser,	North,	Ulerich,
Conner,	Kaufman,	O'Neill,	Ulman,
Conniff,	Keegan,	Peachey,	Walnut,
Conrade,	Keeport,	Pennegar,	Walsh,
Cox,	Kenna,	Perry, H. L.,	Walton,
Currier,	Kennedy,	Peters,	Watson,
Curry,	Kern,	Piper,	Wettach,
Davis,	Kitts,	Post	Whitaker,
Dickinson,	Klepper,	Price,	Whitman,
Donnally,	Kuhn, H. P.,	Ramsey,	Wildman,
Down,	Kuhns, E.G.M.,	Redfield,	Williams,
Dunn, H. B.,	Lanius,	Reese,	Wilson, J. H.,
Dunn, J. A.,	Lenker,	Reeser,	Wilson, W. H.,
Ehrhardt,	Leslie,	Rex,	Wiltbank,
Eichenberger,	Letzkus,	Rhoads.	Young, G. K.
Ely,	Light,	Robinson,	Young, J. H.,
Ewing,	Lohr,	Rockwell,	Zimmerman,
Fahey,			Alter,
Flynn,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1550, entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

And said bill having been read at length the third time, considered and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. MARTIN. Mr. Speaker, on account of the confusion in the House during the calling of the roll, I ask that the roll be verified.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—105.

Adams,	Eichenberger,	Lanius,	Schuck,
Ambler,	Ely,	Leslie,	Scott, S. B.,
Arthur,	Fahey,	Letzkus,	Semmens,
Baldwin, R. J.,	Flynn,	Lowers,	Shaffer, I. E.,
Bass,	Frey,	Malie,	Shern,
Bayle,	Gans,	Mannion,	Smith, L.,
Becker,	Geary,	McAllister,	Spangler,
Benninger,	Good,	McArdle,	Spillinger,
Bigger,	Gransback,	McCaig,	Steedle,
Blair, W. A.,	Gray, Joseph,	McClintock,	Stein,
Caldwell,	Hackett,	McNichol,	Stone,
Campbell, C.M.,	Haggerty,	Missimer,	Swartz,
Campbell, J.J.	Heyburn,	Mitchell,	Thomas,
Carter,	Hibshman,	Moore,	Ulerich,
Cleary,	Hoffman,	Morrow,	Ulman,
Cochran,	Howard, J.,	Moses,	Walnut,
Collins,	Howard, R.,	Murphy,	Walsh,
Conner,	Isler,	Neely,	Wettach,
Conniff,	Irwin, G. C.,	North,	Wildman,
Conrade,	Jones, J. R.,	O'Neill,	Wilson, J. H.,
Cox,	Kaiser,	Pennock,	Wilson, W. H.,
Curry,	Kaufman,	Perry, H. L.,	Wiltbank,
Davis,	Kenna,	Peters,	Young, G. K.,
Dickinson,	Kitts,	Ramsey,	Zimmerman,
Donahoe,	Klepper,	Reese,	Alter,
Down,	Kuhn, H. P.,	Roney,	Speaker.
Ehrhardt,	Kuhns, E.G.M.,		

NAYS—57.

Baldwin, G. A.,	Gramley,	McDermott,	Rothenberger,
Barner,	Hemminger,	Mellott,	Sassaman,
Benson,	Herman,	Metzenbacher,	Showalter,
Blair, W. F.,	Humes,	Miller,	Smith, J. W.,
Body,	Jackson,	Moulthrop,	Snavely,
Brosius,	Keegan,	Musser,	Snyder,
Brownlee,	Keeport,	Newbaker,	Steele,
Burnett,	Latshaw,	Newton,	Strauss,
Carson,	Lenker,	Peachey,	Swift,
Claycomb,	Light,	Pennegar,	Trach,
Currier,	Lohr,	Post,	Walton,
Donnally,	Martin,	Reeser,	Whitman,
Dunn, H. B.,	Matt,	Rex,	Williams,
Foster, J. D.,	McAleer,	Rockwell,	
Grabe,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1134, entitled:

An Act conferring jurisdiction on the several Orphans' Courts of this Commonwealth over estates held by a feme covert to her sole and separate use and authorizing said Courts upon cause shown to give her portions of the corpus of the estate in addition to the income thereof

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—138.

Adams,	Down,	Kern,	Reeser,
Alworth,	Dunn, J. A.,	Kitts,	Rex,
Ambler,	Ehrhardt,	Klepper,	Rockwell,
Arthur,	Eichenberger,	Kuhn, H. P.,	Roney,
Baldwin, G. A.,	Ely,	Lenker,	Runk,
Baldwin, R. J.,	Flynn,	Leslie,	Schaeffer, A. C
Barner,	Foster, J. D.,	Letzkus,	Schuck,
Bass,	Gans,	Light,	Shern,
Bayle,	Geary,	Lowers,	Smith, J. W.,
Becker,	Geiser,	Malie,	Spangler,
Benninger,	Goss,	Mannion,	Spillinger,
Bergey,	Grabe,	Martin,	Steedle,
Berntheizel,	Gramley,	Mather,	Steele,
Bigger,	Gransback,	McAllister,	Stein,
Bittles,	Gray, Frank,	McArdle,	Stone,
Blair, W. A.,	Gray, Joseph,	McCaig,	Strauss,
Blair, W. F.,	Hackett,	McClintock,	Swartz,
Brosius,	Haggerty,	McKay,	Swift,

Caldwell,	Heidinger,	McNichol,	Thomas,
Campbell, C.M.,	Hemminger,	Missimer,	Trach,
Campbell, J.J.	Herman,	Mitchell,	Ulerich,
Carter,	Heyburn,	Moore,	Walsh,
Claycomb,	Hibshman,	Morrow,	Wettach,
Cleary,	Hoffman,	Moses,	Whitman,
Cochran	Howard, J.,	Murphy,	Wildman,
Collins,	Humes,	Musser,	Whitaker,
Conner,	Isler,	Neely,	Williams,
Conniff,	Irwin, G. C.,	Newbaker,	Wilson, W. H.,
Conrade,	Irwin, H. H.,	North,	Wiltbank,
Curry,	Jackson,	O'Neill,	Young, G. K.,
Davis,	Kaiser,	Pennock,	Young, J. H.,
DeFrees,	Kaufman,	Perry, H. L.,	Zimmerman,
Dickinson,	Keegan,	Post,	Alter,
Donahoe,	Keeport,	Redfield,	Speaker.
Donnally,	Kennedy,	Reese,	

NAYS—22.

Body,	Lohr,	Rothenberger,	Showalter,
Brownlee,	Matt,	Sassaman,	Smith, L.,
Jones, J. R.,	McAleer,	Scott, S. B.,	Snavely,
Kuhns, E.G.M.,	McDermott,	Shaffer, C. A.,	Snyder,
Lanius,	Miller,	Shaffer, I. E.,	Ulman,
Latshaw,	Price,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1581, entitled:

An Act relating to bail bond or surety bond furnished on appeals from courts of record in certain places

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. MILLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MECHLING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1631, entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—171.

Adams,	Eichenberger,	Latshaw,	Reeser,
Alworth,	Ely,	Lenker,	Rex,
Ambler,	Ewing,	Leslie,	Rhoads,
Arthur,	Fahey,	Letzkus,	Robinson,
Baldwin, G. A.,	Flynn,	Light,	Rockwell,
Baldwin, R. J.,	Foster, J. D.,	Lohr,	Roney,
Barner,	Frey,	Lowers,	Rothenberger,
Bass,	Gans,	Malie,	Runk,
Bayle,	Geary,	Mannion,	Sassaman,
Becker,	Geiser,	Martin,	Savacool,
Benninger,	Gibson,	Mather,	Schaeffer, A. C
Bergey,	Good,	Matt,	Semmens,
Berntheizel,	Grabe,	McAleer,	Shaffer, C. A.,
Bigger,	Gramley,	McAllister,	Shaffer, I. E.,
Bittles,	Gransback,	McArdle,	Shern,
Blair, W. A.,	Gray, Frank,	McCaig,	Showalter,
Blair, W. F.,	Gray, Joseph,	McClintock	Smith, J. W.,
Body,	Hackett,	McDermott,	Smith, L.,
Brosius,	Haggerty,	McKay,	Snavely,
Brown,	Heidinger,	McNichol,	Snyder,
Brownlee,	Hemminger,	Mechling,	Spangler,
Campbell, C.M.,	Herman,	Mellott,	Spillinger,
Campbell, J.J.	Hess,	Metzenbacher,	Steedle,
Carson,	Heyburn,	Miller,	Steele,
Carter,	Hibshman,	Missimer,	Stein,
Cheeseman,	Hoffman,	Mitchell,	Strauss,
Claycomb,	Howard, J.,	Moore,	Swartz,
Cleary,	Howard, R.,	Morrow,	Swift,
Cochran	Humes,	Moses,	Thomas,
Collins,	Isler,	Moulthrop,	Trach,
Conner,	Irwin, G. C.,	Murphy,	Ulerich,
Conniff,	Irwin, H. H.,	Musser,	Ulman,
Conrade,	Jackson,	Newbaker,	Walsh,
Cox,	Jones, E. E.,	Newton,	Walton,
Currier,	Jones, J. R.,	North,	Watson,
Curry,	Kaufman,	O'Neill,	Wettach,
Davis,	Keegan,	Peachey,	Whitaker,
DeFrees,	Keeport,	Pennegar,	Wildman,
Dickinson,	Kenna,	Pennock,	Williams,
Donahoe,	Kennedy,	Piper,	Wilson, J. H.,
Donnally,	Kern,	Post,	Wiltbank,
Down,	Kitts,	Price,	Young, G. K.,
Dunn, H. B.,	Klepper,	Ramsey,	Young, J. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Reese,	Zimmerman,
Ehrhardt,	Lanius,		Alter,
			Speaker.

NAYS—1.

Benson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1053, as follows:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property providing penalties for the breach thereof and limiting the amount to be expended for the purchase aforesaid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That every county of this Commonwealth having a population of not less than eight hundred thousand and not more than one million four hundred thousand is hereby authorized and empowered to purchase land to be used for park purposes or for the erection thereon of public comfort houses The land purchased for the purposes aforesaid shall lie withon the limits of such county and shall be contiguous to or in the vicinity of a county road and shall be outside the corporate limits of any city or borough The county is authorized and empowered to erect and maintain on the land such buildings as are necessary to fulfill the purposes for which the land was acquired

Section 2 The county commissioners are authorized and empowered to adopt reasonable rules and regulations necessary for the preservation management and control of parks and public comfort houses so established and maintained and provide penalties for the breach thereof All rules adopted by the commissioners shall before becoming operative be published once a week for three consecutive weeks in three newspapers of general circulation in the county and shall be recorded in the office of the recorder of deeds in such county Any person violating any rules so adopted may be prosecuted by proceedings for summary conviction before any justice of the peace or magistrate having jurisdiction and powers of a justice of the peace and may be adjudged to pay a fine of not less than five dollars nor more than twenty-five dollars which shall be payable to the county treasurer who shall add the fine to the fund for the improvement of county roads From such judgment and summary conviction an appeal shall lie as provided by law

Section 3 After the county commissioners have duly resolved to secure land for any of the purposes aforesaid they shall agree with the owner or owners thereof upon a reasonable price to be paid therefor

Section 4 The amount that may be expended by the county commissioners of any county in any one year in the exercise of the powers herein conferred shall not exceed the sum of twenty-five thousand dollars and the amount that the commissioners may expend for securing the land for and improving any single park or for securing the land for and building any single comfort house shall not exceed the sum of five thousand dollars

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Adams,	Fahey,	Lowers,	Sassaman,
Allen,	Foster, J. D.,	Malie,	Savacool,
Alworth,	Frey,	Mannion,	Schaeffer, A. C
Ambler,	Gans,	Martin,	Scott, J. R. K.,
Arthur,	Geary,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	McAleer,	Semmens,
Baldwin, R. J.,	Gibson,	McAllister,	Shaffer, I. E.,
Bass,	Good,	McArdle,	Shern,
Bayle,	Gramley,	McCaig,	Sherwood,
Becker,	Gransback,	McClintock,	Showalter,
Benninger,	Gray, Frank,	McKay,	Smith, J. W.,
Bergey,	Hackett,	McNichol,	Smith, L.,

Berntheizel,	Heidinger,	Missimer,	Snavely,
Bigger,	Hemminger,	Mitchell,	Snyder,
Blair, W. A.,	Herman,	Moore,	Spangler,
Blair, W. F.,	Hess,	Moses,	Speiser,
Body,	Heyburn,	Moulthrop,	Spillinger,
Brosius,	Hibshman,	Murphy,	Steedle,
Brownlee,	Howard, J.,	Musser,	Steele,
Burnett,	Howard, R.,	Neely,	Stein,
Caldwell,	Isler,	Newbaker,	Stone,
Campbell, C.M.,	Irwin, G. C.,	Newton,	Strauss,
Campbell, J.J.	Irwin, H. H.,	North,	Swartz,
Carson,	Jackson,	O'Neill,	Swift,
Carter,	Jones, E. E.,	Peachey,	Thomas,
Cleary,	Jones, J. R.,	Pennegar,	Ulerich,
Collins,	Kaiser,	Pennock,	Ulman,
Conner,	Kaufman,	Perry, H. L.,	Walnut,
Conniff,	Keeport,	Piper,	Walsh,
Conrade,	Kenna,	Post,	Walton,
Cox,	Kennedy,	Ramsey,	Watson,
Currier,	Kern,	Redfield,	Wettach,
Curry,	Kitts,	Reese,	Whitaker,
Davis,	Klepper,	Reeser,	Wildman,
DeFrees,	Kuhn, H. P.,	Rex,	Williams,
Dickinson,	Kuhns, E.G.M.,	Rhoads,	Wilson, J. H.,
Donnally,	Lanius,	Richards,	Wilson, W. H.,
Down,	Latshaw,	Robinson,	Young, G. K.
Dunn, H. B.,	Lenker,	Rockwell,	Young, J. H.,
Dunn, J. A.,	Leslie,	Ronev,	Zimmerman,
Ehrhardt,	Letzkus,	Rothenberger,	Alter,
Eichenberger,	Light,	Runk,	Speaker.
Ely,	Lohr,		
Ewing,			

NAYS—4.

Haggerty,	Keegan,	McDermott,	Mellott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 872, as follows:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixten years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such power may be exercised" which section as amended by the act approved the first day of June Anno Domini one thousand nine hundred and eleven reads as follows

"Section 6 In the case of a delinquent child the court may continue the hearing from time to time and may commit the child to the care and guardianship of a probation officer duly appointed by the court and may allow said child to remain in its own home subject to the visitation of the probation officer such child to report to the probation officer as often as may be required and subject to be returned to the court for further proceedings whenever such action may appear to be necessary or the court may commit the child to the care and guardianship of the probation officer to be placed in a suitable family home subject to the supervision of such probation officer or it may authorize the said probation officer to board out the said child in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of such child or may direct that the payment of the board of such child be made by the proper county until a suitable provision may be made for the child in a home without such payment or the court may commit the child to a suitable institution for the care of delinquent children or to any society duly incorporated having for one of its objects the protection of dependent or delinquent children" be and the same is hereby amended so as to read as follows

Section 6 In the case of a delinquent dependent neglected or incorrigible child the court may continue the hearing from time to time and may commit the child to the care and guardianship of a probation officer duly appointed by the court and may allow said child to remain in its own home subject to the visitation of the probation officer such child to report to the probation officer as often as may be required and subject to be returned to the court for further proceedings whenever such action may appear to be necessary or the court may commit the child to the care and guardianship of the probation officer to be placed in a suitable family home subject to the supervision of such probation officer or it may authorize the said probation officer to board out the said child in some suitable family home in case provision is made by voluntary contribution or otherwise for the payment of the board of such child or may direct that **the payment of the board of such child be made by the** proper county until a suitable provision may be made for the child in a home without such payment or the court may commit the child to a suitable institution for the care of delinquent children or to any society duly incorporated having for one of its objects the protection of dependent neglected or delinquent children and may direct that the payment of the board of such child shall be made by the proper county

And said bill having been read at length the third time, considered and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—166.

Adams,	Ewing,	Mannion,	Savacool,
Allen,	Fahey,	Martin,	Schaeffer, A. C
Alworth,	Foster, J. D.,	Mather,	Schuck,
Ambler,	Frey,	Matt,	Scott, J. R. K.,
Arthur,	Geary,	McAleer,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	McAllister,	Semmens,
Baldwin, R. J.,	Gibson,	McArdle,	Shaffer, C. A.,
Barner,	Glenn,	McCaig,	Shaffer, I. E.,
Bass,	Good,	McClintock,	Shern,
Bayle,	Gramley,	McDermott,	Sherwood,
Becker,	Gransback,	McKay,	Showalter,
Benninger,	Gray, Frank,	McNichol,	Smith, J. W.,
Benson,	Hackett,	Mellott,	Smith, L.,
Berntheizel,	Haggerty,	Metzenbacher,	Snavely,
Bigger,	Heidinger,	Missimer,	Snyder,
Bittles,	Herman,	Mitchell,	Spillinger,
Blair, W. A.,	Hess,	Morrow,	Steedle,
Blair, W. F.,	Heyburn,	Moses,	Steele,
Body,	Hibshman,	Moulthrop,	Stein,
Brosius,	Hoffman,	Musser,	Stone,
Brownlee,	Howard, J.,	Neely,	Swartz,
Burnett,	Isler,	Newbaker,	Swift,
Caldwell,	Irwin, G. C.,	Newton,	Thomas,
Campbell, C.M.,	Irwin, H. H.,	North,	Trach,
Campbell, J.J.	Jackson,	O'Neill,	Ulerich,
Carter,	Jones, E. E.,	Peachey,	Ulman,
Cheeseman,	Jones, J. R.,	Pennock,	Walsh,
Claycomb,	Kaiser,	Perry, H. L.,	Walton,
Cleary,	Kaufman,	Piper,	Watson,
Cochran,	Keeport,	Price,	Wettach,
Collins,	Kenna,	Ramsey,	Whitaker,
Conner,	Kern,	Redfield,	Whitman,
Conniff,	Kitts,	Reese,	Wildman,
Conrade,	Klepper,	Reeser,	Williams,
Cox,	Kuhn, H. P.,	Rex,	Wilson, J. H.,
Currier,	Lanius,	Rhoads,	Wilson, W. H.,
Curry,	Latshaw,	Richards,	Wiltbank,
Davis,	Lenker,	Robinson,	Young, G. K.
DeFrees,	Leslie,	Rockwell,	Young, J. H.,
Dickinson,	Letzkus,	Roney,	Zimmerman,
Donnally,	Lowers,	Rothenberger,	Alter,
Ehrhardt,	Malie,	Sassaman,	Speaker.
Eichenberger,			

NAYS—1.

Hemminger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 176, as follows:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commisioners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the several boards of county commissioners and the mayor of the several cities of the Commonwealth may and are hereby authorized to appoint such members of competent persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with refer-

ence to weights and measures Provided that county inspectors of weights and measures shall have no authority to inspect weights and measures in cities or to execute the laws of the Commonwealth in regard to the same or the ordinances of municipalities as they apply to cities within limits of their respective counties Neither shall the city inspectors have any jurisdiction outside of their respective cities

"The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriations directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowances for expenses shall be paid by appropriations made from the respective city treasuries" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the several boards of county commissioners and the mayor of cities of the second and third classes of the Commonwealth may and are hereby authorized to appoint such members of competent persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with reference to weights and measures Provided that county inspectors of weights and measures shall have no authority to inspect weights and measures in cities of the second and third classes or to execute the laws of the Commonwealth in regard to the same or the ordinances of municipalities as they apply to cities of the second and third classes within the limits of their respective cities In the cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located

The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriations directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowances for expenses shall be paid by appropriations made from the respective city treasuries

On the question,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, we are opposed to this bill. This bill is directed directly at the Mayor of Philadelphia, and its only purpose is to strip him of some of his appointive authority. We are not opposed to the principle of having proper inspection of weights and measures. The act of 1911 passed by the last session provided for an appointing of sealers of weights and measures by the several boards of county commisisoners and by the mayors of the several cities. Unfortunately, that act made no provision for the number of inspectors to be appointed; made no provision for their compensation as to amount. This bill, in its passage through the House, we have endeavored to amend so as to provide the number of inspectors to be appointed in cities of the first class, and also the amount of compensation. Since the 27th of January we have been endeavoring to secure proper amendments to this bill. The sole purpose, as I said, is to take the appointing of those inspectors out of the hands of the Mayor of Philadelphia and place that appointive power with the county commissioners; and it has this direct result, that by the appointing power being with the commissioners it will mean that they can appoint any number of inspectors of weights and measures, and use that power for political patronage to defeat the progressive principles in this State, and the reform which is going on throughout the State, and toward which the election of Blankenburg in 1911 was the first step, and has been advocated and carried throughout the State. Mr. Speaker, all you men from the country districts that have come here in the past know what you have to contend with from the machine in Philadelphia. Now, Mr. Speaker, I submit that there is only one way in which we can accomplish any good results and secure any reasonable legislation in this House, and that is to carry on the success that was brought about at the polls last November. Mr. Speaker, the members of the House will remember that in 1905 the Legislature passed a "ripper" bill for Philadelphia. At that session of the Legislature, the appointing of the directors of the various Departments was taken out of the hands of the Mayor of Philadelphia and placed with the city councils, and the result was just this: That there was such a furore of dissent, such an opposition, arose to the legislation of 1905, that the Legislature was reconvened in special session for the purpose of repealing that legislation. Now, Mr. Speaker, I submit to the members of this House that unless this House proposes to put itself in the same ridiculous position that the Legislature did in 1905, it should defeat this bill.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

The SPEAKER (George E. Alter) in the Chair.

On the question,

Shall the bill pass finally?

Mr. PIPER. Mr. Speaker, I believe that it is only fair that, as sponsor of this bill, I should say a few words in its behalf. From the statements that have just been made, if you were all convinced along that line of argument, you would be led to believe that this is a "ripper" bill. I would like every member of the House of Representatives to know that this is not a "ripper" bill. If the Mayor of the City of Philadelphia had complied with the law of 1911, then we might say to the members of this House that it was a "ripper" bill. But, on the other side, the Mayor has refused to comply with the law of 1911 passed by the Legislative body here in the appointment of sealers for the City of Philadelphia. If he has refused to comply with that law, I desire to know from anyone who may feel that this is a "ripper" bill, how it can be a "ripper" bill. We have no sealers of weights and measures in the City of Philadelphia to-day. In 1911, when that act was passed in the legislative body here, they had given the Mayor of the City of Philadelphia the power of appointing sealers of weights and measures. He has neglected his duty as Mayor of the City of Philadelphia. I do not know of any one man in this Legislature to-day serving in this legislative body, who did more or exercised more influence than I did when that man was a candidate for Mayor of the City of Philadelphia. I stood behind, on the back end of an automobile before the workshops, preaching to the workmen of my city day after day, asking them to place this man in the office of Mayor. That man who will stand on the floor of this House and say that I am doing this to try to cut this man who is Mayor of our city, out of power, makes an unfair statement. I have no bitter feeling toward the Mayor of the City of Philadelphia. My only feeling, my only interest in the City of Philadelphia to-day is the protection of those families who live there.

We have in the City of Philadelphia today 350,000 homes and then when it comes down to the question of asking the mayor of the City of Philadelphia, some time ago, to make some provision for the protection of those homes, he stated that he had another scheme that he could recommend to councils of Philadelphia. What was his scheme to councils of Philadelphia? He said to councils: "My dear Councilmen, I would suggest that instead of appointing the sealers of weights and measures in Philadelphia that you purchase in the City of Philadelphia, 25,000 scales and place those scales in the homes of the housewives and the working classes of that City." Ah, men, tell me how 25,000 scales are going to cover 350,000 homes. Tell me that again. Are you going to hold the housewives of Philadelphia responsible for the prosecution of the vendor who will come along with his quarter peck measure with a false bottom? Are you going to hold the housewives responsible for the man who has the false weight which is lacking one or two ounces? Why not put this in the hands of the parties that will take care of it? If the Mayor is neglecting his duty, while I have no bitter feeling toward him, there is no reason why, if he neglects his duty that I should neglect my duty to my people. I am not here to-day, trying to force politics into this issue. I know that some statements have been handed to a number of you men here on this floor against this bill and I know that the statements put forth the argument that it was only a political move on my part to secure appointments in Philadelphia. If I want to use the same words back to you men, I might ask, is it not true that the men who want to defeat this bill may have some promises from the Mayor of the City of Philadelphia that they may receive the appointments rather than on my side. I am here today in defense of this bill because I believe I am serving the interests in my particular City. I have here a statement that I want to quote to you. Every one of you present do not know the heads of Departments in the City of Philadelphia, but I have one statement here from the head of a Department in the City of Philadelphia. It comes from Doctor Burke, who is the head of the Mayor's Municipal Research Bureau. He has made an investigation of the subject of sealers of weights and measures after council turned out the request for the 25,000 scales and after his investigation he estimates to-day that the housewives of the City of Philadelphia are robbed annually of three million dol-

lars because of false weights and meausres. I feel men, that you will do justice to the people of tme City of Philadelphia, where we have three hundred and fifty thousand homes, by voting for this bill, not from a political point of view—God forbid that I stand here and fight for this bill to go through, from a political point of view—but I have pledged myself to the people of my city that I will work in their interests, and I am here today working in their interests and asking the passage of this bill that the housewives of the City of Philadelphia may receive full value for the amount of money they pay for their purchases, and I ask you men to vote aye on this bill.

Mr. S. B. SCOTT. I ask the House to study this bill and see what it does and then I leave it to the House whether or not it is a matter of politics rather than of real significance. The act which is to be amended provides that the several boards of county commissioners and the mayor of the several cities of this Commonwealth may appoint these inspectors or sealers of weights and measures. That is to say, there is a perfect general scheme by which the county commissioners appoint and that wherein these counties there are cities, the mayors of the cities shall appoint, Now the amendment reads: "That the several boards of county commissioners and the mayors of cities of the second third class." In other words, this perfectly general scheme is to be so changed by singling out the cities of the first class, and it is to be held that in the city of the first class the mayor is incompetent to make these appointments; but in the cities of the second and third class that mayors are competent. Now there is only one city of the first class and only one mayor of a city of the first class, therefore this bill simply says: "Rudolph Blankenburg, you shall not be considered competent to make the appointments of sealers of weights and measures." Now it takes it out of the mayor's hands and gives it to the county commissioners. Now when you take into consideration the results of prior elections and realize that two out of the three county commissioners belong to the party opposite to that to which the mayor belongs, it seems to me an incontrovetible conclusion that this is a political measure.

Mr. LORENZO SMITH. Mr. Speaker, I would like to ask the sponsor of this bill a couple of question.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. PIPER. Mr. Speaker, I will.

Mr. LORENZO SMITH. Mr. Speaker, I would like to ask the gentleman why it is that there is not a limit put on the number to be appointed.

Mr. PIPER. Mr. Speaker, in answer to the gentleman, I would say that there was no limit put on the number of men to be appointed two years ago, and if there is a limited number made now and as the law must be to pass, if it is passed here without the limit of number and after the selection is made it must be through an ordinance of councils, I don't think it would be fair to name any certain number of men when we do not know just the amount of men the City will need for this particular time.

Mr. LORENZO SMITH. Mr. Speaker, I would like to further interrogate the gentleman and ask him why there are no salaries fixed in this bill.

Mr. PIPER. Mr. Speaker, in answer to the gentleman from Philadelphia, I believe that if he will consider legislation, the law proper, take it in its full significance, he will find that where counties are compelled to pay their employees, they have no right by an act of the legislature to set their salary. That is up to councils of every county where the salaries are paid.

Mr. LORENZO SMITH. I am very intimate with some of the backers of this bill and had many conversations with them about this bill, and the gentleman who just took his seat says there is no politics in it; but it looks to me from the statement of one of these gentlemen, "that there will be a hilarious old time when it comes to making the appointments, because you know you cannot get anything from that old so and so at City Hall. If you want anything, why this is the law that gives you the opportunity." I asked why there was no limit to the number of appointments to be made and they said: "Well we do not know how many we want." To me, Mr. Speaker, it looks altogether to be a scheme of politics to give a lot of fellows some good jobs, nothing more and nothing less. I know that from the backers of the bill, and possibly the framers of the bill.

Mr. PIPER. Mr. Speaker, I desire to inform the members of the House that in my estimation I do not believe that if this bill should become a law that there is any party of men in charge of any particular office that are going to try to injure the taxpayers of his City when he knows that he depends on those taxpayers for election to the office in which he is serving. I feel and believe that there will be no more and I feel very nearly sure that the necessary number of inspectors required, I feel that fifteen men in the City of Philadelphia will cover that City. Some men have said here that one hundred men might be appointed. That would be absurd. Because, if you appoint one hundred men, you would appoint two men to every ward in Philadelphia, which is not necessary, and I believe if the law was good two years ago, to leave it to the discretion of the mayor to name as many as he wanted it will be just as good now to leave it to the county commissioners to name theirs and I feel sure there will be no more than fifteen appointed in the City of Philadelphia.

Mr. GANS. Mr. Speaker, I move the previous question.

The SPEAKER. It appears to the Chair that there is not the necessary number seconding the motion.

Mr. WALNUT. Mr. Speaker, I would just like to call the attention of the House to the fact that there is something else in this bill which should be considered aside from the question of politics. We have in the City of Philadelphia under our charter of 1885 a City Government that takes charge of all of the City functions. We have concentrated in our Mayor and Councils of Philadelphia as much power as we could possibly gather under that head. We have attempted, in line with all modern progress, with the same progress that is evidenced by the bill for a commission form of government for third class cities that passed through here, to concentrate the responsibilities of our city government. For that reason the appointment of the sealers of weights and measures should be continued in the hands of the mayor. Our county commissioners in Philadelphia have by no means the same duties or the same responsibilities that county commissioners in other counties have. Upon them is placed almost wholly the duties incident to the conduct of elections. This bill proposes to place in their hands something else and take it out from the concentrated power of the mayor and councils. For that reason I think that aside from the question of politics altogether, in view of the fact that we are legislating not for the present special situation, when we consider the proper theory of our municipal government, we certainly should not pass this bill.

Mr. WILTBANK. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, (Mr. Walnut).

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WALNUT. Mr. Speaker, I will.

Mr. WILTBANK. Mr. Speaker, will the gentleman tell the House why this bill has been on the statute books for two years and the present mayor has had his seat for about sixteen months and has not appointed one of these men, when the citizens of Philadelphia have been robbed right and left and he refuses to appoint these men? Can he answer that question?

Mr. WALNUT. Mr. Speaker, I am glad that question was raised. We have at present in Philadelphia a very serious financial situation. Ever since the new mayor has been in, in fact, under the mayor who preceded him, the question of sufficient finances to properly conduct the city government and to take care of the offices and all necessary positions, is one that has involved the administration in the greatest degree of perplexity. The present mayor found that difficulty facing him when he went into office. It has been his desire to do a great many things for the City of Philadelphia, and he has been doing his very best to accomplish those things. When he came to the appointment of sealers of weights and measures, he proposed what he considered an excellent substitute and he presented that proposition to councils. The councils refused to acquiesce in it and the mayor very naturally enough refused to appoint the sealers of weights and measures, and I believe in view of the fact that his previous proposal has not been accepted that if it is possible to secure the money for the payment of the salaries of these people and if councils will give it to him, I have not the least doubt but what he will make the appointments, because there is no man in Philadelphia, more interested in accomplishing the purposes of this bill than the present mayor of Philadelphia.

Mr. PIPER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Walnut.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WALNUT. Mr. Speaker, I will.

Mr. PIPER. I would ask as to whether or not the gentleman from Philadelphia (Mr. Walnut) is aware of the fact that the Grand Jury of last August condemned Mayor Blankenburg because of his failure to accept and place in effect the provisions of the law in relation to sealers of weights and measures?

Mr. WALNUT. Mr. Speaker, the mayor has been condemned for a good many things; not only that, but probably many other things that were absolutely beyond his power to remedy. I think the same difficulty faced him in this question as faced him in a great many others, and in view of the fact that his previous proposal was not accepted, I believe that he will make these appointments when the money is provided.

Mr. PIPER. I desire to further interrogate the gentleman from Philadelphia. I would ask him whether or not he will admit, or whether he knows that when the mayor offered his scheme to councils for twenty-five thousand scales that councils reported out that they were favorable and whether or not after the report was made he did not direct Doctor Burke to make an investigation before even the scales were purchased.

Mr. WALNUT. Mr. Speaker, I am not aware of that fact, but if so, I think it was a very proper procedure on his part.

Mr. PIPER. Mr. Speaker, that proves to me that the sincereness of the mayor in recommending that the housewives of the City be protected was not sincere. He was not in sympathy with the law of 1911.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

Mr. BLELOCH. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—111.

Adams,	Eichenberger,	Kitts,	Roney,
Alworth,	Ely,	Kuhn, H. P.,	Rothenberger,
Ambler,	Ewing,	Lanius,	Sassaman,
Arthur,	Fahey,	Letzkus,	Schaeffer, A. C
Baldwin, R. J.,	Flynn,	Malie,	Schuck,
Bass,	Foster, J. D.,	Mannion,	Shern,
Bayle,	Frey,	Mather,	Sherwood,
Becker,	Gans,	McAllister,	Spangler,
Berntheizel,	Good,	McArdle,	Spillinger,
Blair, W. A.,	Gramley,	McCalg,	Steedle,
Body,	Gransback,	McDermott,	Stein,
Caldwell,	Gray, Joseph,	Mechling,	Stone,
Campbell, J.J.	Hackett,	Missimer,	Strauss,
Carter,	Haggerty,	Moore,	Swartz,
Cleary,	Hess,	Morrow,	Thomas,
Collins,	Heyburn,	Murphy,	Walton,
Conner,	Hibshman,	Neely,	Watson,
Conniff,	Hoffman,	Newbaker,	Wettach,
Conrade,	Howard, J.,	North,	Whitaker,
Cox,	Isler,	O'Neill,	Wildman,
Currier,	Irwin, G. C.,	Peachey,	Wilson, J. H.,
Curry,	Irwin, H. H.,	Piper,	Wilson, W. H.,
Davis,	Jones, E. E.,	Price,	Wiltbank,
Dickinson,	Kaiser,	Ramsey,	Young, G. K.,
Donahoe,	Keegan,	Reese,	Young, J. H.,
Dunn, H. B.,	Keeport,	Reeser,	Zimmerman,
Dunn, J. A.,	Kenna,	Rhoads,	Alter,
Ehrhardt,	Kern,	Robinson,	Speaker.

NAYS—67.

Baldwin, G. A.,	Glenn,	McAleer,	Scott, J. R. K.,
Barner,	Grabe,	McKay,	Scott, S. B.,
Benson,	Gray, Frank,	Mellott,	Semmens,
Bergey,	Heidinger,	Metzenbacher,	Shaffer, I. E.,
Blair, W. F.,	Hemminger,	Miller,	Showalter,
Bleloch,	Howard, R.,	Mitchell,	Smith, J. W.,
Brownlee,	Jones, J. R.,	Moses,	Smith, L.,
Burnett,	Kaufman,	Moulthrop,	Snavely,
Campbell, C.M.,	Klepper,	Musser,	Snyder,
Carson,	Kuhns, E.G.M.,	Neel,	Steedle,
Cheeseman,	Latshaw,	Newton,	Swift,
Claycomb,	Lenker,	Pennock,	Trach,
Cochran,	Leslie,	Post,	Ulerich,
Donnally,	Light,	Redfield,	Walnut,
Down,	Lohr,	Rex,	Whitman,
Geary,	Martin,	Rockwell,	Williams,
Gibson,	Matt,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HUMES. Mr. Speaker, I move that this House do now take a recess until eight o'clock to-night.

Mr. COCHRAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ULERICH. Mr. Speaker, I think that we ought to wait long enough to record ourselves on this next bill, which is a joint resolution. I think we should take it up and then adjourn until to-morrow. There are a great many of us who cannot be here to-night who would like to vote on it.

The question recurring,

Will the House agree to the motion?

It was not agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1330 (Senate Bill No. 68), as follows:

A Joint Resolution proposin an amendment to article nine section four of the Constitution of the Commonwealth of Pennnsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section four of article nine which reads as follows "Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million of dollars" be amended so as to read as follows

Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenues repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any on time one million of dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highways of the Commonwealth

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill is known as the Fifty Million Dollar Bond Issue. Some of us on the second reading of this bill voted for the recommitting of the bill to the Roads Committee. When that vote was successful we expected to have a meeting for the purpose of getting information. Subsequently it happened that the vote was reconsidered and the bill was again placed back on the calendar and subsequent to that there was a resolution addressed to the Attorney General asking whether or not there would be enabling legislation offered or could be passed at this session of the Legislature. That has been replied to, that such legislation cannot be passed successfully and that it would be unconstitutional. Therefore, that portion of the information that was sought by those of us who voted for the recommitting of this bill has been answered to us. Some of us were opposed to this legislation on principle that this rich Commonwealth does not require the issuance of bonds for the purpose of establishing good roads. I desire to say that we all are in favor of good roads. Some have one view of getting them; some have a contrary view.

We have in this House now legislation that has been recommended by a commission of which you, Mr. Speaker (Mr. Alter), are a member, proposing that revenue to the extent of six or seven million dollars be raised annually by taxation of the various corporations. The passing of this amendment at the present time will in no wise effect those of us who oppose raising the money for good roads by the means of taxation. The legislation that is now before the House, having been voted out of the Ways and Means Committee last evening, will subsequently come before the House and will be before the members of the Legislature for their vote; if that legislation prevails then six or seven million dollars will be raised each year which can be used for the building and the keeping up of good roads. So, therefore, it is quite

consistent for those of us who are for good roads and who don't agree with some of the gentlemen who are also for good roads as to how to raise the money for establishing them. It is quite consistent for us now to vote on third reading for this bill which merely places this joint resolution before the people to be voted upon at the next November election. For myself, I don't believe that Pennsylvania should borrow a dollar by bond. I don't see why so rich a Commonwealth as Pennsylvania, that is liberal to its charities, should be compelled to go to the money lender for the purpose of building her roads. I believe that this Legislature is bound to enact the legislation that has been advised by the Tax Commission; a commission that has been in existence for four years and which cost this Commonwealth fifty thousand dollars for the information that the legislation suggested by that Commission is the really true and proper way for this Commonwealth to raise the money for the purpose of building her roads. But that view should not deter any of us from placing this question before the people. If this Legislature passes the revenue raising bill. of course the people of the Commonwealth will know that fact and they can refuse to pass or ratify this resolution to amend the Constitution at the next November election. If the people of Pennsylvania pass upon the amendment and see fit to allow the Constitution to be amended that does not mean that there will be passed legislation such as the amendment will permit. The answer by the Attorney General to the resolution passed by this House asking as to whether or not there could be enabling legislation by this Legislature for the purpose of raising this fifty million dollars, or a portion of it, during the present administration; it has been answered that no such money could be raised by legislation. That removed to a great extent the opposition of many of us. Many of us are opposed to this administration and many of us disapprove of the action of the Highway Department as to carrying on all the cost, and many of us stand for it today ready to vote for this joint resolution, but we are also ready to fight to the very last ditch against any legislation which will give to the present administration and the present Highway Department the spending of the money that can be raised under this bond issue. Therefore, my position in this House is not to oppose good roads; is not opposed to this legislation. I will vote in the affirmative for this proposed joint resolution and in doing so I will place upon the record practically what I have stated here upon the floor of the House.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution. the yeas and nays were taken and were as follows:

YEAS—189.

Adams,	Ely,	Letzkus,	Rockwell,
Alworth,	Ewing,	Lohr,	Roney,
Ambler,	Fahey,	Lowers,	Rothenberger,
Arthur,	Flynn,	Malie,	Runk,
Baldwin, G. A.,	Foster, J. D.,	Mannion,	Sassaman,
Baldwin, R. J.,	Frey,	Martin,	Savacool,
Barner,	Gans.	Mather,	Schaeffer, A. C
Bass,	Geary,	Matt,	Schuck,
Bayle,	Geiser,	McAleer,	Scott, J. R. K.,
Becker,	Gibson,	McAllister.	Semmens,
Benninger,	Glenn,	McArdle,	Shaffer, C. A.,
Benson,	Good,	McCaig,	Shaffer, I. E.,
Bergey,	Grabe,	McClintock,	Shern,
Berntheizel,	Gramley,	McDermott,	Sherwood,
Bigger,	Gransback,	McKay,	Showalter,
Bittles,	Gray, Joseph,	McNichol,	Smith, J. W.,
Blair, W. A.,	Hackett,	Mechling,	Smith, L.,
Blair, W. F.,	Haggerty,	Mellott,	Snyder,
Bleloch,	Heidinger,	Metzenbacher,	Spangler,
Body,	Hemminger,	Miller,	Stillinger,
Brosius,	Herman,	Missimer,	Steedle,
Brown,	Hess,	Mitchell,	Steele,
Brownlee,	Heyburn,	Moore,	Stone,
Burnett,	Hibshman,	Morrow,	Strauss,
Caldwell,	Hoffman,	Moses,	Swartz,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Swift,
Campbell, J.J.	Howard, R.,	Murphy,	Thomas,
Carson,	Humes,	Musser,	Trach,
Carter,	Isler,	Neel,	Ulerich,
Cheeseman,	Irwin, G. C.,	Neely,	Ulman,
Claycomb,	Irwin, H. H.,	Newbaker,	Walnut,
Cleary,	Jackson,	Newton,	Walsh,
Cochran,	Jones, E. E.,	North,	Walton,
Conner,	Jones, J. R.,	O'Neill,	Watson,
Conniff,	Kaiser,	Peachey,	Wettach,
Conrade,	Kaufman,	Pennegar,	Whitaker,
Cox,	Keegan,	Pennock,	Whitman,
Currier,	Keeport,	Piper,	Wildman,
Curry,	Kenna,	Post,	Williams,
Davis,	Kern,	Price,	Wilson, J. H.,
DeFrees,	Kitts,	Ramsey,	Wilson, W. H.,
Dickinson,	Klepper,	Redfield,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Reese,	Young, G. K.
Donnally,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Down,	Lanius,	Rex,	Zimmerman,
Dunn, H. B.,	Latshaw,	Rhoads,	Alter,
Dunn, J. A.,	Lenker,	Robinson,	Speaker.
Ehrhardt,	Leslie,		
Eichenberger,			

NAYS—2.

Scott, S. B., Snavely,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

REASONS FOR VOTE.

Mr. E. L. HUMES. In voting "aye" on the Senate Bill No. 68, known as the $50,000,000.00 bond issue amendment to the State Constitution, I wish it understood that I am not giving any approval to the policy of the State's bonding itself in this or any other sum for the purpose of the construction of roads. I believe, however, that this is a question in which the people of the State at large are sufficiently interested that the question should be submitted to them for a referendum vote, and the only way that the people can be permitted to legislate on this for themselves, is by the enactment of this Bill by the legislature, so that it may be submitted to a popular vote. I do not believe that this bond issue should be authorized, if at all, unless it is accompanied by legislation that will secure an equitable distribution of the proceeds of the sale of the bond to each county of the State. I am also pursuaded that a fair and just equalization of the tax burden in the State would secure a sufficient increase in the State's revenues to permit the State to expend each year, in addition to the amount which present revenues permit of, as large an amount as the State Highway Department can properly and economically expend. It is bad public policy for a Commonwealth as rich as Pennsylvania to incur indebtedness for this purpose, as it is the experience of every State and municipality, that the life of a permanently improved highway is not to exceed thirty years. The bonds, if issued, would be for a period of from thirty to fifty years, and the roads for which the money was expended would be worn out before the indebtedness was paid. If these bonds are issued for 30 years at 4 per cent. interest the State would, at the maturity of the bonds, have paid $110,000,000.00 for $50,000,000.00 worth of roads. If they were issued for 50 years, the State would have paid $150,000,000.00 at the maturity of the bonds for $50,000,000.00 worth of roads. With these bonds issued the State would be compelled each year to appropriate and set apart for interest and sinking fund, between three and four millions of dollars. The amount, added to such annual appropriation as the State can from time to time afford to make, would create as large an annual appropriation for good roads as could be judiciously expended by the Highway Department.

I therefore wish to have it understood that my vote on this Bill is not an expression of approval of a bond issue, but merely a reiteration of my belief in the referendum on all such important questions as this one.

The SPEAKER. The Chair would state to the House that there is on the desk considerable routine business. We have not a very large second reading calendar for to-morrow. The Chair had hoped to pass the first reading bills at the opening of this afternoon's session, but they were not on the files. They will be on the files at 8 o'clock to-night. If we could have a session, as we had last night, it would enable these things to be done and give us a good second reading calendar to-morrow and we could pass some of the common-place bills, as we did last night.

RECESS.

Mr. KITTS. Mr. Speaker, I move that the House do now take a recess until 8 o'clock to-night.

The motion was agreed to and (at 6:32 P. M.) the House took a recess until 8:00 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.
The SPEAKER. (George E. Alter) in the Chair.

SENATE MESSAGES.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract form the Journal of the Senate, which was read as follows, viz:

In the Senate April 14, 1913.

Whereas, The protection of the migratory and insectivorous wild birds is essential to the prosperity of man, because of their work in consuming insect pests and the seeds of noxious weeds; and,

Whereas, The Biological Survey of the National Department of Agriculture has been engaged in exhaustive investigations to determine the foods of said birds, and their effect on said destructive insect pests and noxious weeds; and

Whereas, The publication and distribution of information concerning the beneficial results of the work of said birds has been resulting in a steady and increasing appreciation of the necessity of protecting and preserving the birds aforesaid; and,

Whereas, There is now pending before the Congress of the United States a joint resolution looking toward the international protection of migratory birds, which is known as Senate Resolution No. 25; therefore, be it

Resolved (If the House of Representatives concur), That the United States Senators and the members of Congress from Pennsylvania be urged to lend their votes and influence to the end that Senate Resolution No. 25 shall be passed and the international protection of our migratory birds be thus assured; and, be it further

Resolved (if the House of Representatives concur), That the United States Senators and the members of Congress from Pennsylvania be urged to support the work of the Biological Survey in every proper and consistent manner.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The Resolution will lie over under the rules for printing.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

A CONCURRENT RESOLUTION.

In the Senate, April 7, 1913.

Requesting Congres to enact such legislation as will be necessary for the construction of a system of paved public highways connecting the Capitals of the several States of the Union with the National Capital and with each other, and also with the principal National Parks.

Whereas, A uniform system of National Public Highways or roads, connecting the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also with the principal National Parks, will vastly promote commerce between the several States, and reduce the cost of transportation thereof; facilitate and cheapen travel and social intercourse between the people; discourage sectionalism, and render the entire people more cosmopolitan, intellectually, morally and politically; aid the farmer in marketing his produce, and make farm life more agreeable, attractive and profitable; induce Americans to see and know America; beautify all parts of the Union; intensify industrial activities; encourage goood rad building throughout the continent, and bring the entire people countless blessings, conveniences and joys known only to a highly developed county, and

Whereas, To secure uniformity, thoroughness and economy in the construction, fitness and adaptability of grades, and avoidance of such local controversies in the selection of routes as would probably delay, if not defeat the entire enterprise, the cost of such a system of highways being beyond the probably financial resources of the several States, it would be necessary that it would be constructed at the expense and under the supervision of the General Government, now, therefore,

Be it Resolved, (if the House of Representatives concur), That the Honorable Congress of the United States is respectfully urged to enact suitable legislation for the location and construction, under the supervision and by the General Government of a system of National Highways or roads, which shall connect the Capital of the several States of the Union with the National Capital at Washington, and with each other, and also, with the principal National Parks; that such National Highways be constructed on firm concrete bases, with hard surfaces, and as nearly dustless as possible; that they be located solely with regard to the greatest public good and feasibility of route and grades, and

Be it further resolved, That Congress is earnestly urged to provide in such legislation means of reaising the necessary money for the location and construtcion of such National Highway by the restoration of the internal revenue tax of one thousand eight hundred seventy-nine on tobacco, or in some other manner, as to it shall seem meet and proper, and that the location and construction of such a system of highways be commenced as means can be provided, throughout the country generally, without giving priority to any section or locations and,

It is Further Resolved, That a copy of this Memorial be forwarded by the Secretary of the Commonwealth of Pennsylvania to the Senate and to the House of Representatives of the United States; and,

Be it further Resolved, That copies thereof be transmitted by the Secretary of the Commonwealth of Pennsylvania to the Senators and Representatives in Congress from the State of Pennsylvania with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The Resolution will lie over under the rules for printing.

SENATE NON CONCURS IN AMENDMENTS.

The Clerk of the Senate being introduced informed that the Senate insist on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees of fire clay and minerals and changing number of viewers

And has appointed Messrs. Hall, Vare and McNichol a committee of conferrence to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. FLYNN. Mr. Speaker, I move that the House insist upon its amendments an dthat a committee of conference be appointed.

Mr. MATT. Mr. Speaker, I second the motion.

The motion was agreed to.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate Bill No. 23.

A bill entitled an act applicable to cities of the first second and third classes to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes the manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one two three four five six seven and eight

Senate Bill No. 77.

An Act to exempt from the payment of inheritance taxes requests and devises to institutions of purely public charity

Senate Bill No. 120.

Regulating the pay of election officers at all elections hereafter held within this Commonwealth

Senate Bill No. 316.

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 364.

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteraion of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April one thousand nine hundred and one"

House Bill No. 452.

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 917.

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of this act

House Bill No. 1042.

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 1099.

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

House Bill No. 1350.

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

House Bill No. 1362.

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

House Bill No. 1414.

An Act reorganizing the Attorney-General's Department designating the officers and employes thereof and fixing their salaries

With information that the Senate has passed the same without amendment.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1362.

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of Common pleas of Cambria county against the Commonwealth of Pennsylvania

Senate Bill No. 160.

An Act repealing part of section one of an act entitled "An Act relating to the service of certain processes in actions at law and the effect thereof and providing who shall be made parties to certain writs" approved July ninth one thousand nine hundred and one

Whereupon,

The Speaker in the presence of the House signed the same.

COMMUNICATIONS FROM THE GOVERNOR.

The private secretary of the Governor, being introduced, presented the following communications from the Governor which were read as follows:

APPROVAL OF HOUSE BILL NO. 810.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 810, entitled "An Act for the better preservation of the records contained in the offices of the recorder of deeds of counties of this Commonwealth containing over one million and a half population providing for the replacement and certification of worn or dilapidated records and the payment of the cost thereof out of county funds."

(Signed) JOHN K. TENER.

Also,

APPROVAL OF HOUSE BILL NO. 794.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Bill No. 794 entitled "An Act making it unlawful for any person firm or corporation to use the word Consul or Consulate or the coat of arms of a foreign country for exhibition display or advertising purposes and providing a penalty therefor."

(Signed) JOHN K. TENER.

Also,

APPROVAL OF HOUSE BILL NO. 181.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Bill No. 181 entitled "An Act to amend the second section of an act approved the fifth day of March Anno Domini one thousand nine hundred and seven entitled 'An Act amending section two of the act entitled 'An Act for the relief of wives and children deserted by their husbands and fathers within this Commonwealth' approved the thirteenth day of April Anno Domini one thousand eight hundred and sixty seven by authorizing and empowering courts to fix the allowance for the support of wives and children without limitation as to the amount thereof' by empowering courts to issue writs of attachment against the money or property belonging to or which the husbands and fathers may be entitled to whether under what is known as spendthrift trusts or otherwise."

(Signed) JOHN K. TENER.

Also,

APPROVAL OF HOUSE BILL NO. 170.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Bill No. 170, entitled "An Act authorizing the Commissioner of Fisheries to sell the real estate upon which the fish hatchery at Spruce Creek Huntingdon County is located and providing for the disposition of the fund."

(Signed) JOHN K. TENER.

Also,

APPROVAL OF HOUSE BILL NO. 69.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Bill No. 69, entitled "An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled 'An Act to provide for the health and safety of minors in bituminous coal mines and anthracite colleries or breakers by regulating the ages at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereto' by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act."

(Signed) JOHN K. TENER.

Also,

APPROVAL OF HOUSE BILL NO. 13.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Bill No. 13, entitled "A Joint Resolution ratifying the proposed amendment to section three of Article one of the Constitution of the United States of America which provides that Senators shall be elected by the people."

(Signed) JOHN K. TENER.

Also,

APPROVAL OF HOUSE BILL NO. 68.

Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen: I have the honor to advise you that I have this day approved and signed House Bill No. 68, entitled "An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled 'An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof' by prohibiting and punishing certain frauds in the obtaining of certificates and extending to truant officers the enforcing of this act."

(Signed) JOHN K. TENER.

BILLS INTRODUCED AND REFERRED.

By Mr. HUMES. House Bill No. 1915.

An Act to repeal an act approved the twenty-eighth day of March one thousand eight hundred seventy, entitled "An Act extending to Crawford county an act to enlarge the jurisdiction of justices of the peace in the county of Erie."

Referred to the Committee on Judiciary General.

By CHARLES A. SHAFFER. House Bill No. 1913.

An Act to amend an act approved the sixth day of June, one thousand eight hundred and ninety-three, entitled "An Act to provide for the consolidation of boroughs and the government and regulation thereof," as amended.

Referred to Committee on Municipal Corporations.

By Mr. WALNUT. House Bill No. 1914.

An Act prohibiting the placing, fixing or inserting of certain things in or on to newspapers, magazines, periodicals or books without the consent of the owner or publisher and providing a penalty.

Referred to the Committee on Judiciary General.

By Mr. FREY. House Bill No. 1916.

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four, entitled "An Act relative to the organization of the courts of justice."

Referred to the Committee on Judiciary General.

By Mr. S. B. SCOTT. House Bill No. 1922.

An Act making an appropriation to the Providence General Hospital of Philadelphia, Pennsylvania.

Referred to Committee on Appropriations.

By Mr. LORENZO SMITH. House Bill No. 1928.

An Act repealing an act entitled "An Act for the better security of the City of Philadelphia from dangers, incident to the refining or improper and negligent storage of petroleum, benzine, benzolem or naptha," approved the second day of March, one thousand eight hundred and sixty-five, and a supplement thereto entitled "A Supplement to an act for the better security of the city of Philadelphia, from dangers incident to the refining or improper and negligent storage of petroleum, benzine, benzolem or naptha, approved March second, one thousand eight hundred and sixty-five, and a further supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia, approved March twenty-fourth one thousand eight hundred and sixty-five, and to extend the boundaries of the same," approved the twenty-third day of May, one thousand eight hundred and seventy-one.

Referred to the Committee on Manufactures.

By Mr. McNICHOL, House Bill No. 1929.

An Act to amend an act entitled, "An act for the assignment of judges to districts other than their own, for the purpose of expediting business, with provision for their compensation," approved the twenty-seventh day of April, 1911, so as to extend the same to Orphans' Court work

Referred to the Committee on Judiciary Special.

By Mr. GLENN, House Bill No. 1930.

An Act providng for the establishment of a State Industrial Tome for Women, authorizing the purchase of a site and the erection thereon and equipment of necessary buildings, providing for the commitment to said State Industrial Home for Women of females between the ages of sixteen and thirty years convicted of or pleading guilty to the commission of any criminal offense, and providing for the government and management of said institution and making an appropriation to carr yout the purposes of this act.

Referred to the Committee on Appropriations.

By Mr. R. J. BALDWIN, House Bill No. 1931.

An Act to repeal the present dog tax law regulating the taxing of dogs in the county of Delaware.

Referred to the Committee on Ways and Means.

By M. COCHRAN, House Bill No. 1832.

A Joint Resolution providing for a Commission to investigate the traffic in women and girls in Pennsylvania for immoral purposes; prescribing the powers and duties of the Commission, and making an appropriation therefor.

Referred to the Committee on Judiciary General.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate Bill No. 663, (House Bill No. 1917).

A bill entitled an act for the moral protection and physical welfare of children attending public schools in cities of the first second and third classes within this Commonwealth

Referred to the Committee on Education.

Also Senate Bill No. 762, (House Bill No. 1918).

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 764, (House Bill No. 1919).

An Act permitting counties and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State aid highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State highway or State aid highway

Referred to the Committee on Public Roads.

Also Senate Bill No. 828, (House Bill No. 1920).

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation or weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 877, (House Bill No. 1921).

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 392, (House Bill No. 1923).

An Act amending section one of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between the municipal corporation and telegraph telephone or light or power companies

Referred to Committee on Judiciary General.

Also Senate Bill No. 616. (House Bill No. 1924).

An Act to establish as a "State Highway" certain section of public road beginning in the southern boundary of the borough of Nazareth thence by way of Newburg and Hecktown to a point on the northern boundary of the borough of Bethlehem connecting with Route Number one Hundred and Fifty-nine

Referred to the Committee on Public Roads.

Also Senate Bill No. 763, (House Bill No. 1925).

An Act to amend the act approved the twenty-third day of May one thousand nine hundred and seven entitled "An Act relating to husband and wife and to enlarge the rights and remedies of married women in case of desertion or non-support by husband" as amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An act to amend an act entitled 'An act relating to husband and wife and to enlarge the rights and remedies of married women in cases of desertion and non-support by husbands' approved the twenty-third day of May Anno Domini one thousand nine hundred and seven permitting husband and wife to testify and providing for the method of services of process"

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 772, (House Bill No. 1926).

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

Referred to the Committee on Law and Order.

Also Senate Bill No. 860, (House Bill No. 1927).

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

Referred to Committee on Judiciary Special.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1040, entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the city treasurer of Philadelphia for an auctioneer's license and paid by said city treasurer into the State Treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 858, entitled:

An Act making an appropriation for the refunding of certain moneys mistakenly paid into the State Treasury by S. S. Caughey

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 383, entitled:

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a Tax Commission and repealing all laws or parts of laws inconsistent herewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1825, (Senate No. 259), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred fifty-two and one hundred and forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An act defining the offense of the taking of human life through the wilful and malicious wrecking or cars and locomotives upon railroads in this Commonwealth'"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 894, entitled:

An Act to prohibit the capturing killing or exposing to sale of woodcock within this Commonwealth for a period of six years and providing penalties for the violation of its provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1618, entitled:

An Act authorizing Boyd L. Hunter a citizen of Centre county Pennsylvania to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1853, (Senate No. 717), entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1435, entitled

An Act to amend section one of an act entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" approved the fourteenth day of April Anno Domini one thousand nine hundred and five limiting the lands to which the provisions of said act shall apply

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 961, entitled:

An Act to amend the twenty-eighth section of an act entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" approved the thirty-first day of March one thousand eight hundred and sixty Pamphlet Laws four hundred and thirty-seven so as to include all acts of embezzlement committed within statutory period

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1354, entitled:

An Act making it a misdemeanor to sell or offer for sale any ticket or tickets for admission to or for a seat or seats in any theatre or place of public amusement or entertainment for a sum in excess of the price regularly charged therefor by the management of such theatre or place of public amusement of entertainment and providing the penalty for violations of the provisions of such act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1849 (Senate No. 567), entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1368, entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to locate construct maintain and operate a reservoir at or in the vicinity of the head waters of the Youghiogheny river upon lands situate wholly in this State or partly in this State and partly in the State of Maryland for the purpose of controlling and regulating the flow of the said Youghiogheny river and the river or rivers to which it is tributary defining the powers of said commission for the purpose providing for the payment of damages for property and rights taken in exercise of the right of eminent domain herein conferred and making an appropriation for carrying out the provisions of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1650, entitled:

An Act requiring in certain counties that deeds conveying real estate recite the full consideration therefor and providing a penalty for the failure to recite such consideration

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1881, (Senate No. 643), entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1840, (Senate No. 156), entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1653, entitled:

A further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty-one authorizing the corporate authorities of any borough to levy and collect a license tax on hacks carriages onnibuses and motor vehicles carrying persons or property for pay to regulate the operation and compensation of such vehicles within the limits of any such borough and other points or places"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1824, (Senate No. 178), entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have obtained and providing penalties for violatoin of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 873, entitled:

An Act to amend an act entitled "An act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1486, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1895 (Senate No. 831), entitled:

An Act amending section four and six of an act approved the second day of April one thousand nine hundred and three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerk in the Department of Fisheries and repealing certain acts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1909, entitled:

An Act to reepal an act aproved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery in so far as refers to the county of Erie

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1768, entitled:

An Act to amend an act entitled "An Act to amend an act entitled 'An act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one "approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1306, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled 'An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving-picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1879 (Senate No. 464), entitled:

An Act to amend section one of an act entitled "An act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of this Commonwealth in counties having a populatios of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred and fifty thousand

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1852 (Senate No. 694), entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1810 (Senate No. 322), entitled:

An Act to extend the time for commencing and the time for opening and completing of certain railroads an drailways in this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1907, entitled:

An Act regulating the furnishing of certain information by persons in the employ of this Commonwealth and providing a penalty for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1908, entitled:

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester relative to elections in West Philadelphia and to assesors in Millerstown Perry county approved the eleventh day of March one thousand eight hundred and fifty so far as provides for the taxing of dogs in the township of Londonderry in the county of Chester"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 266, entitled:

An Act making an appropriation to the Gettysburg Battlefield Memorial Commission for various purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1773, entitled:

As Act to amend section twenty-seven of an act approved the fourth day of June one thousand nine hundred one entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1536, entitled:

An Act authorizing counties to charge telephone telegraph electric light or gas light companies or other public service corporations now maintaining poles on county roads a reasonable license fee providing relation to such occupancy and the compensation to be paid thereof and providing for the use of all monies received under this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1760, entitled:

An Act to amend section twenty-three of an act entitled "A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine approved June first one thousand eight hundred and eighty-nine

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1575, entitled:

An Act to further amend section twenty-one of an act entitled 'A further supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 912, entitled:

An Act laying a tax on anthracite coal and providing for the collection and distribution of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1694, entitled:

An Act to provide revenue by taxation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 823 (Senate No. 146), entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1516, entitled:

An Act to amend section two of an act entitled "A supplement to an act entitled 'An act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending and extending the provisions thereof" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 513, entitled:

An Act making an appropriation to the Brelsford Packing and Storage Company and Evans Burnett Company of Harrisburg in payment for meats and groceries furnished by them at the instance of the Adjutant General of Pennsylvania under directions from the Governor for the relief of the sufferers from the Austin Dam disaster occurring September thirtieth one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1690, entitled:

An Act to repeal an act entitled "An Act to amend the first section of an act entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollar of its actual value' by relieving and exempting from the provisions thereof savings institutions having no capital stock" approved May first one thousand nine hundred and nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1689, entitled:

An Act to provide for the assessment and collection of taxes on personal property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

LEAVE OF ABSENCE.

The SPEAKER. The Chair asks permission for the Committee on Mines and Mining and the Committee on Public Health and Sanitation to sit during the session of the House this evening. The Chair hears no objection and leave is granted.

REPORTS FROM COMMITTEES.

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1122, entitled:

An Act amending section nine of an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one as the same was amended by an act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five and as the same was again amended by an act approved the eighteenth day of May Anno Domini one thousand nine hundred and three by changing the requirements in respect to the publication of ordinances introduced and providing for the laying out opening widening straightening extending and vacating streets or alleys or parts thereof where there is no petition of the property owners

Mr. NEELY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1123, entitled:

An Act amending a portion of section one of article fifteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one so as to change the requirements as to official advertising

Mr. NEELY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1121, entitled:

An Act to repeal an act entitled "An Act in relation to the official newspaper advertising of cities of the second class" approved the twenty-first day of May Anno Domini one thousand eight hundred and ninety-five

Mr. CHEESEMAN, from the Committee on Education, reported as amended, House Bill No. 1351, entitled:

An Act permitting boards of school directors to reimburse certain teachers taking a special course of instruction during the annual vacation

Mr. NEELY, from the Committee on Municipal Corporations, re-reported as committed, House Bill No. 1109, entitled:

An Act amending section one of an act entitled "An Act empowering cities of this Commonwealth to grade pave curb macadamize and otherwise improve the public streets and alleys or parts thereof within their corporate limits without petition of property holders and providing for the payment of the costs damages and expenses thereof" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five as amended by act approved the twenty-fifth day of April Anno Domini one thousand nine hundred and three by changing the requirements in respect to publication of ordinances introduced and providing for the grading paving curbing macadamizing or otherwise improving any public streets or public alley or part thereof where there is no petition of the property owners

Mr. RONEY, from the Committee on Judiciary General, reported as amended, House Bill No. 1488, entitled:

An Act providing for the licensing of stock brokers as therein defined and for the regulation of the sale pledge or negotiation for sale of certain stocks bonds and other securities by such stock brokers or their agents within this Commonwealth providing for the winding up of the business of stock brokers licensed thereunder and conferring certain powers and duties on the Commissioner of Banking for the enforcement of the provisions of this act and imposing penalties for the violation thereof

Mr. GEARY, from the Committee on Education, reported as amended, House Bill No. 1450, entitled:

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties

for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school directors in school districts of the first class may remove janitors of grammar and elementary schools in their district for cause shall have charge of all minor repairs to public school buildings other than high schools in their respective districts

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 841.

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

On the question,

Amend Section 1, line 9, by adding thereto the words "as determined by weight."

Section 1, line 11, by striking out the word "and" after "alfalfa" and inserting after the word "seed" the words "barley, spelt, wheat, buckwheat, oats and rye."

Section 1, line 12, by striking out the words "ninety-eight" after the words "ninety-seven" and by striking out "(98 per centum)" after the figure "(97)."

Section 1, line 13, by striking out the words "ninety-five per centum" after the word "clover" and inserting in lieu thereof the words "perennial rye grass."

Section 1, line 14, by striking out the words "ninety-nine" and inserting in lieu thereof the words "ninety-five" and by striking out the figure "99" and inserting in lieu thereof the figure "95."

Section 1, line 16, by striking out the words "perennial rye grass and."

Section 1, by striking out lines 20, 21, 22 and 23, and inserting the following: "For Canadian blue grass orchard grass Kentucky blue grass and red top grass unhulled seventy-five per centum (75 per centum) pure."

Section 3, line 5, by striking out the words "twenty-five" and inserting in lieu thereof "ten."

Section 3, line 6, by striking out the word "fifty" and inserting in lieu thereof "twenty-five."

Section 6, line 9, by striking out the words "thirty-five hundred" and inserting in lieu thereof "four thousand."

Section 8, line 2, by striking out the word "August" and inserting in lieu therof the word "January."

Section 8, line 3, by striking out the word "thirteen" and inserting in lieu thereof the word "fourteen."

Will the House concur in the amendments made by the Senate?

Mr. J. H. WILSON. Mr. Speaker, I move that the House concur in the amendments made by the Senate.

Mr. SAVACOOL. Mr. Speaker, I second the motion.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—125.

Ambler,	Dunn, J. A.,	Martin,	Savacool,
Arthur,	Ehrhardt,	Mather,	Schuck,
Baldwin, G. A.,	Eichenberger,	Matt,	Scott, J. R. K.,
Baldwin, R. J.,	Ely,	McAleer,	Scott, S. B.,
Bass,	Ewing,	McArdle,	Semmens,
Bayle,	Fahey,	McCaig,	Shaffer, C. A.,
Becker,	Flynn,	McClintock,	Shern,
Benson,	Frey,	Mechling,	Showalter,
Bergey,	Gans,	Mellott,	Smith, J. W.,
Bigger,	Geiser,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Gibson,	Miller,	Snavely,
Blair, W. F.,	Grabe,	Missimer,	Snyder,
Bleloch,	Gramley,	Moore,	Steedle,
Brosius,	Gransback,	Morrow,	Stein,
Brown,	Haggerty,	Moulthrop,	Stone,
Brownlee,	Heidinger,	Musser,	Strauss,
Burnett,	Herman,	Neely,	Swartz,
Caldwell,	Heyburn,	Newton,	Swift,
Campbell, C.M.,	Hibshman,	North,	Ulman,
Carson,	Howard, J.,	Peachey,	Walnut,
Cheeseman,	Isler,	Pennegar,	Walton,
Claycomb,	Irwin, H. H.,	Pennock,	Watson,
Cleary,	Jackson,	Peters,	Whitman,
Cochran	Jones, J. R.,	Post,	Wildman,
Conner,	Keeport,	Price,	Williams,
Conniff,	Kern,	Ramsey,	Wilson, J. H.,
Conrade,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Cox,	Lanius,	Robinson,	Wiltbank,
Currier,	Letzkus,	Rockwell,	Zimmerman,
Curry,	Light,	Rothenberger,	Alter,
Davis,	Lohr,	Sassaman,	Speaker.
Donnally,	Lowers,		
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFETENCE COMMITTEE ON SENATE BILL NO. 52.

The SPEAKER. The Chair announces that on Senate Bill No. 52, in pursuance with the action of the House, the gentleman from Elk, Mr. Flynn, the gentleman from Philadelphia, Mr. Forster, and the gentleman from Erie, Mr. Kitts, have been appointed a Committee of Conference.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1357, entitled:

An Act concerning building regulating and inspection in townships of the first class

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—113.

Adams,	Dunn, H. B.,	Light,	Robinson,
Ambler,	Ehrhardt,	Lohr,	Rothenberger,
Arthur,	Eichenberger,	Lowers,	Runk,
Baldwin, G. A.,	Ewing,	Martin,	Sassaman,
Baldwin, R. J.,	Fahey,	Mather,	Schuck,
Bass,	Flynn,	Matt,	Scott, S. B.,
Bayle,	Gans,	McAleer,	Shaffer, C. A.,
Benson,	Geary,	McArdle,	Shern,
Bergey,	Geiser,	McCaig,	Showalter,
Bigger,	Gibson,	McClintock,	Smith, J. W.,
Bittles,	Glenn,	Mechling,	Smith, L.,
Blair, W. F.,	Grabe,	Mellott,	Snyder,
Bleloch,	Gramley,	Metzenbacher,	Spillinger,
Brosius,	Gransback,	Miller,	Stein,
Brownlee,	Haggerty,	Missimer,	Stone,
Burnett,	Heidinger,	Mitchell,	Strauss,
Caldwell,	Herman,	Moore,	Swartz,
Campbell, C.M.,	Heyburn,	Morrow,	Swift,
Carson,	Humes,	Neely,	Thomas,
Carter,	Isler,	Newton,	Watson,
Cheeseman,	Irwin, H. H.,	North,	Wildman,
Claycomb,	Jackson,	Pennock,	Williams,
Cleary,	Jones, J. R.,	Peters,	Wilson, J. H.,
Conniff,	Keeport,	Post,	Wilson, W. H.,
Conrade,	Kern,	Price,	Wiltbank,
Cox,	Kuhns, E.G.M.,	Ramsey,	Zimmerman,
Currier,	Lanius,	Reese,	Alter,
Curry,	Leslie,	Reeser,	Speaker.
Donnally,	Letzkus,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. R. J. BALDWIN. Mr. Speaker, Senate Bill No. 3 at the top of page 6 of today's Calendar is simply a validating act, and I do not think there can be any opposition to it. I therefore desire to call up the bill.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 551 (Senate Bill No. 3), entitled:

An Act validating certain election of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—123.

Adams,	Curry,	Kern,	Rhoads,
Ambler,	Donnally,	Kuhns, E.G.M.,	Rockwell,
Arthur,	Dunn, H. B.,	Lanius,	Roney,
Baldwin, G. A.,	Dunn, J. A.,	Letzkus,	Rothenberger,
Baldwin, R. J.,	Ehrhardt,	Light,	Runk,
Bass,	Eichenberger,	Lohr,	Sassaman,
Bayle,	Ely,	Lowers,	Savacool,
Becker	ing,	Martin,	Schaeffer, A. C.
Benninger,	Fahey,	Mather,	Scott, J. R. K.,
Benson,	Flynn,	Matt,	Scott, S. B.,
Bergey,	Gans,	McAleer,	Semmens,
Bigger,	Geiser,	McAllister,	Shaffer, C. A.,
Bittles,	Gibson,	McCaig,	Shaffer, I. E.,
Blair, W. F.,	Glenn,	McClintock,	Smith, L.,
Bleloch,	Gramley,	Miller,	Snyder,
Brosius,	Gransback,	Missimer,	Stone,
Brownlee,	Hackett,	Mitchell,	Strauss,
Burnett,	Haggerty,	Moore,	Swartz,
Caldwell,	Heidinger,	Morrow,	Swift,
Campbell, C.M.,	Herman,	Moulthrop,	Walnut,
Carson,	Heyburn,	Murphy,	Walsh,
Carter,	Howard, J.,	Neely,	Walton,
Cheeseman,	Howard, R.,	Newton,	Watson,
Claycomb,	Isler,	North,	Wildman,
Cleary,	Irwin, G. C.,	Peachey,	Williams,
Cochran,	Jackson,	Pennock,	Wilson, J. H.,
Conner,	Jones, J. R.,	Peters,	Wilson, W. H.,
Conniff,	Keegan,	Ramsey,	Wiltbank,
Conrade,	Keeport,	Redfield,	Zimmerman,
Cox,	Kennedy,	Reeser,	Alter,
Currier,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 591, entitled:

An Act relative to mercantile appraisers' lists

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RONEY. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MARTIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 939, entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estates from all claim or interest of such persons

On the question,

Shall the bill pass finally?

Mr. S. B. SCOTT. Mr. Speaker, This bill is intended to correct a defect in the law where a man has disappeared for seven or more years and is presumed to be dead and, under the present law, nothing whatever can be done with his real estate. When this was called to my attention, it was through a case that came up in my office. The Committee has favorably considered it and I have no fear of bringing it up even in this light House.

And said bill having been read at length the third time, considered and agreed to,

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—124.

Adams,	Dunn, H. B.,	Light,	Savacool,
Ambler,	Ehrhardt,	Lohr,	Schaeffer, A. C
Arthur,	Eichenberger,	Lowers,	Schuck,
Baldwin, G. A.,	Ely,	Martin,	Scott, J. R. K.,
Baldwin, R. J.,	Ewing,	Mather,	Scott, S. B.,
Bass,	Fahey,	Matt,	Semmens,
Bayle,	Flynn,	McAleer,	Shaffer, C. A.,
Becker,	Gans,	McArdle,	Shern,
Benninger,	Geiser,	McClintock,	Showalter,
Benson,	Gibson,	Mechling,	Smith, J. W.,
Bigger,	Grabe,	Mellott,	Smith, L.,
Bittles,	Gramley,	Metzenbacher,	Snyder,
Blair, W. F.,	Gransback,	Miller,	Spillinger,
Bleloch,	Hackett,	Missimer,	Stein,
Brosius,	Haggerty,	Moore,	Stone,
Brownlee,	Heidinger,	Morrow,	Strauss,
Burnett,	Herman,	Moulthrop,	Swartz,
Caldwell,	Heyburn,	Musser,	Swift,
Campbell, C.M.,	Hoffman,	Neely,	Walnut,
Campbell, J.J.	Howard, J.,	Newton,	Walton,
Carson,	Isler,	North,	Watson,
Carter,	Irwin, G. C.,	Peachey,	Whitman,
Cheeseman,	Irwin, H. H.,	Peters,	Wildman,
Claycomb,	Jackson,	Ramsey,	Williams,
Cleary,	Jones, J. R.,	Redfield,	Wilson, J. H.,
Conner,	Keegan,	Reeser,	Wilson, W. H.,
Conniff,	Keeport,	Robinson,	Wiltbank,
Conrade,	Kern,	Rockwell,	Zimmerman,
Cox,	Kuhns, E.G.M.,	Roney,	Alter,
Currier,	Lanius,	Rothenberger,	Speaker.
Curry,	Letzkus,	Sassaman,	
Donnally,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1534, entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

On the question,

Shall the bill pass on third reading?

It was agreed to.

Mr. R. J. BALDWIN. Mr. Speaker, I hope the gentleman will not present that bill for passage at the present time. I feel I ought to have some information before I allow it to pass without opposition. I don't want to oppose the bill if it is all right, but I think it ought to be changed.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. AMBLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1119, as follows:

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That municipal corporations are hereby empowered to construct and maintain street railway tracks with such curves switches connections sidings and other appurtenances as may be deemed necessary upon streets alleys and other highways within said municipalities where street railway tracks are not now laid and lawfully maintained Said corporations may also equip such tracks for operation by electricity or otherwise with poles wires or other overhead surface or subsurface structures Said municipal corporation may also construct and maintain such tracks and equipment upon private property in all cases where under existing laws other corporations might be authorized to construct tracks and equipment thereon

Section 2 Said municipal corporations are hereby empowered to lease said tracks and equipment to other persons or corporations authorized by law to maintain and operate street passenger railways Such leasing may be upon any terms which are agreeable to the said municipal corporation and to the lessee provided that such lease shall not exceed a period of twenty-five years unless provision is made for the termination of the lease at any time upon six months' notice Provided further that the rent reserved in such leases shall not be less than six per centum per annum upon the cost of construction and a sufficient additional amount to maintain said rails and equipment in good order and repair or the said lease may provide that the lessee shall maintain the same in good order and repair and may also provide for such further and additional compensation as may be mutually agreed

upon Said lease shall not create an exclusive right in any person or corporation and such tracks and equipment shall at all times be available to any person or corporation having the authority to maintain street passenger railways thereon upon such conditions as are herein provided for and may be agreeable to the parties hereto

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—118.

Adams,	Dunn, H. B.,	Lohr,	Rothenberger,
Ambler,	Ehrhardt,	Martin,	Runk,
Arthur,	Eichenberger,	Mather,	Sassaman,
Baldwin, G. A.,	Ely,	Matt,	Savacool,
Baldwin, R. J.,	Ewing,	McArdle,	Schaeffer, A. C
Bass,	Fahey,	McClintock,	Schuck,
Bayle,	Flynn,	Mechling,	Scott, J. R. K.,
Becker,	Gans,	Mellott,	Scott, S. B.,
Benninger,	Gibson,	Metzenbacher,	Semmens,
Benson,	Gramley,	Miller,	Shaffer, C. A.,
Bergey,	Gransback,	Missimer,	Showalter,
Bigger,	Hackett,	Moore,	Smith, J. W.,
Blair, W. F.,	Haggerty,	Morrow,	Smith, L.,
Bleloch,	Heidinger,	Moulthrop,	Snyder.
Brosius,	Herman,	Neely,	Spillinger,
Brownlee,	Heyburn,	Newton,	Stone,
Burnett,	Hibshman,	North,	Strauss,
Caldwell,	Howard, J.,	Peachey,	Swartz,
Campbell, C.M.,	Isler,	Pennegar,	Swift,
Campbell, J.J.	Irwin, G. C.,	Pennock,	Walton,
Carter,	Irwin, H. H.,	Peters,	Watson,
Cheeseman,	Jackson,	Post,	Whitman,
Claycomb,	Jones, J. R.,	Ramsey,	Wildman,
Cleary,	Keegan,	Redfield,	Williams,
Conner,	Keeport,	Reeser,	Wilson, J. H.,
Conniff,	Kern,	Rhoads,	Wilson, W. H.,
Conrade,	Kuhns, E.G.M.,	Robinson,	Wiltbank,
Cox,	Lanius,	Rockwell,	Zimmerman,
Currier,	Letzkus,	Roney,	Alter,
Curry,	Light,	Rothenberger,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. BIGGER. Mr. Speaker, I desire to call up at this time House Bill No. 1534, file folio 4545, on page 8 of today's Calendar, which was postponed this evening.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1534, entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—121.

Adams,	Dunn, H. B.,	Light,	Runk,
Ambler,	Dunn, J. A.,	Lohr,	Sassaman,
Arthur,	Ehrhardt,	Lowers,	Savacool,
Baldwin, G. A.,	Eichenberger,	Martin,	Schaeffer, A. C
Baldwin, R. J.,	Ely,	Mather,	Schuck,
Bass,	Ewing,	Matt,	Scott, J. R. K.,
Bayle,	Fahey,	McArdle,	Scott, S. B.,
Becker,	Flynn,	McCaig,	Semmens,
Benninger,	Gans,	McClintock,	Shaffer, C. A.,
Benson,	Gibson,	Mechling,	Showalter,
Bergey,	Gramley,	Mellott,	Smith, J. W.,
Bigger,	Gransback,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Hackett,	Miller,	Snyder,
Bleloch,	Haggerty,	Missimer,	Spillinger,
Brosius,	Heidinger,	Moore,	Stein,
Brownlee,	Herman,	Morrow,	Stone,
Burnett,	Heyburn,	Musser,	Strauss,
Caldwell,	Hibshman,	Neely,	Swartz,
Campbell, C.M.,	Howard, J.,	Newton,	Swift,
Campbell, J.J.	Isler,	North,	Walsh,
Carson,	Irwin, G. C.,	Peachey,	Walton,
Carter,	Irwin, H. H.,	Pennock,	Watson,
Cheeseman,	Jackson,	Peters,	Whitman,
Claycomb,	Jones, J. R.,	Post,	Wildman,
Cleary,	Keegan,	Ramsey,	Williams,
Conner,	Keeport,	Reeser,	Wilson, J. H.,
Conniff,	Kern,	Robinson,	Wilson, W. H.,
Conrade,	Klepper,	Rockwell,	Wiltbank,
Cox,	Kuhns, E.G.M.,	Roney,	Zimmerman,
Currier,	Letzkus,	Rothenberger,	Alter,
Curry,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1318, entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—125.

Adams,	Dunn, H. B.,	Kitts,	Rhoads,
Ambler,	Dunn, J. A.,	Kuhns, E.G.M.,	Robinson,
Arthur,	Ehrhardt,	Lanius,	Rockwell,
Baldwin, G. A.,	Eichenberger,	Letzkus,	Roney,
Baldwin, R. J.,	Ely,	Light,	Rothenberger,
Bass,	Ewing,	Lohr,	Runk,
Bayle,	Fahey,	Lowers,	Sassaman,
Becker,	Flynn,	Martin,	Savacool,
Benninger,	Gans,	Mather,	Schaeffer, A. C
Benson,	Gibson,	Matt,	Sherwood,
Bergey,	Glenn,	McArdle,	Showalter,
Bigger,	Grabe,	McClintock,	Smith, J. W.,
Blair, W. F.,	Gramley,	Mechling,	Smith, L.,
Bleloch,	Gransback,	Mellott,	Snavely,
Brosius,	Hackett,	Metzenbacher,	Stein,
Brownlee,	Haggerty,	Miller,	Stone,
Burnett,	Heidinger,	Missimer,	Strauss,
Caldwell,	Herman,	Moore,	Swartz,
Campbell, C.M.,	Heyburn,	Morrow,	Swift,
Campbell, J.J.	Hibshman,	Moulthrop,	Walnut,
Carson,	Hoffman,	Musser,	Walton,
Carter,	Howard, J.,	Neel,	Watson,
Cheeseman,	Isler,	Newbaker,	Wildman,
Claycomb,	Irwin, G. C.,	North,	Williams,
Cleary,	Irwin, H. H.,	Peachey,	Wilson, J. H.,
Conner,	Jackson,	Pennegar,	Wilson, W. H.,
Conniff,	Jones, J. R.,	Pennock,	Wiltbank,
Conrade,	Keegan,	Perry, H. L.,	Zimmerman,
Cox,	Keeport,	Peters,	Alter,
Currier,	Kern,	Ramsey,	Speaker.
Curry,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1113, as follows:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease purchase condemnation or otherwise and to maintain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface or elevated street railway connecting therewith to corporations or individuals with the right in the municipalities to charge an additional sum for each passenger using against the husband in such case on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh one thousand nine hundred and one an act to provide for the incorporation and government of passenger railways either elevated or underground or partly elevated and partly underground with surface rights Pamphlet Laws five hundred and twenty-three and supplements and amendments thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities are hereby authorized and empowered to construct or to acquire by lease purchase condemnation or otherwise underground street passenger railway or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to maintain and operate the same

Section 2 Said municipalities shall have the right to enact ordinances providing for the laying out of routes or locations for said underground street passenger railways or subways and connecting street passenger railways or elevated railways

Section 3 In case the municipalities desire to obtain any lands or properties necessary for the construction or operation of said railways and are unable to agree with the owner or owners upon the price to be paid therefor the court of Common Pleas of the county wherein said underground street passenger railway is located or any law judge in vacation on application therefor by petition of said municipalities shall appoint three discreet and disinterested persons as viewers and appoint a time not less than ten or more than twenty days thereafter when said viewers shall meet and inspect the property appropriated or intended to be appropriated by said municipality

Section 4 Said viewers having been duly sworn or affirmed justly and impartially to decide and a true report to make concerning all matters to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken and to whom the same is payable and preapare a schedule thereof and give notice to all parties interested of the time (not less than ten days thereafter) and of the place where they shall meet and exhibit the schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever changes are deemed necessary said viewers shall make report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing said premises

Section 5 If the compensation to be paid for any lands or public utility which the municipality desires to obtain for said purposes cannot be agreed upon between the owners thereof and such municipality and if the municipality desires to take possession of such property it shall be lawful for it at any time after the appointment of said viewers to tender its bond with surety as security to the owner or owners of such lands or public utility the condition of which shall be that the said municipality shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided by this act In case the owner or owners of such property refuse to or do not accept said bond the said municipality shall give the owner or owners thereof written notice of the time when the same shall be presented for approval and said bond shall be presented to the Court in which the said petition for the appointment of viewers has been filed and when approved said bond shall be filed in the said court for the benefit of said owner or owners and upon the approval of said bond said municipality may enter upon appropriate take hold use and control such lands or property and shall hold the same in fee simple

Section 6 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report in court or the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or Supreme Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the said municipality The Court of Common Pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

Section 7 Said municipalities shall also have the power to loose to corporations or individuals the railways owned leased or otherwise acquired or controlled by the municipality upon such terms and conditions as may be agreed upon

Section 8 The municipality shall also have the right in addition to any charges made by an operating or leasing company to charge an additional sum not exceeding two (2) cents per passenger for the use of the said underground railway or subway to meet the interests and sinking fund charges on the cost thereof

Section 9 In addition to the powers herein enumerated said municipality owning or controlling said underground street railway together with any surface or elevated street railway connected therewith shall have the rights and powers of underground or elevated passenger railway companies under an act approved June seventh one thousand nine hundred and one Pamphlet Laws five hundred and twenty-three entitled "An Act to provide for the incorporation and government of passenger railways either elevated or underground or partly elevated and partly underground with surface rights"

Section 10 Any act or parts of acts conflicting herewith be and the same hereby repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—132.

Adams,	Dunn, J. A.,	Lanius,	Sassaman,
Ambler,	Ehrhardt,	Letzkus,	Savacool,
Arthur,	Eichenberger,	Lohr,	Schaeffer, A. C
Baldwin, G. A.,	Ely,	Lowers,	Schuck,
Baldwin, R. J.,	Ewing,	Martin,	Scott, J. R. K.,
Bass,	Fahey,	Mather,	Scott, S. B.,
Bayle,	Flynn,	Matt,	Semmens,
Becker,	Gans,	McArdle,	Shaffer, C. A.,
Benninger,	Gibson,	McClintock,	Showalter,
Benson,	Glenn,	Mechling,	Smith, J. W.,
Bergey,	Grabe,	Mellott,	Smith, L.,
Bigger,	Gramley,	Metzenbacher,	Snavely,
Bittles,	Gransback,	Miller,	Snyder,
Blair, W. F.,	Hackett,	Missimer,	Spillinger,
Bleloch,	Haggerty,	Moore,	Stein,
Brosius,	Heidinger,	Morrow,	Stone,
Brownlee,	Herman,	Moulthrop,	Strauss,
Burnett,	Heyburn,	Musser,	Swartz,
Caldwell,	Hilbshman,	Neely,	Swift,
Campbell, C.M.,	Hoffman,	Newton,	Walnut,
Campbell, J.J.	Howard, J.,	North,	Walton,
Carson,	Humes,	Peachey,	Watson,
Carter,	Isler,	Pennegar,	Wettach,
Cheeseman,	Irwin, G. C.,	Pennock,	Whitaker,
Claycomb,	Irwin, H. H.,	Peters,	Wildman,
Cleary,	Jackson,	Post,	Williams,
Conner,	Jones, J. R.,	Ramsey,	Wilson, J. H.,
Conniff,	Keegan,	Reeser,	Wilson, W. H.,
Conrade,	Keeport,	Rhoads,	Wiltbank,
Cox,	Kern,	Robinson,	Young, J. H.,
Currier,	Kitts,	Rockwell,	Zimmerman,
Curry,	Klepper,	Roney,	Alter,
Donnally,	Kuhns, E.G.M.,	Rothenberger,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1080, (Senate Bill No. 116), entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—133.

Adams,	Dunn, J. A.,	Kuhns, E.G.M.,	Rothenberger,
Ambler,	Ehrhardt,	Lanius,	Sassaman,
Arthur,	Eichenberger,	Letzkus,	Savacool,
Baldwin, G. A.,	Ely,	Lohr,	Schaeffer, A. C
Baldwin, R. J.,	Ewing,	Lowers,	Schuck,
Bass,	Fahey,	Martin,	Scott, J. R. K.,
Bayle,	Flynn,	Mather,	Scott, S. B.,
Becker,	Gans,	Matt,	Semmens,
Benninger,	Geiser,	McArdle,	Shaffer, C. A.,
Benson,	Gibson,	McClintock,	Sherwood,
Bergey,	Glenn,	Mechling,	Showalter,
Bigger,	Grabe,	Mellott,	Smith, J. W.,
Bittles,	Gramley,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Gransback,	Miller,	Snavely,
Bleloch,	Hackett,	Missimer,	Snyder,
Brosius,	Haggerty,	Moore,	Spillinger,
Brownlee,	Heidinger,	Morrow,	Stein,
Burnett,	Herman,	Moulthrop,	Stone,
Caldwell,	Heyburn,	Neely,	Strauss,
Campbell, C.M.,	Hilbshman,	Newton,	Swartz,
Campbell, J.J.	Hoffman,	North,	Swift,
Carson,	Howard, J.,	Peachey,	Walnut,
Carter,	Humes,	Pennegar,	Walton,
Cheeseman,	Isler,	Pennock,	Watson,
Claycomb,	Irwin, G. C.,	Perry, H. L.,	Whitman,
Cleary,	Irwin, H. H.,	Peters,	Wildman,
Conner,	Jackson,	Post,	Williams,
Conniff,	Jones, J. R.,	Redfield,	Wilson, J. H.,
Conrade,	Keegan,	Reeser,	Wilson, W. H.,
Cox,	Keeport,	Rhoads,	Wiltbank,
Currier,	Kern,	Robinson,	Young, J. H.,
Curry,	Kitts,	Rockwell,	Zimmerman,
Donnally,	Klepper,	Roney,	Alter,
Dunn, H. B.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1132, as follows:

A Supplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessment and the reasessment between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners may in their discretion issue their precepts to the assessors of the respective wards districts boroughs and townships on or before the first day in March of each year for the assessment of such persons as may remove into the respective township ward borough or district since the last assessment and for the resasessment of such property as may have been transferred since the last assessment and for the assessment of those who may have been omitted from the last assessment And it shall be the duty of such assessors to make such assessment and return the same before the twenty-fifth of May For such service the said assessors shall receive out of the county funds such compensation as may be fixed by the county commissioners not however exceeding the per diem compensation fixed by law

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. KUHNS. Mr. Speaker, in the absence of the sponsor of the bill, I think this bill ought t opass and I will say a few words in explanation of it. The act of 1911 does not seem to be very explicit in the time for the readadjustment of the different assessments throughout the Commonwealth. There seems to be a difference of opinion among the different attorneys, and the same thing is true in the Department of the Auditor General down stairs here. This bill makes it explicit, fixing the date when the precepts ought to be issued by the commissioners of the different counties to the different assessors and when the return is to be made, so I think there ought to be no question but what this bill ought to go through and settle this dispute between the lawyers.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—137.

Adams,	Dunn, H. B.,	Light,	Rothenberger,
Ambler,	Ehrhardt,	Lohr,	Sassaman,
Arthur,	Eichenberger,	Lowers,	Savacool,
Baldwin, G. A.,	Ely,	Martin,	Schaeffer, A. C.
Baldwin, R. J.,	Ewing,	Mather,	Schuck,
Barner,	Fahey,	Matt,	Scott, J. R. K.,
Bass,	Flynn,	McArdle,	Scott, S. B.,
Bayle,	Gans,	McClintock,	Semmens,
Becker,	Geiser,	Mechling,	Shaffer, C. A.,
Benninger,	Gibson,	Mellott,	Showalter,
Benson,	Glenn,	Metzenbacher,	Smith, J. W.,
Bergey,	Grabe,	Miller,	Smith, L.,
Bigger,	Gramley,	Missimer,	Snavely,
Bittles,	Gransback,	Moore,	Snyder,
Blair, W. F.,	Hackett,	Morrow,	Spillinger,
Bleloch,	Haggerty,	Moulthrop,	Steedle,
Brosius,	Heidinger,	Musser,	Stein,
Brownlee,	Herman,	Neely,	Stone,
Burnett,	Heyburn,	Newton,	Strauss,
Caldwell,	Hibshman,	North,	Swartz,
Campbell, C.M.,	Hoffman,	O'Neill,	Swift,
Campbell, J.J.	Howard, J.,	Peachey,	Walnut,
Carson,	Humes,	Pennegar,	Walton,
Carter,	Isler,	Pennock,	Watson,
Cheeseman,	Irwin, G. C.,	Perry, H. L.,	Whitman,
Claycomb,	Irwin, H. H.,	Peters,	Wildman,
Cleary,	Jackson,	Post,	Williams,
Cochran,	Jones, J. R.,	Ramsey,	Wilson, J. H.,
Conner,	Keegan,	Redfield,	Wilson, W. H.,
Conniff,	Keeport,	Reeser,	Wiltbank,
Conrade,	Kern,	Rhoads,	Young, J. H.,
Cox,	Kitts,	Robinson,	Zimmerman,
Currier,	Kuhns, E.G.M.,	Rockwell,	Alter,
Curry,	Lanius,	Roney,	Speaker.
Donnally,	Letzkus,		
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. LANIUS. Mr. Speaker, I desire to call up House Bill 1225, on page 6 of to-day's calendar, Bills on Third Reading, which have been passed over.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1225, as follows:

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by inniculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be a felony for any person to perform experiments upon any human being either by the administration of drugs or deleterious substances or by the admission within the body of any instruments of any kind whatsoever or by the injection or innoculation of any substances whatsoever without the consent and approval of the person thus subjected given after full knowledge or the nature and probable consequences of the act intended to be performed and in cases of minors lunatics or persons not sui juris without the consent and approval given as aforesaid of the parents guardians or committee of the person to be subjected Provided that nothing in this act shall be construed to prohibit any treatment or operation upon an unconscious person immediately necessary to relieve or cure said person from physical ailment And provided further that nothing in this act shall be construed to prohibit the injection or innoculation of any virus or any other substance for the purpose of vaccination

Section 2 Any person or persons convicted of a violation of this act shall ipso facto be forever disqualified from the right to practice medicine surgery or other healing professions and shall be subject to a fine of not less than five hundred dollars nor more than one thousand dolars or imprisonment for a term not less than three months nor more than one year or both

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. LANIUS. Mr. Speaker, the bill before the House provides that there shall be no experiments upon any human being either by the administration of drugs or deleterious substances or by the admission within the body of any insturments of any kind whatsoever or by the injection of any substances whatsoever without the consent and approval of the person thus subjected. I am sure Mr. Speaker, that the provisions of this act are entirely just and consistent with all ideas of humanity There is nothing in the bill which prohibits proper treatment of any persons or the legal use of proper medicines. It simply says there shall be no experiments upon any human being without the consent of the person so subjected. I ask every fair-minded man in this House to go along with this bill and vote aye. Let us put Pennsylvania before the world. This is the only State to have a bill presented of this kind. This bill has been presented in this House several times but has never been able to get on the calendar. Now, gentleman, let us not be backward. Let us be progressive in one thing, and let us go down on record in saying that Pennsylvania will prohibit these experiments upon persons when the subject does not want them. I appeal to all fair-minded men in this House, to think of the rights of the common people and those who are not able to defend themselves completely.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. LANIUS. Mr. Speaker, I will.

Mr. S. B. SCOTT. In view of the present laws against assault and battery, what is the necessity of passing an act of this kind?

Mr. LANIUS. Mr. Speaker, I know of no law which prohibits these acts. The only law I know is the law against mal-practice, and that is simply a law against the improper use of a proper remedy at an improper time.

Mr. S. B. SCOTT. Mr. Speaker, if I at all appreciate the nature of assault and battery it is the injuring in any way of the human frame without some justification, and if anybody unlawfully and without any justification experiments upon a person, he unquestionably is guilty of that crime.

Mr. W. A. BLAIR. Mr. Speaker, I would like to interrogate the gentleman?

The SPEAKER. Will the gentleman from York permit himself to be further interrogated?

Mr. LANIUS. I will.

Mr. W. A. BLAIR. I would like to ask the gentleman what he means by unconscious.

Mr. LANIUS. This bill says that this act shall not be construed to prohibit a treatment or operation upon an unconscious person immediately necessary to cure that person. An unconscious person could not certainly answer for himself, and we provide for that man in this bill.

Mr. W. A. Blair. Mr. Speaker, I would like to ask the gentleman how he construes the word delerious. How would this bill apply if a person was sick, and was delerious?

Mr. LANIUS. Mr. Speaker, a man in that position would probably have a physician, and would give to the physician that authority. When I accept the services of a physician as long as I am taking his medicine and his treatment, I am his patient.

Mr. W. A. BLAIR. Mr. Speaker, if a person is delerious, he does not know any more as to what is necessary, than a person who is unconscious. Therefore, I do not see why this is not also excluded.

Mr. LANIUS. Mr. Speaker, in answer to that, I would say this: that the delerious person may be a child and the father and mother who summon the physician accept the physician's services for the child. As long as he is permitted to call at that residence and treat that child, the parents are responsible for that treatment or any operation, and the person is under his charge, not to be experimented upon, but to be treated and to be cured.

Mr. W. A. BLAIR. Supposing a person were delerious from some cause or other, such as peritonitis, and was taken suddenly sick while away from his friends or home, or supposing that he has no person other than himself to say whether or not he shall be operated upon, who then is going to take the responsibility of the operation?

Mr. LANIUS. Mr. Speaker, we assume that no man waits until he is delerious to go to an instituion. There was always a time when he was able to speak for himself before he elected to go to the institution. I hold, Mr. Speaker, that no physician will operate on a man for peritonitis or appendicitis unless the man really needs it, and the man is generally taken from some place before he gets in that condition, or there is generally some person to take the responsibility of saying whether or not he will be operated upon. An experiment produces a derangment, and a treatment differs from it in that it seeks to cure and heal.

Mr. W. A. BLAIR. Mr. Speaker, I would like to ask the gentleman what he means by an experiment?

Mr. LANIUS. Mr. Speaker, by an experiment I mean the trying out of a theory by an operation. If a person was operated upon for some certain condition which existed, and the physician thought that that operation was going to relieve the patient, it does not come under this act because it is not an experiment. The gentleman seems to be basing his remarks entirely upon the materia medica. If you try to seek to heal and cure, you are not experimenting. An experiment produces a disorder and a derangement. Again I say let us write this law upon the statute books of Pennsylvania. Again I say I have every respect for the men of the medical profession of this State, and I do not blame them at all for the jealous and zealous manner with which they guard that profession, but we are all fairminded men here tonight, and I want you to go on record as fair-minded men, and give your vote to this measure. I do not ask this for myself, but I ask it in the interest of those who are unable to protect themselves. I want you to say by your vote tonight that experiments shall be stopped. I will be satisfied with your vote on this bill, but I think that in this House tonight there are very fair-minded men who will do what is right and what is just.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—98.

Adams,	Conrade,	Lanius,	Rothenberger,
Ambler,	Cox,	Light,	Runk,
Arthur,	Dunn, H. B.,	Lohr,	Sassaman,
Baldwin, R. J.,	Dunn, J. A.,	Lowers,	Savacool,
Barner,	Ehrhardt,	Martin,	Schuck,
Bass,	Fahey,	Mather,	Scott, J. R. K.,
Bayle,	Flynn,	Matt,	Semmens,
Becker,	Gibson,	McArdle,	Sherwood,
Benninger,	Glenn,	Mechling,	Smith, J. W.,
Benson,	Gramley,	Mellott,	Smith, L.,
Bergey,	Heidinger,	Metzenbacher,	Snavely,
Bigger,	Herman,	Miller,	Snyder,
Brosius,	Heyburn,	Moore,	Spillinger,
Brownlee,	Hibshman,	Musser,	Stein,
Burnett,	Hoffman,	Neely,	Stone,
Caldwell,	Howard, J.,	Newton,	Strauss,
Campbell, J.J.	Humes,	O'Neill,	Swartz,
Carson,	Isler,	Peachey,	Trach,
Carter,	Irwin, G. C.,	Pennock,	Walnut,
Cheeseman,	Irwin, H. H.,	Peters,	Whitman,
Claycomb,	Jackson,	Post,	Wilson, J. H.,
Cleary,	Jones, J. R.,	Ramsey,	Young, J. H.,
Cochran,	Kern,	Rhoads,	Zimmerman,
Conner,	Kitts,	Rockwell,	Alter,
Conniff,	Kuhns, E.G.M.,	Roney,	Speaker.

NAYS—22.

Baldwin, G. A.,	Donahoe,	Morrow,	Shaffer, C. A.,
Blair, W. A.,	Down,	Moulthrop,	Showalter,
Blair, W. F.,	Gramley,	Newbaker,	Swift,
Campbell, C.M.,	Haggerty,	Richards,	Walton,
Currier,	McClintock,	Scott, S B.,	Wiltbank,
Dickinson,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1112, entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase by stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality and to lease the same to corporations or individuals

On the question,

Will the House agree to the bill on third reading?

Mr. BIGGER. Mr. Speaker, I desire to ask unanimous consent to offer amendments.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Amend House Bill 1112 file folio 4569 by inserting on page 5 at the end of Section 7 the following "Section 8. Nothing contained in this act shall be interpreted to give to municipalities the right to take in the exercise of eminent domain any water or land covered by water for the purpose of constructing or operating water works for the supply of water or water powers.

Also, amend Section 8 on line 1 by striking out the figure "8" and inserting instead the figure "9."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1118, entitled:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works or systems of water works or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or systems of water works

On the question,

Will the House agree to the bill on third reading?

Mr. ISLER. Mr. Speaker, I ask unanimous consent to insert amendments.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend section 3, line 13, by striking out the word "fourteenth" and inserting the word "twenty-fourth."

Also amend House Bill 1118 file folio 4561 Section 1 line 5 by inserting after the word "authority" the words "subject to the provisions of existing laws."

Mr. SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordanc with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Mr. HEIDINGER. Mr. Speaker, I wish to call up for the purpose of amendment, House Bill No. 955, file folio 4483, entitled:

An Act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

from page 22 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 955, as follows:

An Act authorizing cities of the first class to make contracts for lighting telephone service removal of garbage removal of ashes or for street cleaning for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsitent acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the first class are hereby authorized and empowered to make contracts for the removal of garbage for any period not exceeding five years

Section 2 The periods for which any such contract is to run shall be plainly stated in the advertisement for bids and shall be given the same publicity as is required of other terms of the contract

Section 3 Such contracts shall not be executed or become binding on any city of the first class unless the councils of said city shall have first made an appropriation properly applicable thereto and sufficient to cover the payment for the first year under said contract

Section 4 The councils of any city of the first class which has entered into such a contract for more than one year shall thereafter appropriate annually the amount due thereunder each year respectively

Section 5 In all statements or estimates of the current liabilities and current income of any city of the first class which has entered into such a contract for more than one year required by law to be made by the controller or any other official or official body of such city for the then current or any succeeding year in all tax levies required by law to be based on such statements or estimates and in determining the legality of warrants on the city treasurer it shall not be necessary to include the amount payable under such contract or the amount receivable thereunder by the city if such contract yields a profit to the city except the amounts then actually due by or to the city and the amounts payable or receivable for the year or other period covered by such statement estimate tax levy or warrant

In all such statements or estimates including amounts payable or receivable under such contracts there shall be an explanatory note stating what amounts payable and what amonuts receivable under such contracts are included in the statement or estimate and for what period or periods

Section 6 All acts or parts of acts so far as inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read for information.

The amendments were then read as follows:

Amend title, line one by striking out the word "lighting."

Also amend title, line two, by striking out the words "telephone service"

Also same line, after the word "garbage" strike out the words "removal of ashes or for."

Also amend title, line three, strike out the words "street cleaning."

Mr. SPEAKER. Will the House give unanimous consent to the insertion of the amendments?

Mr. RONEY. Mr. Speaker, I object to that amendment?

Mr. HEIDINGER. Mr. Speaker, may I state the purpose of the amendments?

The SPEAKER. Is there any objection to the gentleman stating the purpose of the amendments? If not, he will proceed.

Mr. HEIDINGER. Mr. Speaker, this bill was introduced by Mr. John R. K. Scott, authorizing cities of the first class to make contracts for lighting, telephone service and removal of garbage, etc. This bill was amended so as to confine it to the purpose of making contracts for the removal of garbage and the purpose of these amendments is to make the title conform to the body of the bill.

Mr. RONEY. Mr. Spaker, I withdraw my objection.

The SPEAKER. The amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1278, as follows:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys smoke stacks or other source

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all boroughs within this Commonwealth shall have the power to regulate by ordinance the production or emission of smoke from any chimney smoke stack or other source"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally

Mr. LOWERS. Mr. Speaker, this bill is purely an enabling act in keeping with acts passed here in 1909 and 1911 relating to the same subject in cities of the second class. This concerns only boroughs of the State and enables them by ordinances to regulate the smoke nuisance. This bill was presented to me accompanied by a petition signed by the solicitors of forty-one boroughs and I feel satisfied that there should be no reasonable objection to legislation of this kind.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—106.

Adams,	Cox,	Kitts,	Savacool,
Ambler,	Currier,	Lanius,	Scott, J. R. K.,
Arthur,	Curry,	Lenker,	Scott, S. B.,
Baldwin, G. A.,	Dickinson,	Letzkus,	Semmens,
Baldwin, R. J.,	Down,	Lohr,	Sherwood,
Bass,	Dunn, H. B.,	Lowers,	Showalter,
Bayle,	Dunn, J. A.,	Martin,	Smith, J. W.,
Benson,	Ehrhardt,	Mather,	Smith, L.,
Bergey,	Fahey,	McArdle,	Snavely,
Bigger,	Foster, J. D.,	McClintock,	Snyder,
Bittles,	Gibson,	Mechling,	Spillinger,
Body,	Gramley,	Metzenbacher,	Stone,
Brosius,	Gransback,	Moore,	Strauss,
Brownlee,	Haggerty,	Moulthrop,	Swartz,
Burnett,	Heidinger,	Neely,	Swift,
Caldwell,	Herman,	Newton,	Trach,
Campbell, C.M.,	Heyburn,	Peachey,	Walnut,
Campbell, J.J.	Hibshman,	Pennegar,	Walsh,
Carson,	Hoffman,	Post,	Walton,
Carter,	Howard, J.,	Ramsey,	Watson,
Cheeseman,	Isler,	Rhoads,	Whitman,
Claycomb,	Irwin, G. C.,	Robinson,	Wildman,
Cleary,	Jackson,	Rockwell,	Williams,
Cochran,	Jones, J. R.,	Roney,	Wilson, J. H.,
Conner,	Keeport,	Rothenberger,	Zimmerman,
Conniff,	Kern,	Sassaman,	Alter,
Conrade,			Speaker.

NAYS—8.

Keegan,	Light,	Mellott,	Morrow,
Kuhns, E.G.M.,	Matt,	Miller,	Musser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. KEEGAN. Mr. Speaker, I move that the vote by which House Bill No. 1225, File Folio 5693, entitled:

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by innoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

on page 6 of to-day's calendar, was defeated on third reading this evening be reconsidered.

Mr. MOULTHROP. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1225, entitled:

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by innoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. LANIUS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. KITTS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. GIBSON. Mr. Speaker, I desire to call up House Bill No. 1346, Senate Bill No. 386, File Folio of the Senate 339, on page 25 of to-day's calendar, bills on third reading postponed for the present, for the purpose of amendment.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House bill No. 1346 (Senate Bill No. 386), entitled:

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

On the question,

Will the House agree to the bill on third reading?

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend title by striking out all after the word "for" in line 1 and substituting in lieu thereof the following: "an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations"

Strike out all after the title and substitute the following:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the formation of county associations of township supervisors commissioners and other persons officially charged with the construction and maintenance of the public roads or streets is hereby authorized such associations to hold annual or semi-annual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges

Section 2 It shall be the duty of supervisors of townships of the second class and commissioners of townships of the first class in each county in this Commonwealth to attend such conventions whenever possible and each township supervisor or commissioner attending such convention shall receive a certificate attesting his presence at said convention signed by the presiding officer and acting secretary of the convention which certificate shall entitle him to collect from the treasurer of the board of supervisors or commissioners of their respective townships for their necessary expenses the sum of two dollars per day for each day's attendance and mileage at the rate of three cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held Provided however That no township supervisor or commissioner shall be paid for more than two days attendance in any one year

Section 3 The officers of the association shall consist of a president two vice-presidents and a secretary and a treasurer all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may receive for his services such compensation not to exceed ten dollars per annum as the other officers may determine Every township supervisor and commissioner attending such convention shall have the right to vote in the election of said officers The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the assistant engineer and the superintendent of highways of the State Highway Department in charge of such county shall be eligible to membership and to hold office but shall not be entitled to a vote

Section 4 The county treasurer shall pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by the treasurer of any county shall not exceed one hundred and twenty-five dollars a year Provided That no payment shall be made to the treasurer of such association until he shall first have presented to the county treasurer an itemized statement of such expenses verified by affidavit Within thirty days after every such convention the treasurer of such association shall file with the county treasurer an itemized statement under oath showing when and where such convention was held the number of township supervisors and commissioners present and all the expenses connected with such convention together with proper vouchers for all such expenses

Section 5 It shall be the duty of the State Highway Commissioner or his representative so far as their other duties permit to assist in the formation of the aforesaid associations and to be present or represented at their conventions

The SPEAKER. Will the House give unanimous consent to insert the amendments as read- Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1236, entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred and one as the same were amended by the act of May fourteenth one thousand nine hundred and nine by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulatings and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

On the question,

Will the House agree to the bill on third reading?

Mr. BIGGER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 1, line 163, after "soil" insert "waste."
Section 3, line 7, after "sewer" insert "exists."
Section 3, line 21, strike out "of" insert "or."
Section 3, line 57, strike out "or" insert "on."
Section 15, line 5 immediately after heading of this section insert section 29.
Section 15, line, after line 13 insert heading of section 29 as amended, and strike out heading top of page 26. After heading immediately insert section 29.
Section 18, line 61, after "one-half" insert "inch."
Section 21, line 7, strike out "or" insert "of."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The Bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1110, as follows:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restric-

tions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eight day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale regard to the use thereof as will protect such parks parkways and playgrounds and providing for the manner of ascertaining determining awarding and paying compensation and damages i all cases weher the property is take used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven which reads as follows

"Section 2 It shall be lawful for and the right is hereby conferred upon cities of this Commonwealth to purchase acquire enter upon take use and appropriate neighboring private property within two hundred feet of the boundary lines of such property so taken used and appropriated for public parks parkways and playgrounds in order to protect the same by the resale of such neighboring property with restrictions whenever the councils thereof shall by ordinance or joint resolution determine thereon Provided that in the said ordinance or joint resolution the councils thereof shall declare that the control of such neighboring property within two hundred feet of the boundary lines of such public parks parkways or playgrounds is reasonably in order to protect such public park parkways or playgrounds their environs the preservation of the view appearance light air health or usefulness thereof" be amended as to read as follows

"Section 2 It shall be lawful for and the right is hereby conferred upon cities of this Commonwealth to purchase acquire enter upon take use and appropriate neighboring private property within two hundred feet of the boundary lines of such property so taken used and appropriated for public parks parkways and playgrounds for the purposes of imposing restrictions upon such neighboring property which restrictions whenever the councils thereof shall by ordinance or joint resolution determine thereon Provided That in the said ordinance or joint resolution the councils thereof shall declare that the control by restrictions of such neighboring property within two hundred feet of the boundary lines of such public parks parkways or playgrounds is reasonably necessary in order to protect such public parks parkways or playgrounds their environs the preservation of the view appearance light air health or usefulness thereof

Section 2 That section three of said act which reads as follows

"Section 3 That it shall be lawful for and the right is hereby conferred upon the cities of this Commonwealth to resell such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will fully insure the protection of such parks parkways and playgrounds their environs the preservation of the view appearance light air health and usefulness thereof whenever the councils thereof shall by ordinance or joint resolution determine thereon" be amended so to read as follows

"Section 3 That it shall be lawful for and the right is hereby conferred upon the cities of this Commonwealth to impose such restrictions upon such neighboring property in regard to the use thereof as will fully insure the protection of such public parks parkways and playgrounds For the purpose of imposing restrictions upon such neighboring property whenever the councils thereof shall by ordinance or joint resolution determine such restrictions are necessary in order to protect such public parks parkways and playgrounds their environs and preservation of the view appearance light air health or usefulness thereof

Section 3 That section four of said act which reads as follows

"Section 4 The taking using and appropriating by the right of eminent domain as herein provided of private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds and of neighboring property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect such public parks parkways and playgrounds their environs preservation of the view appearance light air health and usefulness thereof by reselling such neighboring property with such restrictions in the deeds of resale as will protect said property so taken for the aforesaid purpose is hereby declared to be taken using and appropriating of such private property for public use Provided however That the proceeds arising from the resale of any such property so taken shall be deposited in the treasury of said cities and be subject to genral appropriation by the councils of said city" be amended so as to read as follows

Section 4 The taking using and appropriating by the right of eminent domain as herein provided of private property for the purpose of imposing upon neighboring property within two hundred feet of the boundary lines of such public parks parkways and playgrounds restrictions in order to protect such public parks parkways and playgrounds their environs preservation of the view appearance light air health and usefulness thereof by such restrictions is hereby declared to be taking using appropriating and restricting of such private property for public use

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COCHRAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 938, as follows:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by an act entitled "An Act to amend the eighth section of the act entitled 'An Act to restrain and regulate the sale of vinous and spiritous malt and brewed liquors or any admixture thereof" approved May thirteenth Anno Domini one thousand eight hundred and eighty-seven providing that the license money shall be paid into the treasury of the city county borough and township whenever the licensed places are situated and increasing the amount of license to be paid in cities of the first and second class" approved the ninth day of June one thousand eight hundred and ninety-one which as amended reads as follows

"Section 8 That all persons licensed to sell at retail any vinous spirituous malt or brewed liquors or any admixture thereof in any house room or place hotel inn or tavern shall be classified and required to pay annually for such privilege as follows Persons licensed to sell by retail resident in cities of the first and second classes shall pay the sum of one thousand dollars and those resident in cities of the third class shall pay the sum of five hundred dollars those resident in all other cities shall pay three hundred dollars and those resident in boroughs shall pay the sum of one hundred and fifty dollars those resident in townships shall pay the sum of seventy-five dollars to the treasurer of the respective counties for the use of the counties in the following proportion In cities the sum of one hundred dollars in boroughs and townships one-fifth of the amount of license shall be paid to the treasurer of the respective counties for the use of the counties and the balance shall be paid to the treasurer of the respective cities boroughs and townships for their respective use Provided however That the money thus paid into any township treasury shall be applied to keeping the roads in good repair" is hereby amended to read as follows

Section 8 That all persons licensed to sell at retail any vinous spirituous malt or brewed liquors or any admixture thereof in any house room or place hotel inn or tavern shall be classified and required to pay annually for such privilege as follows Persons licensed to sell by retail resident in cities of the first and second classes shall pay the sum of one thousand dollars and those resident in cities of the third class shall pay the sum of five hundred dollars those resident in all other cities shall pay three hundred dollars and those resident in boroughs shall pay the sum of one hundred and fifty dollars those resident in townships shall pay the sum of seventy-five dollars to the treasurer of the respective counties for the use of the counties in the following proportion In cities the sum of one hundred dollars in boroughs and townships one-fifth of the amount of license shall be paid to the treasurer of the respective counties for the use of the counties and the balance shall be paid to the treasurer of the respective cities boroughs and townships for their respective use Provided however That the money thus paid into any township treasury shall be supplied to keeping the roads in good repair Of the money thus paid into the treasury of a city of the first class three per centum shall be for the use of the Police Pension Fund of the city

On the question,

Will the House agree to the bill on third reading?

Mr. JAMES A. DUNN. Mr. Speaker, I ask unanmious consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Insert in line 42, page 3, section 8 after the word "house" the word "room."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be insertd in accordanc with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1712, entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustee for said church to hold and dispose of the title to the property owned by said church and defining the procedure thereon

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Shall the bill pass finally?

Mr. FLYNN. Mr. Speaker, I presume that this bill will benefit the particular denomination of which the gentleman from Beaver is a member, and therefore I will be glad to support the bill.

Mr. SWIFT. Mr. Speaker, I wish to inform the gentleman from Elk that it in no way, whatever, affects my denomination or concerns it. Most every denomination has its own methods to provide for property where the church ceases to actively exist. I am not the author of this bill. It was sent me. It covers a very large number of independent churches in this state which have practically ceased to exist. It provides for churches which have become extinct, that is in so far as active existence is concerned, and this merely seeks to cover that ground. As I said, in no way does it affect our denomination, because we have provided in our discipline, as most denominations have, but these independent churches and union churches that have been built in years gone by, the country people have moved from the place and they stand there decaying simply and it is merely to place them so that they can be repaired or disposed of in some way, so that they shall not decay, or in case of sale the money may be invested to build elsewhere.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—130.

Adams,	Dunn, H. B.,	Letzkus,	Rothenberger,
Arthur,	Dunn, J. A.,	Light,	Runk,
Baldwin, G. A.,	Ehrhardt,	Lohr,	Sassaman,
Baldwin, R. J.,	Ewing,	Lowers,	Savacool,
Bass,	Fahey,	Martin,	Schaeffer, A. C
Bayle,	Flynn,	Mather,	Schuck,
Becker,	Foster, J. D.,	Matt,	Scott, S. B.,
Benninger,	Gans,	McArdle,	Semmens,
Benson,	Gibson,	McCaig,	Shaffer, C. A.,
Bergey,	Grabe,	McClintock,	Sherwood,
Bigger,	Gramley,	Mechling,	Showalter,
Bittles,	Gransback,	Mellott,	Smith, J. W.,
Bleloch,	Haggerty,	Metzenbacher,	Snavely,
Body,	Heidinger,	Miller,	Snyder,
Brosius,	Herman,	Moore,	Spillinger,
Brownlee,	Heyburn,	Morrow,	Stein,
Burnett,	Hibshman,	Moulthrop,	Stone,
Caldwell,	Hoffman,	Musser,	Strauss,
Campbell, C.M.,	Howard, J.,	Neely,	Swartz,
Campbell, J.J.	Humes,	Newton,	Swift,
Carson,	Isler,	North,	Ulman,
Carter,	Irwin, G. C.,	O'Neill,	Walnut,
Cheeseman,	Irwin, H. H.,	Peachey,	Walton,
Cleary,	Jackson,	Pennegar,	Watson,
Cochran,	Jones, J. R.,	Pennock,	Wildman,
Collins,	Keegan,	Peters,	Williams,
Conner,	Keeport,	Post,	Wilson, J. H.,
Conrade,	Kern,	Ramsey,	Wilson, W. H.,
Cox,	Kitts,	Reeser,	Young, J. H.,
Currier,	Klepper,	Semmens,	Zimmerman,
Curry,	Kuhns, E.G.M.,	Robinson,	Alter,
Donnally,	Lanius,	Rockwell,	Speaker.
Down,		Roney,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1382, entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

And said bill having been read at length the third time, considered and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—131.

Adams,	Ehrhardt,	Mather,	Savacool,
Ambler,	Ewing,	Matt,	Schaeffer, A. C
Arthur,	Fahey,	McClintock,	Schuck,
Baldwin, G. A.,	Flynn,	McKay,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	Mechling,	Shaffer, C. A.,
Bass,	Gans,	Mellott,	Sherwood,
Bayle,	Gibson,	Metzenbacher,	Showalter,
Becker,	Goss,	Miller,	Smith, J. W.,
Benninger,	Gramley,	Missimer,	Smith, L.,
Benson,	Gransback,	Mitchell,	Snavely,
Bergey,	Haggerty,	Moore,	Snyder,
Bigger,	Heidinger,	Morrow,	Spillinger,
Blair, W. A.,	Herman,	Moulthrop,	Stein,
Blair, W. F.,	Heyburn,	Musser,	Stone,
Brosius,	Hibshman,	Neely,	Strauss,
Brownlee,	Hoffman,	Newton,	Swartz,
Burnett,	Howard, J.,	North,	Swift,
Caldwell,	Humes,	O'Neill,	Trach,
Campbell, C.M.,	Isler,	Peachey,	Ulman,
Campbell, J.J.	Irwin, G. C.,	Pennegar,	Walnut,
Carson,	Jackson,	Pennock,	Walton,
Carter,	Jones, J. R.,	Peters,	Watson,
Cheeseman,	Keegan,	Post,	Whitman,
Claycomb,	Keeport,	Ramsey,	Wildman,
Cleary,	Kern,	Redfield,	Williams,
Cochran,	Kitts,	Reeser,	Wilson, J. H.,
Conner,	Klepper,	Rhoads,	Wilson, W. H.,
Conniff,	Kuhns, E.G.M.,	Robinson,	Wiltbank,
Conrade,	Lanius,	Rockwell,	Young, J. H.,
Cox,	Letzkus,	Roney,	Zimmerman,
Currier,	Lohr,	Rothenberger,	Alter,
Curry,	Lowers,	Runk,	Speaker.
Dunn, H. B.,	Martin,	Sassaman,	
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 869, entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 1. Strike out all after the word "custody" in line 28.

The SPEAKER. Will theHouse give unanimous consent to the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be made in accordance with the instruction of the House.

The bill as amended was then agreed to.

The SPEAKER. These amendments consisting in striking out the bill will be put upon its final passage, the question being,

Shall the bill pass finally?

And said bill having been read at length the third time, considered and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—134.

Adams,	Dunn, H. B.,	Light,	Roney,
Ambler,	Dunn, J. A.,	Lohr,	Rothenberger,
Arthur,	Ehrhardt,	Lowers,	Runk,
Baldwin, G. A.,	Fahey,	Martin,	Sassaman,
Baldwin, R. J.,	Flynn,	Mather,	Savacool,
Bass,	Foster, J. D.,	Matt,	Schaeffer, A. C
Bayle,	Gans,	McArdle,	Schuck,

Becker,	Gibson,	McClintock,	Scott, S. B.,
Benninger,	Glenn,	McKay,	Semmens,
Benson,	Good,	Mechling,	Shaffer, C. A.,
Bergey,	Grabe,	Mellott,	Sherwood,
Bigger,	Gramley,	Metzenbacher,	Showalter,
Bittles,	Gransback,	Miller,	Smith, J. W.,
Body,	Hackett,	Mitchell,	Snyder,
Brosius,	Haggerty,	Moore,	Spillinger,
Brownlee,	Heidinger,	Morrow,	Stein,
Burnett,	Herman,	Moulthrop,	Stone,
Caldwell,	Heyburn,	Musser,	Strauss,
Campbell, C.M.,	Hibshman,	Neely,	Swartz,
Campbell, J.J.	Hoffman,	Newton,	Swift,
Carson,	Howard, J.,	North,	Trach,
Carter,	Isler,	O'Neill,	Ulman,
Cheeseman,	Irwin, G. C.,	Peachey,	Walnut,
Claycomb,	Irwin, H. H.,	Pennegar,	Walton,
Cleary,	Jackson,	Pennock,	Watson,
Cochran,	Jones, J. R.,	Peters,	Whitman,
Conner,	Keegan,	Post,	Wildman,
Conniff,	Keeport,	Ramsey,	Williams,
Conrade,	Kern,	Redfield,	Wilson, J. H.,
Cox,	Kitts,	Reeser,	Young, J. H.,
Currier,	Klepper,	Rhoads,	Zimmerman,
Curry,	Kuhns, E.G.M.,	Robinson,	Alter,
Donahoe,	Lanius,	Rockwell,	Speaker.
Down,	Letzkus,		

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. AMBLER. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and at 10.30 o'clock P. M. the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, APRIL 17, 1913. No. 51.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 17th, 1913.

The House met at 10.30 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we would commit our lives to Thee again this morning; not merely the past of our lives with all that has entered into that past and issued out of it, asking forgiveness for all which has been wrong, and asking for that increase and fruitfulness for all that has been right and good, which should be in itself a sufficient reward, but also the future of our lives, with all the possibilities wrapped up in that future. Thou knowest us altogether, O Lord, far better than we know ourselves; all that we have, all that we are, our strength, our weakness, what we can do and efficiently do, what we cannot do or are not skilled or qualified to do well—regard all this, O God, in Thy dealings with us make a plain path before our feet. Let us tread that path cheerfully and hopefully, and let no hesitancy or reluctance of our own prevent Thee from doing with us and through us all that Omnipotence can do to ease the pain in this world through which we are passing and to lift it somewhat farther every day into the blessedness of comfort and light. And wilt Thou guard us and guide us as we tread this path and live this life, helping us always to look upward and to move forward through the Grace that is in Christ Jesus, and unto his name shall be the praise of it all, forever. Amen.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Allen, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. R. J. BALDWIN, from the Committee on Ways and Means, reported as committed, House Bill No. 1931, entitled:

An Act to repeal the present dog tax law regulating the taxing or dogs in the county of Delaware

Mr. MATT, from the Committee on Law and Order, reported as committed, House Bill No. 375, entitled:

An Act to restrain and regulate the use of billiard tables, pool tables and bagatelle boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth. Providing for the granting of licenses and providing for punishments for the violations of the provisions of this act.

Mr. NEWBAKER, from the Committee on Law and Order, reported as committed, House Bill No. 1197, entitled:

An Act to prohibit the use of firearms of any description upon lands set apart to hospital, or sanatorium, or park, or resort uses, whereon human beings congregate in the open in quest of health, recreation or pleasure in this Commonwealth and providing penalties for violation of its several provisions.

LEAVES OF ABSENCE.

The SPEAKER asked and obtained leave of absence for Messrs. Missimer and Gans for the balance of the week.

Mr. ELY asked and obtained leave of absence for himself for the balance of the week.

Mr. LOWERS asked and obtained leave of absence for Mr. Semmens for the balance of the week.

Mr. COX asked and obtained leave of absence for Mr. W. H. Wilson and himself for the balance of the week.

Mr. NEEL asked and obtained leave of absence for Mr. Ulerich for the balance of the week.

Mr. THOMAS asked and obtained leave of absence for Mr. Ira E. Shaffer for the balance of the week.

Mr. LATSHAW asked and obtained leave of absence for himself for the balance of the week.

Mr. NEWTON asked and obtained leave of absence for himself for the balance of the week after eleven o'clock this morning.

Mr. CARSON asked and obtained leave of absence for Mr. Post for the balance of the week.

Mr. BIGGER asked and obtained leave of absence for Messrs. Malie and Wettach for the balance of the week.

Mr. STEELE asked and obtained leave of absence for Mr. Leslie and himself for the balance of the week after twelve o'clock to-day.

Mr. McCAIG asked and obtained leave of absence for Mr. Kenna and himself for the balance of the week.

Mr. GIBSON asked and obtained leave of absence for himself for the balance of the week after eleven o'clock this morning.

Mr. W. A. Blair asked and obtained leave of absence for himself for the balance of the week after one o'clock to-day.

Mr. ULMAN asked and obtained leave of absence for himself after eleven o'clock this morning for the balance of the week.

Mr. KITTS asked and obtained leave of absence for Messrs. Price, Kern and Chas. A. Shaffer for the balance of the week.

Mr. REUBEN HOWARD asked and obtained leave of absence for Mr. Cochran for the balance of the week.

Mr. NORTH asked and obtained leave of absence for himself for the balance of the week after eleven o'clock this morning.

Mr. WILLIAMS asked and obtained leave of absence for himself after 11.30 o'clock this morning for the balance of the week.

Mr. MOULTHROP asked and obtained leave of absence for himself for the balance of the week after eleven o'clock this morning.

Mr. GOOD asked and obtained leave of absence for himself for the balance of the week after eleven o'clock this morning.

Mr. LIGHT asked and obtained leave of absenec for himself for the balance of the week after one o'clock to-day.

The SPEAKER asked and obtainued leave of absence for Mr. Berntheizel for the balance of the week on account of sickness.

Mr. McCLINTOCK asked and obtained leave of absence for Mr. Lorenzo Smith for the balance of the week.

The SPEAKER. Bills which are not called up, in their order, will not be permitted to be called up until the entire list has been gone over. It will then be gone over a second time for the benefit of those who have not called up their bills.

The Chair will announce that "dispensing with the committee of the whole" will apply to all the second reading bills on the calendar, if there is no objection.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1148, as follows:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assesors in the performance of their duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the assessor in each township of the first class in this Commonwealth shall receive as compensation for his services ten ($10.00) dollars per diem for each day actually employed by him in the performance of the duties of his office both in making the triennial assessment and in making the supplement assessments in the intervening years between the years of the triennial assessment the said compensation to be paid by the county as heretofore The compensation of the assistant assessors in the said townships of the first class shall be five ($5.00) dollars per diem for each day actually employed by them respectively in the performance of the duties of their office to be paid by the county as heretofore

Section 2 In case the assessors in any township of the first class in this Commonwealth are not able properly to complete the triennial assesment of property in their township and make return thereof to the county commissioners on or before the thirty-first day of December as provided by law it shall be lawful for the said assessors to continue the performance of their duties and to make return of their assessment to the county commissioners after the said thirty-first day of December Provided that unless prevented by sickness or by stress of weather the said assessor shall be continuously engaged in the actual performance of their duties from and after the date of the delivery of the precept to them until the assessment is completed and their return thereof made And provided further that in no case shall the return of the said assessment be made later than the fifteenth day of February of the year following the delivery of the precept to the said assessors

Section 3 The said assesors and assistant assessors shall make return on oath or affirmation to the township commissioners of the proper township of the number of days actually employed by them in the performance of the duties of their office and the township commissioners are hereby empowered to summon the respective assessors and assistant assessors before them and examine them upon oath or affirmation as to the accuracy of the said return When the township commissioners shall have determined either from the returns of the assessors and assistant assessors or from their examination of them as aforesaid the number of days actually employed by them respectively in the performance of duties of their office they shall certify the same to the county commissioners and the said certificates shall be final and conclusive as to the number of days actually employed by the said assesor and assistant assessors in the performance of the duties of their office upon which their compensation is to be calculated as aforesaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1070, as follows:

An Act to repeal an act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings'' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in Whole or in part for offices not of fire proof construction"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings'' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction'' approved the twelfth day of June Anno Domini one thousand eight hundred ninety-seven and which said act is as follows

"Section 1 That all the following described buildings within this Commonwealth to wit Every building used as a seminary college academy hospital asylum or hotel for the accommodation of the public every storehouse factory manufactory or workshop of any kind in which employes or operatives are usually employed at work in the third or any higher story every tenement house or other building in which rooms or floors are usually let to lodgers or families every public hall or place of amusement every parochial or public school building and every building used in whole or in part for offices when any of such buildings are three or more stories in height except building used in whole or in part for offices which are of fire proof construction shall be provided with a permanent safe external means of escape therefrom in case of fire independent of all internal stairways the number and location of such escapes to be governed by the size of the building and the number of its inmates and arranged in such a way as to make them readily accessible safe and adequate for the escape of said inmates Such escapes to consist of outside open iron stairways of not more than forty-five degrees slant with steps not less than six inches in width and twenty-four inches in length And all of said buildings capable or accommodating from one thousand to five hundred or more persons as operatives guests or inmates shall be provided with two such stairways and more than two stairways if such be necessary to secure the speedy and safe escape of said inmates in case the internal stairways are cut off by fires or smoke And it shall be the duty of the owner or owners in fee for life of every such building and of the trustee or trustees of every estate association society college seminary academy hospital or asylum owning or using any such building and of the board of education or board of school directors having charge of any such school building to provide and cause to be securely affixed outside of every such building such permanent external unenclosed fire escape Provided That nothing herein contained shall prohibit any person whose dutiy if is under this act to erect fire escapes from selecting and erecting any other and different device design or instrument being a permanent safe external means of escape subject to the inspection and approval of the constituted authorities for that purpose" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1424, as follows:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent neglected or delinquent children" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part support and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the Board of Visitation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act providing for the appointment of Boards of Visitation for institutions societies and associations for dependent neglected or delinquent children" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three which reads as follows

"That it shall be the duty of the Court of Common Pleas in each county within this Commonwealth to appoint a board consisting of six or more reputable citizens who shall serve without compensation to constitute a board of visitation whose duty it shall be to visit as often as once a year all institutions societies and associations into whose care and custody dependent neglected or delinquent children shall be committed under the provisions of the laws of this Commonwealth Said visit shall be made by not less than two of the members of the board who shall go together and make a joint report The said board of visitation shall make report to the court from time to time of the treatment the children receive by or in charge of such institutions societies and associations and make an annual report to the Board of Public Charities in such form as the board may prescribe the said Board of Visitation shall be entitled to receive from the county in which they shall be appointed such sum or sums of money for actual and necessry expenses as may be approved by the board of county commissioners" be nd the same is hereby amended to read as follows

Section 1 That it shall be the duty of the Court of Common Pleas in each county within this Commonwealth to appoint a board consisting of six or more reputable citizens who shall serve without compensation to constitute a Board of Visitors whose duty it shall be to visit at least once a year all institutions societies and associations within the county into whose care and custody dependent neglected or delinquent children shall be committed under the provisions of the laws of this Commonwealth and all charitble reformatory or penal institutions and all institutions within the county which receive their inmates from more than one

county and are supported or managed in whole or in part by the Commonwealth or any of the officers thereof and all institutions within the county which are wholly supported and managed by any city county borough or poor district of the Commonwealth Such visits shall be made monthly by not les sthan two of the members of the board who shall report to the board The said Board of Visitors shall make reports to the court from time to time on matters pertaining to the welfare of the institutions particularly the treatment received by the inmates A copy of such report shall be submitted by the board to the persons in charge of such institutions societies and associations The board shall make an nnual report to the Board of Public Charities The said Board of Visitors shall be entitled to receive from the counties in which they shll be appointed such sum or sums of money for actual and necessry expenses as may be approved by the board of county commissioners in their respectiv counties

Section 2 That the Court of Common Pleas in each county within this Commonwealth may receive nomintions of persons for appointment on the said boards of visitation submitted to the court by any corporation organized under the laws of this Commonwealth for the study and improvement of the condiitons of charitable reformtory or penal institutions and such nominations shall in no way interfere with the exercise of free discretion by the court in making such appointments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consid-tion of Houpse Bill No. 1510, as follows:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to tax-payers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when the auditors of any borough township or poor district within this Commonwealth shall have charged any person with any sum of money in their report of audit any taxpayer of said borough township or poor district may proceed to enforce collection thereof for the benefit of said borough township or poor district from such person or his sureties by action or executionary process or both upon filing in the proper Court of Common Pleas a bond with one or more sufficient sureties conditioned to indemnify said borough township or poor district from all costs which may accrue in the proceeding undertaken by such taxpayer

Section 2 When in any borough township or poor district within this Commonwealth an appeal has been taken from the report of the auditors thereof either by the borough township or pooor district r by any person or persons charged in such report with any sum of money any taxpayer of said borough township or poor district may intervene in said appeal and either prosecute the same on its behalf or defend it against the appel of the person or persons charged as aforesaid provided that such taxpayer at the time of intervention shall file in the proper Court of Common Pleas a bond with one or more sufficient sureties conditioned to indemnify the borough township or poor district against all costs which may accrue by reason of such intervention subsequently thereto

Section 3 In case of any appeal from any report of auditors of any borough township or poor district any person interested by intervention or otherwise may order the appeal upon the argument list of the Court of Common PIeas of the proper county and testimony and other evidence may be taken on behalf of any person interested before any person authorized to administer an oath upon rule for that purpose served upon the opposite party After hearing argument the court shall file its findings of fact and law and enter judgment in acordance therewith collection of the same to be enforced by the party prevailing by any appropriate proceeding executionary or otherwise provided that if the court after argument shall deem any question or questions of fact so doubtful under the evidence submitted as to render it desirable that an issue should be directed as to such question or questions of fact the court may direct such an issue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1439, as follows:

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred and extending the said compilation and of Pennsylvania enacted prior to the session of the General publication to include all the laws of the Commonwealth Assembly which began December first eighteen hundred and one and placing the supervision and direction thereof under the care of the Legislative Reference Bureau

Whereas There have now been puolished under the authority of the Commissioners appointed pursuant to the provisions of an act entitled "An Act for the compilation and publication of the laws of the Province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred" approved the nineteenth day of May one thousand eight hundred and eighty-seven (Pamphlet Laws 129) only thirteen volumns of the said laws the last act so published having been passed September five one thousand seven hundred and ninety-three

And Whereas No volume of the said laws has been published since the year 1909 and there remains to be published the laws of the Province of Pennsylvania passed prior to the year one thousand seven hundred and the laws of the Commonwealth of Pennsylvania from one thousand seven hundred and ninety-four to one thousand seven hundred and ninety-nine inclusive which at the former rate of publication will fill four or five volumes

And Whereas The sets of the Pamphlet Laws of the Commonwealth of Pennsylvania in general use begin with the session of the General Assembly commencing on the first day of December one thousand eight hundred and one and the laws for the years one thousand eight hundred and one thousand eight hundred and one by reason of the scarcity of the volumes in which they are contained are as inaccessible as those passed prior to the year 1800

And Whereas It is of great importance that the compilation and publication of the said laws including those passed during the years one thousand eight hundred and one thousand eight hundred and one prior to the session of the General Assembly which began on the first day of December one thousand eight hundred and one should be completed in order that all of the laws shall be within easy reach of the courts the legal profession and all those who may desire to consult them Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Legislative Reference Bureau of this Commonwealth be and hereby is authorized and directed to prepare for publication the text of all of the statutes general and special passed from the beginning of the Province of Pennsylvania to the session of the General Assembly of the Commonwealth of Pennsylvania which began on the first day of December one thousand eight hundred and one as have not been published under the authority of the said act of May nineteen one thousand eight hundred and eighty-seven (Pamphlet Laws 129) together with the original charters of the Province and of the city of Philadelphia and such other constitutional and legislative documents and illustrative matter as to the said Legislative Reference Bureau may seem appropriate and for the purposes of tnis act the said Legislative Reference Bureau its officers clerks and employes shall have access to and temporary possession of the books of record and other material in the possession of the Commonwealth necessary to the performance of their duties And the said Legislative Reference Bureau is hereby directed to compare the acts which have already been printed under the authority of the act of May nineteen one thousand eight hundred and eighty-seven (Pamphlet Laws 129)) as well as the acts which may be printed under the authority of this act with the original rolls and to check up the said acts with the original rolls in order to make certain that all of the acts within the period specified have been accurately printed

Section 2 Upon notification by the Legislative Reference Bureau that the text of a volume of the said laws is prepared the Secretary of the Commonwealth is authorized and directed to cause the said colume to be printed and published by the State printer under the direction and supervision of the Legislative Reference Bureau in the same general style as to paper print binding et cetera as the volumes which have already been published under the authority of the said act of May nineteen one thousand eight hundred and eighty-seven (Pamphlet Laws 129) There shall be printed of each volume five thousand (5,000) copies which shall be distributed as follows Five copies to each member of the Senate and House of Representatives and the clerks thereof five copies to the Governor and to the heads of the several State Departments five copies to the Director of the Legislative Reference Bureau ten copies to the State Library and five copies to the Historical Society of Pennsylvania the remaining copies shall be sold under the direction of the Secretary of the Commonwealth and the proceeds go into the State Treasury and be applied to meet in part the expenses of said publication

Section 3 To effectuate the purposes of this act the Director of the Legislative Reference Bureau is hereby authorized and empowered to employ at a salary to exceed three thousand five hundred ($3,500.00) dollars a year an expert assistant learned in the law who shall have had experience in the investigation of the early legislative history of the Province and Commonwealth of Pennsylvania and shall be competent by reason of his experience to prepare the editorial and illustrative matter which the Legislative Reference Bureau may think it advisable to publish in connection with the text of the statutes

Section 4 To carry out the purposes of this act the sum of twelve thousand ($12,000.00) dollars is hereby specifically appropriated to the Director of the Legislative Reference Bureau for the two years beginning June 1 nineteen hundred and thirteen to be paid by the State Treasurer from time to time upon warrants drawn by the said director

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1100, as follows:

An Act extending the police power of municipalities respecting billboards signs and other outdoor advertising and concerning the licensing regulation or suppression of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all municipalities of this Commonwealth are hereby empowered to license regulate restrict and in proper cases suppress and prohibit under the penalty not exceeding fifty dollars for each offense the display along or in view from public highways or grounds or from schools churches and other buildings or places of public resort of billboards illuminations or any other advertising matter or device to attract public attention such powers to be exercised in the interest of public safety health and morals or for the protection of the values and reasonable enjoyment of real estate abutting upon or adjacent to any highway or said places of public resort

Nothing in this act shall authorize interference with advertising relating only to sale lease management or control of the parcel or parcels of real estate on which displayed or to some lawful business conducted thereon provided that this exception shall not give immunity to anything against good morals or involving danger of starting or spreading fire or likely to obstruct efforts of firemen and others to extinguish the same or of the police to direct pursue or arrest offenders or anything insecure or likely to cause damage to other interest by reason of windstorm decay accumulation of snow or ice offal rubbish or debris or the spread of weeds or to be injurious or offensive to public safety health or comfort in any other way

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1313, entitled:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter on upon occupy and tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any officer agent or employee of any corporation or any other person or persons who shall enter on upon occupy and tear up or authorize or cause or direct others to enter upon occupy and tear up except for ordinary repairs any street lane or alley or other public place in any municipality in this Commonwealth without obtaining permission of the proper authorities of said municipality shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or undergo an imprisonment in the county jail for a period not exceeding six months or either or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. STEIN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 1, line 6. Strike out "on."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read and agreed to as follows:

Section 2 That any act or part of act conflicting with the provisions of this act be and the same is hereby repealed so far as the same affects this act

The title was read as follows:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter on upon occupy and tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

On the question,

Will the House agree to the title?

Mr. STEIN. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Title—line 2. After "enter" strike out "on."

Title—line 4 and 5. Strike out "without permission of the proper authorities of said municipality."

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1491, entitled:

A joint resolution proposing a constitutional amendment to the constitution of Pennsylvania granting to the people the right to recall of public officers

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every elective state officer including all the judges of the several courts of Pennsylvania is subject as herein provided to recall by the legal voters of the Commonwealth or of the electoral district from which he is elected There may be required twenty-five per centum (25 per centum) but not more of the voters who voted in his district at the preceding election for the office to which he was elected to file a valid petition demanding his recall by the people save and except that the signatures of one hundred and fifty thousand (150,000) legal voters shall make valid petition demanding the recall of a State officer voted for by the qualified electors of the entire State. The petitioners shall set forth in their petition the reasons for such demand, if he shall offer his resignation it shall be accepted to take effect on the day the resignation is offered and the vacancy shall be filled as may be provided by law If he shall resign within five (5) days after the petition is filed a special election shall be ordered to be held in his said election district not less than thirty (30) days nor more than sixty (60) days after the filing of such petition to determine whether the people shall recall such officer On the sample and official ballots at said election shall be printed in not more than five hundred (500) words the reason for demanding the recall of said officer as set forth in the recall petition and in not more than five hundred (500) words the officer's justification of his course in office provided that the General Assembly may provide by means of a publicity pamphlet or otherwise for further information of the voters concerning the reasons alleged for the recall of said officer as set forth in the original petition filed for the recall of said officer together with the said officer's defense He shall continue to perform the duties of his office until the result of said special election shall be officially declared Other candidates for the office may be nominated to be voted upon at said special election in such manner as is provided by law The recall of the officer against whom such recall petition is filed shall be voted upon as a separate question If a majority of all the voters voting in such special election shall vote in favor of the recall of said officer he shall thereby be removed from such office and a candidate who shall have received the highest number of votes shall be deemed elected to fill the remainder of the term The name of the officer sought to be recalled shall not appear on the ballot as a candidate No vote for any candidate shall be counted unless the voter has also voted upon the question of the recall of the officer sought to be removed The recall petition shall be filed with the officer with whom a petition for nomination to such office should be filed or other officer as they may be provided by law and such officer shall order a special election when it is so required No such recall petition shall be circulated against any officer until he has actually held his office six months save and except that it may be filed against a Senator or Representative in the General Assembly at any time after twenty (20) days from the beginning of the first session after his election After one such petition and special election no further recall petition shall be filed against the same officer during the term for which he was elected within one year of the expiration of the term for which said officer was elected and no further petition shall be filed against said officer until such further petitioners shall first pay into the public treasury which has paid such election expenses the whole amount of its expenses for such previous special election Such additional legislation as may aid in the operation of this section shall be provided by law including provisions for payment out of the public treasury of the reasonable special campaign expenses of such officer in the event that he is not recalled

Each and every county of this Commonwealth may hold an election once in five (5) years upon the question of the adoption of the recall for county city borough school or township officers but before such election is held there shall be filed with the county commissioners of such county or counties a petition containing the signatures of twenty-five per centum

(twenty-five per centum) of the qualified electors of said county asking for said election so to be held said twenty-five per centum (twenty-five per centum) of said electors shall be based upon the vote cast for all the candidates for Governor at the last preceding gubernatorial election And such additional legislation as may aid in the operation of the carrying into effect that part relating to the recall for county city borough school or township officers shall be provided by law

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments:
The amendments were read by the Clerk.

Amend Section 1 by striking out lines 2, 2, 3 and 4 and beginning with line 5 strike out the words "several courts of Pennsylvania" and insert in lieu thereof "Section 5 Every elective public officer in the Commonwealth of Pennsylvania including all the judges of the several courts whether holding his office by election or appointment."
Amend Section 1, line 19, by inserting after the word "shall" the word "not."
Amend Section 1, line 26, by striking out the word "reason" and inserting the word "reasons."
Amend Section 1, line 37, by striking out the end of the line and beginning of line 38 the words " in such manner as is provided by law" and inserting in lieu thereof "by petition or in such manner as is or may be provided by law."
Amend Section 1, line 42, by striking out the article "a" and inserting the word "the."
Amend Section 1, line 50, by striking out the word "they."
Amend Section 1, line 56, by striking out the word "ssesion" and inserting in lieu thereof "session."
Amend Section 1 bystriking out lines 69 to 81, inclusive, and inserting in lieu thereof the following: "This section shall be self executing. It shall be held independent of and additional to any other method of removal from office. In carrying out this provision the general election laws shall apply as nearly as may be until the necessary legislation shall be provided therefor. But no legislation shall in any way restrict or limit the operation of the provisions of this article or impair the powers herein reserved to the people."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The second section was read as follows:

Section 2 All officers shall hold their office on the condition that they behave themselves while in office and shall be removed from such office as a candidate who shall have recrime. Appointive officers other than judges of the courts of record may be removed at the pleasure of the power by which they have been appointed

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments:
The amendments were read by the Clerk.

Strike out all of Section 2, lines 1, 2, 3, 4, 5 and 6.

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The preamble was read as follows:

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That article six of the Constitution of the Commonwealth of Pennsylvania be and is hereby amended by striking out sections one two three and four and inserting as sections one and two as follows

On the question,
Will the House agree to the Preamble?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Amend the preamble by striking out lines 3, 4, 5 and 6 and insert in lieu thereof the following: "That an amendment be submitted to the people of the Commonwealth of Pennsylvania to amend Article six by adding thereto a new section to be known as Section five, as follows:"

On the question,
Will the House agree to the amendment?
It was agreed to.
The Preamble as amended was then agreed to.
The title was read and agreed to as follows:

A joint resolution proposing a constitutional amendment to the constitution of Pennsylvania granting to the people the right to recall of public officers

And said bill having been read at length the second time and agreed to, as amended,
Orderd, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1314, entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That hereafter no court of common pleas of this Commonwealth sitting in equity shall grant a preliminary injunction or cautionary order without previous notice to the opposite party of the time and place of making application for such injunction or order Provided however that if it be averred by complainant that it is impossible to serve notice upon the opposite party within reasonable time the court in its discretion may upon the filing of an affidavit setting forth the reasons why it appears impossible to serve such notice with reasonable time grant a preliminary injunction or cautionary order in a proper case on bill and injunction affidavits in the manner now or hereafter provided by the rules of court

On the question,
Will the House agree to the section?
Mr. STEIN. Mr. Speaker, I desire to offer the following amendment:
The amendment was read by the Clerk as follows:

Section 1, line 12, strike out "with" insert "within."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The title of the bill was read and agreed to as follows:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1101, as follows:

An Act providing for including in the taxable value of lands upon which are maintained billboards signs or other advertising devices the increased value of such lands resulting from the use of such premises for advertising
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all counties municipal corporations and school districts in the assessment levy and collection of taxes for revenue purposes upon all lands and premises of whatever character upon which are maintained billboards or other signs or advertising devices shall in ascertaining and fixing the taxable valuation of such lands or premises include the additional value accruing from the use of the same for advertising purposes as aforesaid Provided however That this act shall not apply to any device for advertising any business or entertainment conducted on such premises or to billboards or signs relating to the sale rent or control of said premises

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1601, as follows:

An Act to promote and encourage manufacturing within the Commonwealth by exempting from State and local taxation all machinery actually and exclusively used within the Commonwealth in manufacturing or for manufacturing purposes
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all machinery actually and exclusively used in manufacturing or for manufacturing purposes within this Commonwealth by corporations co-partnerships joint stock

associations indivduals or persons shall hereafter be exempt from all State county city borough township or other taxation and from all assessment for taxation for State or local purposes

Section 2 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1594, as follows:

An Act to amend section ten of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section ten of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" which reads as follows

"Section 10 Each appointed member of the said bureau shall receive an annual salary of fifteen hundred dollars ($1,500) and the Superintendent of Public Instruction and the Commissioner of Health five hundred dollars ($500) each and the secretary and treasurer an additional five hundred dollars ($500) in addition to the necessary traveling expenses properly incurred and certified to by the secretary of the said bureau" is hereby amended to read as follows

Section 10 Each appointed member of the said bureau shall receive an annual salary of fifteen hundred dollars ($1,500) and the secretary and treasurer an additional five hundred dollars ($500) in addition to the necessary traveling expenses properly incurred and certified to by the secretary of the bureau The Superintendent of Public Instruction and the Commissioner of Health shall serve without compensation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1541, as follows:

A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That hereafter the fiscal year in cities of the second class shall begin on the first day of January and end on the thirty-first day of December of each and every year

Section 2 For the year one thousand nine hundred and fourteen appropriations shall be made and taxes and water rents shall be levied for the period following the end of the present fiscal year in said cities to and including the thirty-first day of December and thereafter all appropriations shall be made and all taxes and water rents shall be levied for the fiscal year provided for in section one hereof

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1300, as follows:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the mayor and the city controller are authorized to issue whenever they may deem it for the best interests of the city to do so bills or notes hereinafter described as "notes" maturing within a period not to exceed one year in anticipation of the sale of corporate bonds duly authorized at the time such notes are issued The proceeds of the sale of such notes shall be used only for the purposes for which may be used the proceeds of the sale of corporate bonds in anticipation of the sale whereof the notes were issued All of such notes and any renewals thereof shall be payable at a fixed time and no renewal of any such note shall be issued after the sale of corporate bonds in anticipation of which the original note was issued In the event that a sale of such corporate bond shall not have occurred prior to the maturity of the note so issued in anticipation of such sale the mayor and city controller shall in order to meet the notes then maturing issue renewal notes for such purpose Every such note and renewal note shall be payable from the proceeds of the next succeeding sale of corporate bonds for such purpose The total amount of such notes or renewals thereof issued and outstanding shall at no time exceed one-half of the total amount of corporate bonds authorized to be issued and if no sale of corporate bonds shall have been held within six months preceding the issue of such notes then the total amount of such notes or renewals thereof issued and outstanding shall at no time exceed one-half the total amount of corporate bonds authorized to be issued on the date which shall be six months after such last preceding sale

This act shall take effect immediately.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1748, as follows:

An Act relating to the height of buildings in cities of the second class limitng the height of buildings to be erected therein and making provisions for enforcing the limitations imposed by this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That no buildings shall hereafter be erected in cities of the second class exceeding one hundred fifty (150) feet in height above the grade of the stret This restriction shall not apply to grain or coal elevators nor churches or steeples towers domes cupolas belfry or statuary not used for purposes of habitation nor to chimneys smoke stacks gas holders open balustrades sky lights ventilators flag staffs railings weather vanes soil pipes steam exhausts signs roof houses not exceeding twelve feet square by twelve feet high nor to other similar constructions such as are usually erected above the roof lines of buildings

Section 2 The courts of common pleas shall have jurisdiction to enforce the provisions of this act and restrain violations thereof in appropriate proceedings in equity

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1503, as follows:

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That there shall be in cities of the second class of this Commonwealth a Bureau of Electricity attached to the Department of Public Safety and under the supervision and control of the director of said department

Section 2 Said Bureau shall have exclusive charge supervision and inspection of the construction maintenance and operation of all lines batteries and apparatus pertaining to the fire alarm and police signal sytem of such cities and also of all electrical construction and installation now in use in such cities or which may be hereafter used including telephones telegraph trolley and other lines wires and appliances in which electricity is used upon over across and under any and all public streets lanes and alleys also the supervision of the construction and inspection of all wires and appliances used in the exterior or interior of all buildings public and private The Bureau shall have the right to prohibit

and forbid the use of any wire or appliance with the regu-defective or dangerous and not in compliance with the regulations of the Bureau as hereinafter provided Said Bureau shall also have the power to examine and license operators of moving picture machines and inspect the electrical apparatus in all theatres places of amusement or entertainment where moving picture machines are operated

Section 3 It shall be the duty of all persons firms and corporations who shall desire to erect construct and operate lines wires or appliances for the purpose of conveying electricity upon over or under any or all public streets lanes or alleys or on over or within the interior of any building public or private to file such plans with said Bureau outlining the proposed equipment and the details of construction as may be designated by said Bureau of Electricity and to make a written application to said Bureau for permit to enter into such construction the Bureau having the right to refuse such permit if such work is not in compliance with regulations governing such construction

Any wrire attachment insulator support appliance or apparatus which is unsuitable or unsafe shall be ordered corrected or remedied The persons firms or corporation shall be notified of such defects and shall have same corrected or remedied within forty-eight hours after notice Upon failure to comply with this request the said Department of Public Safety shall cause such defective article appliance or apparatus to be forthwith removed at the expense of such individual firm or corporation and shall also require all abandoned or dead wires wherever found to be removed

Section 4 It shall be unlawful for any person to operate or attempt to operate a moving picture machine in said cities of the second class without first having passed a satisfactory examination provided by said Bureau and secure a license to operate such machines as herein provided It also shall be unlawful for any firm proprietor or manager of any theatre or place of amusement or entertainment to permit the operation of said moving picture machines except by duly licensed operator

It shall be the duty of the Superintendent of the Bureau of Electricity or his authorized assistant to examine all applicants for operators of moving picture machines and to issue a license to such persons who have passed the same All such licenses to expire on the last day of such city's fiscal year

For the initial license a fee of five ($5.00) dollars shall be paid to the city treasurer and a fee of one ($1.00) dollar for each renewal All licenses to be issued for a period of one year or fractional part thereof

Section 5 The director of the said Department of Public Safety shall have the right and it is made his duty to promulgate and prescribe such rules and regulations as will be necessary to carry out and enforce the provisions of this act in its purpose of more safely guarding life and property from hazardous and inferior electrical construction and installation Such rules regulations and provisions to be approved by the city council which shall also provide for the payment of reasonable fees for electrical permits and inspection from persons firms or corporations entering into such construction

Section 6 Any person firm or ocorporation violating any of the provisions of this act or any of the rules and regulations which shall from time to time be made by said Department of Public Safety or with any ordinance relative thereto which shall be approved or passed by councils as aforesaid shall be liable to a penalty for the first offense of not less than ten dollars ($10.00) and not exceeding twenty-five ($25.00) dollars and for each offense thereafter of a fine of not less than twenty-five ($25.00) dollars nor exceeding one hundred ($100.00) dollars and which shall be enforced and recovered summarily before any alderman or other committing magistrate within said city as other fines and penalties are now by law collected and all such fines and penalties shall be by such magistrates paid to the treasurer of said city and in addition thereto the person so offending shall be liable for all costs and expenses incurred by said city in enforcing any of the provisions of this act or of the rules and regulations of said Department of Public Safety or provisions of any ordinance or ordinances aforesaid and which may be enforced by action as now provided for by law

Section 7 The principal officer of said Bureau shall be known as the Superintendent of the Bureau of Electricity and the other employees of the Bureau shall consist of such assistants clerks stenographers draughtsmen linemen police telegraph and fire alarm operators inspectors assistant inspectors of wiring and other employees as the city council of said cities may by ordinance provide

Section 8 All acts or parts of acts inconsistent herewith or supplied hereby are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1453, entitled:

An Act to amend article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistest therewith" by adding a new section thereto

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding the following as a new section

Section 635 In school districts other than cities boroughs and towns no school house shall be hereafter erected unless it be upon a lot or piece of ground at least one acre in area So much of the ground not occupied by school buildings shall be used as a play ground for the pupils of the school

On the question,

Will the House agree to the section?

Mr. MELLOTT. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Section 1, line 15, by inserting after the word "and" the word "incorporated."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding a new section thereto

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1521, as follows:

A Supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

Whereas, A number of persons who were actually engaged in the retail drug and apothecary business in this State at the date of the approval of the act of May twenty-fourth, Anno Domini one thousand eight hundred and eighty-seven, fail to apply for registration within the limited period of ninety days, provided for the purpose; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That any person who was more than twenty-one years old and entitled to registration as a pharmacist as provided in section three of the act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven and who failed to apply for registration within the ninety days as provided in said act may make such application at any time within thirty days after the passage of this act with the same force and effect as if such application had been made within the ninety days provided in the act of May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven Provided That the applicant has been continuously employed in the drug business since the approval of the aforesaid act and pays to the State Pharmaceutical Board the application certificate and renewal fees which would be due and owing the said board had the applicant become registered as provided in section three of the act hereinbefore mentioned

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1345 (Senate Bill No. 372), as follows:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That every written agreement hereafter made by one person to the liabilities the default of another shall subject such person to the liabilities of suretyship and shall confer upon him the rights incident thereto except to the extent that the agreement shall disclose an intention to displace or modify such one or more of said liabilities or rights as shall be specifically designated in the agreement Provided That an intention so to displace or modify shall not be inferred merely from the use of the word "guaranty" or of any other word to which definite legal consequences have been attributed heretofore but shall be inferred only from the express provisions contained in the written agreement that both parties had in mind one or more specific consequences of suretyship and desired to provide against it or them And Provided further That in case the parties shall by agreement displace or modify some only of the consequences of suretyship all the other consequences shall ensue

Section 2 This act shall not be construed as changing the rules of law heretofore existing respecting the disability of any person to bind himself or herself by a contract of suretyship or respecting the admissibility of evidence to alter add to or vary a written contract

Section 3 That the word "person" as used in this act shall be construed to be applicable to the cases in which the agreement referred to in the first section hereof is made by one or more individuals or by one or more incorporated or unincorporated groups

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1451, as follows:

An Act providing for the resignation or retirement of certain officers and employees of State institutions and under certain conditions allowing them half pay during the remainder of their lives and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That any person being of the age of sixty-five years or upwards who shall have served as an officer guard instructor teacher caretaker or in any other capacity at any penal institution home for the blind feeble-minded and insane asylum or any other institution which is maintained wholly at the expense of the Commonwealth of Pennsylvania continuously for a period of twenty-one years or who is permanently incapacitated through no fault of his own while in the service of such institution and who shall hold himself or herself in readiness to advise with his or her successors and at the instance of the authorities of such institution to perform special duties at such times and in such ways as he or she may be reasonably able to do shall upon resigning from his or her office or employment or upon being retired therefrom and upon receiving a certificate from the Auditor General as hereinafter provided for be paid for the remainder of his or her life one-half of the salary such person who have received had he or she remained in active service

Section 2 Any officer or employee of a State institution wishing to take advantage of the provisions of section one of this act shall make application to the Auditor General who shall investigate and determine whether such person is entitled to the benefits of this act His decision in the matter shall be final If he is of the opinion such person comes within the provisions of this act he shall send him or her a certificate to that effect which certificate shall be evidence of such person's right to participate in said benefits No additional compensation shall be paid for the performance of any duties assigned to such person

Section 3 All payments under this act shall be made quarterly on the first days of January April July and October of each year by the State Treasurer on warrant of the Auditor General

Section 4 The sum of five thousand dollars ($5,000.00) or so much thereof as may be necessary is specifically appropriated for carrying out the purpose of this act

Section 5 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 93, entitled:

An Act to regulate political campaigns at and prior to elections and primaries enacting for such purpose provisions amongst others to regulate election and primary expenses and contributions therefor to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate political advertising and the publication of political matter to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred to regulate political committees and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts to provide for the dissemination of political pamphlets by public authority and for the payment of any deficit in the cost thereof out of public treasuries to impose duties on the Secretary of the Commonwealth district attorneys county commissioners clerks of courts assessors and their respective subordinates to regulate investigations of elections practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances to vest certain courts with jurisdiction to annul certain elections and nominations to certify their findings as to other elections and nominations and to authorize the incurring of election expenses in certain instances to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third, thirty-fourth, thirty-fifth, thirty-sixth, thirty-seventh, thirty-eighth, thirty-ninth, fortieth, forty-first, forty-second, forty-third, forty-fourth, forty-fifth and forty-sixth sections of the bill were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (1) The term "Candidate for nomination" as used in this act shall include all persons whose names are presented for nomination or election to public office at any primary meeting caucus convention or primary election whether or not such persons are actually nominated or elected thereat

(2) The term "Candidate for election" as used in this act shall include all persons whose names are printed as candidates on the official ballots or any official sticker used at any election and also all persons who shall receive at least fifteen per centum of the highest vote received by the successful candidate for the same public office but whose names were not printed on the official ballots

(3) The term "Candidate" as used in this act shall unless especially restricted therein include both candidates for nomination and candidates for election

(4) The term "Public office" as used in this act shall include every public office to which persons can be elected by the vote of the people or for which the people may be entitled under any present or future law to a preferential vote and shall include also delegates to State and National conventions of any political party and such party offices are are provided for by law or by the rules of any political party to be elected at a party primary

(5) The term "political committee' as used in this act shall include personal political committees party committees and campagn committees

The term "personal political committees" as used in this act shall include all political committees not party committees which are authorized by any candidate or candidates to act for him or them in the conducting of their campaign

The term "party committees" as used in this act shall include all political committees not party committees which is recognized as a party under the laws of this Commonwealth

The term 'campaign committees" as used in this act shall include all political committees of any political body which is recognized as a party under the laws of his Commonwealth

(6) The term "election expenses" as used in this act shall include every payment promise or act by or through which any money property service or other thing of value office or position passes or is directly or indirectly transferred conveyed given provided for paid expended promised pledged contributed or loaned in furtherance of the nomination of any person or persons as candidates for public office or in furtherance of the election of any person or persons to public office or to prevent the nomination or election to public office of any person or persons or to influence the action of voters on any measure or question to be submitted to a vote of the people of the Commonwealth or of any sub-division thereof under any present or future law or constitutional provision

(7) The term "accounting officer" as used in this act with reference to any account of any candidate either at an election or at a primary shall mean the Secretary of the Commonwealth for any candidate to be voted for by the electors of the State at large and the clerk of courts of the county where the candidate resides for all other offices

(8) The term "campaign" as used in this act shall include all efforts made by a candidate or by his supporters or by any political party or body of electors to influence votes at any election or primary convention or caucus

The campaign for any primary shall be deemed to have begun on the ninth Saturday before such primary and to have terminated except for accounting purposes at midnight of the day of such primary

The campaign for an election shall be deemed to have begun on the termination of the antecedent primary and to have terminated except for accounting purposes at midnight of the day on which such election is held

(9) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the day of the election or primary shall be included in the calculation or reckoning

(10) The term "taxable costs" as used in this act shall include the bill of a party for subpoenas serving the same mileage and fees for witnesses material and necessary in the proceeding whether such outlay is incurred by the relator or defendant all of which charges shall be at the same rate as in other proceedings in the Court of Quarter Sessions

Section 2 No person shall knowingly receive or accept anything constituting an election expense not authorized by this act or from any person not authorized by this act and proof that anything constituting an elecion expense not authorized by this act was received or accepted shall be prima facie evidence of knowledge of its character on the part of the accused person

Section 3 (1) No officer director trustee member or employee of any corporation joint stock company association society limited partnership partnership association or partnership under whatever laws any such entity may exist and no person lawfully engaged in the business of making or vending any vinous spirituous malt or brewed liquor shall directly or indirectly pay give lend or authorize or cause to be paid given or lent any money or other thing of value belonging to or over which such corporation joint stock company association society limited partnership partnership association or partnership or person so engaged as aforesaid owns or has any control to a candidate or to any political committee for any election expenses whatever or for the purpose of influencing any political action at any election or primary No such corporation or other of the entities aforesaid shall pay any special salary to any person or transfer any thing of value to any person for the purpose of enabling the recipient to contribute or loan any money or thing of value for use for election expenses or for the purpose of enabling the recipient to become a candidate or to serve as a member of a political committee any director officer member or employee of such corporation or other entity voting for or participating in any act whereby any asset of such corporation or entity is devoted to election expenses shall be deemed to have violated this act and on conviction thereof shall be subject to fine and imprisonment either or both as hereinafter provided But any person firm or corporation lawfully engaged in the business of lending money may in the usual course of business make any loan notwithstanding the fact that the proceeds of such loan may be used for election expenses And any person corporation or other of the entities aforesaid otherwise lawfully engaged in the business of hiring selling or doing anything may hire sell or do such thing in the usual course of his or its business notwithstanding the fact that the same may be hired sold or done for a candidate or any political committee

(2) No person shall direcly or indirectly offer give pay or promise to give or pay to any other person any money or thing of value to affect or influence any person's vote at any election or primary

(3) No person shall directly or indirectly offer give pay or promise to give or pay to any person any money or thing of value to become a candidate or not to become a candidate or to withdraw from any candidacy or to withdraw from membership on any political committee

(4) No person shall directly or indirectly make a payment or a loan of his own money or any other person's money to any candidate or to any political committee for any election expenses in any other name than that of the person who in truth supplies such money

(5) No person shall depart from this Commonwealth for the purpose of incurring outside the territorial limits thereof election expenses forbidden by this act for the use of any political campaign in this Commonwealth No person in this Commonwealth shall perform any service or knowingly furnish any material constituting an election expense for any election or primary in this Commonwealth in consideration of anything of value received or to be received by such person from or on behalf of any person residing outside the territorial limits of this Commonwealth provided that any person performing such services or knowingly furnishing such material shall be subject to punishment for a violation of this act but such person shall not be deprived of his right of action for such services rendered or material delivered

(6) Except contributions made to a political committee solely in furtherance of the nomination or election of a candidate for the Presidency or Vice Presidency of the United States no person shall receive anything of value for use for any political campaign in this Commonwealth from or on behalf of any person residing outside the territorial limits of this Commonwealth Provided however that nothing in this section contained shall be construed to prohibit either the receipt by any candidate for Representative in Congress or for Senator of the United States of any sum of money not in excess of the amount permitted to be expended by any such a candidate as hereinafter provided from a National Congressional Committee of any national party or the receipt by any one of campaign literature of any description

(7) Except as in this act otherwise specifically permitted no person not a candidate or treasurer of a political committee shall pay or incur any election expenses whatsoever for use in any campaign save contributions to a candidate or to a political committee

(a) Nothwithstanding the aforesaid prohibition any person or persons may incur the reasonable expenses of holding any town meeting or mass meeting and of advertising such meeting either in any newspaper or other periodical or by posting notice thereof or by music or by illumination or by hand bills distributed by any person less than twenty-one years of age or by communications sent through the mails but without either employing a number of persons greater than the number customarily employed or paying for services or supplies at a rate higher than that usually and customarily paid for similar services or supplies for non-political meetings The person or persons incurring the expenses of such a meeting shall file with the accounting officer of the county in which such meeting was announced to be held within ten days after the date announced for such meeting a detailed account of his or their receipts and expenditures incurred in connection with such meeting in the same manner and subject to exceptions in the same fashion and with the same penalties as in the case of accounts of political committees

(b) Notwithstanding the aforesaid prohibition any ten or more reputable citizens of any governmental district meaning thereby any county city borough or township may organize a political association and as such apply to the Court of Quarter Sessions of their county or to any law judge thereof for authority to expend during any election campaign and during any campaign before a primary at which any measure is to be submitted to any popular vote a sum of money to be contributed solely by the applicants which sum shall not exceed the sum of one dollar for each one hundred inhabitants of such governmental district as shown by the preceding United States census Such applications shall over the oaths or affirmations of all the applicants set forth the names of the applicants and the particular place of residence of each of them giving street and number if any the name of the association which shall not be the duplicate of any other association and the name of one of their number chosen as treasurer thereof the name and population determined as aforesaid of the governmental district in which they reside and in which they desire authority to expend such sum and the particular measure constitutional provision or provisions political policy doctrine or belief which it is their object to further The treasurer shall file therewith his bond to the Commonwealth in the sum desired to be expended with sufficient security to be approved by such court or judge Such bond shall be conditioned that such treasurer comply with the requirements of this act If satisfied with the veracity of the allegations of such application such court or judge shall make an order authorizing said treasurer to expend during such campaign a sum not exceeding the sum aforesaid solely for the purpose of composing preparing typewriting mechanically reproducing addressing and mailing campaign literature designed to further exclusively the object stated and for advertising literature so designed in any newspaper or other periodical having a bona fide circulation in such governmental district and providing especially that such literature shall not name any candidate for any office or position or refer to such a candidate or name or refer to any political party or body of electors

Such association shall not pay for services or supplies at a rate higher than that customarily paid for similar services or supplies in non-political matters

No gift or loan of any money or thing of value shall be received by any such applicant at any time in aid of his or her contribution to such association No person shall be a member of more than two such associations The treasurer shall keep his account in the same manner file them at the same time and they shall be subject to exceptions in the same fashion and with the same penalties as accounts of political committees in such county

In case of violation of any provision of this act by such treasurer his bond shall be forfeited and the full amount thereof shall be recoverable for the use of such governmental district

(c) Notwithstanding the aforesaid prohibition any ten or more reputable citizens of any county may organize a non-partisan society and as such apply to the Court of Quarter Sessions of their county for authority to expend during any campaign a sum not exceeding ten dollars for each one thousand inhabitants of such county as determined by the preceding United States census Such application shall set forth over the oaths or affirmations of all of the applicants the names and particular residences of all the applicants the name of the society which shall not be the duplicate of any other such society the name of one of their number chosen as treasurer of such society and that the purpose of such society is solely to examine and ascertain on a non-partisan basis the fitness of any candidates for any public office or position

The treasurer shall file therewith his bond to such county in the sum desired to be expended with sufficient security to be approved by said Court such bond to be conditioned that such treasurer comply with requirements of this act If such court be satisfied with the good faith and capacity of such applicants and of the non-partisan nature and purpose of their undertaking it may at its discretion make its order authorizing the treasurer of such society to expend during any such campaign a sum not exceeding the sum aforesaid solely for the purpose of examining and ascertaining on a non partisan basis the fitness of any candidate or candidates for any public office or position and of reporting the result of such examination to the public exclusively through the mails or by publication either as paid advertisements or news items in any newspaper or periodical having a bona fide circulation in such county

The treasurer shall keep his accounts in the same manner and file them at the same time and they shall be subject to exceptions in the same fashion and with the same penalties as accounts of political committees in such county In case of violation of any provision of this act by such treasurer his bond shall be forfeited and the full amount thereof shall be recoverable by and for the use of such county Provided that the name of any such society once adopted by any one set of applicants shall not be employed by any other set of applicants at any future time without the written consent of a majority of such set of applicants who have in the then last campaign lawfully employed such name

(d) The provisions of this act shall not be construed so as to relate to the rendering of services by speakers publishers editors writers or by any person for which no compensation is asked or given or promised expressly or impliedly

Section 4 No person shall demand solicit receive or take from any candidate from any political committee or member thereof any payment or contribution or obligation express or implied or other thing of value either for the proper use and behoof of the person or persons so soliciting or for any religious charitable educational literary philanthropist beneficial fraternal or other similar cause or orgainzation or for any picnic excursion fair sport ox-roast corn-roast encampment ball dramatic or other entertainment or gathering or for political advertising in any program score card or similar publication except that admission tickets to any such entertainment amusement or gathering may be paid for by a candidate or by a member of a political committee if such tickets be used by him personally or by a member of his immediate family No candidate committee or member thereof shall make or promise or intimate that he will make such payment or contribution in the future

Provided that nothing herein contained shall prohibit the payment of any regular subscription or contribution by any person to an organization of which he has been a member for three months prior to the beginning of such campaign or to which he may have been a regular contributor prior to his candidacy or membership on such committee or prohibit the ordinary contribution at a religious service

Section 5 Except for political advertisement and the expenses of maintaining offices of candidates or political committees as in this act provided no person shall pay or incur any election expenses for services to be performed on the day of any election caucus or convention or primary or for any loss of time or damage suffered either by attendance at the polls at such election caucus or convention or primary or in registering for voting or for services at any time in procuring or guiding others to register or vote or for the expenses of transporting any voter to the polls or place of registration

No person shall at any time give or provide any food drink or tobacco in any form or other entertainment or provide free transportation to or for any person for the purpose of influencing any vote

Section 6 (a) No person being an employer or acting for or on behalf of any employer shall give distribute or cause to be given or distribute to any of his employes or to any of the employes over whom he may have control nor shall he post any printed or written matter containing any threat notice or information that in case any particular ticket of a political party or organization or candidate shall be elected or defeated or any measure referred to the vote of the people shall be adopted or rejected work in his place or establishment or in the place or establishment over which he may have control shall cease in whole or in part or his place or establishment be closed or the salaries or wages of his workmen or employes be reduced nor shall such person make other threats or any promises expressed or implied intended or calculated to influence the political actions of his workmen or employes

(b) No candidate member of any political committee holder of any office or position under the laws of this Commonwealth or under the ordinances of any municipal body and no person of whatsoever description shall directly or indirectly make knowingly any written or oral request suggestion direction or command that any person who directly or indirectly receives any wages salary fees or compensation of any sort for his or her services to any city county borough township public school authority or to the Commonwealth shall pay voluntarily or otherwise any money or thing of value whether in the form of an assessment or otherwise for any election expenses whatsoever past present or future particularly including in said prohibition any contribution to any candidate officer or political committee Any person receiving such request suggestion direction or command shall forthwith give notice in writing of the same to the district attorney of the proper county who in turn shall immediately direct the prosecution of such offender

(c) No officer or employee of the United States residing within this Commonwealth no officer or employee of this Commonwealth or of any county city borough township school district or other subdivision of the Commonwealth receiving a salary wages or fees excepting attorneys at law notaries public and officers or members of the National Guard shall directly or indirectly make any contribution to any candidate political committee political association provided for by this act or to any party or factional organization for any election expenses past present or future Nor shall any person make any such contribution as a condition precedent to securing any such public office or employment Provided however That the prohibitions of this sub-section shall not apply to any holder of a public office or employment who is himself a candidate for election or nomination to any public office but not to any party office Nor shall said prohibitions apply (one) to any officer elected by popular vote or (two) any holder of any office or position designated by any present or future act of Assembly as belonging to the unclassified civil service of any of the said public bodies municipal or not municipal or (three) any holder of any office or position who is clothed with executive discretion

Section 7 No publisher of any newspaper or other periodical shall insert either in the advertising columns of such newspaper or other periodical or elsewhere therein any matter paid for or to be paid for directly or indirectly which is intended to or tends to influence directly or indirectly any voting at any election or primary unless at the head of said matter is printed in twelve point type the words "Paid Advertisement" and unless there is also a statement at the head of said matter of the name of the candidate or political party in whose behalf the matter is inserted and of any candidate or political committee or organization authorized by this act to incur election expenses if any authorizing the publication and unless also the price paid or contracted to be paid for such advertisement is stated at the head of said matter

Section 8 No owner or publisher of any newspaper or other peridical no agent or employee of such owner or publisher shall directly or indirectly solicit or receive or accept any payment promise or compensation nor shall any person pay or promise to pay or in any manner compensate any such owner publisher agent or employee directly or indirectly for the purpose of influencing or attempting to influence through any printed matter in such newspaper or other periodical any voting at any election or primary through any means whatsoever except through the matter inserted in such newspaper or other periodical as "Paid Advertisement" and so designated as provided by this act nor for any such purpose shall any person withdraw or threaten to withdraw his patronage or advertising from such publication

Section 9 Except as herein otherwise provided no person shall publish issue or circulate or cause to be published issued or circulated otherwise than in a newspaper or other periodical any matter tending to influence voting at any election or primary which fails to bear on the face thereof the name of the candidate or political party or other body or association authorized by this act to incur election expenses causing such matter to be published issued or circulated

During any campaign no newspaper or other periodical shall publish gratuitously any letter or communication on any political subject composed by any person not an officer editor or employee of such newspaper or other periodical unless the real name and particular address of the author thereof be appended hereto and published with such communication Only the willful violation of this provision on the part of the publisher of such newspaper or other periodical shall be deemed a violation of the act

Section 10 No person firm association or corporation shall knowingly make or cause to be made or published in relation to any candidate party or measure any false statement intended to or tending to affect any voting at any election or primary

Section 11 The enumeration of express prohibitions of particular expenditures by any section of this act shall not be construed as authorizing any expenditure not specifically permitted by this act

Section 12 (1) No candidate and no treasurer of any political committee shall pay or incur any election expense whatsoever except such as are expressly authorized by this act

(2) No candidate and no treasurer of any political committee shall appoint any deputy agent proxy attorney in fact or other representative either to sign checks or to do any other act or thing permitted or required by any section of this act except as herein otherwise specifically permitted Provided however That a member of any political committee may by writing duly signed by him authorize any other member of his own or any other political committee to do for him as to any campaign matter anything permitted by any section of this act not involving or implying the disbursement of money or other thing of value or rendering or tending to render such candidate or treasurer member or committee liable for the payment of any money or thing of value

(3) No candidate or treasurer of a political committee shall disburse any money received from any anonymous source Provided however That contributions received by the treasurer of any such committee from collections taken up at any public meeting not exceeding in amount five hundred dollars at any one such meeting may be disbursed without violation of this act notwithstanding the anonymity of any of the respective contributors Money contained in envelopes signed by the donor and received at any such meeting shall be deemed anonymous contributions any surplus above said amount shall be paid to the State Treasurer forthwith by the treasurer of such committee or by the person receiving such collection at such meeting

(4) No person shall in order to aid or promote his nomination or election directly or indirectly himself or through any other persons appoint or promise to appoint any person or secure or promise to secure or aid in the securing of the appointment nomination or election of any person to any public or private position or employment or to any position of honor trust or emolument Nothing herein contained shall prevent a candidate from stating his preference for or support of any other candidate to be voted for at the same primary or election or prevent a candidate for any office in which the person elected will be charged with the duty of participating in the nomination or election of any person to any office from stating his preference for or support of any person for such office

(5) No party committee and no campaign committee shall during or before any campaign for a primary or in any year when no party primary is held incur any election expenses except such as may be required as incidental to the performance of any duty enjoined on any member of such a committee by any act of assembly

Section 13 Excepting candidates for presidential electorships any candidate may select one personal political committee to consist of one or more persons Before any such committee shall do any act in behalf of any candidate it shall file with the accounting officer of such candidate a written statement signed by such candidate setting forth that such personal political committee has been appointed and giving

the name and address of each member thereof and the name and address of the treasurer thereof together with the written acceptance of each member of such committee of such appointment If such committee consists of only one person such person shall be deemed the treasurer thereof Such written statement may limit and define the powers of all members of such committee except the treasurer in such manner as the candidate may deem fit

Any candidate so appointing may revoke the appointment of any member of such personal political committee by a revocation in writing which with proof of service on the member whose appointment is so revoked shall be filed with the accounting officer of such candidates such candidates may fill any vacancy and may at any time during his candidacy except within five days immediately preceding the election or primary add to the number of such committee in the manner in which the original appointment was made Any member of any political committee may resign therefrom by filing his written resignation with the accounting officer

In any civil action or proceeding brought under this act the actions of every member of such personal political committee performed within the apparent scope of his authority so constituted shall be deemed prima facie to be with the knowledge and approval of the candidate

Section 14 No candidate shall pay or incur any election expenses except

(1) For his own traveling expenses and expenses incident thereto for renting and maintaining an office and for clerical service actually performed therein for stenography typewritting stationery postage telegraph and telephone expenses and for the composing preparing writing addressing and mailing or expressing of letters or campaign literature and for admission tickets solely for his own use or the use of a member of his immediate family to any fair gathering or any place of entertainment or amusement

(2) For contributions to his personal political committee including a reasonable compensation to the treasurer thereof for services actually rendered

(3) For contributions to his party committee or campaign committee

(4) For contributions to other candidates and their personal political committees

(5) For services in circulating and obtaining signatures to petitions for nomination or nomination papers required under any present or future law at a rate however not to exceed ten cents per signature and for not more than twice the number of signatures required to have such candidate's name appear upon any ballot for nomination or election and for official fees on such petitions or nomination papers

(6) For compensation to any person less than twenty-one years of age for services of such person in distribiting by his own hands to voters campaign-literature bearing at the end of each piece thereof the name of such candidate provided such distribution be accomplished at least twelve hours before the opening of the polls on an election or primary day

(7) For the additional purposes enumerated in section fifteen of this act when such candidate has no personal political committee but not otherwise

(a) The personal traveling expenses and all expenses properly incident thereto of any member of a personal political committee may be either advanced or refunded after expenditure of the same by such member

(b) A person who in good faith has contracted directly with a candidate or who has in good faith received payment directly from a candidate for any election expense permitted by this act shall not be deemed to have violated the provisions of this act solely because such candidate had theretofore appointed a personal political committee

Section 15 No treasurer of any political committee shall pay or incur any election expenses except

(1) For the rent maintenance and furnishing of an office or offices and for the renting heating lighting janitor service and policing of halls or other places incident to holding of public or other political meetings and for red-fire music carriage of speakers and similar incidentals at any political meeting

(2) For necessary stationery postage telegraph and telephone expenses and for the payment of clerical and janitor services actually performed at the office or offices of a candidate or of a political committee for stenography and typewritting and for the composing preparing writing printingf addressing and mailing or expressing letters or campaign literature

(3) For necessary expenses incident to the furnishing of badges banners and other insignia and the preparing printing and posting of hand bills posters pictures and the distribution thereof through the mails or by freight or express

(4) For political or campaign advertising in newspapers or other periodicals whether published daily semi-weekly weekly or otherwise as provided in this act

(5) For compensation and actual traveling expenses and expenses incident thereto of public speakers actually delivering addresses to the public which expenses may be either advanced or refunded to such speaker

(6) For actual traveling expenses and expenses properly incident thereto of members of political committees

(7) For court costs notarial or other official fees and attornoys' fees bona fide incurred in connection with any nomination or election

(a) None of the provisions of this act shall be construed to prohibit any member of a political committee or supporter of any candidate from paying or advancing his own traveling expenses whether or not such advances are agreed to be or are in fact refunded

(b) No such election expenses shall be incurred either by employing a greater number of persons to perform any service than the number usually and customarily employed in political or non-political enterprises or at a rate higher than is usually and customarily paid for similar services or supplies in political or non-political enterprises whether such expenses be incurred by a candidate or by a political committee

Section 16 Exclusive of court costs and attorneys fees bona fide incurred in connection with litigation as to any nomination no election expenses shall be paid or incured by or on the authorization of any candidate which shall be in the aggregate in excess of the amounts herein specified which shall include all bisbursements to any political committee

(1) For President of the United States twenty thousand dollars ($20,000.00)

(2) For United States Senator twelve thousand five hundred dollars $12,500.00)

(3) For Representative-at-large in the Congress of the United States five thousand dollars ($5,000.00)

(4) For each other Representative in the Congress of the United States three thousand five hundred dollars

(5) For Governor ten thousand dollars

(6) For judge of the Supreme Court or the Superior Court five thousand dollars

(7) For presidential elector two hundred dollars

(8) For any other office to be voted for by the electors of the state at large including candidates for vice president ten thousand dollars

(9) For State Senator one thousand dollars

(10) For member of the State House of Representatives five hundred dollars provided that a candidate in any district entitled to elect more than one representative shall be permitted to expend the additional sum of one hundred dollars for each additional representative in excess of one to which such district is entitled

(11) For national delegate-at-large if any is to be elected five hundred dollars

(12) For national delegate from any Congressional district if any is to be elected in such district two hundred dollars

(13) For delegate to State convention if any fifty dollars

(14) For any judiciay office other than that of judge of the Supreme Court or of the Superior Court for which candidates are under any present or future act required to be learned in the law a sum not exceeding one-fourth of the salary to which such candidate if elected would be entitled during the first year of his incumbency in such office

(15) For any county city state borough or township office or judgeship not hereinbefore specified or public office not hereinbefore specified who if nominated and elected would receive a salary a sum not exceeding one-half of the salary to which such person would if elected be entitled during the first year of his incumbency in such office In the case of a public office the holder of which is compensated by fees or other emoluments and not by salary one-third of the gross amount of such fees or other emoluments received by such office in the fiscal year next preceding such nomination or election but in no case shall such maximum amount of such expenses be less than two hundred dollars If such person if nominated and elected would not receive a salary of any other monetary compensation two hundred dollars and no more

(a) No person who is a candidate shall expend any greater amount of money or other thing of value than that above specified for any one candidate whether such person be a candidate to be voted for on one or more than one party ballot or be the nominee of one or more than one party or be the nominee of a party and a candidate upon nomination papers or be a candidate upon more than one set of nomination papers or whether his name appears more than once on any ballot If any person shall be a candidate for more than one office he shall be permitted to expend only the lowest amount allowed as above specified for any one of the offices for which he is a candidate

(b) Any person who qualifies as a candidate for the purpose of being enabled to incur election expenses or otherwise than as one seeking in good faith such nomination or election shall be deemed to violate this act

(c) The said maximum amounts shall apply to the combined expenses of both election and primary campaigns but no candidate shall expend more than seventy-five percentum of such maximum amount in either the election or the primary campaign and no candidate for election who becomes such otherwise than as a result of a primary election shall expend more than seventy-five percentum of such amount in his election campaign Such party officers as are elected at a party primary may however in the campaign for such primary each expend the said maximum sum of one hundred dollars and no more Presidential electors unless nominated by popular vote under any future law may expend such sum of two hundred dollars in the election campaign and no more Provided however That any contribution made by any presidential elector to his state party committee or state campaign committee shall not be deemed to be within the scope of this prohibition

(d) The foregoing limitations of the maximum amounts shall be construed to include any election expenses incurred after the passage of this act an before the beginning of any campaign by any person who is or afterwards becomes a candidate for nomination or election

(e) In a campaign for a primary any candidate may delegate to his personal politiscal committee and in a campaign for an election to his personal political committee or to any committee of his party or to a campaign committee by a writing duly subscribed by him the expenditure by the treasurer thereof of any portion of the total election expenses which are authorized to be paid or incured by him or on his behalf by the provisions of this election but the total of all disbursements by himself by his personal political committee in his behalf and by all party or campaign committees on his delegation shall not exceed in the aggregate the amount in this section specified Said writing shall be filed with the accounting officer of the candidate and a copy thereof given to the political committee authorized to make the expenditures The withdrawal of any person from his candidacy shall cancel his delegation to power to any committee to expend any sum of money Any withdrawing candidate shall forthwith file his account and shall refund to the contributors thereof all moneys contributed to him

(f) The prohibitions of this act shall not apply to contributions made for political campaigns in other states by any citizen

of this State who is a candidate either for President or Vice President of the United States

Section 17 Excluding candidates for President electors and for Congressmen at Large but including candidates for President Vice President and United States Senator every person who is a candidate for any office to be voted for by the electors at large of the State in a campaign for a general election but not in a campaign for a primary for a municipal or for a special election may by writing filed authorized the State committee of the party whose candidate he is or the State campaign committee of any body of electors who have acquired the exclusive right to use a certain political name or appellation whose nominee he is to expend during such campaign an amount of money equal to seventy-five per centum of that specified and alloted to each such candidate to Section 16 of this act for both election and primary campaigns Said amount so authorized shall be in addition to any amount such candidate may delegate under the provisions of Section 16 Such candidate shall not himself expend any portion of such additional stipend Any such State party committee or State campaign committee shall not make any expenditure of any portion of such aggregate additional stipend in furtherance of the candidacy of any candidate not to be voted for by the electors of the State at large except such expenditures as may be merely incidential to the furtherance of the candidates of candidacies to be voted for by the electors of the State at large After such written authorization of such respective candidates any such State party or State campaign committee may receive contributions not in excess of such stipend from any person permitted by the provisions of this act to make any political contribution No person who is the candidate of more than one party or the nominee of a party and of one or more of said bodies of electors or who is the nominee of more than one of said bodies of electors or who is the nominee of more than one of said bodies of electors shall be permitted under the terms of this section to authorize the expenditure of any amount greater than that which may be authorized by the candidate of one party only but any such double or multiple nominee may authorize the expenditure of such portion of such amount by any of the parties or any of such bodies of electors whose nominee he is as he deems proper The withdrawal of any nominee of any such body of electors shall cancel the authorization of his campaign committee to expend the sum authorized by him and any such sum received shall be refunded by such committee to the contributors thereof before the election

Section 18 Except as herein otherwise provided every monetary receipt or contribution and the proceeds of every loan received by any candidate or treasurer of any political committee shall be deposited in a bank or trust company to the credit of such candidate or treasurer

Every mometary disbursement made by such candidate or treasurer for election expenses exceeding the sum of ten dollars shall be made only by check drawn on such bank or trust company and not otherwise and such check shall be drawn in such fashion that the payee thereof shall be a person who has in fact furnished supplies or rendered services permitted as items of election expense or who has contracted in good faith to furnish such supplies or render such services and to no other person except as to traveling expenses or expenses properly incident thereto and except also that checks for petty cash may be drawn by any such candidate or treasurer but not in excess of the sum of ten dollars each and the aggregate amount of checks for such petty cash of any one candidate or treasurer shall not exced one hundred dollars Every check drawn for the payment of election expenses or actualy used for such purpose shall be signed either by a candidate or by the treasurer of a political committee No such check shall be signed by such candidate or treasurer in blank or unless the same is completely filled in so as to designate the date amount and name of the payee thereof Provided that on petition filed by any candidate the court of Quarter sessions of the county where such candidate resides may if it be satisfied that banking facilities are not reasonably available to such candidate make its order permitting such candidate thereafter to receive contributions and pay election expenses without such depositing and checking but such privilege shall not be granted to any political committee

Section 19 Every person who shall have any bill charge or claim upon or against the treasurer of any political committee or any candidate for any disbursement made services rendered or thing of value furnished for election expenses or incurred in any manner in relation to any primary or election campaign shall render in writing to such treasurer or candidate such bill charge or claim not later than ten days after the election or primary in connection with which such bill charge or claim was incurred No candidate and no such treasurer shall except by special allowance of the court having jurisdiction of the account of such candidate or treasurer on proper cause shown or except by judgment of other court of competent jurisdiction pay any bill charge or claim so incurred prior to any primary or election which is not so presented not later than ten days after such election or primary Provided that a violation of this section shall be punishable as other violations of this act are but shall not deprive any person of his right of action for such services rendered or goods delivered

Section 20 Except as hereinafter provided every candidate and every treasurer of every political committee shall not less than seven nor more than ten days before the election or primary file with his accounting officer an account certified on the oath or affirmation of such candidate or treasurer as the case may be Said account shall cover all items specified in section twenty-two of this act up to and including the day before such filing in the manner hereinafter provided Such candidate or treasurer shall within fifteen days after such election or primary as the case may be file a supplemental account which shall summarize all items previously reported and shall be verified in like manner and cover in like manner all items specified in section twenty-two incurred from the date of such first account to the date of filing such supplemental account But if the aggregate of the receipts or of the disbursements of any candidate in connection with either an election or a primary shall not at any time for filing such account have exceeded fifty dollars such candidate shall be exempt from the requirements of this section and of section eighteen and such candidate shall within fifteen days after such election or primary as the case may be file a certificate under oath or affirmation of such fact with the accounting officer If the allegations of such certificate be untrue in any material respect such candidate shall be deemed guilty of perjury Every political committee shall file its account irrespective of the amount expended by it or in its behalf

Section 21 The account of every candidate and the account of his personal committee shall be filed with the accounting officer of such candidate The account of every State committee shall be filed with the Secretary of the Commonwealth The account of every other party or campaign committee shall be filed in the office of the clerk of courts of the county or counties for which or for part of which it is the party or campaign committee All such accounts shall be open to public inspection at the offices where they are filed and shall be carefully preserved therein during a period of five years An index thereof shall be kept by such officer for the use of the public to be known as "Index of Election Expense Accounts" The accounts of candidates and of the personal political committees of candidates shall be indexed in the name of the respective candidates and the accounts of party or campaign committees in the name of the party with a designation of the particular committee of the party which filed the account

Section 22 Each such account shall give in full detail

(1) Every sum of money and of property and every other thing of value except gratuitous personal services received either by such candidate in his capacity as a candidate or by such committee whether as contributors or gifts or loans up to the date of such account from any source whatever which he or it uses or has used or has for use for election expenses together with the name and postoffice address of every person from whom each was received and the date when each was received together with the total amount received from all sources in any amounts or manner whatsoveer

(2) Every promise of or obligation to pay or deliver money property or other thing of value except gratuitous personal services received or executed by such candidate or committee during such period which he or it uses or has used or has for use for election expenses together with the names and postoffice addresses of the persons by whom each was promised or pledged the specific purpose if any for which each was promised or pledged and the date when each was promised or pledged together with the total amount promised or pledged from all sources in any amounts or manner whatsoever together with an exact description of all notes bills bonds or other evidences of indebtedness received or executed by such candidate or committee during such period used or for use for election expenses of the proceeds of which have been used or are for use for election expenses setting forth the names and postoffice address of all parties appearing on the obverse and reverse sides of such notes bills bonds or other evidences of indebtedness the amounts thereof the date of making the same and the date of the maturity of the same and all writings on either side thereof whether by way of endorsement guarantee suretyship or other means of certifying to the liability of any person and also a statement of the name and postoffice address of every one who has advanced money or other thing of value thereon and also a statement of any collateral security loaned pledged or mortgaged with such bill bond note or other evidence of indebtedness and of the name an postoffice address of the owner of any such collateral security

(3) Every disbursement made by such candidate or treasurer for election expenses during such period together with the name and postoffice address of every person to whom the disbursement was made the specific purpose for which each disbursement was made and the date when each was made together with the total amount of disbursements made in any amount or manner whatsoever

(4) Every obligation express or implied to make any disburse incurred by such candidate or treasurer for election expenses during such period together with the names and addresses of the persons to whom or with whom each such obligation has been incurred the specific purpose for which each was made and the date when each was incurred together with the total amount of such obligation incurred in any amount or manner whatsoever

(5) If such accountant owns or has owned or has had the gratuitous use of any motor vehicle which has been used for such canpaign he shall charge himself with the sum of one ($1) dollar for each hour in which such motor vehicle was operated while in actual use for such campaign and the amount so charged shall be computed in reckoning the total permitted amount of the election expenses of such accountant The name of the owner of such motor vehicle and the days when it was used shall also be set forth in such account

Customary abbreviations may be employed in stating any account

Every such statement shall be accompanied by vouchers for each sum expended exceeding ten ($10) dollars in amount

Blanks for all accounts required by this section shall be prepared by the Secretary of the Commonwealth and copies thereof together with a copy of this act shall be supplied through the county commissioners the clerk of the courts or otherwise as the Secretary of the Commonwealth may deem expedient for the use of the treasurer of every political committee and every candidate upon the filing of a petition to place his name on the ballot or upon the filing of nomination papers and to any person required by law to file such accounts who may apply therefor

Section 23 Each clerk of courts shall certify to the Secretary of the Commonwealth and to the county commissioners of his county forthwith on expiration of the time for filing the last account a list of those candidates and their personal political committes if any who have filed accounts of nomination expenses stating on such list for what office each accountant is a

candidate or the committe of a candidate The name of a candidate chosen at a primary election shall not be printed on the official ballot for the ensuing election unless there has been filed at the required time by said candidate and by his personal political committee if any the accounts relating to nomination required by this act

Section 24 The Secretary of the Commonwealth and the county commissioners of each county shall whenever any nomination papers certificates of nomination if any and nomination petitions are filed with him or them from time to time certify to the respective accounting officers lists of the names and residences of the candidates required to file accounts with each such accounting officer Such accounting officer shall notify every such candidate and the treasurer of every political committee of whose address he has notice of any failure to file any required account Such notification by such officer shall be by registered letter and unless within ten days next after the mailing of such letter such account be filed such accounting officer shall notify the district attorney of the proper county who shall in turn immediately prosecute such delinquent

Section 25 In case any one or more electors of the Commonwealth shall believe that any provision of this act has been violated by any candidate for whom such elector or electors had the right to vote or by any member of the personal political committee of such candidate he or they may after the municipal general or special election bring a proceeding in the name of the Commonwealth on the relation of such elector or electors as relators for the purpose of investigating such alleged violation Said proceeding shall be known as "An Investigation of Election Practices" If the violation hereof is alleged to be by the candidate or candidates or by his or their personal political committee or a member thereof said candidate or candidates shall be one of the defendants in said proceeding Such an investigation may also be instituted on like grounds against any party committe or campaign committee by any qualified elector or electors of the geographical area for which such party or campaign committee was elected or appointed for such political party or for such body of electors and the members of said committee acting as such committee (naming it) or one or more members of it shall be defendants The relators shall file in the court of Quarter Sessions of the county in which such candidate's or committee's accounting officer is located a duly verified petition indicating the section or sections of this act or portion of a section alleged to have been violated and the character and manner of each violation with fair and reasonable precision but without necessarily specifying the names of any persons other than the defendants or the name of a member of a defendant candidate's personal political committee and without necessarily specifying the exact date of any alleged act and praying that said alleged violation be investigated and if a successful candidate be named as defendant that his election to the public office for which he was a candidate such office not being either that of a member of the United States Congress or of the General Assembly be declared null and void and if said public office was that of a member of the United States Congress or of the General Assembly then praying that the result of said investigation be certified by said court to the Secretary of the Commonwealth to be by him transferred to the presiding officer of the legislative body for member of which defendant was a candidate Such petition shall state the particular post office address to which answers or notices may be sent to the relators

Section 26 The relator or relators on instituting any invertigation of election practices provided for by any action of this act shall execute and file with the clerk of courts his or their bond to the Commonwealth of Pennsylvania to the use of all parties interested with security to be approved by the Court in the sum of $250.00 conditioned that if the relator or relators be adjudged to have instituted such investigation without probable cause or otherwise than in good faith he or they shall pay all taxable costs of such investigation and defendant's reasonable disbursements for collecting evidence as allowed by the Court No other or additional bond shall at any time be required in any case except when the investigation is of a State party or State campaign committee or of the nomination or election of an officer voted for by the electors of the State at large in which cases such bond shall be in the sum of $2,000.00 with security to be approved by the Court and no additional bond shall be required in such cases Provided that when an investigation of election practices is directed by the Court to be instituted as hereinafter provided no bond shall be required

Section 27 After the filing of their petition by the relators a copy thereof shall be served by the relators or by any person in their behalf upon each defendant personally or by leaving the same at his residence within this Commonwealth with an adult member of his household Such service shall be made within five days after the filing of said petition unless such time be extended by the Court upon proper cause shown A copy of said petition shall be served upon the accused members of the personal political committee if any of any candidate who is named as defendant by mailing the same to said members at their addresses as filed with the accounting officer of said candidate It shall also be the duty of the relator to file with the accounting officer of said candidate within five days after service upon defendant a notive that such proceeding has been brought which notice shall be indexed by said accounting ofncer in the same way that expense accounts are indexed and marked "Investigation"

The answer to the petition shall be duly verified and filed and a copy thereof mailed or delivered by defendant to the relator or his attorney at the address given in the petition within ten days after service of the copy of the petition upon defendant provided that for proper cause shown the Court may extend the time for filing and mailing or delivering such answer Every allegation of fact contained in such petition and not expressly denied by such answer shall for the purpose of such hearing be deemed admitted If no answer be filed within such time so limited such proceeding shall be deemed at issue and grant ready for trial upon five days' notice of trial which notice may be given by either party to the other or to his attorney or record either personally or by registered letter to the opposite party at his address as filed or known Any allegation of new matter in the answer shall be deemed controverted by the relator without reply and thereupon said proceedings shall be deemed at issue and stand ready for trial upon five days notice of trial in the manner aforesaid But no answer shall be treated in anywise as evidence for the defendant of the truth of any allegation therein No bill of particulars shall be required to be filed by the relators under any circumstances

All such proceedings shall have precedence over any cause of a different nature pending in said court and the Court shall be deemed always open for the trial thereof in or out of term and the same shall be tried and determined in the same manner as civil actions are The Court shall without a jruy determine all issues of fact as well as issues of law Such proceeding shall be deemed to be a proceeding in persona mand not in rem If more than one proceedings is pendin~ or the campaign of more than one person is being investigated the Court may with the consent of the respective defendants order the proceedings consolidated and heard together together and may equitably apportion costs and disbursements between the several defendants under the regulations hereinafter provided

Section 28 (1) If the Court shall declare any nomination or election to be void or certify the result to the Secretary of the Commonwealth under any section of this act it shall give judgment in favor of the relator or relators for their taxable costs and their reasonable disbursements for collecting evidence and against the defendant candidate or against such member of his personal political committee as may be adjudged to have violated this act or against both the defendant cadidate and such member

(2) If the Court shall give judgment against any candidate unsuccessful at a primary or at an election or against any party or campaign committee under any election of this act the Court may at its discretion direct the payment by the defendants or any of them of the taxable costs and reasonable disbursements for collecting evidence of the relator

(3) If the Court shall enter judgment for the defendant under any section of this act and if the Court shall further adjudge that the investigation was instituted without probable cause or otherwise than in good faith the defendant shall recover from the relator defendant's taxable costs and reasonable disbursements for collecting evidence

Provided however that every investigation instituted by direction of the Court shall be deemed to be with probable cause and in good faith

(4) In every instance not herein above provided for the Court may at its discretion direct the payment of such costs and disbursements of the relators or of the defendants or of both as follows

(a) If the nomination or election of an officer voted for by the electors of the State at large or the actions of a State political committee have been investigated such payment may be directed to be made out of the State Treasury (b) In all other cases provided for in this section subdivision four (4) such payment may be ordered to be made out of the treasury of the county in which such investigation was held

(5) The amount to be recovered in any case as reasonable disbursements for collecting evidence shall be at the discretion of the court

Section 29 If such an investigation of election practice be filed against a party committee or a campaign committee or any member of either of such committee or against an unsuccessful candidate and if the court enter judgment in favor of the relator the court may thereupon also direct a prosecution of such candidate or member of such committee or may impose a monetary penalty not in excess of one hundred dollars on such candidate or member of such committee

Section 30 Unless directed by order of court as hereinafter provided no investigation of election practices provided for by any section of this act shall be instituted against any candidate political committee or member thereof later than three calendar months after the November eleection of the year in which the violation of this act is alleged to have occurred

Section 31 If the court shall find that the defendant being a candidate successful at a general or municipal election or any member of his personal political committee violated any provision of this act in his campaign for nomination or election and if such candidate is not one mentioned in Section thirty-three hereof judgment shall be entered declaring void the election of defendant to the office for which he was a candidate or ousting and excluding him from such office and declaring the office vacant unless such candidate assuming the burden of the proof shall establish to the satisfaction of the court that such candidate took all reasonable means for preventing the commission of such violtion or that such violation was trivial unimportant isolated and limited in character and did not arise from any want of good faith in the candidate or that such violation arose from accident miscalculation on the part of the candidate and unless under all the circumstances it seems to the court to be unjust both to the public and to the candidate that the candidate should be deprived of the office to which he was elected Any vacancy thus created shall be filled in the manner provided by law No person so found

to have violated any provision of this act shall during the ensuing year next succeeding such finding be eligible to fill any office under the Constitution or laws of this Commonwealth whether the same be elective or appointive or to fill any position in any such office or under the holder of any office

Section 32 Except as to candidates for delegates to national conventions and State conventions if any within three weeks next succeeding a primary held in an even numbered year and not thereafter until after the subsequent election such an investigation of election practices may be filed against any candidate successful at such primary and not being a candidate for nomination to any office mentioned in Section thirty-three in the manner and subject to the regulations herein provided for such investigation following elections If the court shall find that the defendant or any member of his personal political committee has violated any provision of this act in the conduct of his campaign for nomination judgment shall subject to the limitations and conditions hereinbefore prescribed as to excluding or ousting candidates from office after investigation following election be entered declaring void the nomination of the defendant as a candidate for such nomination and such vacancy shall be filled as though the nominee had died

No investigation of election practices shall be filed against any candidate successful at a primary held in an odd numbered year until after the ensuing municipal election

Provided that nothing in this act contained shall be deemed in any manner to oust the jurisdiction of any court over proceedings by quo warranto under any present or future acts to determine the title to any office or to repeal the existing acts governing contested elections

Section 33 If such proceeding has been brought to investigate the right of a candidate successful at a general election for member of the State Senate or State House of Representatives or for United States Senator or Representative in Congress and the court shall find that such candidate or any of his political committee has violated any provision of this act in the conduct of the campaign for nomination or election the court shall subject to the limitations and conditions hereinbefore prescribed in other investigations as to ouster or exclusion from office enter judgment declaring a substantial violation of this act and shall forthwith certify said judgment and declaration to the Secretary of the Commonwealth to be by him transmitted to the presiding officer of the legislative body to be a member of which the defendant was a candidate

Section 34 Appeals may be taken from the judgment of the Court in any such investigation except investigations following a primary and preceding an election Such appeals shall be taken in the same manner as other appeals are taken as now provided by law

Section 35 No judgment entered as provided for herein shall be a bar to or affect in any way any criminal prosecution of any candidate or other person or be a bar or affect in any way a subsequent investigation of election practices An investigation of Election Practices shall not be a prerequisite to any criminal prosecution

Section 36 No person shall be excused from answering any question in any proceeding under this act or on hearing of exceptions as hereinafter provided on the ground that such answer would tend to incriminate him but no such answer shall be used directly or indirectly as evidence against such person in any criminal prosecution whatsoever except in a prosecution for perjury in giving such testimony

Section 37 On the twenty-third day after each election or primary the several accounting officers aforesaid shall in writing certify to the Court of Quarter Sessions of the county where such accounting officer maintains his office an alphabetically arranged list of the political committees political associations non-partisan societies and persons and candidates whose accounts have been filed with such officer showing the total receipts and disbursements of each set opposite his or its name which said list shall on the next succeeding day's session of said Court at the opening thereof be read in open Court and unless an investigation of election practices have been filed theretofore against any accountant therein named or unless exceptions to any account shall have been filed theretofore with such accounting officer by any elector which facts shall be noted on said lists each candidate shall be entitled to receive a certificate under the seal of such Court that he has prima facie complied with the provisions of this act Exceptions specifying errors or omissions in any account may however be filed to any account not latter than fifteen days after such account is filed save as hereinafter otherwise provided if exceptions be filed then not later than twenty days after the filing of the same the Court shall dispose of the same summarily At the hearing of any exceptions the person filing such exceptions may examine the accountant concerning any matter contained in his account without reference to the nature of the exceptions Exceptions may be filed to accounts of successful candidates at a primary in any odd-numbered year or to the accounts of the personal political committee of such candidates during twenty days next following the succeeding municipal election but neither before nor after such period In case of a successful or unsuccessful candidate in any year or of any political association non-partisan society or any person or political committee either as to the primary or election the Court on sustaining exceptions to such account may at its discretion impose on the accountant a monetary penalty not in excess of one hundred dollars or may order such account restated subject to exceptions within the same time limits or may direct an investigation of election practices to be filed by the District Attorney or may order a prosecution of the accountant or a member of any political committee political association non-partisan society or person accounting

Section 38 If any candidate successful at an election shall in any criminal proceedings be adjudged to have been guilty of any violation of any provision of this act committed while a candidate for nomination or election to any office under the Constitution or laws of this Commonwealth except the office of State Senator or member of the State House of Representatives or in furtherance of his said candidacy before becoming a candidate the court shall after sentence unless it shall be made to appear to the Court that the violation was not a willful one and was trivial unimportant isolated and limited in character enter a supplementary judgment declaring such person to have forfeited such office by his conduct of such campaign for the nomination or election in which he was guilty of such violation and shall transmit to the accounting officer of such candidate a transcript of such supplementary judgment and thereupon such office shall be deemed vacant and shall be filled as provided by law

Section 39 If any member of a personal political committee of any candidate for an office under the Constitution or laws of this Commonwealth except the office of State Senator or member of the State House of Representatives be indicted for any violation of this act the court shall require notice of the pendency of such indictment to be given personally to the candidate whose personal political committee such defendant was a member and if such defendant be found guilty unless it shall be made to appear to the Court by the candidate or by the defendant that the violation of this act was trivial unimportant isolated and limited in character or that the candidate took all reasonable means to prevent such violation and that it did not arise from any want of good faith in the candidate the Court shall immediately after sentence enter a supplementary judgment declaring the candidate to have forfeited such office by the conduct of the campaign for nomination or election in which such defendant was guilty of such violation and shall transmit to the accounting officer of such candidate a transscrip of such supplementary judgment and thereupon such office shall be deemed vacant and shall be filled as provided by law Provided however that no such notice shall be required or supplementary judgment entered unless such indictment be found within four calendar months after the November election of the year in which such violation is allegd to have occurred

Section 40 If any person shall in a criminal proceeding be found guilty of any violation of this act committed while he was a candidate for the office of State Senator or member of the State House of Representatives United States Senator or Representative in Congress or in furtherance of his candidacy as such before becoming a candidate such violation being a willful one and not being trivial unimportant isolated and limited in character the Court shall after sentence forthwith transmit to the Secretary of the Commonwealth to be by him transmitted to the presiding office of the legislative body to be a member of which defendant was a candidate a certificate setting forth such sentence

If any member of the personal political committee of such a candidate be indicted for any violation of this act the Court shall require notice of the pendency of such indictment to be given personally to the candidate of whose personal political committee the defendant was a member and if such defendant be found guilty unles it shall be made to appear to the Court by the candidate or the defendant that the violation was trivial unimportant isolated and limited in character or that the candidate took all reasonable means of preventing the commission of such violation and that such violation did not arise from any want of good faith on the part of the candidate the Court shall after sentence transmit a like certificate to the Secretary of the Commonwealth to be by him transmitted as aforesaid

Section 41 Any Court having jurisdiction to enter sentence iny any criminal proceeding is hereby vested with jurisdiction to enter such supplementary judgment or decree transmit a transcript thereof and issue the certificates as herein provided

Section 42 Any person violating any provision of this act which provision is not in substance made a felony or a misdemeanor by any other act of Assembly shall be guilty of a misdemeanor and shall upon conviction thereof be imprisoned for a period of not less than one month or more than three years or pay a fine of not less than twenty-five dollars or more than one thousand dollars by both such fine and imprisonment and no person so convicted shall subject to the restrictions hereinbefore provided be permitted to take or hold office to which he was elected if any or to receive the emoluments thereof except in the case of candidates for the office of State Senator or member of the State House of Representatives United States Senator or Representative in Congress

Section 43 The several terms and provisions of this act shall be deemed and taken to extend to and cover special elections and primaries antecedent thereto held or to be held under any present or future law whether such special election and antecedent primaries are referred to in the provisions of the several sections of this act or not

Section 44 The invalidity of any portion of this act shall in no wise affect the validity of any other portion of this act which can be given effect without such invalid portion

Section 45 This act shall be known and may be cited or referred to as the "Corrupt Practices Act"

Section 46 An Act entitled "An Act to define the necessary and proper expense incident to the nomination and election of Senators Representatives State Judicial Municipal and County Officers and to authorize the payment thereof" approved eighteenth April one thousand eight hundred and seventy-four is hereby repealed and an act entitled "An Act to regulate Nomination and Election Expenses and to Require Accounts of Nomination and Election Expenses to Be Filed and Providing Penalties for the Violation of This Act" approved the fifth day of March nineteen hundred and six and all other acts or parts of acts inconsistent herewith are hereby repealed Provided that no proceeding pending in any court under any existing act at the date of the approval of this act shall anywise be affected hereby

The title of the bill was read as follows:

An Act to regulate political campaigns at and prior to elections and primaries enacting for such purpose provisions amongst others to regulate election and primary expenses and contributions therefor to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaign or in the public service and to regulate political advertising and the publication of political matter to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred to regulate political committees and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts to provide for the dissemination of political pamphlets by public authority and for the payment of any deficit in the cost thereof out of public treasuries to impose duties on the Secretary of the Commonwealth district attorneys county commissioners clerks of courts assessors and their respective subordinates to regulate investigations of election practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances to vest certain courts with jurisdiction to annul certain elections and nominations to certify their fidings as to other elections and nomiatios ad to authorize the incurring of election expenses in certain instances to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation

On the question,

Will the House agree to the title?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend line 11, after the word "accounts" strike out the words "to provide for."

Amend line 12, strike out the whole of said line, viz: "the dissemination of political pamphlets by public authority and."

Amend line 13, strike out the whole of said line, viz: "for the payment of any deficit in the cost thereof out of."

Amend line 14, strike out the first two words of said line, viz: "public treasuries."

Amend line 16, after the word "Courts" strike out the word "assessors."

On the question,

Will the House agree to the amendments?

They were agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1007, as follows:

An Act authorizing the appointment of delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

Whereas, Under the auspices of the Southern Commercial Congress a commission composed of two delegates from each State is to be sent to Europe during one thousand nine hundred and thirteen to study systems of rural credit and agricultural finance; and,

Whereas, Said commission is to embody the result of its investigations in a report with a view to establishing in this country a system of agricultural finance and rural credits; and,

Whereas, It is eminently fitting that delegates should be sent from Pennsylvania to take part in the work of the commission with a view to aiding the farmers of our State; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That The Governor is authorized to appoint two delegates from Pennsylvania one of whom shall be a person well versed in agricultural and the other a person well versed in financial matters who shall take part in the commission which under the auspices of the Southern Commercial Congress is to visit during one thousand nine hundred and thirteen the various countries of Europe and there investigate the different systems of agriculture finance and rural credits and to report thereon with a view to establishing in this country a sound system of rural credits and agricultural finance

Section 2 The sum of two thousand four hundred dollars or so much thereof as may be necessary is hereby specifically appropriated to pay the expenses traveling and otherwise of said commission

Section 3 The moneys herein appropriated shall be paid under such regulations as shall be prescribed by the Auditor General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1522, entitled:

An Act relating to lynching fixing the liability of police officers constables sheriffs and deputy sheriffs and the liability and rights of counties cities boroughs towns and townships for injury or death to persons in custody and perscribing certain penalties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That when any person in the custody of a police officer or constable or sheriff or deputy sheriff shall be attacked and injured or shall be attacked and killed the city or borough or town or township where the attack was committed or killing occurred and the officer constable sheriff or deputy sheriff shall severally liable to such person or to his legal representatives for all damages sustained by reason of such attack and injury or by reason of such killing Suit may be brought against either the city borough town or township or against such officer constable sheriff or deputy

If the attack be made and injury or killing occur while the person is in the custody of a sheriff or deputy sheriff the county shall also be severally liable and action may be the option of the plaintiff be brought against such county

In the event of any recovery against any county city borough town or township the authorities thereof may in an action against such officer constable sheriff or deputy or against his securities if any recover any such sum as it may have been compelled to pay in any such action

On the question,

Will the House agree to the section?

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 1, line 8, after the word "shall" insert the word "be."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section and the title of the bill were separately read and agreed to as follows:

Section 2 If any such police officer constable sheriff or deputy having charge of any person as aforesaid shall permit any person in his custody to be attacked and injured or killed he shall thenceforth forever be incapable of holding any office of honor or trust or profit within the limits of this Commonwealth and shall be ineligible to any such office

An Act relating to lynching fixing the liability of police officers constables sheriffs and deputy sheriffs and the liability and rights of counties cities boroughs towns and townships for injury or death to persons in custody and prescribing certain penalties

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 732, as follows:

An Act to provide for the protection of insectivorous and fur bearing animals by fixing a season for trapping or killing the animal commonly called the skunk or pole cat and providing a penalty for violation of this act

Whereas, The animal commonly called the skunk or pole cat is recognized as the most valuable insectivorous animal in Pennsylvania; and,

Whereas, The ground-inhabiting insects upon which it chiefly feeds are multiplying to an alarming extent and destroying hundreds of thousands of dollars' worth of property in Pennsylvania without adequate natural means for their suppression; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That it shall be unlawful to capture or trap or kill the animal commonly known as the skunk or pole cat during the period between the first day of February and the first day of November of each year

Section 2 It shall be unlawful to capture or kill the animal commonly called the skunk or pole cat by digging out any hole or den where it finds concealment

Section 33 Any person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof

before a magistrate or a justice of the peace of the county shall be fined not less than ten dollars nor more than fifty dollars and in default of payment of the fine and costs be sentenced to undergo an imprisonment in the jail of the proper county for one day for each dollar of each fine and costs However it shall be legal for any person to capture or kill a skunk when destroying poultry or eggs

Section 4 It shall be the duty of the Secretary of the Game Commission to enforce this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1232, as follows:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of a deed of extinguishment by the prothonotary in cases where the owner or owners of said ground rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release or extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any case which has occurred or may occur within this Commonwealth where lands lots tenements or other real estate have been or may hereafter be granted by deed or other assurance in the law whereby the grantor or grantors has or have reserved or may reserve to him her or themselves his her or their heirs and assigns any ground rent or other rent and whereby there was granted or may be granted the privilege of demanding a release or extinguishment of the same upon the payment of a sum of money or other equivalent specified in such deed or other assurance and where the owner or owners of said rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish th same or to procure the execution of a release or extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto it shall and may be lawful for the person or persons desiring to pay off such ground rent to apply by petition to the Court of Common Pleas of the county wherein the land out of which said rent is payable is situated stating the facts and praying to be allowed to pay the sum required for the extinguishment of said rent into court whereupon the said court shall make an order for such payment into court and upon the said sum being so paid into court it shall be the duty of the court to make an order authorizing and directing the prothonotary of the said court to execute and deliver a deed of extinguishment reciting in the said deed the said proceedings and the deed of extinguishment so made shall convey a clear title to the said rent free from any lien or incumbrance against the same or against any owner or owners thereof And it shall be the further duty of the said court to proceed immediately through an auditor to the distribution of the sum so paid into court with the like forms and with the like effect as attend the distribution of moneys paid into court by the sheriff from the sales of real estate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 411, as follows:

An Act relating to the time of payment of wages or salaries to officers and employees in counties co-extensive with cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties whose boundaries are co-extensive with the boundaries of the city all officials employees or servants whether the same be paid yearly salaries or per diem rate hereafter shall be paid by the said counties bi-monthly first payment to be made on the fifteenth day of the month and the other payment on the first day of the suceeding month

Section 2 All acts or parts of acts inconsistent herewith are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1767, as follows:

A Supplement to an act entitled "An Act to fix the fees to be allowed the district attorney in counties containing over eight hundred thousand inhabitants" so as to provide for fees in counties containing one million two hundred thousand inhabitants and over"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fees to be allowe dthe district attorney in counties containing one million two hundred thousand inhabitants shall be as follows

For drawing bill of indictment and prosecuting the same for every offence triable only in the court of oyer and terminer and general jail delivery in said county twenty dollars

For every such bill returned ignoramus ten dollars

For drawing bill of indictment and prosecuting the same for every offence triable in the court of quarter sessions of the peace in said county sixteen dollars

For every such bill returned ignoramus eight dollars

A case settled with leave of court eight dollars

Every case of surety of the peace eight dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 931, as follows:

A Joint Resolution providing for the distribution to each newspaper and periodical published in Pennsylvania of a copy of each annual edition of Smull's Legislative Handbook and of a copy daily of the Legislative Journal during the session of the General Assembly

Whereas The newspapers and other publications of Pennsylvania are an invaluable means of education to the citizens of this Commonwealth and

Whereas In their presentation of the life and activity and thought of our citizens they constitute for future generations a source of historical reference beyond all price and

Whereas It is eminently proper that this Commonwealth should aid such newspapers and periodicals in their meritorious work by affording them all possible information relative to the government of this Commonwealth and

Whereas The compilation known as Smull's Legislative Handbook published at the expense of this Commonwealth and the Legislative Journal giving a verbatim account of the proceedings of each session of our General Assembly are two publications that will materially assist such newspapers and periodicals in presenting news and information to our citizens therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the Secretary of the Senate or other officer of the Commonwealth having charge of the distribution of public documents shall annually furnish one copy of the current edition of Smull's Legislative Handbook to each newspaper and periodical published in Pennsylvania that shall regularly send to the State Library a copy of each issue of such newspaper or periodical as it is published Such work shall be furnished only upon written application of the editor of such newspaper or periodical together with a certificate from the State Librarian that such newspaper or periodical is being regularly received by the State Library as issued

Section 2 During each session of the General Assembly the Secreatary of the Senate or such distributing officer shall send to such editor upon aplpication and certificate as aforesaid a copy of each issue of the Legislative Journal as it appears

Section 3 In addition to the number of copies of Smull's Legislative Handbook and of the Legislative Journal now required by law to be printed the Superintendent of Public Printing and Binding is authorized to cause to be printed and bound and delivered to the Secreary of the Senate or to such distributicn officer such number of copies of Smull's Legislative Handbook and of the Journal as will be necessary to carry out the provisions of this resolution Such additional copies shall not be printed and bound until after the expiration of the present contract for printing and binding the documents of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1460, as follows:

An Act fixing the salary and providing for the expenses of township commissioners of townships of the first class of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That from and after the first day of December one thousand nine hundred thirteen each member of the board of township commissioners of the several townships of the first class of this Commonwealth shall receive a salary of sixty dollars ($60) per year payable quarterly out of the treasuries of the respective townships The salary herein fixed shall be in full and in lieu of all other compensation in the performance of any service office or other duty imposed upon township commissioners of townships of the first class Provided however that a proportionate amount shall be deducted from the salary of any member of the board of township commissioners of first class townships for each and every regular meeting of the board which he shall fill or neglect to attend

Section 2 All acts and prts thereof general local and special inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1399 (Senate Bill No. 308), entitled:

An Act authorizing the warden superintendent or person in charge of ny penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers nd providing for the collection of expenses thereby incurred

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1708, entitled as follows:

An Act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all appeals to the Supreme or Superior Court when the judgment order sentence or decree is reversed by said appellate court without a venire or order and judgment as to the payment of costs the lawful costs in said case taxed in the lower shall be paid by the losing party in such appeal and on the filing of the remittitur in said lower court the proper officer shall enter judgment against said losing party upon which judgment due process may issue for the collection thereof Provided however that process to collect the said costs may be stayed if the court below shall determine the case is not finally closed between the parties and the said losing party or legal representative shall bring a new action for the same cause of action against the other party or legal representative within thirty days after said determination When such second or other action is brought the collection of said costs shall be postponed until the final closing of said action when said costs shall follow the judgment in said second or other case relating to the same cause of action In default of said second or other action the judgment for costs shall be final

Section 2 That in all appeals to the Supreme or Superior Court when the judgment order sentence or decree is reversed with a venire for another trial the costs taxed in accordance with existing law shall be paid by the losing party and on the return of the remittitur in the lower court the proper officer shall enter judgment against said losing party upon which said judgment due process of law may issue for the collection of the same unless the said cause of action is again tried in the lower court by the parties or legal representatives within one year after such remittitur is filed in which event the cost shall allow the final judgment on such re-trial and be transferred by the proper officer to said case and the former judgment satisfied if against the successful party

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1078, (Senate Bill No. 22), as follow:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever anv question or matter in law or in equity shall be submitted to or granted before any court or judge of record of this Commonwealth it shall be the duty of such court or judge to render a decision on such question on matter within nine months after such submission or argument unless the time be extended in writing signed by all parties in interest or by their respective counsel

Section 2 It shall be unlawful for the Auditor General to draw a warrant in payment of the salary of any law judge of this Commonwealth unless the said judge shall have certified to the Auditor General that this act has been fully complied with during the time covered by such warant and that such judge has not at the time of giving such certificates any question or matter under consideration or advisement contrary to the requirements of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1646, as follows:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania abolishing the office of Secretary of Internal affairs

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met

That article four of the Constitution of Pennsylvania shall be amended by adding thereto section twenty-three which shall read as follows

The office of Secretary of Internal Affairs be and the same is hereby abolished and the powers and duties now vested in or appertaining or belonging to that branch of the Executive Department office or officer shall be transferred to such other department offices or officers of the State now or hereafter created as may be directed by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1814 (Senate Bill No. 490), entitled:

An Act requiring the prothonotary in each of the counties of this Commonwaelth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1294, as follows:

A Supplement to an act entitled "An Act defining and prohibiting pandering providing penalties for violation hereof and regulating the competency of certain evidence at the trial thereof" approved the seventh day of June one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any police officer or constable or sheriff who shall have reason to suspect that any female is living or detained in any building or place or room contrary to the provisions of the act to which this is a supplement may enter such building place or room and remove such female and arrest any person found violating the provisions of said act The court of quarter sessions of the county may on petition verified by affidavit issue a search warrant for the purpose of securing evidence of the violation of said act

Section 2 Evidence as to the general reputation of a building or place as a house of prostitution or assignation shall be admissible for the purpose of proving the character of such building or place

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1636, as follows:

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance or real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the recorders of deeds all counties of this Commonwealth having a population of over one million inhabitants before admitting to the records any deed or other instrument of conveyance of real estate to require of the grantee or grantees in such deed or other insturment to furnish to such recorders his or their affidavit or the affidavt of some other person who is conversant with the facts that the consideration memtioned in the said deed or other instrument is the actual and true consideration therefor and that there is no other or further consideration for such conveyance or if the consideration stated in the deed or other instrument be not the true and actual consideraion then such affidavit shall set forth what is true and actual consideration for the same The affidavits furnished as aforesaid shall be sent by such recorders of deeds to the authorities in their respective counties charged with the duty of the revision and equalization of taxes upon real estate therein and by such authorities shall be certified by such recorders of deeds to the officials of their respective counties who may be charged with the duty of revising the assessments or real estate

Section 2 Any person who shall make or furnish a false affidavit in pursuance of the provisions of this act shall be deemed guilty of perjury and on conviction thereof shall be punishable as other persons committing perjury are by law punishable

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1473, as follows:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person under the age of twenty-one years who shall knowingly and falsely represent himself to be twenty-one years of age to any licensed innkeeper restaurant keeper or other person for the purpose of porcuring or having furnished to him by sale gift or otherwise any intoxicating liquors shall be guilty of a misdemeanor and upon conviction thereof in any court of quarter sessions shall be sentenced to pay a fine of not more than twenty dollars or undergo an imprisonment in the county jail for a period not exceeding thirty days" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person under the age of twenty-one years who shall knowingly and falsely represent himself to be twenty-one years of age to any licensed inn-keeper restaurant keeper or other person for the purpose of procuring or having furnished to him by sale gift or otherwise any intoxicating liquors shall be guilty of a misdemeanor and upon conviction thereof in any court of quarter sessions shall be sentenced to pay a fine of not more than fifty dollars or undergo an imprisonment in the county jail for a period of not exceeding sixty days

Section 2 Section two of said act which reads as follows

"Section 2 That any person who shall knowingly willfull and falsely represent to any licensed inn-keeper restaurant keeper or other person any minor to be of full age for the purpose of inducing any such licensed inn-keeper restaurant keeper or other person to sell or furnish any intoxicating liquors to said minor shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than twenty dollars or undergo an imprisonment in the county jail for a period not exceeding thirty days both or either at the discretion of the court" is hereby amended to read as follows

Section 2 That any person who shall knowingly willfully and falsely represent to any licensed inn-keeper restaurant keeper or other person any minor to be of full age for the purpose of inducing any such licensed inn-keeper restaurant keeper or other person to sell or furnish any intoxicating liquors to said minor shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than fifty dollars or undergo an imprisonment in the county jail for a period not exceeding sixty days both or either at the discretion of the court court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1195, entitled:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale between certain designated hours of the day and on certain holidays and prohibiting the use of certain devices intended to increase sales

The first,second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation licensed to sell or furnish vinous spirituous malt or brewed liquors or any admixture thereof to sell or furnish any such liquor on any of the holidays commonly known as Memorial Day Thanksgiving Day and Christmas

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10) nor more than one hundred dollars ($100) and to be imprisoned in the county jail for a period of not less than ten days nor more than sixty days and on conviction of second offense his license shall be revoked

Section 3 All acts or parts of acts inconsistent herewith shall be and the same are hereby repealed

The title was then read as follows:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale between certain designated hours of the day and on certain holidays and prohibiting the use of certain devices intended to increase sales

On the question,

Will the House agree to the title?

Mr. SWIFT. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Title, line 3. After the word "sale" strike out remainder of the title and insert the word "on certain holidays and providing penalty for violation of this act"

On the question,

Will the House agree to the amendment?

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Tresurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth- nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixh, twenty-seventh, wenty-eighth and twenty-ninth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all candidates for any county city ward borough township school district or election district office or other elective office regularly filled at the municipal election in any year and also all candidates for the office of judge of any court whether such office be regularly filled at a municipal election or at either a general election or a municipal election and all candidates to be voted for at special elections to fill vacancies in any of the above specified offices shall be nominated in accordance with the provisions of this act and in no other manner

Section 2 One primary shall be held in each odd-numbered year in every election district of this Commonwealth for the purpose of nominating candidates for the municipal election in such year The said primary shall be known as the fall primary and shall be held on the third Saturday of September The primary herettofore provided by law for the nomination of candidates by political parties in odd-numbered years is hereby abolished

Candidates for all offices to be filled at the municipal election shall be nomiated at the fall primary Candidates for the office of judge to be filled at any general election shall be nominated in the manner hereinafter provided at the regular primary known as the spring primary held in even-numbered years for the nomination of party candidates and other purposes No nomination by any political party of any candidate for the office of judge shall hereafter be made at any primary held under any law of this Commonwealth

Section 3 On or before the ninth Saturday preceding the fall primary the Secretary of the Commonwealth shall send to the county commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nomination petition in the office of the Secretary of the Commonwealth and designating how many persons are to be elected to such offices respectively at the next succeeding election and also designating the number of aldermen and justices of the peace to be nominated therein at such primary and also the political divisions in which said aldermen and justices of the peace are to be nominated

On or before the ninth Saturday preceding the Fall Primary the clerks of the various cities boroughs townships and school districts shall respectively send t thoe County Commissioners of their respective counties a written notice setting forth the names of all the city borough township and school district offices for which candidates are to be nominated at the ensuing primary

Section 4 Beginning not earlier than nine weeks nor later than eight weeks before the Fall Primary the County Commissioners of each county shall publish the names of all offices for which nominations are to be made therein or in any district of which such county forms a part or in the State at large at the ensuing primary the date of which shall be given in two newspapers of general circulation published within the county whenever such course is possible at least once a week for three successive weeks Such newspapers so far as practicable shall be representative of the two different political parties polling the highest vote in such county at the last preceding general election the highest vote cast within the county for any candidate of a party being deemed to be the vote of that party

Secion 5 Official primary ballots shall be prepared for the fall primary by the County Commissioners and no other ballots shall be used thereat These ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance and but one form of ballots shall be provided for each polling place The ballot shall be substantially in the following form

Non-Partisan Primary Ballot

District Ward City of

County of State of Pennsylvania

Primary held on the day of September 19

Make a cross () in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

Judge of the Supreme Court

(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

Judge of the Court of Common Pleas

(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

County Commissioners

(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

Justice of the Peace

(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

Under each group of names of candidates shall be printed blank spaces defined by light lines or rules three-eighths of an inch apart equal in number to the number of candidates for whom an elector would be entitled to vote for such office at the ensuing election

On the back of such ballot shall be printed in prominent type the words "Official Primary Ballot" and there shall also appear on the back of such ballot the fac simile signatures of the county commissioners of the county The ballot shall vary in form only as the names of districts offices or candidates or the provisions of this act may require The names of the candidates shall appear on the official primary ballots at the fall primary and the names of all candidates for the office of judge of any court to be filled by a vote of the electors of the State at large shall appear on the official ballots of all political parties at the spring primary in alphabetical order under the respective offices Opposite or under the name of each candidate who is to be voted for by the electors of more than one county shall be printed the name of the county in which such candidate resides and opposite or under the name of each candidate who is to be voted for by the electors of an entire county or any congressional senatorial or representative district within the county shall be printed the name of the township borough or ward and city as the case may be in which such candidate resides

The voter may designate his choice as indicated by the instructions shown on the form of ballot above set forth He may vote for no greater number of persons for nomination to any office than the number for which he could vote at the succeeding election for the same office If he shall vote for a greater number of persons for nomination to any office than he would have a right to vote for at the ensuing election for the same office or if for any reason it be impossible to determine his choice for any office his ballot shall not be counted for such office but the rest of his ballot if properly marked shall be counted No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice

Section 6 The names of all candidates for nomination at any spring primary for the office of judge of any court to be filled by a vote of the electors of the State at large shall be printed on the official ballots of every political party at such spring primary and the names of candidates for nomination at any fall primary for any elective office to be filled at the regular municipal election including the office of judge of any court shall be printed upon the official ballot at such fall primary upon the filing in either case of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made and the filing of affidavits by the candidates as provided by this act and the names of no candidates for the office of judge of any court shall be printed upon any official ballot to be used at any spring primary and the names of no candidates for any elective office to be filled at the regular municipal election including the office of judge shall be printed upon the official ballot to be used at any fall primary unless such nomination petitions shall have been filed and unless such candidates shall have filed affidavits as hereinafter provided The petitions and affidavits herein required shall contain no reference to any political party or principle

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he has signed no inconsistent petition and that he intends to vote for the candidate named in such petition Provided however that where there are to be elected two or more persons to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county named in the sheet which he signs and in case the nomination is not to be made by the electors of the State at large of the political district or division therein named in which the nomination is to be made He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing No nomination petition shall be circulated prior to sixty (60) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within sixty (60) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not the candidate and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the state or of the political district or division as the case may be referred to in said petition his residence giving cty borough or township with street and number of any that the signers signed with full knowledge of the contents of the petition that their respective residences are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date opposite his name and that to the best of affiant's knowledge and belief the signers are electors of the state or of the political district or division as the case may be

(b) Each candidate shall file his nomination petition his affidavit stating his residence with street and number if any and his post office address also his election district the name of the office for which he desires to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any of the provisions

of the act regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith

Section 7 The nomination petitions in the case of candidates for the office of judge shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall be filed at least three weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of judge to be filled by a vote of the electors of the state at large by at least one hundred qualified electors in each of at least five counties of the State

(b) If for the office of judge of any court of record other than a court whose judges are elected by a vote of the electors of the state at large by at least two hundred qualified electors

(c) If for an office to be voted for by the electors of an entire county by at least one hundred qualified electors

(d) And for all other offices by at least ten qualified electors

(e) And for all other offices by at least ten qualified electors

Section 8 No nomination petition with the aforesaid appended and accompanying affidavits shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signature of persons qualified with respect to age sex residence and citizenship to be electors

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remain after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the court of common pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of proceeding including all witness fees

Secton 9 The Secretary of the Commonwealth immediately after the last day fixed for the filing of said petitions with him shall forward to the county commissioners of each county a correct list of candidates for the various offices as shown in such petitions with their respective residences and postoffice addresses as shown in their affidavits and shall also at the same time notify the said candidates by mail that their names have been so certified to said county commissioners

Section 10 The county commissioners shall have on file in their office on and after the Tuesday preceding the primary open to public inspection forms of the ballots with the names printed thereon which shall be used in each election district within such county

Section 11 The county commissioners shall prepare and furnish to the election officers of each election district for use at the fall primary one set of official ballots of not less than seventy-five for every fifty and fraction of fifty voters therein as contained upon the assessor's or registrar's list

The county commissioners shall also furnish specimen ballots for the use of electors at the polls equal in number to one-fourth the whole number of official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballot

The official ballots shall be bound in books of one hundred each in the same manner as ballots at elections and shall be delievered to the officers of election in the same manner as ballots or hereafter may be required by law to be delivered to officers of election for use at elections

The county commissioners shall prepare and furnish to the election officers at said primaries such ballot boxes properly numbered for each election district lists of voters forms including forms of affidavits for voters challenged as to identity residence and bribery blanks return sheets blank books and other supplies as they are or hereafter may be required to furnish by law to said officers for use at elections and shall deliver them together with forms of affidavits for obtaining assistance in marking ballots required by this act all in the same manner as at elections The said supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries They shall also provide for the opening of the polling places and for the compensation of the owners thereof and shall see that they are in proper order and provided with voting booths as at elections

Section 12 The said primaries shall be conducted by the regular election boards duly elected under existing or future laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies on election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as is now required by law

The polls shall be open between the hours of eight o'clock ante meridian and eight o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primaries only between the hours of seven o'clock ante meridian and eight o'clock post meridian

Said primaries shall be conducted in conformity with the laws governing the conduct of elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided however That no elector shall be permitted to receive any assistance in marking his ballot except under the following conditions

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by the judge of election who shall mark his ballot for him in accordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceeding The term "physical disability" shall be construed to mean disability arising from blindness or from such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical conditions as makes it impossible for him to enter the voting compartment without assistance The term "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot It shall be the duty of the judge of election to grant or refuse to grant a voter the right to have assistance If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be required by the judge of election to make affidavit in the following form "I do solemnly swear (or affirm) that I am unable to mark my ballot without assistance "because" and after the word "because" shall be left a blank space in which shall be written the specific disability which must be a physical disability within the meaning of this act The judge of election shall reduce said oath to writing certifying the same as correct and return it to the county commissioners with other papers required by law to be so returned The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list

Section 13 The county commissioners shall keep an accurate account of the entire expense of holding such primaries including payment of watchers the preparation and delivery of supplies voting materials et cetera and the total amount shall be paid in the first instance by the county treasurer upon the order of the county commissioners As soon as convenient thereafter the county commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor General who if he finds the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out the money in the State Treasury not otherwise appropriated

Section 14 The qualifications of electors entitled to vote at a fall primary shall be the same as the qualifications of electors entitled to vote at elections within the election district where the primary is held except that with respect to the payment of taxes it shall be sufficient if an elector shall have paid within two years before the next succeeding election a state and county tax which shall have been assessed at least one month before said election and on or before the day of the primary and in cases where registration is required on or before the registration day on which the elector registers Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or indentity on election day and may be challenged as at elections

Section 15 The ballot boxes lists of voters (a copy of which shall be posted outside of the polling place) and other records shall be delivered into the custody of the officers who are or hereafter may be requird by law to keep similar records of elections

Upon the closing of the polls at any fall primary the election officers shall forthwith proceed to open the ballot boxes and take therefrom the ballots and first count the number of ballots cast and make a record thereof and then count the vote cast for the different persons named on the ballots and make a record thereof and when said count is finally completed they shall certify in due and proper form to the number of votes cast for each person They shall then place the ballots so counted and canvassed together with all stubs and unused ballots in an envelope or package to be furnished by the county commissioners and forthwith seal the same and they shall also place the returns of votes and the register of voters aforesaid and all affidavits made pursuant to the provisions of this act in another envelope also to be furnished by the county commissioners and forthwith seal the same Both of said envelopes and packages shall then be kept by the judge of election and shall at or before noon of the Tuesday following be deposited by him in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed and for that purpose to have the right to petition the Court of Common Pleas for the use

of its processes to enforce the provisions of this act in relation to the returns of the election officers

All the ballots together with the stubs and unused ballots and all returns of votes registers of voters and affidavits returned to the county commissioners as aforesaid shall be carefully preserved by them for a period of at least one year ,

Section 16 Tt any spring primary whereat any nomination for the office of judge of any court is to be made the election officers after counting the vote in the manner prescribed by law shall certify in due and proper form to the aggregate number of votes cast on all party ballots for each person for nomination to such office but shall not make any certificate or return showing in any manner what number of votes for such person was cast on the ballots of any specified party Except as by this act otherwise provided the vote for candidates for nomination for the office of judge of any court at a spring primary shall be returned and certified to the county commissioners by them computed canvassed returned and certified to the Secretary of the Commonwealth and by him tabulated computed and certified as in the case of the vote at such primary for the nomination of candidates for other State offices No party distinctions or classifications shall be made at any stage of the proceedings with respect to candidates for the office of judge of any court

Section 17 Upon the sworn petition of any ten qualified electors of any county setting forth that they believe fraud or error has been committed with respect to any fall primary in any election precinct division or district of said county the county commissioners shall open the envelopes or packages containing the ballots of such election precinct division or district and recount the votes It shall not be necessary for the petitioners to set forth in their petition or to establish the grounds of their belief that such fraud or error has been committed An appeal may be taken from any decision of the county commissioners in the matter aforesaid to the court of common pleas of the proper county whose duty it shall be forthwith to hear said appeal The court on said appeal shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in said election precinct division or district and to make such decree as right and justice shall require and in making such decree the court may reject any or all of the votes cast in said election precinct division or district

Section 18 The County Commissioners shall make the proper certification of returns of votes cast at any fall primary for the candidates for nomination for all offices of judge of any court to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the County Commissioners of the respective counties the result of the computaitno of the vote at least twenty days prior to the date of such election

Section 19 The candidates for nomination at any spring primary for the office of judge of any court and the candidates for nomination at any fall primary for any office to be filled at the succeeding regular municipal election including the office of judge of any court equal in number to twice the number to be elected at the succeeding general or municipal election who shall have received at such primary the highest number of votes cast for nomination to the office for which they are candidates (or if the number of all the candidate voted for as aforesaid be not more than twice the number to be elected then all the candidates) shall be the nominees for such office and their names and none other except as hereinafter provided shall be printed as candidates for such respective offices upon the official ballots for use at such succeeding election as is now or may hereafter be required by law and shall be printed on such ballots in alphabetical order under the respective offices and without any designation of party or principle Provided That whenever at any primary any candidate for nomination to any of the aforesaid offices to which but one person is to be elected at the succeeding general or municipal election or whenever at any primary a number of the candidates for any one of the aforesaid offices equal to the number of persons to be elected to such office at the succeeding general or municipal election shall each receive more than one-half of all the votes cast for such office at such primary such candidate or candidates shall be the sole nominee or nominees for such office and his or their names and none other shall be printed as candidate or candidates for such office upon the official ballots for use at such succeeding election

In case of a tie the candidates receiving the tie vote shall unless such candidates shall by written agreement duly acknowledged and filed with the County Commissioners or the Secretary of the Commonwealth as the case may be otherwise determine such tie appear and cast lots before the County Commissioners or the Secretary of the Commonwealth as the case may be on the third Wednesday after the primary and the one to whom the lot shall fall shall be entitled to the nomination Provided in any case where the fact of a tie is not authoritatively determined until after the third Monday after the day of the primary the day for appearing and casting lots shall be the second day after the day on which the fact of such tie vote is authoratively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the County Commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Section 20 If after any primary and before the succeeding election any candidate nominated pursuant to the provisions of this act shall die or shall by virtue of any present or future law be disentitled to have his name printed on the ballot for the election a vacancy shall be deemed to exist which shall be filled by the otherwise unnominated and not so disentitled candidate next in rank with respect to the number of votes received at such primary provided he received votes not less in number than the number of signatures required by this act for a nomination petition for the office If after any primary and before the succeeding election there should not be any candidate whatever nominated living and entitled to have his name printed on the ballot for any office which is within the foregoing provisions of this act and which is to be filled at the succeeding election or not enough of such candidates for any such office to equal the number of persons to be elected thereto at the succeeding election other candidates may be nominated for such office with the same effect as though nominated at the primary by the filing of nomination petitions on behalf of and affidavits by such candidates in the manner and form and according to the directions hereinbefore provided in Sections six and seven of this act with respect to getting the name of a candidate for such office printed upon the ballot for the primary varied in so far as may be necessary to fit the different purpose Such nomination petitions and affidavits may nevertheless be filed at any time after the primary and before the succeeding election but as soon as enough of such after-primary nomination petitions shall have been filed to provide a number of candidates including any previously nominated and still remainig available equal to twice the number of persons to be elected to the office no more such petitions shall be received The Secretary of the Commonwealth shall immediately upon the filing of any such after-primary petition and its accompanying affidavit in proper form in his office forward to the County Commissioners of the county or counties whose electors are entitled to vote at the election for the office a written statement of the name residence and posoffice address of the candidate therein named as shown in his affidavit as well as the name of the office for which a candidate and shall at the same time notify the said candidate by mail that his name has been so certified to the County Commissioners As soon as any such substituted or additional candidate shall have been duly nominated as herein provided his name shall be used by the proper officers as though he had been nominated at th primary so far as time will allow and in case such after-primary nomination be filed with or transmitted to the County Commissioners after the ballots have been printed the said Commissioners shall prepare and distribute the ballots suitable slips of paper bearing the substituted or added name together with the title of the office and having adhesive paste upon the reverse side which shall be offered to each voter with the regular ballot and may be affixed thereto

Section 21 Whenever an office is to be filled at a regular or special election because of the prior happening of a vacancy in such office if such office is one within the foregoing provisions of this act that is to say is the office of judge or is an elective office regularly filled at the municipal election nominations of candidates for such election shall be made as follows

If such vacancy is to be filled at a regular election of the class at which such office might regularly be filled and if such vacancy happened not less than thirty days prior to the last day of filing nominations petitions for the office for the regular primary antecedent to such election nominations shall be made at the primary preceding such election in the same manner that candidates for the same office are nominated under the provisions of this act when there has been no antecedent vacancy occasioning the election

In all other cases within the purview of this section candidates for such office shall be nominated with the same effect as though nominated at a primary by the filing of nomination petitions on behalf of and affidavits by such candidates in the manner and form and according to the directions hereinbefore provided in Section six and seven of this act with respect to getting the name of a candidate for such office printed upon the ballot for the primary varied in so far as may be necessary to fit the different purposes Such nomination petitions and affidavits shall be filed the same length of time prior to the election as corresponding nomination petitions are required to be filed before a primary shall be filed in the same office and the same proceedings shall be had with respect thereto with relation to the election as herein provided with respect to a primary Provided however said nomination petitions shall not be deemed to be filed too late if filed within ten days after such vacancy happened

Section 22 At the head of every official ballot furnished for a general election at which any candidate for the office of judge is to be voted for there shall be printed immediately after the instructions now by law required to be printed thereon the following additional instructions in the same style and size of type to wit "A cross (X) in the party square in the first column does not carry a vote for judge To vote for judge mark a cross (X) opposite the name or the candidate desired"

In case a special election to fill a vacancy in an office within the provisions of this act is held with a general election the same additional instructions shall be used inserting therein however the name of the office to be voted for specially in place of the word "judge" if no judge is to be voted for or with a preceding word "or" after the word "judge" if a judge is to be voted for at such election The names of the candidate for such office shall be printed on the ballot in alphabetical order under the name of the office which shall be followed by the words "Special Election" and without any designation of party or principle

On the official ballots furnished for municipal elections there shall not be printed the name or appellation of any political party or principle and the instructions printed at the head of such ballots shall not include any directions for voting a party ticket Provided in case a special election to fill any office not within the provisions of this act is held with a municipal election the names of the candi-

dates for such office accompanied by the names or political appellations of the parties or bodies of electors which nominated them may be printed on the ballot at a general election under the name of the office which shall be followed by the words "Special Election"

Section 23 Any candidate for nomination to be voted for at a primary under this act may at any time before four o'clock Post Meridian of the Wednesday next succeeding the last day fixed for filing nomination petitions for the office for which he is a candidate withdraw his name as a candidate by a request in writing signed by him and acknowledged before any officer authorized by law to take acknowledgments and filed with the Secretary of the Commonwealth if such candidate's nomination petition was filed with the Secretary of the Commonwealth and in all other cases with the county commissioners

The Secretary of the Commonwealth upon the filing of requests for withdrawal in the manner herein provided shall forthwith certify to the county commissioners of the proper county a correct list of candidates filing such requests

No candidate for any office within the provisions of this act nominated at or after a primary may withdraw his name as candidate for election

Section 24 Upon the petition of five or more citizens who are lawful voters of any election district setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of the election of any fall primary in said district it shall be the duty of the Court of Common Pleas of the proper county to appoint two overseers of election in said district who shall be entitled to remain within the polling place during the casting and counting of the ballots

Section 25 Each candidate shall be entitled to appoint one watcher at the primary in each election district in which such candidate is to be voted for who shall be a qualified elector of the county but need not be a resident of the district in which he is authorized to act as such watcher and who shall serve without compensation Each watcher shall be provided with a certificate from the county commissioners stating his name the district in which he is authorized to act and the name of the candidate appointing him and shall have the right to remain in the room outside of the enclosed space Watchers shall be required to show their certificates when required to do so

If any election officers officiating at any primary shall refuse to permit a watcher appointed under the provisions of this act to be present as herein provided such officer or officers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

If any election officers officiating at any primary shall refuse to permit a watcher under the provisions of this act to be present as herein provided such officer or officers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

Section 26 If said watchers or overseers shall be driven away from the polls by violence or intimidation all the votes polled in such election district may be rejected by the proper tribunal making a recount of the votes cast therein or a part or portion of such votes aforesaid may be counted as such tribunal may deem necessary to a just and proper disposition of the case

Any person or persons who by violence or intimidation shall threaten or drive away said watchers or overseers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment for a period not exceeding one year or both in the discretion of the court

Section 27 If any person shall sign any nomination petition without being qualified with respect to age sex residence and citizenship to be an elector of the State or of the political district or division as the case may be named in said petition and a resident of the county named on the sheet which he signs or if any person shall set opposite a signature on a nomination petition a date other than the actual date such signature was affixed thereto or if any person shall set opposite a signature on a nomination petition a false statement of the signer's place of residence or if any person shall sign more nomination petitions than permitted by the provisions of this act he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars

If any person shall knowingly make a false statement in any affidavit required by the provisions of this act to be appended to or to accompany a nomination petition or if any person shall fraudulently sign any name not his own to any nomination petition or if any person shall fraudulently alter any nomination petition or if any person shall alter any nomination petition without the consent of the signers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars and to undergo imprisonment for not less than three months nor more than one year

Any person who shall vote or attempt to vote more than once at a fall primary shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any person who votes or attempt to vote at a fall primary knowing that he does not possess the qualifications of a voter at such primary as indicated by this act or who shall have unlawfully in his possession an official ballot outside the polling place shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment for a period not exceeding one year or both in the discretion of the court

Any voter who for the purpose of securing assistance in marking his ballot at any fall primary shall falsely make oath or declare that by reason of physicl disbility as defined in this act he is unable to mark his ballot or who without having made the affidavit provided for in this act that he is physically unable to mark his ballot shall permit another to accompany him into the voting compartment or shall permit another person to mark his balllot for him or any person who shall assist a voter in marking his ballot contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than three months and not exceeding one year

No police officer whether in uniform or in citizens' cloths shall be within one hundred feet of a polling place during the conduct of a fall primary unless in the exercise of his privilege of voting or for the purpose of serving warrants or in case of breach of the peace and any police officer being so present within one hundred feet to a polling place during the conduct of a fall primary except for the purposes specified shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo imprisonment for a term not exceeding one year or both at the discretion of the court

Any judge of election at a fall primary who shall accompany a voter into a voting compartment without the said voter having first made affidavit as provided in this act that by reason of physical disability he is unable to mark his ballot or who shall accompany a voter into the voting compartment when the affidavit which the voter has made is false to the knowledge of such judge of election or who shall permit any person to accompany a voter into the voting compartment in violation of the provisions of this act or who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting or who shall fail properly to file and return affidavits and other papers required by this act or by law to be filed and returned to the County Commissioners for each such offense be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars and to undrgo imprisonment for a period not less than six months and not more than two years

Any election officer who permits a person to vote at any fall primary with the knowledge that such person is not so entitled to vote or refuses to permit any lawfully entitled elector to vote at such primary with the knowledge that such person is entitled to vote shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for a period not less than one year and not exceeding three years

Any election officer or clerk who shall be guilty of any willful fraud in the conduct of his duties at a fall primary or who shall make a false return of the votes cast at such primary or who shall deposit fradulent ballots in the ballot box or who shall certify as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who shall write false names in the lists of voters for the purpose of concealing the deposit of such fradulent ballots or of aiding in the perpetration of such fraud or who shall conspire with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any person who shall directly or indirectly give or promise or offer to give any gift or reward in money goods or other valuable thing to any person with intent to induce him to vote or refrain from voting for any particular candidate or candidates at any fall primary or shall directly or indirectly procure for or offer or promise to procure for such person any gift or reward with the intent aforesaid or shall with the intent to influence or intimidate such person to give his vote or to refrain from giving his vote for any particular candidate or candidates at any fall primary or shall give to or obtain for or assist in abtaining for or offer or promise to give to or obtain for or assist in obtaining for such person any office place appointment or employment public or private or threaten such person with dismissal or discharge from any office place appointment or employment public or private then held by him in case of his refusal to vote or to refrain from voting for any particular candidate or candidates at any fall primary the person so offending shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Except as modified by the terms of this act election officers shall be subject to the same pains and penalties for violations or neglect of their duties at a fall primary as they are or hereafter may be subject to for violation or neglect of such duties at elections In all other respects officers officiating at fall primaries shall be subject to the pains and penalties provided by law for offenses committed at primaries The existing laws relating to bribery at primaries except as modified by the terms of this act shall continue in force and shall apply to bribery at fall primaries as provided by this act

Section 28 The invalidity of any portion of this act shall in no wise affect the validity of any other portion thereof which can be given effect without such invalid portion

Section 29 All acts or parts of acts inconsistent with this act be and the same are hereby repealed in so far as they conflict with the provisions of this act Provided however that the repeal of said acts shall not in any way interfere with or affect any proceeding pending at the date of the approval of this act

The title was then read as follows:

An Act to regulate nominations and elections for certain public offices providng for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and the clerks of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections including the payment of compensation of watchers herein authorized to be appointed by the court and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

On the question,

Will the House agree agree to the title?

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to offer the following amendment.

The amendment was then read by the Clerk as follows:

In line 7 after the word "officers" insert the words "and clerks."
n line 8, after the word "clerks" insert the words "or secretaries."
In line 9 before the word "providing" insert the words "vesting the Courts of Common Pleas with certain powers, duties and jurisdiction."
In line 11 strike out the words "including the payment of com-."
Strike out line 12.
In line 13 strike out the words "the court."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 698, as follows:

An Act defining fraternal benefit societies and their status authorizing them to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections Providing for the organization of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality and establishing a standard of solvency requiring annual reports and the appointment of the Insurnce Commissioner as attorney for services of procss Providing penalties for any violations thereof exempting certain societies requiring beneficial associations other than fraternal benefit societies to report to the Insurance Commissioner exempting fraternal societies from taxation and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation society order or voluntary association without capital stock organized and carried on solely for the mutual benefit of its members and their beneficiaries and not for profit and having a lodge system with ritulastic form of work and representative form of government and which shall make provision for the payment of benefits in accordance with section five hereof is hereby declared to be a fraternal benefit society

Section 2 Any society having a supreme governing or legislative and subordinate lodges or branches by whatever name known into which members shall be elected initiated and admitted in accordance with its consitution laws rules regulations and prescribed ritualistic ceremonies which subordinate lodges or branches shall be required by the laws of such society to hold regular or stated meetings at least once in each month shall e deemed to be operating on the lodge system

Section 3 Any such society shall be deemed to have a representative form of government when it shall provide in its constitution and laws for a supreme legislative or governing body composed of representatives elected either by the members or by delegate elected directly or indirectly by the members together with such other members as may be prescribed by its constitution and laws provided that the elective members shall constitute a majority in number and have not less than two-thirds of the votes nor less than the votes required to amend its constitution and laws and provided further that the meetings of the supereme or governing body and the election of officers representatives or delegates shall be held as often as once in four years The members officers representatives or delegates of a fratrnal benefit society shall not vote by proxy

Section 4 Except as herein provided such societies shall be governed by this act and shall be exempt from all provisions of the insurance laws of this Commonwealth not only into governmental relations with the Commonwealth but for every other purpose and no law hereafter enacted shall apply to them unless they be expressly designated therein

Section 5 Every such society shall provide for the payment of death benefits and may provide for the erection of monuments to mark the graves of its deceased members It may also provide for the payment of old-age permanent disability special fraternal help and temporary relief benefits provided the period of life at which the old-age benefit matures shall not be under sixty years of age Each society shall have power to issue whole-life limited payment life old-age and term benefit certificates and to make the benefit payable in a single cash payment or in instalments or a term or life annuity It may provide that a member when permanently disabled or upon attaining not less than sixty years of age shall have the option to surrender his certificate upon payment of all or such portion of its face value as may be authorized under the Constitution and laws It may also provide for the acceptance of liens against benefit certificates with interest at not less than four per centum per annum in lieu of cash payments of the rates of contribution provided that the total of such liens against any benefit certificate shall not exceed the reverse accumulation thereunder Any such society collecting a level rate of contribution under any of its benefit certificates as high or higher than required under the National Fraternal Congress Table of Mortality hereinafter referred to and four per centum interest may grant to members holding such certificates extended and paid-up protection or such withdrawal equities as may be allowed under its Constitution or by-laws provided that such grants or privileges shall not exceed in value the portion of the reserve to the credit of such certificate at the time of such grant or privilege is allowed

Section 6 The payment of death benefits shall be confined to wife husband relative by blood to the fourth degree father-in-law mother-in-law son-in-law daughter-in-law stepfather stepmother stepchildren by legal adoption or to a person or persons dependent upon the member provided that if after the issuance of the original certificate the members shall become dependent upon an incorporated charitable institution he shall have the privilege his beneficiary Within the above restrictions each member shall have the right to designate his beneficiary and from time to time have the same changed in accordance with the laws rules or regulations of the society and no beneficiary shall have or obtain any vested interest in the said benefit until the same has become due and payable upon the death of the said member provided that any society may by its laws limit the scope of beneficiaries within the above classes

Section 7 Any society may admit to beneficial membership any person not less than sixteen and not more than sixty years of age and it shall be lawful for minors who have attained the age of sixteen years to make all needful contracts and assume all needful obligations to become members All applicants shall be examined by a legally qualified physician and whose examination has been supervised and approved in accordance with the laws of the society provided that any beneficiary member of such society shall apply for a certificate providing for disability benefits need not be required to pass an additional medical examination therefor Nothing herein contained shall prevent such society from accepting general or social members

Section 8 Every certificate issued by any such society shall specify the amount of benefit provided thereby and shall provide that the certificate the character or articles shall constitute the obligation of the society and copies of the same certified by the Secretary of the society or corresponding officer shall be received in evidence of the terms and conditions thereof and any changes additions or amendments to said character or articles of incorporation or articles of association if a voluntary association constitution or laws duly made or enacted subsequent to the issuance of the benefit certificate shall bind the member and his beneficiaries in all respects the same as though such changes additions or amendments had been made prior to and were in force at the time of application for membership

Section 9 Subsection 1 Any society may create maintain invest disburse and apply an emergency surplus or other similar fund in accordance with its laws Unless otherwise provided in the Constitution and laws such funds shall be and disbursed for the use and benefit of the society and no society and no member or beneficiary shall have or acquire individual rights therein or become entitled to any apportionment or the surrender of any part thereof except as provided in section five of this act The funds from which benefits shall be paid and the funds from which the expenses of the society shall be defrayed shall be derived from periodical or other payments by the members of the society and accretions of said funds provided that no society shall hereafter be incorporated in this Commonwealth nor shall any foreign society hereafter be admitted to transact business in this Commonwealth which does not provide for stated periodical contributions sufficient to provide for meeeting the mortuary obligations contracted when valued upon the basis of the National Fraternal Congress Table of Mortality as adopted by the National Fraternal Congress August twenty-third eighteen hundred and ninety-nine or any higher standard with interest assumption not more than four per centum per annum nor write or accept members for temporary or permanent disability benefits except upon tables based upon reliable experience with an interest assumption not higher than four per centum per annum

Subsection 2 Deferred payments or instalments or claims shall be considered as fixed liabilities on the happening of the contingency upon which such payments or installments are thereafttr to be paid Such liability be the

present value of such future payments or installments upon the rate of interest and mortality assumed by the society for valuation and every society shall maintain a fund sufficient to meet such liability regardless of proposed future collections to meet any such liabilities

Section 10 Every society shall invest its funds only in securities permitted by the laws of this Commonwealth for the investment of the assets of life insurance companies provided that any foreign society permitted or seeking to do business in this Commonwealth which invests its funds in accordance with the laws of the State in which it is incorporated shall be held to meet the requirements of this act for the investment of funds

From and after the passage of this act any fifteen or more persons nine of whom shall be citizens and residents of this Commonwealth having associated themselves as a Fraternal Benefit Society may be incorporated under the provisions of this act and when so incorporated the said corporation shall have the following

General Powers

a To have succession by its corporate name perpetually subject to the power of the General Assembly under the Constitution of this Commonwealth

b To maintain and defend judicial proceedings

c To make and use a common seal and alter the same at pleasure

d To be capable of taking receiving purchasing holding and transferring real and personal property for the purpose of its incorporation and for no other purpose

e To elect appoint and remove the officers and agents for the management of its business and carrying out its objects and to allow them a suitable compensation

f To make a constitution and general laws for the management of its affairs not inconsistent with the Constitution and laws of this State and to change alter add to or amend same when necessary Such constitution and general laws when so made or as changed altered added to or amended shall be the law governing such society and its officers board of directors or managers subordinate lodges councils or branches and all members and beneficiaries in their relations to such society

g To provide in its constitution or by-laws for the payment of death old-age permanent and temporary disability benefits and special fraternal help in such manner and for such amounts as may be authorized and directed by said constitution or by laws not inconsistent with the provisions of this act

h To collect from its members by admission fees dues or rates of contribution the funds necessary to carry on its operations and to provide for the payment of its obligations

i To carry on its operations through a supreme or governing body and subordinate bodies branches or lodges and to issue benefit or relief certificates in accordance with its constitution and general laws

j To enter into any obligation necessary for the transaction of its affairs

The certificate of incorporation must be subscribed by five or more persons citizens of this Commonwealth and shall set forth

First The name of the corporation Second The purpose for which it was formed Third The place where its principal office is to be located Fourth The names and residences of the subscribers Fifth The number and names of its officers with the term or terms of years for which they have been chosen and also the names of not less than six directors managers or members of an executive committee who together with the president of the society order or association shall form a board of directors managers or executive committee with the term or terms of years for which each is to serve

Notice of the intention to apply for any such charter shall be inserted in two newspapers of general circulation printed in the proper county for three weeks setting forth briefly the character and object of the corporation to be formed and the intention to make application therefor

The said certificate of incorporation shall be acknowledged by at least five of those who subscribed thereto before any officer authorized to take the acknowledgements of deeds in the Commonwealth of Pennsylvania to be their act and deed and the same being duly certified under the hand and official seal of the said officer shall be presented to a law judge of the county in which the principal office of the corporation is located accompanied by proof of the publication of the notice of such application who is hereby authorized to peruse and examine said instrument and if the same shall be found to be in the proper form and within the purposes named in this act he shall endorse thereon these facts and shall order and decree thereon that the charter is approved and that upon the recording of the same in the office of the recorder of deeds in and for the county aforesaid the subscribers thereto and their associates shall be a corporation for the purposes and upon the terms therein stated

Duly certified copies of such articles of incorporation and charter shall be filed with the Insurance Commissioner together with duly certified copies of the constitution and laws rules and regulations and copies of all proposed forms of benefit certificates applications therefor and circulars to be issued by such society and a bond of five thousand dollars with sureties approved by the commissioner conditioned upon the return of the advance payments as provided in this section to applicants if the organization is not completed within one year who may require such further information as he deems necessary

Upon receipt of these papers the Insurance Commissioner shall furnish the incorporators of any such society with a preliminary license authorizing it to solicit members for the purpose of completing its organization It shall collect from each applicant the amount of not less than one regular monthly payment in accordance with its table of rates as provided by its constitution and laws and shall issue to each such applicant a receipt for any amount so collected But no such society shall incur any liability other than for such advance payments nor issue any benefit certificate nor pay or allow or offer or promise to pay or allow to any person any death or disability benefit until actual bona fide applications for death benefit certificates have been secured upon at least five hundred lives for at least one thousand dollars each and all such applicants for death benefits shall have been regularly examined by legally qualified practicing physicians and certificates of such examinations have been duly filed and approved by the chief medical examiner of such society nor until there shall be established ten subordinate lodges or branches into which said five hundred applicants have been initiated nor until there has been submitted to the Insurance Commissioner under oath of the president and secretary or corresponding officers of such society a list of such applicants giving their names addresses date examined date approved date initiated name and number of subordinate branch of which each applicant is a member amount of benefits to be granted rate of stated periodical contributions which shall be sufficient to provide for meeting the mortuary obligations contracted when valued for death benefits upon the basis of the National Fraternal Congress Table of Mortality as adopted by the National Fraternal Congress August twenty-third eighteen hundred and ninety-nine or any higher standard at the option of the society with an interest assumption not higher than four per centum per annum or until it shall be shown to the Insurance Commissioner by the sworn statement of the treasurer or corresponding officer of such society at least five hundred applicants have each paid in cash at least one regular payment or assesment as herein provided per one thousand dollars of benefit to be effected which payments in the aggregate shall amount to at least two thousand five hundred dollars all of which shall be credited to the mortuary or disability fund on account of such applicants and no part of which may be used for expenses Said advance payments shall during the period of organization be held in trust and if the organization is not completed within one year as hereinafter provided returned to said applicants The Insurance Commissioner may make such examinations and require such further information as he deems advisable and upon presentation of satisfactory evidence that the society has complied with all the provisions of this act he shall issue to such society a certificate to that effect and the Insurance Commissioner shall cause a record of such certificate to be made and a certified copy of such record may be given in evidence with like effect as the original certificate

No preliminary certificate granted under the provisions of this section shall be valid one year from its date or after such further period as may be authorized by the Insurance Commissioner upon cause shown unless the five hundred applicants herein required have been secured and the organization has been completed as herein provided and the articles of incorporation and all proceedings thereunder shall become null and void in one year from the date of such preliminary certificate or at the expiration of such extended period unless such society shall have completed its organization and commenced business herein provided When any domestic society shall have discontinued business for the period of one year or has less than four hundred members its charter shall become null and void

Every fraternal beneficial society and secret fraternal beneficial society order or association heretofore organized or incorporated under any act of the General Assembly of the Commonwealth of Pennsylvania and which is now engaged in transacting business in this State as a fraternal beneficial society or secret fraternal beneficial society order or association shall have and enjoy all the rights powers privileges and exemptions conferred by this act and shall have retain and enjoy all the rights powers privileges and exemptions now exercised or possessed by it under its charter or articles of incorporation or articles of association or at its option it may be re-incorporated or reorganized hereunder.

Section 14 No domestic society shall merge with or accept the transfer or the membership or funds of any other society unless such merger or transfer is evidenced by a contract in writing setting out in full the terms and conditions of such merger or transfer and filed with the Insurance Commissioner of this Commonwealth together with a sworn statement of the financial condition of each of said societies by its president and secretary or corresponding officers and a certificate of such officers duly verified under oath of said officers of each of the contracting societies that such merger or transfer has been approved by a vote of two-thirds of the members of the supreme legislative or governing body of each of said societies

Upon the submission of the said contract financial statements and certificates the Insurance Commissioner shall examine the same and if he shall find such financial statements to be correct and the said contract to be in conformity with the provisions of this section and that such merger or transfer is just and equitable to the members of each of said societies he shall approve said merger or transfer issue his certificate to that effect and thereupon the said contract of merger or transfer shall be of full force and effect

In case such contract is not approved the fact of its submission and its contents shall not be disclosed by the Insurance Commissioner

Section 15 Foreign societies which are now authorized to transact business in this Commonwealth may continue such business until the first day of April next succeeding the passage of this act and the authority of such societies may thereafter be renewed annually but in all cases to terminate on the first day of the succeeding April provided however the license shall continue in full force and effect until the new license be issued or specifically refused For each such license or renewals the society shall pay the Insurance Commissioner twenty dollars A duly certified copy or duplicate of such license shall be prima facie evidence that the license is a fraternal benefit society within the meaning of this act

Section 16 No foreign society now transacting business organized prior to the passage of this act which is not now organized to transact business in this Commonwealth shall transact any business herein without a license from the Insurance Commissioner Any such society shall be entitled to a license to transact business within this Commonwealth upon filing with the Insurance Commissioner a duly certified copy of its charter or articles of association a copy of its constitutions and laws and certificates certified by its secretary or corresponding officer a power of attorney to the Insurance Commissioner as hereinafter provided a statement of its business under oath of its president and secretary or corresponding officers in the form required by the Commissioner duly verified by an examination made by the supervising insurance official of its home state or other state satisfactory to the Insurance Commission of this Commonwealth a certificate from the proper official in its home state province or county that the society is legally organized all of which must show that its benefits are provided for by periodical or other payments by its members and upon furnishing the Commissioner such other information as he may deem necessafy to a proper exhibit of its business and plan of working and upon showing that its assets are invested in accordance with the laws of the state territory district province or country where it is organized he shall issue a license to such society to do business in this Commonwealth until the first day of the succeeding April and such license shall upon compliance with the provisions of this act be renewed annually but in all cases to terminate on the first day of the succeeding April Provided however That license shall continue in full force and effect until the new license be issued or specifically refused Any foreign society desiring admission to this Commonwealth shall have the qualification required of domestic societies organized under this act and have its assets invested as required by the laws of the state territory district country or province wher it is organized For each such license or renewal the society shall pay to the Commissioner twenty dollars When the Commissioner refuses to license any society or revokes its authority to do business in this Commonwealth he shall reduce his ruling order or decision to writing and file the same in his office and shall furnish a copy thereof together with a statement of his reasons to the officers of the society upon request and the action of the commissioner shall be reviewable by proper proceedings in any court of competent jurisdiction within the Commonwealth Provided however That nothing contained in this or the preceding section shall be taken or construed as preventing any such society from continuing in good faith all contracts made in this Commonwealth during the time such society was legally authorized to transact business herein

Section 17 Every foreign society applying for admission to this Commonwealth shall by a duly executed instrument filed in the office of the Insurance Commissioner constitute and appoint the Insurance Commissioner or his successors its true and lawful attorney upon whom all lawful processes in any action or legal proceeding against it may be served and therein shall agree that any lawful process against it which may be served upon him as its attorney shall be of the same force and validity as if served on the society and that the authority thereof shall contiue in force irrevocable so long as any liability of the society remains outstanding in this Commonwealth The service of such process shall be made by leaving copies of the same in duplicate in the hands or office of the Commissioner One copy of such instrument certified by the Commissioner as having been served upon him shall be deemed sufficient evidence thereof and srvice upon such attorney shall be deemed valid service upon the society Provided however That no such service shall be valid or binding against any such society when it is required thereunder to file its answer pleading or defense in less than thirty days after the date of mailing the copy of such service to such society

When legal process is served upon the Commissioner as attorney for a foreign society he shall forthwith forward one of the duplicate copies of process served on him to its secretary or corresponding officer or to such other person as may have been previously designated by the society by written notice filed in the office of the Comissioner As a condition of valid and effective service and of the duty of the Commissioner in the premises the plaintiff in each such process shall pay to the Commissioner at the time of service thereof the su mof two dollars which the said plaintiff shall recover as taxable costs if he prevails in the suit The Commissioner shall keep a record of all such processes which shall show the day and hour of service Legal process shall not be served upon any such society except in the manner provided herein

Section 18 Any domestic society may provide that the meetings of its legislative or governing body may be held in any state district province or territory wherein such society has subordinate branches and all business transacted at such meetings shall be as valid in all respects as if such meetings were held in this Commonwealth but its principal office shall be located in this Commonwealth

Section 19 Officers and members of the supreme grand or any subordinate body of any such incorporated society shall not be individually liable for the payment of any disability or death benefit provided for in the laws and agreements of such society but the same shall be payable only out of the funds of such society and in the manner provided by its laws

Section 20 The constitution and laws of the society may provide that no subordinate body nor any of its subordinate officers or members shall have the power or authority to waive any of the provisions of the laws and constitution of the society and the same shall be binding on the society and each and every member thereof and on all beneficiaries of members'

Section 21 No money or other benefit charity or relief or aid to be paid provided or rendered by any such society shall be liable to attachment garnishment or other process or be seized taken appropriated or applied by any legal or equitable process or operation of law to pay any debt or liability of a member or beneficiary or any other person who may have a right thereunder either before or after payment

Sction 23 Every society transacting business in this State shall annually on or before the first day of March file with the Insurance Commissioner in such form as he may require a statement under oath of its president and secretary or corresponding officers of its condition and standing on the thirty-first day of December next preceding and of its transactions for the year ending on that date and also shall furnish such other information as the Insurance Commissioner may deem necessary to a proper exhibit of its business and plan of working The Commissioner may at other times require any further statement he may deem necessary to be made relating to such society

In addition to the annual report herein required each society shall annually report to the Commissioner a valuation of its certificate in force on December thirty-first last preceding excluding those issued within the year for which the report is filed in cases where the contributions for the first year in whole or in part are used for current mortality and expenses provided the first report of valuation shall be made as on December thirty-first one thousand nine hundred and fourteen Such report of valuation shall show as contingent liabilities the present mid-year value of the promised benefits provided in the constitution and laws of such society under certificates then subject to valulation less such portion thereof as may have been assumed by other associations or companies and as contingent assets the present mid-year value of the future net contributions provided in the constitution and laws as the same are in practice actually collected At the option of any society in lieu of the above the valuation may show the net value of the certificates subject to valuation hereinbefore provided less such portion thereof as may have been assumed by other associations or companies and said net value when computed in case of monthly contributions may be the mean of the terminal values for the end of the preceding and of the current insurance years

Such valuation shall be certified by a competent accountant or actuary or at the request and expense of the society verified by the actuary of the department of insurance of the home State of the society and shall be filed with the Insurance Commissioner within ninety days after the submission of the last preceding annual report The legal minimum standard of valuation for all certificates except for disability benefits shall be the National Fraternal Congress Table of Mortality as adopted by the National Fraternal Congress August twenty-three one thousand eight hundred and ninety-nine or at the option of the society by any higher table or at its option it may use a table based upon the society's own experience of at least twenty years and covering not less than one hundred thousand lives with interest assumption not more than four per centum per annum Each such valuation report shall set forth clearly and fully the mortality and interest basis and the method of valuation Any society providing for disability benefits shall keep the net contributions for such benefits in a fund separate and apart from all other benefit and expense funds and the valuation of all other business of the society provided that where a combined contribution table is used by a society for both death and permanent total disability benefits the valuation shall be according to tables of reliable experience and in such case a separation of the funds shall not be required

The valuation herein provided for shall not be considered or regarded as a test of the financial solvency of the society but each society shall be held to be legally solvent so long as the funds in its possession are equal to or in excess of its matured liabilities

Beginning with the year one thousand nine hundred and fourteen a report of such valuation and an explanation of the facts concerning the condition of the society thereby disclosed shall be printed and mailed to each beneficiary member of the society not later than June first of each year or in lieu thereof such report of valuation and showing of the society's condition as thereby disclosed may be published in the society's official paper and the issue containing the same mailed to each beneficiary member of the society The laws of such society shall provide that if the stated periodical contributions of the members are insufficient to pay all matured death and disability claims in full and to provide for the creation and maintenance of the funds required by its laws additonal increased extra rates of contributions shall be collected from the members to meet such deficiency and such laws may provide that upon the written application or consent of the member his certificate may be charged with its proportion of any deficiency disclosed by valuation with interest not exceeding five per centum per annum

Section 23a If the valuation of the certificates as hereinbefore provided on December thirty-first one thousand nine hundred and seventeen shall show that the present value of future net contributions together with the admitted assets is less than the present value of the promised benefits and accrued liabilities such society shall thereafter maintain said financial condition at each succeeding triennial valuations in respect of the degree of deficiency as shown in the valuation as of December thirty-first one thousand nine hundred and seventeen If at any succeeding triennial valuation such society does not show at least the same condition the Commissioner shall direct that if thereafter comply with the requirements herein specified If the next succeeding triennial valuation after the receipt of such notice shall show that the society has failed to maintain the condition required therein the Commissioner may in the absence of good cause shown for such failure institute proceedings for the dissolution of such society in accordance with the provisions of section twenty-four of this act or in the case of a foreign society its license may be cancelled in the manner provided in this act

Any such society shown by any triennial valuation subsequent to December thirty-first one thousand nine hundred and seventeen not to have maintained the condition herein required shall within two years thereafter make such improvement as to show a percentage of deficiency not greater than as of December thirty-first one thousand nine hundred and seventeen thereafter as to all new members admitted be subject so far as stated rates of contributions are concerned to the provisions of section twelve of this act applicable in the organization of new societies Provided That the net mortuary or beneficiary contributions and funds of such new members shall be kept separate and apart from the other funds of the society If such required improvement is not shown by the succeeding triennial valuation then the said new members may be placed in a separate class and their certificates valued as an independent society in respect of contributions and funds

Sction 23b In lieu of the requirements of sections twenty-three and twenty-three-three (a) any society accepting in its laws the provisions of this section may value its certifiicates on a basis herein resignated "accumulation basis" by crediting each member with the net amount contributed for each year and with interest at approximately the net rate earned and by charging him with his share of the losses for each year herein designated "cost of insurance" and carrying the balance if any to his credit The charge for the cost of insurance may be according to the actual experience of the society applied to a table of mortality recognized by the law of this Commonwealth and shall take into consideration the amount at risk during each year which shall be the amount payable at death less the credit to the member Except as specifically provided in its articles or laws or contracts no charge shall be carried forward from the first valuation hereunder against any member for any past share of losses exceeding the contributions and credit If after the first valuation any member's share of losses for any year exceeds his credit including the contribution for the year the contribution shall be increased to cover his share of the losses Any such excess share of losses chargeable to any member may be paid out of a fund or contributions especially created or required for such purposes

Any member may transfer to any plan adopted by the society with net rates on which tabular reserves are maintained and on transfer shall be entitled to make such application of his credit as provided in the laws of the society

Certificates issued rerated or readjusted on a basis providing for adequate rates with adequate reserves to mature such certificates upon assumptions for mortality and interest recognized by the law of this Commonwealth shall be valued on such basis herein designated the "Tabular Basis" Provided That if on the first valuation under this section a deficiency in reserve shall be shown for any such certificate the same shall be valued on the accumulation basis

Whenever in any society having members upon the tabular basis and upon the accumulation basis the total of all costs of insurance provided for any year shall be insufficient to meet the actual death and disability losses for the year the deficiency shall be met for the year from the available funds after setting aside all credits in the reserve or from increased contributions or by an increase in the number of assessments applied to the society as a whole or to classes of members as may be specifid in its laws Savings from a lower amount of death loses may be returned in like manner as may be specified in its laws

If the laws of the society so provide the assets representing the reserves of any separate class of members may be carried separately for such class as in an independent society and the required reserve accumulation of such class so set apart shall not thereafter be mingled with the assets of other classes of the society

A table showing the credits to individual members for each age and year of entry and showing opposite each credit the tabular reserve required in the whole life or other plan of insurance specified in the contract according to assumptions for mortality and interest recognized by the law of this Commonwealth and adopted by the society shall be filed by the society with each annual report and also be furnished to each member before July first of each year

In lieu of the aforesaid statement there may be furnished to each member within the same time a statement giving the credit for such member and giving the tabular reserve and level rate required for a transfer carrying out the plan of insurance specified in the contract No table or statement need be made or furnished where the reserves are maintained on the tabular basis

For this purpose individual bookkeeping accounts for each member shall not be required and all calculations may be made by actuarial methods

Nothing herein contained shall prevent the maintenance of surplus over and above the credits on the accumulation basis and the reserves on the tabular basis as any society may provide by or pursuant to its laws nor be construed as giving to the individual member any right or claim to any such reserve or credit other than in manner as expressed in the contract and its laws nor as making any such reserve or credits a liability in determining the legal solvency of the society

Section 24 The Insurance Commissioner or any person he may appoint shall have the power of visitation and examination into the affairs of any domestic society He may employ such additional assistants from time to time as he may deem necessary and expedient for the purpose of such examination and he or any person he may appoint shall have free access to all the books papers and documents that relate to the business of the society and may summon and qualify as witness under oath and examine its officers agents and employees or other persons in relation to the affairs transactions and condition of the society

Such examination shall be made at least once in three years

Whenever after examination the Insurance Commissioner is satisfied that any domestic society has failed to comply with any provisions of this act or is exceeding its powers or is not carrying out its contracts in good faith or is transacting business fraudulently or whenever any domestic society after the existence of one year or more shall have a membership of ltss than four hundred (or shall determine to discontinue business) the Insurance Commissioner may present the facts relating thereto to the Attorney General who shall if he deem the circumstances warrant proceed in the manner prescribed by the act of June first nineteen hundred and eleven for the liquidation of insolvent or delinquent companies orders or associations transacting any class of insurance

No such proceedings shall be commenced by the Attorneys General against any such society until after notice has been duly served on the chief executive officers of the society and a reasonable opportunity given to it on a date to be named in said notice to show cause why such proceedings should not be commenced Whenever the insurance official or insurance department of any other state shall require an examination of any domestic fraternal society operating under the laws of this Commonwealth and doing business within such state or having made application for permission to engage in business therein and such insurance official or insurance department shall decline to accept an examination of such society which has been or may be made by or on behalf of the insurance department of this Commonwealth that in every such case the said insurance official or insurance department of such other state may have such examination made by any regularly appointed examiner of such state who is not employed regularly or from time to time or on behalf of any state other than the one requiring such examination or by any life fire marine accident liability casualty fidelity or surety company or any fraternal beneficial or benefit society and that the expenses of every such examination shall be borne by the state causing the same to be made Provided however that the valuations made or accepted by the insurance department of this state shall be accepted by said examiner for the state making such examination

Section 25 No application for injunction against or proceedings for the dissolution of or the appointment of a receiver for any domestic society or branch thereof shall be entertained by any court of this Commonwealth unless the same is made by the Attorney General

Section 26 The Insurance Commissioner or any person whom he may appoint may examine any foreign society transacting or applying for admission to transact business in this Commonwealth The said Insurance Commissioner may employ assistants and he or any person he may appoint shall have free access to all the books papers and documents that relate to the business of the society and may summon and qualify as witness under oath and examine its officers agents and employees and other persons in relation to the affairs transactions and condition of the society He may in his discretion accept in lieu of such examination the examination of the Insurance Department of the state territory district province or country where such society is organized The actual expense of examiners making any such examination shall be paid by the society upon statement furnished by the Insurance Commissioner

If any society or its officers refuse to submit to such examination or to comply with the provisions of the section relative thereto the authority of such society to write new business in this Commonwealth shall be suspended or license refused until satisfactory evidence is furnished the Insurance Commissioner relating to the condition and affairs of the society and during such suspension the society shall not write new business in this Commonwealth

Section 27 Pending during or after an examination or investigation of any such society either domestic or foreign the Insurance Commissioner shall make public no financial statement report or finding nor shall he permit to become public any financial statement report or finding affecting the status standing or rights of any such society until a copy thereof shall have been served upon such society at its home office nor until such society shall have been afforded a reasonable opportunity to answer any such financia statement report or finding and to make such showing in connection therewith as it may desire

Section 28 When the Insurance Commissioner on investigation is satisfied that any foreign society transacting business under this act has e xceeded its powers or has failed to comply with any provisions of this act or is conducting business fraudulently or is not carrying out its contracts in good faith he shall notify the society of his findings and state in writing the grounds of his dissatisfaction and after reasonable notice require said society on a date named to show cause why its license should not be rovoked If on the date named in said notice such objections have not been removed to the satisfaction of the said Insurance Commissioner or the society does not present good and sufficient reasons why its authority to transact business in this Commonwealth All decisions and findings of the Commissioner made under the provisions of this section may be reviewed by proper proceedings in any court of competent jurisdiction as provided in section sixteen of this act

Section 29 Nothing contained in this act shall be construed to affect or apply to grand or subordinate lodges of Masons Odd Fellows Patriotic Order Sons of America or Knights of Pythias (exclusive of the Insurance Department of the Supreme Lodge Knights of Pythias) and the Junior Order of United American Mechanics (exclusive of the beneficiary degree or insurance branch of the National Council Junior Order United American Mechanics or societies which limit their membership to any one hazardous occupation nor to similar societies which do not issue insurance certificates nor to any association of local lodges of a society now doing business in this Commonwealth which provide death benefits not exceeding five hundred dollars to any one person or disability benefits not ex-

ceeding three hundred dollars in any one year to any one person or both nor to any contracts or reinsurance business on such plan in this Commonwealth nor to domestic societies which limit their membership to the employees of a particular city or town designated firm business house or corporation nor to domestic lodges orders or associations of a purely religious charitable and benevolent description which do not provide for a death benefit of more than one hundred dollars or for disability benefits or more than one hundred and fifty dollars to any one person in any one year The Insurance Commissioner may require from any society such information as will enable him to determine whether such society is exempt from the provisions of this act

Any fraternal benefit society heretofore organized and incorporated and operating within the defintition set forth in sections one two and three of this act providing for benefits in case of death or disability resulting solely from accidents but which does not obligate itself to pay death or sick benefits may be licensed under the provisions of this act and shall have all the privileges and shall be subject to all provisions and regulations of this act except that the provisions of this act requiring medical examinations valuations of benefit certificates and that the certificate shall specify the amount of benefits shall not apply to such society

Beneficial societies other than those specifically exempted herein without ritualistic work or a representative form of government transacting any class of insurance shall not be required to comply with this act all such societies or associations shall on and after the passage of this act file with the Insurance Commissioner copies of their charter constitution and laws and annually thereafter make a report in such form as the Commissioner may require showing their condition and standing on the thirty-first day of December preceding and of their transactions for the year and the commissioner may at any time make an examination of the books and accounts of any such society

Section 30 Every society incorporated or organized or operating under this act as a fraternal benefit society or fraternal beneficial and relief society or secret fraternal beneficial society order or association is hereby declared to be charitable and benevolent institution and all of its funds shall be exempt from all and every State county district municipal and school tax other than taxes on real estate and office equipment

Section 31 Any person officer member or examining physician of any society authorized to do business under this act who shall knowingly or willfully make any false or fraudulent statement or representation in or with reference to any application for membership or for the purpose of obtaining money from or benefit in any society transacting business under that act shall be guilty of a misdemeanor and upon conviction they shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars or imprisonment in the county jail for not less than thtirty days nor more than one year or both in the discretion of the court and any person who shall willfully make a false statement of any material fact or thing in a sworn statement as to the death or disability of a certificate holder in any such society for the purpose of procuring payment of a benefit named in the certificate of such holder and any person who shall willfully make any false statement in any verified report or declaration under oath required or authorized by this act shall be guilty of perjury and shall be proceeded against and punished as provided by the statutes of this Commonwealth in relation to the crime of perjury

Any person who shall solicit membership for or in any manner assist in procuring membership in any fraternal benefit society not licensed to do business in thiss Commonwealth or who shall solicit membership for or in any manner assist in procuring membership in any such society not authorized as herein provided to do business as herein defined in this Commonwealth shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than fifty nor more than two hundred dollars

Any society or any officer agent or employee thereof neglecting or refusing to comply with or violating any of the provisions of this act the penalty for which neglect refusal or violation is not specified in this section shall be fined not exceeding two hundred dollars upon conviction thereof

Section 32 The act of April sixth one thousand eight hundred and ninety-three entitled 'An act regulating the organization and incorporation of secret fraternal beneficial societies orders or associations and protecting the rights of members therein" the act of April sixth one thousand eight hundred and ninety-three entitled 'An act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" the act of June twenty-fifth one thousand eight hundred and ninety-five entitled "An act to provide for the person upon whom service shall be had by legal process in the case of fraternal beneficial and reluief societies whose status is defined by the act of Assembly entitled "An act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner' approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three' the act of June twenty-fourth one thousand eight hundred and ninety-seven entitled "An act to enable minors above the age of eighteen years to contract for membership in fraternal and beneficial societies" and paragraph nine of section two of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An act to provide for the incorporation and regulation of certain corporations in so far as it applies to the incorporation of societies for the purpose of transacting any class of insurance" are repealed All other acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. R. J. BALDWIN. Mr. Speaker, there is a great deal of inquiry about this bill (House Bill No. 698), and perhaps it will need a good deal of amending. I therefore move that it be recommitted to the Committee on Insurance for the purpose of hearing.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1883 (Senate Bill No. 661), entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1341 (Senate Bill No. 328), entitled:

A further supplement to an act approved the seventh day day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1730, as follows:

An Act to amend an act approved the thirty-first day of March one thousand eight hundred sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the eighty-first section of an act approved the thirty-first day of March one thousand eight hundred sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" which reads as follows

"Section 81 If any person shall administer or cause to be administered or taken by another any poison or other destructive thing or shall stab cut or wound any person or shall by any means whatsoever cause any person bodily injury dangerous to life with intention in any of the cases aforesaid to commit murder such person shall be guilty of a felony and shall on conviction be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment by separate or solitary confinement at labor exceeding seven years" is hereby amended to read as follows

Section 81 If any person shall administer or cause to be administered or taken to another any poison or other destructive thing or shall stab cut or wound any person or shall by any means whatsoever cause any person bodily injury dangerous to life with intention in any of the cases aforesaid to commit murder such person shall be guilty of felony and shall on conviction be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment by separate or solitary confinement at labor not exceeding fifteen years

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1719, entitled:

An Act amending Article eleven of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the provisions relating to the Sinking Fund Commission

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article eleven of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one (Pamphlet Laws twenty) which reads as follows

ARTICLE XI

Sinking Fund Commission

Section 1 The Sinking Fund Commission shall consist of five persons Those appointed under this act shall divide themselves into classes by lot so that the terms of one of the members shall expire each year All vacancies shall be filled by appointment for the term of five years All moneys applicable to sinking funds shall be under the charge of the Commission and shall be used for the extinguishment of the city debt Such funds as are not immediately applicable for such purpose shall be invested in the purchase of loans of the city or if the same cannot be provured to advantage then in bonds of the United States or the State of Pennsylvania Councils shall make all necessary rules for the government of this department The commission shall from time to time and without unreasonable delay invest all balances remaining to the credit of the several sinking funds of said cities and not immediately applicable to the extinguishment of the city debt in loans of said cities or the loans of the United States or the loans of the State of Pennsylvania and the income derived from said investment shall be credited to the several sinking funds respectively to which the same belong and be invested in the same manner

All bonds held in the sinking fund or by any commission shall be stamped in a conspicuous manner so as to show that they have been purchased for that purpose and shall never be re-issued or sold except that bonds so held other than those of the city itself may if necessary at or immediately before the maturity of the bonds for which they are held be so in pursuance of an ordinance passed for that purpose in order to raise money to pay such bonds Whenever the bonds of such cities mature all such matured bonds held in sinking fund belonging to the matured issue shall be canceled any other bonds held in such sinking fund may be transferred to any other sinking fund in exchange at par any of the matured bonds held by them respectively and any money in such sinking fund may be transferred to such other sinking fund in purchase of such bonds held by them and the matured bonds so purchased or exchanged shall also immediately be canceled If the balance of cash in the sinking fund provided for such maturing debt and in the general sinking fund of the city be insufficient to pay the balance of bonds maturing the balance shall as far as possible be purchased out of any cash in the other sinking funds belonging to said cities respectively The bonds so purchased to be conspicuously stamped as hereinbefore provided and the interest thereon to continue and be ccredited annually to the proper sinking fund until the general sinking fund of said cities shall be sufficient to pay said matured bonds when the same shall be transferred to the proper sinking fund and such bonds canceled Whenever any new bonds shall be issued by any of said cities they shall be made payable in annual installments equal to the tax levied therefor and shall be paid annually from the funds so provided And on any such new issue of bonds the city shall invest the uninvested balances in its sinking fund therein except so much as may be required for the payment of any bonds which may mature during the fiscal year in which such bonds were issued taking by perference the bonds which will mature at or before the sinking funds to which such balances belong" shall be and the same is hereby amended to read as follows

On the question,

Will the House agree to the section?

Mr. LETZKUS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 11, after "those" insert "first".
Section 1, line 31, Amend the word fund to read funds.
Section 1, line 36. Strike out the word "are" being the last word on line and substitute the word "were."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The first section of Article XI was then read and agreed to as follows:

ARTICLE XI

Sinking Fund Commission

Section 1 The sinking fund commission shall consist of five persons Those first appointed under this act shall divide themselves in classes by lot so that the term of one of the members shall expire each year All vacancies shall be filled by appointment for the term of five years Councils shall make all necessary rules for the government of this department All moneys applicable to sinking funds shall be under the charge of the commission and shall be used for the extiguishment of the city debt

The second section of Article XI was read as follows:

Section 2 The commission shall from time to time and without unreasonable delay invest all balances remaining to the credit of the sinkink funds not immediately applicable to the extinguishment of the city in any proper bonds issued by such city the United States of Pennsylvania or by any county school district or municipal corporation of this Commonwealth or in any bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits and not otherwise Said commission shall as and when it deems it necessary have the right to sell or exchange at the market rate any bonds so purchased provided that no bonds so purchased shall be sold at less than par value and accured interest unless sand commission shall be authorized so to do by an ordinance of the council and the council shall appropriate and pay over to such sinking fund commission any such difference between the selling price thereof and par value and accured interest

On the question,

Will the House agree to the section?

Mr. LETZKUS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section 2, line 14, page 4. Strike out "sand" and insert "said."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section of Article XI was then read as follows:

Section 3 It shall be the duty of said sinking fund commission to establish and maintain a fund for the reduction and retirement of the funded indebtedness of said cities the whole or any part of which is outstanding Proper accounts shall be kept thereof and there shall be appropriated to and set apart annually for the sinking fund commission for each issue of bonds such nearly equal amounts at least as appropriated annually over the term of such bonds will at the earning or established rate of interest at the maturity of each issue of bonds equal the total amount of such issue The sinking fund commission shall provide each year an amortization schedule to be based upon the actual earning rate of interest on its investments and this amortization schedule shall be calculation taking into account any amounts of loss or gain there may be by reason of a losser or greater rate of interest being received than that used in the calculation for the preceding annual schedule Said commission shall always have on hand investments and moneys at least equal in amount to the total sum of such payments into the sinking fund plus the accrued interest earnings calculated on said basis

On the question,

Will the House agree to the section?

Mr. LETZKUS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 3, line 8, page 5. After "bond" insert "as."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The fourth, fifth, sixth and seventh sections of Article XI and title were then read and agreed to as follows:

Section 4 If at any time the amount of cash and investments held in the sinking fund exceed the proportionate amount required by section three hereof the sinking fund commission shall if it deems it expedient so to do have the right to credit such excess or any part thereof against the appropriation that would otherwise be required for the following year or years and the next and succeeding annual amounts required to be appropriated shall be reduced accordingly

Section 5 All moneys applicable to sinking fund purposes shall be deposited in separate accounts to the credit of the Sinking Fund Commission of such cities in such depositories as shall be selected by such cites and said commissio nshall require satisfactory security from all depositories to protect it from any loss by reason of making deposits therein

Section 6 All matured bonds held in such sinking fund shall at maturity be canceled As often as the sinking fund shall be in excess of the amount required by section three of this act said commission shall have the right to cancel to the extent of such excess any of its own bonds held in such sinking fund

Section 7 All bonds hereafter issued by said cities shall be made payable in equal annual installments

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1293, as follows:

A Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth providing for the election of such commissioner and prescribing his powers and duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the council of any borough in this Commonwealth owning and maintaining or that shall hereafter acquire and maintain any electric light plant electric power plant gas plant or other plant furnishing light heat or power to the inhabitants of such borough is authorized and empowered to elect one person as a commission of municipal lighting

Section 2 The commissioner of municipal lighting shall be elected for a term of two years and shall be paid such compensation as the council may determine The said commissioner shall be authorized to take full charge and control of any light heat or power plant and shall furnish such bond as the council shall require conditioned for the faithful performance of his duties

Section 3 The commissioner of municipal lighting with the consent and approval of the council of any such borough shall have power to appoint all necessary officers and agents and to take from them respectively such security for the faithful performance of their duty as he may deem proper to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of such light heat or power plant to provide for the erection of necessary poles stringing of wires the laying of pipes and conduits to collect rentals to make and establish the rates terms and conditions upon which light heat and power will be furnished to applicants therefor and to make rules and regulations for the economical and efficient management and protection of any such plant

Section 4 The commissioner of municipal lighting shall with the consent and aproval of the council of any such borough prepare plans and specifications of all work to be performed and materials necessary for the repair improvement and extension of any light heat or power plant and shall by due public notice invite proposals for the performing of all such work and the furnishing of such materials The said commissioner shall in all cases with the consent of the council let any contracts to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 5 The commissioner of municipal lighting shall make a monthly report to the council of the borough of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of any such light heat or power plant which shall be published by the council for the information of the public The said commissioner shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the commissioner and all moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending such light heat or power plant the erection of new plants or the payment of any indebtedness on any such plant and for no other purpose No money shall be drawn from said fund except on order of the borough council countersigned by the commissioner of municipal lighting

Section 6 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 16, as follows:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Section 2 Amend article eighteen of the Constitution of Pennsylvania which reads as follows

ARTICLE XVIII

Future Amendments

Amendments to Constitution—How Made

Section 1 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by a majority of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general election in at least two newspapers in every county in which such newspapers shall be published and if in the General Assembly next afterwards chosen such proposed amendment or amendments shall be agreed to by a majority of the members elected to each House the Secretary of the Commonwealth shall cause the same again to be published in the manner aforesaid and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by a majority of those voting thereon such amendment or amendments shall become a part of the Constitution but no amendment or amendments shall be submitted oftener than once in five years When two or more amendments shall be submitted they shall be voted upon separately" so as to read

ARTICLE XVIII

Future Amendments

Amendments to the Constitution—How Made

Section 1 All free governments are founded on the authority of the people and instituted for their peace safety and happiness For the advancement of these ends they have at all times an inalienable and indefeasible right to alter reform or amend their constitution in such manner as they may from time to time think proper Therefore the people of Pennsylvania reserve to themselves the right to initiate or propose additions or amendments to this constitution in substantially the following manner

Twenty-five thousand of the voters of the Commonwealth may by petition propose to the people of the Commonwealth for their adoption or rejection amendments or additions to this constitution Such petitions shall embody the proposed addition to the constitution or the article or section of the constitution as it would read before and after the proposed amendments Such petitions shall be filed in the office of the Secretary of the Commonwealth not less than one year before the general election at which the additions or amendments to the constitution are to be voted upon and the Secretary of the Commonwealth shall cause the said additions or amendments to be published once not less than ninety days or more than one hundred days before the said general election in at least two daily or weekly newspapers of general circulation in every county in the Commonwealth in which such newspapers shall be published and such proposed additions or amendments shall be submitted to the qualified voters of the Commonwealth at the said general election and each of such additions or amendments which shall be approved by a majority of those voting thereon shall become a part of the Constitution When two or more additions or amendments shall be submitted at the same election they shall be voted upon separately

Section 2 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by a majority of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published once not less than ninety days or more than one hundred days before the next general election in at least two newspapers in every county in which such newspapers shall be published and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by a majority of those voting thereon such amendment or amendments shall become a part of the Constitution When two or more amendments shall be submitted at the same election they shall be voted upon separately

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1692, as follows:

An Act giving the power to mayors of the third class cities of this Commonwealth to be present and vote at council meetings in order to make a quorum and cast a deciding ballot in case of a tie vote

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That mayors of the third class cities shall have the right power and authority to be present and vote as a member in either or both branches of councils with all the

powers of such in order to make a quorum or in order to cast a deciding vote when the vote cast is equally divided said vote may be cast in favor or against any and all measures or business or matters coming before said councils Provided however and under no condition shall said power be exercised or used by said mayors unless to make a quorum or decide a tie vote

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1805 (Senate Bill No. 66), entitled:

A Supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an apropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1616, as follows:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale or such lands for taxes

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That return of taxes assessed by the authorities of any county poor dirtict borough incorporated town or township against seated lands in such county poor district borough town or township shall be made whenever personal property cannot be found thereon sufficient to pay such taxes in the same manner and at the same time that return is now made for unpaid county taxes on unseated lands and whenever any such taxes against said lands in such county poor district borough town or township shall not be paid within two years after the date of the assessment thereof such seated lands in counties poor districts boroughs towns or townships shall be advertised and sold by the proper county treasurer at the time and in the same manner and under the same conditions and with the same effect as unseated lands are now sold by such treasurer for unpaid county taxes

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1886 (Senate Bill No. 552), entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements or the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1887 (Senate Bill No. 553), as follows:

Supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be in the cities of the first class of this Commonwealth a Department of City Transit which shall have charge control and management of the transit facilities of said cities and which shall be under the charge of a Director of City Transit

Section 2 The mayor shall nominate and by and with the advice and consent of select council shall appoint a Director of the Department of City Transit who will be hereinafter referred to as the Director

Section 3 The Director shall hold office for a term of four years from the date of his appointment provided he shall so long behave himself well and he shall be eligible for reappointment

Section 4 The Director shall have the power to appoint an assistant director who in the absence or incapacity of the Director to act shall possess all the powers and perform all the duties of the said Director until the incapacity or inability of the Director is removed or until a new Director is appointed as hereinbefore provided The Director shall also appoint a secretary and such other officers clerks employes engineers and experts as may be necessary for carrying out the provisions of this Act and shall prescribe the duties of all persons appointed by him He shall also prescribe the compensation of such persons to such extent as shall not otherwise be prescribed by councils

Section 5 The Director shall give bond in the sum of twenty-five thousand dollars for the faithful discharge of his duties to be approved in the same manner as bonds are approved in said cities

Section 6 The Director shall have the charge supervision and direction of any and all transit facilities purchased leased located constructed or otherwise acquired equipped owned maintained used or operated by said cities Such transit facilities shall include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards siding turnouts switches stations and approaches thereto cars and motive eqiupment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them It shall be the duty of the Director to take the necessary action to enforce and carry into effect the laws of the Commonwealth and ordinances of said cities pertaining to transit facilities as defined by this Act and any of them The Director shall from time to time make such recommendations to the councils of said cities as to him shall seem proper for the improvement and development of the facilities for transportation of persons and property within said cities

Section 7 The councils of said cities shall appropriate annually the funds necessary for the maintenance and operation of said Department of City Transit and from time to time such funds as may be necessary to carry out the purposes of this Act

Section 8 The Director shall have access to all records books maps surveys and papers in all Departments of said cities in any way pertaining to transit facilities as defined by this act or any of them All records books maps surveys and papers which have been kept in any other department or departments of said cities and which relate exclusively to transit facilities as defined by this act or any one or more of them shall be transferred to the Department of City Transit

Section 9 All Acts or parts of acts inconsistent herewith are hereby repealed

Section 10 This Act shall be in effect on and after the first day of July Anno Domini one thousand nine hundred and thirteen (1913)

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1804 (Senate Bill No. 65), entitled:

An Act to amend an act entitled 'A further supplement to an act entitled "An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes" approved the twenty-ninth day

of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1403 (Senate Bill No. 556), entitled:

An Act to permit of the re-location of certain portions of the track of Street Passenger Railway Companies with the consent of the local authorities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1815 (Senate Bill No. 502), entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 507, as follows:

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs within the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no ordinance resolution or other measure except emergency measures ordained and enacted by the legislative authorities of any borough in this Commonwealth shall become a law until the expiration of thirty days after its enactment An emergency measure shall be deemed to include only such measures as are immediately necessary for the temporary preservation of peace or health or for the safety of the community and shall not include more than one subject nor shall it grant or sell a franchise or license to a corporation firm or individual for a longer period than one year nor shall it include a provision for the purchse or sale by the municipality of real estate All emergency measures must be expressly stated to be such in the title and body of the measure and the fact creating the necessity shall be stated in one section of the measure and an emergency measure in order to become a law shall receive in its favor a two-thirds vote of all the members elected to such legislative body and in case such legislative body shall consist of more than one branch the emergency measure in order to become a law shall receive a two-thirds vote of all the members elected to each branch taken separately and may be vetoed by the chief executive officer of the municipality in the manner provided by the law for the vetoing of any other measure and the veto may be set aside as provided by the law for setting aside the veto of any other measure and such emergency measure may become a law on neglect of the chiew executive officer to act thereon as is provided by the law for other measures All emergency measures shall become and be in full force and effect upon their enactment unless otherwise provided in such emergency measures

Section 2 That during the period of thirty days following the enactment of any ordinance resolution or other measure five per centum of the voters of the municipality affected calculated upon the total vote cast for all candidates for the office of chief executive of the municipality at the last preceding election for that office may by referendum petition filed with the chief executive officer of the municipality demand that such ordinance resolution or other measure or any part or parts thereof shall be submitted by referendum ballot to the voters of the municipality affected for final decision at the polls in the manner provided by section eighteen of this act and such ordinance resolution or other measure so submitted shall become a law or be effective only in case it receives in its favor a majority of all the votes cast for and against the said measure Otherwise it shall be null and void and of no effect Provided that the portion of any measure upon which a referendum vote is not demanded shall become a law at the time measure upon which no referendum vote is demanded become laws

Section 3 Ten per centum of the voters of any borough calculated upon the total vote cast for all candidates for the office of chief executive of the municipality at the last preceding election for that office may propose to the legislative authorities thereof a peoples measure proposing the enactment of an ordinance resolution or other measure by initiative petition filed with the chief executive officer of the municipality who shall number the same as provided in section fourteen of this act and shall promptly transmit three certified copies of the same to each branch of the legislative body or to the legislative body in case it consists of but one branch of the municipality omiting however the names and addresses of the petitioners Any peopple measure thus proposed by initiative petition to the legislative authorities of any municipality shall have precedence over all over measures except emergency measures and shall be finally acted upon either by its enactment without change or by the said legislative authorities proposing a competing measure not later than within a period of three months from the filing of the said initiative petition with the chief executive officer of the municipality A competing measure competing with a peoples measure if propesed shall be proposed by passing the same in the manner provided by law for the enactment of other measures But no competing measure shall become a law unless it be approved by the electors at the polls in the manner provided for by this act Each of such competing measures shall bear the name "competing measure" and shall otherwise bear the same number and designating words as the corresponding peoples measure proposed by initiative petition

Any peoples measure so proposed by initiative petition unless the same shall have been enacted without change within a period of three months from the filing of such petition with the chief executive officer of the municipality shall as provided in section seven be submitted by the chief executive officer of the municipality by initiative ballot to the voters of the municipality affected together with any competing measure relating entirely to the same subject that may be proposed instead by the legislative body of the municipality All such measures shall be submitted in such form that the voters can choose between the peoples measures proposed by initiative petition and the competing measure or reject both by marking a cross (X) in the square to the right of the words indicating their choice

Section 4 If a peoples measure proposed by initiative petition is enacted without change by the legislative authorities of the municipality affected it shall not be submitted to the people for a referendum vote unless demanded by referendum petition in cordance with section two of this act or unless referred to the people by said legislative authorities of the municipality in the manner provided in section twelve of this act

When there has been a competing measure proposed by the legislative authorities of such municipality to compete with a peoples measure proposed by initiative petition at the pools the measure receiving in its favor a majority of the votes cast for and against both measures shall become a law

Section 6 Any measure on which a referendum vote of the people is demanded in accordance with section two of this act shall be submitted to thev oters of the municipality affected not later than the next succeeding election provided the petition for the referendum vote shall have been filed with the chief executive officer of the municipality at least thirty days before such election and provided that the legality of the petition if contested shall have been decided finally and in favor of the petitions at least three weeks before election day otherwise such measure shall be submitted by referendum ballot to a vote of the electors at the first general or special election held thereafter

Section 7 Any peoples measure proposed by initiative petition in accordance with section three of this act and not enacted without change within three months after the day of filing the petition with the chief executive officer of the municipality shall be submitted by initiative ballot together with any competing measure that may have been proposed by the legislative authorities to the voters of the municipality not later than the next succeeding election provided at least one hundred and thirty days intervenes between the day of filing the petition with the chief executive officer of the municipality and the election day but in case one hundred and thirty days would not intervene between the day of filing the petition and election day then the peoples measure proposed by initiative petition and by competing measure proposed by the legislative authorities shall be submitted by the initiative ballot to a vote of the electors at the next succeeeding general or special election held thereafter

Section 8 The chief executive officer of any such municipality shall issue a proclamation such as is provided for in section eighteen of this act and shall call a special election for the purpose of voting upon any measure if such special election be demanded by a vote of the majority of the members of each branch of the legislative body or by twenty per centum of the voters of the municipality affected calculated upon the total vote cast for all candidates for the chief executive officer of the municipality at the last preceding election for that office Provided however that no such special election shall be called except by proclamation of the chief executive officer issued and published at least three weeks prior to said election and in accordance with the provisions of section eighteen of this act

Section 9 Ordinances resolutions or other measures or parts thereof in all such municipalities except the emer-

gency measures provided for in section one of this act upon which a referendum vote of the voters is not demanded according to section two of this act shal become and be in full force and effect at the expiration of thirty days after enactment unless the time be extended by the measures

Section 10 All ordinances resolutions or other measures submitted to a vote of the legal voters and approved by a majority of all the votes cast thereon shall become effective or become laws and be in full force and effect from and after the date of the official announcement of the vote unless otherwise provided in such ordinances resolutions or other measures All ordinances resolutions or other measures or parts thereof which have been submitted to a final vote of the electors and not approved by a majority of all the votes cast thereon shall be null and void and of no effect

Section 11 The veto power of the chief executive officer shall not extend to the ordinances resolutions or other measures which have been proposed by the people by initiative petition or by the municipal legislative authorities and approved at the polls by the people in accordance with the provisions of this act

Section 12 The legislative authorities of any such municipality may enact measures expressly conditioned upon the ratification of the same by a majority of the voters voting thereon Such measures shall be submitted as referendum measures are submitted but without requiring referendum petitions to be filed thereon

Any ordinance resolution or other measure passed by the legislative authorities of any such municipality and intended to amend or repeal any ordinance resolution or other measure or part or parts thereof which was formerly approved by the voters at the polls shall be submitted to the vote of the voters acording to the provisions of this act but no referendum petition for the same shall be required and no such measure to amend or repeal such a measure shall be valid unless approved by the voters at the polls in accordance with the provisions of this act

Section 13 Referendum petitions required under section two of this act in case a vote on the whole measure enacted by ordinance or passed by resolution is desired shall set forth the official number of the measure and the full title and full text of the measure In case only a portion of such ordinance resolution or other measure shall be requested to be submitted to a referendum vote of the people under section two of this act the whole portion of such measure to be submitted shall be set forth separately in such petition together with the official number of the measure and the full title and text of the whole measure

Section 14 Initiative petitions immediately upon being filed with the chief executive officer of the municipality shall by him be numbered consecutively each municipality beginning with number one and continuing year after year without duplication of numbers Each peoples measure proposed by iniitiative petitions shall be designated in the proclamation provided for in section eighteen as "Peoples Measure number (.....)" (giving the number) and by designating words not exceeding one hundred which may be selected by the petitioners and by the full title and text of the measure so proposed and the said peoples measure shall be designated upon the official ballots in exactly the same manner as in the proclamation except that the text of the body of the measure need not be printed upon the ballots Each competing measure proposed by the legislative authorities shall bear the same number and designating words as the corresponding peoples measure both in the proclamation and upon the official ballots except that it shall have a suitable title and be called or named "competing measure" instead of "peoples measure" Each measure or portion thereof upon which a vote of the electors has been requested by referendum petition shall be designated in the said proclamation as a "referendum petition on ordinances (resolutio nor other measure as the case may be or portion thereof as the case may be) number (.....)" (giving the official number of the measure) together with the official title and the full text of the measure and separately the portion thereof to be submitted in case only a portion is to be submitted The delegation of such a measure upon which a referendum vote has been requested shall be exactly the same upon the official ballots as in such proclamation except that the full text of the body of the measure and the argument need not be printed upon the official ballots

Section 15 In order to make it convenient to secure signatures to petitions under the provisions of this act separate copies of petitions may be executed with the same force and effect as if all the signatures to said separate copies were appended to one original petition each petitioner shall add to his signature his place of residence All petitions shall be marked filed by the chief executive officer of the municipality upon the day the same shall have been received

Section 16 If any citizen desires to appear for or against the sufficiency of any such petition the chief executive of the municipality shall immediately proceed to hear testimony and arguments on the same and shall promptly render his decision as to the sufficiency of the same His decision may be appealed from to anl Court of Common Pleas within the same county as the municpality affected and such appeal shall be taken up and decided without delay by said court and shall have precedence over all other business In case the chief executive officer shall decide that the petition is insufficient he shall state in what respect it is insufficient and return the petition upon request to the petitions for correction which corrections may be made and the petition returned to the chief executive officer within five days and when so corrected and returned the petition shall be considered filed as of the date that the original petition was presented for filing No objection of the insufficiency of any petition shall be considered unless the same shal have been made in writing and filed within five days after the filing of the petition

Section 17 Each referendum petition initiative petition and competing measure may be accomanied by arguments prepared by the petitioners or a committee thereof consisting of not more than six hundred words for or against the measure to be voted upon Such arguments shall be included in the proclamation of the chief executive officer issued under section eighteen of this act and shall appear immediately following the respective measures to which it relates

Section 18 When any ordinance resolution or other measure or portion thereof is ready for submission to the voters the chief executive officer shall issue and publish a proclamation stating the date of the election and setting forth any and all referendum measures peoples measures and competing measures and other measures ready for submission to the voters and which are to be voted upon by the electors designating each in the manner provided for in section fourteen of this act Said proclamation shall be published once not less than twenty days or more than thirty days preceding the election in each daily newspaper in the municipality if there be such otherwise in the weekly newspapers thereof and in case no weekly newspaper be published in the municipality the proclamation shall be posted conspicuously throughout the municipality and copies shall be mailed to each registered voter thereof Said chief executive officer shall file five certified copies of such proclamation with the county commissioners of the county in which the muncipality is situated in order that said county commissioners may prepare the official ballots according to the provisions of this act

Section 19 The county commissioners of any county upon the receipt from the chief executive officer of any such municipality within the county of a certified copy of a proclamation such as is provided for in section eighteen of this act shall cause to be printed on the official ballots and sample ballots which are to be used at the polling places within such municipality substantially the forms required by section twenty-six of this act for the purpose of voting upon measures enumerated in this act and in the manner provided for in this act The said county commissioners shall designate each measure according to the manner required by section fourteen of this act The county commissioners shall as heretofore provide for the placing of suitable returning sheets and of all official ballots and sample ballots at the polling places at and before the opening of the polls on the day of election

Section 20 The compensation to be paid to election officer shall be the same as provided by law and shall be paid by the county commissioners of the proper county but any additional expense incurred by the county commissioners in executing the provisions of this act shall be charged to and paid by the municipality on account of which the said additional expense was incurred All other expenses of any and every kind made necessary in executing the provisions of this act shall be paid by the muncipality elected

Section 21 Elections provided for by this act shall be held at the regular polling places by the regular election officers and in case of the absence of the election officers or the absence of any of them their places shall be filled as provided by the law The said elections shall be conducted during the hours by law provided for and in accordance with the general election laws of the Commonwealth and any qualified voter may vote for or against any single measure and any qualified voter may designate his choice of two measures if one be a peoples measure and the other a competing measure or he may express his disapproval of both such measures by a cross mark (X) in a square of sufficient size on the official ballot at the right of the words indicating his choice The returns of election shall be on separate sheets and shall be delivered to the prothonotary of the Court of Common Pleas of the proper county and by him delievered to the judges of the Court or Courts of Common Pleas as provided by laws for computation and the result thereof shall be certified by the proper officer of the said Court of Courts of Common Pleas to the chief executive officer of the municipality who shall cause the same to be entered on the municipal records and the chief executive officer shall forthwith issue and publish a proclamation in brief form giving the results of such election The muncipal officer in charge of the municipal records shall keep a complete record of all measures and petitions filed and a completing record of the proceeding thereon

Section 22 In case a competing measure is submitted to a vote of the electors and neither it or the corresponding peoples measure receives in its favor a majority of all the votes cast for and against both of them the one receiving the larger vote in its favor if they together receive more than one-half of the total vote cast for and against both measures shall be re-submitted by itself at the next election the procedure to be the same as for a new peoples measure except that no measure competing when it shall be submitted and no additional petition shall be required and it shall be the duty of the chief executive to include the said measure in his proclamation to be issued before the next election under the provisions of this act

Section 23 Any measure or part or parts of any measure rejected by the people at the polls shall not be nor shall any measure containing substantially the same provisions be enacted by the legislative authorities of the municipality within two years after rejection nor shall such a measure be again proposed within two years after such rejectiou at the polls unless it is proposed by an initiative petition signed by twenty per centum of the legal voters of the municipality calculated upon the total vote cast for all candidates for the office of chief executive of the municipality at the last preceding election for that office

The following shall be substantially the form of referendum petition for a vote of the electors of such municipality upon any ordinance resolution or other measure or upon

any part or parts of any ordinance resolution or other measure enacted by the legislative authorities of the municipality The form of the referendum petition may be varied from so as to clearly indicate the measure or portion of any measure upon which a referendum vote is demanded

"Referendum Petition on:

Ordinance (or style of other measures as the case may be) Number....."

(To be numbered with the official number of the measure)

(Exact copy of the title and text of the measure)

"To the Honorable

Mayor (or Burgess or other chief executive officer as the case may be)

of the (name of the municipality)

"We the undersigned citizens and legal voters of the (name of the municipality) respectfully demand that the foregoing measure (or part of measure as follows namely .....as the case may be) shall be referred to the voters of the (name of the municipality and that a referendum vote be taken thereon in accordance with the provisions of an act of the Assembly relating to referendum voting approved (date of the act)

Residence Addresses	Give street and house number (if any)	Signatures
.....	.....	.....
.....	.....	.....
.....	.....	.....

Section 25 The following shall be substantially the form of an initiative petition for use in proposing any ordinance resolution or other measure or any amendment to or repeal of any ordinance resolution or other measure which the petitioners may propose for enactment by the legislative authorities of the municipality or else directly by the electors of the municipality The form of the initiative petition may be varied from so as to enable the petitioners to conveniently and clearly express he purpose of the petition

"Initiative Petition Number ———"

(Numbered by chief executive officer consecutively beginning at number one in the order of filing with the chief executive officer of the municipality)

(Designating words not exceeding one hundred selected by the petitioners)

(Full title and text of the proposed measure)

"To the Honorable

Mayor (or Burgess or other chief executive officer as the case may be)

of the (name of the municipality)"

"We the undersigned citizens and legal voters of the (name of the municipality) respectfully demand that the foregoing peoples measure shall be referred by you to the legislative authorities of the (name of the municipality) for enactment without change or else that the said foregoing peoples measure be referred to the voters of the (name of the municipality) and that an initiative vote of the electors be taken thereon in accordance with the provisions of an act of Assembly relating to initiative voting approved (date of the act)

Residence Addresses	Give street and house number (if any)	Signatures
.....	.....	.....
.....	.....	.....
.....	.....	.....

Section 26 (Forms of Ballots) the form of the referendum and initiative part or the lower part of official ballots shall be substantially the same as the following sample forms The proper designating words and number and titles and other features of measures to be voted upon shall be printed in their proper places on the official ballots and sample ballots

"Referendum and initiative part of official ballot"

"To indicate your choice place a cross mark (X) in the square opposite and to the right of the words expressing your choice"

"Peoples measure number (———) "Here insert the proper number"

(Here insert the proper "designating words" not exceeding one hundred)

(Here insert the proper title of the peoples measure)

"Competing measure number (———)" (Here insert the same numbers as that of the foregoing peoples measure"

(Here insert the proper title of the competing measure)

("Make one mark (X) only")

Mark Below

"I vote for Peoples Measure number ( )"

"I vote for Competing Measure number ( )"

"I vote against both measures"

"Referendum Petition on

Here insert the word "Ordinance" or style of other measure as the case may be

Number ———

(Here insert official number of measure)

enacted on ..... day of ....."

(Here insert official title of the measure)

("Make one mark (X) only")

Mark Below

"I vote against

Here insert the word "Ordinance" or style of other measure as the case may be

Number ———

"I vote in favor of

Here insert the word "Ordinance" or style of other measure as the case may be

Number ———

(In case only a part of an ordinance resolution or other measure is submitted for referendum vote then the form shall be substantially as follows)

"Referendum petition on Section Number ——— of Ordinance Number (———) enacted ..... day of ....."

(Here insert official title of ordinance resolution or other measure to be voted on

Mark Below

("Make one mark (X) only")

"I vote against said part of measure"

"I vot in favor of said part of measure"

Section 27 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

Section 28 The provisions of this act shall become operative and binding upon any municipality immediately after the legislative authorities of such municipality by resolution or the voters of said municipality by initiative petition and majority vote shall adopt its provisions Provided however that such vote of the voters of such municipality shall be taken in the manner provided in this act for voting upon other initiative petitions and upon said question of the adoption of this act by the voters of any municipality any and all of the provisions of this act shall for this purpose be in full force and effect and shall be available immediately upon the enactment of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 585, entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred and three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" which reads as follows "That the town council of each of said boroughs on the first Monday of March nineteen hundred and seven or as soon thereafter as practicable may elect by the vote of a majority of the members one person learned in the law who shall be styled the borough solicitor and shall serve for the term of three years from the first Monday of March succeeding his election and until his successor shall be duly qualified and the town council shall also fix the compensation he shall be allowed for said term Vacancies in said office shall be filled by the town council for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties to be approved by the town council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance" be and the same is hereby amended to read as follows

That the town council of each and every borough within this Commonwealth at the time of its biennial organization on the first Monday of January in any even numbered year or as soon thereafter as practicable may elect by the vote of a majority of the members one person learned in the law who shall be styled the borough solicitor and shall serve for the term of four years from the first Monday of January of the even numbered year in or succeeding which he was elected and until his successor shall be duly qualified and the said town council shall also fix the compensation he shall be allowed for said term Vacancies in said office shall be filled by the town council for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties or one trust or bonding company to be approved by the town council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance All borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven Pamphlet Laws one hundred and three at the date of the approval of this act whose terms of office expire prior to the first Monday of January of the next even numbered year shall continue to hold their offices until the first Monday of January nineteen hundred and fourteen and all borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven Pamphlet Laws one hundred and three at the date of the approval of this act whose terms of office expire at any time between the first Monday of January nineteen hundred and fourteen and the first Monday of January nineteen hundred and sixteen shall continue to hold their offices until the first Monday of January nineteen hundred and sixteen

On the question,

Will the House agree to the section?

Mr. MILLER. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 11. Before "That" insert "Section 1."
Section 1, line 27. Before "That" insert 'Section 1."
Section 1, line 44. After "the" insert "said."
Section 1, line 50. After "the" insert "said."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The preamble and title were then separately read and agreed to as follows:

Whereas, The time for the organization of the councils of the several boroughs of this Commonwealth has since the twenty-fifth day of April nineteen hundred and seven been changed from the first Monday of March of each and every year to the first Monday of January of each and every even numbereed year now therefore

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1228, entitled:

An Act amending section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for presrving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one as the same was amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine changing the method of service by advertisement of writs of scire facias issued upon municipal and tax claims

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for the municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) as amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws four hundred fifty-two) which as amended reads as follows

"Section 18 (As amended by act six May one thousand nine hundred and nine Pamphlet Laws four hundred and fifty-two) The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is in possession he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names in any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further seved as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said persons shall be served as in case of a summons by the sheriff of the county in which the said defendant or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto connat be found or their residencec within this Commonwealth are unknown or in case they reside without the Commonwealth the said writ may be served by advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein as to whom publication has been made shall file there affidavit of defense as required by the said writ within fifteen days after the date of the last weekly advertisement of the said writ Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served" shall be and the same is hereby amended to read as follows

Section 18 The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is in possession he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names in any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further served as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said persons shall be served as in case of a summons by the sheriff of the county in which the said defendant or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto cannot be found or their residence within this Commonwealth are unknown or in case they reside without the Commonwealth the said writ may be served by advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein as to whom publication has been made shall file there affidavit of defense as required by the said writ within fifteen days after the date of the last weekly advertisement of the said writ Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served

On the question,

Will the House agree to the section?

Mr. ISLER. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Section 1, line 53. Strike out "there" and insert "their."
Section 1, line 90. Strike out "council" and insert "counsel."

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act amending section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one as the same was amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine changing the method of service by advertisement of writs of scire facias issued upon municipal and tax claims

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1846 (Senate Bill No. 523), entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefitted and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1558, as follows:

An Act empowering cities of the second class to levy assess and collect taxes for general revenue purposes on street railway telegraph electric light or power water gas and heat companies or corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the second class are hereby empowered to levy asses and collect taxes for general revenue purposes upon all companies and corporations hereinafter named doing business in the said cities in the following manner to wit Upon each and every street railway company traction company or other company or corporation maintaining or operating a street passenger railway in said cities a sum not exceeding twenty-five cents per foot per annum for each lineal foot of track laid maintained used or operated by such company or corporation on public highways within the limits of said cities upon each and every telephone and telegraph and electric light or power company or corporation not more than the sum of one-half cent per foot per annum for each lineal foot of pole lines or wires erected maintained used or operated by such company or corporation upon over or across public highways where the wires are carried or maintained above the ground and not more than five cents per foot per annum for each lineal foot of conduit where the wires are carried underneath a public highway within the limits of said cities upon each and every water gas (whether natural or artificial) and heat company or corporation not more than the sum of three cents per foot per annum for each lineal foot of pipe laid maintained or used by such company or corporation under public highways within the limits of said cities

Section 2 When any city shall levy such tax it shall be the duty of the president secretary or treasurer of all of the companies liable to pay the same to make report under oath to the city assessors on or before the fifteenth day of January in each year succeeding the time when said tax shall be levied of the length of track wire conduit or pipe as the case may be laid erected maintained used or operated as aforesaid by such company or corporation The City assessors in case the said reports shall not be filed or in case they believe said reports to be incorrect shall estimate the length of track wire conduit or piped as the case may be laid erected maintained used or operated as aforesaid by said company or corporation In case the said assessors shall estimate the length of track wire conduit or piped to be greater than that reported by any of said corporations said corporation shall have the right to appeal from the decision of said assessors as is now done in cases of assessments of real etate The said assesor upon the receipt of aid reports or upon the making of the estimates as aforesaid shall determine the amount of taxes for which the said companies or corporations are liable under this act and report the same to the city or treasurer

Section 3 All taxes authorized under the provisions of this act shall be payable at the city treasurer's office on or before the first day of April of each year In case said taxes be not paid before the said date they shall be subject to the same penalties as taxes on real estate in said cities and shall be collected in the same manner as said taxes on real estate

Section 4 All acts or parts acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1826 (Senate Bill No. 294), entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for the compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1739, entitled:

An Act to provide for the protection of vehicular pedestrian and animal traffic under trolley wires on Public Highways in the Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any corporation to erect a trolley wire or wires over across or along any public highway within the Commonwealth in such place or in such manner that pedestrians animals or vehicles of any sort of nature must or might walk drive or pass under them without such trolley wire or wires be so supported that if such wire should break it could not fall or hang down lower than ten feet from the ground and where such trolley wires already erected such supports shall be placed so that all pedestrians animals and vehicles may be so protected within sixty days from the passage of this act

On the question,

Will the House agree to the section?

BILL RECOMMITTED.

Mr. ISLER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Roads.

Mr. STEELE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 525, as follows:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eeven which reads as follows

"Section 8 In all cases where a vacancy occurs in the board of township supervisors from any cause the court of quarter sessions of the peace of the proper county shall not less than ten days after the receipt of a petition signed by one or both of the remaining members of the board and not less than ten owners of real estate who are qualified electors of the township appoint a successor to fill the office for the unexpired term" be and the same is hereby amended to read as follows

Section 8 In all cases where a vancancy occurs in the board of supervisors from any cause the two remaining supervisors shall appoint a successor to fill the office for the unexpired term and shall certify his appointment to the prothonotary of the county within fifteen days thereafter In the event of the remaining supervisors failing to agree upon a person to fill the vacanacy or in the event of more han one vacancy occurring at the same time that the court of quarter sessions of the proper county upon petition of at least one supervisor and ten taxpayers of the township shall appoint a person or persons to fill the vacancy or vacancies for the unexpired term or terms

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consid eration of House Bill No. 1367, as follows:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk to countersign warrants on the county treasurer when properly drawn during such periods as any said county controller may have so designated such clerk in writing to the county treasurer in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties having a population of over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants according to the preceding United States census any couty controller is hereby authorized and empowered to designate in addition to the chief clerk who is now empowered by law so to do any clerk in his office to countersign warrants when properly drawn on the county treasurer whenever in the opinion of any such county controller it is necessary so to do for the public convenience which said warrants so countersigned by such clerk so designated shall be honored by the county treasurer with the same force and effect as if countersigned by the county controller or his said chief clerk during the period designated in writing to such county treasurer by the said county controller

Section 2 Any act or part thereof special general or local in so far as the same is inconsistent with this act is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consid eration of House Bill No. 1793, as follows:

An Act to amend section one of aritcle one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class" which reads as follows

ARTICLE 1

"Section 1 In cities of the second class the executive power shall be vested in a city recorder and in the departments authorized by this act the office of mayor in said cities is hereby abolished

"The city recorder shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected city recorder five years next before his said election unless absent on the public business the United States or of this State and shall reside in said city during his term of service the city recorder whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth he shall give bond in such sum as shall be determined by councils

"The city recorder shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office

If two or more candidates be equal and highest in votes one of them shall be chosen city recorder by a vote of the majority of all the members of the incoming councils in joint convention assembled immediately upon their organization

"When a vacancy shall take place in the office of the city recorder a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a city recorder pro tempore shall be chosen by councils in joint convention by the votes of the majority of members elected and the person elected city recorder shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of select council shall act as city recorder

It shall be the duty of the city recorder

1 To cause the ordinance of the city and the laws of the State to be executed and enforced

2 To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

3 To recommend by messge in writing to the councils all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient

4 To call special meetings of councils or either of them when required by public necessity

5 To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The city recorder shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month at such meetings he may call on the heads of departments for such reports as to the subject matters under control and management as he may deem proper which it shall be their duty to prepare and submit at once to the city recorder Records shall be kept of such meetings and rules and regulations shall be adopted for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the compartive fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted" is hereby amended to read as follows

ARTICLE 1

Section 1 In cities of second class the executive power shall be vested in the mayor and in the departments authorized by this act

The mayor shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by council

The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of four years from the first Monday of January next ensuing his election and serve until his successor is duly elected and qualified

If two or more candidates be equal and highest in votes one of them shall be chosen mayor by a vote of the majority of all the members of the incoming council in convention assembled immediately upon their organization

When a vacancy shall take place in the office of the mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case mayor pro tempore shall be chosen by council in convention by votes of the majority of members elected and the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the council to issue a proclamation for such convention to be held not less than ten days nor more than twenty days after such vacancy take place

Until the vacancy is filled the president of council shall act as mayor

It shall be the duty of the mayor

1 To cause the ordinances of the city and the laws of the State to be executed and enforced

2 To communicate to council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

3 To recommend by message in writing to the council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

4 To call special meetings of council when required by public necessity

5 To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regultions shall prescribe a common and systematic method of ascer-

taining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1828 (Senate Bill No. 394), as follows:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any unnaturalized foreign-born person to go fishing for or capture or kill in this Commonwealth any fish of any description Each and every person violating any provisions of this section shall upon conviction thereof be sentenced to pay a penalty of twenty dollars for each offense or undergo imprisonment in the common jail of the county for the period of one day for each dollar of penalty imposed

Section 2 That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint made to him by affidavit of one or more persons charging any person or persons with having violated the provisions of this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and cause such person or persons to be arrested and brought before such justice alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted upon such charge shall be sentenced by said justice alderman or magistrate severally to pay the fine or fines penalty or penalties provided in this act for such violations together with the costs of suit the whole of said fine shall be paid over forthwith to the treasurer of the county in which the prosecution was brought and said county treasurer shall pay over the same forthwith to the Commissioner of Fisheries for the benefit of the Commonwealth Provided That in case the defendant or defendants shall neglect to pay at once the fine or fines so imposed said defendant or defendants shall forthwith be sentenced to undergo imprisonment in the county jail of the county where such conviction takes place for the period of one day for each dollar of fine so imposed and unpaid unless the denfendant or defendants upon conviction shall give notice of intention to appeal when such defendant or defendants shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal is not taken by them or on the final determination of such appeal if it be not sustained for execution of sentence Provided also that all actions for any violation of any of the provisions of this act must be taken within one year from the time the offense was committed and when necessary to properly conduct any case before any alderman justice of the peace magistrate or any court the Commissioner of Fisheries is authorized to employ legal counsel

Section 3 That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating the provisions of this act and take such person or persons before any justice of the peace alderman or magistrate and thereupon make charge of such violation of this act and the justice of the peace alderman or magistrate shall forthwith hear and determine the charge as provided in section three of this act and in case any Fish Commissioner fish warden or any officer named above fails to prove his case and the defendant or defendants are discharged or in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of fine or fines penalty or penalties the county in which the case is heard shall pay the costs such arrests may also be made on Sunday in which case the person or persons so arrested for safe keeping may be committed to the jail or lock-up for that day but shall be taken before the proper magistrate and proceeded against on a week day following the arrest

Section 5 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1844 (Senate No. 417), as follows:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred and eleven Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved the fourteenth day of June Anno Domini one thousand nine hundred eleven Pamphlet Laws page nine hundred twenty-two which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission to consist of five members to be appointed by the Governor for a period of three years from the date of the approval of this act and to be called 'The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania' is hereby created with power, to ascertain determine upon and adopt the most efficient and practica. means for the prevention control and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introducton continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and methods of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employe such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a Commission to consist of five members to be appointed and commissioned by the Governor for a period of five years from the date of their appointment and to continue thereafter for such period as in the judgment of the Governor may be necessary to enable them to complete the work to be done under this act and to be called "The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania" is hereby created with power to ascertain determine upon and adopt the most efficient and practical means for the prevention control and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introduction continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and methods of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employ such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act Provided further That if the fungus causing the aforesaid disease be found to attack other species of trees such trees shall be deemed to come within the purview of this act

Section 2 That section two of said act which reads as follows

"Section 2 Any member of the commission or any of its duly authorized agents or employes shall have the right at any time to enter upon any premises wild lands farms fields private grounds and inclosures for the purpose of examining into the condition of any chestnut-tree or trees thereon and determining whether or not such trees or any of them have been attacked or infected by the chestnut-tree blight and whenever this disease is found to exist such commissioners their duly authorized agents and employes shall in all practicable ways co-operate with the owners of such trees in and for the removal care control and eradication of such disease and the prevention of its spread to other chestnut-trees upon adjoining and other properties shall specifically advise and direct such owner how he shall proceed for the accomplishment of these ends and shall leave with such owner his agent tenant or other representative having charge of such trees a notice in writing containing a description or plan specifically designating the trees so found to be diseased and full and specific instructions for the treatment of such trees or for the removal and destruction of designated parts thereof or of an entire tree or trees as the case may require" be and the same is hereby amended to read as follows

Section 2 Any member of the commission or any of its duly authorized agents or employes shall have the right at any time to enter upon any premises wild lands farms fields

private grounds and inclosures for the purpose of examining into the condition of any chestnut-tree or trees thereon and determining whether or not such trees or any of them have been attacked or infected by the chestnut-tree blight and whenever this disease is found to exist such commissioners their duly authorized agents and employes shall in all practicable ways co-operate with the owners of such trees in and for the removal care control and eradication of such disease and the prevention of its spread to other chestnut-trees upon adjoining and other properties shall specifically advise and direct such owner how he may proceed for the accomplishment of these ends provided he desire to do the work at his own expense and shall leave with such owner his agent tenant or other representative having charge of such trees a notice in writing containing a description or plan specifically designating the trees so found to be diseased and full and specific instructions for the treatment of such trees or for the removal and destruction of designated parts thereof or of an entire tree or trees as the case may require

Section 3 That section three of said act which reads as follows

"Section 3 If any owner of such trees so found to be diseased by the said commission its duly authorized agents or employes shall neglect or refuse to co-operate in applying the necessary remedies for the removal care control and eradication of such disease and the prevention of its spread to other chestnut-trees upon adjoining and other properties or shall neglect or refuse to comply with the requirements of the notice aforesaid prescribing the treatment which shall be applied to such trees so found to be diseased within twenty days from the time such notice shall have been served the said commission may at once proceed through its duly authorized agents and employes to do whatever may be found by it to be necessary and proper to accomplish the cure control or eradication of such disease and the prevention of its spread to other chestnut-trees and for this purpose whenever it may be found necessary may remove cut down and destroy or cause to be removed cut down or destroyed any trees or parts of trees so found to be infected with such disease and shall immediately thereafter duly certify to the owner of such trees so treated or destroyed or to his tenant agent or other representative in charge of such trees the amount of the cost or expenses actually incurred by the commission in the treatment removal or destruction of such trees and if the amount of such expense so certified shall not be paid by such owner of said trees so treated removed or destroyed within sixty days after it shall have been so certified the same may be recovered by the said commission from such owner by an action in the name of the Commonwealth in the same manner as debts of like amount are now recoverable and when recovered may be used by said commission in carrying out the purposes of this act

Provided however That any owner or owners of trees his or their tenants agents or representatives who may be dissatisfied with any devision order or notice of any member of the commission or any of its agents or employes directly or prescribing the treatment removal or destruction of trees belonging to or controlled by them shall have the right within ten days from the time of the service upon them of such order or notice to appeal therefrom in writing to the commission which shall thereupon without avoidable delay direct a re-examination of the premises or trees in question by competent experts who shall make report of their findings to the commission which shall then fix a time and a place for a hearing before it upon such appeal and notify the person making appeal thereof All further proceedings under such order or notice shall be suspended until the decision of the commission shall have been formally rendered" be and the same is hereby amended to read as follows

Section 3 Whenever trees affected by chestnut blight shall be discovered by the commission to exist upon any land within this Commonwealth the owner agent or other representative thereof if known shall be given notice in writing of existence of chestnut blight thereon as provided in section two of this act If such owner agent or other representative thereof shall not within ten days after the receipt of such notice proceed at his own expense to remove said diseased trees and follow the directions of the Commission with regard to the proper sanitary measures to be employed or shall within the same time file no appeal with the Commission as hereinafter provided The commission through its authorized agents and employes shall have power forthwith to enter upon any land where such diseased trees shall be found and at its own expense remove or otherwise treat the same employing such sanitary measures in so doing as will be found most expedient and are believed to be most efficient in the eradication of chestnut blight and the destruction of material infected therewith provided that wherever in the process of the removal of infected trees or the destruction of parts of trees infected with chestnut blight there shall result material which with proper precaution may be rendered merchantable and sold in the market such material after proper treatment shall be left upon the ground for the owner who shall remove the same therefrom within such reasonable time as may be prescribed by the commission in order to prevent further development of blight and infection of neighboring trees If the owner agent or other representative fail to remove said material with such reasonable time as may be prescribed the commission thereafter shall reenter said premises and destroy said material without recourse therefor to be had by the owner In case the owner agent or other representative of the owner of any land containing infected trees shall not be known or may not be discovered after diligent inquiry a notice as prescribed in section two of this act shall be mailed to the reputed owner agent or other representative of the owner at his last known address and a copy thereof posted upon the land At the expiration of said period of ten days if nothing shall have been done respecting the removal of said diseased trees the commission may proceed as in other cases where the owner agent or other representative of the owner is known and has been served with a copy of said notice Provided further that any owner of trees his agent or other representative who may be dissatisfied with any decision or notice of any member of the commission or any of his agents or employes shall have the right within ten days from the time of the service upon him of such decision or notice to appeal therefrom in writing to the commission which shall thereupon direct a re-examination of the trees in question The commission shall then fix to time and place for a hearing upon such appeal and notify the appellant thereof all proceedings to stay in the meanwhile

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1141, as follows:

An Act to fix the compensation and allowances for members of the General Assembly

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the compensation of members of the General Assembly shall be two thousand dollars for the regular biennial session and mileage to and from their homes at the rate of twenty cents per mile circular to be computed by the ordinary mail route between their homes and the capital of the State and five hundred dollars and mileage as aforesaid for each special or extraordinary session and no other compensation or allowance shall be allowed whatever

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 731, entitled:

An Act relating to mutual fire insurance companies and fixing penalties for violation of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every mutual fire insurance company doing business in this Commonwealth shall in the month of October in each year make such an assessment upon its members or stockholders as will with the cash on hand be equal to the entire indebtedness of such company including losses if any existing up to the first day of October of the particular year

On the question,

Will the House agree to the section?

Mr. METZENBACHER. Mr. Speaker, I desire to offer amendment to this section:

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend House Bill No. 731, Section 1, by striking out the words "Equal to" in line 7 and insert the words "sufficient to liquidate."

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 2 It shall be unlawful for any such mutual fire insurance company to carry over after the first day of November in any year any debt of any nature including losses if any without making an asessment as required in section one of this act or to refund or renew any indebtedness that has existed at least one year

Section 3 Any mutual fire insurance company or any officer or director of such company that shall directly or indirectly violate any of the provisions of this act shall be

guilty of a misdemeanor Upon conviction thereof the person or company so convicted shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) and such person so convicted shall also be sentenced to undergo imprisonment in the jail of the county for a period of not more than one year

Section 4 All acts and parts of acts inconsistent with this act are repealed

Section 5 In the discretion of the Insurance Commissioner a period of time not exceeding two years from the approval of this act may be allowed any mutual fire insurance company to enable it to comply with the provisions of this act

The title was read as follows:

An Act relating to mutual fire insurance companies and fixing penalties for violation of this act

On the question,

Will the House agree to the title?

Mr. METZENBACHER. Mr. Speaker, I desire to offer the amendments to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1, after "companies" insert "providing for assessments upon members or stockholders of such companies."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1190, as follows:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

Whereas It is now provided by law that upon the purchase merger or consolidation of other corporations the remaining or consolidated corporation shall be required to pay bonus only on the excess of the amount of the capital stock of the several corporations purchased merged or consolidated therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every trust company incorporated for the purchasing taking over merging or consolidating with any other trust company or purchasing taking over or consolidating with any bank banking company or saving institution where such purpose is expressed in its charter and any bank banking company or savings institution which is incorporated to similarly acquire any trust company bank banking company or other savings institution shall be required to pay upon its incorporation bonus on only the amount of the capital stock authorized by its charter which is in excess of the amount of the capital stock of the corporation or corporations purchased merged with or acquired

Section 2 That whenever any trust company after its incorporation purchases merges or consolidates with any other trust company or purchases takes over or consolidates with any bank banking company or savings institution or where any bank banking company or savings institution similarly acquires any other bank banking company or trust company or savings institution it shall be required to pay a bonus upon its capital stock only in excess of the combined capital of said corporations thus acquired provided that nothing contained in this act shall be construed to authorize the merger of trust companies with banks banking companies or savings institutions

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And the said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1871, as follows:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entitled "An Act relating to hawking and peddling in the county of Lehigh"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the tenth day of April one thousand eight hundred sixty-nine entitled "An Act relating to hawking and peddling in the county of Lehigh" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 45, entitled:

An Act prescribing the method of executing condemned criminals and regulating the same

Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11 and 12 were then separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person his aiders abettors and counsellors hereafter convicted of the crime of murder of the first degree shall be sentenced to suffer death in the manner herein provided and not otherwise Such punishment in every case must be inflicted by causing to pass through the body of the convict a current of electricity of intensity sufficient to cause death and the application of such current must be continued until such convict is dead The said punishment shall be inflicted by the warden or deputy warden of the Western Penitentiary or by such person as the warden shall designate and shall be inflicted in a building to be erected on the land owned by the Commonwealth in Centre county whereon the buildings of the new Western Penitentiary are to be built

Section 2 Whenever any person shall have been convicted and sentenced to death the clerk of the court where such conviction shall have taken place shall transmit to the Governor of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal

Section 3 After the receipt of the said record the Governor of the Commonwealth shall issue his warrant directed to the warden of the Western Penitentiary commanding said warden to cause such convict to be executed in said penitentiary within the week to be named in said warrant and in the manner prescribed by law

Section 4 Upon the receipt of such warrant the said warden shall duly notify the officer having the custody of such convict to deliver such convict to the custody of such warden and it shall be the duty forthwith to cause such delivery to be made Thereupon and until the penalty of death shall be inflicted or until lawfully discharged from such custody said convict shall be kept in solitary confinement in said penitentiary During such confinement no person except the officers of such penitentiary the counsel of such convict or a spiritual adviser selected by such convict or the members of the family of such convict shall be allowed access to such convict without an order of said court or a judge thereof

Section 5 No person except the following shall witness any execution under the provisions of this act the warden of the penitentiary where such execution takes place a qualified physician six reputable adult citizens selected by such warden one spiritual adviser when requested and selected by the convict not more than six duly accredited representatives of the daily newspapers and such officers of said penitentiary as may be selected by said warden

Section 6 After any such execution the warden of the Western Penitentiary shall certify in writing under oath or affirmation to the court of oyer and terminer of the county wherein such convict has been sentenced to death that such convict was duly executed at the place and in the manner prescribed in this act and at the time designated in the death warrant of the Governor Such certificate shall be filed in the office of the clerk of such court

Section 7 Immediately after execution a post mortem examination of the body of the convict shall be made by the physician present at the execution and his report in writing stating the nature of the examination so made by him shall be annexed to the certificate hereinbefore named and filed therewith After such post mortem examination the body unless claimed by some relative or relatives of the person so executed shall be delivered to the duly authorized agent of the State Anatomical Board

Section 8 The cost and expense incident to any such execution and such post mortem examination shall be paid from the contingent fund of the western Penitentiary

Section 9 The board of inspectors of the western Penitentiary shall immediately after the passage of this act cause to be erected an appropriate building located at such place on the grounds of the new western Penitentiary in Centre county as shall be agreed upon by the said board and shall also cause to be constructed in said building such electrical apparatus machinery and appliances as may be

suitable and sufficient to execute condemned criminals in the manner prescribed by this act

Section 10 For the purpose of erecting such building and purchasing such apparatus machinery and appliances and installing the same on the grounds of said penitentiary the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated

Section 11 The provisions of this act shall not apply to any person now under sentence of death but in such cases said death sentence shall be executed in accordance with the seventy-fifth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" and the seventy-sixth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" and other existing laws which said recited sections as well as all other acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed said repeal to take effect when all persons now under sentence of death thereunder shall have suffered death by hanging by the neck or their sentences shall have been commuted or otherwise disposed of according to existing laws

Section 12 This act is intended to furnish a comprehensive method of inflicting the death penalty If any portion of this act shall be declared invalid or unconstitutional by the Supreme Court of Pennsylvania the entire act shall thereupon be null and void

The title was read as follows:

An Act prescribing the method of executing condemned criminals and regulating the same

On the question,

Will the House agree to the title?

Mr. HESS. Mr. Speaker I desire to offer amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend by striking out title and inserting in lieu thereof the following: "An Act fixing the penalty for murder of the first degree, regulating the precedure incident thereto, prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Pentitentiary in Centre County, making an appropriation therefor, repealing certain acts and parts of acts and exempting from the operation of the act persons now under sentence of death."

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And the said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1237, as follows:

A Supplement to an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act authorizing the releases on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any convict in the State penitentiaries who is now serving under a sentence or sentences imposed prior to the first day of July one thousand nine hundred and eleven may when he or she shall have served one-half of such sentence or sentences be eligible to parole under the provisions and subject to the conditions of the act to which this is a supplement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1836, as follows:

An Act to repeal an act approved the second day of July one thousand nine hundred and one entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing removing or injuring the same what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisors of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the second day of July one thousand nine hundred and one entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing removing or injuring the same what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1525, entitled:

An Act regulating the safe conveyance of passengers in cars or rollercoasters by providing a guard for all openings and providing a penalty for the violation hereof

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cars used on roller-coasters for the conveyance of passengers shall be provided with guard rails for each opening on said car by means of which its passengers have ingress or egress

The second section was read as follows:

Section 2 It shall be the duty of every one in charge of the said car to see that the guard rails of said car are properly closed when the car is in motion

Any owners lease or persons in charge violating the provisions of this act shall be guilty of misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) or more than five hundred ($500) or by an imprisonment in the county jail for not less than ten days nor more than sixty days at the discretion of the court

On the question,

Will the House agree to the section?

Mr. GEARY. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 2, line 4, strike out "lease" insert "lessees."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act regulating the safe conveyance of passengers in cars or rollercoasters by providing a guard for all openings and providing a penalty for the violation hereof

On the question,

Will the House agree to the title.

Mr. GEARY. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1, strike out "or" insert "on."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1402 (Senate Bill No. 421), entitled:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy' " approved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five so far as it relates to Washington County

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1429, entitled:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of fully incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals

On the question,

Will the House agree to the section?

Mr. CLINTOCK. Mr. Speaker, I desire to offer an amendment to the section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Section 1, line 12, after the word "twelve" strike out the word "house" and insert 'hours".

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections of the bill were then separately read and agreed to as follows:

Section 2 Any person found guilty before any magistrate or alderman of violating the provisions of this act shall be fined in a sum not less than ten nor more than fifty dollars or by imprisonment for not more than six months said fine to be paid to any regularly incorporated society or association for the prevention of cruelty to animals which shall have jurisdiction in the county wherein suit is brought

Section 3 Any policeman or constable of any city of the first or second class or any agent of any regularly incorporated society or association for the prevention of cruelty to animals shall upon his own view of any such offence make arrest and bring before any magistrate or alderman offenders found violating the provisions of this act and any policeman or constable or any agent of any society as aforesaid shall also make arrests of such offenders on warrants duly issued according to law when such offence is not committed in view of said policeman constable or agent

The title was read and agreed to as follows:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of fully incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1864, as follows:

An Act directing the Legislative Reference Bureau to prepare a compilations or codes of topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Legislative Reference Bureau is hereby directed to examine the entire general statute law of this Commonwealth and to ascertain as nearly as may be what laws and parts of laws have been repealed or which have become obsolete and to prepare lists of the same It shall be the further duty of the Bureau to cause to be prepared for adoption or rejection by the General Assembly compilations by topics of the existing general statutes arranged by chapters and sections under suitable headings with accompanying lists of statutes to be repealed It shall be the further duty of the Bureau to cause to be prepared codes of the existing laws on each of such topics together with lists of statutes to be repealed in the event of the adoption by the General Assembly of any of such codes

Section 2 The bureau is authorized to employ such experts learned in the law or otherwise such clerical and stenographical and other help as the bureau shall deem necessary in carrying out the provisions of this act The bureau shall report to the next General Assembly for adoption or rejection such topics as have been completed

Section 3 The printing and binding deemed necessary by the director in the proper performance of the duties herein imposed shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon a requisition of the Director of the Bureau

Section 4 The compilations provided for in this act shall be under the special direction of the Assistant Director of the Legislative Reference Bureau learned in the law who shall receive in addition to his regular salary the sum of one thousand dollars ($1,000) a year for the two years of nineteen hundred thirteen and nineteen hundred fourteen

Section 5 To carry out the purposes of this act the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby specifically appropriated to the Director of the Legislative Reference Bureau

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1838, as follows:

An Act to repeal the seventh section of an act approved the fourth day of April one thousand eight hundred and seventy-two entitled "An Act to authorize the borough of Phoenixville to erect water and gas works and to supply the said borough with water and gas"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the seventh section of an act approved the fourth day of April one thousand eight hundred and seventy-two entitled "An act to authorize the borough of Phoenixville to erect water and gas works and to supply the said borough with water and gas" is hereby repealed

Section 2 This repeal shall not invalidate any obligations heretofore issued by the borough of Phoenixville

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1877 (Senate Bill No. 284), entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State hospital for criminal insane

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 920, entitled:

An Act to prohibit the marriage cohabitation and fornication of white persons with persons of negro blood and providing penalties for the violation thereof

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any white person to marry any persons having one-eighth or more negro blood All such marriages shall be void

Section 2 It shall be unlawful for any person authorized by law to solemnize marriages in this Commonwealth knowingly to join in marriage any white person to a person having one-eighth or more negro blood

Section 3 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars or to be imprisoned in the prison of the proper county for a period of not more than ninety days

The title was read as follows:

An Act to prohibit the marriage cohabitation and fornication of white persons with persons of negro blood and providing penalties for the violation thereof

On the question,

Will the House agree to the title?

Mr. DOWN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Title, line 1, strike out "cohabitation and fornication."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1878 (Senate No. 416), entitled:

An Ast granting to the Deleware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed date the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the County of Wayne

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1891, as follows:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gaging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor

Wheraes, The recent flood conditions have demonstrated the importance and necessity of establishing and maintaining gaging stations on the streams within the Commonwealth of Pennsylvania in order that freshet and flood conditions may be telegraphed and telephoned to certain municipalities where flood damage is likely to be caused forecasting as near as may be the probable maximum gage heigths expected to be reached and the probable time of the arrival of such gage heights; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the Water Supply Commission of Pennsylvania is hereby authorized to establish and to maintain such gaging stations on the principal rivers and tributaries thereof as in the judgment of the Commission may be necessary for the determination of the daily height of water in such streams and tributaries thereof as well as the amount of water flowing therein

Section 2 The Commission shall during freshet and flood conditions issue bulletins to be telegraphed or telephoned to such municipalities in the Commonwealth where flood damage is likely to be caused forecasting the probable maximum gage heights expected to be reached and the probable time of the arrival of such gage heights

Section 3 The sum of ten thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Water Supply Commission of Pennsylvania for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KITTS. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. C. A. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1359, as follows:

An Act to repeal the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" so far as it relates to the protection of raccoons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" is hereby repealed so far as it relates to the protection of raccoons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1109, as follows:

An Act amending section one of an act entitled "An Act empowering cities of this Commonwealth to grade pave curb macadamize and otherwise improve the public streets and alleys or parts thereof within their corporate limits without petition of property holders and providing for the payment of the costs damages and expenses thereof" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five as amended by act approved the twenty-fifth day of April Anno Domini one thousand nine hundred and three by changing the requirements in respect to publication of ordinances introduced and providing for the grading paving curbing macadamizing or otherwise improving any public street or public alley or part thereof where there is no petition of the property owners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the

same That section one of an act entitled "An Act empowering citizens of this Commonwealth to grade pave curb macadamize and otherwise improve the public streets and alleys or parts thereof within their corporate limits without petition of property holders and providing for the payment of the costs damages and expenses thereof" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and five) as the same was amended by an act approved the twenty-fifth day of April Anno Domini one thousand nine hundred and three (Pamphlet Laws three hundred and one) which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all cities in this Commonwealth shall have power without petition of property owners to grade pave curb macadamize and otherwise improve any public street or public alley or part thereof within their corporate limits Provided the ordinance or ordinances authorizing and directing such improvement shall be adopted and enacted by the affirmation vote of three-fourths of the members elect composing the councils of the said cities and shall be approved by the mayor or city recorder thereof No such ordinance shall be finally adopted and enacted in a less period than thirty (30) days from the date of its introduction and in the meantime copies of said ordinance shall be published in each of the official newspapers of such cities once a week for three consecutive weeks immediately following the introduction theroef and in the event such cities shall have no official newspapers then in at least two weekly newspapers published in the county in which the cities are situate once a week for three consecutive weeks" shall be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all cities in this Commonwealth shall have power without petition of property owners to grade pave curb macadamize and otherwise improve any public street or public alley or part thereof within their corporate limits Provided the ordinance or ordinances authorizing and directing such improvement shall be adopted and enacted by the affirmation vote of three-fourths of the members elect composing the councils of the said cities and shall be approved by the mayor or city recorder thereof No such ordinance shall be finally adopted and enacted in a less period than thirty (30) days from the date of its introduction and in the meantime and at least ten days before it is finally adopted and enacted a copy thereof shall be published in one of the official newspapers of such cities or if such city has no official newspaper than in one newspaper published in the county in which the city is situate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1040, as follows:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the City Treasurer of Philadelphia for an auctioneer's license and paid by said City Treasurer into the State Treasury

Whereas, Joseph Kalter did on the sixth day of February, one thousand nine hundred and thirteen, pay to the City Treasurer of Philadelphia as a fee for a State license to carry on the busines of an auctioneer the sum of five hundred dollars which said sum has been returned by the City Treasurer of Philadelphia to the Treasury of this Commonwealth; and,

Whereas, The said Joseph Kalter has never made use of said license nor engaged in the business authorized under it and is unable to make use of said license and engage in the business authorized under it; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the the sum of five hundred dollars is hereby appropriated for the purpose of refunding to Joseph Kalter of Philadelphia the amount paid by him for auctioneer's license number five hundred and eighteen issued on the sixth day of February one thousand nine hundred and thirteen Payment of said sum shall be subject to such conditions as may be imposed by the Auditor General and only after proof that such license has never ben used and has been surrendered and that said Joseph Kalter has never acted as auctioneer since the issue of such license

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 858, as follows:

An Act making an appropriation for the refunding of certain moneys mistakenly paid into the State Treasury by S. S. Caughey

Whereas, Susanah F. Caughey, of the City and County of Erie, died on the sixt hday of April, one thousand eight hundred and eighty-seven, leaving a last wil and testament under the terms of which her husband, S. S. Caughey, a resident of said City of Erie, inherited property of the approximate value of four thousand and eighty dollars ($4,080.00); and,

Whereas, The said S. S. Caughey, acting under the mistaken belief that the said bequest or devise was subject to the payment of collateral inheritance tax thereon has at divers times paid into the State Treasury as collateral inheritance tax thereon sums of money aggregating the sum of two hundred and four dollars ($204.00); and,

Whereas, It has not been and is not legally possible under existing laws for the said S. S. Caughey to obtain a return of said moneys so paid by mistake; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sum of two hundred and four dollars ($204.00) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of refunding to the said S. S. Caughey the moneys so paid by him into the State Treasury through ignorance of law said payments being made by him on acount of certain bequests or devises to him under the terms of the last will and testament of his deceased wife Susannah F. Caughey which bequests or devises he mistakenly believed to be subject to the payment of collateral inheritanse tax though in fact exempted by law from the payment thereof

Section 2 No payments shall be made under the provisions of this act until due proof shall have been furnished the Auditor General of the payments mentioned herein and alleged to have been mistakenly paid by the said S. S. Caughey

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1825 (Senate Bill No. 259), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred fifty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth' "

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 894, entitled:

An Act to prohibit the capturing killing or exposing to sale of woodcock within this Commonwealth for a period of six years and providing penalties for the violation of its provisions

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for and during a period of two years from and after the passage of this act it shall be unlawful to capture or kill or to attempt to capture or kill or to have in possession either living or dead or to expose for sale any woodcock within this Commonwealth

Section 2 Any person violating any of the provisions of this act shall be liable to a penalty of twenty-five dollars ($25.00) for each offense or in default of the payment thereof with costs of prosecution to undergo an imprisonment in the jail of the county where the offense is committed of one day for each dollar of penalty imposed

Section 3 All other acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act to prohibit the capturing killing or exposing to sale of woodcock within this Commonwealth for a period of six years and providing penalties for the violation of its provisions

On the question,

Will the House agree to the title?

Mr. GLENN. Mr. Speaker, I desire to offer the following amendment to the title:

The amendment was read by the Clerk.

Amend title by striking out in line 2, the word "six" and inserting therfor the word "two."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1853 (Senate Bill No. 717), as follows:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations heretofore or hereafter incorporated under any special or general law of this Commonwealth may at any time or times declare dividends of so much of their net profits as shall appear advisable to the directors such dividends to be paid to the stockholders or their legal representatives at such time after their declaration as the directors may fix but such dividends shall in no case exceed the amount of the net profits actually acquired by the company so that the capital stock shall never be impaired thereby

Section 2 That anything contained in any general or special law inconsistent with this act be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1435, as follows:

An Act to amend section one of an act entitled "An Act making it unlawful to treaspass upon land posted as private property and providing the penalty thereof" approved the fourteenth day of April Anno Domini one thousand nine hundred and five limiting the lands to which the provisions of said act shall apply

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty thereof" approved the fourteenth day of April Anno Domini one thousand nine hundred and which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person willfully to enter upon any land within the limits of this Commonwealth where the owner or owners of said land has caused to be prominently posted upon said land printed notices that the said land is private property and warning all persons from trespassing thereon under the penalty provided by this act" shall be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person willfully to enter without permission of the person or persons owning or controlling either wild lands set apart as game preserves either public or private the boundaries thereof being clearly defined by markers in the form of a fence a single wire or otherwise in such manner as will clearly establish the limits of such lands or upon wild lands set apart to public uses under the provisions of law or upon cultivated or improved lands within the Commonwealth or upon the wood lot adjacent to such cultivated lands and used in connection therewith after the owner or owners or other person controlling said lands has caused to be prominently posted and maintained along the borders of said property notices posted at intervals not to exceed one hundred yards plainly stating the purpose for which said lands are set apart and warning all persons from trespassing thereon under the penalty provided by this act Provided however That the provisions of this act shall not apply to wild lands in this Commonwealth not clearly defined by the markers and notices before mentioned and that trespassers upon wild lands in this Commonwealth not so designated by markers and notices shall be responsible only for damages actually done to said wild lands thus willfully entered it being clearly understood that nothing in this act shall be construed to permit shooting or hunting or fishing or trapping without permission of the owner thereof within the boundaries of lands so marked and defined as before mentioned or to allow trespassing in any manner or at any time within the boundaries of sanctuaries for game either public or private and upon which game is given absolute and continuous protection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1354, entitled:

An Act making it a misdemeanor to sell or offer for sale any ticket or tickets for admission to or for a seat or seats in any theatre or place of public amusement or entertainments for a sum in excess of the price regularly charged therefor by the management of such theatre or place of public amusement or entertainment and providing the penalty for violations of the provisions of such act

The first, second, third, fourth and fiifth sections were read separately and agreed to as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of every person who whether as owner manager or lessee or otherwise engages in the business of managing or conducting any theatre or other place of public amusement or entertainment and who shall sell or offer for sale or procure to be sold o roffered for sale any ticket or tickets for admission thereto or for a seat or seats therein to plainly print or cause to be printed upon the face of such ticket or tickets the price for which the same is to be sold at the box office of such theatre or other place of public amusement or entertainment

Section 2 It shall be unlawful for any person except a duly designated agent of such theatre or other place of public amusement or entertainment to sell or offer for sale any ticket or tickets for admission to any such theatre or place of public amusement or entertainment or for a seat or seats therein or for any person whatsoever to sell or offer for sale or procure to be sold or offered for sale any such ticket or tickets for a greater price than that so printed thereon as the price for which the same is sold at the box office of such theatre or other place of public amusement or entertainment

Section 3 Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of one hundred dollars for each ticket sold or offered for sale in violation of the provisions hereof

Section 4 This act shall take effect on the first day of August one thousand nine hundred and thirteen

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act making it a misdemeanor to sell or offer for sale any ticket or tickets for admission to or for a seat or seats in any theatre or place of public amusement or entertainment for a sum in excess of the price regularly charged therefor by the management of such theatre or place of public amusement or entertainment and providing the penalty for violations of the provisions of such act

On the question,

Will the House agree to the title?

Mr. HEIDINGER. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend the title by striking out all of the title after word "price" in line four and inserting in lieu thereof the following:

"printed thereon, or to sell any such ticket or tickets except as the duly designated agent of the theatre or other place of amusement or entertainment; and providing a penalty therefor."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1849 (Senate Bill No. 567), entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1368, as follows:

An Act authorizing the Water Supply Commission of Pennsylvania to locate construct maintain and operate a reservoir at or in the vicinity of the head waters of the Youghiogheny River upon lands situate wholly in this State or partly in this State and partly in the State of Maryland for the purpose of controlling and regulating the flow of the said Youghiogheny river and the river or rivers to which it is tributary defining the powers of said Commission for the purpose providing for the payment of damages for property and rights taken in exercise of the right of eminent domain herein conferred and making an appropriation for carrying out the provisions of this act

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Water Supply Commission of Pennsylvania is hereby authorized and directed to locate construct maintain and operate a storage reservoir at or in the vicinity of the headwaters of the Youghiogheny River for the control and regulation of the flow of said Youghiogheny River and the river or rivers to which it is tributary

The term "reservoir" as used in this act shall be construed to mean and include the basin for the storage of water together with all dams spillways gates operating machinery and other structures or devices used in connection therewith for the storage or release of water and the regulation of stream flow and all flowage and other rights and easements and all lands and waters appurtenant to these or any of them

The said commission may if it deem it advisable locate said reservoir wholly within this State or partly within this State and partly within the State of Maryland

Section 2 The said commission shall in carrying out the provisions of this act have full power and authority to employ counsel engineers draughtsmen clerks and employes as it may deem necessary to properly perform its duties all of whom shall receive such compensation and perform such duties as may be prescribed by the commission and it shall also have full power and authority to enter into all such contracts and agreements to acquire all such property and rights of any and all kinds both in this State and in the State of Maryland and to do all other acts and things which to it may deem necessary or desirable

Section 3 The said commission shall have power and authority to enter upon take use occupy and appropriate any lands rights of way rivers creeks lakes streams watercourses highways bridges buildings structures or other property or rights of property whether devoted to a public or private use which in the opinion of the Commission are necessary for the proper construction operation and maintenance of said reservoir and the said commission shall also have power and authority to enter upon any lands adjoining or in the neighborhood of said reservoir and to quarry dig out take and carry away therefrom any stone gravel clay sand earth wood or other material which may be necessary or proper for the construction operation and maintenance of said reservoir Before the commission shall enter upon take possession of or appropriate any of the above mentioned rights or property it shall when possible enter into an agreement with the owner or owners of any property damaged or likely to be damaged by the said entry taking or appropriation for the amount of compensation to be paid him or them by reason of said damage In case no agreement satisfactory to said commission and said owner or owners can be made the commission may enter upon take possession of and appropriate said rights and property and the owner or owners of said property damaged thereby may present their petition to the court of common pleas of the county in which such property is situated for the appointment of viewers to ascertain and assess such damages in the manner provided by the act of Assembly entitled "An Act to provide for the formation and regulation of certain corporations" approved the the twenty-ninth day of April one thousand eight hundred and seventy-four and all the proceedings upon said petition and by the viewers including the right to appeal shall conform to the practice and proceedings under said act and the amendments thereof and the supplements thereto Such damages when ascertained shall be certified by the commission to the Auditor General who shall pay the amount thereof by warrant drawn on the State Treasurer

Section 4 All contracts for work to be done under authority of this act exceeding in amount the sum of five hundred dollars shall be let to the lowest responsible bidder The commission shall have power to reject any or all bids not satisfactory bids Every person firm or corporation before being awarded any contract by the commission shall furnish a bond with sufficient surety or sureties acceptable to the commission in a sum equal to fifty per centum of the contract price of the work conditional for the faithful and complete performance of his or its contract Advertisements for proposals shall be made by the commission at least three weeks before the contract is awarded by notices inserted once a week in at least two newspapers of general circulation to be selected by the commission Said advertisement shall designate where the plans and specifications may be had and the time and place of the reception of the bids and the letting of the contract

All contracts shall be executed in the name of the commission and signed by the chairman and secretary

Section 5 That the sum of one million dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated to the water supply commission of Pennsylvania for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. STEELE. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

Mr. LESLIE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1650, as follows:

An Act requiring in certain counties that deeds conveying real estate recite the full consideration therefor and providing a penalty for the failure to recite such consideration

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of this State where it is required by law that any deed presented for record shall be registered in an office for registration other than the recorder's office it shall be the duty of the parties to any conveyance of real estate which is to be recorded to state in the deed the full consideration for such conveyance

Section 2 As a penalty for the failure to state the full consideration in any such conveyance it shall be lawful for the proper authorities or the county whose duty it is to assess for taxable purposes the real estate so conveyed to add to the fair assessable value thereof fifty (50) per centum of such value and the aggregate amount so obtained shall be the basis of the taxation of such property for the ensuing three years

Section 3 Whenever a penalty is so passed it shall be collectable in the manner provided by law for the collection of delinquent taxes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1881 (Senate Bill No. 643), entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1840 (Senate Bill No. 156), entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1653, as follows:

A Further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty one authorizing the Corporate Authorities of any borough to levy and collect a license tax on hacks carriages omnibuses and motor vehicles carrying persons or property for pay to regulate the operation and compensation of such vehicles within the limits of any such borough or between any such borough and other points or places"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the town council of each borough within this Commonwealth shall have power to enact ordinances establishing reasonable rates of license tax on all hacks carriages omnibuses and motor vehicles used in carrying persons or property for pay regulating the operation and compensation of such vehicles within the limits of any such borough or between any such borough and other points or places

Section 2 That the said ordinances shall be enforced as other ordinances are by law enforced and the license tax shall be collected as other license taxes fines and penalties are now authorized by law to be collected

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1824 (Senate No. 178), entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have obtained and providing penalties for violation of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 873, as follows:

An Act to amend an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same That the first section of an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the governor shall nominate and by and with the advice and consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the trustees of the State Hospital for the Insane at Danville Pennsylvania and shall manage and direct the concerns of the institutions and make all necesary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of and convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by appointment for three years and should any vacancy occur by death or resignation of any trustee such vacancy shall be filled by appointment for the unexpired term of such trustee the said trustees shall have charge of he general interests of the institution they shall appoint the superintendent who shall be a skillful physician familiar with the treatment of the insane subject to removal or re-election no oftener than in persons of ten years except by infidelity to the trust reposed in him or for incompetency said physician shall always reside in the hospital shall be a married man and his family shall reside with him the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of the other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the governor shall nominate and by and with the advice and consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the trustees of the State Hospital for the Insane at Danville Pennsylvania and shall manage and direct the concerns of the institutions and make all necesary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of and convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by appointment for three years and should any vacancy occur by death or resignation of any trustee such vacancy shall be filled by appointment for the unexpired term of such trustee the said trustees shall have entire charge of the management government and control of the institution they shall appoint the superintendent who shall be a skillful physician familiar wih the treatment of the insane subject to removal or re-election no oftener than in periods of three years except for infiedelity to the trust reposed in him or for incompetency said physician shall reside in the hospital and if he be a married man his family may reside with him at the expense of the hospital the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital

Section 2 Section two of said act which reads as follows

'Section 2 The superintending physician shall appoint and exercise entire control over all subordinate officers and assistants in the institution and shall have entire direction of the duties of the same" be and the same is hereby amended so as to read as follows

Section 2 The trustees shall appoint and exercise entire control over all subordinate officers and assistants in the institution and shall have entire direction of the duties of the same and of the management and government thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1486, as follows:

An Act relative to commissioners of townships of the first class and regulating their term and election

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election held in the year one thousand nine hundred and thirteen and quadrennially thereafter the qualified electors of each township of the first class shall elect the commissioners for such township who shall serve for a term of four years from the first Monday of January next succeeding such election If such township shall have five or more election districts the qualified electors of each district shall each elect noe commissioner If such township shall have four election districts the qualified voters of the district having polled the largest vote at the preceding election shall elect two commissioners and the remaining district each one commissioner If the township shall have but three election districts the qualified voters of the two districts polling the largest vote at the preceding election shall elect two commissioners and in the remaining district one Commissioner If the township shall have but two election districts the qualified voters in the district polling the largest vote at the preceding election shall elect three commissioners and in the other district two commissioners shall be elected If the township has but one election district the qualified voters of such district shall elect five commissioners

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1895 (Senate No. 831), entitled:

An Act amending section four and six of an act approved the second day of April one thousand nine hundred three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerk in the Department of Fisheries and repealing certain acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1909, as follows:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the county of Erie

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the county of Erie is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1306, as follows:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any firm person association or corporation to erect set up construct maintain or use any permanent booth or enclosure for the purpose of operating therein moving picture machines unless they are built erected and constructed as follows" is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person partnership association or corporation to operate any moving-picture machine unless the same be operated in a booth or enclosure which shall be constructed as follows

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1879 (Senate No. 464), entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the Courts of Common Pleas of this Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1852 (Senate No. 694), entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1810 (Senate No. 322), entitled:

An Act to extend the time for commencing and the time for opening and completing of certain railroads and railways in this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1907, as follows:

An Act regulating the furnishing of certain information by persons in the employ of this Commonwealth and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person in the employ of the government of this Commonwealth shall furnish to the government of the United States or of any State of the United States or of any other State or country any document paper record abstract statistics or memorandum or other information on file in or coming into the possession of branch of the government of this Commonwealth or obtained by such person in the course of his employment and shall receive therefor directly or indirectly any fee or emolument whatever such fee or emolument shall forthwith by such person be paid into the Treasury for the use of this Commonwealth

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) and in addition shall during a space of five years thereafter be incapable of holding any office of honor trust or profit within the limits of this Commonwealth

Section 3 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 266, as follows:

An Act making an appropriation to the Gettysburg Battlefield Memorial Commission for various purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-five thousand dollars ($55,000) or so much thereof as may be necessary is hereby specifically appropriated to the Gettysburg Battlefield Memorial Commission for the following purposes namely

(1) For procuring or erecting in appropriate places on the site of the Battle of Gettysburg bronze statutes eight feet in height on suitable pedestals and erected in memory of Generals Humphreys Hays Geary Crawford and Gibbon all of whom were Pennsylvanians in command of divisions at the Battle of Gettysburg

(2) For repairs to the Pennsylvania Memorial on the Battlefield of Gettysburg

(3) For the necessary correction of names on the tablets on said memorial

(4) For the printing and publication of the work of the Commission as well as the exercises at the dedication of the said memorial on September twenty-seventh one thousand nine hundred and ten This publication shall reproduce the names on the several tablets and shall contain half tones of the eight bronze statues now being made for the memorial and battle scenes on the memorial above the four arches

(5) For the necessary expenses of the Commission actually incurred in the performance of the duties prescribed in this act

Section 2 Four thousand copies of the publication of the Commission shall be printed Fifty copies shall be for the use of the Governor fifty for the use of the Secretary of the Commonwealth three hundred for the State Librarian fifteen for each Senator ten for each member of the House one hundred for the military order of the Loyal Legion of the State of Pennsylvania one hundred for the headquarters of the Grand Army of the Republic Department of Pennsylvania one hundred for the use of the headquarters of the Union Veteran Legion of the State of Pennsylvania fifty to the Adjutant General ten to the Legislative Reference Bureau and the balance for the use of the Gettysburg Battlfield Memorial Commission

Section 3 No moneys shall be paid out on account of said appropriation except upon warrants drawn by the Auditor General upon specifically itemized vouchers approved by the proper officers of the Gettysburg Battlefield Memorial Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1773, as follows:

An Act to amend section twenty-seven of an act approved the fourth day of June one thousand nine hundred one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-seventh section of an act approved the fourth day of June one thousand nine hundred one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the property liened and the manner of distributing the proceeds of such sales" which reads as follows

"Section 27 It shall be the duty of the prothonotaries of the Courts of Common Pleas to keep a locality index in which shall be entered all tax or municipal claims hereafter filed and upon any written order therefor they shall give a certificate of search showing all the claims filed against any property For so doing they shall receive the sum of twenty-five cents and five cents additional for each claim certified and no more" is hereby amended to read as follows

Section 27 It shall be the duty of the prothonotaries of the Courts of Common Pleas to keep a locality index in which shall be entered all tax or municipal claims hereafter filed Such tax or municipal claims shall not be entered in the judgment index Upon any written order therefor they shall give a certificate of search showing all the claim filed against and property For so doing they shall receive the sum of twenty-five cents (25c) and five cents (5c) additional for each claim certified and no more

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1760, as follows:

An Act to amend section twenty-three of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-three of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine which reads as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company street passenger railway company and every other company joint stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and owning operating or leasing to or from another corporation company association joint stock association or limited partnership any railroad pipe line slack water navigation street passenger railway canal or other device for the transportation of freight or passengers or oil and every telephone or telegraph company incorporated under the laws of this or any other State or of the United States and doing business in this Commonwealth and every express company incorporated or unincorporated doing business in thns Commonwealth and every firm co-partnership or joint stock company or association doing express business in this Commonwealth and every electric light company and every palace car and sleeping car company incorporated or uncorporated doing business in this Commonwealth shall pay to the State Treasurer a tax of eight mills upon the dollar upon the gross receipts of said corporation company or association limited partnership firm or co-partnership received from passengers and freight transported wholly within this State and from telegraph telephone or express business done wholly within this State or from business of electric light companies and from the transportation of oil done wholly within the State the said tax shall be paid semi-annually upon the last days of January and July in each year and for the purposes of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company firm co-partnership limited partnership joint stock association or corporations to transmit to the Auditor General a statement under oath or affirmation of the amount of gross receipts of the said companies co-partnerships joint stock associations or limited partnership derived from all sources and of gross receipts from business done wholly within the State during the preceding six months ending on the first days of January and July in each year and if any such company firm co-partnership joint stock association association or limited partnership or corporation shall neglect or refuse for a period of thirty days after such tax becomes due to make said returns or to pay the same the amount thereof with an addition of ten per centum thereto shall be collected for the use of the Commonwealth as other taxes are recoverable by law Provided That in any case where the works of one corporation company joint stock association or limited partnership are leased to and operated by another corporation company association or limited partnership the taxes imposed by this section shall be apportioned between the said corporation companies associations or limited partnerships in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company association or limited partnership operating the works and upon payment by the said company corporation association or limited partnership of a tax upon the receipts as herein provided derived from the operation thereof the corporation company joint stock association or limited partnership from which the said works are leased shall not be held liable under this section for any tax upon the proportion of said receipts received by it as rental for the use of said works" be and the same is hereby amended to read as follows

Section 23 That every railroad company pipe line company conduit company steamboat company canal company slack water navigation company transportation company street passenger railway company and every other company joint stock association or limited partnership now or hereafter incorporated or organized by or under any law of this Commonwealth or now or hereafter organized or incorporated by any other State or by the United States or any foreign government and doing business in this Commonwealth and owning operating or leasing to or from another corporation company asociation joint stock association or limited partnership any railroad pipe line slack water navigation street passenger railway canal or other device for the transportation of freight or passenger or oil and every telephone or telegraph company incorporated under the laws of this or any other State or of the United States and doing business in this Commonwealth and every express company incorporated or unincorporated doing business in this Commonwealth and every firm co-partnership or joint stock company or association doing business in this Commonwealth and every electric light company and every artificial gas company water company and water power company and every palace car and sleeping car company incorporated or unincorporated doing business in this Commonwealth shall pay to the State Treasurer a tax of eight mills upon the dollar upon the gross receipts of said corporation company or association limited partnership firm or co-partnership received from passengers and freight traffic transported wholly within this State and from telegraph telephone or express business done wholly within this State or from business of electric light companies or from business of artificial gas companies water companies or water power companies and from the transportation of oil done wholly within this State the said tax shall be paid annually in the month of January of each year for the last preceding calendar year and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said company firm co-partnership limited partnership joint association or corporation to transmit to the Auditor General a statement under oath or affirmation of the amount of gross receipts of the said companies co-partnerships corporations joint stock associations or limited partnerships derived from all sources and of gross receipts from business done wholly within the State during the preceding calendar year and if any such company firm co-partnership joint stock association or limited partnership or corporation shall neglect or refuse for a period of thirty days after such tax becomes due to make said returns or to pay the same the amount thereof with an addition of ten per centum thereto shall be collected for the use of the Commonwealth as other taxes are recoverable by law Provided That in any case where the works of one corporation company joint stock association or limited partnership are leased to and operated by another corporation company association or limited partnership the taxes imposed by this section shall be appor-

tioned between the said corporations companies associations or limited partnerships in accordance with the terms of their respective leases or agreements but for the payment of the said taxes the Commonwealth shall first look to the corporation company association or limited partnership operating the works and upon payment by the said company corporation association or limited partnership of a tax upon the receipts as herein provided derived from the operation thereof the corporation company joint stock association or limited partnership from which the said works are leased shall not be held liable under this section for any tax upon the proportion of said receipts received by it as rental for the use of said works

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1575, as follows:

An Act to further amend section twenty-one of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-one of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine which as heretofore amended reads as follows

"Section 21 That every corporation joint stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascertained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within thirty days from the date of settlement of the account by the Auditor General and State Treasurer Provided That for the purposes of this act interests in limited partnerships or joint stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint stock associations liable to tax on capital stock under this section shall not be required to make any report or pay any further tax on mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this act upon all securities so held by them as in the case of individuals and provided further That the provisions of this section shall not apply to the taxation of so much of the capital stock of corporations limited partnerships or joint stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State except companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain but every manufacturing corporation limited partnership or joint stock association shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to its manufacturing business in addition to the local taxes assessed upon its property in the districts where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business Provided further in case of fire or marine insurance companies the tax imposed by this section shall be at the rate of three mills on each dollar of the actual value of the whole capital stock" be and the same is hereby amended so as to read as follows

Section 21 That every corporation joint stock association limited partnership and company whatsoever from which a report is required under the twentieth section hereof shall be subject to and pay into the Treasury of the Commonwealth annually a tax at the rate of five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred as ascerained in the manner prescribed in said twentieth section and it shall be the duty of the treasurer or other officers having charge of any such corporation joint stock association or limited partnership upon which a tax is imposed by this section to transmit the amount of said tax to the Treasury of the Commonwealth within thirty days from the date of settlement of the account by the Auditor General and State Treasurer Provided That for the purposes of this act interests in limited partnerships or joint stock associations shall be deemed to be capital stock and taxable accordingly Provided also That corporations limited partnerships and joint stock associations liable to tax on capital stock under this section shall not be required to pay any further tax on the mortgage bonds and other securities owned by them which form part of its capital stock surplus and undivided profits belonging to the whole body of stockholders or members as such but corporations limited partnerships and joint stock associations owning or holding such securities as trustees executors administrators guardians or in any other manner than as aforesaid shall return and pay the tax imposed by this act upon all securities so owned or held by them as in the case of individuals and provided further That the provisions of this section shall not apply to the taxation of so much of the capital stock of corporations limited partnerships or joint stock associations organized for manufacturing purposes which is invested in and actually and exclusively employed in carrying on manufacturing within the State except companies engaged in the brewing or distilling of spirits or malt liquors and such as enjoy and exercise the right of eminent domain but every manufacturing corporation limited partnership or joint stock association shall pay the State tax of five mills herein provided upon such proportion of its capital stock if any as may be invested in any property or business not strictly incident or appurtenant to its manufacturing business in addition to the local taxes assessed upon its property in the districts where located it being the object of this proviso to relieve from State taxation only so much of the capital stock as is invested purely in the manufacturing plant and business Provided further in case of fire or marine insurance companies the tax imposed by this section shall be at the rate of three mills on each dollar of the actual value of the whole capital stock

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 912, as follows:

An Act laying a tax on anthracite coal and providing for the collection and distribution of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter every ton of anthracite coal of the weight of two thousand two hundred and forty pounds avoirdupois prepared for market in this Commonwealth shall be subject to a State tax of one and one-half per centum of the value thereof when prepared for market to be settled and collected as provided by law for other State taxes

Section 2 Every operator of an anthracite coal mine or mines in this Commonwealth shall report to the Auditor-General in the month of January in each year thereafter the number of such tons of anthracite coal mined by such operator within the calendar year then next preceding and the value thereof at the mouth of the mine Such report shall be in writing under the oath of the operator if an individual or of one of them if more than one individual or of a principal executive officer of a corporation limited partnership or joint stock association

Section 3 If any such operator shall fail to furnish such report within the time required it shall be the duty of the accounting officers of the Commonwealth to add ten per centum to the tax for each and every year for which such report was not so furnished which percentage shall be settled and collected with the said tax in the usual manner of settling accounts and collecting such taxes and if any individual operator or the officers of an operator being a corporation limited partnership or joint stock association or any of them shall intentionally fail to make such report he or they shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of five hundred dollars and undergo imprisonment not exceeding one year or both or either at the discretion of the court

Section 4 If the Auditor-General or State Treasurer is not satisfied with the report so made they are hereby authorized and empowered to make an estimate of the number of tons mined by the operator and to settle an account on the basis of such estimate for the taxes penalties and interest due the Commonwealth thereon with the right to the operator dissatisfied with any settlement so made to appeal therefrom in the manner provided by law and if no such report is made the Auditor-General and State Treasurer shall make an estimate and settle an account as aforesaid from which settlement there shall be a right of appeal in the manner provided by law

Section 5 Each county shal lreceive from the State Treasurer for its own use one-half of the said tax collected from operators in said county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1694, as follows:

An Act to provide revenue by taxation

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all obligations for money borrowed isusde by any corporation of this Commonwealth are hereby declared to be a separate class of property for purposes of taxation and an annual tax of four mills upon each dollar of par value of such obligation is hereby laid to be paid by the corporation It shall be the duty of the treasurer of every such corporation during the month of January of each year to assess the said tax upon the par value of all such obligations for the previous calendar year and to report the same to the Auditor General and it shall be the duty of the Auditor General and the State Treasurer to settle accounts for the said tax as other accounts for State taxes are now

settled Said report shall be under oath and for every failure to make report or to make payment of the said tax within sixty days after notice of the settlement of an account for the same a penalty of ten per centum shall be added to the said tax The Treasurer shall be entitled to a compensation of one per centum of the amount paid

Section 2 The tax laid by this act is upon the debtor and not upon the holder of the obligation but the said obligations in the hands of the holder shall be exempt from all other taxation now provided by law

Section 3 The word "corporation" as used in this act shall include all corporations joint stock companies partnerships limited and partnership associations organized under the laws of this Commonwealth for profit and not for profit and for whatever purposes organized

Section 4 If any treasurer of a corporation shall fail to make the report to the Auditor General required by this act he shall be deemed guilty of a misdemeanor and upon conviction be punished by a fine not exceeding one thousand dollars or imprisonment not exceeding six months or either or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 823 (Senate Bill No. 146), entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1516, as follows:

An Act to amend section two of an act entitled "A supplement to an act entitled 'An Act to provide revenue by taxation' Approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending and extending the provisions thereof" Approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "A supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending and extending the provisions hereof" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine which reads as follows

"Section 2 Every corporation limited partnership joint stock association partnership firm or association of individuals incorporated or unincorporated engaged in the business commonly known as express business shall pay to the State Treasurer for the use of the Commonwealth a tax of eight mills upon the amount of their gross receipts from express business done wholly within this State the said tax shall be paid semi-annually upon the last days of January and July in each year and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said corporation limited partnership joint stock association partnership firm or association of individuals to transmit to the Auditor General a statement under oath or affirmation of the amount of gross receipts of the said corporation limited partnership joint stock association partnership firm or association of individuals incorporated or unincorporated derived from all sources and of the gross receipts from business done wholly within the State during the preceding six months ending upon the first days of January and July in each year and if any such corporation limited partnership joint stock association partnership firm or association of individuals incorporated or unincorporated shall neglect or refuse for a period of thirty days after such tax becomes due to make said returns or to pay the said tax the amount thereof with an addition of ten per centum thereto shall be collected for the use of the Commonwealth as other taxes are recoverable by law No other tax upon express receipts or upon the privilege of transacting express business shall be collected without further authority of law to be hereafter enacted Provided That this act shall not be construed to repeal or take the place of the tax upon capital stocks now imposed by law but the tax on gross receipts hereby imposed shall be in addition to the tax on capital stock imposed by existing law upon any of the corporations companies or associations hereby taxed" be and the same is hereby amended so as to read as follows

Section 2 Every corporation limited partnership joint stock association partnership firm or association of individuals incorporated or unincorporated engaged in the business of carrying baggage or persons or in the business commonly known as express business or in any other business of a like character and commonly known as transfer companies express companies and companies doing similar business shall pay to the State Treasurer for the use of the Commonwealth a tax of eight mills upon the amount of their gross receipts from transfer express and similar business done wholly within this State the said tax shall be paid semi-annually upon the last days of January and July in each year and for the purpose of ascertaining the amount of the same it shall be the duty of the treasurer or other proper officer of the said corporation limited partnership joint stock association partnership firm or association of individuals to transmit to the Auditor General a statement under oath or affirmation of the amount of gross receipts of the said corporation limited partnership joint stock association partnership firm or association of indivduals incorporated or unincorporated derived from all sources and of the gross receipts fom business done wholly within the State during the preceding six months ending upon the first days of January and July in each year and if any such corporation limited partnership joint stock association partnership firm or association of individuals incorporated or unincorporated shall neglect or refuse for a period of thirty days after such tax becomes due to make said returns or to pay the said tax the amount thereof with an addition of ten per centum thereto shall be collected for the use of the Commonwealth as other taxes are recoverable by law No other tax upon transfer express and similar receipts or upon the privilege of transacting transfer express and similar business shall be collected without further authority of law to be hereafter enacted Providing That this act shall not be construed to repeal or take the place of the tax upon capital stock now imposed by law but the tax on gross receipts hereby imposed shall be in addition to the tax on capital stock imposed by existing law upon any of the corporations companies or associations hereby taxed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 513, as follows:

An Act making an appropriation to the Brelsford Packing and Storage Company and Evans Burtnett Company of Harrisburg in payment for meats and groceries furnished by them at the instance of the Adjutant-General of Pennsylvania under direction from the Governor for the relief of the sufferers from the Austin Dam disaster occurring September thirteenth one thousand nine hundred and eleven

Whereas The Adjutant General under the direction of the Governor purchased and forwarded to Austin Potter County Pennsylvania certain supplies for the relief of sufferers from the disaster which befell that community on Saturday September thirteenth one thousand nine hundred and eleven and

Whereas none of the appropriations made by the General Assembly at the session of one thousand nine hundred and eleven was available for such an emergency and

Whereas the bills so contracted by the Adjutant-General remain unpaid therefore

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of eleven hundred and sixty-three dollars and ninety-nine cents ($1,163.99) be and is hereby appropriated for the payment of the following bills for supplies furnished namely

Brelsford Packing and Storage Company of Harrisburg Pennsylvania for meats eleven hundred and eighteen dollars and fifty-three cents ($1,118.53)

Evans-Burtnett Company Harrisburg Pennsylvania for groceries forty-five dollars and forty-six cents ($45.46)

Section 2 The Auditor General is hereby directed to draw warrants upon the State Treasurer payable to the respective amounts upon proper vouchers being filed with him and certified to as correct by the Adjutant-General

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1690, as follows:

An Act to repeal an act entitled "An Act to amend the first section of an act entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled "An Act to provide revenue by taxation" approved

the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollar of its actual value' by relieving and exempting from the provisions thereof savings institutions having no capital stock" approved May first one thousand nine hundred and nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That an act entitled "An Act to amend the first section of an act entitled ' A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred dred and eighty-nine entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollars of its actual value' by relieving and exempting from the provisions therof savings institutions having no capital stock" approved May first one thousand nine hundred and nine be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1689, as follows:

An Act to provide for the assessment and collection of taxes on personal property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all taxes on personal property for the year one thousand nine hundred and eleven and every year thereafter may be recovered by the Commonwealth by an action of assumpsit in any court having jurisdiction in addition to any other manner provided by law

Section 2 Such actions shall be conducted under the direction of the Auditor General and for that purpose he may employ one or more counsel at a reasonable compensation to be fixed by him

Section 3 In all cases where no assessment for personal property tax shall have been made against a person or persons corporation limited partnership or joint stock association liable therefor any year and in all cases where any false return or returns of such taxes shall have been made by any person or persons corporation limited partnership or joint stock association liable therefor and no revision of such return shall have been made by any officer charged by law with such revision the Auditor General may at any time within twenty-one years thereafter make a return or revised and corrected estimated return thereof and proceed to the collection of the taxes as required by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1311, as follows:

An Act prohibiting the destruction damaging or tampering with or feloniously taking and carrying away any part of any elevator or elevator equipment or elevator machinery

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That each person shall be guilty of a felony who shall damage or destroy or tamper with any elevator or elevator equipment or elevator machinery or who shall feloniously take and carry away any part of such elevator or equipment or machinery

Section 2 Each person who shall be convicted of a violation of any of the provisions of this act shall be sentenced to a fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000) and to undergo an imprisonment by separate or solitary confinement at labor for a period of not less than one year nor more than ten years without suspension of sentence

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. RONEY. Mr. Speaker, I move that House Bill No. 1311, file folio 2985, be recommitted to the Committee on Judiciary Special.

Mr. JAMES A. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1312, as follows:

An Act prohibiting the destruction damaging or tampering with or feloniously taking and carrying away of any part of any apparatus or equipment used by persons firms corporations or municipalities to convey alarms of fire or used to extinguish fire and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That each person shall be guilty of a felony who shall damage or destroy or tamper with any apparatus or equipment used by any municipality or by any person firm or corporation to convey alarms of fire or used to extinguish fire

Section 2 Each person shall be guilty of a felony who shall feloniously take and carry away any part of any equipment or apparatus mentioned in section one of this act

Section 3 Each person who shall be convicted of a violation of any of the provisions of this act shall be sentenced to pay a fine of not less than one thousand dollars ($1,000) nor more than five thousand dollars ($5,000) and to undergo an imprisonment by separate or solitary confinement at labor for a period of not less than one year nor more than ten years without suspension of sentence

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. RONEY. Mr. Speaker, I move that House Bill No. 1312, file folio No. 3123, be recommitted to the Committee on Judiciary Special.

Mr. JAMES A. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. ALLEN. Mr. Speaker, I move that House Bill No. 1070, file folio 4207, be recommitted to the Committee on Judiciary General, for the purpose of amendment.

Mr. NEELY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 412, entitled:

An Act authorizing and directing the State Treasurer to refund to Fannie C. Spiers the amount illegally demanded and collected as a State license fee from her as the proprietrees of a moving picture place in the State of Pennsylvania

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sum of five hundred dollars ($500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to Fannie C. Spiers of the City of Philadelphia or her legal representatives

Said sum of five hundred dollars ($500.00) being the amount which the city treasurer of the City of Philadelphia illegally demanded and collected from the said Fannie C. Spiers as proprietress of a moving picture place located at Numbers two hundred and twenty-two two hundred and twenty-four two hundred and twenty-six East Girard Avenue in the City of Philadelphia State of Pennsylvania on the thirty-first day of October one thousand nine hundred and ten as the State license fee due the said State treasurer under the act of June twenty-four one thousand eight hundred and ninety-five (Pamphlet Laws two hundred and forty-nine) and the amendment thereto of May twenty-three one thousand nine hundred and seven (Pamphlet Laws two hundred and nineteen) the said Fannie C. Spiers not being liable for the payment of a State license fee under the decision of the Superior Court of Pennsylvania in the case of the Commonwealth of Pennsylvania versus Fannie C. Spiers to October term one thousand nine hundred and eleven Number two hundred and seventy-four upon the appeal of the plaintiff from the judgment of the court of common pleas number five of the County of Philadelphia to September term one thousand nine hundred and eleven Number two thousand seven hundred and fifty-one upon a case stated

The title of the bill was read as follows:

An Act authorizing and directing the State Treasurer to refund to Fannie C. Spiers the amount illegally demanded and collected as a State license fee from her as the proprietress of a moving picture place in the State of Pennsylvania

On the question,

Will the House agree to the title?

Mr. WALNUT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend line 2 of the title by striking out the words "Authorizing and directing the State Treasurer to refund" and insert "making and appropriation."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1600, entitled:

An Act empowering counties to construct operate and maintain public highways public highway bridges and tunnels in the several counties of this Commonwealth either wholly within or partly within any city borough or township therein authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches therto authorizing counties to lay out open widen straighten or extend streets and alleys or parts thereof within the boundaries of any city borough or township therein so as to connect said bridges and tunnels or public highways or roads leading thereto with any public highways therein or so as to connect any other county bridge or road or hereafter constructed with any public highway within such city borough or township and to grade pave macadamize or otherwise improve the same and authorizing the taking of property for all or any of said purposes providing for the payment of the cost and expense thereof and compensation therefor and damages resulting therefrom and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes

The first, second, third fourth fifth sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth and seventeenth sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several counties of this Commonwealth shall have the power and they are hereby authorized whenever the commissioners or a majority of them shall by resolution duly adopted deem it expedient so to do and upon approval thereof by a grand jury and by the court of quarter sessions as hereinafter provided to cause to be constructed operated and maintained under the provisions of this act a public highway public highway bridge or public highway tunnel or such highways bridges and tunnels or such highways bridges tunnels subways or underground roads within such counties either wholly within or partly within or extending through any city borough or township therein and such counties shall also have power and they are hereby authorized to lay out open widen straighten or extend any street or streets alley or alleys or parts thereof within the boundaries of any city borough or township therein so as to connect or more adequately to connect such bridges or tunnels or roads leading to them with any street or streets of the said cities or boroughs or so as to connect or more adequately to connect any other county bridge or highway now or hereafter constructed with any street or streets within such city borough or township provided however that the consent of such city or borough to the construction wholly or partly within its boundaries of such highway bridge tunnel street or alley shall be by ordinance first had and obtained and such county shall have power and they are hereby authorized to grade pave macadamize or otherwise improve the said highways streets and alleys and any highway bridge or tunnel street or alley constructed under the provisions of this act shall forever thereafter be a county highway bridge tunnel street or alley and the duty of maintaining the same and keeping it or them in repair shall devolve upon the county and the expense thereof shall be paid by the county as hereinafter provided

Section 2 Whenever the commissioners of any county shall resolve to construct any public highway bridge or tunnel or to lay out open widen straighten or extend any street or streets alley or alleys or parts thereof in accordance with the provisions of this act they shall cause to be prepared surveys and plans for said highway bridge or tunnel street or streets alley or alleys with an estimate of the cost and expense of the same and shall thereupon present such surveys plans and estimate or a copy thereof together with their petition to the court of quarter sessions of the county and upon the filing thereof the court shall direct notice to be given of the same substantially describing the location and termini of said public highway bridge tunnel street or streets alley or alleys by publication at least one a week for three consecutive weeks in at least two newspapers of general circulation published in the county wherein said proposed highway bridge or tunnel street or streets alley or alleys are to be constructed and of the time when said application is to be laid before the grand jury and after advertisement as aforesaid the said court shall cause said application to be laid before the grand jury when in session and if a majority of said grand jury after a full investigation by the grand jury shall approve of the same they shall certify their aproval to the court whereupon the said court shall fix such time for filing exceptions to said proceedings as the court shall deem proper and upon hearing thereof the said court may for cause shown disallow said application but if no sufficient cause be shown to the contrary said application shall be approved and the said court shall thereupon order that said public highway bridge tunnel street or alley be constructed or the street or streets alley or alleys be laid out opened or otherwise improved as herein provided for in accodance with the plans and surveys accompanying the said application and thereupon sai dconstruction of said public highway bridge or tunnel street or streets alley or alleys as set forth in said proceedings shall remain absolute

Section 3 For the purpose of making all necessary preliminary surveys in order to propare such plans and estimates the commissioners of the several counties of this Commonwealth and the persons by them employed for such purposes shall and are hereby given the right to enter upon private or public property and designate by proper marks upon the gound the line and location of any highway bridge tunnel street or alley proposed to be constructed under and for the purpose authorized in section one of this act

Section 4 When said application surveys and plans shall have been finally approved by such court and said public highway bridge or tunnel street or streets alley or alleys ordered to be constructed as aforesaid the said county commissioners or a majority of them shall endeavor to agree with the persons or parties interested in the properties affected thereby as to the damages if any sustained by reason of the takin ginjuring or destroying such property and upon agreement being made the said county commissioners shall report the same to such court showing the amount of damages agreed to be paid and the names of the persons or parties to whom the same are payable and upon the approval thereof by such court the said damages shall be payable by said commissioners out of the moneys specifically raised for such purposes in the manner hereinafter provided

Section 5 In case the said commissioners or a majority of them and the parties interested in the land upon or under which such public highway bridge or tunnel street or streets alley or alleys shall be or is to be constructed as aforesaid fail to agree upon the compensation to be made for the property so taken injured or destroyed by reason of such construction then upon petition of such commissioners or a majority of them or of any person or parties interested in said proposed construction and whose property or land is affected theeby to a court of common pleas of said county the said court of common pleas shall appoint three disinterested freeholders residents of the county aforesaid as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the proposed construction and view the same and the properties affected thereby The said viewers snall give at least ten days' notice by publication in the newspapers aforesaid of the time and place of their first meeting and shall also give notice thereof by handbills posted in conspicuous places in the vicinity of the said proposed highway bridge tunnel subway or underground road street or alley

Section 6 The said viewers having been duly sworn or affrmed faithfully justly and impartially to decide and true report make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire under the provisions of this act and having viewed the properties connected with and affected by said proposed improvement shall hear all parties interested and their witnesses and having due regard to the advantages and disadvantages shall estimate and determine the damages if ny for the property taken used or appropriated and to whom the same are payable They shall give at least ten days' notice thereof in the manner herein provided to all parties interested of the time and place when said viewers will meet

and exhibit their report and hear any exceptions thereto After making whatever changes are deemed necessary and proper said viewers shall make report to said court showing the damages if any allowed and file therewith a plan showing the properties acquired taken used and appropriated for the purpose aforesaid and the names of the parties or persons to whom such damages are payable The said viewers shall have the right to adjourn from day to day as may be found necessary and to administer oaths to all parties and witnesses appearing before them and desiring to be heard upon all matters connected with the construction maintenance repair change or extension of the highway bridge tunnel street or alley as aforesaid In constructing said public highway bridge tunnel street or streets alley or alleys it shall be lawful to enter upon take and use whatever land may be necessary for the proper construction thereof and of the proper approaches slopes fills embankments the damages thereof if any shall be taken into consideration and determined and reported by the said board of viewers in the manner hereinafter provided

Section 7 All damages found awarded or sustained for or on account of the construction maintenance and operation of any public highway bridge tunnel street or streets alley or alleys under the provisions of this act and all costs and expenses thereafter incurred in repairing and maintaining such highway bridge tunnel street or streets alley or alleys shall be paid from funds raised by taxation or by bonds as hereinafter provided and authorized

Section 8 The viewers provided for in the preceding sections may be apointed before or at any time after the entry taking appropriating or injury of any private property used and acquired in said construction The costs of the said viewers and all court costs incurred including all advertising and notices shall be paid by said county and each of the said viewers shall be entitled as compensation to a sum not exceeding five dollars per day for every day necessarily employed in performing the duties herein prescribed

Section 9 Upon the report of said viewers or a majority of them being filed in said court the county or any party in interest may within thirty days thereofter file exceptions to the same and the court shall have the power to confirm said report or to modify change or otherwise correct and amend the same or refer tne same back to the same or new viewers with like power as to their report or within thirty days afte the filing of any report in court the county commissioners on behalf of the county or any party whose property is taken injured or destroyed may appeal therefrom and demand a trial by jury and the county or any party interested may within thirty days after final decree and confirmation of said report by said court have an appeal to the supreme court That said court of common pleas shall have the power to order and direct what notices shall be given in connection with any part of said proceedings and make such orders as it may deem requisite in the premises For the purposes of this act it shall be lawful for a majority of said board of viewers to hear determine pass upon and report all matters in this act relating to said viewers but all said viewers shall act unless prevented by sickness or other unavoidable cause

Section 10 After said surveys and plans and the aforesaid application to the court of quarter sessions shall have been approved by the court and the said public highway bridge or tunnel street or street salley or alleys as decreed by said court of common pleas ordered to be made and constructed in accordance therewith the commissioners or a majority or them of the respective counties where said improvement is made or to be made and constructed shall invite proposals for the making and constructing of the same or such part or parts of same as the commissioners shall deem proper by publication in at least two newspapers of general circulation published in said county or if no newspaper be published in said county then in a newspaper or newspapers published in the county adjoining once a week for four consecutive weeks fixing a time therein when such proposals will be opened and contracts therefor awarded In addition to the notices so oredered to be given for publication there shall be posted in the office of said commissioners of the respective counties like notices as those now given inviting proposals for the construction and repair of all public roads and bridges The contract or contracts as afoesaid shall be awarded by the said commissioners or a majority of them to the lowest responsible bidder No contract shall be awarded for any of said public work until proper bonds shall be given for the faithful performance thereof by the person or persons to whom the same shall be awarded with proper security to be approved by said commissioners or a majority of them Any incorporated company doing business within any of said counties authorized by law to become security for persons or corporations may be taken and accepted as surety upon the bonds herein required to be given

Section 11 For the purpose of performing all necessary duties relating to the construction improvement and repair of public highways bridges tunnels street or streets alley or alleys subways and underground roads herein authorized the said county commissioners or a majority of them of the several counties of this Commonwealth are hereby authorized to employ or appoint proper persons to prepare said surveys plans and estimates and to do all necessary and proper work connected therewith and shall fix the compensation of all persons so employed

Section 12 The said county commissioners or a majority of them of the several counties of this Commonwealth are hereby authorized and empowered to make and enter into a contract or lease with any street railway or transportation company o other public service corporation of the same or different kind its successors or assigns for the concurrent use of such a portion of said public highway bridge tunnel street or streets alley or alleys as shall not substantially impair or restrict the publlic use and enjoyment thereof upon such terms and conditions as shall be agreed upon Provided however That no such contract or lease for the concurrent use of a portion of such improvement shall be for a longer term or period than twenty years and Provided further that no contract or lease shall be made or entered into by the said county commissioners or a majority of them affecting the public use and enjoyment of said improvement or any part thereof except upon and after any such contract or lease has been duly approved by the court of quarter sessions of the proper county and the county commissioners shall have power to demand receive and compel the payment of tolls or charges from persons using or traveling over or upon said highways bridges or tunnels at such reasonable ates as the commissioners shall from time to time determine

Section 13 The said commissioners or a majority of them of the several counties of this Commonwealth are hereby authorized to levy assess and collect an annual tax of not more than two mills on the dollar on all real and personal property within said county now or hereafter taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in locating opening widening straightening extending constructing maintaining and repairing public highways public highways bridges or tunnels street or streets alley or alleys constructed unde the provisions of this act and the taking using and enjoying of such land as may be made necessary in constructing the same and in maintaining proper slopes embankments approaches and termini for said highways bridges tunnels streets or alleys and the money so raised shall not be used or expended for any other purpose than that named in this section All warrants for the payment of all or any portion of the money raised for the purposes aforesaid shall be issued by said commissioners or a majority oft hem in the manner now provided by law in the several counties upon estimates which shall be made from time to time by the person charged with such duties and the amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work therein authorized

Section 14 The said commissioners ora majority of them of the several counties of this Commonwealth are hereby authorized to issue bonds to an amount not exceeding one-half per centum of the assessed valuation of all real and personal property within said county now or hereafter taxable for county purposes for the purpose of funding any indebtedness ceated by the constructiono f said public highways bridges or tunnels street or streets alley or alleys as above provided Provided That aid bonds shall be payable in not less than five yeas and not more than thirty years after date of their issue and that the same shall bear interest at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semi-annually and the said bonds shall not be sold or exchanged for less than their par value and accured interest

Section 15 Said commissionerso r a majority of them are hereby authorized to make provision for a sinking fund to pay at maturity any bonded indebtedness which may be incurred as hereinbefore provided and to levy and collect taxes on all the taxable property in the several counties in addition to all other taxes for the purpose of paying the same

Section 16 Should any board of county commissioners in the exercise of the powers herein conferred deem it neces sary or advisable to enter upon highway or highways in any city or borough or take any other action affecting the property rights or authority of such city or borough for the purpose of constucting or maintaining a highway bridge tunnel or approaches thereto street or streets alley or alleys or otherwise the consent thereto of such city or borough shall by ordinance be first had and obtained

Section 17 All acts or parts of acts inconsistent herewith be and the the same are hereby repealed

Mr. STEELE. Mr. Speaker, I desire to offer the following amendment to the bill.

The amendment was read by the Clerk as follows:

Amend by adding the following as Section 18:

Section 18. This act shall not become operative in any county until, at a special election held for such purpose it shall have been adopted by the majority of qualified electors of the county voting at such election. Such special election shall be conducted in the same manner as an election held for increasing the indebtedness of such county.

On the question,
Will the House agree to the amendment?
On the question,
Will the House agree to the section?
They were agreed to.

The title of the bill was then read and agreed to as follows:

An Act empowering counties to construct operate and maintain public highways highway bridges and tunnels in the several counties of this Commonwealth either wholly within or partly within any city borough or township therein authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches thereto authorizing counties to lay out open widen straighten or extend streets and alleys or parts thereof with the boundaries of any city borough or township therein so as to connect said bridges and tunnels or public highways or roads leading thereto with any public highways therein or so as to connect any other county bridge or road now or hereafter constructed with any

public highway within such city borough or township and to grade pave macadamize or otherwise improve the same and authorizing the taking of property for all or any of said purposes providing for the payment of the cost and expense thereof and compensation therefor and damages resulting therefrom and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1618, entitled:

An Act authorizing Boyd L. Hunter a citizen of Centre County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the General Assembly of the Commonwealth of Pennsylvania by virtue of the power vested in it by section eleven of article first of the Constitution of Pennsylvania does hereby authorize and allow Boyd L. Hunter a citizen of Centre County Pennsylvania to bring suit either at law or equity in the courts of common pleas of Dauphin County against the said Commonwealth of Pennsylvania for such sum or sums of money that may be legally or justly due the said Boyd L. Hunter by the said Commonwealth of Pennsylvania Said suit or suits to be subject to the same rules of pleading evidence and appeal as other suits brought in said court are subject

On the question,

Will the House agree to the section?

Mr. GRAMLEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend in Section one, line 9, by striking out the word "Dauphin" and insert in lieu thereof the word "Centre."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read as follows:

An Act authorizing Boyd L. Hunter a citizen of Centre County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

On the question,

Will the House agree to the title?

Mr. GRAMLEY. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend in line two in title by striking out the word "Dauphin" and insert in lieu thereof the word "Centre."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1536, as follows:

An Act authorizing counties to charge telephone telegraph electric light or gas light companies or other public service corporations now maintaining poles on county roads a reasonable license fee providing for the removal of such poles in case of non-payment requiring such companies hereafter occupying county roads to agree in writing with the county commissioners in relation to such occupancy and the compensation to be paid therefor and providing for the use of all moneys received under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That wherever any portion of any county road in any county of this Commonwealth is now occupied by the poles of any telegraph telephone electric light or gas light company or any other public service corporation it shall be lawful for the county commissioners of the proper county and they are hereby authorized and empowered to impose a reasonable license fee upon any such company for each pole occupying a portion of any such road and also for every mile of wire now placed upon or over such road Upon the failure of any such company to pay a reasonable license fee the county commissioners of the proper county are hereby authorized and empowered to remove such poles together with the apparatus incident thereto from the road

Section 2 Whenever any telephone telegraph electric light or gas light company or any other public service corporation shall hereafter desire to occupy any portion of any county road with its poles wires conduits or other apparatus incident to the successful operation of its business such company before occupying any portion of any such road shall first enter into a written agreement with the county commissioners of the proper county which shall impose a reasonable compensation for the use of the portion of such county road by such poles wires conduits or other apparatus of such company The agreement shall also stipulate the length of time that the company shall occupy the road and shall provide the terms and conditions under which repairs or renewals to the poles wires conduits or other apparatus shall be made The county commissioners in any such case shall have the right to designate the part of the road to be used by the company

Section 3 All moneys received from any telephone telegraph electric light or gas light company or other public service corporations shall be paid into the county treasury of the proper county to be used for the improvement and maintenance of county roads

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MAJORITY REPORT FROM THE COMMITTEE APPOINTED TO INVESTIGATE DUAL OFFICE HOLDING.

Mr. GEISER. Mr. Speaker, I ask unanimous consent to present a report of a special committee at this time.

The SPEAKER. This is the report of the committee appointed to investigate the matter of dual office holding. What is the pleasure of the House?

Mr. RONEY. Mr. Speaker, I move that the report be received and that only such portion of the report be printed as is embodied in the report of the committee, and the testimony and exhibits, which are of a voluminous nature, be not printed.

Mr. GEISER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, would it not be well, in a matter of that kind, before we know what we are closing the door on, to know how much information is contained in the report of the committee? It might be when the report itself is printed that the report would indicate nothing of what was in the body of the report; not that I know anything about the report or about the testimony, but we are anticipating, before we vote upon this motion, that the report itself is at least comprehensive in the several matters covered; but I do not want to close the door on myself or any one else before we know what the contents are.

Mr. HUMES. Mr. Speaker, I would amend the motion of the gentleman from Philadelphia to provide for the printing of the report proper and that the balance of the report be laid on the table for the present, with the opportunity for any one to investigate it with a view to taking further action if desirable.

Mr. BALDWIN. Mr. Speaker. I would like to ask the gentleman, is that with the understanding that it can be lifted?

Mr. HUMES. Mr. Speaker, yes, sir.

Mr. RONEY. Mr. Speaker, I take it that a motion to lay it on the table is wholly unnecessary. Of course, the report in toto will become a report of this House and may be consulted by any member of the House that cares to go to the transcribing room; and the only thought I had was to save the printing in the Legislative Journal of the testimony and exhibits which may be consulted at any time by any member.

Mr. HUMES. Mr. Speaker, my suggestion is that we ought not by our action now to preclude the future publishing of the testimony or any of the accompanying documents, if it was deemed advisable upon investigation to publish it, and by simply laying on the table it is left open for future action.

Mr. DeFREES. Mr. Speaker, I agree with the gentleman from Crawford, that the printing of the report, if deemed necessary, ought not to be precluded.

Mr. HUMES. Mr. Speaker, as I understand the motion, it was, that part of the report be printed and that the balance be not printed.

The SPEAKER. The motion was that the report be printed, but that the testimony and exhibits attached thereto be not printed.

Mr. HUMES. Mr. Speaker, that was the reason I suggested the advisability of laying the balance upon the table.

Mr. ALLEN. Mr. Speaker, I will second the motion of the gentleman from Crawford, that the motion be amended by adding that the exhibits and testimony lie on the table for the present.

The SPEAKER. The question is on the adoption of this amendment to the motion of the gentleman rrom Philadelphia.

Mr. ALLEN. Mr. Speaker, the original motion would be perfectly in order, it strikes me, if it would be amended that the report of the committee be printed at this time, which would leave the whole matter open for such further action as the House may see fit to take, because I imagine that the report of the committee bases its findings and conclusions on the accompanying documents which are referred to in that report.

Mr. RONEY. Mr. Speaker, my thought was to save the expense of printing, but in view of the fact that there does not seem to be an objection raised to the matter of expense, I would withdraw my original motion, and now move that the report, as submitted by the gentleman from Northampton, be printed in toto.

The SPEAKER. The gentleman cannot withdraw his motion, pending the consideration of the amendment thereto, as the Chair understands it.

Mr. HUMES. Mr. Speaker, I withdraw my amendment.

Mr. RONEY. Mr. Speaker, I withdraw my previous motion and now move that the entire report, including the testimony and exhibits, be printed in the Legislative Journal.

Mr. DeFREES. Mr. Speaker, I second the motion.

Mr. ALLEN. Mr. Speaker, to harmonize with the very first thought of the gentleman from Philadelphia in making his motion, I move to amend the motion now before the House, that the report proper of the committee be printed at this time and that the balance of the report be received.

Mr. KITTS. Mr. Speaker, I second that motion.

The SPEAKER. The gentleman from Allegheny moves a substitute that the report of the committee be printed at this time and that the testimony and exhibits—the Chair does not recall the latter part of the gentleman's motion.

Mr. ALLEN. Mr. Speaker, it was that the report proper be printed in the Journal at this time and the accompanying documents be received.

The SPEAKER. Is this substitute seconded?

Mr. HESS. Mr. Speaker, I second it.

The SPEAKER. The question is on the substitute offered by the gentleman from Allegheny, to-wit: that the report be received, and the report proper be printed in the Legislative Journal at this time and that the testimony and accompanying documents be received.

The adoption of the substitute was agreed to.

The SPEAKER. The question now is on the motion as substituted, namely: That the report proper be received and printed in the Legislative Journal, and that the accompanying testimony and exhibits be received.

The motion was agreed to.

The report is as follows:

REPORT OF COMMITTEE ESTABLISHED BY HOUSE RESOLUTION NO. 10.

FRED E. GEISER, Chairman.
CHARLES J. RONEY, Jr., Secretary.
CHARLES A. SCHAFFER, Member.
J. H. DEFREES, Member.
WILLIAM D. WALTON, Member.

Report of Committee Under Resolution No. 10.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

your committee established under resolution No. 10, adopted by the House of Representatives February 19, 1913, to inquire into the facts and to make report as to persons in the employ of the several departments of this Commonwealth holding more than one position under the administration, respectfully reports:

Your committee was composed of five members, consisting of F. E. Geiser, Chairman; Charles J. Roney, Jr., J. H. Defrees, Charles A. Schaffer and William D. Walton, and immediately after its establishment organized and elected Charles J. Roney, Jr., as secretary.

After organizing the committee directed its secretary to address a letter to the Auditor General, requesting that he inform the committee as to the names of all persons holding dual offices under the Commonwealth and the salaries received for each office. A letter was drafted and sent in pursuance to the direction of the committee on the 27th of February, 1913, asking the Auditor General for the desired information. On March 6th the Auditor General sent to the chairman of the committee a letter with the names of all persons holding one or more offices under the Commonwealth and the salaries paid in each case and also the various positions held by persons under the Commonwealth in a dual capacity where no additional salary was paid for such office or commission.

Your committee then took up the report of the Auditor General for consideration, and as it gave the committee no information as to the character of work done or the time necessary for its performance, your committee fixed March 11, 1913, at 5 o'clock p. m., Room 508 State Capitol Building, Harrisburg, Pa., as the time and place for holding a meeting for the purpose of inquiring into the facts as resolution No. 10, obliged them so to do.

The secretary of the committee was directed to issue the process of the House to all the persons whose presence was desired and accordingly subpoenas were issued in proper form under the hand and seal of the secretary, dated the 11th day of March, 1913, to compel the attendance of the witnesses before the committee.

Your committee met on March 11, 1913, at Room 508, State Capitol Building, Harrisburg, Pa., at 5 o'clock p. m. for the purpose of taking the testimony of the various persons duly subpoenaed, and immediately proceeded to business.

Christian Meyers, county clerk in the Auditor General's Department and clerk to the Board of Revenue Commissioners, appeared, was sworn and examined, and his testimony is annexed hereto as part of the minutes of the committee.

James V. Murray, corporation clerk in the Auditor General's Department and also clerk to the Board of Public Accounts, appeared, was sworn and examined, and his testimony appears as part of the minutes attached to this report.

The names of all other witnesses duly subpoenaed were called in the corridor, but they did not respond to the call of their names. Those notified to appear and who did not respond were:

GEORGE THORN, Sec'y Commonwealth's Office.
JOHN KENDLEHART, Sec'y Commonwealth's Office.
JOHN F. WHITWORTH, Sec'y Commonwealth's Office.
H. D. JONES, State Treasurer's Department.
JAMES CRAIG, Deputy Sec'y Internal Affairs.
WALTER GAITHER, Secretary to Governor.
CASSIUS A. DUNN, Executive Department.
SAMUEL P. TODD, Controller's Department.
HARRY McDEVITT, Assistant Controller.
BENJAMIN DEMMING, Adjutant General's Dep't.
M. B. EISENHART, Dep't. Internal Affairs.
JAMES N. ROBBIN, Adjutant General's Dep't.
E. T. OSWALD, Carpenter.

Your committee again met on March 12, 1913, at 5 o'clock p. m., and proceeded to the calling of the various sergeants who had served the process of the House, all of whom were examined under oath, and testified as to the service of the subpoenaes, which testimony is made a part of the minutes and is hereto attached.

Your committee, following the failure of the persons duly subpoenaed to appear, reported to the House on the 12th day of March, 1913, the facts of such failure and refusal on the part of the persons duly subpoenaed to appear and awaited the further action of the House before making final report of its findings as commanded by the resolution.

This partial report was, by the action of the House, referred to the Committee on Judiciary General. There was also referred to the Judiciary General the message of His Excellency the Governor, directed to the Honorable George E. Alter, Speaker of the House of Representatives, and to the Honorable the committee authorized by House resolution No. 10, and in which it is said, inter alia, "impels me respectfully to express my dissent from the proposition that it lies within the power of either branch of the General Assembly to compel the Governor, or the head of any department included by the constitution within the Executive Department, and other subordinates subject to the supreme executive power vested in the Governor by that constitution, by its process to appear and testify concerning or produce books, papers and documents relating to the administration of the Executive Department before a legislative committee created by it in any case where in the judgment of the Governor of the Commonwealth it would be incompatible with the public interest to obey such summons."

The Judiciary General Committee, after due consideration of the Governor's message and the partial report of the dual office holding investigation committee, reported to the House at great length, a copy of which is attached to this report and made a part hereof; and said report in its findings found "that by virtue of the failure or neglect of the said Walter Gaither, George Thorn, John Kendelhart, John F. Whitworth, H. D. Jones, Cassius A. Dunn, Samuel P. Todd, Harry McDevitt, M. B. Eisenhart, James N. Robbin, E. T. Oswald, to so answer and obey the said subpoenae served upon them and appear before the committee appointed by virtue of the resolution of February 19, 1913, they, and each of them, have acted in contempt and in defiance of the lawful order and subpoenae of the committee of the House of Representatives and are by virtue thereof in comtempt of the House of Representatives of the State of Pennsylvania."

This report was submitted to the House of Representatives on the 19th day of March, 1913, and was by the action of the House, adopted.

Immediately prior to the adoption of the report of the Judiciary General Committee adjudging the above named persons to be in contempt of the House, a communication from His Excellency the Governor, was also read and adopted, in which His Excellency invited the members of the dual office holding committee to call upon him for the purpose of making arrangements as to the carrying out of the provisions of Resolution No. 10.

Your committee called upon the Governor of the Commonwealth on the 20th day of March, 1913, and were then informed by the Governor that he would submit reports of the various departments in which persons holding one or more offices were employer to the committee and would supply such other information as the committee desired, and in the event of the committee desiring the attendance of the witnesses, he would direct their appearing before the committee.

Your committee thereupon directed its secretary to call upon His Excellency the Governor and secure from him such reports as he desired to submit to the committee, and the secretary did so call upon the Governor and receive from him reports from the various departments, which reports are attached and made a part of the record.

Your committee at a full meeting held on April 8, 1913, at two o'clock p. m., took up for consideration the reports submitted by the Governor, and each report was carefully read and dicussed. Your committee after such consideration and discussion decided to summon the various witnesses before it, and particularly because the said reports did not give to the committee such information as to the character of work being done and the time expended in its performance as would enable the committee to intelligently report to the House as to dual office holding under the Commonwealth.

Your committee then by its action directed the secretary to issue the process of the House and to subpoena all the witnesses whose names were supplied by the Auditor General as being persons hodling one or more offices under the various departments of the State government. Your committee fixed Wednesday, April 9, 1913, at 7 o'clock p. m., Room 505, State Capitol Building, Harrisburg, Pa., as the time and place for taking the testimony of the witnesses whose presence was desired by the committee. The secretary then issued the necessary subpoenaes in proper form and the Sergeant-at-arms of the House and his assistants directed to serve the same upon the various witnesses, and the same were served.

Your committee met in Room 505 State Capitol Building, on Wednesday, April 9, 1913, at 7 o'clock p. m., and proceeded to the examination of witnesses who appeared before said committee in obedience to the process of the House.

Mr. Christian Meyers, who appeared before the committee on March 11, 1913, occupies the position of county clerk in the Auditor General's Department (sometimes called chief of the county bureau) and also holds the position of clerk to the Board of Revenue Commissioners. Mr. Meyers has been in the Auditor General's Department since May, 1884, has occupied his present position as chief of the county Bureau since June, 1890, and receives in his position as chief of the County Bureau a salary of $1,800 per annum. Mr. Meyers has been clerk to the Board of Revenue Commissioners since 1890, for which he receives a salary of $1,000 per annum, making his total compensation $2,800 per annum.

Your committee is of the opinion that Mr. Meyers is an able, competent and an unusually well-versed man in taxation matters, and a valuable employe in the Auditor General's Department, and that his position as chief of the County Bureau gives him particular fitness for the office of clerk to the Board of Revenue Commissioners.

The Board of Revenue Commissioners at the present time consists of the Auditor General, the State Treasurer, and the Secretary of the Commonwealth, and in its present form has been in existence since 1864.

Your committee is of the opinion that Mr. Meyres is a hardworking and not over-paid official; that he is continuously engaged in his various duties and that he is a very valuable and desirable employe of the State; and, therefore, reports in his case the holding of two offices is not in any sense a matter of disadvantage or injustice to the Commonwealth, but rather an advantageous and economical arrangement.

Mr. James V. Murray also appeared before your committee on March 11, 1913, and testified that he was corporation clerk in the Auditor General's Department and also clerk to the Board of Public Accounts; that his salary as corporation clerk was $3,000 per annum and his salary as clerk to the Board of Public Accounts, $500 per annum.

The Board of Public Accounts consists of the Attorney General, the State Treasurer, and the Auditor General. This board has concurrent jurisdiction with the Auditor General and the State Treasurer (the accounting officers of the Commonwealth) in the re-settlement of public accounts. The Board of Public Accounts holds regular meetings on the second Wednesday of each month and such special meetings as may from time to time be required Mr. Murray keeps the minutes of the Board, and as the corporation clerk in the Auditor General's Department is peculiarly fitted with rare and extensive knowledge of corporation matters to fitly act as clerk of the Board of Public Accounts, which would require complete and thorough knowledge of corporation matters, and particularly those matters which would come peculiarly within the knowledge of the corporation clerk in the Auditor General's office.

Mr. Murray is a lawyer of long experience, and it is the thought of the committee that he is in no sense an overpaid public official, and that his holding two offices at salaries aggregating $3,500 is an economical, rather than a wasteful, arrangement so far as the interests of the Commonwealth are concerned.

On April 9, 1913, all the other witnesses appeared and were examined with the exception of Mr. Todd, who was out of the city and whose testimony was taken on April 10. Miss McReynolds and Miss Breitinger, stenographers in the Department of Public Instruction, were also examined on April 10, 1913.

Mr. Walter H. Gaither, the private secretary to the Governor, appeared on April 9, 1913, and was duly sworn and examined. The committee asked him his positions under the State government, to which he replied that he was private secretary to the Governor at $5,000 per annum and Recorder of the Board of Pardons at $500 per annum.

It was the thought of the committee at this juncture that no questions should be asked of Mr. Gaither concerning his duties as private secretary other than the mere ascertaining that he was engaged daily in the work, on the theory that it was not a legislative function to inquire into matters of executive portend, as the Executive Department might well claim privilege on the ground it would be against public policy to discuss and disclose information peculiarly within his executive knowledge; and whilst no objection was raised by Mr. Gaither nor the Attorney General's representative, Deputy Attorney General Trinkle, who was there, on this proposition, yet it was the feeling that no questions should be asked concerning the nature and the kind of duties performed by Mr. Gaither as private secretary, because such would be peculiarly a matter of privilege as far as he and the Executive Department are concerned; and as the office of private secretary to the Governor and the salary is fixed by Act of Assembly, your committee did not feel it good legislative grace, in fact not at all a proper procedure, to inquire into the kind or work he did as private secretary.

So in the case of Mr. Gaither, as in the case of all other persons holding an office under an executive department where the salary was fixed by Act of Assembly, no questions were asked bearing upon what work was done in the particular office; but the committee proceeded in those cases, as in Mr. Gaither's case, to the ascertaining of the duties and the time required in the performance of same and the other or dual office.

Your committee learned that as Recorder of the Board of Pardons Mr. Gaither keeps a record of the Pardon Board cases which become a matter of executive concern, fixes days of execution in capital cases, transmits the orders of commutation and supervises generally those matters of the Pardon Board which become matters of exectutive cognizance; and it is the sense of the committee that the salary of $500 to Mr. Gaither as Recorder of the Board of Pardons is in no sense an imposition on the State, and as the Recorder of the Board of Pardons must be a man in close touch with the executive, it is thought of the committee that the combination of the two offices is an economical, rather than a wasteful, arrangement for the State, as it can hardly be conceived that an individual could properly perform the duties and give the attention and the skill required, for a salary of $500.

Mr. Thomas J. Lynch holds the position of executive clerk at a salary of $1,800 per annum and as a member of the Water Supply Commission receives $3,000 per annum.

Your committee following the arrangement observed in the Gaither case, made no inquiry as to the duties of the executive clerk other than to ascertain that he was engaged daily in such work.

Mr. Lynch as a member of the Water Supply Commission detailed to the committee the nature of the work performed and testified that as a member of the Water Supply Commission he was continuously engaged in the work of the commission and that he found it necessary to work every night in the week and on Sunday; and in view of the important kind of work within the charge of the Water Supply Commission, your committee is of the opinion that the combination of two offices in Mr. Lynch's case is not in any sense such a one as to deserve the disapproval of your committee.

Mr. Cassius A. Dunn is a stenographer in the Governor's office and is clerk to the Capitol Park Extension Commission. As stenographer in the Executive Department he receives a salary of $1,200 per annum and as clerk to the Capitol Park Extension Commission $1,000 per annum. Mr. Dunn testified that as stenographer in the Executive department he was daily engaged and as clerk to the Capitol Park Extension Commission worked at nights in disposing of the varied and voluminous correspondence necessarily incident to the Capitol Park Extension Commission's work; and whilst in the aggregate $2,200 seems to be an unusually high salary, judging by the standards of compensation of stenographers in the various other departments, yet in the case of Mr. Dunn the combination of the offices does not meet with the disapproval of your committte, in view of the fact that an individual stenographer in the Capitol Park Extension Commission's office, and one who would hold other job, would be paid, it might be fairly assumed, $1,000; and as neither the office nor the work incident thereto suffers, your committee has no recommendation to make concerning the advisability of permitting Mr. Dunn to hold both offices.

Mr. John Czerniski is employed as a watchman in the executive offices at $900 per annum and is on duty for a period of eleven to twelve hours each night as watchman and in the mornings cleans as janitor five rooms in the Auditor General's Department for which he receives $240 per annum. He testified to the committee that he works thirteen to fourteen hours each day, and it is a matter of knowledge with the committee and with the House that Mr. Czerniski is always on duty. It is the thought of your committee that the combination of two such jobs in the person of Mr. Czerniski is not in any sense to be condemned.

Mr. Harry S. McDevitt testified that he is assistant executive controller at a salary of $1,800 per annum and clerk to the Board of Public Grounds and Buildings at $600 per annum. As assistant executive controller he is daily engaged with his work and as clerk to the Board of Public Grounds and Buildings works each night and on Sundays and he is persistently and continuously engaged all day and all evening in the discharge of the duties incumbent upon him in both offices; and as your committee can feel no hesitation in admitting the salary as assistant executive controller to be put fair and proper, it is not to be lightly disregarded that $600 per annum for competent clerk hire is not an out of the way figure, and as regards Mr. McDevitt, your committee makes recommendation on the score of the advisability of his holding the two offices.

Mr. George D. Thorn, chief clerk in the office of the Secretary of the Commonwealth, receives as such $2,500 per annum and as secretary of the Board of Pardons receives $1,000 per annum. Your committee is of the opinion that Mr. Thorn, who testified that he was continuously engaged in the general supervision of his work as chief clerk of the Secretary of the Commonwealth's clerical force, is in this respect not an overpaid public servant, and as clerk to the Board of Pardons he arranges the calendar, receives the petitions and applactions for pardon, makes up all lists, reads the proof from the printer and answers innumerable inquiries from lawyers and interested parties in pardon mattes each day of his life, your committee does not feel that the $1,000 paid him as secretary of the Board of Pardons is in any sense a waste of the public moneys and makes no recommendation by way of disapproval of this arrangement, as your committee does not think it at all probable that a man of Mr. Thorn's ability could be secured to do the Pardon Board work, as he does it, for $1,000 per annum.

Mr. John F. Whitworth is corporation clerk in the office of the Secretary of the Commonwealth at a salary of $2,200 per annum and as corporation clerk is daily engaged in the work of the office, which requires the services of a technical man and one versed in the corporation laws of the Commonwealth. Mr. Whitworth also holds the position of clerk to the Board of Underground and Elevated Railways at $750 per annum; and as this Board has met so infrequently, according to the testimony of Mr. Whitworth, within the last five years, and as no meeting was held last year, it is the thought of your committee that Mr. Whitworth is not rendering such services to the Commonwealth in the office of clerk to the Board of Underground and Elevated Railways as justifies the payment to him of $750 per annum; and therefore recommends, in view of the non-activity of the Board, either that the act creating it be repealed, which it is the thought of your committee would be automatically repealed by the passage of the Public Utilities Act, or that in the General Appropriation Bill the item providing $750 per annum salary to Mo. Whitworth be dropped.

Mr. Whitworth is a valuable employe as corporation clerk, and whilst in the aggregate he is not receiving more than his just dues, yet your committee feel that the item of $750, as affixed to the office of clerk to the Board of Underground and Elevated Railways, is wholly unjustifiable and unwarranted, as the office is not in itself of such a character as to warrant the afore-mentioned salary.

Mr. J. L. Kendlehart is clerk in the office of the Secretary of the Commonwealth, drawing a salary of $1,400 per annum, and is also clerk to the Board of Pardons, for which he receives a stipend of $500 per annum. Mr. Kendlehart as clerk in the Secretary of the Commonwealth's office is daily engaged in his duties as such and as clerk to the Board of Pardons assists in the preparation of the calendar, answers all communications addressed to the Board relative to pardon matters and is each day more or less engaged with the affairs of the Pardon Board; and the opinion of the committee is that the salary of $500 to Mr. Kendlehart as clerk to the Board of Pardons is well earned and in no sense an imposition upon the State treasury.

Mr. H. D. Jones is cashier in the office of the State Treasurer and receives a salary of $5,000 per annum. Mr. Jones is also secretary of the Sinking Fund Commission and receives a salary of $1,000 per annum. By Act of Assembly the Sinking Fund Commission is empowered and authorized to employ a clerk or employe in the State Treasury Department to hold the position as secretary of the Sinking Fund Commission, but from examination of Mr. Jones, your committee is of the opinion that the work placed on the secretary of the Sinking Fund Commission is not of such a burdensome character as to justify the payment to him, in view of his salary as cashier at $5,000, of the additional $1,000 per annum; and the case of Mr. Jones your committee suggests that the salary of $1,000 per annum paid to the secretary of the Sinking Fund Commission might enure to a more equitable arrangement of salary in the office if paid to some one else. Whilst your committee has no authority to recommend any reorganization in the department, it simply reports to the House that Mr. Jones is being paid $1,000 as secretary of the Sinking Fund Commission for but very little work.

Mr. James H. Craig is deputy secretary of Internal Affairs and for such office receive a salary of $3000 per annum. Mr. Craig is also clerk to the Board of Property, for which he receives the sum of $200 per annum. From the examination of Mr. Craig your committee has learned that the Board of Property, whilst a very busy institution in 1682, is now engaged in very laborious work, and is of the opinion that Mr. Craig as clerk to the Board of Property is not carrying on such burdensome labors as to justify the payment to him by the State of $200 over and above his salary as deputy secretary of $3,000; and would recommend that if the Board of Property is to be continued, that the item of $200 to the clerk be dropped from the General Appropriation Bill, as Mr. Craig as deputy secretary might well devote such little time as is required by the Board, without extra compensation.

Miss T. M. B. Eisenhart holds a position as stenographer in the Bureau of Industrial Statistics in the office of the Secretary of Internal Affairs, and in such position receives a salary of $1,000 per annum. Miss Eisenhart also holds a position as stenographer in the Bureau of Standards, receiving a salary of $300 per annum. Miss Eisenhart works each day at her work as stenographer in the Bureau of Industrial Stastistics, and for the extra work necessitated in the Bureau of Standards works at night, for which she receives a salary of -300 per annum. Your committee sees no good reason why this arrangement should be disturbed, as it would be impossible to obtain a stenographer at a salary of $25 per month, and from the testimony it did not appear that the work in both jobs could be accomplished by the one person in the one work day, as Miss Eisenhart testified that during the day she is engaged with her regular work, and it seems to the committee to be unfair that additional work should be settled upon a person without additional compensation.

Miss Stella L. Foote is a stenographer in the Department of Internal Affairs, for which she receives a salary of $1,000 per annum, and is also stenographer in the Bureau to Investigate Vacant Lands, for which she receives additional compensation to the amount of $200 per annum.

Miss Nellie E. Blessing is a stenographer in the Department of Internal Affairs, receiving a salary of $1000 per annum and is also stenographer of the Bureau of Railways, for which she receives additional compensation in the amount of $200 per annum.

In the case of Miss Foote and Miss Blessing the combination salary is that usually paid to competent stenographers, and as both women testified to working overtime in order to carry on the work necessitated by both jobs, your committee sees no good reason why the arrangement in either case should be disturbed.

Dr. N. C. Schaeffer, superintendent of Public Insruction, receives as superintendent $5,000 per annum, and as Secretary and Treasurer of the Board of Medical Education and Licensure receives $1,000 per annum, and as Secretary and Treasurer of the Dental Council, $500 per annum. In the aggregate Dr. Schaeffer's salary is $6,500. Your committee is of the opinion that Dr. Schaeffer is not an over-paid public official, and is of the further opinion that this work in connection with the Board of Medical Education and Licensure and the Dental Council eminently justifies the additional compensation of $1500 over and above the well earned $5,000 per annum as superintendent of Public Instruction.

Mr. R. M. McNeal is financial clerk in the office of the Department of Public Instruction, and has been employed in the department for a number of years. Is financial clerk he receives a salary of $1400 per annum and as an assistant in distributing school appropriation receives an additional compensation of $300 per annum. From the testimony of Mr. McNeal your committee is of the opinion that is a valuable employe and that his aggregate salary is fully earned and the State is in no sense a loser by the amalgamation of the two offices and two salaries in the person of Mr. McNeal.

Mr. H. H. Fleisher is a recording clerk in the Department of Public Instruction, receiving therefor a salary of $1400 per annum and receives $200 additional for his services in recording, engrossing and shipping licenses of dental students, preparing the index, issuing certificates of proper education, making records of the same, depositing and keeping account of the fees, etc.; and in the case of Mr. Fleisher your committee is of the opinion that the arrangement should not be disturbed.

Mr. U. Grant Fry receives $1400 as statistical clerk in the Department of Public Instruction and $200 additional for work connected with the Bureau of Medical Education and Licensure, and from his testimony it appears that it is his duty to calculate examination averages, prepare duplicates of the same, prepare licenses for shipment, print by hand the examination questions, and in various ways giving considerable of his time out of regular office hours to the work incident to the Burtau of Medical Education and Licensure. Your committee, therefore, reports that no fault under existing conditions can be found with Mr. Fry drawing two salaries which aggregate $1600.

Miss Edith Breitinger receives $1,000 as stenographer in the Bureau of Public Instruction and $100 as stenographer to the Dental Council. From the testimony in her case, wherein it is stated that she works overtime, and as her aggregate salary amounts to but $1100, your committee sees no reason why this arrangement should be disturbed.

Miss Mary Y. Reynolds as stenographer in the Department of Public Instruction receives $1,000, as clerk to the Dental Council $400 and as clerk to the Bureau of Medical Education and Licensure $500 per annum. Miss McReynolds, in addition to her duties as stenographer in the department, conducts all the ordinary correspondence of the Medical Bureau, which involves the answering of thousands of letters, she passes upon the correctness of credential's of medical education and other requirements of the law, issues cards of admission to the examination, and in various other ways takes over the routine and detail work of the Bureau, and as clerk to the Dental Council does work similar to that performed in the Bureau of Medical Education, and whilst in this case your committee feels obliged under the resolution to state that in the aggregate her salary of $1900 is considerably in excess of that paid any other stenographer, still it must be said in that connection that Miss McReynolds has been in the department for a number of years and seems to exercise a supervisory control over matters of detail which in themselves are worthy of very competent and skillful attention, and under the circumstances does not feel obliged to report to the House that any action be taken

to disturb the present arrangement concerning Miss McReynold's drawing three salaries.

Mr. Benjamin W. Demming in the Adjutant General's Department holds the office of chief clerk at $1,800 per annum and secretary of the Armory Board at $1,200 per annum. Mr. Demming testified before the committee that as chief clerk he was daily engaged with the duties of his office and as secretary of the Armory Board exercises full control over the disbursements of the Armory Board and had supervision over the plans and specifications for new armories. Mr. Demming further testified that his training has been of a technical character, giving him special fitness for the Armory Board work, as he has been connected with building operations for some time. Your committee does not feel at this time that under the resolution they should raise any question as to Mr. Demming being a member of construction companies and also in control of Armory Board work, as no connection was shown between his private capacity and the disbursements of contracts coming under his official control, and as his work does not seem to have suffered by reason of his private business connections, your committee does not feel it incumbent upon it to make any suggestions in this respect. As regards his work in both positions and the salary, your committee finds nothing disproportionate.

Mr. James N. Robbin as stenographer in the Adjutant General's Department receives $900 per annum. He is also stenographer to the Board of Public Grounds and Buildings at $200 per annum and stenographer to the secretary of the Armory Board at $120 per annum. Mr. Robbin testified that he is engaged with his work as stenographer continuously and works overtime in order to keep up with the duties of his other two positions, and while the salary does not appear to be unusually high, your committee is of the opinion that his position as stenographer in the office of the Board of Public Grounds and Buildings located in a different part of the building, must of necessity interfere with his other work; but if he is able to attend to all three discharge his duties therein by working overtime, your committee sees no just ground for complaint

Mr. John Kimmel as a messenger in the Adjutant General's Department receives $900 per annum. He is also messenger for the Armory Board, receiving $120 per annum. Your committee feels that whilst Mr. Kimmel testified that he does as much work for one department as the other, there is a remarkable disproportion in the salaries paid him for the two jobs, and as no special skill is required in order to qualify one as a messenger, your committee is of the opinion that the salary as messenger for the Armory Board might well be discontinued.

Miss Olivia G. Browne is stenographer in the Banking Department at $1,000 per annum and is assistant in the supervision of private banks, for which she receives an additional salary of $300 per annum. The supervision of private banks has been a matter, according to Miss Browne, of much detail work on the part of the Bureau since the Private Bankers' Act of 1911 went into effect, and it may well be assumed that the $300 extra that she receives in this work, which is clearly additional work, is not an unreasonable increase in her salary.

Mr. M. D. Lichliter is chief clerk in the Department of Agriculture, receiving a salary of $1,800 per annum. He is also clerk to the State Live Stock Sanitary Board, receiving $300 per annum, and in the character of work done, as evidenced by the testimony of Mr. Lichliter, your committee sees no ground for valid objection in this case to the holding of two offices, in view of the fact that the additional compensational would not employ a compentent man to fill the office

Miss Kathryn P. First is a stenographer in the Department of Agriculture, receiving therefor $900 per annum, and also stenographer to the Economic Zoologist, receiving $100 per annum. As the aggregate salary amounts to $1,000, the usual stenographic compensation under departments of the State government, and as Miss First seems to be continuously engaged with her duties, your committee makes no unfavorable recommendation in her case.

Miss Mary E. Seaman as stenographer in the Dairy and Food Department receives $1,500 and for extra services in the department, receives $300 per annum additional. Miss Seaman is bookkeeper, stenographer and general office assistant, and as she seems to be carrying on the work formerly done by an Assistant Dairy and Food Commissioner whose salary was $200 per month, there seems in this case to have been a clear saving to the State, rather than a matter of excess expenditure, and in this respect your committee feels that the State is clearly saving.

William R. Swartz is a messenger in the Dairy and Food Division, receiving $900 as such, and as he sends out 15,000 copies of the bulletin issued by the bureau each month, which work before Mr. Swartz's time was done by a clerk receiving $125 per month, your committee feels that a clear saving to the State has been established, and makes no unfavorable recommendation in the case of Mr. Swartz.

Mr. I. C. Williams is Deputy Commissioner of Forestry, receiving $2,500 per annum, and as he said he gave his entire attention to the work as deputy commissioner, your committee is of the opinion that he fairly earns his salary. He is also collaborator of the Chestnut Blight Commission at $1,100 a year, and as this is work of a highly technical and scientific character, and as Mr. Williams testified it takes up a great deal of his time, your committee makes no unfavorable recommendation in his case.

Mr. A. E. Strode is clerk in the Forestry Department, receiving $1,500 per annum. He is also clerk to the Forestry Commission at $300 per annum. The Forestry Commission meets once a month. Mr. Strode keeps a record of the minutes and of the expenditures authorized by the commission covering the forestry rangers, surveyors, incidental expenses, ets.; and as the excess salary amounts to but $30 per month, your committee is of the opinion that a substitute in the job ould not be had for a like amount, and, therefore, makes unfavorable recommendation in this case.

Dr. W. R. Batt is chief of the Bureau of Vital Statistics in the Bureau of Health and receives $2,500 per annum. He is also supervisor in the Division of Marriage and Morbidity Statistics, receiving $1,000 per annum. The Act of Assembly under which Dr. Batt receives $2,500 per annum, provides for the registration of births and deaths only; and the Act relating to Morbidity Statistics, in the Bureau of which as supervisor, he receives $1,000 per annum, provides for statistics of marriages, diseases, practicing physicians, midwives and undertakers; and whilst in the letter sent by Dr. Samuel G. Dixon to the Governor there is a statement as follows: "This is a direct saving to the State of from $1,500 to $2,000 per year, as it would be impossible to secure the services of a man competent to supervise this work for less than $2,500 or $3,000 per annum," your committee is of the opinion that the Morbidity Statistics and the Vital Statistics might well be combined together insofar as the supervisory work is concerned, and reports to the House in this connection that $3,500 is, to say the least, unusually good pay for work of compiling record matter, which in its nature is wholly clerical although, of course, a matter in which careful detail must be the dominant note.

Mr. E. T. Oswald is employed as chief carpenter in the Department of Public Grounds and Buildings at $1,200 per annum. He is also special deputy factory inspector at $900 per annum, but as it appears that the Auditor General has signed no warrant since the first of March, it might well be assumed that this particular case of dual office holding is a thing of the past.

It appears from the testimony that Mr. Oswald was appointed under Chief Factory Inspector Delaney as a special expert factory inspector, and as much made numerous trips through the State inspecting factory buildings, moving picture establishments, etc.; but your committee is of the opinion that the chief carpenter, having supervision over a great number of employes, in the proper discharge of his duties should remain in Harrisburg; and, therefore, recommends the discontinuance of the practice, if it has not already been discontinued, of the chief carpenter in the Department of Public Grounds and Buildings being anything else but chief carpenter.

Mr. Harry Burrs is employed in the Department of Public Grounds and Buildings as messenger and as such receives a salary of $720 per annum; for extra services, which seems to be in the collection of telephone tickets, distributing them to the various offices from which calls emanate, and the collection of cash from purely personal calls, receives $280 per annum; and as it appears that he collects the tickets during the time he is employed as messenger, and as collecting tickets from office to office is messenger work in its pristine glory, your committee recommends the discontinuance of the payment of $280 for extra services.

Mr. W. Harry Baker is secretary of the Senate at $5000 per annum and assistant compiler of Smull's Hand-Book at $1500 per annum; and your committee is of the opinion that as his salary as secretary of the Senate is fixed at $5000 by Act of Assembly, and as he is constantly engaged in that work, your committee can make no disapproving statement in regard to it. As assistant compiler of Smull's Hand-Book, which is a matter of elaborate detail and a thing of much satisfaction to each and every member of the House, the committee has not even the lowest syllable of disapproval as regards Mr. Baker being a stipendiary of the State.

Mr. Herman P. Miller as Senate Librarian receives $2500 per annum and as compiler of Smull's Hand-Book, $1500 per annum, and his work in both jobs is well worth the salary paid, and it must be said by way of just commendation of Mr. Miller, that he owns the coypright of Smull's Hand-Book and asks and receives no bonus from the State for the use of what is his own personal property.

Mr. Samuel B. Nissley is chief clerk in the State Police Department and as such receives $1500 per annum; as shipper of commissary stores for the use of the Constabulary, he receives $300 per annum in addition; and in view of the fact that the commissary must be a man of considerable experience and skill in the approving and condemning of commissary stores, your committee is of the opinion that the extra salary paid him in this connection is not in any way out of the road.

Mr. Jere B. Rex is crier in the Supreme Court at $600 per annum, clerk to the Board of Charities at $300 per annum, tipstaff of the Board of Pardons at $400 per annum, making a grand total of $1300 per annum; and as it appears that Mr. Rex, in addition to being tipstaff of the Board of Pardons, keeps the rooms clean, doing his own janitor service, as he puts it, and as clerk to the Board of Charities he actually performs clerical work, your committee sees no reason for complaint and makes no unfavorable recommendation in regard to Mr. Rex to the House.

Mr. Samuel C. Todd appeared before the committee on Thursday, April 10, at the special meeting called by the committee for the purpose of taking his testimony, and testified that he is executive controller at a salary of $3000 per annum and that he is also secretary to the Capitol Park Extension Commission at $3600 per annum. Mr. Todd, in his testimony elaborately outlined the duties of secretary of the Capitol Park Extension Commission and his work is done at night; and as the task of the commission must be discharged with rigid fidelity and economy in order that the Capitol Park extension proposition might be economically and successfully accomplished, the committee is of the opinion that the services of a capable and efficient secretary are invaluable; and as Mr. Todd in his testimony made very plain his capability and efficiency, your committee reports to the House the salary of $3600 per annum under the circumstances is not unusual; and whilst the combined salaries aggregate $6600, your committee, under all the facts, does not fell justified in making any unfavorable recommendation in this respect, especially in view of the fact that as executive controller and as secretary of the Capitol Park Extension Commission Mr. Todd is in a position of informing the Governor frequently and with precision the exact status of the Capitol Park Extension plan, which in its final analysis must be a matter peculiarly for the

Governor's moulding and control.

Your committee reports to the House that with the exception of the four cases mentioned above in which one of the two or more jobs might well be abandoned in the interest of state economy, in the other cases the distribution of salary over two or three jobs is not in the aggregate unreasonable, although in judgment of the committee it would be a far better plan if the legislature would look the issue squarely in the face and compensate department employes upon a fixed and definite salary basis and then that they discharge whatver duties are collateral with their regular work without extra compensation.

The compensation paid a man by the great State of Pennsylvania should be a just and fair salary based upon the work rendered the State and there should not be any be-clouding the issue by high-sounding nomenclature. Of course, there are instances, as in the case of the executive controller and the secretary of the Capitol Park Extension Commission, being of themselves separate and distinct positions. The chief clerk, the secretary to the Governor and the clerk to the Board of Pardons are separable positions but in all the cases where stenographers are paid two or three salaries, it seems to the committee that one fixed salary, definitely ascertained, and which should be of a sufficient amount to fully compensate such person for the work performed for the State, would work out in the long run better than to spread but a reasonable wage over two or three different named jobs.

Your committee begs further to report to the House that in the case of the Attorney General holding various offices under the State government in addition to his being Attorney General, the only salaried position other than that of Attorney General is member of the Board of Pardons at $500 per annum; and as his membership in the Board of Pardons is established by the constitution, and as the salary is fixed by Act of Assembly, your committee did not deem it pertinent, wise, or within the line of the resolution under which it acts, to even subpoenae the Attorney General to appear.

In the case of the Secretary of the Commonwealth Hon. Robert McAfee, who as Secretary of the Commonwealth receives $8000, as member of the Board of Pardons $500, as member of the Board of Revenue Commissioners $300 and as member of the Board of Sinking Fund Commissioners $300, your committee feels that the same reasoning will apply as in the Attorney General's case, that on all the various boards upon which he serves as a member both the office and the salary are created by Act of Assembly, and your committee did not deem it wise or pertinent or proper under the resolution to subpoenae the Secretary of the Commonwealth before it.

The same applies in the case of the Auditor General and the State Treasurer. The positions they occupy are shown in the minutes attached to this report, and your committee deems no further discussion necessary.

In conclusion your committe desires to express its thanks to His Excellency the Governor for the reports he has submitted after your committee had waited upon him, and for the expression of co-operation on his part in stating that he would request the witnesses to appear if the committee deemed it necessary. His Excellency by his timely co-operation has assisted your committee in the prompt discharge of its duties under the resolution, and has in the spirit and in the law demonstrated that the branches of this government are co-ordinate; and your committee now submit to the House its report under the resolution for the House to take such action as it deems fit and proper, and your committee awaits the further action of your Honorable body and, in the event of the receiving of this report by the House, your committee asks that it be discharged from further responsibility under Resolution No. 10.

Respectfully submitted,
CHARLES J. RONEY, Jr., Secretary.
W. D. WALTON,
CHARLES A. SCHAFFER.
J. H. DEFREES.

Mr. Schaffer dissents from the Committee's recommendation as to Mr. Jones, Cashier in the State Treasurer's office. See Mr. Shaffer's minority report as to Mr. Jones.

MINORITY REPORT.

Mr. CHARLES. A. SHAFFER. Mr. Speaker, I offer a minority report pertaining to one of the items in the report.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the minority report be read for information.

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. KITTS. Mr. Speaker, I withdraw my second.

Mr. J. A. DUNN. Mr. Speaker, I second the motion.

On the question recurring,

Will the House agree to the motion?

Mr. ROCKWELL. Mr. Speaker, it seems to me that we are working in the dark. We have not had the original or main report read yet. Now we propose to read what is a so-called minority report without knowing what the original report is. It seems to me that we ought to follows the same practice as with the original or main report and let this minority report be printed in the Journal.

Mr. KITTS. Mr. Speaker, I move to amend that motion to read that this minority report be printed in the Legislative Journal.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I second the amendment.

The SPEAKER. The gentleman from Erie moves as a substitute motion, that the minority report be printed in the Legislative Journal, seconded by the gentleman from Columbia. Is the House ready for the question on the adoption of the substitute?

Mr. JOHN R. K. SCOTT. Mr. Speaker, in reference to the substitution, I fear we are simply making an issue, whether a new issue shall rise at all. Now, if the minority report was read to the House and the gentleman from Columbia insisted on the matter being placed on the record, I will of course have no opposition to that. The fact that the gentleman from Erie proposes his amendment to my motion I have no objection to that. I would like to have this minority report read as a matter of information. Of course it would be more orderly if we had had the original report read, but I did not make that motion because I have read the report prior to its being offered and know its contents. I don't want to make an issue here.

The SPEAKER. The Chair understands that the original report comprises some thirty-eight pages; the minority report is only one and one-half pages.

Mr. KITTS. Mr. Speaker, my reason for taking this position is that I consider that there is nothing before the House for information. The members have not read the majority report and to read the minority report would be utter confusion.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I withdraw my motion.

The SPEAKER. The question then is on the motion of the gentleman from Erie (Mr. Kitts), seconded by the gentleman from Columbia (Mr. Shaffer), that the minority report be printed in the Journal, in connection with the majority report. Is the House ready for the question?

Mr. ALLEN. Mr. Speaker, I question very much whether that would be the proper procedure. A record of this kind—I know nothing about the majority report—but it seems to me that the majority report when printed might be very satisfactory to the members of this House and that if it were satisfactory when it comes before the observation of the House, that they probably might refuse to receive a minority report. Of course if it is offered at this time and goes into the record, it is a record and I presume it will be a record of the House, whether it is or not. I confess I do not know just where we are. and I would ask the Chair whether the report ought to be received at this time or not.

The SPEAKER. The Chair knows of no reason why the minority report should not be received. It does not commit the House to anything in it. The gentleman from Columbia can take the floor and read it if he wants to and get it into the Journal.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

The report is as follows:

In the matter of the report of the Committee appointed to investigate dual office holding in the State Capitol, referring to the item of the Secretary of the Sinking Fund commission, I desire to file a minority report, for the following reasons:

The Board of Sinking Fund Commissioners was created by the Act of April 22, 1858, which provides for the employment of a clerk to that commission in the office of the State Treasurer, who shall keep the minutes of the Board and perform such other duties as they may require. The compensation for the services is fixed by the Act of 1858. The Commission is composed of the Secretary of the Commonwealth, the Auditor General and the State Treasurer. They are more familiar with the requirements and qualifications necessary for the secretary of the Commission and certainly are the best judges as to who is best capable of filling that position from the staff of employees in the office of the State Treasurer. I am informed that the Secretary is required to not only keep the minutes of the Board but to conduct all the correspondence incident to the redemption of bonds of the Commonwealth and during the past two years the work of the Secretary in the matter of the redemption and cancellation of upwards of $2,000,000 of State debt, which became due on February 1, 1912, was of considerable importance, not only to the Board of Sinking Fund Commissioners but to the Commonwealth of Pennsylvania, and required the services of a thoroughly competent and capable man. Good business judgment on the part of the Sinking Fund Commission would require that their secretary be selected for his competency in performing the duties of the position and it seems to me that the judgment of the Commissioners of the Sinking Fund should carry. They being responsible for the acts of that Commission, the work of the secretary not being a sinecure as the report filed by this Committee would indicate. Especially during the past two years has this work been at least double that of any other corresponding period for the past twenty years.

(signed) CHARLES A. SHAFFER.

MINORITY REPORT.

Mr. GEISER. Mr. Speaker, I ask unanimous consent to offer a minority report from the same committee.

The SPEAKER. The gentleman from Northampton desires to offer a minority report from the same committee, what is the pleasure of the House?

Mr. ALLEN. Mr. Speaker, I move it be received and printed in the Legislative Journal.

Mr. MATT. Mr. Speaker, I second the motion.

The motion was agreed to.

The report is as follows:

MINORITY REPORT OF A MEMBER OF THE COMMITTEE ESTABLISHED BY HOUSE RESOLUTION NO. 10.

To the Honorable The House of Representatives of the Commonwealth of Pennsylvania:

To the greater part of the report of the majority members of the Committee appointed under House Resolution No. 10, I assent. However, I am of the opinion that when a person enters the employ of the State, the State should pay a sufficient compensation to merit full time and undivided effort of such employe, and that the best interests of the public service demand that the attention of such an employe should not be detracted from the employment for which he is engaged. In any private enterprise, when a man is employed, his service belongs to his employer, and when that employer, in extending his operations, desires to impose an additional responsibility, or a further duty upon the employe, the right is never questioned, nor should it be.

Much of the inefficiency in the public service, where such efficiency exists, is due to the fact that persons in that service have the impression, by reason of the system that has been in vogue for so many years, that when they have completed certain stereotyped duties the State has no right to expect any other or further service or assistance from them.

While it is not my purpose to criticize any of the individuals of whom this may be true, because of the fact that long standing custom has permitted this system, yet this makes the system itself no less reprehensible. I believe that every person employed in the public service should be amply compensated for his services, and that that compensation should obligate the employe to render to the State the best service that he has in him, and that his time, within reasonable hours, and his best ability, should be absolutely under the control of his superiors.

I would therefore recommend that in order to secure the greatest degree of efficiency, at the least necessary expense, that a Commission, consisting of three experts in the subject of practical business efficiency, be created, whose duties it shall be to study and investigate the nature and extent of the business being transacted by each and every department of the State government, and who shall report to the next session of the General Assembly their finding as to the number, character and compensation of the various employes required by each of the State departments to be appointed.

Respectfully sumbitted,
(signed) FREDERICK E. GEISER.

RESOLUTION RELATIVE TO PRINTING ADDITIONAL COPIES OF SENATE BILL NO. 13.

Mr. SPANGLER asked and received unanimous consent to offer the following resolution, which was twice read and agreed to:

Resolved, That the Chief Clerk of the House of Representatives be instructed to have printed for the use of the House of Representatives, two hundred (200) additional copies of Senate Bill No. 13, printer's number 298.

SUPPLEMENTARY REPORT FROM THE COMMITTEE ON COMMITTEES.

Mr. S. B. SCOTT. Mr. Speaker, I desire to offer a supplementary report from the committees.

The SPEAKER. The report will be read by the Clerk.

The Clerk then read the report as follows:

April 17, 1913.

The Honorable of the House of Representatives:

Your Committee on Committees respectfully recommended the following Committee assignment, that E. G. M. Kuhns be elected a member of the Municipal Corporations vice E. L. Humes resigned. That E. L. Humes be elected a member of the Committee on Legislative Apportionment vice E. G. M. Kuhns resigned.

(Signed) SAMUEL B. SCOTT,
T. H| ROCKWELL,
JOHN ROBERT JONES.
EDWARD R. BENSON.
GEORGE W. ALLEN.
JOHN T. MATT.
J. W. FLYNN.
A. S. MOULTHROP.
CHAS. A. AMBLER.

On the question,

Will the House agree to the adoption of the report?

Mr. RONEY. Mr. Speaker, I move that the report be laid upon the table.

Mr. WALTON. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Whereupon,

A division was called for, and 47 gentlemen voting in the affirmitave and 72 in the negative,

The motion was not agreed to.

Mr. S. B. SCOTT. Mr. Speaker, I move the adoption of the motion.

Mr. KITTS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER announced that the ayes seemed to have it.

Whereupon,

A division was called for, and 62 gentlemen having voted in the affirmative and 47 in the negative,

The question was determined in the affirmative and the motion was adopted.

RECONSIDERATION OF VOTE.

Mr. STEIN. Mr. Speaker, I move that the vote by which House Bill No. 1313, entitled:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter on upon occupy and tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therfor

was passed on second reading, be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STEIN. Mr. Speaker, I move that the vote by which this bill was ordered to be transcribed for third reading be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STEIN. Mr. Speaker, I move that the vote by which the title was agreed to be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STEIN. Mr. Speaker, I move that the vote by which the second section was agreed to be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STEIN. Mr. Speaker, I move that the vote by which the first section was agreed to be reconsidered.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the first section?

Mr. STEIN. Mr. Speaker, I desire to offer an amendment to the section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section one line six, by striking out the word "on" after the word "enter."

Amend line six, by striking out the word "and" after the word "occupy" and insert the word "or."

Amend line seven, by striking out the word "and" after the word "occupy" and inserting the word "or".

Amend line twelve, by striking out the word "exceeding" and inserting the words "less than."

Amend line twelve, by striking out the word "or" after dollars and inserting the word "and."

Amend lines thirteen, and fourteen, by striking out all after the word "not" and insert the following: "not less than thirty days nor more than six months or either or both at the discretion of the Court."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was then read and agreed to as follows:

Section 2 That any act or part of act conflicting with the provisions of this act be and the same is hereby repealed so far as the same affects this act

The title was read as follows:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter on upon occupy and tear up any street lane alley or other

public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

On the question,
Will the House agree to the title?

Mr. STEIN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend title, line 2, by striking out word "on".
Line 3, strike out "and" and insert "or."

On the question,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING.

Mr. BENSON. Mr. Speaker, I ask leave to call up House Bill No. 383 at this time.

The SPEAKER. The Chair hears no objection.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 383, entitled:

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a Tax Commission and repealing all laws or parts of laws inconsistent herewith

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all kinds of property real personal mixed or corporate now the subject of taxation shall be assessed for all purposes according to a fair cash value and at the rate fixed by law for State county city borough township school road poor and other lawful purposes and there shall be no discrimination in favor of or against any person persons partner or partnership associations or corporations for profit but each and every one of them shall be assessed and pay taxes for State county city borough township road school poor and other lawful purposes according to their value Said taxes levied for all purposes shall unless herein other wise provided be collected under the laws regulating the collection of county and local taxes

The second section was read as follows:

Section 2 A tax commission is hereby created to be known as the Tax Commission of Pennsylvania to be composed of three Commissioners electors of the State not more than two of whom at any time shal be of the same political party On or before August one one thousand nine hundred and thirteen the Governor shall appoint such Commissioners as follows one member from each political party not exceeding three parties and each of said political parties must have received at least two hundred thousand votes at the last preceding Presidential election Said Tax Commission shall hold their offices until their successors shall have been duly elected and qualified as hereinafter provided On Tuesday November third one thousand nine hundred and fourteen the date of the election of State officers there shall be elected three prsons who shall be electors of the State to the office of Tax Commisioners in the same manner as the State officers are now elected by no elector shall vote for more than two persons for the said office of Tax Commissioner and no political party may nominate or caused to be placed upon the ballot the names of more than two persons as candidates for said office of Tax Commissioners and the three candidates so voted for who shall receive the highest number of votes shall be declared elected to the office of Tax Commissioner On the first Monday of January immediately succeeding the date of the election of the thre electors elected to the office of the State Board of Tax Commission they shall take the constitutional oath and qualify in like manner as is required of other State officers The term for which said Tax Commissioners shall be so elected shall be four years and shall hold their offices until their successors shall have been duly qualified Any vacancy upon said Board shall be filled by appointment or appointments by the Governor said appointments shall be for the unexpired term and said term and said appointment or appointments shall be made from the political party or parties represented by the Commissioner or Commissioners whose death resignation or removal caused said vacancy

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker,I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 2, line 5. Insert the word "first" after the word "August."
Section 2, line 33. Strike out the words "said term and."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

The third, fourth and fifth sections were separately read and agreed to as follows:

Section 3 Each Commissioner and each employee shall devote his entire time to his duties hereinunder and shall not hold any position of trust or profit engage in any occupation or business interfering with or inconsistent with his duties as such Commissioner or employee or serve on or under any committee of any political party

Section 4 The Commission shall be in continuous session and open for the transaction of business during all the business hours of each and every day excepting Sundays and legal holidays All sessions shall be open to the public and the sessions of the Commission shall stand and be adjourned without further notice thereof on its records All of the proceedings of the Commission shall be shown on its record of proceedings which is hereby declared to be a public record and all voting shall be by calling each member's name by the secretary and each member's vote shall be recorded on the record of proceedings as cast

Section 5 Before entering upon the duties of his office each of the said Commisioners shall take and subscribe the constitutional oath of office and shall swear or affirm that he holds no other office of profit or any position under any committee of a political party which oath or affirmation shall be filed in the office of the Governor

The sixth section was read as follows:

Section 6 Each of the said commissioners shall receive an annual salary of five thousand dollars payable in the same manner as salaries of the State officers are paid

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 6, line 2. Strike out the word "five" and insert in lieu thereof the word "six."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The seventh and eighth sections were separately read and agreed to as follows:

Section 7 The commissioners appointed or elected under this act shall within twenty days after their appointment and qualification meet at the State Capitol at Harrisburg and organize a majority of such commission shall constitute a quorum to transact business and any vacancy shall not impair the right of the remaining commissioners to exercise all the powers of the commission so long as a majority remain Any investigation inquiry or hearing which this commission is authorized to hold or undertake may be held or undertaken by and before any one of three of the commissioners All investigations inquiries hearings and decisions of the commission and every order made by a commissioner when approved and affirmed by the commission and so shown on its record of proceedings shall be deemed to be the order of the commission

Section 8 The commission shall be known as the Tax Commission of Pennsylvania and shall have an official seal with the words "The Tax Commission of Pennsylvania" and such other design as the commission may prescribe engraved thereon by which it shall authenticate its proceedings and of which the courts shall take judicial notice

The ninth section was read as follows:

Section 9 The commission shall keep its office in the city of Harrisburg Pennsylvania and shall provide a suitable room or rooms necessary office furniture supplies books periodicals and maps All necessary expenses shall be audited and paid as other expenses are audited and paid The commission may hold sessions at any place within the State

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 9, line 2. After the word "and" insert the words the Superintendent of Public Grounds and Buildings."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth and sixteenth sections were separately read and agreed to as follows:

Section 10 The commission is authorized to employ a secretary examiners experts clerks accountants stenographers and other assistants Such employments and compensation for the same shall be first approved by the Governor The Commissioners secretary experts clerks accountants stenographers and other assistants as may be employed shall be entitled to receive from the State their actual and necessary expenses while traveling on the business of the Commission Such expenses to be itemized and sworn to by the person who incurred the expense and allowed by the Commission

Section 11 Upon the request of the Commission it shall be the duty of the Attorney General or under his direction the prosecuting atorney of the proper county to aid in any investigation hearing or trial had under the provisions of this act and to institute and prosecute the necessary actions or proceedings for the enforcement of this act and for the punishment of all violations thereof

Section 12 The Commission shall adopte reasonable and proper rules and regulations to govern its proceedings and to regulate the mode and manner of all valuations of real or personal property apportionments investigations inspections and hearings not otherwise specifically provided for

Section 13 The Commission may confer and meet with officers of other States and officers of the United States on any matter pertainig to their official duties

Section 14 To carry out the purposes of this act the Commission or any Commissioner or any person or persons employed by the Commission for that purpose shall upon demand have the right to inspect the books accounts record and memoranda of any public utility company corporation or association subject to the provisions of this act and to examine under oath any officer agent or employee of any such company corporation association or public utility Any person other than one of said Commissioners who shall make such demand shall produce his authority to make such inspection

Section 15 The Commission may require by order or subpoena to pe served on any such company corporation association or public utility in the same manner that a summons is served in a civil action in the court of common pleas the production within this State at any such time and place as it may designated of any books accounts papers or records kept by the same in any office or place within or without the State of Pennsylvania or verified copies in lieu thereof if the Commission shall so order in order that an examination thereof may be made by the commission or under its direction Any such company corporation association or public utility failing or refusing to comply with any such order or subpoena shall for each day it shall so fail or refuse forfeit and pay into the State Treasury a sum not less than fifty dollars nor more than five hundred dollars

Section 16 For the purpose of making any investigation with regard to any such company corporation association or public utility the commission shall have the power to appoint by an order in writing an agent whose duties shall be prescribed in such order

The seventeenth section was read as follows:

Section 17 In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the Commission except in his report to the Commission or when called on to testify in any court or proceeding any such agent who shall divulge any information acquired by him in respect to the transactions property or business of any public utility while acting or claiming to act under any such order shall be fined not less than fifty dollars nor more than one hundred dollars and shall thereafter be disqualified from action as agent or in any other capacity under the appointment or employment of said Commission

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 17, line 10. Strike out the word "action" and insert in lieu thereof the word "acting."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighteenth section was read as follows:

Section 18 The Commission may conduct any number of such investigations contemporaneously through different agents and may delegate to such agent the taking of all testimony bearing upon any investigation or hearing The decision of the Commission shall be based upon its examination of all testimony and records The recommendations made by such agent shall be advisory only and shall not preclude the taking of further testimony if the Commission so order nor further investigation

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 18, line 8. Strike out the word "nor" and insert in lieu thereof the word "for."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The nineteenth section was read as follows:

Section 19 Each company corporation association or public utility shall furnish to the Commission all information required by it to carry into effect the provisions of this act and shall make specific answers to all questions submitted by the Commission

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 19, line 5. After the word "Commission" insert the words "or its agent."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The twentieth to the thirty-seventh sections inclusive were separately read and agreed to as follows:

Section 20 Any such company corporation association or public utility receiving from the Commission any blanks with directions to fill the same shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded and in case it is unable to answer any question it shall in writing give a good and sufficient reason for such failure and the answers to such questions shall be verified under oath by the president secretary superintendent or general manager of the same and returned to the Commission at its office within the period fixed by the Commission

Section 21 Whenever required by the Commission for the enforcement of this act every such company corporation association or public utility shall deliver to the Commission may or all maps profiles contracts reports of engineers and all documents books accounts papers and records or copies of any or all of the same with an inventory of all its property in such form as the Commission may direct

Section 22 Each of the Commissioners the secretary and every agent provided for in this act for the purpose mentioned in this act shall have power to administer oaths certify to official acts issued subpoenas compel the attendance of witnesses and the production of books accounts papers records documents and testimony

In case of disobedience on the part of any person or persons to comply with any order of the Commission or any Commissioner or any subpoena or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated before the Commission or its agents authorized as provided in this act it shall be the duty of the court of common pleas of the county in which the person resides or a judge thereof on application of a Commissioner to compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein

Section 23 Each officer who serves a summons or subpoena shall receive the same fees as a sheriff and each witness who shall appear before the Commission by its order shall receive for his attendants the fees and mileage now provided for witnesses in livil cases in courts of common pleas which shall be audited and paid by the State in the same manner as other expenses are audited and paid upon the presentation of proper vouchers approved by the chairman of the Commission provided that no witness subpoenaed at the instance of parties other than the Commission shall be entitled to compensation from the State for attendance or travel unless the Commission shall certify that his testimony was material to the matter investigated

Section 24 The Commission or any part may in any investigation cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in courts of common pleas

Section 25 A transcribed copy of the evidence and proceedings or any specific part thereof on any investigation taken by the stenographer appointed by the Commission being certified by such stenographer to be a true and correct transcript of all the testimony on the investigation or of a particular witness or of a specific part thereof carefully compared by him with his original notes and to be a correct

statement of the evidence and proceedings had on such investigation so purporting to be taken and transcribed shall be received in evidence with the same effect as if such reporter wer present and testified to the facts so certified A copy of such transcript shall be furnished on demand to any party on payment of the fee therefor as provided for transcripts in courts of common pleas

Section 26 No person shall be excused from testifying or from producing acounts books and papers in any proceedings based upon or growing out of any violation of the provisions of this act on the ground or for the reason that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to penalty or forfeiture but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have testified or produced any documentary evidence provided that no person so testifying shall be exempt from prosecution or punishment for perjury in so testifying

Section 27 The term "Commission" when used in this act means the Tax Commission of Pennsylvania The term "Commissioner" means one of the members of such Commission

Section 28 Any person joint stock association or corporation wherever organized or incorporated engaged in the business of conveying to from or through this State or part thereof money packages gold silver plate or other article by express not including the ordinary lines of transportation of merchandise and property in this State is an express company

Section 29 Any person joint stock association or corporation wherever organized or incorporated engaged in the business of transmitting to from through or in this State telegraphic messages is a telegraph company

Section 30 Any person joint stock association or corporation wherever organized or incorporated engaged in the business of transmitting to from through or in this State telephonic messages is a telephone company

Section 31 Every express telegraph and telephone company defined in the last three preceding sections of this act doing business in this State shall between the first and thirty-first days of May annually under the oath of the person constituting such company if a person or under the oath of the president secretary treasurer superintendent or chief officer in this State of such association or corporation if an association or corporation make and file with the Commission a statement in such form as the Commission may prescribe

Section 32 Such statement shall contain

1 The The name of the company

2 The nature of the company whether a person or persons or association or corporation and under the laws of what State or country organized

3 The location of its principal office

4 The name and post office address of the president secretary auditor treasurer and superintendent or general manager

5 The name and post office address of the chief officer or managing agent of the company in Pennsylvania

6 The number of shares of capital stock

7 The par and market value or if there is no market value the actual value of the shares of stock on the first day of May

8 A detailed statement of the real estate owned by the company in Pennsylvania where situate and the value thereof as assessed for taxation

9 A full and correct inventory of the personal proporety including moneys and credits owned by the company in Pennsylvania on the first day of May where situate and the value thereof

10 The total value of the real estate owned by the company and situate outside of Pennsylvania

11 The total value of the personal property owned by the company and situate outside of Pennsylvania

12 In the case of telegraph and telephone companies the whole length of their lines and the length of so much of their lines as is without and within the State of Pennsylvania which shall include the lines of said telegraph and telephone companies control and use under lease or otherwise and the miles of wire in each taxing district in Pennsylvania

13 In the case of telephone telegraph and express companies the entire gross earnings of the company from whatever source derived for the year ending the first day of May of business wherever done

14 In the case of telephone telegraph and express companies the gross earnings for the year ending the first day of May from whatever source derived of each office within the State of Pennsylvania and the total gross earnings of the company for such period

15 In the case of express companies the whole length of the lines of rail and water routes over which the company did business on the first day of May and the length of so much of such lines of land and water transportation as is without and within Pennsylvania naming the lines within Pennsylvania

16 Such other facts and information as the Commission may require in the form of returns prescribed by it

Section 33 Blanks for making such statement shall be prepared and on application furnished to any such company by the Commission

Section 34 On the first Monday in June the Commission shall ascertain and assess the value of the property of the express telegraph and telephone companies in Pennsylvania In determining the value of the property of such companies in this State to be taxed within the State and assessed as herein provided said Commission shall be guided by the value of the property as determined by the value of the entire capital stock of the companies and such other evidence and rules as will enable said Commission to arrive at the true value in money of the entire property of said companies within the State of Pennsylvania in proportion which such property bears to the entire property of the companies as determined by the value of the capital stock thereof and the other evidence and rules as aforesaid

Section 35 Before the assessment of the property of any express telephone or telegraph company is determined any company or person interested shall have the right on written application to appear before the Commission and be heard in the matter of valuation of the property of any company for taxation After the assessment of the property of any such company for taxation by the Commission and before the certification by the Commission of the apportioned valuation to the several counties the Commission may on the application of any interested person or company or on its own motion correct the assessment of valuation of the property of any such company in such manner as will in its judgment make the valuation thereof just and equal

Section 36 The Commission shall deduct from the total value of the property of each of said companies in Pennsylvania the value as assessed for taxation of any real estate situate in Pennsylvania and owned by such company The value of the property of telegraph and telephone companies of Pennsylvania after deducting the value of the real estate shall be apportioned by the Commission among the several counties through or into which the lines of such telegraph or telephone companies run so that to each county shall be apportioned such part of the entire valuation as will equalize the relative value of the property of the company therein in proportion to the whole value of the property of the company in the State and in the proportion that the length of the lines of wire owned by the company in the county bears to the whole length of the lines of wire in the State

Section 37 The value of the property of any express company shall be apportioned by the Commission among the several counties in which the company does business in the proportion that the gross earnings in each county bear to the entire gross earnings in the State

The thirty-eighth section was read as follows:

Section 38 The Commission shall on or before the fifteenth day of August certify to the county commissioner the amount apportioned to his county and the county commissioner upon receiving such certificate shall apportion the amount therein stated among the cities villages townships or other taxing districts after the same method used for the apportionment of the valuation in the State among the counties The county commissioner shall place the apportioned valuation of the tax duplicate and taxes shall be levied and collected thereon at the same rate and in the same manner as taxes are levied and collected on other personal property in the taxing district in question

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 38, line 2. Strike out the word "Commissioner" and insert in lieu thereof the word "Commissioners."

Section 38, line 3. Strike out the word "his" and insert the word "their." Also same line strike out the word "Commissioner" and insert the word "Commissioners."

Section 38, line 5. Strike out the word "Villages" and insert the words "boroughs, towns."

Section 38, line 7. Strike out the word "Commissioner" and insert the word "Commissioners."

Section 38, line 8. Strike out the word "of" and insert the word "on."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The thirty-ninth to the forty-fourth sections inclusive were separately read and agreed to as follows:

Section 39 That any person or persons joint stock association or corporation wherever organized or incorporated engaged in the business of operating cars not otherwise listed for taxation in Pennsylvania for the transportation of freight whether such freight is owned by such company or any other persons or company over any railway line or lines in whole or part within this State such line or lines not being owned leased or operated by such company whether such cars be termed box flat ore tank stock gondola furniture or refrigerator cars or by another name shall be deemed to be a freight line company Any person or persons joint stock association or corporation wherever organized or incorporated engaged in the business of furnishing or leasing cars of whatsoever description to be used in the operation of any railway line or lines wholly or partially within this State such line or lines not being owned leased or operated by such company and such cars not being otherwise listed for taxation in Pennsylvania shall be deemed to be an equipment company Any person or persons joint stock association or corporation wherever organized or incorporated engaged in the business of operating cars not otherwise listed for taxation in Pennsylvania for the transportation accommodation comfort convenience or safety of passengers on or over any railway line or lines in whole or part within this State such line or lines not being owned leased or operated by such company whether such cars be termed sleeping palace parlor chair dining or buffet cars or by another name shall be deemed to be a sleeping-car company

Section 40 Every sleeping car freight line and equipment company doing business or owning cars which are operated in this State shall annually between the first and thirty-first days of May under oath of the person constituting such company if a person or under the oath of the president secretary treasurer superintendent or chief officer in this State of such association or corporation if an association or corporation make and file with the Commission a statement in such form as the Commission may prescribe

Section 41 Such statement shall contain

1 The name of the company

2 The nature of the company whether a person or persons or association or corporation and under the laws of what State or county organized

3 The location of its principal office

4 The name and postoffice address of the president secretary auditor treasurer and superintendent or general manager

5 The name and postoffice address of the chief officer and managing agent of the company in Pennsylvania

6 The number of shares of capital stock

7 The par and market value or if there is no market value the actual value of the shares of stock on the first day of May

8 A detailed statement of the real estate owned by the company in Pennsylvania where situate and the value thereof as assessed for taxation

9 The total value of the real estate owned by the company and situate outside of pennsylvania

10 The whole length of the lines of railways over which the company runs its cars and the length of so much of such lines as is without and is within the State of Pennsylvania

Section 42 In the case of an equipment company such statement shall also contain the whole number and value of the cars owned and leased by the company classifying the cars according to kind The whole length of the lines of railway wherever located operated by the companies naming them to which cars owned by such equipment company are leased and the length of so much of said lines as is without and within the State of Pennsylvania giving the name and location of the lines wholly or partially within the State of Pennsylvania

Section 43 Blanks for making the above statement shall be prepared and on application furnished any company by the Commission Sleeping car freight line and equipment companies shall not be required to make returns

Section 44 The Commission shall ascertain and determine on or before the second Monday in August the amount and value of the proportion of the capital stock of sleeping-car freight line and equipment companies representing capital and property of such companies owned and used in Pennsylvania and in determining the same shall be guided in each case by the proportion of the capital stock of the company representing rolling stock which the miles of railroad over which such company runs cars or its cars are run in Pennsylvania bear to the entire number of miles in Pennsylvania and elsewhere over which such company runs cars or its cars are run and such other rules and evidence as will enable the Commission to determine fairly and equitably the amount and value of the capital stock of such company representing capital and property owned and used in the State of Pennsylvania Before the amount and value of the capital stock of any company representing capital and property owned and used in Pennsylvania is determined any company or person shall have the right on written application to appear before the Commission and be heard in the matter of such determination After fixing the amount and value of the capital stock of any company representing capital and property owned and used in Pennsylvania and before the certification to the Auditor General of such amount the Commission may on the application of any person or company interested or on its own motion review and correct its action in such manner as it may deem just and proper

The forty-fifth section was read as follows:

Section 45 The Commission shall on the first Monday in September of each year report to the Auditor General who shall charge the amount in the nature of an excise tax charged and to be collected from each sleeping-car freight line and equipment company doing business or owning cars which are operated in this State computed by taking one and two-tenths per centum of the amount fixed by the Commission as the value of the portion of the capital stock representing the capital and property of each company owned and used in Pennsylvania after deducting the value of the real estate of the company in Pennsylvania assessd and taxed locally if any there be It shall be the duty of the Auditor-General on or before the first day of October annually to certify to the State Treasurer as herein provided for collection from sleeping-car freight line equipment company doing business or owning cars which are operated in this State the amount so charged

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 45, line 15. After the word "line" insert "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The forty-sixth to the sixtieth sections inclusive were separately read and agreed to as follows:

Section 46 That any person or persons firm or firm joint stock association or corporation wherever organized or incorporated engaged in the business of supplying electricity for light heat or power purposes to consumers within this State is an electric light company when engaged in the business of supplying artificial gas for lighting or heating purposes to consumers within this State is a gas company when engaged in the business of supplying natural gas for lighting heating or power purposes to consumers within this State is a natural gas company when engaged in the business of transporting natural gas or oil through pipes or tubing either wholly or partially within this State is a pipe-line company when engaged in the business of supplying water through pipes or tubing or in a similar manner to consumers within this State is a water works company when engaged in the business of operating a street suburban or interurban railroad wholly or partially within this State whether the cars used in such business are propelled by animals steam cable electricity or other motive power is a street suburban or interurban railroad company when engaged in the business of supplying messengers or of signalling or calling by electrical apparatus or in a similar manner for any purpose is a messenger or signalling company when engaged in the business of operating a union depot or station for railroad or interurban railroad purposes is a union depot company when engaged in the business of operating a railroad either wholly or partially within this State on rights of way acquired and held exclusively by such company or otherwise is a railroad company when engaged as a common carrier in the transportation of passengers or property by boat or other water craft over any water way whether natural or artificial from one point within this State to another point within this State or between points without this State shall be deemed to be a waer transportation company when engaged in the business of supplying water steam or air through pipes or tubing to consumers within this State for heating or for cooling purposes is a heating or cooling company

Section 47 Each public utility except railroad companies doing business in this State shall annually on or before the first day of August and each said railroad company shall annually on or before the first day of October under the oath of the person constituting such company if a person or under the oath of the president secretary treasurer superintendent or chief officer in this State of such association or corporation if an association or corporation make and file with the Commission a statement in such form as the Commission may prescribe

Section 48 The statement provided in the preceding section shall contain

1 The name of the company

2 The name of the company wether a person or persons or associations or corporations and under the laws of what State or county organized

3 The location of its principal office

4 The name and postoffice address of the president secretary auditor treasurer and superintendent or general manager

5 The name and postoffice address of the chief officer or managing agent of the company in Pennsylvania

6 Such other facts and information as the Commission may require in the form or return prescribed by it

Section 49 In the case of express companies such statement shall also contain the entire receipts including all sums earned or charged whether actually received or not for business done within the State giving the name of the office for the year then next preceding the first day of May for and on account of such companies including its proportion of gross receipts for business done by such company within this State in connection with other companies excluding therefrom all receipts derived wholly from interstate business or business done for the Federal government Such statement shall also contain the total amount of receipts for business done within this State

Section 50 In the case of telegraph and telephone companies such statement shall also contain the entire gross receipts including all sums earned or charged whether actually received or not for the year when next preceding the first day of May from whatever source derived whether messages telephone tolls rentals or otherwise for business done within this State excluding therefrom all receipts derived wholly from interstate business or business done for the Federal Government Such statement shall also contain the gross receipts of each office within this State giving the name of the office also the total of such gross receipts of the company for such period in this State from such business done within this State

Section 51 In the case of each railroad such statement shall also contain the entire gross earnings including all sums earned or charged whether actually received or not for the year then next preceding the thirtieth day of June from whatever source derived for business done within this State excluding therefrom all earnings derived wholly from interstate business or business done for the Federal Government such statement shall also contain the gross earnings of each office within this State giving the name of the office also the total of such gross earnings of such company for such period in this State from such business done within this State

Section 52 In the case of each street suburban or interurban railroad such statement shall also contain the entire gross earnings including all sums earned or charged whether actually received or not for the year then next preceding the first day of May from whatever source derived for business done within this State excluding therefrom all earnings derived wholly from interstate business or busi-

nss done for the Federal Government Such statement shall also contain the gross earnings of each office within this State giving the name of the office also the total of such gross earnings of such company for such period in this State from such business done within this State

Section 53 In the case of all public utilities railroads street suburban and inteurban railroads such statement shall also contain the entire gross receipts of the company including all sums earned or charged whether actually received or not for business done within this State for the year next preceding the first day of May including the company's proportion of gross receipts for business done by it within this State in connection with other companies firms corporations persons or associations but this shall not apply to receipts from interstate business or business done for the Federal Government

Section 54 Blanks for making such statements shall be prepared by the commission and on application furnished by it to any electric light gas natural gas pipe line waterworks street suburban or inteurban railroad express telegraph messenger or signal union depot railroad heating cooling and water transportation company

Section 55 The Commission shall ascertain and determine on or before the first day of September the entire gross receipts as aforesaid of eac helectric light gas natural gas pipe line water-works express telegraph telephone messenger or signal union depot heating cooling and water transportion company for the year then next preceding the first day of May excluding therefrom all receipts derived wholly from interstate busines sor business done for the Federal Government The amount so ascertained by the Commission in such instance for the purpose of this act shall be the gross receipts of such electric light gas natural gas pipe line water-works epress telegraph telephone messenger or signal union depot heating cooling and water transportaion companies for business done within Pennsylvania for such year

Section 56 The Commission shall also ascertain and determine on or before the first day of November the gross earnings as provided in this act of each railroad company whole line is wholly or partially within this State for the year then next preceding the thirtieth day of June The amount so ascertained by the Commission shall be the gross earnings of such railroad company for such year

Section 57 The Commission shall also acertain and determine on or before the first day of September the gross earnings as provided in this act of each street suburban and interurban railroad company whose line is wholly or partially within this State for the year then next preceding the first day of May The amount so ascertained by the Commission shall be the gross earnings of such street suburban or interurban railroad for such year

Section 58 Before the gross receipts or earnings of any such public utility are determined any company or person interested shall have the right on written application to appear before the Commission and be heard in the matter of such determination

Section 59 After the determination of such amount of the gross receipts or earnings of any such public utility and before the report to the Auditor-General of such amount as provided in this act the Commission may on the application of any person or company interested or on its own motion review and correct its findings

Section 60 The Commission shall on or before the first day of October report to the Auditor General the amount of the gross receipts so determined of electric light gas natural gas pipe line water-works express telegraph telephone messenger or signal union depot heating cooling and water transportation companies and the amount of the gross earnings so determined of each street suburban or interurban railroad company for the year then next preceding the first day of May On or before the fifteenth day of November the Commission shall report to the Auditor General the amount of the gross earnings determined as aforesaid of each railroad company for the year then next preceding the thirtieth day of June

The sixty-first section was read as follows:

Section 61 It shall be the duty of the Auditor General in the month of October annually to charge for collection from each electric light gas natural gas water-works telephone messenger or signal union depot heating coolIng and water transportation company a sum in the nature of an excise tax for the privilege of carrying on its interstate business to be computed on the amount so fixed and reported by the Commission as the gross receipts of such company on its interstate business for the year then next preceding the first day of May by adding one and two-tenths per centum of all such gross receipts

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendment:
The amendments were read by the Clerk.

Section 61, line 6. Strike out the word "interstate" and insert in lieu thereof the word "intra-state."
Section 61, line 8. Strike out the word "interstate" and insert the word "intra-state."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

The sixty-second section was read as follows:

Section 62 In the month of October the Auditor-General shall charge for collection from each street suburban and interurban railroad company a sum in the nature of an excise tax for the privilege of carrying on its interstate business to be computed on the amount so fixed and reported to him by the Commission as the gross earnings of such company on its interstate business for the year then next preceding the first day of May by taking one and two-tenths per centum of all such gross earnings

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Section 62, line 4. Strike out the word "interstate" and insert the word "intra-state."
Section 62, line 7. Strike out the word "interstate" and insert the word "intra-state."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The sixty-third section was read as follows:

Section 63 In the month of October the Auditor-General shall charge for collection from each express and telegraph company a sum in the nature of an excise tax for the privilege of carrying on its interstate business to be computed on the amount so fixed and reported to him by the Commission as the gross receipts of such company on its interstate business for the year then next preceding the first day of May by taking two per centum of all such gross receipts

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Section 63, line 4. Strike out the word "interstate" and insert the word "intra-state."
Section 63, line 6. Strike out the word "interstate" and insert the word "intra-state."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The sixty-fourth section was read as follows:

Section 64 In the month of November the Auditor-General shall charge for collection from each railroad company a sum in the nature of an excise tax for the privilege of carrying on its interstate business to be computed on the amount so fixed and reported to him by the Commission on the gross earnings of such company on its interstate business for the year then next preceding the thirtieth day of June by taking four per centum of all such gross earnings

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Section 64, line 4. Strike out the word "interstate" and insert the word "intra-state."
Section 64, line 6. Strike ou the word "interstate" and insert the word "intra-state."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The sixty-fifth section was read as follows:

Section 65 In the month of November the Auditor-General shall charge for collection from each pipe-line company a sum in the nature of an excise tax for the privilege of carrying on its interstate business to be computed on the amount so fixed and reported to him by the Commission as the gross receipts of such company on its interstate business for the year then next preceding the first day of May by taking four per centum of all such gross receipts

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 65, line 4. Strike out the word "interstate" and insert the word "intra-state."

Section 65, line 6. Strike out the word "interstate" and insert the word "intra-state."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The sixty-sixth to the seventy-fourth sections inclusive were separately read and agreed to as follows:

Section 66 After determining the amount of taxes payable to the State as provided in this act the Auditor-General shall thereon prepare proper duplicates and reports and certify the same to the State Treasurer for collection At the time of so certifying he shall notify the companies charged therewith of the amount due The State Treasurer shall proceed to collect the same and render a daily itemized statement to the Auditor-General of the amount of tax collected and the name of the company from whom collected under all the provisions of this act

Section 67 Nothing in this act shall exempt or relieve electric light gas natural gas pipe line water-works street suburban or interurban railroad express telegraph telephone messenger or signal union depot railroad heating cooling and water transportation companies from the assessment and taxation of their property in the manner authorized and provided by law

Section 68 All taxes received by the State Treasurer under the provisions of this act shall be credited to the general revenue fund If any public utility fail or refuse to pay on or before the fifteenth day of December the tax assessed against it the State Treasurer shall certify the list of such utilities so delinquent to the Auditor-General who shall add to the tax due a penalty of fifteen per cent. thereon and forthwith certify the same to the Attorney-General for collection The Attorney-General shall forthwith proceed to collect the same and the amount so collected shall be paid into the State Treasury and credited to the general revenue fund Suits for the collection of such tax may be brought in the name of the State in Dauphin county or in any county in which such street suburban or interurban railroad company or railroad company is located

Section 69 In the case the tax herein authorized to be charged and collected against any class of companies defined in this act shall for any reason be declared invalid such invalidity shall in no wise effect the validity of the law as applicable to any other class or classes of companies provided in this act nor shall the abrogation or repeal of any section or clause of this act be held to abrogate or repeal any other section or clause thereof

Section 70 During the month of November of each year the Commission shall file with the Secretary of State a written statement containing the name of each company which has complied with the provisions of this act during the year next preceding and such facts respecting it within its knowledge which are required by law to be annually filed with the Secretary of Internal Affairs by corporations other than those included within the provisions of this act

Section 71 This act shall not be construed so as to require municipal corporation within the State to make any return or pay any taxes under the provisions of this act

Section 72 Between the first and fifteenth days of January in the year one thousand nine hundred and thirteen and within the same time of each year thereafter a statement shall be delivered to the Commission in such form as the Commission may prescribe by each public utility as defined in this act other than express telegraph and telephone companies with respect to such utilities plant or plants and all property owned o roperated or both by it wholly or in part within this State Such statement shall be signed and sworn to under the oath of the person constituting such public utility if a person or under the oath of the president secretary treasurer superintendent or principal accounting officer or person of such firm association or corporation and such statement shall contain

1 The name of the company

2 The name of the company whether a person or persons firm association or corporation and under the laws of what State or county organized

3 The location of its principal office

4 The name and postoffice address of its president secretary auditor or the principal accounting officer or person treasurer and superintendent or general manager

5 The name and postoffice address of the chief officer or managing agent of the company in Pennsylvania

6 The number of the shares of the capital stock

7 The par value and market value or if there is no market value the actual value of its shares of stock on the first day of January in which the statement is made the amount of capital stock subscribed and the amount thereof actually paid in

8 A detailed statement of the real estate owned by the company in Pennsylvania where situated and the value thereof as assessed for taxation making separate statements of that part used in connection with the daily operations of the company and that part used otherwise if any such there be

9 A full and correct inventory of the personal property including moneys investments and credits owned by the company in Pennsylvania on the first day of the month of January in which the statement is made where situate and the value thereof making separate statements of that part used in connection with the daily operations of the company and that part used otherwise if any such there be

10 The total value and a general description of the real estate owned by the company and situate outside of Pennsylvania giving the location of the same making separate statements of that part used in connection with the daily operations of the company and that part used otherwise if any such there be

11 A description or inventory and the total value of the personal property owned by the company and situate outside of Pennsylvania giving the location thereof making separate statements of that part used in connection with the daily operation of the company and that part used otherwise if any such there be

12 The total amount of bonded indebtedness and of indebtedness not bonded the gross receipts for the preceding calendar year from any and all sources and the gross expenditures for the preceding calendar year giving a detailed statement thereof under each class or head of expenditures

13 In the case of street suburban or interurban railroad companies and railroad companies such statements shall also give

(a) The whole length of their lines and the length of so much of their lines as is without and is within the State of Pennsylvania including branches in and out of the State which include lines and branches and companies control and use under lease or otherwise

(b) The railway track in each county in the State through which it runs giving the whole number of roads in the county including the track and its branches and side and second tracks switches and turnouts therein and the true and actual value per mile of such railway in each county stating the valuation of main track second or other main tracks branches sidings switches and turnouts separately

(c) Such statement as to character classes number accounts values locations ownership or control and use of rolling stock as the Commission may require

(d) The depots station houses section houses freight houses machine and repair shops and machinery therein and all other buildings structures and appendages connected thereto or used therewith including tool houses and the tools usually kept therein together with telegraph and telephone lines owned or used and the true and actual value of all buildings and structures and all such machinery tools and appendages including such telegraph and telephone lines and its true and actual value thereof in each county in this State in which it is located

(e) The gross earnings for the year including earnings from telegraph lines which shall be stated separately on the whole length of the road including the branches thereof in and out of the State and also such earnings within the State on way freight and passengers

14 In the case of the pipe line gas natural gas water works and heating and cooling companies such statement shall also show

(a) The number of miles of pipe line owned leased or operated within the State the size of the pipe composing such line and the material of which such pipe is made

(b) If such pipe line be partly within and partly without the State the whole number of miles thereof within this State and the whole number of miles without this State including all branches and connecting lines in and out of the State

(c) The length size and true and actual value of such pipe line in each county of the State including in such valuation the main lines and stating the different values of the pipe separately

(d) Its pumping stations machine and repair shops and Machinery therein tanks storage tanks and all other buildings structures and appendages connected or used therewith including telegraph and telephone lines and wires and the true and actual values of all such stations shops tanks buildings structures machinery and appendages and of such telegraph and telephone lines and the true and actual value thereof in each county in this State in which it is located and the number and value of all tank cars tanks barges boats and barrels

15 In addition to the facts and information herein specifically required to be given such statement shall contain any and all other facts and information which the Commission may require and in the form of returns prescribed by the Commission

Section 73 Between the fifteenth day of January and the fifteenth day of May of each year the Commission shall ascertain and asses sat its true value in money all the property in the State of each public utility subject to the provisions of this act other than express telegraph and telephone companies In determining the value of the property of such public utility to be assessed and taxed within the State the Commission shall be guided by the value of the property and determined by the information contained in the sworn statements made by the public utility to the Commission and other such evidence and rules as will enable it to arrive at the true value in money of the entire property of the said utility within the State in the proportion which the value of such property bears to the value of the entire property of the said public utility The property of such public utilities to be so assessed by the Commission shall be all the personal property thereof which shal linclude all read estate necessary to the daily operations of the public utility and money and credits within this State

Section 74 The Commission shall give notice to each public utility referred to in the last preceding section hereof ten days before such property shall be assessed of the time and place when such value will be ascertained Before the assessment of said property each of said public utility shall have the right upon written application to appear before the Commission and be heard in the matter of the valuation of its said property for taxation After the assessment of the property of any such public utility for taxation by the Commission and before the certification by it of the apportioned value to the county or to the several counties as herein provided the Commission may on the application of any such public utility to any person interested therein or on its own motion correct the assessment or valuation of its property in such manner as will in its judgment make the valuation thereof just and equal The Commission shall have and may exercise all the powers possessed by the County Commissioners The Commission shall deduct from the total value of the property of each of said public utilities in Pennsylvania as assessed by it the value of the real and personal property owned by said public utilities if any there be otherwise valued and assesed for taxation in Pennsylvania and shall justly and equitably equalize the relative values thereof

The seventy-fifth section was read as follows:

Section 75 The Commission shall ascertain all of the personal property which shall include road bed stations power houses poles wires water and wood stations and other realy necessary to the daily running operations of the road moneys and credits of each railroad company and each suburban or interurban railroad company having any line or road or part thereof in this State and the undivided profits reserved or contingent fund of the company whether in moneys credits or in any manner invested and the actual value thereof in money and also locomotives motors and cars not belonging to the company but fired for its use or run under its control on its road by a sleeping-car company or other company Such rolling stock not belonging to it but under its control may be returned by such public utility separate from its own property and if so returned the Commission shall fix the valuation of such property separately, but must include the amount in the aggregate valuation

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendment:
The amendment was read by the Clerk.

Section 75, line 11. Strike out the word "fired" and insert in lieu thereof the word "hired."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The seventy-sixth section was read as follows:

Section 76 The Commission shall within twenty days after the valuation of any such public utility has been determined make a certified copy of its findings in full with reference to each public utility and forward the same to the County Commissioners in each county having any property of the said companies within his county Such County Commissioners shal lrecord the same in a book to be kept for that purpose which said book and the certified copy of such findings shall be open to public inspection during all business hours The County Commissioners shall place the apportioned value on the tax duplicate and taxes shall be levied and collected thereon in the same manner and at the same rate as other personal property in the taxing district in question

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments:
The amendments were read by the Clerk.

Section 76, line 6. Strike out the word "his" and insert in lieu thereof the word "their."
Section 76, lines 12 and 13. Strike out the word "personal."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

The seventy-seventh and seventy-eighth sections were separately read and agreed to as follows:

Section 77 The value of such property moneys credits of each of said companies as found and determined by the Commission shall be apportioned by the Commission among the several counties through which the road or any part thereof runs so that to each county and to each taxing district therein shall be apportioned such part thereof as shall equalize the relative value of the real estate structure and stationary personal property of the company in this State and so that the rolling stock main track road bed power houses poles wires supplies moneys and credits of the company shall be apportioned in like proportion that the length of road in such county bears to the entir elength thereof in all the counties and to each city village and district or part thereof therein If the line of such company is divided into separate divisions of branches so much of the rolling stock thereof as belongs to or is used solely upon any such divisions or branches shall be apportioned in like manner to the county and to each taxing district therein through which such branch or division runs The Commission shall certify to each such board of county commissioners such apportionment

Section 78 When a public utility has part of its road in this State and part thereof in another State or States the Commission shall take the entire value of such property moneys and credits of such public utility so found and determined in accordance with the provisions of this act and divide it in the proportion the length thereof and determine the principal sum for the value of the road in this State accordingly equalizing the relative value thereof in this State

The seventy-ninth section was read as follows:

Section 79 The Commission shall within twenty days after the valuation of any public utility other than express telegraph telephone and railroad companies suburban or interurban railroad companies apportion the value of the property of al lother public utilities assesed according to the provisions of this act as follows

(a) When the property of said public utility is located within the limits of the county the assessed value thereof shall be apportioned by the Commission between the several taxing districts therein in the proportion which the property located within the taxing district in question bears to the entire value of the property of said public utility as ascertained and valued as herein provided so that to each taxing district there shall be apportioned such part of the entire valuation as will fairly equalize the relative value of the property therein located to the whole value thereof

(b) When the property of said public utility is located in more tha none county in the State the assessed value thereof shall be apportioned by the Commission between the several counties and the taxing districts therein in the proportion in which the property located therein bears to the entire value of the property of said public utility as ascertained and valued as herein provided so that to each county and taxing district therein there shall be apportioned such part of the entire valuation as will fairly equalize the relative value of the property therein located to the whole value thereof

(c) When the property of said public utility required to be assessed by the provisions of this act is located in more than one State the assessed value thereof shall be apportioned by the Commission in such manner as will fairly and equitably determine the principal sum for the value thereof in this State and after ascertaining the same it will be apportioned by the Commission as provided herein

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Section 79, line 31. Strike ou the word "will" and insert in lieu thereof ahe word "shall."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The eightieth section was read as follows:

Section 80 The Commission may remit taxes and penalties thereon found by it to have been illegally assessed and such penalties as have accrued or may accrue in consequence of the negligence or error of an officer required to perform a duty relating to the assessment of property for taxation or the levy or collection of taxes It may corrocet an error in an assesment of property for taxation or in the duplicate of taxes in a county No such taxes assessments or penalties in excess of one hundred dollars shall in any case be remitted until after at least ten days' notice of the application to have the same remitted shall have been served upon the prosecuting attorney and the county commissioners of the county where such taxes or assessments were levied and proof of such services has been filed with the Commission

When any taxes or penalties have been remitted as provided in this section the Commission shall make a report of the same to the Auditor-General It may receive complaints and carefully examine into all cases where it is alleged that property subject to taxation has not been assessed or has been farudulently or for any reason improperly or unfairly assessed or the law in any manner evaded or violated and may cause to be instituted such proceedings as will remedy improper or negligent administration of the taxation laws of the State

The eighty-first section was read as follows:

Section 81 The Commission shall prepare and transmit to the Commissioners of the several counties such forms of returns to be made by them to its office and such instruction as it deems conducive to the best interests of the State upon a subject affecting taxation or the construction of any statute affecting taxation the execution of which devolves upon any county or local officer It shall see that the laws concerning the valuation and assessment of all classes of property and the collection of taxes thereon are fully obeyed It shall issue such orders and instructions to the different taxing officers as will carry into effect the provisions of law relating to taxation and shall enforce the same agreeably to the provisions of this act Each such officer shall obey and observe all such orders and instructions and upon failure shall be subject to the penalties herein provided

It shall order a re-assessment of the real or personal property in any taxing district when in the judgment of the Commission such property has not been assed to its true value in moneys to the end that all classes of property in such taxing district shall be assessed in compliance with the law When a re-assessment is ordered in any taxing district the Commission shall appoint an appraised or board of appraisers who shall forthwith proceed to reassess such property in such taxing district and who shall have all the powers shall perform all the duties and shall receive the same compensation from the same resources as provided by law for assessors of real or personal property as the case may be It shall require the county commissioners to place upon the tax duplicate any property which may be found to have for any reason escaped assessment and taxation

It may raise or lower the assessed value of any real or personal property first giving notice to the owners thereof fixing a time and place for hearing any person or persons interested to the end that the assessment laws of the State may be equitably administered Said hearing shall in case of realty be had within the county in which said realty is situated and in case of personality within the county wherein the owner thereof resides if a natural person residing in the State

For the purpose of protecting the public interests the Commonwealth is authorized to appear and upon its application to be heard in any court or tribunal in any proceeding in which an abatement of taxes is sought It shall be the duty of the clerk of any court of record in this State to immediately transmit to the Commission by registered letter a copy of the petition filed in any action in which an abatement of taxes assessed by the Commission is sougth and charge the fee thereof in the costs

County commissioners and all local officers shall observe and use such forms and obey such instructions

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 81, line 25. Strike ou the word "resources" and insert in lieu thereof the word "resources."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

From the eighty-second to the eighty-sixth sections inclusive were separately read and agreed to as follows:

Section 82 Each corporation organized under the laws of this State fo rprofit shall make a report in writing to the Commission annually during the month o fMay in such form as the Commission may prescribe The report shall be signed and sworn to before an officer authorized to administer oaths by the president vice-president secretary or generad manager of the corporation and forwarded to the Commission

Section 83 Such report shall contain

1 The name of the corporation

2 The location of its principal office

3 The names of the president secretary treasurer and members of the board of directors with the postoffice address of each

4 The date of the annual election of officers

5 The amount of authorized capital stock and the par value of each share

6 The amount of capital stock subscribed the amount of capital stock issued and outstanding and the amount of capital stock paid up

7 The nature and kind of business in which the corporation is engaged and its place or places of business

8 The change or changes if any in the above particulars made since the last annual report

Section 84 Upon the filing of the report provided in sections eighty-two and eighty-three of this act the Commission after finding such report to be correct shall report to the Auditor-General who shall charge and certify to the treasurer of State for colection on or before July fifteenth as herein provided from such corporation a fee of three-twentieths of one percentum upon its subscribed or issued and outstanding capital stock which fee shall not be less than ten dollars in any case

Section 85 Each foreign corporation for profit doing business in this State and owning or using a part of its capital or all of its capital and plant in this State and subject to compliance with all other provisions of this law and in addition to all other statements required by law shall make a report in writing to the Commission annually during the month of July in such form as the Commission may prescribe

The report shall be signed and sworn to before an officer authorized to administer oaths by the president vice-president superintendent or managing agent in this State and forwarded to the Commission

Section 86 Such report shall contain

1 The name of the corporation and under the laws of what State or county organized

2 The location of its principal office

3 The names of the president secretary treasurer and members of the board of directors with the postoffice address of each

4 The date of the annual election of officers

5 The amount of authorized capital stock and the par value of each share

6 The amount of capital stock subscribed the amount of capital stock issued and the amount of capital stock paid up

7 The nature and kind of business in which the company is engaged and its place of business both within and without this State

8 The name and location of its office or offices in this State and the name and addresses of the officers or agents of the corporation in charge of its business in this State

9 The value of the property owned and used by the company in this State where situated and the value of the property owned and used outside of this State and where situated

10 The change or changes if any in the above particulars made since the last annual report

The eighty-seventh section was read as follows:

Section 87 Upon the filing of the report provided for in the last two sections the Commission from the facts thus reported and any other facts coming to its knowledge bearing upon the question shall determine the proportion of the authorized capital stock of the company represented by its property and business in this State on or before September first and shall report the same to the Auditor-General who shall charge and certify to the State Treasurer on or before October first for collection as herein provided annually from such company in addition to the initial fees otherwise provided by law for the privilege of exercising its franchise in this State one-tenth of one per centum for the year one thousand nine hundred and fourteen and three-twentieths of one per centum for each year thereafter upon the proportion of the authorized capital stock of the corporation represented by property owned and used and business transacted in this State where fee shall not be less than ten dollars in each case

On the question.

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 87, line 16. Strike ou the word "where" and insert in lieu thereof the word "which."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The eighty-eighth and eighty-ninth sections were read separately and agreed to as follows:

Section 88 Each corporation organized under the laws in this State not for profit and having no capital stock shall make a report in writing to the Commission annually during the month of November in such form as the Commission may prescribe The report shall be signed and sworn to before an officer authorized to administer oaths by the president secretary or other chief officer of the corporation and forwarded to the Commission

Section 89 Such report shall contain

1 The name of the corporation

2 The location of its principal office

3 The names of the president secretary treasurer and members of the board of trustees or directors with the post office address of each

4 The date of the annual election of officers

5 The object or purpose which such corporation is engaged in carrying out

The ninetieth section was read as follows:

Section 90 Upon the filing of the report as provided for in the last two preceding sections the Commission shall report the Auditor General on or before December first who shall charge and certify to the Treasurer of the State on or before January first for collection as provided for herein a fee of ten dollars from each corporation not having a capital stock or any other mutual corporation not organized strictly for benevolent or charitable purposes and having no capital stock or of a company or association organized to transact the business of

life or accident or life and accident insurance on the assessment plan for the purpose of mutual protection and relief to its members and the payment of stipulated sums of money to the family heirs executors administrators or assigns of the deceased members thereof

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Section 90, line 2. Insert the word "to" after the word "report."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The ninety-first section was read as follows:

Section 91 Upon the filing of the report provided in sections eighty-eight and eighty-nine of this act the Commission shall report to the Auditor General on or before December first who shall charge and certify to the Treasurer of the State on or before January first for collection as herein provided one dollar from each corporation formed for religious benevolent or literary purposes or of such corporations as are not organized for profit having no capital stock and are not mutual in their character or of religious or secret societies or associations composed of any class of mechanics express mutual protection and relief of the members thereof and their families

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Section 91, line 6. Strike out the word "religious."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The ninety-second second was read as follows:

Section 9 Upon the filing of the report and the payment of the fee provided for in sections eighty-two to one hundred inclusive of this act to the Treasurer of State the Auditor General of State shall make out and deliver to the corporations so paying a certificate of the compliance by such corporations with said sections of this act and the payment of the annual fee therein provided for The Auditor General shall make a report monthly to the Commission of the annual fees so collected

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 92, line 3. Strike out the words "Treasurer of State" and insert the words "State Treasurer."
Section 92, line 4. Strike out the words "of State."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

Sections ninety-three to ninety-six inclusive were separately read and agreed to as follows:

Section 93 The fees taxes and penalties required to be paid by this act shall be the first and best lien on all property of the corporations whether such property is employed by the corporation in the prosecution of its business or is in the hands of an assignee trustee or receiver for the benefit of the creditors and stockholders thereof

Section 94 If a corporation other than public utility required to file a report and pay the fee prescribed in this act fails or neglects to make such report as required herein or pay such fee within thirty days after the same has been cretified to the Treasurer for collection it shall be subject to a penalty of fifteen per cent of the amount of the fee required to be paid by it

Section 95 Such penalty or penalties and the annual fee or fees to be paid as provided in this act may be recovered by an action in the name of the State and on collection shall be paid into the State Treasurer to the credit of the general revenue fund

Section 96 The Attorney General on request of the Commission shall institute such action in the court of common pleas of Dauphin County or any county in the State in which such corporation has an office or place of business

The ninety-seventh section was read as follows:

Section 97 If a corporation organized under the laws of Pennsylvania for profit or not for profit required to file the report and pay the fee prescribed in this act fails or neglects to make such report or pay such fee for three months after the expiration of the time limited by this act and such default is wilful and intentional the Attorney General on request of the Commission shall bring an action in the circuit court of Dauphin County or any county in this State in which corporation is located to forfeit and annul the charter of such corporation If the court is satisfied that such default is willful and intentional it may revoke and annul such charter

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 97, line 7. Strike out the word "circuit."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The ninety-eighth section was read as follows:

Section 98 The Secretary of Internal Affairs shall prepare and keep a correct list of all corporations subject to the provisions of sections eighty-two to one hundred inclusive of this act and engaged in business within this State and shall on the first day of July one thousand nine hundred and thirteen certify a copy of said list to the Commission and shall monthly thereafter file with the Commission a certified report showing all new corporations the increase or decrease of the capital stock or the dissolution of existing corporations and such other information as the Commission may require For the purpose of obtaining necessary information the Secretary of Internal Affairs or the Commission shall have access to the records of the offices of the County Commissioners of the State

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 98, line 5. Strike out the word "thirteen" and insert in lieu thereof the word "fourteen."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.

The ninety-ninth section was read as follows:

Section 99 Any County Commissioners upon the request of the Secretary of Internal Affairs or Commission shall furnish such information as is shown by the records of his office concerning corporations located within his county and subject to the provisions of this act The Commission for the purpose of determining the amount o ffees due fro msuch corporation may investigate and determine the facts showing the proportion of the authorized capital stock of the company represented by its property and business in this State

On the question,
Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk.

Section 99, line 1. Insert the words "Board of" after the word "Any."
Section 99, line 1. Strike out the word "Any" and insert in lieu thereof the words "The several Boards of."
Section 99, line 3. Strike out the word "his" and insert in lieu thereof the word "their."
Section 99, line 4. Strike out the word "his" and insert in lieu thereof the word "their."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

The 100th, 101st, 102nd and 103rd sections were separately read and agreed to as follows:

Section 100 Any corporation may be heard by the Commission upon the question of the amount of fees or penalties due to the State from it under the provisions of this act and its decision in the matter shall be final

Section 101 Electric light gas natural gas water works pipe line street railroad suburban or interurban railroad steam railroad messenger union depot express freight line sleeping car telegraph telephone and other public utilities required by law to file annual reports with the Commission shall not be subject to the provisions of sections eighty-two to ninety-two inclusive

Section 102 A corporation shall not be required to file its first annual report under sections eighty-two to one hundred inclusive of this act until the proper month hereinbefore provided for the filing of such report next following the expiration of six months from the date of its incorporation or admission to do business in this State

Section 103 Nothing in this act is inteded to repeal any law or parts of laws of this Commonwealth providing for taxation of money at interest represented by bond mortgage note or other evidence of indebtedness by whosoever held or owned

The 104th section was read as follows:

Section 104 Nothing contained in this act is inteded to change after amend or repeal any law now in force providing for the collection of the collateral inheritance tax liquor tax or any other property of a public utility company or corporation

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Section 104, line 3. Insert the words "bank tax" after the words "liquor tax."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The 105th section was read and agreed to as follows:

Section 105 Each Board of County Commissioners on or before the first Monday of March one thousand nine hundred and fourteen and each year thereafter shall make and transmit to the Commission an abstract of the real and personal property of each taxing district in the county in which they shall set forth the value thereof as returned by the assessors with such additions as have been made thereto

The 106th section was read as follows:

Section 106 The Commission shall on or before the first day of April following determine whether the real and personal property of the several counties cities villages and taxing districts in the State shall have been assessed at its true value in money and if in the opinion of the said Commission the real and personal property which any county city village or taxing district in the State as reported by the said commissioners to said commission is not on the duplicate at its true value in money the said commission may increase or decrease the valuation in such county city village or taxing by such rate of percentage or by such amount as will place said property on the duplicate at its true value in money

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Section 106, line 3. Strike out the words "villages and" and insert the words "boroughs, towns and townships or."
Section 106, line 7. Strike out the word "village" and insert the words "borough, town township."
Section 106, line 10. Strike out the word "village" and insert the words "borough, town township."
Section 106, line 11. Insert after the word "taxing" the word "district."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The 107th and 108th sections were separately read and agreed to as follows:

Section 107 When the commission has determined the true value of the real and personal property in the several taxing districts the commission shall transmit to each Board of County Commissioners a statement of the amount to be added or deduction from the valuation of the real and personal property of each taxing district in their county specifying the amount to be added or deducted from the valuation of the real and personal property of each of the taxing districts The County Commissioners shall forthwith add to or deduct from each tract or lot of real and personal property in their county the required percentage or amount on the valuation thereof as it stands after it has been equalized by the county and city board of equalization adding or deducting in each case any sum less than five dollars so that the value of any separate tract or lot shall be ten dollars or some multiple thereof

Section 108 The commission shall cause to be prepared suitable blanks for carrying out the purpose of this act and shall when necessary furnish such blanks to each public utility company corporation association or individual subject thereto

The 109th section was read as follows:

Section 109 Any officer agent or employe of any public utility company corporation and association subject to the provisions of this act or shall fail or refuse to answer any questions therein or shall knowingly or willfully give a false answer to such question where the fact inquired of is within his knowledge or who shall upon proper demand fail or refuse to exhibit to the Commission or any commissioner or any person authorized to examine the same any book paper account record or memoranda of such public utility which is in his possession or under his control shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one thousand dollars for each offense

And a penalty of not less than five hundred dollars nor more than one thousand dollars shall be recovered from the public utility for each such offense when officer or agent or employe acted in obedience to the direction instruction or request of such public utility company corporation or association or any general office thereof

On the question,
Will the House agree to the section?
Mr. BENSON. Mr. Speaker, I desire to offer the following amendments.
The amendments were read by the Clerk.

Section 109, line 3. Strike out the word "or" and insert in lieu thereof the word "who."
Section 109, line 18. Strike out the word "office" and insert the word "officer."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The 110th and 116th sections inclusive were separately read and agreed to as follows:

Section 110 Whoever violates any provision of this act or neglects or refuses to perform any duty herein required for wihch a penalty has not otherwise been provided or neglects or refuses to obey any lawful requirement or order made by the commission for every such violation failure or refusal shall be fined not less than twenty-five dollars nor more than one thousand dollars for each offense In construing and enforcing the provisions of this act (this section) omission or failure of any officer agent or any person acting for or employed by public utility company corporation or association acting within the scope of his authority shall in every case be deemed to be the act ommission failure of such public utility company corporation or association

Section 111 Whoever being a member of the commission or an assessor or a member of a county board of equalization or a person whose duty it is to list value assess or equalize real or personal property for taxation shall knowingly or willfully fail to or return for assessment or valuation any real estate or personal property or knowingly list or return for assessment or valuation any real or personal property at any other than its true value in money or shall knowingly or willfully fail to equalize any real or personal property according to its true value in money shall be fined not less than fifty dollars notmore than five hundred dollars and in addition thereto if he be an officer shall forfeit his office of position

Section 112 Every day during which any public uitility company corporation association officer or individual subject to the provisions of this act or any officer agent or employe thereof shall willfully fail to observe and comply with any order or direction of the Commission or to perform any duty enjoined by this act shall constitute a separate and distinct offense

Section 113 If any public utility company corporation or association subject to the provisions of this act fails or refuses to make out and deliever to the Commission any statement required by this act or furnish the Commission with any information requested the oCmmission shall inform itself as best it may on the matters necessary to be known in order to discharge its duties under this act

Section 114 All powers duties and privileges imposed and conferred upon any State board which board is by this act abolished or its powers and duties in whole or in part conferred upon this Commission or any power or duty which has been heretofore conferred upon any State or county officer or board which power and duty is hereby conferred upon the Commission is hereby imposed and conferred upon the Commission created by this act Provided That the powers and duties so transferred by this act shall continue to be exercised under existing laws until such time as the Commission hereby created has been appointed and qualified

Section 115 The Commission shall whenever called upon by any officer board or commission now existing or hereafter created of the State or any polictial division thereof furnish any data or information to such officer board or commission and shall so far as possible aid and assist such officer board or commision in performing his or its office All State county and olcal officers shall make and forward to the Commission upon its written order such transcript of records or parts thereof and other information on file in their respective offices or in

their possession as are deemed necessary by the Commission to properly and effectually carry into operation the provisions of this act

Section 116 Each section of this act and every part of each section is hereby declared to be independent sections and parts of sections and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or part thereof

The 117th section was read as follows:

Section 117 Every order or notice provided for in this act shall be served upon every person or corporation to be affected thereby or by either personal delivery or a copy thereof or by mailing a certified copy thereof by registered mail to the person to be affected thereby or in the case of a corporation to any officer or agent thereof upon whom a summons may be served Within the times specified on the order of the Commission every person or corporation upon it is esreva if so required in the order shall notify the Commission in like manner whether the terms of the order are accepted and will be obeyed

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments:

The amendment was read by the Clerk.

Section 117, line 8. Insert after the word "upon" the word "whom."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The 118th to the 122nd sections were separately read and agreed to as follows:

Section 118 No injunction shall issue suspending or staying any order of the Commission except upon application to the court or a judge thereof and upon notice to the Commission and a hearing

Section 119 In addition to the other remedies provided by this act for the prevention and punishment for any violation of the provisions hereof and all oredsr of the Commission the Commission may compel compliance with the provisions of this act and of the orders of the Commission by proceedings in mandamus injunction or by other appropriate civil remedies

Section 120 The term "public utility" as used in this act means and embraces each corporation company firm individual and association their lesses trustees or receivers elected or appointed by any authority whatsoever and in this act referred to as express company telephone company telegraph company sleeping car company freight line company equipment company electric light company gas company natural gas company pipe line company water works company messenger company signal company messenger or signal company union depot company water transportation company heating company cooling company street railroad company railroad company suburban railroad company and interurban railroad company nd such term "public utility" shll include any plant or property operated or owned or both by any such companies corporations firms individuals or associations

Section 121 The Commission shall annually on or before the fifteenth day of December and each year thereafter make and deliver to the Governor a full report of the operations and execution of all laws which it is herein required to administer one thousand copies of which shall be printed in book form for the use of the General Assembly and the public The board shall report to the Governor and General Assembly its recommendations of such changes and alterations as in its opinion should be made in the tax laws of this State

Section 122 This act shall in no manner affect existing causes of action or pending actions proceedings or prosecutions This act shall take effect and be in force on and after December thirty-first one thousand nine hundred and thirteen but the Commission may be appointed and organize before said date as provided in sections one to ten inclusive of this act And it shall be the duty of the Tax Commission to proceed to gather all information relating to the assessment of taxes and for all other purposes as fully as though this act were in full force and effect But nothing herein contained shall be so construed as to change or alter the laws now governing the assessment and collection of taxes for the year one thousand nine hundred and thirteen

The 123rd section was read as follows:

Section 123 For the year one thousand nine hundred and fourteen there shall be levied and assessed three mills upon the valuation of all the real and personal property subject to taxation as returned as herein provided by the several Boards of County Commissioners to the Board of Tax Commission and said Board of Tax Commissioners shall cause the several Boards of County Commissioners of this Commonwealth to place said rate of three mills so levied for State purposes upon all the tax duplicates of the several taxing districts of the said county and proceed to collect said tax in like manner and subject to the same laws governing the collection of county taxes and the County Commissioners shall cause and direct the several tax collectors of their respective tax districts in said counties to collect and pay the same to the county treasurer of each of said counties and after deducting the cost of collecting said tax therefrom as now provided by law for the collection of cunty taxes the county treasurers of the several counties of this Commonwealth shall remit said State taxes so collected to the State treasurer whose receipt shall be sufficient voucher to the said county treasurer The Board of County Auditors shall at the time of the annual auditing of the accounts of the several county officers likewise audit the accounts of the county treasurer and the accounts of the several tax collectors of each county relating to all moneys paid collected or outstanding in any wise relating to the payment or collection or distribution of sad State tax and the said county auditors shall mail or deliver a complete itemized statement of such account so audited to the Secretary of Internal Affairs and likewise to the Board of Tax Commissioners

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Section 123, line 2. Strike out the word "three" and insert the word "two."

Section 123, line 8. Strike out the word "three" and insert the word "two."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The 124th section was read as follows:

Section 124 On the first Tuesday of January one thousand nine hundred and fifteen and bi-annually thereafter the Board of Tax Commissioners shall transmit to the Governor and the General Assembly of Pennsylvania a complete statement of the entire valuation of all property real personal or mixed as shown by the returns to the Board o tTax Commissioners by the Board of County Commissioners of the several counties of this Commonwealth and as well an estimate showing as nearly as possible the revenue of the State to be derived from other sources during the two succeding years and the Legislature shall thereupon proceed to levy a sufficient tax upon the property so returned by the several Boards of County Commissioners to the Board of Tax Commissioners as may be required to provide sufficient revenue for all State purposes and when the General Assembly shall have complied with this section of this act the same shall be submitted to the Governor for his approval Upon the approval of the Governor shall transmit the same to the Secretary of Internal Affairs and thereupon the said Secretary of Internal Affairs shall forward to the County Commissioners of each county the rate of levy so fixed who shall cause the said rate of levy to be entered in the regular tax duplicate of the tax collectors and proceed to collections of said tax in same manner as county taxes are now collected and cause the same to be remitted to the State Treasurer through the office of the several county treasurers in same manner as like moneys are being remitted to the State Treasurer

On the question,

Will the House agree to the section?

Mr. BENSON. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Section 124, line 17. Insert after the word "Governor" the word "he."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The 125th section and the title were separately read and agreed to as follows:

Section 125 All laws or parts of laws inconsistent with this act be and the same are hereby repealed but nothing herein contained shall be construed to repeal any law now in force exempting church or religious properties form taxation

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a tax commission and repealing all laws or parts of laws inconsistent herewith

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. EHRHARDT. Mr. Speaker, I move that this House do now adjourn until Monday night.

Mr. MOSES. Mr. Speaker, I second the motion.

Ths motion was not agreed to.

Mr. ROCKWELL. Mr. Speaker, I move that this House take a recess until three o'clock.

Mr. HUMES. Mr. Speaker, I second the motion.

Whereupon, a division was called for and 34 gentlemen voting in the affirmative and 70 in the negative,

Ths motion was not agreed to.

Mr. BERGEY. Mr. Speaker. I move that we adjourn.

POINT OF ORDER.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a point of order. No other business having intervened, the motion is not in order.

The SPEAKER. The previous motion was for a recess.

Mr. R. J. BALDWIN. Mr. Speaker, it appears to me that to ask for unanimous consent to move that this House adjourn until next Monday evening at 8 o'clock would be in order, because the position appears to me to be this, that the second reading calendar has been gone through with, and we certainly cannot act on third reading bills with a House like this. If we defeat a bill, then it means that we will have to reconsider the vote next week and get the bill back on the calendar, and it will take double time to pass a bill if we defeat it.

ADJOURNMENT.

I move that this House do now adjourn until next Monday evening at 8 o'clock.

The SPEAKER. It may be interesting to the members of the House who have not kept count to know that the House has already up to this time passed fifteen more bills than we passed all last week, eighty-seven bills.

It requires some imagination on the part of the Chair to see a quorum here now.

The motion was agreed to and (at 12.35 o'clock P. M.) the House adjourned until next Monday evening at 8 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, APRIL 21, 1913. No. 52.

SENATE.

MONDAY, April 21, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"Lo, I am with you alway, even unto the end of the world." We thank Thee, O Lord, for this Thy promise to man. Impress upon us at this end the real meaning of life, and that the true measure of our days is not how long we live but how well we live. Help us to feel that life is a gift from God, and that we should value that gift by putting it to the noblest service. Lead us by Thy counsel, protect us by Thy providence, strengthen us by Thy might, sustain us by Thy grace, and Thy name shall have all the praise now and forevermore. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HALL presented petition of citizens of Elk County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

Mr. McILHENNY presented petition of citizens of Philadelphia County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to the Committee on Judiciary Special.

The Chair presented fifteen petitions of citizens of Butler County, twelve petitions of citizens of Armstrong County, petition of citizens of Allegheny County, two petitions of citizens of Lancaster County, petition of citizens of Lebanon County, petition of citizens of Chester County, petitions of Waynesboro Council No. 760, Jr. O. U. A. M., John Harris Council No. 174, Jr. O .U. A. M., East Tyrone Council No. 346, Jr. O. U. A. M., Plains Council No. 660, Jr. O. U. A. M., Mountain Rose Council No. 447, Jr. O. U. A. M., Wilkes-Barre Council No. 161, Jr. O. U. A. M. Columbia Council No. 43, Jr. O. U. A. M., Dunmore Council No. 1022, Jr. O. U. A. M., Codorus Council No. 115, Jr. O. U. A. M., Sugarloaf Council No. 517, Jr. O. U. A. M., Hanover Council No. 251, Jr. O. U. A. M., Fleetville Council No. 14, Jr. O. U. A. M., Danton Council No 75, Jr. O. U. A. M., McKeesport Council No. 109, Jr. O. U. A. M., Col. Fred Taylor Council No. 762, Jr. O. U. A. M., Plum Council No 363, Jr. O. U. A. M., Kingston Council No. 356, Jr. O. U. A. M., J. P. Winower Council No. 618, Jr. O. U. A. M., Friendship Council No. 201, Jr. O. U. A. M., West Side Council No. 288, Jr. O. U. A. M., Penn Council No. 106, Jr. O. U. A. M., Sterling Council No. 449, Jr. O. U. A. M., Jacobs Creek Council No 37, Jr. O. U. A. M., Col. T. D. Lewis Council No. 1015, Jr. O. U. A. M., John B. Parker Council No. 854, Jr. O. U. A. M., Canonsburg Council No. 303, Jr. O. U. A. M., Orient Council No. 72, Jr. O. U. A. M., Pleasant Hill Council No. 390, Jr. O. U. A. M., Irwin Council, No. 44, Jr. O. U. A. M., Ferndale Council No. 685, Jr. O. U. A. M., Charles A. Gerash Council No. 1004, Jr. O. U. A. M., Ackermanville Council No. 993, Jr. O. U. A. M., Philipsburg Council No. 24, Jr. O. U. A. M., Williams Valley Council No. 317, Jr. O. U. A. M., Clover Council No. 99, Jr. O. U. A. M., Pride of Wilkinsburg Council No. 198, Jr. O. U. A. M., Danville Council No 16, Jr. O. U. A. M., Saxton Council No. 591, Jr. O. U. A. M., Clear Ridge Council No. 940 Jr. O. U. A. M., Wanamie Council No. 549, Jr. O. U. A. M. Newport Council No. 614, Jr. O. U. A. M., Henderson Gaylord Council No. 316, Jr. O. U. A. M., Lackawanna Valley Council No. 81, Jr. O. U. A. M., Painterville Council No. 211, Jr. O. U. A. M., Webster Council No. 23, Jr. O. U. A. M., Lititz Springs Council No. 197, Jr. O. U. A. M., Green Ridge Council No. 11, Jr. O. U. A. M., Evening Star Council No. 254, Jr. O. U. A. M., George Shiffler Council No. 177, Jr. O. U. A. M., James A. Garfield Council No. 206, Jr. O. U. A. M., praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. HOKE presented five petitions of citizens of Franklin County praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. GERBERICH presented three petitions of citizens of Lancaster County and petitions of Washington Camp No. 559, P. O. S. of A., and Washington Camp No. 160, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. HOKE presented three petitions of citizens of Franklin County, and petitions of Washington Camp No. 453, P. O. S. of A., Washington Camp No. 685, P. O. S. of A., Washington Camp No. 618, P. O. S. of A., Washington Camp No. 22, P. O. S. of A., and Washington Camp No. 414, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

The Chair presented petitions of citizens of Armstrong County and petition of Washington Camp No. 611, P. O. S. of A., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. HALL presented petition of Washington Camp No. 161, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

Mr. GERBERICH presented three petitions of citizens of Lancaster County and petitions of Washington Camp No. 559, P. O. S .of A., and Washington Camp No. 160, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereto.

Which were referred to the Committee on Appropriations.

Mr. HOKE presented three petitions of citizens of Franklin County, and petitions of Washington Camp No. 453, P. O. S. of A., Washington Camp No. 685, P. O. S. of A., Washington Camp No. 618, P. O. S. of A., Washington Camp No. 22, P. O. S. of A., and Washington Camp No. 414, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

The Chair presented petitions of citizens of Armstrong County, and petition of Washington Camp No. 611, P. O. S. of A., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING PASSAGE OF SENATE BILL NO. 597.

The Chair presented petition of Light Street Grange No. 31, P. of H., favoring the passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

FAVORING WOMAN SUFFRAGE.

The Chair presented petition of citizens of Armstrong County, favoring woman suffrage.

Which was referred to the Committee on Judiciary General.

AGAINST PASSAGE OF SENATE BILL NO. 413.

Mr. HOKE presented petition of citizens of Franklin County against the passage of Senate Bill No. 413.

Which was referred to the Committee on Public Roads and Highways.

LEAVES OF ABSENCE.

Mr. HUNTER asked and obtained leave of absence for the Senator from Beaver, Mr. Thompson, for this evening's session, by reason of a death in the family.

Mr. CLARK asked and obtained leave of absence for the Senator from Warren, Mr. Knapp, for this evening's session.

Mr. JUDSON asked and obtained leave of absence for the Senator from Montgomery, Mr. Heacock, for this evening's session.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 23, entitled:

An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one three four five six seven and eight

Senate Bill No. 77, entitled:

An Act to exempt from the payment of inheritances taxes bequests and devices to institutions of purely public charity

Senate Bill No. 120, entitled:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

Senate Bill No. 316, entitled:

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Senate Bill No. 611, entitled:

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto"

Whereupon,

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the presence of the Senate signed the same.

COMMUNICATION FROM THE OAKLAND BOARD OF TRADE FAVORING CONCURRENT RESOLUTION FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND REPORT TO THE NEXT SESSION OF THE LEGISLATURE ALL MATTERS PERTAINING TO COLD STORAGE AND THE PRESERVATION OF FOOD PRODUCTS.

The Chair cleared his table and laid before the Senate the following communication which was read and referred to the Committee on Public Health and Sanitation:

Oakland Board of Trade.

Pittsburgh, April 11th, 1913.

To the Honorable, the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly Met:—

This opportunity is taken to certify that the Oakland Board of Trade at its meeting of April 8th, 1913, fully endorsed the memorial of the Philadelphia Board of Trade, in which you are petitioned to act favorablely upon and adopt the concurrent resolution presented by Senator Kline providing for the appointment of a commission to investigate all matters pretaining to cold storage.

We feel that this confirmation is but fair to the large interests involved in this business and the only practical way in which a proper understanding of the various phases of the subject may be had.

Respectfully,
D. A. JONES, Secretary.

COMMUNICATION FROM THE BOOT AND SHOE MANUFACTURERS' ASSOCIATION OF PHILADELPHIA, AGAINST THE BILL ESTABLISHING A MINIMUM WAGE FOR FEMALES AND REGULATING THE HOURS OF LABOR.

He also laid before the Senate the following communication which was read and referred to the Committee on Judiciary Special:

The Boat & Shoe Manufacturers' Association of Philadelphia.

Philadelphia April 17th, 1913.

Hon, John M. Reynolds,
Harrisburg, Pa.

Dear Sir:—The Boot and Shoe Manufacturers' Association of Philadelphia earnestly request that the effect of the bill establishing a minimum wage for females and regulating the hours of labor, be carefully weighed before the measure passes the Legislature or becomes a law.

Our association dissaproves of the proposed bill, believing that should it become a law, it would place the industries of the State of Pennsylvania under a disadvantage; but if such a movement is necessary it should be National in scope so as to be uniform in its operation in all parts of the Nation.

Yours Respectfully,
HERMAN MEYER, Secretary.

JOINT RESOLUTION OF THE LEGISLATURE OF THE STATE OF MINNESOTA REQUESTING CONGRESS TO ENACT A LAW PROVIDING FOR THE GOVERNMENT OWNERSHIP AND CONTROL OF OIL PRODUCING INDUSTRIES.

He also laid before the Senate the following communication which was read and referred to the Committee on Judiciary Special:

State of Minnesota.
Thirty-eighth session.
House Joint Memorial.

Whereas There is a very strong general sentiment in favor of the suppression of the gigantic monopoly now exercised by the Standard Oil Company of Whitings, Indiana, and

Whereas The said Company has to-day absolute control of the nation's, if not the world's output and supply of crude oil, gasoline and petroleum, and the said company has unlimited and unrestrained power to dictate the market prices of the said commodites and by virtue of its unlimited and unrestrained powers does wrongfully and unlawfully and without any justification increase the market and selling prices of said commodities which results in great injury to the consumers, and

Whereas The said company is wrongfully and unlawfully discriminating against States and selling the said commodities cheaper in some States and localities than in others without regard to the difference of the cost of transportation and selling and

Whereas By reason of rapid progress made in motive power the said products, crude oil, gasoline and petroleum have become a common necessity in every profession and vocation of life everywhere, and

Whereas The said Standard Oil Company has absorbed nearly all like competing industries, and

Whereas It is impossible for private capital to cope with or curb this gigantic and unjust monopoly; therefore,

Be it Resolved (the Senate concurring) That Congress be and is hereby requested to enact a law providing for government ownership and control of oil producing indus-

tries sufficient to control prices and break the gigantic and unjust monopoly now existing, and

Be it Further Resolved That the Legislature of all other States of the United States now in session or when next convened, be and they are hereby respectfully requested to join in this request by the adoption of this or an equivalent resolution, and

Be it Further Resolved That the Secretary of State be and hereby is directed to transmit copies of this resolution to the Senate and House of Representatives of the United States and to the several members of said body representing this State therein and also to transmit copies to the Legislature of all States of the United States.

COMMUNICATIONS FROM THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim which were read as follows:

APPROVAL OF SENATE BILL NO. 517.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 18, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 517, entitled "An Act authorizing any county and city in any county in which the county seat is within the limits of such city to erect a joint county and municipal building providing for the conditions under which such building may be erected and for the ownership thereof providing for the selection of a site for said building and authorizing said county and city to make a sale or exchange of properties under certain conditions for the purpose of securing such site authorizing the acquisition of additional property for such building by purchase or condemnation and authorizing the county to issue bonds in payment of any indebtedness incurred for its share of the cost of such building and land."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 370.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 370, entitled "An Act making an appropriation to the State Hospital for Injured Persons of the Trevorton Shamokin and Mount Carmel Coal Fields situate in the township of Coal near Shamokin Northumberland county Pennsylvania for deficiency in maintenance for the two fiscal years commencing June first one thousand nine hundred and eleven."

JOHN K. TENER.

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows and referred to the Committee on Judiciary General:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 21, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several names, respectively:

ALLEGHENY COUNTY.

W. R. Shoup, Pittsburgh, May 22, 1913.

CLINTON COUNTY.

John U. Shaffer, Renovo, May 3, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 21, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Edward Stehl, Jr., Penn Twp.

CLARION COUNTY.

Robert A. Walker, Perry Twp.

MONROE COUNTY.

Morton L. Hufford, East Stroudsburg.

PHILADELPHIA COUNTY.

Samuel J. Buck, Jr., Philadelphia.
Alfred Harmer Miller, Philadelphia.

SCHUYLKILL COUNTY.

William Shugg, Tamaqua.

WESTMERELAND COUNTY.

Miss Laura O. Williams, Ligonier.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the dates set opposite their several name, respectively:

ERIE COUNTY.

C. R. Powell, Corry, April 20, 1913.

LYCOMING COUNTY.

A. H. Stead, Williamsport, April 28, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 16, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

John F. Bryen, Duquesne.

GREENE COUNTY.

J. C. Morris, Greene Twp.

PHILADELPHIA COUNTY.

Edward J. Logue, Philadelphia.

INDIANA COUNTY.

Chas. G. Allen, Blairsville.

JOHN K. TENER.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 918 (House Bill No. 962) entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of verterinary medicine and surgery in the Commonwealth of Pennsylvania," approved the 18th day of April, 1905, so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecutor in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 997, entitled:

An Act to repeal section two of an act approved June 3d, 1911, entitled "An Act regulating the printing of the laws of this Commonwealth."

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed Senate Bill No. 1063, entitled:

An Act amending the second section of an act approved the 13th day of June, A. D. 1907, entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions, to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits, holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid," by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year.

BILLS INTRODUCED.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 1114, entitled:

An Act making the land heretofore or hereafter purchased for the new Western Penitentiary in Centre county subject to taxation for local purposes, regulating the assessment thereof and the payment of taxes thereon.

Which was committed to the Committee on Judiciary Special.

Mr. DEWITT read in his place and presented to the Chair Senate Bill No. 1115, entitled:

An Act to provide for the appointment and removal of police officers in the boroughs of this Commonwealth, and repealing all acts inconsistent herewith.

Which was committed to the Committee on Judiciary Special.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 1116, entitled:

An Act authorizing the Attorney-General when settlements shall have been agreed upon by the Auditor-General State Treasurer and Attorney-General, or the Auditor-General and State Treasurer and such settlement shall have been made to issue certificates of such settlements authorizing the recording thereof and prescribing the effect of such record.

Which was committed to the Committee on Judiciary General.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 300, as follows:

An Act to protect the health and lives of employees in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery and specifying the equipment to be used in connection therewith regulating the use of such blowers and apparatus and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons companies or corporations operating any factory or workshop where emery wheels or emery belts of any description are used either solid emery leather leather-covered felt canvas linen paper cotton or wheels or belts rolled or coated with emery or corundum or cotton wheels used as bluffs shall provide the same with blowers or similar apparatus which shall be placed over beside or under such wheels or belts in such a manner as to protect the person or persons using the same from the articles of dust produced and caused thereby and to carry away the dust arising from or thrown off by such wheels or belts while in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust Provided that grinding machines upon which water is used at the point of the grinding contact shall be exempt from the provisions of this act and provided this act shall not apply to factories or workshops where men are not employed continuously at such wheels or belts more than three hours in twenty-four hours

Section 2 It shall be the duty of any person company or corporation operating any such factory or workshop to provide or construct such appliances apparatus machinery or other things necessary to carry out the purpose of this act as set forth in the preceding section as follows Each and every wheel shall be fitted with a sheet of case iron or hood or hopper of such form and so applied to such wheel or wheels that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by the current of air into a suction pipe attached to same hood or hopper

Section 3 Each and every such wheel six inches or less in diameter shall be provided with a three-inch suction pipe wheels six inches to twenty-four inches in diameter with four inch (such) suction pipe wheels from twenty-four to thirty-six inches in diameter with five inch suction pipe and all wheels larger in diameter than those stated above shall be provided each with a suction pipe not less than six inches in diameter The suction pipe from each wheel so specified must be full size to the main trunk suction pipe and the main suction pipe to which smaller pipes are attached shall in its diameter and capacity be equal to the combined area of such smaller pipes attached by the same and the discharge pipe from the exhaust fan connected with such suction pipe or pipes shall be as large or larger than the suction pipe

Section 4 It shall be the duty of any person company or corporation operating any such factory or workship to provide the necessary fans or blowers to be connected with such pipe or pipes as above set forth which shall be run at the rate of speed as will produce a velocity of air in such suction or discharge pipes of at least nine thousand feet per minute to an equivalent suction or pressure of air equal to raising a column of water not less than five inches in a U-shaped tube All branch pipes must enter the main trunk pipe at an angle of forty-five degrees or less the main suction or trunk pipe shall be below the emery or buffing wheels and as close to the same as possible and to be either upon the floor or beneath the floor on which the machines are placed to which such wheels are attached All bends turns or elbows in such pipes must be made with easy smooth surface having a radius in the throat of not less than two diameters of the pipe on which they are connected

Section 5 This act shall become operative on the first day of January one thousand nine hundred and fourteen

Section 6 It shall be the duty of any Factory Inspector or prosecuting attorney of any county in this State in which any such factory or workshop is situated upon receiving notice in writing signed by any person having knowledge of such facts accompanied by the sum of one dollar as compensation for his services that such factory or workship is not provided with such appliances as herein provided for to visit any such factory or workshop and inspect the same and for such purpose they are hereby authorized to enter any factory or workshop in this State during working hours and upon ascertaining the facts that the proprietors or managers of such factory or workshop have failed to comply with the provisions of this act to make complaint of the same in writing as informations are now made according to law before a justice of the peace or police magistrate having jurisdiction who shall thereupon issue his warrant directed to the owner manager or director in such factory or workshop who shall thereupon be proceeded against for the violation of this act as now provided by law

Section 7 Any such person or persons or company or managers or directors of any such company or corporation who shall have the charge or management of such factory or workshop who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and not exceeding three hundred dollars

Section 8 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President, I move to reconsider the vote by which this bill passed third reading.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. HUFFMAN. Mr. President, I ask unanimous consent to amend the bill by striking out sections 3 and 4; also in section 5, line 1, by striking out the numeral "5" and inserting in lieu thereof the numeral "3;" also in section 6, line 1, by striking out the numeral "6" and inserting in lieu thereof the numeral "4;" also in section 7, line 1, by striking out the numeral "7" and inserting in lieu thereof the numeral "5;" also, in section 8, line 1, by striking out the numeral "8" and inserting in lieu thereof the numeral "6."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 312 as follows:

An Act fixing the salaries of county auditors in the several counties of this Commonwealth not exceeeding one hundred thousand population

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the annual salary of each of the county auditors in the several counties of this Commonwealth shall be as follows

In counties containing ten thousand population and less one hundred dollars in counties containing over ten thousand population and not exceeding forty thousand population two hundred dollars in counties containing over forty thousand population and not exceeding seventy thousand poulation three hundred dollars in counties containing over seventy thousand population and not exceeding one hundred thousand population four hundred dolllars

The salaries herein fixed shall be in full in lieu of all other compensation now allowed them by law for their services

The population of counties for the purpose of this act is to be that ascertained and determined by the most recent United States census

Section 2 All acts or parts of acts general special or local inconsistent with the provisions of this act be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WASBERS. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 753 as follows:

An Act authorizing notaries public to take affidavits to libels in divorce and validating certain affidavits heretofore made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each notary public of this Commonwealth shall have power to take affidavits to any libed in divorce

Section 2 All affidavits heretofore taken before any notary public of this Commonwealth to any libed in divorce are hereby validated and made good in law provided however that no case heretofore judicially decided or in which proceedings at law or equity are now pending shall be affected by this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Graff,	Kline,	Moore,
Beidleman,	Gyger,	Kurtz,	Morgan,
Buckman,	Hall,	Magee,	Nulty,
Clark,	Herbst,	Martin,	Salus,
Crow,	Hilton,	McIlhenny,	Sensenich,
Endsley,	Homsher,	McNichol,	Sheatz,
Farley,	Huffman,	McNichols,	Snyder,
Fisher,	Hunter,	Miller,	Sones,
Gerberich,	Judson,	[illegible]	Wasbers,

NAYS—1.

Jarrett,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order ,

The Senate resumed the consideration of Senate Bill No. 864 (House Bill No. 569), as follows:

An Act to ascertain and fix the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after passage of this act the fees to be paid to and received and charged by the several clerks of the courts of oyer and terminer and general jail delivery and quarter sessions of the peace of this Commonwealth shall be as follows

Appeals from alderman justices of the peace or magistrates one dollar and fifty cents

Affidavits and seal each twenty-five cents

Attachment and seal two dollars

Administering oath other than upon trial of cause and seal fifty cents

Bail piece one dollar and fifty cents

Bail bond one dollar

Bail bond justification of one dollar

Bail notices each fifteen cents

Bench warrant and seal two dollars

Bonds for constables and tax collectors one dollar

Commitment to any State Penitentiary fifty cents

Commitment to county prison fifty cents

Commitment to house of refuge fifty cents

Commitment to insane hospital fifty cents

Certificate of election of constables et cetera one dollar

Certificate and seal fifty cents

Certificate of acknowledgment and seal fifty cents

Certificate for Fairmount Park Commissioners in duplicate two dollars

Certificate of city treasurer one dollar and twenty-five cents

Certificate for payment of jurors fifty cents

Certificate for payment of road jurors fifty cents

Certificate to sheriff to draw jurors two dollars

Certificate to sheriff to draw grand jurors two dollars

Certificate to sheriff to draw special venire and return thereto five dollars

Certificate of official capacity under seal one dollar

Certificate to police department upon return of stolen property each twenty-five cents

Certificate where judge acts as committing magistrate affidavits warrants and service three dollars and fifty cents

Certificate and seal of ignored bill seventy-five cents

Certificate and seal in breach of peace seventy-five cents

Certificate and seal in apprentices seventy-five cents

Certificate and seal in reconsideration of sentence seventy-five cents

Certificate to Bureau of Charities of court order of non-support and seal one dollar

Certificate of probation one dollar

Certificate to Director of Public Safety upon application for detective license one dollar

Certificate to prothonotary of elective justices of the peace each name twenty-five cents

Certificate to county commissioners of elective election officers each name twenty-five cents

Certificate to county commissioners (witness fees) and seal each twenty-five cents

Commission on lunacy swearing commission filing and recording three dollars and fifty cents

Commission on lunacy swearing commission filing and recording paupers petition three dollars and fifty cents

Certified copy bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Certified copy of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy docket entry in road cases not exceeding one (1) page one dollar

Each additional page fifty cents

Certified copy notes of testimony charge of court and all other papers filed in any case per page twenty cents

Citation and seal one dollar

Constable's return on liquor licenses and seal one dollar and fifty cents

Dog register and seal one dollar and fifty cents

Declaration to become a citizen and seal two dollars

Discharge on ignored bill and seal seventy-five cents

Discharge on bail entered seventy-five cents

Discharge of prisoner from dock seventy-five cents

Exemplification of record bill of indictment not exceeding two (2) pages two dollars

Each additional page fifty cents

Exemplification of record docket entry not exceeding one (1) page one dollar

Each additional page fifty cents

Exemplification certificate and seal one dollar and twenty-five cents

Entering satisfaction of judgment fifty cents

Entering judgment on bond or recognizance upon confession for want of affidavit of defense or upon verdict or demurrer one dollar and twenty-five cents

Entering judgment on bond or recognizance upon motion for want of a sufficient affidavit of defence two dollars

Entering revival of judgment by agreement one dollar and twenty-five cents

Filing and entering motion and reason for new trial seventy-five cents

Filing and entering motion in arrest of judgment seventy-five cents

Filing and entering reconsideration of sentence seventy-five cents

Filing and entering bond or recognizance from magistrate seventy-five cents

Filing and entering expense account of candidate for nomination and election to public office under fifty dollars ($50) one dollar

Filing and entering expense account of candidate for nomination and election to public office over fifty dollars ($50) two dollars

Filing and entering expense account of ward and county committees three dollars

Filing and entering magistrate's return seventy-five cents

Filing and entering coroner's return each seventy-five cents

Filing and entering petitions for appointment of auditor or examiners et cetera one dollar

Filing and entering auditor's reports per page twenty cents

Filing and entering petitions and papers not otherwise provided for first page fifty cents

Each additional page twenty cents

Filing petition for change of polling place two dollars

Filing and entering of plea autrefois convict fifty cents

Filing and entering of plea autrefois acquit fifty cents

Filing and entering plea of nolo contendre fifty cents

Filing and entering nolle prosequi ten dollars

Filing and entering docket entries true bill three dollars

Filing and entering docket entries ignored bill two dollars

Filing and entering opinion of Court of Common Pleas Superior Court or Supreme Court one dollar

Filing end entering opinion of court of oyer and terminer or quarter sessions one dollar

Filing and entering certiorari or appeal to Superior or Supreme Court three dollars

Filing and entering remittitur from Superior or Supreme Court two dollars

Filing and entering motions orders appeals or decree to or from courts not herein provided for two dollars

Filing and entering bill of exceptions three dollars

Filing and entering certificate from city controller upon loan bill five dollars

Filing and entering return of election upon the question of increase of indebtedness for each return twenty-five cents

Filing and entering certified copy ordinance of councils upon loan bill three dollars

Filing and entering answer to writ of habeas corpus fifty cents

Filing and entering answer to warrant of seizure fifty cents

Filing and entering answer to rules in non-support cases fifty cents

Filing and entering traverse fifty cents

Filing and entering rule for bill of particulars fifty cents
Filing and entering bill of particulars fifty cents
Filing and entering exceptions to bill of particulars fifty cents
Filing petition for division of election districts townships boroughs wards et cetera two dollars
Filing report on same one dollar
Annexation and incorporation of each two dollars
Recording proceedings on above each one hundred words fifty cents
Filing bond and justification upon peddlers junk dealers and itinerant venders license two dollars and fifty cents
Filing and issuing summons on recognizance seventy-five cents
Filing an entering appearance upon suit on recognizance fifty cents
Filing and entering affidavit of defense seventy-five cents
Filing and indexing in card index record of commitment to any State Penitentiary each twenty-five cents
Filing plans in road cases one dollar
Filing order of satisfaction in road cases twenty-five cents
Filing appeals in road cases seventy-five cents
Filing and entering report in road cases five dollars
Filing motion to quash indictment fifty cents
Filing and entering pleas not otherwise provided for each defendent twenty-five cents
Filing and issuing fieri facias sur debt seventy-five cents
Indexing judgments fines et cetera on judgment index each twenty-five cents
Joinder in issue each defendant twenty-five cents
Jury fee in each case four dollars
Jurors defaulting issuing notices to one dollar and fifty cents
Liquor license filing application for affidavit and seal five dollars and fifty cents
Liquor license filing interrogatories in application for and seal fifty cents
Liquor license filing bond justification of bond certificate to city treasurer receipt of city treasurer constable's fees certificate and seal frame and glass six dollars and seventy-five cents
Liquor license in transfer of filing and justification of bond constables fee et cetera five dollars and fifty cents
Liquor license filing petition for revocation of one dollar
Monthly return to State board of charities to be paid by county five dollars
Mandamus and seal four dollars and twenty-five cents
Motions and rules not otherwise herein provided for each fifty cents
Naturalization certificate duplicate copy of each two dollars and twenty-five cents
Non-support cases record of three dollars
Non-support cases all services not otherwise provided for two dollars
Order of court in non-support cases and seal fifty cents
Order of court in juvenile cases and seal fifty cents
Petition and order for a view and review of a road street or bridge case filing report recording et cetera fifteen dollars
Petition filing of and docketing habitual drunkard proceedings and court orders thereon two dollars
Petition filing of feeble minded person one dollar
Petition filing of insane person one dollar
Petition filing of insane criminal one dollar
Petition filing for writ of habeas corpus two dollars
Release from any institution by order of court fifty cents
Recognizance calling and entering forfeiture of fifty cents
Recognizance remitting or discharging and motion therefor fifty cents
Recognizance taking each one dollar
Return to writ of error or certiorari one dollar
Receiving on entering constable's return fifty cents
Record of paper filed for every ten words five cents
Recording election returns for each election district except upon increase of indebtedness two dollars and fifty cents
Recording court orders on petitions each fifty cents
Recording bonded indebtedness issues each one hundred words fifty cents
Road viewers filing and entering report of five dollars
Search judgment single name forty cents
Search judgment extra names each twenty cents
Subpoena and seal twenty-five cents
Service of clerk where true bill is found in cases of felony four dollars
Services of clerk where bill is returned ignoramus two dollars
Services of clerk where true bill is found in all other cases three dollars
Scieri facias sur bond three dollars
Scieri facias to revive judgment seventy-five cents
Summons on recognizance issuing and entering of seventy-five cents
Seizure warrant of proceedings thereon one dollar
Seal in every case not otherwise provided for twenty-five cents
Supreme court appeals one dollar and fifty cents
Supreme court on warrant of seizure one dollar and fifty cents
Supreme court return to writ of error one dollar
Supreme court appeals to one dollar and fifty cents
Superior court on warrant of seizure one dollar and fifty cents
Superior court return to writ of error one dollar
Swearing grand jury two dollars
Swearing petit jury in each case one dollar
Transcript of judgment from document to judgment index filing and entering of each twenty-five cents
Taxing bill of costs one dollar
Venire for grand jury one dollar
Venire to draw special Jury two dollars and fifty cents
Venire for petit jury one dollar
Venditioni exponas issuing writ of seventy-five cents
Withdrawal of pleas entered each twenty-five cents

The fee for services not herein specially provided for shall be the same as for similar service provided however that the provisions of this act shall not apply to counties having a population of less than one million as computed by the last preceding United States census

Section 2 All fees for services performed for the county shall be charged against the county and in all cases where services are rendered for an individual or corporation the proper fee shall be received and collected from that person or persons or corporation for whom the services are rendered

Section 3 All laws or parts of laws general local and special inconsistent with this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gerberich,	Jones,	Mills,
Buckman,	Graff,	Judson,	Moore,
Catlin,	Gyger,	Kline,	Morgan,
Clark,	Hall,	Kurtz,	Nulty,
Cooper,	Herbst,	Magee,	Salus,
Crow,	Hilton,	Martin,	Sensenich,
Daix,	Hoke,	McIlhenny,	Sheatz,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Wasbers,
Fisher,	Jarrett,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 885, on final passage, entitled:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate bill No. 942 as follows:

An Act providing for the printing binding and distribution of two publications heretofore published by the State namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for the editing proof reading and indexing thereof and making appropriations for said work

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Superintendent of Public Printing and Binding is hereby authorized and directed to print and bind at the expense of this Commonwealth twenty thousand copies of a publication to be entitled "Pennsylvania at Gettysburg" which is to include the report of the Board of Commissioners on Gettysburg Monuments herefore published and which is to be revised to date the report of the Gettysburg Battlefield Memorial Commission and the report of the Fiftieth Anniversary of the Battle of Gettysburg C mmission

Section 2 The Pennsylvania at Gettysburg publication is to be revised and edited by the Secretary of the Fiftieth Anniversary Commission who shall prepare all necessary copy read all proofs of the compilation and index same for which service he is to be paid the sum of two thousand dollars which amount is hereby appropriated

Section 3 The Pennsylvania at Gettysburg publication shall be in not more than three volumes shall be illustrated and shall be bound in half roan binding with gilt edges

Section 4 The distribution of the aforesaid edition shall be as follows Five hundred copies for the use of the Governor one hundred and fifty copies for the use of the Lieutenant Governor one hundred and fifty copies for the use of the Secretary of the Commonwealth five hundred copies for the use of the State Librarian fifty copies each for the use of the Attorney General Auditor General Adjutant General State Treasurer Secretary of Internal Affairs Superintendent of Public Instruction Commissioner of Insurance and Superintendent of Public Printing and Binding one thousand copies for the use of the Department of Public Instruction for distribution to school superintendents normal schools and school libraries in the Commonwealth six hun-

dred and fifty copies for the use of the Grand Army of the Republic for distribution among the several posts of the Department of Pennsylvania six hundred copies for the use of the Military Order of the Loyal Legion Commandery of the State of Pennsylvania fifty copies for the use of the encampments of the Union Veteran Legion of the State of Pennsylvania two hundred copies for the use of the members of the Battlefield Monument Commission two hundred copies for the use of the Battlefield Memorial Commission four hundred copies for the use of the Fiftieth Anniversary Commission five thousand copies for the use of the Senate and ten thousand copies for the use of the House of Representatives to be delivered to the members and officers of the present Legislature

Section 5 The Superintendent of Public Printing and Binding is also authorized and directed to reprint and bind at the expense of the Commonwealth five thousand copies of the publication entitled "Report of the Commission to Locate the sites of the Frontier Forts of Pennsylvania" as authorized by a concurrent resolution approved the twenty-fourth day of January one thousand eight hundred and ninety-five

Section 6 The Frontier Forts publication is to be revised and edited under the direction of the State Librarian for which service including the proof reading he is to be paid the sum of one thousand dollars which amount is hereby appropriated

Section 7 The Frontier Forts publication shall be in two volumes shall be illustrated and shall be bound in half roan binding with gilt edges

Section 8 The distribution of the Frontier Forts publication shall be as follows fifteen hundred copies for the use of the Senate and twenty-five hundred copies for the use of the House of Representatives to be delivered to the members and officers of the present Legislature five hundred copies for the use of the Executive Department and five hundred copies for the use of the State Librarian

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Hall,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Wasbers,
Farley,	Hunter,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McILHENNY. Mr. President, I ask that Senate Bill No. 264, on third reading, entitled:

An Act to amend an act entitled "An Act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled 'An Act to establish a Board of Wardens for the post of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned' approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilot and pilotages in the bay and river Delaware in the Board of Commissioners of Navigation for the river Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the Board of Commissioners of Navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witness at any hearing or inquiry to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 585, entitled:

An Act making an appropriation for the restoration of the brig Niagara Commodore Perry's flag ship at the battle of Lake Erie for its participation in the events of this centennial celebration year its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Hall,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Wasbers,
Farley,	Hunter,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 685 (House Bill No. 787), entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred nine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Sensenich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Hall,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Wasbers,
Farley,	Hunter,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 714, entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia" approved the fifteenth day of May Anno Domini one thousand eight hundred ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowanec sas field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the national force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jarrett,	Mills,
Beidleman,	Gerberich,	Jones,	Moore,
Buckman,	Graff,	Judson,	Morgan,
Catlin,	Gyger,	Kline,	Nulty,
Clark,	Hall,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Wasbers,
Farley,	Hunter,	Miller,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 812 (House Bill No. 1009) on third reading, entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate bill No. 832, entitled:

An Act regulating the number and election of members of borough councils

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gerberich,	Jones,	Mills,
Beidleman,	Graff,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Morgan,
Catlin,	Herbst,	Kurtz,	Nulty,
Clark,	Hilton,	Magee,	Salus,
Cooper,	Hoke,	Martin,	Sensenich,
Crow,	Homsher,	McIlhenny,	Sheatz,
Daix,	Huffman,	McNichol,	Snyder,
Endsley,	Hunter,	McNichols,	Sones,
Farley,	Jarrett,	Miller,	Wasbers,
Fisher,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 10, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses precribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

The first section of the bill was read as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commnowealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayors of the several cities of the Commonwealth may and are hereby authorized to appoint such numbers of competent persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with reference to weights and measures shall have no authority to inspect weights and measures in cities or to execute the laws of the Commonwealth in regard to the same or the ordinances or municipalities as they apply to cities within limits of their respective counties Neither shall the city inspectors have any jurisdiction outside of their respective cities

The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriation directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowances for expenses shall be paid by appropriations made from the respective city treasuries" is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayors of cities of the second and third class shall appoint one or more competent persons as inspectors of weights and measures to protect the public from the use of false weights and measure If more than one inspector be appointed in any county or city appointing power shall designate one inspector to be chief inspector Any inspector may be removed from office after hearing and notice on charges of neglect of duty or misconduct in office It shall be the duty of each inspector to enforce the laws of this Commonwealth relating to weights and measures The county inspectors shall have jurisdiction throughout the proper county but not in any city The city inspectors shall have no jurisdiction outside of the proper city

The compensation and necessary expenses of such county inspectors shall be fixed by the respective boards of county commissioners or by the county salary board if there be one and shall be paid by appropriations directly from the proper county treasury The compensation and necessary expenses of the city inspectors shall be fixed by ordinance and paid by appropriation from the proper city treasury

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 1 by striking out the entire section and inserting in lieu thereof the following:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several Boards of County Commissioners and the Mayors of cities of the second and third class shall appoint one or more competent persons as inspectors of weights and measures whose salaries shall not be less than one thousand dollars per annum to be paid out of the respective revenues of each county and city In addition to the salary provided by the law the said County and City Inspectors shall be entitled to have and receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the Boards of County Commissioners of their respective counties on bills itemized and properly sworn to

Provided however that nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the Board of County Commissioners and mayors of cities with one set of standards and one Inspector upon the written consent of the Chief of the Bureau of Standards. A County and City Inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the

same authority jurisdiction and duties as if he had been appointed by each of the authorities who are parties to the agreement. The County and City Inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior and shall not be removed discharged or reduced in pay or position except for ineficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of such county and city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witness in his own behalf

Mr. GERBERICH. Mr. President, I second the motion?

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second and third sections of the bill were read as follows and agreed to:

Section 2 That section two of said act which reads as follows

"Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the tandard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

The inspector shall take charge of and safely keep the standards Where not otherwise provided by law the inspectors shall have the power within their respective jurisdictions to inspect test try and ascertain if they are correct all weights scales beams measures of every kind instruments or mechanical devices for measurement and the tools appliances or accessories connected with any or all such instruments or measurements used or employed within the city by any proprietor agent lessee or employe in determining the size quantity extent area or measurement of quantity things produce articles for distribution or consumption offered or submitted by any person or persons for sale for hire or award He may for the purpose above mentioned and in the general performance of his duty enter or go into or upon and without formal warrant any stand place building or premises or may stop any vendor peddler junk-dealer coal wagon ice-wagon or any dealer whatsoever for the purpose of making proper tests Whenever the sealer finds a violation of the statute relating to weights and measures he may seize without warrant such weights measures or balances as may be necessary to be used as evidence in case of violation of the law relative to the sealing of weights and measures and they shall be held until otherwise directed by the court" is amended to read as follows

Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States of the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of proecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecution was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold and seal the same if found to be correct Such test shall include all appliances connected or used with such instruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise directed by the proper court

"Section 3 Whoever himself or by his servant or agent or as the servant or agent of another person is guilty of giving false or insufficient weight or measure shall for the first offence be punished by a fine of not more than fifty dollars for a second offense by a fine of two hundred dollars and for a subsequent offense by a fine of one hundred dollars and by imprisonment for not less than thirty nor more than ninety days at the discretion of the court

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon a conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court" is amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall be guilty of a misdemeanor Upon conviction thereof such person shall for the first offense be sentenced to pay a fine not to exceed one hundred dollars for the second and each subsequent offense such person shall be sentenced to pay a fine of not more than five hundred dollars and to undergo an imprisonment in the proper county jail for not less than thirty nor more than ninety days. In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon a conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

Mr. BEIDLEMAN. Mr. President, I move to amend by adding a new section to be numbered four, as follows:

Section 4 All acts or parts of acts general local or special inconsistent with any of the provisions of this act are hereby repealed

Mr. GERBERICH. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The title of the bill was read as follows:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

On the question,

Will the Senate agree to the title?

Mr. GERBERICH. Mr. President, I move to amend the title by inserting in line 8 after the word "by" the words "restricting the provisions thereof to counties and cities of the second and third classes."

Mr. BEIDLEMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 11, on second reading, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

be recommitted to the Committee on Judiciary Special for a hearing.

Mr. MILLS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 155, entitled:

An Act providing for the discharge from prison of persons after they have been confined for two years or more for the desertion and non-support of their wives, children or both or for non-compliance with any sentence or order of the court of quarter sessions in relation thereto

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That whenever the court of quarter sessions of any county in this Commonwealth has heretofore committed or shall hereafter commit any husband or father to the county prison because of his failure to comply with a decree of said court ordering the payment of money for the support and maintenance of his wife or children or both or to give security therefor and said husband or father has been or shall be confined in the county prison on said commitment for six months said court shall on motion discharge said husband or father from said prison

The second section of the bill was read as follows:

Nothing of this act shall be construed to abridge the rights of any wife or child provided by an act approved the eighth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act providing that where any court of quarter sessions of the peace or court of Oyer and Terminer in this Commonwealth has heretofore made or entered or shall hereafter make or enter any order sentence decree or judgment may be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like force and effect as if the same had been recovered as a judgment in the latter court"

On the question,

Will the Senate agree to the section?

Mr. JARRETT. I move to amend the second section, in line 1, by inserting before the word "nothing" the word and figure "Section 2;" also in line 5 by striking out the word "eleven" and inserting in lieu thereof the word "one"; also in line 7 by inserting after the word "judgment" the words "for the payment of any moneys whatsoever in any manner or thing within its jurisdiction a copy of said order sentence decree or judgment."

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act providing for the discharge from prison of persons after they have been confined for two years or more for the desertion and non-support of their wives children or both or for non-compliance with any sentence or order of the court of quarter sessions in relation thereto

On the question,

Will the Senate agree to the title?

Mr. JARRETT. Mr. President, I move to amend the title in line 3 by striking out the words "two years or more for the desertion and non-support of their wives children or both or" and inserting in lieu thereof the words "six months;" also in line 5 by striking out the words "sentence or;" also in line 6 by striking out the words "in relation thereto" and inserting in lieu thereof the words "for the desertion and non-support of their wives or children or both."

Mr. MILLS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 497 (House Bill No. 580) as follows:

A Supplement an amendment to an act entitled "A supplement to an act entitled "An act to provide for the better government of cities of the first class in his Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the said act which now reads as follows

"Section 10 Whenever any person or persons shall desire to construct extend or alter any wharf or other building in the the nature of a wharf or to erect extend alter or improve any other harbor structure within the limits of said cities such person or persons shall make application to the said director stating in writing the nature and extent of such intended wharf other building aforesaid or harbor structure improvement alteration or addition thereto and file in the office of the director the plans and specifications showing fully the propsed erection construction extension alteration or improvement and produce their deed or deeds or other evidences of title to the property to be so occupied altered or improved whereupon the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the city within which such application is made and by posting such notice upon the premises referred to in such application and if the director upon said hearing shall approve the plans and specifications offered and such application he shall give his assent and issue a license for the erection construction extension alteration or improvement for which application shall have been made and cause the same to be recorded in the office of the said director in a book to be kept by him for that purpose and such license shall not be unreasonably withheld" be amended so as to read as follows

Section 10 Whenever any person or persons shall desire to construct extend alter improve or repair any wharf or other building in the nature of a wharf or other harbor structure situate wihin any city of the first class such person or persons shall make application to the director stating in writing the nature and extent of such proposed structure extension alteration improvement or repair and file in the office of the director the plans and specification showing fully the proposed structure extension alteration improvement or repair and produce his or their deed or deeds or other evidence of title to the premises on which such proposed structure extension alteration improvement or repair is to be erected or made whereupon if such proposed structure extension alteration improvement or repair will encroach upon the water way the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the said city and by posting notice upon the said premises and if the director upon such hearing or without such hearing where such hearing is not required by the provisions hereof shall approve such proposed structure extension alteration improvement or repair and the plans and specifications submitted therefor he shall give his assent to and issue a license or permit for the erection and making thereof and cause the fact of the issue of such license or permit to be recorded in his office in a book to be kept by him for that purpose and such

license or permit shall not be unreasonably withheld Provided that necessary repairs costing one hundred dollars less and not affecting the stability or strength of the structure may be made without first procuring a license or permit

Whenever any person or persons shall desire to construct extend alter improve or repair any structure to be erected or already erected on ground supported by bulkheads and to be used or already used for the purposes of loading or unloading passengers or freight on or from vessels or any structure to be physically connected or already physically connected or to be used or already used as appurtenant to any wharf or structure hereinbefore described situte within any city of the first class and for such purpose he or they shall have applied for a permit from the Bureau of Building Inspection in said city the said Bureau of Building Inspection shall notify the director of the Department of Wharves Docks and Ferries of such application and shall thereafter grant the permit applied for only when the application shall have received the approval of the said director which he is hereby empowered to grant

The cities of the first class may by ordinance regulate and determine the license fees for the license and approval required by the provisions of this act

Section 2 That section twelve of the said act which now reads as follows

"Section 12 Whenever the owner or owners or lessee or lessees of any private wharf pier or bulkhead within the limits of said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said directors upon default for thirty days after the service of notice on such owner or owners lessee as lessees to clean or cause said dock or docks to be cleaned and freed from obstructions and to apportion the expenses thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws" be amended so as to read as follows ,

Section 12 Whenever the owner or owners or lessee or lessees of any wharf pier or bulkhead within the limits or said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said director upon default for thirty days after the service of notice on such owner or owners lessee or lessees to clean or cause said dock or docks to be cleaned and free from obstruction and to apportion the expense thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws

Section 3 That section fifteen of the said act which now reads as follows

"Section fifteen Whenever the director shall deem it expedient to erect construct extend alter or improve any public wharf or bulkhead in said cities and for the erection construction alteration or improvement of such wharf pier or bulkhead and the securing of sufficient dock-room for the convenient use thereof it shall become necessary to acquire lands leaseholds easements and other property right adjoining such wharf pier or bulkhead for which no price can be agreed upon between the said director and the owner or owners thereof then it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property adjoining such wharf pier or bulkhead so to be erected constructed extended altered or improved as may be required for the erection construction extension alteration or improvement and use of the same and whenever the director shall deem it expedient to acquire any wharf or bulkhead that shall not have been in regular and continuous operation for the purpose of shipping commerce navigation for twelve consecutive months and for which no price can be agreed upon between the director and owner or owners thereof it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property and pending the proceedings hereinafter provided for the bond of such cities shall be deemed and taken as security for all damage done and suffered or which shall occur to the owner or owners of lands and property rights hereinbefore described by reason of taking of the same for the use of said cities for the purpose aforesaid And it shall and may be lawful for the Court of Common Pleas of the proper county on application thereto by petition of the said director or of the owner or owners of said lands and property rights or any of them to appoint a jury for assessing damages consisting of three citizens of the said county and appoint a time not less than twenty or more than thirty days thereafter for said jurors to view said lands or other property rights aforesaid of which time and place of view ten days' notice shall be given by the petitioner to the said jurors and parties interested and the said jurors or a majority of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and having viewed the premises they shall establish and determine the quantity and value of the lands or other property rights aforesaid so taken to be used for the purpose aforesaid and after having made a fair and just computation of the advantages and disadvantages they shall estimate and determine whether any and if any what amount of damage has been or may be suffered and to whom payable and make report thereof to said court and if damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and the amount thereon and the amount of said judment shall be paid by said cities to the persons entitled thereto Each juror shall be entitled to the same pay per day for every day necessarily employed in the performance of the duties herein described as is paid to road jurors in said cities Any party in interest shall have the right to appeal" be amended so as to read as follows

Section 15. Whenever the director of the Department of Wharves Docks and Ferries in cities of the first class shall deem it necessary or advisable to acquire for said cities property of any kind for use as a public wharf pier or bulkhead to be owned by such cities with the necessary dock room or for the extension of or addition to any then existing public wharf pier or bulkhead owned by such cities or the improvement or enlargement of the dock or docks appurtenant thereto the said director shall have the power and he is hereby authorized by himself his deputy engineers surveyors or workmen to make all necessary or proper surveys for the location of such public wharf pier bulkhead or dock or extension enlargement or addition thereto and for that purpose if necessary to enter upon such property The provisions of this act shall apply to property held used or owned either for private or for public purposes including that held used or owned as a public wharf The said director may communicate the result of his said survey together with his recommendation in the premises to the councils or to the mayor of such cities or to both

The councils of said cities of the first class shall have the power and they are hereby authorized either in pursuance of such recommendation or otherwise to take condemn and appropriate by ordinance any such property for the uses and purposes hereinabove set forth or any of them Upon the passage and approval of any such ordinance in addition to the advertisement thereof required by law notice of such condemnation appropriation and taking shall be given to the registered owner or owners of such property which notice shall be accompanied by a copy of such ordinance and shall be served by delivering such notice and copy to him or them or by leaving the same upon the premises with the person in charge thereof or by mailing such notice and copy to such owner or owners by registered letter directed to his or their last known place of residence or by posting the same on a conspicuous part of the premises appropriated and condemned If the owner or owners of such property and the said director shall agree upon the price or compensation to be paid for the taking of such property upon payment of the price so agreed upon the said cities may enter upon and take exclusive possession thereof If within three (3) months of the date of giving notice as aforesaid they shall not so agree security for the damages so accruing may be entered by said cities in the manner provided by law in the case of the taking of property in the opening of streets and thereupon the said cities may in like manner enter upon and take exclusive possesion of such property Either party may before or after such entry upon and taking possession thereof present a petition to the court of quarter sessions of the county in which such property may be situated or to any judge thereof in vacation asking for the appointment of a board of view to assess the damages so accruing and the subsequent proceedings thereon shall be the same and with like effect as upon other petitions for the appointment of boards of view for the assessment of damages occasioned by the opening of streets by such cities In the event that the property condemned appropriated and taken under the provisions of this section shall constitute a part of a plant used as an entirety the damage to the owner or tenant shall be assessed by taking the difference in market value of such plant as a whole including the buildings machinery fixtures other equipment installed and used in said plant before and after such condemnation appropriation and taking and notwithstanding that parts of the said plant may be separated by a street or public highway

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate bill No. 592 (House bill No. 655) as follows:

An Act defining vocational educational providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act shall unless a different meaning is plainly required by the context have the following meaning

1 "Vocational Education" shall mean any education the controlling purpose of which is to fit for profitable employment

2 "Industrial education" shall mean that form of vocational education which fits for the trades crafts and manu-

facturing pursuits including the occupation of girls and women carried on in workshops

3 "Agricultural education" shall mean that form of education which fits for the occupations connected with the tillage of the soil the care of domestic animals forestry and other wage-earning or productive work on the farm

4 "Household arts education" shall mean that form of vocational education which fits for occupations connected with the household

5 "Industrial agricultural or household arts school or department" or "vocational school or department" shall mean a distinctive organization of courses pupils and teachers approved by the State Board of Education designed to give either industrial agricultural or household arts education as herein defined

6 "Evening class" in an industrial agricultural school or department shall mean a class giving such training as can be taken by persons already employed during the working day and which in order to be called vocational must in its instructions deal with the subject matter of and be so carried on as to relate to the day employment

7 "Evening class" in a household arts school or department shall mean a class giving training in home-making to girls or women over fourteen years of age however they may be employed or engaged during the day

8 "Part time or continuation class" in an approved agricultural or household arts school or department shall mean a vocational class for persons giving a part of their working time to profitable employment and receiving in the part-time school or department instruction complementary to the practical work carried on in such employment To give "a part of their working time" such persons must give part of each day week or longer period to such part-time class during the period in which it is in session

9 "Household arts school or department" shall mean a vocational school designed to develop on a vocational basis the capacity for household work such as cooking household service and other occupations in the household

State Administration and Supervision

Section 2 1 The State Board of Education is hereby authorized and directed to investigate and to aid in the introduction of industrial agricultural and household arts education to assist in the establishment of schools and departments for the aforesaid forms of education and to inspect and approve such schools or departments as are hereinafter provided The State Board of Education shall make a report annually to the Governor and Legislature describing the condition and progress of industrial agricultural and household arts education during the year and making such recommendations as the board may deem advisable

2 The State Superintendent of Public Instruction shall be the executive officer of the State Board of Education for the administration of this act He shall appoint from time to time with the approval of the State Board of Education such expert assistants other than those already provided for by law as may be necessary in industrial household arts or agricultural education and all clerical and other agents necessary in carrying out the provisions of this act

Types of School

Section 3. In order that instruction in the principles and the practice of arts may go on together industrial, agricultural and household arts schools or departments may offer instruction in day part-time and evening classes Attendance upon such day evening or part-time classes shall be restricted to those over fourteen

Local Administration and Control

Section 4 Any school district may through its board of school directors establish and maintain industrial agricultural and household arts schools or departments

Section 5 Two or more districts may as provided in Article eighteen Sections one thousand eight hundred and one to one thousand eight hundred and eight inclusive of the School Laws of Pennsylvania of one thousand nine hundred and eleven entitled an act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith through a joint school committee establish and maintain industrial agricultural or household arts schools or departments to be known as joint vocational schools or departments

Section 6 Local school boards and joint school committees administering approved industrial agricultural or household arts schools or departments may under a plan to be approved by the State Board of Education appoint an advisory committee composed of members representing local trades industries and occupations It shall be the duty of such a committee to counsel with and advise the local or joint board of trustees and other school officials having the management and supervision of such schools.

Non-Resident Pupils

Section 7. 1. Any resident of any school district in Pennsylvania which does not maintain an approved industrial agricultural or household arts school or department offering the type of training which he desires may make application to the school board of any other district for admission to such school or department maintained by said board In case said board refuses him admission he may apply to the State Board of Education for admission to such school or department The State Board of Education decision of which shall be final may approve or disapprove such application In making such decision the State Board of Education shall take into consideration the apportunities for free vocational training in the community in which the applicant resides the financial status of the community the age sex preparation aptitude and previous record of the applicant and all other revelant circumstances.

2. The school district in which the person resides who has been admitted as above provided to an approved industrial agricultural or household arts school or department maintained by another school district shall pay a tuition fee determined after the same manner provided for the high schools in Article seventeen Section one thousand seven hundred and eleven of the School Laws of Pennsylvania for one thousand nine hundred and eleven entitled an act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general social or local or any parts thereof that are or may be inconsistent therewith and the Commowealth shall reimburse such school districts as provided for in this act If any school district neglects or refuses to pay for such tuition it shall be liable therefor in an action of contract to the school district or school districts maintaining the school which the pupil with the approval of the board attended.

Reimbursement

Section 8 Industrial agricultural and household arts schools or departments shall so long as they are approved by the State Board of Education as to organization control location equipment courses of study qualifications of teachers methods of instructions conditions of admission employment of pupils and expenditures of money constitute approved local or joint vocational schools School districts maintaining such approved local or joint vocational schools or departments shall receive reimbursement as herein after provided

Section 9 1 The Commonwealth in order to aid in the maintenance of approved local or joint industrial household arts and agricultural schools or departments shall as provided in this act pay annually from the treasury to school districts and unions of school districts maintaining such schools or departments an amount equal to two-thirds the sum which has been expended during the previous school year by such a school district or districts for instruction in practical subjects and in such related technical and academic subjects as may be necessary to complete well rounded courses of training Provided no one school district shall receive more than five thousand dollars in any one school year

2 School districts that have paid claims for tuition in approved local or joint vocational schools or departments shall be reimbursed by the Commonwealth as provided in this act to the extent of one-half the sum expended by such school districts in payment of such claims

Section 10 On or before the first Wednesday of January of any year in which the regular sessions of the Legislature is held the State Board of Education shall present to the Legislature an estimate of the amount of money necessary to meet the expenditures to be incurred in the administration of this act for the two school years beginning with the first day of the ensuing July and of the amount necessary to meet the claims of school districts and unions of school districts maintaining approved vocational schools or departments under the provisions of this act for the two school years beginning with the first day of the ensuing July On the basis of such a statement the Legislature shall make an appropriation of such amounts as may be necessary to meet the expense of carrying this act into effect and of reimbursing such school districts and unions of school districts for such school years as herein provided

Section 11 On or before the tenth day of July of each year the school authorities of each district shall present to the State Superintendent of Public Instruction a statement of the amount expended during the school year previous to such first day of July for instruction in approved local or joint industrial household arts or agricultural schools or departments as herein provided On the basis of such a statement the State Superintendent of Public Instruction shall by requisition upon the State Treasurer pay such school districts and joint districts such reimbursement for the previous school year as is provided for in this act

Section 12 On or before the tenth day of July of each year the school authorities of each school district shall present to the Superintedent of Public Instruction a statement of the amount expended previous to such first day of July in payment of claims for tuition in approved industrial household arts or agricultural schools or departments for which such districts should receive reimbursements as provided in this act On the basis of such a sworn statement the State Superintendent of Public Instruction shall by requisition upon the State Treasurer pay such school districts such reimbursement for the previous school year as is provided for in this act

Acts and Parts of Acts Repealed

Section 13 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 684 (House Bill No. 768) entitled:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight and said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUNTER. Mr. Speaker, I ask that Senate Bill No. 719 (House Bill No. 53) on second reading, entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate bill No. 873, as follows:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases in which the period of two years the limitation of the warrants of the duplicates of county State dog poor road city township ward school and borough ttx collectors have expired and in case where the power and authority of said tax collectors have expired or shall expire during the year one thousand nine hundred and thirteen by virture of the expiration of their terms of office and said tax collector or collectors have or shall become liable for the taxes contained in said duplicates and warrants without having collected the same the said duplicates and warrants and the powers and authority of said tax collectors in all such cases are hereby revived and extended for another period of two years in the passage of this act and said collector or collectors their executors or administrators if they are deceased or either surety or sureties if the said surety or sureties have paid the said taxes are hereby empowered to proceed and collect said taxes from all persons who have not paid the taxes assessed against them residing in said district within which said taxes were assessed as well as from all persons who may remove or have removed from said city ward township or townships or boroughs and have neglected to pay the taxes as aforesaid assessed with the like effect as if said warrant or warrants had not expired by the limitation of the two years as aforesaid or the term of office of said tax collector had not expired Provided That the provisions of this act shall not apply to warrants issued prior to the year one thousand eight hundred and ninety-four and that nothing in this act shall release any bondsman or security provided that this act shall not apply to cities having special laws on this subject Provided also That no collector or the sureties thereof who take advantage of this act shall be permitted to plead the statute of limitations in any action brought to recover the amount of any duplicate or warrant so extended and renewed Provided further That no statute of limitations shall prevent the collection of any tax for which the warrants and powers and authorities of said tax colletcors have been so as aforesaid extended and removed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 881, as follows:

An Act to permit viewers to award damages for the vacation of streets roads or highways to abutting owners where no land is actually taken

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever viewers are appointed to vacate any public road street or highway in this Commonwealth and the vacation of the same takes no land from the owner or owners of land abutting thereon if in the opinion of the viewers so appointed the vacation of said road street or highway damages the property of the abutting owner they may award damages to such owner or owners as though land had been actually taken and such damages shall be paid as is now provided by existing laws where land is actually taken for the opening vacating and laying out of roads streets and highways

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 902 (House Bill No. 1143) entitled:

An Act to authorize townships of the first class to provide for fire protection

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 955, as follows:

A joint resolution proposing an amendment to the Constitution of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following is proposed as an amendment to the Constitution of Pennsylvania in accordance with the provisions of the eighteenth article theerof

ARTICLE IX

Section 15 No obligations which have been heretofore issued or which may hereafter be issued by any county or municipality other than Philadelphia to provide for the construction or acquisition of water works subways underground railways or street railways or the appurtenances thereof shall be considered as a debt of a municipality within the meaning of section eight of article nine of the Constitution of Pennsylvania or of this amendment if the net revenue derived from said property for a period of five years either before or after the acquisition thereof or where the same is constructed by the county or municipality after the completion thereof shall have been sufficient to pay interest and sinking-fund charges during said period upon said obligations or if the said obligations shall be secured by liens upon the respective properties and shall impose no municipal liability Where municipalities or counties shall issue obligations to provide for the construction of property as herein provided said municipalities or counties may also issue obligations to provide for the interest and sinking-fund charges accruing thereon until said properties shall have been completed and in operation for a period of one year and said municipalities and counties shall not be require to levy a tax to pay said interest and sinking-fund charges as required by section ten of article nine of the Constitution of Pennsylvania until after said properties shall have been operated by said counties or municipalities during said period of one year Any of the said municipalities or counties may incur indebtedness in excess of seven per centum and not exceeding ten per centum of the assessed valuation of the taxable property therein if said increase of indebtedness shall have been assented to by three-fifths of the electors voting at a public election in such manner as shall be provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 964 (House Bill No. 1471) entitled:

An Act providing that no self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving-picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of Moving Pictures for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 969 (House Bill No. 520), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1002, as follows:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the manner of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That every corporation heretofore or hereafter incorporated under the laws of this Commonwealth saving and excepting those referred to in section two hereof may at the time of its incorporation by provisions inserted in the certificate of incorporation or at any later time with the consent of a majority in interest of its stockholders obtained at a meeting to be called for that purpose of which public notice shall have been given during sixty (60) days in a newspaper of the proper county which county shall be that in which the principal office of the corporation in this Commonwealth shall be located issue preferred stock of such corporation Said preferred stock may be issued in one or more classes in such amounts for each class without regard to the amount of any other class or the amount of common stock and with such designations rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers and upon such terms as to redemption of any class thereof at not less than par or for its conversion into any other class of stock common or preferred as may be set forth in the original certificate of incorporation or as may be approved and adopted by the corporation at the time of the authorization and issuing thereof The rate of preferred dividend for any class of stock shall not exceed ten (10) per centum per annum Such preferred stock may be issued for cash or property or through the conversion of common stock or through all or more than one of said methods

Section 2 This act shall not apply to the following classes of corporations namely building and loan associations insurance banking trust companies and such companies as are required by the provisions of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) and supplements thereto to have their charters approved by the courts of common pleas

Section 3 The rights and privileges and terms and conditions of any class of preferred stock issued and outstanding as above provided shall not thereafter be subject to alteration or change without the consent of all the holders of such class of stock except as may be otherwise provided by the certificate of incorporation or by the resolutions authorizing the issue of the same.

Section 4 The following acts of Assembly and parts of acts namely

"An Act to authorize corporations to issue preferred stock" approved the third day of April Anno Domini one thousand eight hundred and seventy-two (Pamphlet Laws thirty-seven)

A supplement to an act entitled 'An Act to authorize corporations to issue preferred stock' approved the third day of April Anno Domini one thousand eight hundred and seventy-two" which supplement was approved the twenty-eighth day of April Anno Domini one thousand eight hundred and seventy-three (Pamphlet Laws seventy-nine)

Section sixteen and clause one of section thirty-nine of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) and all other acts and parts of acts general or special inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1007 (House Bill No. 80, entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue to the memory of General George Gordon Meade in the city of Washington and making an appropriation therefor" and making a further appropriation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1009 (House Bill No. 734), entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse woodcock and wild water fowl

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section 22 of an act approved May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectiverous and other wild birds and prescribing penalties for violation of its several provisions which now reads as follows

"Section 22 No person shall at any time buy sell or expose for sale or offer for sale any ruffed-grouse commonly called pheasant or quail commonly called Virginia partridge nor any deer or part thereof which shall have been caught killed or taken within this Commonwealth No person shall at any time try to sell expose for sale or offer for sale any ruffed-grouse commonly called pheasant which shall have been killed caught or taken outside of this Commonwealth save only during the open season for ruffed-grouse in this Commonwealth and for thirty days thereafter and no person shall at any time buy sell expose for sale or offer for sale any woodcock or the dead body or any part thereof of any wild-turkey or of any Hungarian quail whether caught killed or taken within or without this Commonwealth Each and every person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars for each deer or part thereof and twenty-five dollars for each game-bird named in this section of for any part thereof bought sold exposed or offered for sale or otherwise held contrary to any provisions thereof" shall be amended so as to make it read as follows

Section 22 No person shall at any time within this Commonwealth buy or sell or barter or expose for sale or barter or have in possession for sale or barter any elk or any deer or any part of either an elk or a deer that has been killed taken or captured in a wild state in this Commonwealth and no person shall at any time within this Commonwealth buy or sell or barter or attempt to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any ruffed grouse commonly called pheasant or any wild turkey or any woodcock or any quail commonly called Virginia partridge that shall have been killed or captured either within or out side the boundaries of this Commonwealth and no person within this Commonwealth shall sell or barter or offer to sell or barter or have in possession for sale or barter any wild duck or any wild goose or any other bird of the kind commonly known as wild waterfowl that shall have been killed taken or captured in this Commonwealth or that may have been brought into this Commonwealth for sale between the first day of January and the first day of September of each year Provided that nothing in this section shall be construed to prevent the purchase or sale or introduction into this State at any time of either elk or deer or birds alive for propogating purposes

Each and every person who shall violate any of the provisions of this section relative to the purchase or sale or barter of elk or of deer shall be liable to a penalty of one hundred dollars for each offense

Each and every person who shall violate any provision of this section relative to the purchase or sale or barter of ruffed grouse or of wild turkey or of woodcock or of quail shall be liable to a penalty of twenty-five dollars for each bird or part thereof in any way had in possession or handled contrary to the provisions of this section

Each and every person in any way violating the provisions of this section relating to the sale or barter of wild waterfowl or the bringing of such wild waterfowl into

this Commonwealth shall be liable to a penalty of ten dollars for each bird in any way handled contrary to the provisions of this section

The title of the bill was read as follows:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and the preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse woodcock and wild water fowl

On the question,

Will the Senate agree to the title?

Mr. MILLS. Mr. President, I move to amend the title, in line 6, by striking out the word "woodcock" and inserting in lieu thereof the word "quail."

Mr. MOORE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1027 (House Bill No. 1526) entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1035 (House Bill No. 1152) entitled:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and township within the limits thereof

The first, second, third, fourth, fifth, sixth, seventh and eighth sections and preamble were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to secure co-ordinated comprehensive plans of highways and roads parks and parkways and all other means of inter-communication water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation and health playgrounds civic centers and other public improvements as hereinafter provided for the districts surrounding and within twenty-five miles of the limits of cities of the first class whether in one or more counties and in order to prevent waste by unnecessary duplication the areas included within twenty-five miles of the limits or cities of the first class shall be denominated the Suburban Metropolitan Districts of cities of the first class of Pennsylvania When any city borough or township is partly within and partly without the twenty-five mile limit the whole of such city borough or township shall be regarded as within the Suburban Metropolitan District

Section 2 There shall be an Executive Department created for every Suburban Metropolitan District to be known as the Department of Suburgan Metropolitan Planning which shall be in charge of a Suburban Metropolitan Planning Commission

Section 3 The Suburban Metropolitan Planning Commission shall be appointed by the Governor of the State of Pennsylvania and shall consist of fifteen members who may or may not hold other public office whether for profit or otherwise of whom twelve shall be residents of the district involved and three shall be residents of the said city of the first class five members to be appointed to serve for one years five for two years five for three years then thereafter each appointment to be for three years

An appointment to fill a casual vacancy shall be for the unexpired portion of the term Nine shall constitute a quorum

The Suburban Metropolitan Planning Commission shall make and alter rules and regulations for its own organization and procedure consistent with the laws of the Commonwealth From its own members it shall choose a Chairman and vice-chairman Each member shall serve without compensation On or before January tenth of each and every year the Commission shall make to the Mayor of each city to councils of each borough to the commissioners of each first class township and to the supervisors of each second class township within the Suburban Metropolitan District to the Mayor of the said city of the first class and to the Governor of the State of Pennsylvania a report of its transactions and recommendations The Commission may employ a secretry engineers and other experts and persons whose salaries and wages as well as all the other necessary expenses of the Commission and members thereof shall be provided for as hereinafter set forth

Section 4 The Suburban Metropolitan Planning Commission shall make or cause to be made and laid before the respective governmental authorities of the district and in its discretion caused to be published a map or maps of the entire district or any portion or portions thereof showing any or all systems of transportation highways and roads parks parkways water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation playgrounds ad civic centers or of other natural physical features of the district and it shall prepare plans for any new or enlarged facilities for intercommunication parks parkways water supply systems sewers sewage disposal garbage disposal land plottings and housing arrangements playgrounds and civic centers or any other public improvement that will affect the character of the District as a whole or more than one political unit within the District or any widening extension or relocation of the same or any change in the existing township or borough or city plans by it deemed advisable And it shall make recommendations to the respective governmental authorities from time to time concerning any such matters or things aforesaid for action by the respective legislative administrative or governmental bodies thereon and in so doing have regard for the present conditions and future needs and growth of the district and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use and the planning sub-division and laying out for urban uses of private grounds brought into the market from time to time

Section 5 Any city borough or township within any Suburban Metropolitan District may request the Suburban Metropolitan Planning Commission of that district to prepare plans concerning any of the subjects set forth in Section four of this act whereupon it shall be the duty of the Commission to prepare such plans with dispatch

Section 6 The Suburgan Metropolitan Planning Commission may make recommendations to any public authorities or any corporation or individual in said districts with reference to the locaton of any buildings and structures to be constructed by them

Section 7 The plans so made and laid before the respective governmental authorities by the Suburban Metropolitan District Planning Commission according to sections four five and six shall be considered by such respective authorities and followed by them in so far as shall be determined by each authority

Section 8 On or before January tenth of each and every year the Commission shall prepare an estimate of its expenses for the ensuing year setting forth with as much detail as is practicable the items of which such estimate is composed and shall cause the amount of its expenses so estimated after deducting the cash on hand and the unpaid assessmets to be assessed against the cities boroughs and townships within the district in proportion to their respective tax duplicates The itemized estimate of expenses and a statement of the rate of assessment shall be spread upon the minutes of the Commission which shall be kept open at all times for public inspection Each and every assessment when certified by the chairman and secretary of the Commission shall constitute a charge on the treasury of the respective city borough and township and its immediate payment shall be at once provided for The commission shall have power to secure payment of the assessments by suits of mandamus or otherwise

Provided that the rate of assessment shall not exceed one-tenth of one mill

Whereas The establishment of Suburban Metropolitan Planning Commissions having jurisdiction over territory adjacent to cities of the first class is desirable in order to provide for its proper development by the co-operation of the various local governmental units in matters pertaining to their common welfare and

Whereas It is desirable that there should be co-ordination of effort with Urban Metropolitan Planning Commissions relating to cities of the first class themselves wherever the same may exist

The title of the bill was read as follows:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class and to provide for the appointment of suburban Metropolitan Planning Commissions for such districts to prescribe their power and duties and to provide by assessment upon the cities borough and townships within the limits thereof

On the question,
Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend the title in line 3 by inserting after the word "the" the words "creation of a Department of Suburban Metropolitan Planning and the;" also in line 5 by striking out the word "by" and inserting in lieu thereof the word "for."

Mr. JONES. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendments?
It was agreed to.
On the question,
Will the Senate agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate bill No. 220, entitled:

An Act making an appropriation to the General Braddock Memorial Park Association of Fayette County

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 381 (House Bill No. 265) entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the Board of Public Charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 381 (House Bill No. 265) the bill just read, be recommitted to the Committee on Judiciary Special for a hearing.

Mr. McNICHOL. Mr. President, I second the motion.
The motion was agreed to.

CONCURRENT RESOLUTION FOR THE APPOINTMENT OF A COMMISSION TO INVESTIGATE AND REPORT TO THE NEXT SESSION OF THE LEGISLATURE ALL MATTERS PERTAINING TO COLD STORAGE AND THE PRESERVATION OF FOOD PRODUCTS.

Mr. KLINE. Mr. President, I move that the Senate do now proceed to the consideration of concurrent resolution relative to cold storage reported from the Committtee on Public Health and Sanitation on April 16th.

Mr. CATLIN. Mr. President, I second the motion.
Teh motion was agreed to.
The resolution was twice read as follows, considered and agreed to:

A concurrent resolution for the appointment of a Commission to investigate and report to the next session of the Legislature all matters pertaining to cold storage, and the preservation of food products, and the length of time goods shall remain under refrigeration or cold storage, and to the branding and sale of such articles, and making an appropriation to meet the expenses of the said Commission.

Whereas, There has been and is considerable agitation regarding cold storage and the preservation of food products, as well as the length of time that goods shall remain under refrigeration or cold storage, and the proper branding and sale of such articles

And Whereas, It is of the utmost importance that a thorough and complete investigation and study of the whole matter of refrigeration and cold storage should be made at the present time,

Therefore, Be it resolved (if the House concur) That a Committee of five members of the General Assembly, three to be appointed by the President pro tempore of the Senate, and two by the Speaker of the General Assembly to investigate at the earliest possible moment, and to report at the next session of the General Assembly a comprehensive bill covering the following questions:—

1 The necessity of cold storage, and the proper provisions for the protection of perishable products

2 The value of such products to the producer and the community at the period of the greatest production when the supply exceeds the demand and at all other times

3 The length of time articles should remain under refrigeration or cold storage

4 Whether refrigeration or cold storage products shall be branded, and if so, what shall be determined to be refrigeration products or cold storage products, or both.

5 The effect on the price of commodities by reason of placing them under mechanical refrigeration or cold storage

6 The relation of cold storage or refrigeration to the high cost of living.

7 The effect of cold storage legislation in other States.

8 The advisability of a uniform cold storage or refrigeration law; provided that the actual expenses incurred by the committee shall not exceed the sum of $10,000, which shall be provided for in the general appropriation bill.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 657, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. KURTZ. Mr. President, I move that Senate Bill No. 657, the bill just read, be recommitted to the Committee on Mines and Mining for a hearing.

Mr. HALL. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 683 (House Bill No. 745), entitled:

An Act authorizing the creation division and consolidation of wards and a reapportionment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 803 (House Bill No. 570), entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for inspection of all miners and providing penalties for failure to comply with the provisions of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 827, entitled:

A Supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations established for the purpose of preventing forest fires

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 834, entitled:

An Act enabling the Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 838 (House Bill No. 409), entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such board of health by the borough councils or by the chairman of the board of commissionres of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menance to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 913, entitled:

An Act entitled an act directing the Agricultural Department of State College to set apart ten acres of land as an experimental farm to be planted with farm crops native to Pennsylvania and cultivated in accordance with the preamble as set forth in this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The Senate proceeded to the first reaing and consideration of Senate Bill No. 963 (House Bill No. 740), entitled:

An Act requiring all locomotives operated within this Commonwealth by common carriers to be equipped with headlights and cab lights of a certain candle power and providing a penalty for violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 963 (House Bill No. 740), the Bill just read, be recommitted to the Committee on Judiciary Special for a hearing.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 968 (House Bill No. 106), entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 995, entitled:

An Act prohibiting the offering or giving of premiums by any person partnership or corporation licensed to sell vinuous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1033 (House Bill No. 960), entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania to and prescribing penalties for the violation thereof providing together with the provisions by which it shall be administered revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1045, entitled:

An Act creating in counties having a population from three hundred thousand to one million four hundred thousand a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1050, entitled:

A Joint Resolution providing for the appointment of a commission to investigate into the cause of mine accidents in the anthracite coal regions of the Commonwealth of Pennsylvania authorizing the commission to conduct experiments and tests and to enter mines fixing the compensation of the members of the commission and making an appropriation to carry into effect the provisions of this resolution

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1056 (House Bill No. 1445), entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providnig a penalty for the violation of the provisions of this act or the rules and regulations of the said board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. JARRETT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JARRETT, from the Committe on Game and Fisheries reported as committed, Senate Bill No. 1000, entitled:

An Act to repeal section eight of an act entitled "An Act to classify the fish in the waters within this Commonwealth, declaring which are game fish, which are food fish and which are bait fish, and to regulate the catching and sale and encourage the propagation of the same; to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by desructive means; to provide for the appointment of fish wardens, and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries, in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propagated for profit; to forbid the sale of unlawful devices for catching fish; and to provide penalties and punishments for the violations of the provisions of this act, and providing how and by whom the costs shall be paid

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 976 (House Bill No. 1321) entitled:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 841 (House Bill No. 701) entitled:

An Act establishing a Commission of Water Works in boroughs and incorporated towns of this Commonwealth, providing for the appointment of Commissioners of Water Works, prescribing their powers and duties, and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 909, entitled:

An Act to authorize the display of the State county, city, borough or other municipal flags on public buildings in the Commonwealth.

Also from the Committee on Judiciary General, reported as committed, Senate Bill No. 679 (House Bill No. 512), entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property, money credit or the extension of credit, and providing penalties for the violation thereof.

BILLS INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1117, entitled:

An Act to amend an act, entitled "An Act to provide for the division of boroughs and the erection of new boroughs," approved the 29th day of May, A. D. 1899, so as to extend the provisions of the same to boroughs and cities in this Commonwealth whether situate in one or more counties, and to provide for the adjustment of indebtedness.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Public Roads and Highways, reported as committed Senate Bill No. 826, entitled:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions approved the fourteenth day of June one thousand nine hundred and eleven

Also from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1064, entitled:

A supplement to an Act approved the 31st day of May 1911 entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commisioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said township or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and ownships desiring the same in the improvement of township or county roads defining highways and State aid-highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repoirs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid-highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act

Mr. HERBST. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HERBST, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 988, entitled:

An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

RECESS.

Mr. GERBERICH. Mr. President, I move the Senate do now take a recess for ten minutes.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 176 (Senate Bill No. 1118) entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting venders from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Dominio one thousand nine hundred and eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the countly commissioners

Which was committed to the Committee on Judiciary Special.

House Bill No. 869 (Senate Bill No. 1119) entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained

Which was committed to the Committee on Judiciary General.

House Bill No. 872 (Senate Bill No. 1120) entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatement and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

Which was committed to the Committee on Judiciary General.

House Bill No. 939 (Senate Bill No. 1121) entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estates from all claim or interest of such persons

Which was committed to the Committee on Judiciary General.

House Bill No. 1050 (Senate Bill No. 1122) entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

Which was committed to the Committee on Judiciary Special.

House Bill No. 1053 (Senate Bill No. 1123) entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or continguous to county roads for park purposes or for public comfort stations providing for the improvement

and maintenance thereof authorizing the adpoiton of rules relating to the management and control of such pripe and providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

Which was committed to the Committee on Judiciary Special.

House Bill No. 1113 (Senate Bill No. 1124) entitled:

An Act authorizing and empowering municipalties to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease purchase condemnation or otherwise and to mainttain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connnecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface or elevated street railway connecting therewith to corporations or individuals with the right in the municipalities to charge an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh one thousand nine hundred and one Pamphlet Laws five hundred and twenty-three and supplements and amendments thereto

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1119 (Senate Bill No. 125) entitled:

An Act empowering municipal corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1132 (Senate Bill No. 1126) entitled:

A supplement to an Act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial asssments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

Which was committed to the Committee on Judiciary Special.

House Bill No. 1134 (Senate Bill No. 1127) entitled:

An Act conferring jurisdiction on the several Orphans' Courts of this Commonwealth over estates held by a feme covert of her sole and separate use and authorizing said Courts upon cause shown to give her portions of the corpus of the estate in addition to the income thereof

Which was committed to the Committee on Judiciary General.

House Bill No. 1278 (Senate Bill No. 1128) entitled:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys smoke stacks or other source

Which was committed to the Committee on Corporations.

House Bill No. 1318 (Senate Bill No. 1129) entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

Which was committed to the Committee on Judiciary Special.

House Bill No. 1327 (Senate Bill No. 1130) entitled:

An Act regulating the returns by constables of violations of the laws of this Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 1357 (Senate Bill No. 1131) entitled:

An Act concerning building regulating and inspection in townships of the first class

Which was committed to the Committee on Judiciary Special.

House Bill No. 1382 (Senate Bill No. 1132) entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

Which was committed to the Committee on Judiciary Special.

House Bill No. 1534 (Senate Bill No. 1133) entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

Which was committed to the Committee on Judiciary Special.

House Bill No. 1550 (Senate Bill No. 1134) entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

Which was committed to the Committee on Judiciary General.

House Bill No. 1631 (Senate Bill No. 1135) entitled:

An Act to validate certain characters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th section of the act approved April 29, 1874 entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

Which was committed to the Committee on Corporations.

House Bill No. 1712 (Senate Bill No. 1136) entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustee for said church to hold and dispose of the title to the property owned by said church and defining the procedure thereon

Which was committed to the Committee on Judiciary Special.

House Bill No. 645 (Senate Bill No. 1137) entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical or operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act of amusement of the public designating what is meant by the words "places of amusement dramatic theatrical or operatic or vaudeville performances circuses or menagries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 743 (Senate Bill No. 1138) entitled:

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls on such land

Which was committed to the Committee on Judiciary General.

House Bill No. 1419 (Senate Bill No. 1139) entitled:

An Act to provide for the erection of public comfort stations of the several cities and boroughs of this Commonwealth and empowering the Commissioner of eHalth of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

Which was committed to the Committee on Municipal Affairs.

House Bill No. 938 (Senate Bill No. 1140), entitled:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

Which was committed to the Committee on Law and Order.

House Bill No. 1013 (Senate Bill No. 1141) entitled:

An Act to amend further the tenth section of an act entitled "An Act providing when how and upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one as the same was amended by an act approved the first day of May one thousand nine hundred and seven and as the same was further amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine and as the same was further amended by an act approved the twentieth day of June one thousand nine hundred and eleven by changing the procedure for reviving and continuing liens of municipal and tax claims

Which was committed to the Committee on Judiciary General.

House Bill No. 1112 (Senate Bill No. 1142) entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase by stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality and to lease the same to corporations or individuals

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1236 (Senate Bill No. 1143) entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred and one as the same were amended by the act of May fourteenth one thousand nine hundred and nine by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

Which was committed to the Committee on Municipal Affairs.

SENATE BILL NO. 68 RETURNED WITH AMENDMENT.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 68, entitled:

A joint resolution proposing an amendment to article nine section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonwealth

with the information that the House has passed the same with amendments in which the concurrence of the Senate was requested.

Mr. McNICHOL. Mr. President, I move that Rule 21 which requires amended bills to go on the Calendar be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read as follows:

In Section 1, line 19 by inserting before the word "dollars" the word "of;" also in line 22 by inserting before the word "Highways" the word "the."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gerberich,	Kline,	Morgan,
Beidleman,	Graff,	Kurtz,	Nulty,
Clark,	Hall,	Magee,	Salus,
Cooper,	Homsher,	Martin,	Sensenich,
Crow,	Huffman,	McNichol,	Snyder,
Daix,	Hunter,	McNichols,	Sones,
DeWitt,	Jarrett,	Miller,	Vare,
Endsley,	Jones,	Mills,	Wasbers,
Fisher,	Judson,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye' 'the question was determined in the affirmative.

Oredred, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 116 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 116, entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

with the information that the House has passed the same with amendments in which the concurrence of the Senate was requested.

Mr. JUDSON. Mr. President I move that Rule 21 which requires amended bills to go on the Calendar be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. MOORE. Mr. President, I second the motion.

The motion was agreed to.

Said amendments having been printed as required by the Constitution were twice read as follows:

In section 1, line 5, by inserting after the word "refuse" the words "dangerous or detrimental to the travelling public."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Fisher,	Judson,	Moore,
Beidleman,	Gerberich,	Kline,	Morgan,
Catlin,	Graff,	Kurtz,	Nulty,
Clark,	Gyger,	Magee,	Salus,
Cooper,	Hall,	Martin,	Sheatz,
Crow,	Herbst,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Vare,
Endsley,	Jarrett,	Miller,	Wasbers,
Farley,	Jones,	Mills,	

NAYS—0.

A majority of all the Senators having voted "aye' 'the question was determined in the affirmative.

Ordered, that the Clerk inform the House of Representatives accordingly.

HOUSE CONCUR IN SENATE BILL NO. 3.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 3, entitled:

An Act validating certain elections of counties boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

with the information that the House has passed the same without amendment.

HOUSE CONCUR IN SENATE BILL NO. 405.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 405, entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or

houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy.

with the information that the House has passed the same without amendment.

HOUSE CONCUR IN SENATE BILL NO. 406.

He also laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 406, entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation fo the secretary and general agent

with the information that the House has passed the same without amendment.

REPORTS FROM COMMITTEES.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1132 (House Bill No. 1382) entitled:

An Act regulating the letting of certain contracts for the erection, construction and alteration of public buildings

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1137 (House Bill No. 645) entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May 5th, 1889, entitled "An Act to create a bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June 5th, 1901, shall not be held to apply to places of amusement, buildings, tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto, fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1114, entitled:

An Act making the land heretofore or hereafter purchased for the new Western Penitentiary in Centre County subject to taxation for local purposes, regulating the assessment thereof and the payment of taxes thereon

Mr. CLARK. Mr. President, I ask unanimous consent to make report from committe at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 837 (House Bill No. 296) entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

Mr. SONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SONES, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 920 (House Bill No. 1145) entitled:

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 1135 (House Bill No. 1631) entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

BILL INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 1144, entitled:

An Act making an appropriation to the Board of Trustees of the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptics for renting furnishing and maintaining temporary buildings for the care and maintenance of epileptics, idiots and imbecile or feeble-minded persons

Which was committed to the Committee on Appropriations.

BILLS ON FIRST READING.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1132 (House Bill No. 1382) entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

Senate Bill No. 1135 (House Bill No. 1631) entitled:

An Act to validate certain charters issued by the Governo rof the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th section of the act approved April 29, 1874, entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

and Senate Bill No. 1137 (House Bill 645) entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving uramatic theatrical or operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act of amusement of the public designating what is meant by the words "places of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving picture or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

be read the first time.

Mr. GERBERICH. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1132 (House Bill No. 1382) entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1135 (House Bill No. 1631) entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th section of the act approved April 29 1874 entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1137 (House Bill No. 645) entitled:

An Act regulating the licensing of all places of amusements buildings tents or enclosures used for the purpose of giving dramatic theatrical or operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performance or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act of amusement of the public designating what is meant by the words "places of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances or acrobatic or vaudeville acts (whether stage scenery and appartus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. CROW. Mr. President, I move the Senate do now adjourn until 10.45 o'clock tomorrow morning.
Mr. KURTZ. Mr. President, I second the motion.
The motion was agreed to.
The Senate adjourned at 10.28 o'clock P. M. until Tuesday morning, April 22, at 10.45 o'clock.

ERRATUM.

In proceedings of April 16, page 1899, column 1,
House Bill No. 1150 (Senate Bill No. 1084) entitled:

An Act to amend sections one and two of the act of April twenty-third nineteen hundred and three (Pamphlet Laws two hundred and ninety-two) entitled "An Act to designate a unform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessment and the reassessment between the periods of the triennial assessments of property and fixing the time for the return thereof" by directing that the county commissioners shall issue their precepts for the triennial assessment and intermediate reassessments on or before the first Monday of July

should read
House Bill No. 1250 (Senate Bill No. 1084), entitled:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts to the rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question

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HOUSE OF REPRESENTATIVES.

MONDAY, April 21st, 1913.

The House met at 8.00 o'clock P. M.
The SPEAKER (George E. Alter) in the Chair

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we thank Thee for that great teaching of the Bible concerning the Fatherhood of God and the Brotherhood of Man. It has not been recognized through the centuries as it should have been. We are beginning to understand it. In the movements of Thy providence, Thou art bringing all races and nations of people into intimate relationships. Thou art setting them face to face and emphasizing as never before their kinship and their brotherhood. Let us try to understand the meaning of it; not merely the opportunities and privileges which it confers but the perplexities and problems which it precipitates; and let us try especially as the servants of the people to cultivate those qualities which will make us helpful in solving these problems and in meeting these opportunities.

Let us have large sympathies; let us be kindly, considerate, thoughtful and anxious to do the things which are best under Thy supervision. Bless, we pray Thee, all the sessions of this legislative week and may everything that is done approve itself unto Thee and contribute to the welfare of the people, and Thy name shall have the praise of it through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of Thursday's proceedings.

The Clerk proceeded to the reading of the Journal of Thursday's proceedings, when, on motion of Mr. Metzenbacher, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING PASSAGE OF HOUSE BILL NO. 383.

Mr. BENSON presented the petitions of citizens of McKean, Jefferson, Clearfield and Potter Counties, praying for the passage of House Bill No. 383.

Which was referred to the Committee on Ways and Means.

FAVORING ERECTION OF A MONUMENT TO THE PUBLIC SCHOOLS AND FOUNDERS THEREOF.

Mr. HEIDINGER presented the petition of Washington Camps, Nos. 50 and 111, P. O. S. of A., favoring the erection of a monument to the Public Schools and Founders thereof.

Which were referred to the Committee on Education.

Mr. GIBSON presented the petition of citizens of Lycoming County, favoring the erection of a monument to the Pubic Schools and Founders thereof.

Which was referred to the Committee on Education.

Mr. GIBSON presented the petition of Washington Camp, No. 158, P. O. S. of A., Lycoming County, favoring the erection of a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

FAVORING ERECTION OF A MONUMENT TO MOLLY PITCHER.

Mr. HEIDINGER presented the petition of Washington Camp, No. 50, P. O. S. of A., favering the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. HEIDINGER presented the petition of Washington Camp, No. 111, P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. MELLOTT presented the petition of citizens of Fulton County, favoring the erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. EHRHARDT presented the petition of Washington Camp, No. 795, P. O. S. of A., favoring erection of a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. GIBSON presented the petitions of Citizens of Lycoming County, also from Washington Camp, No. 158, P. O. S. of A., favoring the erection of a monument to Mollie Pitcher.

Which were referred to the Committee on Appropriations.

The SPEAKER. The Chair desires to state that it will be less easy hereafter to obtain unanimous consent for leaves of absence beyond Wednesday.

The Chair further asks the indulgence of House for the purpose of calling attention to the fact that on last Thursday morning, the House broke down. The Chair does not desire to say that there was not at that time a quorum in the House, but does desire to say that if, under similar circumstances hereafter, there appear to be but 94 members present, the Chair will not promise to announce that there

are 104, and for whatever may result therefrom, the absent members, not the Chair, will be responsible.

LEAVES OF ABSENCE.

Mr. GIBSON asked and obtained leave of absence for Mr. Ulman for to-night's session, because of pressing business engagements.

Mr .MATT asked and obtained leave of absence for Mr. Charles A. Shaffer for to-night's session, by reason of illness.

Mr. SPANGLER asked and obtained leave of absence for Mr. Frank Gray for to-night's and to-morrow's sessions.

Mr. Reuben Howard asked and obtained leave of absence for Mr. Cochran for to-night's and to-morrow's sessions.

MOTION TO PLACE BILL ON CALENDAR.

Mr. S. B. Scott. Mr. Speaker, I move that House Bill No. 125, entitled:

An Act relating to the councils of Cities of the first class of the Commonwealth of Pennsylvania

be placed on the calendar, notwithstanding the negative recommendation of the Committee.

Mr. WALNUT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. S. B. Scott. Mr. Speaker, the tendency towards a smaller and more workable council for all cities is irresistible. The Senate has passed the commission form of government for third-class cities. For quite a while cities of the second class have had the advantage of a small council; and, Mr. Speaker, I think that one Committee of this House ought not to prevent the City of Philadelphia from having at least an opportunity to have its desires voted for openly on the floor of this House; therefore, I hope there will be no objection to this resolution.

Mr. SPEISER. Mr. Speaker, I regret exceedingly at this time to take issue with my friend from Philadelphia. This bill was thoroughly considered in Committee, and was before the Committee of which the sponsor of the bill, my predecessor, is the Chairman. There were two public hearings given to this bill. The matter was discussed most thoroughly by all the gentlemen who appeared before the Committee, and the Committee gave it full thought. It strikes me as very unfortunate that this Committee has been rather severely criticised by the newspapers of Philadelphia. If you will remember, there was a public meeting in Philadelphia held before the Committee of one hundred, consisting of gentlemen who reside in one limited section of Philadelphia, who took it upon themselves to say what would be good for the city, so far as representation in councils was concerned. That meeting was held last Monday night at the request of the Chairman, and not by the solicitation of this Committee. Bill No. 125 was introduced early in the session by the gentleman from Philadelphia, Mr. McClintock, and was brought to the attention of the Committee for action at its meeting on Tuesday, the day following. Now, this bill should have been before us some time previously, as the very number of the bill, 125, will show you that it was introduced very early in the session. The Chairman of the Committee, Mr. Scott, did not see fit to have the bill discussed before.

The newspapers said that this Committee on Municipal Corporations gave the Mayor of Philadelphia slap in the face as it did the Committee of one hundred when it took this bill up for discussion and action the day after that meeting. That is not true, and I think the Chairman of our Committee will bear out that statement. The Chairman had never called it up nor had any member of the Committee on Municipal Corporations. It had been in the Committee for two months or at least ten weeks and it was the Chairman himself who suggested that the bills be now acted upon, and I say that they were never called up by any member of this Committee that they were thoroughly discussed by this Committee at its executive session and acted upon with a negative recommendation.

Let me say a word with reference to the bill. Truly you men know what is best for your constituency and your constituency in turn knows what is best for themselves and so instruct you from week to week when you come to this House. Of the entire Philadelphia delegation, consisting of forty members and over, I want to say publicly that the vast majority, three-fourths of them, at least thirty-five,—I will say thirty-three and be conservative,—absolutely refuse to be bound by any such bill as introduced by the gentleman from Philadelphia. Our constituency does not want it and we do not want it. We are perfectly satisfied with our mode of representation in Philadelphia and so say to you men now do night.

I want to say further that when the Committee of gentlemen came down from Philadelphia and appeared before our committee on two occasions in support of this measure and had brought forward all the arguments they knew, after they had been interrogated both by myself and a number of the gentlemen on the committee, they did not advance, according to my humble opinion, and I think that will be borne out by some of my colleagues here, one single reason why the change should be made at this time, except that they thought it would be good and wise legislation. There is no cry or demand for it and I reiterate again that I interrogated every member that stood on his feet before our Committee and asked, is there a single allegation of wrong committed, is there a single charge of any individual member of council on any occasion having done that which would demand this change, and there was not a man could answer aye.

What is proposed? It is proposed to wipe out all ward lines. It is proposed, instead of having a small ward in which the 50,000 inhabitants select their own individual representative to go to the council chamber and there act in accordance with the desires and necessitities of his immediate constituency, they want to say we shall elect fifteen men at large. Now you men very well know that it would be no great difficulty to "log roll" votes in the City of Philadelphia and have these fifteen men selected from one peculiar section. There is nothing to stop them from electing them all from South Philadelphia, Germantown or any other section, and what would it mean? It would mean that the other section of Philadelphia would not be properly represented. The very bulwark of our government rests on the fact that it is democratic in form, and why democratic in form? Because the various legislative districts, the various representative districts are parceled out in small groups, so that the man representing the voters in that group is almost a neighbor of his citizen constituency. He knows what is wanted, he knows what his neighbor wants and the result is he is intelligent enough to carry out these desires whether it be in the council chamber or legislative halls, wherever he may be sent. It might be argued to you that this body is an unweildy body, that it should not consist of 207 members, but should consist of twenty-five or fifty. I do not believe you will agree with such an assertion and therefore I think you ought to support the action of this Committee, which has been fair in its dealings, fair in its consideration, giving the widest latitude to the men who advocated this measure and deemed that it would be wise legislation and necessary for the City of Philadelphia, and that is the reason the Committee negatived it and that is the reason that I advance to you why you should support this Committee and vote this motion down.

The yeas and nays were required by Mr. SAMUEL B. SCOTT and McALEER, and were as follows:

YEAS—57.

Allen,	Good,	McAleer,	Scott, S. B.,
Alworth,	Grabe,	Mellott,	Semmens,
Baldwin, G. A.,	Hobbs,	Metzenbacher,	Shaffer, I. E.,
Barner,	Humes,	Moses,	Showalter,
Benson,	Jackson,	Moulthrop,	Smith, L.,
Bittles,	Jones, E. E.,	Newton,	Snavely,
Bleloch,	Jones, J. R.,	Pennegar,	Snyder,
Brownlee,	Kennedy,	Pennock,	Steele,
Campbell, C.M.,	Kern,	Peters,	Swift,
Carson,	Kuhn, H. P.,	Post,	Walnut,
Donnally,	Lenker,	Rex,	Watson,
Down,	Light,	Richards,	Williams,
Ehrhardt,	Lowers,	Rockwell,	Alter,
Geiser,	Martin,	Savacool,	Speaker.
Gibson,	Matt,	Scott, J. R. K.,	

NAYS—97.

Ambler,	Ewing,	Latshaw,	Redfield,
Arthur,	Fahey,	Letzkus,	Reese,
Baldwin, R. J.,	Flynn,	Lohr,	Rhoads,
Bass,	Foster, J. D.,	Mannion,	Robinson,
Becker,	Frey,	Mather,	Roney,
Benninger,	Gans,	McAllister,	Rothenberger,
Berntheizel,	Geary,	McArdle,	Sassaman,
Body,	Goss,	McCaig,	Schaeffer, A. C.,
Brosius,	Gramley,	McDermott,	Schuck,
Brown,	Gransback,	Mechling,	Shern,

Caldwell,	Hackett,	Miller,	Smith, J. W.,
Campbell, J.J.	Haggerty,	Missimer,	Speiser,
Carter,	Heidinger,	Moore,	Spillinger,
Cleary,	Hen-minger,	Morrow,	Stone,
Conner,	Heyburn,	Murphy,	Swartz,
Conniff,	Hibshman,	Musser,	Trach.
Conrade,	Hoffman,	Newbaker,	Walsh,
Cox,	Howard, J.,	North,	Walton,
Currier,	Howard, R.,	O'Neill,	Wildman,
Curry,	Isler,	Perry, H. L.,	Wilson, J. H.,
Davis,	Irwin, G. C.,	Perry, S. J.,	Wilson, W. H.,
Donahoe,	Irwin, H. H.,	Piper,	Wiltbank,
Dunn, J. A.,	Keegan,	Price,	Young, G. K.,
Eichenberger,	Kunns, E.G.M.,	Ramsey,	Zimmerman,
Ely,			

Less than the number required by the rules having voted in the affirmative, the motion was lost.

MOTION TO PLACE BILL ON CALENDAR.

Mr. HOBBS. Mr. Speaker, I move that House Bill No. 1549, entitled:

An Act prohibiting the hunting capturing or killing of game birds with the aid of certain dogs and providing a penalty

be placed upon the Calendar notwithstanding the negative recommendation of the Committee.

Mr. McKAY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. HOBBS. Mr. Speaker, this bill was drawn up in the interest of protecting the game birds of our Commonwealth.

The SPEAKER. The Chair would call the gentleman's attention to the fact that more than five days have elapsed since this bill was reported from the Committee, and therefore, the motion is not in order under the rules. A motion to suspend the rules would be in order.

Mr. HOBBS. Mr. Speaker, I move that the Rules of the House be suspended for the purpose of permitting the consideration of a motion to place the bill on the Calendar notwithstanding the negative recommendation of the Committee.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was not agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1911, entitled:

An Act relating to petroleum and natural gas wells drilled through coal measures within the Commonwealth of Pennsylvania and providing for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 321, entitled:

An Act making an appropriation to reimburse Mrs. Rose S. Zacharias for money erroneously paid into the State Treasury for purchase money of vacant land

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1847, (Senate No. 524), entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1389 (Senate No. 124), entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1874 (Senate No. 658), entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1875 (Senate No. 659), entitled:

An Act enabling the board consisting of the State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to provide for the licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1336 (Senate No. 121), entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1002 (Senate No. 2), entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commnwealth of Pennnsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1873 (Senate No. 574), entitled:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania" entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after special notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1276, entitled:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State

Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisidiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships and or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority of the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpike or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides that work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injury or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1905 (Senate No. 859), entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1340 (Senate No. 276), entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal breaker flume pump screen tank derrick pipe-line acqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1568, entitled:

An Act to provide for an additional law judge of the several courts of the eleventh judicial district

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1483, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the coure of employment

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1608, entitled:

An Act to protect attorneys and counsellors-at-law in their fees for legal services and providing for a lien thereof and the manner of enforcing the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1417, entitled:

An Act requiring the heads of the Executive Department to issue bi-monthly reports and transmit the same to the Governor members of the General Assembly and others

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 970, entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education and enlarging the authority and powers and extending the duties of the State Pharmaceutical Examining Board

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 996, entitled:

An Act to amend article six of an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred eighty-five so as to permit the heads of departments to each appoint one deputy to sign warrants drawn in accordance with payrolls and salary lists approvide by the head of the department providing for the manner of appointing deputies and the filing of payrolls and salary lists so approved with the controller

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1122, entitled:

An Act amending section nine of an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one as the same was amended by an act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five and as the same was again amended by an act approved the nineteeenth day of May Anno Domini one thousand nine hundred and three by changing the requirements in respect to the publication of ordinances introduced and providing for the laying out opening widening straightening extending and vacating streets or alleys or parts thereof where there is no petition of the property owners

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1123, entitled:

An Act amending a portion of section one of article fifteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one so as to change the requirements as to official advertising

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1121, entitled:

An Act to repeal an act entitled "An Act in relation to the official newspaper advertising of cities of the second class" approved the twenty-first day of May Anno Domini one thousand eight hundred and ninety-five

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1351, entitled:

An Act permitting boards of school directors to reimburse certain teachers taking a special course of instruction during the annual vacation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1488, entitled:

An Act providing for the licensing of stock brokers as therein defined and for the regulation of the sale pledge or negotiation for sale of certain stocks bonds and other securities by such stock brokers or their agents within this Commonwealth providing for the winding up of the business of stock brokers licensed thereunder and conferring certain powers and duties on the Commissioner of Banking for the enforcement of the provisions of this act and imposing penalties for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1449, entitled:

An Act supplementing and amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvnania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may not be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the boards of school visitors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1450, entitled:

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school directors in school districts of the first class may remove janitors of grammar and elementary schools in their district for cause shall have charge of all minor repairs to public school buildings other than high schools in their respective districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1931, entitled:

An Act to repeal the present dog tax law regulating the taxing of dogs in the county of Delaware

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 375, entitled:

An Act to restrain and regulate the use of billiard tables pool tables and bagatelle boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth Providing for the granting of licenses and providing for punishments for the violations of the provisions of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1197, entitled:

An Act to prohibit the use of firearms of any descriptions upon lands set apart to hospitals or sanatoriums or park or resort uses whereon human beings congregate in the open in quest of health recreation or pleasure in this Commonwealth and providing penalties for violation of its several provisions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1419, as follows:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the corporate authorities of each city and borough within this Commonwealth having a population of more than twelve thousand inhabitants according to the last decennial census of the United States to erect and maintain public comfort stations for the use of the general public

Section 2 The corporate authorities of each municipality as provided in section one of this act shall immediately after the approval of this act provide for the erection of one or more public comfort stations as the population of such municipality may require Said authorities shall by due advertisement invite sealed proposals for bids for the erection of such public comfort stations and shall let the contracts therefor to the lowest responsible bidder and shall take from such bidder a bond with sufficient security conditioned for the faithful preformance of such contract

Section 3 The corporate authorities of any such municipality are empowered to provide for the cost of the erection of such public comfort stations from funds in the treasury of such municipality or to issue bonds therefor in the manner now provided for the issuing of bonds by an act of Assembly approved the twentieth day of April one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" with its several amendments and supplements

Section 4 The public comfort stations provided for in this act shall be centrally located and shall be so erected that they can be maintained in a sanitary condition Such stations shall have at least one compartment for men and one compartment for women and shall be constructed so as to afford privacy

Section 5 If any municipality shall neglect for a period of two years to carry out the provisions of this act it shall be the duty of the Commissioner of Health to erect such public comfort stations under the provisions of this act as he may deem necessary and collect the cost thereof with an additional penalty of twenty per centum from the proper municipality in an action of assumpsit and in the name of the Commonwealth in the same manner as debts of like amount are recoverable

Section 6 All acts or parts of acts inconsistent with this act are repealed

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—148.

Allen,	Foster, J. D.,	McAleer,	Sassaman,
Alworth,	Gans,	McAllister,	Savacool,
Aron,	Geiser,	McCaig,	Schaeffer, A. C.,
Arthur,	Good,	McDermott,	Scott, J. R. K.,
Baldwin, G. A.,	Goss,	McKay,	Scott, S. B.,
Baldwin, R. J.,	Grabe,	McNichol,	Semmens,
Barner,	Gransback,	Mellott,	Shaffer, I. B.,
Becker,	Hackett,	Metzenbacher,	Shern,
Berntheizel,	Haggerty.	Missimer,	Showalter,
Bigger,	Hemminger,	Mitchell,	Smith, J. W.,
Bittles,	Heyburn,	Moore,	Smith, L.,
Bleloch,	Hibshman,	Moses,	Snavely,
Brown,	Hoffman,	Moulthrop,	Snyder,
Brownlee,	Howard, J.,	Murphy,	Spangler,
Burnett,	Howard, R.,	Musser,	Speiser.
Campbell, C.M.,	Humes,	Newton,	Spillinger,
Campbell, J.J.	Isler,	North,	Steele,
Carson,	Irwin, G. C.,	O'Neill,	Swartz,
Carter,	Irwin, H. H.,	Peachey,	Swift,
Claycomb,	Jackson,	Pennegar,	Thomas,
Cleary,	Jones, E. E.,	Pennock,	Trach.
Conner,	Jones, J. R.,	Perry, S. J.,	Ulerich,
Conniff,	Kaiser,	Peters,	Walnut,
Conrade,	Kaufman,	Piper,	Walsh,
Cox,	Keegan,	Post,	Walton,
Currier,	Keeport,	Price,	Watson,
Curry,	Kennedy,	Ramsey,	Wettach,
Davis,	Kern,	Reese,	Whitaker,
Dickinson,	Klepper,	Reeser,	Whitman,
Donahoe,	Lanius.	Rex,	Wildman,
Donnally,	Letzkus,	Rhoads,	Wilson, J. H.,
Dunn, J. A.,	Light,	Richards,	Wilson. W. H.,
Ehrhardt.	Lohr,	Robinson,	Wiltbank,
Eichenberger,	Lowers,	Rockwell,	Young, G. K.,
Ewing,	Mannion,	Roney,	Young. J. H.,
Fahey,	Martin,	Rothenberger,	Zimmerman,
Flynn,	Matt,	Runk,	Alter,
			Speaker.

NAYS—1.

Brosius,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 743, as follows:

An Act relating to landlord and tenant where land is leased with rent payable wholly or partly by a portion of the crops and animals and fowls raised on such land and providing penalties

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any land shall be leased the rent of which shall be wholly or partly a share or portion of the crops and animals and fowls raised thereon including a share or portion of the products of such animals and fowls it shall be unlawful for any tenant to knowingly remove or appropriate to his or her own use from such land the share of the lessor or landlord unless specific permission in writing from such lessor or landlord be given to such tenant so to do

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500) or to undergo an imprisonment in the jail of the county for a period not exceeding six months or both

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—108.

Allen,	Good,	Kuhn, H. P.,	Rockwell,
Baldwin, G. A.,	Goss,	Lenker,	Rothenberger,
Becker,	Grabe,	Letzkus,	Runk,
Benninger,	Gramley,	Mannion,	Sassaman,
Benson,	Hackett,	Martin,	Savacool,
Bigger,	Heidinger,	Mather,	Schaeffer, A. C.,
Bittles,	Hemminger,	Matt,	Semmens,
Bleloch,	Hess,	McAllister,	Shaffer, I. E.,
Body,	Hibshman,	McCaig,	Showalter,
Brown,	Hobbs,	McKay,	Smith, J. W.,
Brownlee,	Hoffman,	Mellott,	Smith, L.,
Burnett,	Howard, J.,	Miller,	Snavely,
Caldwell,	Howard, R.,	Mitchell,	Snyder,
Campbell, C.M.,	Humes,	Moses,	Spangler,
Campbell, J.J.	Isler,	Moulthrop,	Spillinger,
Carter,	Irwin, G. C.,	Murphy,	Steele,
Claycomb,	Irwin, H. H.,	Musser,	Stone
Cleary,	Jackson,	Newbaker,	Swartz,
Conniff,	Jones, E. E.,	Peachey,	Thomas,
Cox,	Jones, J. R.,	Pennock,	Trach,
Davis,	Kaiser,	Perry, H. L.,	Walnut,
Donahoe,	Kaufman,	Peters,	Watson,
Donnally,	Keegan,	Post,	Williams,
Down,	Keeport,	Reeser,	Wilson, J. H.,
Ely,	Kennedy,	Rex,	Young, G. K.,
Foster, J. D.,	Kern,	Richards,	Zimmerman,
Geiser,	Klepper,	Robinson,	Alter,
			Speaker.

NAYS—26.

Alworth,	Dickinson,	McAleer,	Perry, S. J.,
Arthur,	Ehrhardt,	McArdle,	Ramsey,
Baldwin, R. J.,	Eichenberger,	Missimer,	Rhoads,
Barner,	Gransback,	Neel,	Scott, J. R. K.
Brosius,	Haggerty,	North,	Walton,
Conner,	Heyburn,	O'Neill,	Whitaker,
		Pennegar,	Wiltbank,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 645, as follows:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibitin of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitle "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words 'place of amusement or dramatic or theatrical or operatic or vaudeville performances circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudville performances or tragedies or comedies or farces or for the exhibition of trained animals or contests of personal skill or of circuses or menageries or museums or wild west shows or any performance or act for the amusement of the public but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or steropticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any building tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or any performance or act for the amusement of the public until and unless an annual license or licenses for the buildings or building tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance or contest shall have first been had and obtained from the city or county treasurer of the city or county (borough or township) in which said buildings tents enclosure or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irrespective of the number of chairs or seating capacity in such places of amusement building tent or enclosure the sum of five hundred dollars ($500)

In cities of the second class where such place of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such places of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet of floor or ground space as an equivalent

Section 4 The annual license for any place of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such place of amusement buildings tents or enclosures

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of either or all exhibiting in any building tent or enclosure (other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or stereopticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances or contests of personal skill or in the performance of some act for the amusement of the public and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of two hundred and fifty dollars ($250) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) Whereby the owner or lessee thereof shall be permitted to give exhibitions or performances in any city county or borough of the State

Section 6 The city or county treasurer of any city or county (borough or township) where such places of amusement build-

ings or tents or enclosures are situated shall upon receipt of the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer (of any city borough or township)

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid The term City Treasurer as used in this act refers only to the Treasurer of the city co-extensive with the county

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer of the cities (boroughs or townships) for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclosures in which the same are to be held upon the certificate of the director of public safety of the cities of the first class or of the proper municipal officer of the cities of the second and third class boroughs or townships setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances or contests intended to be given, are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordnce with the laws and ordinances regulating the erection construction or alteration of such places at the time of erection construction or alteration thereof either as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre"

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the applicants who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the amount of chairs in such place of amusement building tent or enclosure or the number of cars which transports any circus trained animals menagerie or wild west show Every applicant shall be required to sign and make oath or affirmation as to the correctness thereof

If a false oath shall be made by any person to such application the one so swearing shall be guilty of the crime of perjury and shall be punished as such

Section 9 It shall be the duty of each applicant to fill up the blank as provided as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

In any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess him or it with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assessment when so made shall be final and conclusive and without appeal and the applicant so assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement buildings tents or enclosures and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclsure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license money to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right to appeal to the mercantile appraisers and city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser and city or county treasurer or board of mercantile appraisers he they or it shall have the right to appeal to the court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relied upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer or the Mercantile Appraiser or Board of Mercantile Appraissers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shal upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers he shall not thereafter be permitted in a suit for the recovery of said license to set up a defence either that he is not subject to the payment of the license fee so assessed against him or any other ground of defence which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile Appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer to sue for the recovery of all licenses duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July of each and every year within thirty days after that date provided however if said city or county treasurer is satisfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said taxes and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July on each and every year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such person a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county treasurer the correct list of all persons assessed giving the names and business address of the persons liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer of the cities boroughs or townships) after hearing all parties under oath or affirmation which he is hereby empowered to administer it shall be proven that the exhibition performances or contests given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annual and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer of the cities (boroughs or townships) shall have full power to prevent any exhibition performance entertainment or contest from being held exhibited or performed until the provisions of this act have been fully complied with

Section 16 The Department of Public Safety of the cities of the first class or the proper municipal officers of the cities of the second and third class boroughs or townships shall have full power to inquire into any immortal tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment or contest and shall further if said charges are proven (after notice to all the parties in interest) to be true forbid such exhibitions performances entertainments or contests and for that purpose shall have full power to direct the proper officers to close the said places of amusement buildings or building tents or enclosures in which said exhibitions performances entertainments or contests are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings or building tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer or the director of public safety of cities of the first class or proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclosures shall have the right to appeal in writing to the court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear the person or persons aggrieved and determine the character of the applicant nature of the exhibition or permormance and whether such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not or as a theatre in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do and perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city borough or township of this Commonwealth

Section 19 The act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of

Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled an act supplemental to an act entitled an act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class approved the fifth day of May one thousand eight hundred and ninety-nine shall be held not to apply to places of amusement buildings tents or enclosures which have been erected constructed or altered and now in actual use a moving picture place where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a "moving picture place"

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment or contest as herein provided in any city borough or township of this Commonwealth without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offence a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open any such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the said license year to wit May first of each year

And that such license when granted shall not be transferred to any person or any other building tent or enclosure during the year for which it is granted except that it may be transferred to the lawful representatives of any deceased license or purchaser at any insolvent or bankrupt sale for the remainder of the term of any calendar year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures "of like character" as amended by the act approved May twenty-third one thousand nine hundred and seven entitled An Act to amend the first section of an act entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character providing that in cities of the first class the owner or owners or lesee or lessees of a building the capacity of which is less than three hundred persons shall pay thirty dollars ($30.00) and as further amended by the act approved May eleventh one thousand nine hundred and eleven entitled an act to amend the first section of an act entitled an act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as amended by an act approved the twenty-third day of May Anno Domini one thousand nine hundred and seven providing that in cities of the second class the owner or owners or lessee or lessees of a building the seating capacity of which does not exceed one thousand persons nor is less than four hundred persons shall pay an annual license of seventy-five dollars and where the seating capacity is less than four hundred persons shall pay thirty dollars together with any other amendments thereof or therto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—118.

Allen,	Ehrhardt,	Kennedy,	Price,
Alworth,	Eichenberger,	Kuhn, H. P.,	Ramsey,
Aron,	Ewing,	Kuhns, E.G.M.	Redfield,
Arthur,	Fahey,	Letzkus,	Rex,
Baldwin, G. A.,	Flynn,	Light,	Richards,
Baldwin, R. J.,	Geary,	Lohr,	Robinson,
Barner,	Geiser	Lowers,	Rockwell,
Bayle,	Gibson,	Mannion,	Scott, J. R. K.,
Becker,	Goss	Mather,	Scott, S. B.,
Benninger,	Grabe,	Matt,	Showalter,
Benson,	Gramley,	McAleer,	Smith, L.,
Bigger,	Hackett,	McAllister,	Snavely,
Bittles,	Haggerty,	McArdle,	Spangler,
Brosius,	Heidinger,	McKay,	Speiser,
Brownlee,	Hemminger,	Mechling,	Spillinger,
Burnett,	Hess,	Mellott,	Steele,
Campbell, C.M.,	Heyburn,	Metzenbacher,	Stone,
Carson,	Hibshman,	Mitchell,	Swartz,
Carter,	Hobbs,	Moore,	Swift,
Cleary,	Hoffman,	Moses,	Trach
Conner,	Howard, J.,	Moulthrop,	Walnut,
Conrade,	Howard, R.,	Newton,	Walton.
Cox,	Humes,	North.	Watson,
Curry,	Isler,	O'Neill,	Whitaker.
Davis,	Irwin, G. C.,	Peachey,	Williams,
Dickinson,	Jackson,	Pennock,	Wilson. W. H.,
Donahoe,	Jones, E. E.,	Perry, S. J.,	Wiltbank,
Donnally,	Jones, J. R.,	Peters,	Alter,
Down,	Kaiser,	Post,	Speaker.
Dunn, J. A.,	Kaufman,		

NAYS—18.

Brown,	Foster, J. D.,	McDermott,	Newbaker,
Caldwell,	Good,	Miller,	Rothenberger,
Claycomb,	Kern,	Morrow,	Sassaman,
Conniff,	Lenker,	Murphy,	Shaffer, I. E.,
		Musser,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill 1125, as follows:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same the State authorities levying and collecting taxes shall as provided under existing laws levy and collect an additional special tax of one mill for road purposes on personal property capital stock and bonds of corporations joint stock associations companies limited partnerships gross earnings of corporations bankers brokers and foreign insurance companies which are now taxed for State purposes including the capital stock and bonds of companies limited co-partnerships and corporations engaged in manufacturing and brewing Provided The provisions of this act shall not apply to mortgages and judgments given in the purchase of real estate

Section 2 The road taxes collected under the provisions of this act shall be held by the State as a separate road fund to be distributed under the direction of the State Highway Commissioner among the several townships of the State in proportion to the number of miles of public roads in each township for permanent road improvements the provisions of this act as to assessment and collection of taxes shall go into effect on the first day of December one thousand nine hundred and thirteen and the distribution of the road fund so collected shall be made on the first day of April in each year beginning in the years one thousand nine hundred and fourteen

RECONSIDERATION OF VOTE.

On the question,

Shall the bill pass finally?

Mr. BROSIUS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. JAMES A. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. BROSIUS. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The Clerk will read the amendments for information.

The amendments were then read by the Clerk as follows:

Amend section two in line 4 after the word "several" insert the words "boroughs and."

In line five, after the word "public" insert the words "Streets and." In same line after the word "each" insert the words "boroughs and."

In line six, after the word "improvement" insert the words "street and."

In line eleven, of same section, strike out the letter "s" from the word "years."

In line twelve of same section, strike out the word "fourteen" and add the word "fifteen."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

BILL ON FINAL PASSAGE.

Agreeab'y to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1107. as follows:

An Act relative to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and and providing penalties for fraud against innkeepers and hotelkeepers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no innkeeper or hotelkeeper whether individual partnership or corporation who constantly has in his inn or hotel a metal safe or suitable vault in good order and fit for the custody of money bank notes jewelry articles of gold and silver manufacture precious stones personal ornaments railroad mileage books or tickets negotiable or valuable papers and bullion and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts and on the transoms and windows of said rooms suitable fastenings and who keeps a copy of this section printed in distinct type constantly and conspiciously posted in not less than ten conspicious places in all in said hoted or inn shall be liable for the loss or injury suffered by any guest unless such guest has offered to deliver the same to such innkeeper or hotelkeepr for custody in such metal safe or vault and such innkeeper or hotelkeeper has omitted or refused to take it and deposit it in such safe or vault for custody and to give such guest a receipt therefor Provided however that the keeper of any inn or hotel shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of three hundred dollars and shall not be liable for any excess of such property whether received or not

Section 2 Any innkeeper or hotelkeeper may by special arrangement with a guest receive for deposit in such safe or vault any property upon such terms as they may agree to in writing but every innkeeper or hotelkeeper shall be liable for any loss of the above enumerated articles of a guest in his in or hotel after said articles have been accepted for deposit if caused by the theft or negligence of the innkeeper or hotelkeeper or any of his servants

Section 3 It shall be the duty of every guest and of every one intending to be a guest of any hotel or inn in this State upon delivering to the proprietor of such hotel or inn to his servants any baggage or other articles of property of such guest for safe keeping (elsewhere than in the room assigned to such guest) to demand and of such hotel proprietor or innkeeper to give a check or receipt therefor in such case to evidence the fact of such delivery and no hotel proprietor shall be liable for the loss of or injury to such baggage or other articles of property of this guest unless the same shall have been actually delivered by such guest to such hotel proprietor or innkeeper or to his servants for safe keeping or unless such loss or injury shall have occurred through the negligence of such hotel proprietor or innkeeper or by his servants or employes in such hotel

Section 4 The liability of the keeper of any inn or hotel whether individual partnership or corporation for loss of or injury to personal property placed by his guest under his care other than that described in the preceding sections shall be that of a depository for hire except that in case such loss or injury is caused by fire not intentionally produced by the hotel proprietor or innkeeper or his servants such hotel proprietor or innkeeper shall not be liable Provided however that in no case shall such liability exceed the sum of one hundred and fifty dollars for each trunk and its contents fifty dollars for each valise and its contents and ten dollars for each box bundle or package and contents so placed under his care and all other miscellaneous effects including wearing apparel and personal belongings fifty dollars unless he shall have consented in writing with such guest to assume a greater liability

And provided further whenever any person shall suffer his baggage or property to remain in any inn or hotel after leaving the same as a guest and after the relation of innkeeper and guest between such guest and the proprietors of such inn or hotel has ceased or shall forward the same to such inn or hotel before becoming a guest thereof and the same shall be received into such inn or hotel such innkeeper may at his option hold such baggage or property at the risk of such owner

Section 5 The keeper of any inn or hotel whether individual partnership or corporation shall have a lien on the baggage and other property in and about such inn belonging to or under the control of his guests or boarders for the proper charges due him from such guests or boarders for the accommodation board and lodging and for all money paid for or advanced to them not to exceed the sum of two hundred dollars and for such other extras as are furnished at their request and said innkeeper or hotelkeeper shall have the right to detain such baggage and other property until the amount of such charges is paid and such baggage and other property shall be exempt from attachment or execution until such innkeeper's lien and the cost of satisfying it are satisfied

Section 6 The innkeeper or hotelkeeper shall retain such baggage and other property upon which he has a lien for a period of ninety days at the expiration of which time if such lien is not satisfied he may sell such baggage and other property at public auction after giving ten days' notice of the time and place of sale in a newspaper of circulation in the county where the inn or hotel is situated and also by mailing a copy of such notice adressed to said guest or boarder at the place of residence registered by him in the register of such inn or hotel

Section 7. After satisfying the lien and any costs that may accure any residue remaining shall on demand within six months be paid to such guest or boarder and if not so demanded within six months from date of such sale such residue shall be deposited by such innkeeper or hotelkeeper with the treasurer of the county in which the inn or hotel is situated together with a statement of the innkeeper or hotel proprietors claim and the cost of enforcing the same a copy of the published notice and of the amounts received for the goods sold at said sale said residue shall by said county treasurer be credited to the general revenue fund of said county subject to a right of said guest or boarder or his representative to reclaim said residue at any time within three years of the date of deposit with said treasurer

Section 8 Any person who shall obtain food lodging or other accommodation at any hotel inn boarding or eating house with intent to defraud the owner or keeper thereof shall be fined not exceeding one hundred dollars or be imprisond in the county jail not exceeding three months

Section 9 Proof that lodging food or other accommodations were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property or that the person refused or neglected to pay for such food lodging or other accommodation on demand or that he gave in payment for such food lodging or other accommodatin negotiable paper on which payment was refused or that he absconded without paying or offering to pay for such food lodging or other accommodation or that he surreptitiously removed or attempted to remove his baggage shall be prima facie proof of the fraudulent intent mentioned in section eight of this act but this act shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days

Section 10 It shall be the duty of every hotel inn or boarding house keeper within this Commonwealth to keep a copy of section eight and of section nine of this act printed in distinct type posted in not less than ten conspicious places in said hotel inn boarding or eating house

Section 11 That all acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. ALLEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. RICHARDS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ALLEN. Mr. Speaker. I ask unanimous consent to insert amendments at this time.

The SPEAKER. The Clerk will read the amendments for information

The amendments were then read by the Clerk as follows:

Section 1, line 16, strike out "guests" insert "guest."
Section 2, line 1, strike out "But each" insert "Any."
Section 2, line 7, after "innkeeper" insert "or."
Section 3, line 5, strike out "to" insert "in."
Section 7, line 1, strike out "and after" insert "After."
Section 7, line 7, after "the" insert "claim of the."
Section 7, line 7, after "proprietor" strike out "claim."
Section 11, line 1, strike out "that all" insert "al."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill, as amended, lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeab'y to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1013, as follows:

An Act to amend further the tenth section of an act entitled "An Act providing when how upon what property an to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June one thousand nine hundred and one as the same was amended by an act approved the first day of May one thousand nine hundred and seven and as the same was further amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine and as the same was further amended by an act approved the twentieth day of June one thousand nine hundred and eleven by changing the procedure for reviving and continuing the liens of municipal and tax claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act entitled "An Act

providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one which as the same was amended by an act approved the first day of May one thousand nine hundred and seven and as the same was further amended by an act approved the twenty-seventh day of April one thousand nine hundred and nine as the same was further amended by an act approved the twentieth day of June one thousand nine hundred and eleven reads as follows

"Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after confirmation of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where an appeal is taken from the assessment for the recovery of which such municipal claim is fixed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no account is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said porperties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment o nthe scrie facias and in cases of other than tax claims ater judgment on the scire acias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scrie facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests or record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The protonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index of it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scrie facias thereon or of any judgment thereon or of the filing or any prior suggestion the averment of default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment or revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost" shall be and the same is hereby amended to read as follows

Section 10 Claims for taxes water-rents lighting rates and sewer rates must be filed in the court of common pleas of the county in which the property is situated on or before the last day of the third calendar year after that in which the taxes or rates are first payable and other municipal claims must be filed in said court within six months from the time the work was done in front of the particular property where the charge against the property is assessed or made at the time the work is authorized within six months after the completion of the improvement where the assessment is made by the municipality upon all the properties after the completion of the improvement and within six months after confirmation by the court where confirmation is required the certificate of the surveyor engineer or other officer supervising the improvement filed in the proper office being conclusive of the time of completion thereof but he being personally liable to any one injured by any false statement therein A number of years taxes or rates of different kinds if payable to the same plaintiff may be included in one claim

Municipal claims shall likewise be filed within said period where no appeal is taken from the assessment for the recovery of which such municipal claim is filed In such case the lien filed shall be in the form hereinafter provided except that it shall set forth the amount of the claim as an undetermined amount the amount thereof to be determined by the appeal taken from the assessment upon which such municipal claim is based pending in a certain court (referring to the court and the proceeding where such appeal is pending) Upon the filing of such municipal claim the claim shall be indexed by the prothonotary upon the judgment index and upon the locality index of the court and the amount of the claim set forth therein as an undetermined amount

If the final judgment is not obtained upon such appeal within five years from the filing of such municipal claim the claimant in the lien shall within such period of five years file a suggestion of non-payment in the form hereinafter set forth which shall have the effect of continuing the lien thereof for a further period of five years from the date of filing such suggestion Such municipal claim shall be revived in a similar manner during each recurring period of five years thereafter until final judgment is entered upon said appeal and the undetermined amount of such municipal claim is fixed in the manner hereinafter provided

When the final judgment is obtained upon such appeal the court in which said municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed in such claim at the amount determined by the final judgment upon said appeal which shall bear interest from the date of the verdict upon which final judgment was entered and thereafter the amount of said claim shall be the sum thus fixed Proceedings upon said municipal claim thereafter shall be as in other cases

Whereon final judgment upon said appeal it appears that no amount is due upon the assessment for the recovery of which such claim is filed the court in which such municipal claim is pending shall upon the petition of any interested party make an order striking such municipal claim from the record and charge the costs upon such claim to the plaintiff in the claim filed

Where such appeal is discontinued the court in which such municipal claim is pending shall upon the petition of any interested party make an order fixing the undetermined amount claimed at the amount of the original assessment which shall bear interest from the date that such assessment was originally payable and thereafter the amount of such claim shall be the sum thus fixed

Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed either before or after judgment on the scire facie or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed

thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by his solicitor suggests of record that the above claim is still due and owning to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment must be signed by the solicitor or chief executive officer of the claimant The prothonotary shall docket and index the suggestion and averment as directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim of the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment or default shall have the same force and effect for the purpose of continuing and preserving the lien of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid it shall be wholly lost

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. SPEISER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MOORE. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. SPEISER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The Clerk will read the amendment for information.

Ths Clerk then read the amendment as follows:

Amend section one, line 12, by strikeing out "which."

The SPEAKER. Will the House give unanimous consent to the amendment? Is there any objection? The Chair hears none and the amendment will be made in accordance with the instructions of the House.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—148.

Allen,	Forster, I. G.,	Lohr,	Rhoads,
Aron,	Foster, J. D.,	Lowers,	Richards,
Arthur,	Gans,	Mannion,	Robinson,
Baldwin, G. A.,	Geary,	Martin,	Rockwell,
Bass,	Geiser,	Mather,	Roney,
Benson,	Gibson,	Matt,	Rothenberger,
Berntheizel,	Glenn,	McAleer,	Runk,
Bigger,	Good,	McAllister,	Sassaman,
Bittles,	Goss,	McArdle,	Savacool,
Body,	Grabe,	McCaig,	Schaeffer, A. C.,
Brosius,	Gramley,	McDermott,	Schuck,
Brownlee,	Gransback,	McKay,	Scott, J. R. K.,
Burnett,	Hackett,	McNichol,	Scott, S. B.,
Caldwell,	Haggerty,	Mellott,	Semmens,
Campbell, C.M.,	Heidinger,	Metzenbacher,	Shaffer, I. E.,
Carson,	Hess,	Miller,	Showalter,
Carter,	Heyburn,	Missimer,	Smith, L.,
Claycomb,	Hibshman,	Mitchell,	Snavely,
Conner,	Hobbs,	Moore,	Snyder,
Conniff,	Hoffman,	Morrow,	Spangler,
Conrade,	Howard, J.,	Moses,	Speiser,
Cox,	Howard, R.,	Moulthrop,	Spillinger,
Currier,	Humes,	Neel,	Steele,
Curry,	Isler,	Newbaker,	Stone,
Davis,	Irwin, G. C.,	Newton,	Strauss,
Dickinson,	Irwin, H. H.,	North,	Swartz,
Donahoe,	Jackson,	O'Neill,	Swift,
Donnally,	Jones, J. R.,	Peachey,	Walnut,
Down,	Kaufman,	Pennegar,	Walton,
Dunn, H. B.,	Keegan,	Pennock,	Whitaker,
Dunn, J. A.,	Keeport,	Perry, S. J.,	Wildman,
Ehrhardt,	Kern,	Peters,	Williams,
Eichenberger,	Klepper,	Post,	Wiltbank,
Ely,	Kuhn, H. P.,	Price,	Young, G. K.,
Ewing,	Lenker,	Ramsey,	Young, J. H.,
Fahey,	Letzkus,	Redfield,	Zimmerman,
Flynn,	Light,	Reese,	Alter,
		Rex,	Speaker.

NAYS—1.

Alworth,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1112, as follows:

An Act authorizing and empowering municipalities to construct and for this purpose procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase by stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality and to lease the same to corporations or individuals

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities are hereby authorized and empowered to construct or to acquire by condemnation lease purchase stock ownership or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities whether the same be wholly within or partly within or partly without the limits of the municipality

Section 2 The said municipality shall have the right to enact ordinances providing for the laying out of the routes or works and other public utilities

Section 3 In case the municipalities desire to obtain any lands or properties necessary for the construction or operation of said utilities or to acquire by condemnation the existing plants or systems of private companies operating such public utilities and are unable to agree with the owner or owners upon the price to be paid the court of common pleas of the county wherein the said lands or properties or said public utilities or parts thereof are located or any law judge in vacation on application therefor by petition of said municipalities or owners shall appoint three (3) discreet and disinterested persons as viewers and appoint a time not less than ten (10) nor more than twenty (20) days thereafter when said viewers shall meet and inspect the property or public utility appropriated or intended to be appropriated by the said municipality

Section 4 Said viewers having been duly sworn or affirmed justly and impartially to decide and a true report to make concerning matters to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall hear all parties interested and their witnesses and shall estimate and determine the damage for the property taken and to whom the same is payable and prepare a schedule thereof and give notice to all parties interested of the time (not less than ten days thereafter) and of the place where they shall meet and exhibit the schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever changes are deemed necessary aid viewers shall make report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing said premises

Section 5 If the compensation to be paid for any lands or public utility which the municipality desires to obtain for said purposes cannot be agreed upon between the owners thereof and such municipality and if the municipality desires to take possession of such public utility it shall be lawful for it at any time after the appointment of said viewers to tender its bond with surety as security to the owner or owners of such lands or public utility the condition of which shall be that the said municipality shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided by this act In case the owner or owners of such property refuse to or do not accept said bond the said municipality shall give the owner or owners thereof written notice of the time when the same shall be presented for approval and said bond shall be presented to the court in which the said petition for the appointment of viewer has been filed and when approved said bond shall be filed in said court for the benefit of said owner or owners and upon the approval of said bond said municipality may enter upon appropriate take hold use and control such lands or public utilities and shall hold the same in fee simple

Section 6 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report

in court or the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or Supreme Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the said municipality The said court of Common pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

Section 7 Said municipalities shall also have the power to lease to corporations or individuals the street railways electric light or gas works or other public utilities owned leased or otherwise acquired or controlled by the said municipality upon such terms and conditions as may be agreed upon

Section 8 Nothing contained in this act shall be interpreted to give to municipalities the right to take in the exercise of eminent domain any water or land covered by water for the purpose of constructing or operating water works for the supply of water or water powers

Section 9 Any act or parts of acts conflicting herewith are hereby repealed

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—148.

Allen,	Ely,	Kern,	Rhoads,
Alworth,	Ewing,	Kitts,	Richards,
Ambler,	Fahey,	Kuhn, H. P.,	Rothenberger,
Aron,	Flynn,	Kuhns, E.G.M.,	Sassaman,
Arthur,	Forster, I. G.,	Lanius,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	Lenker,	Scott, S. B.,
Barner,	Gans,	Leslie,	Semmens,
Bass,	Geary,	Letzkus,	Sherwood,
Becker,	Geiser,	Light,	Showalter,
Benninger,	Gibson,	Lowers,	Smith, J. W.,
Benson,	Glenn,	Mannion,	Smith, L.,
Berntheizel,	Good,	Mather,	Snavely,
Bigger,	Gosa,	Matt,	Snyder,
Bittles,	Grabe,	McAleer,	Spangler,
Body,	Gramley,	McAllister,	Speiser,
Brosius,	Gransback,	McKay,	Spillinger,
Brownlee,	Hackett,	Mechling,	Steele,
Burnett,	Haggerty,	Metzenbacher,	Stone,
Caldwell,	Heidinger,	Miller,	Strauss,
Campbell, C.M.,	Hemminger,	Moore,	Swartz,
Campbell, J.J.	Hess,	Morrow,	Swift,
Carson,	Heyburn,	Moses,	Thomas,
Carter,	Hibshman,	Moulthrop,	Trach.
Claycomb,	Hobbs,	Musser,	Walnut,
Cleary,	Hoffman,	Newbaker,	Walsh,
Conner,	Howard, J.,	Newton,	Walton,
Conniff,	Isler,	North,	Watson,
Conrade,	Irwin, G. C.,	O'Neill,	Whitaker,
Cox,	Irwin, H. H.,	Peachey,	Wildman,
Currier,	Jackson,	Pennegar,	Williams,
Curry,	Jones, E. E.,	Pennock,	Wilson, J. H.,
Dickinson,	Jones, J. R.,	Peters,	Wilson, W. H.,
Donahoe,	Kaiser,	Post,	Wiltbank,
Donnally,	Kaufman,	Price,	Young, G. K.,
Down,	Keegan,	Ramsey,	Young, J. H.,
Dunn, J. A.,	Keeport,	Redfield,	Zimmerman,
Ehrhardt,	Kennedy,	Reese,	Alter,
Eichenberger,			Speaker.

NAYS—4.

Martin,	McDermott,	Mitchell,	Murphy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1118, as follows:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works or systems of water works or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or systems of water works

Whereas It has been determined that under the present legislation municipalities having the power to provide a supply of water for municipal and domestic purposes have exhausted the same by reason of franchises granted to private water companies and

Whereas It is desirable that all municipalities shall have the power to supply water for municipal and domestic purposes through municipal systems and

Whereas It is desirable that such right should not be given to municipalties in competition with private water companies which have constructed water works within the limits of such municipalities without providing for the acquisition of the water works of such private companies upon a basis which is fair and equitable both to the municipalities and to the private companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities of this Commonwealth shall have the power and authority subject to the provisions of existing laws to provide a supply of water both for municipal and domestic purposes by the construction and operation of water works or systems of water works Provided however that where a private water company is now or hereafter supplying any municipality or any part thereof for municipal and domestic purposes that the municipality shall not erect or construct its own water works if the private company shall upon the request of the municipality signify its consent in writing to sell its water works or system of water works to the municipality or so much thereof as may come within the limits of the municipality upon the following basis to wit

The then value of the physical property with fifteen per centum additional thereto and no allowance shall be made for franchise values or for any rights in the streets of the municipality or for earning power either present or future Provided That if a contract between a municipality and a private water company for the purchase of the said water works or portion thereof then upon the terms and conditions provided in said contract

Section 2 If the said water company shall within thirty (30) days after the request of the municipality signify its consent in writing to sell its water works or systems of water works or the portion thereof lying within the municipality upon the basis herein provided then the municipality shall be bound to purchase the same

If the said private water company shall refuse or not so signify its consent in writing within thirty days to sell its water works within said territory upon the basis herein provided then the said municipality shall have the right to lay its water mains and construct its water works or systems of water works in the territory supplied by said company within the limits of such municipality

Section 3 If the said water company shall signify its consent in writing to sell its water works or systems of water works upon the basis herein provided then the Court of Common Pleas of the county within which said municipality is located shall upon the petition of said municipality or the said water company appoint three disinterested persons as viewers or arbitrators who shall appraise the value of the said water works or systems of water works and said viewers or arbitrators and the parties to the said proceedings shall proceed in the same manner and with all the rights and powers given to the viewers and to the parties with reference to the appraisement and acquisition of said property as provided by an act approved March twenty-fourth one thousand nine hundred and nine (Pamphlet Laws sixty-seven) entitled "An Act authorizing municipalities to purchase or condemn public toll-bridges crossing rivers or streams within the limits thereof and giving power to municipalities to charge and collect tolls or rentals for the use of any such bridge from any railway telephone or telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel and providing for the preservation of existing contracts with such persons and their assignment to such municipality"

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ISLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CARTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1236, as follows:

An Act to amend sections three ten twelve fourteen seventeen twenty twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred and one as the same were amended by the act of May fourteenth one thousand nine hundred and nine by further providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that section two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requiremnts for the construction of plumbing house drainage and cespools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as amended by an act approved the fourteenah day of May one thousand nine hundred and nine entitled "A act amending sections one two eight twenty-one twenty-five twenty-nine thirty-five thirty-six sixty sixty-one sixty-two sixty-six seventy and seventy-one of an act entitled 'An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof' approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisos of said act to cities of the third class having a system of water supply and sewerage of this Commonwealth and providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cesspools and providing penalties and forfeitures for violation thereof" which as amended reads as follows

"Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing too the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examination made by the department or board or bureau of health of said cities such person or persons so applying shall be found competent the same shall be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of the department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman thereof shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum shall be paid into the city teasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a boni fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or name of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil waste or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall render his their or its certificate of registry to the board of bureau of health Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officer's names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing or house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and reregister his their or its name or names and business or home address upon such form or forms as may fro mtime to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeyman plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license or certificate issued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided" be and the same is hereby further amended to read as follows

Section 2 All and every person or persons engaged or engaging in the business or work of plumbing and house drainage in said cities shall apply in writing too the said director of the department of public safety department or board or bureau of health for such certificate or license and if after proper examiamination made by the department or board or bureau of health of said cities such person or persons so applying shall be formed competent the same shally be certified to the director of the department of public safety department or board or bureau of health who shall thereupon issue a certificate or license to such person or persons which shall for the period of one calendar year or fractional part thereof next ensuing the date of such examination entitle him or them to engage in or work at the business of plumbing and house drainage The mayor of said cities is hereby authorized to appoint a board of examiners to consist of the health officer or superintendent of the department or board or bureau of health one plumbing inspector and two competent plumbers in no wise connected with the city government who shall examine all applicants for license under the provisions of this act The said board shall make all reasonable rules regulations and examinations which shall be approved by the said director of department or board or bureau of health An examination of any one member of a firm or corporation or of the superintendent or foreman thereof shall be deemed sufficient Said person or persons firm or corporation engaged or engaging in the business of plumbing or house drainage shall pay for each examination the sum of five dollars and each journeyman or person engaged in the work shall pay the sum of fifty cents which sum be paid into the city treasury for the use of said cities The proper officers of said cities are hereby authorized to pay to the plumbers acting on said board the sum of five dollars per day for each day or session thus actually employed

Every registered master plumber shall have a boni fide place of business in said cities and shall display on the front of his or their place of business a sign "Registered Plumber" bearing the name or name of the person firm or corporation in letters not less than three inches high

No person other than a registered master plumber shall be allowed to carry on or engage in the business nor shall any person or persons expose the sign of plumbing or house drainage or any advertisement pertaining thereto unless he or they have first secured a license or certificate and been registered in the office of the board or bureau of health of such cities nor shall any person or persons other than registered master plumber or person in his or their employ or under his or their supervision be allowed to alter repair or make any connection with any drain soil or vent-pipe or any pipe connected therewith

Every registered master plumber firm or corporation shall give immediate notice of any change in his their or its place of business and upon his their or its retirement from business shall urrender his or its certificate of registry to the board or bureau of health

Every person firm corporation or representative thereof in registering shall give the full name or names of the person firm or officer's names of the corporation for which he or they shall register

At the expiration of each calendar year said certificate or license shall be null and void A licensed master or journeyman plumber desiring to continue in or work at the business of plumbing or house drainage for the ensuing year shall between the first and thirty-first days of December of each and every year surrender the said certificate or license for the current year to the department or board or bureau of health and reregister his their or its name or names and business or home address upon such form or form as may from time to time be furnished by said department or board or bureau of health

A re-examination will not be necessary for re-registration unless the licensed master or journeyman plumber should have failed to make application for re-registration at the specified time The sum of one dollar shall be paid by master plumbers firms or corporations and the sum of twenty-five cents by journeyman plumbers for re-registration which sum shall be paid into the city treasury for the use of said cities A register of all such applicants and the license of certificate isued shall be kept in said department board or bureau of health which said register shall be open to the inspection of all persons interested therein Any person firm or corporation holding a license or certificate granted by any first second or third class city of this Commonwealth to engage in or work at the business of plumbing and house drainage desiring to do plumbing and drainage work in any other city than the one in which said license or certificate was granted shall without examination be registered before entering upon such work Provided however That such registration shall be restricted and limited to such plumbing and drainage work as he they or it shall have contracted for at the time of registry On completion of such contract or contracts the registration of such person firm or corporation shall be null and void and no further permit shall be issued to such person firm or corporation until he they or it shall have first registered his or its name or their names and address as hereinbefore provided

The license or certificate now or hereafter granted under the provisions of this act may be revoked or temporarily suspended by the director of the department of public safety or the presiding officer of the department or board or bureau of health when any person or persons shall violate any of the provisions of this act or for any other reasonable cause

Section 2 That section three of said act of June the seventh nineteen hundred and one which reads as follows

"Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely be and the same is hereby amended to read as follows

Section 3 From and after the passage of this act the construction of plumbing house drainage and cesspools shall be conducted only under and in accordance with the following rules regulations and requirements namely

Except where the replacing of fixtures is required or alterations are to be made which cannot be practically constructed in accordance with the provisions of this act a special permit may be issued by the chief plumbing inspector for such work if in his judgment the conditions require and all reconstruction of old and condemned plumbing shall be done in accordance with the provisions of this act

Section 3 That section eight of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Material of House Drains

Section 8 "The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exit except where two houses are built together on a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a "Y" connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownershop and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain Where it is necessary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved the department or board or bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with leaded and caulked joints and carried five feet outside cellar wall All drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with leaded and caulked joints or of heavy wrought-iron pipe with screw joints properly secured and carried five feet outside cellar wall and all arrangements of soil or waste pipes shall be as direct as possible Wrought-iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches both above and below the ground and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall One-fourth Inch Per Ft	Fall One-half Inch Per Ft
4 inches.	1,800 sq. ft. drainage area.	2,500 sq. ft. drainage area
5 inches.	3,000 sq. ft. drainage area.	4,500 sq. ft. drainage area
6 inches.	5,000 sq. ft. drainage area.	7,500 sq. ft. drainage area
8 inches.	9,100 sq. ft. drainage area.	13,600 sq. ft. drainage area
10 inches.	14,000 sq. ft. drainage area.	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain-water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house drain be less than four (4) inches in diameter" be and the same is hereby further amended to read as follows

Material of House Drains

Section 8 The main drainage system of every house or building shall be separately and independently connected with the street sewer where such sewer exists except where two houses are built together on a lot with a frontage of thirty feet or less when one connection with main sewer will be allowed but there shall be a separate house drain for each house connected by a "Y" connection in the front of such houses at the property line with main house sewer or where one building exists or is erected in the rear of another on an interior lot of single ownership and no private sewer is available or can be made for the rear building through an adjoining alley courtyard or driveway the house drain from the front building may be extended to the rear building and the whole will be considered as one house drain or where a private automobile garage exists or is erected in the rear of a dwelling and no living quarters in garge the sewer from garage may be connected to house sewer with extra heavy cast-iron pipe carried to garage and the whole will be considered as one house drain

Where it is necessary to construct a private sewer to connect with sewer on adjacent street such plans may be used as may be approved by the department or board of bureau of health but in no case shall joint drains be laid in cellars parallel with the street or alley

House drains or soil-pipes laid beneath floor must be extra heavy cast-iron pipe (as per table in section sixteen) with leaded and caulked joints and carried five feet outside of all exterior walls all drains or soil-pipes connected with main drain where it is above the cellar floor shall be of extra heavy cast-iron pipe with leaded and caulked joints or of heavy galvanized wrought-iron pipe with screw joints properly secured and carried five feet outside exterior cellar walls and all arrangements of soil or waste pipes shall be as direct as possible Wrought-iron iron pipes shall be galvanized Changes of direction on pipes shall be made with "Y" branches and clean-out plugs installed at all abrupt turns Where sewer and waste-pipes are under floor clean out plugs must be brought on forty-five degree angle and finish with floor level and where such pipes pass through a new foundation-wall a relieving arch shall be built over it with two-inch space on either side of main pipe

The size of the main house drain shall be determined by the total area of the buildings and paved surfaces to be drained according to the following table if iron pipe is used If the pipe is terra cotta the diameter shall be one size larger for the same amount of area drainage

Diameter	Fall One-fourth Inch Per Ft	Fall One-half Inch Per Ft
4 inches.	1,800 sq. ft. drainage area.	2,500 sq. ft. drainage area
5 inches.	3,000 sq. ft. drainage area.	4,500 sq. ft. drainage area
6 inches.	5,000 sq. ft. drainage area.	7,500 sq. ft. drainage area
8 inches.	9,100 sq. ft. drainage area.	13,600 sq. ft. drainage area
10 inches.	14,000 sq. ft. drainage area.	20,000 sq. ft. drainage area

The main house drains may be decreased in diameter beyond a rain-water conductor or surface inlet by permission of the department or board or bureau of health when the plans show that conditions are such as to warrant such decrease but in no case shall the main house drain be less than four (4) inches in diameter"

Section 4 That section ten of said act of June seventh nineteen hundred and one which reads as follows

Fresh Air Inlet

"Section 10 A fresh air inlet must be connected with the house drain just inside of the house trap Where under ground it must be of extra heavy cast-iron Said inlet must lead to the outer air and finish with an automatic device approved by the board or bureau of health at a point just outside the front wall of building The fresh air inlet must be of the same size as the drain up to four inches For five or six inch drains it must not be less than four inches in diameter for seven and eight inch drains not less than six inhes in diameter or its equivalent and for larger drains not less than eight inches in diameter or its equivalent be and the same is hereby amended to read as follows

Fresh Air Inlet

Section 10 A fresh air inlet must be connected with the house drain just inside of the house trap Where under ground it must be of extra heavy cast-iron Said inlet must lead to the outer air and finish with an automatic device approved by the board or bureau of health at a point outside of the building or buildings and must not open within ten (10) feet of any window or door Any tenement house or office building three or more stories in height the fresh air inlet must be carried through the roof with extra heavy cast-iron or of galvanized wrought iron screw pipe The fresh air inlet must be of the same size as the drain up to four (4) inches For five or six inch drain it must not be less than four (4) inches in diameter for seven and eight inch drains not less than six (6) inches in diameter or its equivalent and for larger drains not less than eight (8) inches in diameter or its equivalent

Section 5 That section twelve of said act of June seventh nineteen hundred and one which reads as follows

Location of House Sewer

"Section 12 When main sewer is not located on street house sewers must be constructed on outside of buildings and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars be and the same is hereby amended to read as follows

Location of House Sewer

Section 12 When main sewer is not located on street house sewers must be constructed on outside of buildings and lot line and branch into each house separately and in no case will the sewer from one house to another be permitted to run through cellars

Section 6 That section fourteen of said act of June seventh nineteen hundred and one which reads as follows

Material of Sewers Between Buildings

"Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings it must be constructed of extra heavy cast-iron pipe from a distance corresponding to the length of the foundations of said building" be and the same is hereby amended to read as follows

Material of Sewers Between Buildings

Section 14 Where a sewer is laid between buildings in a passageway alley or courtyard at a less distance than five feet from the buildings and adjoining property line it must be constructed of extra heavy cast-iron pipe for a distance corresponding to the length of the foundations of said buildings or adjoining property lin

Section 7 That section seventeen of said act of June seventh nineteen hundred and one which reads as follows

Subsoil Drains

"Section 17 Subsoil drains must discharge into a sump or receiving tank the contents of which must be lifted and discharged into the drainage system above the cellar floor by some approved method Where directly sewer connected they must be cut off from the rest of the plumbing system by a brass flap-valve on the inlet to the catch-basin and the trap on the drain from the catch-basin must be water supplied as required for cellar drain" be and the same is hereby amended to read as follows

Subsoil Drains

Section 17 Subsoil drains must discharge into a sump or receiving tank the contents of which must be lifted and discharged into the drainage system above the cellar floor by some approved method Where directly sewer connected they

must be cut off from the rest of the plumbing system by a brass flap-valve on the inlet to the catch-basin and the trap on the drain from the catch-basin must be water supplied as required for cellar drains When sump tanks are located in any building six or less stories in height it must be provided with a three inch relief pipe and if more than six stories in height it must be a four inch pipe Vent pipes from sump tanks must be carried independently through the roof

Section 8 That section twenty of said act of June seventh nineteen hundred and one which reads as follows

Leader Pipes

"Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the same shall be conducted by a pipe or pipes to the sewer If there be no sewer in the street upon which such buildings front then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter" be and the same is hereby amended to read as follows

Leader Pipes

Section 20 All buildings shall be kept provided with proper metallic leaders for conducting water from the roofs in such manner as shall protect the walls and foundations of said building or buildings from injury In no case shall the water from said leaders be allowed to flow upon the sidewalk but the said shall be conducted by a pipe or pipes to the storm sewer accessible either from the front or rear of the buildings If there be no storm sewer in the street upon which the building fronts or no such storm sewer otherwise accessible then the water from said leaders shall be conducted by proper pipe or pipes below the surface of the sidewalk to the street gutter In no event shall the waters from said leaders be allowed to flow into sanitary sewers and in case where storm sewers shall now or hereafter be constructed or provided either in front of the buildings or otherwise accessible the owners shall upon twenty days' notice in writing from the department of health so to do disconnect such leaders from the sanitary sewers and connect them with the storm sewers

The sanitary sewer as referred to in this act shall mean the public sewer which is now or may hereafter be laid to carry domestic or house sewage only

The storm sewer as referred to in this act shall mean the public sewer which is laid for the sole purpose of providing drainage for storm and surface water and excludes all sewage containing fecal matter

Section 9 That section twenty-one of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Material for Inside and Outside Leaders

"Section 21 Inside leaders must be constructed of cast-iron wrought iron or steel with roof connections made gas and water-tight by means of heavy copper-drawn tubing slipped into the pipe The tubing must extend at least seven (7) inches into iron leader pipe Outside leaders may be sheet metal but they must connect with house drain by means of a cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewalks Where the building is located off building line and not liable to be damaged the connection shall be made with iron pipe extending at least one foot above grade level" be and the same is hereby further amended to read as follows

Material for Inside and Outside Leaders

Section 21 Inside leaders must be constructed of cast-iron galvanized wrought iron or steel with roof connections made gas and water-tight by means of heavy copper-drawn tubeing slipped into the pipe The tubing must extend at least seven (7) inches into iron leader pipe Outside leaders may be sheet metal but they must connect with house drain by means of a cast-iron pipe extending vertically five (5) feet above grade level where the building is located along public driveways or sidewalks Where the building is located off building line and not liable to be damaged the connection shall be made with iron pipe extending at least one foot above grade level

Section 10 That section twenty-two of said act of June seventh nineteen hundred and one which reads as follows

Trapping of Leaders

"Section 22 All leaders must be trapped with cast-iron running traps so placed as to prevent freezing" be and the same is hereby amended to read as follows

Trapping of Leaders

"Section 22 All leaders must be trapped with cast-iron traps so placed as to prevent freezing One or more leaders may be connected by one trap where leader traps are placed inside of buildings they must be provided with clean-out plugs caulked in as provided for in section forty-one of said act of June seventh nineteen hundred and one

Section 11 That section twenty-four of said act of June seventh nineteen hundred and one which reads as follows

Exhaust from Steam Pipes et cetera

"Section 24 No steam exhaust blow-off or drip-pipe shall connect with a sewer or house drain leader soil-pipe waste or vent-pipe Such pipes must discharge into a tank or condenser from which suitable outlet to the sewer shall be made Such condensers shall be water supplied to help condensation and protect the sewer and shall also be supplied with relief vent to carry off dry steam" be and the same is hereby amended to read as follows

Exhaust from Steam Pipes et cetera

Section 24 No steam exhaust blow-off or drip-pipe shall connect with a sewer or house drain leader soil-pipe waste or vent-pipe Such pipes must discharge into a tank or condenser from which suitable outlet to the sewer shall be made Such condensers shall be water supplied to help condensation and protect the sewer and shall also be supplied with relief vent to carry off dry steam No over-flow from gasoline storage tanks shall be connected direct to any sewer or drain but may be drained into an open receptor or bell trap

Section 12 That section twenty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Diameter of Soil Pipes

"Section 25 The smallest diameter of any soil-pipe permitted to be used shall be four-inch The size of soil-pipes must be not less than those set forth in the following tables

	Maximum Number of Fixtures Connected to— Soil and Waste Combined		Soil-Pipe Alone	
Size of Pipe.	Branch	Main	Branch	Main
4 in...	48 fixtures.	96 fixtures.	8 water-closets.	16 water-closets
5 in...	96 fixtures.	192 fixtures.	16 water-closets.	32 water-closets
6 in...	268 fixtures.	336 fixtures.	34 water-closets.	68 water-closets

If the building is six (6) and less than twelve (12) stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the highest window and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of buildings

Fixtures with—
One and one-quarter inch traps count as one fixtures
One and one-half inch traps count as one fixture
Two inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four inch traps count as five fixtures" be and the same is hereby further amended to read as follows

Diameter of Soil Pipes

Section 25 The smallest diameter of any soil-pipe permitted to be used shall be four-inch The size of soil-pipes must not be less than those set forth in the following tables

	Maximum Number of Fixtures Connected to— Soil and Waste Combined		Soil-Pipe Alone	
Size of Pipe.	Branch	Main	Branch	Main
4 in...	48 fixtures.	96 fixtures.	8 water-closets.	16 water-closets
5 in...	96 fixtures.	192 fixtures.	16 water-closets.	32 water-closets
6 in...	268 fixtures.	336 fixtures.	34 water-closets.	68 water-closets

If the building is six (6) and less than twelve (12) stories in height the diameter shall be not less than five (5) inches if more than twelve (12) stories it shall be six (6) inches in diameter A building six or more stories in height with fixtures located below the sixth floor soil-pipe four (4) inches in diameter will be allowed to extend through the roof provided the number of fixtures does not exceed the number given in the table

All soil-pipes must extend at least two feet above the roof and must not be reduced in size Traps will not be permitted on main vertical soil or waste lines Each house must have a separate line of soil and vent-pipes No soil or waste line shall be constructed on the outside of building

Fixtures with—
One and one-quarter inch traps count as one fixtures
One and one-half inch traps count as one fixture
Two inch traps count as two fixtures
Two and one-half inch traps count as three fixtures
Three inch traps (water-closets) count as four fixtures
Four-inch traps counts as five fixtures

Section 13 That section twenty-six of said act of June seventh nineteen hundred and one which reads as follows

Changes in Direction

"Section 26 All sewer soil and waste pipes must be as direct as possible Changes in direction must be made with "Y" or half "Y" branches or one-eighth bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T-"Y's" (sanitary T's) will be permitted on upright lines only" be and the same is hereby amended to read as follows

Changes in Direction

Section 26 All sewer soil and waste pipes must be as direct as possible Changes in direction must be made with "Y" or half "Y" branches or one-eighth bends Offsets in soil or waste pipes will not be permitted when they can be avoided nor in any case unless suitable provision is made to prevent accumulation of rust or other obstruction Offsets shall be made with forty-five degree bends or similar fittings The use of T-"Y's" (sanitary T's) will be permitted on upright lines only The use of saddles or the tapping

of soil waste or vent pipes is prohibited unless their use is proven to be absolutely necessary

Section 14 That section twenty-eight of said act of June seventh nineteen hundred and one which reads as follows

Traps for Bath-tubs Water-closets et cetera

"Section 28 Every sink bath-tub basin water-closet slop-hopper or fixture having a waste pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixtures The waste-pipe from the bath-tub or other fixtures must not be connected with a water-closet trap" be and the same is hereby amended to read as follows

Traps for Bath-tubs Water-closets et cetera

Section 28 Every sink bath-tub basin water-closet slop-hopper or fixture having a waste pipe must be furnished with a trap which shall be placed as close as practicable to the fixture that it serves and in no case shall they be more than one foot from said fixture and the horizontal waste from P trap must not be longer than eighteen inches from vertical vent pipe unless P trap is crown vented The waste-pipe from the bath-tub or other fixture must not be connected with a water-closet trap

Section 15 That section twenty-nine of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Section 29 Size of Horizontal and Vertical Waste-pipe Traps and Branches

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

Section 29 If the building is ten (10) or more stories in height the vertical waste-pipe shall not be less than three (3) inches in diameter The use of wrought-iron pipe for waste-pipe two inches or less in diameter is prohibited

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures	Size in Inches Trap	Branch
Water-closet	3	4
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (2 or 5)	2	2
Combination sink and tray (for each fixture)	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels restaurants grease trap	2	..
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4x10 inches drum trap	..	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

be and the same is hereby further amended to read as follows

Section 29 Size of Horizontal and Vertical Waste-pipe Traps and Branches

Horizontal and Vertical	Number of Small Fixtures
1¼ inches	1
1½ inches	2
2 inches	3 to 8
2½ inches	9 to 20
3 inches	21 to 44

Section 29 If building is ten (10) or more stories in height the vertical waste pipe shall not be less than three (3) inches in diameter The use of wrought-iron pipe for waste-pipe two inches or less in diameter is prhibited When the waste or soil pipe receives the discharge of any fixture above the first floor they must be extended full calibre at least two feet above the roof well away from any window or air shaft

The size of traps and waste branches for a given fixture shall be as follows

Kind of Fixtures

	Size in Inches Trap	Branch
Water-closet	3	4
Slop sink with trap combined	3	3
Slop sink ordinary	2	2
Pedestal urinal	3	3
Floor drain or wash	4	4
Yard drain or catch basin	4	4
Urinal trough	2	2
Laundry trays (2 or 5)	2	2
Combination sink and tray (for each fixture)	1½	2
Kitchen sinks (small) for dwellings	1½	1½
Kitchen sinks (large) hotels restaurants grease trap	..	2
Pantry sinks	1½	1½
Wash basin one only	1¼	1¼
Bath-tubs 4x10 inches drum trap	..	1½
Shower baths	1½	1½
Shower baths (floor)	2	2
Sitz baths	1½	1½
Drinking fountains	1¼	1¼

Section 16 That section thirty-three of said act of June seventh nineteen hundred and one which reads as follows

Safe and Refrigerator Waste-pipes

Section 33 "Safe waste-pipes must not connect directly with any part of the plumbing system Safe waste-pipes must discharge over an open water supplied publicly placed ordinarily used sink placed not more than three and one-half feet above the cellar floor The safe waste from a refrigerator must be trapped at the bottom of the line only and must not discharge upon the ground floor but over an ordinary portable pan or some properly trapped water supplied sink as above In no case shall the refrigerator waste-pipe discharge over a sink located in a room used for living purposes

The branches on vertical lines must be made by "Y" fittings and be carried to the safe with as much pitch as possible Where there is an offset on a refrigerator waste-pipe in cellar there must be cleanouts to control the horizontal part of the pipe

In tenement and lodging houses the refrigerator waste-pipe must extend above the roof and not be larger than one and one-half inches nor the branches less than one and one-quarter inches Refrigerator waste-pipes except in tenement houses and all safe waste-pipes must have brass flap-valves at their lower ends Lead safes must be graded and beatly turned over beveled strips at their edges" be and the same is hereby amended to read as follows

Safe and Refrigerator Waste-pipes

Section 33 A waste-pipe from refrigerators ice-boxes drinking fountains soda water fountains or bar wastes shall not be connected directly with any soil rain waste-pipe or drain or sewer or discharge on the open ground They shall discharge into a movable pan or open sink water supplied or over a floor drain in basement and shall be as short as possible and disconnected from the refrigerator or ice box by at least four (4) inches and where drinking fountains refrigerators or ice boxes are placed in buildings on two (2) or more floors the waste and vent pipes thereof shall be continuous and shall run through the roof and in no case shall it open within six (6) feet of an open soil or waste pipe The size of waste-pipes for refrigerators or drinking fountains for two floors or less shall be at least one and one-half inches and two inches for three three floors and over and under five floors and two and one-half inches for five floors and over Each refrigerator drinking fountain or ice box shall be provided with a separate trap trap for refrigerators or ice boxes shall be known as a drum trap with an accessible trap screw or cleanout Such traps shall be placed in the one and one-half waste-pipe branch and shall be as near as possible to the refrigerator or ice box Such traps need not be separately vented Galvanized wrought-iron screw pipe may be used for such waste pipes

Section 17 That section thirty-four of said act of June seventh nineteen hundred and one which reads as follows

Material for Vent-pipes

Section 34 "All vent-pipes must either be of lead brass loricated porcelain enameled iron or galvanized iron pipe" be and the same is hereby amended to read as follows

Material for Vent-pipes

Section 34 All vent-pipes must either be of lead brass extra heavy cast iron or galvanized iron pipe

Section 18 That section thirty-five of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Ventilation of Traps and Soil Lines

Section 35 "Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables

Size of Pipe	Maximum Developed Length in Feet Mains	Number of Traps Vented Branch	Main Vertical
1¼ inch vent	20	1	
1½ inch vent	40	2 or less	
2 inch vent	65	10 or less	20 or less
2½ inch vent	100	20 or less	40 or less
3 inch vent	10 or more stories	60 or less	100 or less

The branch vent-pipes shall be not less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch trap

One and one-half inches in diameter for one and one-half to two and one-half inch traps

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more water-closets are placed side by side on a horizontal branch the branch line shall have a relief extended as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three (3) inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall not be less than four (4) inches in diameter All house drains and soil lines on which a water-closet is located must have a four-inch main vent line Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of forty feet and not less than three inches in diameter for more than forty feet

No revent from traps under bell-traps will be required

Any building having a sewer connection with a public

or private sewer used for bell-trap connections or floor drainage only a two-inch relief must be extended to the roof of building from rear end of main drain House drains constructed for roof drainage only will not require a relief vent

A floor-trap for a shower shall be vented unless located in cellar or ground floor the paving of which renders the trap inaccessible If the number of these fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in brass coupling at wall" be and the same is hereby further amended to read as follows

Ventilation of Traps and Soil Lines

Section 35 Traps shall be protected from siphonage or air pressure by special vent-pipes of a size not less than the following tables and where it is a greater distance than that given in table it shall be one size larger its entire length

Maximum Developed

Size of Pipe	Length in Feet Number of Traps Vented		
	Mains	Branch	Main Vertical
1¼ inch vent ..	20	1	
1½ inch vent ..	40	2 or less	
2 inch vent ..	65	10 or less	20 or less
2½ inch vent ..	100	20 or less	40 or less
3 inch vent ..	10 or more stories	60 or less	100 or less

The branch vent-pipes shall be not less than the following sizes

One and one-fourth inches in diameter for one and one-fourth inch trap

One and one-half inches in diameter for one or two (2) one one-half traps or one two (2) inch traps

Two inches in diameter for three inch to four inch traps

One-half their diameter for traps five inches and over

Where two (2) or more water-closets are placed side by side on a horizontal branch the branch line shall have a relief extended as a loop vent A pipe two (2) inches in diameter will be sufficient as a loop vent for two (2) closets A pipe three (3) inches in diameter shall be used as a relief for three (3) or four (4) closets and where more than four (4) closets are located on the same branch the relief shall not be less than four (4) inches in diameter All house drains and soil lines on which a water-closet is located must have a four-inch main vent line Where an additional closet is located in the cellar or basement and within ten feet of main soil or vent line no relief vent will be required for said closet but where it is more than ten feet a two-inch vent line will be required Relief vent pipes for water-closets must not be less than two inches in diameter for a length of sixty-five feet and not less than three inches in diameter for more than sixty-five feet

No revent from traps under bell-traps will be required

Any building having a sewer connection with a public or private sewer used for bell-trap connections or floor drainage only a two-inch relief must be extended to the roof of building from near end of main drain House drains constructed for roof drainage only will not require a relief vent

All bell traps must be caulked in pattern and when bell traps are not used barred gratings may be used caulked into hub of cast iron pipe

A floor-trap for a shower shall be vented unless located in cellar or ground floor the paving of which renders the trap inaccessible If the number of those fixtures on a branch is two (2) or more the waste line shall be extended as a loop vent instead of back venting the separate traps and when located in basement floor they shall be provided with a removable strainer or cleanout

Back vent pipes from traps above the floor must either be connected with crown of trap with ground-in brass coupling or if connected solidly to trap must have a ground-in a brass coupling at wall

Section 19 That section forty-three of said act of June seventh nineteen hundred and one which reads as follows

Setting of Fixtures

Section 43 "The closet and all other fixtures must be set open and free from all inclosing wood or other work Where water-closets will not support a rim-seat the seat must be supported on galvanized iron legs and a drip tray must be used which tray must be porcelain enameled on both sides and secured in place In tenement houses and lodging houses sinks must be entirely open set on iron legs or brackets without any closing wood or other work" be and the same is hereby amended to read as follows

Setting of Fixtures

Section 43 The closet and all other fixtures must be set open and free from all inclosing wood or other work Where water-closets will not support a rim-seat the seat must be supported on galvanized iron legs and a drip tray must be used which tray must be porcelain enameled on both sides and secured in place In all buildings sinks must be entirely open set on iron legs or brackets without any inclosing wood or other work

Section 20 That section forty-five or said act of June seventh nineteen hundred and one which reads as follows

Water-Closet Connections with Soil-Pipes

Section 45 "All eathenware traps must have heavy brass floor plates soldered to the lead bends and bolted to the trap flange and the joint made permanently secure and gas-tight" be and the same is hereby amended to read as follows

Water-Closet Connections with Soil-Pipes

Section 45 All earthenware traps must have heavy brass floor plates soldered to the lead bends or screwed to galvanized wrought-iron or brass pipe or case iron flanges caulked to soil pipe and bolted to the trap flange and the joints made permanently secure and gas-tight

Section 21 That section forty-six of said act of June seventh nineteen hundred and one which reads as follows

Water-Closets Where Located

Section 46 "Water-closets must not be located in sleeping apartments nor in any room or compartment which has not direct communication with external air either by window of air-shaft or at least four square feet" be and the same is hereby amended to read as follows

Water-Closets Where Located

Section 46 Water-closet apartments must not have direct communication with any dining room or kitchen nor shall any water-closet be placed in any dining room or kitchen Water-closet apartments must not be placed in a dining-room kitchen or sleeping apartment nor have direct communication with a public dining room restaurant or kitchen nor be placed in any room or compartment which has not direct communication with external air either by window or air shaft of at least four square feet And when any window ventilating any water-closet compartment or bathroom opens directly into a vent shaft no window of any room other than water-closet bathroom or hall shall open into such vent shaft

Section 22 That section forty-seven of said act of June seventh nineteen hundred and one which reads as follows

Water-Closets How Supplied

Section 47 "No water-closets except those placed in yards and flush meters volumeters or similar devices shall be supplied directly from the supply pipes" be and the same is hereby amended to read as follows

Water-Closets How Supplied

Section 47 No water-closets except flush meters volumeters of similar devices shall be supplied directly from the supply pipes

Section 23 That section fifty-three of said act of June seventh nineteen hundred and one which reads as follows

Construction of Urinals

Section 53 "All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine The floor and walls of urinal apartments must be lined with similar non-absorbent and non-corrosive material" be and the same is hereby amended to read as follows

Construction of Urinals

Section 53 All urinals must be constructed of materials impervious to moisture and that will not corrode under the action of urine and must be flushing rim or perforated pipe so as to cleanse all inferior parts all urinals must be supplied by automatic tanks The floor and walls of urinal apartment must be lined with similar non-absorbent and non-corrosive material

Section 24 That section fifty-four of said act of June seventh nineteen hundred and one which reads as follows

Urinal Platforms

Section 54 "The platforms or treads of urinal stalls must not be connected independently to the plumbing system nor can they be connected to any safe waste pipe" be and the same is hereby amended to read as follows

Urinal Platforms

Section 54 The platforms or treads of urinal stalls must not be connected to the plumbing or drainage system nor can they be connected to any safe waste-pipe

Section 25 That section fifty-nine of said act of June seventh nineteen hundred and one which reads as follows

Fixtures Prohibited

Section 59 "Wooden wash-trays sinks or bath-tubs are prohibited inside of buildings Such fixtures must be constructed of non-absorbent material Cement or artificial stone tubs will not be permitted unless approved by the board or bureau of health" be and the same is hereby amended to read as follows

Fixtures Prohibited

Section 59 Wooden wash-trays sinks or bath-tubs plain or lined are prohibited inside of buildings Such fixtures must be constructed of non-absorbent material Cement or artificial stone tubs will not be permitted unless approved by the board or bureau of health

Section 26 That section sixty of said act of June seventh nineteen hundred and one which as amended by said act of May fourteenth nineteen hundred and nine reads as follows

Yard Water-Closets

Section 60 "Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for clean-out purposes with clean-out caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be provided with four-inch trap and strainer The enclosure of yard water-closets shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit" be and the same is hereby further amended to read as follows

Yard Water-Closets

Section 60 Water-closets when located in yard must be so arranged as to be conveniently and adequately flushed and the water-supply pipes and traps protected from freezing by being placed in a hopper-pit at least four feet below the surface of the ground the walls of which pit shall be constructed of hard burned brick or stone laid in cement mortar or of concrete The walls for pit where one (1) closet is installed may be four (4) inches in thickness or salt-glazed sewer-pipe thirty-six inches in diameter may be used

Where pit is for more than one (1) closet the walls shall be nine (9) inches in thickness The soil-pipes and traps used inside pit must be extra heavy cast-iron and the trap to have hand-hole for clean-out purposes with clean-out caulked in If the closet is located in the rear of a soil or vent-pipe the drain on which it is located shall be vented with a four-inch pipe carried above roof of closet away from any opening or window All outside closets shall be of the tank pattern The water to be supplied to tank through an automatic seat-action valve The waste from valve may be permitted to discharge on cement floor of pit which shall be ventilated by slatted openings and there shall be a trap door of sufficient size to permit of convenient access to the hopper-pit

In casese where pits are not used the traps and supply pipes for water-closets must be protected from freezing by clean earth filled around them and accessible clean-out plugs from traps must be brought to surface of closet floor closet floors must be cemented and graded to door The floors must be at least five (5) inches above grade of yard or yards

Section 27 All acts or parts of acts inconsistent with the provisions of this act or supplied thereby are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—138.

Allen,	Ehrhardt,	Kitts,	Richards,
Ambler,	Eichenberger,	Kuhn, H. P.,	Robinson,
Aron,	Ely,	Kuhns, E.G.M.,	Rockwell,
Arthur,	Ewing,	Lanius,	Roney,
Baldwin, G. A.,	Fahey,	Leslie,	Rothenberger,
Baldwin, R. J.,	Flynn,	Letzkus,	Runk,
Barner,	Forster, I. G.,	Light,	Sassaman,
Bass,	Foster, J. D.,	Mannion,	Schaeffer, A. C.,
Bayle,	Gans,	Matt,	Schuck,
Benson,	Geiser,	McAleer,	Semmens,
Bigger,	Gibson,	McAllister,	Shaffer, I. E.,
Bittles,	Good,	McDermott,	Sherwood,
Body,	Goss,	McKay,	Showalter,
Brosius,	Grabe,	Mechling,	Smith, J. W.,
Brown,	Gramley,	Mellott,	Smith, L.,
Brownlee,	Gransback,	Miller,	Snyder,
Burnett,	Hackett,	Mitchell,	Speiser,
Caldwell,	Hemminger,	Moses,	Spillinger,
Campbell, C.M.,	Herman,	Moulthrop,	Steele,
Campbell, J.J.	Hess,	Musser,	Stone,
Carson,	Heyburn,	Neel,	Strauss,
Carter,	Hibshman,	Neely,	Swartz,
Claycomb,	Hobbs,	Newbaker,	Swift,
Collins,	Hoffman,	Newton,	Thomas,
Conner,	Howard, J.,	O'Neill,	Trach,
Conniff,	Isler,	Peachey,	Walnut,
Conrade,	Irwin, G. C.,	Pennock,	Walton,
Cox,	Jackson,	Perry, S. J.,	Watson.
Currier,	Jones, J. R.,	Peters,	Wildman,
Curry,	Kaiser,	Piper,	Wilson, J. H.,
Davis,	Kaufman,	Ramsey,	Wiltbank,
Donahoe,	Keegan,	Reese,	Young, J. H.,
Donnally,	Keeport,	Reeser,	Zimmerman.
Down,	Kennedy,	Rex,	Alter,
Dunn, J. A.,		Rhoads,	Speaker.

NAYS—4.

Dickinson,	Lenker,	Martin,	Whitaker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 938, as follows:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by an act entitled "An Act to amend the eighth section of the act entitled 'An Act to restrain and regulate the sale of vinous and spiritous malt and brewed liquors or any admixture thereof" approved May thirteenth Anno Domini one thousand eight hundred and eighty-seven providing that the license money shall be paid into the treasury of the city county borough and township whenever the licensed places are situated and increasing the amount of license to be paid in cities of the first and second class" approved the ninth day of June one thousand eight hundred and ninety-one which as amended reads as follows

"Section 8 That all persons licensed to sell at retail any vinous spirituous malt or brewed liquors or any admixture thereof in any house room or place hotel inn or tavern shall be classified and required to pay annually for such privilege as follows Persons licensed to sell by retail resident in cities of the first and second classes shall pay the sum of one thousand dollars and those resident in cities of the third class shall pay the sum of five hundred dollars those resident in all other cities shall pay three hundred dollars and those resident in boroughs shall pay the sum of one hundred and fifty dollars those resident in townships shall pay the sum of seventy-five dollars to the treasurer of the respective counties for the use of the counties in the following proportion In cities the sum of one hundred dollars in boroughs and townships one-fifth of the amount of license shall be paid to the treasurer of the respective counties for the use of the counties and the balance shall be paid to the treasurer of the respective cities boroughs and townships for their respective use Provided however That the money thus paid into any township treasury shall be applied to keeping the roads in good repair" is hereby amended to read as follows

Section 8 That all persons licensed to sell at retail any vinous spirituous malt or brewed liquors or any admixture thereof in any house room or place hotel inn or tavern shall be classified and required to pay annually for such privilege as follows Persons licensed to sell by retail resident in cities of the first and second classes shall pay the sum of one thousand dollars and those resident in cities of the third class shall pay the sum of five hundred dollars those resident in all other cities shall pay three hundred dollars and those resident in boroughs shall pay the sum of one hundred and fifty dollars those resident in townships shall pay the sum of seventy-five dollars to the treasurer of the respective counties for the use of the counties in the following proportion In cities the sum of one hundred dollars in boroughs and townships one-fifth of the amount of license shall be paid to the treasurer of the respective counties for the use of the counties and the balance shall be paid to the treasurer of the respective cities boroughs and townships for their respective use Provided however That the money thus paid into any township treasury shall be supplied to keeping the roads in good repair Of the money thus paid into the treasury of a city of the first class three per centum shall be for the use of the Police Pension Fund of the city

On the question,

Shall the bill pass finally?

Mr. J. A. DUNN. Mr. Speaker, in order to explain this bill to the House, I want to say it is only amending the Brooks High License Law, so that three per cent. of the retail license fees in cities of the first class shall go into the Police Pension Fund in those cities. It only affects Philadelphia County and no other county in the State. I judge all of the members from Philadelphia County are in favor of it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—148.

Allen,	Fahey,	Lenker,	Rhoads,
Ambler,	Flynn,	Leslie,	Richards,
Aron,	Forster, I. G.,	Letzkus,	Robinson,
Arthur,	Foster, J. D.,	Lohr,	Rockwell,
Baldwin, G. A.,	Gans,	Lowers,	Roney,

Baldwin, R. J.,	Geary,	Mannion,	Sassaman,
Barner,	Geiser,	Martin,	Savacool,
Bass,	Glenn,	Mather,	Schuck,
Becker,	Good,	Matt,	Shaffer, I. E.,
Benson,	Goss,	McAleer,	Sherwood,
Berntheizel,	Grabe,	McAllister,	Showalter,
Bigger,	Gramley,	McArdle,	Smith, L.,
Bittles,	Gransback,	McCaig,	Snavely,
Bleloch,	Gray, Joseph,	McClintock,	Snyder,
Body,	Hackett,	McKay,	Spangler,
Brosius,	Hemminger,	Mechling,	Speiser,
Brown,	Hess,	Missimer,	Spillinger,
Brownlee,	Hibshman,	Mitchell,	Stone,
Caldwell,	Hobbs,	Moore,	Strauss,
Campbell, C.M.,	Hoffman,	Moses,	Swartz,
Campbell, J.J.	Humes,	Murphy,	Swift,
Carson,	Isler,	Musser,	Thomas,
Carter,	Irwin, G. C.,	Neel,	Trach.
Claycomb,	Irwin, H. H.,	Newbaker,	Walnut,
Collins,	Jackson,	North,	Walsh,
Conner,	Jones, J. R.,	O'Neill,	Walton,
Conniff,	Kaiser,	Peachey,	Watson,
Conrade,	Kaufman,	Pennegar,	Wettach,
Cox,	Keegan,	Pennock,	Whitaker,
Currier,	Keeport,	Perry, S. J.,	Wildman,
Curry,	Kennedy,	Peters,	Williams,
Davis,	Kern,	Piper,	Wilson, J. H.,
Dickinson,	Kitts,	Post,	Wiltbank,
Donahoe,	Klepper,	Ramsey,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Reese,	Young, J. H.,
Down,	Kuhns, E.G.M.,	Reeser,	Zimmerman.
Dunn, J. A.,	Lanius,	Rex,	Alter,
Ewing,			Speaker.

NAYS—4.

Benninger,	Eichenberger,	Howard, R.,	McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 955, as follows:

An Act authorizing cities of the first class to make contracts for removal of garbage for a period not exceeding five years providing for annual appropriations for payments for successive years proscribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the first class are hereby authorized and empowered to make contracts for the removal of garabrge for any period not exceeding five years

Section 2 The period for which any such contract is to run shall be plainly stated in the advertisement for bids and shall be given the same publicity as is required of other terms of the contract

Section 3 Such contracts shall not be executed or become binding on any city of the first class unless the councils of said city shall have first made an appropriation properly applicable thereto and sufficient to cover the payment for the first year under said contract

Section 4 The councils of any city of the first class which has entered into such a contract for more than one year shall thereafter appropriate annually the amount due thereunder each year respectively

Section 5 In all statements or estimates of the current liabilities and current income of any city of the first class which has entered into such a contract for more than one year required by law to be made by the controller or any other official or official body of such city for the then current or any succeeding year in all tax levies required by law to be based on such statements or estimates and in determining the legality of warrants on the city treasurer it shall not be necessary to include the amount payable under such contract or the amount receivable thereunder by the city if such contract yields a profit to the city except the amount then actually due by or to the city and the amounts payable or receivable for the year or other period covered by such statement estimate tax levy or warrant

In all such statements or estimates including amounts payable or receivable under such contracts there shall be an explanatory note stating what amounts payable and what amounts receivable under such contracts are included in the statement or estimate and for what period or periods

Section 6 All acts or parts of acts so far as inconsistent herewith are hereby repealed

BILL POSTPONED.

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1346 (Senate Bill No. 386), entitled:

An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the supervisors of townships of the second class of any county to form a county organization for the purpose of meeting annually to consider and discuss plans for the betterment of the roads of such county It shall be the duty of each such supervisor to attend the annual meeting of such organization for which he shall be entitled to receive from the funds of the proper township compensation at the formation of county associations of township supervisors commissioners and other persons officially charged with the construction and maintenance of the public roads or streets is hereby authorized such association to hold annual or semi-annual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subject pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges

Section 2 It shall be the duty of supervisors of townships of the second class and commissioners of townships of the first class in each county in this Commonwealth to attend such conventions whenever possible and each township supervisor or commissioner attending such convention shall receive a certificate attesting his presence at said convention signed by the presiding officer and acting secretary of the convention which certificate shall entitle him to collect from the treasurer of the board of supervisors or commissioners of their respective townships for their necessary expenses the sum of two dollars per day for each day's attendance and mileage at the rate of three cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held Provided however That no township supervisor or commissioner shall be paid for more than two days attendance in any one year

Section 3 The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer all of whom except the secretary shall be members of the association and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may receive for his services such compensation not to exceed ten dollars per annum as the other officers may determine Every township supervisor and commissioner attending such convention shall have the right to vote in the election of said officers The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the assistant engineer and the superintendent of highways of the State Highway Department in charge of such county shall be eligible to membership and to hold office but shall not be entitled to a vote

Section 4 The county treasurer shall pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by the treasurer of any county shall not exceed one hundred and twenty-five dollars a year Provided That no payment shall be made to the treasurer of such association until he shall first have presented to the county treasurer an itemized statement of such expenses verified by affidavit Within thirty days after every such convention the treasurer of such association shall file with the county treasurer an itemized statement under oath showing when and where such convention was held the number of township supervisors and commissioners present and all the expenses connected with such convention together with proper vouchers for all such expenses

Section 5 It shall be the duty of the State Highway Commissioner or his representative so far as their other duties permit to assist in the formation of the aforesaid associations and to be present or represented at their conventions

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—89.

Aron,	Gibson,	Lohr,	Sassaman,
Arthur,	Good,	Mannion,	Schaeffer, A. C.,
Baldwin, R. J.,	Goss,	Martin,	Schuck,
Bass,	Grabe,	McAleer,	Scott, S. B.,
Becker,	Gransback,	McAllister,	Shaffer, I. E.,
Bittles,	Haggerty,	McCaig,	Shern,
Bleloch,	Hemminger,	McDermott,	Sherwood,
Body,	Heyburn,	Mechling,	Smith, L.,
Brosius,	Hibshman,	Missimer,	Snyder,
Brownlee,	Hobbs,	Mitchell,	Spangler,
Carson,	Hoffman,	Moore,	Spillinger,
Claycomb,	Howard, J.,	Neel,	Steele,
Cleary,	Howard, R.,	North,	Stone,
Conrade,	Humes,	Peachey,	Walnut,

Currier,	Irwin, G. C.,	Pennegar,	Watson,
Donahoe,	Jones, J. R.,	Pennock,	Whitaker,
Down,	Kaufman,	Peters,	Wildman,
Dunn, J. A.,	Keegan,	Price,	Williams,
Ehrhardt,	Keeport,	Ramsey,	Wilson, J. H.,
Eichenberger,	Kuhn, H. P.,	Robinson,	Wiltbank,
Ewing,	Kuhns, E.G.M.,	Rockwell,	Young, G. K.,
Forster, L. G.,	Lenker,	Rothenberger,	Alter,
Frey,			Speaker.

NAYS—49.

Allen,	Donnally,	Letzkus,	Newbaker,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Newton,
Barner,	Geary,	Matt,	Reeser,
Benson,	Geiser,	McKay,	Rex,
Bigger,	Gramley,	McNichol,	Richards,
Brown,	Hackett,	Mellott,	Semmens.
Burnett,	Irwin, H. H.,	Miller,	Showalter,
Campbell, C.M.,	Jackson,	Morrow,	Smith, J. W.,
Campbell, J.J.	Kaiser,	Moses,	Swift,
Carter,	Kennedy,	Moulthrop,	Thomas,
Conner,	Kern,	Murphy,	Trach.
Conniff,	Klepper,	Musser,	Young, J. H.,
Davis,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

BILL INTRODUCED.

Mr. SHERN. Mr. Speaker. I desire at this time to ask of the House unanimous consent to offer a bill and in so doing I wish to make a few remarks before asking consent.

The bill I desire to introduce was introduced into the Senate some three or four weeks ago. It passed the Senate and the bill is now reposing in the Ways and Means Committee of the House. It is a bill that applies to all counties in the State, but more particularly to Philadelphia, and it is what is known as the All Philadelphia Bill, because it is for the purpose of raising money to build the elevated roads and subways and improve the port and dock facilities of Philadelphia. It provides that the personal property of the State shall be made the basis of taxation, so as to provide revenue, and that the money raised from that taxation shall go to the county, and I sincerely hope that the House will give its unanimous consent to the introduction of the bill. It was introduced in the Senate through inadvertence because it is a revenue measure, and all revenue measures, according to the Constitution, should originate in the House and not in the Senate.

The SPEAKER. Will the House give its unanimous consent?

Mr. MATT. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia prior to the introduction of this bill.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHERN. Yes, sir, Mr. Speaker.

Mr. MATT. Mr. Speaker, I would like to ask the gentleman from Philadelphia, if the McNichol Bill, which has passed the Senate, and this bill, are one and the same bill.

Mr. SHERN. Mr. Speaker, yes. sir. The McNichol bill has passed the Senate and is now in the Ways and Means Committee of the House and the reason I am now asking to introduce this bill into the House is because it has been decided to be a revenue measure, and all revenue measures, under the Constitution, must originate in the House and not in the Senate.

Mr. MATT. Mr. Speaker, it applies to Philadelphia only?

Mr. SHERN. Mr. Speaker, it applies to all of the counties. It specifies that personal property shall be made the basis of taxation for county purposes.

The SPEAKER. Will the House give unanimous consent for the introduction of the bill? The Chair hears no objection and the bill will be received by the Clerk.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 899, entitled:

An Act to amend an act entitled "An Act to regulate and improve the civil service of the cities of the first class in the Commonwealth of Pennsylvania making violations of its provisions to be misdemeanor and providing penalties for violations thereof" approved the fifth day of March one thousand nine hundred and six

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE K. YOUNG. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Strike out all of section 5 including from lines 26 to 43.

The SPEAKER. Will the House give unanimous consent to the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be made in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

On the question,

Shall the bill pass?

Mr. WALNUT. Mr. Speaker, I would like to draw the attention of the House to this bill. It is an amendment to the Civil Service Act of 1906, which applies to cities of the first class. Under the present law in Philadelphia, the Mayor of the City of Philadelphia appoints the Civil Service Commission. This bill provides that after its passage, the present Civil Service Commission shall hold office until the November election when a new Civil Service Commission shall be elected. There are a number of Civil Service Commissions in this country and in a number of States and cities, and to my knowledge there is not one of them that has ever attempted to elect a civil service commissioner, and I think properly so. Every member of this House was elected on a platform which declared for a short ballot. And if we are going to make certain offices elective that are not now elective we certainly should not begin with the Civil Service Commission. I believe that this bill's provisions would seriously interfere with the character of work that can be done by any civil service commission. Furthermore, there is another feature of this bill that is unfortunate and should be brought to the attention of the House and that is the purpose of the introduction. If the sponsor who presented this bill, or proposed this bill were actuated by a sincere desire to improve the conditions of the Civil Service Commission in Philadelphia, he would feel differently toward it. He would say that there is no sincere desire to improve the administration of our civil service law that has actuated the bill. The purpose of the bill primarily is to rip out the present Civil Service Commission in Philadelphia, and I believe that gentlemen of all parties in this State will agree that the execution of the law under the present Commission has been done as squarely and as fairly as any set of Commissioners properly could execute the law. I think that the law as laid down by the Commission has probably been a little too square and fair. The Commission has played no favorites and for that reason has gotten itself possibly in bad odor with some gentlemen who felt that they had a particular demand on the present administration in Philadelphia. If this bill is passed in its present form, then our Civil Service Commission and the execution of our Civil Service Law in Philadelphia will be seriously and very seriously affected. There is another feature of this bill which shows the character of the proposal that was made, and that was a provision that competitive examinations should be done away with. The one fundamental feature in a proper Civil Service Commission is competitive examinations. I understand from the gentle man's amendment that he has cut this feature out in part, still leaving non-competitive examinations instead of competitive examinations for the officials and employees in the Commission's own department. I feel emphatically that this bill should be defeated.

Mr. GEORGE K. YOUNG. Mr. Speaker, this bill is known as the Civil Service Bill of First Class Cities, which means Philadelphia. This Civil Service Commission has given a great deal of dissatisfaction in Philadelphia amongst the poor class of people that could not afford to get a college education. Those that are called mechanics are entirely put out by the way this Civil Service is given to the people. It is impossible for any mechanic to stand the examination that is put before them. I can show you that in a class of ten or eleven hundred only fifty to sixty pass the examination and not one of them is a practical man. What my amendment calls for is to have the examination made up of ninety per cent. practical questions, pertaining to the position for which the applicant is applying. Under the present examinations in Philadelphia, we have been having examinations that did not have three per cent.

of practical questions, and it is impossible for our people, such as mechanics and practical people, to stand those examinations. I ask this House to pass this amendment so that our class of people will have some chance of standing the examinations and holding a public office. We have people in Philadelphia that were born there and who were raised there and who have lived there all their lives and who have helped to build our streets and to build our sewers and water system in Philadelphia, and none of these people can stand these examinations. I appeal to the members of this House Mr. Speaker, to pass this bill, and give the common man a chance to get a public position.

Mr. HUMES. Mr. Speaker, this bill is one of a general class of bills that has been flooding this Legislature, changing the internal government of the City of Philadelphia, and it strikes me that the time has just about come when the country members, if I may term them that, the members of this Legislature from the other parts of the State, ought to stop and consider the nature of the questions that are being put up to us. In my county, in the county of each one of you, in the cities in which you live, when you have a municipal election, and when you are defeated in your political aspirations, you live under the government as conducted by the successful candidate until the next election. When the next election comes, you undertake to elect the officials of your own choice. But not so in Philadelphia. After every municipal election in the City of Philadelphia, the party that is defeated comes to this Legislature, asking this Legislature to shear the successful candidate of all of his powers, and asks that this Legislature take over the government of the city.

POINT OF ORDER.

Mr. SPEISER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SPEISER. Mr. Speaker, my point of order is that I would like to have the benefit of an interrogation.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, I will.

Mr. SPEISER. I would like to know if the gentleman knows upon what political ticket the sponsor of this bill was elected?

Mr. HUMES. Mr. Speaker, I care nothing for the political affiliations of the sponsor of this bill.

Mr. SPEISER. Mr. Speaker, I insist upon an answer to my question.

Mr. HUMES. Mr. Speaker, I do not know.

Mr. SPEISER. Mr. Speaker, I rise to a point of correction. It is not the defeated party of Philadelphia that comes here asking for this legislation. This is not an application made by the gentlemen who were alligned with the Republican organization, and I would say, Mr. Speaker, that most of them are against this very bill, and expect to vote against it. The sponsor of this bill was not elected to this Legislature on the Republican ticket, and I wish to correct the gentleman's assertion that it is the defeated party that has presented this legislation.

Mr. HUMES. Mr. Speaker, I do not care what the political affiliations of the sponsor of this bill is, and I have nothing to say as to the merits or demerits of the bill, but I want to call the attention of the House to the fact that after every municipal election in the City of Philadelphia, there comes into this Legislature from some source, and I care not what the source is, all sorts of bills for the purpose of changing the internal control, regulation and management of Philadelphia. In our county as I said before, after an election we live under the administration of the successful candidates, whether they are our friends or enemies, and I think the time has about come when the people of Philadelphia, or such of them as are favoring any bills of this kind, but it this bill or one of the many other bills pending in this Legislature, ought to realize after an election in the City of Philadelphia, they ought to live under the administration of that city until the next election, and not come into this Legislature and endeavor to shear the successful candidate or official of his power. I am not opposing this bill because of any particular provision in it, but I am opposed to any bill which changes the internal management of a city because of the result of a municipal election.

Mr. SHERN. Mr. Speaker, Usually, the gentleman from Crawford, and his facts can be relied upon, but in this case I think he is speaking of something about which he knows nothing. This present law was enacted in the extra session of 1906, and there never has been an attempt to amend in any way that present bill up until this time. As has been said by my friend from Philadelphia, the gentleman from Philadelphia who desires to amend this law was not elected upon the Republican ticket. He was elected upon the Washington Party ticket and he for some reason or other desires to amend this act applying to Philadelphia. I am convinced that the great majority if not nearly all of the members from Philadelphia, elected on the Republican ticket, are going to vote against changing in any way the present law. When it comes to internal dissensions in Philadelphia, I do not know of any legislation of that description that has been enacted since the session of 1905, and I do not think that the Republicans would stand for any legislation which would tie or throttle the hands of the present administration.

The Republican organization is not responsible for that, if the gentleman was elected on the independent ticket or because he was elected on the Keystone ticket. Therefore, the Republican party is not responsible and the Republican party in Philadelphia cannot be charged with that. I sincerely trust that hereafter when the gentleman commences to talk in regard to Philadelphia politics that he will have a better knowledge of the facts.

Mr. PIPER. Mr. Speaker, the statement has been made by one of the members of the House from the opposite side that when Philadelphia has some discontented feeling towards the actions of some of those who are elected into office or appointed that they come to Philadelphia to try to remedy their wrongs. I know of no other place that is better than the House of Representatives of the State Legislature to remedy an evil that has been working in any one particular State or in any particular county of the State. If the law creating a certain office in the State of Pennsylvania or in any particular county of the State of Pennsylvania which has been created through the State Legislature is not satisfactory, then surely the State Legislature is the proper place to amend that law if they are not satisfied with it. The gentleman from the opposite side seems to feel that we should not have any fault found with those whom we elect into office. I believe that if I can recollect properly that it has not been so long ago—probably two years ago, when, possibly not the gentleman who has just spoken, but very likely some of his friends were very anxious to make the changes in the laws pertaining to their own particular counties in the State of Pennsylvania. For they found that the only way to correct an evil or a wrong law that was enacted in their particular county and they had no other resource then but to appeal to the State Legislature to make that change and they did it. The gentleman seems to think that this is a political move. I don't believe that the man who is the sponsor for this bill has any other interest at heart than the protection of his constituents. I believe that he was just as earnest and sincere in the election of the present administration in Philadelphia as the administration is itself today but he has found, not from his own experience in trying to take a civil service examination, these conditions; he has had one complaint after another come to him from his constituents where they didn't get an honest examination for any position in that county. I have had men come to me who have applied for the simple position of laborer in the City of Philadelphia who were compelled to strip themselves and lay on a table to find out whether or not they were in good physical condition for a job paying $1.60 a day. There have been questions asked of the average practical man when he has been trying to take the examination for any position that was beyond his reach. The questions that are being asked by the examiners of the civil service in Philadelphia are only appropriate for the man who is a college graduate. They are not fit for the man who is a practical man; who is a man of a trade, and I feel that is just as well to refer this subject to the people as to refer the election of United States Senators to the people; it is just as well to take a body of men who are serving in the civil service and elect them to office rather than appointing them. I say let the people decide who these men shall be. I question very much if we take the whole three men in the county of Philadelphia who are serving today as the civil service commission and put to them

the same questions that they are putting to the applicants for civil service positions but they themselves can pass the civil service examination. I don't believe that they could pass their own examination or that they could answer the questions that they are asking the men whom they are undertaking to examine. I would like to have a test of that. I would be only too glad to find some other way of remedying the things that are being carried out in the city of Philadelphia in this respect and that are unsatisfactory to the majority of the working men. I believe that if I were to call a public mass meeting in the Academy of Music in the City of Philadelphia that I could fill that building four times over with men who are protesting against the action of the civil service commission in Philadelphia and to the character of their questions. I believe surely that every man and a big majority of the men who would attend that meeting would be men who had cast their vote for the election of Rudolph Blankenburg as Mayor of the City of Philadelphia. I don't give you my statements. I feel that if you men were to take the civil service examination and I realize however that there is not any of us here tonight that cares about taking a civil service examination and that we are in the same position as I am because I am not seeking any position under the present administration and while I would be just as sincere a worker for them as any one else, and yet I feel that justice should be handed to the men who would go to the door bell and help to elect and put into control the men who are in control of the affairs of Philadelphia. Now, then, gentlemen, I want you to use your best judgment here tonight in this matter. It is not in the interest of a political party that this sponsor is applying for the passage of this bill but because his constituents and his neighbors demand them. Yes, we can find thousands who are dissatisfied with the treatment they are receiving at the hands of the civil service commission in the City of Philadelphia. I don't blame the gentleman from Philadelphia, Mr. Walnut, for opposing this measure because I know that he is not only interested in this but he is interested in having a law pass that the whole State of Pennsylvania come under civil service examination; he is the secretary of that if I am not mistaken— of the Civil Service Reform Association in Philadelphia. I don't believe that it is necessary for me to talk any longer on this question. I am not here as an antagonist to the administration in the City of Philadelphia. I want them to understand that, but I am here in the interest of my constituents who are not receiving a square deal at the hands of the civil service commission in the City of Philadelphia, so far as practicability in examinations are concerned.

Mr. S. B. SCOTT. Mr. Speaker, I do not think that it is necessary to tire the House by going into the intricacies of this measure. I merely desire to state that this bill is an attack on the excellent civil service reform measure which now governs the City of Philadelphia. The arguments which we have just heard are the familiar cry of the spoilsman against the barrier which is supposed to be in their way. It is a familiar cry which is advanced against the merit system and which has been advanced ever since it was first introduced, but the merit system has gradually spread from a small section of the United States and serves to cover almost the entire United States service. It is now spread over Pennsylvania having covered first and second class cities and we hope that this Legislature will extend it to the whole State. This bill is a retrogressive step and we do not want to go backward.

Mr. GEORGE K. YOUNG. Mr. Speaker, I am not opposed to civil service, if civil service is carried out as it should be on practical lines. There is no one in the State of Pennsylvania who would help to carry these ideas out any more than I would but as we have them in Philadelphia, it is impossible for practical men and mechanics to stand up against these examinations. You take the papers who have published these matters in the last week and they will tell you how the civil service is conducted. I have been requested to present this measure by my constituents. There has been so much said as to the way by which I have been elected. I have been elected on the Washington and the Keystone Party ticket and these are the people that have requested me to amend this bill so as to get poor working people and poor mechanics a chance to secure a public position. I hope you will give us your assistance and pass your amendment.

Mr. JOHN R. K. SCOTT. Mr. Speaker, the passing of this amendment would be a mistake from the standpoint of both sides who have spoken upon it. It would be a very great mistake to amend the present civil service law so as to make the board elective. From the standpoint of the gentleman from Philadelphia, Mr. Young, representing as he does the reform party, it would merely mean the bringing of the civil service into politics. It would be the one blow that would strike at the very root of the tree. If the Board is elected, then of course, the Board must be a political Board; and if the Board becomes political it is no longer a civil service board. This bill would be a mistake from the standpoint of the other gentleman from Philadelphia, Mr. Shern.

Mr. SHERN. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman, Mr. John R. K. Scott, permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I decline to be interrogated at this time. I will answer later and as I proceed I hope the gentleman will not interrupt me. I repeat. it will be a mistake from the standpoint of the gentleman from Philadelphia, Mr. Shern, representing, as he does, the Republican party upon the floor of this House, because it would be bringing back into politics again a greater number of positions that are in politics at the present time. Patronage has been held by many to be essential for political organization; patronage is not essential; patronage to a great extent is a burden to a political organization. Years ago it was held by many in public life that no organization could exist unless the principle "to the victor belongs the spoils," was recognized. We find, Mr. Speaker, that the spoils in many cases were burdens.

It meant that when we were in power, we carried the drones with us to hold the offices, but they amounted to nothing at the time of election, but when we were attacked, when we were under fire from the other side, then the drones became active, the officeholder that had received his position by the old patronage system became a power, not for us. but a power against us. I remember a few years ago, Mr. Speaker, when in this House it was an ordinary custom for members of this House to get from the various railroasd passes which they gave to their constituents. It was thought at that time that that was an absolute necessity to political organizations; it was one of the little perquisites that was looked upon by those of our party as a necessity. When that was abolished, many of us thought that we were losing to a great extent a right that we had but is there one man in this House that to-night is not overly pleased that he is not burdened with the power of getting passes for his constituents, bringing, as it did, a great amount of discontent among those who were surrounding us. That very same opposition applies to patronage. Patronage has brought to the organization as much discontent as it has brought aid.

Mr. Speaker, in answer to my friend from Philadelphia, whether or not I am a Republican, I am a Republican. I am an organization Republican, one who stands right strictly to his party, and every word that I now say on the floor of this House, and every word that I have said on the floor of this House this session, I say as a strict party man, who seeks the advancement of his party, one seeking the advancement of the organization in his party, one who feels that if his organization is made clean. eliminating as far as we can fraud, eliminating the improper use of money, eliminating the improper use of patronage, that we will not only be strong as a party. but will be strong as an organization; will not only be able to go before the people with the great principles of the Republican party, but will be able to go before the people with the great honesty and the great force of a working party. Mr. Speaker, I see no reason why a man who is a division leader, a ward leader, a city leader, a county leader, or a State leader, should be looked down upon by his neighbors. I believe it is a high patriotic duty that he does to his people; I think it is a high patriotic right that he has. It is a shame, Mr. Speaker, that many of us who are Republicans, many of us who are organization Republicans, who do our duty as citizens at the polls, are held to account for the reputation that is brought upon many of us by those of us who are foolish in our views of party allegiance. When my friend from Philadelphia speaks slightingly or insinuatingly as to my Republicanism, I want to say to him, Mr. Speaker, that

session after session I have stood with him on the floor of this House aiding in passing legislation, many times against our own better view, because we narrowly allowed ourselves to be led by those who ought not to have led us. I stand here on the floor of this House to-night, just as loyal a Republican and organization man as I was on other nights of other sessions. My friend to-night himself has voiced that which I am voicing. When on the floor of this House he said that the delegation of which he is a member intends to vote against this amendment, he simply said that which I have been advocating all this session. He sees the light. I know there is hope for us all, when my roommate, when my old college friend, when my old fellow organization friend, Shern, has joined the ranks that I am in; a progressive organization of Republicans seeking to establish a party free from fraud, and guided only by the principles of our grand old party.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—18.

Carter,	Hobbs,	McCaig,	Reese,
Dunn, J. A.,	Letzkus,	Missimer,	Richards,
Ewing,	Malie,	Murphy,	Spillinger,
Flynn,	Mannion,	North,	Thomas,
		Piper,	Young, G. K.,

NAYS—162.

Allen,	Forster, I. G.,	Light,	Roney,
Alworth,	Foster, J. D.,	Lohr,	Rothenberger,
Ambler,	Frey,	Lowers,	Runk,
Aron,	Gans,	Martin,	Sassaman,
Arthur,	Geary,	Mather,	Schaeffer, A. C.,
Baldwin, G. A.,	Geiser,	Matt,	Schuck,
Baldwin, R. J.,	Gibson,	McAleer,	Scott, J. R. K.,
Barner,	Glenn,	McAllister,	Scott, S. B.,
Bass,	Good,	McArdle,	Semmens,
Bayle,	Goss,	McCaig,	Shaffer, I. E.,
Becker,	Grabe,	McClintock,	Shern,
Benninger,	Gramley,	McDermott,	Sherwood,
Benson,	Gransback,	McNichol,	Showalter,
Berntheizel,	Gray, Joseph,	Mechling,	Smith, J. W.,
Bigger,	Hackett,	Mellott,	Smith, L.,
Bittles,	Haggerty,	Metzenbacher,	Snavely,
Blair, W. A.,	Heidinger,	Miller,	Snyder,
Blair, W. F.,	Hemminger,	Mitchell,	Spangler,
Bleloch,	Herman,	Moore,	Speiser,
Brosius,	Hess,	Morrow,	Steedle,
Brown,	Heyburn,	Moses,	Steele,
Brownlee,	Hibshman,	Moulthrop,	Stone,
Burnett,	Hoffman,	Musser,	Swartz,
Caldwell,	Howard, J.,	Neel,	Swift,
Campbell, C.M.,	Howard, R.,	Neely,	Trach,
Carson,	Humes,	Newbaker,	Walnut,
Claycomb,	Isler,	Newton,	Walsh,
Cleary,	Irwin, G. C.,	O'Neill,	Walton,
Collins,	Irwin, H. H.,	Peachey,	Watson,
Conner,	Jackson,	Pennegar,	Wettach,
Conniff,	Jones, J. R.,	Pennock,	Whitaker,
Conrade,	Kaiser,	Perry, H. L.,	Wildman,
Currier,	Kaufman,	Peters,	Williams,
Curry,	Keeport,	Post,	Wilson, J. H.,
Dickinson,	Kennedy,	Price,	Wilson, W. H.,
Donnally,	Kern,	Ramsey,	Wiltbank,
Down,	Kitts,	Reeser,	Young, J. H.,
Dunn, H. B.,	Klepper,	Rex,	Zimmerman,
Ehrhardt,	Kuhn, H. P.,	Rhoads,	Alter,
Eichenberger,	Kuhns, E.G.M.,	Robinson,	Speaker.
Ely,	Lanius,		
Fahey,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

RECONSIDERATION OF VOTE.

Mr. KAISER. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by the gentleman from Allegheny, Mr. Kaiser, seconded by the gentleman from Berks, Mr. Rothenberger, that the vote by which House Bill No. 1139, file folio 3137, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof failed on final passage on Thursday, April 17, 1913, be reconsidered.

On the question,

Will the House agree to the motion.

The SPEAKER declared that the ayes seemed to have it, whereupon a division was called for and 116 gentlemen or more than a majority of the whole House having voted in the affirmative, the motion was agreed to.

On the question recurring,

Shall the bill pass?

Mr. S. B. SCOTT. Mr. Speaker, I cannot imagine why this question should recur again. What has happened in the meantime to change the decisive sentiment of the House whereby the bill failed of passage last Wednesday? Everything that was said then holds now. The reasons why the bill failed then, ought to be sufficient to prevent the bill from passing now. However, the respite has given the opportunity to arm myself with the latest pronouncement of the Supreme Court of Pennsylvania on this subject. You will remember perhaps the course of argument which I pursued on the last occasion, where I pointed out to you that this bill bears upon its very face and by the very words which are included in the bill the fact that it is the last step in the litigation which has been carried on in the County of Lackawanna between the congregation of one certain church there and its Bishop. I read to you excerpts from two or three Supreme Court cases, which I then had before me, and now I hold in my hand the opinion of the Supreme Court in the last case in that line, which has not yet been reported, but which I have herebefore me in manuscript. I desire to read just shortly from the case of Kazimier Novickas et al vs. Andrew Kauczunas, et al. No. 11, January term, 1913, an Appeal from the Court of Common Pleas of Lackawanna County. The Court in this case reviews at length the various cases which have gone before, and which I have already read partly to you.

"We further said in that case," "The fact of conflict between the rules and regulation of the Catholic Church and the laws of the state in this regard, remains. It is idle to dispure such fact; it is too patent to be questioned, and further discussion of it would be but wasted effort." The case now before us can only be regarded as another attempt to circumvent the law and take from the congregation the right of control and ownership in its own property, a right confirmed to it by the laws of the land. A brief reference to what followed upon the decision of this court in Krauczunas V. Hoban, supra, will make this plain. Immediately upon the rendering of that decision the bishop of the diocese issued his episcopal decree wherein, after stating "That the court has decided that the Catholic bishop of Scranton must hand over to a band of excommunicated apostates the deed of the Catholic church of St. Joseph's," he proceeded to place the church of St. Joseph "under interdict until the members of the congregation shall turn these faithless men out and place the church once more under the care of the Bishop of Scranton according to the laws of the Catholic church." This was followed by the injunction that "no Catholic service shall be held therein, nor shall any Catholic enter therein without incurring ecclesiastic censure until the interdict shall be removed." It was not alledged in the interdict, nor did it appear anywhere in the evidence of the case, that these men holding the office of trustees, and here denounced as apostates, had incurred ecclectiastical censure for any other reason than that they had defended successfully the right of the congregation of which they were the representatives to hold and own its property under the laws of the land. The result of the decree was that many members of the congregation, including the plaintiffs in this bill, rather than incur the eccleciastical censure threatened in the decree, refrained from entering St. Joseph's church, and, with episcopal approval, established a separate place of worship which they have continued to maintain and attend. The interdict remains in full force, rendering worship in St. Joseph's church according to the rites and ceremonies of the Catholic church impossible, except on condition that the congregation "shall place the church once more under the care of the bishop of the diocese of Scranton according to the laws of the Catholic church."

Gentlemen the amendment which it is desired to make in the Act of 1855 to this law is against the public policy of Pennsylvania as established from that time down to the present. It is an attempt to do by the Legislature what the Courts say cannot be done under the present law. The Legislature of Pennsylvania two years ago decided that it should not be done. The House this session has decided that it should not be done, and I hope that now finally and forever this attempt will be discontinued.

Mr. SWIFT. Mr. Speaker, it is unfortunate that we are compelled to discuss this question again upon this floor. I am sure it was settled last Thursday according to the convictions of every member of this House, voting as they

really felt and as they really desired. There can be no doubt about what has been done since that time to bring this question again before us for consideration, and, of necessity discussion. I wish to have it understood by every man in this House that I will not take off my hat to any man as to his rights to worship God according to the dictates of his own conscience. I can bow at any alter and worship my Father and your Father, wherever that alter may be, and so in what I shall say tonight, I do not wish to be judged from the narrow point of sectarianism. I hope to be so far above that, that I can accord to every man his right to worship under whatever order he may desire. But Mr. Speaker, it seems to me that we are at this time being forced to discuss this question not from an ecclestiastical standpoint alone, but from what may be termed a material standpoint. I asked the other day, what is the object of this bill. Other members have been asked what is its object. Does not the present law as it existed '55, '74 or '84 and 0'7, hasn't it placed every denomination in this land, or in this State, upon the same basis? I have in my hand a brief and I read this:

"As the law stands now, the lay members of every congregation, Catholic, Protestant, Jew or Gentile, have the absolute and complete control over the material affairs of the church."

Every Church in this State of ours is under the same law and the property rights vest in the members of that Church. What does this bill propose? This bill proposes special legislation for the benefit of one denomination in this State. Has this Commonwealth come to the point when it is ready to yield to the requirements or the request of any special denomination to shape legislation to meet its desires, its ends, and its purposes?

Mr. Speaker, it seems to me that this declaration made one week ago is as true as anything can be true. Ultimately the real aim of this bill is the union of Church and State. I want to ask this question, and I would like to have the sponsor of this bill answer it, if he will tell me, how it is possible for an Ecclestiastical Monarchy to dwell in the midst of a Democracy and be at peace? I would like to know how it can be done? Go back in his story as far as you will, read the history of the past, and wherever an Ecclesiastical Monarchy has sought to establish itself in the midst of Government, there has been trouble and controversy until the question was settled that only one authority should rule and reign.

I have another utterance from the same gentleman who handed me this brief:

"Once a law, the laity have no control of property whatever. To my mind this bill not only vitally effects the adherents of the Roman Catholic church, but may also in the future vitally affect the members of other denominations."

This is the position that I took the other day, and I have it and have heard from other denominations. I hold in my hand a resolution passed in this City at the Ministerial Meeting in Harrisburg, representing seventy-five churches and approximately 30,000 communicants, who believe that the ownership of church property should be vested in the local church and its control in lay representatives of the congregation rather than be owned and controlled by Bishop, Rector, Priest or Preacher.

"Therefore be it resolved that we most respectfully petition the members of the legislature, by whatever party elected, to vote to defeat House Bill No. 1139 and leave the law as it has stood, giving such general satisfaction for so many years in the past."

There is not a single denomination that has raised its hand or its voice against the law as passed in '55, '84 and 1907. This denomination that pleads for this bill comes before us and asks us as a State to change the law for what? To take the property rights from men who have given at times their all, from the poor toiling girls, and the poor toiling men and rob them of their rights. My friends, there was a tea party several years ago in Boston that was caused simply because there was taxation without representation.

Mr. FLYNN. Mr. Speaker, I appeal to the Chair that the sattement of the gentleman from Beaver is unfair and is not warranted by the facts. This bill itself does not seek to rob any person of his property rights.

The SPEAKER. Of course, the gentleman from Beaver has the right from parliamentary standpoint to use any illustrations which he thinks would be applicable. The Chair cannot sustain the point of order upon the remarks of the gentleman from Elk.

Mr. SWIFT. Mr. Speaker, I read for the benefit of the gentleman from Elk from another brief, "In the Roman Catholic Church the Bishops are the only legislators, as the layman has no voice in any of its higher councils. This church law in this country relating to real and personal property says 'that all church property, real and personal, shall be made in the name of the Bishop as trustee, sole corporation, and in fee simple.' If a layman is permitted to have a place in that council he is simply a privileged individual to sit in that council, and not by virtue of law, and theme has no right to vote or voice his sentiment upon the control or the holding of property." And I say to you, Mr. Speaker, and to this House, that when you and I give our assent to any law to any organization to control property, to control that which belongs to the laity, or to take out of their hands after they have invested their money and reared their churches and after they have given their all, to take from them the right to voice their sentiments or to vote, we have robbed them of a power and a privilege for which this Government stands, and for which this State has always contended. And so I say, Mr. Speaker, that we need well to consider this question It will not be settled here ultimately if this bill passes this House. We hand down to future generations possibilities that may cause controversies as great as any that this country or any other has ever seen or experienced. I hold in my hand a telegram which reads as follows: "I am unalterably opposed to Bill 1130, amending the Act of 1855. I do not think the State should enact such a law, nor do I believe that churches interested would endorse it." This telegram is from Thomas J. Garland, Bishop. It is a question in my mind to-night, if the great Roman Catholic were permitted to vote on this question, whether they would vote away their rights. They love their rights as American citizens as well as you and I. They love to have something to say in reference to the use or distribution of their offering. I wish to say one more word, Mr. Speaker, in reference to the matter as brought before us a week ago. I have gone over this bill very carefully, and others have gone over it very carefully, and I want to call your attention to those exceptions which absolutely mean nothing other than to lead us astray in our conclusions as to the purport of this bill. In two or three places this sentence appears: "Other than funds above excepted." This sentence, I say, is used three or four times. I would like to have some one tell me where a single cent is excepted. There is not a dollar excepted. I read in a certain part of this bill that this "other than funds from plate, Christmas and Easter collections, and voluntary contributions for salaries, clergy, teachers and sextons, and so forth, shall be taken and held subject to the control and disposition of the lay members of such church, congregation or religious society, of such constituted officials, and so on until it comes to this: "Such control or disposition shall be exercised in accordance and subject to the rules, regulations, usages, canons, discipline and requirements of the religious body or organization to which said congregation or religious society belongs." There is not one cent, not a single offering but that is not included in the control of the Bishop or Pope. And then we read further and come to this other sentence: "except the funds excepted," and there is none excepted. And I ask at this moment that this House again vote its convictions. I understand there may have been some conditions, that some individual may have changed his opinion because of a careful examination of this bill. If that be true, vote as you have concluded, basing your convictions on the bill. Let there be no influence. Let there be nothing brought to bear upon you other than right and righteousness and a conscientious conviction. If we are true American citizens, if we believe in representation where taxation is, I do not see how we can vote otherwise on this bill than we voted before. Mr. Speaker, I ask every member of this House to stand true, asking every church of this State to stand simply upon the same platform together, not to except a single one, not to specially legislate for a single one, but let us stand together, rule together, worship together, and live together in peace and harmony under the same law, and if we so do, we certainly will have accomplished the great end and purpose of church and Christian life.

Mr. FLYNN. Mr. Speaker, I wish to say that this bill is scarcely worthy of the eloquence of the reverend gentleman from Beaver County, and I would say further than that that its provisions, under its provisions, it affects only one denomination of this Commonwealth, for the reason that there is only that one denomination which now holds its property under certain conditions, and as this bill would affect those conditions only to the extent that those holding their property, those holding that property, shall have the right to transmit the same to their successors. That provision simply means that it saves that particular denomination considerable annoyance when it comes to naming a person for the office of their Bishop in whose name the property is held. It simply provides that the control of church property shall be held under and subject to the rules canons of its denomination. Is there anything wrong about that? Is there anything in that proposition that is unfair? Is there anything in that which would excite fair opposition upon the part of any right thinking man? There is one other thing in this bill, and only one other thing and that is that "funds collected for church purposes shall be held and used subject to the rules, canons, etc., of the denomination which collects them." Is there anything unfair about that, may I ask? Is there anything about that which would rob any one of their property, as has been unfairly alleged on the floor of this House. I say no, but the opposition to this bill is an unfair opposition, it is a subtle opposition, it is an opposition which does not look an honest man in the face, and say that this is wrong because it affects my church. No, no, that is not it. That is not what excites the opposition to this bill. This bill affects only one denomination in so far as property rights are concerned, and only affects that denomination to the extent of permitting them to transfer their property in their own way, and under their own rule. Unfortunately that particular denomination nas a different problem to contend with than some other nenominations. It had different class of people to deal with, if you please. It takes the poor emigrant just arrived in this country from the shores of a foreign nation, and tried to make the man a decent, law-abiding citizen, and their success in that undertaking needs no explanation or defense at my hands, because that denomination to-day is largely standing between this government and socialism. It is doing the work which I feel free to say that no other denomination in this Commonwealth is doing, and I dare say that the combined denominations of this Commonwealth are not doing any better work.

I do not seek to rob any congregation of their church property. If there is a single congregation or a single church in this State that does not wish to accept the provisions of this act, they need only withdraw from that code. All we ask is that they shall not sail under false colors or pretend to be something which they are not.

All we ask in regard to the collection of funds is that these moneys shall not be collected and go to the clergymen of a few individuals, laymen, if you please, and that will alone apply to our denomination, because I understand that other denominations have different rules. It comes with mighty poor grace from these gentlemen to say that we are trying to unite church and state. I look about the Halls of this Legislature and I fail to see any of the clergy of this particular denomination about this House as representatives here of the denomination or as lobbyists. If that is a reflection upon any one, they may wear the shoe, if it fits them. We are only asking what is right. We are asking this in the name of humanity; in the name of justice. Mr. Speaker, I again contend that there is not one single line in that bill which will adversely effect any denomination—not one.

Mr. SWIFT. Mr. Speaker, may I interrogate the gentleman from Elk?

The SPEAKER. Will the gentleman from Elk, Mr. Flynn, permit himself to be interrogated?

Mr. FLYNN. Mr. Speaker, yes, sir.

Mr. SWIFT. Mr. Speaker, I would like to ask the gentleman from Elk, if under the present existing law, under which all of us are compelled to act now, your own church would not be able to teach and train its people to be decent and law abiding citizens? Is this change necessary to teach members of their church that they must be law-abiding citizens?

Mr. FLYNN. Mr. Speaker, we have found in isolated cases where this is absolutely necessary; that certain churches shall not misrepresent themselves as being members of our denomination. That is all, and further than that it is very desirable for us to have this law because of the way in which our church properties are now held.

Mr. SWIFT. Mr. Speaker, I would like to ask the gentleman from Elk who the Roman church is or who is it considered to be?

Mr. FLYNN. Mr. Speaker, the Roman church needs no defense on the floor of this House at my hands and I don't care to explain the workings of it for the benefit of the gentleman from Beaver. He has no sympathy with that church and it is nothing to him.

Mr. SHERN. Mr. Speaker, if the gentleman from Elk declines to explain the workings of the Roman church, I will attempt to answer the interrogation of the gentleman from Beaver as the Roman Catholic Church has nothing to conceal.

Mr. SWIFT. Mr. Speaker, the only question that I want to bring out here is that the laity is not recognized in the Roman church in property rights. You pass this bill and you rob every member of that church of a voice in its property rights which we contend is not right, and furthermore, it prohibits progress by reason of refusing the right to protest against some things or some condition that may not exist today but that may exist in the future. It prohibits the organization of another church that may desire to call itself by the name and desire to hold and control its property, and if you pass this bill you rob that organization of the right to hold that property and the right to control its property and that is the objection to the measure.

Mr. FLYNN. Mr. Speaker, if that question is addressed to me. I will answer it.

Mr. SWIFT. Mr. Speaker, the gentleman need not answer it.

Mr. FLYNN. Mr. Speaker, it is true that it would prevent another church or any branch of the church from using the name of the Roman Church. Is there anything unfair about that? You shall conduct your church as you see fit but don't call it by a name that you are not entitled to call it.

Mr. SHERN. Mr. Speaker, I did not think I should have to rise to my feet in the discussion of this bill, but it does seem to me that the gentleman from Philadelphia and the gentleman from Beaver unintentionally misconstrue its provisions. When the gentleman from Beaver says that it is robbing the members of that particular denomination of its church property, I think he commits an unintentional error, because every member of this particular denomination who are members of this House of Representatives vote for this bill, and I know the gentleman from Beaver does not think that we are lacking in average intelligence. This denomination and this organization has existed for hundreds of years and it has existed from the time of the "Tea Party", that my friend from Beaver, spoke of, in Boston, some one hundred and forty years ago and I know it will continue to exist, and that the bishops and the arch-bishops of the respective dioceses in Pennsylvania will have a sufficient control over its parishoners whether or not this bill passes. Some times I think and feel that there is some opposition on the floor of this House that is of a jealous nature and that it is not actuated by the fact that they are afraid that this will lead to the union of Church and State. I am convinced that if the gentleman from Beaver knew the effect that the passage of this bill would have on this great organization on the keeping of it together, on the maintaining of this wonderful system, which has been handed down for thousands of years, he would be the last one from the standpoint which he occupies in this community as an eloquent and devout preacher in his particular denomination to oppose the passage of this bill. As I understand the gentleman from Elk it is the opinion of not only one eminent attorney in this Commonwealth but a number who say that the provisions of this bill will be only applicable to one particular denomination and it seems remarkable that every member upon the floor of this House who is a member of that particular denomination, will vote for this bill and there are some fifty-eight or fifty-nine in number; this should be an unanswerable argument to the balance of the members of this body who are not members of the Roman Catholic Church that they should aid in keeping this wonderful organization together. I sincerely trust that the members of this House when they vote will vote

in a dispassionate way free from any religious prejudices and according to the dictates of their conscience.

Mr. JOSIAH HOWARD. Mr. Speaker, we are all sorry to differ on church questions. This bill provides, as I understand it, for all property, real and personal, and that it shall be subject to the control and disposition of each church and the canons and regulations of that church. Mr. Speaker, within three miles of my home is a small country church. That was built as a union church by the people of that neighborhood. It finally drifted into and under the control of the Weslyan Methodist Church. They have become so few in that part of Pennsylvania that this church was placed under the jurisdiction of the conference of Olean, New York State. The church has connected with it a graveyard. My contention is that under the provisions of this bill, if passed, the conference of Olean in New York would be allowed to lock up this church and refuse burial in this graveyard, and entirely remove the power and the control and the disposition of that property from the jurisdiction of the courts of Pennsylvania. In support of this contention the bill itself provides that all property, real and personal, shall be under the control and disposition of the persons authorized by the canons of that church. Mr. Speaker, the courts decided time and again that no lay member can transfer his trusteeship except by reverting it back to the parties from whom he gets the trusteeship, if the congregation elect him a trustee. This bill would repeal that section entirely. The sole purpose of this bill is to provide that this trustee, as I understand it, shall have the power to transmit his trusteeship without giving the congregation any right of appeal to the courts of Pennsylvania. I hold, Mr. Speaker, that it does not apply to one church or one denomination, but it applies to every denomination. As I cited in the case of a small church in our county, which is now under the jurisdiction of Olean, New York, that the conference of Olean, New York, would be entirely free from the courts of Pennsylvania, and would rob the congregation of that community of the right to apply to the courts of Pennsylvania against the decision of the conference of New York State. I hope that this bill will not pass, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I had hoped to escape saying anything further on this bill, because when the bill was before the House on Wednesday last, I tried to digest the merits of the bill, and at length, and I shall be very brief. The thought has passed in my mind tonight, simply because of the fact that this is legislation in relation to a church as to whether or not, when the original act was passed in 1855, the hue and cry was raised of a union of State and Church, and whether in 1887, when the act was amended for some purpose, there was a hue and cry raised whether or not it was a union of State and Church, and whether or not in 1907, when the act was again amended, there was a hue and cry in relation to its being a union of State and Church. I have failed up to this time, Mr. Speaker, to hear any arguments advanced against this bill that have indicated to me, yes, even indicated, that there is any danger in such a bill. When a body corporate has its plans of doing things and simply asks that this law be made so that things which have been done and will continue to be done, will be done according to law and no one's toes tramped upon. I wonder why such a hue and cry and battle is brought up against a measure of this sort. And one other thing. Mr. Speaker. Great stress has been laid by those who have spoken against this bill on its being in favor of an attempt to rob the people of a certain denomination. No one has suggested it would rob my denomination; no one has suggested it would rob the lay members of his denomination. I, for one, Mr. Speaker, have failed up to this moment to hear a single lay member of the only denomination that it is suggested that this law will touch, as being opposed to this measure, and I would like to ask the gentleman who have opposed this bill whether or not, up to this moment, a single lay member of the only denomination this law will touch has asked them to oppose this measure. I, for one, Mr. Speaker, and after I have taken my seat the gentlemen may reply to my question, I for one am thoroughly convinced that this bill is thoroughly meritorious and I shall support it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. SHERN. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—112.

Allen,	Eichenberger,	Lanius,	Robinson,
Ambler,	Ely,	Letzkus,	Roney,
Aron,	Ewing,	Lowers,	Rothenberger,
Arthur,	Fahey,	Malie,	Sassaman,
Baldwin, R. J.,	Flynn,	Mannion,	Schuck,
Bass,	Forster, I. G.,	McAleer,	Scott, J. R. K.,
Bayle,	Frey,	McAllister,	Semmens,
Becker,	Gans,	McArdle,	Shern,
Benninger,	Geary,	McCaig,	Sherwood,
Bigger,	Geiser,	McDermott,	Smith, J. W.,
Blair, W. F.,	Goss,	McNichol,	Spangler,
Body,	Gransback,	Mechling,	Speiser,
Brosius,	Gray, Joseph,	Missimer,	Steedle,
Brown,	Hackett,	Moore,	Steele,
Campbell, C.M.,	Haggerty,	Murphy,	Strauss,
Campbell, J.J.	Heyburn,	Neel,	Thomas,
Carter,	Hibshman,	Neely,	Trach,
Cleary,	Hoffman,	North,	Walsh,
Conner,	Isler,	O'Neill,	Watson,
Conniff,	Kaiser,	Pennegar,	Wettach,
Conrade,	Keegan,	Perry, S. J.,	Whitaker,
Cox,	Keeport,	Peters,	Wildman,
Curry,	Kenna,	Piper,	Wilson, J. H.,
Dickinson,	Kennedy,	Price,	Wilson, W. H.,
Donahoe,	Kern,	Ramsey,	Wiltbank,
Down,	Kitts,	Reeser,	Young, G. K.,
Dunn, J. A.,	Klepper,	Rhoads,	Young, J. H.,
Ehrhardt,	Kuhns, E.G.M.,	Richards,	Alter, Speaker.

NAYS—68.

Alworth,	Good,	Martin,	Post,
Baldwin, G. A.,	Grabe,	Mather,	Rex,
Barner,	Gramley,	Matt,	Rockwell,
Benson,	Heidinger,	McClintock,	Runk,
Bittles,	Hemminger,	McKay,	Scott, S. B.,
Blair, W. A.,	Herman,	Metzenbacher,	Shaffer, I. E.,
Bleloch,	Hobbs,	Miller,	Showalter,
Brownlee,	Howard, J.,	Mitchell,	Smith, L.,
Caldwell,	Howard, R.,	Morrow,	Snavely,
Carson,	Irwin, G. C.,	Moses,	Snyder,
Claycomb,	Irwin, H. H.,	Moulthrop,	Spillinger,
Cochran	Jackson,	Musser,	Stone,
Currier,	Jones, J. R.,	Newbaker,	Swartz,
Davis,	Kuhn, H. P.,	Newton,	Swift,
Donnally,	Lenker,	Peachey,	Walnut,
Dunn, H. B.,	Light,	Pennock,	Williams,
Glenn,	Lohr,	Perry, H. L.,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct the titles were publicly read, as follows:

Senate Bill No. 23,

A bill entitled an act applicable to cities of the first second and third class to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes the manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations coordiante appropriations amounts to be paid form of records eligibility penalties and reports as set forth in sections one two three four five six seven and eight

Senate Bill No. 77,

An Act to exempt from the payment of inheritance taxes requests and devises to institutions of purely public charity

Senate Bill No. 120,

Regulating the pay of election officers at all elections hereafter held within this Commonwealth

Senate Bill No. 316,

An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions

Senate Bill No. 611,

An Act to amend the third section of an act approved the ninth day of June one thousand nine hundred and eleven entitled "An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providng for the regulation thereof the commitment of persons

suffering with mental disorders to such wards and of the payment of the expenses of maintaining and treating persons committed thereto"

House Bill No. 364,

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one"

House Bill No. 452,

An Act to repeal section two thousand eight hundred and six of an act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 841,

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation

House Bill No. 917,

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of this act

House Bill No. 1042,

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 1099,

An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

House Bill No. 1350,

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachments of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

House Bill No. 1414,

An Act reorganizing the Attorney-General's Department designating the officers and employes thereof and fixing their salaries

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL RECOMMITTED.

Mr. STEELE. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved that Senate Bill No. 480, file folio 555, entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of Osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of Osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to provide powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of Osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of Osteopathy by defining what constitutes a reputable school or college of Osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of Osteopathic schools or colleges and the right to determine reciprocal relations between states"

on page 26 of tonight's calendar, be recommitted to the Committee on Public Health and Sanitation for the purpose of amendment.

Mr. GANS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

On a rising vote 104 voting in the affirmative and none in the negative the motion was agreed to.

ADJOURNMENT.

Mr. SPEISER. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (11:25 o'clock P. M.) the House adjourned until tomorrow morning at 10:00 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, APRIL 22, 1913. No. 53.

SENATE

TUESDAY, April 22, 1913.

The Senate met at 10:45 o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"Our feet shall stand within Thy gates, O Jerusalem!" Help us, O Lord, to realize that now and here we are standing within the Divine Presence. They shall prosper that love Thee. Grant unto us that consciousness that man's prosperity is not in the abundance of the things he possesseth, but rather in the fruits of that spiritual relationship with Thee. We read in Thy Word that Thy servant, David, went out against the common foe of Israel, saying: "Thou comest to me with a sword, with a spear, and with a shield. I come to Thee in the name of the Lord of Hosts." Grant that we to-day as we shall meet out tasks, as we shall engage the foe of all righteousness and truth that we shall not go forth in our own strength, or in our own name, but rather in the name of the Lord of Hosts. Be Thou our strong tower of defense this day, be Thou the Eternal Rock upon which we shall erect this day's structure. We ask it in the Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McILHENNY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING SENATE BILL NO. 597.

Mr. JARRETT presented petitions of U. S. C. Grange No. 844, P. of H., Randolph Grange No. 190, P. of H., Worth Grange No. 1450, P. of H., Steuben Grange No. 858, P. of H., and Sparta Grange No. 110, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agreculture.

LEAVE OF ABSENCE.

Mr. HOKE asked and obtained leave of absence for himself for the balance of the week.

REPORTS FROM COMMITTEES.

Mr. SHEATZ, from the Committee on Pensions and Gratuities, reported as committed, Senate Bill No. 982 (House Bill No. 60), entitled:

An Act to provide for the pensioning of soldiers, sailors and marines who served in the army or navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five, fixing the rate of said pensions, the manner of obtaining same and making an appropriation for the payment thereof.

Mr. KNAPP, from the Committee on Judiciary General, reported as committed, Senate Bill No. 922 (House Bill No. 1234), entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

Mr. BUCKMAN, from the Committee on Judiciary General, reported as amended, Senate Bill No. 514, entitled:

An Act to amend an act approved the 3d day of April 1851, entitled "An Act regulating boroughs," as amended

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 600, entitled:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth.

Mr. HOKE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 750, entitled:

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public streets or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same.

Mr. MILLS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 670 (House Bill No. 173), entitled:

An Act to validate deeds, mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April, one thousand nine hundred and one.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1001, entitled:

An Act to amend section seven of an act, entitled "An Act to establish a county court for the County of Allegheny, and prescribing its powers and duties regulating the procedure therein, and providing for the expenses thereof," approved the 5th day of May, 1911, as amended by an act, entitled "An Act supplementing and amending sections 4, 6, 7, 9, 10, 11, 12, 17 and 19 of an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties, regulating the procedure therein, and providing for the expenses thereof,' approved the 5th day of May, 1911, by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases, and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases, providing for an appeal in forma pauperis, prescribing under what circumstances appeals shall operated as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars, changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases, prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs," approved the 2d day of April, 1913, by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex-delicto, and providing for bills of particulars

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 835 (House Bill No. 41), entitled:

An Act to amend an act approved the 25th day of June A. D. 1895, entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 811 (House Bill No. 964), entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose or lighting and illuminating the streets, highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited.

Also, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 981 (House Bill No. 23), entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several broughs of this State.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 822, entitled:

An Act requiring property owners in townships to clean highway from brush and providing for the work to be done by the Supervisors in the event of the neglect or failure of the property owners, so to do, and the manner of collecting the cost of the same and providing for penalties in case of failure.

Mr. GYGER, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1075 (House Bill No. 1454), entitled:

An Act for the better protection of Wild Turkeys in this Commonwealth.

Mr. HERBST, from the Committee on Game and Fisheries, re-reported as committed, Senate Bill No. 682 (House Bill No. 650), entitled:

An Act fixing a closed season for quail and providing a penalty for violation of this act.

Mr. JARRETT, from the Committee on Judiciary General, reported as amended, Senate Bill No. 991, entitled:

An Act to confirm conveyances of lands made by building and loan associations or companies after expiration of the term of their chartered existence.

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations for Notaries Public made by His Excellency, the Governor of the Commonwealth at last evening's session, which were laid upon the table.

BILLS INTRODUCED.

Mr. CATLIN read in his place and presented to the Chair Senate Bill No. 1145, entitled:

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor.

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 1146, entitled:

An Act to amend an act approved the 20th day of June, 1901, entitled "An Act relating to the collection of city, school and poor taxes in the several cities of the third class in this Commonwealth, and providing that the city treasurer of each of said cities, by virtue of his office, shall be the collector of the said several taxes; prescribing his duties and fixing his compensation," by extending to August 1st the date for the payment of taxes.

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 1147, entitled:

An Act requiring the several counties, incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans in the respective counties, boroughs and towns to aid in defraying the expenses of Memorial Day.

Which was committed to the Committee on Judiciary Special.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1148, entitled:

An Act to establish a State Hospital for the Insane in the Southeastern District, providing for the appointment of a board of trustees to purchase a tract of land for that purpose and to erect and furnish buildings on the same and to manage said institution and providing for commitment thereto and temporary or permanent discharge therefrom defining the powers and duties of the board of trustees, and making an appropriation for the purposes aforesaid, also for the expenses of maintenance until June one, one thousand nine hundred and fifteen.

Which was committed to the Committee on Appropriations.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 1149, entitled:

An Act to repeal an act entitled "An Act in relation to local advertisements in the County of Lycoming," approved April 10th, 1873.

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 1150, entitled:

An Act to amend an act approved the 9th day of July, 1901, entitled "An Act relating to the service of certain process in actions at law, and the effect thereof, and providing who shall be made parties to certain writs," as amended, by enlarging the jurisdiction of the courts over corporations, limited partnerships and joint stock companies.

Which was committed to the Committee on Judiciary General.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1151, entitled:

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania.

Which was committed to the Committee on Public Roads and Highways.

SPECIAL ORDER.

BILL ON THIRD READING.

The hour of 11 o'clock having arrived,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 231 (House Bill No. 185), entitled:

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HERBST. Mr. President, I beg to offer as part of my remarks on the merits of this question a short article by Cardinal James Gibbons, the closing paragraph of an address by John Don Passos, Esq. and a short news item of the conditions in Denver, Colorado after mineteen years of women voting.

STATESWOMEN VERSUS CHURCHWOMEN

By Cardinal James Gibbons

The world is governed more by ideals than by ideas; it is influenced more by living, concrete models than by abstract principles of virtue.

The model held up to Christian women is not the Amazon, glorying in her martial deeds and prowess; it is not the Spartan woman, who made female perfection consist in the development of physical strength at the expense of feminine decorum and modesty; it is not the goddess of

pagan love, like Venus, whose votaries regarded beauty of form and personal charms as the highest type of female excellence; nor is it an imperious Juno. No; the model held up to woman from the very dawn of Christianity is the peerless Mother of our Blessed Redeemer. She is the pattern of virtue alike to maiden, wife and mother. She exhibits the virginal modesty becoming the maid, the conjugal fidelity and loyalty of the spouse, and the untiring devotion of the mother.

The Sexes Equal Now and Hereafter

Woman's origin and destiny are the same as man's; so is her dignity equal in every way. As both were redeemed by the same Lord and as both aspire to the same heavenly inheritance, so should they be regarded as of equal rank on earth; as they are partakers of the same spiritual gifts, so should they share alike the blessings and prerogatives of domestic life.

In the mind of the Catholic Church, however, equal rights do not imply that both sexes should engage promiscuously in the same pursuits, but rather that each sex should discharge those duties which are adapted to its physical constitution and sanctioned by the canons of society.

To some among the gentler sex the words, "equal rights," have been, it is to be feared, synonymous with "similar rights."

Suffrage, or the right to vote, and the right to hold office, are ambitious which some women have, that are really rights of similarity and not of equality. Seeking these so-called rights alienate the feminine spirit from its foreordained and guarded haven—the home.

To debar woman from such pursuits as suffrage, or from doing a man's work, or from wearing masculine attire, is not to degrade her.

To restrict her field of action to the gentler avocation of life is not to fetter her aspirations after the higher and the better.

Woman's Supereminent Rights.

It is, on the contrary, to secure to her not equal rights, so-called, but those supereminent rights that can not fail to endow her with a sacred influence in her own proper sphere; for as soon as woman trenches on the domain of man, she must not be surprised to find that the reverence once accorded to her has been, in part, or wholly, withdrawn.

The home—whether that home is a palace or a cottage—exercises more sway in the government of the land or the uplifting of the people than our houses of Congress and State legislatures. Our President, our statesmen and our judiciary hold the high offices of framing or interpreting or executing the laws. But our Christian women—wives and mothers—hold a higher place, for they mould the character of our statesmen and jurists in their childhood and instil virtue in their hearts. Our greatest statesmen have loudly and unanimously proclaimed their indebtedness to their mothers.

Motherhood Provides the Noblest Work

The noblest work given to woman is to take care of her children. The most important part of her apostleship should consist in instructing them in the ways of God. The education of the young should begin at the mother's knee. The mind of a child, like softened wax, receives with ease the first impressions, which are always the deepest and most enduring. "A young man, according to his way, even when he is old, he will not depart from it." I. Peter, II., 2. A child is susceptible of instruction much earlier in life than parents generally imagine. Mothers should watch with a jealous eye the first unfolding of the infant mind, and pour into it the seed of heavenly knowledge.

The ultimate effect of this movement, if it succeeds, upon the family relation was pointed out in the following forceful manner; by John Don Passos.

"The effort of the suffragists is to upturn the basic principle of home and society, by creating the anomalous and impossible situation of two heads to a family, by mingling the duties of man and wife, by obliterating the plain, necessary and natural functions which are now assigned to each, and amalgamating them—she acting as father of the family, she giving up her duties as a wife, she neglecting her obligations to her children and entering into political life. It is so unnatural that it can never succeed. They may vote such a proposition through; but they can, with equal success, also vote that the tide of the Delaware River shall fall or rise at the will of your Common Council. Votes against natural laws are the vainest of all things. And, if it does succeed by the votes, it can only become effective by the utter destruction of the family relation. It means the annihilation of the fundamental principles of human society, and if such an event should arise there would ensue a physical struggle between the sexes in which man will most surely be victorious."

The notion that woman suffrage means "a moral uplift" in politics is dealt rather a severe blow by the disclosures of municipal corruption in Denver. As a result of investigations of vice and the saloons, the food trust, city hall graft and newspaper blackmailing, the grand jury at Denver returned forty-six indictments last September against the former Mayor, and Chief of Police your present and former members of the Fire and Police Board, five members of the School Board, including one woman, and about one hundred corporations and indviduals. And this in a city where women at the polls had been exerting their "moral uplift" for nineteen years.

But now, Mr. President, whether I please or whether I tease I will give you my honest mind; if the shoe fits, wear it, but if not, leave it behind.

I refuse to be either cajoled or coerced by letters that have signatures or by letters that are anonymous and do not bear any signatures.

1st. I am irrevocably and conscientiously opposed to Women Suffrage. It obliterates femininity, and tends to destroy the home.

2nd. The **Democratic Platform** does not mention a Constitutional Amendment; a Referendum is not necessarily a Constitutional Amendment.

3rd. I have voted against all amendments for years. I favor a convention to give us an orderly, logical, co-ordinated and correlated Constitution, instead of a patchwork crazy quilt.

4th. An immediate referendum can be had by a joint resolution instructing the County Commissioners to print the question on the next primary ballot, without costing the State eighty to one hundred thousand dollars. I might vote for such a resolution, though I would oppose the question at the polls; but never will I vote for a foxy costly trick to advertise this propaganda for two years at the expense of the State.

5th. I reserve the right to interpret the Democratic platform for myself, having voted the Democratic ticket during the past thirty-four years at every general election, instead of having it interpreted for me by Yellow Socialistic Journals, or **pink tea, tutti-frutti** fellows who only vote when the Democratic ticket suits their fastidious taste.

6th. I was nominated by Democrats at an open primary before the Democratic State Convention, with no pledge to support ephemeral fads, new fangled theories, or socialistic fancies.

7th. I did not run on half a dozen tickets. I accept but one party nomination.

8th. The quarrel of most women seeking suffrage is not with men, but with the Almighty for not creating them men.

9th. Nine out of ten of my constituents are opposed to this Amendment.

10th. The Puritanical idea that society can be moralized by Statute laws, that men and women can be made good by force, is contrary to natural law, and responsible for bad errors in our law-making philosophy.

A word here in regard to the present condition in our State. I know by experience that not all the so-called **Old Guard** are grafters and thieves. Many are high-minded gentlemen doing and acting for the best according to their ideals and light. I have differed with them, and boldly so expressed myself on many occasions, because I held a different ideal and viewpoint. I shall continue to do so, not allowing myself to be bulldozed from within or without. I also know that many present day professional reformers are neither saints nor angels. Many of these forcibly illustrate what the poet says:—

"But man, proud man,
Drest in a little brief authority;
Most ignorant of what he's most assured,
His glassy essence,—like an angry ape
Plays such fantastic tricks before high Heaven,
As make the angels weep."

History has shown, and will continue to show, that fanatical reformers, and **holier than thou**, self-seeking politicians have not been able to bring about the millennium, and their career, therefore, has always been short-lived and ephemeral. True reform and lasting betterment must rest on a solid foundation, and result from steady evolution rather than hysterical revolution.

Mr. POWELL. Mr. President, I did not intend to say anything on this subject, but in response to the very eloquent speech of the Senator from Berks, I want to merely state the question at issue—that is whether "man, proud man, dressed in a little brief authority" shall arrogate to himself the right to keep this question from the other men of our Commonwealth who are not sitting in this Senate Chamber.

Mr. SALUS. Mr. President, for the first time since this question has arisen I rise now to say a word or two in reply to the Senator from Allegheny, I want to say that I, sitting here as a State Senator, feel that it is my duty and that I was elected by my constituents to stand here between the law and the people, that the people of my district sent me here and the people of his district sent his here and sent every other Senator to this body in order that he might be a manly man, in order that he might perform his duties to the Commonwealth of Pennsylvania with courage, with conviction and with honesty towards

his cause, that he was sent here at a time like this not to shift his burden, not to hide behind the question whether we will unload this on the people. We in the Senate of Pennsylvania are in the position of a grand jury to stand between the people and the law, mob violence and hysteria, and also the workings of political tricksters. As I studied over this proposition, I have found among the men in this body many reasons why they intend to vote for this bill, and I sincerely hope in fairness to the women of this Commonwealth if the men who are supporting this proposition vote for it and it should pass that after its passage they will change their ideas and will not do what many of them have told me they would do,—that they would vote for this proposition and then go before the people to defeat it. A more unmanly statement would not be made by any man who endeavors to call himself a man, and if I were voting for this proposition and thought it was a proposition that I should unload on my people, I would be manly enough to go out at the polls and vote for it. I say to you that twenty-five or thirty per cent, nearly fifty per cent of the men who vote for this resolution intend, should the same pass, like the burglar at night, behind the screen of the ballot, to vote it down. That is not manly. The man who votes for this bill on that theory is neither fair to himself, his constituency, or to his State. I have studied this proposition. I do not consider it a political proposition at all, and the man who tries to wiggle a woman into politics is unfair to himself and is not in some respects manly. Now, what is this proposition? It is a proposition that is being used at this time to my mind only and solely for political reasons. There is little or no sincereity in the matter. I have been told by people that this proposition is theoretically correct. Theoretically, possibly it is correct, but we cannot run this government on theory. If we are going to run this government on theory then its progress in the last fifty years has been wrong, the theories and principles laid down by the Republican party are wrong and the principles of the Democratic party are wrong. The principles of every party that I have had the pleasure of studying are wrong unless you take up the theories of the Socialists. If we are going to run this government on theoretical principles then we have been wrong for years past and we ought to adopt the platform laid down by the Socialists, because, after all, that is the only theoretical government and the only real upright government if we are going to run on theory, because no man who studies their principles can but say they look beautiful in theory. But can those things be practically carried out? I feel that they cannot and I believe that every self-thinking man must feel that the theories of the Socialists cannot be carried out to a practical conclusion, any more than the theory of this "votes for women." Now I have also heard other men say that they intend to vote for this bill because of the fact that it was contained in the Republican platform of May last year. How any man who knows anything about politics can say that the State of Pennsylvania had a Republican platform in last May I fail to understand. If it was a platform founded by Republicans and was honestly made it became dishonest rather quickly, and those who disrupted that Republican platform at that time and took from under it its foundations have no right to come back to this Senate today and say that anybody should follow it. Why the founders of it, the creators of it, the men supposed to control it, were the men who deceived it at the November election and caused the downfall of the Republican party in Pennsylvania, and many of the men elected by that ticket last fall and on that ticket at heart were Washington party men, and I think it ill becomes them to come into this Senate and say: "We want you to follow the dictation of the Republican Platform," and I for one when the time comes will vote to play fairly and honestly with the women, then we are not deceiving them as we attempted to deceive them or those who were in that Republican convention attempted to deceive them last May.

When they started to play fair with them, giving them an honest platform, backed up by an honest Republican party, by honest Republicans and if I should ever happen to be elected on such a ticket my views might be different, but so long as the cause is born in political deception, followed up by political dishonor chicanery and trickery, so long shall I stand opposed to this cause and I hope this Senate will vote down this measure.

Mr. JARRETT. Mr. President, I desire to say a few words on this proposition. It is my intention today to vote to submit this proposition to the people of the Commonwealth of Pennsylvania for them to decide whether or not they want the women of this Commonwealth to have the right of suffrage, and I attack the statement as made by the Senator from Philadelphia, Mr. Salus, that it is an unmanly thing for any member of this House to stand here on the floor of the Senate and support the submission of this proposition, and if it is submitted to go back and take his coat off and work against it. It is my intention to support it here today and if it is submitted it is my intention to take my coat off and do all I can to defeat it and I say, Mr. President, that when I make this statement I am not unmanly, and I leave it to the journal of this Senate here for the people of this Commonwealth to decide between the Senator from Philadelphia, Mr. Salus, and myself as to where the manhood lies. So much for that. I am for the submission of this proposition today because I feel that there is sufficient demand in the State of Pennsylvania for its submission to the people. The Senator from Berks, Mr. Herbst, has said that this does not apply to the Democratic platform, that it was not the pledge of the Democratic platform that they favor the amendment granting suffrage to women, that they were either for or against it, but he says there was something said about the referendum and that the submission of a Constitutional question is not a referendum, and I attack the statement made by the Senator from Berks, Mr. Herbst, that the submission of the Constitutional question is not a referendum. It is a referendum pure and simple. Now the thought that is in the minds of some of the Senators today is: "Shall we as members of the Senate of the State of Pennsylvania when the ladies here congregated along the side walls for and against it, shall we decide and judge between the women or shall we submit this proposition to the voters of the State of Pennsylvania at the expense of one hundred thousand dollars for the consideration of the proposition?" For me I am convinced that there is sufficient demand throughout the State of Pennsylvania for the submission of it. It is immaterial to me if it costs $20,000, $30,000, $40,000 or $100,000 or $200,000, I say that the demand is sufficient that that expenditure shall be made. It has been said by the Senator from Philadelphia, Mr. Salus, the Senator from Berks, Mr. Herbst, that this is a Socialistic movement. If those Senators will look at the press of today and see the result of the fight in Michigan, they will find that the entire Socialist party of the State of Michigan voted against woman suffrage, and I say that it is not a Socialist movement, that we should have woman suffrage in the State of Pennsylvania, and it is immaterial to me whether you call it a Socialist movement or what you want to call it, but this proposition should be submitted and I am for its submission.

Mr. NULTY. Mr. President, this question to my mind has passed the stage of serious discussion. It is not to be ridiculed, laughed down or lightly put aside as a small question of only passing interest. It is up to the people and to the people it should go. The people would settle it; the people will decide soon. The truth of this statement is evident, for in two conventions of this State both large parties, Republican and Democrat, have noticed and have adopted friendly programs along these lines.

A few reasons for thought on this question. First, we should not concern ourselves with the number of people in this State who want an equal suffrage. We have nothing to do with what women would do with the ballot. It is foreign to the subject to say equality would not mean improvement. The whole question rests on this: Are women to be classed under the general head of "People?" If they are "People" then they have the constitutional right of People. In other words, if our women folk are human beings, what constitutional right have we to turn them into chattels or treat them as idiots, lunatics or criminals, by keeping them from the franchise which is the standard right of adult citizenship? I do not know how many people in the State of Pennsylvania who want equal suffrage, but I do know that others who claim to know, do not know, and to pretend they do know they are not honest. If it is undesirable in this State, let the people combat it in the open and at the polls. If this amendment is defeated in the State Senate of Pennsylvania, the people will say to the Suffrage party, have patience and wait

without fear for what the future will and must bring. The influence of the people will not end to-day, to-morrow, next week or next year. There is no bill that will come before this body that I will so gladly, so freely and so willingly give my support and vote to. With woman suffrage we must answer the elemental bed rock question: Is it right for women to vote? Of course that includes the legal, moral and mental sides of the discussion, and looked at from such standpoint, we may say, "Yes, let women vote."

Mr. BEIDLEMAN. Mr. President, the worst fling that I know of that can be made against the women is that the Constitution of Pennsylvania classes her among her idiots, her criminals and her insane, and I am not opposed to this resolution because of any disregard or disrespect that I have for the women of Pennsylvania. It is rather out of the high regard that I have always held them in that I stand here to-day respecting the wishes of a very large percentage of my constituents asking me to vote in support of the good women of Pennsylvania, and to refute any charge that may be made that classes them among her idiots, her criminals and her insane. In the submission of a Constitutional amendment, if it had not been intended by the framers of the Constitution that some responsibility rested with the Legislature they certainly would never have written into the Constitution of 1874 that before any constitutional amendment could be proposed it would be necessary that that proposed amendment pass two sessions of the Legislature. If it had been intended that the Legislature should not reason out the question whether or not the people of Pennsylvania desired to have her Constitution amended, then I ask of anyone who stands in favor of the proposed amendment to the Constitution why the framers of that Constitution so wrote it in it. I respectfully submit that the people of Pennsylvania are not in favor of women suffrage. We all know that there is not a single question that is submitted as a legislative problem that could not be made a Constitutional problem, and if that is so, I would like to ask whether or not any one present either for or against the right of votes for women would be in favor of asking the members of this Senate to submit to the people the right to say whether or not the people want baseball on Sunday; whether or not a lot of people who now are having a little game of cards in their houses and frown down upon gambling could come into this Senate and ask us to submit the question to the people as to whether or not the people of this Commonwealth want to regulate gambling as a Constitutional question. I want to ask whether there are any persons here who are urging the submission of this question to the people as a Constitutional question who would come here to the members of this Senate and ask us to submit to the people of Pennsylvania modification of the Sunday laws. Since this question has come up I have given it careful study and concern. Some time ago I took dinner at one of the outlying inns where there were present some sixty people, more than twenty women, representing the very best of the middle class of people in this district, and I made it my business to ask each and every man and woman there how he or she felt upon the question of the right of suffrage for women. I did not find a single one in favor of the proposition, but every one absolutely against it. After this resolution had passed the House I made it my business to ask almost every person indiscriminately as I met them on the street how they stood upon the question of woman suffrage, and I found considerably less than five per cent. in favor of that proposition. I know, Mr. President, that a number of petitions have been circulated. In this district which I represent there was almost a house to house canvass made, and there has been submitted to me petitions containing 631 names and less than one hundred post cards came in, asking me to support this proposition. Among the signers to these petitions which I received I noticed the name of one man into whose store I went some time ago and he said: "Senator, I see the women are trying to put you into a hole." I said: "Upon what?" He said: "These women came in here and asked my wife and me to sign it and we told them we are satisfied with conditions as they are, we preferred to maintain our home life as it is, and we refused to sign it." And yet, Mr. President, there is contained on this petition the name of that man who made that statement to me, and why? The only reason that I could conceive, the only reason I could infer or anybody could infer, was that certain persons who took this petition around must have gone to one of his customers and said that he was against this bill, and that customer must have gone to the store, and then in the hope that he would maintain the trade which he had he signed his name to that petition, and this is brought in as one of the reasons why I should vote in favor of woman suffrage. I find on these petitions the name of another one particularly I recall. I met him at the corner of Third and Walnut streets and I said: "I see you are in favor of woman suffrage?" He said: "I am not." I said: "But you signed a petition?" He said: "No, I did not," and I argued it out with him, and finally he hunted me some ten or fifteen minutes afterward and said: "I want to beg your pardon. I did sign that petition and this is the reason I did it. I happened to be employed at a printing office and the foreman of that establishment came to me and said: 'The Woman Suffrage Association will probably have some printing to do; if we sign this it means nothing except we may get the business,' and then we all attached out names to it and passed it up." I also notice in this package of papers, and I show it to the Senate, a petition that happens to be cut in half, and I suppose that is the result of a petition that was called to my attention, when a young woman accompanying a party in which there were present some eighteen, carried one of these petitions with her, addressed to me as a Senator representing this district. She said, "Now, come on girls and sign this petition!" It does not mean anything." Seventeen girls refused to sign it and the eighteenth who had subscribed her name to it took it off the paper, and I suppose this explains the condition of this paper which comes to me. Mr. President, besides that, let us discuss whether or not the women that represent women suffrage, believe in it and know its practical workings. I know of no place where I could go better to ascertain whether or not the women of this country stand unanimously for suffrage than to go to the statement that was made by Mrs. Belmont, of the National Association. On the ninth day of December, I find in the Philadelphia "Press" this article:

"MRS. BELMONT OFFERS NEW HAPPINESS RULE.

Special Dispatch to "The Press."

New York, Dec. 8.—Mrs. O. H. P. Belmont spoke on matrimony to the members of the Junior Political Equality League at the headquarters of the parent organization, 15 East Forty-first Street, yesterday. Mrs. Belmont, who was quizzed all during her speech, introduced her subject thus: "Girls, you know you ought to marry, but not before you are twenty-five. You know, or should know, your own minds then and have a good idea of the responsibilities of marriage.'

'But that's entirely too long to wait,' piped up a little miss. "And besides, if a girl marries, shouldn't she stay at home and keep house and not—

'Not at all,' interposed Mrs. Belmont hastily. 'When you marry keep right on with your work. Then you will have enough money to hire a cook and your home will be happier.'

'How about the babies?' chirped another. 'Ought not a girl to stay at home and care for the children?'

'Certainly not,' emphatically answered Mrs. Belmont. 'A young mother would be of very little use to a baby. It is better to hire an older and more experienced woman who knows how to take care of children.'

And Mr. President, this is the leader of the National Association believing in the right of suffrage for women, a woman who as the leader of that Association starts out by advising the women of this country that a mother is not able to take care of her child, and I care not whether the members of the Senate be for or against this proposition there is not one of us who has come up in life who has anything dearer or sweeter to him than our mother's love, and the care of a mother from the time we are born until we are brought up into manhood and to womanhood. And here is a woman who when a child comes into the world would advise the women of this country that it is their duty to take her away from the mother and put her into the hands of a stranger. If that day ever comes to the people of Pennsylvania and the other States of this Union, then we will have a time when the women will no longer live in a plane above men, we will no longer regard her as a superior to man, it will be her day to come into politics; but until that day comes, and God knows I have confidence that it never will come, when we will put woman any place except where we always have placed her, above us, as our better, and those that we have always been taught to love and to honor. And, Mr. President, I ask here which mem-

ber of this Senate it may be, I don't care what man it may be, if he has studied the game of politics, who would approve of his wife, his daughter or his sister going into politics. How would you like your wife to go to the polls and be approached by some woman who had led a prostitute life; how would you like to have your wife go to the polls and be approached by the criminal, or the idiots in the community, asking her to do thus and so, in the control of the ballot when she would be asked to vote for or against any candidate. I do not know any better way of explaining how the women in favor of suffrage stands as against those who are against it than this little thing I picked out of a paper the other day:

"ST. PETER, THE SUFFRAGETTE, AND THE WIDOW."

"St. Peter, at his gate, perceived two ladies approaching. He rose to greet them.

'Names?'

'Mary Smith, widow,' said one.

'Jane Jones, spinster,' replied the other.

'Occupation?'

'Suffragette speaker,' said Jane.

'Just a mother,' answer Mary.

St. Peter looked troubled.

'I've only room for one just now,' he said. 'It'll go to the better of you two.'

Jane looked pityingly at Mary.

'I,' she said, "have been a successful speaker for my cause. I have stirred women up till they got the vote. Owing to their having the vote they have accomplished the passing of certain bills. These bills have benefited some two thousand human beings. I'm afraid that 'just a mother' here can't total anything to equal that!'

'I'm afraid I can't,' sighed the mother. 'I never did a thing except bring up my seven boys. They turned out well, but that only makes seven human beings I've benefited.'

She turned meekly away.

'Hold on,' said St. Peters. She turned back. 'What about those sons? What have they done for their kind?"

The mother's eyes shone.

'One discovered a new anaesthetic. One secured the passage of a bill which did good to hundreds. The other established a home for blind children.'

St. Peter penciled down some figures.

'The fourth led his regiment past a danger point and saved them all. The fifth is a parson, who lives what he preaches. The sixth is an artist, who has delighted hundreds. The seventh—well, he's busy bringing up his sons. His wife is a suffragette!'

'Come right in,' said St. Peter. 'Your list totals two thousand and eleven.'

Mr. PRESIDENT, there has not been a single time in the history of Pennsylvania but that when the women of Pennsylvania came into the legislative hall with a proposition that was intended for her betterment or for the betterment of the people she represented but that this Legislature has answered in her favor, and I hate to see the day when the women would lose their personality; when instead of being regarded as the good women of Pennsylvania we should be called up to look at them as members of the several parties and representing the political parties in this State. Where would a woman be that would come in here representing the member of the Democratic party and the Republican party and so on. You would find instead of them having the force they now have, they would be divided. And coming down to my own district on the question of whether or not the people want woman suffrage I know we had a test of it in the City of Harrisburg in the fall of 1911. In the fall of 1911 there was a fusion of the Democratic and Keystone parties against the Republican party. There were named on the Keystone Democratic ticket two women candidates for the office of school director and one was the present President of the Central Pennsylvania Woman Suffrage Association. One was nominated for a term of four years, the other was nominated for a term of two years; they each had one chance out of six, two chances out of twelve, to be elected. At the general election held in November, 1911, the Republican candidate for Mayor, City Treasurer, Recorder of Deeds, Poor Director and Register of Wills, all went down to defeat, the majorities ranging up to eighteen hundred. The women made a door to door canvass almost. There was not a Democrat or Keystone man in politics, or a man of any party in politics, but that he was importuned to support the two women for school director. In addition to the oposition to the Republican candidates there was a special fight made against the six candidates for school directors based upon charges of malfeasance in office, which was alleged by the opposition, and yet, Mr. President, with all of the Keystone candidates which I have mentioned winning out, against the Republican candidates, and having the regular Keystone and Democratic nomination and added to that the fact that a lot of people believing in limited suffrage voted for these women and added to that the fact that everybody that believed in whole woman suffrage also voted for these two women they went down to defeat, and the entire ticket of the Republican candidates for school directors was elected. If that is so, how do you find any sentiment in the district which I represent in favor of this proposition of woman suffrage. Added to the conditions we have at Harrisburg, a friend of mine who always votes against the party I represent came into my office the other day and said that in the part of the county in which he lived he had made at least five hundred inquiries and he didn't find a single one in favor of the right of suffrage for women. He did not find it because a woman of my county do not want it, and, Mr. President, elected as I have been and as against any imputation that has been charged against me and feeling that it is my duty to represent my people, I have sounded the sentiment in the District which it is my honor to represent and finding that sentiment against the right of woman suffrage I shall cast my vote against this resolution.

Mr. HOKE. Mr. President, I have listened with unusual care and attention to the Senator from Dauphin, Mr. Beidleman. I have a high regard for his ability as a pleader and a logician, and I felt that if there was any good reason why I should vote against this resolution the Senator would find it and present it with great force. I am in favor of this resolution and propose to vote for it, and I wish honestly to ascertain whether there is a good and valid reason why I should change my mind. But I have listened to his entire argument, to his eloquent argument, in vain. He has not presented a valid reason why he or any one else should oppose this resolution here this morning. It is true, as he says, that the Constitution provides that before an amendment can be made it must be ratified twice by the two houses of the Legislature and then submitted to the people at the polls, but it is not true, it is not fair, to draw the conclusion from that that the meaning of the framers of the Constitution was that this Senate and House of Representatives should base their action upon the opinion of the majority of the people concerned. If that were true it would not be necessary to submit the question of the amendment to the people at the polls. The Legislature would in that case decide what was the will of the people and their decision would be binding. The question before us is not the merit or demerits of woman suffrage.

The question is, shall we submit this proposition to the people of the State. Now, Mr. President, I am here to assert that this Senate under the conditions that confront us has the legal, the constitutional right to block his question, but it has not the moral right. Within certain limitations, the question of the merit of the proposition has nothing to do with our consideration. I say within certain limitations. If some foolish question was to come before us, such as the Senator from Dauphin has cited with respect to Sunday base ball and Sunday gambling, then I would say it is our duty to vote it down on the merits themselves. But this is not such a question. It is a question that comes to us as a proposition that has been accepted wholly by nine States of the Union; it comes to us as a proposition that has been accepted by twenty-eight of the forty-eight States of the Union in part more than a majority of the States. It comes to us as a question that is as broad as the country. It is a question that is knocking at the door of civilization. It has been passed overwhelmingly by the popular branch of this legislature, and the question is, has this little body of fifty Senators nay, has the small majority of fifty Senators, the right to block it, and to say that the people of this Commonwealth shall not have the right to pass judgment upon it. Now, Mr. President, I believe as firmly as I know that I am standing here to-day that woman suffrage is bound to come in the State of Pennsylvania. It is as sure to come as the sun is shining to-day. It may be defeated to-day; it may be put off for two years but not longer, and woman suffrage will be accepted as the rule of this State when the little party of Senators who stand here and vote here to-day, when the small few who vote against it and speak against it will be forgotten in oblivion, and when that day comes the only way that their names will be remembered will be that some one will look into the Legislative Journal of 1913 to find out who it was that put off this great question for two years longer. I believe that the position of every man comes from his own private view of the question. How does it affect him- I say frankly, and I say this in answer to the Senator from

Philadelphia, Mr. Salus, that if I were going to the polls the probability is that I would vote against this proposition. I do not consider that I am unmanly in this proposition. It may be Mr. President, that I do not want politics in my own private family, but I believe, Mr. President and gentlemen of the Senate, that we have got to swallow it. I believe it is a bitter pill that we will have to swallow, and we had better swallow it before it is forced down our throats, as it is bound to be. The Senator from Dauphin made an excellent point when he read the newspaper clipping referring to what Mrs. Belmont said. Now I happen to know and I violate no confidence when I state that from private conversations with the Senator from Dauphin he does not put any too great dependence in newspaper report I believe that the Senator from Dauphin has been grossly misrepresented by the newspapers, and I know that I have been, and every Senator on this floor has been; we all know it. I believe, without knowing the facts, that is a piece of malicious misrepresentation of Mrs. Belmont. If it is not I say she is a fool and not entitled to the position she holds. If the Senator from Dauphin or if any member of this body thinks for a moment that any thing we can do or the people of Pennsylvania can do will take out of womanhood the mother instinct they ought to be in the Harrisburg Insane Asylum and not here. I know at least one woman who is an ardent supporter of woman suffrage and who looked forward to be here to-day who is at home taking care of her sick child and cannot be here. Legislate the mother instinct out of womanhood. The Senator from Dauphin knows that it is impossible. Mrs. Belmont knows that it is impossible.

Now, Mr. President, I have only this to say in reply to another part of the argument of the Senator from Dauphin with reference to the election in Harrisburg several years ago. I am not so familiar with the facts as is the Senator. This is his home and I only know from what I have heard, but I do know that these good women who ran for the school board were defeated by a narrow margin, and I have heard—in this I may be mistaken,—because I do not know it as a fact—but I have heard that they were defeated by a bi-partisan combination of the organizations of both old parties working against them and pulling every thing and sacrificing the rest of the Republican ticket to defeat these two women candidates. If that be untrue, my informant is wrong in his statement. I have only this to say in conclusion to reiterate what I said in the beginning that this is not a question to be decided entirely upon the merits or demerits of woman suffrage, but shall we allow the people of this State to speak for themselves and say whether Pennsylvania shall have woman suffrage, shall give the woman that which they have given her in other States of the Union. Shall we show upon the decision of the people of Pennsylvania the question which I say is to-day knocking at the door of our civilization.

Mr. BEIDLEMAN. Mr. President, in order that the Senator from Franklin, Mr. Hoke, may be properly advised I desire to say to him that his informant on the question to which he has referred did not tell him the truth.

Mr. JUDSON. Mr. President, I desire to say a few words upon this question. I had not thought that I would, but I feel that I am justified in doing so. I am in favor of this bill. I am no recent convert. My decision came as the result of playing politics for forty years. Some years ago I was engaged in a political fight resisting a bond issue in a certain town in my county, and the people, or a large number of them, were opposed to that proposition. Ladies owned large blocks of real estate in that town upon which taxes would be imposed as the result of a bond issue, and I saw men go up and vote on tax receipts paid for with money which they never paid themselves, paid by political committees, and that satisfied me that the woman who bears the burden should say whether she should be taxed or not. I resent the idea that women would be detrimental to or would corrupt politics. I have confidence in her honesty. She is more sincere in her statements and in her actions than the average man. She will tell you the truth, and I believe that a woman in politics will purify it, will elevate politics. I never saw a man so low or so degraded that when an intelligent woman went up to him it braced him up and he endeavored to be a better man when hs was in her presence. I imagine from some of the statements that the same feeling prompt many of the gentlemen. Lately the wife of a judge near my county said to me, no later than Sunday last, "I am opposed to this." I said "What is the reason?" she said "I don't want to have some nice looking lady come up and buttonhole my husband and try to persuade him to vote some other way. I would not stand for it." That is the milk in the cocoanut. These ladies say they do not want woman suffrage. It does not compel them to go into politics. We ar eonly upon this measure to submit it to the vote of the people as to whether they shall have the right of suffrage, and why shouldn't they? Who makes our churches? Who makes and helps improve our institutions of learning? How long would they stand if it were not for the efforts of the ladies? The Senator from Dauphin has stated why they put it in the Constitution of 1874. The time has passed when the woman shall go into the field and plow corn while her husband basks in the sunshine. We have given them the rights of men for sixty years. It is within the memory of the President of this Senate and members of the bar that when a woman with lots of property married a man without a cent and who couldn't make a cent her property became absolutely hers. What is the result today? The law has been made so that woman enjoys an equal right in his property with him in hers. The time has come when the people are asking for this thing. Some of these gentlemen have stated that there is no demand for it, and why should we pass this resolution submitting it to the people. I submit to the members of the Senate that nearly every day we find bills upon our calendars permitting amendments to the Constitution that the people outside of the Senate chamber know nothing of the importance of. There is no public demand for the bills we have on our calendar calling for amendments to the Constitution. Conditions have changed, people have progressed, and we must recognize that the man of the party that stands fast will die. I am not influenced by any political party on this question, although I recognize the fact notwithstanding the Senator from Berks to the contrary, but I believe that the Democratic party said in its platform that they wanted this question submitted to a vote of the people, and that it is the Democratic party's duty and its representatives in the houses of the Legislature to give it this support. I think that we are not violating any duty; in fact it is our duty to submit to the people of this Commonwealth, these noble fellows, whether they will want the woman to be equal with them in the right of suffrage. It will come, it must come and why not try it now and get rid of it, because it will be a burning question here in this Legislature for years to come.

Mr. KURTZ. Mr. President, there is no matter of degrading politics here. The idea is to protect the women from getting into the same line. Politics is a little too rough for women, especially women with families, and therefore I am opposed to it.

Mr. VARE. Mr. President, just one word. It seems to me that the whole proposition of this question is whether we trust the people or not, whether this Senate is willing to pass this question up to the people and let them decide it. So far as I am concerned I am not prepared to say whether I am in favor of letting women have a vote or not, but I surely never have and never will sit here in this Senate and stop the people having a vote on any question. I shall therefor vote for this bill.

Mr. MARTIN. Mr. President, I was sent here to represent the people of this State and I believe that I represent them best, when I vote in favor of submitting this question to the people for their decision. I will vote for it and I hope the bill will pass.

Mr. POWELL. Mr. President, I would not say a word if it were not for some statements and some special messages which had been received on the floor of the Senate from St. Peter through some newspaper. I will not stoop to such sacrilege, and I resent on behalf of the suffragettes of this State and of the United States the imputation that anybody presumed for a minute that any suffragette who is not the mother of children think that she is the superior of a suffragette or an anti-suffragette who is the mother of children, and again on behalf of the suffragettes of this State and these United States the imputation that the suffragettes or the women of this State are afraid to talk to a prostitute at the polls. I want to say that they are not afraid to so do and they would very much prefer to talk to them at the polls than hear their husbands talk to them in houses licensed by men for that purpose.

Mr. HEACOCK. Mr. President, I had not intended saying anything on this question, but I am a member of a society, a religious society of Friends, which for two hun-

dred and fifty years has acknowledged woman to be man's equal. She has always been allowed to fill any office of the religious society, whether it be minister, elder or overseer? The women have always dealt with the offenders of their sex and I contend that it has always had a good effect. Mr. President, I can go back further than many members of this body, but I remember in 1856, in 1860 and in 1864 how the women of this community or this country supported the Republican party, how they attended the meetings and if it had not been for the moral support they gave the party it would have died "a borning." Mr. President, the Senator from Dauphin has dragged in the prostitute; she is no worse than the man who has prostituted her, and if our Saviour would meet the woman at the well and forgive her I am sure the noble women of this State can do the same.

Mr. McNICHOLS. Mr. President, At this moment I stand in a very peculiar position, and rather than wait and make an explanation at the time I cast my vote I wish to state the position in which the Senator from Lackawanna is placed at the present moment. I am opposed to this and opposed to it on prineiple. I do not think it is a good thing for the women of our State. I deplore very much the fact that a small minority of the women of this State of Pennsylvania are asking for it at the hands of the members of the Legislature. I believe that if such an event would occur and a majority of the people of this State would vote that the women enjoy equal suffrage with men, that the women would be the first party to deplore it. I have been outspoken against the movement. I have made it known in my home district that I see no good in it and that no good can come from it. I have never tried to conceal my feelings, I do not try to conceal them today. If an opportunity may arise when I may vote against this project I will take that opportunity to do what I can to defeat it. Mr. President, I was elected by an electorate of something like 268,000 representing Lackawanna County, and it has been my pride and it has been my boast that I know no boss but the boss of Lackawanna County, the people. I put this matter up squarely to the people, and I am convinced today by resolutions by the different organizations, by twenty-seven hundred names of resident voters of Lackawanna County, by a resolution passed by the allied trade bodies of Scranton and the Central Labor Union, delivered here in person by its President, Mr. Stephen McDonald, that they ask—not only ask but command me—as the representative from Lackawanna County, to vote for this resolution. I am forced to say that when I vote for it, I vote for it under protest, but I vote for it because the people of Lackawanna County have requested it. I am sorry that I spoke to some of the members of the Senate when they asked me and told them that I was going to vote against this resolution. I am very sorry for it. I try to make this explanation and make it very plain. I do not want to argue for or against it, but I want to state my position clearly so that the members of the Senate will understand it.

Mr. JARRETT. Mr. President, I just want to say one more word. It is my recollection that when this measure passed the House of Representatives that there were only but five or six votes cast against it. The question which arises in my mind now is, "Who is it that has a barometer of sentiment for the District; is it the Senator from the District, or is it the three Representatives who represent a certain party of the District. In my District one voted for it and one voted against it. The question is: "Who has the barometer of the State of Pennsylvania, the House of Representatives or the few men who sit here in the Senate?"

Mr. KURTZ. Mr. President, I desire to interrogate the Senator from Crawford, Mr. Jarrett.

The PRESIDENT. Will the Senator from Crawford, Mr. Jarrett, permit himself to be interrogated?

Mr. JARRETT. Mr. President, I will.

Mr. KURTZ. Mr. President, cannot the Senator from Crawford, Mr. Jarrett, feel the pulse of the people as well as the people on the other side?

Mr. JARRETT. Mr. President, I have and express it.

Mr. KURTZ. Mr. President, is that the sentiment of the district of the Senator from Crawford, Mr. Jarrett?

Mr. JARRETT. Mr. President, I think so, although in the House of Representatives one voted for it and one voted against it.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Heacock,	Knapp,	Nulty,
Clark,	Hilton,	Magee,	Powell,
Daix,	Hoke,	Martin,	Sensenich,
Endsley,	Homsher,	McNichols,	Sheatz,
Farley,	Huffman,	Mills,	Snyder,
Graff,	Jarrett,	Moore,	Vare,
Gyger,	Judson,		

NAYS—22.

Beidleman,	Fisher,	Kline,	Morgan,
Buckman,	Gerberich,	Kurtz,	Salus,
Catlin,	Hall,	McIlhenny,	Sones,
Cooper,	Herbst,	McNichol,	Thompson,
Crow.	Hunter,	Miller,	Wasbers,
DeWitt,	Jones,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS SIGNED.

The President (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 1042, entitled:

An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school sytem in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

House Bill No. 1099, entitled:

An Act making an apropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties

House Bill No. 1350, entitled:

An Act to amend an act entitled "An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding" approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations

House Bill No. 1414, entitled:

An Act reorganizing the Attorney General's Department designating the officers and employes thereof and fixing their salaries

House Bill No. 364, entitled:

An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled "An Act to prevent the adulteration of and deception in the sale of linseed oil or flaxseed oil" and the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one."

House Bill No. 452, entitled:

An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall

be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of colecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 841, entitled:

An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation

House Bill No. 917, entitled:

An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of this act

Whereupon

The President (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the journal of the House of Representatives which were laid upon the table.

NOMINATIONS BY THE GOVERNOR.

Private Secretary to the Governor being introduced presented communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 22, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

CAMERON COUNTY.

J. B. Mulcahy, Emporium.

CRAWFORD COUNTY.

Miss Georgia B. Shaffer, Meadville.

M'KEAN COUNTY.

F. M. Nash, Bradford.

PHILADELPHIA COUNTY.

Fred W. Breitinger, Philadelphia.

VENANGO COUNTY.

Jos. W. Barr, Oil City.

BLAIR COUNTY.

N. C. McConahy, Tyrone.

SCHUYLKILL COUNTY.

James W. G. Lengel, North Manheim township.

CAMBRIA COUNTY.

J. Nelson Stein, Cambria township.

JOHN K. TENER.

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 22, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named gentlemen to be Justices of the Peace for the municipalities set opposite their several names, respectively, to serve until the first Monday in January, 1914:

BEAVER COUNTY.

James J. O'Neil, Midland borough, vice Edward P. Brennan, removed from district.

BRADFORD COUNTY.

Alfred F. Van Horn, Troy township.

HUNTINGDON COUNTY.

John T. Patton, Warriors Mark township, vice P. J. Cox, removed from township.

INDIANA COUNTY.

John E. Miller, Glen Campbell borough, vice H. E. Ruffner, removed from borough.

LUZERNE COUNTY.

John T. Clark, Conyngham township, vice Charles L. Kline, deceased.

MONTGOMERY COUNTY.

Ephraim M. Yorgey, West Pottsgrove township, vice Frank B. Yorgey, deceased.

H. Claudse Bell, Ninth ward, Pottstown borough, vice Thomas G. Rutter, deceased.

YORK COUNTY.

B. M. Mundorff, Chanceford township, vice W. A. Warner, deceased.

JOHN K. TENER.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 300, as follows:

An Act to protect the health and lives of employes in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery and specifying the equipment to be used in connection therewith regulating the use of such blowers and apparatus and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all persons companies or corporations operating any factory or workshop where emery wheels or emery belts of any description are used either solid emery leather leather-covered felt canvac linen paper cotton or wheels or belts rolled or coated with emery or corundum or cotton wheels used as buffs shall provide the same with blowers or similar apparatus which shall be placed over beside or under such wheels or belts in such a manner as to protect the person or persons using the same from the particles of dust produced and caused thereby and to carry away the dust arising from or thrown off by such wheels or belts while in operation directly to the outside of the building or to some receptacle placed so as to receive and confine such dust Provided that grinding machines upon which water is used at the point of the grinding contact shall be exempt from the provisions of this act and provided this act shall not apply to factories or workshops where men are not employed continuously at such wheels or belts more than three hours in twenty-four hours

Section 2 It shall be the duty of any person company or corporation operating any such factory or workshop to provide or construct such appliances apparatus machinery or other things necessary to carry out the purpose of this act as set forth in the proceding section as follows Each and every wheel shall be fitted with a sheet of case iron or hood or hopper of such form and so applied to such wheel or wheels that the dust or refuse therefrom will fall from such wheels or will be thrown into such hood or hopper by centrifugal force and be carried off by the current of air into a suction pipe attached to same hood or hopper

Section 3 This act shall become operative on the first day of January one thousand nine hundred and fourteen

Section 4 It shall be the duty of any Factory Inspector or prosecuting attorney of any county in this State in which any such factory or workshop is situated upon receiving notice in writing signed by any person having knowledge of such facts accompanied by the sum of one dollar as compensation for his services that such factory or workshop is not provided with such appliances as herein provided for to any such factory or workshop and inspect the same and for such purpose they are hereby authorized to enter any factory or workshop in this State during working hours and upon ascertaining the facts that the proprietors or managers of such factory or workshop have failed to comply with the provisions of this act to make complaint of the same in writing as informations are now

made according to law before a justice of the peace or police magistrate having jurisdiction who shall thereupon issue his warrant directed to the owner manager or director in such factory or worshop who shall thereupon be proceeded against for the violation of this act as now provided by law

Section 5 Any such person or persons or company or managers or directors of any such company or corporation who shall have the charge or management of such factory or workshop who shall fail to comply with the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars and not exceding three hundred dollars

Section 6 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gerberich,	Knapp,	Nulty,
Beidleman,	Graff,	Kurtz,	Powell,
Buckman,	Gyger,	Magee,	Salus,
Catlin,	Heacock,	Martin,	Sensenich,
Clark,	Hilton,	McIlhenny,	Sheatz,
Cooper,	Hoke,	McNichols,	Snyder,
Crow,	Huffman,	Miller.	Sones,
Daix,	Jarrett,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Fisher,	Kline,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 885, as follows:

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter that no petition for the adoption of any child shall be granted by the courts of this Commonwealth unless the religious belief of the parents of child or the religious denomination in which the child was baptized shall be set forth and the courts shall not grant any petition for adoption of any child to any institution of a different faith than that of the said child

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Endsley,	Homsher,	McIlhenny,
Beidleman,	Graff,	Huffman,	Moore,
Buckman,	Gyger,	Hunter,	Morgan,
Catlin,	Hall,	Judson,	Nulty,
Clark,	Heacock,	Knapp,	Salus,
Cooper,	Herbst,	Kurtz,	Sheatz,
Crow,	Hilton,	Magee,	Thompson,
Daix,	Hoke,	Martin,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. HOKE. Mr. President, I move that the Senate resume

The Senate resumed the consideration of Senate Bill No. the consideration of Senate Bill No. 636, bill on final passage postponed for the present, entitled:

An Act to amend the first section of an act entitled 'An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred one Pamphlet Laws six hundred thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate

Mr. NULTY. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 636, entitled:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred one Pamphlet Laws six hundred thirty-nine by defining more definitely the amount of money banks may loan on the secruity of bonds and mortgages on real estate

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Hall,	Knapp,	Morgan,
Clark,	Heacock,		Nulty,
Cooper,	Hilton,	Magee,	Salus,
DeWitt,	Hoke,	Martin,	Sensenich,
Endsley,	Huffman,	McIlhenny,	Sheatz,
Fisher,	Hunter,	Miller,	Sones,
Graff,	Judson,	Mills,	Thompson,
Gyger,	Kline,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted 'aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVR IN ORDER.

Mr. McILLHENY. Mr. President, I ask that Senate Bill No. 10, on third reading, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by restricting the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 155, as follows:

An Act providing for the discharge from prison of persons after they have been confined for six months the desertion and non-support of their wives children or both for non-compliance with any order of the court of quarter session for the desertion and non-support of their wives or children or both

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the court of quarter sessions of any county in this Commonwealth has heretofore committed or shall hereafter commit any husband or father to the county prison because of his failure to comply with a decree of said court ordering the payment of money for the support and maintenance of his wife or children or both or to give security therefor and said husband or father has been or shall be confined in the county prison on said committment for six months said court shall on motion discharge said husband or father from said prison

Section 2 Nothing of this act shall be construed to abridge the rights of any wife or child provided by an act approved the eighth day of May Anno Domini one thousand nine hundred and one entitled "An Act providing that where any court of quarter sessions of the peace or court of Oyer and Terminer in this Commonwealth has heretofore made or entered or shall

hereafter make or enter any order sentence decree or judgment for the payment of any moneys whatsoever in any manner or thing within its jurisdiction a copy of said order sentence or decree or judgment may be certified to any court of common pleas of the same county and be entered and indexed therein as a judgment and collected with like force and effect as if the same had been recovered as a judgment in the latter court"

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Endsley,	Knapp,	Nulty,
Beidleman,	Graff,	Kurtz,	Salus,
Buckman,	Gyger,	Magee,	Sensenich,
Catlin,	Herbst,	Martin,	Sheatz,
Clark,	Hilton,	McIlhenny,	Sones,
Cooper,	Hoke,	Miller,	Thompson,
Crow,	Jarrett,	Moore,	Vare,
Daix,	Jones,	Morgan,	Washers,
DeWitt,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McILHENNY. Mr. President, I ask that Senate Bill No. 264, on third reading, entitled:

An Act to amend an act entitled "An Act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned' approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilots and pilotages in the bay and river Delaware in the board of commissioners of navigation for the river Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the board of commissioners of navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witnessses at any hearing or inquiry to examine wienesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 497 (House Bill No. 580), entitled:

A Supplement An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for thei mprovement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 592 (House Bill No. 655), entitled:

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Graff,	Kline,	Powell,
Catlin,	Gyger,	Kurtz,	Salus,
Clark,	Heacock,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sones,
Daix,	Hunter,	Moore,	Thompson,
DeWitt,	Jarrett,	Morgan,	Vare,
Endsley,	Judson,	Nulty,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 684 (House No. 768), entitled:

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight and said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Graff,	Kline,	Salus,
Beidleman,	Gyger,	Knapp,	Sensenich,
Buckman,	Heacock,	Kurtz,	Sheatz,
Catlin,	Hilton,	Magee,	Snyder,
Clark,	Hoke,	Martin,	Sones,
Crow,	Hunter,	Miller,	Thompson,
Daix,	Jarrett,	Moore,	Vare,
Endsley	Jones,	Morgan,	Washers,
Gerberich,	Judson,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 812 (House Bill No. 1009), entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Farley,	Jones,	Mills,
Beidleman,	Graff,	Judson,	Moore,
Buckman,	Gyger,	Kline	Morgan,
Catlin,	Hilton,	Knapp,	Sensenich,
Clark,	Hoke,	Kurtz,	Sheatz,
Crow,	Homsher,	Magee,	Sones,
Daix,	Hunter,	Martin,	Thompson,
Endsley,	Jarrett,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 873, entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Endsley,	Judson,	Morgan,
Beidleman,	Farley,	Kline,	Salus,
Buckman,	Graff,	Knapp,	Sensenich,
Catlin,	Gyger,	Kurtz,	Sheatz,
Clark,	Heacock,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Homsher,	Miller,	Thompson,
Daix,	Hunter,	Moore,	Wasbers,
DeWitt,	Jarrett,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 881, entitled:

An Act to permit viewers to award damages for the vacation of streets roads or highways to abutting owners where no land is actually taken

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Salus,
Catlin,	Gyger,	Knapp,	Sensenich,
Clark,	Heacock,	Kurtz,	Sheatz,
Cooper,	Hoke,	Magee,	Snyder,
Crow,	Homsher,	Martin,	Sones,
Daix,	Hunter,	Miller,	Thompson,
DeWitt,	Jarrett,	Mills,	Wasbers,
Endsley,	Jones,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 902 (House Bill No. 1143), entitled:

An Act to authorize townships of the first class to provide for fire protection

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Gyger,	Knapp,	Salus,
Beidleman,	Heacock,	Kurtz,	Sensenich,
Buckman,	Hilton,	Magee,	Sheatz,
Cooper,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	Miller,	Sones,
DeWitt,	Hunter,	Moore,	Thompson,
Endsley,	Jarrett,	Morgan,	Wasbers,
Graff,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 955, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Fisher,	Jarrett,	Moore,
Beidleman,	Graff,	Jones,	Salus,
Buckman,	Gyger,	Judson,	Sensenich,
Catlin,	Heacock,	Kline,	Sheatz,
Clark,	Hilton,	Kurtz,	Snyder,
Crow,	Hoke,	Magee,	Sones,
Daix,	Huffman,	Martin,	Thompson,
Endsley,	Hunter,	Mills,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 964 (House Bill No. 1471), on third reading ,entitled:

An Act providing that no self playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for and every one thereof to the State Board of Censors for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 969 House Bill No. 520), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jones,	Moore,
Beidleman,	Fisher,	Judson,	Morgan,
Buckman,	Graff,	Kline,	Salus,
Catlin,	Gyger,	Knapp,	Sensenich,
Clark,	Herbst,	Kurtz,	Sheatz,
Cooper,	Hilton,	Magee,	Snyder,
Crow,	Hoke,	Martin,	Sones,
Daix,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1002, entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Gyger,	Jones,	Moore,
Buckman,	Hall,	Judson,	Morgan,
Catlin,	Heacock,	Kline,	Salus,
Clark,	Herbst,	Knapp,	Sensenich,
Cooper,	Hilton,	Kurtz,	Sheatz,
Crow,	Hoke,	Magee,	Snyder,
Daix,	Homsher,	Martin,	Sones,
Farley,	Huffman,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Wasbers,
Graff,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1007 (House Bill No. 80), entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memeory of General George Meade in the city of Washington and making an appropriation therefor" and making a further appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Graff,	Jones,	Morgan,
Beidleman,	Gyger,	Judson,	Salus,
Buckman,	Heacock,	Kline,	Sensenich,
Catlin,	Herbst,	Kurtz,	Sheatz,
Clark,	Hilton,	Magee,	Snyder,
Cooper,	Hoke,	Martin,	Sones,
DeWitt,	Homsher,	Miller,	Thompson,
Endsley,	Hunter,	Mills,	Wasbers,
Fisher,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 1009 (House Bill No. 734), on third reading, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse quail and wild water fowl

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1027 (House Bill No. 1526), entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Gyger,	Judson,	Morgan,
Beidleman,	Heacock,	Kline,	Salus,
Buckman,	Herbst,	Kurtz,	Sensenich,
Catlin,	Hilton,	Magee,	Sheatz,
Clark,	Hoke,	Martin,	Snyder,
Crow,	Hunter,	Miller,	Sones,
Daix,	Jarrett,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1035 (House Bill No. 1152), as follows:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department of Suburban Metropolitan Planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

Whereas, The establishment of Suburban Metropolitan Planning Commissions having jurisdiction over territory adjacent to cities of the first class is desirable in order to provide for its proper development by the co-operation of the various local governmental units in matters pertaining to their common welfare, and

Whereas, It is desirable that there should be co-ordination of effort with Urban Metropolitan Planning Commissions relating to cities of the first class themselves wherever the same may exist

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to secure co-ordinated comprehensive plans of highways and roads parks and parkways and all other means of inter-communication water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation and health playgrounds civic centers and other public improvements as hereinafter provided for the districts surrounding and within twenty-five miles of the limits of cities of the first class whether in one or more counties and in order to prevent waste by unnecessary duplication the areas included within twenty-five miles of the limits of cities of the first class shall be denominated the Suburban Metropolitan Disfricts of cities of the first class of Pennsylvania When any city borough or township is partly within and partly without the twenty-five mile limit the whole of such city borough or township shall be regarded as within the Suburban Metropolitan District

Section 2 There shall be an Executive Department created for every Suburban Metropolitan District to be known as the Department of Suburban Metropolitan Planning which shall be in charge of a Suburban Metropolitan Planning Commission

Section 3 The Suburban Metropolitan Planning Commission shall be appointed by the Governor of the State of Pennsylvania and shall consist of fifteen members who may or may not hold other public office whether for profit or otherwise of whom twelve shall be residents of the district involved and three shall be residents of the said city of the first class five members to be appointed to serve for one year five for two years five for three years then thereafter each appointment to be for three years

An appointment to fill a casual vacancy shall be for the unexpired portion of the term Nine shall constitute a quorum

The Suburban Metropolitan Planning Commission shall make and alter rules and regulations for its own organization and procedure consistent with the laws of the Commonwealth From its own members it shall choose a Chairman and vice-chairman Each member shall serve without compensation On or before January tenth of each and every year the Commission shall make to the Mayor of each city to councils of each borough to the commissioners of each first class township and to the supervisors of each second class township within the Suburban Metropolitan District to the Mayor of the said city of the first class and to the Governor of the State of Pennsylvania a report of its transactions and recommendations The Commission may employ a secretary engineers and other experts and persons whose salaries and wages as well as all the other necessary expenses of the Commission and members thereof shall be provided for as hereinafter set forth

Section 4 The Suburban Metropolitan Planning Commission shall make or cause to be made and laid before the respective governmental authorities of the district and in its discretion caused to be published a map or maps of the entire district or any portion or portions thereof showing any or all systems of transportation highways and roads parks parkways water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation playgrounds and civic centers or of other natural physical features of the district and it shall prepare plans for any new or enlarged facilities for intercommunication parks parkways water supply systems sewers sewage disposal garbage disposal land plottings and housing arrangements playgrounds and civic centers or any other public improvement that will affect the character of the District as a whole or more than one politcal unit within the District or any widening extension or relocation of the same or any change in the existing township or borough or city plans by it deemed advisable And it shall make recommendations to the respective governmental authorities from time to time concerning any such matters or things aforesaid for action by the respective legislative administrative or governmental bodies thereon and in so doing have regard for the present conditions and future needs and growth of the district and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use and the planning sub-division and laying out for urban uses of private grounds brought into the market from time to time

Section 5 Any city borough or township within any Suburban Metropolitan District may request the Surburban Metropolitan Planning Commission of that district to prepare plans concerning any of the subjects set forth in Section four of this act whereupon it shall be the duty of the Commission to prepare such plans with dispatch

Section 6 The Suburban Metropolitan Planning Commission may make recommendations to any public authorities or any corporation or individual in said districts with reference to the location of any buildings and structures to be constructed by them

Section 7 The plans so made and laid before the respective governmental authorities by the Surburban Metropolitan District Planning Commission according to Sections four five and six shall be considered by such respective authorities and followed by them in so far as shall be determined by each authority

Section 8 On or before January tenth of each and every year the Commission shall prepare an estimate of its expenses for the ensuing year setting forth with as much detail as is practicable the items of which such estimate is composed and shall cause the amount of its expenses so estimated after deducting the cash on hand and the unpaid assssments to be assessed against the cities boroughs and townships within the district in proportion to their respective tax duplicates The itemized estimate of expenses and a statement of the rate of assessment shall be spread upon the minutes of the Commission which shall be kept open at all times for public inspection Each and every assessment when certified by the chairman and secretary of the Commission shall constitute a charge on the treasury of the respective city borough and township and its immediate payment shall be at once provided for The commission shall have power to secure payment of the assessments by suits of mandamus or otherwise

Provided that the rate of assessment shall not exceed one-tenth of one mill

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Farley,	Jarrett,	Moore,
Beidleman,	Fisher,	Jones,	Morgan,
Buckman,	Graff,	Judson,	Salus,
Catlin,	Gyger,	Kline,	Sensenich,
Clark,	Heacock,	Kurtz,	Sheatz,
Cooper,	Herbst,	Magee,	Snyder,
Crow,	Hilton,	Martin,	Sones,
Daix,	Hoke,	Miller,	Thompson,
DeWitt,	Homsher,	Mills,	Wasbers,
Endsley,	Hunter,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. MAGEE. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 878, on third reading postponed for the present, entitled:

An Act providing for the establishment of a State Department of Standardization and Supervision of Accounts requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations from the State or any sub-division thereof to keep accounts and to make reports in the form prescribed by said Department providing for the inspection by said Department of the accounts of all such officers or offices defining the offenses in relation thereto and providing punishments for violations of the provisions thereof

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. MAGEE. Mr. President, I ask unanimous consent to amend Section 2, line 12, by striking out the word "they" and inserting in lieu thereof the words "said department;" also in line 18 by striking out the word "they" and inserting in lieu thereof the words "said department;" also in Section 4, line 3, by striking out the word "fourteen" and inserting in lieu thereof the word "twelve;" also in line 24 by striking out after the word "unit" the word "of;" a so in Section 6, line 10, by striking out the word "assistances" and inserting in lieu thereof the word "assistance;" also in Section 9, line 1, by striking out after the word "Section" the numeral "9" and inserting in lieu thereof the numeral "7;" also in lines 5 and 6 by striking out after the word "institutions" the words "and shall make such examination at least once each year;" also in line 12 by striking out the words "deputy examiners" and inserting in lieu thereof the words "or his representatives;" also in Section 10, line 1, by striking out after the word "Section" the numerals "10" and inserting in lieu thereof the numeral "8;" also in Section 11, line 1, by striking out after the word "Section" the numerals "11" and inserting in lieu thereof the numeral "9;" also in Section "12," line 1, by striking out after the word "Section" the numeral "12" and inserting in lieu thereof the numeral "10;" also in line 2, by striking out the word "effected" and inserting in lieu thereof the word "affected;" also in line 2, by strikng out the word "collect" and inserting in lieu thereof the word "collects;" also in line 2, by striking out the word "receive" and inserting in lieu thereof the word "receives;" also in lines 3 and 4, by striking out after the word "forfeitures" the words "belonging to the State or municipality public office or institution within the State;" also in line 6 by striking out the word "eleven" and inserting in lieu thereof the word "nine;" also in line 7, by striking out the word "eleven" and inserting in lieu thereof the word "nine;" also in line 7, by striking out the word "twelve" and inserting in lieu thereof the word "ten;" also in Section 13, line 1, by striking out after the word "Section" the numeral "13" and inserting in lieu thereof the numeral "11;" also in line 4, by striking out the word "each" and inserting in lieu thereof the word "the;" also in Section 14, by striking out after the word "Section" the numeral "14" and inserting in lieu thereof the numeral "12;" also in Section 15, line 1, by striking out after the word "Section" the numeral "15" and inserting in lieu thereof the numeral "13;" also in line 14, by striking out after the word "examiner" the words "field examiner;" also in Section 17, line 1, by striking out after the word "Section" the numeral "17" and inserting in lieu thereof the numeral "14;" also in Section 18, line 1, by striking out after the word "Section" the numeral "18" and inserting in lieu thereof the numeral "16;" also in Section 19, line 1, by striking out after the word "Section" the numeral "19" and inserting in lieu thereof the numeral "16;" also in Section 20 by striking out after the word "Section" the numeral "20" and inserting in lieu thereof the numeral "17;" also in line 5 by striking out "certificate" and inserting in lieu thereof the word "certificate;" also in Section 21, line 1, by striking out after the word "Section" the numeral "21" and inserting in lieu thereof the numeral "18."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 220, as follows:

An Act making an appropriation to the General Braddock Memorial Park Association of Fayette county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the General Braddock Memorial Park Association for the purpose of improving and beautifying Braddock park a tract of land of approximately twenty-four acres situate about nine miles east of Uniontown Fayette County on the north side of the National Pike or Cumberland Road and surrounding the spot where General Edward Braddock of French and Indian War fame is buried

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 683 (House Bill No. 745) entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 719 (House Bill No. 53) entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, and fifteenth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Cold Storage Act of one thousand nine hundred and thirteen"

Section 2 The term "cold storage" as used in this act shall mean the storage of food at or below a temperature of forty degrees Fahrenheit in a cold storage warehouse

Section 3 The term "cold storage warehouse" as used in this act shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration or a place otherwise artificially cooled in which articles of food are stored for thirty (30) days or more at a temperature of forty degrees Fahrenheit or under

Section 4 The term "food" as used in this act shall mean the fresh flesh of animals and fresh products therefrom the fresh flesh of fowls fresh food fish eggs and butter which have been stored in a cold storage warehouse

Section 5 The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton crate firkin hogshead jar jug keg stopper vessel wrapper frozen bulk or any similar or analogous utensil receptacle band or wrapper in which food may be kept stored sold or offered for sale

Section 6 The word "marked" as used in this act shall be taken to mean written printed stamped or painted or any other means whereby words or figures may be indicated in or on a container or on any cover attached thereto

Section 7 The term "wholesome" as used in this act shall mean fit for human food

Section 8 No person firm or corporation shall operate a cold storage warehouse without a license issued by the Department of Agriculture through its agent the Dairy and Food Commissioner Such license shall be issued only on written application stating the location of such warehouse Upon receipt of the application said Dairy and Food Commissioner shall cause an exaimnation to be made into the sanitary conditions of such warehouse If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage the Dairy and Food Commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage warehouse during the period of one year from the date of such license No license shall be issued until the applicant therefor shall have paid to the Dairy and Food Commissioner A license shall be required for each separate warehouse building

Section 9 Whenever any warehouse licensed under the provisions of this act or any portion of such warehouse shall be deemed by the Dairy and Food Commissioner to be in an unsanitary condition it shall be the duty of the Dairy and Food Commissioner to cause such warehouse or portion thereof to be closed until it shall be put in a sanitary condition If such changes be not made within a reasonable time the Dairy and Food Commissioner may suspend or revoke the license granted for the operation of such warehouse It shall be unlawful for any person firm or corporation to operate any such warehouse or portion thereof when the same shall be closed by order of the Dairy and Food Commissioner

Section 10 It shall be the duty of every person firm or corporation that shall be licensed to operate a cold storage warehouse to keep an ac-

curate record of the receipts and withdrawals of food therefrom The agents of the Dairy and Food Commissioner shall have free access to such records at all times It shall be the duty of each person firm or corporation licensed to operate a cold storage warehouse to file in the office of the Dairy and Food Commissioner on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Dairy and Food Commissioner If in the judgment of the Dairy and Food Commissioner it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required said Dairy and Food Commissioner may cause such reports to be filed in accordance herewith

Section 11 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food

Section 12 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse any slaughtered animals or parts thereof unless the entrails and other offensive parts have been first properly removed

Section 13 It shall be the duty of the Dairy and Food Commissioner to cause to be made a careful inspection of all cold storage foods with a view to determining whether the same are wholesome Such inspection shall be made where such food is stored and each package of such food so inspected shall bear the marks stamps or other devise for identification provided for in this section

It shall be the duty of the Dairy and Food Commissioner to make such rules and regulations as he may deem proper relating to such inspection and supervision and to the cold storage of food and otherwise to secure the proper enforcement of this act Duly authorized agents of the Dairy and Food Commissioner may at any reasonable time enter such warehouse and inspect the same

Section 14 All food when deposited in cold storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses If such food be not in a container such marking shall be on such food or on a tag or label securely and permanently attached thereto

Such food or the container thereof shall have marked plainly thereon the date of withdrawal of such food from such warehouses The marking of food in accordance with the terms of this section shall be under such regulations as may be prescribed by the Dairy and Food Commissioner

Section 15 It shall be unlawful for any person firm or corporation or any agent thereof to sell or offer or expose for sale or have in possession with intent to sell at wholesale any food which is not marked and distinguished on the outside of each container in a conspicuous place by a placard with the words "wholesome cold storage food" printed thereon such placard to be placed in a conspicuous position in full view of the purchaser and the said words "wholesome cold storage food" on such placard shall be printed in plain uncondensed gothic letters not less than one-half (½) in in length and in addition to all such food shall be marked with the date when it is placed in any such cold storage warehouse and with the date when it is withdrawn from such cold storage warehouse

There shall also be displayed upon every open container containing such food in the same manner in a conspicuous position a placard with the words "wholesome cold storage food" printed thereon in the same form as above described in this section and when such food is sold from such container or otherwise at retail before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "wholesome cold storage food" printed or stamped thereon in letters one-fourth (¼) inch square and such wrapper shall also contain the date of first placing such food in cold storage and the said words "wholesome cold storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed but shall be in plain view of the purchaser at the time of the purchase

The sixteenth section of the bill was read as follows:

Section 16 No person firm or corporation shall sell offer or expose for sale any of the herein named foods which shall have been held for a longer period of time than herein specified in a cold storage warehouse or warehouses to wit Whole carcasses of beef or any parts thereof four (4) months Whole carcasses of pork or any parts thereof six (6) months Whole carcasses of sheep or any parts thereof six (6) months Whole carcasses of lamb or any parts thereof six (6) months Whole carcasses of veal or any parts thereof three (3) months dressed fowl drawn five (5) months dressed fowl undrawn six (6) months eggs eight (8) months butter nine (9) months and fish nine (9) months

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend Section 16, in line 10, by striking out the word and figure "six (6)" and inserting in lieu thereof the word and figure "eight (8)."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventeenth, eighteenth, nineteenth and twentieth sections of the bill were read as follows and agreed to:

Section 17 After food has been withdrawn from a cold storage warehouse for the purpose of placing it on the market for sale it shall be unlawful for any person firm or corporation to return such food or any portion thereof to such warehouse or any other similar warehouse Subject to such regulations as shall be prescribed by the Dairy and Food Commissioner food may be transferred from one cold storage warehouse to another provided that the total length of time such food shall remain in cold storage for the purpose of sale shall not exceed the time specified in section sixteen (16) of this act

Section 18 No food shall be sold or offered or exposed for sale in this State which shall have been placed or stored in any cold storage warehouse outside of this State unless it first shall have been marked as provided for in section fifteen (15) of this act Provided however that no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section sixteen (16) of this act

Section 19 It shall be unlawful for any person firm or corporation to mark or cause to be marked any container of food with a mark or marks other than those required by this act to be marked on such food or container It shall be unlawful for any person firm or corporation to change or cause to be changed any mark or marks on any food or container after such mark or marks have been placed thereon Provided That nothing in this section shall apply to the marking of such container with the name and address of the owner thereof

Section 20 Nothing in this act shall be construed to prohibit the shipping consigning or transporting of fresh food in properly refrigerated cars within this State to points of destination nor when received to prohibit the same being held in a cooling room for a period of forty-eight (48) hours and provided that nothing in this act shall be construed to prohibit the keeping o fresh food in ice-boxes or refrigerators in retail stores while the same is offered or exposed for sale

The twenty-first section of the bill was read as follows:

Section 21 It shall be the duty of the Department of Agriculture through its Dairy and Food Commissioner to enforce all of the provisions of this act and to make all rules and regulations not otherwise herein provided necessary for the enforcement of the same but any citizen of the Commonwealth having knowledge or information of the violation of any of the provisions of this act may in the name of the Commonwealth begin a suit for penalty or prosecution for misdemeanor in accordance with the provisions of this act and may prosecute to final judgment any such suit or prosecution giving notice in writing however to the Dairy and Food Commissioner of the commencement of such suit or prosecution immediately upon the commencement of the same stating the nature of the proceeding and the magistrate before whom commenced and shall in like manner report to the Dairy and Food Commissioner each successive step taken in such suit or prosecution and ssuch citizen shall upon complying with the provisions of this section be entitled to receive one-half (½) of any penalty or fine which may be recovered in such proceeding and paid to the Dairy and Food Commissioner and immediately upon the receipt and covering into the treasury of any such penalty or fine recovered and paid in any proceeding commenced by a citizen as aforesaid the Dairy and Food Commissioner shall pay the one-half (½) thereof to the said citizen so commencing the said proceedings and complying with the provisions of this section Such citizen shall also be entitled to recover from the defendant his witness fees and other legal costs as fixed by law in said proceeding

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend the twenty-first section, in line 16, by striking out after the word "prosecution" the balance of the section.

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-second section of the bill was read as follows and agreed to.

Section 22 That all license fees and fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth in accordance with the provisions of this act

The twenty-third section of the bill was read as follows:

Section 23 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offensse to pay a fine not exceeding five hundred dollars ($500.00) and for the second and each subsequent offense such person firm or corporation shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00) and in addition thereto such person or the members of such firm or the officers of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than thirty (30) nor more than ninety (90) days

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend the twenty-third section, in lines 7 and 8, by striikng out the words and figures "less than five hundred dollars ($500.00) nor;" also in line 11, by striking out the word "shall" and inserting in lieu thereof the word "may;" also by adding at the end of the section the words "or both at the discretion of the court."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twenty-fourth and twenty-fifth sections of the bill were read as follows and agreed to:

Section 24 All acts and parts of acts inconsistent with the provisions of this act are repealed

Section 25 This law shall take effect ninety (90) days after its final passage

The title of the bill was read as follows and agreed to:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HALL. Mr. President, I move that Senate Bill No. 803 (House Bill No. 570), on second reading, entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

be recommitted to the Committee on Mines and Mining.

Mr. HERBST. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. HALL. Mr. President, I ask this for the reason that the Committee on Mines and Mining will have a meeting this afternoon on all of these bills. They can get through will all of them.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL OVER IN ORDER.

Mr. WASBERS. Mr. President, I ask that Senate Bill No. 827, on second reading, entitled:

A supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations established for the purpose of preventing forest fires

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 834, as follows:

An Act enabling the Pennsylvania State College to carry the benefits of its investigations to the farmers of the State and making an appropriation for that purpose

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to bring directly to the farmers of Pennsylvania the results of the thirty-one years of experiments conducted by the Agricultural Experiment Station in soil fertilization farm crops fruits vegetables dairying poultry and farm animals and in order thereby to increase rural prosperity and to better rural conditions the trustees of the Pennsylvania State College may employ and maintain resident county advisers and traveling experts in farm management conduct farmers' weeks co-operative experiments and field demonstrations for purposes of instruction make exhibits and demonstrations at county fairs prepare and operate exhibit cars maintain reading and correspondence courses for rural communities conduct contests among school children in growing corn vegetables fruit and flowers and in preserving conning and sewing co-operate with the State Superintendent of Public Instruction in advancing agriculture household management nature study and manual training in the rural schools in the normal schools and in teachers' institutes prepare print and distribute pamphlets leaflets and outlines and conduct such other forms of extension work as may seem to the trustees of said institution practicable and profitable to the people of the State

Section 2 In order to carry the foregoing provision into effect the sum of one hundred thousand dollars ($100,000) be and is hereby specifically appropriated for the two fiscal years beginning June first one thousand nine hundred and thirteen to the trustees of the Pennsylvania State College

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 834, the bill just read be recommitted to the Committee on Appropriations.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 838 (House Bill No. 409) entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menance to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 913, as follows:

An Act entitled an act directing the Agricultural Department of State College to set apart ten acres of land as an experimental farm to be planted with farm crops native to Pennsylvania and cultivated in accordance with the preamble as set forth in this act

Whereas, It has been reported that Pennsylvania has about ten thousand abandoned and partly cultivated farms within her confines and as such a condition is undoubtedly one of the factors responsible for the high cost of living as a suggestion for the solution of this problem it seems but proper at this time that in order to present farm life in a more attractive manner to those who would prefer to lead agricultural lives instead of ekeing out bare existences in our large cities but who hesitate to make the venture on account of lack of knowledge and

Whereas, The Agricultural Department of State College is well equipped to undertake such experiments therefore the Agricultural Department of State College is hereby instructed to set apart ten acres of land as an experimental farm plant it with farm crops native to Pennsylvania and culitvate it in a scientific and intense manner thereby proving that a ten acre farm cultivated under these principles will produce as much in crops as a fifty acre farm under the conditions now prevailing on most Pennsylvania farms and

Whereas, The advantages offered by small farms over large ones lie in the fact that they may be cultivated by the occupant without employing additional help and that there

will also be created a pleasanter social relationship by the closer proximity of the homes and

Whereas, Those in charge of this experimental farm should study well the kinds of stock most appropriate best adapted and most profitable as well as the number of each the farm will support They shall study and determine the size of the garden the kind of vegetables the amount of acreage for each crop the kinds of crops the rotation of crops also the amount and best kinds of fertilizers the depth of the furrows kind and quantity of lime the analyzing of the soil and in fact every information that will add to an intelligent comprehension of the value of such farms

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to carry this act into effect there is hereby appropriated to the Agricultural Department of State College the sum of five thousand dollars ($5,000.00) or so much thereof as may be needed for the two fiscal years beginning June first one thousand nine hundred and thirteen This act to go into effect immediately upon its approval by the Governor A full report of the result of this experiment shall be made to the General Assembly in one thousand nine hundred and fifteen

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 913, the bill just read, be recommitted to the Committee on Appropriations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 968 (House Bill No. 106) entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 995, as follows:

An Act prohibiting the offering or giving of premium by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail to offer or give anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors

Section 2 Provided that this act shall not prohibit the offering or giving of any rebate or discount by any person partnership or corporation licensed to sell vinuous spirituous malt or brewed liquors at wholesale or retail for the return of any bottle case keg barrel or package in which such vinous spirituous malt or brewed liquor is actually sold

Section 3 Any person partnership or corporation violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished for the first offense by a fine of not more than one hundred dollars or by imprisonment in the county jail for not more than ten days and subsequent offense shall be punished by a fine not to exceed five hundred dollars or by imprisonment not to exceed three months either or both at the discretion of the court

Section 4 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1033 (House Bill No. 960), entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1045, as follows:

An Act creating in counties having a population from three hundred thousand to one million four hundred thousand a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county controller and county commissioners in all counties of this Commonwealth having a population of not less than three hundred thousand nor more than one million four hundred thousand as determined by the United States Census be and they are hereby constituted a board in their respective counties whose duty it shall be to fix and determine in the manner herein provided the number and compensation of the employees of any and all county offices boards bureaus departments and divisions thereof whether elected by the people or appointed according to law Provided however that the number of said employees and the salaries to be paid them have not otherwise been specifically determined by act of Assembly

Section 2 The said Board shall meet from time to time when required by the County Controller and County Commissioners or a majority of them or when required by any county officer president or other executive head of any separate Board or division whatsoever the number and compensation of whose employees is sought to be fixed and determined and shall forthwith consider and fix and determine the same in the manner as they may deem best for the public service and such county officer president or executive head shall sit as a member of said board and be entitled to vote so long as the matter affecting his office is under consideration and no longer and a decision of the majority shall govern A full minute of all meetings of said board shall be entered in a book kept for that purpose

Section 3 Any county officer president or executive head as aforesaid shall have the right to appeal from the decision of said board to the court of common pleas of the proper county and shall be entitlel to have the merits of his case fully heard and considered The decision of said court shall be final

Section 4 That the act of April fourth Anno Domini one thousand nine hundred and seven entitled "An Act creating in counties having a population from three hundred thousand to one million a board to fix and determine the number and compensation of employees in all county offices prescribing the powers and duties of said board and regulating appeals from the decision thereof" and the amendment to the first section of said act approved the fourth day of March Anno Domini one thousand nine hundred and eleven be and the same are hereby repealed together with all acts or parts of acts inconsistent herewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1050, as follows:

A Joint Resolution providing for the appointment of a commission to investigate into the causes of mine accidents in the anthracite coal regions of the Commonwealth of Pennsylvania authorizing the commission to conduct experiments and tests and to enter mines fixing the compensation of the members of the commission and making an appropriation to carry into effect the provisions of this resolution

Whereas, The number of accidents in the mining of anthracite coal in the Commonwealth of Pennsylvania is increasing out of proportion to the increased production of coal; and,

Whereas, During the year one thousand nine hundred and eleven there was a total of four thousand three hundred and fifteen accidents in the anthracite coal fields five hundred and

fifty-nine being fatal and of which practically all were due to falling roof falling rock or falling coal; and,

Whereas, It is the general belief that many of the thousands of accidents which have occurred during the last few years and which are constantly increasing can be avoided by the use of proper roof supporting materials; and,

Whereas, Many of the States of the Union are expending annually large sums of money in investigating and experimenting for the purpose of preventing such accidents by the introduction into the industry of various methods of safety; and,

Whereas, It is important that the Commonwealth of Pennsylvania should take every precaution to safeguard the lives and limbs of persons engaged in the mining industry in this State and that a commission be created with proper authority to conduct necessary experiments and investigations to determine the efficacy and practicability of room supporting materials and other methods of safety; and,

Whereas, Doctor J. A. Holmes, Director of the Bureau of Mines of the United States Government at Washington, District of Columbia, has tendered to the Commonwealth of Pennsylvania the use of the bureau's experimental station located at Pittsburgh, for the purpose of making necessary tests and to co-operate with the State of Pennsylvania in any effort that will tend toward the safety of those employed in the mines of Pennsylvania; therefore,

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the Governor of the Commonwealth of Pennsylvania be and he is hereby authorized and required to appoint within thirty days after the passage of approval of this joint resolution a commission to consist of three citizens of the State of Pennsylvania selected from within the anthracite coal region one of whom shall be a competent mining engineer one of whom shall be versed in anthracite mining and the other shall be a practical miner to investigate into the causes of mine accidents and make such experiments tests and other investigations as in the judgment of the commission shall be necessary and report the result of such investigations tests and examinations to the next session of the General Assembly together with such recommendations and draft or drafts of such bills as in the judgment of the commission may be necessary Each member of the commission shall receive for his services the sum of two thousand four hundred dollars ($2,400) per annum

Section 2 The said commission shall have the right to enter any of the anthracite mines of the Commonwealth with or by its agents surveyors and assistants as shall be necessary for the proper carrying into effect of the provisions of this resolution

Section 3 The sum of twenty-five thousand dollars ($25,000) is speciafically appropriated for the purpose of carrying into effect the provisions of this resolution and the commission be and it is hereby authorized to employ a secretary stenographer and such other assistants as may be necessary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1056 (House Bill No. 1410), entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

The first and second sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Department of Labor and Industry the head of which shall be a commissioner of Labor and Industry who shall be appointed by the Governor by and with the consent of the Senate and who shall hold office for the term of four years from the date of his appointment and who shall receive an annual salary of eight thousand dollars ($8,000) and shall appoint and may at pleasure remove all officers clerks and other employees of the Department of Labor and Industry except as herein otherwise provided

Section 2 The Commissioner of Labor and Industry shall forthwith appoint upon entering upon the duties of his office one chief inspector of the Department of Labor and Industry who shall receive a salary of five thousand dollars ($5,000) a year and who shall during the absence or disability of the Commissioner of Labor and Industry possess all the powers and perform all the duties of the said Commissioner except the power to make appointments and who in addition to his duties prescribed by this act shall perform such other duties and possess such other powers as the Commissioner of Labor and Industry shall prescribe

The third section of the bill was read as follows:

Section 3 The clerical force of the department excluding that of the different bureaus shall be one chief clerk at an annual salary of one thousand eight hundred dollars ($1,800) one stenographer at an annual salary of one thousand dollars ($1,000) one messenger at an annual salary of one thousand two hundred dollars ($1,200)

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend the third section by striking out all of the section after the word and figure "Section 3" and inserting in lieu thereof the following:

The office force of the department excluding that of the different bureaus shall be a chief clerk at an annual salary of two thousand dollars ($2,000), a statistician at an annual salary of two thousand dollars ($2,000), two copying clerks at an annual salary of fifteen hundred dollars (1,500), each, a stenographer who shall be a typewriter at an annual salary of fifteen hundred dollars ($1,500), and a messenger at an annual salary of twelve hundred dollars ($1,200).

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth, fifth, sixth, seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to.

Section 4 The Department of Labor and Industry shall be divided into three bureaus as follows

1 Bureau of Inspection
2 Bureau of Statistics and Information
3 Bureau of Arbitration

Together with such other bureaus as the Commissioner of Labor and Industry may deem necessary and shall with the consent of the Governor from time to time establish

Section 5 The Commissioner of Labor and Industry shall establish and maintain branch offices in the cities of Philadelphia and Pittsburgh and in such other cities of the Commonwealth as he may deem advisable Such branch offices shall be subject to the supervision and direction of the Commissioner of Labor and Industry be in immediate charge of such officers or employees as the said Commissioner may designate and the reasonable and necessary expenses of such offices shall be paid as are the other expenses of the said Department of Labor and Industry

Section 6 The Attorney General shall have authority to employ and may at pleasure remove an attorney of the Commonwealth of Pennsylvania who shall represent the Department of Labor and Industry and shall take charge of and assist in the prosecution of actions and proceedings brought by or on behalf of the said Commissioner or of the said Department and who shall act generally as legal adviser to the said Commissioner Such counsel shall receive an annual salary of three thousand dollars ($3,000) to be paid out of the appropriation made to said department The Commissioner of Labor and Industry shall have further power to employ attorneys and counsellors at law to be designated by the Attorney General to assist the counsel in special actions or proceedings or generally in performance of his duties

The said Commissioner of Labor and Industry may purchase such supplies and materials as may be necessary in carrying on the work of his department

Section 7 The Bureau of Inspection subject to the supervision of the Commissioner of Labor and Industry shall have charge of all inspections made pursuant to the provisions of this act and shall perform such other duties as may be assigned to it by the Commissioner of Labor and Industry The said Bureau shall be under the charge of the Chief Inspector hereinabove provided for subject to the supervision and direction of the Commissioner of Labor and Industry

There may be in the said bureau fifty-eight inspectors divided into four grades as follows

1 Inspectors of the first grade of whom there may be fifty in number and not less than five of whom shall be women and such additional inspector as the commissioner may deem necessary and proper to appoint from time to time each of whom shall receive an annual salary of one thousand five hundred dollars ($1,500)

2 Inspectors of the second grade of whom there shall be two in number and who shall act as Supervising Inspectors with offices at the cities of Philadelphia and Pittsburgh respectively Each of said inspectors shall receive an annual salary of two thousand five hundred dollars ($2,500)

3 Inspectors of the third grade of whom there shall be two one of whom shall be a woman and both of whom shall be physicians duly licensed to practice medicine in Pennsylvania and who shall act as medical inspectors and each of whom shall receive an annual salary of two thousand five hundred dollars ($2,500)

4 Inspectors of the fourth grade of whom there shall be four one of whom shall be a physician duly licensed to practice medicine in the State of Pennsylvania and who shall be Chief Medical Inspector one of whom shall be a mechanical engineer and expert in ventilation and accident prevention one of whom shall be a chemical engineer and one of whom

shall be a civil engineer and expert in fire prevention and building construction Each of the inspectors of the fourth grade shall receive an annual salary of three thousand dollars ($3,000)

Section 8 The Commissioner of Labor and Industry shall from time to time divide the State into districts and shall assign to such districts such inspectors and supervising inspector as may in his judgment appear expedient and shall from time to time assign and transfer such inspectors from one district to any other district or to special duty in any bureau of the said department and may assign an inspector to inspect any special class of factories or establishments and may assign one or more of them to act as clerks in any office of the department

The Commissioner of Labor and Industry shall visit and inspect or cause to be visited and inspected during reasonable hours and as often as practicable every room building or place where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth or of this act and shall cause to be enforced therein the provisions of all such existing laws and of this act and the rules and regulations of the industrial board hereinafter provided for

The Commissioner of Labor and Industry and all inspectors may in the discharge of their duties enter any such place building or room whenever they have reasonable cause to believe that any such labor is being or will be performed therein

Section 9 The inspectors of the third grade shall together with the Chief Medical Inspector hereinabove provided for inspect all rooms buildings and other places subject to the provisions of this act throughout the State with respect to the conditions of work affecting the health of persons employed therein and shall perform such other duties and render such other service as the Commissioner of Labor and Industry shall direct

Section 10 The inspectors of the fourth grade shall constitute a division of industrial hygiene which shall be under the immediate charge of the Commissioner of Labor and Industry The members of the division of industrial hygiene shall make special inspections of factories and mercantile establishments and all rooms buildings or other places subject to the provisions of this act and shall conduct special investigations throughout the Commonwealth of Pennsylvania relative to industrial processes and conditions The members of such division shall prepare material for leaflets and bulletins calling attention to dangers in particular industries and the precautions to be observed to avoid them and shall perform such other duties and render such other services as may be required by the Commissioner of Labor and Industry Each member of said division shall make an annual report to the Commissioner of Labor and Industry which shall be transmitted to the Legislature as part of the annual report of said Commissioner

The eleventh section of the bill was read as follows:

Bureau of Statistics and Information

Section 11 The bureau of statistics and information shall be under the immediate charge of a chief of the bureau subject to the direction and supervision of the Commissioner of Labor and Industry who shall receive an annual salary of three thousand dollars ($3,000) There shall also be in the office of said bureau an assistant who shall receive a salary of two thousand five hundred dollars ($2,500) and three collectors of statistics who shall receive salaries of two thousand dollars ($2,000) each It shall be the duty of said bureau to keep in touch with labor in the Commonwealth especially in relation to commercial industrial physical educational social moral and sanitary conditions of the wage-earners of the Commonwealth and to the productive industries thereof also to collect assort publish and systematize the details and general information regarding industrial accidents and occupational diseases their causes and effects and the methods of preventing and remedying the same and of providing compensation therefor also to make inquiry and investigation into the condition welfare and industrial opportunities of all aliens arriving and being within the State and to gather information with respect to the supply of labor afforded by such aliens and ascertain the occupations for which such aliens may be best adapted and to bring about communication between the aliens and the several industries requiring labor and to collect assort and publish statistical details and general information relative thereto

The chief or duly authorized deputy shall have power to issue subpoenas administer oaths and take testimonal in all matters relating to the duties herein required of said bureau Any corporation firm or individual doing business within the Commonwealth who shall neglect or refuse for thirty days to answer questions by circular or upon personal application or who shall refuse to obey the subpoena and give testimony according to the provisions of this act shall be liable to a penalty of one hundred dollars to be collected by order of the Commissioner of Statistics in an action of debt in which the Commonwealth of Pennsylvania shall be plaintiff This Bureau shall also be required to collect compile and publish annually the productive statistics of manufacturing commercial and other business interests of the State

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend the eleventh section, in lines 8, 9 and 10, by striking out the words and figures "and three collectors of statistics who shall receive salaries of two thousand dollars ($2,000) each," and inserting in lieu thereof the following: "One statistician at an annual salary of two thousand dollars ($2,000), one filing clerk and one coyping clerk at an annual salary of fifteen hundred dollars each, and three collectors of statistics who shall receive an annual salary of fifteen hundred dollars ($1,500) each."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth, thirteenth, fourteenth fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth and twenty-fifth sections of the bill were read as follows and agreed to.

Industrial Board

Section 12 There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry and four additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of labor one a wage-earner and one a woman The said additional members shall be designated by the Governor to serve until the first day of January in the years one thousand nine hundred and fifteen one thousand nine hundred and sixteen one thousand nine hundred and seventeen and one thousand nine hundred and eighteen respectively Upon the expiration of each of the said terms the term of office of each associate member thereafter appointed shall be four years from the first of January The Commissioner of Labor and Industry shall be the chairman of the said Board Vacancies shall be filled by appointment for an unexpired term in the same manner as provided for the appointments of the previous holders of the office in which said vacancy occurs

The members of said Board other than the two associate members as hereinabove provided shall receive no additional compensation for services as members of the said Board The four associate members shall each receive a compensation of ten dollars ($10.00) per day and expenses actually and necessarily incurred while engaged in the performance of their duties

The Board shall appoint and may remove a secretary who shall receive a salary to be fixed by the Board The Commissioner of Labor and Industry shall detail from time to time to the assistance of said Board such employees of the Department of Labor and Iudustry as the Board may require In aid of its work the said Board is empowered to employ experts for special and occasional services The counsel to the Department of Labor and Industry shall act as counsel to the Board without additional compensation

The Board shall hold stated meetings which shall be open to the public at least once a month during the year and shall hold other meetings at such times and places as may be necessary Such meetings shall be called by the chairman or majority of the Board The Board shall keep minutes of its proceedings showing the vote of each member upon every question and records of its examination and other official action

Section 13 The Industrial Board shall have the power to make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of all laws of the Commonwealth the enforcement of which shall now and hereafter be imposed upon the Department of Labor and Industry and the rules and regulations made by the Industrial Board in connection therewith and to subpoena and require the attendance in this Commonwealth of all witnesses and the production of books and papers pertinent to the said investigation and to examine them and such public records as it may require in relation to any matter which it has power to investigate Any witness who refuses to obey a subpoena of the said Board as hereinabove provided for or who refuses to be sworn or to testify or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination by the said Board or who is guilty of any contempt after being summoned to appear before the said Board as above provide may be punished as for contempt of court and for this purpose application may be made to any court within whose territorial jurisdiction the said contempt took place and for which purpose the courts of the Common Pleas of this Commonwealth are hereby given jurisdiction In the course of such investigation each member of said Board shall have power to administer oaths Each member shall have the further power to make personal investigations of all establishments in this Commonwealth where labor is employed

Section 14 All rooms buildings and places in this Commonwealth where labor is employed or shall hereafter be employed shall be so constructed equipped and arranged operated and conducted in all respects as to provide reasonable and adequate protection for the life health safety and morals of all persons employed therein For the carrying into effect of this provision and the provisions of all the laws of this Commonwealth the enforcement of which is now or shall hereafter be entrusted to or imposed upon the Commissioner or Department of Labor and Industry the Industrial Board shall have power to make alter amend and repeal general rules and regulations necessary for applying such provisions to specific conditions and to prescribe means methods and practices to carry into effect and enforce such provisions

Section 15 The rules and regulations of the Industrial Board and the amendments and alterations thereof may embrace all matters and subjects to which power and authority of the Department of Labor and Industry extends and shall be distributed to all applicants Every rule or regulation adopted by

the Board shall be promptly published in bulletins of the Department of Labor and Industry and in such daily newspapers as the Board may prescribe and no such rule or regulation shall take effect until thirty days after such publication Any employer employee or other person interested either because of ownership in or occupation of any property affected by any such order or regulation or otherwise may petition for a hearing on the reasonableness of a rule or regulation Such petition for hearing shall be by verified petition filed with the said Industrial Board setting out specifically and in full detail the rule or regulation upon which a hearing is desired and the reasons why such rule or regulation is deemed to be unreasonable All hearings of the Board shall be open to the public Upon receipt of such petition if the issues raised in such peition have theretofore been adequately considered the Industrial Board shall determine the same by confirming without hearing its previous determination or if such hearing is necessary to determine the issue raised the Industrial Board shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the industrial Board may find directly interested in such decision

Section 16 Every person who violates any of the provisions of this act or any of the rules or regulations of the Industrial Board or who resists or interfers with any officer or agent of the Department of Labor and Industry in the performance of his duties in accordance with the said rules and regulations shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment not exceeding one month or both at the discretion of the court

Section 17 There shall be created in the Department of Labor and Industry a Bureau of Mediation and Arbitration the head of which shall be a Chief of Bureau who shall receive an annual salary of three thousand five hundred dollars ($3,500)

Section 18 Whenever a difference arises between an employer and his employees which cannot be readily adjusted the Deputy Commissioner of the Bureau shall proceed promptly to the locality thereof and endeavor by meditation to effect an amicable settlement of the controversy If such settlement cannot be effected the dispute may be arbitrated by a Board composed of one person selected by employer and one person selected by employes and a third who shall be selected by the representatives of the employer and the employe and such third member of the board shall be selected and appointed within a period of five days after the matter has been submitted for arbitration and in the event of any such appointment or selection not being made within a period of five days then the chairman of the board shall constitute the third member of the board and be the chairman of the board and if such third representative is chosen by the two representatives of the employer and employe within five days then a chairman of the board shall be established by the board itself A submission to the Board shall be made in writing and the parties thereto shall agree to abide by the determination of the Board Said Board shall render a written decision within ten days after the completion of the investigation one copy thereof to be filed in the Bureau and a copy to be furnished each party to the controversy The deputy commissioner shall make an annual report of his work containing such information as the Commissioner of Labor and Industry may request

Section 19 The Commissioner of Labor and Industry may assign to this Bureau from his department such clerical assistance as from time to time he may think necessary

Section 20 In addition to their respective salaries as hereinabove provided the Commissioners Inspectors and other officers of the Department of Labor and Industry shall receive the expenses actually and necessarily incurred in the performance of their official duties which expenses together with all other necessary expenses under the provisions of this act shall after the approval in writing by the Governor and the Commissioner of Labor and Industry be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 21 Upon requisition of the Commissioner of Labor and Industry the Board of Public Grounds and Buildings shall furnish suitable accommodations in the State Capitol Building for the use of this department

Section 22 Upon requisition of the Commissioner of Labor and Industry an order of the Superintendent of Public Printing and Binding the State Printer shall do the printing and binding necessary for the proper performance of the duties of this department

Section 23 All of the powers and duties now by law vested in and imposed upon the Department of Factory Inspection which is hereby abolished are now hereby vested in the Department of Labor and Industry

Section 24 This act shall take effect on and after the first day of June one thousand nine hundred and thirteen

Section 25 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

On the question,

Will the Senate agree to the title?

Mr. McNICHOL. Mr. President, I move to amend the title, in line 3, after the word "board" by inserting the words "providing for the appointment of a Commissioner of Labor, inspectors, statisticians, clerks and others to enforce the provisions of this act and providing salaries for the same."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1132 (House Bill No. 1382), entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1135 (House Bill No. 1631) entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any charter heretofore issued by the Governor of the Commonwealth to a corporation purports to authorize such corporation to manufacture distribute or sell electricity for heat light or power or any of them in a territory comprising two or more municipalities or townships or a municipality or municipalities and a township or townships and whenever such corporation having accepted said charter has heretofore established a plant for the manufacture or erected pole lines for the distribution of electricity in one or more of the municipalities or townships named in said charter such charter shall be and hereby is validated and confirmed as and for the municipalities or townships in which said plant or pole lines have been established and erected so that said charter shall have the same force and legal effect as if it had originally been lawfully granted for the respective municipalities or townships in which the corporation has heretofore actually operated

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend the first section by inserting at the end of the section the following: Provided, however, that any corporation, company or association before deriving the benefits of this act shall by a majority vote of its stockholders at any regular or special meeting accept the provisions of this act and file in the office of the Secretary of the Commonwealth a certificate under the seal of the company setting forth the date of such acceptance, whereupon the Governor shall issue his Letters Patent, validating, confirming and creating said company or association as a corporation in deed and in law, with full force and effect as if said company or association had been originally lawfully incorporated.

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The preamble of the bill was read as follows and agreed to.

Whereas prior to one thousand nine hundred three upon a broad construction of the word "districts" contained in the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements and amendments the Governor of the Commonwealth issued letters patent or charters incorporating a number of electric light companies for the purpose of supplying electricity for heat light and power in districts comprising contiguous municipalities or townships and

Whereas some of these companies so incorporated relying upon the validity of charters so issued have established light plants and pole lines and have entered upon the business of supplying electricity for light heat or power or any or all of them in municipalities or townships named in their respective charters and

Whereas doubt has arisen concerning the validity of charters so issued now therefore

The title of the bill was read as follows and agreed to.

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-nine one thousand eight hundred seventy-four entitled, "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1137 (House Bill No. 645), entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

The first and second sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "place of amusement or dramatic or theatrical or operatic or vaudeville performance circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudeville performances or tragedies or comedies or farces or for the exhibition of trained animals or contests of personal skill or of circuses or menageries or museums or wild west shows or any performance or act for the amusement of the public but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any buildings tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or any performance or act for the amusement of the public until and unless an annual license or licenses for the building or buildings tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance or contest shall have first been had and obtained from the city or county treasurer of the city or county (borough or township) in which said buildings tents enclosure or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

The third section of the bill was read as follows:

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irespective of the number of chairs or seating capacity in such places of amusement buildings tents or enclosures the sum of five hundred dollars ($500)

In cities of the second class where such places of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such places of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet or floor or ground space as an equivalent

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend the third section, in line 1, by striking out "annual" and inserting in lieu thereof the word "annual."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agreed to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows and agreed to.

Section 4 The annual license for any places of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures

The fifth section of the bill was read as follows:

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of either or all exhibiting in any building tent or enclosure other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or stereopticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances or contests of personal skill or in the performance of some act for the amusement of the public and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of two hundred and fifty dollars ($250) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) Whereby the owner or lessee thereof shall be permitted to give exhibitions or performances in any city county or borough of the State

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend the fifth section in line 19, by striking out the word "two" and inserting in lieu thereof the word "one;" also in line 20 by striking out the characters and figures "($250)" and inserting in lieu thereof the characters and figures "($150)."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth, seventh, eighth, ninth, tenth, eleventh, twelfth thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth sections of the bill were read as follows and agreed to.

Section 6 The city or county treasurer of any city or county (borough or township) where such places of amusement buildings or tents or enclosures are situated shall upon receipt of the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer (of any city borough or township)

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid The term City Treasure as used in this act refers only to the Treasurer of the City co-extensive with the County

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer of the cities (boroughs or townships) for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclusures in which the same are to be held upon the certificate of the director of public safety of the cities of the first class or of the proper municipal officer of the cities of the second and third class boroughs or townships setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances or contests intended to be given are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a "place of amusement" or as a "movxing picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre"

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the applicants who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the amount of chairs in such place of amusement building tent or enclosure or the number of cars which transports any circus trained animals menagerie or wild west show Every applicant shall be required to sign and make oath or affirmation as to the correctness thereof

If a false oath shall be made by any person to such application the one so swearing shall be guilty of the crime of perjury and shall be punished as such

Section 9 It shall be the duty of each applicant to fill up the blank as provided as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

If any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess him or it with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assesment when so made shall be final and conclusive and without appeal and the applicant so assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement buildings tents or enclosures and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclosure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license money to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right of appeal to the mercantile appraisers and city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser and city or county treasurer or board of mercantile appraisers he they or it shall have the right to appeal to the Court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relieved upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer or the Mercantile Appraiser or Board of Mercantile Appraisers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shall upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers he shall not thereafter be permitted in a suit for the recovery of said license to set up a defence either that he is not subject to the payment of the license so assessed against or any other ground of defense which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer to sue for the recovery of all licenses duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July of each and every year within thirty days after that date provided however if said city or county treasurer is saistfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said taxes and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July on each and every year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such person a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county Treasurer the correct list of all persons assessed giving the names and business address of the persons liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting the fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer of the cities (boroughs or townships) after hearing all parties under oath or affirmation which he is hereby empowered to administer it shall be proven that the exhibition performances or contests given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annul and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer of the cities (boroughs or townships) shall have full power to prevent any exhibition performance entertainment or contest from being held exhibited or performed until the provisions of this act have been fully complied with

Section 16 The Department of Public Safety of the cities of the first class or the proper municipal officers of the cities of the second and third class boroughs or townships shall have full power to inquire into any immoral tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment or contest and shall further if said charges are proven (after notice to all the parties in interest) to be true forbid such exhibitions performance entertainments or contests and for that purpose shall have full power to direct the proper officers to close the said places of amusement building of buildings tents or enclosures in which said exhibitions performances entertainments or contests are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings or building tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer or the director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclousures shall have the right to appeal in writing to the Court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear the person or persons aggrieved and determine the character of the applicant nature of the exhibition or performance and whether such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a place of amuse-

ment or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do and perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city or borough or township of this Commonwealth

The nineteenth section of the bill was read as follows:

Section 19 The act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act to supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine' shall be held not to apply to places of amusement buildings tents or enclosures which have been erected constructed or altered and now in actual use as a moving picture places where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a "moving picture place"

On the question,

Will the Senate agree to the section?

Mr. McNICHOL. Mr. President, I move to amend the nineteenth section, in line 1, by inserting after the word and figures "Section 19" the words "The act of June eighth, Anno Domini one thousand eight hundred and ninety-three entitled 'An Act amending section one of article three of an act, entitled 'An Act for the better government of cities of the first class in this Commonwealth, approved the first day of June, Anno Domini one thousand eight hundred and eighty-five, regulating the constructon, maintenance and inspection of buildings, and"

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twentieth, twenty-first, twenty-second and twenty-third sections of the bill were read as follows and agreed to.

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment or contest as herein provided in any city borough or township of this Commonwealth, without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offense a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open and such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the said license year to wit May first of each year

And that such license when granted shall not be transferred to any person or any other building tent or enclosure during the year for which it is granted except that it may be transferred to the lawful representatives of any deceased licensee or purchaser at any insolvent or bankrupt sale for the remainder of the term of any calendar year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character as amended by the act approved May twenty-third one thousand nine hundred and seven entitled "An Act to amend the first section of an act entitled 'An Act to provide for the licensing of buildings ad other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character providing that in cities of the first class the owner or owners or lessee or lessees of a building the capacity of which is less than three hundred persons shall pay thirty dollars ($30.00) and as further amended by the act approved May eleventh one thousand nine hundred and eleven entitled "An Act to amend the first section of an act entitled 'An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting intents and enclosures of like character" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as amended by an act approved the twenty-third day of May Anno Domini one thousand nine hundred and seven providing that "in cities of the second class the owner or owners or lessee or lessees of a building the seating capacity of which does not exceed one thousand persons nor is less than four hundred persons shall pay an annual license of seventy-five dollars and where the seating capacity is less than four hundred persons shall pay thirty dollars" together with any other amendments thereof or thereto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

The title of the bill was read as follows:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic arthletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performance circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

On the question,

Will the Senate agree to the title?

Mr. MsNICHOL. Mr. President, I move to amend the title, in line 14, by inserting after the word "that" the words "the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled 'An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five, regulating the construction, maintenance and inspection of buildings,' and;" also in line 15, by striking out the word "eighty-nine" and inserting in lieu thereof the word "ninety-nine;" also in line 19, by inserting after the word "one" where it appears the second time, the words "entitled 'An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class,' approved the fifth day of May one thousand eight hundred and ninety-nine.' "

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 893 (House Bill No. 897), entitled:

An Act to amend section one of an act, entitled "An Act to authorize the apointment of a deputy and one clerk by the prothonotary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries," approved the 4th day of May, A. D., 1905, by changing the salary.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 990, entitled:

An Act regulating the qualifications and election of township supervisors in townships of the second class, and limiting the term of all present township supervisors.

Mr. KLINE. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Appropriations, reported as committed, Senate Bill No. 924 (House Bill No. 607), entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant, Westmoreland County, Pennsylvania, the sum of eight hundred and ninety-five and fifty-one hundred dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distillers' license for a distillery heretofore and now known as the Standard Distilling Company.

BILLS INTRODUCED.

Mr. THOMPSON. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 1152, entitled:

An Act providing for the turning over by counties of certain bridges to the Commonwealth and fixing the duties of the State Highway Commissioner therein.

Which was committed to the Committee on Public Roads and Highways.

Also, read in his place and presented to the Chair Senate Bill No. 1153, entitled:

An Act authorizing and regulating the survey, appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation.

Which was committed to the Committee on Public Roads and Highways.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 679, entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 826, entitled:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 837 (House Bill No. 296) entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the cheif clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 841 (House Bill No. 701) entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 909, entitled:

An Act to authorize the display of the State county city borough or other municipal flags on public buildings in the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 918 (House Bill No. 962), entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said boards or its duly authorized agent shall be prosecutor in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 920 (House Bill No. 1145), entitled:

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 976 (House Bill No. 1321), en-

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 988, entitled:

An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 997, entitled:

An Act to repeal section two of an act approved June third one thousand nine hundred and eleven entitled "An Act regulating the printing of the laws of this Commonwealth"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1000, entitled:

An Act to repeal section eight of an act entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1063, entitled:

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1064, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of State highways solely at the expense of the Commonwealth and relieveing the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commisison to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1114, entitled:

An Act making the land heretofore or hereafter purchased for the new Western penitentiary in Centre county subject to taxation for local purposes regulating the assessment thereof and the payment of taxes thereon

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

EXECUTIVE SESSION.

By unanimous consent,
A motion was made by Mr. McILHENNY,
That Rule 38, which requires nominations made by the Governor to lie on the table one day, be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-days' session.
Which was agreed to.
Whereupon,
A motion was made by Mr. McILHENNY,
That the Senate do advise and consent to the nominations reported.
On the question,
Will the Senate agree to the motion?
The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Beidleman,	Fisher,	Judson,	Morgan,
Buckman,	Gerberich,	Kline,	Nulty,
Catlin,	Graff,	Kurtz,	Salus,
Clark,	Hall,	Magee,	Sheatz,
Cooper,	Heacock,	Martin,	Snyder,
Crow,	Herbst,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jones,	Moore,	Wasbers,
Farley,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Governor be informed accordingly.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented communication in writing from His Execellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILL NO. 46.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 22, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed and Senate Bill No. 46, entitled "An Act to amend section ten of an act entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions' approved the first day of May Anno Domini one thousand nine hundred and nine by extending the list of protected birds and by further regulating the sale of feathers of protected birds."

JOHN K. TENER.

HOUSE CONCURS IN SENATE BILL 590.

The Chair cleared his table and laid before the Senate communications from the House of Representatives returning to the Senate, Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted abandoned or drived from her home by her husband to sue her husband upon any cause of action whatsoever and making such a wife a competent witness against the husband in such case

with the information that the House has passed the same without amendment.

CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION THREE OF ARTICLE EIGHT OF THE CONSTITUTION OF PENNSYLVANIA.

He also laid before the Senate resolution of the House of Representatives as follows:

In the House of Representatives, April 16, 1913.

Proposing an amendment to section three of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania (if the Senate concur), That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Section 2 Amend section three of article eight which reads as follows "All judges elected by the electors of the State at large may be elected at either a general or municipal election as circumstances may require All the elections for judges of the courts for the several judicial districts and for the county city ward borough and township officers for regular terms of service shall be held on the municipal election day namely the Tuesday next following the first Monday of November in each odd-numbered year but the General Assembly may by law fix a different day two-thirds of all the members of each House consenting thereto Provided That such elections shall always be held in an odd-numbered year" so as to read

Section 3 All judges elected by the electors of the State at large may be elected at either a general or municipal election as circumstances may require All elections for judges of the courts for the several judicial districts and for county city ward borough and township officers for regular terms of service shall be held on the municipal election day namely the Tuesday next following the first Monday of November in each odd-numbered year but the General Assembly may by law fix a different day two-thirds of all the members of each House consenting thereto Provided That esuch alections shall be held in an add-numbered year Provided further That all judges for the courts of the several judicial districts holding office at the present time whose terms of office may end in an odd-numbered year shall continue to hold their offices until the first Monday of January in the next succeeding even-numbered year

Mr. McNICHOL. Mr. President, I move that Rule 39 be suspended in order to proceed to the immediate consideration of the resolution just read.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Beidleman,	DeWitt,	Hunter,	Moore,
Buckman,	Endsley,	Jones,	Morgan,
Catlin,	Farley,	Judson,	Snyder,
Clark,	Fisher,	Kline,	Sones,
Cooper,	Graff,	Kurtz,	Thompson,
Crow,	Heacock,	Magee,	Vare.
Daix,	Homsher,	McNichol,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT OF COMMITTEE OF CONFCRENCE ON HOUSE BILL NO. 236.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has adopted the report of the Committee on Conference on the subject of the differences existing between the two houses in relation to House Bill No. 236.

Mr. McNICHOL. Mr. President, I move that the Senate proceed to the consideration of the report of the Committee of Conference on House Bill No. 236.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the consideration of the report of the Committee of Conference on House Bill No. 236 as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 236.

To the members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives, for the purpose of considering House Bill Number two hundred thirty-six, entitled, "An Act defining mattresses, regulating the making, remaking and sale thereof, prohibiting the use of unsanitary and unhealthy materials therein, requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labeled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act" beg leave to submit the following amended bill as our report.

CHARLES H. KLINE,
CLARENCE J. BUCKMAN,
C. W. SONES,

Committee on the part of the Senate.

ANSEL ULMAN,
H. W. BERGEY,
E. LOWRY HUMES,

Committee on the part of the House of Representatives.

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (1) The term "mattress" as used in this act shall be construed to mean any quilted pad mattress mattress pad bunk quilt or cushion stuffed or filled with wool hair or other soft material except feathers to be used on a couch or other bed for sleeping or reclining purposes

(2) The term "person" as used in this act shall be construed to include all individuals and all firms or co-partnerships

(3) The term "corporation" as used in this act shall be construed to include all corporations companies associations and joint stock associations or companies

(4) Whenever the singular is used in this act it shall be construed to include the plural whenever the masculine gender is used in this act it shall include the feminine and neuter genders

Prohibitions Upon the Making and Sale of Mattresses

Section 2 1 No person or corporation by himself or by his agents servants or employes shall employ or use in the lic or private hospital or institution for the treatment of permaking remaking or renovating of any mattress

sons suffering from disease or for or about any person having has formed a part of any mattress used in or abou tany pub-

(a) Any material of any kind that has been used in or any infections or contagious disease

(b) Any material known as "shoddy" and made in whole or in part from old or worn clothing carpets or other fabric or material previously used or any other fabric or material from which shoddy is constructed

(c) Any material not otherwise prohibited by this act of which prior use has been made unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Health of this Commonwealth

2 No person or corporation by himself or by his agents servants or employes shall sell offer to sell deliver or consign or have in his possession with intent to sell deliver or consign any mattress made remade or renovated in violation of sub-section one of this section

Descriptive Statements upon Mattresses

Section 3 No person or corporation by himself or his agents servants or employes shall directly or indirectly at wholesale or retail or otherwise sell offer for sale deliver or consign or have in his possession with intent to sell deliver or consign any mattress that shall not have plainly and indelibly written or printed thereon or upon a muslin or linen tag securely sewed to the covering thereof a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress and whether the same are in whole or in part new or old or second-hand and the name and address of the manufacturer or vendor thereof or both

When Description as Felt May Be Made

Section 4 It shall be unlawful to use in the said statement concerning any mattress the word "Felt" or words of like import if there has been used in filling said mattresses any materials which are not felted and filled in layers unless the said statement shall plainly set forth all the different materials so used

Misleading Description Prohibited

Section 5 It shall be unlawful to use in the description in the said statement any misleading term or designation or term or designation likely to mislead

Form of Statement

Section 6 The statement required under section three of this act shall be the following form

Materials Used in Filling

.....
.....
Made by .....
Address .....
Vendor .....
Address .....s.....
This article is made in compliance with the act of Assembly of Pennsylvania approved the ..... day of ..... one thousand nine hundred and thirteen

Removal of Description

Section 7 Any person who shall remove deface alter or in any manner attempt the same or shall cause to be removed defaced or altered any mark or statement placed upon any mattress under the provisions of this act shall be guilty of a violation of this act

Separate Offenses

Section 8 The unit for a separate and distinct offense in violation of this act shall be each and every mattress made remade renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof

Penalties

Section 9 Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before a magistrate or justice of the peace shall be punished by a fine of not less than twenty-five dollars and not more than fifty dollars for each offense

Duties of Commissioner of Health

Section 10 Within sixty days after any process of sterilization and disinfection shall have been submitted to the Commissioner of Health of this Commonwealth under sub-section one (c) of section two of this act the said Commissioner shall approve or disapprove the same and if he disapproves shall state his reasons therefor

Duties of Chief Factory Inspector

Section 11 All places where mattresses are made remade or renovated or materials for mattresses prepared or where mattreses are offered for sale or are in the possession of any person or corporation with intent to sell dliver or consign them shall be subject to inspection by the Chief Factory Inspector whose duty it shall be be in case he has reason to elieve any person or corporation is violating this act to prosecute such person or corporation therefor

Information by Individuals Enforcement by Individuals

Section 12 Any individual who has reason to believe that this act has been or is being violated may present the revelant facts to the Chief Factory Inspector or any of his deputies in which case it shall be the duty of the Chief Factory Inspector to make an investigation of such facts as on his own initiative and if he is of opinion that the act has been or is being violated to prosecute the person or corporation guilty thereof

Any individual may institute proceedings to enforce this act and to punish violations of its provisions

Repeal

Section 13 All acts or parts of acts inconsistent herewith are hereby repealed

Time in Effect

Section 14 This act shall take effect the first day of January Anno Domini one thousand nine hundred and fourteen

On the question,

Will the Senate agree to the same?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Beidleman,	DeWitt,	Judson,	Moore,
Buckman,	Endsley,	Kline,	Morgan,
Catlin,	Fisher,	Kurtz,	Nulty,
Clark,	Graff,	Magee,	Snyder,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Hunter,	Miller,	Thompson,
Dalx,	Jones,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES.

Mr. CROW. Mr. President, I ask unanimous consent to make report from Committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Finance, reported as committed, Senate Bill No. 793 (House Bill No. 3), entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 542 (House Bill No. 600) entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1061 entitled:

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the County of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy

RECESS.

Mr. KURTZ. Mr. President, I move the Senate do now take a recess for five minutes.

Mr. JARRETT. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 1142 (Senate Bill No. 1154), entitled:

An Act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming houses and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection creating a division of housing and sanitation providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith

Which was committed to the Committee on Municipal Affairs

House Bill No. 1139 (Senate Bill No. 1155), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1324 (Senate Bill No. 1156), entitled:

An Act defining public utilities owned by cities boroughs towns and townships and providing for the sumbission of the question of the sale or lease thereof to the electors of such cities boroughes towns or townships

Which was committed to the Committee on Corporations.

House Bill No. 1546 (Senate Bill No. 1157), entitled:

An Act to amend section five of an act entitled an act making it unlawful for the commissioners of any county in this Comonwealth to cantract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars approved the fifth day of March Anno Domini one thousand nine hundred and six (1906) by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dollars

Which was committed to the Committee on Judiciary Special.

House Bill No. 1685 (Senate Bill No. 1158), entitled:

An Act to amend section one of article six of an act approved the second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring wash houses to be erected within eight weeks after notice has been served on the owner operator or superintendent

Which was committed to the committee on Mines and Mining.

CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR FOR AMENDMENT HOUSE BILL NO. 1362.

He also laid before the Senate for concurrence resolution which was twice read as follows, considered and agreed to.

In the House of Representatives, April 22, 1913.

Resolved (if the Senate concur), That House Bill No. 1362, entitled: "An Act authorizing H. W. Brown and D. E. Brown, citizens of Cambria County, Pennsylvania, doing business as the Woodman Lumber Company, to bring suit in the court of common pleas of Cambria County against the Commonwealth of Pennsylvania, be recalled from the Governor for the purpose of amendment.

REPORT FROM COMMITTEE.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed, or as amended, Senate Bill No. 1155 (House Bill No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini one thousand eight hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred and seven by altering the seventh section and by repealing the sixth section thereof

ADJOURNMENT.

Mr. KURTZ. Mr. President, I move the Senate do now adjourn until 8 o'clock this evening at which time Memorial Services will be held in respect to the late Senators Wilbert and Stineman.

Mr. McNICHOL. Mr. president, I second the motion.

The motion was agreed to.

The Senate adjourned at 1.30 o'clock P. M., until this evening at 8 o'clock.

EVENING SESSION.

MEMORIAL SERVICES ON THE DEATH OF DAVID A. WILBERT, LATE SENATOR FROM THE FORTY-THIRD SENATORIAL DISTRICT.

The Senate met at 8 o'clock P. M.

The ACTING PRESIDENT PRO TEMPORE (Mr. Charles H. Kline) in the Chair.

The PRESIDENT. This being the time fixed by resolution for holding memorial services on the death of David A. Wilbert, late Senator from the Forty-third Senatorial District, the Senate will be in order and will be opened with prayer by the Chaplain.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"Yea, though I walk through the Valley of the Shadow of Death, I will fear no evil." Man is as the grass of the field. In the morning it flourisheth and groweth up, in the evening it is cut down and withereth. Earth to earth, ashes to ashes, dust to dust, were words not spoken of the soul, but of the body. For man's soul shall live on throughout an immortaltiy. We thank Thee, our Father in Heaven, for those inspired words from that heart that Thou didst touch so that it sang:

"I know not where His islands lift, their fronded palms in air—
I only know I cannot drift beyond His love and care."

Teach us, this evening, the lesson that there is no such thing as death and that what seems so is but transition from the suburbs of life to the fields Elysian. So lead us that we shall walk not after the flesh but after the spirit. Grant unto us then ears that shall hear that voice divine. One of our number, a brother and a colleague, has gone from us. One who stood by our side and fought life's battles with us and went through life's struggles with us, has fallen in the ranks and we this evening bring with tender hands our tribute of fraternal love and lay it upon the shrine of memory. Be with those dear ones whose hearts are an aching void because of their loved one who has gone from them. Comfort them and may that peace which passeth all understanding be their abiding portion now and forevermore. Amen.

RESOLUTION ON THE DEATH OF DAVID A. WILBERT, LATE SENATOR FROM THE FORTY-THIRD SENATORIAL DISTRICT.

Mr. MAGEE offered the following resolution, which was twice read:

Whereas, Almighty God in his wosdom removed from our midst on January twenty-sixth, one thousand nine hundred and twelve, the Honorable David A. Wilbert, late a Senator from the Forty-third District; and

Whereas, His public character and services demand prominent commemoration; therefore be it,

Resolved, That the Senate of Pennsylvania, in appreciation of the sterling qualities and high unselfish character of our late member, extend to the family of the deceased Senator our sincerest sympathy in their great loss, and direct that a copy of this resolution duly engrossed and attested, be forwarded to the bereaved wife.

CHARLES H. KLINE,
CHARLES J. MAGEE,
ASA K. DeWITT,
JOSEPH H. THOMPSON,
HARY J. MORGAN.

On the question,

Will the Senate agree to the same?

Mr. MAGEE. Mr. President, it is with the feeling of the most profound regret and sincere sorrow that I rise to say a few words commemorative of the life and works of the late Senator David A. Wilbert, a man whom I have known as a friend and a neighbor for many years. I have known Senator Wilbert since the time of my earliest recollection and, in common with most people who shared his friendship, my admiration of his manly qualities grew from year to year.

Mr. Wilbert was a native of the City of Pittsburgh, where he was born on the 23rd day of February, 1862, and he died in his native city on the 26th of January, 1912, leaving to survive him his wife and their family of five children.

Since early manhood Mr. Wilbert has been engaged in various commercial activities in the City of Pittsburgh, and at the time of his death was at the head of a large concern engaged in the real estate and insurance business.

Mr. Wilbert always exercised an active interest in the civic and political affairs in his home city and held various positions of honor in the Republican organization, of which he was a valiant and patriotic member. He was elected to the Senate for the Session of 1905, and was reelected for the Session of 1909, his death occurring before the expiration of his term. As a member of this body, his services were distinguished by close attention to the general business of the State, and a keen observance of the rights and privileges of his own constituents.

He was a true and steadfast friend and, in case of assault, was as vigorous in defense of his friends as though the cause were his own. He was a man of high principles and to those he always endeavored to make his conduct conform. Once having investigated and having determined the right, he stood steadfast to it with an unbending firmness, and a tenacious, unyielding courage, to such a degree that neither power, alluring temptation, influence, impending threats, coercion, nor fear of public disfavor could prevent him from conforming to his belief. Just as the Rock of Gibraltar guards the approach to the Mediterranean Sea, so David A. Wilbert stood sentinel, an alert champion, always ready to defend a friend against the wiles and snares of conspiracies, hatched and given birth in the dark hours of the night.

He was aggressively earnest and sincere in any position he undertook, and always maintained his attitude with spirit and courage. While he always accorded to an adversary the right to difference of opinion, he never failed to adhere strictly to the principle of honesty and fair dealing, when supporting his own cause. It may be truly said of him that he was one of the strong characters in this body. He was wedded to the principle that right should prevail at all times and under all circumstances. He was the highest type of an honest and faithful public official, and when death removed him from activities of this world, his family was bereft of an affectionate husband and a loving father. His friends were left to mourn the loss of a devoted champion, and the State was deprived of the services of a faithful and upright servant. His life and his departure from this life are best exemplified by the words of the poet who wrote:—

So live, that when thy summons comes to join
The innumerable caravan, that moves
To that mysterious realm, where each shall take
His chamber in the silent halls of death,
Thou go not, like the quarry slave at night,
Scourged to his dungeon, but sustained and soothed
By an unfaltering trust, approach they grave,
Like one who wraps the drapery of his couch
About him, and lies down to pleasant dreams.

The PRESIDENT. The Chair recognizes Mr. Samuel Black McCormick, Chancellor of the University of Pittsburgh, who has been requested to deliver an address upon this occasion.

MR. SAMUEL BLACK M'CORMICK.

Mr. President and Senators:

David Adam Wilbert was born in what is now the Nineteenth Ward, Pittsburgh, February 23, 1862. His entire life was spent in his native city. After finishing his course in the Pittsburgh High School he entered into the wholesale produce business with his brother at the early age of twenty, and continued therein for over twenty-six years. He then engaged in the insurance and bonding business until he passed away on January 26, 1912. Early in his career he actively connected himself with his political party, was elected a member of the Senate in 1904, and at the time of his death was just finishing his second term in this office.

So brief a statement cannot possibly contain the record of a life. Senator Wilbert lived for fifty years. It is a mistake, however, to imagine that, when he passed out of our sight, he ceased to live. True, he walks no more among us; no longer can we look upon his face or touch hands in the cordial grasp of friendship; but he did not die nor could he until we who knew and loved him and bear in us something of what he was have also passed over with him into the land of eternal morning.

Two years ago when Senator Wilbert asked the consent of this body that the speaker might deliver a eulogy upon the late Senator John W. Crawford, no one of us dreamed that in less than a twelve-month he himself should hear the dread summons and that we should this night be assembled together to pay our tribulte to his memory. When the news came that he was in Mercy Hospital, I hurried to see him. Though we knew it not, even then the angel of death was hovering over him and the dark wings were overshadowing him. For weeks he continued helpless. What fear was in his heart we know not, but he hoped on, and we shared the hope until a week before the end, when it became clear that his earthly pilgrimage was almost spent, and that God had chosen his abode among the immortals. Reverently we bade him a tearful farewell, and committed his spirit into the hands of the Father in whom he trusted. Weary he fell asleep, and his waking was, we trust, in the land of eternal day.

Life is largely what the individual determines to make it. The man binds his own fate about his neck and walks the way of his own choosing. His horizon is as wide as his own desire, and if it closes down and shuts him into a narrow place it is because he cares not for wideness of vision and aspires not to greatness of achievement. Whatever the horizon of the individual life, it always embraces three concentric spheres—his home, his affairs, and his country; and in the symmetrical and harmonious blending of these in a life full and complete is true success achieved and man's high destiny is attained. In all these three Senator Wilbert honestly and loyally sought to do his duty. That he measurably succeeded is witnessed by the multitude of his friends and by the splendid testimony of his accomplishments.

As a householder David A. Wilbert was a good husband and father, beloved in his own home and esteemed by his neighbors; in business he was judged to be a man of high honor and strict integrity; as a citizen he met his responsibilities intelligently and conscientiously, and as a public servant he gave himself unselfishly and generously to the service of his constituents and of his Commonwealth.

Worthy indeed is the man of whom these things can truthfully be spoken. The keynote of his character was helpfulness. The presence of need instantly commanded his service. In this he represented the dominant spirit of our time. It has come about that no longer may a man give his entire thought to personal interests and be deemed a good citizen. Society requires that every true man shall contribute something to public well-being. Each may choose his own method, but none may withhold the service and still claim the reward of citizenship. In choosing politics as a sphere of activity in behalf of his fellows Senator Wilbert did well. No man receives less reward in money or in appreciation than he who chooses a political career. No man should receive greater reward, in confidence, in appreciation, in public approbation, than the men who on National and State Legislatures give themselves, always at the sacrifice of personal interests, to the service of the people.

Happily, the nation is making progress in its conception of the value of this service, and in consequence we are permitted to-day to witness a degree of honesty, highmindedness and devotion in our public servants impossible even a quarter of a century ago, and almost inconceivable in the early history of our republic. Expediency is ceasing to bulk as large as it was wont to do both in the business and political world. The people are coming to value as they ought the strong, honest, courageous man who is true to his convictions of duty and is inspired by the loyal purpose to do the best he can for his country regardless of personal interest. In paying my tribute of affection and esteem to the memory of Senator Wilbert, as one who thus tried to serve his State, and in recalling to our minds the memory of his devotion to party and to people, I gladly pay the same tribute to his associates in this body who are still carrying on the work he laid down and are seeking to serve the high interests of State and people. We are surely coming to the time when the conception of Sir William Jones, who wrote more than a century ago, will be a splendid reality.

"What constitutes a State?
Not high raised battlement, labored mound,
Thick wall or moated gate:
Not cities proud with spires and turrents crowned;
Not bays and broad arm'd ports,
Where, laughing at the storm, rich navies ride.
No; men—high minded men;
With powers, as far above dull brutes indeed
As beasts excel cold rocks and brambles rude.
These,
These constitutes a State."

After all, even this is not the whole of life. To live and work; to endure hardness; to deserve good and receive evil; to toil for reward and to gain reproach; to do one's duty and to meet, not applause, but ingratitude is this the life of man? It were still something inexpressibly worth while if it were all. Life, however, is something more and better and finer than this. We learn to understand it only as we come to see it and feel it in relation to the infinite. Three score years and ten never constitute the limits of a human life. Not toil, not striving to serve, not splendid achievement; but aspiring to throw one's energies into the fulfilling of eternal purposes and to get into harmony with the thought and plan of the eternal God, so that it shall always throb with mighty energy and work with omnipotent power—this is life. If we are to live it we must once in a while, as we are doing to-night, stop to listen to the voice which speaks forth from eternity and bids us to know that when the resting time has come it simply means that we mount upward upon pinions whose unwearied fight carries us into the very presence of infinity, where, purified, we shall always serve and always achieve. In those last hours Senator Wilbert

committed himself to the Father of Spirits in serene confidence and trust. This is the summit of all achievement, the perfection of human destiny. He who, in that last hour, can surrender himself to God as the weary child to the arms of its mother, has won the great victory and has gained the inheritance of eternal peace and never ending joy.

And the question recurring.

Will the Senate agree to the resolution?

The yeas and nays were taken, and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Thompson,
Farley,	Hunter,	Miller,	Vare,
Fisher,	Jarrett,	Mills,	Wasbers.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

MEMORIAL SERVICES ON THE DEATH OF JACOB C. STINEMAN, LATE SENATOR FROM THE THIRTY-FIFTH SENATORIAL DISTRICT.

The PRESIDENT. This being the time fixed by resolution for holding memorial services on the death of Jacob C. Stineman, late Senator from the Thirty-fifth Senatorial District, prayer will be offered by the Chaplain.

PRAYER.

The Chaplain, Rev. A. J. James, offered the following prayer:

Lord, Thou hast been our dwelling place in all generations, even from everlasting to everlasting, Thou art God. It is appointed unto man once to die and in Thy word we read that in the midst of life we are in death and yet we rejoice that we may turn to another page and read there that he that believeth in Thee, though he were dead yet shall he live, and as Thou didst stand before the tomb of Lazerus and command him to come forth unto life so Thou dost stand before the tomb of every fallen soldier of the cross and uttereth again those eternal words—son, doughter, come forth.

"Life is real, life is earnest,
And the grave is not its goal;
Dust thou art, to dust returnest,
Was not spoken of the soul."

We are all passing from time to eternity and passing rapidly; passing from mortality to immortality; going from corruption to incorruption; ascending from earth to Heaven. So guide each one of us that when we go we shall leave behind us a word the better for our having lived in it; to leave behind us that which cannot be interred with our bones—the good we have done we leave behind us human hearts touched with our sympathy lightened by our helping hand; cheered by our kindly word. One of our number Thou hast called from earth to the Great Beyond. We come this evening before Thee, we cannot go to him now but in Thy word we read that though he cannot come to us we may go to him, for we are all journeying to that land from which no traveller returneth. Be Thou with those who weep this evening because of the vacant chair about the hearth stone; be Thou with them and may they not weep as those who weep without hope but because of faith in the ressurrection of the dead we shall again stand together before Thy throne. Hear us in this our prayer, we ask it in our Redeemer's name. Amen.

RESOLUTION ON THE DEATH OF JACOB C. STINEMAN, LATE SENATOR FROM THE THIRTY-FIFTH SENATORIAL DISTRICT.

Mr. KNAPP offered the following resolution which was tice read:

Whereas, Our esteemed associate, the Honorable Jacob C. Stineman, a member of the Senate of Pennsylvania, from Cambria county, passed to his eternal rest on April second, one thousand nine hundred and thirteen; and

Whereas, During his lifetime he rendered to his County, State and Nation long and important services as a soldier in the Civil War, a county official and a member of both the Senate and House of Representatives; and

Whereas, His enterprise and forcefullnes in the development and conduct of the numerous mining commercial and financial matters with which he was identified, marked him as a successful man of affairs; therefore, be it

Resolved, That the loss to his own community and to his many associates is irreparable. The loss to the Commonwealth is great, but the greatest of all is to his own home, and we, the members of the Senate surviving, tender our condolence to his family so bereaved and direct that a copy of this resolution, duly engrossed and attested be forwarded to his family.

CHARLES H. KLINE,
WILLIAM C. CPROUL,
JAMES P. McNICHOL,
WALTER P. McNICHOLS,
FRANCIS J. McILHENNY,
CHESTER D. SENSENICH,
EDWARD HERBST,
J. CARTER JUDSON.

On the question,

Will the Senate agree to the same?

Mr. HERBST. Mr. President, An occasion like this fills me with peculiar sadness when I think of the many excellent men, my colleagues in this body during the past thirteen years, who have passed to the great beyond. When I contemplate the long sad roll call I am most forcibly reminded of what the Psalmist saith, "Death is certain to all; all shall die" yet

"Ah! surely nothing dies, but something mourns."

I first met Senator Stineman at the opening of the session of 1901. He was then a strong, stalwart man. We served together until 1908. I then saw little of him for four years, or, until his return at this session, and I was astonished to see how the inevitable ravages of time had worked on his naturally strong constitution. Senator Stineman had changed to an old man. His natural vigor and strength had abated. Stopping at the same hotel. I no doubt was one of the last Senators to say farewell to him the week he left us, never to return. Though noticing the change in him, as I have said before, I was nevertheless very much shocked to learn of his almost sudden death but a few days later.

Senator Stineman, Mr. President, was a grand example of what is best amongst the studry Pennsylvania Germans. As a boy on the farm he learned the habits of industry and economy for which this race is famous. He was a self-made man and a product of our Common Schools. A young man of fine brain and good sense he early became a teacher in these very schools where he had acquired the rudiments. Anon, came that tremendous that awful struggle between the States, our Civil War, and young Stineman full of patriotic ardor dropped the plough and the teacher's rod, and responded to his country's call. He enlisted in Company "F", One hundred and ninety-eighth Regiment Pennsylvania Volunteers, and served until the close of the war, witnessing the surrender of Lee's Army on that eventful Sunday of April 9th, 1865.

Returning from the army he again engaged in farming until 1868, when he began working in coal mines, and in 1873, operating coal mines himself. From this beginning he became the owner of much valuable coal property and one of the largest individual producers of bituminous coal in the State.

Politically his people had great confidence in him and honored him often and greatly. He served fifteen years as school director. He was Sheriff of his County, serving during the time of the terrible flood catastrophe in the Conemaugh Valley. He was twice a member of the House of Representatives of the State of Pennsylvania, and served three full terms in the Senate, dying during his fourth term to which he was elected last fall.

During his service in the Senate he served on important commissions, especially those managing our soldiers' homes and orphans' schools. I know how near these institutions were to his heart as I had the pleasure of visiting some in his company.

As farmer boy, school teacher, soldier, business man, public official and statesman Senator Stineman acted well his part. He left a vacant place in his community and State hard to replace. Such, however, is the endless mystery of life and death. Peace to his ashes, and may his soul

have found a resting place in bliss immortal is the wish of this, his old colleague.

"Then fell upon the house a sudden gloom,
A shadow on those features fair and thin;
And softly from that hushed and darkened room,
Two angels issued, where but one went in."

Mr. SALUS. Mr. President, when I entered the hall this evening I had not the faintest thought of saying a single word in these memorial services, but at the request of some of the Senators I rise here to say a kindly word for the man who I think was the oldest man in this Senate. I heard and you have heard the statement that the good that men do is ofttimes interred with their bones and the evil lives after them. That expression may be true in many of the walks of life, but my experience in the life of politics has found it otherwise. The good men do in their political lives always lives after them and those that fight like men and try to serve their fellow men in the policital battle of life are the first to raise their voices in a kindly statement and in fond recollection of the good that men have done in their political lives. And their mistakes, misfeasances, if you may call them so, are first forgotten.

I knew Mr. Stineman not intimately, but I do have a recollection of him when I was a member of the House of Representatives, and I can recall him in those days coming over to our side of this branch of the government and speaking to the men in that House of Representatives on questions in which he was interested, and at all times you could see by the actions of the man that his interests were the interests of the people of his home. He at all times had a kindly word to say and as a matter of fact went about it in such a fatherly way that it was almost impossible for any man to say no. I noticed him acting the selfsame way in this present session of the Legislature, and I recollect possibly the last conversation I had with him when he came around and asked if I could not support his two judge bill for Cambria County, and I said to him: "Senator, why are you so anxious for another judge?" He said: "My only interest is to do a kindly act to some good person in Cambria County." I believe that this was Mr. Stineman's entire method of proceeding in life. I had occasion in the last campaign to go to Johnstown and deliver or attempt to deliver a speech for the people on the ticket opposed to Mr. Stineman. I favored the election of his adversary. I left Johnstown the night after we had the mass meeting, and said to my brother, who is a resident of Johnstown: "Your man hasn't a chance. The people up here are with Mr. Stineman". The result of the election showed this. For after all there must have been something in this man different from most men, because my experience has been in political life that once a man meets defeat at the polls he cannot be reelected, and in the experience of Mr. Stineman we find a different result, which to my mind shows that the people of this particular County were interested in him, loved him, and went out and fought that last campaign for him because of the fact that he was the kind of man that he must have been. I know little or nothing of his career, but when I sat here and heard the Senator from Berks, narrate his experience and knowledge of him and the course of this man during his life, he surely must have been a high class citizen of that community. A man who starts out in the lower walks of life, a man who by his own perseverence, educates himself, a man who in the hour of need when his country called for his help left his own fireside and went to the firing line to protect that country and its causes, must certainly be a man of high character. A man, who, after he returned from the scene of battle goes back into life and becomes one of the most prominent men in the community in which he resides, must be a man of ability, a man of sincerity, a man of the highest type of honesty. With these things before us we can but say of him as has been said of many deserving men heretofore: "Well done, good and faithful servant, well done."

Mr. BEIDLEMAN. Mr. President, I desire to add a few words of tribute to the memory of our deceased member. Senator Stineman was born and lived his whole life in almost the same spot where he died. He was educated in the public schools, and then engaged in school teaching and working on the farm. It must have been, Mr. President, when he engaged in teaching school that he won the confidence of the people of his County, who always honored and cherished him. After the call had come for the Civil War he left the farm and joined the army. He served through the whole conflict, and returned after its completion to his native County. His people elected him for eighteen continuous and successive years as their school director, and he served them with fidelity. He engaged in business and was always known as a successful man. He enjoyed, I believe, a place of distinction among the people of his County as an employer, because I am told that during many years while being one of the largest employers of labor, he was practically without any difficulties among his men; which must have been due to the fact, as I am told, that when one of his employees was sick or had been injured while at work, he made it his business and esteemed it his duty to call at the house, see that proper medical attention was given, and if the family were in need, furnished the necessary comforts and supplies during the illness, the death of the man who met misfortune while at work. These things must have made their impression upon the minds of the people of his County, because we find him elected Sheriff for one term, following by election for two terms in the House of Representatives, then twelve years as a member of this Senate, from 1896 to 1908, and again re-elected in 1912. How the people of that County felt in regard to him, in my opinion is best shown by the fact that although he spent almost forty years in political office he never met defeat in his own County, and in the heat of a bitter Congressional campaign in 1910, with a possible 720 votes in the town in which he lived, more than seven hundred were cast in his favor, and only about ten or twelve were found aganist him. Mr. President, he was a man who was not only respected by his own County, but when he came here he impressed himself upon our membership and won our affection and esteem. Always kind and courteous there never was a time when there was a bill on the Calendar in which you may have been interested, but that he came to see you in regard to it. If he was in favor of it, he would tell you so and if opposed to it he assigned his reasons and expressed the regret that he could not vote in favor of the measure which you were urging. Mr. President, when a gloom was cast over this Senate on the second day of April, 1913, by the death of Senator Stineman, it was a gloom which members of this Senate will always feel; we will cherish his memory and remember him as one we had all learned to honor and to love. He will be missed by his family and his friends and his life will always furnish a splendid example worthy of emulation by the people with whom he so long associated and lived.

The ACTING PRESIDENT PRO TEMPORE (Mr. Charles H. Kline). As has been beautifully said, we assemble here this night to pay the tribute of respect to our two dear colleagues who have passed to the great beyond, and we often ask ourselves on occasions of this character how can words soar to the highest thought or sink to the depths of feeling. What language can paint the emotions of the soul when we lift the veil which time has cast and look down the broad vista, the retrospect, and from the rubbish of buried recollections bring forth the pleasures and the sorrows and sadnesses that have paved your lives wonder. When we think that we are obliged to part with the associations of these two grand men and when we look through the golden firmament of hope for the dawn of that greater and grander day, when we shall meet again, the soft fingers of an unseen angel's hand touch the pitying, pulsing strings of the human harpschord, which excites within us a world of images, of sentiments and thoughts and transport our souls upward and onward until, like the lark, they pour forth their celestial music at the very portals of Heaven. These two men believed in the true fraternity of man and in so doing they believed in the brotherhood of man and the fatherhood of God, the true basis of fraternity, which have been woven into the golden chain which has bound humanity together and fastened the whole world at the feet of God. And we often ask ourselves, my friends, when then shall true fraternity of man here on earth cease and determine, and the answer comes to us as if whispered into our ears by God himself. When the cradle of the universe shall have been returned to the attic to rock no more, when the last tear shall have been wiped away from sorrow's eye, when the dewdrops of Heaven no longer quench the aching thirst of the tender flowers, and when the sun shall

have been coffined by destruction, then and then only shall true fraternity cease, only to be ushered into that greater and grander world where sorrow and sadness shall be no more, and O, when we think of the fundamental principles of Christianity, immortality which is born of love and the human heart that which has flown through the human heart through all the countless ages and will continue to flow as long as life kisses the lips of death. These men have walked down through the valley of the shadow of death into the mansion of eternal peace, and when we believe in the fundamental doctrines of Christianity, then why should we weep, because who knows on this night but that they are the golden harvest spoken of and be swept into melody by the Heavenly hand of God.

And the question recurring,
Will the Senate agree to the resolution?
The yeas and nays were taken and were as follows, viz:

YEAS—48.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Cooper,	Herbst,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McIlhenny,	Snyder,
DeWitt,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	McNichols,	Thompson,
Farley,	Hunter,	Miller,	Vare,
Fisher,	Jarrett,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

ADJOURNMENT.

Mr. McNICHOL. Mr. President, I move the Senate do now adjourn until tomorrow morning at ten o'clock.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:13 o'clock P. M. until Wednesday morning, April 23, 1913, at ten o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, April 22nd, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter, in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Thou hast said in Thy Word that "every valley shall be exalted, every mountain and hill shall be brought low, and the crooked shall be made straight, and the rought places plain. Thou art forever fulfilling this significant Scripture; Thou art forever levelling and straigthening in Thine own strange way the inequalities of life. Since Thou canst do these things, O God, all things are possible with Thee. We pray therefore that Thou wouldst bring victory to us even out of our defeats, and strength to us even out of our weaknesses. Wilt Thou overrule and correct our mistakes and indiscretions:wilt Thou make our very faults and failures to work together for good. We believe that if we trust ourselves to Thee and are honestly seeking to do Thy will we may forget the past whatever it has been, we may dismiss and put away all regret and repining, and may set our faces hopefully toward the days that are before us. Wilt Thou give us inspiration for this day's work. May our bodies be strong, our minds alert, our sympathies broad and tender, our hearts responsive, our energies at their best. So shall we honor that God who has assigned us our work and serve the people who have committed their trusts into our hands, and Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to the reading of the Journal of yesterday's proceedings, when, on motion of Mr. Matt the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEE.

Mr. COX, from the Committee on Appropriations reported as committed, House Bill No. 1095, entitled:

A joint resolution providing for a commission to investigate and report on the dependents of this Commonwealth and making an appropriation therefor.

Mr. SNAVELY, from the Committee on Appropriations, re-reported as committed, House Bill No. 1891, entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gaging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor.

Mr. MITCHELL offered the following resolution, which was read and laid over for printing.

CONCURRENT RESOLUTION.

In the House of Representatives, April 21, 1913.

Whereas, By a concurrent resolution approved the thirteenth day of June, one thousand nine hundred eleven, a commission was authorized, to be appointed by the Governor, to examine into and ascertain the several pieces or tracts of land owned by, or to which the State of Pennsylvania has title, lying and being within the County of Erie, or the City of Erie, or the Harbor of Erie, or adjacent to said City of Erie, and fronting upon the Harbor of Erie or Lake Erie, or both, and make a description of said tracts or pieces of land, together with plots of the same, and make report to the Governor thereon, such commission serving without compensation; and

Whereas, Owing to the magnitude of the labors and the great amount of details required to be investigated, the commission has been unable to make its report prior to this session of the General Assembly; therefore

Be it resolved (if the Senate concur) That the said commission is hereby authorized to continue its labors in accordance with the said resolution and make its report to the Governor of Pennsylvania prior to the session of the General Assembly of one thousand nine hundred fifteen, with such recommendation as the commission may see fit to make in the interests of the Commonwealth. Said commission shall continue to serve without compensation.

CONCURRENT RESOLUTION NO. 39.

Mr. McNICHOL. Mr. Speaker, I call up Resolution No. 39, file folio 6351.

The SPEAKER. The resolution will be read.

The resolution was read by the Clerk as follows:

Concurrent Resolution No. 39 proposing an amendment to section three of article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the House of Representatives of the Comomnwealth of Pennsylvania (if the Senate concur) That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof

Section 2 Amend section three of article eight which reads as follows "All judges elected by the electors of the State at large may be elected at either a genral or municipal election as circumstances may require All the elections for judges of the courts for the several judicial districts and for the county city ward borough and township officers for regular terms of service shall be held on the municipal election day namely the Tuesday next following the first Monday of November in each odd-numbered year but the General Assembly may by law fix a different day two-thirds of all the members of each House consenting thereto Provided That such elections shall always be held in an odd-numbered year" so as to read

Section 3 All judges elected by the electors of the State at large may be elected at either a general or municipal election as circumstances may require All elections for judges of the courts for the several judicial districts and for county city ward borough and township officers for regular terms of service shall be held on the municipal election day namely the Tuesday next following the first Monday of November in each odd-numbered year but the General Assembly may by law fix a different day two-thirds of all the members of each House consenting thereto Provided That such elections shall be held in an odd-numbered year Provided further That all judges for the courts of the several judicial districts holding office at the present time whose terms of office may end in an odd-numbered year shall continue to hold their offices until the first Monday of January in the next succeeding even-numbered year

On the question,
Will the House agree to the resolution?
The yeas and nays were taken and were as follows:

YEAS—158.

Allen,	Foster, J. D.,	Mather,	Rockwell,
Alworth,	Frey,	Matt,	Roney,
Arthur,	Gans,	McAleer,	Rothenberger,
Baldwin, G. A.,	Geary,	McAllister,	Runk,
Baldwin, R. J.,	Good,	McArdle,	Sassaman,

Bass,	Grabe,	McCaig,	Savacool,
Bayle,	Gramley.	McClintock,	Schuck,
Becker,	Gransback,	McDermott,	Scott, J. R. K.,
Benson,	Haggerty,	McKay,	Scott, S. B.,
Berntheizel,	Heidinger,	McNichol,	Semmens,
Bigger,	Hemminger,	Mechling,	Shaffer, I. E.,
Bittles,	Herman,	Mellott,	Sherwood,
Blair, W. A.,	Heyburn,	Metzenbacher,	Showalter,
Body,	Hibshman,	Miller,	Smith, J. W.,
Brown,	Hobbs,	Missimer,	Smith, L.,
Brownlee,	Hoffman,	Mitchell,	Snavely,
Burnett,	Howard, J.,	Moore,	Snyder,
Caldwell,	Howard, R.,	Morrow,	Speiser,
Campbell, C.M.,	Humes,	Moses,	Spillinger,
Carson,	Isler,	Murphy,	Steele,
Claycomb,	Irwin, H. H.,	Musser,	Stein.
Cleary,	Jackson,	Neel,	Strauss,
Cochran	Jones, J. R.,	Newbaker,	Swartz,
Conner,	Kaiser,	Newton,	Swift,
Conrade,	Keegan,	O'Neill,	Thomas,
Cox,	Kennedy,	Peachey,	Trach,
Currier,	Kern,	Pennegar,	Ulman,
Curry,	Kitts,	Pennock,	Walnut,
Davis,	Kuhn, H. P.,	Perry, H. L.,	Walsh,
DeFrees,	Kuhns, E.G.M.,	Perry, S. J.,	Walton,
Donahoe,	Latshaw,	Peters,	Watson,
Donnally,	Lenker,	Post,	Wettach,
Down,	Leslie,	Price,	Wildman,
Dunn, J. A.,	Letzkus,	Ramsey,	Williams,
Ehrhardt,	Light,	Redfield,	Wilson, J. H.,
Eichenberger,	Lohr,	Reese,	Wiltbank,
Ely,	Lowers,	Rex,	Young, J. H.,
Ewing,	Mannion,	Rhoads,	Zimmerman,
Fahey,	Martin,	Richards,	Alter,
Flynn,		Robinson,	Speaker.

NAYS—0.

So the question was determined in the affirmative and the resolution adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO PLACE BILL ON CALENDAR.

Mr. GANS. Mr. Speaker, I move that House Bill No. 499, entitled:

An Act to amend section two of an act approved the fourth day of June Anno Domini one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal millrace works for supplying water heat light power coal air or any other substance furnished to the public well for the production of gas oil or other violatile or mineral substance or other structure or improvement of whatsoever kind of character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" by providing for a lien for improvement done to land including sodding planting of trees or shrubbery of any kind and landscape gardening.

be placed on the Calendar, notwithstanding the negative recommendation of the Committee.

Mr. McNICHOL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. GANS. Mr. Speaker, I will.

Mr. S. B. SCOTT. Mr. Speaker, I desire to ask the gentleman why the bill should be placed upon the Calendar.

The SPEAKER. The Chair must call the attention of the gentleman to the fact that this bill was reported negatively from the Committee on the 6th of March, therefore the motion is out of order.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McCLINTOCK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McCLINTOCK. Mr. Speaker, on the 17th of March I introduced a resolution, and about two weeks later I added an amendment to that resolution, and it has not been printed, nor does the amendment appear on the file folio.

The SPEAKER. What was the nature of the resolution?

Mr. McCLINTOCK. Mr. Speaker, the number of the resolution is 29, and relates to the tax system.

The SPEAKER. The resolution is listed on the Calendar as being file folio 2637.

RESOLUTION NO. 29.

Mr. McCLINTOCK. Mr. Speaker, then I desire to call up resolution No. 29.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

CONCURRENT RESOLUTION NO. 29.

Whereas, It is important that the assessment of real and personal property in the various counties of this Commonwealth should be made upon systems which protect the interest of the Commonwealth and which prevent discrimination between individuals and localities;

Therefore, Be It Resolved (if the Senate concur), That the Speaker of the House of Representatives be and he is hereby authorized to appoint five members of the House of Representatives and that the President pro tempore of the Senate be and he is hereby authorized to appoint three Senators who together shall constitute a commission whose duty it shall be to investigate between the sessions of the Legislature the various systems of assessment of real and personal property in use in this Commonwealth. The chairman of said commission shall be elected by the members thereof and all subpoenas issued by said commission shall be signed by him. Said commision shall have full power to administer oaths and to compel the attendance of witnesses, the production of books documents records and papers as to in its judgment will assist in the performance of its duties. Each member of said commission before entering upon his duties shall take and subscribe to the oath prescribed in the Constitution of the Commonwealth for the faithful performance of his duties. The commission shall hold such hearings which shall be public at such times and places as it may deem proper. The members of said commission shall serve without compensation but shall be allowed their actual necessary expenses. It shall have the right to employ such officers and employees as may be needed to enable it to properly perform its duties and the expenditures thereof shall be limited to the amount provided for in the general appropriation bill. Said commission shall make a full and true report in writing of its investigations together with such recommendations and suggestions as it may deem necessary to the next General Assembly of Pennsylvania at its first sesion in the year one thousand nine hundred and fifteen.

The SPEAKER. The Clerk will read the amendment to the resolution.

The Clerk then read the amendment as follows:

Amend by adding at the end thereto the following: "The total expense of said commission shall not exceed the sum of two thousand dollars, which amount shall be appropriated in the general appropriation bill"

On the question,

Will the House agree to the adoption of the resolution as amended?

Mr. J. R. K. SCOTT. Mr. Speaker, I move that the resolution lie on the table.

Mr. McCLINTOCK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1142, entitled:

An Act to protect the public health and safety by regulating the erection alteration repair use occupancy maintenance sanitation and condemnation of dwellings two-family dwellings rooming houses and tenements by regulating the use maintenance and sanitation of the grounds surrounding the same the adjoining buildings and all vacant land in cities of the first class providing for their inspection creating a division of housing and sanitation providing penalties for violations of the provisions thereof and repealing all laws inconsistent therewith

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—165.

Allen,	Frey,	Lowers,	Rockwell,
Alworth,	Gans,	Malie,	Roney,
Aron,	Geary,	Mannion,	Rothenberger,
Arthur,	Geiser,	Martin,	Sassaman,
Bass,	Good,	Mather,	Savacool,
Bayle,	Goss,	Matt,	Schaeffer, A. C.
Becker,	Grabe,	McAleer,	Schuck,

Benninger,	Gramley,	McAllister,	Scott, J. R. K.,
Benson,	Gransback,	McArdle,	Scott, S. B.,
Bigger,	Hackett,	McCaig,	Semmens,
Bittles,	Haggerty,	McClintock,	Shaffer, I. E.,
Blair, W. A.,	Heidinger,	McDermott,	Shern,
Brosius,	Hemminger,	McKay,	Sherwood,
Brown,	Herman,	McNichol,	Showalter,
Brownlee,	Hess,	Metzenbacher,	Smith, J. W.,
Burnett,	Heyburn,	Miller,	Smith, L.,
Caldwell,	Hibshman,	Missimer,	Snavely,
Carson,	Hobbs,	Mitchell,	Snyder,
Carter,	Hoffman,	Moore,	Spangler,
Claycomb,	Howard, J.,	Morrow,	Speiser,
Cleary,	Howard, R.,	Moses,	Spillinger,
Cochran,	Humes,	Murphy,	Steele,
Conner,	Isler,	Neel,	Stein,
Conniff,	Irwin, G. C.,	Newbaker,	Stone
Conrade,	Jackson,	Newton,	Strauss,
Cox,	Jones, J. R.,	North,	Swartz,
Currier,	Kaiser,	O'Neill,	Swift,
Curry,	Kaufman,	Peachey,	Thomas,
Davis,	Keegan,	Pennegar,	Trach,
DeFrees,	Keeport,	Pennock,	Ulman,
Dickinson,	Kennedy,	Perry, S. J.,	Walnut,
Donahoe,	Kern,	Peters,	Walton,
Down,	Kitts,	Piper,	Watson,
Dunn, H. B.,	Klepper,	Post,	Wettach,
Dunn, J. A.,	Lanius,	Price,	Whitaker,
Ehrhardt,	Latshaw,	Ramsey,	Wildman,
Eichenberger,	Lenker,	Redfield,	Williams,
Ely,	Leslie,	Reeser,	Wilson, J. H.,
Ewing,	Letzkus,	Rhoads,	Wilson, W. H.,
Fahey,	Light,	Richards,	Zimmerman,
Flynn,	Lohr,	Robinson,	Alter,
Foster, J. D.,			Speaker.

NAYS—2.

Body, Wiltbank,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 236.

Mr. ULMAN. Mr. Speaker, I desire to call up at this time the report of the Conference Committee on House Bill No. 236, file folio 6051.

The SPEAKER. The report will be read by the Clerk.

The Clerk then read the report as follows:

REPORT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 236.

To the members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill Number two hundred thirty-six entitled "An act defining mattresses, regulating the making, remaking and sale thereof, prohibiting the use of unsanitary and unhealthy materials therein, requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act, making certain acts criminal and punishing the same, imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act," beg leave to submit the following amended bill as our report.

CHARLES M. KLINE,
CLARENCE J. BUCKMAN,
C. W. SONES,
Committee on the part of the Senate.

ANSEL ULMAN,
H. W. BERGEY,
E. LOWRY HUMES,
Committee on the part of the House of Representatives.

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcements of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (1) The term "mattress" as used in this act shall be construed to mean any quilted pad mattress mattress pad bunk quilt or cushion stuffed or filled with wool hair or other soft material except feathers to be used on a couch or other bed for sleeping or reclining purposes

(2) The term "person" as used in this act shall be construed to include all individuals and all firms or co-partnerships

(3) The term "corporation" as used in this act shall be construed to include all corporations companies associations and joint stock associations or companies

(4) Whenever the singular is used in this act it shall be construed to include the plural whenever the masculine gender is used in this act it shall include the feminine and neuter genders

Prohibitions Upon the Making and Sale of Mattresses

Section 2 1 No person or corporation by himself or by his agents servants or employes shall employ or use in the making remaking or renovating of any mattress

(a) Any material of any kind that has been used in or has formed a part of any mattress used in or about any public or private hospital or institution for the treatment of persons suffering from disease or for or about any person having any infections or contagious disease

(b) Any material known as "shoddy" and made in whole or in part from old or worn clothing carpets or other fabric or material previously used or any other fabric or material from which shoddy is constructed

(c) Any material not otherwise prohibited by this act of which prior use has been made unless the said material has been thoroughly sterilized and disinfected by a reasonable process approved by the Commissioner of Health of this Commonwealth

2 No person or corporation by himself or by his agents servants or employes shall sell offer to sell deliver or consign or have in his possession with intent to sell deliver or consign any mattress made remade or renovated in violation of sub-section one of this section

Descriptive Statements Upon Mattresses

Section 3 No person or corporation by himself or his agents servants or employes shall directly or indirectly at wholesale or retail or otherwise sell offer for sale deliver or consign or have in his possession with intent to sell deliver or consign any mattress that shall not have plainly and indelibly written or printed thereon or upon a muslin or linen tag securely sewed to the covering thereof a statement in the English language setting forth the kind or kinds of materials used in filling the said mattress and whether the same are in whole or in part new or old or second-hand and the name and address of the manufacturer or vendor thereof or both

When Description as Felt May Be made

Section 4 It shall be unlawful to use in the said statement concerning any mattress the word "Felt" or words of like import if there has been used in filing said mattress any materials which are not felted and filled in layers unless the said statement shall plainly set forth all the different materials so used

Misleading Description Prohibited

Section 5 It shall be unlawful to use in the description in the said statement any misleading term or designation or term or designation likely to mislead

Form of Statement

Section 6 The statement required under section three of this act shall be the following form

Materials Used in Filling

.....
.....

Made by .....
Address .....
Vendor .....
Address .....

This article is made in compliance with the act of Assembly of Pennsylvania approved the ..... day of ..... one thousand nine hundred and thirteen

Removal of Description

Section 7 Any person who shall remove deface alter or in any manner attempt the same or shall cause to be removed defaced or altered any mark or statement placed upon any mattress under the provisions of this act shall be guilty of a violation of this act

Separate Offenses

Section 8 The unit for a separate and distinct offense in violation of this act shall be each and every mattress made remade renovated sold offered for sale delivered consigned or possessed with intent to sell deliver or consign contrary to the provisions hereof

Penalties

Section 9 Any person or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before a magistrate or justice of the peace shall be punished by a fine of not less than twenty-five dollars and not more than fifty dollars for each offense

Duties of Commissioner of Health

Section 10 Within sixty days after any process of sterilization and disinfection shall have been submitted to the Commissioner of Health of this Commonwealth under sub-section one (c) of section two of this act the said Commissioner shall approve or disapprove the same and if he disapproves shall state his reasons therefor

Duties of Chief Factory Inspector

Section 11 All places where mattresses are made remade or renovated or materials for mattresses prepared or where mattresses are offered for sale or are in the possession of any person or corporation with intent to sell deliver or consign them shall be subject to inspection by the Chief Factory Inspector whose duty it shall be in case he has reason to believe any person or corporation is violating this act to prosecute such person or corporation therefor

Information by Individuals Enforcement by Individuals

Section 12 Any individual who has reason to believe that this act has been or is being violated may present the relevant facts to the Chief Factory Inspector or any of his deputies in which case it shall be the duty of the Chief Factory Inspector to make an investigation of such facts as on his own initiative and if he is of opinion that the act has been or is being violated to prosecute the person or corporation guilty thereof

Any individual may institute proceedings to enforce this act and to punish violations of its provisions

Repeal

Section 13 All acts or parts of acts inconsistent herewith are hereby repealed

Time in Effect

Section 14 This act shall take effect the first day of January Anno Domini one thousand nine hundred and fourteen

On the question,

Will the House agree to the adoption of the report of the Committee on Conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—178.

Alworth,	Frey,	Matt,	Runk,
Ambler,	Gans,	McAleer,	Sassaman,
Aron,	Geary,	McAllister,	Savacool,
Arthur,	Geiser,	McArdle,	Schaeffer, A. C.
Baldwin, G. A.,	Glenn,	McCaig,	Schuck,
Barner,	Grabe,	McClintock,	Semmens,
Bass,	Gramley,	McDermott,	Shaffer, I. E.,
Becker,	Gransback,	McKay,	Shern,
Benninger,	Hackett,	McNichol,	Sherwood,
Benson,	Haggerty,	Mechling,	Showalter,
Bigger,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. A.,	Hemminger,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Heyburn,	Miller,	Snavely,
Body,	Hibshman,	Missimer,	Snyder,
Brosius,	Hobbs,	Mitchell,	Spangler,
Brown,	Howard, R.,	Moore,	Spillinger,
Brownlee,	Humes,	Morrow,	Steedle,
Burnett,	Isler,	Moses,	Stein,
Caldwell,	Irwin, H. H.,	Moulthrop,	Stone,
Campbell, C.M.,	Jackson,	Neel,	Strauss,
Carson,	Jones, J. R.,	Neely,	Swartz,
Carter,	Kaiser,	Newbaker,	Swift,
Claycomb,	Kaufman,	Newton,	Thomas,
Cleary,	Keegan,	North,	Trach,
Cochran	Kenna,	O'Neill,	Ulman,
Collins,	Kennedy,	Peachey,	Walnut,
Conner,	Kern,	Pennegar,	Walsh,
Conniff,	Kitts,	Pennock,	Walton,
Conrade,	Kuhn, H. P.,	Perry, H. L.,	Watson,
Cox,	Kuhns, E.G.M.,	Perry, S. J.,	Wettach,
Currier,	Latshaw,	Piper,	Whitaker,
Dickinson,	Lenker,	Post,	Whitman,
Donahoe,	Leslie,	Price,	Wildman,
Donnally,	Letzkus,	Redfield,	Williams,
Dunn, H. B.,	Light,	Reese,	Wilson, J. H.,
Dunn, J. A.,	Lohr,	Rex,	Wilson, W. H.,
Ehrhardt,	Lowers,	Rhoads,	Wiltbank,
Eichenberger,	Malie,	Richards,	Young, G. K.
Ely,	Mannion,	Robinson,	Young, J. H.,
Ewing,	Martin,	Rockwell,	Zimmerman,
Fahey,	Mather,	Rothenberger,	Alter,
Flynn,			Speaker.
Forster, I. G.,			

NAYS—3.

Allen,	Scott, J. R. K.,	Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference adopted.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 200, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act to provide for the removal of judges of the supreme superior common pleas and orphans' court permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. MATT. Mr. Speaker, I second the motion.

Whereupon, a division was called for and 106 gentlemen voting in the affirmative and none in the negative,

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1573, entitled:

An Act to repeal an act entitled "An Act to prohibit the sale of intoxicating drinks in the townships of Ohio in the County of Beaver" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and sixty-six in so far as the same applies to the Borough of Midland

On the question,

Will the House agree to the bill on third reading?

Mr. LETZKUS. Mr. Speaker, this bill has been introduced at the request of a majority of the people of Midland Borough, Ohio Township, Beaver County, Pennsylvania. In 1907, this bill passed the House but through a technicality the bill fell, as it was declared not legal. The various manufacturing establishments in Midland Borough in Ohio Township, where this prohibitory clause is very much of a handicap in regard to keeping men there to work, because there is not a place to get refreshments and when they want refreshments they will go to Pittsburgh or Youngstown or some other place nearby to get refreshments and frequently never come back. The manufacturing plants have been handicapped by not having sufficient men to operate their plants. We had a public hearing on this bill before the Committee on Law and Order; there was nobody there to oppose it. There was a very prominent citizen of Midland Borough together with others that were favorable to the bill and here is one letter that I received this morning that I wish to read. I don't want to take up too much of your time but this letter will give you an idea of our position.

Midland, Pa., April 19, 1913.

To the Honorable Members of the Senate and House of Representatives of the State of Pennsylvania.

Gentlemen:—Our attention has been called to the fact that there is a bill before your Honorable bodies to repeal the prohibitory law governing the sale of liquor in the Borough of Midland in which our plant is located. From the information we have at hand it is the consensus of opinion of a majority of the residents of the Borough of Midland that it will be to their best interests to have this proposed bill passed

Our plant at Midland has been in operation for about six years and we have taken particular pains during that time to thoroughly investigate the conditions which bear upon a matter of this kind and are heartily convinced after careful consideration of the whole matter that the best interests of the Borough would be served by the repeal of the present prohibitory law. In our judgment the interests of both the residents and manufacturers is a manufacturing districts, which necessarily is composed of a large foreign population are best served where the sale of liquor is licensed, as under the Brooks law, and the supervision of its distribution made subject to the approval and regulation of the Court. Although there has been constant and persistent selling of liquor illegally in the Borough of Midland, the records show there has only been a few convictions under the present law and yet we believe the proper authorities have taken perhaps more than ordinary care in endeavoring to enforce the law.

We wish to go most favorably on record in regard to our views upon this matter:

First—We do not believe in a prohibitory territory, in a small section of a country, which is otherwise licensed territory under the discretion of the Court.

Section—We do not believe that such territory can be maintained even with reasonable diligence on the part of the proper officials.

Third—We do not believe that the reasonable license and sale of liquor will aid greatly to the law and order of the entire community.

Yours very respectfully,

(Signed.) J. RAMSEY SPEER,
President.

Now, Gentlemen, these various concerns and also the Crucible Steel Company are all in favor of having this law repealed, so far as Midland Borough is concerned. Condi-

tions there today are such that they have thirty speakeasies where this foreign population go and get their drink and all the crime that has been reported there comes from the speakeasy district. If there is a license placed in this borough it will overcome this illegal drinking in liquor and give the people a legitimate place to go and get their drink, if they want it, or those who do want it, and they will not go out of town. For the benefit of this community, I ask you to vote for this bill.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Letzkus, permit himself to be interrogated?

Mr. LETZKUS. Mr. Speaker, yes, sir.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to ask the gentleman to state before the House whether or not, when this bill was before the Law and Order Committee, he stated that the bill was handed to him by the Senator from Beaver, Mr. Thompson?

Mr. LETZKUS. Mr. Speaker, I inadvertently did. There were a half dozen gentlemen there and Senator Thompson was there and coming from his district, I thought it was handed to me by Mr. Thompson, but I know that Mr. Thompson was not back of the bill.

Mr. GEORGE A. BALDWIN. Mr. Speaker, the gentleman was in error then the other day when he said the bill was handed to him by the Senator from Beaver, Mr. Thompson? The gentleman from Allegheny was mistaken then in his statement?

Mr. LETZKUS. Mr. Speaker, I was mistaken. Inadvertently, for the reason already given, I stated that Mr. Thompson gave me the bill.

Mr. GEORGE A. BALDWIN. Mr. Speaker, four years ago the bill was presented by a member of the House outside of Beaver county, and it was at that time pushed to the point where Governor Stuart gave the man to understand that if the bill did pass he would veto it and it was then dropped. Two years ago it was presented before this House and it was voted down when it came to final passage, the Senator from that Senatorial district being against the bill. This year, it again makes its appearance in the House and we find as its sponsor one of the members of Allegheny County. Some six years or eight years ago, the question of prohibitory laws covering the townships of Ohio and adjoining townships was agitated by the industries there which were passed in 1866.

Of course it covers a whole lot of territory not embraced within the borough of Midland. The people of this borough are vitally concerned and affected by the passage of this legislation, and they have not been consulted in the matter at all by the gentlemen who are pushing it. A petition was presented before the House Committee, setting forth that 196 out of 198 voters in the borough had signed the petition for the passage of this bill. Now, I have gotten hold of this petition, filed with the Law and Order Committee, and I have gone over it carefully, and I want to give you men the benefit of some of my research in relation to that bill. The ballot box stuffers of Schuylkill County have nothing on the fellows who put up this petition. I went over that petition, and I found that eighteen men signed it twice, and one fellow was so enthusiastic for the passage of this bill that he signed it three times. His name is Charles McNeal, Junior. He signed it twice as car inspector, and signed it the third time as a steel worker. I also find the names of four minors, and the names of two minors whose names had been crossed out when the petition reached me, hence making six minors at least who signed the petition. I found the names of twenty-eight non-naturalized foreigners on that petition, men who were not citizens of the United States, and of course not citizens and electors of the Borough of Midland. I found the names of thirty-six non-residents of the Borough of Midland, from Smith's Ferry and Woodlawn, in Beaver County, from Beaver, in Beaver County, from Liverpool, in the State of Ohio, from Cleveland, Ohio, from Columbus, Ohio, from Wellsville, Ohio, from Sharon, Pennsylvania, from Newcastle, Pennsylvania, from Pittsburgh, Pennsylvania, and from Buffalo, New York. All signed this petition for the repeal of this special prohibitory law applying to the borough of Midland, and certifying that they are residents of the Borough of Midland, entitled to vote on this bill. Then they would come here and offer that petition as a sort of vote, as a sort of referendum of the citizens of Midland on the bill when they don't belong in Midland and many of them don't belong in the State of Pennsylvania. And I find other kinds of deception carried out in that petition for the purpose of fooling you men. Andrew W. Bradley signed the petition once as Andrew W. Bradley and once as A. W. Bradley. Frederick Soulliard signed the petition once as Frederick Soulliard and once as Fred Soulliard. Joe A. Blue lives at New Castle, signed the petition once as layer-out and again as a press-man. I find M. J. Armour signs the petition not only as M. J. Armour but in order to fool us, again signs it James Armour. W. R. Jeffreys, who lives at Beaver, signed it twice. I find two police officers of the town signed it twice. Instead of spending their time in signing petitions more than once, probably it would be better for them, as well as for all parties concerned, if they would look after the speakeasies in Midland. Then I find the names of E. E. Etter and James F. Pentrant, who are signers to this petition and have since signed a protest against the passage of this bill, to which I will refer in a moment. Now, when I go over this alleged petition which we are told represents the sentiment of the people of Midland, I find only fifty-seven who have any business to be on that petition; that is, only fifty-seven signers on the petition who are at the same time voters in the borough. And I hold in my hand a protest against by forty-seven of the citizens of the borough, and all voters in the borough, protesting against the passage of the bill. Now, it seems to me that what I have pointed out to you with reference to the character of this petition ought to be sufficient warrant to you to vote against the bill. But there is another reason why you should vote against the bill. It comes here against the protest of both the members of the county affected. We are against this bill and we ask you to vote against it for that reason, if there were no weightier reasons. I do not know what foundation there may be in the story that is floating around over the House and possibly in the Senate, to the effect that the Senator from the district is for this bill, but I want to say to you that if it be true that he is for this bill, then he ought to be for it in the open. He ought to have his name on the back of it and take it to the Senate and not take it for granted that when the bill comes in the House from the hands of a member of another county; and when it is not introduced in the Senate by the Senator from the affected district, that I can safely say that all the members of this Legislature from the affected territory are against the bill. Now, Mr. Speaker, and members of the House, I ask you to give the bill the same treatment as it received two years ago and vote it down this morning by such a decisive vote that there will be no attempt made to resurrect it.

Mr. LETZKUS. Mr. Speaker, the remarks of the gentleman from Beaver, Mr. Baldwin, just bear out what I stated when I said that when the men went there to the mills, they went there with the purpose of securing permanent employment in those mills. They did not have any place to go to get any enjoyment and they would not go to speakeasies. While they were there they signed the petition, and then they left in the meantime, and that is the reason they are not at present inhabitants of Midland borough. Two years ago there was an election held there by the people to have this repealer passed. There were 160 for and 4 against. At present I have a petition with 167 names out of 169 possible voters. The gentleman states that some signed twice. It appears that there were two petitions going around, and it is possible that these people signed twice in that way. Those who are non-residents are just non-residents because they didn't have any place in the town to get their refreshments; and they did not accept permanent employment in those mills in Midland Borough, and not having the accommodations that they required, they left the place. And that is why those mills are handicapped for men; there is no place to get refreshments, and they will not go into speakeasies.

On the question recurring,

Will the House agree to the bill on third reading??

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SWIFT. Mr. Speaker, I simply have a word to say in reference to this bill. I want to call the attention of this House to this fact: That it is the province and business of legislation, not only to consider the demands of individuals that desire to get a dollar out of a certain business, but the demands of the homes, of the fathers and of the mothers of

Midland. It becomes a duty, I think, of all legislators. It is the province of legislation to protect the home; to protect childhood; to protect womanhood; to protect society, as well as to legislate for a business that has the object only of making money. The main argument of the gentleman from Allegheny,—and I want to call your attention to the fact that it is a strange thing to me, something new to me that a man outside of the county interested brings to us this bill for consideration—and the main argument that he uses is this: That if a license is granted there would be no speakeasies. I would like to call the gentleman's attention to his own city. Does the granting of licenses in Pittsburgh eliminate speak-easies. There are three times, nearly, as many speakeasies in Pittsburgh as there are licenses granted. It is true in all large cities that the granting of a license does not cut down speakeasies. And the most that this gentleman would try to make out is that if a license is granted, all trouble in Midland will be wiped out. You simply add to the troubles; you simply intensify them; you simply grant the privilege to another institution to ruin lives, to rob others of their boys; to disturb homes, and to disturb society. I need not discuss this question further. I think that every person in this House can see the impropriety and the unreasonableness of trying to pass this legislation, and that is supremely the reason and the good reason why we should vote this bill down at the present time.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Beaver, Mr. Swift.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SWIFT, Yes, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman on what authority he bases the statement that in the City of Pittsburgh there are three times as many speakeasies as there are licensed houses.

Mr. SWIFT. Mr. Speaker, I so read in the accounts given in the newspapers of Pittsburgh.

Mr. ALLEN. In what papers?

Mr. SWIFT. In the papers of Pittsburgh?

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman in what papers.

Mr. SWIFT. In all of them.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman further how many licensed places there are in the City of Pittsburgh.

Mr. SWIFT. Mr. Speaker, I do not know that I can name the number.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman further how many speakeasies there are in the City of Pittsburgh.

Mr. SWIFT. No man on earth can tell.

Mr. ALLEN. Mr. Speaker, if no man on earth can tell, I desire to ask the gentleman how he got his figures for comparison? I desire to ask the gentleman further whether he believes in local option.

Mr. SWIFT. Mr. Speaker, I do.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Beaver whether or not if the 167 petitioners in the Borough of Midland had appealed to him to present a bill of this kind, whether or not he would present such a bill in this House.

Mr. SWIFT. Mr. Speaker, I wish to state it is a question whether the majority of the voters of Midland if permitted to vote on this question, would not vote the business out. I hold in my hand a letter giving the last vote that was taken there and the ballot cast was less than one hundred. It does not follow that there are 167 votes in Midland. It is denied by a gentleman who belongs to the Midland Iron Company and it appears that if we can get a square vote, where they are permitted only to vote once, it looks as though we would have quite a large majority against the granting of license.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not he knows that there are 167 voters in the Borough of Midland?

Mr. SWIFT. I simply have the report here that I hold in my hand of the vote recently taken in reference to a bond issue. There were 105 votes only cast and at the previous election less than 100 votes cast. This is the only criterion I have to go by.

Mr. ALLEN. Mr. Speaker, I desire to know whether or not there was an election held in the Borough of Midland in relation to the repeal of this Act.

Mr. SWIFT. Mr. Speaker, I do not know.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman if prior to the last session of the legislature an election was not held in that borough, the results of which were such as indicated by the gentleman from Allegheny (Mr. Letzkus) just a few moments ago.

Mr. SWIFT. Then, Mr. Speaker,, I only have this to say if the gentleman from Beaver, who has stood upon this floor and still says that he is for local option, and believes in the right of the people to legislate for themselves, it seems to me that if 167 members who are qualified to vote from the borough of Midland, in which it is stated that there are 169 voters appealing to this House for the repeal of this act, that it is the duty of this House to repeal this act.

Mr. GEORGE A. BALDWIN. Mr. Speaker, the election to which the gentleman from Allegheny (Mr. Allen) refers, was an election that was held two years ago. We know that for an election held on a proposition of this kind in a town like Midland there is no legal authority. The election that took place there two years ago was a one-sided affair in which there was no check on the voters taking part. None of the election laws of the State of Pennsylvania were applicable to such election. They could stuff the ballot box then, and I do not doubt that they did stuff it, just as they stuffed the petitions which I analyzed a few minutes ago. As far as that election goes, it amounts to nothing.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the last gentleman who spoke, from Beaver, (Mr. Baldwin).

The SPEAKER. Will the gentleman from Beaver (Mr. Baldwin) permit himself to be interrogated?

Mr. BALDWIN. Mr. Speaker, Yes sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman what he means by a one-sided election?

Mr. GEORGE A. BALDWIN. Mr. Speaker, I mean that the alleged election was organized and held by the people who wanted the special prohibitory law repealed Nobody else paid any attention to it.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman further, if every elector in the borough of Midland did not have the right to vote at that election.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I do not think anybody had the right to vote. The election had no legal status whatever.

Mr. ALLEN. Does the gentleman make his answer as a positive statement or merely a thought.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I say as a proposition of law that nobody had a legal right to vote at it.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman further, whether or not he, as a member from the County of Beaver, would on the petition of the residents of the Borough of Midland present such a bill to this House.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I would not, for the reason that the townships of Ohio and Industry are vitally effected by this bill; but if it were ascertained that a majority of the people of the terirtory affected by this prohibitory law are in favor of its repeal and would come here with a petition, that would be quite another matter, and would receive the consideration to which it is entitled.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman further. I desire to ask the gentleman what the unit for his local option ideas is, whether it be borough, city, county, township or State.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I do not know that that is material to this issue. I would say that from my standpoint I would prefer a local option bill drawn something on the order of the one against which the gentleman from Allegheny voted at this session. Even if this were a local option question Mr. Speaker, would it be fair to give the people of Midland, assuming that the majority desired it, (which I do not concede), assuming that they favored it, would it be fair to the people of Midland to give them this and to deprive all the other boroughs of Beaver County, and of the whole State, of that same right. — the gentleman from Allegheny is for local option and wants this bill repealed, because he finds

the majority of the Borough of Midland want it repealed, then I ask him why he did not vote for the local option bill?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—82.

Allen,	Ehrhardt,	Kuhns, E.G.M.,	Richards,
Ambler,	Eichenberger,	Letzkus,	Roney,
Aron,	Ewing,	Lowers,	Rothenberger,
Arthur,	Fahey,	Malie,	Sassaman,
Bass,	Flynn,	Mannion,	Schaeffer, A. C.
Bayle,	Forster, I. G.,	McAllister,	Schuck,
Becker,	Frey,	McArdle,	Shern,
Benninger,	Gans,	McCaig,	Sherwood,
Bigger,	Geary,	McDermott,	Smith, J. W.,
Brown,	Geiser,	McNichol,	Speiser,
Caldwell,	Good,	Missimer,	Steedle,
Carter,	Goss,	Mitchell,	Stein,
Cochran	Gransback,	Moore,	Trach,
Conner,	Hackett,	Neely,	Walsh,
Conniff,	Haggerty,	Newbaker,	Wettach,
Cox,	Isler,	O'Neill,	Wildman,
Curry,	Kaiser,	Perry, S. J.,	Wilson, W. H.,
Davis,	Keegan,	Piper,	Wiltbank,
Donahoe,	Keeport,	Price,	Young, G. K.,
Dunn, J. A.,	Kitts,	Ramsey,	Young, J. H.,
		Reese,	Zimmerman,

NAYS—91.

Alworth,	Grabe,	Lohr,	Robinson,
Baldwin, G. A.,	Gramley,	Mather,	Runk,
Baldwin, R. J.,	Gray, Joseph,	Matt,	Savacool,
Barner,	Hemminger,	McClintock,	Scott, S. B.,
Benson,	Herman,	McKay,	Semmens,
Bittles,	Heyburn,	Mellott,	Shaffer, I. E.,
Blair, W. A.,	Hobbs,	Metzenbacher,	Showalter,
Blair, W. F.,	Hoffman,	Miller,	Smith, L.,
Brosius,	Howard, J.,	Morrow,	Snavely,
Brownlee,	Howard, R.,	Moses,	Snyder,
Burnett,	Irwin, G. C.,	Moulthrop,	Spillinger,
Campbell, C.M.,	Jackson,	Murphy,	Steele,
Carson,	Jones, E. E.,	Musser,	Stone,
Claycomb,	Jones, J. R.,	Neel,	Strauss,
Cleary,	Kaufman,	Newton,	Swartz,
Conrade,	Kennedy,	North,	Swift,
Currier,	Kern,	Peachey,	Thomas,
DeFrees,	Klepper,	Pennegar,	Walnut,
Donnally,	Kuhn, H. P.,	Pennock,	Whitaker,
Dunn, H. B.,	Latshaw,	Perry, H. L.,	Williams,
Foster, J. D.,	Lenker,	Post,	Wilson, J. H.,
Gibson,	Leslie,	Reeser,	Alter,
Glenn,	Light,	Rhoads,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1182, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. STONE. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. STEIN. Mr. Speaker, I desire to call up at this time from page 41, of to-day's calendar, Bills on Final Passage, House Bill No. 78.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 78, entitled:

An Act supplementing and amending sections two hundred and one (201) two hundred and two (202) and two hundred and fourteen (214) of article two of an act entitled "An Act to establish a public schol system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven by providing for the election in school districts of the first class of school directors at large by the people of the district at municipal elections instead of their appointment by the judges of the Courts of Common Pleas of the county in which such school district is situated

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEIN. I will.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to ask the gentleman from Allegheny whether or not it was arranged to have this bill called up on Wednesday.

Mr. STEIN. Mr. Speaker, I did not know that I was to be here to-day. I will say for the benefit of the gentlemen of the House that last week I said that I would call it up probably on Wednesday. As it may be possible that I cannot be here to-morrow, I thought it best to call it up to-day.

Mr. JOHN R. K. SCOTT. Mr. Speaker, there are many of the opponents of this bill not here to-day.

Mr. STEIN. Mr. Speaker, I think there are as many of the friends of the bill missing as there are opponents.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill, this amendment that is now being offered, is an amendment to the School Code which passed in the Session of 1911. At the last session there was considerable discussion as to whether or not the members of the Board of the Cities of the First Class, should be elected by the people or appointed by the Judges. The two delegations in the House from the larger counties, Allegheny and Philadelphia, were divided upon the question at that time. The bill came from the Committee having the boards elected. An amendment was offered and the discussion pro and con upon whether or not there should be the election or the appointment of the Board was had on the floor of this House, and the appointing power prevailed. Now, Mr. Speaker, this amendment that is being offered, or the principal portion of this amendment that is offered now, as I understand it, attacks the appointing power of the Boards in the first class, which covers Allegheny and Philadelphia. The objection to having the Boards elected was based strictly upon keeping politics out of the schools. In Philadelphia for a great many years we had our Board of Education appointed by the Board of Judges. In Allegheny County, as I understand it, from the discussion at the last session, for a great many years their Board had been elected by the people, and, therefore, that caused the difference of opinion between the two delegations, but I felt, at the end of last session, that Allegheny County was fully convinced that the appointing power had the real merit because it kept the schools high above politics. Now, Mr. Speaker, for us to take a step backward, after this short test, in the interim between the two sessions, to my mind is a great mistake. It surely is a policy that cannot be followed by those of us who come here from Philadelphia, and those gentlemen who represent the districts not composed of Allegheny and Philadelphia Counties, should give a very great deal of thought to their vote upon this amendment before they will concur in its request. The discussion that arose in the press on this question as to the appointing or elective power of the Board was full and covered many weeks. Those who advocated the election of the Board did it upon the broad principle that that was representative government, that the people had the right to elect their members to their School Boards, and that was met by the argument of those who sought to have the power of appointment, that the election of the School Boards made that Board a political body, made the schools subject to political influences, and dragged down the high tone of our educators. And it reached to such a height in the discussion that finally one of the principal political leaders in Philadelphia, Senator Vare,

stood in the Educational Committee, in the Joint Committee of the Senate and the House, and there said that although possibly it would deprive him and his followers of some power that they for years had had in the lower Boards of the schools, having the power of the appointment of the teachers and the appointment of the janitors, while from a political standpoint it was possibly a mistake, still from the high standpoint of citizenship, he felt it was his duty as a political man and leader to see that the schools should be kept out of politics. And that is the whole issue here to-day. Are we going to allow the schools to come back into politics? Now, Mr. Speaker, when the schools were in politics under the old sectional boards of Philadelphia, it was not an unusual thing to see incompetent teachers. It was not an unusual thing to hear of the political teacher, it was not an unusual thing to hear of the political contest, about the discharge or pormotion or appointment of this teacher or that principal. It was not an unheard of thing to even hear of corruption existing in the School Boards, and in fact, one of the school boards was brought into court, convicted and sentenced to imprisonment. More than that, Mr. Speaker, we often hear of immorality existing in the schools.

Now, all that was repugnant to the citizenship; it was repugnant to the men in public life; it was repugnant to the men who were in active political life. These were the conditions years ago. What do we find now? We find in Philadelphia a Board of Education consisting of men of very highest aim. Some of them who have devoted their life to educational advancement; some of whom have won their high positions by advancing the cause of education and some of whom won their positions in the legal profession. We find on the Board the ex-judge; we find on the Board the merchant prince; we find on the Board the man who has won his position in mercantile life and the man who won his position in professional life. We find a Board that devotes itself without a dollar's compensation, merely out of a sense of civic duty and out of a sense of high honor, that is vested in them by being on that Board. But a few weeks ago there was a vacancy in the Philadelphia Board when there was different men being advocated by the press and we find the Board of Judges casting aside all advice and going to the citizenship and selecting the foremost citizen-merchant of Philadelphia, asking him to come from the head of his great mercantile business and give his attention to the schools of Philadelphia, and they elected John Wanamaker. Now, Mr. Speaker, for us to attempt to pass a bill or an amendment to the bill which will take that power away of keeping our schools out of politics, that would deprive us of having on the School Board the very leading citizens of the City of Philadelphia, we are depriving the school children of something that we have no right to deprive them of. I take it that the gentlemen from Allegheny who advocate the elective system are being misled in their position. I remember distinctly their great force at the last session when they attempted to retain in the bill the elective power, and I remember the satisfaction that they displayed after they had been defeated. There was not one of them who came out personally disappointed. There was not one of them who didn't feel satisfaction in the belief that the right course had been carried out. You gentlemen here who are not in the large cities; you gentlemen that have your own courses in the smaller districts, should not be guided by your thought as to self-government; should not be guided by your thought as to representative government; should not be lured in your vote to this principle of electing a school board as fundamental, because in your homes you are likely to know every individual resident there, actually, or by reputation, and the result is that the men of the highest standing are selected among you. There is one other element about this vote that should be eliminated. That is the log-rolling element. I have the very highest respect for the gentleman who is the sponsor for this bill. I watched his course in this Legislature from his inception and have great admiration for him and for his ability and for his loyalty to his party and his loyalty to his friends and I would rejoice if I might conscientiously stand here to-day and support this bill merely because the bill has been offered by the gentleman from Allegheny, Mr. Stein. I fear that his great popularity in this House and his kindness to many of us with co-operation in bills that those of us have been for, will influence many of us to vote for his bill merely because it is his bill. Now, Mr. Speaker, it is a great mistake for us to tie ourselves up to this character of legislation upon any such assumption that we are doing the sponsor of the bill a favor in this bill. The log-rolling should be removed. We should not allow any reciprocating of kindness to influence us, nor should we do this merely because we think the bill will have a safe course over in the Senate where we are depending on a very uncertain possibility. The Senate is rocky one day and smooth the next; the Senate is militant one day and very calm the next day. If we allow this bill to go into the Senate, there might be a little log-rolling there and they would roll it up to the Governor and the result would be that we will find that they have our schools back again in the politics with all of its scandal and all of its incompetency. I hope, Mr. Speaker, that the members of this House will not support this amendment.

Mr. STEIN. Mr. Speaker, I desire to give public thanks to my very good friend from Philadelphia, Mr. John R. K. Scott, for the very kind words that he has spoken of me as sponsor of this bill, but I feel that I should not be equal to the lofty reputation he has given me if I didn't invoke every honest effort at my command towards securing the passage of this most meritorious bill. My friends will pardon me if I call your attention to the simple facts in the case, so that we can argue the logic and the law a little more quietly. The bill as proposed applies only to Pittsburgh and Philadelphia. No other section of the State is in any manner affected by its provisions. As the gentlemen all know, under the school code of 1911 every district elects its school directors, Pittsburgh and Philadelphia being the only exceptions, and in those cases the Board consists of fifteen members who are appointed by the Judges of the Common Pleas Court. Five members being appointed every other year: That is to say, of the fifteen members serving, five are appointed for six years; five for four years and five for two years. Now, five whose term of office was for two years will expire in September of this year and all that this bill proposes is that those five gentlemen shall come before the people for election instead of going to the Judges' chamber and using influence behind the open light of publicity in order to secure their appointment. The opposition to this bill seems to secure their appointment. The opposition to this bill to hesitate about the theory that we should not have the school in politics. I agree with my friend from Philadelphia that anything that tends to the betterment of the school system that in view of anything that will give the people of the State better service in the school ought to receive our hearty support. But, gentlemen, I call your attention to this fact: That politics are gradually getting cleaner and cleaner and thanks to the noble and unselfish efforts of such untiring reformers as my good friend from Philadelphia (Mr. John R. K. Scott), we expect soon to have clean and honest politics by the advocating of the short ballot, the initiative and referendum and most all the other bills, which only such true and unselfish patriots can defend, in order that politics may be clean and for once they are going to be clean, through efforts of this character and efforts such as are being given by the gentleman from Philadelphia. Why cannot we afford to allow the school board to come before the people rather than placing the burden upon the judges? It was not intended that any judge in the land shall exercise any such non-judicial office. Now, my friends, you will remember that the Board is elected not by any particular ward, as it used to be in the days of old. This Board is elected by the people at large, the people of the entire City of Pittsburgh or the entire City of Philadelphia, will say who shall administer their school affairs for the next six years and in electing these men you are only electing one-third and you cannot in any way disturb the equilibrium or the efficiency of the Board already created, because they still have ten members who will serve at least two years to come. We say with a good deal of justice that the people are not yet prepared to elect a Board. I say this without any disrespect to the very honorable ladies and gentlemen who are serving our school board in the City of Pittsburgh. I say it without any reflection on the very eminent ladies and gentlemen of Philadelphia who are making every self-sacrifice and giving their time and endeavor in both Pittsburgh and Philadelphia to the cause of education. I say that this bill involves a principle and the principle is

so great and so true that we cannot afford to sacrifice it in the interest of any men or set of men. They may be the most eminent and respectable judges in the State of Pennsylvania, but there is no such thing as asking or saying that the only way is through the courts and that they alone can elect competent and efficient school directors. I believe if the people are expected to elect a judge and to elect a Governor and that they are trusted with the election of United States Senators, that we in all fairness cannot for one moment object to their also being given the duty of electing the men and women who shall administer the school affairs of the City of Philadelphia and Pittsburgh. My friends in Pittsburgh all believe this and the city is only one-half of the county. The City of Pittsburgh is probably estimated at a population of six hundred thousand; the county has one million two hundred thousand. This city is not nearly as large as the county; the Common Pleas Judges are not city officials and many of them do not live in the city. Most of them have no interest or concern in the city affairs; some of them don't pay taxes on a single dollar's worth of property in the City of Pittsburgh. They are not subject to the people of the city because they are elected from the County of Allegheny, which is at least twice as large as the city and in all fairness, is it fair to entrust the selection of a school board into the hands of non-resident judges. I say that the proposition is not fair, no matter how eminent the judges of the county may be. I will say, in passing, that they are as honorable as any in the State of Pennsylvania or any in the United States. That is not the principle involved. We cannot afford to sacrifice the most important principle of our government because we happen to have good judges. There is one further principle, that I should and would like to urge. I say to you that any system that will permit an appointive board to spend annually five millions of dollars as they have to do in Pittsburgs over which the people have no control, that that is not constitutional. This was brought out in a case argued in the Supreme Court of Pennsylvania. It was a close and narrow decision. It decided that it perhaps was constitutional and that matter is now in the United States Supreme Court. Mark you, three filed a dissenting opinion. I submit that to the intelligence of learned lawyers of this House and I ask leave to read one or two passages of that opinion which is the minority opinion of the Supreme Court of Pennsylvania and is the only correct and logical opinion on the case.

"The legislature has, in effect, said to the people of Philadelphia and Pittsburgh that while citizens in other districts of the State may be trusted to manage their school affairs, they cannot be so trusted. It is difficult to conceive of legislation more local and special in its character, making this uncalled for distinction between the citizens of the two leading municipalities of the State and those of all other localities. 'It is not only local and special but odious in its discrimination.' "

"No conceivable ground of necessity justified these startling discriminations, which must be read as local or special legislation, intended as such, and therefore, coming within the clear prohibition of the Constitution."

"The majority of the court concede that some of the provisions of the Act of 1911, relating to school districts of the first class, 'may well be condemned as local legislation,' because they cover matters 'in no conceivable way peculiar to such districts as distinguished from other districts.' What is there so peculiar to the cities of Philadelphia and Pittsburgh that their people ought not to have the same gith that is given to the people in all other parts of the State—to elect their own school directors?

The people of the State have vested the taxing power absoluetly in the legislature, and it cannot delegate that power wholly or in part to either of the other departments of government, to any individual or to any board or commission."

"In school districts of the first class school directors are not to be elected by the people. They are not even to be appointed by the legislature, but are to be appointees of the judges of the Courts of Common Pleas, whom strictly speaking, are not the representatives of the people. They represent only the law, chosen for that purpose at long intervals. In these appointees of an intervening branch of the State government the legislature has undertaken to vest the power of taxation. The people who are to be taxed will have no voice in the selection of those who are to tax them. The scheme is one of bad taxation without representation and strikes at the very root of a republican form of government, for taxes are a grant of the people, and the grant must be made by their immediate representatives. The people are not to be taxed except by their own consent of that of officers truly representing them.'

"Of all the powers of government the one most liable to abuse is the power of taxation. If placed in hands irresponsible to the people of the district to be taxed, its abuse is a mere question of time."

Now, gentlemen, I say to you that there is such a doubt in the law in this case that even the Supreme Court is almost evenly split in its interpretation. If there is such a serious doubt, why not resolve that doubt in favor of the people from whom it never should have been taken. And in conclusion, gentlemen, let me say to you that it is not true that an appointive board would give better satisfaction than an elective board. I say to you that an elective board only is responsive to the will of the people. and if you will look at the records of Pittsburgh and Philadelphia, you will find that only when the board was elected by the people did it give any office in its province according to the suggestions of the people. All we ask, gentlemen, is, let the people of the City of Pittsburgh, and also so far as it concerns Philadelphia, let them elect five men or women, which will be one-third of a board; let them elect them in a clean and honorable manner, instead of forcing them on the people. And it is for this reason, gentlemen, that I ask you to support this bill.

Mr. GEARY. Mr. Speaker.

The statement made to you gentlemen by my colleague are all facts. We are not opposed to the School Code, we are in favor of it, but we do object and will continue to battle against class legislation which the Code provides in appointing those in charge or in control of school affairs. No good argument has yet been advanced why a school district of the first class should have an appointed Board. If it is wise and proper that the court appaint the Board in first class districts, why not appoint the Board in all school districts? Shall we continue to say to the citizens living in first class school districts that they are not competent to elect fit people to manage the schools? No other excuse can be made to them unless you men vote in favor of this bill, which simply grants the right of the people in first class districts, the same privilege his neighbor now has, living in the other school districts.

The people of Pittsburgh are vitally interested in this important question, their representatives assembled here would hardly dare to misrepresent them in this particular legislation. I am of the opinion, in fact I predict that out of the 14 members of this assembly representing the Pittsburgh district, at least 13 of them are of the conviction that the elective principal should prevail and will vote in favor of this bill.

Mr. S. B. SCOTT. Mr. Speaker, on account of the great length which this question has been argued, not only now but previously, it is not necessary to go over it again. I simply wish to state that the experience in the City of Philadelphia has demonstrated that the appointive school board produces the best results, and I hope that that experience will not be violated.

Mr. LORENZO SMITH. Mr. Speaker, I would like to give the Gentlemen of the House my experience on school boards, elective and appointive. I recall when the Board of Education was in politics. To give you one instance in the city in which I live, when school boards were in politics, one of the teachers had purchased a bicycle in order to ride to a school where she could not conveniently ride to and fro. The first time she had ridden the bicycle to the school, it was stolen by one of the pupils. She found out who the pupil was and applied to the district station house for relief. It happened to be the son of a policeman who had stolen the bicycle. He came to the lady and said to her that he was then paying $250 in instalments for a horse he had stolen, and that if she had political pull enough back of her to push the thing, to go ahead. One of the leaders of the district came to her and said, "Mrs. so-and-so,"—she was a widow at that time—"You used to have three voters in your house, your father, your brother and your husband, who is dead. If you have enough back of you to push this thing, go ahead." She had to leave her bicycle go and quit there. And this is the way appointments for teachers came about, instead of members of the board selecting teachers, a note would be handed to the board with a name on, and the question would be asked, "Who is that?" They would be told, "Never mind, that is none of your business. Just vote for that teacher." That was the way the thing was done. I have had about thirty odd years experience in that thing and I know all about the disreputable thing of putting our school boards in politics.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—80.

Allen,	Geiser,	Lanius,	Richards,
Barner,	Glenn,	Latshaw,	Robinson,
Becker,	Good,	Leslie,	Rothenberger,
Benninger,	Goss,	Letzkus,	Sassaman,
Benson,	Grabe,	Light,	Savacool,
Bigger,	Gramley,	Malie,	Semmens,
Brown,	Gray, Joseph,	Mannion,	Smith, J. W.,
Burnett,	Hackett,	McAllister,	Snavely,
Caldwell,	Haggerty,	McCaig,	Steedle,
Carson,	Herman,	McDermott,	Steele,
Carter,	Heyburn,	Metzenbacher,	Stein,
Claycomb,	Howard, R.,	Miller,	Strauss,
Cochran,	Humes,	Missimer,	Thomas,
Conner,	Isler,	Murphy,	Trach,
Conniff,	Kaiser,	Musser,	Ulman,
Donahoe,	Kaufman,	Neely,	Wettach,
Down,	Keegan,	Perry, H. L.,	Wildman,
Dunn, H. B.,	Kern,	Peters,	Young, G. K.,
Foster, J. D.,	Kitts,	Piper,	Zimmerman,
Geary,	Klepper,	Post,	Alter,
			Speaker.

NAYS—92.

Alworth,	Forster, I. G.,	Matt,	Schuck,
Aron,	Frey,	McAleer,	Scott, J. R. K.,
Arthur,	Gans,	McArdle,	Scott, S. B.,
Baldwin, G. A.,	Gibson,	McClintock,	Shaffer, I. E.,
Baldwin, R. J.,	Gransback,	McKay,	Shern,
Bass,	Heidinger,	McNichol,	Sherwood,
Berntheizel,	Hemminger,	Mitchell,	Showalter,
Blair, W. A.,	Hess,	Moore,	Smith, L.,
Blair, W. F.,	Hibshman,	Morrow,	Snyder,
Brosius,	Hobbs,	Moses,	Spangler,
Brownlee,	Hoffman,	Newbaker,	Speiser,
Campbell, C.M.,	Howard, J.,	Newton,	Spillinger,
Cleary,	Jackson,	North,	Stone,
Conrade,	Jones, E. E.,	O'Neill,	Swartz,
Cox,	Jones, J. R.,	Peachey,	Swift,
Curry,	Keeport,	Pennegar,	Walnut,
Davis,	Kenna,	Pennock,	Walsh,
DeFrees,	Kennedy,	Perry, S. J.,	Watson,
Dickinson,	Kuhn, H. P.,	Ramsey,	Whitaker,
Dunn, J. A.,	Kuhns, E.G.M.,	Reeser,	Wilson, J. H.,
Eichenberger,	Lenker,	Rhoads,	Wilson, W. H.,
Ewing,	Lohr,	Roney,	Wiltbank,
Fahey,	Mather,	Schaeffer, A. C.	Young, J. H.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASON FOR VOTE.

Mr. GRAMLEY. Mr. Speaker I desire to offer the following reasons for my vote on House Bill No. 78:

I vote for this bill because I believe that the people should rule, and by election the people and the school boards will be in closer touch. Also, because I do not believe that legal lore will particluarly prepare jurists to appoint school authorities.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1685, entitled:

An Act to amend section one of article six of an act approved the second day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" by requiring wash houses to be erected within eight weeks after notice has been served on the owner operator or superintendent

And said bill having been read at length the third time, considered and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Allen,	Frey,	Mannion,	Roney,
Alworth,	Gans,	Martin,	Rothenberger,
Aron,	Geary,	Mather,	Runk,
Arthur,	Geiser,	Matt,	Sassaman,
Baldwin, G. A.,	Gibson,	McAleer,	Savacool,
Baldwin, R. J.,	Goss,	McAllister,	Schaeffer, A. C.
Barner,	Gramley,	McArdle,	Schuck,
Bass,	Gransback,	McClintock,	Semmens,
Bayle,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Becker,	Hackett,	McKay,	Shern,
Benninger,	Haggerty,	McNichol,	Sherwood,
Benson,	Heidinger,	Mechling,	Showalter,
Berntheizel,	Hemminger,	Mellott,	Smith, J. W.,
Bigger,	Herman,	Metzenbacher,	Smith, L.,
Bittles,	Hess,	Miller,	Snavely,
Blair, W. A.,	Heyburn,	Mitchell,	Snyder,
Blair, W. F.,	Hibshman,	Moore,	Spangler,
Brosius,	Hobbs,	Morrow,	Speiser,
Brownlee,	Howard, R.,	Moses,	Spillinger,
Burnett,	Humes,	Moulthrop,	Steedle,
Caldwell,	Isler,	Murphy,	Steele,
Campbell, C.M.,	Irwin, G. C.,	Musser,	Stein,
Carson,	Irwin, H. H.,	Neel,	Stone,
Carter,	Jackson,	Neely,	Strauss,
Claycomb,	Jones, J. R.,	Newbaker,	Swartz,
Cleary,	Kaiser,	Newton,	Swift,
Conner,	Kaufman,	North,	Thomas,
Conniff,	Keeport,	O'Neill,	Trach,
Conrade,	Kennedy,	Peachey,	Ulman,
Cox,	Kern,	Pennegar,	Walnut,
Curry,	Kitts,	Pennock,	Walsh,
Davis,	Kuhn, H. P.,	Perry, H. L.,	Walton,
Dickinson,	Kuhns, E.G.M.,	Perry, S. J.,	Whitaker,
Down,	Lanius,	Peters,	Wildman,
Dunn, H. B.,	Latshaw,	Piper,	Williams,
Dunn, J. A.,	Leslie,	Price,	Wilson, J. H.,
Ehrhardt,	Letzkus,	Ramsey,	Wilson, W. H.,
Eichenberger,	Light,	Redfield,	Wiltbank,
Ely,	Lohr,	Reeser,	Young, G. K.,
Ewing,	Lowers,	Rex,	Young, J. H.,
Fahey,	Malie,	Rhoads,	Zimmerman,
Forster I. G.,		Richards,	Alter,
Foster, J. D.,		Rockwell,	Speaker.

NAYS—1.

Hoffman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1324, as follows:

An Act defining public utilities owned by cities boroughs towns and townships and providing for the submission of the question of the sale or lease thereof to the electors of such cities boroughs towns or townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "Public Utility" as used in this act shall be taken to include any electric light plant electric power plant gas plant fuel or heating plant water supply or power plant sewer or sewage disposal plant street railway or other public utility of a like nature or character

Section 2 No city borough town or township being the owner or owners of any public utility shall have authority or power to sell or lease any such public utility until the question of such sale or lease shall be first submitted to and approved by the electors of such city borough town or township

Section 3 Whenever any city borough town or township shall desire to sell or lease any public utility it shall pass an ordinance or resolution to that effect and provide for the holding of an election for the purpose of obtaining the expression of the election upon such question Notice of such election shall be given to the electors of any such municipality by publication in three newspapers published in such municipality once a week for four weeks immediately preceding such election If less than three newspapers are published in such municipality then such notice shall be published in any newspapers published in such municipality and if no newspaper is published therein then notice shall be given by at least fifty printed hand bills posted in the most public parts of such municipality

Section 4 The advertisements or notices provided for in section three of this act shall state the time and place of holding such election the public utility in question and the proposed manner of disposal thereof a statement under oath by the president or treasurer of the council or corporate authorities of such city borough town or township showing the valuation of such public utility at the last inventory the total earnings and percentage of profit and loss cost of operation and maintenance thereof for the two years last past the name or names of the parties desiring to purchase or lease such public utility and the price or sum offered therefor

Section 5 The corporate authorities of such city borough town or township shall in all cases fix the time of holding any election in pursuance to this act on the day of any municipal or general election unless more than ninety days elapse between the date of the ordinance and any such election Any such election shall be conducted by the regular election officers and all electors of any such city borough town or township qualified under the laws of this Commonwealth to vote at general elections may vote at any such election

Section 6 The ballots used at any such election shall have printed on the outside in large plain letters "PRO-

POSED SALE OF" (naming public utility) or "PROPOSED LEASING OF" (naming public utility) and said ballot shall contain on the inside a brief statement of the object of the election naming the public utility to be sold or leased the name of the party seeking to purchase or lease the same and the sum offered and below such statement shall be printed in large letters "SHALL THE SALE (OR LEASE) BE MADE" followed by the words "YES" and "NO" and the qualified voters of any such city borough town or township shall at such election mark in the square opposite the words "Yes" and "No" by a cross mark (x) his answer to the question submitted The ballots so voted shall be deposited in a box specially provided for that purpose and shall be counted and a return thereof made by the election board to the clerk of the court of quarter sessions of the proper county and the clerk of the courts shall make a record of the same and shall furnish a certified copy thereof showing the result to the corporate authorities of such city borough town or township and the same shall be placed of record upon the minutes thereof

Section 7 If any such election be held at any time other than on the day of any general or municipal election the expense of holding the same shall be paid by such city borough town or township All penalties for the violation of the election laws of the Commonwealth of Pennsylvania are extended to any such election

Section 8 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Allen,	Flynn,	Letzkus,	Richards,
Ambler,	Forster, I. G.,	Light,	Robinson,
Aron,	Foster, J. D.,	Lour,	Rockwell,
Arthur,	Gans,	Mannion,	Roney,
Baldwin, G. A.,	Geary,	Martin,	Rothenberger,
Barner,	Geiser,	Mather,	Runk,
Bass,	Gibson,	Matt,	Sassaman,
Bayle,	Good,	McAleer,	Schaeffer, A. C.
Becker,	Grabe,	McAllister,	Schuck,
Benninger,	Gramley,	McArdle,	Scott, J. R. K.,
Benson,	Gransback,	McCaig,	Scott, S. B.,
Berntheizel,	Gray, Joseph,	McClintock,	Sherwood,
Bigger,	Hackett,	McDermott,	Showalter,
Brosius,	Haggerty,	McKay,	Smith, J. W.,
Brown,	Heidinger,	McNichol,	Smith, L.,
Burnett,	Hemminger,	Metzenbacher,	Snavely,
Caldwell,	Hess,	Miller,	Snyder,
Campbell, C.M.,	Heyburn,	Mitchell,	Speiser,
Campbell, J.J.	Hibshman,	Moore,	Spillinger,
Carson,	Hobbs	Morrow,	Steedle,
Carter,	Hoffman,	Moses,	Steele,
Claycomb,	Humes,	Musser,	Stein,
Cleary,	Isler,	Neely,	Stone
Cochran,	Irwin, H. H.,	Newbaker,	Strauss,
Conner,	Jackson,	Newton,	Swift,
Conrade,	Jones, J. R.,	North,	Trach,
Currier,	Keiser,	O'Neill,	Ulman.
Curry,	Kaufman,	Peachey,	Walnut,
Davis,	Keeport,	Pennegar,	Walsh,
DeFrees,	Kennedy,	Pennock,	Walton.
Dickinson,	Kern,	Peters,	Watson,
Down,	Kitts,	Piper,	Wettach,
Dunn, H. B.,	Kuhn, H. P.,	Price,	Whitaker,
Ehrhardt,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Eichenberger,	Lanius,	Redfield,	Young, G. K.,
Ely,	Latshaw,	Reeser,	Young, J. H.,
Ewing,	Lenker,	Rex,	Zimmerman,
Fahey,	Leslie,	Rhoads,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. S. B. SCOTT in the Chair.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1732, as follows:

An Act relating to applications for charters of corporations of the first class and regulating the change of location of the place of business of such corporations"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where a charter has been heretofore granted in the State of Pennsylvania by the Court of Common Pleas of the proper county and the association thus chartered desires to change the location of its place of business a petition signed by the majority of its board of directors shall be filed in the office of the prothontary in said county setting forth the exact description of the new location the character of the building for what other purposes if any the building has been or is being used the name of the owner of the building and the number of rooms therein and the number to be used by said association

Section 2 Hereafter all applications for charters to be granted by the Court of Common Pleas of the proper county shall set forth in addition to the matters now required by law the facts specified in section one hereof

Section 3 Before any association so granted a charter by the Court of Common Pleas of the proper county shall change the location of its place of business the petition containing the matters enumerated in the preceding sections after being so filed in the prothonotary's office whereof a record shall be kept in said office shall be presented to and the approval had of the Court of Common Pleas of the county that granted the charter for such association

Section 4 This act shall not take effect until sixty days after the pasage of the same

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 3, line 6, after "officer" insert "shall be duly advertised in like manner as applications for original charters and"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1820 (Senate Bill No. 590), entitled:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Allen,	Flynn,	Leslie,	Rex,
Alworth,	Forster, I. G.,	Letzkus,	Rhoads,
Ambler,	Foster, J. D.,	Light,	Richards,
Aron,	Frey,	Lowers,	Rockwell,
Arthur,	Gans,	Malie,	Roney,
Barner,	Geary,	Mannion,	Rothenberger,
Bass,	Gibson,	Martin,	Runk,
Bayle,	Glenn,	Matt,	Sassaman,
Becker,	Good,	McAleer,	Schaeffer, A. C.
Benninger,	Goss,	McAllister,	Schuck,
Benson,	Grabe,	McCaig,	Scott, S. B.,
Berntheizel,	Gransback,	McClintock,	Shaffer, I. E.,
Bigger,	Gray, Joseph,	McDermott,	Shern,
Bittles,	Hackett,	McKay,	Sherwood,
Blair, W. A.,	Haggerty,	McNichol,	Showalter,
Blair, W. F.,	Heidinger,	Mechling,	Smith, J. W.,
Brosius,	Hemminger,	Mellott,	Smith, L.,
Brown,	Herman,	Metzenbacher,	Snyder,
Brownlee,	Hess,	Miller,	Spangler,
Burnett,	Heyburn,	Mitchell,	Speiser,
Caldwell,	Hibshman,	Moore,	Steedle,
Campbell, C.M.,	Hobbs,	Morrow,	Steele,
Campbell, J.J.	Howard, J.,	Moses,	Stein,
Carson,	Howard, R.,	Moulthrop,	Stone,
Claycomb,	Humes,	Murphy,	Strauss.
Cleary,	Isler,	Neel,	Swartz,
Cochran,	Irwin, G. C.,	Neely,	Swift,
Conner,	Irwin, H. H.,	Newbaker,	Thomas,
Conniff,	Jackson,	Newton,	Trach,
Conrade,	Jones, J. R.,	North,	Ulman,
Cox,	Kaufman,	O'Neill,	Walnut,
Currier,	Keegan,	Peachey,	Walsh,
Davis,	Keeport,	Pennegar,	Walton,
DeFrees,	Kennedy,	Pennock,	Watson,
Dickinson,	Kern,	Perry, H. L.,	Whitaker,
Donahoe,	Kitts,	Perry, S. J.,	Williams,
Donnally,	Klepper,	Piper,	Wiltbank,
Down,	Kuhn, H. P.,	Post,	Young, G. K.,
Dunn, J. A.,	Lanius,	Price,	Young, J. H.,
Ehrhardt,	Latshaw,	Ramsey,	Zimmerman,
Eichenberger,	Lenker,	Reeser,	Alter,
Ely,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1546, as follows:

An Act to amend section five of an act entitled "An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250,000) dollars" approved the fifth day of March Anno Domini one thousand nine hundred and six (1906) by increasing the amount of excepted contracts from two hundred and fifty ($250.00) dollars to five hundred ($500.00) dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of the act approved March fifth one thousand nine hundred and six entitled "An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty ($250.00) dollars" which reads as follows

"Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than two hundred and fifty dollars" be amended so that the same shall read as follows

Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than five hundred dollars

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Aron,	Ehrhardt,	Leslie,	Robinson,
Arthur,	Eichenberger,	Light,	Rockwell,
Baldwin, G. A.,	Ely,	Lohr,	Roney,
Baldwin, R. J.,	Ewing,	Mannion,	Rothenberger,
Barner,	Fahey,	Martin,	Runk,
Bass,	Flynn,	Mather,	Schaeffer, A. C.
Bayle,	Forster, I. G.,	McAleer,	Schuck,
Becker,	Foster, J. D.,	McAllister,	Scott, S. B.,
Benninger,	Gans,	McClintock,	Semmens,
Benson,	Geiser,	McDermott,	Shaffer, I. E.,
Berntheizel,	Gibson,	McKay,	Shern,
Bigger,	Glenn,	McNichol,	Sherwood,
Bittles,	Gransback,	Mechling,	Showalter,
Blair, W. A.,	Gray, Joseph,	Miller,	Smith, J. W.,
Brosius,	Hackett,	Missimer,	Smith, L.,
Brown,	Haggerty,	Mitchell,	Snyder,
Brownlee,	Heidinger,	Moore,	Speiser,
Burnett,	Hemminger,	Morrow,	Steedle,
Caldwell,	Hess,	Moses,	Steele,
Carter,	Heyburn,	Moulthrop,	Stein,
Claycomb,	Hibshman,	Murphy,	Stone,
Conner,	Hobbs,	Neel,	Strauss,
Conniff,	Hoffman,	Neely,	Swartz,
Conrade,	Humes,	Newton,	Thomas,
Cox,	Isler,	O'Neill,	Trach,
Curry,	Irwin, H. H.,	Pennegar,	Walsh,
Davis,	Jackson,	Pennock,	Wettach,
DeFrees,	Jones, J. R.,	Perry, S. J.,	Whitaker,
Dickinson,	Kaufman,	Peters,	Wildman,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Donnally,	Kuhns, E.G.M.,	Rex,	Wiltbank,
Down,	Lanius,	Rhoads,	Young, G. K.,
Dunn, J. A.,	Latshaw,	Richards,	Young, J. H.,
			Alter,
			Speaker.

NAYS—24.

Allen,	Herman,	Mellott,	Sassaman,
Blair, W. F.,	Howard, R.,	Musser,	Savacool,
Carson,	Keegan,	Newbaker,	Swift,
Collins,	Kern,	Peachey,	Ulman,
Good,	Klepper,	Post,	Walnut,
Grabe,	Matt,	Price,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1458, as follows:

An Act creating a division of distribution of documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "documents" as used in this act shall be taken to mean all documents books pamphlets reports and other publications of similar or analogous nature printed at the expense of the Commonwealth for any department of the State Government or any branch thereof or for the General Assembly or for any legislative committee thereof or for any commission or commissioner authorized by law The term shall not include legislative bills the legislative journal legislative calendars or routine blank books or forms used in the performance of the work of the State Government bulletins issued by the departments of the State Government nor paper books briefs or other documents and papers printed for the use of the Attorney General

Section 2 There is hereby established in the Department of Printing and Binding a division to be known as the "Division of Distribution of Documents"

Section 3 The chief of the Division shall be appointed for the term of four years by the Superintendent of Public Printing and Binding with the approval of the Governor He shall before assuming the duties of his office take and subscribe to the oath or affirmation prescribed by the Constitution of this Commonwealth and shall give bond to the Commonwealth in the sum of ten thousand dollars ($10,000) conditioned on the faithful performance by him of the duties of his office He shall receive an annual salary of two thousand four hundred dollars ($2,400)

Section 4 The Superintendent of Printing and Binding shall appoint in said Division one male stenographer and typewriter who shall receive an annual salary of twelve hundred dollars ($1,200) Additional help for said Division shall be furnished when necessary by the Superintendent of Public Grounds and Buildings

Section 5 It shall be the duty of the State Printer when he shall print any documents at the expense of this Commonwealth to deliver all such documents to the Division of Distribution of Documents Failure or refusal to do so shall constitute a misdemeanor

Section 6 Whenever any documents shall be delivered to the chief of the Division he shall ascertain the number of the same and shall compare the paper printing and binding thereof with the paper printing and binding set forth in the order of the Superintendent of Public Printing and Binding to the State Priter for such documents and if he shall find any variance in the number of documents or in the quality of the paper or the printing or binding he shall report the same at once to the Superintendent of Public Printing and Binding

Section 7 It shall be unlawful for any officer of the State Government or for any legislative committee or for any commission or commissioner authorized by law to have any document printed except by the State Printer unless the State Printer is required to order printing done elsewhere because of the failure of the State Printer to do the work or it is necessary in order to expedite the printing for the said Superintendent of Public Printing to have the printing done elsewhere as now provided by law

Section 8 The chief of said Division shall distribute documents only on a written order addressed to the chief of the Division by the official or person entitled to such documents The distribution of any document the distribution of which is not provided for in this act shall be subject to the approval of the Superintendent of Public Printing and Binding

Section 9 The only persons who shall be entitled to order documents from the Division shall be the following namely the Governor the members of the General Assembly the heads and deputy heads of the various departments of the State Government Each department and each sole commissioner and the chairman of any lawful commission and the chairman of any legislative committee shall be entitled to order from the Division such document not enumerated in this act as may be necessary in the performance of the work of such department of commissioner or commission or committee or institution and also such documents not enumerated in this act as shall embody the results of the work of such department or any bureau or division thereof or of any such commissioner commission or committee

Section 10 As soon as copies of any document are delivered to the Division the Chief shall in writing notify each member of the General Assembly and each official and department and commission and committee of the number thereof to which he or it is entitled If such member of the General Assembly or official or department or commission or committee shall not requisition his or its quota within three months thereafter The documents so remaining unrequisitioned or any part thereof shall then be open to general requisition on the part of such member and official and department and commission and committee without regard to number There shall however be retained such number of each document for future use as the Superintendent of Public Printing and Binding shall determine Notification thereof shall be sent to said members and officials and departments and commissions and committees

Section 11 To the persons entitled to documents the chief shall furnish on request blank forms for orders for documents

Section 12 Whenever any department or committee or commission shall requisition and receive documents for distribution it shall be the duty of the head of such department committee or commission to file with the Division before the first day of July of each year the exact number of documents of each kind that have been requisitioned but not distributed during the year ending the first day of June preceding said first day of July

Section 13 The Board of Commissioners of Public Grounds and Buildings shall furnish adequate rooms for conducting the affairs of the Division and shall furnish and keep the same duly furnished On requisition of the Chief of the Division countersigned by the Superintendent of Public Printing and

Binding it shall furnish all supplies and labor that may be necessary in conducting the affairs of the Division

Section 14 The Superintendent of Public Printing and Binding shall (on requisition of the chief of the Division) furnish all printing that may be necessary in such Division

Section 15 The chief of the division shall on or before the first day of July annually report to the Superintendent of Printing and Binding the number of documents received the manner and on whose order they have been distributed and the number remaining undistributed He shall also report the names of those who in his judgment have unreasonably requested documents or who have exceeded in their orders the number of documents to which they would reasonably be entitled He shall also suggest improved methods leading to economy in the printing and distribution of documents This report or a summary thereof shall be included in the report of said superintendent to the Governor

Section 16 Documents shall be distributed in the following manner only

1 Personally to those entitled thereto or to their duly authorized agent

2 By mail if the documents be requested singly

3 When the documents can be sent more cheaply by commom carrier than by mail the distribution shall be in bulk by contract

Upon the requisition of any member of the General Assembly at any time during their term of office any document requested shall be delivered by mail or otherwise to the address of the person indicated in such requisition Due credit shall be given to the respective member by a slip attached to the front of such document upon which shall be printed "Compliments of John Doe member of the Senate (or of the House of Representatives as the case may be)" This however shall not prevent any member from having his allotment sent on requisition in bulk to his home or business address if he shall so desire

Section 17 During the month of July in each even numbered year the Superintendent of Public Printing and Binding shall by advertisemet solicit proposals for distributing documents which are to be distributed in bulk Such advertisements shall be once a week for four consecutive weeks The advertisements shall state approximately the manner in which the documents shall be shipped and shall give the time and place when and where the proposals shall be opened The Governor shall designate one daily newspaper in each of the following cities wherein such advertising shall appear namely Philadelphia Pittsburgh Scranton and Harrisburg The Governor may also designate one newspaper each in such other counties not to exceed five as he may deem proper The rates for such advertising shall not exceed the ordinary legal rate for such newspaper

Section 18 No proposal shall be considered unless it conforms to all of the following requirements

1 Each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal"

2 Each proposal shall be accompanied by a certified check to the order of the State Treasurer in one-fourth of the amount of the proposal or by a bond in such form as shall be prescribed by the Superintendent of Public Printing and Binding and in the full amount of the proposal Each bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealth or two sureties approved by a judge of the court of Common Pleas of the county in which the bidder resides or the county wherein shall be located the principal place of business of the bidder

3 Each proposal together with the proper bond or check shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the Superintendent of Public Printing and Binding who shall retain all envelopes unopened until the time fixed by law for the opening thereof

Blank forms for proposals and blank forms for bond and surety with jurisidction thereof shall be furnished by the chief of the division to all prospective bidders

Section 19 Proposals for distributing documents in bulk shall be opened at twelve o'clock meridian on the second Monday of August in even numbered years and the contract for such distribution shall thereupon be awarded to the lowest and best bidder Bids shall not be opened nor a contract awarded except in the presence of the said Superintendent and of the said chief and of the Auditor General The Superintendent of Public Printing and Binding may however reject any or all bids and re-advertise as before The bids when opened shall be tabulated and shall be opened to inspection by all the bidders A record of all bids shall be kept by the Chief of the Division No contract shall be let without the approval of the Governor the Auditor General and the State Treasurer

Section 20 Each contract for the distribution of documents shall be prepared by the Attorney General and shall be for a period of two years from the fifteenth day of August in even numbered years If all proposals shall be rejected and a readvertisement determined upon any contract entered into thereafter shall be drawn so as to expire on the fifteenth day of August in the odd numbered year next ensuing

Section 21 Any bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for the check a bond as herein prescribed otherwise the check shall be retained in lieu of a bond

Section 22 The bonds and checks of all unsuccessful bidders shall be held by said Superintendent of Public Printing and Binding for a period of ten days from the date of opening the proposals after which time they shall be returned to the respective parties submitting them

Section 23 When a contract for the distribution of documents shall be awarded the contracts shall remove all documents to be distributed from the rooms of the division of distribution If the contractor shall fail to comply with the terms thereof the contract may be awarded to the next best and responsible bidder or the Superintendent of Public Printing and Binding may re-advertise and proceed as in the case of a new contract or he may have the work stipulated in the contract performed otherwise at the expense of the de faulting contractor and his surety or the Superintendent of Public Printing and Binding may call upon the surety on the bond to fulfill the terms of the contract If the contract be awarded to the next best bidder or be re-advertised and re-awarded or the work done otherwise as aforesaid the Attorney General shall in the name of the Commonwealth bring action against the defaulting contractor and his surety to recover fully the loss if any sustained by the Commonwealth by such default Any check that accompanied the proposal of such contractor shall be forfeited to the Commonwealth

Section 24 All documents of this Commonwealth shall be printed and bound and distributed as provided in this act The Governor and each member of the Senate and each member of the House of Representatives and each department and commission and institution shall be respectively entitled to requisition not more than the number of documents respectively hereinafter set forth

1 Two thousand copies each of the Governor's Inaugural Address Annual Biennial and Special Message one thousand of which shall be bound in cloth The Governor shall be entitled to requisition not more than five hundred copies each Senator seven copies each member of the House of Representatives four copies the State Librarian three hundred copies and the Secretary of the Commonwealth one hundred copies

2 Twenty-five thousand one hundred copies of the Pamphlet Laws of each session to be bound in sheep or United States standard buckram as the Superintendent of Public Printing and Binding shall deem most expedient Not more than twenty copies shall be labeled "Property of the Senate" and not more than twenty copies shall be labeled "Property of the House" Each Senator shall be entitled to requisition seventy-five copies each member of the House thirty-five copies the State Librarian five hundred copies the Governor one hundred copies each department five copies the Legislative Reference Bureau fifty copies and the Secretary of the Commonwealth twelve thousand copies to be distributed as provided by law One of the copies to each department shall be bound to match the sets now in each office

3 Three thousand copies of the Appropriation Laws shall be printed and bound in a separate volume in cloth Each Senator may requisition nine copies each member of the House four copies and the Secretary of the Commonwealth fifteen hundred copies

4 Four hundred copies each of the Journals of the Senate and of the House of Representatives to be bound in full sheep or otherwise as the Superintendent of Public Printing and Binding shall deem most expedient Not more than ten copies shall be labeled "Property of the Senate" and not more than ten copies shall be labeled "Property of the House" Each Senator shall be entitled to requisition one copy each member of the House one copy the State Librarian one hundred copies the Legislative Reference Bureau five copies the Secretary of the Commonwealth ten copies

5 Three thousand fifty copies of the report of the Auditor General on the finances Each Senator may requisition five copies eac hmember of the House five copies the Auditor General one thousand two hundred copies the Governor fifty copies the State Lirarian three hundred copies the Legislative Reference Bureau five copies

6 One thousand seven hundred fifty copies of the report of the State Treasurer Each Senator may requisition three copies each member of the House of copies the State Treasurer six hundred fifty copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies

7 On thousand five hundred copies of the general report of the Secretary of Internal Affairs Each Senator may requisition two copies each member of the House one copy the Secretary of Internal Affairs seven hundred copies the Governor fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

8 Four thousand copies of the report of the Secretary of Internal Affairs on Industrial Statistics Each Senator may requisition seven copies each member of the House four copies the Secretary of Internal Affairs two thousand two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau ten copies

9 Three thousand one hundred copies of the report of the Secretary of Internal Affairs on railroads canals and telegraphs Each Senator may requisition eight copies each member of the House five copies the Secretary of Internal Affairs one thousand two hundred copies the Secretary of Internal Affairs one thousand two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

10 Eight thousand four hundred copies of the report of the Department of Mines Each Senator may requisition fifteen copies each member of the House ten copies tht Department of Mines five thousand copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

11 Eleven thousand copies of the report of the Superintendent of Public Instruction Each Senator may requisition eight copies each member of the House five copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Sueprintendent of Public Instruction nine thousand one hundred copies for distribution among the various school districts of the State and the Legislative Reference Bureau five copies

12 Fifty-six thousand seven hundred copies of the School Laws and Decisions Each Senator may requisition twenty-five copies each member of the House fifteen copies the Governor one hundred copies the Secretary of the Commonwealth two hundred copies the State Librarian three hundred copies the Legislative Reference Bureau one hundred copies and the

Superintendent of Public Instruction fifty thousand copies for distribution among the various school districts of the Commonwealth

13 Two thousand copies of the report of the Commissioners of Soldiers' Orphan Schools Each Senator may requisition three copies each member of the House two copies the @overnor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Commissioners one thousand copies

14 Three thousand seven hundred copies of the report of the Adjutant General Each Senator may requisition six copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Adjutant General one thousand eight hundred copies

15 Three thousand nine hundred copies of the report of the Insurance Commisisoner on fire and marine insurance Each Senator may requisition eight copies each member of the House five copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Insurance Commission two thousand copies

16 Five thousand four hundred copies of the report of the Insurance Commissioner on life and accident insurance Each Senator may requisition ten copies each member of the House five copies from Goverdnor fifty copies the Secretary of the Commonwealth fifrty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Insurance Commisisoner two thousand copies

17 Twenty thousand copies of the report of the Secretary of Agriculture Each Senator may requisition fifty copies each member of the House fifty copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Agriculture Experiment Station one hundred copies the Legislative Reference Bureau five copies and the Department of Agriculture two thousand five hundred copies

18 Thirty-two thousand six hundred copies of Smull's Legislative Hand Book Each Senator may requisition one hundred fifty copies each member of the House seventy-five copies each department two hundred copies the compiler of the Hand Book one hundred copies the Governor five hundred copies the State Librarian five hundred copies the Secretary of the Commonwealth five hundred copies the Legislative Reference Bureau one hundred copies From the number requisitioned by each department at least one copy shall be delivered by the head of such department to each officer and clerk therein

19 One thousand seven hundred copies of the report of the Board of Public Charities Each Senator may requisition five copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Board of Public Charities four hundred

20 Seven thousand five hundred copies of the report of the Fisheries Commission Each Senator may requisition thirty copies each member of the House fifteen copies the Governor one hundred copies the Secretary of the Commonwealth two hundred copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Fisheries Commission four hundred copies

21 Three thousand nine hundred copies of the annual report of the Commisioner of Health which may be bound in one or two volumes as theSuperintendent of Public Printing requisition eight copies each member of the House four annd Binding shall deem most expedient Each Senator may copies the Department of Health two thousand copies the Governor fifty copies the Secretry of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

22 Bulletins in pamphlet form issued by the Department of Health monthly or at longer intervals and not more than ten thousand copies at one issue The State Librarian may requisition three hundred copies the Legislative Reference Bureau ten copies and the Department of Health nine thousand copies

23 Two thousand six hundred copies of the report of the Commissioner of Banking on Banks Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Department of Banking seven hundred copies

24 Two thousand six hundred copies of the report of the Commissioner of Banking on Building and Loan Associations Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Department of Banking seven hundred copies

25 One thousand two hundred copies of the report of the Commissioners of the Sinking Fund Each Senator may requisition three copies each member of the House two copies the State Treasurer two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies and the State Librarian three hundred copies

26 Two thousand one hundred copies of the report of the State Librarian Each Senator may requisition five copies each member of the House three copies of the State Librarian one thousand copies the Governor fifty copies and the Secretary of the Commonwealth fifty copies

27 Five hundred copies of the report of the Superintendent of Public Printing and Binding The Superintendent may requisition two hundred and the State Librarian three hundred copies

28 Two thousand two hundred copies of the report of the Attorney General Each Senator may requisition five copies each member of the House three copies the Governor one hundred copies of the Secretary of th Commonwealth one hundred copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Attorney General eight hundred copies

29 Three thousand four hundred copies of the report of the Factory Inspector Each Senator may requisition five copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau twenty-five copies and the Factory Inspector one thousand five hundred copies

30 Two thousand copies of the annual report of the Trustees of Pennsylvania State College and accompanying papers Each Senator may requisition two copies each member of the House one copy the Governor thirty copies the Secretary of the Commonwealth thirty copies the State Librarian one hundred fifty copies and the remaining number for the trustees of the college The President of Pennsylvania State college may have any reprints of any parts of said annual reports or of earlier reports made and bound in paper in such number as he may deem necessary to meet the public demand provided however that the gross cost of the whole number of reports and documents may amount to at least the contract price of five thousand annual reports on the contract for State printing now in force

31 Five thousand five hundred copies of the Report of the Department of Forestry Each Senator may requisition each copies each member of the House four copies the Department of Forestry three thousand six hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies and the State Librarian three hundred copies

32 Three thousand copies of the report of the Highway Commissioners Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Highway Commissioner one thousand one hundred copies

33 Bulletins in pamphlet form issued by the Department of Agriculture (other than Zoological Bulletins) not more than twenty-five thousand copies at one issue The State Librarian three hundred copies the Legislative Reference Bureau ten copies and the Department of Agriculture twenty-three thousand copies

34 Bulletins in pamphlet form issued by the Division of Zoology in the Department of Agriculture not more than fifty thousand copies at one issue The State Libririan may requisition three hundred copies the Legislative Reference Bureau ten copies and the Department of Agriculture forty-five thousand copies

35 Twelve hundred copies of the annual report of the Encampment of the Grand Army of the Republic as ordered by the Secretary of Internal Affairs The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Secretary of Internal Affairs eight hundred copies

36 Four thousand copies of the annual report of the Water Supply Commission The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau ten copies and the Water Supply Commission three thousand five hundred copies

37 One thousand four hundred copies of the annual report of the Report of Game Commissioners The State Librarian may requisition three hundred copies the Legislative Reference Bureau five copies and the Board of Game Commissioners one thousand copies

38 Two thousand eight hundred copies of the report of the Railroad Commission with the reports of the common carriers of the State Librarian may requisition three hundred copies the Legislative Reference Bureau five copies and the Railroad Commission two thousand copies

39 Bulletins in pamphlet form issued by the Highway Commissioner other than of automobile licenses and more than ten thousand copies at one issue. The State Librarian may requisition three hundred copies the Legislative Reference Bureau ten copies and the Commissioner of Highways nine thousand copies

40 Five thousand copies of the Annual Report of the State Fire Marshal The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau ten copies each Senator may requisition ten copies each member of the House five copies the Fire Marshal two thousand five hundred copies

Section 25 Whenever any document of any kind not included in this act shall be printed by the State Printer for any branch of the State Government or for the General Assembly or for any legislative committee or for any commission or commissioner authorized by law four hundred and five copies thereof shall be printed in addition to the number called for Of such additional copies the Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies The order for printing such additional copies shall be included by the Superintendent of Public Printing and Binding in his order to the State Printer for such publication

Section 26 If it shall be found at any time that more copies of any document are printed than are actually needed the Governor is authorized by order directed to the Superintendent of Public Printing and Binding to decrease the number of such documents if he may see fit

Section 27 It shall be the duty of the head of each department commission State Library and Chief Clerk of the Senate and House of Representatives at the close of each year to turn over to the Division of Distribution of Documents all such pamphlet bulletins reports et cetera as will not be needed to supply a possible demand and shall take a receipt for the same the Superintendent of Public Printing and Binding to have authority upon approval of the Governor to sell such waste material the proceeds from such sales to be turned into the State Treasury

Section 28 Any person that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and to undergo an imprisonment in the jail of the proper county for a period not exceeding six months

Section 29 The act approved the seventeenth day of April one thousand nine hundred five entitled "An Act to regulate the publication binding and distribution of the public documents of this Commonwealth" and all other acts and parts of acts regulating the number and distribution of public documents and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed But this repeal shall not operate to revive any law not in force at the date of the approval of this act This act shall not become operative until the present contracts for distribution of documents shall have terminated

On the question,

Will the House agree to the bill on third reading?

Mr. SCHUCK. Mr. Speaker, I ask unanimous consent to insert an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 4, line 2. Strike out "male."

Section 24, clause 2, line 14. Strike out "twenty-five thousand one hundred" and insert in lieu thereof "twenty-eight thousand two hundred five."

Section 24, clause 2, line 21. Strike out "thirty-five" and insert in lieu thereof "fifty."

Section 24, clause 30, lines 221-222. Strike out "now in force."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1868 (Senate Bill No. 465), entitled:

A joint resolution providing for a commission to arrange for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvania commands in the war for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

And said bill having been read at length the third time. considered and agreed to.

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—67.

Alworth,	Curry,	Humes,	Moses,
Ambler,	Davis,	Irwin, G. C.,	Neel,
Aron,	DeFrees,	Jones, E. E.,	North,
Arthur,	Dickinson,	Jones, J. R.,	Pennegar,
Baldwin, R. J.,	Down,	Kaiser,	Perry, S. J.,
Bass,	Eichenberger,	Keegan,	Ramsey,
Bayle,	Ely,	Kitts,	Rockwell,
Berntheizel,	Fahey,	Leslie,	Roney,
Blair, W. A.,	Forster, I. G.,	Letzkus,	Sassaman,
Brosius,	Gans,	Light,	Smith, L.,
Brown,	Geiser,	Lowers,	Swartz,
Campbell, C.M.,	Gibson,	Malie,	Thomas,
Campbell, J.J.	Gransback,	McAleer,	Walsh,
Cleary,	Hackett,	McArdle,	Whitaker,
Conniff,	Haggerty,	McCalg,	Wildman,
Conrade,	Heyburn,	McClintock,	Wiltbank,
Cox,	Hobbs,	Mechling,	

NAYS—79.

Allen,	Heidinger,	Mellott,	Rothenberger,
Baldwin, G. A.,	Herman,	Miller,	Savacool,
Barner,	Hibshman,	Mitchell,	Schuck,
Benninger,	Howard, R.,	Moore,	Scott, S. B.,
Benson,	Isler,	Morrow,	Semmens,
Bigger,	Irwin, H. H.,	Murphy,	Showalter,
Bittles,	Kaufman,	Musser,	Snavely,
Blair, W. F.,	Kennedy,	Neely,	Snyder,
Brownlee,	Kern,	Newbaker,	Steedle,
Burnett,	Klepper,	Newton,	Steele,
Caldwell,	Kuhn, H. P.,	Peachey,	Stone,
Carson,	Kuhns, E.G.M.,	Pennock,	Swift,
Claycomb,	Lanius,	Peters,	Trach,
Cochran,	Lohr,	Post,	Ulman,
Donnally,	Mannion,	Price,	Wettach,
Glenn,	Matt,	Reeser,	Wilson, J. H.,
Good,	McAllister,	Rex,	Young, G. K.,
Grabe,	McDermott,	Rhoads,	Young, J. H.,
Gray, Joseph,	McKay,	Richards,	Zimmerman,
	McNichol,	Robinson,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1214, entitled:

An Act prescribing the number of Directors of the Poor in counties which have provided for the erection of a home for the destitute and insane and fixing the term of services of such Directors at six years

On the question,

Will the House agree to the bill on third reading?

Mr. LOWERS. Mr. Speaker, this bill is in the nature of a corrective measure and does not interfere with the system of taking care of the poor in any county of the State, whatsoever, but is designed to do away with the necessity for electing two directors of the poor in any one election. In the change of the election law of 1911 under that act, we now are compelled to elect our requisite corp every two years. This corrects by making a six year term and electing one at each election.

And said bill having been read at length the third time, considered and agreed to,

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Allen,	Dickinson,	Irwin, H. H.,	Perry, S. J.,
Alworth,	Donahoe,	Jackson,	Peters,
Aron,	Donnally,	Jones, E. E.,	Piper,
Arthur,	Down,	Jones, J. R.,	Ramsey,
Baldwin, G. A.,	Dunn, J. A.,	Kaiser,	Reeser,
Barner,	Ehrhardt,	Keeport,	Richards,
Bass,	Eichenberger,	Kennedy,	Roney,
Bayle,	Ely,	Kern,	Rothenberger,
Benninger,	Ewing,	Kitts,	Sassaman,
Benson,	Fahey,	Klepper,	Scott, S. B.,
Berntheizel,	Flynn,	Kuhns, E.G.M.,	Semmens,
Bigger,	Forster, I. G.,	Latshaw,	Sherwood,
Bittles,	Foster, J. D.,	Leslie,	Smith, J. W.,
Blair, W. A.,	Geary,	Letzkus,	Smith, L.,
Brosius,	Gibson,	Light,	Snyder,
Brown,	Good,	Lohr,	Spillinger,
Brownlee,	Goss,	Lowers,	Stone,
Burnett,	Grabe,	Malie,	Swartz,
Caldwell,	Gransback,	Mannion,	Thomas,
Campbell, C.M.,	Hackett,	Mather,	Trach,
Campbell, J.J.	Haggerty,	McAleer,	Ulman,
Carson,	Heidinger,	McAllister,	Walsh,
Carter,	Hemminger,	McArdle,	Watson,
Claycomb,	Herman,	McClintock,	Wettach,
Collins,	Hess,	McKay,	Whitaker,
Conner,	Heyburn,	McNichol,	Wildman,
Conniff,	Hibshman,	Mechling,	Wilson, J. H.,
Conrade,	Hobbs,	Mitchell,	Wiltbank,
Cox,	Hoffman,	Newton,	Young, G. K.,
Currier,	Howard, J.,	North,	Young, J. H.,
Curry,	Howard, R.,	O'Neill,	Zimmerman,
Davis,	Isler,	Peachey,	Alter,
DeFrees,	Irwin, G. C.,	Perry, H. L.,	Speaker.

NAYS—17.

Keegan,	Mellott,	Post,	Schuck,
Kuhn, H. P.,	Miller,	Rex,	Shaffer, I. E.,
Lanius,	Moses,	Runk,	Snavely,
Matt,	Pennegar,	Savacool,	Swift,
McDermott,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1217, entitled:

An Act authorizing municipal corporations to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof whether the same be wholly within or partly within and partly without the limits of the municipal corporation providing the method for ascertaining and paying or securing the damages incident to the

taking or appropriation of street railways by municipal corporations empowering municipal corporations to maintain operate or lease street railways acquired by them and defining the terms and other incidents of said lease

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MALIE. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HESS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1163, as follows:

An Act authorizing and empowering counties to construct and for this purpose procure locations therefore by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities and to lease the same to corporations or individuals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That counties are hereby authorized and empowered to construct or to acquire by condemnation lease purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities

Section 2 In case the counties desire to obtain any lands or properties necessary for the construction or operation of said public utilities or to acquire by condemnation the existing plans or systems of private companies operating such public utilities and are unable to agree with the owner or owners upon the price to be paid therefor the court of common pleas of the county wherein the said lands or properties or said public utilities or parts thereof are located or any law judge in vacation on application therefor by petition of said counties or owners shall appoint three (3) discreet or disinterested persons as viewers and appoint a time not less than ten (10) nor more than twenty (20) days thereafter when said viewers shall meet and inspect the property or public utility appropriated or intended to be appropriated by the said county

Section 3 Said viewers having been duly sworn or affirmed justly and impartially to decide and a true report to be made concerning all matters to be submitted to them and in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises shall hear all parties interested and their witnesses and shall estimate and determine the damages for the property taken and to whom the same is payable and prepare a schedule thereof and give notice to all parties interested of the time (not less than ten days thereafter) and of the place where they shall meet and exhibit the schedule and hear all objections thereto and evidence Notice of the time and place of said meeting shall be given by personal service upon all parties in interest or their attorneys of record After making whatever changes are deemed necessary said viewers shall make a report to the court showing the damages allowed and to whom the same are payable and file therewith a plan showing said premises

Section 4 If the compensation to be paid for any lands or public utility which the county desires to obtain for said purposes cannot be agreed upon between the owners thereof and such county and if the county desires to take possession of such public utility it shall be lawful for it at any time after the appointment of said viewers to tender its bond with surety as security to the owner or owners of such lands or public utility the condition of which shall be that the said county shall pay or cause to be paid such amount of damages as the owner or owners thereof shall be entitled to receive after the same shall have been agreed upon by the parties or awarded in the manner provided by this act In case the owner or owners of such property refuse to or do not accept the said bond the said county shall give the owner or owners thereof written notice of the time when the same will be presented for approval and said bond shall be presented to the court in which the said petition for the appointment of viewers has been filed and when approved said bond shall be filed in the said court for the benefit of said owner or owners and upon the approval of said bond said county may enter upon appropriate take hold use and control such lands or public utilities and shall hold the same in fee simple

Section 5 Upon the report of said viewers or any two of them being filed in said court either party may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report or within thirty days from the filing of any report in court for the final confirmation thereof either party may appeal and demand a trial by jury and either party may within thirty days after final decree have an appeal to the Superior or Supreme Court according to law Upon final confirmation in any of the cases provided in this section the award shall be a good and valid judgment against the county The said Court of Common Pleas shall have power to order what notices shall be given in connection with any part of said proceedings and may make all such orders as it may deem requisite

Section 6 Said counties shall also have power to lease to corporations or individuals the street railways electric light or gas works or other public utilities owned leased or otherwise acquired or controlled by said county upon such terms and conditions as may be agreed upon

Section 7 Any act or parts of acts conflicting herewith are hereby repealed

On the question,
Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, it seems to me this is such an important measure that we ought to have a little explanation from the author of this measure.

Mr. RICHARDS. In answer to the gentleman I would say that the best explanation perhaps that I could give would be to ask the gentleman to read the title of the bill. It is a companion bill to one that was passed by this House last night. Its provisions are very similar. The only difference being that in the bill passed by the House last night it gave municipalities the same power, or the same privilege as this bill gives counties, in purchasing the utilities of the counties. For instance, I believe, Mr. Speaker, inasmuch as the bill of last night was passed permitting municipalities to purchase ground for the erection of any utility in our county, as well as in many other counties, no doubt there is a great deal of vacant property between the municipalities in the counties. This bill then, Mr. Speaker, would give the county the right to purchase that ground between the different municipalities so that they might construct, say for instance, street railways and connect up the different municipalities. That is, practically all, as I understand, that is provided for in this bill. It only gives them the authority to do this.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. RICHARDS. Certainly, Mr. Speaker.

Mr. ROCKWELL. Mr. Speaker, I have not had time to carefully read the bill. Would this bill give authority to purchase ground outside of their own county, for instance, in other counties.

Mr. RICHARDS. Mr. Speaker, I think not; I would say no to that question.

And said bill having been read at length the third time, considered and agreed to,

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Allen,	Ely,	Letzkus,	Robinson,
Alworth,	Ewing,	Lowers,	Rockwell,
Ambler,	Fahey,	Malie,	Roney,
Aron,	Forster, I. G.,	Mannion,	Rothenberger,
Arthur,	Foster, J. D.,	Matt,	Runk,
Baldwin, G. A.,	Gans,	McAleer,	Sassaman,
Baldwin, R. J.,	Geary,	McAllister,	Schaeffer, A. C.
Barner,	Geiser,	McCaig,	Schuck,
Bass,	Gibson,	McClintock,	Scott, S. B.,
Bayle,	Glenn,	McDermott,	Semmens,
Becker,	Grabe,	McKay,	Shaffer, I. E.,
Benson,	Gramley,	McNichol	Shern,
Bigger,	Gransback,	Mechling,	Sherwood,
Bittles,	Gray, Joseph,	Mellott,	Showalter,
Blair, W. A.,	Hackett,	Metzenbacher,	Smith, J. W.,
Brosius,	Haggerty,	Missimer,	Smith, L.,
Brown,	Heidinger,	Mitchell,	Spangler,
Brownlee,	Hemminger,	Moore,	Speiser,
Burnett,	Hess,	Morrow,	Spillinger,
Caldwell,	Heyburn,	Moses,	Steedle,
Campbell, C.M.,	Hibshman,	Moulthrop,	Steele,
Campbell, J.J.	Hobbs,	Murphy,	Stein,
Carson,	Hoffman,	Musser,	Stone,
Carter,	Howard, J.,	Neel,	Strauss,
Claycomb,	Howard, R.,	Neely,	Swartz,
Cleary,	Humes,	Newton,	Swift,
Cochran,	Isler,	North,	Thomas,
Conner,	Irwin, G. C.,	O'Neill,	Trach,
Conniff,	Irwin, H. H.,	Peachey,	Ulman,
Conrade,	Jackson,	Pennegar,	Walsh,
Cox,	Jones, J. R.,	Pennock,	Watson,
Currier,	Kaiser,	Perry, H. L.,	Wettach,
Curry,	Kaufman,	Perry, S. J.,	Whitaker,
Davis,	Keegan,	Peters,	Wildman,
DeFrees,	Keeport,	Piper,	Williams,
Dickinson,	Kennedy,	Price,	Wilson, W. H.,
Donahoe,	Kern,	Ramsey,	Wiltbank,
Donnally,	Kitts,	Redfield,	Young, G. K.,
Down,	Klepper,	Reeser,	Young, J. H.,
Dunn, J. A.,	Kuhn, H. P.,	Rex,	Zimmerman,
Ehrhardt,	Lanius,	Rhoads,	Alter,
Eichenberger,	Leslie,	Richards,	Speaker.

NAYS—6.

Benninger, Lenker, Wilson, J. H., Zimmerman,
Kuhns, E.G.M., Martin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 1362 FROM THE GOVERNOR.

Mr. JOSEPH GRAY asked and obtained unanimous consent to offer the following concurrent resolution, which was twice read, considered and agreed to:

In the House of Representatives, April 22, 1913.

Resolved, (if the Senate concur), That House Bill No. 1362, entitled, "An Act authorizing H. W. Brown and D. E. Brown, citizens of Cambria County, Pennsylvania, doing business as the Woodman Lumber Company, to bring suit in the Court of Common Pleas of Cambria County against the Commonwealth of Pennsylvania," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

The SPEAKER. The hour of one o'clock having arrived, the House will take a recess until three o'clock.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.
The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGES.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 787,

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due"

Mr. McNICHOL. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

Mr. CONNOR. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, February 3, 1913.

A concurrent resolution for the appointment of a Commission to investigate and report to the next session of the Legislature all matters pertaining to cold storage, and the preservation of food products, and the length of time goods shall remain under refrigeration or cold storage, and to the branding and sale of such articles, and making an appropriation to meet the expenses of the said Commission.

Whereas, There has been and is, considerable agitation regarding cold storage, and the preservation of food products, as well as the length of time that goods shall remain under refrigeration or cold storage, and the proper branding and sale of such articles.

And Whereas, It is of the utmost importance that a thorough and complete investigation and study of the whole matter of refrigeration and cold storage should be made at the present time.

Therefore, Be It Resolved, (If the House concur), That a Committee of five members of the General Assembly, three to be appointed by the President pro tempore of the Senate, and two by the Speaker of the General Assembly to investigate at the earliest possible moment, and to report at the next session of the General Assembly a comprehensive bill covering the following questions:

1. The necessity of cold storage, and the proper provisions for the protection of perishable products.
2. The value of such products to the producer, and the community, at the period of the greatest production when the supply exceeds the demand, and at all other times.
3. The length of time articles should remain under refrigeration or cold storage.
4. Whether refrigerator or cold storage products shall be branded, and if so, what shall be determined to be refrigerator products or cold storage products, or both.
5. The effect on the price of commodities by reason of placing them under mechanical refrigeration or cold storage.
6. The relation for cold storage or refrigeration to the high cost of living.
7. The effect of cold storage legislation in other States.
8. The advisability of a uniform cold storage or refrigeration law; provided that the actual expenses incurred by the committee shall not exceed the sum of $10,000, which shall be provided for in the general appropriation bill.

Ordered that the Clerk present the same to the House of Representatives for concurrence.

Ordered, That the resolution lie over for printing.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

Senate Bill No. 68,

A joint resolution proposing an amendment to Article nine Section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvements of the highways of the Commonwealth.

Senate Bill No. 116,

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communications from the Governor which were read as follows:

APPROVAL OF HOUSE BILL NO. 356.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 22, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 356, entitled, "An Act to provide for necessary medical attention to indigent persons who may be assumed to be in danger of suffering from hydrophobia or rabies after having been bitten by any animal believed to be suffering therefrom repealing all prior acts relating hereunto and providing for the payment of expenses for such treatment heretofore incurred in good faith."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 547.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 22, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 547, entitled, "A Joint Resolution requiring the construction of an adequate fishway in the dam constructed across the Susquehanna River by the McCall's Ferry Power Company, now the Pennsylvania Water and Power Company at McCall's Ferry, providing how and when and by whom such fishway shall be constructed and providing penalties for failure to comply with the terms of this resolution."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 15, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, authorizing the printing of the memorial addresses delivered in the House of Representatives on the evening of March 11, 1913.

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 510.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 18, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 510, entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds in Pennsylvania and prescribing penalties for violation of its several provisions."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 926.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 18, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 926, entitled, "An Act to classify the species of fish in such parts of the boundary lakes of more than five thousand acres as this Commonwealth has jurisdiction over and in the waters of any peninsula or in any bay adjacent to or connected with such lakes to declare which fish are game fish, which fish are food fish and which are minnows or bait fish to protect and provide for the maintenance and increase of fish in such lakes to regulate and provide for the payment of license fees for the catching of fish from such boundary lakes and prohibit the unauthorized taking of fish from devices used by authority of such license to provide penalties and punishments for the violation of any of the provisions of this act and requiring the county wherein an offense is charged to pay costs of prosecution in certain instances and repealing all acts inconsistent herewith."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 174.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvaria.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 174, entitled, "An Act providing for the transportation to Gettysburg of State officials guests of the State and certain honorably discharged soldiers on the occasion of the celebration of the fiftieth anniversary of the Battle of Gettysurg, providing for the expenses of the Commission in charge of the transportation, prohibiting misrepresentation in obtaining transportation, fixing penalties for violation thereof and making an appropriation."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 258.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 258, entitled, "An Act to amend an act entitled 'An Act to authorize the Recorder of Deeds in the several counties of this Commonwealth to record the discharges of all honorably discharged officers and soldiers,' approved the eighth day of April, one thousand eight hundred and sixty-eight by requiring the Recorder of Deeds to record free of charge the discharges of all honorably discharged soldiers, sailors and marines resident in this Commonwealth, who were enlisted and mustered into the Army, Navy or Marine Corps of the United States."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 949.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 949, entitled, "An Act to give commissioners of public parks in cities of the first class the same powers and control over grounds committed to their care and management by the councils of said cities or by individuals as they have over public parks placed in their charge by law."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 950.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 950, entitled, "An Act to authorize commissioners of public parks in cities of the first class to designate the roads and drives to be used by different kinds of vehicles."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 127.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 127, entitled, "An Act to validate certain elections held between the tenth day of April, Anno Domini one thousand nine hundred and five, and the first day of May, Anno Domini one thousand nine hundred and nine, upon the question of increasing the indebtedness of counties, cities, boroughs, townships, school districts or other incorporated districts or municipalities of this Commonwealth, all bonds issued pursuant to such elections and the indebtedness represented by such bonds."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 218.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 218, entitled, "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania, requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth, and providing penalties for violation of its several provisions and the manner of proceeding to enforce compliance therewith and providing for the disposition of the license fees fines and penalties received."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 505.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 505, entitled, "An Act to amend an act approved the twenty-sixth day of May, one thousand eight hundred ninety-seven, entitled, 'An Act in relation to officers taking illegal fees and providing a penalty therefor.'"

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 657.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 657, entitled, "An Act to repeal an act entitled, 'A supplement to the act entitled, 'An Act for preventing clandestine marriages,' approved the fourteenth day of February, Anno Domini one thousand seven hundred thirty."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 658.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 658, entitled, "An Act to repeal an act entitled, 'An Act for the preventing of clandestine marriages,' passed at the session of the General Assembly ending October twenty-eighth, one thousand seven hundred and one (one Smith's Laws twenty-one)."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 751.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 751, entitled, "An Act to provide for the appointment of janitors in and for the various courts of counties having a population of one million two hundred thousand and over and for the compensation and payment thereof."

(Signed,) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 1639.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1639, entitled "An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg Commission to further-

carry out the provisions of the acts of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine entitled "An Act creating a commission to be known as the Fiftieth Anniversary of the Battle of Gettysburg Commission authorizing the Governor to appoint nine members thereof and fill vacanacies that may occur therein the commission to consider and arrange for observance of the Fiftieth Anniversary of the Battle of Gettysburg to invite the co-operation of the Congress of the United States and of other states and report to next session of General Assembly and making an appropriation for the payment of expenses of said commission' and June fourteenth Anno Domini one thousand nine hundred and eleven entitled 'An Act making an appropriation to the Fiftieth Anniversary of the Battle of Gettysburg to further carry out the provisions of the act of Assembly approved May thirteenth Anno Domini one thousand nine hundred and nine creating said commission and defining the duty thereof' respectively creating said commission and defining the duty thereof and making preliminary appropriations therefor."

(Signed) JOHN K. TENER.

Also, APPROVAL OF HOUSE BILL NO. 1071.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 17, 1913.

To the Honorable, theHouse of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1071, entitled "An Act amending an act entitled 'An Act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor' and approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-nine by extending its provisions so as to embrace the practice of the law of this or any other State nation country or land and so as to embrace the practice of the law out of court as well as before the courts."

(Signed) JOHN K. TENER.

RESOLUTION RELATIVE TO LEAVES OF ABSENCE.

Mr. STONE asked and received unanimous consent to offer the following resolution, which was twice read and laid over under the rules:

Resolved, That during the remainder of this session, no member of the House shall be granted a leave of absence, excepting for cause shown.

REPORTS FROM COMMITTEE.

Mr. FREY, from the Committee on Public Roads, reported as amended, House Bill No. 1146, entitled:

An Act to amend section six of an act approved the thirty-first day of May, one thousand nine hundred and eleven, entitled 'An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities and towns extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein; providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs and incorporated towns, with Commonwealth governing same; providing for the minimum width of State Highways and State-aid Highways, and kind of materials to be used in the improvements; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act.'

Mr. CLAYCOMB, from the Committee on Judiciary General, reported as committed, House Bill No. 1916, entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four, entitled "An Act relative to the organization of the courts of justice."

Mr. STEIN, from the Committee on Judiciary General, reported as amended, House Bill No. 1462, entitled:

An Act relating to appointment of deputy constables.

Mr. DOWN, from the Committee on Public Roads, reported as committed, House Bill No. 1919 (Senate Bill No. 764, entitled:

An Act permitting counties, cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State Highway or State Aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State Aid Highway.

Mr. McCAIG, from the Committee on Public Roads, reported as committed, House Bill No. 1605, entitled:

An Act relating to townships of the second class.

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1932, entitled:

A Joint Resolution providing for a commission to investigate the traffic in women and girls in Pennsylvania for immoral purposes; prescribing the powers and duties of the commission; and making an appropriation therefor.

Mr. GOOD, from the Committee on Mines and Mining, reported as committed. House Bill No. 1785, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith.

Mr. SPANGLER, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 1560, entitled:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five.

Mr. DONAHUE, from the Committee on Railroads, re-reported as amended, House Bill No. 303, entitled:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor flagman and locomotive engineman by railroad companies and fixing a penalty for violation thereof.

Mr. GANS, from the Committee on Public Health and Sanitation, re-reported as amended, House Bill No. 1813 (Senate Bill No. 430), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of Osteopathy in the State of Pennsnylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of Osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of Osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to defining the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of Osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of Osteopathy by defining what constitutes a reputable school or college of Osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to de-

termine the reputability of Osteopathic schools or colleges and the right to determine reciprocal relations between States."

Mr. GEORGE A. BALDWIN, from the Committee on Judiciary General, reported as committed, House Bill No. 1915, entitled:

An Act to repeal an act approved the twenty-eighth day of March, one thousand eight hundred seventy, entitled "An Act extending to Crawford county an act to enlarge the jurisdiction of justices of the peace in the county of Erie."

Mr. ROCKWELL, from the Committee on Judiciary General, reported as amended, House Bill No. 1459, entitled:

An Act fixing the number, compensation, mileage and duties of the officers and employes of the General Assembly, and providing for their election or appointment and the manner of filling vacancies.

Mr. HUMES, from the Committee on Judiciary General, reported as amended, House Bill No. 29, entitled:

An Act fixing the compensation and mileage of the members and the number and compensation of the officers and employes of the General Assembly.

SUPPLEMENTARY REPORT OF THE SPECIAL COMMITTEE APPOINTED IN ACCORDANCE WITH RESOLUTION NO. 21.

Mr. McALEER. Mr. Speaker, I desire to offer at this time a supplementary report of the special committee appointed in accordance with resolution No. 21.

The SPEAKER. The report will be read by the Clerk.

The Clerk then read the report as follows:

THE NATIONAL FARM SCHOOL

John H. Washborn, Director
Farm School (Bucks Co.) Pa.
A. H. Fromenson
Executive Secretary
407 Mutual Life Building, Philadelphia.

Mr. Eugene J. McAleer,
Chairman:—

My Dear Mr. McAleer:—

I am amazed at your statement that we have failed to comply with the request of the special committee of the Legislature regarding the information about our salaried employees. The request for the information probably went out to the School direct from Harrisburg, and never reached us here at all. You surely can understand that there was no reason in the world why we should not have desired to furnish the information to the Special Committee since we have only three men who draw over $900.00, and, goodness knows, it is comparatively small for their services.

I am enclosing the list and the information. I do hope that you can explain this matter to the gentlemen at Harrisburg.

Very truly yours,
ISSAC LANDMAN.

Philadelphia, Pa.
April 18, 1913.

THE NATIONAL FARM SCHOOL

Salaried Employes, Receiving over $900.

1

John Hoses Washburn, Bachelor of Science, Massachusetts State Agricultural College; Doctor of Philosophy, University of Gottingen, Germany; for fourteen years Director of the State of Rhode Island Agricultural College; for the past ten years Director of The National Farm School; professor of Elementary Agricultural Chemistry; Teacher of Surveying, Geology and meterology.
Salary $1800 per year.

2

William H. Bishop, Bachelor of Science, Massachusetts State Agricultural College; for ten years Professor of Agriculture at the State Agricultural College of Delaware; for the past eight years Professor of Agriculture at The National Farm School and Superintendent of the Farms.
Salary, $1750 per year.

3

Walter F. Fancourt, a graduate of the Kew Botonical Gardens, England; Professor of Horticulture. In charge of The National Farm School Greenhouse, the Nuresery and Vegetable Gardens; Instructor in these subjects to all classes.
salary $1000 per year.

Mr. McALEER. Mr. Speaker, in order that the Journal may not be littered up with matters of this kind, I move that the Special Committee referred to in the report be discharged.

Mr. SPEISER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Mr. SPEISER. Mr. Speaker, I ask unanimous consent of the House to call up House Bill No. 1450, entitled:

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school directors in school districts of the first class may remove janitors of grammar and elementary schools in their district for cause shall have charge of all minor repairs to public school buildings other than high schools in their respective districts

on page 53 of today's Calendar, bills on second reading. Through an inadvertance the title of this bill was amended in Committee, and for that reason I wish to have it recommitted.

The SPEAKER. Will the House give unanimous consent to the consideration of this bill at this time? Is there any objection? The Chair hears none.

BILL RECOMMITTED.

Mr. SPEISER. Mr. Speaker, I move that this bill be recommitted to the Committee on Education.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

LEAVES OF ABSENCE.

Mr. McCaig asked and obtained leave of absence for Mr. Kenna for the balance of the week on account of business.

The SPEAKER, by request, asked and obtained leave of absence for Mr. Cheeseman for today and tomorrow on account of business.

The SPEAKER, by request, asked and obtained leave of absence for Mr. Collins for the balance of the week on account of the serious illness of his wife.

SENATE MESSAGE.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution of the House of Representatives, as follows:

In the House of Representatives,
April 22nd, 1913.

Resolved (if the Senate concur) that House Bill No. 1362, entitled:

An Act authorizing H W Brown and D E Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the Court of Common Pleas of Cambria county against the Commonwealth of Pennsylvania

be recalled from the Governor for the purpose of amendment.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1044, entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Allen,	Eichenberger,	Kuhns, E.G.M.,	Richards,
Ambler,	Ewing.	Lanius,	Robinson,
Aron,	Fahey,	Leslie,	Rockwell,
Arthur,	Forster, I. G.,	Letzkus,	Roney,
Baldwin, G. A.,	Foster, J. D.,	Light,	Rothenberger,
Baldwin, R. J.,	Gans,	Lohr,	Runk,
Bass,	Glenn,	Lowers,	Savacool,
Bayle,	Goss,	Mather,	Schuck,
Becker,	Grabe,	Matt,	Semmens,
Benninger,	Gramley,	McAleer,	Shaffer I. E.,
Berntheizel,	Gransback,	McClintock,	Sherwood,
Bigger,	Gray, Joseph,	Mellott,	Showalter,
Bittles,	Hackett,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Haggerty,	Miller,	Snyder,
Brosius,	Heidinger,	Mitchell,	Spangler,
Brown,	Herman,	Moore,	Steele,
Brownlee,	Hess,	Morrow,	Stein,
Burnett,	Heyburn,	Moses,	Stone,
Caldwell,	Hibshman,	Moulthrop,	Strauss,
Campbell, C.M.,	Hobbs,	Musser,	Swartz,
Campbell, J.J.	Hoffman,	Neely,	Swift,
Carson,	Howard, R.,	Newbaker,	Trach,
Carter,	Humes,	Newton,	Walnut,
Claycomb,	Isler,	O'Neill,	Walsh,
Cleary,	Irwin, G. C.,	Peachey,	Walton,
Conner,	Irwin, H. H.,	Pennegar,	Watson,
Conniff,	Jackson,	Pennock,	Wettach,
Conrade,	Jones, E. E.,	Peters,	Wildman,
Cox,	Jones, J. R.,	Post,	Wilson, J. H.,
Currier,	Keeport,	Ramsey,	Wilson, W. H.,
Curry,	Kennedy,	Reese,	Wiltbank,
Davis,	Kern,	Reeser,	Young, G. K.,
Donnally,	Kitts,	Rex,	Young, J. H.,
Down,	Klepper,	Rhoads,	Alter,
Dunn, J. A.,	Kuhn, H. P.,		Speaker.
Ehrhardt,			

NAYS—10.

DeFrees,	Malie,	Shern,	Ulman,
Donahoe,	McAllister,	Smith, J. W.,	Zimmerman,
Geiser,	Sassaman,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. MALIE. Mr. Speaker, I desire to call up House Bill No. 1092, from page 42 of to-day's Postponed Calendar, Bills on Final Passage, for the purpose of amendment.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1092, entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled An Act 'creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" as amended by changing and enlarging the penalties for committing such offense

RECONSIDERATION OF VOTE.

Mr. MALIE. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. LETZKUS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. MALIE. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend House Bill No. 1092 by amending Section 1, line 56, by striking out the words "one hundred ($100.00)" and substituting therefor the word "fifty ($50.00)."

Amend Section 1, line 59, by striking out the word "six" and substituting therefor the word "three."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended

It was agreed to.

Ordered, That the bill be prepared for final passage.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1749, entitled:

An Act to amend an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters expired and to validate the conveyances and other instruments of said corporations" approved the twenty-second day of April Anno Domini nineteen hundred and nine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Fahey,	Letzkus,	Robinson,
Ambler,	Flynn,	Light,	Rockwell,
Aron,	Forster, I. G.,	Lohr,	Roney,
Arthur,	Foster, J. D.,	Lowers,	Rothenberger,
Baldwin, G. A.,	Frey,	Malie,	Runk,
Baldwin, R. J.,	Gans,	Mannion,	Sassaman,
Barner,	Geiser,	Martin,	Savacool,
Bass,	Gibson,	Mather,	Schaeffer, A. C.
Bayle,	Glenn,	McAleer,	Schuck,
Becker,	Good,	McAllister,	Scott, S. B.,
Benninger,	Grabe,	McArdle,	Shaffer, C. A.,
Benson,	Gransback,	McCaig,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	McClintock,	Shern,
Bigger,	Hackett,	McDermott,	Sherwood,
Bittles,	Haggerty,	McKay,	Showalter,
Blair, W. A.,	Heidinger,	McNichol,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mechling,	Smith, L.,
Brosius,	Herman,	Mellott,	Snavely,
Brown,	Hess,	Metzenbacher,	Snyder,
Brownlee,	Heyburn,	Miller,	Spangler,
Burnett,	Hibshman,	Mitchell,	Speiser,
Caldwell,	Hobbs,	Moore,	Steedle,
Campbell, C.M.,	Hoffman,	Morrow,	Steele,
Campbell, J.J.	Howard, J.,	Moses,	Stein,
Carson,	Howard, R.,	Moulthrop,	Stone,
Carter,	Humes,	Murphy,	Swartz,
Claycomb,	Isler,	Neel,	Swift,
Cleary,	Irwin, G. C.,	Neely,	Thomas,
Cochran,	Irwin, H. H.,	Newbaker,	Trach,
Conner,	Jackson,	Newton,	Ulman,
Conniff,	Jones, E. E.,	O'Neill,	Walnut,
Conrade,	Jones, J. R.,	Peachey,	Walsh,
Cox,	Kaiser,	Pennegar,	Walton,
Currier,	Kaufman,	Pennock,	Wettach,
Curry,	Keeport,	Peters,	Whitaker,
Davis,	Kennedy,	Post,	Wildman,
DeFrees,	Kern,	Price,	Williams.
Dickinson,	Kitts,	Ramsey,	Wilson, J. H.,
Donahoe,	Klepper,	Redfield,	Wilson, W. H.,
Donnally,	Kuhn, H. P.,	Reese,	Wiltbank,
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Ehrhardt,	Lanius,	Rex,	Zimmerman,
Eichenberger,	Lenker,	Rhoads,	Alter,
Ely,	Leslie,	Richards,	Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1860 (Senate Bill No. 644), entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

On the question,

Will the House agree to the bill on third reading?

Mr. STRAUSS. Mr. Speaker, one word as to the meaning of this bill: It will lengthen the term of the Clerk of the County Commissioner from one year to three to four years so as to conform with the terms of the Commissioners which was lengthened from three to four years by a con-

stitutional enactment. That is the only change that is made in the bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Allen,	Flynn,	Lenker,	Robinson,
Alworth,	Forster, I. G.,	Leslie,	Rockwell,
Ambler,	Foster, J. D.,	Letzkus,	Roney,
Aron,	Gans,	Light,	Rothenberger,
Arthur,	Geary,	Lohr,	Sassaman,
Baldwin, G. A.,	Geiser,	Lowers,	Savacool,
Bass,	Gibson,	Malie,	Schaeffer, A. C.
Bayle,	Glenn,	Mannion,	Schuck,
Becker,	Good,	Martin,	Scott, J. R. K.,
Benson,	Goss,	Mather,	Scott, S. B.,
Berntheizel,	Grabe,	Matt,	Semmens,
Bigger,	Gramley,	McAleer,	Shaffer, I. E.,
Bittles,	Gransback,	McAllister,	Shern,
Blair, W. A.,	Gray, Joseph,	McCaig,	Sherwood,
Blair, W. F.,	Hackett,	McClintock,	Showalter,
Body,	Haggerty,	McDermott,	Smith, J. W.,
Brosius,	Heidinger,	McKay,	Smith, L.,
Brown,	Hemminger,	Mechling,	Snavely,
Brownlee,	Herman,	Metzenbacher,	Snyder,
Burnett,	Hess,	Missimer,	Speiser,
Caldwell,	Heyburn,	Mitchell,	Spillinger,
Campbell, C.M.,	Hibshman,	Morrow,	Steedle,
Campbell, J.J.	Hobbs,	Moses,	Steele
Carson,	Hoffman,	Moulthrop,	Stein,
Carter,	Howard, J.,	Murphy,	Stone,
Claycomb,	Howard, R.,	Neel,	Strauss,
Cleary,	Humes,	Newbaker,	Swartz,
Conner,	Isler,	Newton,	Swift,
Conniff,	Irwin, G. C.,	O'Neill,	Thomas,
Conrade,	Irwin, H. H.,	Peachey,	Trach,
Cox,	Jackson,	Pennegar,	Ulman,
Currier,	Jones, E. E.,	Pennock,	Walsh,
Curry,	Jones, J. R.,	Perry, H. L.,	Walton,
Davis,	Kaiser,	Peters,	Watson,
DeFrees,	Kaufman,	Piper,	Wettach,
Dickinson,	Keeport,	Price,	Wildman,
Donahoe,	Kennedy,	Ramsey,	Williams,
Donnally,	Kern,	Redfield,	Wilson, J. H.,
Down,	Kitts,	Reese,	Wilson, W. H.,
Dunn, H. B.,	Klepper,	Reeser,	Wiltbank,
Ehrhardt,	Kuhn, H. P.,	Rex,	Young, G. K.,
Eichenberger,	Kuhns, E.G.M.,	Rhoads,	Zimmerman,
Ely,	Latshaw,	Richards,	Alter,
Ewing,			Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendment.

Mr. STEIN. Mr. Speaker, I desire to call up House Bill No. 1301, file folio 4925, on page 36 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1301, as follows:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives children whether legitimate or illegitimate or aged parents by directing that imprisonment in such cases be at hard labor in such institution as the court shall name with the wages payable to the wives children or parents providing for the disbursement of moneys collected on forfeitures of bonds bail bonds or recognizances and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct and providing for the payment of the expenses incident to the carrying out of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever in any proceedings brought against any husband or father wherein it is charged that he has without reasonable cause separated himself from his wife or children or from both or has neglected to maintain his wife or children whether legitimate or illegitimate or in any proceedings where any child of full age has neglected or shall neglect to maintain his or her parents not able to work or of sufficient ability to maintain themselves the court having jurisdiction shall commit the defendant to imprisonment for want of a bond with security or otherwise the court may order the defendant to be imprisoned at hard labor under existing laws or laws that may hereafter be passed in such penal or reformatory institution in this Commonwealth as the court shall direct or the court may discharge a defendant upon his own recognizance in the custody of a desertion probation officer or other person subject to such conditions as the court may in its discretion impose

Section 2 Whenever any defendant shall be ordered to be imprisoned at hard labor under the provisions of this act there shall be paid by the official in charge of the penal or reformatory institution in which such defendant is imprisoned to the person designated in the order of court as the proper recipient of such money to be disbursed by said recipient as the order of court may direct the sum of sixty-five cents for each day Sundays and legal holidays only excepted during which he remains imprisoned Such sum shall be paid as one of the general running expenses of such institution and if the labor done in such institution is not sufficient to pay the general running expenses of such institution such sum shall be charged to and paid by the county from which such defendant was committed

Section 3 Whenever the court having jurisidiction of such proceedings may deem it necessary or desirable it may appoint one or more discreet persons of good character to serve as desertion probation officers during the pleasure of the court for the performance of such duties as the court shall direct Said probation officer or officers shall receive a salary to be determined by the court and this together with the necessary expenses incurred while in the actual performance of duty shall be paid monthly by the county as directed by the court It shall be the duty of the probation officer or officers so appointed to make such investigation as may be required by the court to furnish to the court such information and assistance as the cocrt may require to take such charge of any defendant before or after trial as may be directed by the court and when so directed to collect and pay over to the proper persons money ordered to be paid by any defendant and in general to do and perform such service as the court may direct

Section 4 If the defendant in any such proceeding shall violate the terms of the order of court the court may issue an attachment upon the petition of such defendant's parent wife child or children or of any other person or persons having knowledge of the facts

In case of the forfeiture of a bail bond in any such proceeding the court may order that any sum collected thereon by suit or otherwise shall be paid in whole or in part to such parent wife child or children In case of the forfeiture of any bond or recognizance with or without surety given as security under any order of court any sum collected thereon by suit or otherwise shall be paid to such parent wife child or children Such payment shall not bar in any way affect the power of the court to enforce its orders against the defendant by attachment or otherwise

Section 5 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Allen,	Eichenberger,	Lenker,	Rhoads,
Ambler,	Ely,	Leslie,	Richards,
Aron,	Fahey,	Letzkus,	Robinson,
Arthur,	Flynn,	Light,	Rockwell,
Baldwin, G. A.,	Forster, I. G.,	Lowers,	Roney,
Baldwin, R. J.,	Foster, J. D.,	Malie,	Rothenberger,
Barner,	Gans,	Mannion,	Runk,
Bass,	Geary,	Martin,	Sassaman,
Bayle,	Gibson,	Mather,	Schaeffer, A. C.
Becker,	Glenn,	Matt,	Schuck,
Benninger,	Good,	McAleer,	Semmens,
Benson,	Goss,	McAllister,	Shaffer, C. A.,
Berntheizel,	Grabe,	McCaig,	Showalter,
Bigger,	Gramley,	McClintock,	Smith, J. W.,
Bittles,	Gransback,	McDermott,	Smith, L.,
Blair, W. A.,	Gray, Joseph,	McNichol,	Snavely,
Blair, W. F.,	Hackett,	Mechling,	Spangler,
Body,	Haggerty,	Mellott,	Speiser,
Brosius,	Heidinger,	Missimer,	Spillinger,
Brown,	Hemminger,	Mitchell,	Steedle,
Brownlee,	Herman,	Moore,	Steele,
Burnett,	Hess,	Morrow,	Stein,
Caldwell,	Heyburn,	Moses,	Stone,
Campbell, C.M.,	Hibshman,	Moulthrop,	Strauss,
Campbell, J.J.	Hobbs,	Musser,	Swartz,
Carson,	Hoffman,	Neel,	Swift,
Carter,	Howard, J.,	Neely,	Thomas,
Claycomb,	Humes,	Newbaker,	Trach,
Cleary,	Isler,	Newton,	Ulman,
Cochran,	Irwin, G. C.,	O'Neill,	Walnut,
Conniff,	Irwin, H. H.,	Peachey,	Walsh,
Conrade,	Jackson,	Pennegar,	Walton,
Cox,	Jones, E. E.,	Pennock,	Wettach,
Currier,	Jones, J. R.,	Perry, H. L.,	Whitaker,
Curry,	Kaiser,	Peters,	Wildman,
Davis,	Kaufman,	Piper,	Williams,
DeFrees,	Keegan,	Post,	Wilson, J. H.,
Dickinson,	Keeport,	Price,	Wilson, W. H.,
Donahoe,	Kennedy,	Ramsey,	Wiltbank,
Donnally,	Kern,	Redfield,	Young, G. K.,
Down,	Kitts,	Reese,	Young, J. H.,
Dunn, H. B.,	Kuhn, H. P.,	Reeser,	Zimmerman,
Dunn, J. A.,	Kuhns, E.G.M.,	Rex,	Alter,
Ehrhardt,			Speaker.

NAYS—3.

Conner,	Latshaw,	Scott, J. R. K.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. LETZKUS. Mr. Speaker, I desire to call up House Bill No. 1108, file folio 1869, on page 33 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1108, entitled:

An Act providing for the arrest and conviction of any person found visiting a gambling house and providing penalty for same

On the question,

Will the House agree to the bill on third reading?

Mr. LETZKUS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 1, line five, strike out "plaec" insert "place." Line six, strike out "shuffie" insert "shuffle."
Title, line two, after "house" insert "or place."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is ther any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1822 (Senate Bill No. 50), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the education of certain blind children under eight years of age

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Allen,	Dunn, J. A.,	Latshaw,	Rex,
Alworth,	Ehrhardt,	Lenker,	Rhoads,
Ambler,	Eichenberger,	Leslie,	Richards,
Aron,	Ely,	Letzkus,	Robinson,
Arthur,	Ewing,	Light,	Rockwell,
Baldwin, G. A.,	Fahey,	Lohr,	Roney,
Baldwin, R. J.,	Flynn,	Lowers,	Rothenberger,
Barner,	Forster, I. G.,	Malie,	Runk,
Bass,	Foster, J. D.,	Mannion,	Sassaman,
Bayle,	Frey,	Martin,	Schaeffer, A. C.
Becker,	Gans,	Mather,	Schuck,
Benninger,	Good,	Matt,	Semmens,
Benson,	Grabe,	McAleer,	Shaffer, C. A.,
Berntheizel,	Gramley,	McAllister,	Shaffer, I. E.,
Bigger,	Gransback,	McArdle,	Shern,
Bittles,	Gray, Joseph,	McDermott,	Showalter,
Blair, W. A.,	Hackett,	McNichol,	Smith, J. W.,
Blair, W. F.,	Haggerty,	Mechling,	Smith, L.,
Body,	Heidinger,	Metzenbacher,	Snavely,
Brosius,	Hemminger,	Miller,	Speiser,
Brown,	Herman,	Mitchell,	Steedle,
Brownlee,	Hess,	Morrow,	Steele,
Burnett,	Heyburn,	Moses,	Stein,
Caldwell,	Hibshman,	Moulthrop,	Stone,
Campbell, C.M.,	Hobbs,	Murphy,	Strauss,
Campbell, J.J.	Hoffman,	Musser,	Swift,
Carson,	Howard, J.,	Neely,	Thomas,
Carter,	Howard, R.,	Newbaker,	Trach,
Claycomb,	Humes,	Newton,	Ulman,
Cleary,	Isler,	O'Neill,	Walnut,
Conner,	Irwin, G. C.,	Peachey,	Walton,
Conniff,	Jackson,	Pennegar,	Wettach,
Conrade,	Jones, J. R.,	Pennock,	Whitaker,
Cox,	Kaiser,	Perry, H. L.,	Williams,
Currier,	Keegan,	Peters,	Wilson, W. H.,
Curry,	Keeport,	Post,	Wiltbank,
Davis,	Kennedy,	Price,	Young, G. K.,
DeFrees,	Kern,	Ramsey,	Young, J. H.,
Dickinson,	Kitts,	Redfield,	Zimmerman,
Donnally,	Klepper,	Reese,	Alter,
Down,	Kuhn, H. P.,	Reeser,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1238, as follows:

A Supplement to an act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eight-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country who have left personal estate within this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter letters of administration or letters testamentary have been granted in any other State territory or foreign county on the estate of a resident thereof supposed to be dead on account of absence for seven or more years from the place of his last domicile it shall be lawful for the person or persons or trust company to whom such letters have been granted to present his their or its petition to the register of wills of the proper county within this Commonwealth where such absentee may have left personal estate owing or belonging to him accompanied by a complete exemplification of the record of the grant of such letters praying for the grant of ancillary letters of administration to some person or trust company named in said petition upon the estate of such absentee situate owing or belonging to him within this Commonwealth whereupon it shall be the duty of the said register of will to whom such petition has been presented to certify the same forthwith to the orphans' court of the county the said court if satisfied that the person or trust company named in said petition would be a fit person or trust company to whom such ancilary letters of administration might be issued shall cause to be published in a newspaper of general circulation published in the county and also where practicable in a newspaper published at or near the place beyond the Commonwealth where when last heard from the supposed decedent had his residence once a week for four consecutive weeks notice of the fact of said petition together with notice that on a day certain which shall be at least two weks after the last of these publications the court will hear evidence concerning the alleged absence of the supposed decedent and circumstances and duration thereof

Section 2 The aforesaid petition shall be supported by the affidavits of at least two persons residents of the ward borough township or other territorial subdivision where the supposed decedent was last known to reside and who are not interested either as creditors legatees or next of kin of the supposed decendent and who have not been connected in any way with the application of said original letters showing that the said supposed decedent has been absent from his usual place of abode for the space of seven years and upwards and that his whereabouts is not and has not been known for a period of seven years and upwards

Section 3 At the hearing the said orphans' court shall take such legal evidence as shall then be offered for the purpose of ascertaining whether the presumption of death is established and no person shall be disqualified to testifying by reason of his or her relationship as husband or wife to the said decedent or of his or her interest in the estate of the person supposed to be dead

Section 4 If satisfied upon the hearing that the legal presumption of death is made out the court shall so decree and shall forthwith cause notice thereof to be inserted for two consecutive weeks in a newspaper published in the county and also in a legal publication if any published in the county and also when practicable in a newspaper published at or near the place beyond the Commonwealth where when last heard from the supposed decedent had his residence The said notice shall require the said decedent if alive or any other person for him to produce to the court within four weeks from the date of its last insertion satisfactory evidence of his continuance in life

Section 5 If within the said period of four weeks evidence satisfactory to the orphans' court of the continuance in life of the said decedent shall not be forthcoming it shall be the duty of the court to order the register of wills to issue letter of administration to the person or trust company mentioned in said petition and the said letters until revoked and all acts done in pursuance thereof and in reliance thereupon shall be as valid as if the supposed decedent were really dead

Section 6 The administrator to whom ancillary letters of administration have been issued as aforesaid shall administer the estate of said supposed decedent in the same manner and with the same effect as the same would be administered under existing laws of this Commonwealth if the supposed decedent were proven to be in fact dead and the said orphans' court at the audit of his account shall

decree the balance if any shown thereby to the expenses of administration and the debts of said supposed decedent duly proven and due to residents of this Commonwealth and the overplus if any to the person or persons or trust company to whom original letters have been issued in the foreign jurisdiction as aforesaid for the purpose of administration and distribution thereof Provided however that before said orphans' court shall decree the payment of said overplus as aforesaid the said court shall be satisfied that the presumption of death of the supposed decedent has been established in said foreign jurisdiction according to law Provided further that before any distribution of the proceeds of the estate of such supposed decedent the alleged creditors residing in this Commonwealth claiming the same shall respectively give sufficient security to be approved by the orphans' court having jurisdiction in such sum and for mas the court shall direct with condition that if the supposed decedent shall in fact be at the time alive they wil lrespectively refund the amounts received by each with interest thereon if they shall not be legally entitled to retain the same

Section 7 The orphans' court may revoke the said letters at any time on due and satisfactory proof that the supposed decedent is in fact alive after which revocation all power of the administrator shall cease but all receipts or disbursements of assets and other acts previously done by him shall remain as valid as if the said letters were unrevoked and the administrator shal settle his account of his administration down to the time of such revocation and shall transfer all assets remaining in his hands to the person as whose administrator he had acted or to his duly authorized agent or attorney

Section 8 That the words "The Register of Wills of the proper County" as used in section one of this act shall be construed to mean the register of wills of the county in which all or the greater portion of the estate or said absentee within this Commonwealth may be found

Section 9 The provisions of this act shall apply to cases of all persons residents of any other State territory or foreign country who either before or after the passage of this act have absented themselves or may hereafter absent themselves from their usual place of abode therein for a period of seven years and who have been or shall have been unheard of for said period of time and who left personal estate situate owning or belonging to them within this Commonwealth

On the question,

Will the House agree to the bill on third reading?

Mr. NEELY. Mr. Speaker, this bill is a supplement to the Act of 1885, which provides for the granting of Letters on the estates of persons who have been absent for seven years. The act of 1885 provides for the granting of Letters on the states of residents of this State. This supplement provides for the granting of Letters of Administration on the estates of non-residents of this State, persons who have personal property within the Commonwealth —that is, if a person dies in Florida, or disappears in Florida rather, and is absent for seven years, letters are granted on his estate in Florida. Then Ancillary Letters of Administration can under this act be granted in Pennsylvania.

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Neely.

The SPEAKER. Will the gentleman permit himself to be interrogated.

Mr. NEELY. Yes, sir, Mr. Speaker.

Mr. LOWERS. I would ask the gentleman what need there is for this legislation.

Mr. NEELY. Mr. Speaker, this act, as far as I am concerned, is to be passed for a particular case. A man whose residence is in the State of Pennsylvania had considerable personal estate in Allegheny County. That personal estate still remains there. He moved to Florida and established a residence there and subsequently disappeared. After he had been absent and his whereabouts unknown for a period of seven years, his will was probated on the mere presumption of death in the State of Florida. An attempt was made to take out Letters in Pennsylvania, but was unsuccessful. This bill is presented to provide for that particular case and any similar case which might occur. The procedure is very carefully outlined. The application must be made to the Registrar of Wills, who must certify that the person desiring Ancillary Letters in this State is the proper person. The proceeding must be advertised for a certain length of time. The advertisement must set out that on a certain day a hearing will be held by the Orphans Court. The Orphans Court must hear witnesses and must be satified that the presumption of death has been established.

Mr. LOWERS. Mr. Speaker, I would ask the gentleman, he being a lawyer, a member of the bar, if this proposed act would not open the door to possible fraud.

Mr. NEELY. I do not think so, Mr. Speaker.

Mr. LOWERS. Mr. Speaker, I would ask the gentleman further if he has consulted the courts as to the practicability and the advisability of such legislation.

Mr. NEELY. I have not consulted with the Orphans Court judges of Allegheny County, for the reason that this case would come up before them as soon as the law is passed.

Mr. LOWERS. Mr. Speaker and Gentlemen of the House, it seems to me that this is unnecessary legislation offered for the purpose of covering one particular case and it appears to me that it will open the door to possible fraud. I think it will be unwise to pass this measure at this time.

Mr. NEELY. Mr. Speaker, in regard to this bill as to the method in which the procedure is outlined, I wish to say that I have had the bill to the title officer of one of our title companies in Pittsburgh, who is well versed in the law on this subject, and he sees no objection to it, and I have also handed it to the trust officer of one of our largest trust companies in Pittsburgh and he sees no objection to it, and I also want to say that in this particular State there is a large sum of money invested in mortgages in Allegheny County, and the Act has been drawn with an effort to protect the titles of those properties.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Allen,	Foster, J. D.,	Mannion,	Rothenberger,
Ambler,	Geary,	Martin,	Runk,
Aron,	Geiser,	Mather,	Sassaman,
Arthur,	Gibson,	Matt,	Savacool,
Baldwin, R. J.,	Good,	McAleer,	Schaeffer, A. C.
Barner,	Goss,	McAllister,	Schuck,
Bass,	Gramley,	McArdle,	Scott, S. B.,
Bayle,	Gransback,	McCaig,	Semmens,
Becker,	Gray, Joseph,	McClintock,	Shaffer, C. A.,
Benninger,	Hackett,	McDermott,	Shaffer, I. E.,
Benson,	Haggerty,	McKay,	Shern,
Berntheizel,	Heidinger,	McNichol,	Sherwood,
Bigger,	Hemminger,	Mechling,	Showalter,
Bittles,	Herman,	Mellott,	Smith, J. W.,
Blair, W. A.,	Hess,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Heyburn,	Miller,	Snavely,
Body,	Hibshman,	Missimer,	Snyder,
Brosius,	Hobbs,	Morrow,	Spangler,
Brown,	Howard, J.,	Moses,	Speiser,
Brownlee,	Howard, R.,	Moulthrop,	Spillinger,
Caldwell,	Humes,	Murphy,	Steedle,
Campbell, J.J.	Isler,	Neel,	Steele,
Carson,	Irwin, G. C.,	Neely,	Stein,
Carter,	Irwin, H. H.,	Newbaker,	Stone,
Claycomb,	Jackson,	Newton,	Strauss,
Cleary,	Jones, J. R.,	O'Neill,	Swartz,
Cochran,	Kaiser,	Peachey,	Swift,
Conner,	Keegan,	Pennegar,	Thomas,
Conniff,	Keeport,	Pennock,	Trach,
Conrade,	Kennedy,	Perry, H. L.,	Walnut,
Cox,	Kern,	Peters,	Walsh,
Currier,	Kitts,	Piper,	Walton,
Curry,	Klepper,	Post,	Watson,
Davis,	Kuhn, H. P.,	Price,	Wettach,
DeFrees,	Kuhns, E.G.M.,	Ramsey,	Wildman,
Dickinson,	Lanius,	Redfield,	Williams,
Donnally,	Latshaw,	Reese,	Wilson, J. H.,
Down,	Lenker,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Leslie,	Rex,	Wiltbank.
Dunn, J. A.,	Letzkus,	Rhoads,	Young, G. K.,
Ehrhardt,	Light,	Richards,	Young, J. H.,
Eichenberger,	Lohr,	Robinson,	Zimmerman,
Ely,	Lowers,	Rockwell,	Alter,
Ewing,	Malie,	Roney,	Speaker.
Forster, I. G.,			

NAYS—2.

Burnett,	Ulman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1666, entitled:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth" approved the

twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 1, line 13, strike out "is" and insert "it."
Section 1, line 19, after "companies" insert "organized."
Section 1, line 26, strike out "restricions" and insert "restrictions."
Section 1, line 68, strike out "waterways" and insert "waterway."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

RECONSIDERATION OF VOTE.

Mr. CONNER. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by Patrick Conner seconded by W. H. Kern (Both of whom voted in the negative) That the vote by which Senate Bill No. 386 file folio 2429 page 11 of yesterday's calendar, bills on final passage, was defeated be reconsidered.

On the question,

Will the House agree to the motion?

Mr. E. E. JONES. Mr. Speaker, and Gentlemen of the House, I feel that a most worthy bill was defeated in the defeat which this bill suffered last night. In a light House it did not receive the required number of votes to pass. It is the County Supervisors Convention bill. It provides for the assembling of the supervisors of the various counties of the State in County Conventions the same as school directors have done for many years; that is, the getting together of the supervisors once a year at the county seat and there talking over the problems confronting them as supervisors of roads in the various townships. I believe it is one of the best bills that we can put through this legislature for the improvement of the country roads. It is the lack of knowledge on the part of the supervisors and lack of knowing how to get at the problems that confront them that is the most serious drawback to the improvement of our country roads, and if these supervisors can be gotten together in convention and there addressed by men who know how, and by the representatives of our Highway Department and by others who are familiar with the conditions which are confronting them, I believe there would be a decided improvement in the roads and I hope that the members of the House will reconsider this vote and pass this law.

Mr. STRAUSS. Mr. Speaker, I only want to add to what my friend has said by stating that the supervisors of Berks County already have such an association and have had it for some time and serve without pay and come together at the county seat without pay, and they are very much in favor of passing this bill. The expense is not very great, as each county pays its supervisors for only two days a year, and I think it would be a great thing to have such meetings of the supervisors to listen to lectures on good roads and take part in it that way and so become acquainted with the best construction of good roads.

Mr. McDERMOTT. Mr. Speaker, I do not want the House to think that I want to give them a history of my boyhood down to the present day, but I want to say a word in behalf of this bill. I don't think this bill met with fair play the last time it was before the House and defeated. I happened to be a supervisor for six years and gave six years of my time gratis and I also resigned before I came down here, for fear it would interfere with my oath of office. I think the least this House ought to do is to pass this bill and reimburse these supervisors who are only getting one dollar and a half a day for two days at a time. I think it is unfair for this House to pass laws and to say that one man shall give his services for nothing and then pass laws for other men to get three times what they are worth. I think it is high time that this House starts at the top and shaves off the top and gives something to the little fellow that is getting nothing.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Allen,	Forster, I. G.,	Leslie,	Richards,
Ambler,	Foster, J. D.,	Letzkus,	Robinson,
Aron,	Frey,	Lohr,	Rockwell,
Arthur,	Gans,	Lowers,	Roney,
Baldwin, G. A.,	Geary,	Malie,	Rothenberger,
Baldwin, R. J.,	Geiser,	Mannion,	Runk,
Bass,	Gibson,	Martin,	Sassaman,
Bayle,	Glenn,	Mather,	Savacool,
Becker,	Good,	Matt,	Schuck,
Benninger,	Goss,	McAleer,	Scott, S. B.,
Benson,	Grabe,	McAllister,	Semmens,
Berntheizel,	Gramley,	McArdle,	Shaffer, C. A.,
Bigger,	Gransback,	McCaig,	Shaffer, I. E.,
Bittles,	Gray, Joseph,	McDermott,	Shern,
Blair, W. A.,	Hackett,	McKay,	Sherwood,
Blair, W. F.,	Haggerty,	Mechling,	Showalter,
Body,	Heidinger,	Mellott,	Smith, J. W.,
Brosius,	Hemminger,	Metzenbacher,	Smith, L.,
Brown,	Herman,	Miller,	Snavely,
Brownlee,	Hess,	Missimer,	Snyder,
Burnett,	Heyburn,	Moore,	Spangler,
Caldwell,	Hibshman,	Morrow,	Speiser,
Campbell, C.M.,	Hobbs,	Moses,	Spillinger,
Campbell, J.J.	Hoffman,	Moulthrop,	Steele,
Carson,	Howard, J.,	Murphy,	Stein,
Carter,	Howard, R.,	Musser,	Stone,
Claycomb,	Humes,	Newbaker,	Strauss,
Cleary,	Isler,	Newton,	Swartz,
Conner,	Irwin, G. C.,	O'Neill,	Swift,
Conniff,	Jackson,	Peachey,	Thomas,
Conrade,	Jones, E. E.,	Pennegar,	Trach,
Cox,	Jones, J. R.,	Pennock,	Ulman,
Currier,	Kaiser,	Perry, H. L.,	Walnut,
Curry,	Kaufman,	Perry, S. J.,	Walsh,
Davis,	Keegan,	Peters,	Watson,
DeFrees,	Keeport,	Piper,	Wettach,
Dickinson,	Kenna,	Post,	Whitaker,
Donahoe,	Kennedy,	Price,	Wildman,
Donnally,	Kern,	Ramsey,	Williams,
Down,	Klepper,	Redfield,	Wilson, J. H.,
Dunn, H. B.,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Dunn, J. A.,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Ehrhardt,	Lanius,	Rex,	Young, J. H.,
Eichenberger,	Latshaw,	Rhoads,	Alter,
Ely,	Lenker,		Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1348, as follows:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That an amendment be submitted to the people of the Commonwealth of Pennsylvania to amend Section one of Article two of the State Constitution so as to read as follows

Section 1 Legislative Authority The Legislative authority of this Commonwealth shall be vested in a Senate and House of Representatives but the people reserve to themselves power to propose legislative measures laws resolutions and amendments to the Constitution and to enact or reject the same at the polls independent of the General Assembly and also reserve power at their own option to approve or reject at the polls any act item section or any part of any act or measure passed by the General Assembly

Section 1A Initiative The first power reserved by the people is the initiative and not more than fifty thousand legal voters (as may be determined by law) shall be required to propose any measure by initiative petition and every such petition shall include the full text of the measure so proposed Initiative

petitions shall be filed with the Secretary of the Commonwealth not less than four months before the election at which they are to be voted upon

The initiative may also be invoked as following if at any time not less than ten days prior to the convening of the general assembly there shall be filed with the Secretary of the Commonwealth an initiative petition for any measure signed by five thousand legal voters he shall transmit certified copies of said measure to the Senate and House of Representatives immediately upon organization If said measure be passed by the general assembly either as petitioned for or in an amended form it shall be subject to referendum petitions as other measures If it shall be enacted in an amended form or if no action is taken thereon within four months from the convening of the General Assembly it shall be submitted to the people by the Secretary of the Commonwealth at the next general election Provided such submission shall be demanded by a supplementary initiative petition signed by thirty thousand legal voters and filed not less than four months before such election Said measure shall be submitted in the form demanded by such supplemental initiative petition which form may be either as originally petitioned for or in any amended or substitute form which may have been proposed by or in the General Assembly or there may be incorporated in said measure any amendment or amendments thereto proposed by or in the General Assembly If the measure so submitted is approved by a majority of the electors voting thereon it shall go into effect and repeal all law in conflict therewith

Section 1B Referendum The second power is the referendum and it may be ordered either by a petition signed by the required number of legal voters or by the General Assembly as other bills are enacted Not more than thirty thousand legal voters (as may be determined by law) shall be required to sign and make a valid referendum petition Laws making appropriations for the maintenance of the State Government or existing State instiutions not exceeding the next previous appropriation for such purpose shall not be subject to referendum petitions The increase in any such appropriation shall take effect as other laws and such increase or any part or item thereof shall be submited to the people upon referendum petition The filing of a referendum petition against one or more items sections or parts of any measure shall not delay the remainder from becoming operative Referendum petition against measures passed by the General Assembly shall be filed with the Secretary of the Commonwealth not later than ninety days after the final adjournment of the session of the General Assembly at which such measures were passed except when adjournment shall be taken temporarily for a longer period than ninety days in which case such petition shall be filed not later than ninety days after such temporary adjournment All measures referred to a vote of the people by referendum petitions shall remain in abeyance until such vote is taken

Section 1C Emergency If it shall be necessary for the preservation of the public peace health or safety that a measure shall become effective without delay such necessity shall be stated in one section and if upon a yea and nay vote three-fourths of all members elected shall vote upon separate roll-call in favor of the measure going into instant operation such measure shall become operative at the time specified therein It shall be necessary to state in such section the facts which constitute such emergency Provided that an emergency shall not be declared on any franchise or act alienating any property of the Commonwealth If a referendum petition is filed against an emergency measure such measure shall be a law until it is voted upon by the people and if it is then rejected by a majority of the electors voting thereon it shall be thereby repealed The provisions of this sub-section shall apply to city councils

Section 1D Municipal and Local Initiative and Referendum The initiative and referendum powers of the people are hereby further reserved to the legal voters of each municipality county and district as to all local special and municipal legislation of every character in and for their respective municipalities counties and districts cities and towns may provide for the exercise of the initiative and referendum as to their local legislation Petitions shall be filed with the city clerk or other officer as may be provided by law Not more than ten per cent of the legal voters may be required to order the referendum nor more than fifteen per cent to propose any measure by initiative petition in any municipality county or local sub-division of the Commonwealth Every extension enlargement purchase grant or conveyance of a franchise or of any rights properly easement lease or occupation of or in any road street alley bridge or park thereof in any real property or interest in any real property owned by a municipal corporation whether the same be by statute ordinance resolution or otherwise shall be subject to referendum by petition and shall not be subject to emergency legislation The time for filing referendum petitions against municipal or local measures shall not be fixed at less than thirty days after the passage thereof by municipal or local legislative bodies

Section 1E General Provisions The word "measure" as used herein means any law bill resolution ordinance charter or constitutional amendment or any other legislative measure All elections on general local and special measures referred to the people of the Commonwealth or any locality shall be held at the regular general elections except when the Legislature or the Governor shall order a special election but counties cities and towns may provide for special elections on local legislation Any measure submitted to the people as herein provided shall take effect and become law when approved by a majority of the votes cast thereon and not otherwise Such measure shall be in operation on and after the thirtieth day after the election at which it is approved The veto power of the Governor or mayor shall not extend to measures initiated by or referred to the people If conflicting measures submitted to the people shall be approved by a majority of the votes severally cast for and against the same the one receiving the highest number of affirmative votes shall thereby become law No measure approved by a vote of the people shall be amended or repealed by the General Assembly or any city council except by a yea and nay vote upon roll call of three-fourths of all the members elected the whole number of votes cast for Governor at the last preceding general election shall be the basis upon which the number of legal voters necessary to sign local petitions shall be computed except that in municipalities it shall be computed upon the vote cast for mayor Duly legal voters only shall be counted upon petitions Petitions may be circulated and presented in parts but each part of any petition shall have attached thereto the affidavit of the person circulating the same that all the signatures thereon were made in the presence of the affiant and to the best of the affiant's knowledge and belief each signature is genuine and that the person signing is an elector and no other affidavit or verification shall be required The sufficiency of all petitions shall be decided by the Secretary of the Commonwealth or corresponding local officer as the case may be subject to review by courts of record which shall give precedence over all other cases in the adjudication of the same If the Secretary of the Commonwealth or such local officer shall decide any petition to be insufficient he shall without delay notify the sponsors of the petition and permit at least twenty days for correction or amendment In the event of legal proceedings in any court to prevent giving effect to any petition upon any grounds the burden of proof shall be upon the person or persons attacking the validity of the petition Not more than one-half of the signatures upon any petition filed with the Secretary of the Commonwealth shall be from any one county

This section shall not be construed to deprive any member of the General Assembly or city council of the right to introduce any measure The style of all bills shall be "Be it enacted by the people of (name of Commonwealth municipality or county as the case may be) All measures of any kind submitted to a vote of the people shall be published as may hereafter be required by law In submitting measures to the people the Secretary of the Commonwealth and all other officials shall be guided by the general laws until additional legislation shall be provided therefor This amendment shall be self-executing but the General Assembly may enact laws to facilitate its operation No legislation shall be enacted to impair or hamper the exercise of the rights herein reserved to the people

On the question,

Will the House agree to the bill on third reading?

Mr. BENSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend by striking out in line 1, the following, "Section 1."

Amend Section 1 A by striking out in line 37 the word "Provided" and insert "provided."

Amend Section 1 D by striking out in line 100 the word "exension" and insert "extension."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

The yeas and nays were required by Mr. BENSON and Mr. HUMES.

Mr. BENSON. Mr. Speaker, I call for a verification of the roll.

This was done as follows:

YEAS—116.

Allen,	Gibson,	Lenker,	Post.
Baldwin, G. A.,	Glenn,	Light,	Price,
Barner,	Good,	Lohr,	Reeser,
Becker,	Goss,	Lowers,	Rex,
Benninger,	Grabe,	Malie,	Richards,
Benson,	Gramley,	Mannion,	Robinson,
Bigger,	Gray, Joseph,	Martin,	Rockwell,
Bittles,	Heidinger,	Mather,	Rothenberger,
Blair, W. A.,	Hemminger,	Matt,	Runk,
Blair, W. F.,	Herman,	McAleer,	Savacool,
Body,	Hess,	McClintock,	Semmens,
Brosius,	Hobbs,	McDermott,	Shaffer, C. A.,
Brownlee,	Howard, R.,	McKay,	Shaffer, I. E.,
Burnett,	Humes,	Mechling,	Showalter,
Caldwell,	Irwin, H. H.,	Mellott,	Smith, J. W.,
Campbell, C.M.,	Jackson,	Metzenbacher,	Smith, L.,
Campbell, J.J.	Jones, E. E.,	Miller,	Snavely,
Carson,	Jones, J. R.,	Moses,	Spillinger,
Carter,	Kaiser,	Moulthrop,	Steele,
Claycomb,	Kaufman,	Murphy,	Stone,
Cleary,	Keegan,	Musser,	Strauss,
Cochran,	Keeport,	Newbaker,	Swift,
DeFrees,	Kennedy,	Newton,	Thomas,
Donahoe,	Kern,	Peachey,	Ulman,
Donnally,	Klepper,	Pennegar,	Walnut,
Down,	Kuhn, H. P.,	Pennock,	Watson,
Dunn, H. B.,	Kuhns, E.G.M.,	Perry, H. L.,	Williams,
Foster, J. D.,	Lanius,	Peters,	Wilson, J. H.,
Geary,	Latshaw.	Piper,	Young, G. K.,
Geiser,			Zimmerman,

NAYS—54.

Ambler,	Eichenberger,	McArdle,	Sherwood,
Aron,	Ely,	McCaig,	Snyder,
Arthur,	Ewing,	McNichol,	Spangler,
Baldwin, R. J.,	Forster, I. G.,	Missimer,	Speiser,
Bass,	Gans,	Moore,	Strauss,
Bayle,	Gransback,	Morrow,	Walsh,
Berntheizel,	Hackett,	O'Neill,	Walton,
Conner,	Haggerty,	Perry, S. J.,	Wettach,
Conniff,	Heyburn,	Ramsey,	Whitaker,
Conrade,	Hibshman,	Rhoads,	Wildman,
Cox,	Hoffman,	Roney,	Wilson, W. H.,
Curry,	Kitts,	Schuck,	Wiltbank,
Dickinson,	Letzkus,	Shern,	Alter,
Dunn, J. A.,	McAllister,		Speaker.

So the question was determined in the affirmative and the bill as amended was agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1857 (Senate Bill No. 583), entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf of the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Allen,	Ely,	Leslie,	Richards,
Alworth,	Ewing,	Letzkus,	Robinson,
Ambler,	Fahey,	Lohr,	Roney,
Aron,	Flynn,	Lowers,	Rothenberger,
Arthur,	Foster, J. D.,	Malle,	Runk,
Baldwin, R. J.,	Frey,	Mannion,	Sassaman,
Barner,	Geary,	Martin,	Savacool,
Bass,	Geiser,	Mather,	Schaeffer, A. C.
Bayle,	Gibson,	Matt,	Schuck,
Becker,	Glenn,	McAleer,	Semmens,
Benninger,	Good,	McAllister,	Shaffer, C. A.,
Benson,	Grabe,	McArdle,	Shaffer, I. E.,
Berntheizel,	Gramley,	McCaig,	Shern,
Bigger,	Gransback,	McClintock,	Sherwood,
Bittles,	Gray, Joseph,	McDermott,	Showalter,
Blair, W. A.,	Hackett,	McKay,	Smith, J. W.,
Blair, W. F.,	Haggerty,	McNichol,	Smith, L.,
Body,	Heidinger,	Mechling,	Snavely,
Brosius,	Hemminger,	Mellott,	Snyder,
Brown,	Herman,	Miller,	Spangler,
Brownlee,	Hess,	Missimer,	Speiser,
Burnett,	Heyburn,	Mitchell,	Spillinger,
Caldwell,	Hibshman,	Moore,	Steedle,
Campbell, C.M.,	Hobbs,	Moses,	Steele,
Campbell, J.J.	Hoffman,	Moulthrop,	Stein,
Carson,	Howard, J.,	Murphy,	Stone,
Carter,	Howard, R.,	Neel,	Strauss,
Claycomb,	Humes,	Neely,	Swartz,
Cleary,	Isler,	Newbaker,	Swift,
Cochran,	Irwin, G. C.,	Newton,	Trach,
Conner,	Irwin, H. H.,	O'Neill,	Ulman,
Conniff,	Jackson,	Peachey,	Walnut,
Conrade,	Jones, E. E.,	Pennegar,	Walsh,
Cox,	Jones, J. R.,	Pennock,	Walton,
Currier,	Kaufman,	Perry, H. L.,	Watson,
Curry,	Keegan,	Perry, S. J.,	Whitaker,
Davis,	Keeport,	Peters,	Wildman,
DeFrees,	Kennedy,	Piper,	Williams,
Dickinson,	Kern,	Post,	Wilson, J. H.,
Donahoe,	Kitts,	Price,	Wilson, W. H.,
Donnally,	Kuhn H. P.,	Ramsey,	Wiltbank,
Down,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Dunn, H. B.,	Lanius,	Reeser,	Zimmerman,
Dunn, J. A.,	Latshaw,	Rex,	Alter,
Ehrhardt,	Lenker,	Rhoads,	Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideratio nof House Bill No. 1186, entitled:

An Act to make the real estate of any pauper liable for the expense of his support maintenance and burial and providing a method for the collection of such claims

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I would like to know something about this bill. I would like to know what a pauper is.

The SPEAKER. The gentleman from Clearfield, Mr. Moulthrop.

Mr. MOULTHROP. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. Allen, as to what a pauper is, I desire to say that he is supposed to be a man who has no property. A man who is traveling about and is known as a pauper may have concealed some of his estate and in case of death it is found out that this is so it is simply a case of recovering the property by the poor overseer or the county commissioner.

Mr. ALLEN. Mr. Speaker, I made this inquiry not as a joke or anything of that sort, but because I feel that the bill is intended to be a good bill, but unless the word pauper could be defined as something in the way the gentleman defines it now in explanation of the bill—I feel that the force of the bill would be lost in case it were attempted to be enforced because the word pauper, I think, is even much more restrictive than is suggested by the gentleman, and unless it were so defined in this bill, I question whether or not the bill would reach the very point which it is intended to cover. I suggest that the sponsor defer action on this bill and amend it accordingly. I think it would be in proper form then.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Allen, permit himself to be interrogated?

Mr. ALLEN. Mr. Speaker, yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to know from the gentleman from Allegheny whether a person living at the expense of the county in a poor house would not be constituted to be a pauper.

Mr. ALLEN. Mr. Speaker, he might be and he might not be. He would be a pauper so far as the county were concerned but he might not be a pauper under the strict definition from a legal aspect.

Mr. R. J. BALDWIN. Mr. Speaker, I don't think there is any fear at all of a court holding that a person living at the expense of the poor house would not be a pauper and should he die there and afterwards they found that he had property, it would not remove the stain of being a pauper but it would allow the county to collect the fee.

Mr. MOULTHROP. Mr. Speaker, I think under the circumstances that the bill is worded right, as far as I can see, and as it was handed to me by our solicitor of our county and I think he understands it alright, I am willing to have you put it through and up to the Senate and if there is any amendment required, we will put them in in the Senate.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Ambler,	Flynn,	Malle,	Richards,
Aron,	Forster, I. G.,	Mannion,	Robinson,
Arthur,	Foster, J. D.,	Martin,	Rockwell,
Baldwin, G. A.,	Gibson,	Mather,	Roney,
Baldwin, R. J.,	Good,	Matt,	Rothenberger,
Barner,	Goss,	McAleer,	Runk,
Bass,	Grabe,	McAllister,	Sassaman,
Bayle,	Gramley,	McArdle,	Savacool,
Becker,	Gransback,	McCaig,	Schaeffer, A. C.
Benson,	Gray, Joseph,	McClintock,	Schuck,
Berntheizel,	Hackett,	McDermott,	Semmens,
Bigger,	Haggerty,	McKay,	Shaffer, C. A.,
Bittles,	Heidinger,	McNichol,	Shaffer, I. E.,
Blair, W. A.,	Hemminger,	Mechling,	Shern,
Blair, W. F.,	Herman,	Mellott,	Sherwood,
Body,	Hess,	Metzenbacher,	Showalter,
Brosius,	Heyburn,	Miller,	Smith, J. W.,
Brown,	Hibshman,	Missimer,	Smith, L.,
Brownlee,	Hobbs,	Mitchell,	Snavely,
Burnett,	Hoffman,	Moore,	Snyder,
Caldwell,	Howard, J.,	Morrow,	Spangler,

Campbell, C.M.,	Howard, R.,	Moses,	Speiser,
Campbell, J.J.	Humes,	Moulthrop,	Steedle,
Carson,	Isler,	Murphy,	Steele,
Carter,	Irwin, G. C.,	Musser,	Stein,
Claycomb,	Irwin, H. H.,	Neel,	Stone,
Cleary,	Jackson,	Neely,	Strauss,
Cochran,	Jones, E. E.,	Newbaker,	Swartz,
Conner,	Jones, J. R.,	Newton,	Swift,
Conniff,	Kaiser,	O'Neill,	Thomas,
Conrade,	Kaufman,	Peachey,	Trach,
Cox,	Keegan,	Pennegar,	Walnut,
Currier,	Keeport,	Pennock,	Walsh,
Curry,	Kennedy,	Perry, H. L.,	Walton,
Davis,	Kern,	Perry, S. J.,	Watson,
DeFrees,	Kitts,	Peters,	Whitaker,
Dickinson,	Klepper,	Piper,	Wildman,
Donahoe,	Kuhn, H. P.,	Post	Williams,
Donnally,	Kuhns, E.G.M.,	Price,	Wilson, J. H.,
Down,	Lanius,	Ramsey,	Wilson, W. H.,
Dunn, H. B.,	Latshaw,	Redfield,	Wiltbank,
Dunn, J. A.,	Lenker,	Reese,	Young, G. K.,
Ehrhardt,	Leslie,	Reeser,	Young, J. H.,
Eichenberger,	Light,	Rex,	Zimmerman,
Ely,	Lohr,	Rhoads,	Alter,
Ewing,	Lowers,		Speaker.
Fahey,			

NAYS—1.

Letzkus,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HEIDINGER. Mr. Speaker, I desire to call up House Bill No. 398, page 35 of the calendar, bills on third reading postponed.

Agreeably to order.

The House resumed the third reading and consideration of House Bill No. 398, as follows:

An Act to acquire the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That on and after the first day of July one thousand nine hundred and thirteen every physician in this Commonwealth attending on or called in to visit a patient whom he believes to be suffering from poisoning from lead phosphorous arsenic brass wood-alcohol mercury or their compounds or from anthrax or from compressed air illness or any other ailment or disease contracted as a result of the nature of the patients' employment shall within forty-eight hours send to the State Registrar of Vital Statistics a report stating (a) name address and occupation of patient (b) name address and business of employer (c) nature of disease and (d) such other information as may be reasonably required by the State Board of Health

The reports herein required shall be on or in conformity with the standard schedule blanks hereinafter provided for The posting of the report within the time required in a stamped envelope addressed to the office of the State Registrar of Vital Statistics shall be in compliance with this section

Section 2 The State Board of Health and Vital Statistics shall prepare and furnish free of cost to the physicians included in section one standard schedule blanks for the reports required under this act The form and contents of such blanks shall be determined by the State Board of Health and Vital Statistics

Section 3 Reports made under this act shall not be evidence of the facts therein stated in any action arising out of the disease therein reported

Section 4 Any physician who neglects or refuses to send the report or reports as herein required shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five ($5.00) dollars nor more than fifty dollars at the discretion of the court

Section 5 It shall furthermore be the duty of the State Board of Health and Vital Statistics to transmit forthwith a copy of all such reports of occupational disease to the Chief Factory Inspector

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Allen,	Flynn,	Light,	Robinson,
Ambler,	Forster, I. G.,	Lohr,	Rockwell,
Aron,	Foster, J. D.,	Lowers,	Roney,
Arthur,	Frey,	Malie,	Rothenberger,
Baldwin, G. A.,	Gans,	Mannion,	Runk,
Baldwin, R. J.,	Geiser,	Martin,	Sassaman,
Barner,	Gibson,	Mather,	Savacool,
Bass,	Glenn,	McAleer,	Schaeffer, A. C.
Bayle,	Good,	McAllister,	Schuck,
Becker,	Goss,	McArdle,	Scott, S. B.,
Benson,	Gramley,	McCaig,	Semmens,
Berntheizel,	Gransback,	McDermott,	Shaffer, C. A.,
Bigger,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Bittles,	Hackett,	McNichol,	Shern,
Blair, W. F.,	Haggerty,	Mechling,	Sherwood,
Body,	Heidinger,	Mellott,	Showalter,
Brosius,	Hemminger,	Metzenbacher,	Smith, J. W.,
Brown,	Herman,	Miller,	Smith, L.,
Brownlee,	Hess,	Missimer,	Snavely,
Burnett,	Heyburn,	Mitchell,	Snyder,
Caldwell,	Hibshman,	Moore,	Spangler,
Campbell, C.M.,	Hobbs,	Morrow,	Speiser,
Campbell, J.J.	Hoffman,	Moses,	Spillinger,
Carson,	Howard, J.,	Moulthrop,	Steedle,
Carter,	Howard, R.,	Murphy,	Steele,
Claycomb,	Humes,	Neel,	Stein,
Cleary,	Isler,	Neely,	Stone,
Cochran,	Irwin, G. C.,	Newbaker,	Strauss,
Conner,	Irwin, H. H.,	Newton,	Swartz,
Conniff,	Jackson,	O'Neill,	Swift,
Conrade,	Jones, E. E.,	Peachey,	Thomas,
Cox,	Jones, J. R.,	Pennegar,	Trach,
Currier,	Kaiser,	Pennock,	Ulman,
Curry,	Kaufman,	Perry, H. L.,	Walnut,
Davis,	Keegan,	Perry, S. J.,	Walsh,
DeFrees,	Keeport,	Peters,	Walton,
Dickinson,	Kennedy,	Piper,	Watson.
Donahoe,	Kern,	Post,	Wildman,
Donnally,	Kitts,	Price,	Williams,
Down,	Klepper,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Ehrhardt,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Eichenberger,	Lanius,	Rex,	Young, G. K.,
Ely,	Leslie,	Rhoads,	Zimmerman,
Ewing,	Letzkus,	Richards,	Alter,
Fahey,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1547, as follows:

An Act to amend section two of an act entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" approved the twenty-first day of April Anno Domini one thousand nine hundred and three

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the second section of the act approved April twenty-first one thousand nine hundred and three entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" which reads as follows

"Section 2 Said county commissioners shall during the month of March of each year in which it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by section one of this act cause to be published in two newspapers of the proper county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first day of the following May or as soon thereafter as practicable and the contract for material and work upon each bridge shall be given to the lowest and best bidder" be amended so that the same shall read as follows

Section 2 Said county commissioners shall whenever it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by section one of this act cause to be published at least once a week for four successive weeks in two newspapers of the proper county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first Monday following the close of said four weeks or as soon thereafter as practicable and the contract for material and work upon each bridge shall be given to the lowest and best bidder

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Allen,	Ely,	Leslie,	Rhoads,
Ambler,	Ewing,	Letzkus,	Richards,
Aron,	Fahey,	Light,	Robinson,
Arthur,	Flynn,	Lohr,	Rockwell,
Baldwin, G. A.,	Forster, I. G.,	Lowers,	Roney,
Baldwin, R. J.,	Foster, J. D.,	Mallie,	Rothenberger,
Barner,	Gans,	Martin,	Runk,
Bass,	Geiser,	Mather,	Sassaman,
Bayle,	Gibson,	Matt,	Schaeffer, A. C.
Becker,	Glenn,	McAleer,	Schuck,
Benson,	Good,	McAllister,	Scott, S. B.,
Berntheizel,	Grabe,	McArdle,	Semmens,
Bigger,	Gramley,	McCaig,	Shaffer, C. A.,
Bittles,	Gransback,	McClintock,	Shaffer, I. E.,
Blair, W. A.,	Gray, Joseph,	McDermott,	Shern,
Blair, W. F.,	Hackett,	McKay,	Sherwood,
Body,	Haggerty,	McNichol,	Showalter,
Brosius,	Heidinger,	Mechling,	Smith, J. W.,
Brown,	Hemminger,	Mellott,	Smith, L.,
Brownlee,	Herman,	Metzenbacher,	Snyder,
Burnett,	Hess,	Miller,	Speiser,
Caldwell,	Heyburn,	Missimer,	Spillinger,
Campbell, C.M.,	Hilt shman,	Moore,	Steedle,
Campbell, J.J.	Hobbs,	Morrow,	Steele,
Carson,	Hoffman,	Moses,	Stein,
Carter,	Howard, R.,	Moulthrop,	Strauss,
Claycomb,	Humes,	Murphy,	Swartz,
Cleary,	Isler,	Neel,	Swift,
Cochran,	Irwin, G. C.,	Neely,	Thomas,
Collins,	Irwin, H. H.,	Newbaker,	Trach,
Conner,	Jackson,	Newton,	Ulman,
Conniff,	Jones, E. E.,	O'Neill,	Walnut,
Conrade,	Jones, J. R.,	Peachey,	Walsh,
Cox,	Kaiser,	Pennegar,	Walton,
Currier,	Kaufman,	Pennock,	Watson,
Curry,	Keegan,	Perry, H. L.,	Whitaker,
Davis,	Keeport,	Perry, S. J.,	Wildman,
DeFrees,	Kennedy,	Peters,	Williams,
Dickinson,	Kern,	Piper,	Wilson, J. H.,
Donahoe,	Kitts,	Post,	Wiltbank,
Donnally,	Kuhn, H. P.,	Price,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Ramsey,	Young, J. H.,
Dunn, H. B.,	Lanius,	Reese,	Zimmerman,
Dunn, J. A.,	Latshaw,	Reeser,	Alter,
Ehrhardt,		Rex,	Speaker.
Eichenberger,			

NAYS—1.

Lenker,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1194, as follows:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth prescribing the quilifications powers and duties therefor and abolishing the office of borough auditors in said boroughs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the qualified electors of every borough in this Commonwealth shall at the municipal election held in November one thousand nine hundred and thirteen and every four years thereafter elect a borough controller who shall be a competent accountant and shall have been a resident of the borough and elector thereof for at least four years prior to his election who shall hold his office for the term and period of four years from the first day of January succeeding his election and until his successor is duly qualified He shall superintend the fiscal concerns of the borough and shall manage the same in the manner required by the laws of this Commonwealth and the ordiances and resolutions of the borough councils in accordance therewith He shall examine audit and settle all accounts whatsoever in which the borough is concerned either as debtor or creditor where provisions for the settlement thereof is made by law where no such provisions or an insufficient provision has been made he shall examine such accounts and report to the borough councils the facts relating thereto with his opinion thereon He shall have authority to administer oaths or affirmations in relation to any matter touching the authentication of every account with or claim or demand against the borough but shall not be entitled to receive any fees therefore

Section 2 The borough controller shall keep a regular set of books in which shall be opened and kept as many accounts under appropriate titles as may be necessary to show separately and distinctly all the estates and property whatsoever real and personal vested in the borough all trusts in the care of the same all debts due to and owing by the borough all the receipts and expenditures of the various departments of the borough government and all appropriations made by council and the sums under the same respectively

Section 3 He shall have the supervision and control of the accounts of all departments bureaus and officers of the borough who shall collect receive or disburse the public monies or who are charged with the management or custody thereof shall audit their respective accounts and may at any time require from any or all of them a statement in writing of any and all monies or property of the borough in their hands or under their control and he shall immediately upon the discovery of any default irregularity or delinquency report the same to the borough council He shall likewise audit and report upon the accounts of any such officer upon the death resignation removal or expiration of the term of the said officer

Section 4 He shall countersign all warrants upon the borough treasurer the form whereof shall be prescribed by council and shall not suffer any appropriation made by the borough council to be overdrawn but no warrant shall be countersigned unless there is money in the treasury to pay the same In every case in which an appropriation shall be exhausted and the object of which is not completed he shall immediately report the fact to the borough council and accompany such report with a statement of the monies which have been drawn on such appropriation and the particular purpose for which they are drawn Whenever a warrant on the treasurer shall be presented to him to be countersigned the person presenting the same shall if the controller require produce evidence

1 That the amount expressed in the warrant is due to the person in whose favor it is drawn

2 That the supplies or the service for payment of which the warrant is drawn have been furnished or performed according to law and the terms of the contract

Section 5 Every contract involving an appropriation of money shall designate the item of appropriation on which it is founded and the estimated amount of the expenditure thereunder shall be charged against such item and so certified by the controller on the contract before it shall take effect as a contract and the payments required by such contract shall be made from the fund appropriated therefor If the controller shall certify any contract in excess of the appropriation made therefor the borough shall not be liable for such excess but the controller and his sureties shall be liable for the same which may be recovered in an action at law by the contracting party aggrieved It shall be the duty of the controller to certify contracts for the payment of which sufficient appropriations have been made

Section 6 The borough controller shall from time to time and as often as he may deem expedient or the borough council shall direct suggest plans to the council for the management and improvement of the borough finances and he shall make a report verified by oath or affirmation to the borough council at the first stated meeting in January in each year of the public accounts of the borough and of the trusts in its care exhibiting all the expenditures thereof respectively the sources from which the revenue and funds are derived and in what manner the same have been disbursed each account to be accomplished by a statement in detail of the several appropriations made by council the amount drawn on each appropriation and the balance standing to the debit or credit of such appropriation which report shall be published at the expense of the borough once a week for two weeks in a newspaper of general circulation throughout the said borough

Section 7 In the event of the death resignation or removal from office of the borough controller the court of quarter sessions of the proper county shall fill the said vacancy by the appointment of a person possessing the qualifications for said office as herein provided and the person so appointed to fill the same shall serve until the first day of January succeeding the municipal election occuring at least two months after the happening of such vacancy at which election a successor shall be elected for the unexpired term The borough controller shall before entering upon the duties of his office take and subscribe the oath prescribed by section one of Article seven of the Constitution of this Commonwealth and shall give a lawful bond to the borough with two or more sureties or with a surety company to be approved by the council in such sum as they may by ordinance direct conditioned for the faithful discharge of his official duties The cost of such bond shall be paid by the borough as other bills are paid and the controller shall receive a fixed annual salary to be provided by ordinance of the council not to exceed the sum of ten hundred dollars per annum

Section 8 This act shall not become operative or effective in any boroughs until the council of any borough shall by ordinance duly passed accept the provisions hereof

Section 9 In all boroughs accepting the provisions hereof as provided in section eight the borough auditors now in office shall continue to hold their offices until the first day of January succeeding the election of a borough controller after which date the said office shall be and is hereby abolished

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—96.

Allen,	Cox,	Jones, E. E.,	O'Neill,
Ambler,	Curry,	Jones, J. R.,	Piper,
Aron,	Davis,	Kaiser,	Ramsey,
Baldwin, G. A.,	DeFrees,	Keegan,	Reese,
Baldwin, R. J.,	Dickinson,	Kennedy,	Richards,

Bass,	Down,	Kuhns, E.G.M.,	Robinson,
Bayle,	Dunn, H. B.,	Lanius,	Roney,
Becker,	Ehrhardt,	Latshaw,	Rothenberger,
Benninger,	Eichenberger,	Lenker,	Sassaman,
Benson,	Ewing,	Leslie,	Semmens,
Berntheizel,	Fahey,	Letzkus,	Sherwood,
Bigger,	Gans,	Lowers,	Smith, L.,
Bittles,	Geiser,	Malie,	Spillinger,
Body,	Gibson,	Mannion,	Steedle,
Brownlee,	Good,	Martin,	Steele,
Caldwell,	Goss,	Mather,	Stone,
Campbell, J.J.	Gray, Joseph,	McAleer,	Strauss,
Carson,	Haggerty,	McCaig,	Thomas,
Carter,	Heidinger,	McClintock,	Walnut,
Cleary,	Hess,	Mechling,	Walton,
Cochran,	Heyburn,	Miller,	Watson,
Conner,	Hobbs,	Mitchell,	Wildman,
Conniff,	Howard, J.,	Moulthrop,	Wilson, J. H.,
Conrade,	Howard, R.,	Neel,	Wiltbank,

NAYS—62.

Arthur,	Hemminger,	Mellott,	Schuck,
Barner,	Herman,	Metzenbacher,	Scott, J. R. K.,
Blair, W. A.,	Hibshman,	Morrow,	Scott, S. B.,
Blair, W. F.,	Hoffman,	Moses,	Showalter,
Brosius,	Irwin, G. C.,	Musser,	Smith, J. W.,
Burnett,	Jackson,	Newbaker,	Snavely,
Claycomb,	Keeport,	Newton,	Snyder,
Currier,	Kern,	Peachey,	Spangler,
Donahoe,	Klepper,	Post,	Swartz,
Donnally,	Kuhn, H. P.,	Price,	Swift,
Ely,	Light,	Reeser,	Trach,
Forster, I. G.,	Lohr,	Rex,	Ulman,
Foster, J. D.,	Matt,	Runk,	Williams,
Grabe,	McAllister,	Savacool,	Zimmerman,
Gramley,	McDermott,	Schaeffer, A. C	Alter,
Hackett,	McKay,		Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1681, entitled :

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled 'An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge' approved June sixth Anno Domini one thousand eight hundred and ninety-three by regulating the control of policemen when on duty

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—108.

Allen,	DeFrees,	Jones, E. E.,	Price,
Ambler,	Dickinson,	Jones, J. R.,	Ramsey,
Aron,	Donnally,	Kaiser,	Reese,
Arthur,	Dunn, H. B.,	Keegan,	Reeser,
Baldwin, R. J.,	Dunn, J. A.,	Kennedy,	Robinson,
Barner,	Ehrhardt,	Kitts,	Rothenberger,
Bass,	Eichenberger,	Kuhn, H. P.,	Sassaman,
Bayle,	Foster, J. D.,	Kuhns, E.G.M.,	Schaeffer, A. C
Becker,	Geiser,	Lanius,	Semmens,
Benninger,	Gibson,	Latshaw,	Shaffer, I. E.,
Berntheizel,	Good,	Lenker,	Showalter,
Bigger,	Goss,	Malie,	Smith, L.,
Bittles,	Grabe,	Mannion,	Snyder,
Blair, W. F.,	Gramley,	Martin,	Spillinger,
Body,	Gray, Joseph,	McCaig,	Steedle,
Brownlee,	Haggerty,	McClintock,	Steele,
Caldwell,	Hemminger,	McDermott,	Stein,
Campbell, J.J.	Herman,	McKay,	Swartz,
Carson,	Hess,	Miller,	Swift,
Carter,	Heyburn,	Mitchell,	Trach,
Claycomb,	Hibshman,	Morrow,	Ulman,
Cleary,	Hobbs,	Moses,	Whitaker,
Conner,	Isler,	Neel,	Wildman,
Conrade,	Irwin, G. C.,	Neely,	Williams,
Cox,	Irwin, H. H.,	Newton,	Wilson, J. H.,
Currier,	Jackson,	Piper,	Young, J. H.,
Curry,		Post,	Zimmerman,
Davis,			

NAYS—30.

Brosius,	Kern,	Peachey,	Spangler,
Burnett,	Letzkus,	Pennegar,	Stone,
Ely,	Light,	Rex,	Walnut,
Forster, I. G.,	Lohr,	Scott, J. R. K.,	Walsh,
Gans,	Matt,	Sherwood,	Watson,
Hackett,	McAllister,	Smith, J. W.,	Wiltbank,
Heidinger,	Metzenbacher,	Snavely,	Alter,
Hoffman,	Newbaker,		Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of H. R. bill No. 1695, as follows:

A Further Supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person employed in the service of this State or in the service of the Federal Government and required thereby to be absent from the city wherein he resided when entering such employment shall on petition to the proper registration commissioners verified by affidavit and without appearing personally before the commissioners be registered as of the district where in he shall have resided prior to entering such service In such case a residence by street and number shall not be required but the person shall be registered as of the proper district In the case of persons employed by this Commonwealth no such petition shall be considered unless it be accompanied by a certificate from the Auditor General under the actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment In the case of persons employed by the Federal Government no such petition shall be considered unless it be accompanied by a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that the proper person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment No such person shall be registered unless he shall produce to the registration commissioners satisfactory proof that he is by payment of taxes and otherwise entitled to registration When any such person to registered shall vote he shall be required by th eproper election officers to sign the ballot check list of the proper district

Section 2 The petitions required by this act shall be upon blank forms which shall be prepared by the proper registration commissioners and shall be by them furnished on written application

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Allen,	Frey,	Malie,	Rothenberger,
Ambler,	Geary,	Mannion,	Sassaman,
Aron,	Geiser,	Martin,	Savacool,
Arthur,	Gibson,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Glenn,	Matt,	Schuck,
Baldwin, R. J.,	Good,	McAleer,	Semmens,
Barner,	Goss,	McAllister,	Shaffer, C. A.,
Bass,	Grabe,	McArdle,	Shaffer, I. E.,
Bayle,	Gramley,	McCaig,	Shern,
Becker,	Gransback,	McClintock,	Sherwood,
Benson,	Gray, Joseph,	McDermott,	Showalter,
Berntheizel,	Hackett,	McNichol,	Smith, J. W.,
Bigger,	Haggerty,	Mechling,	Smith, L.,
Bittles,	Heidinger,	Miller,	Snavely,
Blair, W. A.,	Hemminger,	Missimer,	Snyder,
Blair, W. F.,	Herman,	Mitchell,	Spangler,
Body,	Hess,	Moore,	Speiser,
Brosius,	Heyburn,	Morrow,	Spillinger,
Brown,	Hibshman,	Moses,	Steedle,
Brownlee,	Hobbs,	Moulthrop,	Steele,
Burnett,	Hoffman,	Murphy,	Stein,
Caldwell,	Howard, J.,	Musser,	Stone,
Campbell, C.M.,	Howard, R.,	Neel,	Strauss,
Campbell, J.J.	Isler,	Neely,	Swartz,
Carson,	Irwin, G. C.,	Newbaker,	Swift,
Carter,	Irwin, H. H.,	Newton,	Thomas,
Claycomb,	Jackson,	O'Neill,	Trach,
Cleary,	Jones, E. E.,	Peachey,	Ulman,
Cochran,	Jones, J. R.,	Pennegar,	Walnut,
Conner,	Kaiser,	Pennock,	Walsh,
Conniff,	Keegan,	Perry, H. L.,	Walton,
Conrade,	Keeport,	Perry, S. J.,	Watson,
Cox,	Kennedy,	Peters,	Wettach,
Currier,	Kern,	Piper,	Whitaker,
Curry,	Kitts,	Post,	Wildman,
Davis,	Klepper,	Price,	Williams,
DeFrees,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Donahoe,	Lanius,	Reeser,	Wiltbank,
Dunn, J. A.,	Latshaw,	Rhoads,	Young, G. K.,
Ehrhardt,	Lenker,	Richards,	Young, J. H.,
Eichenberger,	Letzkus,	Robinson,	Zimmerman,
Ely,	Lohr,	Rockwell,	Alter,
Forster, I. G.,	Lowers,	Roney,	Speaker.
Foster, J. D.,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1448, entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Allen,	Eichenberger,	Lenker,	Robinson,
Alworth,	Ely,	Leslie,	Roney,
Ambler,	Ewing,	Light,	Rothenberger,
Aron,	Flynn,	Lohr,	Runk,
Arthur,	Forster, L. G.,	Malie,	Sassaman,
Baldwin, R. J.,	Foster, J. D.,	Mannion,	Savacool,
Barner,	Frey,	Martin,	Schaeffer, A. C
Bass,	Gans,	Mather,	Schuck,
Bayle,	Geary,	Matt,	Semmens,
Becker,	Geiser,	McAleer,	Shaffer, C. A.,
Benninger,	Gibson,	McAllister,	Shaffer, I. E.,
Benson,	Grabe,	McCaig,	Shern,
Berntheizel,	Gramley,	McClintock,	Showalter,
Bigger,	Gransback,	McKay,	Smith, J. W.,
Bittles,	Gray, Joseph,	McNichol,	Smith, L.,
Blair, W. A.,	Hackett,	Mechling,	Snyder,
Blair, W. F.,	Haggerty,	Mellott,	Spangler,
Body,	Heidinger,	Metzenbacher,	Speiser,
Brosius,	Hemminger,	Miller,	Spilinger,
Brownlee,	Hess,	Missimer,	Steedle,
Burnett,	Heyburn,	Mitchell,	Steele,
Caldwell,	Hibshman,	Moore,	Stein,
Campbell, C.M.,	Hobbs,	Morrow,	Strauss,
Campbell, J.J.	Hoffman,	Moulthrop,	Swartz,
Carson,	Howard, J.,	Murphy,	Swift,
Carter,	Howard, R.,	Musser,	Thomas,
Claycomb,	Isler,	Neel,	Trach,
Cleary,	Irwin, G. C.,	Neely,	Ulman,
Conner,	Irwin, H. H.,	Newbaker,	Walnut,
Conniff,	Jackson,	Newton,	Walsh,
Conrade,	Jones, E. E.,	O'Neill,	Watson,
Cox,	Jones, J. R.,	Peachey,	Wettach,
Currier,	Kaufman,	Pennegar,	Whitman,
Curry,	Keegan,	Pennock,	Wildman,
Davis,	Keeport,	Perry, H. L.,	Williams,
DeFrees,	Kennedy,	Perry, S. J.,	Wilson, J. H.,
Dickinson,	Kern,	Peters,	Wiltbank,
Donahoe,	Kitts,	Post,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Redfield,	Young, J. H.,
Down,	Kuhns, E.G.M.,	Reese,	Zimmerman,
Dunn, H. B.,	Lanius,	Reeser,	Alter,
Dunn, J. A.,	Latshaw,	Richards,	Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 347, entitled:

An Act providing for the return of statistics relating to marriages requiring the clerks of the orphans' courts to make such returns to the Department of Health of the Commonwealth providing a penalty in the case of neglect or refusal and making it the duty of the Commissioner of Health to report

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SHERN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of H. R. bill No. 900, as follows:

An Act relative to the regulation of plastering in cities of the first and second classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in cities of the first and second class all plastering shall be done in accordance with the provisions of this act and not otherwise that is to say All plastering in dwellings tenements apartments hospitals schools and other buildings when on lath shall be known as three-coat work namely scratch coat brown coat and finish

Section 2 Key space All ceilings stud partitions and furred walls in tenements apartments hospitals schools and other buildings where plastered with lime on wood lath shall have not less than three-eighths space between laths All grounds and jambs shall mean not less than seven-eighths from the stud

Section 3 First coat or scratch coat First or scratch coat shall be of first quality to be scratched thoroughly to make a key to retain second coat and shall be thoroughly dry or set before apply second coat

Section 4 Second coat Second coat or brown mortar shall be of first quality All browning must be straight true with no unevenness or irregularity of surface

Section 5 Finishing When white motar or any other coat it shall be laid on regular and troweled to a smooth surface showing neither deficiencies or brush marks

Section 6 Cornices or coves All cornices or coves shall be run straight true and smooth

Section 7 Patent plasters When patent plasters are used if of wood lath shall not be less than one-quarter inch key space First coat shall be thoroughly scratched to make key to retain second coat shall be set before second coat is applied

Section 8 Nothing in this act shall effect the laws of this Commonwealth relative to tenement houses in cities of the first and second classes

Section 9 It shall be the duty of the bureau of building inspection in said cities to enforce the provisions of this act It shall be the duty of the councils of said cities to enact such ordinances as may be necessary for the proper enforcement of this act and to prescribe reasonable penalties for non-compliance therewith Any inspector appointed in pursuance of the provisions of this act or in pursuance with the provisions of any such ordinance shall be a competent plasterer of at least ten years' practical experience

Section 10 This act shall take effect on the first day of January one thousand nine hundred and fourteen

Section 11 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, I desire to interrogate the sponsor of this bill.

Mr. ISLER. The sponsor of this bill is not in the House, but I can probably answer the questions.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ISLER. I will.

Mr. WALNUT. Mr. Speaker, I merely wanted to get an explanation of the reason why we should have a bill of this sort on our books?

Mr. ISLER. Mr. Speaker, in cities of the first and second class, in the Department of Construction there is no inspector of plastering, and it is to create that office of inspector of plastering, the same as there is of plumbing, that this bill was introduced. It is almost as necessary in a sanitary way as plumbing inspection would be. There is a great deal of cheating goes on in plastering on account of the way coats of plaster are put on. I am not a plasterer but I know that a plasterer can cover up what the specifications would call for without inspection, and give one rought coat and a finishing coat where it calls for two rough coats and a finishing coat. I think this is a very meritorious bill and meets with the approval of the plasters. The doctors and health authorities have agreed that this would be a very good bill to have on the statute books.

Mr. McALEER. Mr. Speaker, I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. ISLER. I will.

Mr. McALEER. Mr. Speaker, I would like to ask the gentleman if there is any good reason why cities or municipalities should pay for the inspection of plastering that is being done instead of the owner or builder? Should not the owner pay for his own inspection.

Mr. ISLER. In public construction such as hospitals, city, and state buildings, and buildings of that description, there should be a competent and practical plasterer, and I believe there is a clause in the bill stating that this inspector must be a man of ten years practical experience at the plumbing trade.

Mr. McALEER. Mr. Speaker, to my mind this is the most ridiculous bill that ever came before a legislative body.

Mr. ISLER. Mr. Speaker, Why is it any more ridiculous than a plumbing bill. The plumbing inspector goes into private buildings and you pay him, why not a plasterer?

Mr. McALEER. Mr. Speaker, the gentleman has answered all the questions I care to ask. This bill requires that cities shall pay for the inspection of plastering. It is a foregone conclusion that if there is an inspector on the job and the specifications called for three coats of plaster, he would have to be there all the time to see that it goes on, and there is no reason why the city should pay for the inspector, to do something which the inspector on this job could do very well, and you do not need a plastering inspector particularly. If the builder wants one or two coats on, there is no reason why he cannot get it. It would just be the same as asking a man to buy a coat and vest or a whole suit if he only wants to buy a pair of pants.

Mr. LORENZO SMITH. Mr. Speaker, I see no reason for a plastering inspector. I have been identified with the building trade in Philadelphia for thirty-five years or more. The City has a department of building inspection whose duty it would be to look after this. I cannot see where a plastering inspector would be of any use. Plastering is entirely different from plumbing.

Plumbing inspection is a sanitary and healthful necessity and the plasterer's is not. The builder who has a building to construct or who is a builder of homes has a sufficient knowledge of plastering to know what is required and his foreman is seeing that his work is properly conducted. There can be two or three plaster coats put on under his supervision and there is no necessity for plastering inspection; none whatever, because there is nothing sanitary about it. The material used is lime or cement and sand and nothing else and there is nothing detrimental to health in that.

Mr. WILLIAM F. BLAIR. Mr. Speaker this appears to me to be a bill that is an unnecessary tax and a lot of expense in which the city is asked to pay for something that is not necessary. A man put up a private building and generally he has an architect to specify anything that goes into that building. It simply puts the man in there to do something to make the city pay for it, for which I cannot see any use. In regard to Mr. Isler, speaking about the difference between a pumber and plasterer and why should we not have an inspector for a plasterer as well as for a plumber? It is altogether a different proposition It is absolutely necessary to have a sanitary inspection in plumbing and to have it inspected and have it done according to sanitary measures and under supervision. Plastering is different in every particular. I see no reason why this bill should pass.

Mr. ISLER. Mr. Speaker, the gentleman has said more for the bill just now than he intended to. In this day of sanitation and microbes and germs, we send for a sanitary plumber. The poorly plastered building has more crevices and cracks to conceal microbes and vermin than any plumbing job that has ever been put in a building. He has spoken very favorably for the bill when he said "you cannot have a plumbing job put in without being inspected as it should be" and the same applies to plastering. I don't know whether that will hold good in Greene County or not, but if he states that you cannot do any plumbing of any kind whatsoever without the plumbing inspector first going over your plans and putting their O. K. on that. I say the same thing is the fact from a sanitary standpoint on the work of plastering.

Mr. WALNUT. Mr. Speaker, I would like to call the gentleman's attention to the fact that this bill specifically excludes tenement houses in all cities. Are not they deserving of the same sanitary precaution as other houses? I think the point raised by the gentleman from Greene, Mr. Blair, is well taken. I can see absolutely no reason for burdening cities with further expense for plaster inspectors. I would like to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Isler, permit himself to be interrogated

Mr. ISLER. Mr. Speaker, Yes, sir.

Mr. WALNUT. Mr. Speaker, I desire to ask the gentleman why it is that tenement houses are excluded from the operation of the bill?

Mr. ISLER. Mr. Speaker, I am not aware that tenement houses are excluded from the bill.

Mr. WALNUT. Mr. Speaker, yes, sir. If the gentleman will look at section eight.

Mr. ISLER. Mr. Speaker, the gentleman is mistaken; it does not exclude tenement houses.

Mr. WALNUT. Mr. Speaker, the section provides "nothing in this act shall effect the laws of this Commonwealth relative to tenement houses in cities of the first and second classes." Now, if there is any law on our books of to-day that provides for inspectors on tenement houses, it is something I don't know anything about.

Mr. JAMES J. CAMPBELL. Mr. Speaked, I think there is an error in the printing and I think the gentleman from Allegheny onered a correction and probably it has been placed in the bill. I see that this bill is identically the same as the plastering bill in New York. This bill provides for three coat work which we don't get in the city of Philadelphia. This bill provides that each coat shall have a certain length of time to dry. If you will go out in West Philadelphia, in Mr. Walnut's district, you will find that you can count the lathes through the paper. If this bill prevails you will not be able to count the lathes through the paper.

Mr. CARTER. Mr. Speaker, I would like to say a word on this bill. I built two houses at one time and they had poor plastering put on. About ten months after I had the first house built the plastering fell off the ceiling. Of course, I don't know whether it was caused by bad plastering or by bad lathing, but it cost me $150.00 to replaster my house. If there had been an inspector in the City of Pittsburgh, I might not have had to spend $150.00 to have that building replastered.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Allen,	Dickinson,	Kitts,	Rex,
Ambler,	Donahoe,	Lanius,	Robinson,
Aron,	Down,	Leslie,	Rothenberger,
Arthur,	Dunn, J. A.,	Letzkus,	Runk,
Baldwin, R. J.,	Ehrhardt,	Lohr,	Sassaman,
Bass,	Eichenberger,	Lowers,	Schaeffer, A. C
Becker,	Ewing,	Malie,	Scott, J. R. K.
Benninger,	Forster, I. G.,	Mannion,	Semmens,
Benson,	Foster, J. D.,	McAllister,	Shaffer, I. E.,
Berntheizel,	Gans,	McArdle,	Shern,
Bigger,	Geary,	McCaig,	Sherwood,
Body,	Geiser,	McDermott,	Showalter,
Brosius,	Gibson,	McKay,	Smith, J. W.,
Brown,	Goss,	McNichol,	Speiser,
Burnett,	Grabe,	Miller,	Spillinger,
Caldwell,	Gramley,	Missimer,	Steedle,
Campbell, C.M.,	Gray, Joseph,	Moore,	Steele,
Campbell, J.J.	Haggerty,	Morrow,	Stone,
Carson,	Herman,	Moulthrop,	Strauss,
Carter,	Hess,	Murphy,	Swartz,
Claycomb,	Heyburn,	Musser,	Thomas,
Cleary,	Hobbs.	Neely,	Ulman,
Cochran,	Howard, R.,	Newbaker,	Walsh,
Collins,	Humes,	North,	Watson,
Conner,	Isler,	O'Neill,	Wettach.
Conniff,	Irwin, G. C.,	Pennock,	Whitaker,
Conrade,	Irwin, H. H.,	Perry, S. J.,	Wildman,
Cox,	Kaiser,	Piper,	Wilson, W. H.,
Currier,	Kaufman,	Ramsey,	Wiltbank,
Curry,	Keeport,	Reese.	Young, J. H.,
Davis,	Kennedy,	Reeser,	Alter,
DeFrees,			Speaker.

NAYS—30.

Blair, W. A.,	Kuhn, H. P.,	Newton,	Swift,
Blair, W. F.,	Latshaw,	Post,	Trach,
Brownlee,	Light,	Savacool,	Walnut,
Hemminger,	Martin,	Shaffer, C. A.,	Williams,
Hibshman,	Matt,	Smith, L.,	Wilson, J. H.,
Jackson,	McAleer,	Snavely,	Young, G. K.,
Jones, J. R.,	Mitchell,	Snyder,	Zimmerman,
Klepper,	Neel,		

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1580, entitled:

An Act repealing the act of June fifteenth one thousand eight hundred and seventy-one (Pamphlet Laws three hundred and ninety-one) entitled "An Act relating to the assessment of damages for the appropriation of land for public use

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, in view of the fact that is a repealing act I would like to explain to the members of the House what it provides. Under the present law the Act of June 15, 1871, it is not possible to assess benefits for a municipal improvement except the benefits derived from the opening of a street. Under that law it was decided that benefits could not be assessed on neighboring properties for the building of a park, and also that assessments for benefits could not be made for building of sewers. This bill was presented to me by the city solicitor's office of the city of Philadelphia, and I believe that there is very excellent reasons for it. I have spoken to some of the gentlemen from Allegheny County and they also agree that there is very excellent reason for assessing benefits for other improvements than street improvements.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Allen,	Ewing,	Lenker,	Rothenberger,
Ambler,	Forster, I. G.,	Leslie,	Runk,
Arthur,	Foster, J. D.,	Lohr,	Sassaman,
Baldwin, G. A.,	Frey,	Lowers,	Savacool,
Baldwin, R. J.,	Gans,	Malie,	Schaeffer, A. C
Barner,	Geiser,	Mannion,	Scott, J. R. K.,
Bass,	Gibson,	Martin,	Scott, S. B.,
Becker,	Glenn,	Mather,	Semmens,
Benson,	Good,	Matt,	Shaffer, C. A.,
Bergey,	Grabe,	McAllister,	Shaffer, I. E.,
Berntheizel,	Gramley,	McArdle,	Shern,
Bigger,	Gransback,	McCaig,	Sherwood,
Blair, W. A.,	Gray, Joseph,	McClintock,	Showalter,
Blair, W. F.,	Hackett,	McNichol,	Smith, J. W.,
Body,	Haggerty,	Mechling,	Smith, L.,
Brosius,	Heidinger,	Metzenbacher,	Snyder,
Brown,	Hemminger,	Mitchell,	Spangler,
Brownlee,	Hess,	Moore,	Spillinger,
Burnett,	Heyburn,	Morrow,	Steedle,
Caldwell,	Hibshman,	Moulthrop,	Steele,
Campbell, C.M.,	Hobbs,	Murphy,	Stone,
Campbell, J.J.	Howard, J.,	Musser,	Strauss,
Carson,	Howard, R.,	Neel,	Swartz,
Carter,	Isler,	Neely,	Swift,
Cleary,	Irwin, G. C.,	Newbaker,	Thomas,
Conner,	Irwin, H. H.,	Newton,	Ulman,
Conniff,	Jackson,	North,	Walnut,
Conrade,	Jones, J. R.,	O'Neill,	Watson,
Cox,	Kaufman,	Pennegar,	Whitaker,
Currier,	Keegan,	Pennock,	Wildman,
Curry,	Kennedy,	Perry, S. J.,	Williams,
Davis,	Kern,	Piper,	Wiltbank,
DeFrees,	Kitts,	Post,	Young, G. K.,
Dickinson,	Kuhn, H. P.,	Reese,	Young, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Zimmerman,
Donnally,	Lanius,	Rex,	Alter,
Eichenberger,	Latshaw,	Robinson,	Speaker.
Ely,			

NAYS—5.

Aron,	Letzkus,	McAleer,	Missimer,
		Trach,	

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 536, entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the cost damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every township of the first class of this Commonwealth shall have power to lay out establish or re-establish grades of streets or alleys or parts thereof and to construct bridges piers and abutments therefor and sewers and drains in any street or alley or through or on or over private property Every township of the first class shall also have power upon the petition of a majority of property owners in interest based upon the number of feet fronting and abuting on the line of the proposed improvement to be verified by affidavit of one or more parties to said petition to grade pace curb macadamize or otherwise improve any public street or public alley or part thereof within its corporate limits or which may be in whole or in part boundaries thereof Such township of the first class is hereby authorized to ascertain levy and collect the costs damages and expenses of the sewer or grading paving curbing macadamizing or other improvement of each street or alley in the manner following

Said township of the first class or any person or persons interested may at any time after such work or labor has been done or material furnished or damage done present its her his on their petition in any court of common pleas of the proper county or to any law judge thereof in vacation and the court shall appoint three discreet and disinterested persons as viewers and appoint a time not less than twenty or more than thirty days thereafter when said viewers shall meet upon the line of the improvement and view the same and the premises affected thereby The said viewers shall give at least ten days' notice of the time of their first meeting by publication in one or more newspapers published in the township of the first class or of general circulation published in the county in which it is situated and by handbills posted upon the premises or otherwise as the said court shall direct having regard to the circumstances of the case

Section 2 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters and things to be submitted to them or in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises and examined the property shall hear all parties interested and their witnesses and shall estimate and determine the value of property taken injured or destroyed to whom the same is payable and shall assess the costs and expenses of the sewer or grading paving curbing macadamizing or otherwise improving said street lane or alley upon the property benefited according to benefits and having so estimated and determined the damages together with the benefits as hereinbefore mentioned they shall prepare a schedule thereof and give notice to all parties to whom damages are allowed or upon whom assessments for benefits are made of a time not less than ten days thereafter and of a place where said viewers shall meet and exhibit said schedule and hear all exceptions thereto and evidence thereon Notice of the time and place of said meeting shall be in the manner provided by law for the service of a summons in personal action upon all parties allowed damages or assessed benefits as shown by said schedule if the parties can be found in the municipality or upon an adult person residing upon the property affected by the assignment in case the owner or reputed owner cannot be found and to all other persons by publication in the newspaper in which the first notice of said view was published When no service is made upon the owner reputed owner or upon an adult person residing upon the property affected said notice where publication thereof has also been made shall be deemed to have been properly served if tacked or conspicuously posted upon the premises After making whatever changes are deemed necessary the said viewers shall make report to the court showing damages and benefits allowed and assessed in each case and file therewith a plan showing the improvement the properties taken injured or destroyed thereby and the properties thereby benefited When said report is filed notice shall be given by publication once in the newspaper or newspapers publishing the notice provided for in section one of this act Said notice shall state the date of the filing of the report and shall contain a schedule of the damages and benefits thereto be filed within thirty days from the date of filing the as shown therein and shall further state that unless execption said report will be confirmed absolutely

Section 3 The payment of damages sustained and costs and expenses incurred by the making of the improvements aforesaid may be made either in whole or in part by said township of the first class or in whole or in part by assessments upon the property benefited by such improvement as said viewers may determine and the court approve and in the latter case the viewers appointed having first estimated and determined the damages apart from the benefits shall also assess said damages or so much thereof as they deem just and reasonable upon the properties pecularily benefited by the improvements including in the said assessment all property for which damages have been allowed if in their judgment such properties will be benefited thereby and shall report the same to said court the total assessment for benefits to pay damages costs and expenses shall not exceed the total costs damages and expenses awarded and agreed upon

Section 4 The viewers provided for in the foregoing sections may be appointed at any time before or at any time after the entry taking appropriation or injury of any property or materials for constructing said improvements or the commencement of the improvements above set forth All court costs incurred in the proceedings shall be defrayed by said township of the first class

Section 5 Upon the report of said viewers or any two of them being filed in said court any part interested may within thirty days thereafter file exceptions to the same and the court shall have power to confirm said report or to modify change or otherwise correct the same or change the said assessments made therein or refer the same back to the same or new viewers with like power as to their report When said report is first filed in court the prothonotary thereof shall mark the same confirmed nisi and in case no exceptions are filed thereto within thirty days he shall enter a decree (as of course) that the said report be confirmed absolutely Within thirty days after the confirmation modification changing or correction of

any report any interested party may appeal from the said decree to the Superior Court or to the Supreme Court as the case may be The said report when as finally confirmed shall be conclusive as to any assessments made therein to pay the costs damages and expenses of said improvement Within thirty days after said report is filed in court as aforesaid any party whose property is taken injured or destroyed or who is assessed benefits to pay damages for property taken injured or destroyed may appeal to the court of common pleas and demand a trial by jury according to the course of the common law Upon the trial of any such appeal in court the report of viewers as finally approved confirmed modified or changed by the court shall be prima facie evidence of the benefits as therein mentioned and in case the party appellant does not obtain a verdict more favorable than was the report of the viewers as finally confirmed modified or changed the said appellant shall not recover any costs on the appeal. No appeal under this act shall prevent the filing of liens by any township of the first class for any assessment made by said report but upon the final determination of the issue the court shall make such order as to lien or liens filed as shall appear right and proper

Section 6 The majority in interest required for petitions to the township commissioners shall be fixed as of the date of the presentations of said petition After the passage or approval of any ordinance for the grading paving macadamizing or otherwise improving any street lane or alley notice shall within ten days thereafter be given by hand-bills posted in conspicuous places along the line of the proposed improvement which notice shall state the fact of the passage or approval of the ordinance the date of the passage or approval that the petition for the improvement was signed by a majority in interest and number of owners of property abutting on the line of the proposed improvement and that any person interested and denying the fact that said petition was so signed may appeal to any court of common pleas of the proper county within sixty days from the passage or approval of said ordinance and any person interested may within sixty days from the passage or approval of said ordinance present a petition to any court of common pleas of the proper county setting forth the facts whereupon the said court shall require and determine whether the said improvement was petitioned for by the requisite majority and if said court shall find that it was not so petitioned for shall quash said ordinance but if said court shall find that it was so petitioned for it shall approve the ordinance If no appeal shall be taken as aforesaid or if the court on appeal shall approve the ordinance the township of the first class may proceed with the improvement and thereafter all parties interested shall be stonped from denying the fact that said petition was signed by the requisite majority of property owners as required by this act All assessments for benefits to pay damages costs and expenses shall bear interest at the expiration of thirty days they shall have been finally ascertained and fixed and shall be payable to the treasurer or other proper officer of the township of the first class

Section 7 Every township of the first class shall have a general plan of its streets and alleys including those which have been or may be laid out but not opened which plan shall be filed in the omce of the engineer or other proper office of the said township and all sub-divisions of property thereafter made shall conform thereto No streets or alleys or parts thereof laid out and confirmed shall afterwards be altered without the consent of the commissioners of the said township of the first class and no map or plot of streets or alleys shall be entered or recorded in any public office of the county in which said township of the first class is situated until approved by the board of commissioners of said township No person shall hereafter be entitled to recover any damages for any buildings or improvements of any kind which shall or may be placed or constructed upon or within the lines of any located street or alley after the same shall have been located or obtained or plan thereof approved by the board of commissioners of said township

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Allen,	Foster, J. D.,	Martin.	Rothenberger,
Ambler,	Frey,	Mather,	Runk.
Aron,	Gans,	Matt,	Sassaman,
Arthur,	Geary,	McAleer,	Savacool,
Baldwin, G. A.,	Geiser,	McAllister,	Schaeffer, A. C
Baldwin, R. J.,	Gibson,	McArdle,	Semmens,
Barner,	Good,	McCaig,	Shaffer, C. A.,
Bass,	Goss,	McClintock,	Shaffer, I. E.,
Becker,	Grabe,	McDermott,	Shern,
Benninger,	Gramley,	McKay,	Sherwood,
Benson,	Gransback,	McNichol,	Showalter,
Berntheizel,	Gray, Joseph,	Mellott,	Smith, J. W.,
Bigger,	Hackett,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Haggerty,	Miller,	Snavely,
Blair, W. F.,	Hemminger,	Missimer,	Snyder,
Body,	Herman,	Mitchell,	Spangler,
Brosius,	Hess,	Moore,	Spillinger,
Brownlee,	Heyburn,	Morrow,	Steedle,
Burnett,	Hibshman,	Moses,	Steele,
Caldwell,	Hobbs,	Moulthrop,	Stein,
Campbell, C.M.,	Howard, R.,	Murphy,	Stone,
Campbell, J.J.	Humes,	Neel,	Strauss,
Carson,	Isler,	Neely,	Swartz,
Carter,	Irwin, G. C.,	Newbaker,	Swift,
Cleary,	Irwin, H. H.,	Newton,	Thomas,
Collins,	Jackson,	North,	Trach,
Conner,	Jones, J. R.,	O'Neill,	Ulman,
Conniff,	Kaufman,	Peachey,	Walnut,
Conrade,	Keegan,	Pennegar,	Walsh,
Cox,	Keeport,	Pennock,	Watson,
Currier,	Kennedy,	Perry, S. J.,	Wettach,
Curry,	Kern,	Piper,	Whitaker,
Davis,	Kitts,	Post,	Wildman,
DeFrees,	Kuhn, H. P.,	Price,	Williams,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Donahoe,	Latshaw,	Redfield,	Wilson, W. H.,
Donnally,	Lenker,	Reese,	Wiltbank,
Dunn, J. A.,	Leslie,	Reeser,	Young, G. K.
Ehrhardt,	Letzkus,	Rex,	Young, J. H.,
Eichenberger,	Lohr,	Richards,	Zimmerman,
Ely,	Lowers,	Robinson,	Alter,
Ewing,	Malie,	Rockwell,	Speaker.
Fahey,	Mannion,	Roney,	
Forster, I. G.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. R. J. BALDWIN. Mr. Speaker, I move that this House do now take a recess until 8 o'clock this evening.

Mr. McALEER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOSEPH GRAY. Mr. Speaker, the Senate is having memorial services for Senator Stineman, and I think it would be proper for the House to adjourn out of respect.

On the question, recurring,

Will the House agree to the motion?

It was agreed to.

Whereupon (at 6:00 o'clock P. M.) the House took a recess until 8:00 o'clock. P. M.

AFTER RECESS.

The House reconvened at 8 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGES.

HOUSE BILLS CONCURED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows viz:

House Bill No. 80.

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the City of Washington and making an appropriation therefor" and making a further appropriation

House Bill No. 185.

A joint resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

House Bill No. 520.

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

House Bill No. 768.

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

House Bill No. 1009.

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food."

House Bill No. 1143.

An Act to authorize townships of the first class to provide for fire protection

House Bill No. 1526.

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the Executive Judiciary and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven"

With information that the Senate has passed the same without amendment.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

CONCURRENT RESOLUTION NO. 39.

In the House of Representatives, April 16, 1913.

Proposing an amendment to Section three of Article eight of the Constitution of Pennsylvania

Section 1 Be it resolved by the House of Representatives of the Commonwealth of Pennsylvania (if the Senate concur), That the following is proposed as an amendment to the Constitution of the Commonwealth of Pennsylvania in accordance with the provisions of the eighteenth article thereof.

Section 2 Amend section three of article eight which reads as follows "All judges elected by the electors of the State at large may be elected at either a generad or municipal election as circumstances may require All the elections for judges of the courts for the several judicial districts and for the county city ward borough and township officers for regular terms of service shall be held on the municipal election day namely, the Tuesday next following the first Monday of November in each odd-numbered year but the General Assembly may by law fix a different day two-thirds of all the members of each House consenting thereto Provided That such elections shall always be held in an odd-numbered year" so as to read

Section 3 All judges elected by the electors of the State at large may be elected at either a general or municipal election as circumstances may require All elections for judges of the courts for the several judicial districts and for county city ward borough and township officers for regular terms of service shall be held on the municipal election day namely the Tuesday next folowing the first Monday of November in each odd-numbered year but the General Assembly may by law fix a different day two-thirds of all the members of each House consenting thereto Provided That such elections shall be held in an odd-numbered year Provided further That all judges for the courts of the several judicial districts holding office at the present time whose terms of office may end in an odd-numbered year shall continue to hold their offices until the first Monday of January in the next succeeding even-numbered year

SENATE ADOPTS REPORT OF CONFERENCE COMMITTEE.

The Clerk of the Senate being introduced informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on bill, numbered and entitled as follows, viz:

An Act regulating the manufacture sale and offering for sale of mattresses and fixing penalties for violation hereof

REPORTS FROM COMMITTEE.

Mr. THOMAS, from the Committee on Mines and Mining, reported as committed House Bill No. 1563, entitled:

An Act making it unlawful to use any electric current for any purpose in any room breast or entry where miners are engaged in mining or loading coal in any bituminous coal mine in the State of Pennsylvania generating explosive gases and providing a penalty

Mr. KEEPORT, from the Committee on Insurance re-reported as committed, House Bill No. 698, entitled:

An Act defining fraternal benefit societies and their status authorizing them to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections Providing for the organization of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality and establishing a standard of solvency requiring annual reports and the appointment of the Insurance Commissioner as attorney for services of process Providing penalties for any violations thereof exempting certain societies requiring beneficial associations other than fraternal benefit societes to report to the Insurance Commissioner exempting fraternal societies from taxation and repealing existing laws

Mr. LENKER, from the Committee on Mines and Mining, reported with a negative recommendation House Bill No. 1786, entitled:

An Act to regulate the manufacture transportation storage sale and use of explosives and providing penalties for violations of this act

Mr. NEEL, from the Committee on Appropriations, reported with a negative recommendation House Bill No. 997, entitled:

An Act requiring general hospitals and hospitals the purpose and practice of which is not limited to treatment of special diseases or to the reception care and treatment of special classes of people or patients receiving State aid by appropriations for or in aid of the erection improvement control maintenance or support thereof to establish and maintain separate wards therein for the treatment and the reception therein of persons suffering from venereal diseases

SENATE MESSAGES.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 569.

An Act to acertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

First line of title, strike out the word "appoint" and insert in lieu thereof the word "fix."

Section 1, line 13, strike out the word "dollars"' and insert the word "dollar."

Line 19, strike out "Eastern or Western" and insert "any State."

Line 33, strike out "two" and insert "five."

Line 43, strike out "board" and insert "Bureau."

Line 86, strike out "verrdict" and insert "verdict."

Line 115, strike out "nolo" and insert "nolle."

Line 118, strike out "court" and insert "Court," also strike out "common pleas" and ins ret "Common."

Line 119, insert at the beginning of the line the word "Pleas"; insert after "Superior" the word "Court"; strike out the word "and" and insert the word "or."

Lines 147 and 148, strike out "filing appearance affidavit of defence one dollar and fifty cents" and insert "seventy-five cents; filing and entering appearance upon suit on recsognizance fifty cents; filing and entering affidavit of defence seventy-five cents."

Line 152, strike out "Eastern or Western" and insert "any State."

Line 164, strike out "oldlar" and insert "dollar."

Line 165, strike out "fie" and insert "five."

Line 172, strike out "constable" and insert "constables," also strike out the words "intransfer of."

Line 175, strike out the word "twenty-five."

Lines 178 and 179, strike out "certificate of duplicate."

Line 186, strike out "et cetera" after the word "bridge," and insert the word "case," also strike out the word "ten" and insert the word "fifteen."

Line 187, insert the word "and" after the word "of," strike out the words "habitual drunkard."

Lines 187 and 188, insert out the words "habitual drunkard" after the word "docketing."

On the question,

Will the House concur in said amendments?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Alworth,	Dunn, J. A.,	Leslie,	Reeser,
Ambler,	Ehrhardt,	Light,	Rex,
Aron,	Flynn,	Lohr,	Rockwell,
Baldwin, G. A.,	Forster, I. G.,	Lowers,	Rothenberger,
Bass,	Foster, J. D.,	Malie,	Sassaman,
Becker,	Gans,	Mannion,	Savacool,
Benninger,	Geary,	Martin,	Schuck,
Benson,	Green,	Mather,	Scott, S. B.,
Berntheizel,	Good,	Matt,	Semmens,
Bigger,	Gramley,	McAleer,	Shaffer, C. A.,
Blair, W. F.,	Gransback,	McCaig,	Shaffer, I. E.,
Bleloch,	Hackett,	McClintock,	Sherwood,
Body,	Haggerty,	McKay,	Showalter,
Brosius,	Heidinger,	Metzenbacher,	Smith, L.,
Brownlee,	Heyburn,	Moulthrop,	Spillinger,
Burnett,	Hobbs,	Musser,	Steele,
Caldwell,	Howard, R.,	Neely,	Stone,
Campbell, J.J.	Humes,	Newbaker,	Swartz,
Carson,	Jackson,	Newton,	Thomas,
Claycomb,	Jones, J. R.,	North,	Trach,
Cleary,	Keegan,	O'Neill,	Ulerich,
Conrade,	Keeport,	Pennegar,	Wildman,
Cox,		Pennock,	Williams,

Kenna,	Down,	Perry, H. L.,	Wilson, J. H.,
Currier,	Kennedy,	Perry, S. J.,	Wiltbank,
Curry,	Kuhn, H. P.,	Peters,	Young, J. H.,
Davis,	Kuhns, E.G.M.,	Piper,	Alter,
DeFrees,	Latshaw,	Price,	Speaker.
Donnally,	Lenker,	Reese,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 655,

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

with the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

In section two, line 14, strike out the word "eudcation" and insert the word "education;" in section seven, line 14, strike out the word "apitude" and insert the word "aptitude"; in section 8, line 6, strike out the word "instructions" and insert the word "instruction;" in section 10, line 2, strike out the word "sessions" and insert the word "session."

On the question

Will the House concur in the amendments of the Senate?

Mr. SHOWALTER. Mr. Speaker, I wish to say to the House that I have gone over the amendments with those interested in the bill, and they havev agreed to the amendments. I would therefore ask the members of the House to concur in the amendments.

The question recurring,

The Clerk read the amendments as follows:

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Alworth,	Ely,	Lowers,	Sassaman,
Ambler,	Flynn,	Malie,	Savacool,
Aron,	Forster, I. G.,	Mannion,	Schaeffer, A. C.
Baldwin, G. A.,	Foster, J. D.,	Martin,	Schuck,
Baldwin, R. J.,	Gans,	Mather,	Scott, S. B.,
Barner,	Geiser,	Matt,	Semmens,
Bass,	Gibson,	McAleer,	Shaffer, C. A.,
Bayle,	Good,	McAllister,	Shaffer, I. E.,
Becker,	Grabe,	McCaig,	Shern,
Benninger,	Gramley.	McClintock,	Sherwood,
Benson,	Gransback,	McDermott,	Showalter,
Berntheizel,	Hackett,	McKay,	Smith, J. W.,
Bigger,	Haggerty,	McNichol,	Smith, L.,
Blair, W. F.,	Heidinger,	Mechling,	Snyder,
Bleloch,	Hemminger,	Metzenbacher,	Spillinger,
Body,	Hess,	Miller,	Steedie,
Brosius,	Heyburn,	Moses,	Steele,
Brown,	Hibshman,	Moulthrop,	Stein,
Brownlee,	Hobbs,	Murphy,	Stone,
Burnett,	Howard, J.,	Musser,	Strauss,
Caldwell,	Howard, R.,	Newbaker,	Swartz,
Campbell, C.M.,	Humes,	Newton,	Swift,
Campbell, J.J.	Isler,	North,	Thomas,
Carson,	Irwin, G. C.,	O'Neill,	Trach,
Carter,	Irwin, H. H.,	Peachey,	Ulerich,
Claycomb,	Jackson,	Pennegar,	Ulman,
Cleary,	Jones, E. E.,	Pennock,	Walnut,
Cochran,	Jones, J. R.,	Peters,	Walsh,
Conner,	Kaufman,	Piper,	Walton,
Conniff,	Keegan,	Price,	Watson,
Conrade,	Keeport,	Ramsey,	Whitaker,
Cox,	Kennedy,	Redfield,	Wildman,
Currier,	Kern,	Reese,	Williams,
Curry,	Kitts,	Reeser,	Wilson, J. H.,
Davis,	Klepper,	Rhoads,	Wilson, W. H.,
DeFrees,	Kuhn, H. P.,	Richards,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Robinson,	Young, G. K.,
Donnally,	Latshaw,	Rockwell,	Young, J. H.,
Down,	Lenker,	Roney,	Zimmerman,
Dunn, H. B.,	Leslie,	Rothenberger,	Alter,
Dunn, J. A.,	Lohr,	Runk,	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 1152,

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department of Suburban Metropolitan Planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

with the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend the title by striking out in line 6 the word "by" and inserting the word "for."

On the question,

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Allen,	Forster, I. G.,	Leslie,	Rothenberger,
Alworth,	Foster, J. D.,	Letzkus,	Runk,
Ambler,	Frey,	Lohr,	Sassaman,
Aron,	Geary,	Lowers,	Savacool,
Arthur,	Geiser,	Malie,	Schaeffer, A. C.
Baldwin, G. A.,	Glenn,	Mannion,	Schuck,
Baldwin, R. J.,	Good,	Martin,	Scott, S. B.,
Barner,	Goss,	Mather,	Semmens,
Bass,	Grabe,	Matt,	Shaffer, C. A.,
Benninger,	Gramley,	McAleer,	Shaffer, I. E.,
Benson,	Gransback,	McAllister,	Shern,
Berntheizel,	Hackett,	McClintock,	Sherwood,
Bigger,	Haggerty,	McKay,	Showalter,
Blair, W. A.,	Heidinger,	McNichol,	Smith, J. W.,
Bleloch,	Hemminger,	Metzenbacher,	Smith, L.,
Brosius,	Herman,	Mitchell,	Snavely,
Brown,	Hess,	Morrow,	Spangler,
Brownlee,	Heyburn,	Moses,	Spillinger,
Burnett,	Hibshman,	Moulthrop,	Steedle,
Caldwell,	Hobbs,	Musser,	Stein,
Campbell, C.M.,	Hoffman,	Neel,	Stone,
Campbell, J.J.	Howard, J.,	Newbaker,	Strauss,
Carson,	Humes,	Newton,	Swift,
Carter,	Isler,	North,	Thomas,
Claycomb,	Irwin, G. C.,	O'Neill,	Trach,
Cleary,	Irwin, H. H.,	Peachey,	Ulerich,
Conner,	Jackson,	Pennegar,	Ulman,
Conniff,	Jones, E. E.,	Pennock,	Walsh,
Conrade,	Jones, J. R.,	Perry, S. J.,	Walton,
Cox,	Kaufman,	Piper,	Wettach,
Currier,	Keegan,	Post,	Whitman,
Curry,	Keeport,	Price,	Wildman,
Davis,	Kennedy,	Ramsey,	Williams,
DeFrees,	Kitts,	Redfield,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Reeser,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Rex,	Alter,
Dunn, J. A.,	Latshaw,	Richards,	Speaker.
Ehrhardt,	Lenker,	Robinson,	
Flynn,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE GRANTED SUB-COMMITTEE TO SIT DURING SESSION OF HOUSE.

The SPEAKER. The Chair asks permission for the following gentlemen, Messrs. Speiser, McNichol, Rex, Mitchell, Conniff and Spangler to sit as a sub-committee for a hearing on the third class city bill, during the session of this evening. Is there any objection? The Chair hears none, and permission is granted.

Mr. KEEPORT. Mr. Speaker, I ask unanimous consent for permission to attend the same hearing, as there is a committee of gentlemen coming from my city to attend the hearing.

The SPEAKER. The gentleman can get that permission by asking for a leave of absence.

LEAVE OF ABSENCE.

Mr. KEEPORT asked and obtained leave of absence for himself for tonight's session to attend the hearing on the Third Class City bill.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1714, entitled:

An Act regulating the practice before justices of the peace aldermen and magistrates in cases where children under sixteen years are charged with any offense against the criminal law of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Allen,	Flynn,	Lowers,	Roney,
Alworth,	Foster, J. D.,	Malie,	Rothenberger,
Ambler,	Frey,	Mannion,	Sassaman,
Aron,	Gans,	Martin,	Savacool,
Arthur,	Geary,	Mather,	Schaeffer, A. C.,
Baldwin, G. A.,	Gibson,	Matt,	Schuck,
Baldwin, R. J.,	Glenn,	McAleer,	Scott, S. B.,
Bass,	Good,	McAllister,	Semmens,
Bayle,	Grabe,	McCaig,	Shaffer, I. E.,
Benson,	Gramley,	McClintock,	Shern,
Berntheizel,	Gransback,	McKay,	Sherwood,
Bigger,	Hackett,	Mechling,	Showalter,
Bittles,	Haggerty,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Heidinger,	Missimer,	Smith, L.,
Bleloch,	Hemminger,	Moore,	Snyder,
Body,	Herman,	Morrow,	Speiser,
Brosius,	Hess,	Moulthrop,	Spillinger,
Brownlee,	Heyburn,	Musser,	Steedle,
Burnett,	Hibshman,	Neel,	Steele,
Caldwell,	Hoffman,	Neely,	Stein,
Campbell, C.M.,	Howard, J.,	Newbaker,	Strauss.
Carson,	Howard, R.,	Newton,	Swartz.
Carter,	Humes,	North,	Swift,
Claycomb,	Isler,	O'Neill,	Thomas,
Cleary,	Irwin, G. C.,	Peachey,	Trach,
Conner,	Irwin, H. H.,	Pennegar,	Ulerich,
Conrade,	Jackson,	Pennock,	Ulman,
Cox,	Jones, J. R.,	Perry, H. L.,	Walsh,
Currier,	Kaufman,	Peters,	Watson,
Curry,	Keegan,	Piper,	Wettach,
Davis,	Keeport,	Price,	Whitaker,
Dickinson,	Kennedy,	Ramsey,	Wildman,
Donahoe,	Kitts,	Redfield,	Williams,
Donnally,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Down,	Lanius,	Reeser,	Wiltbank,
Dunn, J. A.,	Latshaw,	Rhoads,	Young, J. H.,
Ehrhardt,	Leslie,	Richards,	Zimmerman,
Eichenberger,	Light,	Robinson,	Alter,
Ely,	Lohr,	Rockwell,	Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1729, entitled:

An Act to amend an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Allen,	Good,	McAleer,	Schuck,
Alworth,	Goss,	McClintock,	Scott, J. R. K.,
Ambler,	Grabe,	McDermott,	Scott, S. B.,
Aron,	Gramley,	McKay,	Semmens,
Arthur,	Gransback,	Mellott,	Shaffer, C. A.,
Baldwin, G. A.,	Hackett,	Metzenbacher,	Shaffer, I. E.,
Baldwin, R. J.,	Haggerty,	Miller,	Shern,
Barner,	Heidinger,	Missimer,	Sherwood,
Bass,	Hemminger,	Murphy,	Showalter,
Becker,	Herman,	Musser,	Smith, J. W.,
Benson,	Hess,	Neel,	Smith, L.,
Berntheizel,	Heyburn,	Neely,	Snyder,
Blair, W. F.,	Hibshman,	Newbaker,	Spillinger,
Bleloch,	Hobbs,	Newton,	Steedle,
Body,	Hoffman,	North,	Steele,
Brownlee,	Howard, J.,	O'Neill,	Stein,
Burnett,	Howard, R.,	Peachey,	Stone,
Caldwell,	Isler,	Pennegar,	Strauss,
Campbell, J.J.	Irwin, H. H.,	Pennock,	Swartz,
Carson,	Jackson,	Perry, H. L.,	Swift,
Carter,	Jones, J. R.,	Peters,	Thomas,
Claycomb,	Kaiser,	Piper,	Trach,
Cleary,	Kaufman,	Post,	Ulerich,
Conner,	Keegan,	Price,	Walnut,
Conrade,	Kitts,	Ramsey,	Walsh,
Cox,	Klepper,	Redfield,	Walton,
Currier,	Kuhn, H. P.,	Reese,	Watson,
Curry,	Kuhns, E.G.M.,	Reeser,	Whitaker,
Davis,	Lanius,	Rhoads,	Wildman,
Dickinson,	Latshaw,	Richards,	Williams,
Donahoe,	Leslie,	Robinson,	Wilson, J. H.,
Donnally,	Letzkus,	Rockwell,	Wilson, W. H.,
Down,	Lohr,	Roney,	Wiltbank,
Ehrhardt,	Lowers,	Rothenberger,	Young, G. K.
Eichenberger,	Malie,	Runk,	Young, J. H.,
Forster, I. G.,	Mannion,	Sassaman,	Zimmerman,
Foster, J. D.,	Martin,	Savacool,	Alter,
Gans,	Mather,	Schaeffer, A. C	Speaker.
Geary,	Matt,		
Geiser,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1397 (Senate Bill No. 274), entitled:

An Act amending the third section of an act approved the thirty-first day of May nineteen hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the tweity-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILDMAN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. O'NEILL. Mr. Speaker, I second the motion.

Whereupon, a division was called for and 73 gentlemen voting in the affirmative and 42 in the negative,

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1433, entitled:

An Act authorizing companies incorporated under the laws of any other State of the United States for quarrying digging excavating manufacturing buying and selling rock stone sand and gravel to erect and maintain buildings and manufacturing establishments and to take have and hold real estate within this Commonwealth necessary and proper for corporate purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Allen,	Foster, J. D.,	Lohr,	Roney,
Alworth,	Geary,	Lowers,	Rothenberger,
Ambler,	Gibson,	Malie,	Runk,
Aron,	Glenn,	Mannion,	Sassaman,
Arthur,	Good,	Martin,	Savacool,
Baldwin, G. A.,	Goss,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Grabe,	Matt,	Schuck,
Barner,	Gramley,	McAleer,	Scott, J. R. K.,

Bass, Becker, Benninger, Benson, Berntheizel, Bigger, Blair, W. F., Bleloch, Body, Brosius, Brownlee, Burnett, Caldwell, Campbell, J.J. Carson, Carter, Claycomb, Cleary, Conner, Conrade, Cox, Currier, Curry, Davis, DeFrees, Dickinson, Donahoe, Donnally, Down, Dunn, J. A., Ehrhardt, Eichenberger, Ely, Gransback, Gray, Joseph, Haggerty, Heidinger, Herman, Hess, Heyburn, Hibshman, Hobbs, Hoffman, Howard, J., Howard, R., Humes, Isler, Irwin, H. H., Jackson, Jones, J. R., Kaiser, Kaufman, Keegan, Kennedy, Kern, Kitts, Klepper, Kuhn, H. P., Kuhns, E.G.M., Lanius, Latshaw, Lenker, Leslie, Letzkus, Light, McAllister, McCaig, McClintock, McDermott, Mechling, Mellott, Metzenbacher, Miller, Moore, Morrow, Moses, Moulthrop, Musser, Neely, Newbaker, Newton, North, O'Neill, Peachey, Pennegar, Pennock, Peters, Piper, Post, Price, Ramsey, Redfield, Reese, Reeser, Rhoads, Robinson, Rockwell, Scott, S. B., Semmens, Shaffer, C. A., Shaffer, I. E., Sherwood, Showalter, Smith, J. W., Smith, L., Snyder, Spillinger, Steedle, Steele, Stein, Stone, Strauss, Swartz, Swift, Thomas, Trach, Ulerich, Ulman, Walnut, Walton, Watson, Whitaker, Wildman, Williams, Wiltbank, Young, G. K., Young, J. H., Zimmerman, Alter, Speaker.

NAYS—4.

Forster, I. G., Hackett, Hemminger, Walsh,

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1048, entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Allen, Alworth, Ambler, Aron, Arthur, Baldwin, G. A., Baldwin, R. J., Barner, Bass, Bayle, Becker, Benson, Berntheizel, Blair, W. F., Bleloch, Body, Brosius, Brown, Brownlee, Burnett, Caldwell, Campbell, J.J. Carson, Carter, Claycomb, Cleary, Conner, Conrade, Cox, Currier, Curry, Davis, DeFrees, Dickinson, Donahoe, Donnally, Dunn, J. A., Ehrhardt, Eichenberger, Fahey, Forster, I. G., Foster, J. D., Geary, Geiser, Gibson, Good, Goss, Gramley, Gransback, Hackett, Haggerty, Heidinger, Hemminger, Herman, Hess, Heyburn, Hibshman, Hobbs, Hoffman, Howard, J., Humes, Isler, Irwin, H. H., Jackson, Jones, J. R., Kaiser, Kaufman, Keegan, Kennedy, Kern, Kitts, Klepper, Kuhn, H. P., Kuhns, E.G.M., Lanius, Latshaw, Lenker, Leslie, Letzkus, Light, Lohr, Lowers, Malie, Mannion, Martin, Mather, Matt, McAleer, McAllister, McClintock, McDermott, McKay, Mechling, Mellott, Metzenbacher, Miller, Moses, Moulthrop, Murphy, Musser, Neel, Neely, Newton, North, O'Neill, Peachey, Pennegar, Pennock, Perry, S. J., Peters, Piper, Post, Price, Ramsey, Redfield, Reese, Reeser, Rhoads, Richards, Robinson, Rockwell, Roney, Rothenberger, Runk, Sassaman, Savacool, Schaeffer, A. C Schuck, Scott, J. R. K., Scott, S. B., Semmens, Shaffer, C. A., Shaffer, I. E., Shern, Sherwood, Showalter, Smith, J. W., Smith, L., Snyder, Spillinger, Steele, Stein, Stone, Strauss, Swartz, Swift, Thomas, Trach, Ulerich, Ulman, Walnut, Walsh, Walton, Watson, Whitaker, Whitman, Wildman, Williams, Wilson, J. H., Wilson, W. H., Wiltbank, Young, G. K., Young, J. H., Zimmerman, Alter, Speaker.

NAYS—2.

Benninger, Grabe,

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1162, entitled:

An Act requiring individual drinking cups to be furnished on passenger railway cars and providing a penalty for violation therefor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. NORTH. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WHITTAKER. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Alworth, Ambler, Arthur, Baldwin, G. A., Baldwin, R. J., Barner, Bass, Becker, Bigger, Bittles, Blair, W. F., Body, Brosius, Brown, Brownlee, Burnett, Caldwell, Campbell, C.M., Campbell, J.J. Carson, Carter, Claycomb, Cleary, Cochran, Conner, Conrade, Cox, Currier, Curry, Davis, DeFrees, Donahoe, Donnally, Down, Ehrhardt, Eichenberger, Forster, I. G., Foster, J. D., Geary, Geiser, Good, Goss, Grabe, Gramley, Gransback, Hackett, Haggerty, Heidinger, Hemminger, Hess, Heyburn, Hibshman, Hobbs, Hoffman, Howard, J., Howard, R., Humes, Isler, Irwin, H. H., Jackson, Jones, E. E., Jones, J. R., Kaiser, Kaufman, Keegan, Kennedy, Kern, Kitts, Klepper, Kuhn, H. P., Kuhns, E.G.M., Lanius, Latshaw, Lenker, Leslie, Letzkus, Lohr, Lowers, Malie, Mannion, Martin, Mather, Matt, McClintock, McDermott, McKay, Mechling, Mellott, Metzenbacher, Miller, Missimer, Moore, Morrow, Moses, Moulthrop, Musser, Neel, Neely, Newbaker, Newton, North, O'Neill, Peachey, Pennegar, Pennock, Perry, H. L., Peters, Piper, Post, Price, Ramsey, Redfield, Reese, Reeser, Rhoads, Richards, Robinson, Rockwell, Roney, Rothenberger, Runk, Sassaman, Savacool, Schaeffer, A. C Schuck, Scott, J. R. K., Scott, S. B., Semmens, Shaffer, C. A., Shaffer, I. E., Shern, Sherwood, Showalter, Smith, J. W., Smith, L., Snyder, Spillinger, Steedle, Steele, Stein, Stone, Strauss, Swartz, Swift, Thomas, Trach, Ulerich, Ulman, Walnut, Walsh, Walton, Watson, Wettach, Whitaker, Whitman, Wildman, Williams, Wilson, J. H., Wilson, W. H., Wiltbank, Young, G. K., Young, J. H., Zimmerman, Alter, Speaker.

NAYS—1.

Benninger.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on third reading of House Bill No. 1187, entitled:

An Act authorizing each city of the first class to establish a municipal pension fund for employes of said city and regulating the payment of such pensions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Allen,	Gans,	Martin,	Roney,
Alworth,	Geary,	Mather,	Rothenberger,
Ambler,	Geiser,	Matt,	Runk,
Aron,	Gibson,	McAleer,	Sassaman,
Arthur,	Glenn,	McAllister,	Savacool,
Baldwin, R. J.,	Good,	McArdle,	Schuck,
Barner,	Goss,	McCaig,	Scott, J. R. K.,
Bass,	Grabe,	McClintock,	Scott, S. B.,
Bayle,	Gramley,	McDermott,	Semmens,
Becker,	Gransback,	McKay,	Shaffer, C. A.,
Benninger,	Hackett,	Mechling,	Shaffer, I. E.,
Benson,	Haggerty,	Mellott,	Shern,
Berntheizel,	Heidinger,	Metzenbacher,	Sherwood,
Bigger,	Herman,	Miller,	Showalter,
Blair, W. F.,	Hess,	Missimer,	Smith, J. W.,
Bleloch,	Heyburn,	Moore,	Snyder,
Body,	Hibshman,	Morrow,	Spillinger,
Brosius,	Hobbs,	Moses,	Steedle,
Brownlee,	Hoffman,	Moulthrop,	Steele,
Burnett,	Howard, J.,	Musser,	Stein,
Caldwell,	Howard, R.,	Neel,	Stone,
Campbell, C.M.,	Humes,	Neely,	Strauss,
Campbell, J.J.	Isler,	Newbaker,	Swartz,
Carson,	Irwin, G. C.,	Newton	Swift,
Carter,	Irwin, H. H.,	North,	Thomas,
Claycomb,	Jackson,	O'Neill,	Trach,
Cleary,	Jones, E. E.,	Peachey,	Ulerich,
Conner,	Jones, J. R.,	Pennegar,	Ulman,
Conrade,	Kaiser,	Pennock,	Walsh,
Cox,	Keegan,	Perry, H. L.,	Walton,
Currier,	Kennedy,	Peters,	Watson,
Curry,	Kitts,	Piper,	Whitaker,
Davis,	Kuhn, H. P.,	Post,	Wildman,
DeFrees,	Kuhns, E.G.M.,	Price,	Williams,
Dickinson,	Latshaw,	Ramsey,	Wilson, J. H.,
Donahoe,	Lenker,	Redfield,	Wilson, W. H.,
Donnally,	Letzkus,	Reese,	Wilbank,
Dunn, J. A.,	Light,	Reeser,	Young, G. K.,
Ehrhardt,	Lohr,	Rhoads,	Young, J. H.,
Eichenberger,	Lowers,	Richards,	Zimmerman,
Flynn,	Malie,	Robinson,	Alter,
Forster, I. G.,	Mannion,	Rockwell,	Speaker.
Foster, J. D.,			

NAYS—3.

Baldwin, G. A., Hemminger, Kaufman.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1803, entitled:

An Act to equalize educational advantages throughout the Commonwealth of Pennsylvania by making an inspection and investigation of school districts now unable to provide minimum facilities and providing special appropriation therefor

On the question,

Will the House agree to the bill on third reading?

Mr. GRAMLEY. Mr. Speaker, the school district of Gallagher, Clinton County, is unable to maintain a minimum school term under the maximum tax under the old law and the school district of Spring Creek in Elk County will need help within a year. The lumber industry is rapidly disappearing. The school district of Juniata, in Huntingdon County, had to reduce the term below the minimum under the old law. Juniata, at 25 mills, cannot meet her expenses. The school district of Greenwood, in Juniata County, could not maintain a minimum term under the maximum tax of the old law. I could enumerate a number of districts more, but I will not.

The equalization of educational opportunities throughout the state is a question that calls for careful consideration. Increasingly the fact is being accepted by the general public that the education of a people is not a local matter because its consequences are of state and national moment. An educated citizen is not of worth alone to the community in which he lives but his influence is state and nation-wide. Equally, the baneful effects of illiteracy or incompetency arising from lack of school training are not confined to the limits of the locality where opportunities are wanting, but show their significance over widely marked areas. The centers of wealth and population can readily provide for themselves, but there are rural communities living on unproductive lands "where the hard daily toil brings scant daily bread" and in these places educational opportunities are necessarily limited. Here the State has both a duty and a privilege. Its duty is to protect itself against illiteracy and incompetency and its privilege is to offer aid that will help those who are in the process of becoming citizens to realize the best that is in them; and further to help them find their places in the social, civic and industrial life.

A survey of conditions made during the past year showed that there were twenty-four districts in the Commonwealth of Pennsylvania having a total of 149 schools in which the minimum school term could not be maintained by levying the maximum taxes allowed under the old law. The number of pupils in these schools was not large. They might have been accommodated in fewer buildings, but owing to the topography of the districts and the remoteness of the inhabitants from each other, consolidation and transportation are out of the question. There are many such communities in Pennsylvania. To make proper provision for these exceptional conditions, a special aid fund ought to be provided by the Legislature. Proper distribution of such a fund is practically provided for in Section 905 of the Code, which authorizes the State Board of Education to exercise the powers of administration in equalizing "through special appropriations for this purpose or otherwise the educational advantages of the different parts of this Commonwealth."

This Board, in order to make a just and equitable distribution, is in position to secure exact data relative to the valuation, assessments, necessary expenditures and general financial conditions of such districts and, on the basis of their actual needs, such Special Aid Fund could be apportioned.

BILL RECOMMITTED.

Mr. HUMES. Mr. Speaker, I want to call attention to this fact, that this bill carries an appropriation of $25,000.00. It has not yet been considered by the Appropriation Committee. I therefore move that the bill be referred to the Committee on Appropriations.

Mr. MELLOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. bill No. 1426, entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Allen,	Ewing,	Lowers,	Richards,
Alworth,	Flynn,	Malie,	Robinson,
Ambler,	Forster, I. G.,	Mannion,	Rockwell,
Aron,	Foster, J. D.,	Martin,	Roney,
Arthur,	Geary,	Mather,	Rothenberger,
Baldwin, G. A.,	Geiser,	Matt,	Runk,
Baldwin, R. J.,	Gibson,	McAleer,	Sassaman,
Barner,	Good,	McArdle,	Savacool,
Bass,	Goss,	McCaig,	Scott, S. B.,
Bayle,	Grabe,	McClintock,	Semmens,
Becker,	Gramley,	McDermott,	Shaffer, C. A.,
Benson,	Gransback,	McKay,	Shaffer, I. E.,
Berntheizel,	Hackett,	Mellott,	Shern,
Bigger,	Haggerty,	Metzenbacher,	Sherwood,
Blair, W. F.,	Heidinger,	Miller,	Showalter,
Bleloch,	Hemminger,	Missimer,	Smith, J. W.,
Body,	Herman,	Mitchell,	Smith, L.,
Brosius,	Hess,	Moore,	Snyder,
Brown,	Heyburn,	Morrow,	Spillinger,
Brownlee,	Hibshman,	Moses,	Steedle,
Burnett,	Hobbs,	Moulthrop,	Steele,
Caldwell,	Hoffman,	Murphy,	Stein,
Campbell, C.M.,	Howard, J.,	Musser,	Stone,
Campbell, J.J.	Howard, R.,	Neel,	Swartz,
Carson,	Isler,	Neely,	Swift,
Carter,	Irwin, G. C.,	Newbaker,	Thomas,
Claycomb,	Irwin, H. H.,	Newton,	Trach,
Cleary,	Jackson,	North,	Ulerich,
Cochran,	Jones, J. R.,	O'Neill,	Walsh,
Collins,	Kaiser,	Peachey,	Walton,
Conner,	Keegan,	Pennegar,	Watson,
Conrade,	Kennedy,	Pennock,	Wildman,
Cox,			

Currier,	Kitts,	Peters,	Williams,
Curry,	Klepper,	Piper,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Post,	Wilson, W. H.,
DeFrees,	Kuhns, E.G.M.,	Price,	Wiltbank,
Dickinson,	Lenker,	Ramsey,	Young, G. K.,
Donahoe,	Leslie,	Redfield,	Young, J. H.,
Donnally,	Letzkus,	Reese,	Zimmerman,
Dunn, H. B.,	Light,	Reeser,	Alter,
Ehrhardt,	Lohr,	Rhoads,	Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 415, as follows:

An Act making an appropriation to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred dollars ($500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Amber Amusement Company by its president Harry Brocklehurst or its legal representative

Said sum of five hundred dollars being the amount which the city treasurer of the city of Philadelphia State of Pennsylvania illegally demanded and collected from the said Harry Brocklehurst president of the Amber Amusement Company as proprietor of a moving picture place located at Frankford Avenue Amber and Sergeant Streets in the city of Philadelphia State of Pennsylvania on the first day of December one thousand nine hundred and ten as a State license fee due the said treasurer under the act of June twenty-fourth one thousand eight hundred and ninety-five Pamplet Laws two hundred and forty-nine and amendment thereto of May twenty-third one thousand nine hundred and seven Pamphlet Laws two hundred and nineteen the said Amber Amusement Company not being liable for the payment of said license fee as said place was used for the exhibition of moving pictures only under the decision of the Superior Court of Pennsylvania in the case of Commonwealth of Pennsylvania versus Fannie C. Spiers October term one thousand nine hundred and eleven number two hundred and seventy-four upon the appeal of the plaintiff from the judgment of the court of common pleas number five of the County of Philadelphia to September term one thousand nine hundred and eleven number two thousand seven hundred and fifty-one upon case stated

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, I have been requested to explain this bill. It was given to me by a gentleman from Philadelphia, a former member, with request that I introduce it. It provides for the refunding by the Commonwealth of a certain license fee of five hundred dollars that was collected under the Act of Assembly of 1907, and there was a contest as to whether or not the institution came within the provisions of the Act of Assembly, and there were two cases contested in the Lower Court and afterwards appealed to the Appellate Court, the Superior Court, in which the question was raised and it was decided that under the law this particular institution did not come within the provisions of the law, and therefore the fee of five hundred dollars had been improperly collected. This particular bill refers to a Company that was not specifically before the Court. We have two of these bills. In the case of one of them the Court has specifically decided that the five hundred dollar fee was improperly collected. The particular case covered by this bill I am advised is exactly on all fours with the other company aud the same ruling would apply to this My reference is Commonwealth v. Spears and Commonwealth v. Donnelly, which appear in the Advanced Reports which I hold in my hands 237 Pennsylvania, pages 59 and 61.

Mr. R. J. BALDWIN. Mr. Speaker, I do not think this is proper legislation to appropriate this five hundred dollars. There is not a partide of doubt that the gentleman from Philadelphia believes that this is an exactly similar case to that decided by the Court, but the gentleman from Philadelphia may be mistaken. This bill deliberately appropriates the money. No doubt it is the honest believe of the gentleman from Philadelphia that this is a similar case, but there is a possibility of there being a mistake. We are appropriating money to this individual or corporation or whatever it may be, on the supposition that this is an exactly similar case. It don't seem to me that this is the right way to present this bill to the State of Pennsylvania and ask this legislation to make the payment on such meagre evidence.

Mr. NORTH. Mr. Speaker, relative to this bill, I would say that the Appropriation Committee after considering it, appointed a sub-committee to inquire into all the facts and matters pertaining to it and the information that we got from the Auditor General's Department and the State Treasurer's Department was satisfactory to the Committee that this was the proper way to reimburse the parties that were applying for relief and the only way, and through that information the bill was reported out affirmatively.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Jefferson (Mr. North).

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. NORTH. Yes sir, Mr. Speaker.

Mr. R. J. BALDWIN. Mr. Speaker, was their full evidence presented to the Committee, or did the Auditor General say that there was satisfactory evidence that this was a debt the State owed?

Mr. NORTH. Mr. Speaker, the evidence presented to the Committee was entirely satisfactory and for that reason and that reason only, we reported the bill out.

Mr. R. J. BALDWIN. Mr. Speaker, this is a very loose way of doing it, I will say that.

Mr. CHARLES A. SHAFFER. Mr. Speaker, as a member of the sub-committee I would say that we have gone into an examination of this very bill and we went before the Auditor General. This fee was illegally collected and does not belong to the State and therefore they are only asking for what belongs to them, to reimburse them and a special act had to be created so that they could be reimbursed.

Mr. WALNUT. Mr. Speaker, in answer to the gentleman from Delaware, I admit that there is a question of fact in regard to this particular bill. As to the other one we have on the calendar, there can be no question in regard to that at all, because we have a Superior Court case upon that particular institution and the particular fees paid; but in this case, without such court decision, there is only one possible way in which this Company can recover money it paid the State without any obligation of law for that payment and the only way they can do is to come to the State Legislature and present their case to the Committee and have the Committee pass upon the facts, if the Committee is satisfied with the facts. We have appointed a committee to investgiate that vary matter. If the Committee is satisfied with the facts I cannot see that there is anything more that the applicant can do. If the facts indicate to the Committee that the company improperly paid this money that they should not have paid it, surely we should not stand in the way of repayment of money improperly collected, and I therefore think that the opinion as expressed by the Chairman of the Appropriation Committee and the member of the sub-committee certainly should have weight with this House.

Mr. R. J. BALDWIN. Mr. Speaker, under these circumstances I have no objection to the bill, although my understanding always has been in a case of this kind that they should go into the courts and furnish all of the facts to the court and prove that the State is in debt to them. Here's a case where they come directly to the legislature, and the legislature listens to them or a sub-committee have the Statements that the Auditor General says that it is undoubtedly due them, although it is not the ordinary practice.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Allen,	Forster, I. G.,	Malie,	Roney,
Alworth,	Foster, J. D.,	Mannion,	Rothenberger,
Ambler,	Frey,	Martin,	Runk,
Aron,	Gans,	Mather,	Sassaman,
Arthur,	Geary,	Matt,	Savacool,
Baldwin, G. A.,	Geiser,	McAleer,	Schaeffer, A. C.
Baldwin, R. J.,	Good,	McArdle,	Schuck,
Barner,	Goss,	McCaig,	Scott, J. R. K.,
Bass,	Grabe,	McClintock,	Scott, S. B.,
Bayle,	Gramley,	McDermott,	Semmens,
Becker,	Gransback,	McKay,	Shaffer, C. A.,
Benninger,	Gray, Joseph,	Mechling,	Shaffer, I. E.,
Berntheizel,	Hackett,	Mellott,	Showalter,
Bigger,	Haggerty,	Metzenbacher,	Smith, J. W.,

Blair, W. F.,	Heidinger,	Miller,	Smith, L.,
Bleloch,	Hemminger,	Missimer,	Snyder,
Body,	Herman,	Moore,	Spillinger,
Brosius,	Hess,	Morrow,	Steele,
Brownlee,	Heyburn,	Moulthrop,	Stone,
Burnett,	Hibshman,	Murphy,	Strauss,
Caldwell,	Hobbs,	Musser,	Swartz,
Campbell, C.M.,	Hoffman,	Neel,	Swift,
Campbell, J.J.	Howard, J.,	Neely,	Thomas,
Carson,	Howard, R.,	Newbaker,	Trach,
Carter,	Humes,	Newton,	Ulerich,
Claycomb,	Isler,	North,	Ulman,
Cleary,	Jackson,	O'Neill,	Walnut,
Conner,	Jones, J. R.,	Peachey,	Walsh,
Conrade,	Kaiser,	Pennegar,	Watson,
Cox,	Kaufman,	Pennock,	Wettach,
Currier,	Kennedy,	Perry, H. L.,	Whitaker,
Curry,	Kern,	Peters,	Whitman,
Davis,	Kitts,	Piper,	Wildman,
DeFrees,	Klepper,	Price,	Williams,
Dickinson,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Donnally,	Lanius,	Reese,	Wiltbank,
Down,	Lenker,	Reeser,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Richards,	Zimmerman,
Ehrhardt,	Light,	Robinson,	Alter,
Eichenberger,	Lowers,	Rockwell,	Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. FOSTER. Mr. Speaker, I move that the vote by which House Bill No. 182, file folio 3562, entitled:

An Act fixing the compensation of the Chief Clerk and the five clerks in the Department of Mines

failed on final passage on Tuesday, April 14th, be reconsidered.

Mr. JOSEPH GRAY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—83.

Alworth,	DeFrees,	Heyburn,	Redfield,
Aron,	Dickinson,	Hobbs,	Richards,
Arthur,	Dunn, H. B.,	Howard, J.,	Roney,
Baldwin, G. A.,	Dunn, J. A.,	Latshaw,	Sassaman,
Baldwin, R. J.,	Ehrhardt,	Letzkus,	Scott, J. R. K.,
Bass,	Eichenberger,	Mannion,	Shaffer, I. E.,
Becker,	Fahey,	McAleer,	Shern,
Benninger,	Forster, I. G.,	McClintock,	Smith, J. W.,
Brosius,	Foster, J. D.,	McKay,	Spillinger,
Brownlee,	Geary,	Missimer,	Swartz,
Caldwell,	Geiser,	Moore,	Swift,
Campbell, C.M.,	Glenn,	Murphy,	Thomas,
Campbell, J.J.	Good,	Musser,	Trach,
Carson,	Grabe,	Neely.	Walsh,
Carter,	Gramley,	Newton,	Wilson, W. H.,
Cleary,	Gransback,	O'Neill,	Wiltbank,
Conner,	Gray, Joseph,	Pennock,	Young, G. K.,
Conrade,	Hackett,	Peters,	Young, J. H.,
Cox,	Haggerty,	Piper,	Zimmerman,
Curry,	Heidinger,	Post,	Alter,
Davis,	Herman,	Ramsey,	Speaker.

NAYS—28.

Barner,	Kern,	Perry, H. L.,	Scott, S. B.,
Blair, W. F.,	Lenker,	Reeser,	Snyder,
Body,	Martin,	Rhoads,	Steele,
Brown,	Matt,	Robinson,	Ulerich,
Burnett,	McDermott,	Rockwell,	Walnut.
Hemminger,	Metzenbacher,	Rothenberger,	Whitaker,
Hoffman,	Moulthrop,	Savacool,	Wilson, J. H.,
Jones, J. R.,	Newbaker,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1562, entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred and ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro-rata share of the cost of said wall from adjoining owner Preserving however all the rights given by statute to owners of party walls erected under said act

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, this seems to be practically a repeal of the present provision of the party wall law. I should like to hear from the sponsor of this bill any reason why it should be changed.

The SPEAKER. The gentleman from Allegheny, Mr. Bigger.

Mr. BIGGER. Mr. Speaker, the following statement was given to me by the building commissioner which I wish to read:

The purpose of the proposed act is to repeal the authority of an adjoining owner to construct a party wall without consent of the party on whose land half of it is to be built and whose land is thereby to be charged with proportionate share of the cost thereof.

This amendment has been prepared by and recommended by the Commission for the Revision of the Building Laws of the City of Pittsburgh, appointed by Mayor Magee and has been approved by the Pennsylvania State Building Code Commission, and has been discussed with Assistant City Solicitor C. K. Robinson and the Mayor and several Councilmen and we hope to enlist your co-operation in introducing the same in Legislature next Monday and urging its passage.

Our reasons are as follows:

1. This act applies to cities of the second class only and so none but Scranton and Pittsburgh are concerned.

2. The repeal does not affect existing rights for compensation for party walls already erected, but prevents a similar charge being made in the future.

3. Under the Act as it now stands a tenant in one property may be and often is practically dispossessed by the owner of adjoining lot erecting a building and constructing a party wall, and for his inconvenience, damage and delays, the tenant has no remedy whatever and sometimes this loss results in bankruptcy of tenant.

4. That since the era of high building and steel construction the walls do not need to be so thick and there is therefore less reason for taking a part of adjoining owner's lot on which to erect it, which was not the case when only brick walls were used.

5. That also the difference in height of stories and total height of buildings differ so greatly that it is impossible to adjust honestly the cost between said adjoining owners and the result is delay due to injunctions and other litigation.

6. That the owner of adjoining lot has his land charged with a lien for a share of the cost of a wall which he may never use, and if he does not use it, the question of how much he ought to pay so often invites litigation of an unsatisfactory sort.

This does not prohibit the parties from entering into a contract relative to a party, it simply leaves it optional as it should be.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Allen,	Ely,	Lohr,	Rothenberger,
Alworth,	Ewing,	Lowers,	Runk,
Ambler,	Fahey,	Malie,	Sassaman,
Arthur,	Forster, I. G.,	Mannion,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	Matt,	Schuck,
Barner,	Gans,	McAleer,	Scott, J. R. K.,
Bass,	Geary,	McArdle,	Semmens,
Becker,	Geiser,	McCaig,	Shaffer, C. A.,
Benninger,	[illegible]	McClintock,	Shaffer, I. E.,
Benson,	Goss,	McDermott,	Shern,
Bigger,	Grabe,	McKay,	Showalter,
Blair, W. A.,	Gramley,	Mellott,	Smith, J. W.,
Blair, W. F.,	Gransback,	Metzenbacher,	Smith, L.,
Bleloch,	Gray, Joseph,	Miller,	Snyder,
Body,	Hackett,	Missimer,	Spillinger,
Brosius,	Haggerty,	Moore,	Steedle,
Brownlee,	Heidinger,	Morrow,	Steele,
Burnett,	Hemminger,	Moulthrop,	Stone,
Caldwell,	Herman,	Murphy,	Swartz,
Campbell, C.M.,	Heyburn,	Musser,	Swift,
Campbell, J.J.	Hibshman,	Neely,	Thomas,
Carson,	Hobbs,	Newbaker,	Trach,
Carter,	Hoffman,	O'Neill,	Ulerich,
Cleary,	Howard, J.,	Peachey,	Ulman,
Cochran	Howard, R.,	Pennegar,	Walsh,
Collins,	Humes,	Perry, H. L.,	Watson,
Conner,	Isler,	Perry, S. J.,	Wettach,
Conrade,	Jackson,	Peters,	Whitaker,
Cox,	Keegan,	Piper,	Wildman,
Currier,	Kennedy,	Post,	Williams,
Curry,	Kern,	Price,	Wilson, J. H.,
Davis,	Kitts,	Ramsey,	Wilson, W. H.,
DeFrees,	Klepper,	Reeser,	Wiltbank,
Dickinson,			

Donahoe,	Kuhn, H. P.,	Rhoads,	Young, G. K.,
Donnally,	Kuhns, E.G.M.,	Richards,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Robinson,	Zimmerman,
Ehrhardt,	Letzkus,	Rockwell,	Alter,
Eichenberger,	Light,	Roney,	Speaker.

NAYS—3.

Jones, J. R., Kaufman, Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1603, entitled:

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordinances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Allen,	Fahey,	Lohr,	Roney,
Alworth,	Forster, I. G.,	Lowers,	Rothenberger,
Ambler,	Foster, J. D.,	Malie,	Runk,
Aron,	Frey,	Mannion,	Sassaman,
Arthur,	Gans,	Martin,	Savacool,
Baldwin, G. A.,	Geary,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	Matt,	Schuck,
Barner,	Glenn,	McAleer,	Scott, J. R. K.,
Bass,	Good,	McArdle,	Scott, S. B.,
Becker,	Goss,	McCaig,	Semmens,
Benson,	Grabe,	McClintock,	Shaffer, C. A.,
Bigger,	Gramley,	McDermott,	Shaffer, I. E.,
Bittles,	Gransback,	McKay,	Shern,
Blair, W. A.,	Gray, Joseph,	Mechling,	Showalter,
Blair, W. F.,	Hackett,	Mellott,	Smith, J. W.,
Bleloch,	Haggerty,	Metzenbacher,	Smith, L.,
Body,	Heidinger,	Missimer,	Snyder,
Brosius,	Hemminger,	Moore,	Spillinger,
Brownlee,	Herman,	Morrow,	Steedle,
Burnett,	Hess,	Moulthrop,	Steele,
Caldwell,	Heyburn,	Murphy,	Stone,
Campbell, C.M.,	Hibshman,	Musser,	Swartz,
Campbell, J.J.	Hobbs,	Neel,	Swift,
Carson,	Hoffman,	Neely,	Thomas,
Carter,	Howard, J.,	Newbaker,	Trach,
Claycomb,	Howard, R.,	North,	Ulerich,
Cleary,	Humes,	O'Neill,	Ulman,
Cochran	Isler,	Peachey,	Walsh,
Collins,	Jackson,	Pennegar,	Walton,
Conner,	Jones, J. R.,	Pennock,	Watson,
Conniff,	Kaiser,	Perry, H. L.,	Wettach,
Conrade,	Kaufman,	Perry, S. J.,	Whitaker,
Cox,	Keegan,	Piper,	Whitman,
Currier,	Kennedy,	Post,	Wildman,
Curry,	Kern,	Price,	Williams,
Davis,	Kitts,	Redfield,	Wilson, J. H.,
DeFrees,	Klepper,	Reese,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Reeser,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Rhoads,	Young, G. K.,
Donnally,	Latshaw,	Richards,	Young, J. H.,
Down,	Leslie,	Robinson,	Zimmerman,
Dunn, H. B.,	Letzkus,	Rockwell,	Alter,
Ehrhardt,	Light,		Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1175, entitled:

An Act authorizing the purchase or procuring of work labor materials or commodities to the value of one thousand dollars at any one time by cities of the first class without public advertisement for bids and in certain cases without entering into written contracts therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Allen,	Forster, I. G.,	Malie,	Runk,
Alworth,	Foster, J. D.,	Mannion,	Sassaman,
Ambler,	Gans,	Martin,	Savacool,
Aron,	Geary,	Mather,	Schuck,
Arthur,	Geiser,	Matt,	Scott, J. R. K.,
Baldwin, G. A.,	Glenn,	McAleer,	Scott, S. B.,
Baldwin, R. J.,	Good,	McClintock,	Semmens,
Barner,	Goss,	McDermott,	Shaffer, C. A.,
Bass,	Grabe,	McKay,	Shaffer, I. E.,
Becker,	Gramley,	Mechling,	Shern,
Benson,	Gransback,	Mellott,	Showalter,
Bergey,	Gray, Joseph,	Metzenbacher,	Smith, J. W.,
Bigger,	Hackett,	Miller,	Smith, L.,
Blair, W. A.,	Haggerty,	Missimer,	Snyder,
Blair, W. F.,	Heidinger,	Moore,	Spillinger,
Bleloch,	Hemminger,	Morrow,	Steedle,
Body,	Herman,	Moulthrop,	Steele,
Brosius,	Hess,	Murphy,	Stein,
Brown,	Heyburn,	Musser,	Stone,
Brownlee,	Hibshman,	Neel,	Strauss,
Caldwell,	Hobbs,	Neely,	Swartz,
Campbell, C.M.,	Hoffman,	Newbaker,	Swift,
Campbell, J. J.,	Howard, J.,	North,	Thomas,
Carson,	Howard, R.,	O'Neill,	Trach,
Carter,	Isler,	Peachey,	Ulerich,
Cleary,	Jackson,	Pennegar,	Ulman,
Conner,	Jones, J. R.,	Pennock,	Walnut,
Conrade,	Kaiser,	Perry, H. L.,	Walton,
Cox,	Kaufman,	Perry, S. J.,	Watson,
Currier,	Kennedy,	Piper,	Wettach,
Curry,	Kern,	Post,	Whitaker,
Davis,	Kitts,	Ramsey,	Whitman,
DeFrees,	Klepper,	Redfield,	Williams,
Dickinson,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Donnally,	Latshaw,	Rhoads,	Wiltbank,
Dunn, H. B.,	Leslie,	Richards,	Young, G. K.,
Dunn, J. A.,	Letzkus,	Robinson,	Young, J. H.,
Ehrhardt,	Light,	Rockwell,	Zimmerman,
Eichenberger,	Lohr,	Roney,	Alter,
Ely,	Lowers,	Rothenberger,	Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration of third reading of H. R. bill No. 984, as follows:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at each and every registration of voters held under any of the election and registration laws of this State whether it is a personal registration or otherwise and in all cities counties boroughs townships and all other districts there shall be a registration and enrollment of the voters according to their respective party preferences and affiliations

Section 2 In all election districts where personal registration is required in addition to other questions to be asked and answered and record made of the answer the voter shall be interrogated and his answer shall be recorded as to the political party with which he is affiliated and at whose next primary he desires to vote and this party preference or affiliation shall be certified with and in the same manner as all other matters of which record is made Provided however that if any voter does not desire to vote at a primary election he shall not be required to answer as to his party affiliation and in such case his party affiliation shall not be recorded

Section 3 In all election districts in which personal registration is not required and in which the registry of voters is made by assessors registers or registrars the person making the registry shall ascertain by inquiry of the voter when practicable and by the best other means in his power the party politics preferences or affiliations of the voter and note and record the same with the residence and other particulars required in registration and the same shall be returned and certified with the names of the voters

Section 4 Any elector who is dissatisfied with the registration made of his party preferences or affiliations or whose preferences and affiliations have not been ascertained designated or recorded may have the registry corrected amended altered or enlarged so as to secure a correct registration in the same manner and by the same process as are provided by law for the correction and amendment of the registry in other particulars provided that such amendments shall not be made later than ten days before any primary election at which the voter desires or intends to vote

Section 5 No voter enrolled or registered as a member of any one particular party shall be allowed to receive or

vote the ballot of any other political party and no elector who is not enrolled or registered as a member of some political party shall be permitted to vote at any primary election Provided however that if at any time the laws of this Commonwealth shall provide for the nomination of a candidate or candidates for any office or offices at non-partisan primary then and in that case every enrolled or registered qualified elector shall be entitled to receive and vote such non-partisan primary ballot in accordance with the provisions of the law authorizing and establishing such primary

Section 6 Any assessor or registrar willfully violating any of the provisions of this act or willfully registering any false statement of any elector or registering as the member of a political party one whom he knows not to be such or excluding from a party registry or enrollment any voter whom he knows to be entitled thereto shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 7 Any elector who shall willfully make any false affidavit or statement to any assessor registrar with intent to procure the false party enrollment or registration of himself or of any other voter shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 8 Any voter or elector of this Commonwealth willfully voting or attempting to vote at any primary election in violation of the provisions of this act or any election officer willfully receiving or conspiring to receive the vote of any elector casting the ballot as a voter of any political party not qualified as a member of said party under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars (100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 9 All laws or acts of Assembly inconsistent or in conflict herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that further consideration of this bill be postponed for the present, in the absence of the sponsor.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1343 (Senate Bill No. 366), entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Allen,	Forster, I. G.,	Light,	Savacool,
Alworth,	Foster, J. D.,	Lohr,	Schaeffer, A. C
Ambler,	Frey,	Malie,	Schuck,
Aron,	Gans,	Mannion,	Scott, J. R. K.,
Arthur,	Geary,	Martin,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	Mather,	Semmens,
Baldwin, R. J.,	Glenn,	Matt,	Shaffer, C. A.,
Barner,	Good,	McAleer,	Shaffer, I. E.,
Becker,	Goss,	McCaig,	Shern,
Benninger,	Grabe,	McClintock,	Showalter,
Benson,	Gramley,	McDermott,	Smith, J. W.,
Bigger,	Gransback,	McKay,	Smith, L.,
Bittles,	Gray, Joseph,	Mellott,	Snyder,
Blair, W. A.,	Hackett,	Metzenbacher,	Spillinger,
Blair, W. F.,	Haggerty,	Miller,	Steedle,
Bleloch,	Heidinger,	Missimer,	Steele,
Body,	Hemminger,	Moore,	Stein,
Brosius,	Herman,	Moulthrop,	Stone.
Brownlee,	Heyburn,	Murphy,	Strauss,
Burnett,	Hibshman,	Musser,	Swartz,
Caldwell,	Hobbs,	Neely,	Swift,
Campbell, C.M.,	Hoffman,	Newbaker,	Thomas,
Campbell, J. J.,	Howard, J.,	Newton,	Trach,
Carter,	Howard, R.,	North,	Ulerich,
Cleary,	Isler,	O'Neill,	Walnut,
Cochran,	Jackson,	Peachey,	Walsh,
Conner,	Jones, J. R.,	Pennegar,	Walton,
Conniff,	Kaiser,	Pennock,	Watson,
Conrade,	Kaufman,	Peters,	Wettach,
Cox,	Keegan,	Piper,	Whitaker,
Currier,	Kennedy,	Post,	Wildman,
Curry,	Kern,	Ramsey,	Williams,
Davis,	Kitts,	Reeser.	Wilson, J. H.,
DeFrees,	Klepper,	Rhoads	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Richards,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Robinson,	Young, G. K.,
Down,	Latshaw,	Rockwell,	Young, J. H.,
Dunn, H. B.,	Lenker,	Roney,	Zimmerman,
Dunn, J. A.,	Leslie,	Rothenberger,	Alter,
Ehrhardt,	Letzkus,	Runk,	Speaker.
Eichenberger,		Sassaman,	
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1872, entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Allen,	Fahey,	Light,	Sassaman,
Alworth,	Forster, I. G.,	Malie,	Savacool,
Ambler,	Foster, J. D.,	Mannion,	Schaeffer, A. C
Aron,	Frey,	Martin,	Schuck,
Arthur,	Gans,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Geary,	Matt,	Semmens,
Baldwin, R. J.,	Geiser,	McAleer,	Shaffer, C. A.,
Barner,	Glenn,	McArdle,	Shaffer, I. E.,
Bass,	Good,	McClintock,	Shern,
Becker,	Goss,	McDermott,	Showalter,
Benninger,	Grabe,	McKay,	Smith, J. W.,
Benson,	Gramley,	Mechling,	Smith, L.,
Bigger,	Gransback,	Mellott,	Snyder,
Bittles,	Gray, Joseph,	Metzenbacher,	Spillinger,
Blair, W. A.,	Hackett,	Miller,	Steedle,
Blair, W. F.,	Haggerty,	Moore,	Steele,
Bleloch,	Heidinger,	Morrow,	Stein,
Body,	Hemminger,	Moulthrop,	Stone.
Brosius,	Herman,	Murphy,	Swartz,
Brownlee,	Heyburn,	Musser,	Swift,
Burnett,	Hibshman,	Neel,	Thomas,
Caldwell,	Hobbs,	Neely,	Trach,
Campbell, J.J.	Howard, J.,	Newbaker,	Ulerich,
Carson,	Howard, R.,	Newton,	Walnut,
Carter,	Humes,	O'Neill,	Walsh,
Cleary,	Isler,	Peachey,	Walton,
Conner,	Jackson,	Pennegar,	Watson,
Conrade,	Jones, J. R.,	Pennock,	Wettach,
Cox,	Kaiser,	Perry, H. L.,	Whitaker,
Currier,	Kaufman,	Peters,	Whitman,
Curry,	Kennedy,	Piper,	Wildman,
Davis,	Kern,	Post,	Williams,
DeFrees,	Kitts,	Ramsey,	Wilson, J. H.,
Dickinson,	Klepper,	Reeser,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Rhoads,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Richards,	Young, G. K.
Down,	Latshaw,	Rockwell,	Young, J. H.,
Dunn, H. B.,	Lenker,	Roney,	Zimmerman,
Dunn, J. A.,	Leslie,	Rothenberger,	Alter,
Ehrhardt,	Letzkus,	Runk,	Speaker.
Eichenberger,			
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1863 (Senate Bill No. 651), entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Allen,	Fahey,	Letzkus,	Savacool,
Alworth,	Flynn,	Light,	Schaeffer, A. C
Ambler,	Forster, I. G.,	Lohr,	Schuck,
Aron,	Foster, J. D.,	Mather,	Scott, S. B.,
Arthur,	Frey,	Matt,	Semmens,
Baldwin, G. A.,	Gans,	McAleer,	Shaffer, C. A.
Baldwin, R. J.,	Geary,	McCaig,	Shaffer, I. E.,
Barner,	Geiser,	McClintock,	Sherwood,
Bass,	Glenn,	McDermott,	Showalter,
Becker,	Good,	McKay,	Smith, J. W.,
Benson,	Goss,	Mechling,	Smith, L.,
Bigger,	Grabe,	Mellott,	Snyder,
Bittles,	Gramley,	Metzenbacher,	Spillinger,
Blair, W. A.,	Gransback,	Miller,	Steedle,
Bleloch,	Gray, Joseph,	[illegible]ssimer,	Steele,
Body,	Hackett,	Moore,	Stein,
Brosius,	Haggerty	Morrow,	Stone,
Brownlee,	Heidinger,	Moulthrop,	Strauss,
Burnett,	Hemminger,	Murphy,	Swartz,
Caldwell,	Herman,	Musser,	Swift,
Campbell, C.M.,	[illegible]burn.	Neely,	Thomas,
Campbell, J. J.,	Hibshman,	Newbaker,	Trach,
Carson,	Hobbs,	Newton,	Ulerich,
Carter,	Hoffman,	O'Neill,	Walnut,
Claycomb,	Howard, J.,	Peachey,	Walsh,
Cleary,	Isler,	Pennegar,	Walton,
Cochran,	Jackson,	Pennock,	Watson,
Conner,	Jones, J. R.,	Peters,	Wettach.
Conrade,	Kaiser,	Piper,	Whitaker.
Cox,	Kaufman,	Post,	Whitman,
Currier,	Keegan.	Ramsey,	Wildman.
Curry.	Kennedy,	Redfield,	Williams,
Davis,	Kern,	Reeser,	Wilson, J. H.,
DeFrees,	Kitts,	Rhoads,	Wilson, W. H.,
Dickinson,	Klepper,	Richards,	Wiltbank,
Donahoe,	Kuhn, H. P.,	Robinson,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Rockwell,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Roney,	Zimmerman,
Dunn, J. A.,	Lenker,	Rothenberger,	Alter,
Ehrhardt,	Leslie,	Runk,	Speaker
Eichenberger,		Sassaman,	

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1621, as follows:

An Act empowering incorporated towns of this Commonwealth without petition of the property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof and assessa portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That all incorporated towns in this Commonwealth shall have power without petition of property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof which are now or may hereafter be laid out and opened in any of said incorporated towns and collect in the manner hereinafter provided two-thirds of the cost and expenses of the same from the owners of real estate bounding or abutting thereon by an equal assessment on the feet front bounding or abutting as aforesaid said assessment to be estimated by the street commissioner or person in charge of said work or other competent authority designated by the council of said work or other competent authority designated by the council of said incorporated town Provided That the ordinance authorizing and directing such improvement shall be adopted and enacted by the affirmative vote of two-thirds of all members comprising the council of said incorporated town and shall be presented to the burgess or chief executive of said incorporated town for his approval If the burgess or chief executive approve said ordinance he shall sign it but if he shall not approve he shall return it with his objections to the council at the next regular meeting thereof when said objections shall be entered at large upon the minutes and at the next succeeding regular meeting of council after the return of said ordinance the council shall proceed to a reconsideration thereof If after such consideration all of the members elected to the council shall vote to pass said ordinance it shall then become and be of as full force and effect as if the burgess or chief executive had signed it but in such case the vote of the members of the council shall be determined by yeas and nays and the names and votes of the members shall be entered in the minutes If such ordinance shall not be returned by the burgess or chief executive at the next regular meeting of council after the same shall have been presented to him it shall likewise become and be in as full force and effect as if he had signed it No such ordinance shall be finally adopted and enacted in less than thirty days from the date of its introduceian and in the mean time copies of said ordinance shall be published in a newspaper in said incorporated town or circulating therein once a week for two weeks and by at least five handbills posted along the proposed improvement ten days before the final passage in council of such ordinance

Section 2 All municipal assessments for grading paving curbing macadamizing or otherwise improving public streets or parts thereof as aforesaid shall be filed with the clerk or secretary of the incorporated town who shall thereupon cause thirty days written or printed notice to be given to each party assessed either by service on the owner or agent or left on the assessed premises that the assessments are due and payable If said assessments or any of them shall remain unpaid at the expiration of said notice the same shall be placed in the hands of the solicitor of said town for collection whose duty it shall be to collect the same together with five per centum additional as attorney's commission and interest from the completion of the grading paving curbing macadamizing or other improvement by a municipal claim filed against the delinquent owner describing the premises upon which a scire facias may issue When an owner has two or more lots against which there is an assessment for the same improvement all of said lots shall be embraced in one claim

Section 3 No assessments for grading paving curbing macadamizing or other improvement under the provisions of this act shall be a lien on real estate for more than six months from the time of the completion of such work unless a claim for the same shall be filed in the office of the prothonotary of the proper county within that time nor shall the same continue a lien longer than five years from the time of filing the claim unless revived by scire facias in the manner provided by law in the case of mechanics' claims

Section 4 Every claim shall be a plain statement in which the corporate name of the incorporate town shall be used as a plaintiff and the owner or owners named as defendants and shall contain a description of the property or properties against which it is filed the nature and kind of work done and the time when the same was completed and every claim filed shall be prima facie evidence of all matter therein set forth

Section 5 The term "owner" shall be construed to mean all individuals corporations public or private and associations having any title or interest in the property assessed If the owner to whom notice is required to be given by this act is a nonresident of the incorporated town and his her or their place of residence is unknown to the clerk or secretary of the incorporated town or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

Section 6 Where the defendant in any writ of scire facias shall be a corporation and the property assessed cannot be sold the scire facias shall be proceeded upon to judgment and a writ of fieri facias shall be issued thereon by virtue of which any personal property of the corporation wherever situated may be levied on and sold or on an attachment in execution may be issued as in other cases

On the question,

Will the House agree to the bill on third reading?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 7 All acts or parts of acts inconsistent herewith are hereby repealed.

The SPEAKER. Will the House give unanimous consent to insert the amendmet as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1370, as follows:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennslyvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and thirty-nine of the act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that

are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven which reads as follows

Section 539 In order to enable the board of school directors in all school districts of the second class to levy and assess the necessary school taxes required by such school districts each year the city clerk or other proper official shall annually on or before the first day of April in each year at the expense of the city furnish each school district of the second class for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable in each school district of the second class stating the name of each taxable the valuation description and kind of property or occupation assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each such school district of the second class' be and the same is hereby amended to read as follows

Section 539 In order to enable the board of school directors in all school districts of the second class to levy and assess the necessary school taxes required by such school district each year the city clerk or other proper official shalll annually on or before the first day of April in each year at the expense of the city furnish to each school district of the second class for its use to be retained by it a properly certified duplicate of the last adjusted valuation of all real estate personal property and occupations made taxable in such school district of the second class stating the name of each taxable the valuation description and kind of property or occupations assessed all of which real estate personal property and occupations are hereby made taxable for school purposes in each school district of the second class The properly certified duplicate herein required to be furnished each school district of the second class at the expense of the city shall consist of a bound book printed and indexed according to the form to be submitted by the secretary of the board of school directors of each of such school districts to the city clerk or other proper official on or befores the first day of January of each year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Allen,	Fahey,	Mannion,	Rothenberger,
Alworth,	Flynn,	Martin,	Sassaman,
Ambler,	Forster, I. G.,	Mather,	Savacool,
Aron,	Foster, J. D.,	Matt,	Schaeffer, A. C
Arthur,	Gans,	McAleer,	Schuck,
Baldwin, R. J.,	Geary,	McAllister,	Scott, S. B.,
Barner,	Geiser,	McArdle,	Semmens,
Bass,	Good,	McClintock,	Shaffer, C. A.,
Bayle,	Grabe,	McDermott,	Shaffer, I. E.,
Becker,	Gramley,	McKay,	Shern,
Benninger,	Gransback,	McNichol,	Sherwood,
Benson,	Gray, Joseph,	Mellott,	Showalter,
Berntheizel,	Hackett,	Metzenbacher,	Smith, J. W.,
Bigger,	Haggerty,	Miller,	Smith, L.,
Blair, W. A.,	Hemminger,	Missimer,	Spangler,
Blair, W. F.,	Herman,	Mitchell,	Spillinger,
Body,	Hess,	Moore,	Steedle,
Brosius,	Heyburn,	Murphy,	Steele,
Brown,	Hibshman,	Neel,	Stein,
Brownlee,	Hobbs,	Neely,	Stone,
Burnett,	Howard, J.,	Newbaker,	Strauss,
Caldwell,	Isler,	Newton,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	North,	Swift,
Campbell, J.J.	Irwin, H. H.,	O'Neill,	Thomas,
Carson,	Jackson,	Peachey,	Trach,
Carter,	Jones, J. R.,	Pennegar,	Ulerich,
Claycomb,	Kaiser,	Pennock,	Walnut,
Cleary,	Kaufman,	Perry, H. L.,	Walsh,
Conner,	Kennedy,	Peters,	Walton,
Conniff,	Kern,	Piper,	Watson,
Conrade,	Kitts,	Post,	Whitaker,
Cox,	Kuhn, H. P.,	Price,	Wildman,
Currier,	Kuhns, E.G.M.,	Ramsey,	Williams,
Curry,	Lanius,	Redfield,	Wilson, J. H.,
Davis,	Lenker,	Reese,	Wilson, W. H.,
DeFrees,	Leslie,	Reeser,	Wiltbank,
Dickinson,	Letzkus,	Rhoads,	Young, G. K.,
Donnally,	Light,	Richards,	Young, J. H.,
Down,	Lohr,	Robinson,	Zimmerman,
Dunn, J. A.,	Lowers,	Rockwell,	Alter,
Ehrhardt,	Malie,	Roney,	Speaker.
Eichenberger,			
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1819 (Senate No. 588), entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. ROCKWELL. Mr. Speaker, there are two bills on the floor of the House, or on the calendar, in relation to House and Senate employees, which cover the proposition that this does; therefore, I move that this bill be postponed for the present.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was not agreed to.

Mr. ROCKWELL. Mr. Speaker, the reason I moved to postpone the bill was this: That we had a committee report upon the House employees and the Senate employees; that committee so reported, and the Committee on Judiciary General took it up and has reported out two bills, one covering the House employees and one the Senate employees, and this bill would conflict with those bills. That is the reason I moved to postpone it. If the gentlemen see fit to have the bill go on and have a vote on it, I have no objection.

Mr. ALLEN. Mr. Speaker, as I recall the report of the committee which was investigating the matters in relation to the employees of the House, this is one of the offices which was highly complimented, and attention was called to the amount of work that was being done in this particular clerkship and the recommendation made that the salary be increased to, if I recall rightly, the very figure which is specified in this particular bill.

Now, Mr. Speaker, I believe that every member of this House knows that if there is one man in the employ, not only of this House, but of the State Departments, who earns his salary, it is that young man, who is covered by this clerkship and so that you may all know what the clerkship is, that young man is I. Dale Meals, who has not only to keep track of the business done in this House, but to prepare all of that work for the printer, for the Journals and for the Calendars to be made up, and everything in that line after this House has concluded its day's work. There is no question as to the merit of that clerkship to carry with it this salary and this bill, recommended as it was by the committee, which was scrupulously careful to go into the merits and demerits of the offices about the State House, has been recommended by them. This bill should receive the vote of every member on the floor of the House tonight.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Allen,	Ehrhardt,	Lohr,	Rothenberger,
Alworth,	Eichenberger,	Lowers,	Sassaman,
Ambler,	Ewing,	Malie,	Schaeffer, A. C
Aron,	Fahey,	Mannion,	Schuck,
Arthur,	Forster, I. G.,	Mather,	Shaffer, C. A.,
Baldwin, R. J.,	Foster, J. D.,	McAleer,	Shaffer, I. E.,
Barner,	Gans,	McClintock,	Shern,
Bass,	Geary,	McDermott,	Sherwood,
Bayle,	Geiser,	McNichol,	Showalter,
Becker,	Glenn,	Mechling,	Smith, J. W.,
Benninger,	Good,	Miller,	Smith, L.,
Berntheizel,	Goss,	Missimer,	Spillinger,
Bigger,	Gransback,	Moore,	Steedle,
Body,	Gray, Joseph,	Morrow,	Stein,
Burnett,	Hackett,	Murphy,	Stone,
Caldwell,	Haggerty,	Musser,	Swartz,
Campbell, C.M.,	Heidinger,	Neel,	Thomas,
Campbell, J.J.	Herman,	Neely,	Trach,
Carter,	Hess,	Newton,	Ulerich,
Claycomb,	Heyburn,	O'Neill,	Walsh,
Cleary,	Hibshman,	Pennegar,	Walton,
Conner,	Hoffman,	Pennock,	Watson,
Conniff,	Howard, J.,	Peters,	Whitaker,
Conrade,	Isler,	Piper,	Wildman,
Cox,	Jackson,	Post,	Williams,
Currier,	Kaiser,	Price,	Wilson, J. H.,
Curry,	Kaufman,	Ramsey,	Wilson, W. H.,
Davis,	Kennedy,	Redfield,	Wiltbank,
DeFrees,	Kitts,	Reese,	Young, G. K.
Dickinson,	Kuhn, H. P.,	Rhoads,	Zimmerman,
Donahoe,	Leslie,	Robinson,	Alter,
Down,	Letzkus,	Roney,	Speaker.
Dunn, H. B.,			
Dunn, J. A.,			

NAYS—7.

Baldwin, G. A.,	Carson,	Kern,	Scott, S. B.,
Brownlee,	Jones, J. R.,	Matt,	

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1798, as follows:

An Act to amend the fifth section of an act approved the fifth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the courts of common pleas and the judges of the orphans' courts" providing that the annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fifth section of the act of May fifth Anno Domini one thousand nine hundred eleven (Pamphlet Laws one hundred and eighty-two) "An act to fix the salaries of the judges of the Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the Orphans Courts which reads as follows namely

"Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be eight thousand five hundred dollars ($8,500) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying Commonwealth's civil cases be and the same is hereby amended so as to read as follows

Section 5 The annual salary of each of the judges of the courts of common pleas learned in the law in judicial districts having a population of two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) shall be ten thousand dollars ($10,000) in judicial districts having a population of ninety thousand (90,000) and less than two hundred and fifty thousand (250,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be seven thousand dollars ($7,000) in judicial districts having a population of less than ninety thousand (90,000) the annual salary of each of the judges of the courts of common pleas learned in the law shall be six thousand dollars ($6,000) but each of the judges of the court of common pleas of Dauphin County shall receive two thousand dollars ($2,000) additional for trying the Commonwealth's civil cases

On the question,

Will the House agree to the bill on third reading?

Mr. GOOD. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Luzerne, Mr. Conniff, permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, I will.

Mr. GOOD. Mr. Speaker, I would like to ask the gentleman if this bill does not increase the salaries of the judges of the Court of Common Pleas of Luzerne County from $8,500 to $10,000?

Mr. CONNIFF. Mr. Speaker, it does.

Mr. GOOD. Mr. Speaker, I would like to further interrogate the gentleman. I would like to ask the gentleman if there is any demand for this increase.

Mr. CONNIFF. Mr. Speaker, there is such a demand.

Mr. GOOD. Mr. Speaker, I would like to ask the gentleman where this demand comes from.

Mr. CONNIFF. Mr. Speaker, some of the lawyers, members of the Bar Association, have said that the increase should be made, so that the salaries of the judges throughout the State might be more uniform. In Philadelphia the judges receive a salary of $11,000 and in Pittsburgh they receive a salary of $11,000 and the judges in Luzerne County have just as much work to do as the judges in Philadelphia and Pittsburgh. We have four judges in Luzerne County, and in Philadelphia they have fifteen, while in Pittsburgh they have twelve.

Mr. GOOD. Mr. Speaker, I represent a portion of Luzerne County, and I must say to the members of this House that there is no demand for this increase from our part of the county.

Mr. DAVIS. Mr. Speaker, as this bill appears to take in Luzerne County, I would like to interrogate the gentleman from Luzerne.

The SPEAKER. Will the gentleman from Luzerne, Mr. Conniff, permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, I will.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman whether or not I am right in the statement that this bill pertains to Lackawanna County also?

Mr. CONNIFF. Mr. Speaker, it does.

BILL POSTPONED.

Mr. DAVIS. Mr. Speaker, I have not had time to read this bill, and I would therefore move that the further consideration of this bill be postponed for the present.

Mr. CONNIFF. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1722, as follows:

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three "An Act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An Act authorizng the Commonweaolth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment or viewers and inspectors and the payment of the cost of rebuilding such bridges'" and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Commissioners of Public Grounds and Buildings in contracting under the act of twenty-first of April nineteen hundred and three "An Act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges" for the rebuilding of county bridges carried away or destroyed by flood or wind storm shall not exceed in the aggregate award of such contracts the sum of seven hundred and fifty thousand dollars in any one year

Secton 2 Any corporaton person or persons who shall do or permt any act which interferes or prevents fair competition among bidders or submits a collusive bid or enters into collusion in the making or submission of bids or in obtaining the same for any such construction repairing or rebuilding shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undego an imprisonment for the term of two years or either or both at the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Allen,	Geiser,	Malie,	Runk,
Ambler,	Glenn,	Mannion,	Sassaman,
Aron,	Good,	Martin,	Savacool,
Arthur,	Gress,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Grabe,	Matt,	Schuck,
Barner,	Gransback,	McAleer,	Scott, J. R. K.
Bass,	Gray, Joseph,	McClintock,	Scott, S. B.,
Bayle,	Hackett,	McDermott,	Shaffer, C. A.,
Bigger,	Haggerty,	McKay,	Shaffer, I. E.,
Blair, W. A.,	Heidinger,	Mechling,	Shern,
Body,	Hemminger,	Metzenbacher,	Sherwood,
Brownlee,	Hess,	Miller,	Showalter,
Burnett,	Heyburn,	Missimer,	Smith, J. W.,
Caldwell,	Hibshman,	Moore,	Spillinger,
Campbell, C.M.,	Hobbs,	Morrow,	Steedle,
Campbell, J. J.,	Hoffman,	Moulthrop,	Steele,
Carson,	Howard, J.,	Murphy,	Stein,
Carter,	Isler,	Musser,	Stone,
Claycomb,	Irwin, G. C.,	Neel,	Swartz,
Cleary,	Irwin, H. H.,	Newbaker,	Thomas,
Conner,	Jackson,	Newton,	Trach,
Conniff,	Jones, J. R.,	O'Neill,	Ulerich,
Conrade,	Kaiser,	Peachey,	Ulman,
Cox,	Kaufman,	Pennegar,	Walnut,
Currier,	Kennedy,	Pennock,	Walsh,
Curry,			Walton,

Davis,	Kern,	Peters.	Watson,
DeFrees,	Kitts,	Piper,	Whitaker,
Dickinson,	Klepper,	Post,	Wildman,
Donnally,	Kuhn, H. P.,	Price,	Williams,
Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.
Ehrhardt,	Lenker,	Redfield,	Wilson, W. H
Eichenberger,	Leslie,	Reese,	Wiltbank,
Ewing,	Letzkus,	Reeser,	Young, G. K
Fahey,	Light,	Rhoads,	Zimmerman,
Forster, I. G.,	Lohr,	Roney,	Alter,
Foster, J. D.,	Lowers,	Rothenberger,	Speaker.
Gans,			

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. bill No. 1789, entitled:

An Act regulating process pleading and practice in all civil cases whether at law in equity in divorce or otherwise howsoever hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act

On the question,

Will the House agreed to the bill on third reading?

BILL RECOMMITTED.

Mr. W. H. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of a public hearing.

Mr. HACKETT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. bill No. 423, entitled:

An Act regulating the placing of earth or any other material in any creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such creek river or stream providing for the construction in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania of a retaining wall or walls along the banks of said creeks rivers or streams under the supervision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act

On the question,

Will the House agreed to the bill on third reading?

BILL POSTPONED.

Mr. POST. Mr. Speaker, at the request of the sponsor of this bill, I would ask that the further consideration of this bill be postponed for the present.

Mr. LATSHAW. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. bill No. 1148, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessments and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Allen,	Dickinson,	Kaufman,	Price,
Alworth,	Donahoe,	Kennedy,	Ramsey,
Ambler,	Down,	Kern,	Redfield,
Aron,	Dunn, J. A.,	Kitts,	Reese,
Arthur,	Ehrhardt,	Kuhn, H. P.,	Reeser,
Baldwin, G. A.,	Eichenberger,	Kuhns, E.G.M.,	Rhoads,
Baldwin, R. J.,	Ewing,	Latshaw,	Robinson,
Barner,	Fahey,	Lenker,	Sassaman,
Bass,	Forster, I. G.,	Leslie,	Schaeffer, A. C
Bayle,	Foster, J. D.,	Letzkus,	Schuck,
Benninger,	Gans,	Light,	Scott, J. R. K.,
Benson,	Geary,	Lohr,	Scott, S. B.,
Berntheizel,	Glenn,	Lowers,	Shaffer, I. E.,
Bigger,	Good,	Malie,	Shern,
Blair, W. A.,	Gramley,	Mannion,	Sherwood,
Blair, W. F.,	Gransback,	Martin,	Showalter,
Body,	Gray, Joseph,	Mather,	Smith, J. W.,
Brosius,	Hackett,	Matt,	Spillinger,
Brownlee,	Haggerty,	McAleer,	Steedle,
Burnett,	Heidinger,	McAllister,	Steele,
Caldwell,	Hemminger,	McArdle,	Stein,
Campbell, C.M.,	Herman,	McClintock,	Stone,
Campbell, J.J.	Hess,	Mechling,	Swartz,
Carter,	Heyburn,	Metzenbacher,	Thomas,
Claycomb,	Hibshman,	Moore,	Walsh,
Cleary,	Hobbs,	Murphy,	Walton,
Cochran	Hoffman,	Newbaker,	Wettach,
Conner,	Howard, J.,	Newton,	Whitaker,
Conniff,	Isler,	O'Neill,	Wildman,
Conrade,	Irwin, G. C.,	Pennegar,	Wilson, J. H.,
Cox,	Irwin, H. H.,	Pennock,	Wilson, W. H.,
Currier,	Jackson,	Peters,	Wiltbank,
Curry,	Jones, J. R.,	Piper,	Alter,
Davis,	Kaiser,	Post.	Speaker.
DeFrees,			

NAYS 8.

Carson,	Miller,	Musser,	Ulerich,
McDermott,	Morrow,	Rothenberger,	Zimmerman,

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1424, entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent neglected or delinquent children" approved the 26th day of February A D 1903 and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the Boards of Visitation

On the question,

Will the House agreed to the bill on third reading?

BILL POSTPONED.

Mr. AMBLER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ALWORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1510, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

On the question,

Will the House agreed to the bill on third reading?

BILL POSTPONED.

Mr. CLAYCOMB. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1439, entitled:

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred and extending the said compilation and publication to include all the laws of the Commonwealth of Pennsylvania enacted prior to the session of the General Assembly which began December first eighteen hundred and one and placing the supervision and direction thereof under the care of the Legislative Reference Bureau

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WALNUT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1100, entitled:

An Act extending the police power of municipalities respecting billboards signs and other outdoor advertising and concerning the licensing regulation or suppression of the same

On the question,

Will the House agree to the bill on third reading?

Mr. STEEDLE. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. WETTACH. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

The yeas and nays were required by Mr. S. B. SCOTT and Mr. WALNUT and were as follows:

YEAS—48.

Alworth,	Gramley,	Matt,	Scott, S. B.,
Baldwin, G. A.,	Gray, Joseph,	McAleer,	Semmens,
Barner,	Hemminger,	Mechling,	Showalter,
Benson,	Hibshman,	Mellott,	Smith, J. W.,
Blair, W. A.,	Hobbs,	Metzenbacher,	Steedle,
Brownlee,	Howard, J.,	Miller,	Steele,
Campbell, C.M.,	Irwin, G. C.,	Morrow,	Stein,
Carson,	Jackson,	Moulthrop,	Swift,
Carter,	Jones, J. R.,	Newton,	Thomas,
Conniff,	Kuhn, H. P.,	Pennock,	Walnut,
Down,	Leslie,	Post,	Williams,
Dunn, H. B.,	Mannion,	Reeser,	Alter, Speaker.

NAYS—57.

Allen,	DeFrees,	Irwin, H. H.,	Sassaman,
Ambler,	Donahoe,	Kitts,	Schuck,
Arthur,	Dunn, J. A.,	Lenker,	Scott, J. R. K.,
Baldwin, R. J.,	Eichenberger,	Light,	Shaffer, I. E.,
Becker,	Forster, I. G.,	Lohr,	Shern,
Benninger,	Foster, J. D.,	McDermott,	Smith, L.,
Blair, W. F.,	Gans,	Missimer,	Spillinger,
Bodv.	Geary,	Moore,	Walsh,
Campbell, J.J.	Geiser,	Musser,	Walton,
Cleary,	Good,	Newbaker,	Watson,
Cochran,	Gransback,	Peters,	Whitaker,
Conner,	Hackett,	Ramsey,	Wilson, J. H.,
Conrade,	[illegible],	Rhoads,	Wilson, W. H.,
Cox,	Heidinger,	Rothenberger,	Wiltbank,
Curry,	Heyburn,		

So the question was determined in the negative and bill not agreed to.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and (at 10:40 o'clock P. M.) the House adjourned until to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, APRIL 23, 1913. No. 54.

SENATE

WEDNESDAY, April 23, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

We come to Thee, O Lord, this morning with grateful hearts. Thy providence has once more watched over us. We come to Thee at this time praying that Thy presence shall go with us throughout this, another day. May each one of us

"Build today then strong and sure
With a firm and ample base
And ascending and secure
Shall tomorrow find its place."

Be Thou with us and grant unto us strength to do Thy will. When the setting sun shall close another day, may we hear Thy voice from the sky saying: "Thou art My Son, this day have I begotten Thee." We ask it in our Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HERBST, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. HEACOCK presented five petitions of citizens of Montgomery County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

Mr. MARTIN presented petition of citizens of Cumberland County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which was referred to Committee on Judiciary Special

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. WASBERS presented petition of Jennie Wade Council No. 68, Daughters of Liberty, favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. MARTIN presented two petitions of citizens of Cumberland County, favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

FAVORING PASSAGE OF SENATE BILL NO. 597.

The Chair presented three petitions of Ward Grange No. 600, P. of H., favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

Mr. MILLS presented petitions of Lawsville Grange No. 1455, P. of H., and Camptown Grange No. 1436, P. of H., favoring passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

Mr. CLARK presented petition of Mill Village Grange No. 131, P. of H., favoring passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

Mr. HUFFMAN presented petition of Kunkletown Grange No. 64, P. of H., favoring passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

LEAVE OF ABSENCE.

Mr. GYGER asked and obtained leave of absence for the Senator from Allegheny, Mr. Magee, for this day's session.

REPORTS FROM COMMITTEES.

Mr. JARRETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1021 (House Bill No. 1264), entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act, entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the Common Pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to ward, borough and township officers to the acknowledgments of deeds and sequestrations of life estates," approved April 14th, 1851, (Pamphlet Laws 612), and its supplements and under the act entitled "An Act to amend section one of an act, entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and approved April 8th, 1833, defining and declaring the interest that shall descend to and rest in the surviving husband or wife of such intestates," approved April 1st, 1909 (Pamphlet Laws 87) and making legal all exemptions thereunder heretofore allowed.

Mr. KNAPP, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 804 (House Bill No. 774), entitled:

An Act to repeal an act approved the 4th day of March, 1911, entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight."

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 959, entitled:

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles, excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violation of the same.

Also, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1072 (House Bill No. 1023), entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating

such funds heretofore accumulated to permit members to secure the repayment of one-half of their loan by a straight bond and mortgage for a fixed term and authorizing said association to so secure loans, authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act.

Also, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 1032 (House Bill No. 799), entitled:

An Act authorizing persons, corporations, associations and corporations to lend money and to change and receive a higher rate of interest than six per centum per annum providing for licenses for the same, imposing conditions and regulations, fixing rates of interest and charges giving to the Court of Quarter Sessions supervision of the same, regulating procedure and fixing penalties, limiting its application, declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith.

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed, Senate Bill No. 1093 (House Bill No. 285), entitled:

An Act providing for the appointment and qualifications of instructors and demonstrators in agriculture and making an appropriation for the same.

Also, from the Committee on Agriculture, reported as committed, Senate Bill No. 1029 (House Bill No. 471), entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties.

Mr. ALEXANDER, from the Committee on Agriculture, reported as committed, Senate Bill No. 993, entitled:

An Act regulating the sale or exchange of defective or diseased horses and mules and providing a penalty for violation of this act.

Mr. MILLS, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 962 (House Bill No. 1120), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one, entitled "An Act for the government of cities of the second class.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 965 (House Bill No. 1072), entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1034 (House Bill No. 967), entitled:

An Act amending article six of an act, entitled "An Act for the government of cities of the second class," approved the 7th day of March, A. D. 1901, as amended by an amendatory act approved the 1st day of April A. D. 1909, and as affected by an act, entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class," approved the 11th day of May, A. D. 1911, by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 970 (House Bill No. 1022), entitled:

A supplement to an act, entitled "An Act in relation to the laying out, opening, widening, straightening, extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth, the grading, paving, macadamizing or otherwise improving streets and alleys, providing for ascertaining the damages to private property resulting therefrom, the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages, costs and expenses thereof, including damages to private property resulting therefrom" approved the 16th day of May, A. D. 1891, empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1067, entitled:

A supplement to an act, entitled "An Act regulating the construction, maintenance, alteration and inspection of buildings and party walls in cities of the second class," approved the 7th day of June, A. D. 1895, prohibiting the construction of buildings hereafter erected, or the alteration of existing buildings to be used as places for public entertainments or amusements, on any floor except the first, unless such structures are of fire-proof construction, and have adequate facitlities for entrance and exit, and providing penalties for the violation of the same.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1015 (House Bill No. 1073), entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 971 (House Bill No. 1074), entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 973 (House Bill No. 1077), entitled:

A supplement to an act, entitled "An Act for the government of cities of the second class," approved the 7th day of March, A. D. 1901, creating and regulating a forestry department, defining its jurisdiction, providing a method for the collection of the cost of planting, removing and changing shade trees along the highways from the abutting property owners, and providing for the acquisition by said cities by purchase, condemnation of lands for certain purposes upon the recommendation of the forestry board.

Also, at the request of Mr. Moore, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1016 (House Bill No. 1156), entitled:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances.

Mr. MARTIN, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 726 (House Bill No. 642), entitled:

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon State highways and turnpikes roads in such townships.

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 899 (House Bill No. 1090), entitled:

A supplement to an act, entitled "An Act providing for the original location, laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein, making such originally constructed or improved roads and highways county roads, authorizing the relocation, opening, straightening, widening, extension and alteration of the same and the vacation of so much of any road as may thereby become unnecsary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof, providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined, providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads, authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof, prescribing a method of improving a county road lying within or traversing a borough and appointing the cost of such improvement and authorizing the vacation of any county road," approved the 11th day of May, A. D. 1911, P. L. 244, extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend

along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases.

Also, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 861, entitled:

An Act in relating to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future establish.

Mr. HEACOCK, from the Committee on Agriculture, reported as amended, Senate Bill No. 1086 (House Bill No. 1465), entitled:

An Act to amend section one of an act approved the 13th day of June, 1907, entitled "An Act to authorize county ccommissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county, providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid," as amended.

Mr. DAIX, from the Committee on Insurance, reported as amended, Senate Bill No. 890 (House Bill No. 696), entitled:

An Act providing and requiring standard provision in policies of health or accident and Health insurance issued or delivered in this Commonwealth, prohibiting discrimination in such insurance, exempting certain contracts and fixing penalties for violation of this act.

Mr. GRAFF, from the Committee on Insurance, reported as committed, Senate Bill No. 1080 (House Bill No. 1586), entitled:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority of and to refuse admission to companies associations societies or orders from any State which refuses to permit like companies, associations, societies or orders organized and operating under the laws of this State to do like business in said State and designating who may and who may not make examination of said companies, associations societies or orders and providing who shall pay the expenses of examinations of such companies associations or orders.

Also, from the Committee on Insurance, reported as committed, Senate Bill No. 1010 (House Bill No. 825), entitled:

An Act amending the first paragraph of the first section of the act, entitled "An Act defining fraternal beneficial and relief societies and their status, authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein, providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the 6th day of April, A. D. 1893, (P. L. page 7) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such instiution his beneficiary.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1105 (House Bill No. 1436), entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1099 (House Bill No. 1241), entitled:

An Act to amend an act approved the 4th day of April, 1905, entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers steam engines and apliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation."

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1082 (House Bill No. 154), entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 780, entitled:

An Act validating certain municipal assessments and claims and the liens filed therefor.

Mr. MILLER, from the Committee on Agriculture, reported as committed, Senate Bill No. 952, entitled:

An Act to amend an act, entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county argicultural exhibitions, to pay annually one thousand dollars to the incorporated argicultural association, paying premiums on argicultural exhibits, holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition; and providing for the repayment to the county by the State of the sum so paid," approved the 13th day of June, A. D. 1907.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1096 (House Bill No. 426), entitled:

An Act relating to divorce.

Mr. THOMPSON, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 598, entitled:

An Act relating to alcoholic liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell of adulterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcement thereof.

Also, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 1093 (House Bill No. 416), entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments, providing for medical examinations and reports requiring sanitary precautions and appliances and making violation of its provisions a misedemeanor and providing penalties for violation thereof.

Mr. HILTON, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 1005 (House Bill No. 1153), entitled:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia, meonatorum (inflamation of the eyes of infants) by physicians, midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations for notaries public made by His Excellency, the Governor of the Commonwealth, at yesterday's session.

BILLS INTRODUCED.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 1159, entitled:

An Act to amend an act aproved the 31st day of May, 1911, entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two deputy State Highway Commissioners, Chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes, defining their duties and the jurisdiction of a State Highway Department, and fixing salaries of Commissioner and Deputies and other appointees, providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part, requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner, providing for the payment damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except

where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads, defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township, county, borough or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State county township, borough or incorporated town and requiring contracts by counties, townships, boroughs and incorporated towns with Commonwealth governing same, providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs, providing penalty for injuring or destroying State highways, making appropriations to carry out the provisions of the act, and providing for the repeal of certain acts relating to Highway Department and improvement of roads; and of all acts or parts of acts inconsistent herewith, and providing that existing contracts are not affected by provisions of this act.

Which was committed to the Committee on Public Roads and Highways.

Mr. MCNICHOL read in his place and presented to the Chair Senate Bill No. 1160, entitled:

An Act to repeal sections 3, 4, 5, 6, 9, 12, and 14 of an act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the 19th day of June, A. D. 1891, so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relates to nomination papers, also to repeal sections 3, 4, 5, 6, 9, 11 and 12 of an act entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the 10th day of June, A. D. 1893, in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers, and also to repeal section one of an act, entitled "An Act to amend sections 3, 4, 5, 6, 9 and 14 of an act, entitled 'An Act to regulate the nomination and election of pubilc officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections,' approved the 10th day of June, A. D. 1893, by specifying how the names adopted by political parties may be protected fixing the time for filing certificates of nominations and nomination papers, limiting the number of times the names of candidates shall appear the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the 9th day of July, A. D., 1897, which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers. last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers.

Which was committed to the Committee on Elections.

Mr. SONES read in his place and presented to the Chair Senate Bill No. 1161, entitled:

An Act making an appropriation to the Trustees of the State Hospital for the Insane at Danville, Pennsylvania.

Which was committed to the Committee on Appropriations.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1162, entitled:

An Act to amend section two of the act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions"

Which was committed to the Committee on Counties and Townships.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 1163, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred and sixty-eight entitled "An Act relative to the election of Commissioners' clerk in the County of Northampton"

Which was committed to the Committee on Judiciary Special.

Mr. NULTY, by request, read in his place and presented to the Chair Senate Bill No. 1164, entitled:

An Act to amend section two of an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind of character the same may be providing remedies for the recovery of debts due by reason of such contracts and reepaling consolidating and extending existing laws in relation thereto" by providing for a lien for improvement done to land including sodding planting of trees or shrubbery of any kind and landscape gardening

Which was committed to the Committee on Judiciary General.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 1165, entitled:

An Act prohibiting the placing fixing or inserting of certain things in or on or to newspapers magazines periodicals or books without the consent of the owner or publisher and providing a penalty

Which was committed to the Committee on Judiciary Special.

Mr. THOMPSON read in his place and presented to the Chair Senate Bill No. 1166, entitled:

A Supplement to the act approved the third day of June one thousand eight hundred and ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by Act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

Which was committed to the Committee on Judiciary Special.

Mr. DAIX read in his place and presented to the Chair Senate Bill No. 1167, entitled:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate for the same office by more than one political party to prohibit election officers from receiving counting or returning any such ballot at any election upon which appears the name of any person as a candidate for the same office as the nominee of more than one political party and not to declare all such ballots void and excepting from the provisions of the act candidates for judges and associate judges of the Supreme Superior Common Pleas and Orphans' Courts and of such other courts of record as are now or hereafter may be established under the laws of this Commonwealth

Which was committed to the Committee on Elections.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

TIME OF NEXT MEETING.

Mr. CROW offered the following resolution, which was twice read, considered and agreed to:

Resolved, That when the Senate adjourns to-day it shall reconvene on Monday evening, April twenty-eighth, at nine o'clock.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. MCILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Jones,	Moore,
Beidleman,	Gerberich,	Judson,	Morgan,
Buckman,	Graff,	Kline	Nulty,
Catlin,	Gyger,	Knapp,	Powell,
Clark,	Heacock,	Kurtz,	Salus,
Crow,	Hilton,	Martin,	Sensenich,
Daix,	Homsher,	McIlhenny,	Sheatz,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Washers.

NAYS—0.

Two-thirds of all the Senators having voted "aye' the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 878, as follows:

An Act providing for the establishment of a State department of standardization and supervision of accounts requiring certain public officers and officers of corporations and institutions receiving contributions or appropriations from the State or any sub-division thereof to keep accounts and records and to make reports in the form prescribed by said department providing for the inspection by said department of the accounts of all such officers or offices defining offenses in relation thereto and providing punishment for violations of the provisions thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there shall be and there is hereby created and established a State department of standardization and supervision of accounts Said department shall be under the charge of one person who shall be known as the State examiner of accounts who shall be a skillful accountant well versed in public and municipal accounting The Governor within sixty days after the passage of this act shall appoint said State examiner by and with the consent of the Senate said examiner shall receive a salary of six thousand dollars per annum Said State examiner shall give his entire time to the performance of the duties of his office and shall hold office during good behavior He shall be subject to removal by the Governor for failure to perform the duties of his office or to carry out the provisions of this act but such removal shall only be made by the executive order entered in writing and transmitted to the Senate stating the reasons therefor

Said State examiner shall appoint a deputy State examiner for said department who shall receive a salary of three thousand five hundred dollars per annum one chief clerk for said department who shall receive a salary of two thousand five hundred dollars per annum and such other employees as shall be necessarry to effectively carry out the provisions of this act Said deputy examiner shall have like qualifications as said examiner and shall hold office during good behavior subject however to be removed by said State examiner for any failure to perform the duties imposed upon him by said State examiner or by the provisions of this act provided however that such removal shall be made only upon his written order transmitted to the Governor giving his reasons therefor

Section 2 Said department shall formulate prescribe and install a uniform system or systems of accounting and reporting in conformity with the provisions of this act which shall exhibit true accounts and detailed statements of funds collected received and expended for or on account of the public for any and every purpose whatsoever and by all public officers employees or other persons and which shall show the receipt use and disposition of all public property and the income if any derived therefrom and shall show all sources of public income and the amounts due and received from each source and shall show all receipts vouchers and other documents kept or that may be required to be kept necessary to sepearate to itself and prove the validity of every transaction and said department shall formulate all statements and reports made or required to be made for the internal administration of the office to which they pertain and all reports published or that may be required to be made or published for filing in the office of State examiner or for the information of the people regarding any and all details of the financial administration of public affairs and said department shall from time to time make and enforce such changes in the systems and forms of accounting and reporting as shall by them be deemed wise or as may become necessary in order to conform to law

Section 3 Separate accounts shall be kept for every appropriation or fund made by or accruing to the State or any municipal sub-division thereof showing date and manner of each payment made out of the funds provided for such appropriation the name address and vocation of each person firm organization corporation or association to whom paid and for what paid such name vocation and address to be embodied in and verified in all claims by law required to be filed for payment Separate accounts shall be kept for each department undertaking institution and public service industry owned or maintained wholly or partly by the State or any municipal sub-division thereof Such accounts shall show the true and entire cost of the ownership and operation thereof the amount collected annually by general or special taxation for service rendered to the public and the amount and character of the service rendered therefor and the amount collected annually from private users if any for services rendered to them and the amount and character of the service rendered therefor the accounts shall be so kept as to show profit or loss by operation

Section 4 The State examiner shall require from the proper officer of every municipality and every public office or institution as defined in section twelve hereof financial reports covering the full period of each fiscal year in accordance with the forms and methods prescribed by the State department of standardization and supervision of accounts which said reports shall be prepared certified and filed with the State examiner within sixty days after the close of each fiscal year which shall be December thirty-first of each year in all cases in which the fiscal year is not otherwise fixed by law Such reports shall contain an accurate statement in summarized form from all sources an account of all transfers of funds inter se all accounts due the public treasury but not yet collected and all disbursements and liabilities whether actual or contingent and also

(a) A statement of all income and revenues accrued and how derived and from what source and of all expenses or debts incurred whether paid or not and for what accounts and purposes the same are authorized The acounts of every public service industry owned by any municipality public office or institution to be kept on a commercial basis showing surplus or deficit

(b) A statement of all costs of ownership and operation showing any detailed units and unit costs and classified in such manner as the said State examiner shall prescribe

(c) A statement of service records and any other statistics which may be required by said State examiner

Section 5 The substance of the reports required by the provisions of this act shall be arranged by the State examiner in such form as shall indicate the comparative receipts of the various sources of revenue and the comparative costs of the several branches of government and shall be published in an annual statement of comparative statistics which shall be printed and issued at the expense of the State as a public document

Section 6 The said department shall formulate prescribe and approve the forms for reports herein required to be made and the State examiner shall annually furnish to the officers required to make reports by the provisions of this act at least ninety days before the time such reports are required to be filed with him such printed blanks and forms on which shall be indicated the information required together with suitable printed instructions for filing out the same in formulating prescribing and installing a uniform system of accounting and reporting the State examiner may employ necessary clerical assistances and one or more expert assistants at a reasonable compensation to be fixed by said State examiner concurred in by the Governor and such compensation shall be paid out of the appropriation made for said department upon vouchers certified as to correctness by the State examiner and complying in all respects with the law relating to disbursements by State officers

Section 7 It shall be the duty of the State examiner and he is given full power to examine personally or through his representatives all books records and accounts of every public office and officer and of every public institution including all State offices and State institutions On such examinations inquiry may be made as to the financial condition and resources of each municpiality or institution whether the laws of the State and the requirements of the said departments of the said department have been complied with and into the methods and accuracy of the accounts and reports of the office examined Such examinations may be made without notice The State examiner or his representatives when engaged in making any examination as provided in this act or when engaged in any official duty devolved upon them as such shall have the right to enter into any state county city or township or other public office or offices in this State or any public institution and examine any books records or accounts contained therein or belonging thereto for the purpose of making such examination

Section 8 Any public officer who shall fail or neglect to make certify and file with the State examiner any such report as is required by this act or who shall fail or neglect to follow the direction of the State examiner in keeping the accounts of his office or who shall refuse the State examiner or his representatives access to the books records and accounts or who shall in any way interfere with such examiners in the discharge of their official duties shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one thousand dollars

Section 9 It shall be the duty of all public officers and all boards commissions and institutions maintained wholly or partly by the State or any of its sub-divisions who collect fees or charges for their services or as otherwise provided by law or in the course of their official duty to keep in their respective offices a complete record of all such fees collected from any and every source whatsoever and such officers and persons shall keep a separate record of all

such fees as are payable into the public treasury and a separate record showing all fees and salaries received by any officer or person and it shall be the duty of all such officers who employ deputies assistants clerks stenographers or other employes who receive a salary fees from any source whatsoever or other compensation paid with public funds to enter in such fees and salary record the names of all such officers and persons including himself as receive any such compensation and the amount thereof from time to time as the same accrues and to show upon each record the praticulars of each item and from whom and on what account the same accrues and when the same was paid to the officer or other person and by whom paid The forms and records necessary to comply with the provisions of this section shall be devised and formulated by the said department as provided in this act and this section shall be construed to apply to all State officers State institutions State commissioners or commissions and to all county city borough township and school officers in this State

Section 10 It shall be the duty of any officer or person effected by the provisions of this act who collects or receives fines or forfeitures to keep a separate and complete record in like manner as that provided in section nine hereof and any public officer who shall violate any of the provisions of sections nine and ten of this act shall be guilty of misdemeanor and upon conviction thereof shall be subject to a fine not exceeding one thousand dollars

Section 11 The officers provided for by this act shall each give bond for the faithful performance of his duties as follows The State Examiner in the sum of ten thousand dollars and the deputy examiner in the sum of five thousand dollars to be approved by the Governor

Section 12 The term "municipality" as used in this act shall be construed to extend to include and mean any county city borough township or school district in this State The term "public office" as used in this act shall be construed to extend to include and mean the office of any and every person who for or on behalf of the State or any municipality holds receives disburses or keeps the accounts of the receipts and disbursements of any public funds The term "public officer" as used in this act shall be construed to extend to include and mean any person who holds receives disburses or is required by law to keep any account the examination and supervision of which is provided for in this act The term "public institution" as used in this act shall be construed to extend to include and mean any institution or public service industry maintained in whole or in part at public expense or supported in whole or in part by appropriations or public funds or by taxation The term "public service industries" as used in this act shall be construed to extend to include and mean any and all public service industries owned either directly by the municipality or to the support of which the municipality contributes from public funds or the capital stock of which the municipality may be the owner of any part or the bonds of which may be owned or guaranteed by the municipality

Section 13 If any person shall give or offer to any State examiner deputy examiner clerk or other employee of said department any money gift emolument compensation or thing of value in order to influence the action of such examiner or other person in any matter pending in said department or in the matter of the examination of any public account or for the purpose of preventing or delaying the examination of any public account or for the purpose of influencing the action of such examiner or other person in framing changing withholding or delaying any report of any examination of any public account he shall upon conviction thereof be subject to a fine not exceeding one thousand dollars and to imprisonment for a period not exceeding one year or both or either and any State examiner deputy examiner clerk or other employee of said department who shall receive or solicit any money gift emolument compensation or thing of value for the purpose of being influenced in any matter pending in said department or in the matter of the examination of any public account or for the purpose of being influenced to change delay or withhold any report of the examination of any public account shall upon conviction thereof be subject to a fine not exceeding five thousand dollars and to imprisonment for a period not exceeding five years or both or either For the purpose of this section the term "public account" shall be construed to extend to include and mean any account the examination of which is provided for in this act

Section 14 The uniform system of accounting and reporting and inspection provided therefor shall be installed as far as possible in all the offices referred to in this act at the beginning of the next fiscal year subsequent to the taking effect of this act

Section 15 It is hereby made the duty of the various officers of the State and its institutions and municipalities to adopt and use the books forms records and systems of accounting and reporting that shall be prescribed by the said department when directed so to do by said department and all forms books and records necessary thereto shall be purchased by said officers and in the manner now provided by law Any officer or person who shall refuse to provide such books forms or records or who shall fail or refuse to use them or who shall fail or refuse to keep the accounts of his office as directed by said department as provided herein shall be guilty of a misdemeanor and upon conviction shall be fined not less than one hundred dollars ($100.00) and shall forfeit and be removed from such office

Section 16 All laws and parts of laws inconsistent with this act be and the same are hereby repealed provided that the provisions of this act shall not be construed to relieve any officer of any duties now required by law of him with relation to the auditing of public accounts or the disbursements of public funds but the provisions of the act shall be construed to be supplemental to all existing provisions of law safeguarding the care and disbursement of public funds

Section 17 Said department shall have a seal which shall be devised by said State examiner and shall be approved by the Governor Such seal shall be renewed from time to time as necessary A description of the seal with an impression thereof and a certificate of approval of the Governor shall be filed in the office of the Secretary of the Commonwealth All official documents or reports issued by the State examiner shall be authenticated by said seal

Section 18 It shall be the duty of the proper State officers to furnish adequate and suitable quarters for said department in the State capital For the payment of salaries of all officers and employees herein provided and such other expenses as may be necessary for effectively carrying out the provisions of this act the sum of fifty thousand dollars or so much thereof as may be necessary is hereby appropriated for said department from moneys of the State not otherwise appropriated

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gerberich,	Kline,	Salus,
Buckman,	Graff,	Knapp,	Sensenich,
Catlin,	Gyger,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Thompson,
Daix,	Huffman,	McNichol,	
Endsley,	Hunter,	Mills,	
Farley,	Jarrett,	Moore,	

NAYS—3.

Judson, Powell, Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 10, as follows:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by restricting the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayors of the several cities of the Commonwealth may and are hereby authorized to appoint such numbers of competent persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with reference to weights and measures Provided That the county inspectors of weights and measures shall have no authority to inspect weights and measures in cities or to execute the laws of the Commonwealth in regard to the same or the ordinances of municipalities as they apply to cities within limits of their respective counties Neither shall the city inspectors have any jurisdiction outside of their respective cities

The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriations directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowances for expenses shall be paid by appropriations made from the respective city treasuries" is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That the several boards of county commissioners and the mayors of cities of the second and third class shall appoint one or more competent persons as inspectors of weights and measures whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county and city In addition to the salary provided by law the said county and city inspectors shall be entitled to have and receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the boards of county commisisoners of their respective counties on bills itemized and properly sworn to Provided however that nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commisioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards A county and city inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority jurisdiction and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of such county and city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf

Section 2 That section two of said act which reads as follows

"Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Alairs and approved by the Governor of the Commonwealth

The inspector shall take charge of and safely keep the standard Where not otherwise provided by law the inspectors shall have the power within their respective jurisdictions to inspect test try and ascertain if they are correct all weights scales beams measures of every kind instruments or mechanical devices for measurment and the tools appliances or accessories connected with any or all such instruments or measurments used or employed within the city by any proprietor agent lessee or employe in determining the size quantity extent area or measurement of quantity things produce articles for distribution or consumption offered or submitted by any person or persons for sale for hire or award He may for the purpose above mentioned and in the general performance of his duty enter or go into or upon and without formal warrant any stand place building or premises or may stop any vendor peddler junk-dealer coal wagon ice-wagon or any dealer whatsoever for the purposes of making proper tests Whenever the sealer finds a violation of the statute relating to weights and measures he may seize without warrant such weights measures or balances as may be necessary to be used as evidence in case of violation of the law relative to the sealing of weights and measures and they shall be held until otherwise directed by the court" is amended to read as follows

Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbore referred to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of prosecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecution was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold and seal the same if found to be correct Such test shall include all appliances connected or used with such intsruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise directed by the proper court

Section 3 That section three of said act which reads as follows

"Section 3 Whoever himself or by his servant or agent or as the servant or agent of another person is guilty of giving false or insufficient weight or measure shall for the first offense be punished by a fine of not more than fifty dollars for a second offense by a fine of two hundred dollars and for a subsequent offense by a fine of one hundred dollars and by imprisonment for not less than thirty nor more than ninety days at the discretion of the court

It shall be unlawful for any inspectir to use and tsts on standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon a conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court" is amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall be guilty of a misdemeanor Upon conviction thereof such person shall for the first offense be sentenced to pay a fine not to exceed one hundred dollars for the second and each subsequent offense such person shall be sentenced to pay a fine of not more than five hundred dollars and to undergo an imprisonment in the proper county jail for not less than thirty nor more than ninety days In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

Section 4 All acts or parts of acts general local or special inconsistent with any of the provisions of this act are hereby repealed

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I ask unanimous consent to amend Section 1, line 63, by striking out the words "of cities of the second and third class" and inserting in lieu thereof the words "as the case may be."

The PRESIDENT. Is there objection?

Mr. SALUS. Mr. President, I object to this amendment and I hope that the Senate will not agree to the amendment. This amendment will place the bill back as I understand it in the position that it has been for two years past and make the bill worthless so far as the City of Philadelphia is concerned.

The PRESIDENT. The Chair hears objection.

And the question recurring,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I move that the Senate reconsider the vote by which this bill passed second reading.

Mr. HEACOCK. Mr. President, I second the motion.

The motion was not agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. HEACOCK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. McILHENNY. Mr. President, The reason I ask that this bill be amended is this. All of my motions have been made for this purpose. There has been an unseemly scramble in the city of Philadelphia over a lot of petty offices and it is between the Mayor and the County Commissioners. The City of Philadelphia elected a Mayor not in harmony with some men in Philadelphia and in a very unrepublican and undemocratic way they are now trying to take away the power of the man who was elected to that office of Mayor and the right to appoint certain sealers of weights and measures. Now because the Mayor does not suit their political complexion they want to put this in the hands of the county commissioners. The whole fight is petty and small and this bill ought not to be changed from its original condition and the amendment I am making is only to put this bill back in the same form.

Mr. McNICHOL. Mr. President, I do not think that the Senator means in the statement he made exactly the fact that the Republican members are trying to harass or take away from the mayor anything he now has. This matter was in the hands of Mayor Blankenburg for the last seventeen months, sixteen or seventeen, and he has failed to make any appointments by reason of the power given to him by the act passed some four years ago. On the other hand the members of this Senate from Philadelphia, instead of taking away from the Mayor, have been passing bills without any dissension whatever among the eight representatives from that city giving to the Mayor unlimited power in the creation of a department that means employment of hundreds of men and if we have such ugly and petty dispositions as the Senator from Philadelphia would have the members of this Senate believe we certainly would oppose those bills, but this is a mere matter as he says of a trifling nature. It was passed by the House practically with an overwhelming vote and refers to some twelve or fifteen appointments of sealers of weights and measures. In the office of the county commissioners with a reform member of that body the question of a few appointments does not enter so far as I am concerned into the matter but for the purpose of having these sealers appointed and going about their work of protecting the people in having them given proper weight in the purchase of goods, which are now sold regardless of any law and receiving the worst end of it from the dealer that is serving them and I trust the Senate will not consider this amendment or this proposition to postpone at this time.

Mr. McILHENNY. Mr. President, I must correct the statement of the Senator from Philadelphia that this bill passed the House. It is a Senate Bill and as it was introduced by the Senator from Lebanon, Mr. Gerberich it left the law as it now is in the appointment of these sealers and after the bill was reported out of the Committee the Senator from Philadelphia, Mr. Salus amended it to take out of the hands of mayors of cities of the first class only the right to appoint sealers and put it into the hands of the County Commissioners. It made a distinction between the mayors of the three kinds of cities without any reason. It was a case of making flesh of one and fish of another. The mayor has not appointed these sealers in Philadelphia because there has been a difference of opinion as to whether he had the power or the County Commissioners, and the amendment that I have offered this morning leaves no doubt about that because it says County Commissioners in counties shall have the right, mayors in cities shall have the right, whether it is a city or county. If this amendment I have offered be adopted there will be no doubt at all about who has the right. I have received this morning a letter from the Mayor of Philadelphia which reads in part:

"It simply means the appointment of sealers of weights and measures by men who have no interest whatever in the case, without regard to civil service requirements and it is a political move in every sense. If you can do anything to prevent the enacting of this measure into a law in the Senate, I shall appreciate it very much."

The whole thing is petty and is meanly done to give a few small jobs into the hands of County Commissioners the right to appoint and takes away from the Mayors of cities of the first class the right that is given the Mayors of cities of the second and third classes. The bill is a bad bill as it now stands and should not pass. I only ask that this bill go over in order that amendments may be properly prepared. from Philadelphia can be just as readily reversed and

Mr. SALUS. Mr. President, The argument of the Senator turned back on the mayor of Philadelphia as it can on anybody else. If it is so arranged as he says, that certain parties will appoint, then if we pass his amendment and adopt his view certain other parties will appoint, so there is nothing in it either one way or the other but a political question, if his argument is correct. I represent a district one ward of which in every house for blocks are small store keepers. Competition is so sharp that the storekeepers in order to compete with one another are manipulating the scales and it is these store keepers and not the people that want this bill passed. For over a year or nearly two years nothing has been done. This is an important piece of legislation, it is an important piece of legislation for the people of Philadelphia, or any other big city, and I hope the Senate will not postpone this question.

Mr. McILHENNY. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Salus.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus permit himself to be interrogated?

Mr. SALUS. Mr. President, Yes, sir.

Mr. McILHENNY. Mr. President, Why in his amendment did the Senator from Philadelphia provide that mayors of cities of the second and third class could appoint and eliminate the only mayor of a city of the first class.

Mr. SALUS. Mr. President, because of the fact that many members of the Senate have stated to me that there is extreme harmony between the mayors and Boards of County Commissioners in the other cities. That does not exist in Philadelphia and Mayor Blankenburg would not appoint anybody that we would suggest and has not appointed anybody that he could suggest himself. And the reason I think that he is not appointing them now is that he does not know where he can get the money to run the city on. He does not even want to pay the ones who are now working and giving the city their service. The mayor needs money and he does not know where to get it. We will have to get some good Republicans to teach him how to get it.

Mr. McILHENNY. Mr. President, This amendment of mine will clear up the situation that Senator Salus seems to think exists now. There will be no question as to who has the right to appoint these sealers. In cities the mayor shall do it, in counties the County Commissioners shall do it. The Mayor of Philadelphia is giving an administration without politics and he has not discharged the men in the city hall who have been giving good service there.

Mr. HUFFMAN. Mr. President, I do not know as I am especially interested in this, but this bill in section one reads that the several boards of County Commissioners and the mayors of cities of the second and third class shall appoint one or more competent persons. Now I do not understand what that means, whether the County Commissioners shall make the appointments or whether the Mayors. It reads that the County Commissioners and the Mayor shall appoint and I do not think it is expressing the object of either side.

Mr. POWELL. Mr. President, Under that provision in Allegheny County we will have a board of four trying to make appointments, and they will split two and two and we will have the same situation Philadelphia has now. There is a ten to one chance against them. Therefore I will have to oppose this bill. I favor the motion to put it over.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. McILHENNY and Mr. POWELL and were as follows, viz:

YEAS—14.

Fisher,	Huffman,	Kurtz,	Sensenich,
Heacock,	Jarrett,	McIlhenny,	Wasbers,
Herbst,	Judson,	Miller	
Hilton,	Knapp,	Powell,	

NAYS—23.

Beidleman,	Endsley,	Jones,	Salus,
Buckman,	Farley,	Kline,	Sheatz,
Catlin,	Gerberich,	Martin,	Snyder,
Cooper,	Graff,	McNichol,	Thompson,
Crow,	Homsher,	Morgan,	Vare,
Dalx,	Hunter,	Nulty,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the bill?

Mr. POWELL. Mr. President, I did not know that this bill was on the third reading calendar until a few minutes ago, and I certainly would ask every Senator here to vote "No" on this bill. It will create exactly the same conditions in Allegheny County that Philadelphia County wants to get rid of, and I am opposed to the bill for that reason. It creates a joint board of county commissioners and the mayor of cities of the second class to appoint these sealers of weights and measures, and they will tie up on that proposition nine times out of ten, and I am opposed to the bill. It is a vicious measure and it is purely for the purpose of giving certain people in Philadelphia a chance to harass its mayor and this Legislature ought not to be a party to that proposition. Of course, I am very sorry to see the division between the two Senators who yesterday were standpatters, and I regret very much that there is a division between them. but on this occasion I must take the part of the Senator from Philadelphia, Mr. McIlhenny, because this is surely a vicious bill.

Mr. McNICHOL. Mr. President, the Senator from Allegheny has stated what is not true. The Senators from Philadelphia do not support this bill for the purpose of antagonizing or harrassing the mayor because in a matter of twelve or thirteen thousand appointments it is stretching the imagination to a considerable limit to say that eight or ten appointments would do that. This bill is merely a matter of adjusting conditions that have been upon the statute books of the State of Pennsylvania for the last four years. The mayor who preceded the present mayor failed to act upon it; Mayor Blenkenburg failed to act for seventeen months. As I said before, it is only a matter of putting it in other hands that will make the appointments and give the people of Philadelphia the relief they are after.

Mr. GERBERICH. Mr. President, I object to some of the remarks made by the Senator from Allegheny. I am the author of this bill, that is. I am standing for it, and I do say that I did not present this by any coercion or request from Philadelphia or Allegheny or anywhere else. I presented this bill for the purpose of giving the common people what belongs to them, a quart for a quart, a pound for a pound, a bushel for a bushel. So far as the appointing power is concerned I do not care who does that, only so it is done right. I rise to make this statement because the Senator from Allegheny, Mr. Powell, intended or really said that this was gotten up for a special purpose. That special purpose is to give the common people what belongs to them.

Mr. NULTY. I just want to add my word of approvel here. At the last session I was one of the men here that struggled and fought here to have this bill passed and for the past seventeen months we have been without these sealers of weights and measures, inspectors. At the Democratic Convention at Harrisburg I was the man who wrote in the platform or had it injected that this matter would be investigated in the State of Pennsylvania. After the investigation went on in New York City by the Congressional Committee it was shown that the fast scales had robbed the City of New York to exceed ten million dollars over the savings of first class bonds of the City of New York, and I am in favor of this bill being passed for the purpose of having these men shown at once that the people must have what is coming to them and what belongs to them.

Mr. VARE. Mr. President. I would like to add a few words to what has already been said in favor of this bill. If the present mayor had seventeen months to make appointments and did not make them, what guaranty have we that he will make them now if he has the opportunity so to do? I would therefore suggest and think that this Senate ought to pass the bill in the present shape and put it in the hands of those who will carry it into effect.

Mr. POWELL. Mr. President, I have no objection to this bill, but I have been very seriously misunderstood and misquoted by the Senator from Philadelphia, Mr. McNichol, and the Senator from Lebanon. Mr. Gerberich. I did not say that this bill was introduced for this special purpose but I say that the provision for this method of appointment is for that special purpose, and that is the objection I have to the bill. I am for the bill, but I am for a bill which would not create in Allegheny County the condition which Philadelphia is now trying to get rid of, and it is Philadelphia's business to control its own mayor. It is not the business of this Legislature to go ahead and enact legislation for Philadelphia every time they fall down on the election of a mayor, and it will not be the business next session when somebody else will win when they will be pressing up here a large number of bills which will affect other cities and other counties and want to change it back again. We are continuously wasting the people's money passing legislation for the City of Philadelphia. Now let us amend this bill so that it will apply to Philadelphia. Then I do not care, but I am not going along with this bill which provides that four men shall make appointments in Allegheny because everybody knows that a board of four men is a nonsensical board to make appointments.

Mr. SHEATZ. Mr. President, in looking at the broad view of what this bill represents I want to say to the members of this Senate that I have but one object in view when I vote for the passage of this bill and for its final passage, and that is for the people of Philadelphia to have a set of men who absolutely will take care of the scales and see that a fair weight is given to the citizens of Philadelphia. We have been waiting for this bill for at least two years and the time is at an end when we should have men in a position to give the people honest weight in Philadelphia, and that this General Assembly should take it into their own hands. I shall vote for the bill for the protction of the citizens of Philadelphia, and there is no politics in it so far as I am concerned, and believe. I think Mr. Ryan and I did as much as any two men in Philadelphia to elect Mr. Blankenburg as mayor and I am not antagonizing Mayor Blankenburg, but I am going to stand for the people of Philadelphia.

Mr. McILHENNY. Mr. President, the Senator from Philadelphia, Mr. Sheatz, seems to fail to realize that the bill we had before this was not workable. The amendment which I offered to the bill makes no question as to who shall have the appointing power. My reason is not to give a few jobs to the mayor; he does not want them. If he wanted some jobs he could remove five thousand men and put five thousand others in their places. But this bill as amended, not as drawn by the Senator from Lebanon, but as amended. will merely give a little pap to the county commissioners of Philadelphia which they ought not to have.

Mr. CLARK. Mr. President, I do not fully understand the terms of this bill. The Act of 1911 provides that the appointing power shall be placed in the Board of County Commissioners and the mayor of the several cities, not any one class, but of the several cities. I understand that the object of the bill is the object as stated by the Senator from Lebanon, a quart for a quart. We are all agreed that we want a quart for a quart, but when it comes to the appointing power in cities of the second and third classes it seems to me that we are somewhat confused by the terms of this bill. The Senators from Philadelphia do not object to what appointing powers exist in cities of the second and third classes; they do not care anything about that. What they want is to have it fixed in the City of Philadelphia. Very well, we will agree to go along with them as far as Philadelphia is concerned, but where it says in this bill "that the several boards of county commissioners and the mayors of cities of second and third classes shall appoint one or more competent persons as inspectors of weights and measures whose salaries shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county and city," in what department are they to be paid out of the revenues of the city and county, and are the three county commissioners and the mayor of a city to appoint one inspector for the whole county. or one inspector for the city? The language is somewhat involved.

Mr. SALUS. Mr. President, let the Senator from Erie, Mr. Clark, read on.

Mr. CLARK. Mr. President, I have read enough of it, "respective revenues of such county and city. In addition to the salary provided by law the said county and city inspector shall be entitled to have and receive the actual expenses incurred by them," and those expenses shall be paid by the county commissioners. I would like to have it go over. I am not opposed to it. I understand that the Act

of 1911 has this same obscurity in it. It provides for the appointment by the county commissioners and the mayor and it seems to me that is not good.

Mr. JARRETT. Mr. President, I would like to interrogate the Senator from Erie, Mr. Clark.

The PRESIDENT. Will the Senator from Erie, Mr. Clark, allow himself to be interrogated?

Mr. CLARK. Mr. President, I will.

Mr. JARRETT. Mr. President, I understand the Senator from Erie, Mr. Clark, to say that this bill takes in cities of the third class.

Mr. CLARK. Mr. President, certainly it does. It provides on page three, the enacting part, "Be it enacted, etc., that the several boards of county commissioners and the mayors of cities of the second and third class shall appoint," etc.

Mr. JARRETT. Mr. President, if this bill covers cities of the third class, I am opposed to it. As far as cities of the first and second classes are concerned I would support it, but as it covers cities of the third class. I am opposed to the bill.

Mr. KNAPP. Mr. President, do I understand from the discussion that this bill applies to cities of the third class? and that they are to be appointed by the mayor and the county commissioners? If it does not apply to cities of the third class I am for it. I would like to interrogate the Senator from Erie. Mr. Clark.

The PRESIDENT. Will the Senator from Erie, Mr. Clark, permit himself to be interrogated?

Mr. CLARK. Mr. President, I will.

Mr. KNAPP. Mr. President, does this bill apply to cities of the third class?

Mr. CLARK. Mr. President, it does.

And the question recurring,

Will the Senate agree to the bill?

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Endsley,	Hilton,	Morgan,
Beidleman,	Farley,	Homsher,	Nulty,
Buckman,	Fisher,	Hunter,	Salus,
Catlin,	Gerberich,	Jones,	Sensenich,
Clark,	Graff,	Kline,	Sheatz,
Cooper,	Gyger,	Kurtz,	Snyder,
Crow,	Hall,	Martin,	Thompson,
Daix,	Herbst,	McNichol,	Vare,

NAYS—9.

Heacock,	Judson,	Moore,	Moore,
Jarrett,	Knapp,	McIlhenny,	Powell,
		Miller,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REASON FOR VOTE.

Mr. CLARK. Mr. President, I desire to vote upon this measure. My only object in making the remarks which I did was to take out of the act that appointing power lodged in the county commissioners and the mayor so far as cities of the third class are concerned. I am not opposed to the passage of the bill, and as the same obscurity exists in the Act of 1911 and is carried into this bill I will vote "aye."

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 220, entitled:

An Act making an appropriation to the General Braddock Memorial Park Association of Fayette County

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Hall,	Knapp,	Salus,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Herbst,	Martin,	Sheatz,
Crow,	Hilton,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
Endsley,	Huffman,	Miller	Thompson,
Farley,	Hunter,	Mills,	Vare,
Fisher,	Jarrett,	Moore,	Wasbers.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

BILL OVER IN ORDER.

Mr. McILHENNY. Mr. President, I ask that Senate Bill No. 264, on third reading, entitled:

An Act to amend an act entitled "An Act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilots and pilotages in the bay and river Delaware in the board of commissioners of navigation for the river Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the board of commissioners of navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witnesses at any hearing or inquiry to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 683 (House Bill No. 745), entitled:

An Act authorizing the creation division and consolidation of wards and a reapportionment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 719 (House Bill No. 53), as follows:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Cold Storage Act of one thousand nine hundred and thirteen"

Section 2 The term "cold storage" as used in this act shall mean the storage of food at or below a temperature of forty degrees Fahrenheit in a cold storage warehouse

Section 3 The term "cold storage warehouse" as used in this act shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration or a place otherwise artificially cooled in which articles of food are stored for thirty (30) days or more at a temperature of forty degrees Fahrenheit or under

Section 4 The term "food" as used in this act shall mean the fresh flesh of animals and fresh products therefrom the fresh flesh of fowls fresh food fish eggs and butter which have been stored in a cold storage warehouse

Section 5 The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton crate firkin hogshead jar jug keg stopper vessel wrapper frozen bulk or any similar or analogous utensil receptacle band or wrapper in which food may be kept stored sold or offered for sale

Section 6 The word "marked" as used in this act shall be taken to mean written printed stamped or painted or any other means whereby words or figures may be indicated in or on a container or on any cover attached thereto

Section 7 The term "wholesome" as used in this act shall mean fit for human food

Section 8 No person firm or corporation shall operate a cold storage warehouse without a license issued by the Department of Agriculture through its agent the Dairy and Food Commissioner Such license shall be issued only on written application stating the location of such warehouse Upon receipt of the application said Dairy and Food Commissioner shall cause an examination to be made into the sanitary conditions of such warehouse If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage the Dairy and Food Commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage warehouse during the period of one year from the date of such license No license shall be issued until the applicant therefor shall have paid to the Dairy and Food Commissioner the sum of fifty dollars ($50.00) A license shall be required for each separate warehouse building

Section 9 Whenever any warehouse licensed under the provisions of this act or any portion of such warehouse shall be deemed by the Dairy and Food Commissioner to be in an unsanitary condition it shall be the duty of the Dairy and Food Commissioner to cause such warehouse or portion thereof to be closed until it shall be put in a sanitary condition If such changes be not made within a reasonable time the Dairy and Food Commissioner may suspend or revoke the license granted for the operation of such warehouse It shall be unlawful for any person firm or corporation to operate any such warehouse or portion thereof when the same shall be closed by order of the Dairy and Food Commissioner

Section 10 It shall be the duty of every person firm or corporation that shall be licensed to operate a cold storage warehouse to keep an accurate record of the receipts and withdrawals of food therefrom The agents of the Dairy and Food Commissioner shall have free access to such records at all times It shall be the duty of each person firm or corporation licensed to operate a cold storage warehouse to file in the office of the Dairy and Food Commissioner on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Dairy and Food Commissioner If in the judgment of the Dairy and Food Commissioner it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required said Dairy and Food Commissioner may cause such reports to be filed in accordance herewith

Section 11 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food

Section 12 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse any slaughtered animals or parts thereof unless the entrails and other offensive parts have been first properly removed

Section 13 It shall be the duty of the Dairy and Food Commissioner to cause to be made a careful inspection of all cold storage foods with a view to determining whether the same are wholesome Such inspection shall be made where such food is stored and each package of such food so inspected shall bear the marks stamps or other devise for identification provided for in this section

It shall be the duty of the Dairy and Food Commissioner to make such rules and regulations as he may deem proper relating to such inspection and supervision and to the cold storage of food and otherwise to secure the proper enforcement of this act Duly authorized agents of the Dairy and Food Commissioner may at any reasonable time enter such warehouse and inspect the same

Section 14 All food when deposited in cold storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses If such food be not in a container such marking shall be on such food or on a tag or label securely and permanently attached thereto

Such food or the container thereof shall have marked plainly thereon the date of withdrawal of such food from such warehouses The marking of food in accordance with the terms of this section shall be under such regulations as may be prescribed by the Dairy and Food Commissioner

Section 15 It shall be unlawful for any person firm or corporation or any agent thereof to sell or offer or expose for sale or have in possession with intent to sell at wholesale any food which is not marked and distinguished on the outside of each container in a conspicuous place by a placard with the words "wholesome cold storage food" printed thereon such placard to be placed in a conspicuous position in full view of the purchaser and the said words "wholesome cold storage food" on such placard shall be printed in plain uncondensed gothic letters not less than one-half (½) in in length and in addition to all such food shall be marked with the date when it is placed in any such cold storage warehouse and with the date when it is withdrawn from such cold storage warehouse

There shall also be displayed upon every open container containing such food in the same manner in a conspicuous position a placard with the words "wholesome cold storage food" printed thereon in the same form as above described in this section and when such food is sold from such container or otherwise at retail before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "wholesome cold storage food" printed or stamped thereon in letters one-fourth (¼) inch square and such wrapper shall also contain the date of first placing such food in cold storage and the said words "wholesome cold storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed but shall be in plain view of the purchaser at the time of the purchase

Section 16 No person firm or corporation shall sell offer or expose for sale any of the herein named foods which shall have been held for a longer period of time than herein specified in a cold storage warehouse or warehouses to wit Whole carcasses of beef or any parts thereof four (4) months Whole carcasses of pork or any parts thereof six (6) months Whole carcasses of sheep or any parts thereof six (6) months Whole carcasses of lamb or any parts thereof six (6) months Whole carcasses of veal or any parts thereof three (3) months dressed fowl drawn five (5) months dressed fowl undrawn eight (8) months eggs eight (8) months butter nine (9) months and fish nine (9) months

Section 17 After food has been withdrawn from a cold storage warehouse for the purpose of placing it on the market for sale it shall be unlawful for any person firm or corporation to return such food or any portion thereof to such warehouse or any other similar warehouse Subject to such regulations as shall be prescribed by the Dairy and Food Commissioner food may be transferred from one cold storage warehouse to another provided that the total length of time such food shall remain in cold storage for the purpose of sale shall not exceed the time specified in section sixteen (16) of this act

Section 18 No food shall be sold or offered or exposed for sale in this State which shall have been placed or stored in any cold storage warehouse outside of this State unless it first shall have been marked as provided for in section fifteen (15) of this act Provided however that no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section sixteen (16) of this act

Section 19 It shall be unlawful for any person firm or corporation to mark or cause to be marked any container of food with a mark or marks other than those required by this act to be marked on such food or container It shall be unlawful for any person firm or corporation to change or cause to be changed any mark or marks on any food or container after such mark or marks have been placed thereon Provided That nothing in this section shall apply to the marking of such container with the name and address of the owner thereof

Section 20 Nothing in this act shall be construed to prohibit the shipping consigning or transporting of fresh food in properly refrigerated cars within this State to points of destination nor when received to prohibit the same being held in a cooling room for a period of forty-eight (48) hours and provided further that nothing in this act shall be construed to prohibit the keeping of fresh food in ice-boxes or refrigerators in retail stores while the same is offered or exposed for sale

Section 21 It shall be the duty of the Department of Agriculture through its Dairy and Food Commissioner to enforce all of the provisions of this act and to make all rules and regulations not otherwise herein provided necessary for the enforcement of the same but any citizen of the Commonwealth having knowledge or information of the violation of any of the provisions of this act may in the name of the Commonwealth begin a suit for penalty or prosecution for misdemeanor in accordance with the provisions of this act and may prosecute to final judgment any such suit or prosecution giving notice in writing however to the Dairy and Food Commissioner of the commencement of such suit or prosecution immediately upon the commencement of the same stating the nature of the proceeding and the magistrate before whom commenced and shall in like manner report to the Dairy and Food Commissioner each successive step taken in such suit or prosecution

Section 22 That all license fees and fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth in accordance with the provisions of this act

Section 23 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offensse to pay a fine not exceeding five hundred dollars ($500.00) and for the second and each subsequent offense such person firm or corporation shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.00) and in addition thereto such person or the members of such firm or the officers of such corporation as the case may be with guilty knowledge of the fact may be sentenced to undergo imprisonment in the jail of the proper county for a period of not less than thirty (30) nor more than ninety (90) days or both at the discretion of the court

Section 24 All acts and parts of acts inconsistent with the provisions of this act are repealed

Section 25 This law shall take effect ninety (90) days after its final passage

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 791, on third reading, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 838 (House Bill No. 409), entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. KNAPP. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. ALEXANDER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 964 (House Bill No. 1471), entitled:

An Act providing that no self-playing piano orchestrion or other mechanically operated musical instrument shall be played operated or permitted in any hotel tavern inn saloon restaurant moving picture parlor dancing hall or other place frequented by the public unless a license fee of five dollars per annum expiring on December thirty-first of the year in which such license fee is paid shall be paid for each and every one thereof to the State Board of Censors of Moving Pictures for the use and benefit of the Commonwealth for which the person paying such license fee shall receive a certificate and which said certificate shall be conspicuously displayed on such self-playing piano orchestrion or other mechanically operated musical instrument and providing a penalty for the violation of this act

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 968 (House No. 106), entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Kline	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Herbst,	Martin,	Sheatz,
Clark,	Hilton,	McIlhenny,	Snyder,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Huffman,	Miller,	Thompson,
Daix,	Hunter,	Mills,	Vare,
Endsley,	Jarrett,	Moore,	Wasbers,
Farley,	Jones,	Morgan,	Gerberich,
Fisher,	Judson,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 995, entitled:

An Act prohibiting the offering or giving of premiums by any person partnership or corporation licensed to sell vinuous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinuous spirituous malt or brewed liquors and providing a penalty for the violation thereof

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Endsley,	Jarrett,	Moore,
Beidleman,	Farley,	Jones,	Sensenich,
Buckman,	Fisher,	Judson,	Snyder,
Catlin,	Graff,	Kline,	Thompson,
Clark,	Gyger,	Knapp,	Vare,
Cooper,	Heacock,	Martin,	Wasbers,
Crow,	Hilton,	McIlhenny,	Gerberich,
Daix,	Homsher,	McNichol,	Pres. pro tem.
DeWitt,	Hunter,	Mills,	

NAYS—2.

Miller, Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate bill No. 1168, entitled:

An Act to provide for a survey of Militia Hill and Fort Hill as a site for a public park with an approach thereto from Philadelphia and to make an appropriation therefor

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEE.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1145, entitled:

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1146, entitled:

An Act to amend an act approved the twentieth day of June one thousand nine hundred and one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by extending to August first the date for the payment of taxes

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1147, entitled:

An Act requiring the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 928, entitled:

An Act to fix and determine the salary of the several court clerks of the courts of common pleas of the County of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth

Mr. THOMPSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1166, entitled:

A Supplement to an act approved the third day of June one thousand eight hundred and ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by Act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as amended, Senate Bill No. 1059, entitled:

An Act authorizing courts of common pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to restrict the lien thereof to a part only of the real estate of such defendant or defendants

BILL INTRODUCED.

Mr. MORGAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 1169, entitled:

An Act regulating the signing and recording of all instruments in writing intended to be recorded

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. DEWITT. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DeWITT, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 992, entitled:

An Act providing for the re-charter of building and loan associations or companies after expiration of their charter and for the taking over of all of the property and assets by the re-chartered corporation

Mr. HUFFMAN, from the Committee on Judiciary Gensent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN, fro mthe Committee on Judiciary General, reported as amended, Senate Bill No. 1019 (House Bill 1242), entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

Mr. VARE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1013 (House Bill No. 1025), entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 470 (House Bill No. 132), entitled:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 749, entitled:

An Act amending an act approved March twenty-first one thousand nine hundred and seven entitled "An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day" so as to include camps of the Spanish War Veterans

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 1009 (House Bill No. 734), on third reading, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game gamequadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse quail and wild water fowl

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 1033 (House Bill No. 960), on third reading, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

be recommitted to the Committee on Education for a hearing.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President. I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 747, entitled:

An Act creating a board of managers to have control of the institutions for the care and treatment of the insane and the house of employment and support of the poor in certain counties prescribing their powers and duties and abolishing the office of director of the poor in said counties

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1163, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred and sixty-eight entitled "An Act relative to the election of commissioner's clerk in the County of Northampton"

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1169, entitled:

An Act regulating the signing and recording of all instruments in writing intended to be recorded

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 1045, on third reading, entitled:

An Act creating in counties having a population from three hundred thousand to one million four hundred thousand a board to fix and determine the number and compensation of employes in all county offices boards bureaus departments and divisions thereof prescribing the powers and duties of said board and regulating appeals from the decision thereof

go over in its order.

Mr. POWELL. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. POWELL. Mr. President, I move that the bill be recommitted to the Committee on Municipal Affairs.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1050, entitled:

A joint resolution providing for the appointment of a commission to investigate into the cause of mine accidents in the anthracite coal regions of the Commonwealth of Pennnsylvania authorizing the commission to conduct experiments and tests and to enter mines fixing the compensation of the members of the commission and making an appropriation to carry into effect the provisions of this resolution

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Fisher,	Judson,	Nulty,
Beidleman	Graff,	Kline,	Powell,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,	Kurtz,	Sensenich,
Clark,	Heacock,	Martin,	Snyder,
Crow,	Herbst,	McNichol,	Sones,
Daix,	Hilton,	Miller,	Thompson,
DeWitt,	Homsher,	Mills,	Vare,
Endsley,	Huffman,	Moore,	Washers
Farley,	Jones,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. KNAPP. Mr. President, I ask that Senate Bill No. 1056 (House Bill No. 1445), on third reading, entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1132 (House No. 1382), entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Beidleman,	Gyger,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Herbst,	Martin,	Sensenich,
Crow,	Hilton,	McNichol,	Snyder,
Daix,	Homsher,	Miller,	Sones,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Vare,
Farley,	Judson,	Morgan,	Washers.
Fisher,	Kline	Nulty,	Gerberich, Pres. pro tem.
Graff,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1135 (House Bill 1631), as follows:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-nine one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

Whereas, Prior to one thousand nine hundred three upon a broad construction of the word "districts" contained in the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred seventy-four, entitled, "An Act to provide for the incorporation and regulation of certain corporations" and its supplements and amendments the Governor of the Commonwealth issued letters patent or charters incorporating a number of electric light companies for the purpose of supplying electricity for heat, light and power in districts comprising continguous municipalities or townships; and

Whereas, Some of these companies so incorporated relying upon the validity of charters so issued have established light plants and pole lines and have entered upon the business of supplying electricity for light, heat or power or any or all of them in municipalities or townships named in their respective charters; and

Whereas, Doubt has arisen concerning the validity of charters so issued; now, therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That whenever any charter heretofore issued by the Governor of the Commonwealth to a corporation purports to authorize such corporation to manufacture distribute or sell electricity for heat light or power or any of them in a territory comprising two or more municipalities or townships of a municipality or municipalities and a township or townships and whenever such corporation having accepted said charter has heretofore established a plant for the manufacture or erected pole lines for the distribution of electricity in one or more of the municipalities or townships named in said charter such charter shall be and hereby is validated and confirmed as and for the municipalities or townships in which said plant or pole lines have been established and erected so that said charter shall have the same force and legal effect as if it had originally been lawfully granted for the respective municipalities or townships in which the corporation has heretofore actually operated Provided however That any corporation company or association before deriving the benefits of this act shall by a majority vote of its stockholders at any regular or special meeting accept the provisions of this act and file in the office of the Secretary of the Commonwealth a certificate under the seal of the company setting forth the date of such acceptance whereupon the Governor shall issue his Letters Patent validating confirming and creating said company or association as a corporation in deed and in law with full force and effect as if said company or association had been originally lawfully incorporated

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, I move that the question together with the further consideration of the bill, be postponed for the present.

Mr. CATLIN. I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1137 (House Bill 645), as follows:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto or June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a a Bureau of Biulding Inspection and to regulate the construcion maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "place of amusement or dramatic or theatrical or operatic or vaudeville performance circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudeville performances or tragedies or comedies or farces or for the exhibition of trained animals or contests of personal skill or of circuses or menageries or museums or wild west shows or any performance or act for the amusement of the public but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any buildings tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or any performance or act for the amusement of the public until and unless an annual license or licenses for the building or buildings tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance or contest shall have first been had and obtained from the city or county treasurer of the city or county (borough or township) in which said buildings tents enclosure or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irespective of the number of chairs or seating capacity in such places of amusement buildings tents or enclosures the sum of five hundred dollars ($500)

In cities of the second class where such places of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such places of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet or floor or ground space as an equivalent

Section 4 The annual license for any places of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of either or all exhibiting in any building tent or enclosure other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or stereopticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances or contests of personal skill or in the performance of some act for the amusement of the public and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of one hundred and fifty dollars ($150) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) Whereby the owner or lessee thereof shall be permitted to give exhibitions or performances in any city county or borough of the State

Section 6 The city or county treasurer of any city or county (borough or township) where such places of amusement buildings or tents or enclosures are situated shall upon receipt of the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer (of any city borough or township)

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid The term City Treasurer as used in this act refers only to the Treasurer of the City co-extensive with the County

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer of the cities (boroughs or townships) for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclusures in which the same are to be held upon the certificate of the director of public safety of the cities of the first class or of the proper municipal officer of the cities of the second and third class boroughs or townships setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances or contests intended to be given are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a "place of amusement" or as a "movxing picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre"

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the applicants who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the amount of chairs in such place of amusement building tent or enclosure or the number of cars which transports any circus trained animals menagerie or wild west show Every applicant shall be required to sign and make oath or affirmation as to the correctness thereof

If a false oath shall be made by any person to such application the one so swearing shall be guilty of the crime of perjury and shall be punished as such

Section 9 It shall be the duty of each applicant to fill up the blank as provided as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

If any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess him or it with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assesment when so made shall be

final and conclusive and without appeal and the applicant so assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement buildings tents or enclosures and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclosure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license money to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right of appeal to the mercantile appraisers and city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser and city or county treasurer or board of mercantile appraisers he they or it shall have the right to appeal to the Court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relieved upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer or the Mercantile Appraiser or Board of Mercantile Appraisers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shall upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers he shall not thereafter be permitted in a suit for the recovery of said license to set up a defence either that he is not subject to the payment of the license so assessed against or any other ground of defense which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer to sue for the recovery of all licenses duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July of each and every year within thirty days after that date provided however if said city or county treasurer is saistfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said taxes and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July on each and every year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such person a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county Treasurer the correct list of all persons assessed giving the names and business address of the persons liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting the fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer of the cities (boroughs or townships) after hearing all parties under oath or affirmation which he is hereby empowered to administer it shall be proven that the exhibition performances or contests given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annul and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer of the cities (boroughs or townships) shall have full power to prevent any exhibition performance entertainment or contest from being held exhibited or performed until the provisions of this act have been fully complied with

Section 16 The Department of Public Safety of the cities of the first class or the proper municipal officers of the cities of the second and third class boroughs or townships shall have full power to inquire into any immoral tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment or contest and shall further if said charges are proven (after notice to all the parties in interest) to be true forbid such exhibitions performance entertainments or contests and for that purpose shall have full power to direct the proper officers to close the said places of amusement building of buildings tents or enclosures in which said exhibitions performances entertainments or contests are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings or building tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer or the director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclousures shall have the right to appeal in writing to the Court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear the person or persons aggrieved and determine the character of the applicant nature of the exhibition or performance and whether such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do and perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city or borough or township of this Commonwealth

Section 19 The act of June eighth Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act to supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine' shall be held not to apply to places of amusement buildings tents or enclosures which have been erected constructed or altered and now in actual use as a moving picture places where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a "moving picture place"

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment or contest as herein provided in any city borough or township of this Commonwealth without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offense a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open and such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the said license year to wit May first of each year

And that such license when granted shall not be transferred to any person or any other building tent or enclosure during the year for which it is granted except that it may be transferred to the lawful representatives of any deceased licensee or purchaser at any insolvent or bankrupt sale for the remainder of the term of any calendar year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies

duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character as amended by the act approved May twenty-third one thousand nine hundred and seven entitled "An Act to amend the first section of an act entitled 'An Act to provide for the licensing of buildings ad other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character providing that in cities of the first class the owner or owners or lessee or lessees of a building the capacity of which is less than three hundred persons shall pay thirty dollars ($30.00) and as further amended by the act approved May eleventh one thousand nine hundred and eleven entitled "An Act to amend the first section of an act entitled 'An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting intents and enclosures of like character" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as amended by an act approved the twenty-third day of May Anno Domini one thousand nine hundred and seven providing that "in cities of the second class the owner or owners or lessee or lessees of a building the seating capacity of which does not exceed one thousand persons nor is less than four hundred persons shall pay an annual license of seventy-five dollars and where the seating capacity is less than four hundred persons shall pay thirty dollars" together with any other amendments thereof or thereto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Farley,	Kline,	Nulty,
Beidleman,	Graff,	Knapp,	Powell,
Buckman,	Gyger,	[illegible]	Salus,
Catlin,	Homsher,	Martin,	Snyder,
Crow,	Hunter,	McNichol,	Thompson,
Daix,	Jones,	Moore,	Wasbers,
Endsley,	Judson,	Morgan,	Gerberich, Pres. pro tem.

NAYS—3.

Herbst,	Mills,	Sensenich,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

SENATE BILL NO. 386 RETURNED WITH AMENDMENTS.

The Chair cleared his table and laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 386, entitled:

An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. HERBST. I move that Rule 21, which requires that amended bills be noted on the Calendar, be in this case dispensed with and that the Senate proceed to the consideration of the amendments made by the House to the foregoing bill.

Mr. HALL. Mr. President, I second the motion.

The motion was agreed to.

Said amendments were twice read and printed as required by the Constitution, as follows:

In the title, line 2, by striking out the words "county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships," and inserting in lieu thereof the words "an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations."

Also by striking out everything after the word "that," in line 3, section 1, as follows: "It shall be lawful for the supervisors of townships of the second class of any county to form a county organization for the purpose of meeting annually to consider and discuss plans for the betterment of the roads of such county It shall be the duty of each such supervisor to attend the annual meeting of such organization for which he shall be entitled to receive from the funds of the proper township compensation at the rate of one dollar and fifty cents ($1.50) per diem together with circular mileage at the rate of three cents (3c) per mile Such compensation shall not be paid for more than two days at any annual meeting The meetings shall be held at the county seat of the county." And inserting in lieu thereof the following: "The formation of county associations of township supervisors commissiiners and other persons officially charged with the construction and maintenance of the public roads or streets is hereby authorized such associations to hold annual or semi-annual conventions at the county seats of the respective counties or some other suitable place within the county for the purpose of considering and discussing questions and subjects pertaining to the best methods for the construction improvement and maintenance of the public highways and bridges.

Section 2 It shall be the duty of supervisors of townships of the second class and commissioners of townships of the first class in each county in this Commonwealth to attend such conventions whenever possible and each township supervisors or commissioner attending such convention shall receive a certificate attesting his presence at said convention signed by the presiding officer and acting secretary of the convention which certificate shall entitle him to collect from the treasurer of the board of suprevisors or commissioners of their respective townships for their necessary expenses the sum of two dollars per day for each day's attendance and mileage at the rate of three cents per mile traveled to be computed by the route usually traveled from his place of residence to the place where the convention is held Provided however That no township supervisor or commissioner shall be paid for more than two days attendance in any one year

Section 3 The officers of the association shall consist of a president two vice-presidents a secretary and a treasurer all of whom except the secretary shall be members of the associations and shall hold office for one year or until their successors are chosen If desirable the secretary may be a person not a regular member of the association and may receive for his services such compensation not to exceed ten dollars per annum as the other officers may determine Every township supervisor and commissioner attending such convention shall have the right to vote in the election of said officers The mayor of any city the burgess of any borough or their duly appointed representative the county commissioners and the judges of the court in the county the assistant engineer and the superintendent of highways of the State Highway Department in charge of such county shall be eligible to membership and to hold office but shall not be entitled to a vote

Section 4 The county treasurer shall pay to the treasurer of such association from the county funds the necessary expenses incurred for the holding of such annual or semi-annual convention including the necessary expenses of the secretary The total sum thus paid by the treasurer of any county shall not exceed one hundred and twenty-five dollars a year Provided That no payment shall be made to the treasurer of such association until he shall first have presented to the county treasurer an itemized statement of such expenses verified by affidavit Within thirty days after every such convention the treasurer of such association shall file with the county treasurer an itemized statement under oath showing when and where such convention was held the number of township supervisors and commisioners present and all the expenses connected with such convention together with proper vouchers for all such expenses

Section 5 It shall be the duty of the State Highway Commissioner or his representative so far as their other duties permit to assist in the formation of the aforesaid associations and to be present or represented at their conventions

On the question,

Will the Senate concur in the same?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Fisher,	Kline,	Powell,
Buckman,	Graff,	Knapp,	Salus,
Catlin,	Gyger,	Kurtz,	Sensenich,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hilton,	McNichol,	Sones,
Crow,	Homsher,	Miller,	Thompson,
Daix,	Huffman,	Mills,	Wasbers,
DeWitt,	Hunter,	Moore,	Gerberich,
Endsley,	Jones,	Morgan,	Pres. pro tem.
Farley,	Judson,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 50.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 50, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties of the violation thereof providng revenue to establish and maintain the same and the method of collecting such rtvenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by providing for the education of certain blind children under eight years of age

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 583.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 583, entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 644.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

with the information that the House has passed the same without amendment.

REPORT FROM COMMITTEE.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 961 (House Bill No. 1490) entitled:

An Act regulating the appointment confirmation duties salary and expenses of county detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

HOUSE CONCURS IN SENATE BILL NO. 366.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 366, entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing a penalty for violation thereof

with the information that the House has passed the same without amendments.

HOUSE CONCURS IN SENATE BILL NO. 651.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 651, entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Fairview Wayne county

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 588.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 588, entitled:

An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives

with the information that the House has passed the same without amendment.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 787.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 787, entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred nine

On the question,

Will the Senate insist on the amendments non-concured in by the House.

Mr SALUS. Mr. President, I move that the vote by which House Bill No. 787 passed finally be reconsidered.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SALUS. Mr. President, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SONES. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SALUS. Mr. President, I ask unanimous consent to amend section 1, line 35, by inserting after the word "after" the word "brought"; also in line 37 by striking out the word "of" where it occurs the second time and inserting in lieu thereof the word "in."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 523 (House Bill No. 280) entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth.

BILL INTRODUCED.

Mr. ENDSLEY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ENDSLEY read in his place and presented to the Chair Senate Bill No. 1170, entitled:

An Act refunding to Frank Bolger, ex-treasurer of Bedford County, certain moneys by him erroneously paid into the State Treasury.

Which was committed to the Committee on Appropriations.

RESOLUTION FOR APPOINTMENT OF COMMITTEE TO ARRANGE FOR TESTIMONAL TO HONORABLE ARCHIBALD W. POWELL.

Mr. McNICHOL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL offered the following resolution, which was twice read, considered and agreed to:

Whereas, The Honorable Archibald W. Powell of Allegheny County, Senator from the Forty-fourth District, having been elected by the people in November last to the high position of Auditor General of the Commonwealth is about to resign from the Senate to assume his new duties on Tuesday, May sixth; therefore, be it

Resolved, That in appreciation of Senaor Powell and his services in this body, the President pro tempore be authorized to appoint a committee of five members of the Senate, which is hereby instructed to prepare suitable resolutions and arrange for an appropriae testimonial, expresive of the sentiments of the Senate toward our retiring colleage, which shall be presented to him at such time as the Committee may designate

REPORTS FROM COMMITTEES.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 958, entitled:

An Act to relieve from the payment of mercantile license corporations, joint-stock associations and limited partnerships doing busines as wholesale or retail distributors or vendors of merchandise who pay to the Commonwealth a tax upon their capital stock.

Mr. JONES. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT Is there objection? The Chair hears none.

Mr. JONES, from the Committee on Public Health and Sanitation, reported, as amended, Senate Bill No. 5, entitled:

An Act relating to food, defining food, providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure, prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof.

Also, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 7, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture, sale, offering for sale, exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 679 (House Bill No. 512), entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITED.

Mr. CROW. Mr. President, I move that Senate Bill No. 679 (House Bill No. 512), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Mr. KNAPP. Mr. President, I move that Senate Bill No. 682 (House Bill No. 650), on second reading, entitled:

An Act fixing a close season for quail and providing a penalty for violation of this act

be recommitted to the Committee on Agriculture for further consideration.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 826, as follows:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers and duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twelfth section of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" which reads as follows

"Section 12 It shall not be lawful for any township supervisor to be interested either directly or indirectly in any work done except as provided for in this act any purchase made or contract relating to roads and bridges nor to furnish any materials therefor Any person knowingly violating the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to be imprisoned for a term not exceeding six months both or either at the discretion of the court" is hereby amended so as to read

Section 12 It shall not be lawful for any township supervisor to be interested either directly or indirectly in any work done except as provided for in this act any purchase made or contract relating to roads and bridges nor to furnish any material therefor except stone gravel and earth and these at a price to be fixed by the township auditors Any person knowingly violating the provisions of this section shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to be imprisoned for a term not exceeding six months both or either at the discretion of the court

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 827, entitled:

A supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who as-

sist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations established for the purpose of preventing forest fires

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forestry is hereby authorized to enter into co-operative agreements with local forest fire associations within this Commonwealth for the prevention and suppression of forest fires and is hereby authorized to expend from its general forest fire appropriation for this purpose a sum of money equal in amount to the amount which shall be expended by each local association for the same purpose and which expenditure shall be made in the employment of proper persons to patrol such lands during those danger seasons of the year known as the forest fire seasons and for such period of time each season as in the judgment of the local association and the Department it is necessary or expedient to maintain such regular patrol and under such terms and conditions made with such local associations as in the judgment of said department will produce the best and most satisfactory results in the prevention and suppression of forest fires

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend the first section by striking out the entire section and inserting in lieu thereof the following:

Section 1. The Department of Forestry shall co-operate with local forest fire protective associations for the prevention and suppression of forest fires, and to that end is directed to expend out of any moneys appropriated for the prevention or suppression of fires such sums as may be required by this act until the fund shall be exhausted. A regular system of fire patrol shall be established in such districts where owners of land shall unite for mutual protection against forest fires, and shall agree to contribute to a common fund at least one-half cent per acre of land to be protected. In each township in such district at least three patrolmen shall be appointed, who shall patrol during two months in the spring and two months in the fall, commonly called the fire seasons. Such time shall be determined in such instance by the Commissioner of Forestry and the local association. Each patrolmen shall be paid by the Department of Forestry, as herein above provided, the sum of twenty-five dollars ($25.00) per month during the months of such regular patrol.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The second section of the bill was read as follows:

Section 2 Every such local forest protective association shall render to the Department of Forestry at the end of each calendar year a report showing the number of acres of land comprised within the activities of the association the amount of money raised by assessment or other means which has been expended during the year for which the report is rendered and also a statement of the amount which the association expects to raise for carrying on its work during the year next ensuing in order that the department may know and provide in advance what means will be required of it to meet the obligations of any co-operative agreement into which it may have entered with such association And in case it should so happen that no appropriation shall be made by the Legislature for forest fire and protective work at any future time all such co-operative agreements subsisting at that time shall be construed as being suspended during such interval for which no appropriation is made

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend the second section in line 1, by inserting after the word "forest" the word "fire;" also by striking out in line 6, after the word "rendered" the balance of the section, and inserting in lieu thereof the following words: "and shall also report any general results of the work that the Commissioner of Forestry may desire."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows, and agreed to:

Section 3 The fire seasons hereinabove mentioned shall not be construed by reasons of the act to which this act is a supplement as being limited to the periods of time stated in the eighteenth section thereof

Mr. HUFFMAN. Mr. President, I move to amend by adding a new section to be known as section 4, as follows:

Section 4. When any group of land owners desire to organize themselves into a mutual forest fire protective association they shall promptly notify the Commissioner of Forestry of their intent. He shall thereupon report the amount of moneys still available in the fund appropriated for the prevention and suppression of forest fires.

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

The preamble of the bill was read as follows:

Whereas, The question of forest fires and their suppression has become a serious problem within this Commonwealth the losses therefrom amounting to large sums of money every year which losses ought to be prevented by adequate legislative authority and assistance and

Whereas, Local associations for the prevention and suppression of forest fires have been established in different parts of the Commonwealth composed of owners of land with timber growing thereon whose lands are every year subjected to the menace of forest fires and

Whereas, It is desirable that the Department of Forestry co-operative with such associations and render assistance to them in accomplishing to the best advantage the work which they are established to do Therefore

On the question,

Will the Senate agree to the preamble?

Mr. HUFFMAN. Mr. President, I move to amend the preamble, in line 3, by striking out the word "every" and inserting in lieu thereof the word "each"; also in line 9, by striking out the word "every" and inserting in lieu thereof the word "each".

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment

It was agreed to.

On the question,

Will the Senate agree to the preamble as amended?

It was agreed to.

The title of the bill was read as follows:

A Supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations established for the purpose of preventing forest fires

On the question,

Will the Senate agree to the title?

Mr. HUFFMAN. Mr. President, I move to amend the title by adding at the end thereof the following: "and providing for and regulating a local fire patrol and the compensation thereof."

Mr. MILLER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 837 (House Bill No. 296), entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 841 (House Bill No. 701), entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

The first, second, third, fourth, fifth, sixth, seventh, eighth, and ninth sections of the bill were read as follows and agreed to,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough or incorporated town who shall be known as commissioners of Water Works

Section 2 Any borough or incorporated town within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any incorporated town or borough as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarly expended in the performance of their duty

Section 4 It shall be the duty of the commissioners of water works in each borough or incorporated town of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough or incorporated town Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough or incorporated town if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand one hundred and twenty-three entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough or incorporated town within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds' They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and matrials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough or incorporated town of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough or incorporated town for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

The tenth section of the bill was read as follows:

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough or incorporated town and the penalties imposed be collected in the same manner as penalties imposed by incorporated town or borough ordinances are now by law collected

On the question,

Will the Senate agree to the section?

Mr. SNYDER. Mr. President, I move to amend the tenth section, in line 3, by striking out the words "by incorporated" and inserting in lieu thereof the words "thereby shall".

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eleventh section of the bill was read as follows and agreed to:

Section 11 Whenever two or more boroughs or any borough and township having united in the construction or acquisition and maintenance of water works or hereafter uniting for the purpose of constructing or acquiring and maintaining water works desire to avail themselves of the provisions of this act the councils of such boroughs and the commissioners or supervisors of such townships shall by joint action after ordinance or resolution duly passed apply to the court of common pleas of the proper county for the appointment of a commission of water works in accordance with this act Said commission shall be composed of citizens of each of said boroughs and townships so uniting

The twelfth section of the bill was read as follows:

Section 12 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough or incorporated town until the authorities thereof shall by appropriate ordinance accept the provisions of this act

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend the twelfth section by adding at the end thereof the following: Provided always however that nothing herein to the contrary notwithstanding the act of Assembly entitled "An act authorizing the creating of water works in the borough of Sewickley by commissioners and the issue of borough bonds and the levy of a special water tax," approved February, 21, 1873, P. L. 147, shall in no wise be affected or repealed by this act.

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to..

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of Commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 909, as follows:

An Act to authorize the display of the State county city borough or other municipal flags on public buildings in the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That after the approval of this act it shall be lawful to display the flag of Pennsylvania on any public building in this Commonwealth

Section 2 That after the approval of this act it shall be lawful to display the flag of any county city borough or other municipality in the State on the public buildings of any county city borough or other municipality of the State

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 918 (House Bill No. 962), entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecutor in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 920 (House Bill No. 1145), entitled:

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 976 (House Bill No. 1321), entitled:

An Act providing that whenever hereafter is any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 988, as follows:

An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That there shall be no hunting or shooting on the first day of the week called Sunday and any person offending against the provisions of this section shall be liable to a penalty of twenty-five dollars ($25.00) for each and every offense

Section 2 The time during which game of this Commonwealth may be legally taken killed caught or trapped shall be known as the open season and the time during which game may not be legally taken killed caught or trapped shall be known as the closed season for game in this Commonwealth and in the designation of seasons and other periods under this act and under all other laws of this State for the protection of game such open season or period shall include the first day of date mentioned in the designation but shall not include the last date mentioned unless otherwise provided for

Section 3 Whenever in this act the word "person" is used such word shall be taken to include every person firm partnership institution association or corporation or the agent or agents thereof All words or terms in this act which refer to persons or individuals and which are in the singular number shall be taken to include the plural number and the words of the plural number shall include the singular number All words of a masculine gender shall be taken to include the feminine gender

Section 4 Whenever because of a violation of any provision of this act a person shall be convicted for a first offense and a penalty be imposed and the defendant shall neglect or refuse to immediately pay said amount together with the costs of prosecution in lawful money of the United States he shall be at once committed to the common jail of the county for a period of one day for each dollar of penalty imposed unless he shall enter into good and sufficient recognizance to pay said penalty and costs within a period of ten days after the date of his said conviction or shall certiorori the proceedings or shall carry the case to a higher court on appeal as provided for in this act For the second or any other offense the defendant shall in addition to the penalty prescribed for the first offense suffer an imprisonment of one day in jail for each dollar of penalty imposed Provided That in every case of a conviction for violation of any provision of this act wherein a defendant suffers imprisonment in lieu of a cash payment of the penalty imposed all traps guns shooting paraphernalia boats decoys and other appliances used in violation of the law and found or proven to have been either in possession or under control of the defendant at the time of such violation shall be and they are hereby declared forfeited to the Commonwealth of Pennsylvania and shall be sold under the direction of the Board of Game Commissioners and the money thus secured be applied by them first to the payment of the costs incurred and the balance be deposited with the State Treasurer for the use of the Commonwealth The defendant being entitled to a credit of one day off his imprisonment for each dollar so deposited for the first offense only

Section 5 The following shall be considered game-birds in this Commonwealth the Anatidae commonly known as swan geese brant and river and sea-ducks and the Pygopodes known as loons and grebes—the members of these two orders being commonly known as wild water fowl—the Rallidae commonly known as rails coots mud-hens and gallinules the Limicolate commonly known as shore-birds plovers surf-birds snipe woodcoks sand-pipers tattlers and curlews the Gallinae commonly known as wild-turkeys grouse pheasants partridges and quail and the birds known as dove reed birds and blackbirds

Section 6 The game laws of this Commonwealth shall not be construed to apply to any public zoological garden of the State or to any public institution of the State wherein animals or birds may be maintained alive for educational purposes or for the purpose of scientific study or experiment or to the Board of Game Commissioners of this State or to its duly authorized agents or agents acting for the State Each and every person desiring to practice taxidermy for profit within this Commonwealth shall before beginning such practice secure from the secretary of the Board of Game Commissioners of this State a certificate authorizing him to act thus and the possession of such certificate shall authorize such person to receive from persons who have legally taken the same within the Commonwealth the skin or any part thereof of any birds or animal found within the Commonwealth and to tan or cure or mount the same either himself or through any legitimate employe and to tan or cure or mount the skin or any part thereof of any game-bird or game-animal legally killed by himself or given to him by anyone who has legally killed the same and to sell such mounted specimens Provided The holder of certificate authorizing the practice of taxidermy shall be required in a book kept for that purpose only to keep a true record of all the skins or parts thereof of any birds or animals received by him to tan cure or mount or sold by him or through any legitimate employe under the provisions of his certificate with the name and residence of the person from whom the same was received or sold to and the date thereof Such book shall be submitted to any duly authorized person connected with the Game Department for examination whenever called upon Said applicant shall pay to the Game Commissioner one dollar ($1.00) for such certificate Such certificate shall be in force for one year from the date thereof and shall not be transferable

Section 7 A certificate to be known as a propagating certificate shall be issued by the Board of Game Commissioners to any accredited person of this Commonwealth of the age of twenty-one years or upwards This certificate shall bear a number approved by the Game Department permitting the

holder thereof and his assistants to breed or raise game-quadrupeds or game-birds of any kind in this Commonwealth both or either and to sell the same alive for propagating purposes or to sell the dead bodies for profit under the following restrictions and regualtions Any person or corporation or association desiring to operate a propagating preserve for game in this Commonwealth shall file with the secretary of the Board of Game Commissioners at Harrisburg a petition asking for this privilege In all cases where the premises intended to be used for this purpose are under the control of a company or association the petition shall bear the name of the president of such body and four disinterested persons and the certificate shall be issued in his name This petition shall be accompanied by a written description of the premises to be used for such purpose with its location Which said premises for the purpose of this act in the matter of the raising of small game may be in such form as to the operator thereof seems best suited to his purposes But in the matter of the raising of deer or other large game the preserve shall in all cases be surrounded by a wide fence of approved patterns for game preserves with a height of not less than eight feet so constructed and maintained as to absolutely prevent wild deer from jumping into said preserve or in any manner passing into said preserve from the outside It being also distinctly understood that before the fence surrounding any preserve of this character shall be completed or closed all wild deer that may be found upon said territory be as far as possible driven therefrom by the owner of such lands under the direction and supervision of an officer of the Game Commission

The certificate herein provided for shall be transferable only at the discretion and under conditions that may be prescribed by the Board of Game Commissioners The bond hereinafter provided for shall be forfeited to the Commonwealth and the certificate to become void upon the conviction of the principal therein named of having violated any of the provisions of this section

Upon notification of the favorable consideration of this petition by the Board of Game Commissioners the applicant shall pay to said secretary for the use of the Commonwealth the sum of one dollar ($1.00) and file a duly executed bond properly secured in the sum of five hundred dollars ($500.00) conditioned for the faithful keeping upon the part of the principal therein named and his employes upon said premises of all of the provisions of this section and all other game laws of this State He shall keep as nearly as possible a just and true account in a book to be kept for that purpose only of all game raised on said premises a just and true account of all game brought to said premises from outside of the preserve the number of birds or animals with the time they were received the place from whence they were shipped and the name of the shipper He shall keep a strict account of all game sold its character the number of birds or quadrupeds the time and manner of shipment with the name and address of the purchaser This book together with the primises described and all game thereon shall be opened to inspection upon demand of any member of the Board of Game Commissioners of this State or its secretary or to any game protector upon the presentation by such game protector of written instructions from the secretary of the Board of Game Commissioners directing him to thus inspect such preserve and the refusal of any person holding a propagating certificate to permit such inspection by any of the officers above named or the neglect or refusal upon the part of said holder of such certificate to comply with the reasonable request of the secretary of the Board of Game Commissioners in any matter pertaining to said preserve in which the said Board has a legal right to be heard shall be sufficient cause for refusal upon the parft of said Board to renew any propagation certificate in this Commonwealth All boxes or crates or packages of any description in which small game may be shipped or removed from said premises shall before removal therefrom have attached thereto a card to be approved by the Board of Game Commissioners upon which shall be plainly written in the blank spaces left for that purpose the name address and a number corresponding with the number on his certificate of the purchaser with the contents of the box crate or package Provided That where deer or any animal classed as large game in this Commonwealth shall be raised on a propagating preserve under the provisions of this section they may be sold or given away and shipped alive from said enclosure for propagating purposes at any time of the year of either sex and in any number when properly marked and may be killed within said enclosure for sale or gift without regard to sex or numbers and may be shipped from said propagating preserve and sold anywhere within the Commonwealth under the following restrictions Before any deer or large animal classed as large game in this Commonwealth shall be removed or shipped from any propagating preserve within this Commonwealth there shall first be attached to either the create or box in which the animal is shipped or to the animal itself a tag or marker bearing propagating certificate number in such form as may be decided upon by the Board of Game Commissioners of this Commonwealth which said tag or marker shall be approved by said Board These tags or markers shall be issued in duplicate and it shall be the duty of any person raising and selling or shipping such deer or large game animal to attach to either the crate or box in which a live animal is shipped or to the body of a dead animal raised in such preserve one of these tags or markers and to forward the duplicate thereof at once to the Board of Game Commissioners at Harrisburg The tag or marker so attached to either crate or box or animal shall remain thus attached until the living animal is released from the create or box or the dead body of the animal is cut up for retail purposes or final consumption after which the tag or marker shall be removed from the crate or box or remainder of the carcass by the person finally disposing of the animal and shall be at once forwarded to the Board of Game Commissioners at Harrisburg Before any bird or animal classed as small game shall be removed from any propagating preserve within this Commonwealth there shall be attached to either bird animal or package a tag bearing the number corresponding to the certificate number of the propagating preserve from which it was shipped Each and every person failing to comply with the requirements of this section in the matter of attaching tags or markers before shipment of animals shall upon conviction be sentenced to pay a penalty of one hundred dollars ($100.00) for each offense And each and every person failing to comply with the requirements of this section in the matter of return to the Board of Game Commissioners the tags so affixed shall upon conviction be sentenced to pay a penalty of ten dollars ($10.00) for each offense

Section 8 It shall be unlawful for any person within this Commonwealth to wilfully or wantonly remove or mutilate or destroy any tags or marker so affixed to any crate or box or animal in compliance with the requirements of this act any time or at any place within the Commonwealth except as designated by this act or by authority of the consignor or consignee of such game or of some officer of some court of this Commonwealth or of some game protector of the Commonwealth Each and every person violating any provision of this section shall upon conviction thereof be sentenced to pay a penalty of fifty dollars ($50.00) for each tag or marker wantonly removed mutilated or destroyed

Section 9 It shall be unlawful for any person within this Commonwealth to wilfully use any such tag or marker prescribed by this act for the purpose of protecting or carrying game of any kind killed outside of licensed preserves within this Commonwealth or for the purpose of protecting or carrying a second shipment of game from any such licensed preserve within this Commonwealth Each and every person convicted of such offense shall be sentenced to pay a penalty of one hundred dollars ($100.00) for each tag used in violation of the provisions of this section

Section 10 It shall be unlawful for any person within this Commonwealth except as provided for in this act to at any time shoot at wound or take or kill any wild bird other than a game-bird or to have such bird or any part thereof in possession or under control within this Commonwealth or to offer or expose the same for sale or to transport or ship or remove or attempt to transport or ship or remove from this Commonwealth any such bird or any part thereof protected by the laws of this Commonwealth or to have in possession or under control or to sell or to offer to sell within this Commonwealth either living or dead any wild birds other than a game bird that has been brought into this Commonwealth from another State or country that is of a kind found in a wild state in this Commonwealth Whoever shall violate any provision of this section shall be liable to a penalty of ten dollars ($10.00) for each bird shot at wounded or killed taken or had in possession or sold offered for sale transported shipped or removed or attempted to be transported shipped or removed out of this Commonwealth or for any part thereof in any manner held for a purpose contrary to the provisions of this act Provided however That the blue-jay the English sparrow the European startling the kingfisher the shrike the eagle buzzard the osprey sharp-shinned hawk Cooper's hawk goshawk duck hawk pigeon hawk the great-horned owl barred owl the crane the heron the bittern the crow and the raven shall not be protected by any law of this Commonwealth and may be killed at any time and that nothing in this act shall prevent the possession or sale alive within this Commonwealth of either game-birds or game-animals that have been imported for propagating purposes or to prevent at any time the purchase or sale within this State or the shipment out of the State of living or dead bodies of English Mongolian or Chinese pheasants or of Belgian hare raised in captivity that are shipped from such places of confinement without being first released or set at liberty in the Commonwealth or to prevent the possession of tanned skin or any part thereof of any wild bird or animal legally taken in this Commonwealth or brought into this Commonwealth from any other State or country from which the same was legally imported

Section 11 It shall be unlawful for any person to bring or in any manner to have transported into this Commonwealth from any other State or country any living specimen or any egg thereof of the bird known as the European starling or any other bird or any living animal the importation of which is prohobited by the National Secretary of Agriculture under the provisions of what is known as the Lacey Bill or of any other law of this Nation or to release within this Commonwealth any fox wild-cat mink or weasel brought into this State from another State Whoever shall violate any of the provisions of this section shall be sentenced to pay a penalty of fifty dollars ($50.00) for each bird or egg or animal so imported or brought into this State

Section 12 Excepting as provided in this act no person within this Commonwealth shall take or have in possession or under control either the nest or any egg found therein of any wild bird either game or otherwise protected by the laws of this Commonwealth or shall wantonly interfere with or destroy any such nest or egg Whoever shall offend against any of the provisions of this section shall be sentenced to pay a penalty of ten dollars ($10.00) for each nest or a wild bird other than a game-bird either interferred with or wantonly destroyed and shall be sentenced to pay a penalty of fifty dollars ($50.00) for each nest of a game bird either wantonly interferred with or destroyed

Section 13 It shall be unlawful for any person in this Commonwealth excepting as provided for in this act to take or kill or wound or have in possession either living or dead any game bird or game animal or any part of such bird or animal protected by this act The open season for wood-cock shall be from the first day of October to the first day of December of each year

The open season for grey black or fox squirrels also the open season for the grey rabbit and hare also the open season for the ruffed grouse the wild turkey the quail commonly called Virginia partridge English Mongolian ring-necked and

Chinese pheasants shall be from the first day of November to December fifteenth inclusive of each year

The open season for Hungarian quail shall be from the fifteenth day of October to the fifteenth day of November of each year Provided That no Hungarian quail shall be killed wounded or shot at in this Commonwealth for a period of two years after the date of this act Whoever shall shoot at or take or kill any of the birds named in this section during the closed season for such birds shall upon conviction be sentenced to pay a penalty of twenty-five dollars ($25.00) for each bird shot at killed or wounded contrary to the provisions of this section

The wild animal known as the raccoon shall be classed as a game animal in this Commonwealth and it shall be unlawful to kill or capture such animal excepting during the months of September October November and December of each year Each and every person killing or capturing or attempting to kill or take a raccoon during any other month of the year except as above named shall upon conviction be liable to a penalty of ten dollars ($10.00) for each animal so illegally taken or killed or attempted to be taken or killed or in default thereof shall suffer an imprisonment of one day in jail for each dollar of penalty imposed and unpaid

Section 14 The open season for upland or grass plover within this Commonwealth shall be from the fifteenth day of July to the first day of December of each year The open season for rail coot or mud-hen dove reed-bird blackbird sand piper tattler curlew or any other shore bird shall be from the first day of September to the first day of January next following The open season for Wilson or Jack snipe shall be from the first day of September to the first day of May next following The open season for all kinds of birds known as wild water-fowl shall be from the first day of September to the tenth day of April next following During which time such wild water-fowl of all descriptions and other birds named in this section may be killed without limit Whoever shall shoot at take kill or wound any of the birds named in this section during the closed season for such birds shall upon conviction be sentenced to pay a penalty of ten dollars ($10.00) for each bird thus shot at taken killed or wounded contrary to the provisions of this section

Section 15 It shall be unlawful to shoot or injure or to hunt for or to kill any of the game-birds protected by this act during the night time And the word "night" shall be construed to mean that time beginning one hour after sundown and extending to one hour before the next sunrise following or to kill game of any kind within this Commonwealth excepting through or by the use of a gun such as is usually raised at arm's length and fired from the shoulder And no person excepting as provided for in this act shall at any time set lay or prepare or use any trap snare net birdlime swivel-gun deer-lick pitfall turkey blind turkey call or pen or to make use of any artificial light battery or other deception or contrivance or device whatever with intent to catch take injure or kill any of the game-birds or game-animals in any of the sections of this act mentioned Excepting that decoys and blinds may be used in hunting wild water-fowl and that rabbits may be taken through the use of box-traps and that bear may be taken through the use of pens Whoever shall offend against any of the provisions of this section shall be liable to a penalty of fifty dolars for each and every offense so committed Provided That every person who shall set a bear-pen shall visit such pen at least once in every forty-eight hours unless prevented by sickness or storm Any person violating this provision shall be liable to a penalty of ten dollars ($10.00) for each day he neglects or fails to visit such pen after the lapse of forty-eight hours from the time of his last visit or in lieu thereof shall suffer imprisonment in the county jail for a period of one day for each dollar of penalty imposed

Section 16 It shall be unlawful to hunt for or pursue or to follow after with intent to kill any wild water-fowl protected by law within this Commonwealth from or with or through the use of any craft propelled by any means other than oars pole or hand-paddle Any person using a craft or boat for such purpose other than one propelled by oars pole or hand-paddle or the captain or owner or other person in charge of such boat or craft who shall allow or knowingly permit the same to be used contrary to the provisions of this section while he is on board shall be liable to the penalties herein imposed Each and every person who shall violate any of the provisions of this section shall be sentenced to pay a penalty of fifty dollars ($50.00) per day for each day on which any forbidden craft or boat may be used to hunt or pursue or to follow after with intent to kill wild water-fowl and ten dollars ($10.00) for each other contrivance or device set placed or carried contrary to the provisions of law

Section 17 It shall be unlawful for any person to catch take or kill in any one day in this Commonwealth more than five ruffed-grouse commonly called pheasant or more than ten wood-cock or more than ten English Mongolian or Chinese pheasant or more than twenty of either of the above kinds in any one week or more than fifty of any of the aforesaid kind in any one season or more than five Hungarian quail in any one day or more than twenty in one week or more than thirty in any one season or more than ten quail commonly called Virginian partridge in any one day or more than forty of such birds in any one week or more than seventy-five thereof in any one season or more than one wild turkey in any one day or more than two wild turkeys in any one season counting each week as beginning on Monday morning and ending the Saturday night following or to have in possession at any one time within this Commonwealth more than the number above limited for the season if the same had been caught taken or killed within this Commonwealth Each and every person violating any provision of this section shall upon conviction be sentenced to pay a penalty of twenty-five dollars ($25.00) for each bird killed or had in possession contrary to its provisions

Section 18 It shall be unlawful for any person to shoot at or take or kill or wound or attempt to take or kill or wound any deer in this Commonwealth except from the fifteenth day of November to the first day of December of the same year or to kill in any one season more than one deer which in every instance shall be a male deer with horns visible above the hair or to have a deer so killed or taken or any part thereof in possession except during said open season and fort thirty days thereafter Provided That the possession of the dead body of a deer or any part thereof shall unless the head bearing horns be attached thereto or unless said head bearing horns shall be immediately produced upon demand made by any officer of the Commonwealth whose duty it is to protect the game of the State in all instances be prima facie evidence of a violation of the provisions of this act and shall render the person in whose possession or under whose control the same may be found or who may be proven to own the same liable to a penalty of one hundred dollars ($100.00) for each offense Each and every person violating any provision of this section shall be sentenced to pay a penalty of one hundred dollars ($100.00) for each offense

Section 19 It shall be unlawful for any person at any time to shoot at or to kill wound or capture any deer in the waters of any of the streams ponds or lakes within this Commonwealth or for any person to make use of a dog in hunting deer within this Commonwealth and the fact that a dog of any description shall be taken into the woods or shall be had in possession or under control in the woods or shall be cared for or harbored or permitted to remain with any individual or in the camp of any person or persons who may go to hunt during the open season for deer in this State shall render each person in whose care or under whose control the dog may be outside of the camp and each person in said camp liable to the full penalty prescribed by law for the unlawful taking or killing of deer within this Commonwealth upon proof duly sworn to that the dog so taken into the woods or had in possession or under control or harbored cared for or permitted to remain with any person in the camp of any person or persons did within a radius of ten miles from said camp or from the point wherein a dog may be taken by any individual run after pursue or follow the track of any deer or fawn for a distance of one hundred yards It shall be unlawful for any person to make use of what is known as buckshot in hunting deer within this Commonwealth or to kill or wound or attempt to kill or wound any deer within this Commonwealth by or with or through the use of a gun propelling or emitting more than one pellet bullet or ball at such deer through a single discharge Any person violating any of the provisions of this section shall be subject to the penalties provided by this act for the unlawful taking or killing of deer during the closed season The game laws of this Commonwealth shall not be held to apply to elk

Section 20 Any dog pursuing or following upon the track of a deer or fawn within this Commonwealth is hereby declared to be a public nuisance Such dog may be killed by any person when seen pursuing or following upon the track of a deer or fawn within this Commonwealth or by a game-protector deputy game-protector game-warden forestry-warden or any other officer of the State whose duty it is to protect any of the game of the State upon affidavit being made by one or more persons acquainted with the facts before an officer authorized to administer oaths that said dog is in the habit of or has been seen or heard running upon the track of or pursuing any deer or fawn in this Commonwealth within a period of one year from the date of such affidavit The owner of a dog thus killed in conformity with the law or proven to have pursued a deer for the distance of one hundred yards or more within this Commonwealth shall be liable to a penalty of twenty-five dollars ($25.00) for each deer or fawn pursued and fifty dollars ($50.00) for each deer or fawn killed or caused to be killed by such dog running at large without aid or direction of its master Where the owner of a dog shall neglect or refuse to take care of his dog after notice in writing from an officer of the State whose duty it is to protect the game of the State to the effect that the dog in question is in the habit of pursuing deer he shall be liable to double the amount as fixed above for the first offense such penalty to be recovered as are other penalties imposed by this act

Section 21 Any dog off land controlled by the owner of such dog pursuing or following upon the track of any game-quadruped such as hare or rabbits and known as small-game or following upon the track of any game-bird or other wild-bird protected by existing law during what is known as the closed season for such animal or bird in this Commonwealth is hereby declared to be a public nuisance and may be killed by the owner or lessee of land whereon it is found or by any employe of such owner or lessee or by a game-protector deputy game-protector game-warden forestry-warden or any other officer of the Commonwealth whose duty it is to protect the game of this State when seen upon the track of such game or wild-bird unless such dog shall wear a collar having attached thereto a metallic tag or plate upon which shall be plainly inscribed in English the name and address of the owner of such dog and any dog thus wearing a collar inscribed as before mentioned pursuing small game off land controlled by the owner of such dog during what is known as the closed season for such game or wild-birds may be killed by the owner or lessee of any land upon which such dog may be found or by any employe of either the owner or lessee or by a game-protector deputy game-protector game-warden forestry-warden or any officer of the State whose duty it is to protect the game of the State when such dog is seen upon the track of such game after notice in writing from that particular person or from the Secretary of the Game Commission has been given to the owner or reputed owner of such dog to the effect that the dog in question is in the habit of destroying or pursuing or following upon the track of game or wild birds contrary to the provisions of this section Provided That dogs when accompanied by and under the control of their masters may be trained upon any of the living wild-game or birds of this State excepting deer and fawn from the fifteenth day of August to the first day of January next fol-

lowing so long as no injury is inflicted upon said animals or birds

Section 22 No person shall at any time buy sell or expose for sale or offer for sale any ruffed grouse commonly called pheasant or quail commonly called Virginia partridge nor any deer or part thereof No person shall at any time try to sell expose for sale or offer for sale any ruffer grouse commonly called pheasant and no person shall at any time buy sell expose for sale or offer for sale any wood-cock or the dead body or any part thereof any wild-turkey or of any Hungarian quail hare rabbit squirrel or any other game-bird or animal protected by this act except as otherwise provided for whether caught killed or taken within or without this Commonwealth Each and every person violating any of the provisions of this section shall be liable to a penalty of one hundred dollars ($100.00) for each deer or part thereof and twenty-five dollars ($25.00) for each game-bird named in this section or for any part thereof bought sold exposed or offered for sale or otherwise held contrary to any provision hereof Provided That bear raccoon hare or rabbit may be sold during the open season for such kinds of game and for thirty days thereafter

Section 23 No person shall have in his possession excepting during the open season therefor and thirty days thereafter any ruffed-grouse commonly called pheasant any English Mongolian or Chinese pheasants any quail commonly called Virginia partridge any wild-turkey any wood-cock any Hungarian quail or any other game-bird protected by this act or any deer or the dead body of any deer or hare or rabbit or squirrel or parts thereof which shall have been caught killed or taken within this Commonwealth Each and every person violating any provision of this section shall be liable to a penalty of fifty dollars ($50.00) for each deer and twenty-five dollars ($25.00) for each bear and ten dollars ($10.00) for each game-bird of any kind protected by this act and five dollars ($5.00) for each hare or rabbit or gray or black or fox squirrel or for any part thereof which shall have been unlawfully taken or killed within this Commonwealth and unlawfully held contrary to the provisions of this section Provided That the owner or owners of game propagating preserves in this State shall have the right to keep any game-birds or animals therein at all times to kill the same and to sell or give away the same under the provisions of this act

Section 24 No person shall capture or kill in this Commonwealth any deer wild-turkey ruffed-grouse commonly called pheasant quail commonly called Virginia partridge or Hungarian quail or wood-cock for wages or hire or other valuable consideration Each and every person who shall offend against any provision of this section shall upon conviction be sentenced to pay a penalty of twenty-five dollars ($25.00) for each offense

Section 25 The open season for grey black or fox squirrel in this Commonwealth shall be from the first day of November to December fifteenth inclusive of each year and it shall be unlawful for any person to kill more than six squirrels of the combined kinds in one day The open season for hare or rabbits shall be from the first day of November to the fifteenth day of December next following and it shall be unlawful for any one person to kill more than ten hare or rabbits in any one day Every person who shall offend against any provision of this section shall upon conviction be sentenced to pay a penalty of ten dollars ($10.00) for each animal killed or taken in violation of law Provided That the pine or red squirrel is not protected by this act and that it shall at all times be lawful for the owner or lessee of real estate to kill or have killed by his legitimate employe on his certain premises in any legal manner any squirrel or hare or rabbit as a protection to cultivated crops or trees but for no other reason and the fact that a squirrel or hare or rabbit so ostensibly killed shall be used for food or for profit through its sale by any person shall be evidence conclusive of a violation of the protective feature of this section and shall render the person so killing or using or selling said animal liable to the penalty imposed for the unlawful killing of rabbits Each and every person violating any provision of this section shall be liable to a penalty of ten dollars ($10.00) for each squirrel hare or rabbit thus unlawfully killed or disposed of Provided It shall be unlawful to kill take or capture bear of any description save only from the first day of October to the first day of January next following Each and every person who shall kill wound take capture any bear contrary to the provisions of this act shall be liable on conviction to a penalty of fifty dollars ($50.00) for each bear or cub wounded taken killed or captured Provided That nothing in this act shall be construed to prevent any person from killing a bear within this Commonwealth when such animal is inflicting or attempting to inflict injury to either the person or personal property of any individual within the Commonwealth or the killing of such bear in a pursuit commenced within forty-eight hours after the commission of such offense or at any time after the commission of such offense upon the affidavit of one or more persons to the effect that they have reasonable cause to believe that the bear in question has committed such offense or to prevent any person from killing a bear at any time when such animal is found upon his own property and within one mile of his place of residence

Section 26 Excepting as permitted by this act no person shall purchase sell or expose for sale or have in his possession for any purpose whatsoever the dead body or any part thereof of any game-quadruped or game-bird of the kinds enumerated in any section of this act if the same have been caught killed or taken within or without this Commonwealth Each and every person who shall offend against any of the provisions of this section shall be liable to a penalty equal in amount to the penalty imposed by this act for the killing of such animal or bird during the closed season

Section 27 No person within this Commonwealth shall hunt or catch or kill or cause or permit the hunting of hare or rabbits with or through the use of a ferret under the penalty of tyenty-five dollars ($25.00) for each ferret so used and twenty-five dollars ($25,00) for each hare or rabbit so taken through the use of or by the aid of a ferret And the fact that any person shall place a ferret in any hole or opening in the ground outside of buildings in which a rabbit might be found or shall be caught in the act of using a ferret in the taking of hare or rabbits or shall have a ferret in possession or under control in either the fields or forests or in the highways of this Commonwealth or shall be proven to have used a ferret while hunting or shall while going hunting or while returning from such a hunt have a ferret either in possession or under control shall render such person liable to the penalty of twenty-five dollars ($25.00) for each ferret had in possession or under control at that time Any ferret found in the possession or under control of a person convicted of violating any provisions of this section shall be forfeited to the Commonwealth and shall be immediately killed by the officer into whose hands such animal may come

Section 28 No person company or corporation or the agent or the employe thereof shall at any time transport or ship or remove or cause to be transported shipped so removed out of this State any game-animal or game-bird or wild bird protected by this act or shall catch take or kill or have in his possession or under his control any of the game birds or game animals or wild birds of this State the killing of which at any or all time is prohibited by the laws of this State with intent to allow or aid in the shipment or removal thereof out of this State and excepting as provided for in this act except from a propagating preserve and properly tagged it shall be unlawful for any person railroad company express company stage driver or any corporation or person acting in the capacity of a common carrier their officers or employes to knowingly receive for transportation or transport or remove or aid or assist in removing beyond the limits of the State any of the wild birds or game-birds or game-mammals mentioned in this act Whoever shall offend against any of the provisions of this section shall be liable to a penalty of one hundred dollars ($100.00) for each and every offense Provided That nothing contained in the laws of this Commonwealth shall be held to impose any penalty upon the transportation of game in unbroken packages in transit through this State from another State or to the shipment out of the State at any time of game legally killed or taken in another State whether the same be in orginal packages or otherwise and no penalty shall attach in any way when game legally killed in this Commonwealth is delivered in good faith to an express company or other common carrier for transportation from one point to another point in this State and actually delivered at the point of destination within this State if necessarly carried out of this State to reach its destination And provided further That any non-resident licensed hunter may take with him personally when leaving the State any of the game-mammals or game birds that such licensee has lawfully taken or killed in this Commonwealth not exceeeding the number that any one person may lawfully take or kill in this Commonwealth not exceeding the number that any one person may lawfully take or kill in any one day Provided That no game shall be taken out of this State unless accompanied by the owner thereof and the game so shipped shall have attached thereto a tag showing the name and address of the owner and the number of his license

Section 39 The possession during the closed season by any person within this Commonwealth of a living or dead bird or animal of any kind protected by this act and not properly tagged or the possession of any part thereof or of the egg or nest or any part thereof of any such bird shall be prima facie evidence that the same was taken or held contrary to the provisions of law and shall render each person in whose possession or under whose control the same shall have been found liable to the penalties imposed for violation of that provision of this act fixing a penalty for the killing of such bird or animal out of season or of that provision fixing penalties for interfering with birds nests as the case may require

Section 30 It shall be lawful to trap quail commonly called Virginia patridge or Hungarian quail from the first day of January to the first day of April next following for the purpose of keeping them alive during the winter or for the purpose of keeping a covey to increase the chances of propagation but for no other purpose whatever and quail thus taken shall not be transported from one locality to another locality in this State All birds thus taken should be liberated in the spring as soon as the weather will permit

Section 31 Each and every magistrate alderman and justice of the peace of this Commonwealth shall have the power of summary conviction in all matters pertaining to the enforcement of any of the provisions of this act and all actions for violation of any of said provisions excepting where the defendant is taken in the act or in pursuit immediately following said act shall be commenced by affidavit made within one year of the time of the commission of such offense Each and every magistrate alderman or justice of the peace on complaint made before him by the affidavit of any person of a violation of any of the provisions of this act by any person is hereby authorized and required to issue his warrant under his hand and seal directed to any constable police officer game-protector deputy game-protector or any other peace officer of the State whose duty it is to protect the game or wild birds of the State and to cause such persons to be brought before him the said magistrate alderman or justice of the peace who shall hear the evidence and determine the guilt or innocence of the person charged If the accused be convicted of such offense he shall be sentenced to pay the penalty prescribed by the section violated together with the costs of suit All penalties collected in cases where the prosecutor is a game-protector shall be immediately surrendered by the court receiving the same to such

prosecutor who in turn shall as soon as may be either deliver or forward such amount to the secretary of the Board of Game Commissioners who shall deposit the same in the State Treasury for the use of the Commonwealth Where any other game-protector is the prosecutor one-half of any penalty thus collected shall belong to such prosecutor and shall be paid to him by the court receiving the same and the remaining one-half of such penalty shall be forwarded within ten days after said conviction by such court to the secretary of the Board of Game Commissioners at Harrisburg together with a statement of the cause for which said money was collected It shall be the duty of said secretary to keep a record of the cause for which said money was collected and deposit the same at least once a month with the State Treasurer for the use of the Commonwealth Any defendant being dissatisfied with the finding of the alderman or justice of the peace in a trial for any violation of the game laws of this Commonwealth shall be entitled to an appeal The case to be proceeded with as are charges of misdemeanor regularly returned to the court of quarter sessions of the peace and it shall be the duty of the district attorney to submit a bill of indictement charging the offense returned to the grand jury at its next regular session Which said court on the conviction of the defendant of such offense and his failure to pay the penalty imposed by this act together with the costs of prosecution shall commit such defendant to the common jail of the county for the time prescribed by section four of this act

Section 32 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 997, as follows:

An Act to repeal section two of an act approved June third one thousand nine hundred and eleven entitled "An Act regulating the printing of the laws of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act regulating the printing of the laws of this Commonwealth" approved June third one thousand nine hundred and eleven and which reads as follows

"Section 2 That hereafter the general laws passed at each session of the General Assembly shall be printed separately and apart from those containing solely an appropriation The Secretary of the Commonwealth shall be the sole judge of such separation" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1000, as follows:

An Act to repeal section eight of an act entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eight of the act of May first one thousand nine hundred and nine which reads as follows "That it shall be unlawful to use fish baskets in the waters within or under the control of this Commonwealth from the first day of December to the fourteenth day of August next ensuing each date inclusive that it shall be lawful to use fish baskets from the fifteenth day of September to the thirteenth day of November in each year both dates inclusive and from four o'clock in the afternoon until eight o'clock on the following morning for the capture of eels and no fish basket shall be set or used in a stream known as a trout stream and no wing-walls of any two baskets shall be within twenty feet of each other at the upper end when side by side or extend beyond each other at the upper end or reach from main shore to main shore or extend over more than three-fourths of the width of a stream or occupy so much of the stream as to prevent the passage of canoes or boats and fish at either side of the stream or to be constructed of any other material than loose stones and no basket and wing-walls shall be set immediately above one already legally located nearer than one-quarter of a mile And provided That the bottoms of the basket so used shall be made of well-rounded wooden slats not more than two inches wide so set or placed that shall not be less than three-eights of an inch apart when swollen by water And provided further That bottoms of said baskets shall be movable for the entire width of each and every fall or so much of said bottoms be movable as to leave not more than seven slats in one section and such bottoms or parts of bottoms shall be taken out of said falls or so adjusted as to make it impossible for them to catch fish from eight o'clock in the morning and kept out until four o'clock in the afternoon And provided further That the number of the license of said basket shall be clearly and permanently painted or marked on the sides thereof Provided That nothing in this section shall be so constructed as to allow any fish-baskets to be erected and operated within a quarter of a mile of any fishway chute or opening in a dam through which can pass when water is running through raceways and mills excepted And provided also That before any person or persons shall be authorized to catch or take eels by means of a fish basket as described he or they shall be required to take out a license from the treasurer of the county in which he or they propose to erect or construct any fish basket in accordance with section twenty-one of this act and no person shall be given a license for a fish basket for a spot or location for which a license was given another person the previous year until the fist day of the lawful season for using said basket unless the licensee of the previous year shall have previously notified the county treasurer in writing of his intention not to renew his license Provided That any person who shall neglect to take out a license for two years shall have no priority to such location And provided also That no license be granted for a fish basket in any stream without the written consent of the owner and occupant of the land on which it is proposed to place such basket And provided further That all baskets used or operated under the provisions of this section shall be entirely removed from the wing-walls or dismantled or destroyed within one week after the closing of the legal season And provided also That no person or persons shall operate said basket in the absence of the owner or owners except it be a member of his family or a bona fide employe or employes of a member of his or their family in which case the holder or holders of the certificate or license shall be held legally responsible for any violation of this section or of any existing acts relating to fish or fishing within this Commonwealth by the use of said fish baskets Provided further That nothing in this section shall be so construed as to prevent the licensee or lawful operator keeping besides eels any carp suckers or mullets but no other fish which may be taken by the basket while lawfully used for catching eels And provided further That at the end of the fishing season each holder of a license shall furnish to the Department of Fisheries on request of the Commissioner of Fisheries a written report of the approximate number and weight of ells carp suckers and mullets taken together with the market value of the same for statistical purposes No individual report to be made public without the written consent of the licensee Any person or persons violating any of the provisions of this section shall on conviction be subject to a fine of twenty-five dollars as provided in section twenty-seven of this act together with the forfeiture of any boats or appliances which may have been used to the Department of Fisheries and in addition be deprived of the right to secure another license for the period of two years and this section shall apply to the river Delaware above Trenton Falls" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1063, as follows:

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying permiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits hold-

ing an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the re-payment to the county by the State of the sum so paid" which reads as follows

"Section 2 Annually on or before November fifteenth in each year the association desiring and claiming said fund shall file with the county commissioner of their county a statement duly sworn to by its president attested by its secretary and the corporate seal attached setting forth the name of the association the place and time said exhibit was held the amount of money received and from what sources list of expenditures paid and unpaid a copy of the premium list and list of exhibits actually entered the amount of premiums actually paid" is hereby amended so as to read

Section 2 Annually on or before December tenth in each year the association desiring and claiming said fund shall file with the county commisisoners of their county a statement duly sworn to by its president attested by its secretary and the corporate seal attached setting forth the name of the association the place and time said exhibit was held the amount of money received and from what sources list of expenditures paid and unpaid a copy of the premium list and list of exhibits ectually entered the amount of premiums actually paid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1064, as follows:

A Supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commisisoner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defiining some by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commisisoner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioners decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways any kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in constructing reconstructing repairing or maintaining any public highway taken over by the State as a State Highway between county seats it shall be lawful to construct reconstruct repair and maintain a spur or branch road to such State Highway in order to reach points named in the route of such State Highway as taken over under the act to which this is a supplement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of House Bill No. 1114, as follows:

An Act making the land heretofore or hereafter purchased for the new Western Penitentiary in Centre County subject to taxation for local purposes regulating the assessment thereof and the payment of taxes thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of th same That all land heretofore purchased or hereafter to be purchased by this Commonwealth in pursuance of an act approved the thirtieth day of March one thousand nine hundred and eleven entitled "An Act providing for the selection and purchase or the appropriation from the State forest reserves for a tract of land and the erection thereon of buildings for the Western Penitentiary making an appropriation therefor authorizing the removal thereto of the inmates of the said penitentiary and directing the sale of the site now occupied by the said penitentiary and the buildings and materials thereon" and exclusive of any buildings or structures of any kind whatsoever shall hereafter be valued assessed and subject to taxation for all local purposes in the same manner as other agricultural land in the proper county is now by law assessed valued and so subject Such land shall be assessed for such purposes for the years on thousand nine hundred and thirteen

Section 2 All taxes levied in accordance with this act shall be payable only out of a special fund to be specifically appropriated for such purpose by the General Assembly

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 542 (House Bill No. 600) entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of common pleas of each county is authorized to employ such number of interpreters and in such lanuages as the court may deem necessary for the proper transaction of its business Such interpreters may be removed by the court at any time Any interpreter so appointed shall when required act as interpreter in any court of the county and shall receive out of the county treasury such annual or per diem compensation as the appointing court shall fix Before assuming the duties of the office each interpreter shall take and subscribe the oath prescribed in the Constitution of this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend the first section, in line 11, by inserting after the word "fix" the words "provided that in counties containing a popoulation of one million two hundred thousand inhabitants and over the salary paid interpreters shall not exceed two thousand dollars per annum for each interpreter."

Mr. VARE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to.

Section 2 All acts or parts of acts inconsistent with this act are repealed

The title of the bill was read as follows and agreed to.

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 514, entitled:

An Act to amend an act approved the third day of April one thousand eight hundred and fifty-one entitled "An Act regulating boroughs" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 600, entitled:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 670 (House Bill No. 173), entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 750, entitled:

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public streets or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 793 (House Bill No. 3), entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 811 (House Bill No. 964), entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for collection of funds for that purpose by levying a tax upon owners of property in the district benefited

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 822, entitled:

An Act requiring property owners in townships to clean highways from brush and providing for the work to be done by the Supervisors in the event of the neglect or failure of the property owners so to do and the manner of collecting the cost of the same and providing for penalties in case of failure

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 835 (House Bill No. 41), entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 893 (House Bill No. 897), entitled:

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 922 (House Bill No. 1234), entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 924 (House Bill No. 607), entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty-one one-hundredths dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretofore and now known as the Standard Distilling Company.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 981 (House Bill No. 23), entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 982 (House Bill No. 60), entitled:

An Act to provide for the pensioning of soldiers sailors and marines who served in the army or navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pensions the manner of obtaining same and making an appropriation for the payment thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 990, entitled:

An Act regulating the qualifications and election of township supervisors in townships of the second class and limiting the term of all present township supervisors

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 991, entitled:

An Act to confirm conveyances of lands made by building and loan associations or companies after expiration of the term of their chartered existence

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1001, entitled:

An Act to amend section seven of an act entitled "An act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by providing for

affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgments entered by transcript in the office of the prothonotary and giving the county power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs'" approved the second day of April one thousand nine hundred and thirteen by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex delicto and providing for bills of particulars

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1061, entitled:

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the County of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1075 (House Bill No. 1454), entitled:

An Act for the better protection of wild turkeys in this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1155 (House Bill No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini one thousand eight hundred and eighty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred and seven by altering the seventh section and by repealing the sixth section thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

COMMUNICATION FAVORING HOUSE BILL NO. 195.

The Chair cleared his table and laid before the Senate communication, which was read as follows and referred to the Committee on Judiciary General:

Pittsburgh, Pa., April 22, 1913.

To the Pennsylvania Senate.

The Tabernacle Presbyterian Church, having a membership of six hundred, at the Sunday morning service, April twentieth, adopted the following action unanimously:

We most earnestly and urgently request the prompt passage of House Bill No. 195, otherwise known as the "Red Light" Bill.

Such a law will be a protection to residence neighborhoods against the social evil, and assuredly we, as citizens, are entitled to this protection for our homes and our families.

Signed on behalf of the Congregation,

(Rev.) THOMAS WATTERS, Pastor,
JAMES W. HOUSTON.

CONCURRENT RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 442.

He also laid before the Senate extract from the Journal of the House of Representatives, which was read as follows:

In the House of Representatives, April 23, 1913.

Resolved (if the Senate concur), That House Bill No. 442, entitled: An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a pubilc school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children, be recalled from the Governor for the purpose of amendment.

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, viz:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

BRADFORD COUNTY.

Innocenzio Cerio, Sayre

BUTLER COUNTY.

John C. Graham, Butler.

LEHIGH COUNTY.

Wm. F. Buchheit, Allentown.

PHILADELPHIA COUNTY.

Wayne Herkness, Phialdelphia.
Albert Kirk, Philadelphia.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SNYDER.

That Rule 38, which requires nominations made by the Governor to be referred to proper committees be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations,

Which was agreed to.

Whereupon,

A motion was made by Mr. SNYDER.

That the Senate do advise and consent to the nominations,

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Kline,	Salus,
Buckman,	Hall,	Knapp,	Sensenich,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Herbst,	Martin,	Snyder,
Cooper,	Hilton,	McIlhenny,	Sones,
Crow,	Hoke,	McNichol,	Thompson,
Daix,	Homsher,	Miller,	Vare,
DeWitt,	Huffman,	Mills,	Washers,
Endsley,	Hunter,	Moore,	Gerberich,
Farley,	Jarrett,	Morgan,	Pres. pro tem.
Fisher,	Jones,	Nulty,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 705, entitled:

An Act fixing the salary of the Chief of the Bureau of Information and the guides in the State Capitol Building

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 999, entitled:

An Act for the protection of keepers of garages of automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

RECESS.

Mr. SNYDER. Mr. President, I move the Senate do now take a recess for ten minutes.

Mr. HUNTER. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed. the Senate will be in order.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special. reported as committed, Senate Bill No. 1054 (House Bill No. 1102), entitled:

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all commitals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the Board of Trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL 569.

The Chair cleared his table and laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 569, entitled:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

HOUSE CONCURS TO AMENDMENTS TO HOUSE BILL 655.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 655, entitled:

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL 1152.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a department of suburban metropolitan planning and the appointment of suburban metropolitan planning commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 412 (Senate Bill No. 1171), entitled:

An Act making an appropriation to Fannie C. Spiers the amount illegally demanded and collected as a State license fee from her as the proprietress of a moving picture place in the State of Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1300 (Senate Bill No. 1172), entitled:

Authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1313 (Senate Bill No. 1173), entitled:

An Act making it a misdemeanor for any officer agent or employee of any corporation of any other person or persons to enter on upon occupy and tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

Which was committed to the Committee on Corporations.

House Bill No. 1314 (Senate Bill No. 1174), entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

Which was committed to the Committee on Judiciary Special.

House Bill No. 1503 (Senate Bill No. 1175), entitled:

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class and providing a penalty for the violation thereof

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1541 (Senate Bill No. 1176), entitled:

Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1547 (Senate Bill No. 1177), entitled:

An Act to amend section two of an act entitled an act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their counties painted and the bolts of the same tightened as often as may be necessary approved the twenty-first day of April Anno Domini one thousand nine hundred and three

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1681 (Senate Bill No. 1178), entitled:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled 'An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge' approved June sixth Anno Domin one thousand eight hundred and ninety-three by regulating the control of policemen when on duty

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1044 (Senate Bill No. 1179), entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisement notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

Which was committed to the Committee on Judiciary Special.

House iBil No. 1163 (Senate Bill No. 1180), entitled:

An Act authorizing and empowering counties to construct and for this purpose procure locations therefor by purchase or condemnation proceedings as herein provided or to acquire by condemnation by lease by purchase or otherwise and to maintain and operate street railways electric light plants gas works and all other public utilities and to lease the same to corporations or individuals

Which was committed to the Committee on Coprotations.

House Bill No. 1214 (Senate Bill No. 1181), entitled:

An Act prescribing the number of Directors of the Poor in counties which have provided for the erection of a home for the destitute and insane and fixing the term of services of such Directors at six years

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1238 (Senate Bill No. 1182), entitled:

A Supplement to an act entitled "An Act relating to the grant of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of Ancillery Letters of Administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country and who have left personal estate within this Commonwealth

Which was committed to the Committee on Judiciary General.

House Bill No. 1301 (Senate Bill No. 1183), entitled:

An Act to increase the powers of courts in summary proceedings for desertion or non-support of wives children whether legitimate or illegitimate or aged parents by directing that imprisonment in such cases be at hard labor in such institutions as the court shall name with the wages payable to the wives children or parents providing for the disbursement of moneys collected on forfeitures of bonds bail bonds or recognizances and by empowering such courts to appoint desertion probation officers for the performance of such duties as the court shall direct and providing for the payment of the expenses incident to the carrying out of this act

Which was committed to the Committee on Judiciary General.

House Bill No. 1749 (Senate Bill No. 1184), entitled:

An Act to amend an act entitled "An Act to validate the exercise of franchise of manufacturing corporations and land companies whose charters expired and to validate the conveyances and other instruments of said corporations" approved the twenty-second day of April Anno Domini nineteen hundred and nine

Which was committed to the Committee on Corporations.

House Bill No. 536 (Senate Bill No. 1185), entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

Which was committed to the Committee on Counties and Townships.

House Bill No. 900 (Senate Bill No. 1186), entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1448 (Senate Bill No. 1187), entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check .

Which was committed to the Committee on Banks and Building and Loan Associations.

House Bill No. 1580 (Senate Bill No. 1188), entitled:

An Act repealing the act of June fifteenth one thousand eight hundred and seventy-one (Pamphlet Laws 391) entitled "An Act relating to the assessment of damages for the appropriation of land for public use

Which was committed to the Committee on Judiciary General.

House Bill No. 1695 (Senate Bill No. 1189), entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

Which was committed to the Committee on Elections.

House Bill No. 398 Senate Bill No. 1190), entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1186 (Senate Bill No. 1191), entitled:

An Act to make the real estate of any pauper liable for the expense of his support maintenance and burial and providing a method for the collection of such claims

Which was committed to the Committee on Judiciary General.

House Bill No. 415 (Senate Bill No. 1192) entitled:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

Which was committed to the Committee on Appropriations.

House Bill No. 1048, (Senate Bill No. 1193) entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

Which was committed to the Committee on Judiciary Special.

House Bill No. 1162 (Senate Bill No. 1194) entitled:

An Act authorizing and regulating the construction of a bridge over the Susquehanna river at Montgomery borough in Lycoming county and making an appropriation therefor

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1187 (Senate Bill No. 1195) entitled:

An Act authorizing each city of the first class to establish a municipal pension fund for employes of said city and regulating the payment of such pensions

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1426 (Senate Bill No. 1196) entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

Which was committed to the Committee on Judiciary Special.

House Bill No. 1433 (Senate Bill No. 1197) entitled:

An Act authorizing companies incorporated under the laws of any other State of the United States for quarrying digging excavating manufacturing buying and selling rock stone sand and gravel to erect and maintain buildings and manufacturing establishments and to take have and hold real estate within this Commonwealth necessary and proper for corporate purposes

Which was committed to the Committee on Judiciary General.

House Bill No. 1175 (Senate Bill No. 1198) entitled:

An Act authorizing the purchase or procuring of work labor materials or commodities to the value of one thousand dollars at any one time by cities of the first class without public advertisement for bids and in certain cases without entering into written contracts therefor

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1562 (Senate Bill No. 1199) entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred and ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro-rata share of the cost of said wall from adjoining owner Preserving however all the rights given by statute to owners of party walls erected under said act

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1603 (Senate Bill No. 1200) entitled:

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordinances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1722 (Senate Bill No. 1201) entitled:

An Act to designate the amount to be expended by the Board of Commissioners of Public Grounds and Buildings each year in the erection or rebuilding of county bridges under the provisions of the act of twenty-first of April one thousand nine hundred and three "An Act to amend the first second third fourth and seventh sections of an act approved June third one thousand eight hundred and ninety-five entitled 'An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges' " and providing for the punishment of persons who combine or conspire to prevent competition in bidding thereon

Which was committed to the Committee on Judiciary General.

House Bill No. 1729 (Senate Bill No. 1202) entitled:

An Act to amend an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one

Which was committed to the Committee on Judiciary General.

House Bill No. 1872 (Senate Bill No. 1203) entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1148 (Senate Bill No. 1204) entitled:

An Act relating to assessments for taxes in townships of the first class in the Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessments and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties

Which was committed to the Committee on Judiciary Special.

House Bill No. 1370 (Senate Bill No. 1205) entitled:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

Which was committed to the Committee on Education.

House Bill No. 1714 (Senate Bill No. 1206) entitled:

An Act regulating the practice before justices of the peace aldermen and magistrates in cases where children under sixteen years are charged with any offense against the criminal law of this Commonwealth

Which was committed to the Committee on Judiciary General.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 80, entitled:

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the City of Washington and making an appropriation therefor" and making a further appropriation

House Bill No. 185, entitled:

A joint resoultion proposing an amendment to Section one Article eight of the Constitution of Pennsylvania

House Bill No. 236, entitled:

An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioners of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act

House Bill No. 520, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

House Bill No. 655, entitled:

An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursing thereof by the State

House Bill No. 569, entitled:

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

House Bill No. 768, entitled:

An Act to charge and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

House Bill No. 1009, entitled:

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to enforce the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

House Bill No. 1143, entitled:

An Act to authorize townships of the first class to provide for fire protection

House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a department of suburban metropolitan planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

House Bill No. 1526, entitled:

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the Executive Judiciary and Legislative Departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven"

Senate Bill No. 3, entitled:

An Act validating certain elections of counties boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Senate Bill No. 68, entitled:

A joint resolution proposing an amendment to Article nine Section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvements of the highways of the Commonwealth

Senate Bill No. 116, entitled:

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

Senate Bill No. 405, entitled:

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Lunacy

Senate Bill No. 406, entitled:

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent

Senate Bill No. 590, entitled:

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Municipal Affairs, re-reported as committed Senate Bill No. 572, entitled:

An Act to validate appointments heretofore made of persons to act as patrolmen and firemen of cities of the first class of this Commonwealth

Mr. THOMPSON. Mr President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 1006 (House Bill No. 1379) entitled:

An Act authorizing counties to appropriate money for monuments or memorials in memory of the soldiers, sailors and marines of the Spaish-American War and soldiers, sailors and marines who served on foreign soil prior to July 4th, 1902.

BILL INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1207, entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1118 (House Bill No. 176) entitled:

An Act to amend section one of an act, entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof," approved the 11th day of May, A. D. 1911, by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 745, entitled:

An Act making desertion or non-support of wife by husband or of children by either father or mother a misde-

meanor in certain cases, and providing punishment therefor giving the court power to make an order of support in such cases, directing that imprisonment in such cases be at hard labor with wages payable to the wife or children and providing for the payment of the expenses incident to the carrying out of this act; and to promote uniformity between the States in reference thereto.

REPORTS FROM COMMITTEES.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Elections, reported as committed, Senate Bill No. 1160, entitled:

An Act to repeal sections 3, 4, 5, 6, 9, 12 and 14 of an act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections," approved the 19th day of June A. D. 1891, so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relate to nomination papers; also to repeal sections 3, 4, 5, 6, 9, 11 and 12 of an act, entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections," approved the 10th day of June, A. D. 1893, in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend section 3, 4, 5, 6, 9 and 14 of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections,' approved the 10th day of June, A. D. 1893, by specifying how the names adopted by political parties may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times and names of candidates shall appear on the official ballot, and prescribing how the same shall be certified by the Secretary of the Commonwealth," approved the 9th day of July, A. D. 1897, which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections 2, 3, 4, 5 and 6 of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers.

Also, from the Committee on Elections, reported as committed, Senate Bill No. 1167, entitled:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate for the same office by more than one political party to prohibit election officers from receiving counting or returning any such ballot at any election upon which appears the name of any person as a candidate for the same office as the nominee of more than one political party and to declare all such ballots void and excepting from the provisions of the act candidates for judges and associate judges of the Supreme, Superior, Common Pleas and Orphans' Courts and of such other courts of record as are now or hereafter may be established under the laws of this Commonwealth.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN, from the Committee on Judiciary General, reported as amended, Senate Bill No. 268, entitled:

An Act to amend the first paragraph of the first section of "An Act to authorize chattel mortgages in this Commonwealth upon iron ore pig-iron blooms steel and iron nails ingots and billets rolled or hammered steel in sheets bars or plates and all steel or iron castings of every description not in place," approved the 28th day of April, A. D. 1887, so as to authorize chattel mortgages of not less than one hundred dollars on all kinds of machinery.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 645.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives, informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better goverment of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better goverment of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplementing to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

ADJOURNMENT.

Mr. KURTZ. Mr. President, I move the Senate do now adjourn.

Mr. MOORE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:10 o'clock P. M. until Monday evening, April 28, 1913, at 9 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 23rd, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we thank Thee for the Son of Thy love given to this world for its uplift and redemption. We thank Thee for His beautiful story—that story which has been the inspiration of such myriads of lives through the centuries. We rejoice that He was born of a human mother; that He lived in a human home; that He was familiar with all the conditions of our humanity and that He entered into all the relationships of our humanity; that He was Son and Brother and Neighbor and Friend; that He experienced the hardships of human toil, earning His livelihood by the sweat of His brow. That, in due time, He went forth and stood before the people as their advisor and Counsellor, their physician and Healer, their Leader and Guide. We rejoice that He knew the power of human temptation and all the pressure of human sorrow and pain; that He lived beautifully and died gloriously. Let us respond to the inspiration of this wonderful life. Let us have the spirit of the Divine Man and immitate His example and follow in His footsteps. Now, wilt Thou hear us as we offer that prayer which bears His name and which fell from His lips:

Our Father, Who Art in heaven. Hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread and forgive us our debts, as we forgive our debtors and lead us not into temptation but deliver us from evil for Thine is the kingdom and the power and the glory, forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Kitts, the further reading was dispensed with and the Journal was approved.

LEAVES OF ABSENCE.

Mr. KITTS asked and obtained leave of absence for Mr. Bayle for the balance of the week, on account of the serious illness of his father.

Mr. BENNINGER. Mr. Speaker, I ask for leave of absence for myself for the balance of the week after today.

Mr. S. B. SCOTT. Mr. Speaker, before the question is put I would desire the gentleman to explain whether the reasons are pressing. I think the depletion of the House is becoming a very serious matter.

Mr. BENNINGER. Mr. Speaker, the reasons are urgent business.

The SPEAKER. Does the House give unanimous consent? The Chair hears no objection and leave is granted.

The SPEAKER asked and obtained leave of absence for Mr. BERGEY for the balance of the week, on account of illness.

The SPEAKER asked and obtained leave of absence for Mr. Gransback for tomorrow.

RESOLUTION RELATIVE TO PRINTING HUNTER'S LICENSE BILL.

Mr. JAMES A. DUNN offered the following resolution which was twice read, and laid over under the rules, for printing:

Resolved, That the Chief Clerk of the House be instructed to have 5,000 copies of the Hunter's License Law printed in pamphlet form for the use of the members of this House.

SENATE RESOLUTION NO. 43.

Mr. W. H. WILSON. Mr. Speaker, I desire to call up Senate Resolution No. 43, file folio 6773, entitled: Commission to investigate cold storage.

Mr. W. H. WILSON. Mr. Speaker, I move that this resolution be referred to the Committee on Public Health and Sanitation.

Mr. ELY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1313, as follows:

An Act making it a misdemeanor for any officer agent or employee of any corporation or any other person or persons to enter upon occupy or tear up any street lane alley or other public place of a municipality without permission of the proper authorities of said municipality first obtained and providing punishment therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act any officer agent or employee of any corporation or any other person or persons who shall enter upon occupy or tear up or authorize or cause or direct others to enter upon occupy or tear up except for ordinary repairs any street lane or alley or other public place in any municipality in this Commonwealth without obtaining permission of the proper authorities of said municipality shall be guilty of a misdemeanor and on conviction shall be sentenced to pay a fine not less than five hundred ($500.00) dollars and undergo an imprisonment in the county jail for a period not less than thirty days nor more than six months or either or both at the discretion of the court

Section 2 That any act or part of act conflicting with the provisions of this act be and the same is hereby repealed so far as the same affects this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Alworth,	Geiser,	Matt,	Schaeffer, A. C
Baldwin, G. A.,	Good,	McAleer,	Schuck,
Baldwin, R. J.,	Goss,	McAllister,	Scott, J. R. K.,
Barner,	Grabe,	McArdle,	Scott, S. B.,
Bass,	Gramley,	McCaig,	Semmens,
Becker,	Haggerty,	McClintock,	Shaffer, C. A.,
Benninger,	Heidinger,	McDermott,	Shaffer, I. E.,
Benson,	Hemminger,	McKay,	Showalter,
Berntheizel,	Herman,	Mellott,	Smith, J. W.,
Bigger,	Heyburn,	Metzenbacher,	Smith L.,
Bittles,	Hibshman,	Miller,	Snavely,
Blair, W. A.,	Hobbs,	Missimer,	Spillinger,
Blair, W. F.,	Hoffman,	Mitchell,	Steedle,
Body,	Howard, J.,	Murphy,	Steele,
Brosius,	Howard, R.,	Musser,	Stein,
Brownlee,	Irwin, G. C.,	North,	Stone,
Burnett,	Jones, E. E.,	O'Neill,	Strauss,
Caldwell,	Jackson,	Peachey,	Swartz,
Campbell, C.M.,	Jones, J. R.,	Pennock,	Swift.
Carson,	Kaiser,	Perry, S. J.,	Thomas,
Carter,	Kaufman,	Peters,	Trach.
Conner,	Keeport,	Piper,	Ulerich,
Conrade,	Kitts,	Post.	Ulman,
Currier,	Klepper,	Price,	Walnut,
Curry,	Kuhn, H. P.,	Ramsey,	Walton,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Williams,
Donnally,	Lenker,	Reese,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Rhoads,	Wiltbank,
Ehrhardt,	Lohr,	Rockwell,	Zimmerman,
Eichenberger,	Lowers,	Rothenberger,	Alter,
Ewing,	Malie,	Sassaman,	Speaker.
Foster, J. D.,	Martin,	Savacool,	
Gans,			

NAYS—2.

Morrow, Rex,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1491, as follows:

A Joint Resolution proposing a constitutional amendment to the Constitution of Pennsylvania granting to the people the right of recall of public officers

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That an amendment be submitted to the people of the Commonwealth of Pennsylvania to amend article six by adding thereto a new section to be known as section five as follows

Section 5 Every elective public officer in the Commonwealth of Pennsylvania including all the judges of the several courts whether holding his office by election or appointment is subject as herein provided to recall by the legal voters of the Commonwealth or of the electoral district from which he is elected There may be required twenty-five per centum (25 per centum) but not more of the voters who voted in his district at the preceding election for the office to which he was elected to file a valid petition demanding his recall by the people save and except that the signatures of one hundred and fifty thousand ($150,000) legal voters shall make valid petition demanding the recall of a State officer voted for by the qualified electors of the entire State The petitioners shall set forth in their petition the reasons for such demand If he shall offer his resignation it shall be accepted to take effect on the day the resignation is offered and the vacancy shall be filled as may be provided by law If he shall not resign within five (5) days after the petition is filed a special election shall be ordered to be held in his said election district not less than thirty (30) days nor more than sixty (60) days after the filing of such petition to determine whether the people shall recall such officer On the sample and official ballots at said election shall be printed in not more than five hundred (500) words the reasons for demanding the recall of said officer as set forth in the recall petition and in not more than five hundred (500) words the officer's justification of his course in office provided that the General Assembly may provide by means of a publicity pamphlet or otherwise for further information of the voters concerning the reasons alleged for the recall of said office as set forth in the original petition filed for the recall of said officer together with the said officer's defense He shall continue to perform the duties of his office until the result of said special election shall be officially declared Other candidates for the office may be nominated to be voted upon at said special election by petition or in such manner as is or may be provided by law The recall of the officer against whom such recall petition is filed shall be voted upon as a separate question If a majority of all the voters voting in such special election shall vote in favor of the recall of said officer he shall thereby be removed from such office and the candidate who shall have received the highest number of votes shall be deemed elected to fill the remainder of the term The name of the officer sought to be recalled shall not appear on the ballot as a candidate No vote for any candidate shall be counted unless the voter has also voted upon the question of the recall of the officer sought to be removed The recall petition shall be filed with the officer with whom a petition for nomination to such office should be filed or other officer as may be provided by law and such officer shall order a special election when it is so required No such recall petition shall be circulated against any officer until he has actually held his office six months save and except that it may be filed against a Senator or Representative in the General Assembly at any time after twenty (20) days from the beginning of the first session after his election After one such petition and special election no further recall petition shall be filed against the same officer during the term for which he was elected within one year of the expiration of the term for which said officer was elected and no further petition shall be filed against said officer until such further petitioners shall first pay into the public treasury which has paid such election expenses the whole amount of its expenses for such previous special election Such additional legislation as may aid in the operation of this section shall be provided by law including provisions for payment out of the public treasury of the reasonable special campaign expenses of such officer in the event that he is not recalled

This section shall be self executing It shall be held independent of and additional to any other method of removal from office In carrying out this provision the general election laws shall apply as nearly as may be until the necessary legislation shall be provided therefor But no legislation shall in any way restrict or limit the operation of the provisions of this article or impair the powers herein reserved to the people

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BENSON. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1314, as follows:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no court of common pleas of this Commonwealth sitting in equity shall grant a preliminary injunction or cautionary order without previous notice to the opposite party of the time and place of making application for such injunction or order Provided however that if it be averred by complainant that it is impossible to serve notice upon the opposite party within reasonable time the court in its discretion may upon the filing of an affidavit setting forth the reasons why it appears impossible to serve such notice within reasonable time grant a preliminary injunction or cautionary order in a proper case on bill and injunction affidavits in the manner now or hereafter provided by the rules of court

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Alworth,	Ehrhardt,	Martin,	Sassaman,
Ambler,	Eichenberger,	Mather,	Schaeffer, A. C.
Arthur,	Ely,	Matt,	Schuck.
Baldwin, R. J.,	Ewing,	McAleer,	Scott, J. R. K.,
Barner,	Foster, J. D.,	McAllister.	Scott, S. B.,
Bass,	Gans,	McArdle,	Semmens,
Becker,	Gibson,	McCaig,	Shaffer, C. A.,
Benson,	Good,	McDermott,	Sherwood,
Berntheizel,	Gramley,	McKay,	Showalter,
Bigger,	Gransback,	Metzenbacher,	Smith, J. W.,
Bittles,	Haggerty,	Miller,	Smith, L.,
Blair, W. F.,	Hemminger,	Missimer,	Spillinger,
Body,	Herman,	Mitchell,	Steedle,
Brosius,	Heyburn,	Moore,	Steele,
Brown,	Hibshman,	Morrow,	Stein,
Brownlee,	Hobbs,	Moses,	Strauss,
Burnett,	Howard, J.,	Moulthrop,	Swartz,
Caldwell,	Howard, R.,	Murphy,	Swift
Campbell, C.M.,	Humes,	Musser,	Thomas,
Campbell, J.J.	Isler,	O'Neill,	Trach,
Carson,	Jackson,	Peachey,	Ulerich,
Carter,	Jones, E. E.,	Pennegar,	Ulman,
Claycomb,	Jones, J. R.,	Pennock,	Walnut,
Cleary,	Kaiser,	Perry, S. J.,	Walton,
Conner,	Keeport,	Peters,	Watson,
Conniff,	Kitts,	Piper,	Whitaker.
Conrade,	Kuhn, H. P.,	Post.	Wildman,
Cox,	Kuhns, E.G.M.,	Price,	Williams,
Currier,	Lenker,	Ramsey,	Wilson, J. H.,
Curry,	Leslie,	Redfield,	Wilson, W. H.,
Davis,	Light,	Reese,	Wiltbank,
Donahoe,	Lohr,	Reeser,	Young, G. K.,
Donnally,	Malie,	Rhoads,	Zimmerman,
Dunn, H. B.,	Mannion,	Rothenberger,	Alter,
Dunn, J. A.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1101, entitled:

An Act providing for including in the taxable value of lands upon which are maintained bill boards signs or other advertising devises the increased value of such lands resulting from the use of such premises for advertising

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STEEDLE. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. DAVIS. Mr. SPEAKER, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1601, entitled:

An Act to promote and encourage manufacturing within the Commonwealth by exempting from State and local taxation all machinery actually and exclusively used within the Commonwealth in manufacturing or for manufacturing purposes

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, I would like to ask the sponsor to explain the purpose of this measure.,

Mr. MITCHELL. Mr. Speaker, the gentleman from Philadelphia no doubt knows that all machinery actually and exclusively used in manufacturing or for manufacturing purposes, that is, all machinery in place in the City of Philadelphia is exempt from taxation to-day. The session of 1911 extended that same exemption to second class cities. The purpose of this bill is to put the rest of the State upon an equality, upon a parity with Philadelphia and second class cities. There is a feeling that industrial concerns throughout the State should not be discriminated against in that respect and this is one of the recommendations made by the Commission for the Revision of the Taxation and Revenue Laws of the Commonwealth.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. SEMMENS. Mr. Speaker, I do not think there is any urgent demand by the manufactureres for the passage of this bill. I know of boroughs in the State where there are large manufacturing plants where they will be put in a very bad predicament if this bill becomes a law. The little borough that I represent has a large manufacturing plant and by reason of the flooded conditions of that valley they have had to borrow money on the valuation up to the limit, expecting, of course, to receive some taxes from this machinery, to help pay off their bond. Now, if this bill becomes a law it will reduce the assessed valuation of our valley at least 25 per cent. and the poor people would have to pay what the manufacturers would escape and I am opposed to the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—85.

Alworth,	Eichenberger,	McAleer,	Roney,
Ambler,	Ely,	McAllister,	Schuck,
Aron,	Ewing,	McArdle,	Scott, S. B.,
Arthur,	Forster, L. G.,	McCalg,	Shern,
Baldwin, G. A.,	Gans,	McClintock,	Showalter,
Bass,	Geary,	McKay,	Smith, L.,
Becker,	Gibson,	Mechling,	Speiser,
Bittles,	Gramley,	Miller,	Spillinger,
Blair, W. A.,	Gransback,	Missimer,	Swartz,
Bleloch,	Hackett,	Mitchell,	Swift,
Brownlee,	Haggerty,	Morrow,	Thomas,
Campbell, J.J.	Heidinger,	Moses,	Ulman,
Cleary,	Hemminger,	Neel,	Walnut,
Conner,	Jones, E. E.,	O'Neill,	Watson,
Conrade,	Jones, J. R.,	Pennegar,	Wildman.
Cox,	Kaiser,	Pennock,	Wilson, W. H.,
Currier,	Kaufman,	Perry, S. J.,	Wiltbank,
Curry,	Keeport,	Redfield,	Young, G. K.,
DeFrees,	Kitts,	Reese,	Zimmerman,
Down,	Kuhn, H. P.,	Rex,	Alter,
Dunn, H. B.,	Malie,	Rhoads,	Speaker.
Dunn, J. A.,	Mannion,		

NAYS—63.

Barner,	Herman,	Murphy,	Shaffer, I. E.,
Benninger,	Hess,	Musser,	Smith, J. W.,
Benson,	Hobbs,	Newbaker,	Snavely,
Blair, W. A.,	Howard, R.,	Newton,	Snyder,
Body,	Humes,	Peachey,	Steedle,
Brosius,	Jackson,	Peters,	Steele,
Burnett,	Kennedy,	Post,	Stein,
Caldwell,	Kern,	Price,	Stone,
Campbell, C.M.,	Kuhns, E.G.M.,	Ramsey,	Strauss,
Carson,	Lenker,	Rockwell,	Trach,
Claycomb,	Lohr,	Rothenberger,	Walton,
Donahoe,	Martin,	Sassaman,	Whitaker,
Donnally,	Matt,	Savacool,	Williams,
Foster, J. D.,	McDermott,	Semmens,	Wilson, J. H.,
Geiser,	Mellott,	Shaffer, C. A.,	Young, J. H.,
Good,	Metzenbacher,		
Grabe,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1594, entitled:

An Act to amend section ten of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and method whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GEISER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. E. G. M. KUHNS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1541, entitled:

Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Allen,	Eichenberger,	Martin,	Sassaman,
Alworth,	Ely,	Mather,	Savacool,
Ambler,	Foster, J. D.,	Matt,	Schaeffer, A. C
Aron,	Gans,	McAleer,	Schuck,
Arthur,	Geary,	McAllister,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	McArdle,	Semmens,
Baldwin, R. J.,	Gibson,	McCalg,	Shaffer, C. A.,
Barner,	Good,	McClintock,	Shaffer, I. E.,
Bass,	Grabe,	McDermott,	Shern,
Becker,	Gramley,	McKay,	Sherwood,
Benninger,	Gransback,	McNichol,	Showalter,
Benson,	Hackett,	Mechling,	Smith, J. W.,
Berntheizel,	Haggerty,	Metzenbacher,	Smith, L.,
Bigger,	Heidinger,	Miller,	Snavely,
Bittles,	Hemminger,	Missimer,	Snyder,
Blair, W. A.,	Herman,	Mitchell,	Speiser,
Blair, W. F.,	Hess,	Moore,	Spillinger,
Body,	Heyburn,	Morrow,	Steedle,
Brosius,	Hibshman,	Moses,	Steele,
Brown,	Hobbs,	Murphy,	Stein,
Brownlee,	Howard, R.,	Musser,	Stone,
Burnett,	Humes,	Newbaker,	Strauss,
Caldwell,	Isler,	Newton,	Swartz,
Campbell, C.M.,	Irwin, H. H.,	O'Neill,	Swift,
Campbell, J.J.	Jackson,	Peachey,	Thomas,
Carson,	Jones, E. E.,	Pennegar,	Trach,
Carter,	Jones, J. R.,	Pennock,	Ulerich,
Claycomb,	Kaiser,	Perry, H. L.,	Ulman,
Cleary,	Keeport,	Perry, S. J.,	Walnut,
Conner,	Kennedy,	Peters,	Walsh,
Conniff,	Kern,	Piper,	Walton,
Conrade,	Kitts,	Post,	Watson,
Cox,	Klepper,	Price,	Wettach,
Currier,	Kuhn, H. P.,	Ramsey,	Whitaker,
Curry,	Kuhns, E.G.M.,	Redfield,	Wildman,
Davis,	Latshaw,	Reese,	Williams,
DeFrees,	Lenker,	Reeser,	Wilson, J. H.,
Dickinson,	Leslie,	Rhoads,	Wilson, W. H.,
Donahoe,	Light,	Robinson,	Wiltbank,
Donnally,	Lohr,	Rockwell,	Young, G. K.,
Down,	Lowers,	Roney,	Zimmerman.
Dunn, H. B.,	Malie,	Rothenberger,	Alter,
Dunn, J. A.,	Mannion,	Runk,	Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1300, entitled:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, I would like to have the sponsor of this bill give an explanation of its workings.

Mr. STEIN. Mr. Speaker, the explanation of the bill is this: It is required by the councils of Pittsburgh for the reason that when there is an issue of bonds for certain improvements, as soon as the bonds are issued the interest begins to run. The idea is to issue short term notes, and thereby delay the issuing of bonds for the purpose of saving the interest. I think it is a very meritorious measure, and will be a great saving of interest until bonds are actually issued.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Allen,	Eichenberger,	Letzkus,	Sassaman,
Alworth,	Ely,	Lowers,	Savacool,
Ambler,	Ewing,	Malie,	Schaeffer, A. C
Aron,	Fahey,	Mannion,	Schuck,
Arthur,	Foster, J. D.,	Martin,	Scott, S. B.,
Baldwin, R. J.,	Frey,	Mather,	Semmens,
Barner,	Gans,	Matt,	Shaffer, C. A.,
Bass,	Geary,	McArdle,	Shaffer, I. E.,
Becker,	Geiser,	McCaig,	Shern,
Benninger,	Gibson,	McClintock,	Showalter,
Benson,	Good,	McDermott,	Smith, J. W.,
Berntheizel,	Grabe,	McKay,	Smith, L.,
Bigger,	Gramley,	Mellott,	Snavely,
Bittles,	Gransback.	Metzenbacher,	Snyder,
Blair, W. A.,	Gray, Joseph,	Miller,	Speiser,
Blair, W. F.,	Hackett.	Missimer,	Spillinger,
Body,	Haggerty,	Mitchell,	Steedle,
Brosius,	Heidinger,	Moore.	Steele,
Brown,	Hemminger,	Morrow.	Stein,
Brownlee,	Herman,	Moses,	Stone,
Burnett,	Hess,	Moulthrop,	Strauss,
Caldwell,	Heyburn,	Murphy,	Swartz,
Campbell, C.M.,	Hibshman,	Musser,	Thomas,
Campbell, J.J.	Hobbs,	Neel,	Trach,
Carson,	Howard, R.,	Newbaker,	Ulerich,
Carter,	Humes,	Newton,	Ulman,
Claycomb,	Isler,	North,	Walnut.
Cleary,	Irwin, G. C.,	Peachey,	Walsh,
Collins,	Irwin, H. H.,	Pennegar,	Walton,
Conner,	Jackson,	Pennock,	Wettach,
Conniff,	Jones, E. E.,	Perry, H. L.,	Whitaker,
Conrade,	Jones, J. R.,	Perry, S. J.,	Whitman,
Cox,	Kaiser,	Peters,	Wildman,
Currier,	Keeport,	Piper,	Williams,
Curry,	Kennedy,	Price,	Wilson, J. H.,
Davis,	Kern,	Ramsey,	Wilson, W. H.,
DeFrees,	Kitts,	Redfield,	Wiltbank,
Dickinson,	Klepper,	Reese,	Young, G. K.,
Donahoe,	Kuhn, H. P.,	Richards,	Young, J. H.,
Donnally,	Kuhns, E.G.M.,	Robinson,	Zimmerman,
Down,	Latshaw,	Roney,	Alter,
Dunn, H. B.,	Lenker,	Rothenberger,	Speaker.
Dunn, J. A.,	Leslie,	Runk,	
Ehrhardt,			

NAYS—2.

McAleer, O'Neill,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1748, entitled:

An Act relating to the height of buildings in cities of the second class limiting the height of buildings to be erected therein and making provision for enforcing the limitations imposed by this act

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BIGGER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ALLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 412, as follows:

An Act making an appropriation to Fannie C Spires the amount illegally demanded and collected as a State license fee from her as the proprietress of a moving picture place in the State of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred dollars ($500) or so much thereof as may be necessary be and the same is hereby specifically appropriated to Fannie C Spires of the City of Philadelphia or her legal representatives

Said sum of five hundred dollars ($500) being the amount which the city treasurer of the city of Philadelphia illegally demanded and collected from the said Fannie C Spires as proprietress of a moving picture place located at numbers two hundred and twent-two two hundred and twenty-four two hundred and twenty-six East Girard Avenue in the city of Philadelphia State of Pennsylvania on the thirty-first day of October one thousand nine hundred and ten as the State license fee due the said State treasurer under the act of June twenty-four one thousand eight hundred and ninety-five (Pamphlet laws two hundred and forty-nine) and the amendment thereto of May twenty-three one thousand nine hundred and seven (Pamphlet Laws two hundred and nineteen) the said Fannie C Spires not being liable for the payment of a State license fee under the decision of the Superior Court of Pennsylvania in the case of the Commonwealth of Pennsylvania versus Fannie C Spires to October term one thousand nine hundred and eleven number two hundred and seventy-four upon the appeal of the plaintiff from the judgment of the court of common pleas number five of the county of Philadelphia to September term one thousand nine hundred and eleven number two thousand seven hundred and fifty-one upon a case stated

Mr. WALNUT. Mr. Speaker, this bill provides for the refunding to Fannie C. Spiers the sum of five hundred dollars paid to the State Treasury, through the City Treasury, for a license as a theatrical establishment. The case was taken into the lower court and then into the Superior Court and it was decided that the property of this defendant is not equipped with any stage or vaudeville facilities and "the entertainment consists only of life motion pictures—moving pictures—and illustrated songs. Whether these songs are given by mechanical appliances or by human voices is not stated. The building is arranged for moving picture shows exclusively and the defendant pays a fee of one hundred dollars to the cty in accordance with the ordinance of Council of February 20th, 1908." This is the decision of the court in the case. The purpose of this decision was to show that the establishment was a moving picture place and not a theatrical establishment and, therefore, the fee of five hundred dollars was improperly collected by the State Treasurer. We are asking to have the fee returned to the person who paid it in accordance with the decision of the Superior Court.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Allen,	Fahey,	Mannion,	Rothenberger,
Ambler,	Forster, I. G.,	Martin,	Runk,
Aron,	Foster, J. D.,	Mather,	Sassaman,
Arthur,	Frey,	McAleer,	Savacool,
Baldwin, R. J.,	Gans,	McAllister,	Schaeffer, A. C
Barner,	Geary,	McArdle,	Schuck,
Bass,	Geiser,	McCaig,	Scott, S. B.,
Becker,	Good,	McClintock,	Semmens,
Benninger,	Goss,	McDermott,	Shaffer, C. A.,
Benson,	Grabe,	McKay,	Shaffer, I. E.,
Berntheizel,	Gramley,	McNichol,	Shern,
Bigger,	Gransback,	Mechling,	Sherwood,
Bittles,	Hackett,	Mellott,	Showalter,
Blair, W. A.,	Haggerty,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Heidinger,	Miller,	Smith, L.,
Body,	Hemminger,	Missimer,	Snavely,
Brosius,	Herman,	Mitchell,	Snyder,

Brown,	Hess,	Moore,	Speiser,
Brownlee,	Heyburn,	Morrow,	Spillinger,
Burnett,	Hibshman,	Moses,	Steedle,
Caldwell,	Hobbs,	Moulthrop,	Steele,
Campbell, C.M.,	Hoffman,	Murphy,	Stein,
Campbell, J.J.	Howard, J.,	Musser,	Stone,
Carson,	Howard, R.,	Neel,	Strauss.
Carter,	Humes,	Newbaker,	Swartz,
Claycomb,	Isler,	Newton,	Swift,
Cleary,	Irwin, G. C.,	North,	Thomas,
Collins,	Jackson,	O'Neill,	Trach.
Conner,	Jones, J. R.,	Pennegar,	Ulman,
Conniff,	Kaiser,	Pennock,	Walnut,
Conrade,	Keegan,	Perry, H. L.,	Walsh,
Cox,	Keeport,	Perry, S. J.,	Walton,
Currier,	Kennedy,	Peters,	Watson,
Curry,	Kern,	Post,	Wettach,
Davis,	Kitts,	Price,	Whitaker,
DeFrees,	Klepper,	Ramsey,	Whitman,
Dickinson,	Kuhn, H. P.,	Redfield,	Wildman.
Donahoe,	Kuhns, E.G.M.,	Reese,	Williams,
Donnally,	Latshaw,	Reeser,	Wilson, J. H.,
Down,	Lenker,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Leslie,	Richards,	Wiltbank,
Ehrhardt,	Lohr,	Robinson,	Young, G. K.,
Eichenberger,	Lowers,	Rockwell,	Young, J. H.,
Ely,	Malie,	Roney,	Zimmerman,
Ewing,			Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1503, entitled:

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class and providing a penalty for the violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—179.

Allen,	Fahey,	Martin,	Roney,
Alworth,	Forster, I. G.,	Mather,	Rothenberger,
Ambler,	Foster, J. D.,	Matt,	Runk,
Aron,	Frey,	McAleer,	Sassaman,
Arthur,	Gans,	McAllister,	Savacool.
Baldwin, R. J.,	Geary,	McArdle,	Schaeffer, A. C
Barner,	Geiser,	McCaig,	Semmens,
Bass,	Glenn,	McClintock,	Shaffer, C. A.,
Becker,	Gramley,	McDermott,	Shaffer, I. E.,
Benninger,	Gransback,	McKay,	Shern,
Benson,	Hackett,	McNichol,	Sherwood,
Bernthelzel,	Haggerty,	Mechling,	Showalter,
Bigger,	Heidinger,	Mellott,	Smith, J. W.,
Bittles,	Hemminger,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Herman,	Miller,	Snavely,
Blair, W. F.,	Hess,	Missimer,	Snyder,
Body,	Heyburn,	Mitchell,	Speiser,
Brosius,	Hibshman,	Moore,	Spillinger,
Brown,	Hobbs,	Morrow,	Steedle,
Brownlee,	Howard, R.,	Moses,	Steele,
Burnett,	Humes,	Murphy,	Stein,
Caldwell,	Isler,	Musser,	Stone,
Campbell, C.M.,	Irwin, G. C.,	Neel,	Strauss,
Campbell, J. J.,	Irwin, H. H.,	Neely,	Swartz,
Carson,	Jackson,	Newbaker,	Swift,
Carter,	Jones, E. E.,	Newton,	Thomas
Claycomb,	Jones, J. R.,	North,	Trach,
Cleary,	Kaiser,	O'Neill,	Ulerich,
Collins,	Kaufman,	Pennegar,	Ulman,
Conner,	Keegan,	Pennock,	Walnut,
Conniff,	Kennedy,	Perry, H. L.,	Walsh,
Conrade,	Kern,	Perry, S. J.,	Walton,
Cox,	Kitts,	Peters,	Watson,
Currier,	Klepper,	Piper,	Wettach,
Curry,	Kuhn, H. P.,	Post,	Whitaker,
Davis,	Kuhns, E.G.M.,	Price,	Whitman,
DeFrees,	Latshaw,	Ramsey,	Wildman,
Donahoe,	Lenker,	Redfield,	Williams.
Donnally,	Leslie,	Reese,	Wilson, J. H.,
Down,	Light,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Lohr,	Rhoads,	Wiltbank,
Dunn, J. A.,	Lowers,	Richards,	Young, G. K.,
Ehrhardt,	Malie,	Robinson,	Young, J. H.,
Eichenberger,	Mannion,	Rockwell,	Zimmerman,
Ely,			Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. RICHARDS. Mr. Speaker, I desire to call up House Bill No. 620, file folio 2791, on page 25 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed consideration on third reading of H. R. bill No. 620, as follows:

An Act to amend an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-ninth day of May Anno Domini one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored to inmitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dinig-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure" which now reads as follows "Section one Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleaginous substance or compound thereof not produced from pre unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like yellow butter nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act" is hereby amended so as to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person firm or corporation shall by himself herself or themselves or by his her or their agent servant nor shall any officer agent servant or employee of any person firm or corporation manufacture sell ship consign offer for sale expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance article product or compound made wholly or partly out of any fats oils or oleoginous substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fats foreign to the said milk or cream unless such firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless such person firm or corporation shall in all other respects comply with and observe the provisions of this act

No such substance shall hereafter be sold offered for sale or exposed for sale unless it be put up by manufacturers in bricks prints or rolls of one-half of one pound one two three or five pounds and in no other larger or smaller subdivision Such bricks prints or rolls shall be wrapped and sealed and upon such seal shall be painly

printed the name and address of the manufacturer of said oleomargarine and the said package shall be plainly and conspicuously labeled with the word "Oleomargarine" in Gothic or equally conspicuous letters at least three-eighths of an inch high Said seals shall be so affixed to the one-half of one pound one two three and five pound bricks prints or rolls as to seal the wrappers thereof so that such wrappers or covering may not be opened without destroying the seal affixed thereto Said bricks prints or rolls may be packed by the manufacturer thereof in wooden or other packages or containers each containing not less than ten pounds All sales made by manufacturers of oleomargarine and wholesale dealers in oleomargarine shall be in the original manufacturer's packages or containers in quantities of ten pounds or more at one time Retail dealers in oleomargarine shall sell only from the manufacturer's original packages of the sealed manufacturer's one-half of one pound one two three or five pound bricks prints or rolls and in quantities of ten pounds or less at one time

Section 2 That the second section of said act which now reads as follows

"Section 2 Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance not made or colored in imitation of yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner and the said name and style shall not in the judgment of the Dairy and Food Commissioner be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble or be in imitation of yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel restaurant or dining-room the annual sum of fifty dollars and if a proprietor of a boarding-house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissione or his agent shall be by him immediately covered into the State Treasury Such licenses shall not authorize the manufacture or sale exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in the application and license and the said license shall not authorize the manufacture sale exposing for sale or having in possession with intent to sell any oleomargarine butterine or any similar substance made or colored so as to resemble or be in imitation of yellow butter

All licenses under this act shall expire on the thirty-first day of December of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such license may be transferred by the Dairy and Food Commissioner upon the application in writing of the person or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons firm and corporations who shall sell to dealers and persons who shall buy to sell again and all persons firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons firms and corporations who shall sell in quantities less than ten pounds" is hereby amended so as to read

Section 2 Every person firm or corporation and every agent of such person firm or corporation desiring to manufacture sell or offer or expose for sale or have in possession with intent to sell oleomargarine butterine or any similar substance shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner he shall issue to the applicant or applicants a license authorizing him her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of eighteen dollars if the proprietor of a hotel restaurant or dining-room the annual sum of ten dollars and if a proprietor of a boarding-house the annual sum of six dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately covered into the State Treasury Such license shall not authorize the manufacture or sale exposing for sale or having in possesion with intent to sell oleomargarine butterine or any similar substance at any other place than that designated in application and license or in any other form or style of package than that prescribed in Section one of this act All licenses under this act shall expire on the thirtieth day of June of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such licenses may be transferred by the Dairy and Food Commissioner upon the application in writing of the person firm or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Section 3 That the fifth section of said act which now reads as follows

"Section 5 Every licensed manufacturer of oleomargarine butterine or other similar product not in imitation of yellow butter and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment of oleomargarine butterine or other similar substance not in imitation of yellow butter giving the date of sale and shipment the quantity the person to whom sold and shipped the place to which shipped and the name of the transportation line by which shipped which book shall always be open to the examination of the Dairy and Food Commissioner his agents attorneys and representatives Every licensed retail dealer in oleomargarine butterine or similar substance not in imitation of yellow butter shall keep an accurate account in a book open to the examination of the Dairy and Food Commissioner his agents attorneys and representatives in which shall be entered the date of the receipt of all purchases of oleomargarine butterine or any similar substance made by such retail dealer stating therein where when and from whom purchased and the quantity and the said books so to be kept by manufacturers wholesale and retail dealers shall be in such forms as the Dairy and Food Commissioner shall direct" is hereby amended so as to read

Section 5 Every licensed manufacturer of oleomargarine butterine or other similar product and every licensed wholesale dealer therein shall keep a book in which shall be entered accurately every sale and shipment of oleomargarine and other simlar substance giving the date of sale and shipment the quantity the person to whom sold and shipped and the place to which shipped which book shall always be open to the examination of the Dairy and Food Commissioner his agent attorneys and representatives and the said books so to be kept by manufacturers and wholesale dealers shall be in such form as the Dairy and Food Commissioner shall direct

Section 4 That the fourth section of said act and all other acts or parts of acts inconsistent with this act are hereby repealed

On the question recurring,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. RICHARDS. Mr. Speaker, I desire to explain briefly the provisions of this bill and the reason for its introduction. This is an act seeking to amend the act of 1901, which prohibited the manufacturers of oleomargarine from selling their goods, even though it had the natural color of the ingredients used in the composition of oleomargarine. The present law regulating the sale of oleomargarine was enacted some twelve years ago, as you can readily see, but the conditions have changed in my opinion, Mr. Speaker, and as the result this law is intended to meet those conditions. In 1901, when this law was enacted, there was an abundance of butter and the prices were very much lower than they are at the present time, but at this time and for several years past the price of butter has been gradually and continually advancing, with the result that the sale of oleomargarine is now more common and is in more general use than heretofore, and is now recognized, Mr. Speaker, as a very healthful and nutritious article of food, and is recognized throughout the United States at this time as one of the legitimate articles of commerce. There has been no food product to my mind that has been so legislated and so protested against as oleomargarine. I acknowledge that this is partly due to the unscrupulous and dishonest retailer, rather than to the manufacturer of oleomargarine; and for this reason, Mr. Speaker, previous to 1901, manufacturers of oleomargarine were permitted to color, in a manner, their products. They were permitted under the act previous to 1901 to ship to the retailer firkins consisting of fifty or sixty pounds, with this result: That the dishonest and unfair retailer would purchase several of these firkins of oleomargarine, place them on sale in his place of business and advise the public into believeing that this was butter, and sold it to his customers at the price of butter. That alone, however, Mr. Speaker, is to my mind an argument in favor of oleomargarine, inasmuch as the people who purchased that article

did not know but what they were eating the finest creamery butter. This bill will prevent that fraud or at least reduce it to a minimum. This bill provides that a manufacturer of oleomargarine can only sell it in the five different packages, beginning with the one-half pound, one, two, three and five-pound prints or rolls. These prints or rolls must be then securely wrapped, then sealed, with the name of the oleomargarine manufacturer on that seal, and in addition, Mr. Speaker, the package, itself, will be labeled "oleomargarine" in letters not smaller than three-eights of an inch high, so that if the oleomargarine is sold in that manner, there can be deception practiced by the unscrupulous or dishonest retailer on others. It will then be in the position, Mr. Speaker, that you and I can go to the butter store or send to the butter store and ask to be given a pound of oleomargarine, knowing that we will get oleomargarine and at a price fifty per cent. less than the creamery trust is compelling us to pay for butter. The other amendment of our bill pertains to the license fees. It allows the license fee of manufacturers of oleomargarine to remain as it is, one thousand dollars a year; it allows the wholesale license fee to remain as it is, five hundred dollars a year; it reduces the retail dealers license from one hundred dollars a year to eighteen dollars a year; it reduces the license fee of the hotel keeper from fifty dollars a year to ten dollars a year; and that of the boarding house keeper from ten dollars a year to six dollars a year. This act does not change the penalty of the act of 1901.

POINT OF ORDER.

Mr. H. B. DUNN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. H. B. DUNN. Mr. Speaker, this is a very important bill, and there is so much noise back here that the members cannot hear what Mr. Richards is saying; and I think that the Speaker should see that the Sergeant-at-Arms should keep order back here.

The SPEAKER. Spectators in the rear of the hall will refrain from conversation and the Sergeant-at-Arms will expel anyone violating this order.

Mr. RICHARDS. This measure does not change the penalty for the violation of the law of 1901. Mr. Speaker, the maximum penalty for the violation of the present law, if it is enacted into law, is $1000 fine and twelve months in prison, so that it seems to me, Mr. Speaker, the retailer could not afford to take the chances of violating this law in order to sell at the most five pounds of butter. Now, the largest package that this bill permits to be sold at one time, Mr. Speaker, is five pounds, so that surely no reasonable business man would violate a law with such a penalty for the profits on the sale of one five-pound package of butter. He could not afford it. On page four of the bill, beginning with line sixty-five—and I will not attempt to read that, because I have already described it, but the members can then in a minute see the provisions of this bill.

Now, Mr. Speaker, there is not much more than I can say at this time in favor of this bill. I only desire at this time to explain to the members what this measure seeks to do. It seeks only to regulate the sale of oleomargarine. It seeks to impose a penalty for violation and seeks to place it in the condition and in the position, not as it was previous to 1901, when people could be deceived in the purchase of this article, but it seeks to place it in the position where the public cannot, or will not, at least, in my opinion, be deceived. I think it is a fair, honest bill and really should receive the favorable consideration of the members of this House.

Mr. McDERMOTT. Mr. Speaker, the gentleman from Allegheny, Mr. Richards, has told you that this is a poor man's butter.

Mr. RICHARDS. I have not, Mr. Speaker, and I object to that kind of language being used. I have not used that term.

Mr. McDERMOTT. Mr. Speaker, he may not have used that term, but he has tried to impress on this House the same idea. I say, Mr. Speaker and Gentlemen, I am a representative of working people and I am proud of it. I am here to defend their cause to the best of my ability, now and at all times during this session. I say there is a deception in this bill; there is a cloak on this bill that seeks to fool the average man, and especially a great many people I am here to represent; the ones who are at a disadvantage to read and write, both male and female sex. Those are the ones that this bill takes advantage of. If this bill becomes a law, the people that are behind this act, that is, the beef trust, will have put in their hands another weapon to lick the working people of this State. When you make a market for this product, they will be like the floor trust about fifteen years ago. They will tie the product up for a few days and put up the price and then say, "It is the scarcity of the commodity." Now, I say to this House, this is a treacherous bill, and I say in the eyes of every fair man, that this bill should be licked. I say it is not intended to help the poor man. I say it is intended to put a hardship on him.

Mr. GRABE. Mr. Speaker, the gentleman from Allegheny has stated to this House that conditions have changed since 1901. Since then this bill has been before the House continually, protecting or eliminating the coloring of oleomargarine. We admit that conditions have changed since 1901 in reference to the price of butter, but I am going to say to this House, it is not to the limit that you are going to strike a blow at this great agricultural interest which is now before the people. The agricultural interests need encouragement and not a blow to discourage.

The day has come when agricultural interests must be encouraged just as well as corporate institutions needed encouragement at one time. We have legislated years ago to encourage men of money to invest in industrial institutions. These men have invested their money and this State has become second on the map for industrial institutions and that is one of the causes of farm products being where they are now. The agricultural interests have been discouraged and the people are drifting away from the farm. The greatest problem before the American people today is the problem of farm help. I can take you all over the State of Pennsylvania and I can take you to men where with an acreage of sixty to two hundred acres of land they are physically past doing day's labor. They are toiling on that farm with probably a boy or some one that has been disabled and cannot work in the factories as they did at one time. That is one of the causes that has brought conditions as they exist today. Farm labor, we cannot get it. It is the greatest problem the farmer has to contend with today. I can produce on my farm ten times what I am producing now if I can get the help. For three months I have been trying to get an extra man on my farm. I only received word the other day that we at last have got a man. I have had one man doing the work of two men with two teams. Those are the conditions we are confronted with. These are the conditions that have been brought about by this continual increase from the country to the city. The inducements in the cities have been greater than those in the country and agriculture is practically at a stand still in the State of Pennsylvania. Vast interests are lying idle for the want of help. Are you going to strike at this great agricultural interest, the greatest of them all, which not only produces the butter and milk, but which produces back into your soil the fertility that we cannot raise any products unless we have that fertility. Gentlemen, if you can vote for this bill today, you are simply increasing your cost of living. There is no other way out, because you are taking away that fertility that we cannot get along without. It is the cow that produces the potatoes, the corn, the hay crop and every other crop that is today raised on the farm. Gentlemen, this is a measure that needs careful consideration. If you ever expect to decrease the cost of living, do not strike at the agricultural interests. Gentlemen, personally it don't hurt me. I don't expect to do very much farming personally, but I tell you gentlemen I have the highest interest in my people at home. There are many of us that are coming on that need our legislation. This bill I want to say to you strikes at the working people. It strikes every consumer that earns his bread by the sweat of his brow. Gentlemen, give us a fair condition. Don't take away the fertility of the soil which you and I depend on.

Mr. ULERICH. Mr. Speaker, I do not intend to make an address on this subject, but I want to say this, that I believe that the idea that the farmers have that this measure will interfere with their business, is largely a matter of imagination. I come from a county that is largely a farming community—well just about equally divided between the industries and the farming industry. Last session when this measure was up for discussion, I had but one protest against it, and that from a woman who did not

run a dairy or a farm and I had numerous petitions and requests that this measure be passed, not only from the men interested in industry, but men interested in farming, and this session of the Legislature, I have had the same requests from farmers and from men who are laborers. I have not had one protest against it by the farmers or anybody else. Now gentlemen, it seems to me that if this measure was as important as it is said, so far as the farmers are concerned, we certainly would have some protests from the granges and from the dairy interests in our county, but we are here today from a large rural community, representing large farming interests and representing large dairy interests, and every member of our delegation is for this measure.

Mr. GRABE. Mr. Speaker, I hold in my hand requests from my constituents, three or four hundred of them that represent agricultural interests, protesting against this measure. This measure is nothing but a wolf clothed in lambs clothing. That is all it is. It is not a measure at all to protect the working people; nor is it a measure to protect the farmer. Why, if it does not add anything to the quality do they want to color it and sell it as butter? Why do they insist on it?

Mr. McNICHOL. Mr. Speaker, those of us who were members of this House two years ago will recall the treatment that this bill received at that time. If my memory serves me aright, the opposition to the bill in this House was so great that when the bill was proposed for second reading, and the consent of the House asked, it was almost unanimously repudiated. To my mind there has been no particular change in the two years that would warrant a change in the sentiment of this House. The purpose of this bill, to my mind, permitting the coloring of an article that is not butter, to resemble butter, is for but one purpose and that purpose the imposition of a fraud upon an unsuspecting public. People say the coloring matter does the article no harm; it makes it more inviting to the user. A man, to my mind, who desires to use oleomargarine and has cultivated an appetite for it, will use it whether it is colored or not and when they color the oleomargarine it is for the purpose of substituting it for butter and charging the same price for the oleomargarine that they now do for butter.

During the hearing in the Senate, before the sub-committee to consider the Cold Storage Bill, I talked to a man who is extensively engaged in the manufacture and sale of oleomargarine and he told me that the great trouble that they had with the oleomargarine was with the dealer, the retailer. He said that they would remove the covering and sell it for butter. Now if you permit the substitution of this coloring matter, to have the oleomargarine resemble butter you place the unsuspecting public at a disadvantage and subject to the unscrupulous dealer or retailer who would sell his product of oleomargarine as butter and get the same price for it.

Now, Gentlemen of the House, there is absolutely no reason why this bill should pass. There is absolutely no reason why a change in sentiment in this House should occur in two years from that unanimous opposition almost that caused us to withhold our consent. The men who have made an investigation know that it is the interests in Chicago that are asking this House to pass this bill, and for the same reason that we repudiated it two years ago, let us do it today, and not place at a disadvantage the working man, or the poor man who is compelled through necessity to buy this substitution. Let us make it impossible for the imposition to be practiced upon him. When he pays his price for oleomargarine, let it be oleomargarine that he gets; but don't permit them to allow a substitution and charge him the same price that he would be compelled to pay for butter.

Mr. SHOWALTER. Mr. Speaker, I desire to interrogate the gentleman from Pittsburgh, (Mr. Richards).

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated.

Mr. RICHARDS. Mr. Speaker, certainly.

Mr. SHOWALTER. Mr. Speaker, I would like to ask the gentleman from Pittsburgh whether the price of oleo is uniform throughout the year?

Mr. RICHARDS. Mr. Speaker, there is very little fluctuation in the price of oleomargarine. It depends a good deal on the amount of milk and cream used in the manufacture of oleomargarine. The price, I dare say, would not vary more than two or three cents a pound perhaps; while the price of farm butter various from twenty to twenty-five cents a pound in the year.

Mr. SHOWALTER. Mr. Speaker, I desire to ask the gentleman whether the coloring matter used in the oleomargerine would improve the taste.

Mr. RICHARDS. It would in so far as it would improve the palatability of the article.

Mr. SHOWALTER. Mr. Speaker, the other day I had occasion to go into a grocery store in this town and inquire how the price of oleomargerine fluctuated during the year. The grocery store is located down here by the Busy Bee restaurant and the clerk told me that the price varied from 12 to 15 cents; in other words, the price of oleomargerine was governed to a large extent according to the price of butter. It is my opinion that if you are going to pass this act you are going to enlarge the room for imposition; you are going to make the possibility greater to bring deception upon the people. If the price of oleo to a certain extent depends upon the price of butter, eventually the oleo will be sold in such great quantities that it will not be profitable for the dairymen of this State to maintain their dairies and the dairies will go out of existence, and after a while you will have no dairies to compete with this oleomargerine. I say if there is no good reason for passing this law, we should not pass it. Gentlemen we are striking at the roots of a great industry of the State of Pennsylvania, if we pass this law for the oleo manufacturer. Let us vote it down.

Mr. McALISTER. Mr. Speaker, any law that would meet with the approval and be acceptable alike to all the people would be too good to be true and too ambiguous in its promises to be of benefit to any one. It matters not how meritorious and just a measure may be there will always be some faction, some interest or person to interpose objections and in a very large majority of the instances these objections will be prompted entirely by selffish and personal motives. It would appear that the bill now under consideration is no exception to the rule. My personal interest in this bill is neither more nor less than that which would be the interest of every citizen of this Commonwealth, the general welfare. I am in favor of this bill because I believe it to be a wise and just one; a measure that will impose no hardship and which will be a great benefit to the people at large. That there is a necessity as well as an emphatic and persistent demand for some legislation, power or means which will tend to regulate and reduce the cost of living; no person who is at all familiar with the industrial and economical conditions at this time will deny. Since 1893 the average cost of the principal articles of food in this country has increased approximately 100 per cent. It has been frequently stated and widely disseminated through the public press that the general unrest and dissatisfaction of the people so pronounced at this time is in part attributable to this enormous increase in the cost of the common necessities of life. The high cost of living is not alone a subject of common discussion and interest to all people, but in thousands of the homes in this State the matter of providing food and clothing for the members of the family is to-day a serious problem, one that is taxing the resources of the most economical as they have never been taxed before. The President of the United States who but recently assumed the duties of office has convened the National Congress in extraordinary session for the specific purpose of considering this subject and endeavoring, if possible, to reduce the ever increasing burden of the people through a reduction of the tariff schedules affecting the necessities of life. While I do not believe in the remedy that is proposed at this time, I do believe in and am heartily in favor of any law of internal regulation or legislation that will help and tend to reduce the cost of the common necessities of life. The present law of the State of Pennsylvania governing the manufacture and sale of oleomargerine is nothing more or less than a prohibitory measure, a law which absolutely forbids and prohibits either the manufacture or distribution of the article with all its constituent parts which tend to make it a palatable wholesome and nutritious article of food, article that is sold in every civilized country on the face of the earth, and sold, so far as the ingredients are concerned under formulas and conditions which are identical with the provisions of this bill. I mean the right to color it the same as butter is colored, for notwithstanding any statement to the contrary, any person having any knowledge whatever

of the butter business knows that fully sixty per cent. of the butter on the market to-day is artificially colored. Why the opponents of this bill should say that the manufacturers of oleomargarine should be prohibited from coloring their product and that any violation of such provision shall be deemed a misdemeanor and punishable by fine and imprisonment, then I cannot understand if it is such a grave offence for the manufacturer of oleomargarine to color his product, why the same practice is not equally as reprehensible in the practice on the part of the man who makes butter. Every man here who knows anything about the butter business, knows that the purpose of coloring butter is not to give it a greater value as a food product, but to give it a larger commercial value in the market through its apearance. The opponents of this bill claim further that if this measure should be come a law the farmers will suffer irreparable financial loss. In my opinion Mr. Speaker, that statement is not worthy of the serious consideration of this House, I want to say to you that the majority of the farmers in the State of Pennsylvania produce very little more butter than they actually consume themselves. There was consumed in the State of Pennsylvania last year nearly 160 millions of pounds of butter, and the farmers and the creameries of this State produced less than one-eighth of that amount. I am heartily in favor of lending the farmers of this State every legitimate and honorable assistance possible, but I am not in favor of discriminating against all the other people of the State in order that their personal interest may be served and protected. In the event of this bill becoming a law, those who prefer butter and have the means to pay for it, will continue as now to use the same just so long as they can get it. Mr. Speaker, I want to call the attention of this House to the fact that there are many hundreds, aye, many thousands of homes in this State where butter is a luxury, beyond the limited income of the providers of those homes. Shall we say to these people that you shall not buy this wholesome and necessary substitute except in such a form as will make it unpalatable and undesireable. If the article was deleterious or injurious to health there would then be some just reason for denying them this privilege, but I do not think there is a gentleman on the floor of this House who can truthfully make that objection. Why the people of this State or any other States should be denied the privilege to purchase and use an article of food recommended by some of the foremost pure food experts and advocates in the country, an article that has been demonstrated by chemical analysis and common use to be pure, wholesome and nutritious is a question that I trust the gentlemen of this House will consider carefully and answer wisely.

Mr. PEACHEY. Mr. Speaker, everybody is right from their own standpoint. The question is with reference to the standpoint, and I as a farmer from the farm expect to view this question from the standpoint of a farmer, and I offer no opology whatever to any one on the floor of this House for being a farmer, from the fact that I was born bread and buttered, not oleomargarine, on the farm. And I say further than that, with reference to the farmer, that I believe, and I have reason for saying that the majority of the member on the floor of this House had the common sense to select farm people or rural people for their parents. With reference to this bill, the question isn't really whether this product is good or bad, but the question is whether this bill is bad, and I believe that it is. I believe it is bad from the fact that it was conceived in iniquity, born in sin and fostered and nourished by the grossest misrepresentation imagineable, from first to finish and that is the position I take with reference to it. I am not going to say it isn't good. and I am not going to say it isn't pure. That is not the question. The question is whether it should be sold as oleomargarine or whether it should be sold as imitation butter, and this law, the very law in force to-day, does not disqualify nor does it say that you cannot sell it as oleomargarine. But the question is with reference to its color. Now, then, if you people have viewed this question from the standpoint of the poor man, and that is what you want to represent, why then will you color it and add ten cents to every pound you color as a United States tax, when if the butter is uncolored, you add only one-fourth of a cent. It seems to me that somebody is not quite as consistent as he might be, and so it is a question with reference to the coloring, and no farmer in the State objects to its being sold now as oleomargarine, but they do object to its being sold in imitation of butter. Now, Mr. Speaker, with reference to the Pittsburgh District allow me to say this: I take up here this babbling baby of yellow journalism sent from Pittsburgh, and what do I find? Here we have a picture and a map and it shows Pittsburgh as a great distributing market for oleomargarine. That is all right, but I am going to tell you this, and I know what I am talking about from the fact that I have known quite a number of men sent out by the Department of Agriculture, men looking after the oleomargarine question, and I tell you that they had more trouble with reference to the bad things done in the sale of oleomargarine in the Pittsburgh District than they had all over the State. That cannot be gainsaid because I have it from the lips of the men working in that Department for a number of years. And, Mr. Speaker, another thing. The Beef Trust has been mentioned, and back of the oleomargarine business is the beef trust. You remember anything with refernece to what was done a few years ago, that the Beef Trust came into the State of Pennsylvania and shipped in dressed beef and they came into competition not only with the little butcher, not only with the man in the town, and the man in the village, but with the men in the larger towns in selling beef, and through the machinations of that Beef Trust they crushed him. They said they would crush him, and they did crush him.

And now then, within the last ten years the amount of cattle in Pennsylvania has decreased twenty-five pre cent. and why? Because the Beef Trust has injured that business, and yet men will stand on the floor of this House and will tell you that oleomargarine and the manufacture of it and the selling of it will not in any way injure the agricultural interests. Yet they have done it, as you all know. You can talk about Beef Trust and carry it further; where are they working to-day? One billion four hundred million dollars in the beef industry of the United States; thirty millions operating along the line of manufacture of oleomargarine; twenty-six companies and where do they work to-day? Where are these millionaire nabobs? In the northwest? No., they are down in Argentina to-day with the oleomargarine business. We are competing not just with Pennsylvania, we are competing not just with the United States, but we are competing with far-off Argentina, and there is another thing that we are going to compete. It will not be long until we have beef coming from that section of the country that will be eaten in the United States and when that whole lot of this produce comes, it will come with the manufacture of oleomargarine as to-day it comes from far-off Argentina, and that is a fact. We will receive it from there but not alone oleomargarine but other products. Then, with reference to the farmers' industry. I cannot do any better than give you some information or to refer you to what is being done here in Pensylvania. Pennsylvania has been decreasing in its fertility for the last ten or fifteen years. I know what I am talking about. I have talked along the line of a new agriculture for fifteen years in every county in Pennsylvania, except one, and in some of them I have been five times and I am going to say another thing; I can go back to any one of them as soon as I like. I know what I am talking about and I am talking to you on this subject from a farmer's standpoint and I know my friend down there, I believe he hails from Westmoreland County, tells me that this is a question of the imagination. I am sorry for his imagination because, it is over-drawn. I am sorry because it has run wild; it is beyond his control. I say here that agriculture, our system of agriculture cannot be kept up well unless you have cattle on your hills, and I say again that the Beef Trust has driven the cattle industry from the State of Pennsylvania, largely, and the more oleomargarine you ship into Pennsylvania, the further it is going to drive that home Beef industry out and the more you drive the beef industry from Pennsylvania the more desolated farms you will have and the more desolated farmers and the poorer will be those farmers. Not only that; but I say you will see more farm lands not farmed. I want you to understand what I mean when I say that you will be subject to freshets. You will have in Pennsylvania a more unsafe place to live than ever before. You can explain that away. You cannot destroy that argument. You talk about the freshets; I tell you Pennsylvania today and the United States is paying for its sin,—the removal of its forests; the removal of the vegetable matter from the soil and that is the trouble and you have to go

back and study that subject and you cannot talk on this subject intelligently or act upon it unless you take agriculture with it. The foundation of every industry is that no nation has lived as a world power that neglected its agriculture. And to-day if you vote in favor of this bill, you will legislate not in the interest of agriculture, but you will leigslate against it. You cannot serve God and Mammon. You cannot say "Good God and Good Devil" and serve both, but you have to be for one or for the other.

Spain, once tthe mistress of the sea and once the great world power, so long as she took care of her flocks and her vine covered hills and just so long as she did that, just so long she was properous and when she neglected that, down she went and she remained a world power no longer and is not a world power to-day. We have a bill coming up in this House in a few days, perhaps, that we are going to pass to send a few people over to Europe to study, not agriculture, but something else; I think it has something to do with the high cost of living that has been mentioned by my friend from Westmoreland County. I am glad he did mention it because I might have forgotten that. When you talk about the high cost of living, did you ever think with reference to the farmer, that there was a chain that reached from the farm to Wall Street and when that chain was weakened anywhere by failure in crops, Wall Street felt it. Did you ever think of it? That is the truth and with reference to this high cost of living. You know the great majority of people to-day want to charge that up to the farmer. I want to say another thing with reference to that: There is six billions dollars of products issued from the farms of the United States in a year. Do you know what they sell them for? That is the producer's price—six billions is the price. There is another price—the consumer's price and that is thirteen billion and it costs seven billions of dollars to market that produce and put that produce into the consumer's hands. In other words, the farmer to-day, and these are statistics, gets only thirty-five cents of a dollar on his products. Thirty-five cents of the consumer's dollar. Farmers, are you satisfied with that? I am not. I have been proclaiming against that for years, but as long as reason keeps her throne, I expect to continue along that line. Another thing that I want to say it this: when I talked to the members of this House on this bill and when I talked from the agricultural standpoint, I talked from the point of a butter maker. I have been a butter maker for a number of years and I am going to tell you further that if I was going to vote for this bill, I would be forever afterwards ashamed to look into the face of an honest cow. They tell me this: they say my constituents must be cared for. I have got to look after my constitutents and if there is any one under the sun I think a whole lot of, I think it is my constitutents. When you are voting on this bill, you are not voting just for Westmoreland. I mean imaginary Westmoreland County. You are not only voting for one county or only one part of the State, but you are voting for the State of Pennsylvania, and it does not hold there. You are also voting for the United States and so you dare not charge your constituents too colsely. That farmer man, and I know you all like him; I have heard you tell him so many times, and I know you have patted him on the back, whether you were a Progressive Republican or a Progressive Democrat or a Progressive Organization Republican; in all probability, you have patted them on the back and did pat them on the back last fall to your entire satisfaction. Now, that is all right, but look here, if the farmer was to stop three months, you would all get uneasy. If he was to stop six months, why you would get hungry. If he were to stop nine months, there would be a famine. If he were to stop a year, why you would not have any constituents. I want you to look after the agricultural interests. They are the best of all other industries. I want to tell you another thing; that is this; that no people are looking after the agricultural interests so well as are some of those European nations, and no people on the face of the earth to-day, agriculturally speaking, are more prosperous than those people, and America and the Unitted States can learn valuable lessons by studying the agricultural work of Europe. An soil, and in a few years they built up that country and ago, there was the little country of Denmark driven down, born down, by the ravages of war—cruel war it was, burdened with heavy debt, that country started out with a cow, pardon me for using the term, and their system of agriculture with which you cannot compete on American soil, and in a few years they buittl up that country and those agricultural interests so that to-day that nation is free from debt and it is one of the most prosperous governments in Europe. I am sorry that men on the floor of this House, believing in the interests of the farmers, will come up here and talk in favor of the manufacture and the sale of oleomargarine and that with their votes they are going to vote against the best of all they are interested. I want you to think of that one thought; you are not doing yourselves justice. I believe with reference to all legislation, every one in this House owes a responsibility to his constituents, and a greater responsibility to himself; and a man that exercises and considers the responsibility that he owes to himself is not going to vote against this bill. I hope to-day gentlemen, that this bill behind which is the Beef Trust, and that is one of the worst trusts that we have, the one that has used its machination in helping to destroy our agriculture; I hope and trust that the people here upon the floor of this House will vote this bill down so that in no language of legislative enactment can it be resurrected again.

RESOLUTION RECALLING HOUSE BILL NO. 442 FROM THE GOVERNOR.

The SPEAKER. Mr. James A. Dunn asks unanimous consent to offer a resolution at this time. The resolution recalls a bill from the Governor for the purpose of amendment. If the time is not conceded now, it may be too late and the Senate may adjourn and the bill may be lost. Therefore, if there is no objection, the resolution will be read by the Clerk.

The resolution was then read by the Clerk as follows:

In the House of Representatives, April 23, 1913.

Resolved, (if the Senate concur), That House Bill No. 442, entitled:

"An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven, entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children"

be recalled from the Governor for the purpose of amendment.

The SPEAKER. Will the House agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the Senate for concurrence.

CONTINUATION OF DISCUSSION ON HOUSE BILL NO. 620 (OLEOMARGARINE BILL).

Mr. R. J. BALDWIN. Mr. Speaker, I will not detain you but two or three minutes. There are just one or two very important features about this bill that I would like to call the House's attention to. First, there is not an agriculturist in this House that don't feel the importance—or any who is thoroughly acquainted with the agricultural interests—there is not a member in this House that is in favor of this bill. There are in this House members representing the great interests of the City of Philadelphia, of the City of Pittsburgh, and of the great mining interests of the State of Pennsylvania, who, on a number of occasions, have come to the rural members of this House to plead your cause. We have taken you at your word. We have always supported your measures, when you showed a nearly unanimous front on a proposition. We have done the same with the City of Pittsburgh; we have always done the same with the great mining interests of the State. Why is it that the rural members of this House have always so consistently followed that rule? Simply because we believe you know better than we do what your wants are and what is the wisest thing to do. Take that home.

Now, before you come the representatives of the agricultural interests of this State, and there are no other important interests which represent as much capital, that give as much labor, that pay as much tax as this interest in

this State. There is no interest in this State equals it. Will you listen to us? Do you think we do not know what is right and what is best for that great interest. Has the history of the agriculturists of this great United States been one of a selfish character? How often have they come into the Legislature of the State of Pennsylvania and asked for legislation of a special character for their particular interests? Never, in my knowledge in the last twenty-five years. I say to the members of this House that no Legislature that ever sat here since that great question has confronted the agriculturists of a fraud upon their product, has a legislative body of Pennsylvania refused to stand by them. Will you refuse it to-day? I know you will not. The Legislature of 1913 is not going to forget, is not going to be blinded by an argument that comes from whence? I am going to state some plain facts and they are going to hit somebody, but they don't in any way reflect against the author or men who are defending this bill in the House. No, there is no joker in this bill, is there? Let us see what it says in its title: "Hotels, restaurants, dining-rooms and boarding-houses" and so on, shall sell under certain regulations, and "to regulate the manufacture and sale of oleomargarine, butterine or other similar products not colored in imitation of yellow butter." If it is colored in imitation of butter, then it goes through under that title. Take the bill and read it. All those regulations apply to oleomargarine if it is colored, but in the title that which is colored none of these regulations apply. Whether it was intentional or not I don't know. I know it was not the intention of the author. Why? I understand that all those who are here defending this bill are not those who are interested in any way in the bill, but unfortunately they are men that are not acquainted with this great industry and do not know the effect of it. Why, as it was stated here by the member who said what is wrong if the agriculturists when on account of the product or the vegetation that he feeds to his animals, the color of the butter is a little lighter, if he puts some coloring matter in to bring it up to the standard and uniform color? If the agriculturist can do it, why cannot the oleomargarine manufacturer do it? Why? The question is so simple that it don't need to be answered. Because the only way that the unsuspecting public, when they go out and buy this product, can be protected is to prevent the man who tries to imitate butter from putting it in a form that you cannot detect it. Why, one of the unwritten principles of government is that which prevents a person from taking a penny and coloring it with silver. Is it wrong? Not within itself. There is nothing wrong about it. But suppose I begin slipping them around for dimes. Ah! That is the question that you want to consider. There is no reason for coloring oleomargarine, except to the manufacturer to get a fictitious price, and a profit to those who manufacture it. That is the only reason why they tell you that if it is not colored yellow, people will not eat it; it is not palatable. Now, I would like to know what member of this House who goes down to the candy store to buy some candy does not, when he wants to buy chocolate, buy the dirty brown, and the color cuts to figure whatever. He buys candy of another kind, he knows it by its color. If he wants a plate of ice cream and asks for strawberry and it is not pink, he will think that it don't taste like strawberry. Now, I have heard those who have been friends of this bill in the House very much abuse the dealer, and to my great surprise I find a dealer who don't on the floor resent the imputation. I resent the imputation. It is not the little dealer on the street corner that is the cause of this deception; it is the man who manufactures the article. I know it from its very inception. The first manufacturer was in the City of Philadelphia. They packed it in tubs and they branded it butter and they imitated the color of butter and it was sold over the State until the agriculturists came to the Legislature and asked them to be stopped, and the first act placed heavy penalties similar to the provisions contained in this bill to protect the public, and we tried year after year, by regulation and by brands to be put on, stamps on the boxes, language on the wrappers, but each and every time we found the manufacturers were still making it yellow, and they were making it yellow to deceive the public, and for no other reason, and at last, in 1901, we succeeded in so convincing the Legislature that there was only one way to protect the public, if you are in earnest, if this Legislature meant to be honest, and in 1901 they satisfied themselves there was only one way to protect the public. And what did they ask for? They simply asked that they shall not imitate the color of the agriculturist's product, and it has been effective. Why, it is almost silly; it is foolish to think that those who are interested in the manufacture and sale of this product should come into this House and tell you that it is not because we can sell more that we want this yellow color. Why, men do not make any effort in life unless they can see some benefit flowing therefrom, do they? Not in the commercial life. Of course, legislators never stoop so low. But in the commercial life each man is striving to make some money, and he takes that course that will promise to do that, will make the greatest amount of money in the easiest way. That is an undenied and unquestioned fact, in this broad land of ours, which says to the man who makes a particular article, that you shall have the right to protect it by a trade-mark. No man would ask to have that taken from the statute books. What is it put on there for? So that he who excels in the manufacture of any particular article will not be imposed on by the party who makes an inferior one. That is all the agriculturist asks. He would take no other course. He would not ask for the yellow color to protect him if some other method were better. They have driven the agriculturist from pillar to post by imposition, until he has taken his last stand: "Protect us in our color and we will ask no more." It is no favor that the agriculturist is asking of this Legislature; no favor, common justice, that is all. Honesty between man and man; that which no man on the floor of this House will not ask for himself. I only want to say to the members from the great City of Pittsburgh: You are mistaken when you say that your people are asking for this legislation. You are mistaking the voice of the oleomargarine manufacturers for the voice of the people. If the people had stopped to consider that there is only one way that they can possibly be gulled out of their money; it is by deception; but I know only too well as a citizen that they can deceive us. Are you going to vote to deceive your people? Are you going to vote for a measure that means that instead of buying this product whose price is known in the market, which can be sold at a fair profit at twenty-two cents a pound—I am surprised beyond measure that my friend from Pittsburgh should undertake to tell you that the difference in the price of the milk that was used to churn the oleomargarine oil made a matter of two or three a pound. I say that if he knows no more about the effects of this bill and the effects of the bill upon his people then indeed he is going blind. The truth of the matter is that they follow the price of butter and they imitate the color of butter, and you know it. I know it, and every sensible man knows it. I do not think that when the members who represent the great City of Pittsburgh, the members who represent the great City of Philadelphia, and those who represent the great mining interests of this State come here and present a case that is as plain as the noonday sun, that you are not going to heed and take our word upon it. Perhaps you will do it. You ought to do it. It is the right thing for the great agricultural interests of this State.

Mr. WALTON. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Lenker, Neel, Whitaker, Rockwell, Lorenzo Smith, Watson, Heyburn, McAleer, Wiltbank, Gramley, Charles A. Shaffer, Herman, Newton, Latshaw, J. H. Wilson, Burnett, Jackson, Savacool, Matt, Metzenbacher, Ulman, Barner, Snavely and others.

On the question,

Shall the main question now be put.

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—45.

Baldwin, G. A.,	Geary,	Letzkus,	Richards,
Bigger,	Goss,	Lowers,	Schuck,
Campbell, C.M.,	Gray, Frank,	Malie,	Semmens,
Carson,	Gray, Joseph,	Mannion,	Steedle,
Carter,	Howard, R.,	McAllister,	Steele,
Conniff,	Isler,	McCaig,	Stein,
Davis,	Kaiser,	Mitchell,	Swift,
Ely,	Keeport,	Morrow,	Ulerich,
Ewing,	Kennedy,	Moses,	Walnut,
Fahey,	Kitts,	Neel,	Wettach,
Forster, I. G.,	Leslie,	Reese,	Young, J. H.,
			Zimmerman,

NAYS—142.

Allen,	[illegible], J. D.,	Light,	Rhoads,
Alworth,	Fray,	Lohr,	Rockwell,
Ambler,	Gans,	Martin,	Roney,
Aron,	Geiser,	Mather,	Rothenberger,
Arthur,	Gibson,	Matt,	Runk,
Baldwin, R. J.,	Glenn,	McAleer,	Sassaman,
Barner,	Good,	McArdle,	Savacool,
Becker,	Grabe,	McClintock,	Scott, J. R. K.,
Benninger,	Gramley,	McDermott,	Scott, S. B.,
Benson,	Gransback,	McKay,	Shaffer, C. A.,
Berntheizel,	Hackett,	McNichol,	Shaffer, I. E.,
Bittles,	Haggerty,	Mellott,	Shern,
Blair, W. A.,	Heidinger,	Metzenbacher,	Sherwood,
Blair, W. F.,	Hemminger,	Miller,	Showalter,
Bleloch,	Herman,	Missimer,	Smith, J. W.,
Body,	Hess,	Moore,	Smith, L.,
Brosius,	Heyburn,	Moulthrop,	Snavely,
Brownlee,	Hibshman,	Murphy,	Snyder,
Burnett,	Hobbs,	Musser,	Spangler,
Caldwell,	Hoffman,	Newbaker,	Spillinger,
Campbell, J. J.,	Howard, J.,	Newton,	Stone,
Claycomb,	Humes,	North,	Strauss,
Cleary,	Irwin, G. C.,	O'Neill,	Swartz,
Cochran	Jackson,	Peachey,	Thomas,
Collins,	Jones, E. E.,	Pennegar,	Trach,
Conner,	Jones, J. R.,	Pennock,	Ulman,
Cox,	Kaufman,	Perry, H. L.,	Walsh,
Currier,	Keegan,	Perry, S. J.,	Walton,
Curry,	Kern,	Piper,	Watson,
DeFrees,	Klepper,	Post,	Whitaker,
Donahoe,	Kuhn, H. P.,	Price,	Williams,
Donnally,	Kuhns, E. G. M.,	Ramsey,	Wilson, J. H.,
Dunn, H. B.,	Lanius,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Reeser,	Wiltbank,
Ehrhardt,	Lenker,	Rex,	Young, G. K.,
Eichenberger,			Alter,
			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. JAMES J. CAMPBELL. Mr. Speaker, I desire to call up House Bill No. 1110, on page 29 of to-day's calendar, bills on third reading postponed for the present.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1110, as follows:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eight day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale regard to the use thereof as will protect such parks parkways and playgrounds and providing for the manner of ascertaining determining awarding and paying compensation and damages 1 all cases weher the property is take used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven which reads as follows

"Section 2 It shall be lawful for and the right is hereby conferred upon cities of this Commonwealth to purchase acquire enter upon take use and appropriate neighboring private property within two hundred feet of the boundary lines of such property so taken used and appropriated for public parks parkways and playgrounds in order to protect the same by the resale of such neighboring property with restrictions whenever the councils thereof shall by ordinance or joint resolution determine thereon Provided that in the said ordinance or joint resolution the councils thereof shall declare that the control of such neighboring property within two hundred feet of the boundary lines of such public parks parkways or playgrounds is reasonably in order to protect such public park parkways or playgrounds their environs the preservation of the view appearance light air health or usefulness thereof" be amended as to read as follows

"Section 2 It shall be lawful for and the right is hereby conferred upon cities of this Commonwealth to purchase acquire enter upon take use and appropriate neighboring private property within two hundred feet of the boundary lines of such property so taken used and appropriated for public parks parkways and playgrounds for the purposes of imposing restrictions upon such neighboring property which restrictions whenever the councils thereof shall by ordinance or joint resolution determine thereon Provided That in the said ordinance or joint resolution the councils thereof shall declare that the control by restrictions of such neighboring property within two hundred feet of the boundary lines of such public parks parkways or playgrounds is reasonably necessary in order to protect such public parks parkways or playgrounds their environs the preservation of the view appearance light air health or usefulness thereof

Section 2 That section three of said act which reads as follows

"Section 3 That it shall be lawful for and the right is hereby conferred upon the cities of this Commonwealth to resell such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will fully insure the protection of such parks parkways and playgrounds their environs the preservation of the view appearance light air health and usefulness thereof whenever the councils thereof shall by ordinance or joint resolution determine thereon" be amended so to read as follows

"Section 3 That it shall be lawful for and the right is hereby conferred upon the cities of this Commonwealth to impose such restrictions upon such neighboring property in regard to the use thereof as will fully insure the protection of such public parks parkways and playgrounds For the purpose of imposing restrictions upon such neighboring property whenever the councils thereof shall by ordinance or joint resolution determine such restrictions are necessary in order to protect such public parks parkways and playgrounds their environs and preservation of the view appearance light air health or usefulness thereof

Section 3 That section four of said act which reads as follows

"Section 4 The taking using and appropriating by the right of eminent domain as herein provided of private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds and of neighboring property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect such public parks parkways and playgrounds their environs preservation of the view appearance light air health and usefulness thereof by reselling such neighboring property with such restrictions in the deeds of resale as will protect said property so taken for the aforesaid purpose is hereby declared to be taken using and appropriating of such private property for public use Provided however That the proceeds arising from the resale of any such property so taken shall be deposited in the treasury of said cities and be subject to genral appropriation by the councils of said city" be amended so as to read as follows

Section 4 The taking using and appropriating by the right of eminent domain as herein provided of private property for the purpose of imposing upon neighboring property within two hundred feet of the boundary lines of such public parks parkways and playgrounds restrictions in order to protect such public parks parkways and playgrounds their environs preservation of the view appearance light air health and usefulness thereof by such restrictions is hereby declared to be taking using appropriating and restricting of such private property for public use

Mr. JAMES J. CAMPBELL. Mr. Speaker, this is the bill known as the Parkway Bill, about which there has been a great deal of newspaper criticism and it is a bill relative to which Judge Sulzberger rendered a decision a few weeks ago, stating that Philadelphia should not go into the real estate business. It is an act to amend the Act of June 8th, 1907, giving Philadelphia the right to condemn property for parkway purposes, but does not give them the right to take individual properties and resell them. I come from Philadelphia and desire Philadelphia beautified just as much as any other man that comes from that city, but I do not want Philadelphia to become beautiful or be beautified at the expense of the individual; therefore, Mr. Speaker, I ask the members of this House to vote in favor of this bill.

Mr. S. B. SCOTT. Mr. Speaker, this bill is one which is designed to do a great deal of injury not only to the City of Philadelphia, but to every city in this Commonwealth, which desires to undertake large improvements in the way of parks and parkways. Philadelphia has invested already over four millions of dollars and has entered into a work which will involve the expenditure of millions of dollars more, upon the faith of the Act of 1907, which it is the desire of this bill to modify. Briefly speaking, the Act of 1907 gives the power to cities, when they are constructing parkways or boulevards, to condemn two hundred feet on each side of the line of way and sell that condemned land under restrictions which it desires to place upon it and in that way they have technically control of the whole line of parkway and the kind of buildings and improvements which will be placed upon it. Not only that, but when the city makes a great improvement of that kind, it naturally raises the

real estate values on each side of the way. Now the old-fashioned way was to allow the real estate speculators or private owners to absorb the whole profit which was made by the improvements; but our European cousins have discovered a better way and in making improvements in Paris. Berlin and London they have been entirely financed by the extra value which the city has been enabled to gather through the condemnation of the land alongside and through the selling. Now after Philadelphia, on its parkway, had undertaken to do this thing on the faith of the Act of 1907, here comes this bill which has for its purpose the practical repeal of some of the most beneficial features of the Act of 1907. This act pretends to believe that by the repeal of the right of the city to condemn and giving it the right to simply impose restrictions, all the beneficial portions of the act will be retained, but this is a gross and serious mistake.

It is the hope that all along the great boulevard in Philadelphia will rise magnificient buildings, and magnificient buildings cannot be placed upon twenty foot properties, and unless some way can be evolved by which these property lines can be wiped out and sold in larger plots of ground, then we will have in the City of Philadelphia the great boulevard extending from City Hall to Fairmount Park lined with small insignificant buildings, the properties being held by the parties in the hope that the city will buy at the exorbitant prices asked. This whole thing arises from the disappointment of one particular property owner, who was unable to get a cent more than he deserved for his property, and that was the real value of the property. He was unable to get the exorbitant price for the property which he had hoped to realize. The act of 1907 has been through the Common Pleas Courts of Philadelphia and it has been determined that it is constitutional, and that its principles are correct. But because the method that the City of Philadelphia pursued in this particular condemnation was not proper, the whole subject has been clarified, and the particular property owners have won their point in that respect, and it would be a most absurd proceeding for this legislature to begin all over again and make this serious change. This is not only of interest to Philadelphia, but to other cities as well. I have had letters from other cities, Easton, York and Meadville, and I have heard from other directions also. This is a matter of statewide importance, and I hope that the members will give it their careful consideration. This bill ought to be defeated

Mr. O'NEILL. Mr. Speaker, It is not true that this amendment of the Act of June 7, 1907 will interfere with or retard the protection, beautification or completion of the Parkway, which has been lying dormant for eight or nine years but it will prevent any such real estate deals as the one lately attempted by the City of Philadelphia, whereby the city took the land from one small corporation by exercise of the right of eminent domain and then attempted to sell the same to a large corporation, for ninety per cent of its cost to the city. The Courts refused to sanction the scheme but it seems from the decision that if councils had passed an ordinance laying down restrictions for the protection of the whole parkway the transaction might have been allowed. Therefore the deal may yet go through. Gentlemen, the reason I am for this bill is because after his right to live comes a man's right to possess the property that his industry has brought to him and while the public welfare may authorize its condemnation and compensation, nevertheless I think it the heighth of injustice and absolutely indefensible that the City of Philadelphia or any city in this Commonwealth can forcibly take one man's property from him for the sole purpose of transferring it to another, that other a corporation rich beyond count, in order to make the big corporation's property more available for the purposes for which it desired to use it. There was no argument on the ground that the transaction was a profitable real estate deal for the City since the favored corporation, the Bell Telephone Company pays no taxes and the City would certainly be the loser. Gentlemen, I want to say that the parkway passes through the centre of my ward and the people are in favor of it, but there is not a soul that believes the City should have the power to take forcibly one man's land for the purpose of transferring to another. I do hope you gentlemen will vote for this bill, because it will in a way stop these real estate deals. If the Bell Telephone Company wants a man's property—let them pay for it. This bill will prevent a man forcibly taking the property of a small corporation and sell it to another. I think this bill ought to pass.

Mr. REESE. Mr. Speaker, this bill not only affects Philadelphia, but it affects other municipalities. I do not think it is fair that the City of Philadelphia should go into the real estate business. In the first place, it was all right so long as the Bell Telephone Company could buy it, and as the gentleman from Philadelphia, Mr. S. B. Scott, has said about twenty foot law, it was all right at that time if the Bell Telephone Company could put through a deal. I think the members of this House ought to consider their own homes. Under this act as it was, any municipality could take one man's property forcibly, and turn it over to another and this bill prohibits and stops them from doing that. Therefore, I ask the members of this House to support this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Aron,	Ely,	Lanius,	Rhoads,
Arthur,	Ewing,	Lenker,	Roney,
Baldwin, R. J.,	Fahey,	Leslie,	Rothenberger,
Barner,	Forster, L. G.,	Letzkus,	Sassaman,
Becker,	Foster, J. D.,	Lowers,	Savacool,
Benson,	Gans,	Malie,	Schaeffer, A. C
Bigger,	Geary,	Martin,	Semmens,
Blair, W. A.,	Geiser,	Mather,	Shaffer, C. A.,
Blair, W. F.,	Goss,	Matt,	Shern,
Body,	Grabe,	McCaig,	Showalter,
Brown,	Gransback,	McDermott,	Smith, J. W.,
Burnett,	Gray, Joseph,	MacNichol,	Snavely,
Caldwell,	Hackett,	Mechling,	Spangler,
Campbell, C.M.,	Haggerty,	Mellott,	Steedle,
Campbell, J.J.	Herman,	Metzenbacher,	Steele,
Carter,	Hess,	Miller,	Stein,
Claycomb,	Heyburn,	Missimer,	Stone,
Cleary,	Hibshman,	Mitchell,	Strauss,
Cochran	Hobbs,	Morrow,	Swartz,
Collins,	Hoffman,	Moulthrop,	Thomas,
Conner,	Howard, J.,	Murphy,	Trach,
Conniff,	Howard, R.,	Musser,	Ulerich,
Conrade,	Humes,	Neel,	Ulman,
Cox,	Isler,	Newbaker,	Walsh,
Currier,	Irwin, G. C.,	O'Neill,	Wettach,
Curry,	Keegan,	Perry, H. L.,	Whitaker,
Davis,	Keeport,	Perry, S. J.,	Williams,
Donahoe,	Kitts,	Piper,	Wilson, J. H.,
Donnally,	Klepper,	Price,	Young, J. H.,
Down,	Kuhn, H. P.,	Ramsey,	Zimmerman,
Dunn, J. A.,	Kuhns, E.G.M.,	Reese,	Alter,
Eichenberger,			Speaker.

NAYS—44.

Alworth,	Jackson,	McArdle,	Scott, S. B.,
Baldwin, G. A.,	Jones, E. E.,	McClintock,	Sherwood,
Benninger,	Jones, J. R.,	McKay,	Smith, L.,
Brownlee,	Kaiser,	Moore,	Snyder,
Carson,	Kennedy,	Newton,	Spillinger,
DeFrees,	Kern,	Peachey,	Swift,
Dunn, H. B.,	Latshaw,	Pennegar,	Walnut,
Ehrhardt,	Light,	Pennock,	Watson,
Gray, Frank,	Lohr,	Rex,	Wilson, W. H.,
Heidinger,	McAleer,	Rockwell,	Wiltbank,
Hemminger,	McAllister,	Schuck,	Young, G. K.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries of museums or wild west shows" and that the act of the eighth day of June

Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' aproved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

with information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk then read the amendments as follows:

In section 5, line 19, strike out the word "two" and insert "one" in line 20 strike out the numerals "$250" and insert "150;" in the title in line 5, page 2, strike out the words "eighty-nine" and insert "ninety-nine;;" on page two line 9 of the title after the word "one" insert the following: entitled an act supplemental to an act entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection on buildings and party walls in cities of the first class" approved the fifth day of May, one thousand eight hundred and ninety-nine."

On the question,

Will the House concur in the amendments of the Senate?

The SPEAKER. The Senate re-print is not yet on the files of the members, and this bill will be passed over for the present.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills number and entitled as follows:

Senate Bill No. 254 (House Bill No. 1933).

A joint resolution providing for the appointment of a commission to amend revise and collate the laws relating to the boroughs of the Commonwealth and to suggest new legislation for the welfare of said boroughs and making an appropriation therefor

Referred to the Committee on Judiciary General.

Also Senate Bill No. 296 (House [illegible]

An Act granting the consent of the Commonwealth of Pennsylvania to the city of Harrisburg to construct and maintain a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 297 (House Bill No. 1935).

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream to purchase acquire enter upon take use and appropriate private property within or without its territorial limits for that purpose and providing the manner in which damages sustained shall be determined and collected

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 363 (House Bill No. 1936).

An Act to authorize all cities and boroughs in the Commonwealth of Pennsylvania to construct and maintain comfort and waiting stations and drinking fountains in the public highways of such municipalities and providing the manner of ascertaining and collecting the damages caused by the construction of such improvements

Referred to Committee on Municipal Corporations

Also Senate Bill No. 425 (House Bill No. 1937).

An Act providing for the appointment of a commission to investigate and report on the manner of conducting local poorhouses almshouses county homes et cetera and making an appropriation therefor

Referred to the Committee on Appropriations.

Also Senate Bill No. 435 (House Bill No. 1938).

An Act providing for the establishment of the Pennsylvania Historical Commission defining its powers and duties and making an appropriation for its work

Referred to the Committee on Appropriations.

Also Senate Bill No. 484 (House Bill No. 1939).

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

Referred to Committee on Judiciary Special.

Also Senate Bill No. 485 (House Bill No. 1940).

An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of procedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act providing for the disposition of fees collected and fines imposed thereunder and prohibiting the operation of motor vehicles without the consent of the owners thereof or by any person while intoxicated

Referred to Committee on Public Roads.

Also Senate Bill No. 526 (House Bill No. 1941).

An Act providing for an Engineers' Commission prescribing its duties and making an appropriation therefor

Referred to the Committee on Appropriations.

Also Senate Bill No. 634 (House Bill No. 1942).

An Act to provide for the purchase of condemnation of inclined planes and property appurtenant thereto and for the extension thereof by cities or counties separately or together and providing for the control and management of such inclined planes

Referred to the Committee on Judiciary General.

Also Senate Bill No. 821 (House Bill No. 1943).

An Act providing for the payment of the minimum teachers' salaries by the Commonwealth and making an appropriation therefor

Referred to Committee on Education.

Also Senate Bill No. 858 (House Bill No. 1944).

An Act to provide for the use of school buildings and grounds and other public buildings and grounds for meetings of citizens

Referred to Committee on Education.

Also Senate Bill No. 875 (House Bill No. 1945).

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplemnt to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 879 (House Bill No. 1946).

An Act to provide for the filing docketing and indexing of judgments and decrees of the District and Circuit Courts of the United States

Referred to Committee on Judiciary Special.

Also Senate Bill No. 882 (House Bill No. 1947).

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

Referred to the Committee on Military Affairs.

Also Senate Bill No. 585 (House Bill No. 1950).

An Act making an appropriation for the restoration of the brig Niagara Commodore Perry's flag ship at the battle of

Lake Erie for its participation in the events of this centennial celebration year its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

Referred to the Committee on Appropriations.

Also Senate Bill No. 714 (House Bill No. 1951).

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia" approved the fifteenth day of May Anno Domini one thousand eight hundred ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the national force for armory, rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

Referred to the Committee on Military Affairs.

Also Senate Bill No. 753 (House Bill No. 1952).

An Act authorizing notaries public to take affidavits to libels in divorce and validating all such affidavits heretofore made

Referred to the Committee on Judiciary General.

Also Senate Bill No. 832 (House Bill No. 1953).

An Act regulating the number and election of members of borough councils

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 942 (House Bill No. 1954).

An Act providing for the printing binding and distribution of two publications heretofore published by the State namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for editing proofreading and indexing thereof and making an appropriation for said work

Referred to Committee on Printing.

Also Senate Bill No. 155 (House Bill No. 1955).

An Act providing for the discharge from prison of persons after they have been confined for two years or more for the desertion and none-support of their wives children or both or for non-compliance with any sentence or order of the court of quarter sessions in relation thereto

Referred to Committee on Judiciary Special.

Also Senate Bill No. 300 (House Bill No. 1956).

An Act to protect the health and lives of employes in certain occupations by requiring the use of blowers or similar apparatus in connection with certain kinds of machinery and specifying the equipment to be used in connection therewith regulating the use of such blowers and apparatus and providing penalties for violation of this act

Referred to the Committee on Manufacturers.

Also Senate Bill No. 636 (House Bill No. 1957).

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred one (Pamphlet Laws six hundred thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate

Referred to the Committee on Banks and Banking.

Also Senate Bill No. 873 (House Bill No. 1958).

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Referred to the Committee on Judiciary General.

Also Senate Bill No. 881 (House Bill No. 1959).

An Act to permit viewers to award damages for the vacation of streets roads or highways to abutting owners where no land is actually taken

Referred to the Committee on Judiciary General.

Also Senate Bill No. 885 (House Bill No. 1960).

An Act to provide for certain regulations for adoption of children by the courts of this Commonwealth

Referred to Committee on Judiciary Special.

Also Senate Bill No. 955 (House Bill No. 1961).

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania

Referred to the Committee on Judiciary General.

Also Senate Bill No. 1002 (House Bill No. 1962).

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

Referred to the Committee on Corporations.

BILLS INTRODUCED AND REFERED.

By Mr. PENNEGAR. House Bill No. 1948.

An Act to repeal an act approved the twentieth day of May one thousand eight hundred and seventy-one entitled "An Act relative to the collection of borough taxes in the Borough of Coatesville in the County of Chester"

Referred to the Committee on Judiciary Local.

By Mr. SHERN. House Bill No. 1949.

An Act to provide revenue for State and County purposes and in cities co-extensive with counties for Municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

Referred to the Committee on Ways and Means.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1453, as follows:

An Act to amend article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding a new section thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding the following as a new section

Section 635 In school districts other than cities boroughs and incorporated towns no school house shall be hereafter erected unless it be upon a lot or piece of ground at least one acre in area So much of the ground not occupied by school buildings shall be used as a play ground for the pupils of the school

On the question,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendment as follows:

Section 1 by inserting after the word "no" in line the word "public."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1521, entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—176.

Allen,	Ewing,	Leslie,	Robinson,
Alworth,	Fahey,	Light,	Rockwell,
Ambler,	Forster, I. G.,	Lohr,	Roney,
Aron,	Foster, J. D.,	Lowers,	Rothenberger,
Arthur,	Frey,	Malie,	Runk,
Baldwin, R. J.,	Gans,	Mannion,	Sassaman,
Barner,	Geary,	Mather,	Savacool,
Becker,	Geiser,	Matt,	Schaeffer, A. C.,
Benninger,	Gibson,	McAleer,	Schuck,
Benson,	Good,	McAllister,	Semmens,
Berntheizel,	Goss,	McArdle,	Shaffer, C. A.,
Bigger,	Grabe,	McCaig,	Shaffer, I. E.,
Blair, W. A.,	Gramley,	McClintock,	Shern,
Blair, W. F.,	Gray, Joseph,	McKay,	Showalter,
Body,	Hackett,	McNichol,	Smith, J. W.,
Brosius,	Haggerty,	Mechling,	Smith, L.,
Brown,	Heidinger,	Mellott,	Snavely,
Brownlee,	Hemminger,	Metzenbacher,	Snyder,
Burnett,	Herman,	Miller,	Spangler,
Caldwell,	Hess,	Missimer,	Steedle,
Campbell, C.M.,	Heyburn,	Mitchell,	Steele,
Campbell, J. J.,	Hibshman,	Moore,	Stein,
Carson,	Hobbs,	Moses,	Stone,
Carter,	Hoffman,	Moulthrop,	Strauss,
Claycomb,	Howard, J.,	Murphy,	Swartz,
Cleary,	Howard, R.,	Musser,	Swift,
Cochran	Humes,	Neel,	Thomas,
Collins,	Isler,	Newbaker,	Trach,
Conner,	Irwin, G. C.,	Newton,	Ulerich,
Conniff,	Irwin, H. H.,	O'Neill,	Ulman,
Conrade,	Jackson,	Peachey,	Walnut,
Cox,	Jones, J. R.,	Pennegar,	Walton,
Currier,	Keegan,	Pennock,	Watson,
Curry,	Keeport,	Perry, H. L.,	Wettach,
Davis,	Kennedy,	Perry, S. J.,	Whitaker,
DeFrees,	Kern,	Post,	Wildman,
Donahoe,	Kitts,	Price,	Williams,
Donnally,	Klepper,	Ramsey,	Wilson, J. H.,
Down,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Dunn, J. A.,	Lanius,	Reeser,	Young, G. K.,
Ehrhardt,	Latshaw,	Rhoads,	Young, J. H.,
Eichenberger,	Lenker,	Richards,	Zimmerman,
Ely,			Alter, Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1345 (Senate Bill No. 372), entitled:

An Act to provide a method for determining the liabilities and rights of persons agreeing to be answerable for the default of another

On the question,

Will the House agree to the bill on third reading?

Mr. HEIDINGER. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk then read the amendments as follows:

Section 1, line 4, strike out the words "the liabili" and insert in lieu thereof the words "answer for."

Section 1, line 20, insert before the word "shall" the words "of suretyship."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments?

BILL RECOMMITTED.

Mr. HUMES. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. MATT. Mr. Speaker, I second the motion.

Mr. HEIDINGER. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford, Mr. Humes, permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, yes, sir.

Mr. HEIDINGER. Mr. Speaker, will the gentleman from Crawford give his reasons for moving to recommit this bill?

Mr. HUMES. Mr. Speaker, I understand this bill has for its purpose the abolition of the distinction between a guarantor and a surety. I think it is pretty far-reaching bill and deserves very careful consideration. At a recent meeting of the Committee on Judiciary General the matter came up for some discussion and it was the sense of the committee, and I think all of the members were present at that time, that the bill ought to be recommitted in order that it might be given a little further consideration and a little investigation to see how far-reaching it was in its effect.

Mr. HEIDINGER. Mr. Speaker, the gentleman is substantially correct in his statement. The bill was introduced by Senator McIlhenny, at the request of Judge Sulzburger and George Wharton Pepper of the Philadelphia bar, and the purpose intended is so that a grantor may be sued in accordance with the provisions of the bill. The purpose of the bill is plain, and I do not see what practical purpose can be gained by recommitting it.

Mr. HUMES. Mr. Speaker, I have made this motion at the instance of the members of the Committee on Judiciary General, who were present when the matter was discussed at a meeting subsequent to the time the bill was reported out. It is a very important bill, a bill that is technical in its nature, and that deserves the careful consideration of the attorneys of the House, because it very largely affects the practice of the courts, and I think this motion should prevail in order that we may determine just how far-reaching it may be.

On the question recurring,

Will the Hosue agree to the motion?

It was agreed to.

RECESS.

The SPEAKER. The hour of one o'clock having arrived, the House will take a recess until three o'clock this afternoon.

AFTER RECESS.

The House reconvened at three o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate No. 386.

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, April 23, 1913.

Resolved (if the Senate concurs), That House Bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven en-

titled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children be recalled from the Governor for the purpose of amendments.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 106.

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

House Bill No. 1382.

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

With information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEES.

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 1945 (Senate Bill No. 875), entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth' " as amended.

Mr. McALEER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 302, entitled:

An Act to amend section two of an act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed approved the thirteenth day of April Anno Domini one thousand eight hundred and ninety-seven by extending the power to incur and increase indebtedness to townships of the second class

Mr. CONRADE, from the Committee on Insurance, reported as committed, House Bill No. 1842, Senate Bill No. 359, entitled:

An Act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beenficial certificates of the deceased member

Mr. McALLISTER, from the Committee on Labor and Industry, reported as committed, House Bill No. 453, entitled:

An Act to promote the public health by providing for one day of rest in seven for employees in continuous industries and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof

Mr. EWING, from the Committee on Railroads, reported as amended, House Bill No. 1068, entitled:

An Act prohibiting persons partnerships and corporations operating railroads from allowing certain things except material for the immediate repair thereof to remain on the right of way and fixing penalties for violations hereof

Mr. MOORE, from the Committee on Judiciary Local, reported as amended, House Bill No. 1637, entitled:

An Act for the taxation of dogs and the protection of sheep and poultry creating the office of Dog Catcher in townships boroughs and cities defining his duties providing methods for the enforcement of this act and prescribing penalties for its violation and repealing certain acts

Mr. RONEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1599, entitled:

A Supplement to an act entitled "An Act for the government of cities of the third class," approved the sixteenth day of May Anno Domini one thousand nine hundred one creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said Department

Mr. MITCHELL, from the Committee on Labor and Industry, reported as committed, House Bill No. 396, entitled:

An Act to promote the public health by providing for one day of rest in seven for employees in certain employments and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof

Mr. NEWTON, from the Committee on Forestry, reported as committed, House Bill No. 1395 (Senate Bill No. 192), entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

Mr. SHOWALTER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1787, entitled:

An Act relating to indebtedness incurred by cities of the first class of this Commonwealth to provide for the construction and improvement of subways tunnels railways elevated railways and other transit facilities of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks providing that interest during the period of construction on expenditures for such construction improvement and reclamation shall be included in the cost thereof and that bonds may be issued to provide therefor

Mr. REDFIELD, from the Committee on Forestry, reported as committed, House Bill No. 1394 (Senate Bill No. 191), entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and timber harvested and the collection distribution and use of the taxes collected therefrom

Mr. CARSON, from the Committee on Insurance, reported as committed, House Bill No. 1606, entitled:

An Act to prevent misrepresentations or misleading estimates intended to induce the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse or forfeiture of policies of insurance prescribing penalties for violations of this act making provision for compelling the production of evidence and repealing existing laws

Mr. POST, from the Committee on Manufacturers, reported as committed, House Bill No. 1928, entitled:

An Act repealing an act entitled "An Act for the better security of the City of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naptha" approved the second day of March one thousand eight hundred and sixty-five and a supplement thereto entitled "A Supplement to an act for the better security of the City of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naptha approved March second one thousand eight hundred and sixty-five" approved the twenty-fourth day of March one thousand eight hundred and sixty-five and a further supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia approved March twenty-fourth one thousand eight hundred and sixty-five and to extend the boundaries of the same" approved the twenty-third day of May one thousand eight hundred and seventy-one

Mr. KEEPORT, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1716, entitled:

An Act exempting certain buildings from the provisions of the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred and ninety-nine as amended by an act approved the fifth day of June one thousand nine hundred and one entitled "An Act Supplemetal to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" so that the same shall not be held to apply to places of amusement buildings tents or

enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto

Mr. LOWERS, from the Committee on Military Affairs, reported as committed, House Bill No. 612 (Senate No. 84), entitled:

An Act to amend section six of an act entitled "An Act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the War for the Suppression of the Rebellion authorozing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at a general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a Board of Managers and that certain judges of the common pleas court and the county commissioners shall be ex-officio members of the Board of Managers prescribing the powers and duties of the Board of Managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the County of Allegheny

Mr. SEIMENS, from the Committee on Insurance, reported as committed, House Bill No. 1627, entitled:

An Act relating to the issuing of policies of insurance prohibiting the giving or offering or receiving of rebates or inducements of any kind not specified in the policy with certain exceptions prescribing penalties for violation of this act and making provision for compelling the production of evidence and repealing existing laws

Mr. ULMAN, from the Committee on Insurance, reported as committed, House Bill No. 1900 (Senate Bill No. 582), entitled:

A Supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1075, entitled:

An Act repealing an act entitled "An Act relating to the assessment of damage for the appropriation of land for public use" approved fifteenth day of June Anno Domini one thousand eight hundred seventy-one

Mr. SAVACOOL, from the Committee on Insurance, reported as committed, House Bill No. 1655, entitled:

An Act prohibiting the conversion or embezzlement of premium or return premiums under policies of insurance by agents solicitors or brokers providing that violations of this act shall constitute the crime of embezzlement and shall be punishable as embezzlements by agents and brokers are now by law punishable and repealing existing acts

Mr. E. G. M. KUHNS, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1551, entitled:

An Act authorizing cities of the first class to remit taxes owing by any public charity hospital where a dispute has arisen as to the right of the city to assess and collect such taxes

Mr. STRAUSS, from the Committee on Judiciary General, reported as amended, House Bill No. 1736, entitled:

An Act limiting the time within which to begin actions in trespass for malicious prosecutions conspiracy and false imprisonment to one year afttr the injury complained of

Mr. HESS, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1656, entitled:

An Act providing for the annulment of Charters of Boroughs incorporated by decree of the Court of Quarter Sessions and prescribing the manner and procedure necessary to secure such decree of annulment

Mr. PETERS, from the Committee on Forestry, reported as committed, House Bill No. 1393 (Senate Bill No. 190), entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Mr. HESS, from the Committee on Appropriations, reported as amended, House Bill No. 46, entitled:

An Act requiring hospitals receiving appropriations from the Commonwealth to maintain a free room for certain patients regulating the use of said rooms and regulating the care and treatment of such patients

Mr. FORSTER, from the Committee on Judiciary General, reported as amended, House Bill No. 1408, entitled:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

LEAVES OF ABSENCE.

Mr. THOMAS asked and obtained leave of absence for Mr. Adams for the balance of the week, on account of illness.

The SPEAKER. Mr. Connor received a telegram from his wife, urging him to come home at once. He has gone home, and the Chair asks leave of absence for the gentleman until his return, or for the balance of the week.

The Chair hears no objection, and leave is granted.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

Senate Bill No. 3,

An Act validating certain elections of counties boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections

Senate Bill No. 68,

A Joint Resolution proposing an amendment to Article nine Section four of the Constitution of the Commonwealth of Pennsylvania authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvements of the highways of the Commonwealth

Senate Bill No. 116,

An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty

Senate Bill No. 405,

An Act to amend the third section of an act entitled "An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention" approved the eighth day of May one thousand eight hundred eighty-three so as to fix the number of compensation of the officers of the committee on lunacy

Senate Bill No. 406,

An Act to amend the fourth fifth eighth and ninth sections of an act entitled "An Act to create a Board of Public Charities" approved the twenty-fourth day of April Anno Domini one thousand eight hundred sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent

Senate Bill No. 590,

An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such a wife a competent witness against the husband in such case

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1451, entitled:

An Act providing for the resignation or retirement of certain officers and employees of State institutions and under certain conditions alowing them half pay during the remainder of their lives and making an appropriation therefor

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BIGGER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. RICHARDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 93, as follows:

An Act to regulate political campaigns at and prior to elections and primaries enacting for such purpose provisions amongst others to regulate election and primary expenses and contributions therefor to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate political advertising and the publication of political matter to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred to regulate political committees and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts to impose duties on the Secretary of the Commonwealth district attorneys county commissioners clerks of courts and their respective subordinates to regulate investigations of elections practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances to vest certain courts with jurisdiction to annul certain elections and nominations to certify their findings as to other elections and nominations and to authorize the incurring of election expenses in certain instances to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That (1) The term "Candidate for nomination' 'as used in this act shall include all persons whose names are presented for nomination or election to public office at any primary meeting caucus convention or primary election whether or not such persons are actually nominated or elected thereat

(2) The term "Candidate for election" as used in this act shall include all persons whose names are printed as candidates on the official ballots or any official sticker used at any election and also all persons who shall receive at least fifteen per centum of the highest vote received by the successful candidate for the same public office but whose names were not printed on the official ballots

(3) The term "Candidate" as used in this act shall unless especially restricted therein include both candidates for nomination and candidates for election

(4) The term "Public office" as used in this act shall include every public office to which persons can be elected by the vote of the people or for which the people may be entitled under any present or future law to a preferential vote and shall include also delegates to State and National conventions of any political party and such party offices are are provided for by law or by the rules of any political party to be elected at a party primary

(5) The term "political committee' as used in this act shall include personal political committees party committees and campagn committees

The term "personal political committees" as used in this act shall include all political committees not party committees which are authorized by any candidate or candidates to act for him or them in the conducting of their campaign

The term "party committees" as used in this act shall include all political committees not party committees which is recognized as a party under the laws of this Commonwealth

The term "campaign committees" as used in this act shall include all political committees apointed by electors who shall have acquired an exclusive right to use a certain political name or appellation

(6) The term "election expenses" as used in this act shall include every payment promise or act by or through which any money property service or other thing of value office or position passes or is directly or indirectly transferred conveyed given provided for paid expended promised pledged contributed or loaned in furtherance of the nomination of any person or persons as candidates for public office or in furtherance of the election of any person or persons to public office or to prevent the nomination or election to public office of any person or persons or to influence the action of voters on any measure or question to be submitted to a vote of the people of the Commonwealth or of any sub-division thereof under any present or future law or constitutional provision

(7) The term "accounting officer" as used in this act with reference to any account of any candidate either at an election or at a primary shall mean the Secretary of the Commonwealth for any candidate to be voted for by the electors of the State at large and the clerk of courts of the county where the candidate resides for all other offices

(8) The term "campaign" as used in this act shall include all efforts made by a candidate or by his supporters or by any political party or body of electors to influence votes at any election or primary convention or caucus

The campaign for any primary shall be deemed to have begun on the ninth Saturday before such primary and to have terminated except for accounting purposes at midnight of the day of such primary

The campaign for an election shall be deemed to have begun on the termination of the antecedent primary and to have terminated except for accounting purposes at midnight of the day on which such election is held

(9) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the day of the election or primary shall be included in the calculation or reckoning

(10) The term "taxable costs" as used in this act shall include the bill of a party for subpoenas serving the same mileage and fees for witnesses material and necessary in the proceeding whether such outlay is incurred by the relator or defendant all of which charges shall be at the same rate as in other proceedings in the Court of Quarter Sessions

Section 2 No person shall knowingly receive or accept anything constituting an election expense not authorized by this act or from any person not authorized by this act and proof that anything constituting an elecion expense not authorized by this act was received or accepted shall be prima facie evidence of knowledge of its character on the part of the accused person

Section 3 (1) No officer director trustee member or employee of any corporation joint stock company association society limited partnership partnership association or partnership under whatever laws any such entity may exist and no person lawfully engaged in the business of making or vending any vinous spirituous malt or brewed liquor shall directly or indirectly pay give lend or authorize or cause to be paid given or lent any money or other thing of value belonging to or over which such corporation joint stock company association society limited partnership partnership association or partnership or person so engaged as aforesaid owns or has any control to a candidate or to any political committee for any election expenses whatever or for the purpose of influencing any political action at any election or primary No such corporation or other of the entities aforesaid shall pay any special salary to any person or transfer any thing of value to any person for the purpose of enabling the recipient to contribute or loan any money or thing of value for use for election expenses or for the purpose of enabling the recipient to become a candidate or to serve as a member of a political committee any director officer member or employee of such corporation or other entity voting for or participating in any act whereby any asset of such corporation or entity is devoted to election expenses shall be deemed to have violated this act and on conviction thereof shall be subject to fine and imprisonment either or both as hereinafter provided But any person firm or corporation lawfully engaged in the business of lending money may in the usual course of business make any loan notwithstanding the fact that the proceeds of such loan may be used for election expenses And any person corporation or other of the entities aforesaid otherwise lawfully engaged in the business of hiring selling or doing anything may hire sell or do such thing in the usual course of his or its business notwithstanding the fact that the same may be hired sold or done for a candidate or any political committee

(2) No person shall directly or indirectly offer give pay or promise to give or pay to any other person any money or thing of value to affect or influence any person's vote at any election or primary

(3) No person shall directly or indirectly offer give pay or promise to give or pay to any person any money or thing of value to become a candidate or not to become a candidate or to withdraw from any candidacy or to withdraw from membership on any political committee

(4) No person shall directly or indirectly make a payment or a loan of his own money or any other person's money to any candidate or to any political committee for any election expenses in any other name than that of the person who in truth supplies such money

(5) No person shall depart from this Commonwealth for the purpose of incurring outside the territorial limits thereof election expenses forbidden by this act for the use of any political campaign in this Commonwealth No person in this Commonwealth shall perform any service or knowingly furnish any material constituting an election expense for any election or primary in this Commonwealth in consideration of anything of value received or to be received by such person from or on behalf of any person residing outside the territorial limits of this Commonwealth provided that any person performing such services or knowingly furnishing such material shall be subject to punishment for a violation of this act but such person shall not be deprived of his right of action for such services rendered or material delivered

(6) Except contributions made to a political committee solely in furtherance of the nomination or election of a candidate for the Presidency or Vice Presidency of the United States no person shall receive anything of value for use for any political campaign in this Commonwealth from or on behalf of any person residing outside the territorial limits of this Commonwealth Provided however that nothing in this section contained shall be construed to prohibit either the receipt by any candidate for Representative in Congress or for Senator of the United States of any sum of money not in excess of the amount permitted to be expended by any such a candidate as hereinafter provided from a National Congressional Committee of any national party or the receipt by any one of campaign literature of any description

(7) Except as in this act otherwise specifically permitted no person not a candidate or treasurer of a political com-

mittee shall pay or incur any election expenses whatsoever for use in any campaign save contributions to a candidate or to a political committee

(a) Nothwithstanding the aforesaid prohibition any person or persons may incur the reasonable expenses of holding any town meeting or mass meeting and of advertising such meeting either in any newspaper or other periodical or by posting notice thereof or by music or by illumination or by hand bills distributed by any person less than twenty-one years of age or by communications sent through the mails but without either employing a number of persons greater than the number customarily employed or paying for services or supplies at a rate higher than that usually and customarily paid for similar services or supplies for non-political meetings The person or persons incurring the expenses of such a meeting shall file with the accounting officer of the county in which such meeting was announced to be held within ten days after the date announced for such meeting a detailed account of his or their receipts and expenditures incurred in connection with such meeting in the same manner and subject to exceptions in the same fashion and with the same penalties as in the case of accounts of political committees

(b) Notwithstanding the aforesaid prohibition any ten or more reputable citizens of any governmental district meaning thereby any county city borough or township may organize a political association and as such apply to the Court of Quarter Sessions of their county or to any law judge thereof for authority to expend during any election campaign and during any campaign before a primary at which any measure is to be submitted to any popular vote a sum of money to be contributed solely by the applicants which sum shall not exceed the sum of one dollar for each one hundred inhabitants of such governmental district as shown by the preceding United States census Such applications shall over the oaths or affirmations of all the applicants set forth the names of the applicants and the particular place of residence of each of them giving street and number if any the name of the association which shall not be the duplicate of any other association and the name of one of their number chosen as treasurer thereof the name and population determined as aforesaid of the governmental district in which they reside and in which they desire authority to expend such sum and the particular measure constitutional provision or provisions political policy doctrine or belief which it is their object to further The treasurer shall file therewith his bond to the Commonwealth in the sum desired to be expended with sufficient security to be approved by such court or judge Such bond shall be conditioned that such treasurer comply with the requirements of this act If satisfied with the veracity of the allegations of such application such court or judge shall make an order authorizing said treasurer to expend during such campaign a sum not exceeding the sum aforesaid solely for the purpose of composing preparing typewriting mechanically reproducing addressing and mailing campaign literature designed to further exclusively the object stated and for advertising literature so designed in any newspaper or other periodical having a bona fide circulation in such governmental district and providing especially that such literature shall not name any candidate for any office or position or refer to such a candidate or name or refer to any political party or body of electors

Such association shall not pay for services or supplies at a rate higher than that customarily paid for similar services or supplies in non-political matters

No gift or loan of any money or thing of value shall be received by any such applicant at any time in aid of his or her contribution to such association No person shall be a member of more than two such associations The treasurer shall keep his account in the same manner file them at the same time and they shall be subject to exceptions in the same fashion and with the same penalties as accounts of political committees in such county

In case of violation of any provision of this act by such treasurer his bond shall be forfeited and the full amount thereof shall be recoverable for the use of such governmental district

(c) Notwithstanding the aforesaid prohibition any ten or more reputable citizens of any county may organize a non-partisan society and as such apply to the Court of Quarter Sessions of their county for authority to expend during any campaign a sum not exceeding ten dollars for each one thousand inhabitants of such county as determined by the preceding United States census Such application shall set forth over the oaths or affirmations of all of the applicants the names and particular residences of all the applicants the name of the society which shall not be the duplicate of any other such society the name of one of their number chosen as treasurer of such society and that the purpose of such society is solely to examine and ascertain on a non-partisan basis the fitness of any candidates for any public office or position

The treasurer shall file therewith his bond to such county in the sum desired to be expended with sufficient security to be approved by said Court such bond to be conditioned that such treasurer comply with requirements of this act If such court be satisfied with the good faith and capacity of such applicants and of the non-partisan nature and purpose of their undertaking it may at its discretion make its order authorizing the treasurer of such society to expend during any such campaign a sum not exceeding the sum aforesaid solely for the purpose of examining and ascertaining on a non partisan basis the fitness of any candidate or candidates for any public office or position and of reporting the result of such examination to the public exclusively through the mails or by publication either as paid advertisements or news items in any newspaper or periodical having a bona fide circulation in such county

The treasurer shall keep his accounts in the same manner and file them at the same time and they shall be subject to exceptions in the same fashion and with the same penalties as accounts of political committees in such county In case of violation of any provision of this act by such treasurer his bond shall be forfeited and the full amount thereof shall be recoverable by and for the use of such county Provided that the name of any such society once adopted by any one set of applicants shall not be employed by any other set of applicants at any future time without the written consent of a majority of such set of applicants who have in the then last campaign lawfully employed such name

(d) The provisions of this act shall not be construed so as to relate to the rendering of services by speakers publishers editors writers or by any person for which no compensation is asked or given or promised expressly or impliedly

Section 4 No person shall demand solicit receive or take from any candidate from any political committee or member thereof any payment or contribution or obligation express or implied or other thing of value either for the proper use and behoof of the person or persons so soliciting or for any religious charitable educational literary philanthropist beneficial fraternal or other similar cause or orgainzation or for any picnic excursion fair sport ox-roast corn-roast encampment ball dramatic or other entertainment or gathering or for political advertising in any program score card or similar publication except that admission tickets to any such entertainment amusement or gathering may be paid for by a candidate or by a member of a political committee if such tickets be used by him personally or by a member of his immediate family No candidate committee or member thereof shall make or promise or intimate that he will make such payment or contribution in the future

Provided that nothing herein contained shall prohibit the payment of any regular subscription or contribution by any person to an organization of which he has been a member for three months prior to the beginning of such campaign or to which he may have been a regular contributor prior to his candidacy or membership on such committee or prohibit the ordinary contribution at a religious service

Section 5 Except for political advertisement and the expenses of maintaining offices of candidates or political committees as in this act provided no person shall pay or incur any election expenses for services to be performed on the day of any election caucus or convention or primary or for any loss of time or damage suffered either by attendance at the polls at such election caucus or convention or primary or in registering for voting or for services at any time in procuring or guiding others to register or vote or for the expenses of transporting any voter to the polls or place of registration

No person shall at any time give or provide any food drink or tobacco in any form or other entertainment or provide free transportation to or for any person for the purpose of influencing any vote

Section 6 (a) No person being an employer or acting for or on behalf of any employer shall give distribute or cause to be given or distribute to any of his employes or to any of the employes over whom he may have control nor shall he post any printed or written matter containing any threat notice or information that in case any particular ticket of a political party or organization or candidate shall be elected or defeated or any measure referred to the vote of the people shall be adopted or rejected work in his place or establishment or in the place or establishment over which he may have control shall cease in whole or in part or his place or establishment be closed or the salaries or wages of his workmen or employes be reduced nor shall such person make other threats or any promises expressed or implied intended or calculated to influence the political actions of his workmen or employes

(b) No candidate member of any political committee holder of any office or position under the laws of this Commonwealth or under the ordinances of any municipal body and no person of whatsoever description shall directly or indirectly make knowingly any written or oral request suggestion direction or command that any person who directly or indirectly receives any wages salary fees or compensation of any sort for his or her services to any city county borough township public school authority or to the Commonwealth shall pay voluntarily or otherwise any money or thing of value whether in the form of an assessment or otherwise for any election expenses whatsoever past present or future particularly including in said prohibition any contribution to any candidate officer or political committee Any person receiving such request suggestion direction or command shall forthwith give notice in writing of the same to the district attorney of the proper county who in turn shall immediately direct the prosecution of such offender

(c) No officer or employee of the United States residing within this Commonwealth no officer or employee of this Commonwealth or of any county city borough township school district or other subdivision of the Commonwealth receiving a salary wages or fees excepting attorneys at law notaries public and officers or members of the National Guard shall directly or indirectly make any contribution to any candidate political committee political association provided for by this act or to any party or factional organization for any election expenses past present or future Nor shall any person make any such contribution as a condition precedent to securing any such public office or employment Provided however That the prohibitions of this sub-section shall not apply to any holder of a public office or employment who is himself a candidate for election or nomination to any public office but not to any party office Nor shall said prohibitions apply (one) to any officer elected by popular vote or (two) any holder of any office or position designated by any present or future act of Assembly as belonging to the unclassified civil service of any of the said public bodies municipal or not municipal or (three) any holder of any office or position who is clothed with executive discretion

Section 7 No publisher of any newspaper or other periodical shall insert either in the advertising columns of such newspaper or other periodical or elsewhere therein any matter paid for or

to be paid for directly or indirectly which is intended to or tends to influence directly or indirectly any voting at any election or primary unless at the head of said matter is printed in twelve point type the words "Paid Advertisement" and unless there is also a statement at the head of said matter of the name of the candidate or political party in whose behalf the matter is inserted and of any candidate or political committee or organization authorized by this act to incur election expenses if any authorizing the publication and unless also the price paid or contracted to be paid for such advertisement is stated at the head of said matter

Section 8 No owner or publisher of any newspaper or other peridical no agent or employee of such owner or publisher shall directly or indirectly solicit or receive or accept any payment promise or compensation nor shall any person pay or promise to pay or in any manner compensate any such owner publisher agent or employee directly or indirectly for the purpose of influencing or attempting to influence through any printed matter in such newspaper or other periodical any voting at any election or primary through any means whatsoever except through the matter inserted in such newspaper or other periodical as "Paid Advertisement" and so designated as provided by this act nor for any such purpose shall any person withdraw or threaten to withdraw his patronage or advertising from such publication

Section 9 Except as herein otherwise provided no person shall publish issue or circulate or cause to be published issued or circulated otherwise than in a newspaper or other periodical any matter tending to influence voting at any election or primary which fails to bear on the face thereof the name of the candidate or political party or other body or association authorized by this act to incur election expenses causing such matter to be published issued or circulated

During any campaign no newspaper or other periodical shall publish gratuitously any letter or communication on any political subject composed by any person not an officer editor or employee of such newspaper or other periodical unless the real name and particular address of the author thereof be appended hereto and published with such communication Only the willful violation of this provision on the part of the publisher of such newspaper or other periodical shall be deemed a violation of the act

Section 10 No person firm association or corporation shall knowingly make or cause to be made or published in relation to any candidate party or measure any false statement intended to or tending to affect any voting at any election or primary

Section 11 The enumeration of express prohibitions of particular expenditures by any section of this act shall not be construed as authorizing any expenditure not specifically permitted by this act

Section 12 (1) No candidate and no treasurer of any political committee shall pay or incur any election expense whatsoever except such as are expressly authorized by this act

(2) No candidate and no treasurer of any political committee shall appoint any deputy agent proxy attorney in fact or other representative either to sign checks or to do any other act or thing permitted or required by any section of this act except as herein otherwise specifically permitted Provided however That a member of any political committee may by writing duly signed by him authorize any other member of his own or any other political committee to do for him as to any campaign matter anything permitted by any section of this act not involving or implying the disbursement of money or other thing of value or rendering or tending to render such candidate or treasurer member or committee liable for the payment of any money or thing of value

(3) No candidate or treasurer of a political committee shall disburse any money received from any anonymous source Provided however That contributions received by the treasurer of any such committee from collections taken up at any public meeting not exceeding in amount five hundred dollars at any one such meeting may be disbursed without violation of this act notwithstanding the anonymity of any of the respective contributors Money contained in envelopes signed by the donor and received at any such meeting shall be deemed anonymous contributions any surplus above said amount shall be paid to the State Treasurer forthwith by the treasurer of such committee or by the person receiving such collection at such meeting

(4) No person shall in order to aid or promote his nomination or election directly or indirectly himself or through any other persons appoint or promise to appoint any person or secure or promise to secure or aid in the securing of the appointment nomination or election of any person to any public or private position or employment or to any position of honor trust or emolument Nothing herein contained shall prevent a candidate from stating his preference for or support of any other candidate to be voted for at the same primary or election or prevent a candidate for any office in which the person elected will be charged with the duty of participating in the nomination or election of any person to any office from stating his preference for or support of any person for such office

(5) No party committee and no campaign committee shall during or before any campaign for a primary or in any year when no party primary is held incur any election expenses except such as may be required as incidential to the performance of any duty enjoined on any member of such a committee by any act of assembly

Section 13 Excepting candidates for presidential electorships any candidate may select one personal political committee to consist of one or more persons Before any such committee shall do any act in behalf of any candidate it shall file with the accounting officer of such candidate a written statement signed by such candidate setting forth that such personal political committee has been appointed and giving the name and address of each member thereof and the name and address of the treasurer thereof together with the written acceptance of each member of such committee of such appointment If such committee consists of only one person such person shall be deemed the treasurer thereof Such written statement may limit and define the powers of all members of such committee except the treasurer in such manner as the candidate may deem fit

Any candidate so appointing may revoke the appointment of any member of such personal political committee by a revocation in writing which with proof of service on the member whose appointment is so revoked shall be filed with the accounting officer of such candidates such candidates may fill any vacancy and may at any time during his candidacy except within five days immediately preceding the election or primary add to the number of such committee in the manner in which the original appointment was made Any member of any political committee may resign therefrom by filing his written resignation with the accounting officer

In any civil action or proceeding brought under this act the actions of every member of such personal political committee performed within the apparent scope of his authority so constituted shall be deemed prima facie to be with the knowledge and approval of the candidate

Section 14 No candidate shall pay or incur any election expenses except

(1) For his own traveling expenses and expenses incident thereto for renting and maintaining an office and for clerical service actually performed therein for stenography typewritting stationery postage telegraph and telephone expenses and for the composing preparing writing addressing and mailing or expressing of letters or campaign literature and for admission tickets solely for his own use or the use of a member of his immediate family to any fair gathering or any place of entertainment or amusement

(2) For contributions to his personal political committee including a reasonable compensation to the treasurer thereof for services actually rendered

(3) For contributions to his party committee or campaign committee

(4) For contributions to other candidates and their personal political committees

(5) For services in circulating and obtaining signatures to petitions for nomination or nomination papers required under any present or future law at a rate however not to exceed ten cents per signature and for not more than twice the number of signatures required to have such candidate's name appear upon any ballot for nomination or election and for official fees on such petitions or nomination papers

(6) For compensation to any person less than twenty-one years of age for services of such person in distribiting by his own hands to voters campaign-literature bearing at the end of each piece thereof the name of such candidate provided such distribution be accomplished at least twelve hours before the opening of the polls on any election or primary day

(7) For the additional purposes enumerated in section fifteen of this act when such candidate has no personal political committee but not otherwise

(a) The personal traveling expenses and all expenses properly incident thereto of any member of a personal political committee may be either advanced or refunded after expenditure of the same by such member

(b) A person who in good faith has contracted directly with a candidate or who has in good faith received payment directly from a candidate for any election expense permitted by this act shall not be deemed to have violated the provisions of this act solely because such candidate had theretofore appointed a personal political committee

Section 15 No treasurer of any political committee shall pay or incur any election expenses except

(1) For the rent maintenance and furnishing of an office or offices and for the renting heating lighting janitor service and policing of halls or other places incident to holding of public or other political meetings and for red-fire music carriage of speakers and similar incidentals at any political meeting

(2) For necessary stationery postage telegraph and telephone expenses and for the payment of clerical and janitor services actually performed at the office or offices of a candidate or of a political committee for stenography and typewritting and for the composing preparing writing printingf addressing and mailing or expressing letters or campaign literature

(3) For necessary expenses incident to the furnishing of badges banners and other insignia and the preparing printing and posting of hand bills posters pictures and the distribution thereof through the mails or by freight or express

(4) For political or campaign advertising in newspapers or other periodicals whether published daily semi-weekly weekly or otherwise as provided in this act

(5) For compensation and actual traveling expenses and expenses incident thereto of public speakers actually delivering addresses to the public which expenses may be either advanced or refunded to such speaker

(6) For actual traveling expenses and expenses properly incident thereto of members of political committees

(7) For court costs notarial or other official fees and attornoys' fees bona fide incurred in connection with any nomination or election

(a) None of the provisions of this act shall be construed to prohibit any member of a political committee or supporter of any candidate from paying or advancing his own traveling expenses whether or not such advances are agreed to be or are in fact refunded

(b) No such election expenses shall be incurred either by employing a greater number of persons to perform any service than the number usually and customarily employed in political or non-political enterprises or at a rate higher than is usually and customarily paid for similar services or supplies in political or non-political enterprises whether such expenses be incurred by a candidate or by a political committee

Section 16 Exclusive of court costs and attorneys fees bona fide incurred in connection with litigation as to any nomination no election expenses shall be paid or incured by or on the authorization of any candidate which shall be in the aggregate in excess of the amounts herein specified which shall include all disbursements to any political committee to wit

(1) For President of the United States twenty thousand dollars ($20,000.00)

(2) For United States Senator twelve thousand five hundred dollars $12,500.00)
(3) For Representative-at-large in the Congress of the United States five thousand dollars ($5,000.00)
(4) For each other Representative in the Congress of the United States three thousand five hundred dollars
(5) For Governor ten thousand dollars
(6) For judge of the Supreme Court or the Superior Court five thousand dollars
(7) For presidential elector two hundred dollars
(8) For any other office to be voted for by the electors of the state at large including candidates for vice president ten thousand dollars
(9) For State Senator one thousand dollars
(10) For member of the State House of Representatives five hundred dollars provided that a candidate in any district entitled to elect more than one representative shall be permitted to expend the additional sum of one hundred dollars for each additional representative in excess of one to which such district is entitled
(11) For national delegate-at-large if any is to be elected five hundred dollars
(12) For national delegate from any Congressional district if any is to be elected in such district two hundred dollars
(13) For delegate to State convention if any fifty dollars
(14) For any judiciay office other than that of judge of the Supreme Court or of the Superior Court for which candidates are under any present or future act required to be learned in the law a sum not exceeding one-fourth of the salary to which such candidate if elected would be entitled during the first year of his incumbency in such office
(15) For any county city state borough or township office or judgeship not hereinbefore specified or public office not hereinbefore specified who if nominated and elected would receive a salary a sum not exceeding one-half of the salary to which such person would if elected be entitled during the first year of his incumbency in such office In the case of a public office the holder of which is compensated by fees or other emoluments and not by salary one-third of the gross amount of such fees or other emoluments received by such office in the fiscal year next preceding such nomination or election but in no case shall such maximum amount of such expenses be less than two hundred dollars If such person if nominated and elected would not receive a salary of any other monetary compensation two hundred dollars and no more

(a) No person who is a candidate shall expend any greater amount of money or other thing of value than that above specified for any one candidate whether such person be a candidate to be voted for on one or more than one party ballot or be the nominee of one or more than one party or be the nominee of a party and a candidate upon nomination papers or be a candidate upon more than one set of nomination papers or whether his name appears more than once on any ballot If any person shall be a candidate for more than one office he shall be permitted to expend only the lowest amount allowed as above specified for any one of the offices for which he is a candidate

(b) Any person who qualifies as a candidate for the purpose of being enabled to incur election expenses or otherwise than as one seeking in good faith such nomination or election shall be deemed to violate this act

(c) The said maximum amounts shall apply to the combined expenses of both election and primary campaigns but no candidate shall expend more than seventy-five percentum of such maximum amount in either the election or the primary campaign and no candidate for election who becomes such otherwise than as a result of a primary election shall expend more than seventy-five percentum of such amount in his election campaign Such party officers as are elected at a party primary may however in the campaign for such primary each expend the said maximum sum of one hundred dollars and no more Presidential electors unless nominated by popular vote under any future law may expend such sum of two hundred dollars in the election campaign and no more Provided however That any contribution made by any presidential elector to his state party committee or state campaign committee shall not be deemed to be within the scope of this prohibition

(d) The foregoing limitations of the maximum amounts shall be construed to include any election expenses incurred after the passage of this act an before the beginning of any campaign by any person who is or afterwards becomes a candidate for nomination or election

(e) In a campaign for a primary any candidate may delegate to his personal politiscal committee and in a campaign for an election to his personal political committee or to any committee of his party or to a campaign committee by a writing duly subscribed by him the expenditure by the treasurer thereof of any portion of the total election expenses which are authorized to be paid or incured by him or on his behalf by the provisions of this election but the total of all disbursements by himself by his personal political committee in his behalf and by all party or campaign committees on his delegation shall not exceed in the aggregate the amount in this section specified Said writing shall be filed with the accounting officer of the candidate and a copy thereof given to the political committee authorized to make the expenditures The withdrawal of any person from his candidacy shall cancel his delegation to power to any committee to expend any sum of money Any withdrawing candidate shall forthwith file his account and shall refund to the contributors thereof all moneys contributed to him

(f) The prohibitions of this act shall not apply to contributions made for political campaigns in other states by any citizen of this State who is a candidate either for President or Vice President of the United States

Section 17 Excluding candidates for President electors and for Congressmen at Large but including candidates for President Vice President and United States Senator every person who is a candidate for any office to be voted for by the electors at large of the State in a campaign for a general election but not in a campaign for a primary for a municipal or for a special election may by writing filed authorized the State committee of the party whose candidate he is or the State campaign committee of any body of electors who have acquired the exclusive right to use a certain political name or appellation whose nominee he is to expend during such campaign an amount of money equal to seventy-five per centum of that specified and alloted to each such candidate to Section 16 of this act for both election and primary campaigns Said amount so authorized shall be in addition to any amount such candidate may delegate under the provisions of Section 16 Such candidate shall not himself expend any portion of such additional stipend Any such State party committee or State campaign committee shall not make any expenditure of any portion of such aggregate additional stipend in furtherance of the candidacy of any candidate not to be voted for by the electors of the State at large except such expenditures as may be merely incidential to the furtherance of the candidates of candidacies to be voted for by the electors of the State at large After such written authorization of such respective candidates any such State party or State campaign committee may receive contributions not in excess of such stipend from any person permitted by the provisions of this act to make any political contribution No person who is the candidate of more than one party or the nominee of a party and of one or more of said bodies of electors or who is the nominee of more than one of said bodies of electors or who is the nominee of more than one of said bodies of electors shall be permitted under the terms of this section to authorize the expenditure of any amount greater than that which may be authorized by the candidate of one party only but any such double or multiple nominee may authorize the expenditure of such portion of such amount by any of the parties or any of such bodies of electors whose nominee he is as he deems proper The withdrawal of any nominee of any such body of electors shall cancel the authorization of his campaign committee to expend the sum authorized by him and any such sum received shall be refunded by such committee to the contributors thereof before the election

Section 18 Except as herein otherwise provided every monetary receipt or contribution and the proceeds of every loan received by any candidate or treasurer of any political committee shall be deposited in a bank or trust company to the credit of such candidate or treasurer

Every mometary disbursement made by such candidate or treasurer for election expenses exceeding the sum of ten dollars shall be made only by check drawn on such bank or trust company and not otherwise and such check shall be drawn in such fashion that the payee thereof shall be a person who has in fact furnished supplies or rendered services permitted as items of election expense or who has contracted in good faith to furnish such supplies or render such services and to no other person except as to traveling expenses or expenses properly incident thereto and except also that checks for petty cash may be drawn by any such candidate or treasurer but not in excess of the sum of ten dollars each and the aggregate amount of checks for such petty cash of any one candidate or treasurer shall not exced one hundred dollars Every check drawn for the payment of election expenses or actualy used for such purpose shall be signed either by a candidate or by the treasurer of a political committee No such check shall be signed by such candidate or treasurer in blank or unless the same is completely filled in so as to designate the date amount and name of the payee thereof Provided that on petition filed by any candidate the court of Quarter sessions of the county where such candidate resides may if it be satisfied that banking facilities are not reasonably available to such candidate make its order permitting such candidate thereafter to receive contributions and pay election expenses without such depositing and checking but such privilege shall not be granted to any political committee

Section 19 Every person who shall have any bill charge or claim upon or against the treasurer of any political committee or any candidate for any disbursement made services rendered or thing of value furnished for election expenses or incurred in any manner in relation to any primary or election campaign shall render in writing to such treasurer or candidate such bill charge or claim not later than ten days after the election or primary in connection with which such bill charge or claim was incurred No candidate and no such treasurer shall except by special allowance of the court having jurisdiction of the account of such candidate or treasurer on proper cause shown or except by judgment of other court of competent jurisdiction pay any bill charge or claim so incurred prior to any primary or election which is not so presented not later than ten days after such election or primary Provided that a violation of this section shall be punishable as other violations of this act are but shall not deprive any person of his right of action for such services rendered or goods delivered

Section 20 Except as hereinafter provided every candidate and every treasurer of every political committee shall not less than seven nor more than ten days before the election or primary file with his accounting officer an account certified on the oath or affirmation of such candidate or treasurer as the case may be Said account shall cover all items specified in section twenty-two of this act up to and including the day before such filing in the manner hereinafter provided Such candidate or treasurer shall within fifteen days after such election or primary as the case may be file a supplemental account which shall summarize all items previously reported and shall be verified in like manner and cover in like manner all items specified in section twenty-two incurred from the date of such first account to the date of filing such supplemental account But if the aggregate of the receipts or of the disbursements of any candidate in connection with either an election or a primary shall not at any time for filing such account have exceeded fifty dollars such candidate shall be exempt from the requirements of this section and of section eighteen and such candidate shall within fifteen days after such election or primary as the case may be file a certificate under oath or affirmation of such fact with the accounting officer If the allegations of such certificate be untrue in any material respect such candidate shall be deemed guilty of perjury Every political committee shall file its account irrespective of the amount expended by it or in its behalf

Section 21 The account of every candidate and the account of his personal committee shall be filed with the accounting officer of such candidate The account of every State committee shall be filed with the Secretary of the Commonwealth The account of every other party or campaign committee shall be filed in the office of the clerk of courts of the county or counties for which or for part of which it is the party or campaign committee All such accounts shall be open to public inspection at the offices where they are filed and shall be carefully preserved therein during a period of five years An index thereof shall be kept by such officer for the use of the public to be known as "Index of Election Expense Accounts" The accounts of candidates and of the personal political committees of candidates shall be indexed in the name of the respective candidates and the accounts of party or campaign committees in the name of the party with a designation of the particular committee of the party which filed the account

Section 22 Each such account shall give in full detail

(1) Every sum of money and of property and every other thing of value except gratuitous personal services received either by such candidate in his capacity as a candidate or by such committee whether as contributors or gifts or loans up to the date of such account from any source whatever which he or it uses or has used or has for use for election expenses together with the name and postoffice address of every person from whom each was received and the date when each was received together with the total amount received from all sources in any amounts or manner whatsoever

(2) Every promise of or obligation to pay or deliver money property or other thing of value except gratuitous personal services received or executed by such candidate or committee during such period which he or it uses or has used or has for use for election expenses together with the names and postoffice addresses of the persons by whom each was promised or pledged the specific purpose if any for which each was promised or pledged and the date when each was promised or pledged together with the total amount promised or pledged from all sources in any amounts or manner whatsoever together with an exact description of all notes bills bonds or other evidences of indebtedness received or executed by such candidate or committee during such period used or for use for election expenses of the proceeds of which have been used or are for use for election expenses setting forth the names and postoffice address of all parties appearing on the obverse and reverse sides of such notes bills bonds or other evidences of indebtedness the amounts thereof the date of making the same and the date of the maturity of the same and all writings on either side thereof whether by way of endorsement guarantee suretyship or other means of certifying to the liability of any person and also a statement of the name and postoffice address of every one who has advanced money or other thing of value thercon and also a statement of any collateral security loaned pledged or mortgaged with such bill bond note or other evidence of indebtedness and of the name an postoffice address of the owner of any such collateral security

(3) Every disbursement made by such candidate or treasurer for election expenses during such period together with the name and postoffice address of every person to whom the disbursement was made the specific purpose for which each disbursement was made and the date when each was made together with the total amount of disbursements made in any amount or manner whatsoever

(4) Every obligation express or implied to make any disburse incurred by such candidate or treasurer for election expenses during such period together with the names and addresses of the persons to whom or with whom each such obligation has been incurred the specific purpose for which each was made and the date when each was incurred together with the total amount of such obligation incurred in any amount or manner whatsoever

(5) If such accountant owns or has owned or has had the gratuitous use of any motor vehicle which has been used for such canpaign he shall charge himself with the sum of one ($1) dollar for each hour in which such motor vehicle was operated while in actual use for such campaign and the amount so charged shall be computed in reckoning the total permitted amount of the election expenses of such accountant The name of the owner of such motor vehicle and the days when it was used shall also be set forth in such account

Customary abbreviations may be employed in stating any account

Every such statement shall be accompanied by vouchers for each sum expended exceeding ten ($10) dollars in amount

Blanks for all accounts required by this section shall be prepared by the Secretary of the Commonwealth and copies thereof together with a copy of this act shall be supplied through the county commissioners the clerk of the courts or otherwise as the Secretary of the Commonwealth may deem expedient for the use of the treasurer of every political committee and every candidate upon the filing of a petition to place his name on the ballot or upon the filing of nomination papers and to any person required by law to file such accounts who may apply therefor

Section 23 Each clerk of courts shall certify to the Secretary of the Commonwealth and to the county commissioners of his county forthwith on expiration of the time for filing the last account a list of those candidates and their personal political committes if any who have filed accounts of nomination expenses stating on such list for what office each accountant is a candidate or the committe of a candidate The name of a candidate chosen at a primary election shall not be printed on the official ballot for the ensuing election unless there has been filed at the required time by said candidate and by his personal political committee if any the accounts relating to nomination required by this act

Section 24 The Secretary of the Commonwealth and the county commissioners of each county shall whenever any nomination papers certificates of nomination if any and nomination petitions are filed with him or them from time to time certify to the respective accounting officers lists of the names and residences of the candidates required to file accounts with each such accounting officer Such accounting officer shall notify every such candidate and the treasurer of every political committee of whose address he has notice of any failure to file any required account Such notification by such officer shall be by registered letter and unless within ten days next after the mailing of such letter such account be filed such accounting officer shall notify the district attorney of the proper county who shall in turn immediately prosecute such delinquent

Section 25 In case any one or more electors of the Commonwealth shall believe that any provision of this act has been violated by any candidate for whom such elector or electors had the right to vote or by any member of the personal political committee of such candidate he or they may after the municipal general or special election bring a proceeding in the name of the Commonwealth on the relation of such elector or electors as relators for the purpose of investigating such alleged violation Said proceeding shall be known as "An Investigation of Election Practices" If the violation hereof is alleged to be by the candidate or candidates or by his or their personal political committee or a member thereof said candidate or candidates shall be one of the defendants in said proceeding Such an investigation may also be instituted on like grounds against any party committe or campaign committee by any qualified elector or electors of the geographical area for which such party or campaign committee was elected or appointed for such political party or for such body of electors and the members of said committee acting as such committee (naming it) or one or more members of it shall be defendants The relators shall file in the court of Quarter Sessions of the county in which such candidate's or committee's accounting officer is located a duly verified petition indicating the section or sections of this act or portion of a section alleged to have been violated and the character and manner of each violation with fair and reasonable precision but without necessarily specifying the names of any persons other than the defendants or the name of a member of a defendant candidate's personal political committee and without necessarily specifying the exact date of any alleged act and praying that said alleged violation be investigated and if a successful candidate be named as defendant that his election to the public office for which he was a candidate such office not being either that of a member of the United States Congress or of the General Assembly be declared null and void and if said public office was that of a member of the United States Congress or of the General Assembly then praying that the result of said investigation be certified by said court to the Secretary of the Commonwealth to be by him transferred to the presiding officer of the legislative body for member of which defendant was a candidate Such petition shall state the particular post office address to which answers or notices may be sent to the relators

Section 26 The relator or relators on instituting any invertigation of election practices provided for by any action of this act shall execute and file with the clerk of courts his or their bond to the Commonwealth of Pennsylvania to the use of all parties interested with security to be approved by the Court in the sum of $250.00 conditioned that if the relator or relators be adjudged to have instituted such investigation without probable cause or otherwise than in good faith he or they shall pay all taxable costs of such investigation and defendant's reasonable disbursements for collecting evidence as allowed by the Court No other or additional bond shall at any time be required in any case except when the investigation is of a State party or State campaign committee or of the nomination or election of an officer voted for by the electors of the State at large in which cases such bond shall be in the sum of $2,000.00 with security to be approved by the Court and no additional bond shall be required in such cases Provided that when an investigation of election practices is directed by the Court to be instituted as hereinafter provided no bond shall be required

Section 27 After the filing of their petition by the relators a copy thereof shall be served by the relators or by any person in their behalf upon each defendant personally or by leaving the same at his residence within this Commonwealth with an adult member of his household Such service shall be made within five days after the filing of said petition unless such time be extended by the Court upon proper cause shown A copy of said petition shall be served upon the accused members of the personal political committee if any of any candidate who is named as defendant by mailing the same to said members at their addresses as filed with the accounting officer of said candidate It shall also be the duty of the relator to file with the accounting officer of said candidate within five days after service upon defendant a notive that such proceeding has been brought which notice shall be indexed by said accounting ofncer in the same way that expense accounts are indexed and marked "Investigation"

The answer to the petition shall be duly verified and filed and a copy thereof mailed or delivered by defendant to the relator or his attorney at the address given in the petition within ten days after service of the copy of the petition upon defendant provided that for proper cause shown the Court may extend the time for filing and mailing or delivering such answer Every allegation of fact contained in such petition and not expressly denied by such answer shall for the purpose of such hearing be deemed admitted If no answer be filed within such time so limited such proceeding shall be deemed at issue and grant ready for trial upon five days' notice of trial which notice may be given by either party to the other or to his attorney or record either personally or by registered letter to the opposite party at his address as filed or known Any allegation of new matter in the answer shall be deemed controverted by the relator without reply and thereupon said proceedings shall be deemed at issue and stand ready for trial upon five days notice of trial in the manner aforesaid But no

answer shall be treated in anywise as evidence for the defendant of the truth of any allegation therein No bill of particulars shall be required to be filed by the relators under any circumstances

All such proceedings shall have precedence over any cause of a different nature pending in said court and the Court shall be deemed always open for the trial thereof in or out of term and the same shall be tried and determined in the same manner as civil actions are The Court shall without a jruy determine all issues of fact as well as issues of law Such proceeding shall be deemed to be a proceeding in persona mand not in rem If more than one proceedings is pending or the campaign of more than one person is being investigated the Court may with the consent of the respective defendants order the proceedings consolidated and heard together together and may equitably apportion costs and disbursements between the several defendants under the regulations hereinafter provided

Section 28 (1) If the Court shall declare any nomination or election to be void or certify the result to the Secretary of the Commonwealth under any section of this act it shall give judgment in favor of the relator or relators for their taxable costs and their reasonable disbursements for collecting evidence and against the defendant candidate or against such member of his personal political committee as may be adjudged to have violated this act or against both the defendant cadidate and such member

(2) If the Court shall give judgment against any candidate unsuccessful at a primary or at an election or against any party or campaign committee under any election of this act the Court may at its discretion direct the payment by the defendants or any of them of the taxable costs and reasonable disbursements for collecting evidence of the relator

(3) If the Court shall enter judgment for the defendant under any section of this act and if the Court shall further adjudge that the investigation was instituted without probable cause or otherwise than in good faith the defendant shall recover from the relator defendant's taxable costs and reasonable disbursements for collecting evidence

Provided however that every investigation instituted by direction of the Court shall be deemed to be with probable cause and in good faith

(4) In every instance not herein above provided for the Court may at its discretion direct the payment of such costs and disbursements of the relators or of the defendants or of both as follows

(a) If the nomination or election of an officer voted for by the electors of the State at large or the actions of a State political committee have been investigated such payment may be directed to be made out of the State Treasury

(b) In all other cases provided for in this section subdivision four (4) such payment may be ordered to be made out of the treasury of the county in which such investigation was held

(5) The amount to be recovered in any case as reasonable disbursements for collecting evidence shall be at the discretion of the court

Section 29 If such an investigation of election practice be filed against a party committee or a campaign committee or any member of either of such committee or against an unsuccessful candidate and if the court enter judgment in favor of the relator the court may thereupon also direct a prosecution of such candidate or member of such committee or may impose a monetary penalty not in excess of one hundred dollars on such candidate or member of such committee

Section 30 Unless directed by order of court as hereinafter provided no investigation of election practices provided for by any section of this act shall be instituted against any candidate political committee or member thereof later than three calendar months after the November election of the year in which the violation of this act is alleged to have occurred

Section 31 If the court shall find that the defendant being a candidate successful at a general or municipal election or any member of his personal political committee violated any provision of this act in his campaign for nomination or election and if such candidate is not one mentioned in Section thirty-three hereof judgment shall be entered declaring void the election of defendant to the office for which he was a candidate or ousting and excluding him from such office and declaring the office vacant unless such candidate assuming the burden of the proof shall establish to the satisfaction of the court that such candidate took all reasonable means for preventing the commission of such violtion or that such violation was trivial unimportant isolated and limited in character and did not arise from any want of good faith in the candidate or that such violation arose from accident miscalculation on the part of the candidate and unless under all the circumstances it seems to the court to be unjust both to the public and to the candidate that the candidate should be deprived of the office to which he was elected Any vacancy thus created shall be filled in the manner provided by law No person so found to have violated any provision of this act shall during the ensuing year next succeeding such finding be eligible to fill any office under the Constitution or laws of this Commonwealth whether the same be elective or appointive or to fill any position in any such office or under the holder of any office

Section 32 Except as to candidates for delegates to national conventions and State conventions if any within three weeks next succeeding a primary held in an even numbered year and not thereafter until after the subsequent election such an investigation of election practices may be filed against any candidate successful at such primary and not being a candidate for nomination to any office mentioned in Section thirty-three in the manner and subject to the regulations herein provided for such investigation following elections If the court shall find that the defendant or any member of his personal political committee has violated any provision of this act in the conduct of his campaign for nomination judgment shall subject to the limitations and conditions hereinbefore prescribed as to excluding or ousting candidates from office after investigation following election be entered declaring void the nomination of the defendant as a candidate for such nomination and such vacancy shall be filled as though the nominee had died

No investigation of election practices shall be filed against any candidate successful at a primary held in an odd numbered year until after the ensuing municipal election

Provided that nothing in this act contained shall be deemed in any manner to oust the jurisdiction of any court over proceedings by quo warranto under any present or future acts to determine the title to any office or to repeal the existing acts governing contested elections

Section 33 If such proceeding has been brought to investigate the right of a candidate successful at a general election for member of the State Senate or State House of Representatives or for United States Senator or Representative in Congress and the court shall find that such candidate or any of his political committee has violated any provision of this act in the conduct of the campaign for nomination or election the court shall subject to the limitations and conditions hereinbefore prescribed in other investigations as to ouster or exclusion from office enter judgment declaring a substantial violation of this act and shall forthwith certify said judgment and declaration to the Secretary of the Commonwealth to be by him transmitted to the presiding officer of the legislative body to be a member of which the defendant was a candidate

Section 34 Appeals may be taken from the judgment of the Court in any such investigation except investigations following a primary and preceding an election Such appeals shall be taken in the same manner as other appeals are taken as now provided by law

Section 35 No judgment entered as provided for herein shall be a bar to or affect in any way any criminal prosecution of any candidate or other person or be a bar or affect in any way a subsequent investigation of election practices An investigation of Election Practices shall not be a prerequisite to any criminal prosecution

Section 36 No person shall be excused from answering any question in any proceeding under this act or on hearing of exceptions as hereinafter provided on the ground that such answer would tend to incriminate him but no such answer shall be used directly or indirectly as evidence against such person in any criminal prosecution whatsoever except in a prosecution for perjury in giving such testimony

Section 37 On the twenty-third day after each election or primary the several accounting officers aforesaid shall in writing certify to the Court of Quarter Sessions of the county where such accounting officer maintains his office an alphabetically arranged list of the political committees political associations non-partisan societies and persons and candidates whose accounts have been filed with such officer showing the total receipts and disbursements of each set opposite his or its name which said list shall on the next succeeding day's session of said Court at the opening thereof be read in open Court and unless an investigation of election practices have been filed theretofore against any accountant therein named or unless exceptions to any account shall have been filed theretofore with such accounting officer by any elector which facts shall be noted on said lists each candidate shall be entitled to receive a certificate under the seal of such Court that he has prima facie complied with the provisions of this act Exceptions specifying errors or omissions in any account may however be filed to any account not latter than fifteen days after such account is filed save as hereinafter otherwise provided if exceptions be filed then not later than twenty days after the filing of the same the Court shall dispose of the same summarily At the hearing of any exceptions the person filing such exceptions may examine the accountant concerning any matter contained in his account without reference to the nature of the exceptions Exceptions may be filed to accounts of successful candidates at a primary in any odd-numbered year or to the accounts of the personal political committee of such candidates during twenty days next following the succeeding municipal election but neither before nor after such period In case of a successful or unsuccessful candidate in any year or of any political association non-partisan society or any person or political committee either as to the primary or election the Court on sustaining exceptions to such account may at its discretion impose on the accountant a monetary penalty not in excess of one hundred dollars or may order such account restated subject to exceptions within the same time limits or may direct an investigation of election practices to be filed by the District Attorney or may order a prosecution of the accountant or a member of any political committee political association non-partisan society or person accounting

Section 38 If any candidate successful at an election shall in any criminal proceedings be adjudged to have been guilty of any violation of any provision of this act committed while a candidate for nomination or election to any office under the Constitution or laws of this Commonwealth except the office of State Senator or member of the State House of Representatives or in furtherance of his said candidacy before becoming a candidate the court shall after sentence unless it shall be made to appear to the Court that the violation was not a willful one and was trivial unimportant isolated and limited in character enter a supplementary judgment declaring such person to have forfeited such office by his conduct of such campaign for the nomination or election in which he was guilty of such violation and shall transmit to the accounting officer of such candidate a transcript of such supplementary judgment and thereupon such office shall be deemed vacant and shall be filled as provided by law

Section 39 If any member of a personal political committee of any candidate for an office under the Constitution or laws of this Commonwealth except the office of State Senator or member of the State House of Representatives be indicted for any violation of this act the court shall require notice of the pendency of such indictment to be given personally to the candidate whose personal political committee such defendant was a member and if such defendant be found guilty unless it shall be made to appear to the Court by the candidate or by the defendant that the violation of this act was trivial unimportant isolated and limited in character or that the candidate took all reasonable means to prevent such violation and that it did not arise from any want of good faith in the candidate the Court shall immediately after sentence enter a supplementary judgment declaring the candidate to have forfeited such office by the conduct of the campaign for nomination or election in which such defendant was guilty of such violation and shall transmit to the accounting officer of such candidate a transscrip of such supplementary judgment and thereupon such office shall be deemed vacant and shall be filled as provided by law Provided however that no such notice shall be required or supplementary judgment entered unless such indictment be found within four calendar months after the November election of the year in which such violation is alleged to have occurred

Section 40 If any person shall in a criminal proceeding be found guilty of any violation of this act committed while he was a candidate for the office of State Senator or member of the State House of Representatives United States Senator or Representative in Congress or in furtherance of his candidacy as such before becoming a candidate such violation being a willful one and not being trivial unimportant isolated and limited in character the Court shall after sentence forthwith transmit to the Secretary of the Commonwealth to be by him transmitted to the presiding office of the legislative body to be a member of which defendant was a candidate a certificate setting forth such sentence

If any member of the personal political committee of such a candidate be indicted for any violation of this act the Court shall require notice of the pendency of such indictment to be given personally to the candidate of whose personal political committee the defendant was a member and if such defendant be found guilty unles it shall be made to appear to the Court by the candidate or the defendant that the violation was trivial unimportant isolated and limited in character or that the candidate took all reasonable means of preventing the commission of such violation and that such violation did not arise from any want of good faith on the part of the candidate the Court shall after sentence transmit a like certificate to the Secretary of the Commonwealth to be by him transmitted as aforesaid

Section 41 Any Court having jurisdiction to enter sentence iny any criminal proceeding is hereby vested with jurisdiction to enter such supplementary judgment or decree transmit a transcript thereof and issue the certificates as herein provided

Section 42 Any person violating any provision of this act which provision is not in substance made a felony or a misdemeanor by any other act of Assembly shall be guilty of a misdemeanor and shall upon conviction thereof be imprisoned for a period of not less than one month or more than three years or pay a fine of not less than twenty-five dollars or more than one thousand dollars by both such fine and imprisonment and no person so convicted shall subject to the restrictions hereinbefore provided be permitted to take or hold office to which he was elected if any or to receive the emoluments thereof except in the case of candidates for the office of State Senator or member of the State House of Representatives United States Senator or Representative in Congress

Section 43 The several terms and provisions of this act shall be deemed and taken to extend to and cover special elections and primaries antecedent thereto held or to be held under any present or future law whether such special election and antecedent primaries are referred to in the provisions of the several sections of this act or not

Section 44 The invalidity of any portion of this act shall in no wise affect the validity of any other portion of this act which can be given effect without such invalid portion

Section 45 This act shall be known and may be cited or referred to as the "Corrupt Practices Act"

Section 46 An Act entitled "An Act to define the necessary and proper expense incident to the nomination and election of Senators Representatives State Judicial Municipal and County Officers and to authorize the payment thereof" approved eighteenth April one thousand eight hundred and seventy-four is hereby repealed and an act entitled "An Act to regulate Nomination and Election Expenses and to Require Accounts of Nomination and Election Expenses to Be Filed and Providing Penalties for the Violation of This Act" approved the fifth day of March nineteen hundred and six and all other acts or parts of acts inconsistent herewith are hereby repealed Provided that no proceeding pending in any court under any existing act at the date of the approval of this act shall anywise be affected hereby

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. S. B. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 80,

An Act supplementing an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the City of Washington and making an appropriation therefor" and making a further appropriation

House Bill No. 185,

A Joint Resolution proposing an amendment to section one article eight of the Constitution of Pennsylvania

House Bill No. 236,

An Act regulating the manufacture sale and offering for sale of mattresses and fixing penalties for violation hereof

House Bill No. 520,

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

House Bill No. 655,

"An Act defining vocational education providing for the establishment and regulation of vocation schools and providing for State aid in the maintenance thereof"

House Bill No. 569,

An Act to ascertain and appoint the fees to be received by the several clerks of the courts of oyer and terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million

House Bill No. 768,

An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office

House Bill No. 1009,

An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled "An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food"

House Bill No. 1143,

An Act to authorize townships of the first class to provide for fire protection

House Bill No. 1152,

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

House Bill No. 1526,

An Act to amend an act approved the fourteenth day of June one thousand nine hundred eleven entitled "An Act to provide for the ordinary expenses of the Executive Judiciary and Legislative Departments of the Commonweatlh interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The SPEAKER. Before the recess the Chair laid before the House and the Clerk read the amendments inserted by the Senate in House Bill No. 645, Senate Reprint of

which is file folio 6697, and action was deferred because the Senate Reprint was not on the files of the members. The Chair is advised that the reprint is now upon the files, and,

The question recurs,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Allen,	Ely,	Lowers,	Robinson,
Alworth,	Ewing,	Martin,	Roney,
Ambler,	Forster, I. G.,	Mather,	Rothenberger,
Aron,	Foster, J. D.,	Matt,	Sassaman,
Arthur,	Frey,	McAllister,	Savacool,
Baldwin, G. A.,	Gans,	McArdle,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	McCaig,	Schuck,
Barner,	Gibson,	McClintock,	Scott, S. B.,
Bass,	Good,	McDermott,	Semmens,
Becker,	Grabe,	McKay,	Shaffer, C. A.,
Benninger,	Gramley,	McNichol,	Shaffer, I. E.,
Benson,	Gray, Frank,	Mechling,	Shern,
Berntheizel,	Gray, Joseph,	Mellott,	Sherwood,
Bigger,	Hackett,	Metzenbacher,	Showalter,
Blair, W. A.,	Haggerty,	Missimer,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Moses,	Smith, L.,
Body,	Herman,	Moulthrop,	Snavely,
Brosius,	Hess,	Murphy,	Snyder,
Brown,	Heyburn,	Musser,	Spangler.
Brownlee,	Hibshman,	Neel,	Spillinger,
Burnett,	Hobbs,	Newbaker,	Steedle,
Caldwell,	Hoffman,	Newton,	Steele,
Campbell, J.J.	Howard, J.,	North,	Stein,
Carson,	Howard, R.,	O'Neill,	Stone,
Carter,	Humes,	Pennock,	Strauss,
Claycomb,	Isler,	Perry, H. L.,	Swift,
Cleary,	Irwin, G. C.,	Perry, S. J.,	Thomas,
Collins,	Irwin, H. H.,	Peters,	Trach,
Conniff,	Jones, J. R.,	Piper,	Ulerich,
Conrade,	Kaiser,	Post,	Ulman,
Cox,	Kaufman,	Price,	Walnut,
Currier,	Kennedy,	Ramsey,	Walton,
Curry,	Kitts,	Redfield,	Watson,
Davis,	Klepper,	Reese,	Wiltbank,
Down,	Kuhn, H. P.,	Reeser,	Young, G. K.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rhoads,	Young, J. H.,
Dunn, J. A.,	Lohr,	Richards,	Zimmerman,
Ehrhardt,			Alter,
			Speaker.

NAYS—1.

Wildman,

The majority required by the Constitution having voted in the affirmative, the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON TIHRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1007, entitled:

An Act authorizing the appointment of two delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

On the question,

Will the House agree to the bill on third reading?

Mr. WILLIAMS. Mr. Speaker, The Southern Commercial Congress held in Nashville, Tenn., in April 1912, suggested that each state send delegates, and this bill authorizes their appointment, one a person well versed in agricultural and the other person well versed in financial matters, to represent Pennsylvania at the conference soon to be held in Rome looking to an investigation of the system of agricultural finance and rural credits so popular at the present time in European countries, to the end that our constituents engaged in agricultural pursuits may secure cheaper money and easier credits on their crops and other property.

Mr. McDERMOTT. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, I will.

Mr. McDERMOTT. Mr. Speaker, did I understand the gentleman to say that this commission would investigate the agricultural question on this trip to Europe?

Mr. WILLIAMS. The idea is to look into the agricultural finances and rural credits in the European countries.

Mr. McDERMOTT. Mr. Speaker, do you not think that that would be an acknowledgement that we do not know how to manage our financial affairs.

Mr. WILLIAMS. Mr. Speaker, practically every other State in the Union has already chosen its delegates, and it is for Pennsylvania to say whether it wants delegates to go. It is up to this Legislature.

Mr. McDERMOTT. Mr. Speaker, I think if we had guaranteed banks in the states and rural banks in the smaller towns scattered across the state that would be the key to the situation, without going to Italy or the other European countries for information, and I think this bill ought to be licked.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Allen,	Ely,	McAleer,	Schuck,
Alworth,	Ewing,	McAllister,	Semmens,
Ambler,	Forster, I. G.,	McArdle,	Shaffer, C. A.,
Aron,	Gans,	McCaig,	Shaffer, I. E.,
Arthur,	Gibson,	McClintock,	Shern,
Baldwin, G. A.,	Good,	McNichol,	Sherwood,
Bass,	Gray, Frank,	Missimer,	Showalter,
Becker,	Hackett,	Mitchell,	Smith, L.,
Berntheizel,	Haggerty,	Moses,	Snyder,
Bigger,	Hibshman,	Newbaker,	Spangler,
Bittles,	Hobbs,	Newton,	Steele,
Blair, W. A.,	Hoffman,	North,	Stone,
Brosius,	Irwin, G. C.,	O'Neill,	Swartz,
Caldwell,	Jackson,	Peachey,	Swift,
Campbell, J. J.,	Jones, J. R.	Pennock,	Thomas,
Carson,	Keegan,	Perry, S. J.,	Ulman,
Carter,	Kennedy,	Post,	Walnut,
Cleary,	Kitts,	Ramsey,	Walton,
Conrade,	Klepper,	Redfield,	Watson,
Cox,	Kuhn, H. P.,	Reeser,	Whitaker,
Curry,	Latshaw,	Rex,	Wildman,
Davis,	Lenker,	Rhoads,	Williams,
DeFrees,	Malie,	Rockwell,	Wilson, J. H.,
Dickinson,	Mannion,	Roney,	Wilson, W. H.,
Donahoe,	Martin,	Sassaman,	Wiltbank,
Down,	Mather,	Schaeffer, A. C	Zimmerman,
Ehrhardt,			Alter,
Eichenberger,			Speaker.

NAYS—27.

Barner,	Conniff,	Howard, R.,	Piper,
Benninger,	Currier,	Isler,	Smith, J. W.,
Blair, W. F.,	Foster, J. D.,	Keeport,	Spillinger,
Bleloch,	Geiser,	Lowers,	Steedle,
Brownlee,	Grabe,	Murphy,	Trach,
Burnett,	Hemminger,	Perry, H. L.,	Young, G. K.,
Claycomb,	Heyburn,	Peters,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1522, as follows:

An Act relating to lynching fixing the liability of police officers constables sheriffs and deputy sheriffs and the liability and rights of counties cities boroughs towns and townships for injury or death to persons in custody and prescribing certain penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any person in the custody of a police officer or constable or sheriff or deputy sheriff shall be attacked and killed the city or borough or town or township where the attack was committed or killing occurred and the officer constable sheriff or deputy sheriff shall be severally liable to such person or to his legal representatives for all damage sustained by reason of such attack and injury or by reason of such killing Suit may be brought against either the city borough town or township or against such officer constable sheriff or deputy

If the attack be made and injury or killing occur while the person is in the custody of a sheriff or deputy sheriff the county shall also be severally liable and action may at the option of the plaintiff be brought against such county

In the event of any recovery against any county city borough town or township the authorities thereof may in an action against such officer constable sheriff or deputy or against his sureties if any recover any such sum as it may have been compelled to pay in any such action

Section 2 If any such police officer constable sheriff or deputy having charge of any person as aforesaid shall permit any person in his custody to be attacked and injured or

killed he shall thenceforth forever be incapable of holding any office of honor or trust or profit within the limits of this Commonwealth and shall be ineligible to any such office

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—106.

Allen,	Curry,	Heyburn,	Mitchell,
Alworth,	Davis,	Hibshman,	Moulthrop,
Ambler,	Dickinson,	Hobbs,	Newton,
Baldwin, G. A.,	Donahoe,	Hoffman,	Peachey,
Baldwin, R. J.,	Donnally,	Howard, J.,	Perry, S. J.,
Barner,	Dunn, H. B.,	Howard, R.,	Peters,
Bass,	Ehrhardt,	Isler,	Post,
Becker,	Ely,	Irwin, G. C.,	Price,
Benninger,	Ewing,	Irwin, H. H.,	Redfield,
Benson,	Fahey,	Jackson,	Reeser,
Berntheizel,	Forster, I. G.,	Jones, J. R.,	Rex,
Bigger,	Foster, J. D.,	Kaiser,	Rhoads,
Bittles,	Frey,	Kaufman,	Scott, S. B.,
Blair, W. A.,	Gans,	Keeport,	Shaffer, I. E.,
Body,	Geiser,	Kennedy,	Sherwood,
Brosius,	Gibson,	Kuhn, H. P.,	Smith, L.,
Brown,	Glenn,	Latshaw,	Spangler,
Brownlee,	Good,	Lenker,	Steele,
Campbell, C.M.,	Grabe,	Leslie,	Swift,
Carson,	Gramley,	Malie,	Thomas,
Carter,	Hackett,	Martin,	Trach,
Claycomb,	Haggerty,	Mather,	Walsh,
Collins,	Heidinger,	McAllister,	Watson,
Conniff,	Hemminger,	McCaig,	Williams,
Conrade,	Herman,	McNichol,	Wiltbank,
Cox,	Hess,	Missimer,	Young, J. H.,
Currier,			

NAYS—34.

Blair, W. F.,	Mannion,	Perry, H. L.,	Snyder,
Burnett,	McDermott,	Piper,	Spillinger,
Caldwell,	Mellott,	Ramsey,	Stone,
Campbell, J.J.	Metzenbacher,	Roney,	Ulman,
Keegan,	Miller,	Savacool,	Wilson, J. H.,
Kern,	Moses,	Schaeffer, A. C	Zimmerman,
Light,	Newbaker,	Shaffer, C. A.,	Alter,
Lohr,	O'Neill,	Smith, J. W.,	Speaker.
Lowers,	Pennock,	Snavely,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. WATSON. Mr. Speaker, I desire to call up from page 35 of today's calendar bills on final passage postponed, House Bill No. 937.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 937, entitled:

An Act to establish a Bureau of Housing for the Sanitary Inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

On the question,

Shall the bill pass finally?

Mr. WATSON. Mr. Speaker, This bill was called on third reading Thursday night a week ago when there were ninety-five votes in favor of it, twenty-eight against it and ninety-three absent. It is an important bill and is in the interest of bettering the condition of employees and others by preventing the evil of over-crowding tenament houses and also to prevent the evil results of such conditions on the occupants and their off-spring. It is intended to delegate additional authority to the local Boards of Health to enable them to enforce existing laws in locations of the Bituminous coal fields and elsewhere. In the mining regions where mines are developed in the rural district, towns grow up at the rate of a thousand and upwards per year. Seventy-five per cent of the inhabitants are foreign immigrants who have no regard for health laws or sanitation. You will find as many as fifteen occupying shacks and shanties with one and two rooms. There is no sewerage system or drainage in these towns, and the water becomes contaminated, and as a result, I have known epidemics of Typhoid Fever where there would be sixty cases at one time in a town of 1500 inhabitants. Other epidemics are of a frequent occurrence. It is not a question of caring for the adults, as much as it is the little children, who in many instances are the victims of these conditions. This act will enable the local Boards of Health and Sanitation to regulate these conditions and compel them to observe the requirements of the law, and if these people are to remain with us and eventually become citizens, we cannot begin too soon to teach them to observe the customs of civilization. There are other locations where these same conditions exist, where such conditions could be looked after and improved, but they are not. This act if it becomes a law will compel them to do so. The bill only applies to where there is filth, ignorance and crime. Filth and ignorance by a singular sequence go hand in hand with crime and produce a race of degenerates, who fill our alms houses, our hospitals and our prisons. The law would not in any way effect the law abiding tenament owner or tenant where families, mothers and children live like civilized human beings. Such homes develop intelligent, useful American Citizens. This is the object of the bill, it requires more work by the local Boards of Health and Sanitation with additional power to enforce the law, and it will eventually save millions of dollars of money now expended to support the degenerate and criminal class, who are the out-growth of life in the slums.

With this explanation I trust the bill will pass unanimonsly. In other words, I trust that there is not a single member of this House who wants to register his vote against an effort to better the conditions of this class and especially take care of the babies and little children, who by no fault of their own are doomed to this character of life, and who never knew the blessings of a well regulated happy home. They grow up creatures who never knew the sweet sentiment of the sweetest song ever composed so dear to us all, "Home , home sweet, sweet home, be it ever so humble there is no place like home."

I appeal to you to give these little creatures a chance to escape from these degrading conditions cast upon them by changing the hovel into a clean, bright, happy home, in order that they in after years may think of their happy childhood and join our children in that sweet song.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Allen,	Ehrhardt,	Martin,	Schuck,
Alworth,	Eichenberger,	Mather,	Scott, S. B.,
Ambler,	Ely,	Matt,	Semmens,
Aron,	Ewing,	McAleer,	Shaffer, C. A.,
Arthur,	Fahey,	McAllister,	Shaffer, I. E.,
Baldwin, G. A.,	Forster, I. G.,	McArdle,	Shern,
Baldwin, R. J.,	Frey,	McCaig,	Sherwood,
Barner,	Gibson,	McClintock,	Showalter,
Bass,	Good,	McDermott,	Smith, J. W.,
Becker,	Gramley,	McKay,	Smith, L.,
Berntheizel,	Gray, Frank,	McNichol,	Snavely,
Bigger,	Gray, Joseph,	Mechling,	Snyder,
Bittles,	Hackett,	Miller,	Spangler,
Blair, W. A.,	Haggerty,	Missimer,	Spillinger,
Blair, W. F.,	Heidinger,	Mitchell,	Steedle,
Body,	Herman,	Morrow,	Steele,
Brosius,	Hess,	Moses,	Stein,
Brown,	Heyburn,	Moulthrop,	Stone,
Brownlee,	Hibshman,	Murphy,	Strauss,
Burnett,	Hobbs,	Newbaker,	Swartz,
Caldwell,	Howard, R.,	O'Neill,	Swift,
Campbell, C.M.,	Humes,	Peachey,	Thomas,
Campbell, J.J.	Isler,	Perry, H. L.,	Trach,
Carson,	Irwin, G. C.,	Perry, S. J.,	Ulerich,
Carter,	Irwin, H. H.,	Peters,	Ulman,
Claycomb,	Jackson,	Piper,	Walnut,
Cleary,	Jones, J. R.,	Post,	Walsh,
Cochran	Kaiser,	Price,	Walton,
Collins,	Kaufman,	Ramsey,	Watson,
Conrade,	Keeport,	Redfield,	Wettach,
Cox,	Kennedy,	Reeser,	Whitaker,
Currier,	Kern,	Rhoads,	Wildman,
Curry,	Kuhn, H. P.,	Robinson,	Williams,
Davis,	Kuhns, E.G.M.,	Rockwell,	Wilson, J. H.,
DeFrees,	Latshaw,	Roney,	Wilson, W. H.,
Dickinson,	Lenker,	Rothenberger,	Wiltbank,
Donahoe,	Lohr,	Runk,	Young, G. K.,
Donnally,	Lowers,	Sassaman,	Young, J. H.,
Down,	Malie,	Savacool,	Zimmerman,
Dunn, H. B.,	Mannion,	Schaeffer, A. C	Alter,
Dunn, J. A.,			Speaker.

NAYS—2.

Benninger, Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 732, entitled:

An Act to provide for the protection of insectivorous and fur bearing animals by fixing a season for trapping or killing the animal commonly called the skunk or pole cat and providing a penalty for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. METZENBACHER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 3, by striking out, in line 1, the figures "33" and inserting in lieu thereof, the figure "3"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Oredered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1232, entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of where the owner or owners of said ground rent cannot be a deed of extinguishment by the prothonotary in cases definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to remove encumbrances against the title to the same or to where the owner or owners of said rent neglect or refuse to rmove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Alworth,	Gans,	Martin,	Semmens,
Ambler,	Geiser,	Mather,	Shaffer, C. A.,
Arthur,	Gibson,	Matt,	Shaffer, I. E.,
Baldwin, G. A.,	Good,	McAllister,	Sherwood,
Barner,	Grabe,	McCaig,	Showalter,
Becker,	Gramley,	McClintock,	Smith, J. W.,
Benson,	Gray, Frank,	McNichol,	Smith, L.,
Berntheizel,	Gray, Joseph,	Mechling,	Snavely,
Bigger,	Haggerty,	Mellott,	Snyder,
Blair, W. F.,	Heidinger,	Metzenbacher,	Spillinger,
Brosius,	Hemminger,	Miller,	Steedle,
Brownlee,	Herman,	Missimer,	Steele,
Burnett,	Heyburn,	Mitchell,	Strauss,
Caldwell,	Hibshman,	Moses,	Swartz
Campbell, C.M.,	Hobbs,	Newbaker,	Swift,
Claycomb,	Hoffman,	Newton,	Thomas,
Conniff,	Howard, R.,	Peachey,	Trach,
Currier,	Irwin, G. C.,	Pennock,	Ulerich,
Curry,	Jackson,	Perry, S. J.,	Ulman,
Davis,	Jones, J. R.,	Piper,	Walnut,
DeFrees,	Kaiser,	Post,	Walton,
Dickinson,	Kaufman,	Redfield,	Watson,
Donahoe,	Keeport,	Reese,	Wettach,
Donnally,	Kennedy,	Rex,	Whitaker,
Down,	Kern,	Robinson,	Wildman,
Dunn, H. B.,	Kuhns, E.G.M.,	Rockwell,	Williams,
Ehrhardt,	Latshaw,	Roney,	Wilson, J. H.,
Eichenberger,	Leslie,	Rothenberger,	Wilson, W. H.,
Ely,	Light,	Sassaman,	Wiltbank,
Ewing,	Lohr,	Savacool,	Young, G. K.,
Forster, I. G.,	Lowers,	Schaeffer, A. C	Young, J. H.,
Foster, J. D.,	Malie,	Scott, J. R. K.,	Zimmerman,
Frey,	Mannion,	Scott, S. B.,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. METZENBACHER asked and obtained unanimous consent to call up House Bill No. 732, file folio 5341, on page 4 of today's calendar.

Mr. METZENBACHER. Mr. Speaker, I move that the vote by which this bill passed third reading as amended be reconsidered.

Mr. HUMES. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. METZENBACHER asked and obtained unanimous consent to withdraw the amendment which was inserted in the bill.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. METZENBACHER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 3 by striking out in line 1 the first figure "3".

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

The SPEAKER. This amendment simply being to strike out, the bill will now be put upon its final passage.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—98.

Baldwin, G. A.,	Good,	Lowers,	Rex,
Barner,	Grabe,	Malie,	Robinson,
Bass,	Gramley,	Martin,	Rothenberger,
Benninger,	Gray, Frank,	Mather,	Sassaman,
Benson,	Heidinger,	Matt,	Savacool,
Bittles,	Hemminger,	McAllister,	Semmens,
Blair, W. A.,	Herman,	McClintock,	Shaffer, C. A.,
Blair, W. F.,	Heyburn,	McDermott,	Shaffer, I. E.,
Bleloch,	Hibshman,	McKay,	Shern,
Body,	Hobbs,	Mechling,	Showalter,
Brosius,	Humes,	Metzenbacher,	Smith, L.,
Brownlee,	Irwin, G. C.,	Miller,	Snavely,
Burnett,	Irwin, H. H.,	Mitchell,	Spillinger,
Caldwell,	Jackson,	Moulthrop,	Steele,
Carson,	Jones, J. R.,	Musser,	Swift,
Currier,	Keeport,	Neel,	Thomas,
DeFrees,	Kennedy,	Newbaker,	Trach,
Dickinson,	Kern,	Peachey,	Ulerich,
Donahoe,	Kuhn, H. P.,	Pennock,	Walton,
Donnally,	Kuhns, E.G.M.,	Perry, H. L.,	Whitaker,
Down,	Latshaw,	Piper,	Williams,
Dunn, H. B.,	Lenker,	Post,	Wilson, J. H.,
Ely,	Leslie,	Reese,	Young, G. K.,
Gibson,	Lohr,	Reeser,	Zimmerman,
Glenn,			Alter,
			Speaker.

NAYS—46.

Alworth,	Fahey,	Isler,	Morrow,
Aron,	Forster, I. G.,	Kaiser,	Moses,
Arthur,	Foster, J. D.,	Keegan,	Murphy,
Brown,	Frey,	Letzkus,	Newton,
Carter,	Gans,	Light,	O'Neill,
Cochran	Geary,	McAleer,	Perry, S. J.,
Conrade,	Gray, Joseph,	McArdle,	Price,
Cox,	Hackett,	McCaig,	Ramsey,
Davis,	Haggerty,	McNichol,	Sherwood,
Ehrhardt,	Hess,	Missimer,	Swartz,
Eichenberger,	Hoffman,	Moore,	Ulman,
Ewing,			Wiltbank,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1600, as follows:

An Act empowering counties to construct operate and maintain public highways public highway bridges and tunnels in the several counties of this Commonwealth either wholly within or partly within any city borough or township therein authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches therto authorizing counties to lay out open widen straighten or extend streets and alleys or parts thereof within the boundaries of any city borough or township therein so as to connect said bridges and tunnels or public highways or roads leading thereto with any public highways therein or so as to connect any other county bridge or road now or hereafter constructed with any public highway within such city borough or township and to grade pave macadamize or otherwise improve the same and authorizing the taking of property for all or any of said purposes providing for the payment of the cost and expense thereof and compensation therefor and damages resulting therefrom and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several counties of this Commonwealth shall have the power and they are hereby authorized whenever the commissioners or a majority of them shall by resolution duly adopted deem it expedient so to do and upon approval thereof by a grand jury and by the court of quarter sessions as hereinafter provided to cause to be constructed operated and maintained under the provisions of this act a public highway public highway bridge or public highway tunnel or such highways bridges and tunnels or such highways bridges tunnels subways or underground roads within such counties either wholly within or partly within or extending through any city borough or township therein and such counties shall also have power and they are hereby authorized to lay out open widen straighten or extend any street or streets alley or alleys or parts thereof within the boundaries of any city borough or township therein so as to connect or more adequately to connect such bridges or tunnels or roads leading to them with any street or streets of the said cities or boroughs or so as to connect or more adequately to connect any other county bridge or highway now or hereafter constructed with any street or streets within such city borough or township provided however that the consent of such city or borough to the construction wholly or partly within its boundaries of such highway bridge tunnel street or alley shall be by ordinance first had and obtained and such county shall have power and they are hereby authorized to grade pave macadamize or otherwise improve the said highways streets and alleys and any highway bridge or tunnel street or alley constructed under the provisions of this act shall forever thereafter be a county highway bridge tunnel street or alley and the duty of maintaining the same and keeping it or them in repair shall devolve upon the county and the expense thereof shall be paid by the county as hereinafter provided

Section 2 Whenever the commissioners of any county shall resolve to construct any public highway bridge or tunnel or to lay out open widen straighten or extend any street or streets alley or alleys or parts thereof in accordance with the provisions of this act they shall cause to be prepared surveys and plans for said highway bridge or tunnel street or streets alley or alleys with an estimate of the cost and expense of the same and shall thereupon present such surveys plans and estimate or a copy thereof together with their petition to the court of quarter sessions of the county and upon the filing thereof the court shall direct notice to be given of the same substantially describing the location and termini of said public highway bridge tunnel street or streets alley or alleys by publication at least one a week for three consecutive weeks in at least two newspapers of general circulation published in the county wherein said proposed highway bridge or tunnel street or streets alley or alleys are to be constructed and of the time when said application is to be laid before the grand jury and after advertisement as aforesaid the said court shall cause said application to be laid before the grand jury when in session and if a majority of said grand jury after a full investigation by the grand jury shall approve of the same they shall certify their aproval to the court whereupon the said court shall fix such time for filing exceptions to said proceedings as the court shall deem proper and upon hearing thereof the said court may for cause shown disallow said application but if no sufficient cause be shown to the contrary said application shall be approved and the said court shall thereupon order that said public highway bridge tunnel street or alley be constructed or the street or streets alley or alleys be laid out opened or otherwise improved as herein provided for in accodance with the plans and surveys accompanying the said application and thereupon sai dconstruction of said public highway bridge or tunnel street or streets alley or alleys as set forth in said proceedings shall remain absolute

Section 3 For the purpose of making all necessary preliminary surveys in order to propare such plans and estimates the commissioners of the several counties of this Commonwealth and the persons by them employed for such purposes shall and are hereby given the right to enter upon private or public property and designate by proper marks upon the gound the line and location of any highway bridge tunnel street or alley proposed to be constructed under and for the purpose authorized in section one of this act

Section 4 When said application surveys and plans shall have been finally approved by such court and said public highway bridge or tunnel street or streets alley or alleys ordered to be constructed as aforesaid the said county commissioners or a majority of them shall endeavor to agree with the persons or parties interested in the properties affected thereby as to the damages if any sustained by reason of the takin ginjuring or destroying such property and upon agreement being made the said county commissioners shall report the same to such court showing the amount of damages agreed to be paid and the names of the persons or parties to whom the same are payable and upon the approval thereof by such court the said damages shall be payable by said commissioners out of the moneys specifically raised for such purposes in the manner hereinafter provided

Section 5 In case the said commissioners or a majority of them and the parties interested in the land upon or under which such public highway bridge or tunnel street or streets alley or alleys shall be or is to be constructed as aforesaid fail to agree upon the compensation to be made for the property so taken injured or destroyed by reason of such construction then upon petition of such commissioners or a majority of them or of any person or parties interested in said proposed construction and whose property or land is affected theeby to a court of common pleas of said county the said court of common pleas shall appoint three disinterested freeholders residents of the county aforesaid as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the line of the proposed construction and view the same and the properties affected thereby The said viewers snall give at least ten days' notice by publication in the newspapers aforesaid of the time and place of their first meeting and shall also give notice thereof by handbills posted in conspicuous places in the vicinity of the said proposed highway bridge tunnel subway or underground road street or alley

Section 6 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and true report make concerning all matters and things to be submitted to them and in relation to which they are authorized to inquire under the provisions of this act and having viewed the properties connected with and affected by said proposed improvement shall hear all parties interested and their witnesses and having due regard to the advantages and disadvantages shall estimate and determine the damages if ny for the property taken used or appropriated and to whom the same are payable They shall give at least ten days' notice thereof in the manner herein provided to all parties interested of the time and place when said viewers will meet and exhibit their report and hear any exceptions thereto After making whatever changes are deemed necessary and proper said viewers shall make report to said court showing the damages if any allowed and file therewith a plan showing the properties acquired taken used and appropriated for the purpose aforesaid and the names of the parties or persons to whom such damages are payable The said viewers shall have the right to adjourn from day to day as may be found necessary and to administer oaths to all parties and witnesses appearing before them and desiring to be heard upon all matters connected with the construction maintenance repair change or extension of the highway bridge tunnel street or alley as aforesaid In constructing said public highway bridge tunnel street or streets alley or alleys it shall be lawful to enter upon take and use whatever land may be necessary for the proper construction thereof and of the proper approaches slopes fills embankments the damages thereof if any shall be taken into consideration and determined and reported by the said board of viewers in the manner hereinafter provided

Section 7 All damages found awarded or sustained for or on account of the construction maintenance and operation of any public highway bridge tunnel street or streets alley or alleys under the provisions of this act and all costs and expenses thereafter incurred in repairing and maintaining such highway bridge tunnel street or streets alley or alleys shall be paid from funds raised by taxation or by bonds as hereinafter provided and authorized

Section 8 The viewers provided for in the preceding sections may be apointed before or at any time after the entry taking appropriating or injury of any private property used and acquired in said construction The costs of the said viewers and all court costs incurred including all advertising and notices shall be paid by said county and each of the said viewers shall be entitled as compensation to a sum not exceeding five dollars per day for every day necessarily employed in performing the duties herein prescribed

Section 9 Upon the report of said viewers or a majority of them being filed in said court the county or any party in interest may within thirty days thereofter file exceptions to the same and the court shall have the power to confirm said report or to modify change or otherwise correct and amend the same or refer tne same back to the same or new viewers with like power as to their report or within thirty days afte the filing of any report in court the county commissioners on behalf of the county or any party whose property is taken injured or destroyed may appeal therefrom and demand a trial by jury and the county or any party interested may within thirty days after final decree and confirmation of said report by said court have an appeal to the supreme court That said court of common pleas shall have the power to order and direct what notices shall be given in connection with any part of said proceedings and make such orders as it may deem requisite in the premises For the purposes of this act it shall be lawful for a majority of said board of viewers to hear determine pass upon and report all matters in this act relating to said viewers but all said viewers shall act unless prevented by sickness or other unavoidable cause

Section 10 After said surveys and plans and the aforesaid application to the court of quarter sessions shall have been approved by the court and the said public highway bridge or tunnel street or street salley or alleys as decreed by said court of common pleas ordered to be made and constructed in accordance therewith the commissioners or a majority or them of the respective counties where said improvement is made or to be made and constructed shall invite proposals for the making and constructing of the same or such part or parts of same as the commissioners shall deem proper by publication in at least two newspapers of general circulation published in said county or if no newspaper be published in said county then in a newspaper or newspapers published in the county adjoining once a week for four consecutive weeks fixing a time therein when such proposals will be opened and contracts therefor awarded In addition to the notices so oredered to be given for publication there shall be posted in the office of said commissioners of the respective counties like notices as those now given inviting proposals for the construction and repair of all public roads and bridges The contract or contracts as afoesaid shall be awarded by the said commissioners or a majority of them to the lowest responsible bidder No contract shall be awarded for any of said public work until proper bonds shall be given for the faithful performance thereof by the person or persons to whom the same shall be awarded with proper security to be approved by said commissioners or a majority of them Any incorporated company doing business within any of said counties authorized by law to become security for persons or corporations may be taken and accepted as surety upon the bonds herein required to be given

Section 11 For the purpose of performing all necessary duties relating to the construction improvement and repair of public highways bridges tunnels street or streets alley or alleys subways and underground roads herein authorized the said county commissioners or a majority of them of the several counties of this Commonwealth are hereby authorized to employ or appoint proper persons to prepare said surveys plans and estimates and to do all necessary and proper work connected therewith and shall fix the compensation of all persons so employed

Section 12 The said county commissioners or a majority of them of the several counties of this Commonwealth are hereby authorized and empowered to make and enter into a contract or lease with any street railway or transportation company o other public service corporation of the same or different kind its successors or assigns for the concurrent use of such a portion of said public highway bridge tunnel street or streets alley or alleys as shall not substantially impair or restrict the publlic use and enjoyment thereof upon such terms and conditions as shall be agreed upon Provided however That no such contract or lease for the concurrent use of a portion of such improvement shall be for a longer term or period than twenty years and Provided further that no contract or lease shall be made or entered into by the said county commissioners or a majority of them affecting the public use and enjoyment of said improvement or any part thereof except upon and after any such contract or lease has been duly approved by the court of quarter sessions of the proper county and the county commissioners shall have power to demand receive and compel the payment of tolls or charges from persons using or traveling over or upon said highways bridges or tunnels at such reasonable ates as the commissioners shall from time to time determine

Section 13 The said commissioners or a majority of them of the several counties of this Commonwealth are hereby authorized to levy assess and collect an annual tax of not more than two mills on the dollar on all real and personal property within said county now or hereafter taxable for county purposes for the purpose of acquiring and securing a fund from which to pay all costs damages and expenses required in locating opening widening straightening extending constructing maintaining and repairing public highways public highways bridges or tunnels street or streets alley or alleys constructed unde the provisions of this act and the taking using and enjoying of such land as may be made necessary in constructing the same and in maintaining proper slopes embankments approaches and termini for said highways bridges tunnels streets or alleys and the money so raised shall not be used or expended for any other purpose than that named in this section All warrants for the payment of all or any portion of the money raised for the purposes aforesaid shall be issued by said commissioners or a majority oft hem in the manner now provided by law in the several counties upon estimates which shall be made from time to time by the person charged with such duties and the amount and time within which the same shall be paid shall be fixed and determined in the contract made for the public work therein authorized

Section 14 The said commisisoners or a majority of them of the several counties of this Commonwealth are hereby authorized to issue bonds to an amount not exceeding one-half per centum of the assessed valuation of all real and personal property within said county now or hereafter taxable for county purposes for the purpose of funding any indebtedness ceated by the constructiono f said public highways bridges or tunnels street or streets alley cr alleys as above provided Provided That aid bonds shall be payable in not less than five yeas and not more than thirty years after date of their issue and that the same shall bear interest at a rate not exceeding six per centum per annum with interest coupons attached payable annually or semi-annually and the said bonds shall not be sold or exchanged for less than their par value and accured interest

Section 15 Said commissioners or a majority of them are hereby authorized to make provision for a sinking fund to pay at maturity any bonded indebtedness which may be incurred as hereinbefore provided and to levy and collect taxes on all the taxable property in the several counties in addition to all other taxes for the purpose of paying the same

Section 16 Should any board of county commissioners in the exercise of the powers herein conferred deem it necessary or advisable to enter upon highway or highways in any city or borough or take any other action affecting the property rights or authority of such city or borough for the purpose of constucting or maintaining a highway bridge tunnel or approaches thereto street or streets alley or alleys or otherwise the consent thereto of such city or borough shall by ordinance be first had and obtained

Section 17 All acts or parts of acts inconsistent herewith be and the the same are hereby repealed

Section 18 This act shall not become operative in any county until at a special election held for such purpose it shall have been adopted by the majority of qualified electors of the county voting at such election Such special election shall be conducted in the same manner as an election held for increasing the indebtedness of such county

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Allen,	Dunn, H. B.,	Leslie,	Shaffer, C. A.,
Alworth,	Dunn, J. A.,	Letzkus,	Shaffer, I. E.,
Ambler,	Ehrhardt,	Light,	Shern,
Aron,	Eichenberger,	Lowers,	Sherwood,
Arthur,	Ely,	Malie,	Showalter,
Barner,	Ewing,	Martin,	Smith, J. W.,
Bass,	Fahey,	Mather,	Smith, L.,
Becker,	Gans,	McAleer,	Snavely,
Benninger,	Geiser,	McAllister,	Snyder,
Bigger,	Good,	McCaig,	Spillinger,
Bittles,	Grabe,	McClintock,	Steedle,
Blair, W. A.,	Gramley,	McDermott,	Steele,
Blair, W. F.,	Gray, Frank,	McKay,	Stein,
Body,	Gray, Joseph,	Mechling,	Stone,
Brosius,	Hackett,	Miller,	Strauss,
Brown,	Haggerty,	Missimer,	Swartz,
Brownlee,	Hemminger,	Moses,	Swift,
Burnett,	Hess.	Musser,	Thomas,
Caldwell,	Heyburn,	Newbaker,	Trach,
Campbell, C.M.,	Hibshman,	Peachey,	Ulerich,
Campbell, J. J.,	Hobbs,	Pennock,	Ulman,
Carson,	Humes,	Perry, S. J.,	Walnut,
Carter,	Irwin, H. H.,	Piper,	Walsh,
Claycomb,	Jackson,	Post,	Walton,
Cleary,	Jones, J. R.,	Price,	Watson,
Cochran	Kaiser,	Reeser,	Whitaker,
Collins,	Keeport,	Robinson,	Wildman,
Conniff,	Kennedy,	Rockwell,	Williams,
Conrade,	Kern,	Roney,	Wilson, J. H.,
Cox,	Kitts,	Rothenberger,	Wilson, W. H.,
Currier,	Klepper,	Sassaman,	Wiltbank,
Curry,	Kuhn, H. P.,	Savacool,	Young, G. K.,
Davis,	Kuhns, E.G.M.,	Schaeffer, A. C	Young, J. H.,
DeFrees,	Lenker,	Semmens,	Zimmerman,
Dickinson,			Alter,
Down,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 411, entitled:

An Act relating to the time of payment of wages or salaries to officers and employes in counties co-extensive with cities

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HACKETT. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. ELY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1767, entitled:

A supplement to an act entitled "An Act to fix the fees to be allowed the district attorney in counties containing over eight hundred thousand inhabitants" so as to provide for fees in counties containing one million two hundred thousand inhabitants and over

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS 170.

Allen,	Ehrhardt,	Lohr,	Savacool,
Alworth,	Eichenberger,	Malie,	Schaeffer, A. C
Ambler,	Ewing,	Mannion,	Schuck,
Aron,	Fahey,	Martin,	Scott, J. R. K.,
Arthur,	Forster, I. G.,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Frey,	Matt,	Semmens,
Baldwin, R. J.,	Gans,	McAleer,	Shaffer, C. A.,
Barner,	Geary,	McAllister,	Shaffer, I. E.,
Bass,	Gibson,	McArdle,	Shern,
Becker,	Glenn,	McCaig,	Sherwood,
Benninger,	Goss,	McClintock,	Showalter,
Benson,	Grabe,	McKay,	Smith, J. W.,
Berntheizel,	Gramley,	McNichol,	Smith, L.,
Bigger,	Gray, Frank,	Mechling,	Snavely,
Bittles,	Hackett,	Mellott,	Snyder,
Blair, W. A.,	Haggerty,	Missimer,	Spangler,
Blair, W. F.,	Heidinger,	Mitchell,	Spillinger,
Bleloch,	Hemminger,	Moore,	Steedle,
Body,	Herman,	Murphy,	Steele,
Brosius,	Hess,	Musser,	Stein,
Brown,	Heyburn,	Neel,	Stone,
Brownlee,	Hibshman,	Newbaker,	Strauss,
Burnett,	Hobbs,	Newton,	Swartz,
Caldwell,	Hoffman,	O'Neill,	Swift,
Campbell, C.M.,	Howard, R.,	Peachey,	Thomas,
Campbell, J. J.,	Humes,	Pennock,	Trach,
Carson,	Isler,	Perry, H. L.,	Ulerich,
Carter,	Irwin, G. C.,	Perry, S. J.,	Ulman,
Claycomb,	Irwin, H. H.,	Peters,	Walnut,
Cleary,	Jackson,	Piper,	Walsh,
Cochran	Jones, J. R.,	Post,	Walton,
Collins,	Kaiser,	Price,	Watson,
Conniff,	Keegan,	Ramsey,	Wettach,
Conrade,	Keeport,	Redfield,	Whitaker,
Cox,	Kennedy,	Reese,	Wildman,
Currier,	Kitts,	Rhoads,	Williams,
Curry,	Lanius,	Robinson,	Wilson, J. H.,
Dickinson,	Laishaw,	Rockwell,	Wilson, W. H.,
Donahoe,	Lenker,	Roney,	Wiltbank,
Donnally,	Leslie,	Rothenberger,	Young, G. K.,
Down,	Letzkus,	Runk,	Young, J. H.,
Dunn, H. B.,	Light,	Sassaman,	Zimmerman,
Dunn, J. A.,			Alter, Speaker.

NAYS 1.

Kern,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 931, entitled:

A Joint Resolution providing for the distribution to each newspaper and periodical published in Pennsylvania of a copy of each annual edition of Smull's Legislative Hand Book and of a copy daily of the Legislative Journal during the session of the General Asembly

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Allen,	Ehrhardt,	Kuhn, H. P.,	Rothenberger,
Alworth,	Eichenberger,	Kuhns, E.G.M.,	Runk,
Aron,	Ewing,	Lanius,	Sassaman,
Baldwin, G. A.,	Fahey,	Lenker,	Savacool,
Baldwin, R. J.,	Forster, I. G.,	Leslie,	Schuck,
Bass,	Foster, J. D.,	Letzkus,	Scott, J. R. K.,
Benninger,	Gans,	Light,	Scott, S. B.,
Bigger,	Geary,	Lohr,	Semmens,
Bittles,	Gibson,	Malie,	Shaffer, C. A.,
Blair, W. A.,	Glenn,	Martin,	Shaffer, I. E.,
Blair, W. F.,	Good,	Matt,	Showalter,
Body,	Grabe,	McKay,	Smith, J. W.,
Brosius,	Gramley,	Mellott,	Smith, L.,
Brown,	Gray, Frank,	Miller,	Snyder,
Brownlee,	Gray, Joseph,	Moore,	Spangler,
Burnett,	Hackett,	Moses,	Spillinger,
Caldwell,	Haggerty,	Murphy,	Steedle,
Campbell, C.M.,	Hemminger,	Musser,	Steele,
Campbell, J.J.	Herman,	Newton,	Strauss,
Carson,	Hess,	Peachey,	Thomas,
Carter,	Heyburn,	Pennock,	Trach,
Claycomb,	Hobbs,	Perry, H. L.,	Ulerich,
Cleary,	Howard, R.,	Perry, S. J.,	Ulman,
Cochran	Humes,	Price,	Walsh,
Conniff,	Isler,	Reese,	Wettach,
Conrade,	Irwin, G. C.,	Reeser,	Wildman,
Currier,	Jackson,	Robinson,	Wilson, W. H.,
Curry,	Jones, J. R.,	Rockwell,	Young, J. H.,
DeFrees,	Keeport,	Roney,	Zimmerman,
Donnally,	Kennedy,		
Dunn, J. A.,			

NAYS—12.

Arthur,	Hoffman,	Mitchell,	Young, G. K.,
Barner,	McAleer,	Newbaker,	Alter,
Heidinger,	McArdle,	Walton.	Speaker.
Hemminger,	Missimer,	Wiltbank,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1460, entitled:

An Act fixing the salary and providing for the expenses of township commissioners of townships of the first class of this Commonwealth

On the question,

Will the House agree to the bill on third reading?

Mr. MARTIN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Allen, permit himself to be interrogated?

Mr. ALLEN. Mr. Speaker, I will.

Mr. MARTIN. Mr. Speaker, I would like to interrogate the sponsor of this bill in regard to the duties of the township commissioners. I notice that they are to be paid sixty dollars per annum. I wish the gentleman would define the duties of the township commissioners.

Mr. ALLEN. The statute does that, Mr. Speaker. This bill does not impose any additional duties. The township commissioners are presumed, in townships, to attend to the business of the township, and the rule is that they meet once a month, twelve times a year, and this bill simply provides that the township commissioners shall receive for these regular meetings the sum of five dollars per meeting; and if they do not attend the meetings they do not receive anything. The bill is for this purpose: in many of the townships the men who know the most about the township affairs cannot afford to give his time to attending these meetings, and he cannot afford to become a township commissioner, even though the people desire him to be one. It requires that he give twelve days of his time each year devoted to the interests of the township, and in the interest of the township business.

Mr. MARTIN. Mr. Speaker, I would like to further interrogate the gentleman. Do the township commissioners at this time receive any renumeration.

Mr. ALLEN. No. They may receive their actual expenses incurred in the performance of township business.

Mr. MARTIN. Mr. Speaker, I do not know what the duties are of the township commissioners, and would like to know what they do. I simply ask for that information.

Mr. ALLEN. Mr. Speaker, the township commissioners in townships of the first class have the same duties as the supervisors in townships of the second class. They perform all the business relating to townships, all the buying of supplies necessary for such things as come under the province of the commissioner, they let such contracts as the township has to let, they do the same business in relation to the township as the county commissioners do in relation to the county.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Allen,	Ewing,	Lowers,	Sassaman,
Alworth,	Fahey,	Malie,	Savacool,
Ambler,	Forster, I. G.,	Mannion,	Schaeffer, A. C.
Aron,	Foster, J. D.,	Martin,	Schuck,
Arthur,	Frey,	Mather,	Scott, J. R. K.,
Baldwin, R. J.,	Gans,	Matt,	Scott, S. B.,
Barner,	Geary,	McAleer,	Semmens,
Bass,	Geiser,	McAllister,	Shaffer, I. E.,
Becker,	Gibson,	McArdle,	Shern,
Benson,	Good,	McCaig,	Sherwood,
Berntheizel,	Gray, Frank,	McClintock,	Showalter,
Bigger,	Gray, Joseph,	McDermott,	Smith, J. W.,
Bittles,	Hackett,	McKay,	Smith, L.,
Blair, W. A.,	Haggerty,	McNichol,	Snyder
Blair, W. F.,	Heidinger,	Metzenbacher,	Spangler,
Brosius,	Herman,	Missimer,	Spillinger,
Brown,	Hess,	Mitchell,	Steedle,
Burnett,	Heyburn,	Moore,	Steele,
Campbell, C.M.,	Hibshman,	Musser,	Stein,
Campbell, J.J.	Hobbs,	Newbaker,	Stone,
Carson,	Hoffman,	Newton,	Strauss,
Carter,	Howard, J.,	O'Neill,	Swartz,
Claycomb,	Howard, R.,	Peachey,	Swift,
Cleary,	Humes,	Pennock,	Thomas,
Cochran,	Isler,	Perry, H. L.,	Trach,
Collins,	Irwin, G. C.,	Perry, S. J.,	Ulerich,
Conrade,	Jackson,	Peters,	Ulman,
Cox,	Jones, J. R.,	Piper,	Walsh,
Currier,	Kaiser,	Post,	Walton,
Curry,	Keegan,	Price,	Watson,
DeFrees,	Keeport,	Ramsey,	Wettach,
Dickinson,	Kennedy,	Reese,	Whitaker,
Donahoe,	Kitts,	Reeser,	Wildman,
Donnally,	Klepper,	Rex,	Williams,
Down,	Latshaw,	Rhoads,	Wilson, J. H.,
Dunn, H. B.,	Lenker,	Richards,	Wiltbank,
Dunn, J. A.,	Leslie,	Rockwell,	Young, G. K.,
Ehrhardt,	Letzkus,	Roney,	Young, J. H.,
Eichenberger,	Lohr,	Rothenberger,	Zimmerman,
Ely,		Runk,	Alter,
			Speaker.

NAS—7.

Brownlee,	Gramley,	Miller,	Snavely,
Caldwell,	Kuhns, E.G.M.,	Mellott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1399 (Senate Bill No. 308) entitled:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Allen,	Dunn, J. A.,	Leslie,	Rothenberger,
Alworth,	Ehrhardt,	Letzkus,	Sassaman,
Ambler,	Eichenberger,	Light,	Savacool,
Aron,	Ely,	Lohr,	Schaeffer, A. C.
Arthur,	Forster, I. G.,	Lowers,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	Malie,	Scott, J. R. K.,
Barner,	Gans,	Mannion,	Scott, S. B.,
Bass,	Gibson,	Martin,	Semmens,
Becker,	Good,	Mather,	Shaffer, C. A.,
Benninger,	Gramley,	Matt,	Shaffer, I. E.,
Benson,	Gray, Frank,	McAleer,	Shern,
Berntheizel,	Gray, Joseph,	McAllister,	Sherwood,
Bigger,	Hackett,	McCaig,	Showalter,
Bittles,	Haggerty,	McClintock,	Smith, J. W.,
Blair, W. A.,	Hemminger,	McKay,	Smith, L.,
Blair, W. F.,	Herman,	Mechling,	Snavely,
Body,	Hess,	Mellott,	Snyder,
Brosius,	Heyburn,	Metzenbacher,	Spangler,
Brown,	Hibshman,	Missimer,	Spillinger,
Brownlee,	Hobbs,	Mitchell,	Steedle,
Burnett,	Hoffman,	Morrow,	Steele,
Caldwell,	Howard, J.,	Moses,	Stein,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Stone,
Campbell, J. J.,	Humes,	Newbaker,	Swartz,
Carson,	Isler,	Newton,	Swift,
Carter,	Irwin, G. C.,	Peachey,	Thomas,
Claycomb,	Irwin, H. H.,	Pennock,	Trach,
Cleary,	Jackson,	Perry, H. L.,	Ulerich,
Cochran	Jones, J. R.,	Perry, S. J.,	Ulman,
Conniff,	Kaiser,	Peters,	Walton,
Conrade,	Keegan,	Piper,	Wettach,
Cox,	Kennedy,	Post,	Whitaker,
Currier,	Kern,	Price,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Davis,	Klepper,	Reese,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Rex,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Rockwell,	Young, G. K.,
Donahoe,	Lenker,	Roney,	Zimmerman,
Donnally,			Alter,
Down,			Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. CONNIFF. Mr. Speaker, I desire to call up from page 27 of to-day's calendar, bills on third reading postponed, House Bill No. 1543.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1543, as follows:

An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any county commissioners of any county in this Commonwealth to make any contract to repair build or rebuild any county bridge or bridges without first making due advertisement for at least three weeks or in case of emergency one week for sealed bids or proposals to repair erect build or rebuild any county bridge or bridges in at least three newspapers published in the county where proposals or bids are asked for said advertisement to contain the desscription of the repairs or plans of the kind of bridge required and fixing the time when the proposals or bids shall be closed and when said bids or proposals shall be opened

Section 2 The proposals or bids must be accompanied with such security as the county commissioners may require which must be filed with the chief clerk or some one in charge of the commissioners office at least one hour before the time fixed for the opening of the said bids or proposals the time of the filing of said bid or bids must be marked on the outside of said bids and the person's name with whom filed

Section 3 The said bid or proposal shall be opened in public and in the presence of not less than two of the county commissioners and the chief clerk and a record made of each and every bid

Section 4 The commissioners shall immediately or as soon thereafter as possible after the time fixed for the opening of said bids award the contract for the repair building or rebuilding of said bridge or bridges to the lowest responsible bidder upon the condition that said bidder must within ten days after notice of award of said contract sign and execute a contract for the faithful performance of the proposal and furnish a bond in a sum not exceeding the amount of the contract which contract and bond shall first be approved by the court of quarter sessions Provided That if the lowest bidder neglects to comply with the conditions of his bid within the time required the county commissioners shall award the same to the next lowest bidder and provided further That in case all bids are too high or unreasonable in the opinion of the county commissioners the county commissioners may reject any and all bids and advertise for new bids

Section 5 This act shall not apply to any contract for the repair building or rebuilding of any bridge or bridges that will cost less than two hundred and fifty dollars

Section 6 Any and all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Ely,	Lohr,	Rothenberger,
Alworth,	Ewing,	Lowers,	Sassaman,
Ambler,	Forster, I. G.,	Malie,	Savacool,
Aron,	Foster, J. D.,	Mannion,	Schaeffer, A. C
Arthur,	Frey,	Martin,	Schuck,
Baldwin, G. A.,	Gans,	Mather,	Scott, S. B.,
Baldwin, R. J.,	Geary,	Matt,	Semmens,
Barner,	Gibson,	McAleer,	Shaffer, C. A.,
Bass,	Good,	McAllister,	Shaffer, I. E.,
Becker,	Goss,	McArdle,	Shern,
Benninger,	Grabe,	McCaig,	Sherwood,
Benson,	Gramley,	McClintock,	Showalter,

Berntheizel,	Gransback,	McDermott,	Smith, J. W.,
Bigger,	Gray, Joseph,	McKay,	Smith, L.,
Bittles,	Hackett,	Mellott,	Snavely,
Blair, W. A.,	Haggerty,	Metzenbacher,	Snyder,
Blair, W. F.,	Heidinger,	Miller,	Spangler,
Body,	Hemminger,	Missimer,	Spillinger,
Brosius,	Herman,	Mitchell,	Steedle,
Brown,	Hess,	Moore,	Steele,
Brownlee,	Heyburn,	Morrow,	Stein,
Burnett,	Hibshman,	Moses,	Stone,
Caldwell,	Hobbs,	Moulthrop,	Strauss,
Campbell, C.M.,	Howard, J.,	Murphy,	Swartz,
Campbell, J.J.	Howard, R.,	Musser,	Swift,
Carson,	Humes,	Neel,	Thomas,
Carter,	Isler,	Neely,	Trach,
Claycomb,	Irwin, G. C.,	Newbaker,	Ulerich,
Cleary,	Irwin, H. H.,	Newton,	Ulman,
Cochran,	Jackson,	North,	Walnut,
Collins,	Jones, E. E.,	O'Neill,	Walsh,
Conniff,	Jones, J. R.,	Peachey,	Walton,
Conrade,	Keegan,	Pennegar,	Watson,
Cox,	Kennedy,	Perry, H. L.,	Wettach,
Currier,	Kern,	Peters,	Whitaker,
Curry,	Kitts,	Post,	Wildman,
Davis,	Klepper,	Price,	Williams,
DeFrees,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Dickinson,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Donahoe,	Lanius,	Reeser,	Wiltbank,
Donnally,	Latshaw,	Rhoads,	Young, G. K.,
Down,	Leslie,	Richards,	Young, J. H.,
Dunn, H. B.,	Letzkus,	Robinson,	Zimmerman,
Dunn, J. A.,	Light,	Rockwell,	Alter,
Ehrhardt,	Roney,		Speaker.
Eichenberger,			

NAYS—1.

Pennock,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McALEER. Mr. Speaker, I desire to call up from page 24 of today's calendar, bills on third reading postponed, House Bill No. 671.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 671, entitled:

An Act regulating the custody of records of criminals during trial of cases

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR.

Mr. McALEER. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. E. E. JONES. Mr. Speaker, I second the motion.

The motion was agreed to and it was so ordered.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1708, entitled:

An Act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs

On the question,

Will the House agree to the bill on third reading?

Mr. BURNETT. Mr. Speaker, this is an act relating to the payment of costs in all cases wherein the judgment, order, sentence or decree of court is reversed when appellant with or without order has paid costs. This is only making provision for the cost so it may be collected more easily.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Allen,	Ely,	Lenker,	Richards,
Alworth,	Ewing,	Leslie,	Robinson,
Ambler,	Fahey,	Letzkus,	Rockwell,
Aron,	Forster, I. G.,	Light,	Roney,
Arthur,	Foster, J. D.,	Lohr,	Rothenberger,
Baldwin, G. A.,	Frey,	Lowers,	Sassaman,
Baldwin, R. J.,	Gans,	Malie,	Savacool,
Barner,	Geary,	Mannion,	Schaeffer, A. C.,
Bass,	Geiser,	Martin,	Scott, S. B.,
Becker,	Gibson,	Mather,	Semmens,
Benninger,	Glenn,	Matt,	Shaffer, C. A.,
Benson,	Good,	McAleer,	Shaffer, I. E.,
Berntheizel,	Goss,	McAllister,	Sherwood,
Bigger,	Grabe,	McArdle,	Showalter,
Bittles,	Gramley,	McCaig,	Smith, J. W.,
Blair, W. A.,	Gransback,	McClintock,	Smith, L.,
Blair, W. F.,	Gray, Joseph,	McDermott,	Snavely,
Body,	Hackett,	McKay,	Snyder,
Brosius,	Haggerty,	Mellott,	Spillinger,
Brown,	Heidinger,	Metzenbacher,	Steedle,
Brownlee,	Hemminger,	Miller,	Steele,
Burnett,	Herman,	Missimer,	Stein,
Caldwell,	Hess,	Mitchell,	Stone,
Campbell, C.M.,	Heyburn,	Morrow,	Strauss,
Campbell, J.J.	Hibshman,	Moses,	Swartz,
Carson,	Hobbs,	Moulthrop,	Swift,
Carter,	Howard, J.,	Murphy,	Thomas,
Claycomb,	Howard, R.,	Musser,	Trach,
Cleary,	Humes,	Neel,	Ulerich,
Cochran,	Isler,	Newbaker,	Walnut,
Collins,	Irwin, G. C.,	Newton,	Walsh,
Conniff,	Irwin, H. H.,	North,	Walton,
Conrade,	Jackson,	O'Neill,	Watson,
Cox,	Jones, E. E.,	Peachey,	Whitaker,
Currier,	Jones, J. R.,	Pennegar,	Whitman,
Curry,	Keegan,	Perry, H. L.,	Wildman,
Davis,	Kennedy,	Perry, S. J.,	Williams,
DeFrees,	Kern,	Peters,	Wilson, J. H.,
Dickinson,	Kitts,	Piper,	Wilson, W. H.,
Donahoe,	Klepper,	Post,	Wiltbank,
Donnally,	Kuhn, H. P.,	Ramsey,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Ehrhardt,	Lanius,	Reeser,	Zimmerman,
Eichenberger,		Rhoads,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. SEMMENS. Mr. Speaker, I desire to call up House Bill No. 423, file folio 6251, on page 30 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 423, as follows:

An Act regulating the placing of earth or any other material in any creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such creek river or stream providing for the construction in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania of a retaining wall or walls along the banks of said creeks rivers or streams under the supervision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm municipality or heretofore or hereafter created corporation to deposit any earth or other material in any creek river or stream or to place or deposit any earth or other material upon the banks of the same or to place or deposit any earth or other material in any place where the same would be likely to slide into or be washed into any creek river or stream unless and until such person firm or corporation or municipality shall have constructed in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania a retaining wall or walls along the banks of the same under the supervision of the Water Supply Commission of Pennsylvania when in the judgment of said Water Supply Commission a retaining wall or walls is necessary to prevent said earth or other material from filling in the channels of any creek river or stream provided however no action at law shall be instituted against the offending party or parties within thirty days from the time of service of notice to comply with the provisions of this act

Section 2 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a penalty of not exceeding five thousand dollars ($5,000)

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Allen,	Ehrhardt,	Kitts,	Reeser,
Alworth,	Eichenberger,	Klepper,	Robinson,
Ambler,	Ely,	Kuhn, H. P.,	Roney,
Aron,	Ewing,	Lanius,	Rothenberger,
Baldwin, R. J.,	Forster, I. G.,	Latshaw,	Sassaman,
Barner,	Foster, J. D.,	Leslie,	Schaeffer, A. C.
Bass,	Gans,	Letzkus,	Schuck,
Becker,	Geary,	Lowers,	Semmens,
Benninger,	Gibson,	Malie,	Shaffer, I. E.,
Benson,	Glenn,	Mannion,	Showalter,
Bigger,	Good,	Mather,	Smith, L.,
Bittles,	Goss,	McAleer,	Snyder,
Blair, W. A.,	Grabe,	McAllister,	Spangler,
Blair, W. F.,	Gramley,	McArdle,	Spillinger,
Body,	Gray, Frank,	McClintock,	Steedle,
Brosius,	Gray, Joseph,	McDermott,	Steele,
Brown,	Hackett,	McKay,	Stone,
Brownlee,	Haggerty,	Mechling,	Strauss,
Burnett,	Heidinger,	Miller,	Swartz,
Caldwell,	Hemminger,	Missimer,	Swift,
Campbell, C.M.,	Hess,	Moses,	Thomas,
Campbell, J.J.	Heyburn,	Moulthrop,	Trach,
Carter,	Hibshman,	Murphy,	Ulman,
Cleary,	Hoffman,	Musser,	Walsh,
Collins,	Howard, J.,	Neel,	Walton,
Conniff	Howard, R.,	Newbaker,	Watson,
Conrade,	Humes,	Newton,	Wettach,
Cox,	Isler,	O'Neill,	Williams,
Currier,	Irwin, G. C.,	Peachey,	Wilson, J. H.,
Curry,	Irwin, H. H.,	Pennegar,	Wilson, W. H.,
Davis,	Jackson,	Perry, H. L.,	Wiltbank,
DeFrees,	Jones, J. R.,	Perry, S. J.,	Young, G. K.,
Dickinson,	Keegan,	Post,	Young, J. H.,
Donahoe,	Kennedy,	Ramsey,	Zimmerman,
Donnally,	Kern,	Redfield,	Alter,
Down,		Reese,	Speaker.

NAYS—15.

Baldwin, G. A.,	Lenker,	Morrow,	Savacool,
Carson,	Martin,	Pennock,	Snavely,
Herman,	Matt,	Price,	Wildman,
Kuhns, E.G.M.,	Mellott,	Rockwell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the consideration on third reading of H. R. bill No. 1078 (Senate No. 22), entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certificates from judges before their salaries shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any question or matter in law or in equity shall be submitted to or argued before any court or judge of record of this Commonwealth it shall be the duty of such court or judge to render a decision on such question or matter within nine months after such submission or argument unless the time be extended in writing signed by all parties in interest or by their respective counsel

Section 2 It shall be unlawful for the Auditor General to draw a warrant in payment of the salary of any law judge of this Commonwealth unless the said judge shall have certified to the Auditor General that this act has been fully complied with during the time covered by such warrant and that such judge has not at the time of giving such certificates any question or matter under consideration or advisement contrary to the requirements of this act

On the question,

Will the House agree to the bill on third reading?

Mr. J. R. K. SCOTT. Mr. Speaker. I move that further consideration of this bill be postponed for the present.

Mr. G. A. BALDWIN. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. G. A. BALDWIN. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. E. G. M. KUHNS. Mr. Speaker, I wish that some of the advocates of this bill in the House would explain the necessity for this bill.

Mr. SCHUCK. Mr. Speaker, I am not entirely familiar with it, but I know about the provisions as talked about by our Senator from Westmoreland and those who are interested in the bill. As I understand it, the provisions are that a judge on the bench shall not get in arrears in rendering his decisions more than nine months. In case he does, he shall not draw his salary until he can certify that his work is up to that point. Now that may look drastic to you on the face of it. In case both sides of the case have a hearing or any meeting on this case, or any conference, that again renews the length of time for the decision of the judge. There is fairness about it, that the attorneys on both sides of the case may call a hearing at any time. As it is now, a case can go on for an unlimited time; there is no recourse for either side of the case to have the decision made.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Alworth,	Forster, I. G.,	Mather,	Schaeffer, A. C
Ambler,	Gans,	McAllister,	Schuck,
Aron,	Good,	McCaig,	Scott, S. B.,
Arthur,	Gramley,	McClintock,	Semmens,
Baldwin, G. A.,	Gray, Frank,	McDermott,	Shaffer, I. E.,
Barner,	Haggerty,	McKay,	Showalter,
Becker,	Heidinger,	McNichol,	Smith, J. W.,
Benninger,	Hemminger,	Mechling,	Smith, L.,
Berntheizel,	Herman,	Metzenbacher,	Snavely,
Bigger,	Hobbs,	Miller,	Snyder,
Bittles,	Hoffman,	Missimer,	Spangler,
Blair, W. A.,	Howard, R.,	Mitchell,	Spillinger,
Brosius,	Humes,	Moore,	Steedle,
Burnett,	Isler,	Morrow,	Steele,
Campbell, C.M.,	Irwin, G. C.,	Moses,	Stone,
Campbell, J. J.,	Jackson,	Moulthrop,	Strauss,
Carson,	Jones, E. E.,	Musser,	Swartz,
Claycomb,	Jones, J. R.,	Neel,	Thomas,
Cleary,	Kaiser,	Newton,	Trach,
Cochran,	Keegan,	Perry, H. L.,	Ulerich,
Conrade,	Kennedy,	Perry, S. J.,	Ulman,
Cox,	Kern,	Piper,	Walnut,
Currier,	Klepper,	Post,	Walton,
Davis,	Kuhn, H. P.,	Redfield,	Wettach,
DeFrees,	Latshaw,	Reeser,	Wildman,
Donahoe,	Lenker,	Rex,	Wilson, J. H.,
Dunn, H. B.,	Lenz,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Lowers,	Robinson,	Wiltbank,
Ehrhardt,	Malie,	Rockwell,	Young, G. K.,
Eichenberger,	Martin,	Roney,	Young, J. H.,
Ely,		Savacool,	Zimmerman,
Ewing,			

NAYS—31.

Allen,	Conniff,	Heyburn,	O'Neill,
Baldwin, R. J.,	Dickinson,	Keegan,	Reese,
Bass,	Donnally,	Kuhns, E.G.M.,	Rothenberger,
Benson,	Fahey,	Lanius,	Scott, J. R. K.,
Body,	Foster, J. D.,	Letzkus,	Sherwood,
Caldwell,	Geiser,	Mannion,	Alter,
Carter,	Grabe,	McAleer,	Speaker.
Collins,	Gray, Joseph,	Murphy,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1646, entitled:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania abolishing the office of Secretary of Internal affairs

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—122.

Allen,	Eichenberger,	Lenker,	Rhoads,
Alworth,	Ely,	Lohr,	Rockwell,
Ambler,	Ewing,	Malie,	Roney,
Aron,	Forster, I. G.,	Mannion,	Rothenberger,
Arthur,	Gans,	Martin,	Sassaman,
Baldwin, G. A.,	Gibson,	Mather,	Schuck,
Baldwin, R. J.,	Good,	McAleer,	Scott, S. B.,
Barner,	Grabe,	McAllister,	Shaffer, I. E.,
Becker,	Gramley,	McClintock,	Showalter,
Benninger,	Gray, Frank,	McDermott,	Smith, J. W.,
Benson,	Gray, Joseph,	McKay,	Smith, L.,
Berntheizel,	Haggerty,	McNichol,	Snyder,
Bigger,	Hemminger,	Mechling,	Spangler,
Brosius,	Herman,	Miller,	Spillinger,
Brown,	Hess,	Missimer,	Steedle,
Brownlee,	Heyburn,	Mitchell,	Steele,
Burnett,	Hobbs,	Morrow,	Swartz,
Caldwell,	Humes,	Moulthrop,	Swift,
Campbell, C.M.,	Irwin, G. C.,	Murphy,	Thomas,
Campbell, J.J.	Irwin, H. H.,	Musser,	Ulerich,
Carson,	Jackson,	Neel,	Ulman,
Cleary,	Jones, E. E.,	Newbaker,	Walnut,
Cochran,	Jones, J. R.,	Newton,	Walsh,
Collins,	Keegan,	O'Neill,	Walton,
Conniff,	Keeport,	Pennegar,	Wildman,
Conrade,	Kennedy,	Pennock,	Williams,
Currier,	Kern,	Piper,	Wilson, J. H.,
Curry,	Klepper,	Post,	Wilson, W. H.,
DeFrees,	Kuhn, H. P.,	Redfield,	Wiltbank,
Dickinson,	Lafshaw,	Rex,	Zimmerman,
Donahoe,	Ehrhardt,		Alter,
Dunn, H. B.,			Speaker.

NAYS—19.

Bass,	Geiser,	Letzkus,	Semmens,
Blair, W. A.,	Howard, R.,	Matt,	Sherwood,
Carter,	Isler,	McCaig,	Snavely,
Claycomb,	Kaiser,	Moses,	Strauss,
Foster, J. D.,	Kuhns, E.G.M.,	Robinson,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1814 (Senate Bill No. 490), entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Allen,	Foster, J. D.,	Lohr,	Roney,
Alworth,	Frey,	Malie,	Rothenberger,
Ambler,	Gans,	Mannion,	Runk,
Aron,	Geiser,	Martin,	Sassaman,
Arthur,	Gibson,	Mather,	Savacool,
Baldwin, R. J.,	Good,	Matt,	Schaeffer, A. C.
Barner,	Goss,	McAleer,	Scott, S. B.,
Bass,	Grabe,	McAllister,	Schuck,
Becker,	Gramley,	McArdle,	Semmens,
Benninger,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Benson,	Hackett,	McClintock,	Shaffer, I. E.,
Berntheizel,	Haggerty,	McDermott,	Showalter,
Bigger,	Heidinger,	McKay,	Smith, J. W.,
Bittles,	Hemminger,	Mellott,	Smith, L.,
Blair, W. A.,	Herman,	Metzenbacher,	Spangler,
Blair, W. F.,	Heyburn,	Miller,	Spillinger,
Body,	Hibshman,	Missimer,	Steedle,
Brosius,	Hobbs,	Mitchell,	Steele,
Brown,	Howard, J.,	Moore,	Stone,
Burnett,	Howard, R.,	Morrow,	Strauss,
Caldwell,	Humes,	Moses,	Swartz,
Campbell, C.M.,	Isler,	Moulthrop,	Swift,
Campbell, J.J.	Irwin, G. C.,	Murphy,	Thomas,
Claycomb,	Irwin, H. H.,	Musser,	Trach,
Cleary,	Jackson,	Newbaker,	Ulman,
Cochran,	Jones, E. E.,	Newton,	Walnut,
Collins,	Jones, J. R.,	Peachey,	Walsh,
Conniff,	Kaufman,	Pennegar,	Walton,
Conrade,	Keegan,	Pennock,	Watson,
Cox,	Keeport,	Perry, S. J.,	Wentach,
Currier,	Kennedy,	Peters,	Wildman,
Curry,	Kern,	Piper,	Williams,
Davis,	Klepper,	Post,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Price,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Wiltbank,
Ehrhardt,		Redfield,	Young, G. K.,
Eichenberger,	Lanius,	Reese,	Young, J. H.,
Ely,	Lenker,	Reeser,	Zimmerman,
Ewing,	Leslie,	Robinson,	Alter,
Forster, I. G.,	Light,	Rockwell,	Speaker.

NAYS—3

Baldwin, G. A.,	Carson,	Carter,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1294, entitled:

A supplement to an act entitled "An Act defining and prohibiting pandering providing penalties for violation hereof and regulating the competency of certain evidence at the trial thereof" approved the seventh day of June one thousand nine hundred and eleven

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Blair, Mr. Claycomb, permit himself to be interrogated?

Mr. CLAYCOMB. Mr. Speaker, I will.

Mr. ALLEN. Mr. Speaker, I would like to ask the gentleman who is the sponsor of this bill what extended provisions are made in the proposed act from the provisions of the Pandering Act as it now stands at this time?

Mr. CLAYCOMB. Mr. Speaker, the bill as it now appears on the calendar amends the Act of 1911 and extends to all cases where a female is kept without her consent, or even voluntarily frequents or inhabits a house of prostitution, or if it is suspected she is there, the officer of the law is enabled to remove her, and also upon an affidavit presented to the court of quarter sessions, there can be issued a search warrant.

Mr. ALLEN. Mr. Speaker, under the present act, in a case of suspected pandering could not an officer have a writ issued by the court for the purpose of searching that house?

Mr. CLAYCOMB. Under the second section of the present act which is a felony, an officer could at present, but under the first he could not. It simply strengthens the first section of the act. It lends to the arm of the law for removal of females. Section two of the present act provides that because it is a felony and the officer can enter the house.

Mr. ALLEN. Mr. Speaker, under the present provisions of the law, the Courts do not have to be applied to for a search warrant if the house is suspected of harboring females.

Mr. CLAYCOMB. No, I take it that after there is reasonable evidence that the house is a house of prostitution, then upon the sworn facts being presented to the court, the writ may be issued, but not before.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Allen,	Ely,	Lowers,	Rothenberger,
Alworth,	Ewing,	Malie,	Sassaman,
Aron,	Forster, I. G.,	Mannion,	Savacool,
Arthur,	Foster, J. D.,	Martin,	Schaeffer, A. C.
Baldwin, G. A.,	Gans,	Mather,	Schuck,
Baldwin, R. J.,	Geiser,	Matt,	Scott, J. R. K.,
Barner,	Gibson,	McAleer,	Scott, S. B.,
Becker,	Good,	McAllister,	Semmens,
Benninger,	Goss,	McCaig,	Shaffer, C. A.,
Benson,	Grabe,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gramley,	McKay,	Showalter,
Bigger,	Gray, Frank,	McNichol,	Smith, J. W.,
Blair, W. A.,	Gray, Joseph,	Mechling,	Smith, L.,
Blair, W. F.,	Hackett,	Mellott,	Snavely,

Body,	Haggerty,	Metzenbacher,	Snyder,
Brosius,	Hemminger,	Miller,	Spangler,
Brown,	Herman,	Mitchell,	Spillinger,
Brownlee,	Hess,	Moore,	Steedle,
Burnett,		Moses,	Steele,
Caldwell,	Hibshman,	Moulthrop,	Stone,
Campbell, C.M.,	Hobbs,	Musser,	Strauss,
Campbell, J. J.,	Howard, J.,	Neel,	Swartz,
Carson,	Isler,	Newbaker,	Swift,
Claycomb,	Irwin, G. C.,	Newton,	Thomas,
Cleary,	Irwin, H. H.,	O'Neill,	Trach,
Conniff,	Jackson,	Pennock,	Ulman,
Conrade,	Jones, E. E.,	Perry, S. J.,	Walsh,
Cox,	Jones, J. R.,	Peters,	Walton,
Currier,	Kaiser,	Piper,	Wettach,
Curry,	Kennedy,	Post,	Whitman,
Davis,	Kern,	Price,	Wildman,
DeFrees,	Kitts,	Ramsey,	Williams,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Donahoe,	Lanius,	Reese,	Wilson, W. H.,
Donnally,	Latshaw,	Reeser,	Wiltbank,
Down,	Lenker,	Rex,	Young, G. K.,
Dunn, H. B.,	Light,	Robinson,	Young, J. H.,
Dunn, J. A.,	Lohr,	Rockwell,	Zimmerman,
Ehrhardt,		Roney,	Alter,
Eichenberger,			Speaker.

NAYS—3.

Bass,	Keegan,	McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of H. R. bill No. 1636, entitled:

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration therefor or if not what is the acutal and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title by adding after the word "counties" in line two the words "containing a population of 1,000,000 inhabitants or over."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of H. R. bill No. 1473, entitled:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161

Allen,	Fly,	Kuhn, H. P.,	Rex,
Alworth,	Ewing,	Lanius,	Robinson,
Ambler,	Forster, I. G.,	Leslie,	Rockwell,
Aron,	Foster, J. D.,	Letzkus,	Roney,
Arthur,	Gans,	Light,	Rothenberger,
Baldwin, G. A.,	Geary,	Lohr,	Runk,
Barner,	Geiser,	Lowers,	Sassaman,
Bass,	Gibson,	Malie,	Savacool,
Becker,	Good,	Mannion,	Shaffer, C. A.,
Benninger,	Goss,	Martin,	Scott, J. R. K.,
Benson,	Grabe,	Mather,	Semmens,
Berntheizel,	Gramley,	McAleer,	Schaeffer, A. C.,
Bittles,	Gray, Frank,	McAllister,	Shaffer, I. E.,
Blair, W. A.,	Gray, Joseph,	McArdle,	Sherwood,
Blair, W. F.,	Hackett,	McCaig,	Showalter,
Body,	Haggerty,	McKay,	Smith, J. W.,
Brosius,	Heidinger,	McNichol,	Smith, L.,
Brown,	Hemminger,	Mechling,	Snyder,
Brownlee,	Herman,	Mellott,	Spillinger,
Burnett,	Hess,	Miller,	Stone,
Caldwell,	Heyburn,	Missimer,	Strauss,
Campbell, C.M.,	Hibshman,	Mitchell,	Swartz,
Campbell, J.J.	Hobbs,	Moore,	Swift,
Carson,	Howard, J.,	Moses,	Thomas,
Cleary,	Howard, R.,	Murphy,	Trach,
Cochran,	Humes,	Neel,	Ulerich,
Collins,	Isler,	Newbaker,	Ulman,
Conniff,	Irwin, G. C.,	Newton,	Walsh,
Conrade,	Irwin, H. H.,	O'Neill,	Walton,
Cox,	Jackson,	Peachey,	Watson,
Curry,	Jones, E. E.,	Pennock,	Wettach,
DeFrees,	Kaiser,	Perry, S. J.,	Whitaker,
Dickinson,	Kaufman,	Peters,	Wildman,
Donahoe,	Keegan,	Piper,	Williams,
Donnally,	Keeport,	Post,	Wilson, J. H.,
Down,	Kennedy,	Price,	Wilson, W. H.,
Dunn, H. B.,	Kern,	Ramsey,	Young, G. K.,
Dunn, J. A.,	Kitts,	Redfield,	Young, J. H.,
Ehrhardt,	Klepper,	Reese,	Zimmerman,
Eichenberger,	Kuhns, E.G.M.,	Reeser,	Alter,
			Speaker.

NAYS—10.

Baldwin, R. J.,	Lenker,	Moulthrop,	Walnut,
Jones, J. R.,	Matt,	Scott, S. B.	
Latshaw,	Metzenbacher,	Spangler,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1195, as follows:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale on certain holidays and providing penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation licensed to sell or furnish vinous spirituous malt or brewed liquors or any admixture thereof to sell or furnish any such liquor on any one of the holidays commonly known as Memorial Day Thanksgiving Day and Christmas

Section 2 Any person violating any of the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than ten dollars ($10) nor more than one hundred dollars ($100) and to be imprisoned in the county jail for a period of not less than ten days nor more than sixty days and on conviction of second offense his license shall be revoked

Section 3 All acts or parts of acts inconsistent herewith shall be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. SWIFT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I second the motion.

Whereupon, a division was called for and 64 gentlemen voting in the affirmative and 55 in the negative,

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 117, as follows:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Tresurer and clerks and the clerks or secretaries of cities boroughs townships and school districts vesting the courts of common pleas with certain powers duties and jurisdiction providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nomi-

nations and elections and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all candidates for any county city ward borough township school district or election district office or other elective office regularly filled at the municipal election in any year and also all candidates for the office of judge of any court whether such office be regularly filled at a municipal election or at either a general election or a municipal election and all candidates to be voted for at special elections to fill vacancies in any of the above specified offices shall be nominated in accordance with the provisions of this act and in no other manner

Section 2 One primary shall be held in each odd-numbered year in every election district of this Commonwealth for the purpose of nominating candidates for the municipal election in such year The said primary shall be known as the fall primary and shall be held on the third Saturday of September The primary herettofore provided by law for the nomination of candidates by political parties in odd-numbered years is hereby abolished

Candidates for all offices to be filled at the municipal election shall be nomiated at the fall primary Candidates for the office of judge to be filled at any general election shall be nominated in the manner hereinafter provided at the regular primary known as the spring primary held in even-numbered years for the nomination of party candidates and other purposes No nomination by any political party of any candidate for the office of judge shall hereafter be made at any primary held under any law of this Commonwealth

Section 3 On or before the ninth Saturday preceding the fall primary the Secretary of the Commonwealth shall send to the county commissioners of each county a written notice designating all the offices for which candidates are to be nominated therein or in any district of which such county forms a part or in the State at large at the ensuing primary and for the nomination to which candidates are required to file nomination petition in the office of the Secretary of the Commonwealth and designating how many persons are to be elected to such offices respectively at the next succeeding election and also designating the number of aldermen and justices of the peace to be nominated therein at such primary and also the political divisions in which said aldermen and justices of the peace are to be nominated

On or before the ninth Saturday preceding the Fall Primary the clerks of the various cities boroughs townships and school districts shall respectively send t thoe County Commissioners of their respective counties a written notice setting forth the names of all the city borough township and school district offices for which candidates are to be nominated at the ensuing primary

Section 4 Beginning not earlier than nine weeks nor later than eight weeks before the Fall Primary the County Commissioners of each county shall publish the names of all offices for which nominations are to be made therein or in any district of which such county forms a part or in the State at large at the ensuing primary the date of which shall be given in two newspapers of general circulation published within the county whenever such course is possible at least once a week for three successive weeks Such newspapers so far as practicable shall be representative of the two different political parties polling the highest vote in such county at the last preceding general election the highest vote cast within the county for any candidate of a party being deemed to be the vote of that party

Secion 5 Official primary ballots shall be prepared for the fall primary by the County Commissioners and no other ballots shall be used thereat These ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance and but one form of ballots shall be provided for each polling place The ballot shall be substantially in the following form

Non-Partisan Primary Ballot

District Ward City of

County of State of Pennsylvania
Primary held on the day of September 19

Make a cross () in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

Judge of the Supreme Court
(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

Judge of the Court of Common Pleas
(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

County Commissioners
(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

Justice of the Peace
(Vote for)

John Doe .....
Richard Roe .....
John Stiles .....

Under each group of names of candidates shall be printed blank spaces defined by light lines or rules three-eighths of an inch apart equal in number to the number of candidates for whom an elector would be entitled to vote for such office at the ensuing election

On the back of such ballot shall be printed in prominent type the words "Official Primary Ballot" and there shall also appear on the back of such ballot the fac simile signatures of the county commissioners of the county The ballot shall vary in form only as the names of districts offices or candidates or the provisions of this act may require The names of the candidates shall appear on the official primary ballots at the fall primary and the names of all candidates for the office of judge of any court to be filled by a vote of the electors of the State at large shall appear on the official ballots of all political parties at the spring primary in alphabetical order under the respective offices Opposite or under the name of each candidate who is to be voted for by the electors of more than one county shall be printed the name of the county in which such candidate resides and opposite or under the name of each candidate who is to be voted for by the electors of an entire county shall be printed the name of the township borough or ward and city as the case may be in which such candidate resides

The voter may designate his choice as indicated by the instructions shown on the form of ballot above set forth He may vote for no greater number of persons for nomination to any office than the number for which he could vote at the succeeding election for the same office If he shall vote for a greater number of persons for nomination to any office than he would have a right to vote for at the ensuing election for the same office or if for any reason it be impossible to determine his choice for any office his ballot shall not be counted for such office but the rest of his ballot if properly marked shall be counted No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice

Section 6 The names of all candidates for nomination at any spring primary for the office of judge of any court to be filled by a vote of the electors of the State at large shall be printed on the official ballots of every political party at such spring primary and the names of candidates for nomination at any fall primary for any elective office to be filled at the regular municipal election including the office of judge of any court shall be printed upon the official ballot at such fall primary upon the filing in either case of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made and the filing of affidavits by the candidates as provided by this act and the names of no candidates for the office of judge of any court shall be printed upon any official ballot to be used at any spring primary and the names of no candidates for any elective office to be filled at the regular municipal election including the office of judge shall be printed upon the official ballot to be used at any fall primary unless such nomination petitions shall have been filed and unless such candidates shall have filed affidavits as hereinafter provided The petitions and affidavits herein required shall contain no reference to any political party or principle

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he has signed no inconsistent petition and that he intends to vote for the candidate named in such petition Provided however that where there are to be elected two or more persons to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county named in the sheet which he signs and in case the nomination is not to be made by the electors of the State at large of the political district or division therein named in which the nomination is to be made He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing No nomination petition shall be circulated prior to sixty (60) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within sixty (60) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not the candidate and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the state or of the political district or division as the case may be referred to in said petition his residence giving cty borough or township with street and number of any that the signers signed with full knowledge of the contents of the petition that their respective residences are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date opposite his name and that to the best of affiant's knowledge and belief the signers are electors of the state or of the political district or division as the case may be

(b) Each candidate shall file his nomination petition his affidavit stating his residence with street and number if any and his post office address also his election district the name of the office for which he desires to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any of the provisions of the act regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith

Section 7 The nomination petitions in the case of candidates for the office of judge shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth Nomination petitions in all other cases shall

be filed at least three weeks prior to the primary with the county commissioners of the respective counties

Nomination petitions of candidates shall be signed

(a) If for the office of judge to be filled by a vote of the electors of the state at large by at least one hundred qualified electors in each of at least five counties of the State

(b) If for the office of judge of any court of record other than a court whose judges are elected by a vote of the electors of the state at large by at least two hundred qualified electors

(c) If for an office to be voted for by the electors of an entire county by at least one hundred qualified electors

(d) And for all other offices by at least ten qualified electors

(e) And for all other offices by at least ten qualified electors

Section 8 No nomination petition with the aforesaid appended and accompanying affidavits shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signature of persons qualified with respect to age sex residence and citizenship to be electors

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remain after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the court of common pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of proceeding including all witness fees

Secton 9 The Secretary of the Commonwealth immediately after the last day fixed for the filing of said petitions with him shall forward to the county commissioners of each county a correct list of candidates for the various offices as shown in such petitions with their respective residences and postoffice addresses as shown in their affidavits and shall also at the same time notify the said candidates by mail that their names have been so certified to said county commissioners

Section 10 The county commissioners shall have on file in their office on and after the Tuesday preceding the primary open to public inspection forms of the ballots with the names printed thereon which shall be used in each election district within such county

Section 11 The county commissioners shall prepare and furnish to the election officers of each election district for use at the fall primary one set of official ballots of not less than seventy-five for every fifty and fraction of fifty voters therein as contained upon the assessor's or registrar's list

The county commissioners shall also furnish specimen ballots for the use of electors at the polls equal in number to one-fourth the whole number of official ballots said specimen ballots to be printed on colored paper and to be of the same size and form as the official ballot

The official ballots shall be bound in books of one hundred each in the same manner as ballots at elections and shall be delievered to the officers of election in the same manner as ballots or hereafter may be required by law to be delivered to officers of election for use at elections

The county commissioners shall prepare and furnish to the election officers at said primaries such ballot boxes properly numbered for each election district lists of voters forms including forms of affidavits for voters challenged as to identity residence and bribery blanks return sheets blank books and other supplies as they are or hereafter may be required to furnish by law to said officers for use at elections and shall deliver them together with forms of affidavits for obtaining assistance in marking ballots required by this act all in the same manner as at elections The said supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries They shall also provide for the opening of the polling places and for the compensation of the owners thereof and shall see that they are in proper order and provided with voting booths as at elections

Section 12 The said primaries shall be conducted by the regular election boards duly elected under existing or future laws who shall receive the same compensation for their services as they receive at elections Inspectors of elections shall have the right to appoint clerks to assist them as at elections who shall receive the same compensation that clerks receive for such services at elections Vacancies on election boards shall be filled in the manner now provided by law Before entering upon their duties the election officers and clerks shall be sworn and execute written oaths as is now required by law

The polls shall be open between the hours of eight o'clock ante meridian and eight o'clock post meridian All persons licensed to sell liquors either at wholesale or retail or as bottlers shall be compelled to keep their places of business closed on said days for holding said primaries only between the hours of seven o'clock ante meridian and eight o'clock post meridian

Said primaries shall be conducted in conformity with the laws governing the conduct of elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided however That no elector shall be permitted to receive any assistance in marking his ballot except under the following conditions

If a voter by reason of physical disability is unable to mark his ballot he may be accompanied into the voting compartment by the judge of election who shall mark his ballot for him in accordance with his directions and who shall not disclose how he marked said ballot under any circumstances except when required to do so in a judicial proceeding The term "physical disability" shall be construed to mean disability arising from blindness or from such a degree of blindness as will prevent the voter from distinguishing the names printed upon the ballot or the loss of both hands or such total inability to use both hands as to incapacitate the voter from making a mark or such physical conditions as makes it impossible for him to enter the voting compartment without assistance The term "physical disability" shall not be construed to mean illiteracy or inability to understand the ballot It shall be the duty of the judge of election to grant or refuse to grant a voter the right to have assistance If in the opinion of the judge of election the voter shall be entitled to receive assistance in marking his ballot he shall before receiving such assistance be required by the judge of election to make affidavit in the following form "I do solemnly swear (or affirm) that I am unable to mark my ballot without assistance "because" and after the word "because" shall be left a blank space in which shall be written the specific disability which must be a physical disability within the meaning of this act The judge of election shall reduce said oath to writing certifying the same as correct and return it to the county commissioners with other papers required by law to be so returned The fact that a voter has received assistance and the name of the election officer or clerk who assisted him shall be noted against his name in the voting check list and the ballot check list

Section 13 The county commissioners shall keep an accurate account of the entire expense of holding such primaries including payment of watchers the preparation and delivery of supplies voting materials et cetera and the total amount shall be paid in the first instance by the county treasurer upon the order of the county commissioners As soon as convenient thereafter the county commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor General who if he finds the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out the money in the State Treasury not otherwise appropriated

Section 14 The qualifications of electors entitled to vote at a fall primary shall be the same as the qualifications of electors entitled to vote at elections within the election district where the primary is held except that with respect to the payment of taxes it shall be sufficient if an elector shall have paid within two years before the next succeeding election a state and county tax which shall have been assessed at least one month before said election and on or before the day of the primary and in cases where registration is required on or before the registration day on which the elector registers Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district in which he offers to vote are or hereafter may be required by law to prove their qualifications or indentity on election day and may be challenged as at elections

Section 15 The ballot boxes lists of voters (a copy of which shall be posted outside of the polling place) and other records shall be delivered into the custody of the officers who are or hereafter may be requird by law to keep similar records of elections

Upon the closing of the polls at any fall primary the election officers shall forthwith proceed to open the ballot boxes and take therefrom the ballots and first count the number of ballots cast and make a record thereof and then count the vote cast for the different persons named on the ballots and make a record thereof and when said count is finally completed they shall certify in due and proper form to the number of votes cast for each person They shall then place the ballots so counted and canvassed together with all stubs and unused ballots in an envelope or package to be furnished by the county commissioners and forthwith seal the same and they shall also place the returns of votes and the register of voters aforesaid and all affidavits made pursuant to the provisions of this act in another envelope also to be furnished by the county commissioners and forthwith seal the same Both of said envelopes and packages shall then be kept by the judge of election and shall at or before noon of the Tuesday following be deposited by him in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed and for that purpose to have the right to petition the Court of Common Pleas for the use of its processes to enforce the provisions of this act in relation to the returns of the election officers

All the ballots together with the stubs and unused ballots and all returns of votes registers of voters and affidavits returned to the county commissioners as aforesaid shall be carefully preserved by them for a period of at least one year .

Section 16 At any spring primary whereat any nomination for the office of judge of any court is to be made the election officers after counting the vote in the manner prescribed by law shall certify in due and proper form to the aggregate number of votes cast on all party ballots for each person for nomination to such office but shall not make any certificate or return showing in any manner what number of votes for such person was cast on the ballots of any specified party Except as by this act otherwise provided the vote for candidates for nomination for the office of judge of any court at a spring primary shall be returned and certified to the county commissioners by them computed canvassed returned and certified to the Secretary of the Commonwealth and by him tabulated computed and certified as in the case of the vote at such primary for the nomination of candidates for other State offices No party distinctions or classifications shall be made at any stage of the proceedings with respect to candidates for the office of judge of any court

Section 17 Upon the sworn petition of any ten qualified electors of any county setting forth that they believe fraud or error has been committed with respect to any fall primary in any election precinct division or district of said county the county commissioners shall open the envelopes or packages containing the ballots of such election precinct division or district and recount the votes It shall not be necessary for the petitioners to set forth in their petition or to establish the grounds of their belief that such fraud or error has been committed An appeal may be taken from any decision of the county commissioners in the matter aforesaid to the court of common pleas of the proper county whose duty it shall be forthwith to hear said appeal The court on said appeal shall have full power and authority to hear and determine all matters pertaining to any fraud or error committed in said election precinct division or district and to make such decree as right and justice shall require and in making such decree the court may reject any or all of the votes cast in said election precinct division or district

Section 18 The County Commissioners shall make the proper certification of returns of votes cast at any fall primary for the candidates for nomination for all offices of judge of any court to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the County Commissioners of the respective counties the result of the computation of the vote at least twenty days prior to the date of the succeeding election

Section 19 The candidates for nomination at any spring primary for the office of judge of any court and the candidates for nomination at any fall primary for any office to be filled at the succeeding regular municipal election including the office of judge of any court equal in number to twice the number to be elected at the succeeding general or municipal election who shall have received at such primary the highest number of votes cast for nomination to the office for which they are candidates (or if the number of all the candidate voted for as aforesaid be not more than twice the number to be elected then all the candidates) shall be the nominees for such office and their names and none other except as hereinafter provided shall be printed as candidates for such respective offices upon the official ballots for use at such succeeding election as is now or may hereafter be required by law and shall be printed on such ballots in alphabetical order under the respective offices and without any designation of party or principle Provided That whenever at any primary any candidate for nomination to any of the aforesaid offices to which but one person is to be elected at the succeeding general or municipal election or whenever at any primary a number of the candidates for any one of the aforesaid offices equal to the number of persons to be elected to such office at the succeeding general or municipal election shall each receive more than one-half of all the votes cast for such office at such primary such candidate or candidates shall be the sole nominee or nominees for such office and his or their names and none other shall be printed as candidate or candidates for such office upon the official ballots for use at such succeeding election

In case of a tie the candidates receiving the tie vote shall unless such candidates shall by written agreement duly acknowledged and filed with the County Commissioners or the Secretary of the Commonwealth as the case may be otherwise determine such tie appear and cast lots before the County Commissioners or the Secretary of the Commonwealth as the case may be on the third Wednesday after the primary and the one to whom the lot shall fall shall be entitled to the nomination Provided in any case where the fact of a tie is not authoratatively determined until after the third Monday after the day of the primary the day for appearing and casting lots shall be the second day after the day on which the fact of such tie vote is authoratively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the County Commissioners or the Secretary of the Commonwealth as the case may be shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Section 20 If after any primary and before the succeeding election any candidate nominated pursuant to the provisions of this act shall die or shall by virtue of any present or future law be disentitled to have his name printed on the ballot for the election a vacancy shall be deemed to exist which shall be filled by the otherwise unnominated and not so disentitled candidate next in rank with respect to the number of votes received at such primary provided he received votes not less in number than the number of signatures required by this act for a nomination petition for the office If after any primary and before the succeeding election there should not be any candidate whatever nominated living and entitled to have his name printed on the ballot for any office which is within the foregoing provisions of this act and which is to be filled at the succeeding election or not enough of such candidates for any such office to equal the number of persons to be elected thereto at the succeeding election other candidates may be nominated for such office with the same effect as though nominated at the primary by the filing of nomination petitions on behalf of and affidavits by such candidates in the manner and form and according to the directions hereinbefore provided in Sections six and seven of this act with respect to getting the name of a candidate for such office printed upon the ballot for the primary varied in so far as may be necessary to fit the different purpose Such nomination petitions and affidavits may nevertheless be filed at any time after the primary and before the succeeding election but as soon as enough of such after-primary nomination petitions shall have been filed to provide a number of candidates including any previously nominated and still remainig available equal to twice the number of persons to be elected to the office no more such petitions shall be received The Secretary of the Commonwealth shall immediately upon the filing of any such after-primary petition and its accompanying affidavit in proper form in his office forward to the County Commissioners of the county or counties whose electors are entitled to vote at the election for the office a written statement of the name residence and posoffice address of the candidate therein named as shown in his affidavit as well as the name of the office for which a candidate and shall at the same time notify the said candidate by mail that his name has been so certified to the County Commissioners As soon as any such substituted or additional candidate shall have been duly nominated as herein provided his name shall be used by the proper officers as though he had been nominated at th primary so far as time will allow and in case such after-primary nomination be filed with or transmitted to the County Commissioners after the ballots have been printed the said Commissioners shall prepare and distribute the ballots suitable slips of paper bearing the substituted or added name together with the title of the office and having adhesive paste upon the reverse side which shall be offered to each voter with the regular ballot and may be affixed thereto

Section 21 Whenever an office is to be filled at a regular or special election because of the prior happening of a vacancy in such office if such office is one within the foregoing provisions of this act that is to say is the office of judge or is an elective office regularly filled at the municipal election nominations of candidates for such election shall be made as follows

If such vacancy is to be filled at a regular election of the class at which such office might regularly be filled and if such vacancy happened not less than thirty days prior to the last day of filing nominations petitions for the office for the regular primary antecedent to such election nominations shall be made at the primary preceding such election in the same manner that candidates for the same office are nominated under the provisions of this act when there has been no antecedent vacancy occasioning the election

In all other cases within the purview of this section candidates for such office shall be nominated with the same effect as though nominated at a primary by the filing of nomination petitions on behalf of and affidavits by such candidates in the manner and form and according to the directions hereinbefore provided in Section six and seven of this act with respect to getting the name of a candidate for such office printed upon the ballot for the primary varied in so far as may be necessary to fit the different purposes Such nomination petitions and affidavits shall be filed the same length of time prior to the election as corresponding nomination petitions are required to be filed before a primary shall be filed in the same office and the same proceedings shall be had with respect thereto with relation to the election as herein provided with respect to a primary Provided however said nomination petitions shall not be deemed to be filed too late if filed within ten days after such vacancy happened

Section 22 At the head of every official ballot furnished for a general election at which any candidate for the office of judge is to be voted for there shall be printed immediately after the instructions now by law required to be printed thereon the following additional instructions in the same style and size of type to wit "A cross (X) in the party square in the first column does not carry a vote for judge To vote for judge mark a cross (X) opposite the name or the candidate desired"

In case a special election to fill a vacancy in an office within the provisions of this act is held with a general election the same additional instructions shall be used inserting therein however the name of the office to be voted for specially in place of the word "judge" if no judge is to be voted for or with a preceding word "or" after the word "judge" if a judge is to be voted for at such election The names of the candidate for such office shall be printed on the ballot in alphabetical order under the name of the office which shall be followed by the words "Special Election" and without any designation of party or principle

On the official ballots furnished for municipal elections there shall not be printed the name or appellation of any political party or principle and the instructions printed at the head of such ballots shall not include any directions for voting a party ticket Provided in case a special election to fill any office not within the provisions of this act is held with a municipal election the names of the candidates for such office accompanied by the names or political appellations of the parties or bodies of electors which nominated them may be printed on the ballot at a general election under the name of the office which shall be followed by the words "Special Election"

Section 23 Any candidate for nomination to be voted for at a primary under this act may at any time before four o'clock Post Meridian of the Wednesday next succeeding the

last day fixed for filing nomination petitions for the office for which he is a candidate withdraw his name as a candidate by a request in writing signed by him and acknowledged before any officer authorized by law to take acknowledgments and filed with the Secretary of the Commonwealth if such candidate's nomination petition was filed with the Secretary of the Commonwealth and in all other cases with the county commissioners

The Secretary of the Commonwealth upon the filing of requests for withdrawal in the manner herein provided shall forthwith certify to the county commissioners of the proper county a correct list of candidates filing such requests

No candidate for any office within the provisions of this act nominated at or after a primary may withdraw his name as candidate for election

Section 24 Upon the petition of five or more citizens who are lawful voters of any election district setting forth that the appointment of overseers is a reasonable precaution to secure the purity and fairness of the election of any fall primary in said district it shall be the duty of the Court of Common Pleas of the proper county to appoint two overseers of election in said district who shall be entitled to remain within the polling place during the casting and counting of the ballots

Section 25 Each candidate shall be entitled to appoint one watcher at the primary in each election district in which such candidate is to be voted for who shall be a qualified elector of the county but need not be a resident of the district in which he is authorized to act as such watcher and who shall serve without compensation Each watcher shall be provided with a certificate from the county commissioners stating his name the district in which he is authorized to act and the name of the candidate appointing him and shall have the right to remain in the room outside of the enclosed space Watchers shall be required to show their certificates when required to do so

If any election officers officiating at any primary shall refuse to permit a watcher appointed under the provisions of this act to be present as herein provided such officer or officers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

Section 26 If said watcners or overseers shall be driven away from the polls by violence or intimidation all the votes polled in such election district may be rejected by the proper tribunal making a recount of the votes cast therein or a part or portion of such votes aforesaid may be counted as such tribunal may deem necessary to a just and proper disposition of the case

Any person or persons who by violence or intimidation shall threaten or drive away said watchers or overseers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment for a period not exceeding one year or both in the discretion of the court

Section 27 If any person shall sign any nomination petition without being qualified with respect to age sex residence and citizenship to be an elector of the State or of the political district or division as the case may be named in said petition and a resident of the county named on the sheet which he signs or if any person shall set opposite a signature on a nomination petition a date other than the actual date such signature was affixed thereto or if any person shall set opposite a signature on a nomination petition a false statement of the signer's place of residence or if any person shall sign more nomination petitions than permitted by the provisions of this act he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars

If any person shall knowingly make a false statement in any affidavit required by the provisions of this act to be appended to or to accompany a nomination petition or if any person shall fraudulently sign any name not his own to any nomination petition or if any person shall fraudulently alter any nomination petition or if any person shall alter any nomination petition without the consent of the signers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars and to undergo imprisonment for not less than three months nor more than one year

Any person who shall vote or attempt to vote more than once at a fall primary shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any person who votes or attempt to vote at a fall primary knowing that he does not possess the qualifications of a voter at such primary as indicated by this act or who shall have unlawfully in his possession an official ballot outside the polling place shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment for a period not exceeding one year or both in the discretion of the court

Any voter who for the purpose of securing assistance in marking his ballot at any fall primary shall falsely make oath or declare that by reason of physicl disbility as defined in this act he is unable to mark his ballot or who without having made the affidavit provided for in this act that he is physically unable to mark his ballot shall permit another to accompany him into the voting compartment or shall permit another person to mark his balllot for him or any person who shall assist a voter in marking his ballot contrary to the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than three months and not exceeding one year

No police officer whether in uniform or in citizens' cloths shall be within one hundred feet of a polling place during the conduct of a fall primary unless in the exercise of his privilege of voting or for the purpose of serving warrants or in case of breach of the peace and any police officer being so present within one hundred feet of a polling place during the conduct of a fall primary except for the purposes specified shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or to undergo imprisonment for a term not exceeding one year or both at the discretion of the court

Any election officer or clerk at a fall primary who shall accompany a voter into a voting compartment without the said voter having first made affidavit as provided in this act that by reason of physical disability he is unable to mark his ballot or who shall accompany a voter into the voting compartment when the affidavit which the voter has made is false to the knowledge of such judge of election or who shall permit any person to accompany a voter into the voting compartment in violation of the provisions of this act or who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting or who shall fail properly to file and return affidavits and other papers required by this act or by law to be filed and returned to the County Commissioners for each such offense be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars and to undrgo imprisonment for a period not less than six months and not more than two years

Any election officer who permits a person to vote at any fall primary with the knowledge that such person is not so entitled to vote or refuses to permit any lawfully entitled elector to vote at such primary with the knowledge that such person is entitled to vote shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to undergo imprisonment for a period not less than one year and not exceeding three years

Any election officer or clerk who shall be guilty of any willful fraud in the conduct of his duties at a fall prfmary or who shall make a false return of the votes cast at such primary or who shall deposit fradulent ballots in the ballot box or who shall certify as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who shall write false names in the lists of voters for the purpose of concealing the deposit of such fradulent ballots or of aiding in the perpetration of such fraud or who shall conspire with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Any person who shall directly or indirectly give or promise or offer to give any gift or reward in money goods or other valuable thing to any person with intent to induce him to or refrain from voting for any particular candidate tes at any fall primary or shall directly or indirec re for or offer or promise to procure for such person any gift or reward with the intent aforesaid or shall with the intent to influence or intimidate such person to give his vote or to refrain from giving his vote for any particular candidate or candidates at any fall primary or shall give to or obtain for or assist in abtaining for or offer or promise to give to or obtain for or assist in obtaining for such person any office place appointment or employment public or private or threaten such person with dismissal or discharge from any office place appointment or employment public or private then held by him in case of his refusal to vote or to refrain from voting for any particular candidate or candidates at any fall primary the person so offending shall be guilty of a misdemeanor and on conviction be sentenced to pay a fine not exceeding five hundred ($500.00) dollars and to undergo imprisonment for a period not less than one year and not exceeding three years

Except as modified by the terms of this act election officers shall be subject to the same pains and penalties for violations or neglect of their duties at a fall primary as they are or hereafter may be subject to for violation or neglect of such duties at elections In all other respects officers officiating at fall primaries shall be subject to the pains and penalties provided by law for offenses committed at primaries The existing laws relating to bribery at primaries except as modified by the terms of this act shall continue in force and shall apply to bribery at fall primaries as provided by this act

Section 28 The invalidity of any portion of this act shall in no wise affect the validity of any other portion thereof which can be given effect without such invalid portion

Section 29 All acts or parts of acts inconsistent with this act be and the same are hereby repealed in so far as they conflict with the provisions of this act Provided however that the repeal of said acts shall not in any way interfere with or affect any proceeding pending at the date of the approval of this act

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. JOHN ROBERT JONES. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1883 (Senate Bill No. 661), entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE A. BALDWIN. Mr. Speaker, if there is any one in the House qualified to explain this bill, I would like to have it explained.

The SPEAKER. The gentleman from Philadelphia, Mr. Walnutt.

Mr. WALNUT. Mr. Speaker, as I undersand it, this bill is calendar number 36. This bill provides for an appropriation that was overlooked in 1911. In 1911 the hospital introduced two bills: one for maintenance and the other for permanent improvements. They received the appropriation for permanent improvements but the appropriation for maintenance was overlooked and for that reason they made the application for an appropriation to take the place of the appropriation that was overlooked in 1911. The hospital is a cancer hospital. The appropriation was $20,000.00.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Allen,	Lenker,	Lenker,	Rex,
Alworth,	Ely,	Leslie,	Rockwell,
Ambler,	Ewing,	Letzkus,	Roney,
Aron,	Fahey,	Lohr,	Rothenberger,
Arthur,	Forster, I. G.,	Lowers,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Schaeffer, A. C
Baldwin, R. J.,	Gans,	Mannion,	Schuck,
Barner,	Geary,	Martin,	Scott, S. B.,
Bass,	Geiser,	Mather,	Semmens,
Becker,	Gibson,	Matt,	Shaffer, C. A.,
Benninger,	Good,	McAleer,	Shaffer, I. E.,
Benson,	Goss,	McAllister,	Sherwood,
Berntheizel,	Grabe,	McArdle,	Showalter,
Bigger,	Gramley,	McCaig,	Smith, J. W.,
Bittles,	Gray, Frank,	McClintock,	Smith, L.,
Blair, W. A.,	Gray, Joseph,	McDermott,	Snavely,
Blair, W. F.,	Hackett,	McKay,	Snyder,
Bleloch,		McNichol,	Spangler,
Body,	Heidinger,	Mellott,	Spillinger,
Brosius,	Hemminger,	Metzenbacher,	Steedle,
Brown,	Heyburn,	Miller,	Steele,
Brownlee,	Hibshman,	Missimer,	Strauss,
Burnett,	Hobbs,	Mitchell,	Swartz,
Caldwell,	Hoffman,	Moore,	Swift,
Campbell, C.M.,	Howard, J.,	Morrow,	Thomas,
Campbell, J. J.,	Howard, R.,	Moses,	Trach,
Carson,	Humes,	Murphy,	Ulerich,
Claycomb,	Isler,	Musser,	Ulman,
Cleary,	Irwin, G. C.,	Neel,	Walnut,
Cochran,	Irwin, H. H.,	Newbaker,	Walsh,
Collins,	Jackson,	Newton,	Walton,
Conniff,	Jones, J. R.,	O'Neill,	Wettach,
Cox,	Kaiser,	Peachey,	Whitaker,
Currier,	Keeport,	Pennegar,	Whitman,
Curry,	Kenna,	Pennock,	Wildman,
Davis,	Kennedy,	Perry, S. J.,	Williams,
DeFrees,	Kern,	Peters,	Wilson, J. H.,
Dickinson,	Klepper,	Piper,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Post,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Price,	Young, J. H.,
Down,	Lanius,	Redfield,	Zimmerman,
Dunn, H. B.,	Latshaw,	Reese,	Alter,
Dunn, J. A.,		Reeser,	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1341 (Senate Bill No. 328), entitled:

A further supplement to an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously ambended and supplemented

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWEL. Mr. Speaker, it seems to me that this is a most peculiar bill. Under the present law, manufacturing corporaions are exempt from taxation in this State. This bill undertakes to have this General Assembly include within this class of manufacturing corporations corporations engaged in the laundry business and thus would exempt from taxation corporations engaged in that business, asking us to legislate and make corporations engaged in that business manufacturing corporations. It seems to me this is a very bad, peculiar and unwise provision, and I think the bill ought to be voted down or dropped from the calendar.

Mr. R. J. BALDWIN. Mr. Speaker, I am very sorry to disagree with my friend from Tioga, but I think my friend from Tioga, as well as the members of the House, knows that there exists a difference of opinion as to whether or not a laundry is a manufacturing corporation, or whether it is not, and it was supposed, I presume, by the author of the bill that by allowing the Legislature to define whether it is a manufacturing corporation or whether it is not, would probably decide the proposition without allowing it to go to the Supreme Court.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. R. J. BALDWIN. Yes, sir.

Mr. ROCKWELL. Mr Speaker, I would like to ask the gentleman what, if anything, a laundry manufactures.

Mr. R. J. BALDWIN. That is just the difficulty. One side claims that it manufactures out of dirty garments nice, clean, wearable garments, something that is of some account in the community, while a dirty garment is not. On the other hand, some parties claim that is not manufacturing. That is where the difficulty arises. Of course, if the House feels that a laundry should not be classed as a manufacturing proposition, why they ought not to pass this bill. If they feel that it does come within that scope, they ought to support the bill, and that would settle the proposition. In my own mind, it seems to me that as a laundry is one of the largest employers of labor, I personally feel inclined to classify them as manufacturing corporations, and thus evempt them from certain taxations. That is the way I feel about it. It is simply a question of settling that proposition. That is all that is involved in that bill.

Mr. ROCKWELL. Would a woman working in a laundry, engaged in this line of business by a manufacturing corporation, would she be a manufacturess?

Mr. R. J. BALDWIN. I presume she would be one of the employees in a manufacturing concern.

Mr. ROCKWELL. How about a washerwoman?

Mr. BALDWIN. Unfortunately, a washerwoman does not often work for a corporation. If that were true, every farmer would be a corporation. That a private family is not a corporation has been settled long since, and doesn't need any legislation. There are grave dobuts as to whether a laundry is a manufacturing corporation. There are coming up constantly shade-line propositions. Here is a shade-line proposition. The Legislature has it in its power to settle this proposition by voting for or against this bill. I think it is wise legislation which settles the controversy and the question for all time.

BILL POSTPONED.

Mr. SPANGLER. Mr. Speaker, I move that further considèraion of this bill be postponed for the present, as there seems to be some misapprehension concerning it.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. It has been suggested that the House continue for a short time after six o'clock and then have no evening session.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1730, entitled:

An Act to amend an act approved the thirty-first day of March one thousand eight hundred sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Mr. RONEY. Mr. Speaker, as there is nothing in the title of this bill to give you any idea as to its contents, I will just take about a minute to explain what it really means. The present law covering assault and battery with intent to kill fixes the penalty at seven years. This has always appeared to me to be a peculiar situation where, in an isolated district, a man might shoot another man, and because of the distance from a hospital where he might receive proper and suitable attention, he dies on the way. That man would be tried and probably convicted of murder in the first degree. Now, I have one particular case in mind where a man was shot five times in the body and his inside organs were punctured in twenty-four places. Owing to the skillful medical attention he received, that man lived. Now, the man who shot had just as much malice in his heart and committted jus as dastardly a crime as the man who shot the man at a place distant from a hospital, and I think they were equally culpable. So I have fixed in this bill the crime of attempted murder, instead of assault and battery with intent to kill, and have fixed the penalty for that crime at fifteen years, rather than at seven, and I think it is a very good bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Allen,	Ely,	Lohr,	Savacool,
Alworth,	Ewing,	Lowers,	Schaeffer, A. C.
Ambler,	Fahey,	Mannion,	Schuck,
Aron,	Forster, I. G.,	Martin,	Scott, S. B.,
Arthur,	Foster, J. D.,	Mather,	Semmens,
Baldwin, G. A.,	Frey,	Matt,	Shaffer, C. A.,
Baldwin, R. J.,	Gans,	McAleer,	Shaffer, I. E.,
Barner,	Geary,	McAllister,	Shern,
Bass,	Geiser,	McArdle,	Sherwood,
Becker,	Gibson,	McDermott,	Showalter,
Benninger,	Good,	McKay,	Smith, J. W.,
Benson,	Goss,	McNichol,	Smith, L.,
Berntheizel,	Gramley,	Mechling,	Snavely,
Bigger,	Gray, Frank,	Mellott,	Snyder,
Bittles,	Hackett,	Metzenbacher,	Spangler,
Blair, W. A.,	Haggerty,	Missimer,	Spillinger,
Blair, W. F.,	Heidinger,	Mitchell,	Steedle,
Bleloch,	Hemminger,	Morrow,	Steele,
Body,	Herman,	Moses,	Stein,
Brosius,	Hess,	Moulthrop,	Stone,
Brown,	[illegible]vourn,	Murphy,	Swartz,
Brownlee,	Hibshman,	Musser,	Swift,
Burnett,	Hobbs,	Newbaker,	Thomas,
Caldwell,	Hoffman,	Newton,	Trach,
Campbell, C.M.,	Howard, J.,	O'Neill,	Ulerich,
Campbell, J.J.	Howard, R.,	Peachey,	Ulman,
Carson,	Humes,	Pennock,	Walnut,
Carter,	Isler,	Perry, H. L.,	Walsh,
Claycomb,	[illegible] G. C.,	Perry, S. J.,	Walton,
Cleary,	Irwin, H. H.,	Peters,	Watson,
Collins,	Jackson,	Piper,	Wettach,
Conniff,	Jones, J. R.,	Post,	Whitman,
Conrade,	Keeport,	Price,	Wildman,
Cox,	Kennedy,	Ramsey,	Williams,
Currier,	Kitts,	Reese,	Wilson, J. H.,
Curry,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Davis,	Kuhns, E.G.M.,	Richards,	Wiltbank,
Dickinson,	Lanius,	Rockwell,	Young, G. K.,
Donahoe,	Lenker,	Roney,	Young, J. H.,
Donnally,	Leslie,	Rothenberger,	Zimmerman,
Dunn, J. A.,	Light,	Runk,	Alter,
Ehrhardt,		Sassaman,	Speaker.
Eichenberger,			

NAYS—1.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1719, as follows:

An Act amending article eleven of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the provisions relating to the Sinking Fund Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article eleven of an act entitled "An Act for the government of cties of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one (Pamphlet Laws twenty) which reads as follows

ARTICLE XI

Sinking Fund Commission

Section 1 The Sinking Fund Commission shall consist of five persons Those first appointed under this act shall divide themselves into classes by lot so that the terms of one of the members shall expire each year All vacancies shall be filled by appointment for the term of five years All moneys applicable to sinking funds shall be under the charge of the Commission and shall be used for the extinguishment of the city debt Such funds are not immediately applicable for such purpose shall be invested in the purchase of loans of the city or if the same cannot be procured to advantage then in bonds of the United States or the State of Pennsylvania Councils shall make all necessary rules for the government of this department The commission shall from time to time and without unreasonable delay invest all balances remaining to the credit of the several sinking funds of said cities and not immediately applicable to the extinguishment of the city debt in loans of said cities or the loans of the United States or the loans of the State of Pennsylvania and the income derived from said investment shall be credited to the several sinking funds respectively to which the same belong and be invested in the same manner

All bonds held in the sinking funds or by any commission shall be stamped in a conspicuous manner so as to show that they have been purchased for that purpose and shall never be re-issued or sold except that bonds so held other than those of the city itself may if necessary at or immediately before the maturity of the bonds for which they were held be so in pursuance of an ordinance passed for that purpose in order to raise money to pay such bonds Whenever the bonds of such cities mature all such matured bonds held in sinking fund belonging to the matured issue shall be canceled any other bonds held in such sinking fund may be transferred to any other sinking fund in exchange at par any of the matured bonds held by them respectively and any money in such sinking fund may be transferred to such other sinking fund in purchase of such bonds by them and the matured bonds so purchased or exchanged shall also immediately be canceled If the balance of cash in the sinking fund provided for such maturing debt and in the general sinking fund of the city be insufficient to pay the balance of bonds maturing the balance shall as far as possible be purchased out of any cash in the other sinking funds belonging to said cities respectively The bonds so purchased to be conspicuously stamped as hereinbefore provided and the interest thereon to continue and be credited annually to the proper sinking fund until the general sinking fund of said cities shall be sufficient to pay said matured bonds when the same shall be transferred to the proper sinking fund and such bonds canceled Whenever any new bonds shall be issued by any of said cities they shall be made payable in annual installments equal to the tax levied therefor and shall be paid annually from the funds so provided And on any such new issue of bonds the city shall invest the uninvested balances in its sinking fund therein except so much as may be required for the payment of any bonds which may mature during the fiscal year in which such bonds were issued taking by preference the bonds which will mature at or before the sinking funds to which such balances belong" shall be and the same is hereby amended to read as follows

ARTICLE XI

Sinking Fund Commission

Section 1 The sinking fund commission shall consist of five persons Those first appointed under this act shall divide themselves into classes by lot so that the term of one of the members shall expire each year All vacancies shall be filled by appointment for the term of five years Councils shall make all necessary rules for the government of this department All moneys applicable to sinking funds shall be under the charge of the commission and shall be used for the extinguishment of the city debt

Section 2 The commission shall from time to time and without unreasonable delay invest all balances remaining to the credit of the sinking funds not immediately applicable to the extinguishment of the city debt in any proper bonds issued by such city the United States State of Pennsylvania or by any county school district or municipal corporation of this Commonwealth or in any bonds in which savings banks of Pennsylvania are authorized by law to invest their deposits and not otherwise Said commission shall as and when it deems it necessary have the right to sell or exchange at the market rate any bonds so purchased provided that no bonds so purchased shall be sold at less than par value and accrued interest unless said commission shall be authorized so to do by an ordinance of the council and the council shall appropriate and pay over to such sinking fund commission any such difference between the selling price thereof and par value and accrued interest

Section 3 It shall be the duty of said sinking fund commission to establish and maintain a fund for the reduction and retirement of the funded indebtedness of said cities the whole or any part of which is outstanding Proper accounts shall be kept thereof and there shall be appropriated to and set apart annually for the sinking fund commission for each issue of bonds such nearly equal amounts at least as appropriated an-

nually over the term of such bonds as will at the earning or established rate of interest at the maturity of each issue of bonds equal the total amount of such issue The sinking fund commission shall provide each year an amortization schedule to be based upon the actual earning rate of interest on its investments and this amortization schedule shall be a calculation taking into account any amounts of loss or gain there may be by reason of a lesser or greater rate of interest being received than that used in the calculation for the preceding annual schedule Said commission shall always have on hand investments and moneys at least equal in amount to the total sum of such payments into the sinking fund plus the accrued interest earning calculated on said basis

Section 4 If at any time the amount of cash and invest ments held in the sinking fund exceed the proportionate amount required by section three hereof the sinking fund commission shall if it deems it expedient so to do have the right to credit such excess or any part thereof against the appropriation that would otherwise be required for the following year or years and the next and succeeding annual amounts required to be appropriated shall be reduced accordingly

Section 5 All moneys applicable to sinking fund purposes shall be deposited in separate accounts to the credit of the Sinking Fund Commission of such cities in such depositories as shall be selected by such cities and said commission shall require satisfactory security from all depositories to protect it from any loss by reason of making deposits therein

Section 6 All matured bonds held in such sinking fund shall at maturity be canceled As often as the sinking fund shall be in excess of the amount required by section three of this act said commission shall have the right to cancel to the extent of such excess any of its own bonds held in such sinking fund

Section 7 All bonds hereafter issued by said cities shall be made payable in equal annual installments

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—161.

Allen,	Ely,	Mannion,	Savacool,
Alworth,	Ewing,	Martin,	Schaeffer, A. C.
Ambler,	Forster, I. G.,	Mather,	Schuck,
Aron,	Foster, J. D.,	Matt,	Scott, S. B.,
Arthur,	Gans,	McAleer,	Semmens,
Baldwin, R. J.,	Geary,	McAllister,	Shaffer, C. A.,
Barner,	Geiser,	McArdle,	Shaffer, I. E.,
Bass.	Gibson,	McCaig,	Sherwood,
Becker,	Good,	McDermott,	Showalter,
Benninger,	Goss,	McKay,	Smith, J. W.,
Benson,	Gramley,	Mechling,	Smith, L.,
Berntheizel,	Gray, Frank,	Mellott,	Snavely,
Bigger,	Hackett,	Metzenbacher,	Snyder,
Bittles,	Haggerty,	Miller,	Spangler,
Blair, W. A.,	Heidinger,	Missimer,	Spillinger,
Bleloch,	Hemminger,	Mitchell,	Steedle,
Body,	Herman,	Moore,	Steele,
Brosius,	Heyburn,	Moses,	Stone.
Brown,	Hibshman,	Moulthrop,	Strauss,
Brownlee,	Hobbs,	Musser,	Swartz,
Campbell, C.M.,	Howard, J.,	Neel,	Swift,
Campbell, J. J.,	Howard, R.,	Newbaker,	Thomas,
Carson,	Humes,	Newton,	Trach,
Carter,	Isler,	O'Neill,	Ulerich.
Claycomb,	Irwin, G. C.,	Peachey,	Ulman,
Cleary,	Irwin, H. H.,	Pennegar,	Walnut,
Collins,	Jackson,	Pennock,	Walton,
Conniff,	Jones, J. R.,	Perry, H. L.,	Watson,
Conrade,	Kaufman,	Perry, S. J.,	Wettach,
Cox,	Keeport.	Peters,	Whitaker,
Curry,	Kennedy,	Piper,	Wildman,
Davis,	Kern,	Ramsey,	Williams,
DeFrees,	Klepper,	Redfield,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Down,	Lanius,	Richards,	Young, G. K.,
Dunn, H. B.,	Lenker,	Robinson,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Rockwell,	Zimmerman,
Ehrhardt,	Light,	Roney,	Alter,
Eichenberger,	Lohr,	Rothenberger,	Speaker.
	Lowers,	Sassaman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1293, entitled:

An Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth providing for the election of such commissioner and prescribing his powers and duties

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. REX. Mr. Speaker, in the absence of the sponsor of this bill I move that further consideration of it be postponed for the present.

Mr. HUMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 16, entitled:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

The SPEAKER declared the nays seem to have it.

Whereupon, a division was called for, 66 voting in the affirmative, and 38 in the negative,

And the question was determined in the affirmative.

On the question,

Shall the bill pass?

BILL POSTPONED.

Mr. C. M. C. CAMPBELL. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. LOWERS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1692, enttitled:

An Act giving the power to mayors of third class cities of this Commonwealth to be present and vote at council meetings in order to make a quorum and cast a deciding ballot in case of a tie vote

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. MOSES. Mr. Speaker, I would like to ask the sponsor of the bill why he wants these additional powers given to the Mayor.

Mr. ZIMMERMAN. Mr. Speaker, the reasons are quite obvious, owing to the fact that quite frequently councils are tied up for months and the interests of the people are neglected. For that reason the bill has been presented, so that matters of that kind may be settled.

Mr. MOSES. Mr. Speaker, I would like to ask the gentleman the powers of the mayor in cities of the third class.

Mr. ZIMMERMAN. He is the chief executive officer.

Mr. MOSES. Well, Mr. Speaker, what are the duties?

Mr. ZIMMERMAN. Mr. Speaker, the duties are the same of those of the Chief Burgess, to enforce the ordinances, and so on.

Mr. MOSES. Well, Mr. Speaker, is it not the duty of the mayor to recommend legislation to councils? It is not the duty of the mayor to help make legislation in councils, is it? Is it his duty to recommend legislation or to help make it?

Mr. ZIMMERMAN. Mr. Speaker, he can make recommendations, yes, sir.

Mr. MOSES. Mr. Speaker, is it his duty to recommend and then make it?

Mr. ZIMMERMAN. Mr. Speaker, it is his business to make recommendations.

Mr. MOSES. Mr. Speaker, it is a bad bill and I am opposed to it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Allen,	Ewing,	Malie,	Sassaman,
Alworth,	Fahey,	Mannion,	Savacool,
Arthur,	Forster, I. G.,	Martin,	Schaeffer, A. C.,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Schuck,
Barner,	Gans,	Matt,	Scott, S. B.,
Bass,	Geiser,	McAleer,	Semmens,
Becker,	Gibson,	McAllister,	Shaffer, C. A.,
Benninger,	Good,	McArdle,	Shaffer, I. E.,
Benson,	Grabe,	McDermott,	Sherwood,
Bigger,	Gramley,	McKay,	Showalter,
Bittles,	Gray, Joseph,	McNichol,	Smith, J. W.,
Bleloch,	Hackett,	Mechling,	Smith, L.,
Body,	Haggerty,	Mellott,	Snavely,
Brosius,	Heidinger,	Metzenbacher,	Snyder,
Brown,	Hemminger,	Miller,	Spangler,
Brownlee,	Hess,	Mitchell,	Spillinger,
Burnett,	Heyburn,	Moore,	Steedle,
Caldwell,	Hibshman,	Morrow,	Steele,
Campbell, C.M.,	Hobbs,	Moulthrop,	Stein,
Campbell, J.J.	Howard, J.,	Murphy,	Strauss,
Carson,	Howard, R.,	Musser,	Swartz,
Carter,	Humes,	Neel.	Swift,
Claycomb,	Isler,	Newbaker,	Thomas,
Cochran,	Irwin, G. C.,	Newton,	Trach,
Collins,	Irwin, H. H.,	O'Neill,	Ulerich,
Conniff,	Jackson,	Peachey,	Ulman,
Cox,	Jones, J. R.,	Pennock,	Walton,
Currier,	Kaiser,	Perry, H. L,	Wettach,
Curry,	Keegan,	Perry, S. J.,	Whitman,
Davis,	Kennedy,	Piper,	Wildman,
DeFrees,	Kern,	Post,	Williams,
Donahoe,	Klepper,	Price,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Dunn, H. B.,	Lenker,	Reeser,	Young, G. K.,
Ehrhardt,	Letzkus,	Robinson,	Young, J. H.
Eichenberger,	Lohr,	Rockwell,	Zimmerman,
Ely,	Lowers,	Roney,	Alter,
		Rothenberger,	Speaker.

NAYS—5.

Baldwin, R. J.,	Berntheizel, Moses,	Blair, W. A.,	Keegan,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1805 (Senate Bill No. 66), entitled:

A Supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation, jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Allen,	Eichenberger,	Mannion,	Savacool,
Alworth,	Ely,	Martin,	Schaeffer, A. C.,
Ambler,	Ewing,	Mather,	Scott, J. R. K.,
Aron,	Fahey,	Matt,	Scott, S. B.,
Arthur,	Forster, I. G.,	McAleer,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Shaffer, C. A.,
Barner,	Gans,	McArdle,	Shaffer, I. E.,
Bass,	Geiser,	McCaig,	Sherwood,
Becker,	Gibson,	McDermott,	Showalter,
Benninger,	Good,	McKay,	Smith, J. W.,
Benson,	Goss,	McNichol,	Smith, L.,
Berntheizel,	Gramley,	Mellott,	Snyder,
Bigger,	Gray, Frank,	Metzenbacher,	Spangler,
Bittles,	Gray, Joseph,	Miller,	Spillinger,
Blair, W. A.,	Hackett,	Missimer,	Steedle,
Blair, W. F.,	Haggerty,	Mitchell,	Steele,
Bleloch,	Heidinger,	Moore,	Stone,
Body,	Hemminger,	Morrow,	Strauss,
Brosius,	Herman,	Moses,	Swartz,
Brown,	Heyburn,	Moulthrop,	Swift,
Brownlee,	Hobbs,	Musser,	Thomas,
Burnett,	Howard, J.,	Newbaker,	Trach,
Caldwell,	Howard, R.,	Newton,	Ulerich,
Campbell, C.M.,	Humes,	O'Neill,	Ulman,
Campbell, J. J.,	Isler,	Perry, H. L.,	Walnut,
Carson,	Irwin, G. C.,	Perry, S. J.,	Walton,
Carter,	Jackson,	Peters,	Watson,
Claycomb,	Kaiser,	Piper,	Wettach,
Cleary,	Keeport,	Price,	Whitman,
Conniff,	Kennedy,	Ramsey,	Wildman,
Conrade,	Klepper,	Reese,	Williams,
Cox,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Curry,	Kuhns, E.G.M.,	Rex,	Wilson, W. H.,
Davis,	Lenker,	Robinson,	Wiltbank,
Dickinson,	Letzkus,	Rockwell,	Young, G. K.,
Donahoe,	Lohr,	Roney,	Zimmerman,
Donnally,	Lowers,	Rothenberger,	Alter,
Dunn, H. B.,	Malie,	Runk,	Speaker.
Ehrhardt,		Sassaman,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideratio of House Bill No. 1616, entitled:

An Act providing for the term of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GIBSON. Mr. Speaker, as a bill somewhat similar to this was passed a few weeks ago in the House, and as the sponsor of the bill is not in the House, I move that further consideration of this bill be postponed for the present.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1886 (Senate Bill No. 552), entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreement for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway ocmpanies and under certain conditions to use portion of the tracks of the latter to distribute and dispose of power for lighting and other purposes and empowering railroad railway and motor power companies to sell purchaes and lease transit facilities to and from said cities and to construct with said cities respecting the acquisition construction operation and use of transit facilities

On the question,

Will the House agree to the bill on third reading?

Mr. McNICHOL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 4, line 10. Strike out "licenses" insert "licensee"

The SPEAKER. Will the House give unanimous consen to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

Mr. RONEY. Mr. Speaker, I ask unanimous consent of the House to offer further amendments to this bill.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 4, line 9, page 4, after the word "tracks" by inserting the words "Upon such terms and conditions as the councils of such cities shall determine."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there objec-

tion? The Chair hears none and the amendment will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1887 (Senate Bill No. 553), as follows.

A Supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transact facilities of cities of the first class

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Allen,	Gans,	McAllister,	Scott, J. R. K.,
Alworth,	Geiser,	McArdle,	Scott, S. B.,
Ambler,	Gibson,	McDermott,	Semmens,
Aron,	Good,	McKay,	Shaffer, C. A.,
Arthur,	Gramley,	McNichol,	Shaffer, I. E.,
Baldwin, R. J.,	Hackett,	Mechling,	Sherwood,
Bass,	Haggerty,	Mellott,	Showalter,
Becker,	Heidinger,	Metzenbacher,	Smith, J. W.,
Benninger,	Hemminger,	Miller,	Snavely,
Bigger,	Hess,	Missimer,	Snyder,
Bittles,	Heyburn,	Mitchell,	Spangler,
Bleloch,	Hibshman,	Moore,	Spillinger,
Body,	Hobbs,	Morrow,	Steedle,
Brosius,	Howard, J.,	Moulthrop,	Steele,
Brown,	Humes,	Musser,	Stone,
Brownlee,	Isler,	Neel,	Strauss,
Caldwell,	Irwin, G. C.,	Newbaker,	Swartz,
Campbell, C.M.,	Jackson,	O'Neill,	Swift,
Campbell, J. J.,	Jones, J. R.,	Peachey,	Thomas,
Carson,	Kaufman,	Pennock,	Trach,
Carter,	Keeport,	Perry, H. L.,	Ulerich,
Claycomb,	Kennedy,	Perry, S. J.,	Ulman,
Cleary,	Kern,	Piper,	Walnut,
Conniff,	Klepper,	Post,	Walsh,
Curry,	Kuhn, H. P.,	Price,	Watson,
Davis,	Kuhns, E.G.M.,	Redfield,	Whitaker,
Donahoe,	Latshaw,	Reese,	Whitman,
Donnally,	Lenker,	Reeser,	Wildman,
Down,	Letzkus,	Rex,	Williams,
Dunn, H. B.,	Lohr,	Robinson,	Wilson, J. H.,
Ehrhardt,	Lowers,	Roney,	Wilson, W. H.,
Eichenberger,	Mannion,	Rothenberger,	Wiltbank,
Ely,	Martin,	Runk,	Young, G. K.,
Ewing,	Mather,	Sassaman,	Young, J. H.,
Fahey,	Matt,	Savacool,	Zimmerman,
Forster, I. G.,	McAleer,	Schaeffer, A. C.,	Alter,
Foster, J. D.,		Schuck,	Speaker.

NAYS—3.

Baldwin, G. A.,	Benson,	Dickinson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1804 (Senate Bill No. 65), entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for the regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Allen,	Eichenberger,	Light,	Rothenberger,
Alworth,	Ely,	Lohr,	Sassaman,
Ambler,	Ewing,	Malie,	Savacool,
Aron,	Fahey,	Mannion,	Schaeffer, A. C.
Arthur,	Forster, I. G.,	Martin,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Scott, J. R. K.,
Barner,	Gans,	Matt,	Scott, S. B.,
Bass,	Geiser,	McAleer,	Semmens,
Becker,	Gibson,	McAllister,	Shaffer, C. A.,
Benninger,	Good,	McArdle,	Shaffer, I. E.,
Benson,	Gramley,	McCaig,	Sherwood,
Berntheizel,	Gray, Joseph,	McDermott,	Showalter,
Bigger,	Hackett,	McNichol,	Smith, J. W.,
Bittles,	Haggerty,	Mechling,	Snavely,
Blair, W. F.,	Heidinger,	Mellott,	Snyder,
Bleloch,	Hemminger,	Metzenbacher,	Spangler,
Body,	Herman,	Miller,	Spillinger,
Brosius,	Hess,	Missimer,	Steedle,
Brown,	Heyburn,	Mitchell,	Steele,
Brownlee,	Hibshman,	Moore,	Strauss,
Burnett,	Hobbs,	Morrow,	Swartz,
Caldwell,	Howard, J.,	Moses,	Swift,
Campbell, C.M.,	Humes,	Moulthrop,	Thomas,
Campbell, J. J.,	Isler,	Musser,	Trach,
Carter,	Irwin, G. C.,	Neel,	Ulerich,
Claycomb,	Irwin, H. H.,	Newton,	Ulman,
Cleary,	Jackson,	O'Neill,	Walnut,
Cochran,	Jones, J. R.,	Pennegar,	Walton,
Collins,	Kaufman,	Pennock,	Watson,
Conrade,	Keeport,	Perry, S. J.,	Wettach,
Cox,	Kennedy,	Peters,	Whitman,
Currier,	Kern,	Piper,	Wildman,
Curry,	Klepper,	Price,	Williams,
Davis,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Dickinson,	Lanius,	Reeser,	Wiltbank,
Donahoe,	Lenker,	Rex,	Young, G. K.,
Donnally,	Leslie,	Robinson,	Zimmerman,
Dunn, H. B.,	Letzkus,	Rockwell,	Alter,
Dunn, J. A.,		Roney,	Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1403 (Senate Bill No. 556), entitled:

An Act to permit the relocation of certain portions of the track of street passenger railway companies with the consent of the local authorities

Mr. JOHN R. K. SCOTT. Mr. Speaker, I would like to have the Chairman of the Committee having charge of this bill explain to the House what the purpose of the bill is.

The SPEAKER. The gentleman from Philadelphia, Mr. McNICHOL.

Mr. McNICHOL. Mr. Speaker, the purpose of this bill is to permit the removal of tracks that are now on Filbert Street running to Cuthbert Street in Philadelphia. The removal of those tracks is necessary to the improvement that is contemplated to be made by the Pennsylvania Railroad Company to its station at Broad and Filbert St. In order to protect the stockholders in the Continental Transit Company Pasenger Railway, they could not give their consent to the removal of the tracks because then it would impair their holding in the General Transit Company and for that reason it requires legislative enactment. The purpose of the bill is to remove the tracks from Filbert St. to Culbert St. and at the same time prevent the Continental Passenger Railway Company from keeping the Pennsylvania Railroad Company from making their improvement to their Station at Broad and Filbert Sts.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Allen,	Ely,	Leslie,	Roney,
Alworth,		Letzkus,	Rothenberger,
Ambler,	Fahey,	Light,	Runk,
Aron,	Forster, I. G.,	Lowers,	Sassaman,
Arthur,	Forster, J. D.,	Mannion,	Savacool,
Baldwin, G. A.,	Gans,	Martin,	Schaeffer, A. C.,
Baldwin, R. J.,	Geiser,	Mather,	Scott, J. B. K.,
Barner,	Gibson,	Matt,	Scott, S. B.,
Bass,	Glenn,	McAleer,	Semmens,
Becker,	Good,	McAllister,	Shaffer, C. A.,
Benninger,	Goss,	McArdle,	Shaffer, I. E.,
Benson,	Gramley,	McCaig,	Sherwood,
Berntheizel,	Gray, Joseph,	McDermott,	Showalter,
Bigger,	Hackett,	McKay,	Smith, J. W.,
Bittles,	Haggerty,	McNichol,	Snavely,
Blair, W. F.,	Heidinger,	Mechling,	Snyder,
Bleloch,	Hemminger,	Mellott,	Spangler,
Body,	Herman,	Metzenbacher,	Steedle,
Brosius,	Hess,	Miller,	Steele,
Brown,	Hilburn,	Missimer,	Strauss,
Brownlee,	Hibshman,	Mitchell,	Swartz,
Burnett,	Hobbs,	Moore,	Swift,
Campbell, C.M.,	Howard, J.,	Morrow,	Thomas,
Campbell, J. J.,	Howard, R.,	Moses,	Trach,
Carson,	Humes,	Murphy,	Ulerich,
Claycomb,	Isler,	Neel,	Ulman,
Cleary,	Irwin, G. C.,	Newbaker,	Walnut,
Conniff,	Irwin, H. H.,	O'Neill,	Walsh,
Conrade,	Jackson,	Peachey,	Walton,
Cox,	Jones, J. R.,	Pennegar,	Wettach,
Currier,	Kaiser,	Pennock,	Whitman,
Curry,	Keeport,	Perry, H. L.,	Wildman,
Davis,	Kennedy,	Perry, S. J.,	Williams,
DeFrees,	Kern,	Piper,	Wilson, J. H.,
Dickinson,	Klepper,	Price,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Redfield,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Reese,	Young, G. K.,
Down,	Latshaw,	Reeser,	Zimmerman,
Dunn, H. B.,	Lenker,	Robinson,	Alter,
Ehrhardt,		Rockwell,	Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1095, entitled:

A Joint Resolution providing for a commission to investigate and report on the dependents of this Commonwealth and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1146, entitled:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1916, entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1462, entitled:

An Act relating to appointment of deputy constables

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1919 (Senate Bill No. 764), entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State Highways or State-aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State-aid Highway.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1605, entitled:

An Act relating to townships of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1932, entitled:

A Joint Resolution providing for a commission to investigate the traffic in women and girls in Pennsylvania for immoral purposes prescribing the powers and duties of the commission and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1915, entitled:

An Act to repeal an act approved the twenty-eighth day of March one thousand eight hundred seventy entitled "An Act extending to Crawford county an act to enlarge the jurisdiction of justices of the peace in the county of Erie"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1459, entitled:

An Act fixing the number of compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment and manner of filling vacancies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1785, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1563, entitled:

An Act making it unlawful to use any electric current for any purpose in any room breast or entry where miners are engaged in mining or loading coal in any bituminous coal mine in the State of Pensylvania generating explosive gases and providing a penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEE.

Mr. WALNUT, from the Committee on Elections, re-reported as amended, House Bill No. 1440, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

Mr. GEARY, from the Committee on Education, re-reported as amended, House Bill No. 1450, entitled:

An Act supplementing an amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are of may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school directors in school districts of the first class shall remove janitors of grammar and elementary schools in their district for cause

Mr. RONEY, from the Committee on Public Health and Sanitation, reported as amended, House Bill No. 527, entitled:

An Act to regulate the practice of pharmacy and sale of poisons drugs of all kinds and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity

Mr. LOHR, from the Committee on Agriculture, reported as committed, House Bill No. 1363, entitled:

An Act to give the owner of a stallion or jack a lien on certain property for service rendered and providing a method for enforcing such lien

Mr. J. H. WILSON, from the Committee on Agriculture, reported with a negative recommendation, House Bill No. 1323, entitled:

An Act to amend section three of an act approved the eighteenth day of April one thousand nine hundred and five entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" extending the time for registration of persons who had assumed the title of veterinary surgeon or analogous title prior to the passage of the acts of Assembly approved the eleventh day of April one thousand eight hundred and eighty-nine and the twenty-ninth day of April one thousand eight hundred and ninety-one but who failed to register within the time provided by the said acts

BILL ON THIRD READING.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1815 (Senate Bill No. 502), entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

On the question.

Will the House agree to the bill on third reading?

Mr. WALSH. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend the title by adding after the word "paid" in line ten the words "and for."

The SPEAKER. Will the give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question.

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

BILL SIGNED BY THE SPEAKER.

The SPEAKER announced that the Chief Clerk having reported the following bill had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 645.

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of person skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 6.55 o'clock P. M. the House adjourned to meet to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, APRIL 24, 1913. No. 55.

HOUSE OF REPRESENTATIVES.

THURSDAY, April 24th, 1913.

The House met at 10.00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O, God, we thank Thee that Thou hast made us as we are and that Thou hast set us in an environment that is adapted to us. We thank Thee for our bodies, with their members and appetites and senses so fitted for pleasure, so conditioned for work. May we reverence these bodies and guard them sacredly, doing all that we can to promote their vigor and healthfulness; not wasting their energies by careless living or sensous living. We thank Thee for our mental faculties; for the keenness and the zest which we find in seeking to understand the things which are about us; for the learning and the joys of knowing. We thank Thee for our spiritual nature, rooted in the innermost fibers of our being; for our innate reverence for the good and true; for our compassions and sympathies; for our aspirations to be better men ourselves and to promote the good that is prevailing about us. All this is an evidence to us that Thou art our Father and that we are Thy children. We thank Thee for the enjoyment which we find in this beautiful world through which we are passing. Thou hast given us all things richly to enjoy; Thou hast made us to drink of the river of Thy pleasures and we would say with Thy servant of old "Oh The depths of the riches both of the wisdom and the knowledge of God; how unsearchable are His judgments and His ways past finding out." Now, we give ourselves to Thee for this day and pray for Thy blessing upon it and Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's procedings, when on motion of Mr. Wiltbank, the further reading was dispensed with and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. SHERWOOD, from the Committee on Insurance, reported as committed, House Bill No. 1457, entitled:

An Act to amend the 14th section of an act entitled "An Act to provide for the incorporation of Casualty Insurance Companies, and, for the regulation of home and foreign Casualty Insurance Companies, and providing penalties for the violation of any of the provisions of this act" approved the first day of June A. D. 1911, and providing for the incorporation of Casualty Companies for the insurance of glass against breakage upon the Mutual plan.

Mr. SHERWOD, from the Committee on Insurance, reported as amended, House Bill No. 1548, entitled:

An Act to amend section fourteen and seventeen of an act approved June first, one thousand nine hundred and eleven, entitled "An Act to establish an Insurance Department; authorizing the appointment of an Insurance Commissioner, and prescribing his powers and duties; also providing for the licensing, examination ,regulation, and dissolution of insurance and surety companies and associations, and for the licensing and regulation of insurance agents and insurance brokers; also providing for the collection of fees, and prescribing penalties for the violation of any of the provisions of this act; and repealing all existing acts."

Mr. DeFREES, from the Committee on Agriculture, reported as amended, House Bill No. 451, entitled:

An Act creating a reward or bounty for the destruction of certain noxious animals, killed within the Commonwealth of Pennsylvania; providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth; making an appropr ation for such reimbursement; and providing penalties for violation of its several provisions.

Mr. ROCKWELL. Mr. Speaker, the Judiciary General Committee, having charge of this bill, House Bill No. 183, known as the Public Utilities Bill, desire to report it out as amended to get it printed, and then after it is printed have it recommitted and have a public hearing next Tuesday evening at 7:30 in the Senate Caucus Room.

Mr. ROCKWELL, from the Committee on Judiciary General, re-reported as amended, House Bill No. 183, entitled:

An Act defining public service companies prescribing and defining the duties and liabil ties of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies creating the establishing a public service commission for the supervision and regulation of public service companies prescribing and defining the powers and duties of such commission and its officers and providing for the salaries and compensation of the members of the commission its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin county and giving such court exclusive jurisdiction of such appeals and of all injunctions mandamus or other appropriate proceedings to enforce the provisions oif this act and the orders of the commission and to restrain such orders subject to an appeal from all decrees of said court to the Supreme Court prescribing penalties fines and imprisonment for the violation of such orders or the provisions of this act and repealing the act approved May thirty-first one thousand nine hundred and seven which provided for the appointment of a Railroad Commission and all other legislation inconsistent with this act and making it the duty of the Public Service Commission to enforce the provisions of the act of June nineteenth one thousand nine hundred and eleven, entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains.

Mr. HOFFMAN, from the Committee on Railroads, reported with a negative recommendation, House Bill No. 1472, entitled:

An Act to promote the safety of the traveling public and employees on steam railroads by regulating the construction of caboose cars.

LEAVES OF ABSENCE.

Mr. McARDLE asked and obtained leave of absence for Mr. Aron on account of illness.

Mr. LORENZO SMITH asked leave of absence for himself for this evening.

Mr. S. B. SCOTT. Mr. Speaker, what is the reason?

Mr. LORENZO SMITH. One reason is to look after a pay roll, and I have to hustle to get the money for it.

The SPEAKER. Is there any objection? The Chair hears none and leave is granted.

Mr. BASS asked leave of absence for himself, beginning with this afternoon, for the remainder of the week, for business reasons.

Mr. S. B. SCOTT. Mr. Speaker, I desire to know whether the business engagements are pressing.

Mr. BASS. Mr. Speaker, the business engagements of which I speak are very, very pressing, and it would be a great hardship if I should not be permitted to go and look after them.

The SPEAKER. Is there any objection? The Chair hears none and leave is granted.

Mr. SPILLINGER asked leave of absence for Mr. Ambler, who has been called home on account of important business.

Mr. ALLEN. Mr. Speaker, Mr. Ambler has a periodical call almost every Wednesday evening which requires his absence from this House.

The SPEAKER. Is there any objection? The Chair hears objection, and leave is not granted.

Mr. J. A. DUNN asked for leave of absence for himself for the balance of the week, ater 3 o'clock to-day, on account of business.

Mr. J. A. DUNN. Mr. Speaker, this is the first time this session that I have asked for leave of absence on account of important business.

The SPEAKER. Is there any objection? The Chair hears objection, and leave is not granted.

Mr. RONEY asked for leave of absence for Mr. Forster, who was called away to Philadelphia last night.

The SPEAKER. Is there any objection? The Chair hears objection, and leave is not granted.

Mr. BIGGER asked for leave of absence for Mr. Malie and Mr. Wettach.

Mr. BIGGER. Mr. Speaker, I have a letter asking Mr. Malie to come home on account of a financial question, and I understand that Mr. Wettach's brother is to be married to-day.

The SPEAKER. Is there any objection? The Chair hears objection, and leave is not granted.

Mr. H. B. DUNN asked for leave of absence for himself for to-night, on acocunt of having a very important meeting.

The SPEAKER. The gentleman will have a very important meeting to-night on the floor of this House.

Is there any objection? The Chair hears objection and leave is not granted.

Mr. LIGHT asked and obtained leave of absence for Mr. Runk, who is ill.

Mr. ISLER asked and obtained leave of absence for Mr. Neely, on account of illness in his family.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1216, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and fifty-six entitled "An Act to regulate the sale of intoxicating liquors" by increasing the penalty

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-nine of the act of March thirty-first one thousand eight hundred and fifty-six entitled "An Act to regulate the sale of intoxicating liquors" which reads as follows

"Section 29 That any person who shall be found intoxicated in any street highway public house or public places shall be fined upon the view of or upon the proof made before any mayor alderman or justice of the peace not exceeding five dollars to be levied with the proper costs upon the goods and chattels of the defendant" shall be and the same is hereby amended to read as follows

"Section 29 That any person who shall be found intoxicated in any street highway public house or public places shall be fined upon conviction before any alderman or police magistrate or justice of the peace in a sum not exceeding ten dollars and in default of the payment thereof be committed to the county jail or workhouse of the proper county for a period not exceeding thirty days"

On the question,

Will the House agree to the section?

Mr. BIGGER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend Section 1 of House Bill No. 1216 so same shall read:

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-nine of the act of March thirty-first one thousand eight hundred and fifty-six entitled 'An Act to regulate the sale of intoxicating liquors' and which, as amended, reads as follows:

'Section 29 That any person who shall be found intoxicated in any street, highway, public house public conveyance or public place shall be fined upon the view of or upon the proof made before any mayor, alderman or justice of the peace not exceeding two dollars to be levied with the proper costs upon the goods and chattels of the defendant, which shall be paid to the treasurer of the school district where such conviction is had by the magistrate collecting the same' shall be and the same is hereby amended to read as follows:

'Section 29 That any person who shall be found intoxicated in any street, highway public house or public place shall be fined upon conviction before any alderman, police magistrate or justice of the peace in a sum not exceeding ten dollars and in default of the payment thereof be committed to the county jail or workhouse of the proper county for a period not exceeding thirty days.'"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read as follows:

An Act to amend section twenty-nine of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and fifty-six entitled "An Act to regulate the sale of intoxicating liquors" by increasing the penalty

On the question,

Will the House agree to the title?

Mr. BIGGER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend the title so as to read:

An Act to amend section twenty-nine of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and fifty-six entitled An Act to regulate the sale of intoxicating liquors as amended by increasing the penalty.

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1517, as follows:

A Supplement to an act approved the thirteenth day of May one thousand eight hundred eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person or persons licensed to sell vinous spirituous malt or brewed liquors at retail to permit any malt or brewed liquors to be taken from the licensed premises in receptacles or containers owned or temporarily used by the purchaser and not to be returned to the vendor or for any such person or persons to give in connection with the sale of any vinous spirituous malt or brewed liquors any edibles either in the form of meal lunch or otherwise

Section 2 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred dollars or in default thereof to undergo an imprisonment in the jail of the county not exceeding ten days

Section 3 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 935, entitled:

An Act providing for the purchase by the Commonwealth of certain lands owned by the A. Cook Sons Company at and near Cooksburg in the counties of Forest Clarion and Jefferson Pennsylvania for a public park and forest reserve providing an appropriation for said purchase and providing for the appointment of a commission to take charge of said property and defining the powers and authority of said commission and the uses to which the property shall be put

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of preserving and prepetuating a portion of the original forest of Pennsylvania in the interest of forestry conservation and preservation and maintenance of opportunities to the people of the Commonwealth and others for the study and enjoyment of distinctively natural views and conditions and for wholesome out-door recreation and the results and advantages to the people of the Commonwealth at large arising therefrom there shall be vested in the Commonwealth of Pennsylvania All that certain tract of land situate at or near Cooksburg in the counties of Forest Clarion and Jefferson State of Pennsylvania containing seven thousand two hundred and nineteen (7,219) acres being the property of A Cook Sons Company and which is more fully described in the report and accompanying maps of the commission created by an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act providing for a commission to examine and report on the property of the purchase by the Commonwealth of a certain tract of land in Jefferson Clarion and Forest Counties and making an apropriation therefor" subject to the rights liberties preserved and maintained forever as a public place or park to be known and designated by the name of "Cook State Park"

On the question,
Will the House agree to the section?

Mr. MECHLING. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 1, line 22, after "liberties" insert "exceptions and reservations hereinafter set forth to be"
Section 1, line 23, after "park" insert "and"

On the question,
Will the House agree to the amendments?

Mr. REESE. Mr. Speaker, I move that this bill be referred back to the Committee on Appropriations. My reason for so doing at this time is because it was partly understood when this bill was reported out that we would have it recommitted to the committee. The reason for this is that some of the committee thought that an investigation should be made on that tract before this House took action on the bill, and I do this in order to place myself in that position, because I do not think we should act on the bill until we have information that would warrant it.

The SPEAKER. The custom is to refer bills back to the Appropriation Committee after they have passed second reading.

Mr. JOSIAH HOWARD. Mr. Speaker, the main purpose in referring back to committee, was to amend it, if necessary, in the committee in order that it would be satisfactory to the House. Mr. Speaker there are two or three hundred acres in the centre of this tract which do not belong to the Cook Estate, and there is a proposition on hand and really agreed to that some of the members of this House shall visit this tract and see the location of this land which is owned by different people and which is located right in the center of the Cook tract, and the advisability of making this whole plot of land a park, is a question. There don't seem to be much question as to the value of the virgin pine on it, but the proposition as a whole though is a question and some of the members are to go and visit the tract for a thorough investigation so as to know whether to amend this bill or not. The question is as to whether the bill ought to be amended or accepted as a whole and the idea is to refer it back to the committee simply to hold it, and I would move just for that purpose that it be recommitted to the Committee on Appropriations. I am not fighting the bill as a whole proposition.

Mr. REESE. Mr. Speaker, I second the motion.

Mr. ALLEN. Mr. Speaker, as a point of information, I would like to know just what the status of the bill at this time would be.

The SPEAKER. The motion is to recommit the bill to the Committee on Appropriations, and that would leave the question on the amendment to the first section pending.

Mr. ALLEN. Mr. Speaker, I cannot understand why it would not be just as well and serve the purposes of the gentlemen who made this motion to do as the Chair suggested, to let the bill be passed on second reading, and let the amendments be made to it and then recommit it to the committee when the amendments can be made as readily later and the bill would have an advanced place on the calendar to that which it would occupy if recommitted at this stage, and I would suggest that the gentlemen withdraw their motion until the bill has passed second reading and then renew their motion to recommit.

Mr. JOSIAH HOWARD. Mr. Speaker, I would like to inquire whether the committee would then have the right to amend it in committee.

The SPEAKER. The Committee can amend the bill as they see fit, except that they could not take out amendments which had been put in by the House on second reading.

Mr. JOSIAH HOWARD. Mr. Speaker, I have no objection to that, if it is understood that the bill goes back to the committee for the purpose that I have suggested, and I will now withdraw my motion to recommit.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The second section was then read and agreed to as follows:

Section 2 The sum of six hundred twenty-four thousand dollars ($624,000) is hereby specifically appropriated and set aside for the purpose of purchasing said property to be paid from any moneys in the State Treasury not otherwise appropriated upon warrant issued on the State Treasurer by the commission hereinafter appointed and countersigned by the Auditor General of the Commonwealth The said sum to be paid as follows namely two hundred thousand dollars ($200,000) on the first day of July one thousand nine hundred and thirteen two hundred sixteen thousand dollars ($216,000) on the first day of July one thousand nine hundred and thirteen two hundred sixteen thousand dollars ($216,000) on the first day of July one thousand nine hundred and fourteen and two hundred eight thousand dollars ($208,000) on the first day of July one thousand nine hundred and fifteen Provided That no part of said consideration shall be paid until the title to said property shall be approved by the Attorney General of the Commonwealth and the property be conveyed by the owners thereof to the Commonwealth by deed approved by the Attorney General

The third section of the bill was read as follows:

Section 3 Five citizens of the State shall be appointed by the Governor by and with the consent of the Senate for the term of five years who are hereby constituted commissioners of said park and shall have control and supervision thereof As often as a vacancy occurs either by expiration of term or otherwise the Governor shall fill said vacancy either for another term of five years or for the unexpired term as the case may be Said Commissioners shall organize annually on the first day of June for election of a president and secretary to serve one year They shall receive no compensation for their services as commissioners rendered under this act but shall be reimbursed for their necessary expenses for travel and subsistence while engaged in their duties which reimbursements shall be upon return to the proper State officials upon oath or affirmation to be paid from an appropriation duly made for maintenance any revenue derived from the park to be turned into the State Treasury

On the question,
Will the House agree to the section?

Mr. MECHLING. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 3, line 13. Strike out "be."
Section 3, line 14. After "affirmation" strike out "to."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.

The fourth, fifth, sixth and seventh sections were then separately read and agreed to as follows:

Section 4 Within thirty days after the passage of this act the Governor shall appoint said commissioners who shall promptly organize by the appointment of a president and secretary and thereupon after the approval of the title and deed by the Attorney General on behalf of the Commonwealth accept the proposition of the A. Cook Sons' Company and take over the title to said seven thousand two hundred and nineteen (7,219) acres of land in fee simple clear of all encumbrances excepting and reserving all of the oil and gas from

five gas wells now on the land and the oil and gas from such wells as may be drilled or drilling before the first payment on account of the purchase price as herein provided is made by the Commonwealth for the term or period of twenty-five years together with the right to maintain said wells and lay and maintain such pipe lines from the same as may be necessary to convey the oil and gas to places of consumption and sale to A. Cook Sons' Company its successors and with all rights necessary and customary to remove the same in the ordinary and customary manner and with the privilege necessary and incident thereto and reserving also the right to remove all personal property from the land the right to remove all farm products for the year one thousand nine hundred and thirteen the right to use the saw mill on the land during the spring of the year one thousand nine hundred and thirteen to manufacture about three hundred thousand feet of lumber and the right to lay and maintain a water line from the spring at the head of Henry's Run on the three acres lying north of Cooksburg not included in this purchase

Section 5 After the said premises shall have passed into possession of said park commissioners they shall have full control and supervision thereof and be empoewred to adopt plans for the improvement preservation and maintenance thereof with power to carry the same into execution But the said commissioners shall not have power to contract any debt or expend any moneys for any purpose unless an appropriation for said debts or expenditures shall previously have been made

Section 6 If and whenever a State Park Commission shall be created by act of Assembly for the supervision of State parks then such commission shall take over the park hereby created and administered the same in a manner not inconsistent with the provisions for its use as defined in this act and thereupon the commission hereby created shall be dissolved

Section 7 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The preamble was read as follows:

Whereas, The report of said commission warrants the purchase of said land and the A. Cook Sons' Company has proposed to sell the same to the Commonwealth for the sum of six hundred twenty-four thousand dollars ($624,000) payable as follows two hundred thousand dollars ($200,000) on the first day of July one thousand nine hundred thirteen two hundred sixteen thousand dollars ($216,000) on the first day of July one thousand nine hundred fourteen two hundred eight thousand dollars ($208,000) on the first day of July one thousand nine hundred fifteen reserving to the A. Cook Sons' Company its successors and assigns all of the gas from fire gas wells now on the land and the oil and gas from such wells as may be drilled or drilling before the first payment on account of the purchase price as herein provided is made by the Commonwealth for the term or period of twenty-five years together with the right to maintain said wells and lay and maintain such pipe lines from the same as be necessary to convey the oil and gas to places of consumption and sale with all rights necessary to the mining and removing of the same in the ordinary and customary manner reserving also the right to remove all personal property from the lands the right to remove all farm products for the year one thousand nine hundred thirteen the right to use the saw mill on the land and during the spring of the year one thousand nine hundred thirteen to manufacture about three hundred thousand feet of lumber and the right to lay and maintain a water line from the spring at the head of Henry's Run on the three acres lying north of Cooksburg and not included in this purchase now therefore

On the question,

Will the House agree to the preamble?

Mr. MECHLING. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Preamble line 24. After "as" insert "may."

On the question,

Will the House agree to the amendment?

It was agreed to.

The preamble as amended was then agreed to.

The title was then read and agreed to as follows:

An Act providing for the purchase by the Commonwealth of certain lands owned by the A Cook Sons Company at and near Cooksburg in the counties of Forest Clarion and Jefferson Pennsylvania for a public park and forest reserve providing an appropriation for said purchase and providing for the appointment of a commission to take charge of said property and defining the powers and authority of said commission and the uses to which the property shall be put

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. JOSAIH HOWARD. Mr. Speaker, I move that this bill (House Bill No. 935) be recommitted to the Committee on Appropriations.

Mr. REESE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1633, entitled:

An Act to amend an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" as the same was amended by an act approved the thirtieth day of March one thousand nine hundred and eleven by changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society and by adding one (1) Representatives of the Pennsylvania Conservation Association

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" which reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth the Secretary of Internal Affairs Secretary of Public Instruction the Auditor General the president of the Pennsylvania State Colege and one (1) person appointed by each agricultural society in the State entitled under existing laws to receive an annual bounty from the county and three (3) other persons appointed by the Governor with the consent of the Senate one (1) member appointed by the Pennsylvania State Poultry Association and one (1) member appointed by the Pennsylvania State Bee-Keepers' Association shall constitute the State Board of Agriculture" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the Governor of the Commonwealth the Secretary of Internal Affairs Secretary of Public Instruction the Auditor General the president of the Pennsylvania State College and one (1) person appointed by each agricultural society in the State entitled under existing laws to receive an annual bounty from the county and three (3) other persons appointed by the Governor with the consent of the Senate one (1) member appointed by the Pennsylvania State Poultry Society one (1) member apointed by the Pennsylvania Bee-Keepers' Association one (1) member appointed by the Pennsylvania Conservation Association one (1) member appointed by the Pennsylvania Rural Progress shall constitute the State Board of Agriculture

On the question,

Will the House agree to the section?

Mr. KAUFFMAN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 1, line 6, after "which" insert "as amended"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to amend an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" as the same was amended by an act approved the thirtieth day of March one thousand nine hundred and eleven by changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society Conservative Association

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading, as amended,

Agreeably to order,

The rule requiring bills to tbe considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1604, as follows:

A Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteen one thousand eight hundred and ninety-

five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to service in said Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved the thirteenth day of March one thousand eight hundred and ninety-five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there be and hereby is established a Department of Agriculture to be organized and administered by an officer who shall be known as the Secretary of Agriculture who shall be appointed by the Governor by and with the advice and consent of the Senate for a term of four years at an annual salary of three thousand five hundred dollars and who before entering upon the duties of his office shall take and subscribe the oath prescribed in article seven of the Constitution Said Secretary shall be ex-officio of the State Board of Agriculture and succeed to all the powers and duties now conferred by law upon the Secretary of said Board' be amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there be and hereby is established a Department of Agriculture to be orgainzed and administered by an officer who shall be known as the Secretary of Agriculture who shall be appointed by the Governor by and with the advice and consent of the Senate for a term of four (4) years at an annual salary of five thousand (5,000) dollars and who before entering upon the duties of his office shall take and subscribe the oath prescribed in article seven of the Constitution Said Secretary shall be ex-officio Secretary of the State Board of Agriculture and shall succeed to all the powers and duties now conferred by law upon the Secretary of said Board

Section 2 That Section four of an act entitled "An Act to establish a Department of Agriculture and define its duties and provide for its proper administration" approved March thirteenth Anno Domini one thousand eight hundred and ninety-five as amended by an act approved April fourteenth Anno Domini one thousand nine hundred and three and as further amended by an act approved June seven one thousand nine hundred and seven which reads as follows

"Section 4 There shall be one Deputy Secretary who shall be appointed by the Governor for the term of four years at a salary of three thousand dollars per year who shall also be director of Farmers' Institutes The other officers of the Department shall be appointed by the Governor for a term of four years and shall be an Economic Zoologist a Dairy and Food Commissioner who shall have practical experience in the manufacture of dairy products and a State Veterinarian who shall be a graduate of some reputable veterinary college who shall receive an annual salary of twenty-five hundred dollars each The Dairy and Food Commissioner shall under the direction of the Secretary perform the duties prescribed by an act approved May twenty-sixth one thousand eight hundred and ninety-three The Secretary of Agriculture is hereby authorized to appoint one chief clerk of the department at an annual salary of eighteen hundred dollars one stenographer at a salary of nine hundred dollars a year and one messenger at a salary of nine hundred dollars a year and the Dairy and Food Commissioner the Economic Zoologist and the director of Farmers' Institutes shall each have a clerk who shall be appointed by the heads of these divisions respectively and who shall serve under their direction and receive a salary of fifteen hundred dollars a year each" shall be and the same is hereby amended to read as follows

Section 4 There shall be one Deputy Secretary who shall be appointed by the Governor for the term of four years at a salary of four thousand five hundred ($4,500) dollars a year who shall also be director of Farmers' Institutes The other officers of the Department shall be appointed by the Governor for a term of four years and shall be an Economic Zoologist a Dairy and Food Commissioner who shall receive an annual salary of four thousand ($4,000) dollars each and who shall under the direction of the secretary perform the duties prescribed by and imposed upon them by the laws of the Commonwealth The Secretary of Agriculture is hereby authorized to appoint one chief clerk of the department at an annual salary of twenty-four hundred ($2,400) dollars one stenographer at a salary of twelve hundred ($1,200) dollars a year and one messenger at a salary of one thousand ($1,000) dollars a year The Dairy and Food Commissioner the Economic Zoologist shall each have a clerk who shall be appointed by the heads of these divisions respectively and who shall serve under their direction and receive a salary of one thousand five hundred ($1,500) dollars each The Director of Farmers' Institutes shall have a clerk who shall be appointed by him and who shall serve under his direction and receive an annual salary of one thousand eight hundred dollars ($1,800)

Section 3 That Section one of an act entitled "An Act entitled a supplement to act entitled 'An Act to establish a Department of Agriculture and to assign its duties and to provide for its proper administration' approved the thirteenth day of May Anno Domini one thousand eight hundred and ninety-five providing for the appointment of an Assistant Economic Zoologist a stenographer and a Messenger for the Economic Zoologist'" approved the fourth day of May Anno Domini one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in addition to the officers provided by the act to which this is a supplement there shall be appointed by the Governor for the term of four years an Assistant Economic Zoologist at an annual salary of sixteen hundred dollars a stenographer at a salary of nine hundred dollars and one messenger at a salary of nine hundred dollars per year" shall be and is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in addition to the officers provided for by the act to which this is a supplement there shall be appointed by the Governor for the term of four years an Assistant Economic Zoologist at an annual salary of two thousand dollars and a stenographer at a salary of twelve hundred dollars and one messenger at an annual salary of two thousand dollars and a stenographer at a salary of twelve hundred dollars and one messenger at a salary of nine hundred dollars per year

Ordered, To be transcribed for a third reading.

And said bill having been read at length the second time and agreed to,

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 228, entitled:

An Act to regulate and improve the Civil Serive of the Commonwealth of Pennsylvania and of the counties and of the cities of the third class providing that the act shall take effect at once in so far as it relates to the Civil Service of the Commonwealth of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the Civil Service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making any violation of its provisions a misdemeanor and providing penalties for any violation thereof

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth, twentieth, twenty-first, twenty-second, twenty-third, twenty-fourth, twenty-fifth, twenty-sixth, twenty-seventh, twenty-eighth, twenty-ninth, thirtieth, thirty-first, thirty-second, thirty-third and thirty-fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to the Civil Service of the Commonwealth of Pennsylvania. This act shall be known and may be cited as "The Civil Service act"

Section 2 The term "Civil Service of the Commonwealth" shall include all offices positions and employments in which the officers or employes are paid from the State Treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the Commonwealth either directly or through any commission board official or officials has the right to appoint or select the officials or employes or which are constituted agencies for the performance of a function of this Commonwealth Provided however That this act shall not apply to offices employments or positions in the military or naval service of the Commonwealth

The term "positions" shall include offices and employments unless a contrary meaning clearly appears from the context to be intended

The term "appoint" shall include employ and the term "appointment" shall include employment

The term "Commonwealth" shall mean the Commonwealth of Pennsylvania

The terms "he" and "his" shall include it its she her they and their unless a contrary meaning clearly appears from the context to be intended

The term "oath" shall include affirmation and "swear" shall include affirm

Section 3 The Governor by and with the advice and consent of the Senate shall appoint a State Civil Service Commission consisting of three commissioners The persons appointed commissioners shall be men in full sy with the purposes of this act Not more than two of the said commissioners shall at any one time be adherents of the same political party It shall be the duty of the Civil Service Commission to enforce the provisions of this act The commissioners shall be appointed as follows On the first day of April one thousand nine hundred and thirteen the Governor shall appoint three commissioners one to serve for a term of five years the second for a term of three years and the third for a term of one year The Governor shall designate one of the commissioners president of the commission At the expiration of each of the terms of the commissioners appointed as aforesaid the Governor shall appoint a commissioner to serve for the full term of five years Thereafter whenever the term of a commissioner expires his successor shall be appointed for a full term of five years The Governor may at any

time remove a commissioner after furnishing him a written statement of the specific reasons for such action and giving him a reasonable opportunity to make written answer The statement of the Governor and the answer of the commissioner if any shall be made a part of the public records of the commission The Governor shall fill any vacancy which may occur in said commission by the appointment within two months from the occurrence of the vacancy of a sucessor to serve for the remainder of the unexpired term Whenever any vacancy shall exist in the office of the President of the Commission the Governor shall have the right to designate any one of the three members of the Commission as the President thereof and the person so designated shall serve as President until the expiration of his term The salaries of the commissioners and the expenses of conducting the examination system of keeping the records and of carrying out the provisions of this act shall be paid by the Commonwealth No commissioner shall hold any other office under the United States or under the Commonwealth of Pennsylvania or any county or city thereof (whether or not said county or city has accepted the provisions of this act) nor shall any commissioner take any active part in political affairs or in the management of any political campaign The president of the Civil Service Commission shall receive a salary of five thousand dollars per year and shall devote his entire time to the work of that office Each of the other commissioners shall be paid a salary of three thousand dollars per year The commissioners shall qualify by filing with the Governor an oath reciting that they are in full sympathy with the purposes of this act and that they will perform faithfully the duties of their office Two members shall constitute a quorum of the commission The principal office of the commission shall be in the city of Harrisburg where its general sessions shall be held but whenever the convenience of the public can be promoted or delay or expense thereby be prevented the Commission may hold special sessions in any part of the Commonwealth

Section 4 The Civil Service Commission shall appoint a chief examiner who shall also act as its secretary and such other clerks examiners and employes as it may deem necessary or proper to carry out the purposes of this act The chief examiner shall receive a salary of three thousand dollars a year The clerks examiners and employes shall receive salaries to be fixed by Civil Service Commission All the expenses of the commission including all necessary expenses incurred by members of the commission or their employes under their orders in making any investigation or upon any official business shall be allowed and paid on the presentation of itemized vouchers therefor approved by a member of the commission The commission shall not expend or authorize the expenditure of moneys for any purpose in excess of the sums appropriated therefor by law The chief examiner and all of the clerks examiners and employes of the Civil Service Commission shall be included in the competitive class of the classified civil service of the Commonwealth

Section 5 No person board or commission having the power of appointment to positions in the civil service of the Commonwealth after the thirtieth day of June one thousand nine hundred and thirteen appoint any person or make any other change in the status of any person in any position in the classified civil service of the Commonwealth except in accordance with the provisions of this act and the rules and regulations prescribed thereunder No person shall be appointed to any position in the classified civil service of the Commonwealth unless he has been selected in the manner hereinafter provided from the appropriate eligible list of those who have passed competitive examinations for such position or for one which in the judgment of the Civil Service Commission is substantially similar or unless he is shown to be exempted from such examination by the provisions of this act and the rules and regulations made pursuant therto Provided however that among those persons possessing equal qualifications and certified for appointment preference in appointment shall be given to honorably discharged soldiers and sailors who served in the army or navy of the United States during the War of the Rebellion Provided further however that if the preference hereby provided for be for any reason invalid all the other provisions of this act shall remain in force with like effect as if said preference had not been contained herein If in violation of this act or of the rules and regulations established thereunder any person appoints promotes or reinstates or attempts to appoint promote or reinstate any person in any position in the classified civil service of the Commonwealth person making or attempting to make such appointment promotion or reinstatement shal from his individual resources pay the person illegally appointed promoted or reinstated or attempted to be appointed promoted or reinstated the same compensation for any services performed by him under such appointment promotion or reinstatement or attempted appointment promotion or reinstatement which he would have been entitled to receive from the Commonwealth if his appointment promotion or reinstatement had been legal and shall further pay to such person any costs and other reasonable expenses incurred by him in enforcing this liability No person who has been forced to pay compensation to another person because of the foregoing provisions shall be reimbursed by the Commonwealth or by any county or city shall thereof for any sums so paid for any expenses occurred in connection therewith

Section 6 It shall be the duty of the proper officials of the Commonwealth and of each county and city to cause suitable and convenient rooms and accommodations to be provided and to be furnished heated and lighted for carrying on the work and examinations of the Civil Service Commission The Civil Service Commission may order from the proper authorities of the Commonwealth the necessary stationery printing and other supplies for its official use It shall be the duty of the officers of the Commonwealth and of every county and city to aid the said Civil Service Commission in all proper ways in carrying out the provisions of this Act and to allow the use of public buildings and to heat and light the same for holding examinations and investigations and in all proper ways to facilitate the work of the commission

The Civil Service Commission Shall

Section 7 1 Prescribe amend and enforce such rules as may from time to time be necessary or desirable in its judgment for carrying into effect the provisions of this act The commission shall not adopt amend or rescind any rule except after a public hearing held in the manner provided in section twenty-eight of this act The commission may however without a public hearing adopt regulations with reference to the conduct of its office minor details connected with examinations and other matters of minor importance Immediately upon the adoption or amendment of any rule or regulation the commission shall post a copy thereof on a suitable bulletin board at its office and shall cause copies to be printed for public distribution

2 Keep minutes of its own proceedings and records of its examination and of all other official actions All minutes of the commission except as hereinafter specially provided as well as all recommendations and correspondence relating to applicants for office or employment received by the said commission or by any person having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the time and manner of examination be open to public inspection Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and not open to inspection by any person not employed by the commission

3 Make investigations either sitting as a body or through a single commissioner concerning all matters touching the operation and results of the provisions of this act and the rules and regulations prescribed thereunder and concerning the efficiency of all officers and employes and of all groups of officers and employes in the classified service and make reports to each officer board or other authority in charge of any institution office or department of the State government its findings and recommendations relative to increasing efficiency and economy therein In case the recommendations made by the commission are not carried into effect within a reasonable time or in case of a difference of opinion with reference to such findings or recommendations between the commissioner and the officers board or other authority in charge of an institution office or department concerned in any such finding or recommendation the report accompanied by a note of the relevant facts shall be transmitted to the Governor by the commission and each commissioner and the chief examiner shall have power to administer oaths and to take testimony in connection with any investigation or other business of the commission

4 Have power to require by subpoena the attendance from any place in the Commonwealth and to control testimony under oath of witnesses and the production of all books documents memoranda or other papers relating to any matter under investigation by the commission Any of the courts of common pleas of the Commonwealth within the jurisdiction of which such inquiry is carried on shall on complaint of the commission or of any party appearing before it in case of contumacy or refusal of any person to obey a subpoena of the commission issue an order requiring such person to appear before the commission and to produce books and papers if so ordered and to give evidence touching the matter in question Any failure to obey such order of the court may be punished by such court as a contempt thereof No person shall be excused from attending and testifying or from producing books and papers before the commission or in any court in any cause or proceeding criminal or otherwise based upon or growing out of any alleged violation of this act on the ground or for the reason that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no person shall be prosecuted or liable to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been compelled to testify or produce evidence under oath documentary or otherwise before said commission or in any court in any such caus Provided That no person in so testifying shall be exempt from prosecution or for perjury in so testifying

The fees of witnesses for attendance and travel shall be the same as for witnesses before the Courts of Common Pleas and if the witnesses are subpoenaed on behalf of the Commission or if the Commission shall deem that justice requires it shall be paid from the appropriation to the Commission All officers in the public service and their deputies clerks subordinates and employes shall attend and testify when required to do so by said Commission without being entitled to receive any witness fees

5 Have power to recommend the impeachment or removal of officials or employes of the Commonwealth in the unclassified service who shall be deemed guilty by a majority of the Commissioners after a full hearing of charges that they have coerced or attempted to coerce their subordinates in the performance or non-performance of a political or other service having no proper relation to the duties of a public employe or in the payment of a contribution for any political purpose

6 Make an annual report to the Governor showing its own actions the rules and regulations and all the exceptions thereto in force and any proposed legislation or other suggestions it may approve for the more effectual accomplishment of the purposes of this act At least one thousand copies of the annual report shall be printed for public distribution

Section 8 The Civil Service of the Commonwealth shall be divided into the unclassified and the classified service

The unclassified service shall comprise

All officers elected by the people

All heads of departments or members of boards or commissions whose appointment is subject to confirmation by the Senate

All pesons engaged directly in the service of either branch of the Legislature and appointed by any officer or committee thereof

All persons holding positions in the judicial service and receive a salary of more than one thousand dollars per year

All persons holding positions under any school district

Registrars and clerks of election

The classified service shall comprise all persons in the Civil Service of the Commonwealth not specifically included in the unclassified service by the foregoing provisions

Section 9 The Civil Service Commission shall make suitable rules and regulations providing for examinatons for all positions in the competitive non-competitive and labor classes of the classified service of the Commonwealth and of every county and city and for the manner of making appointments to and promotions and other changes in all positions in the entire classified service thereof and for such other matters as are necessary to carry out the purposes of this act

The Civil Service Commission shall supervise and control all examinations and may conduct its examinations through its regular subordinates or it may designate a suitable person or persons either in or not in the official service of the State or of any county or city to be the examiners in a particular examination and it shall be the duty of such examiners and if in the official service it shall be part of their official duty without extra compensation to conduct such examinations subject to the directions of the said Commission and to make return or report thereof to said commission and the said commission may at any time substitute any other person whether or not in such service in the place of any one so selected and the commissioners may themselves at any time act as such examiners and without appointing examiners Such examinations shall be held in such locality or localities as will most readily provide reasonable opportunity for participation therein for all citizens of the said Commonwealth with reference to positions in the service of the Commonwealth or to the citizens of any county or city with reference to positions in the service of the said county or city The commission shall have authority at its discretion to provide separate eligible lists for positions in the service of the Commonwealth in the various counties and cities

Section 10 All original appointments to the competitive and non-competitive classes of the classified service shall be for a probationary period of four months Provided however that at any time during the probationary period the appointee may be dismissed in the manner provided in section twenty If at the close of this probationary term the conduct or capacity of the probationer has not been satisfactory to the appointing officer the probationer shall be notified in writing that he will not receive absolute appointment whereupon his employment shall cease otherwise his retention in the service shall be equivalent to his final appointmnt

Section 11 All examinations for positions in the classified service shall be practical in their character and relate to such matters and include such inquiries as will fairly and fully test the comparative capacity and fitness of the applicants to discharge the duties of the office or employment sought by them All examinations shall be open to all applicants who have fulfilled the preliminary requirements stated in section twelve All applicants for any position in the classified service may subject to the regulations adopted by the Civil Service Commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least two weeks prior to such examinations except in the case of examinations held to permit emergency or provisional appointments as provided in section seventeen hereof in which case no public notice shall be necessary The said commission shall adopt reasonable regulations for permitting the presence of representatives of the press at all such examinations

Section 12 The Civil Service Commission shall require persons applying for admission to any examination provided for under this act or under the rules and regulations of the sad commission to file in its office within a reasonable time prior to the proposed examination a formal application in which the applicant shall state under oath

1—His full name residence and postoffice address

2—His citizenship age and the place and date of his birth

3—His health and his physical capacity for public service

4—His business and employments and residences for at least the three previous years

5—Such other information as may reasonably be required touching the applicant's qualifications and fitness for the public service

Blank forms for such applicantions shall be furnished by the Commission without charge to all persons requesting the same The Commission may require in connection with such applications such certificates of citizens physicians or others having knowledge of the applicant as the good of the service may require The Commission may refuse to examine an applicant or after examination to certify an eligible who is found to lack any of the established preliminary requirements for the examination or position for which he applies or who is physically so disabled as to be rendered unfit for the performance of the duties of the position to which he seeks appointment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been guilty of any crime or of infamous or notoriuosly disgraceful conduct or who has been dismissed from any public service for delinquency or misconduct or who has within one year twice failed to attain a passing mark in an examination for the same position or who has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in any application in any examination or in securing any appointment If any applicant feels himself aggrieved by the action of the Commission in so refusing to examine him or after an examination to certify him as an eligible as provided in this section the Commission shall at the request of such applicant appoint a time and place for a public hearing at which time such applicant may appear by himself or by counsel or both and the Commission shall then revew ts refusal to make such examination or certification and testimony shall be taken The Commission shall subpoena at the expense of the applicant any competent witness requested by him After said review the Commission shall file the testimony taken in its records and shall again make a decision which shall be final When any position to be filled involves fiduciary responsibility the appointing officer may require the appointee to furnish a bond or other surety and shall notify the Commission of the amount and other details thereof Provided however That any surety company the bonds of which are accepted by a judge of any court of record within the county wherein the office is located shall be sufficient surety on any such bond

Section 13 The positions in the classified service of the Commonwealth and of every county and city shall be arranged by the Civil Service Commission according to the provisions of this act in four classes to be designated as the exempt class the competitive class the non-competitive class and the labor class The Commission shall have the power from time to time to make such reclassifications of the positions in the classified service as it may deem necessary

No position shall be classified in any other than the competitive class except after a public hearing by the said Commission held in the manner provided in section twenty-eight A list of all positions that it may classify in any other than the competitive class shall be publicly announced and shall be posted on a suitable bulletin board at its office All positions not classified by the said Commission in the exempt non-competitive or labor class shall be in the competitive class

Upon the petition of any appointing officer or of any ten citizens of the Commonwealth asking for a change in any classification and setting forth the reasons for such change the said Commission shall hold a public hearing in the manner provided in section twenty-eight and after a careful investigation shall determine whether or not such change shall be made The petition or a copy thereof shall be posted on a suitable bulletin board at the office of the Commission at least one week prior to the date of the public hearing thereon and the petition shall thereafter become part of the public records of the Commission

The exempt class shall include

Section 14 (1) One secretary and one confidential clerk to the Governor and to the head of each department of the Commonwealth

(2) Such positions except laborers for the filling of which the Civil Service Commission shall have found competitive or non-competitive examinations to be impracticable No position shall be deemed to be in the exempt class unless and until the Civil Service Commission after a careful investigation and after a public hearing held in the manner provided in section twenty-eight has determined that it is unable to obtain by competitive or non-competitive examinations persons possessing the usual and requisite qualifications for filling such office or position and has classified such office or position in the exempt class and the reasons for every such exemption shall be stated separately and at length in the annual reports of the Commission Not more than one appointment shall be made to or under the title of any such office or position unless a different number is specifically authorized by the said Commission The Commission may at is discretion limit the time during which any position shall remain in the exempt class Appointments in the exempt class may be made without examination

Section 15 The competitive class shall include all positions now existing or hereafter created of whatever functions designations or compensation in each and every branch of the classified service of the Commonwealth (including those in the Civil Service Commission) and of every county and city except such positions as have been placed by the specific provisions of this act or by definite action of the Civil Service Commission in the exempt class the non-competitive class or the labor class No position shall be classified in any other than the competitive class unless the Commission has determined that persons possessing the requisite qualifications for filling that position cannot be obtained through competitive examinations Appointments shall be made to all positions in the competitive class that are not filled by promotion reinstatement transfer or reduction under the provisions of this act and the rules made in pursuance thereof by appointment from among those certified to the appointing officer in accordance with the provisions of Section sixteen The term validity of each eligible list shall be fixed by the Civil Service Commission at not less than one nor more than three years The Commission shall have the power to cancel any eligible list for fraud or for any other definite cause connected with the examination through which such list was procured Provided that the Commission has determined after a public hearing held in accordance with the provisions of Section twenty-eight of this act that such cancellation is necessary in order to promote the purposes

of this act The Commission shall enter upon its public records the exact cause for the cancellation of any eligible list The names of those persons eligible for appointment shall always be listed and certified in the order of their gradings beginning with the highest Appointments shall be made from the eligible list most nearly appropriate to the duties of the position to be filled and a new and separate list shall be created only when there is no appropriate list existing from which appointments may be made No person shall be appointed under any title not appropriate to the duties to be performed No person in the Civil Service of the Commonwealth or of any county or city shall be assigned to or directed to perform any duties other than those properly pertaining to the position which he legally holds Provided however that if his main duties are those properly pertaining to his position he may with the written permission of the Civil Service Commission be assigned to the performance of other additional duties not higher in grade or salary than those of his own position

Section 16 Every position in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the Civil Service Commission of any vacancy in the service which he deems it necessary to fill and shall request the certification of eligibles The Commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at examinations held under the provisions of this act If no appropriate eligible list containing three or more eligible names exists the Commission shall proceed at once to hold an examination and to secure an eligible list as promptly as possible The appointing officer shall upon the receipt of the eligible list from the Commission and with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified Provided however that should he make objection to the Civil Service Commission as to one or more of these persons for any of the reasons stated in Section twelve of this act and should such objection be sustained by the Commission the Commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person stricken off

As each subsequent vacancy occurs in the same or a similar position precisely the same procedure shall be followed Provided however that after any name has been three times rejected by any one appointing officer for the same or a similar position in favor of other name or names on the eligible list the said name shall not again be certified to that appointing officer When there are a number of positions of the same kind to be filled at the same time each appointment must nevertheless be made separately and in accordance with the foregoing provisions

When an appointment is made under the provisions of this section it shall be in the first instance for the probationary period fixed by the rules as provided in Section ten

The provisions of this Section (16) shall not apply in making appointments to competitive positions which are specia"y excepted from competitive examinations under the authority conferred in Section seventeen

The Commission shall post in a public place in its office the eligible list containing the names and grades of those who have passed examinations for positions in the competitive class and shall promptly indicate thereon such appointments as may be made from said lists

Section 17 Positions in the competitive class may be filled without competition only as follows

1 Whenever there are urgent reasons for filling a vacacy in any position in the competitive class and there is no list of persons containing one or more names eligible for appointment after a competitive examination the appointing officer may nominate a person to the Civil Service Commission for non-competitive examination and if such nominee shall after appropriate non-competitive examination be certified by the said Civil Service Commission as qualified he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination If however there is an existing eligible list containing one or two names the appointing officer if he is unwilling to make a regular appointment and if he desires to make a provisional appointment must make such a provisional appointment from such list No provisional appointment shall continue for a longer period than four months and successive provisional appointments shall not be made to the same position nor shall the term of any provisional appointment be extended for any cause whatever A provisional appointee who has been appointed from among the three highest names on an existing eligible list may however be permanently appointed at any time within the four months unless a new eligible list has in the meantime been furnished the appointing officer When an eligible list has been furnished by the said Commission to the appointing officer any provisional appointment made as provided in this section must be terminated within two weeks from the date on which such list was furnished The occupancy of a provisional appointment shall not be referred to by any applicant in any competitive examination held while he is occupying his provisional appointment or within six months from the termination of his provisional appointment nor shall it be given a rating under experience or otherwise in any examination

2 When the services to be rendered are of a temporary character and will last for a limited period not to exceed six months the appointing officer may advise the Commission stating the duration of such period the rate of compensation and other conditions of employment and may thereupon select for such temporary employment one of the first three persons on the appropriate eligible list who has expressed a willingness to accept a temporary appointment Successive temporary appointments shall not be made under this clause nor shall any person be eligible to temporary appointment if he has served under either a temporary or a provisional appointment in the same office or department within the previous six months

The acceptance or refusal by an eligible of a provisional or temporary appointment shall not affect his standing on the register for permanent employment nor shall the period of temporary service be counted as a part of the probationary service in case of subsequent appointment from an eligible list The acceptance of a provisional or temporary appointment shall not confer upon the eligible any of the rights of promotion transfer or reinstatement

Section 18 Vacancies in a position in the competitive class shall be filled so far as practicable by promotion from among persons holding positions in a lower grade in the department office or institution in which the vacancy exists Promotions shall be based upon merit to be ascertained by competitive examination and upon the superior qualifications of the person promoted as shown by his previous service and experience From such tests eligible lists shall be prepared by the Commission from which appointments shall be made in the manner hereinbefore provided in the case of original appointments All positions so far as practicable shall be arranged by the Commission in grades based upon the compensation paid For the purposes of this section an increase in compensation of any person holding a position in the competitive class beyond the limit fixed for the grade in which such position is classified shall be deemed a promotion No promotion shall be made to a position in the competitive class from a position in another class except after such competitive examination and certification as is provided for original entrance to the competitive class No person except as above provided shall be promoted to a position for original entrance to which there is required by this Act or the rules adopted pursuant thereto an examination involving essential tests or qualifications different from or higher than those required for original entrance to the position held by such person

Section 19 No transfer shall be made from a position in one class to a position in another class unless the same be specifically authorized by the Civil Service Commission nor shall a person be transferred to a position for the original entrance to which there is required by this Act or the rules adopted pursuant thereto an examination involving essential tests or qualifications different from or higher than those required for original entrance to the position held by such person If any position in the non-competitive class or exempt classes is later classified as being in the competitive class the person holding such a position must pass an examination equivalent to that required for such or a similar position in the competitive class or if he fails to pass he must be removed from such position

Section 20 The non-competitive class shall include only those positions which are not in the exempt class or the labor class and for which the Civil Service Commission has determined after a careful investigation and a public hearing held in the manner provided in Section twenty-eight of this act that suitable persons possessing the requisite qualifications cannot be obtained by means of competitive examinations Appointments to positions in the non-competitive class shall be made after such non-competitive examination as is prescribed by the regulations of the Civil Service Commission and may be made from among those who have successfully passed the examination without reference to their relative standing The said Commission shall state in its annual report the number of persons in the Civil Service of the Commonwealth and in the service of each county and city who come within this class and the character of their services and the reasons for placing their positions in the said class

Section 21 The labor class shall include ordinary unskilled laborers Vacancies in the labor class shall be filled in the same general manner prescribed in Section sixteen by appointment from the highest three names on the eligible list of applicants in their respective localities established by the Civil Service Commission Priority in standing upon such lists shall be made to depend as far as practicable upon the relative capacity ability and fitness of the applicants and shall be determined in a manner be prescribed in the rules adopted by the Civil Service Commission The said Commission shall require an applicant for the labor service before he can be placed upon an eligible list to furnish such evidence or to pass such examinations as they deem proper with respect to his age residence physical condition capacity for labor sobriety industry and experience in the kind of work for which he applies The said Commission may establish separate labor lists for various localities institutions and departments Where the labor service of any institution or department extends to separate localities the said Commission may provide separate eligible lists for each district or locality

Section 22 No officer clerk or employe in the competitive class or in the non-competitive class of the classified Civil Service of the Commonwealth of Pennsylvania or of any county or city who shall have been appointed under the provisions of this act except those appointed without competitive examination temporarily or provisionally in the manner provided in Section seventeen shall be removed discharged or reduced in pay or position except for a just cause Further no other officer clerk or employe shall be removed discharged or reduced except as provided in Section ten of this act until he shall have been furnished with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and until he shall have been allowed a reasonable time in which to give the removing officer such written answer as the person sought to be removed or reduced may desire Upon

the receipt and consideration of such answer the removing officer shall finally determine his action in the case and if he has followed the procedure required by this section no appeal to the Civil Service Commission shall lie from his decision unless it is alleged with an offer of proof supported by affidavit that the real reason for the removal was religious or political provided that nothing herein contained shall be construed to prevent removal or discharge for the reasons herein after set forth in Section twenty-three If such allegations are made the Commission may investigate the removal and if in its judgment the allegations are true it may order the reinstatement of the person removed No appeal to any Court shall lie from any decision of the said Commission in such cases In every case of removal or reduction a copy of the statement of reasons therefor and of the written answer thereto shall be furnished to the Civil Service Commission and entered upon its records Provided however that upon the written request of the person so removed or reduced the cause of such removal or reduction shall not be made public by the said Commission Nothing in this act shall limit the power of any officer to suspend a subordinate for a reasonable period not exceeding thirty days Provided however that successive suspensions shall not be allowed except in special cases where the permission of the Commission has first been obtained and for reasons of public policy which shall appear upon its records If any or all of the provisions of this section are for any reason invalid all the other provisions of this act shall nevertheless remain in full force and effect as if this section had not been inserted

Section 23 No officer clerk or employee in the classified service of the Commonwealth of Pennsylvania shall be a member of or delegate or alternate to any political convention nor shall be present at any convention except in the performance of his official duty No such officer clerk or employee shall serve as a member of or attend the meetings of any committee of any political party or take any active part in political management or in political campaigns or use his office to influence political movements or influence the political action of any other such officer clerk or employe a violation of the provisions of this section shall be cause for dismissal and any officer clerk or employee guilty of such violation shall be immediately dismissed by the officer vested with authority to make such dismissal Furthermore the Civil Service Commission shall upon the filing of charges with it of such violation give a public hearing upon such charges and if the facts are found by said Commission shall constitute a violation of the provisions of this section the said commission shall have authority to direct the dismissal of such officer clerk or employee provided however that if this section or any of the provisions thereof be for any reason invalid all the other provisions of this act shall remain in force with like effect as if said section or said invalid provisions had not been contained therein

Section 24 Any person who has held a position by appointment under the Civil Service rules and who has been separated from the Service without any delinquency or misconduct on his part may with the express consent of the Civil Service Commission first had and obtained be reinstated within one year from the date of such separation to the same or similar position in the department Provided that for original entrance to the position to be filled by such reinstatement there is not required in the opinion of the Civil Service Commission an examination involving essential tsts or qualifications different from or higher than essential tests or qualifications different from or higher than the position formerly held by the person proposed to be reinstated

Section 25 It shall be the duty of each appointing officer upon appointing any person in the classified Civil Service of the Commonwealth or of any county or city therein to report to the Civil Service Commission forthwith the name of such appointee the title of his position the date of commencement of service by virtue thereof and the salary or compensation thereof and to further report the separation of a person from the service or other change therein and to furnish from time to time such other information as the Civil Service Commission may require The Civil Service Commission shall keep in its office or in a suitable office in the appropriate county or city official rosters of the classified Civil Service of the Commonwealth of Pennsylvania and of each county and city and shall enter thereon the name of each and every person who has been legally appointed promoted reduced or reinstated in any position These rosters shall be open to public inspection at all reasonable hours The rosters shall show in connection with each name the grading the date and manner of appointment promotion reduction or reinstatement the compensation of the position the title of the position and the date and cause of any termination of such appointment

Section 26 The Civil Service Commission shall also enter upon the aforesaid rosters full information with regard to every person who is at the date on which this act becomes effective in the employ of the Commonwealth or of any county or city and it shall be the duty of all public officials to aid the said Commission in preparing said rosters by furnishing such information as it may require All persons in the Civil Service of the Commonwealth or of any county or city who were legally holding the same position at least four months prior to the date at which this act becomes effective as to such position and who are legally holding such positions on the said date shall be construed to have been appointed under the provisions of this act and shall hold their positions in accordance therewith Provided such persons within six months of the date at which this act becomes effective as to the positions held by them pass such non-competitive examinations as the Commission may deem necessary to demonstrate their capacity to fill the positions occupied by them No other person shall be allowed to remain in his position more than six months from the date at which this act becomes effective as to such position unless within that time he is appointed in the usual manner from an eligible list established after competitive examination and his place shall be vacated at any time within the said period of four months when any other person has been regularly appointed thereto from such an eligible list unless he himself has been appointed meanwhile from such a list

Section 27 It shall be unlawful for the auditor or other fiscal officer of the Commonwealth or of any county or of any city therein to draw sign or issue or to authorize the drawing signing or issuing of any warrant on the treasurer or other disbursing officer of the Commonwealth or of any county or of any city thereof for the payment of or for the treasurer or other disbursing officer of the Commonwealth or of any county or of any city therein to pay any salary or compensation in any form whatever to any person in the classified service of the Commonwealth or of any county or of any city thereof unless the pay-roll or account for such salary or compensation shall bear the certificate of the Civil Service Commission that the persons named in such pay-roll or account have been appointed promoted transferred to reinstated in or reduced to their several positions in accordance with this Act and the rules and regulations of the Civil Service Commission and that during the time their services were purported to have been rendered they were legally occupying their several positions and were performing the duties thereof Any person entitled to be certified by said Commission to the controller or other fiscal or disbursing officer and refused such certificate may maintain a proceeding by mandamus to compel the Commission to issue such certificate Any sums paid contrary to the provisions of this section may be recovered from any person making such appointment in contravention of the provisions of law or of the rules in pursuance of law or from any person signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of the same or from the sureties on the official bond of any said persons in an action brought to the use of the Commonwealth or of the proper county or city in the Court of Common Pleas of any county within the State maintained by a citizen resident therein who is assessed for and liable to pay or within one year before the commencement of the action has paid a state county or city tax within the Commonwealth All moneys recovered in any action brought under this section must when collected be paid into the treasury of the Commonwealth or the proper county or city except that the plaintiff in any such action shall be entitled to receive for his own use the taable costs of such action including an attorney's fee of five per cent. of the amount recovered

Section 28 No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant nor shall any inquiry be made concerning such opinions or affiliations and all disclosures thereof shall be discountenanced No discrimination shall be exercised threatened or promised by any person in the Civil Service against or in favor of an applicant or an eligible or a person in the classified service of the Commonwealth or of any county or city because of his political or religious opinions or affiliations No persons shall appoint promote remove discharge reduce or in any manner discriminate against or in favor of any person in the classified Civil Service of the Commonwealth or of any county or city because he has made or given or refused or neglected to make or to give any contribution assessment or payment for or in connection with any political campaign or political party or organization

Section 29 At any public hearing or session of the Commission any citizen of the Commonwealth or of any county or city shall have the right to be present in person or by counsel and subject to reasonable regulations of the Commission to interrogate any witness and to produce evidence and arguments either in favor of or against any proposed classification rule or other action Public notice of every proposed public hearing shall be given at least one week in advance thereof and shall state clearly the purpose of the hearing and the matters to be there and then considered A copy of every such notice shall be posted on a suitable public bulletin board at the office of the Commission

Section 30 Whoever makes an appointment to any position contrary to the provisions of this act or of the rules made pursuant thereto or wilfully refuses or neglects to comply with or to conform to the provisions of this act or violates any of its provisions shall be deemed guilty of a misdeameanor

Section 31 Any person who shall willfully by himself or in co-operation with one or more persons defeat deceive or obstruct any person in respect of his or her right of examination appointment or employment according to this act or to any rules or regulations prescribed pursuant thereto or who shall wilfully or corruptly fasely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in so doing or who shall willfully make any false representations concerning the same or concerning the person examined or who shal willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or aid in any manner any other person to personate him in connection with any examination or registration or appointment or application or request to be examined or

registered or appointed or who shall furnish any false information about himself or about any other person in connection with any examination or registration or appointment or application or request to be examined or registered or appointed shall for each offense be deemed guilty of a misdeamanor.

Section 32 Misdemeanor under the provisions of this act shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment for a term not exceeding one year or both by fine or imprisonment in the discretion of the court

Section 33 Any false statement made under oath either in any application or other paper filed with the Commission or in any proceeding before the Commission or in any proceeding arising under this act shall be a perjury and punishable as such

Section 34 All acts and parts of acts of Assembly of this Commonwealth general special or local in relation to the Civil Service of the Commonwealth of Pennsylvania inconsistent with this act are hereby repealed It is intended by this act to furnish a complete comprehensive and exclusive system for the appointment promotion reduction transfer removal and reinstatement of all officers clerks and employes in the Civil Service of the Commonwealth

The title was then read as follows:

An Act to regulate and improve the Civil Service of the Commonwealth of Pennsylvania and of the counties and of cities of the third class providing that the act shall take effect at once in so far as it relates to the Civil Service of the Commonwealth of any county having a population of two hundred and fifty thousand inhabitants or more and that it shall take effect in so far as it relates to the Civil Service of any county having a population of less than two hundred and fifty thousand inhabitants or of any city of the third class upon its acceptance by a vote of the people of such county or city making any violation of its provisions a misdemeanor and providing penalties for any violation thereof

On the question,

Will the House agree to the title?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend title so that the same shall read as follows: "An Act to improve and regulate the Civil Service of the Commonwealth of Pennsylvania and to regulate the conduct of the employes therein and providing penalties for any violation thereof"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 1911, as follows:

An Act relating to petroleum and natural gas wells drilled through coal measures within the Commonwealth of Pennsylvania and providing penalties for the violation thereof

ARTICLE I

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the terms and definitions contained therein shall be as follows

Well A bore hole drilled for the purpose of developing petroleum or natural gas or a bore hole producing petroleum or natural gas

Well Operator Any person firm partnership company or corporation who drills operates or abandons or purposes to drill operate or abandon such well as hereinbefore defined

Coal Operator Any person firm partnership company or corporation owning leasing or operating coal mines or coal properties excluding coal stripping operations

Plot A map drawing or print made in accordance with the provisions of this act as hereinafter contained

Casing The pipe commonly used with in wells drilled for petroleum and natural gas The sizes of casing refer to nominal commercial dimensions

Cement Mortar Cement mortar shall consist of one part Portland cement two parts clean sand mixed with sufficient water

Coal Seam A workable seam of coal not less than eighteen inches in thickness

Inspector The person commissioned by the Governor to have supervision of coal mines

ARTICLE II

Location of Wells

Section 1 Within six months after the passage of this act every well operator in the Commonwealth shall survey and plot every well whether active or not drilled through coal seams and send description and plot in duplicate to the inspector of the district in which the well is located

Section 2 When a location for a well has been made it shall be the duty of the well operator to make written application in duplicate to the inspector of the district for permission to drill and to send therewith a description and plot in duplicate of the proposed location one copy of which application description and plot shall be sent forthwith by said inspector to the Department of Mines of this Commonwealth The location shall be determined by survey and the description and plot shall give the courses and distances from two permanent points on the boundaries of the tract of land upon which the proposed well is located together with the name of the tract names of adjoining tracts township or district and county It shall also be the duty of the well operator to send to the coal operator a copy of the description and plot filed with the district inspector It shall be the duty of the coal operator immediately on receipt of the plot to verify the well location and mail to the well operator and to the inspector a plot showing the present and proposed mine workings under the tract of land on which the proposed well is located

Within ten days after the receipt of said plots by the inspector he shall personally examine the location referred to and if he aproves of the same he shall immediately give the well operator written permission in duplicate to drill said well Provided however that no permit issued under the provisions of this act shall be valid until countersigned by the Chief of the Department of Mines

If however the said inspector shall not approve of said location it shall be his duty to confer with the coal operator and the well operator and designate within fifteen days from the date of said conferrence a suitable location for the well or if no well can be drilled on the premises because of conditions hereinafter specified he shall refuse to give such permission If the well is re-located a re-survey shall be made by the well operator and a corrected description and plot in duplicate shall be mailed to the inspector as previously required and a copy of the corrected description and plot shall also be mailed to the coal operator

Section 3 It shall be the duty of any coal operator to furnish annually to the inspector of the district upon his request a plot of all its present and proposed mining operated by the said well operator

furnish annually if requested to do so to any well operator a plot of the mine under the leases of property owned or operated by the said well operator

Section 4 No well drilled under the provisions of this act shal be located within three hundred feet of a hoisting shaft air shaft slope or drift into a coal mine not definitely abandoned or sealed nor within three hundred feet of a boiler house engine house power house mine fan or mine tipple unless such structures have been abandoned

No well shall be drilled within fifteen feet of any haulage way entry or airway in use

Section 5 It shall be the duty of the well operator to display at the location one copy of the permission provided for in section two of this article properly protected from injury and in such place and manner that it may be easily seen

Section 6 Permission given to drill a well shall expire at the end of one year from the date of issue unless drilling operations are actually in progress

ARTICLE III

Drilling Casing and Protecting of Wells

Section 1 Each well passing through a workable seam of coal shall be drilled cased and protected in the following manner

(a) Where the coal is in place

A hole of a diameter six inches greater than the inside diameter of the outside casing to be put through the coal shall be drilled at least thirty feet below the bottom of the coal seam Within this hole shall be placed the casing and the space between the outside of the casing and the wall of the hole shall be filled with cement mortar to a height of at least thirty feet above the top of the coal seam in such manner as to exclude water from the coal seam

(b) Where the coal is removed and the mine excavation is inaccessible

A hole of a diameter sufficiently large to permit the setting in of a liner four inches larger in diameter than the inside diameter of the casing to be put through the coal shall be drilled at thirty feet below the bottom of the coal seam Within this hole shall be placed a liner four inches larger than the inside diameter of the casing and extending from the bottom of the hole to at least thirty feet above the mine roof A string of casing centrally guided by shoes or winged guides shall be placed within the liner and the space between the lines and the casing shall be filled with cement mortar to the top of the liner

To exclude water the space between the casing and the wall of the hole and immediately above the top of the liner shall be filled a distance of at least ten feet with cement mortar

(c) Where the coal is removed and the mine excavation is accessible

The method may be the same as that provided in the case of inaccessible mine excavations or as that provided where the coal is in place Provided that if the latter method is chosen the well operator shall at his own expense provide a suitable retaining wall laid in cement mortar to retain the cement mortar about the casin This wall shall extend from two feet below the mine floor to the roof of the mine and be of such size as to retain at least six inches of cement mortar about the casing

Section 2 Under any of the above provisions the work of casing and protecting from gas and water through the coal seam shall be completed before the well is drilled to a greater depth and in the event of any well being productive of petroleum or gas the space between the said outside casing and the next string of such other casing as may be left in shall remain open at the surface for proper ventilation the top being provided with a suitable device to permit such ventilation and at the same time to prevent dirt or debris from falling in or being thrown in or the ventilating opening from being readily closed

Section 3 The well operator shall upon completion of the work of casing through a coal seam make an affidavit in duplicate signed by two men having at least three years' experience in casing wells as to the method of casing and protecting the well said affidavit to be filed with the inspector

ARTICLE VI

Abandonment of Wells

Section 1 It shall be the duty of any well operator upon determining to abandon a well to send a written notice in duplicate to the inspector of the district of his intention to do so and the work of plugging the hole or pulling the casing shall not proceed until the inspector or his authorized agent is present to see that the plugging is done as prescribed by this act

The well operator shall send to the inspector with the notice of abandonment a legally certified copy of the permission given to drill the well provided the well was drilled under the provisions of this act if the well was drilled prior to the passage of this act the well operator shall send to the inspector with the notice of abandonment a plot in duplicate showing the location as provided for in section two article two of this act

Section 2 When the work of plugging and filling from bottom to top has been completed the well operator or his authorized agent shall make a report in duplicate to the inspector upon forms to be furnished by the inspector showing the date of completion of the work the depth of the coal seam or seams and the total depth of well If the well previous to abandonment was productive of petroleum or gas shall state in the report the name and depth of the productive sand measures He shall also report the location and the kind of all plugs used and the method followed in placing them also the material used and the method followed in filling well

If the inspector or his authorized agent has been present during the performance of this work he shall also sign the report

Section 3 Every well upon abandonment must be plugged and filled solidly and tightly from the bottom to the top as follows The hole must be filled with rock sediment sand clay or other suitable material from the bottom of the well to a hard and firm stratum below the last string of casing set in above the producing petroleum or gas sands When the inspector declares that it is impracticable to fill the cavity in the lowest producing sand then he shall permit the well operator to place plugs at the top of the lowest producing sand and fill as hereafter specified In this firm hard stratum three seasoned wood plugs of a diameter equal to the diameter of the hole and each of a length of at least three feet shall be driven into place Above the third plug ten feet of clay must be placed and thoroughly tamped down so as to prevent the passage of petroleum gas or water

Immediately below the seat of each and every string of casing there shall be driven a seasoned wood plug as described and all spaces betwen wood plugs shall be filled solidly and tightly with rock sediment clay sand or other suitable material as the casing is withdrawn length by length All plugs shall be driven in place with proper drilling tools

In the case of a well in which the outside casing has been cemented as hereinbefore provided said outer casing may be cut off at a point not less than fifty feet above the coal seam and removed but in any event the hole shall be filled to the surface

The locations of the plugs herein provided for are made with preference to the relative positions of the workable coal seams and the gas and petroleum sands for the purpose of preventing the passage of petroleum or gas into the workable coal seams and of water into the petroleum and gas sands and if any well presents a variation in such relative positions of the said strata such additional wood plugs as the inspector may deem necessary shall be driven into place by the well operator

In case of failure or neglect of the well operator to plug an abandoned well in accordance with the provisions of this act it shall be the duty of the inspector to have the work done by contract the cost to be assessed against the well operator and collected as other debts are collected by law

Section 4 When the coal is removed from around a casing or liner the coal operator shall protect the same from corrision and mechanical injury by a wall of suitable material to retain six inches of cement mortar between the said wall and the said casing or liner This protection shall extend from two feet below the mine floor to the roof of the mine except in the case of an abandoned well that has been plunged and filled as prescribed in this act

ARTICLE V.

Section 1 The inspector shall carry out all the provisions of this act pertaining to him He shall keep a complete record of the wells drilled in his district together with their location date of completion depth character of product date of abandonment name of owner and any other information required by the Chief of the Department of Mines and shall include said data in his annual report to the Chief of the Department of Mines

The inspector shall receive and investigate all complaints as to injury present or impending due to lack of precaution on the part of any well operator or coal operator If he finds the complaints to be well founded he shall submit the facts to the Chief of the Department of Mines for decision

If the inspector discovers any well being drilled operated or plugged contrary to the requirements of this act he shall order the workmen engaged upon such well to cease work at once and he shall not permit the work to be resumed until he is satisfied that the law is being complied with

The inspector shall have the right at all times to approach and examine any well in his district and upon the discovery of any violation of this act or upon being informed of such violation he shall institute proceedings against the person or persons at fault as provided for in section one article six of this act

He shall determine the sufficiency of plots for the purpose of accurately locating wells and shall cause a new survey of the location in case the available plot and descriptions are unsatisfactory The cost of this survey shall be recoverable from the well operator as other debts are recoverable by law unless it is shown that the original plot was correct in which case the expense incurred in making the survey shall be paid by the State Treasurer upon warrant of the Auditor General issued upon the presentation of vouchers approved by the Chief of the Department of Mines

It shall be the duty of the inspector to transmit to the Chief of the Department of Mines the duplicate of plots descriptions applications and reports sent to him by well operators to be retained in the Department as official records

Section 2 For the purpose of carrying out the provisions of this act the district mine inspectors with the approval of the Chief of the Department of Mines are hereby empowered to employ whenever necessary persons with technical and practical knowledge of the drilling casing and plugging of petroleum and gas wells The expense thus incurred shall be paid out of the State Treasury on warrant of the Auditor General issued upon the presentation of vouchers approved by the Chief of the Department of Mines

ARTICLE VI.

Section 1 Any coal operator or well operator or any other person who neglects or refuses to comply with the provisions of this act or who violates any of the provisions or requirements thereof shall be deemed guilty of a misdemeanor and shall upon conviction thereof in the court of the county in which the misdemeanor was committed be punished by a fine of not less than five hundred dollars nor more than five thousand dollars or by imprisonment for not less than one nor more than six months either or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McALEER. Mr. Speaker, I move that this bill be recommitted to the Committee on Geological Survey for the purpose of amendment?

Mr. O'NEIL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 321, as follows:

An Act making an appropriation to reimburse Mrs. Rose S. Zacharias for money erroneously paid into the State Treasury for purchase money of vacant land

Whereas on the twenty-third day of May one thousand nine hundred and eleven the Secretary of Internal Affairs granted to Rose S Zacharias in right of Henrietta J Stewart a warrant for survey of fifty-two acres and forty-five perches of vacant land situate in Catherine township county of Blair and on the twenty-fourth day of May one thousand nine hundred and eleven the said Rose S Zacharias paid into the State Treasury the sum of two hundred and sixty and forty-one hundredth dollars for purchase money on said land at the rate of five dollars per acre a subsequent survey and return thereof of the said lands by the county surveror of Blair county showed a discrepancy of twenty-five acres and four perches

And whereas by reason of said discrepancy the said Rose S Zacharias paid into the State Treasury one hundred and twenty-five dollars in excess of the proper sum Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty-five ($125.00) dollars and legal interest be and the same is hereby specially appropriated for the repayment to the said Rose S Zacharias and which said sum was by her paid into the State Treasury on the twenty-fourth day of May one thousand nine hundred and eleven and was a payment for twenty-five acres and four perches of land in excess of the actual amount of land shown by the return of the survey thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1847 (Senate Bill No. 524), entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalitits to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

And said bill having been read at length the second time and agreed to,

Ordered, **To be transcribed for a** third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1389 (Senate Bill No. 124), entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1874 (Senate Bill No. 658), entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1875 (Senate Bill No. 659), entitled:

An Act enabling the board consisting of the State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to provide for licesing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1336 (Senate Bill No. 121), entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the court of common pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1002 (Senate Bill No. 2), as follows:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the publis streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the the disposition of fines imposed thereunder"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-first section of an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder" which reads as follows

"Section 21 The revenues derived from the registration of motor-vehicles and from licensing operators thereof under the provisions of this act shall be paid by the State Highway Department to the State Treasurer to be used for the improvement of the roads of this Commonwealth" is amended to read as follows

Section 21 The moneys derived from the registration of motor-vehicles and from licensing operators thereof under the provisions of this act shall be paid into the State Treasury and all such moneys hereafter paid into the State Treasury are hereby specifically appropriated to the State Highway Department for the purpose of the construction maintenance improvement and repair of State highways and state-aid highways as described in the act creating the State Highway Department aproved the thirty-first day of May Anno Domini one thousand nine hundred and eleven The Auditor General shall upon requisition from time to time of the State Highway Commissioner draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1873 (Senate Bill No. 574), entitled:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania" entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment

and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1276, entitled:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioner chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highaways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State Highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Comissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of costs of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act which reads as follows

"Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of this Commonwealth Provided That where any road street or highway within the limits of any borough or in any incorporated town shall form a part or section of any State Highway as herein described and the same or any part thereof is not already improved or reconstructed according to the standards of the State Highway Department or in a manner equal to said standards by the borough or incorporated town the State Highway Commissioner by and with the consent of the borough or town councils may improve or reconstruct such unimproved section or sections of such road street or highway at the expense of the Commonwealth Provided further That where the councils of any borough or incorporated town shall for any valid reason object to the taking over and appropriation of any road street or highway or of any part or parts thereof as a State Highway they shall file such objections in writing with the State Highway Department within sixty days after the State Highway Commissioner shall have notified in writing the proper authorities of said borough or incorporated town of his intention to take over any such road street or highway or any part thereof under the provisions of this act And provided further That any such road street or highway or any part or parts thereof forming a State Highway within the limits of any borough or incorporated town shall only be taken over at the discretion of the State Highway Commissioner for reconstruction and maintenance by the State Highway Department when the failure to so take over such road street or highway would leave an unimproved gap in a continuous improved State Highway

"The maintenance of any road street or highway or of any part or parts thereof improved or reconstructed as a State Highway in any borough or incorporated town or the maintenance of any State-aid road heretofore improved or reconstructed and which road forms a part of a State Highway in any borough or incorporated town shall be done by the State Highway Department and fifty per centum of the cost and expense of said maintenance shall be paid by the respective borough or incorporated town in which said work is done as is provided for in the case of the maintenance of State-aid roads Provided That where any road street or highway or any part or parts thereof in any borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or material other than a tolford water-bound macadam road or which may hereafter be reconstructed as a State Highway with brick or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the borough or incorporated town wholly at the cost and expense of the borough or incorporated town in which said road street or highway may lie Provided further That if any borough or incorporated town shall neglect or refused to maintain any such brick-paved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said borough or incorporated town after giving thirty days' prior notice to the councils of any such borough or incorporated town of the intention to do said work of maintenance and repair Provided further That upon the neglect or refusal of any borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs the State Highway Commissioner shall take such action as is necessary to collect the same from the said borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of the same character as that done in townships" is hereby amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway within the limits of any city borough or in any incorporated town shall form a part or section of any State Highway as herein described and the same or any part thereof is not already improved or reconstructed according to the standards of the State Highway Department or in a manner equal to said standards by the city borough or incorporated town the State Highway Commissioner by and with the consent of the city borough or town councils may improve or reconstruct such unimproved section or sections of such road streets or highway at the expense of the Commonwealth Provided further That where the councils of any city borough or incorporated town shall for any valid reason object to the

takin gover and appropriation of any road street or highway or of any part or parts thereof as a State Highway they shall file such objection in writing with the State Highway Department within sixty days after the State Highway Commissioner shall have notified in writing the proper authorities of said city borough or incorporated town of his intention to take over any such road street or highway or any part or parts thereof under the provisions of this act And provided further That any such road street or highway or any part or parts thereof forming a State Highway within the limits of any city borough or incorporated town shall onyl be taken over at the discretion of the State Hignway Commissioner for reconstruction and maintenance by the State Highway Department when the failure to so take over such road street or highway would leave an unimproved gap in a continuous improved State Highway

The maintenance of any road street or highway or any part or parts thereof improved or reconstructed as a State Highway in any city borough or incorporated town or the maintenance of any State-aid road heretofore improved or reconstructed and which road forms a part of a State Highway in any city borough or incorporated town shall be done by the State Highway Department and fifty per centum of the cost and expense of said maintenance shall be paid by the respective city borough or incorporated town in which said work is done as is provided for in the case of the maintenance of State-aid roads Provided That where any road street or highway or any part or parts thereof in any city borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or material other than a telford water-bound macadam road or which may hereafter be reconstructed as a State Highway with bricks or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the city borough or incorporated town wholly at the cost and expense of the city borough or incorporated town in which said road street or highway may lie Provided if any city borough or incorporated town shall neglect or refuse to maintain any such brick paved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said city borough or incorporated town after giving thirty days' prior notice to the councils of any such city borough or incorporated town of the intention to do said work of maintenance and repair Provided further That upon the neglect or refusal of any city borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs the State Highway Commissioner shall take such action as is necessary to collect the same from the said city borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in cities boroughs or incorporated towns shall be of the same character as that done in townships

On the question,
Will the House agree to the section?

Mr. J. A. DUNN. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Section one, line ninety-one, strike out "tolford" insert "telford"

On the question,
Will the House agree to the amendments?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read as follows:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commission two Deputy Highway Commissioners chief engineer chief draughtsman superintendent of highways and a staff of asistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commission providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid Highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State Highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

On the question,
Will the House agree to the title?

Mr. J. A. DUNN. Mr. Speaker, I desire to offer an amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendments as follows:

At end of title insert "extending certain provisions thereof so as to include cities."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1905 (Senate Bill No. 859), entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1340 (Senate Bill No. 276), entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repaling consolidating and extending existing laws in relation thereto as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1568, entitled:

An Act to provide for an additional law judge of the several courts of the eleventh judicial district

The first and second sections were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the judges now provided for by existing law an additional law judge is hereby authorized and provided for the several courts of the eleventh judicial district who shall possess the same qualifications which are required by the constitution and the laws for the president judge of said district and who shall hold his office for the same term and by the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive such compensation as is provided by law

Section 2 At the next municipal election after the passage of this act the qualified electors of the said eleventh judicial district shall elect in the manner provided by law for the election of a president judge a competent person to serve as additional law judge in said district Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge

The third section was read as follows:

Section 3 The Governor is hereby authorized to appoint some competent person learned in the law to serve as such additional law judge of said judicial district until the first Monday in January succeeding the next municipal election

On the question,

Will the House agree to the section?

Mr. GOOD. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section three by striking out lines one, two, three and four and inserting in lieu thereof the following "all acts or parts of acts inconsistent herewith are hereby repealed."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. THOMAS. Mr. Speaker, I object to this amendment.

The question recurring,

Will the House agree to the adoption of the amendment?

Mr. DAVIS. Mr. Speaker, I think it would be well for the gentleman who offered the amendment to explain it.

Mr. GOOD. Mr. Speaker, this calls for an additional law judge in Luzerne County, provided this bill becomes a law. We are providing in this amendment to make the bill become effective January, and to make the judge elective in January instead of being appointed. We believe the people ought to elect th Judgs. The election will take place at the general election this coming November.

The question recurring,

Will the House agree to the adoption of the amendment?

The SPEAKER announced that the Noes appeared to have it.

Whereupon,

A division having been called for and forty-eight gentleman voting in the affirmative, and fifty-six in the negative(the question was determined in the negative and the amendment was not agreed to.

The question recurring,

Will the House agree to the section?

It was agreed to.

The title was read and agreed to as follows:

An Act to provide for an additional law judge of the several courts of eleventh judicial district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1483, as follows:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any action brought to recover damages for personal injury to an employee in the course of his employment or for death resulting from such injury it shall not be a defense

(a) That the injury was caused in whole or in part by the negligence of a fellow employee or

(b) That the employee had assumed the risk of the injury or

(c) That the injury was caused in any degree by the negligence of such employee unless it be established that the injury was caused by such employee's intoxication or by his reckless indifference to danger The burden of proving such intoxication or reckless indifference to danger shall be upon the defendant and the question shall be one of fact to be determined by the jury

Section 2 The employer shall be liable for the negligence of all employees while acting within the scope of their employment including engineers chauffers miners mine-foremen firebosses mine superintendents plumbers officers of vessels and all other employees licensed by the State or other governmental authority if the employer be allowed by law the right of free selection of such employees from the class of persons thus licensed

Section 3 An employer who permits the entry upon premises occupied by him or under his control of a laborer or an assistant hired by an employee or contractor for the performance upon such premises of a part of the employer's regular business entrusted to such employee or contractor shall be liable to such laborer or assistant in the same manner and to the same extent as to his own employee

Section 4 No agreement composition or release of damages made before the happening of any accident shall be valid or shall bar a claim for damages for the injury resulting therefrom and pay such agreement is declared to be against the public policy of this Commonwealth The receipt of benefits from any association society or fund to which the employee shall have been a contributor shall not bar the recovery of damages by action at law nor the recovery of compensation and any release executed in consideration of such benefits shall be void

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1608, as follows:

An Act to protect attorneys and counsellors-at-law in their fees for legal services and providing for a lien thereof and the manner of enforcing the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any attorney or counsellor-at-law is regularly employed to present any claim or alleged claim compromise bring action in a court of law or equity or in any manner whatsoever he or she shall have a lien for fees on the thing credit right sum or matter in controversy of whatsoever description and in whosoever hands or possession the same may be which said lien shall attach at the time of said employment and remain until the final adjustment of said matter and said lien cannot be destroyed by settlement between the parties to said controversy where the party against whom the demand is made has knowledge of an attorney's employment except by written consent of said attorney or counsellor so employed

Section 2 When such employment is in connection with any kind of action in any court of law or equity an entry of appearance giving date thereof by attorney or a written notice served or mailed to the proper address of the adverse party shall be prima facie evidence of the fact of knowledge of employment When a party whose interests are adverse to an attorney so employed has knowledge of such employment the lien provided in section one shall not be destroyed by settlement between the parties unless the attorney so employtd shall duly enter satisfaction upon the record for all fees in connection with the case or matter

Section 3 The courts of equity and the Courts of Common Pleas sitting in equity shall have power upon petition in the nature of bill and answer to determine the amount of the fee and lien in all cases wherein the amount of the fee has not been agreed upon in writing between the attorney and the client

Where the amount of fees has been so agreed upon in writing as to be capable of liquidation from the terms of the agreement and settlement of the claim the amount so agreed upon shall constitute the basis of the lien

In all instances the court shall direct judgment to be entered against the proper party or parties against whom the petitioner or attorney is entitled to have lien for the proper amount found in manner hereinbefore indicated and the judgment so entered shall have the same incidents and the plaintiff therein the same rights of execution or otherwise as are usual with judgments entered upon verdict of jury in a Court of Common Pleas

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1417, entitled:

An Act requiring the heads of the Executive Department to issue bi-monthly reports and transmit the same to the Governor members of the General Assembly and others

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of the head or chief officer of each executive department of the Commonwealth to issue quarterly a full report to cover the preceding two months period of his official acts and the work and operation of his department together with a detailed statement of all receipts and expenditures of his department for such period

On the question,

Will the House agree to the section?

Mr. CLAYCOMB. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section one, line six, strike out "two" insert "three"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 2 Immediately after the publication of such a report the head or chief officer of the department issuing the same shall transmit one copy thereof to the Governor of the Commonwealth one to each member of the General Assembly

Section 3 Nothing in this act contained shall be construed to exempt or release any executive department or its head or chief officer from making any reports annual or otherwise which are now required by law

Section 4 This act shall take effect two months after the enactment thereof

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act requiring the heads of the Executive Department to issue bi-monthly reports and transmit the same to the Governor members of the General Assembly and others

On the question,

Will the House agree to the section?

Mr. CLAYCOMB. Mr. Speaker, I desire to offer amendment to the title.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Title, line one, strike out "bi-monthly" insert "quarterly"

On the question,

Will the House agree to the amendments?

It was agreed to.

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 996, as follows:

An Act to amend article six of an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred eighty-five so as to permit the heads of departments to each appoint one deputy to sign warrants drawn in accordance with pay-rolls and salary lists approved by the head of the department providing for the manner of appointing the deputies and the filing of pay-rolls and salary lists so approved with the controller

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paragraph of article six of an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth" and approved the first day of June Anno Domini one thousand eight hundred eighty-five which reads as follows

"No money shall be drawn from the city treasurer except by due process of law or upon warrants on the treasurer signed by the head of the appropriate department and counter-signed by the controller which shall state the consideration of the same and the particular fund or appropriation to which the same is chargeable" be and same is hereby amended to read as follows

"No money shall be drawn from the city treasurer except by due process of law or upon warrants on the treasurer signed by the head of the appropriate department and counter-signed by the controller which shall state the consideration of the same and the particular fund or appropriation to which the same is chargeable provided however that the heads of the respective departments shall each have power to appoint one deputy who shall have authority to sign warrants drawn in accordance with payrolls and salary lists previously personally approved by the department head who has appointed such deputy Such deputy shall be appointed by writing executed in duplicate by the department head making the appointment one copy to be filed in that department and the other in the office of the controller Payrolls and salary lists personally approved by the head of any department on which warrants are signed by a deputy appointed in accordance herewith shall be filed with the controller before he shall countersign any warrants so signed by a deputy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1351, as follows:

An Act permitting boards of school directors to reimburse certain teachers taking a special course of instruction during the annual vacation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any teacher in the common schools of this Commonwealth having been engaged in the profession of teaching for at least five consecutive school terms and intending to continue in such profession who shall for one month during the annual vacation desire to take special instruction in any branch or branches of study useful in the profession of teaching shall notify the board of school directors by which employed of the desire to take such special instruction stating the institution in which or the instructor under whom such teacher desires to take such special instruction

Section 2 It shall be lawful for any board of school directors upon notice by any teacher as provided in section one of this act by a majority vote of its directors to agree to reimburse such teacher to and amount equal to the average monthly salary paid the teacher of the district in which said teacher is employed upon proper proof made to such board that such teacher has actually pursued for the period of one month a course of special instruction Provided however that the amount so agreed upon shall be paid to such teacher during the school term next succeeding at the rate of ten dollars per month and at such time or times as the monthly salary of said teacher is paid by said board

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1449, entitled:

An Act supplementing and amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the boards of school visitors

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such reve-

nue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven be and the same is hereby amended by adding therto at the end thereof the following paragraph

Section 2825 The board of public education of school districts of the first class shall consider any and all recommendations made by any board of school visitors at the next regular meeting of the said board of education following the submission of such recommendation or recommendations and if at that meeting the board of education shall not favor the recommendation they shall immediately after said meeting notify the board of visitors making the recommendation of the action of the board and fix a time and place when and where the board of school visitors making such recommendation shall be fully heard by the said board of education at a regular meeting of said board of education not more than two months after the submission of said recommendation to the board of education by the said board of school visitors

On the question,

Will the House agree to the section?

Mr. HACKETT. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Section one, line ten, after "therewith" insert quotation marks.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section and the title were separately read and agreed to as follows:

Section 2 All acts and all parts of acts inconsistent herewith be and the same are hereby repealed

An Act supplementing and amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the boards of school visitors

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1931, as follows:

An Act to repeal the present dog tax law regulating the taxing of dogs in the county of Delaware

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following acts and parts of acts are repealed in so far as they relate to the taxation of dogs in Delaware county

An Act approved the twenty-third day of March one thousand eight hundred nine entitled "An Act laying a tax on dogs in certain counties and for other purposes"

An Act approved the twenty-fifth day of March one thousand eight hundred fourteen entitled "A supplement to an act laying a tax on dogs in certain counties and for other purposes"

An Act approved the eighteenth day of March one thousand eight hundred twenty-six entitled "A further supplemen to an act entitled 'An Act laying a tax on dogs in certain counties and for other purposes' "

An Act approved the sixth day of April one thousand eight hundred thirty entitled "An Act relative to Fishing creek in Columbia county to supervisors in Butler County declaring Chest creek and the out-let of Sugar creek lake public highways relative to a tax on dogs in Delaware county and changing the name of Greersburg in the county of Beaver"

An Act approved the fourth day of April one thousand eight hundred thirty-one entitled "A supplement to an 'Act laying a tax on dogs in certain counties and for other purposes and the supplements thereto"

An Act approved the fifteenth day of April one thousand eight hundred forty-five entitled "An Act relating to dog tax in certain townships in Delaware county"

An Act approved the fourteenth day of April one thousand eight hundred forty-six entitled "An Act laying a tax on dogs in the borough of West Chester and certain townships in the county of Chester and for other purposes"

An Act approved the sixteenth day of March one thousand eight hundred forty-seven entitled "A supplement to an act entitled 'An Act relating to dog tax in certain townships in Delaware county' approved the fifteenth day of April one thousand eight hundred and forty-five"

An Act approved the sixth day of April one thousand eight hundred fifty entitled "An Act to alter and amend an act entitled 'An Act to erect the town of Chester and its vicinity in the county of Delaware into a borough and for other purposes therein mentioned' "

An Act approved the twenty-sixth day of April one thousand eight hundred fifty-five entitled "An Act to increase the pay of Commissioners and in relation to certain duties of Township Auditors in the counties of Delaware Blair and Lancaster"

An Act approved the twenty-second day of March one thousand eight hundred sixty-one entitled "An Act relating to Dog Tax in the township of Thornbury in Delaware county"

An Act approved the eleventh day of April one thousand eight hundred and sixty-two entitled "An Act to repeal the special acts relating to Dog Tax in Marple township in the county of Delaware"

An Act approved the twelfth day of April one thousand eight hundred sixty-nine entitled "A supplement to an act entitled 'An Act to incorporate the borough of Media in the county of Delaware and relative to Carbon county' approved the eleventh day of March Anno Domini one thousand eight hundred and fifty"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 375, as follows:

An Act to restrain and regulate the use of billiard tables pool tables and bagatelle boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth Providing for the granting of licenses and providing for punishments for the violations of the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That it shall be unlawful to keep or maintain any house room or place for the use of the general public where any billiard tables pool tables or bagatelle boards or tables are kept for hire or reward for the use thereof in cities of the first class of this Commonwealth except a license therefor shall have been previously obtained as hereinafter provided

Section 2 Licenses to keep or maintain any house room or place for the public use of billiard tables pool tables or bagatelle boards or tables shall be granted only to citizens of the United States of temperate habits and good moral character

Section 3 Said licenses shall be granted only by the Department of Public Safety and shall be for one year from the date thereof

Section 4 Every person intending to apply for a license as aforesaid in any city or county of this Commonwealth from and after the passage of this act shall file with the Director of Public Safety his her or their petition It shall not be considered or passed upon until the same shall have been on file at least three weeks and public notice of the same caused to be given once a week in three daily newspapers designated by the said Director of Public Safety said notice to contain the name or names of the applicant or applicants their private residence and the location of the place for which a license is sought and the time and place when said application shall be heard At the filing of said application the applicant or applicants shall pay to the said director the sum of ten dollars for expenses connected therewith as provided for in this act

Said petition shall contain

One The name and address of the applicant or applicants how long he or they have there resided

Two The particular place for which the license is desired

Three The place of birth of said applicant or applicants and if a naturalized citizen where and when naturalized

Four The name of the owner of the premises

Five The signatures of fifteen reputable citizens of the immediate vicinity where said premises are situated stating that they do not object but favor the granting of the license for the premises mentioned in said petition and that they are acquainted personally with the applicant or applicants and know him or them to be reputable citizens

Six Attached to said petition shall be a certificate signed by the superintendent or chief of police certifying to the fact that the applicant or applicants have never been convicted of any criminal offense and is of a good moral character and that the building or premises for which said license is desired is fit for the purpose intended If said petition is for a renewal of any license at the expiration of the license year the said certificate shall contain further the information that the conduct of the business during the license year expired has not been to the disturbance of the peace of the neighborhood and that the licensee has complied with the law relating to the non-admission of minors on the premises Said petition to be verified by the affidavit of the applicant or applicants taken before a magistrate or notary public If any false statement is made in any part of the petition by the applicant or applicants he or they shall be deemed guilty of perjury and upon indictment and conviction shall be subject to its penalties

Section 5 Any citizen being of full age male or female living in the immediate vicinity of the place for which said license is applied may file a remonstrance against such appli-

cation being granted said remonstrance to be filed with the Director of Public Safety at least five days before the date fixed for the granting of the same

The said Director of Public Safety shall refuse the license whenever in his opinion having due regard to the number and character of the petitioners both for and against the granting of the said license that it would be detrimental to the immediate neighborhood or that the applicant is not a fit person to whom said privilege should be granted

Section 6 The said license if granted shall not under any circumstances be transferable to any other premises or any other person or persons during the year for which it is granted except that it may be transferred to the legal representatives of any deceased licensee or purchaser at any insolvent or bankrupt sale for the remainder of the term that is the same proceeding must be taken at the end of the term for the renewal of a license as the act provides for the obtaining of one

Section 7 The superintendent or chief of police shall once every three months make a return to the Department of Public Safety all premises being used for the purpose of allowing the general public for hire or reward to play billiards pool or bagatelle giving the location of the premises That upon this return the Director of Public Safety shall compare it with the original petitions and if there has been any change either as to premises or an increase of table without the provisions of this act having been complied with it shall be his duty to immediately and forthwith serve notice on the licensee to show cause on a date fixed not exceeding ten days why the said license should not be revoked

Section 8 It shall not be lawful for any licensee under the provisions of this act to knowingly allow or permit any minor under eighteen years of age to even be present in the premsises licensed nor to allow or permit any minor under eighteen years of age to play any game of billiard pool or bagatelle Any violation thereof on rule granted shall be sufficient for said license to immediately be revoked or forfeited

Section 9 Be it enacted further that any person or persons feeling aggrieved at the action of the Department of Public Safety or the director thereof because of the rulings of said department through the director may within ten days thereafter appeal the same to the court of quarter sessions of the county wherein said city is situated and said court shall proceed to hear the same within fifteen days after said appeal is filed in said court and upon a reversal make such an order and decree directing what duty the director of the said Department of Public Safety shall perform in the premises

Section 10 All acts or parts of acts inconsistent with this act are hereby repealed except its provisions shall not interfere with the provisions of the act of June first one thousand eight hundred and eighty-one (Pamphlet laws thirty-seven) being an act entitled "An Act to prevent the keeping maintaining or permitting the game or amusement of pool played with balls or any other game of chance for drink of vinous and other liquors and defining the punishments"

Section 11 Any person or persons or the officers of any corporation or members of any co-partnership limited or otherwise who shall violate any of the provisions of this act in not conforming to the provisions thereof shall upon conviction be guilty of a misdemeanor and subject to a fine of not more than five hundred dollars or an imprisonment of not more than six months or either or both within the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1197, as follows:

An Act to prohibit the use of firearms of any description upon lands set apart to hospital or sanatorium or park or resort uses whereon human beings congregate in the open in quest of health recreation or pleasure in this Commonwealth and providing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person within this Commonwealth at any time of the year to discharge a shotgun or a rifle or a firearm of any description except in defense of person or property or by the written consent of the owner or person controlling the same upon the grounds belonging to or connected with and controlled by those operating a public or private hospital or sanatorium or park or resort set apart to the use of the public either free or otherwise and upon which human beings congregate in the open in quest of health recreation or pleasure such lands being surrounded by a marker either a fence or single wire or a marker of any description that will clearly designate the boundaries thereof and a line of notices printed upon cloth or painted and posted not to exceed one hundred yards apart along said marker calling attention to the fact that the land within such enclosure has been set apart for a specific purpose (naming it) and that shooting upon such property is prohibited Provided That no privileges may be given by those owning or operating such lands to any person to hunt for or shoot at either animals or birds classed as game in this Commonwealth upon such property Each and every person violating any provision of this act shall be guilty of a misdemeanor and upon conviction shall be liable to a penalty of twenty-five dollars for the first offense or in lien thereof shall suffer an imprisonment in the common jail of the county of one day for each dollar of penalty imposed for the first offense and for the second and each suceeding offense after the first offense shall in addition to the penalty imposed for the first offense undergo an imprisonment of one day in jail for each dollar of penalty imposed no matter whether the penalty in cash be paid or not

Section 2 Each and every State policeman local policeman constable game protector or any other peace officer in this Commonwealth is herewith given authority to and it is made his duty to arrest without warrant any person caught in the act of violating any provision of this act and to follow the usual course of serving a warrant arresting and prosecuting persons charged with misdemeanors in this Commonwealth in all cases where the information of such violation is by any other person brought to the attention of the officer

All penalties collected for violation of any provision of this act shall be delivered to the county treasurer of the county in which the conviction is secured to be used as other funds belonging to the county are used

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 303, entitled:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor flagman and locomotive engineman by railroad companies and fixing a penalty for violation thereof

The first, second, third and fourth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any railroad company its officers or agents to appoint any person to the position of conductor in the service of such company unless such person shall have had actual experience as brakeman or switchman at least eighteen months

Section 2 It shall be unlawful for any railroad company its officers or agents to appoint any person to the position of locomotive engineman in the service of such company unless such person shall have had actual experience as fireman or engineman at least eighteen months upon any railroad or as fireman at least three months immediately preceding such appointment as engineman upon the railroad on which he is to be appointed

Section 3 Any railroad company its officers or agents violating any of the provisions of this act shall be guilty of misdemeanor and upon conviction thereof shall pay a fine of not more than one hundred ($100) dollars or less than fifty ($50) dollars For each and every day's retention and employment of any person in violation of this act shall constitute a separate violation of this act

Section 4 It shall be the duty of the State Railroad Commission to enforce the provisions of this act

The title was read as follows:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor flagman and locomotive engineman by railroad companies and fixing a penalty for violation thereof

On the question,

Will the House agree to the title?

Mr. CARTER. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Title, line three, strike out "flagman."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1095, as follows:

A joint resolution providing for a commission to investigate and report on the dependents of this Commonwealth and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor is authorized to appoint a commission which shall be known as the State Dependents Commission It shall consist of five citizens who shall serve without compensation but shall be allowed all expenses actually and necessarily incurred in the performance of their duties It shall be the duty of the commission to make complete investigation of the question of the care education and support by this Commonwealth of those who are by accident misfortune sickness or disease dependent upon the generosity of the citizens of Pennsylvania After such investigation and study the commission shall present to the Governor its report in writing setting forth a comprehensive plan for the care support or education of such dependents with such recommendations and suggestions as to the Commission shall seem proper The report shall be made before the first day of September one thousand nin hundred and fourteen

Section 2 To carry out the purposes of this resolution the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated for the use of the Commission Payment of moneys hereby appropriated shall be made on order of the Chairman of the Commission countersigned by the Secretary and on warrant of the Auditor General and under the subject to such regulations as may be prescribed by the Auditor General

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1146, entitled:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporate town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the apointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highway of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligations and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highway making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

Route Seventeen From Laporte to Towanda Commencing in Laporte and running by way of Bernice and Dushore to a point on the dividing line between Sullivan and Bradford counties thence by way of New Albany into Towanda Bradford county

Route Forty-eight From Bedford to the Maryland State Line Commencing in Bedford and running by way of Cruse and Evitts to the Maryland State line

Route One Hundred and Fifty-seven From Reading to Allentown Commencing at a point on the boundary line of the city of Reading and running by way of Temple Kirbyville Kutztown and Maxatawney to a point on the dividing line between Berks and Lehigh counties thence by way of Breinigsville Trexlertown and Cetronia to a point on the boundary line of the city of Allentown Lehigh county

Route One Hundred and Eighty-nine From Kittanning to Clearfield Commencing in Kittanning and running by way of Rural Valley to a point on the dividing line between Armstrong and Indiana counties thence by way of Rossmoyne Georgeville and Trade City to Covode thence over route sixty-three to Punxsutawney thence by way of Big Run to a point on the dividing line between Jefferson and Clearfield counties thence by way of Troutville to Luthersburg thence over route fifty-nine into Clearfield Clearfield county

Route One Hundred and Ninety From Harrisburg to the Maryland State line Commencing in Wormleysburg Cumberland County opposite the city of Harrisburg and running over route one hundred and twenty-four to Wellsville York county thence by way of Hall to a point on the dividing line between York and Adams counties thence by way of East Berlin to a point on the dividing line between Adams and York counties thence by way of Hanover to the Maryland state line

Route Two Hundred and Seven From Meadville to Franklin Commencing at a point on the boundary line of the city of Meadville and running by way of Cochranton to a point one the dividing line between Crawford and Mercer counties thence by way of Carlton to a point on the dividing line between Mercer and Venango counties thence to Wyattsville thence over route ninety to a point on the boundary line of the city of Franklin Venango County

Route Two Hundred and Twenty-seven From Honesdale to the New York state line Commencing in Honesdale and running over route six to Prompton thence by way of Allenville Creamton Wayne Fish Hatchery and Belmont to a point on the dividing line between Wayne and Susquehanna counties thence by way of Herrick Center Ararat and Jackson to Susquehanna thence over route ten to Great Bend thence to the New York state line

Route Two Hundred and Eighty-six From Hollidaysburg to the Maryland State line Commencing in Hollidaysburg and running in part over route forty-seven thence by way of McKee Gap Roaring Spring Martinsburg and Curryville to a point on the dividing line between Blair and Bedford counties thence by way of Woodbury Waterside Loysburg and Foreman to Hartley Brick School House thence over route thirty-nine to Everett thence by way of Clearville Pineycreek and Silver Mills to a point on the Maryland State line

Route Two Hundred and Ninety-one From Laporte to Williamsport Commencing in Laporte and running by way of Forksville and Hillsgrove to a point on the dividing line between Sullivan and Lycoming counties thence by way of Barbour and Loyalsock to Montoursville thence over route eighteen to a point on the boundary line of the city of Williamsport Lycoming county" is hereby amended to read as follows

Route Seventeen From Laporte to Towanda Commencing in Laporte and running by way of Ringdale Satterfield and Dushore to a point on the dividing line between Sullivan and Bradford counties thence by way of New Albany into Towanda Bradford county

Route Forty-eight From Bedford to the Maryland State line Commencing in Bedford and running by way of Bed-

ford Springs the Penner School House Strominger's Gap the Arnold School House the White Chapel Methodist Episcopal Church Burning Bush McFerren School House Patience the Bortz Memorial Church the Smith School House the town of Centerville the Londonderry School House the Hite School House the Bethel Church and the Anderson School House to the Maryland State line

Route One Hundred and Fifty-seven From Reading to Allentown Commencing at a point on the boundary line of the city of Reading and running by way of Temple Kirbyville Kutztown and Maxatawney to a point on the dividing line between Berks and Lehigh counties thence by way of Breinigsville Trexlertown and Dorneyville to a point on the boundary line of the city of Allentown Lehigh county

Route One Hundred and Eighty-nine From Kittanning to Clearfield Commencing in Kittanning and running by way of Rural Valley to a point on the dividing line between Armstrong and Indiana counties thence by way of Rossmoyne Georgeville and Trade City to Corode thence over route sixty-three to Punxsutawney thence to Big Run and thence by way of Sykesville to a point on the dividing line dividing Jefferson and Clearfield counties and thence through the C and M Junction to a point on route number fifty-nine thence over route number fifty-nine into Clearfield Clearfield county

Route One Hundred and Ninety From Harrisburg to the Maryland State line Commencing in Wormleysburg Cumberland county opposite the city of Harrisburg and running over route one hundred and twenty-three to Dillsburg York county thence by way of Franklintown York county to a point on the dividing line between York and Adams counties by way of East Berlin to a point on the dividing line between Adams and York counties thence by way of Hanover to the Maryland State line

Route two hundred and eleven from Meadville to Franklin Commencing at a point on the boundary line of the city of Meadville and running over the creek road to Cochranton thence over Franklin street and the creek road to Roberts Corners thence to Heaths Corners the same being a point on the Meadville and Franklin Pike thence south along said Meadville and Franklin Pike to Hannaville thence to Wyattville along said pike to the intersection of route number ninety thence over route number ninety to a point on the boundary line of the city of Franklin Cenango county

Route Two Hundred and Twenty-seven From Honesdale to the New York State line Commencing in Honesdale and running over route six to Prompton thence by way of Allenville Creamton Wayne Fish Hatchery and Belmont to a point on the dividing line between Wayne and Susquehanna counties thence by way of Herrick Center and Jackson to Susquehanna thence over route ten to Great Bend thence to the New York State line

Route Two Hundred and Eighty-six From Hollidaysburg to the Maryland State line Commencing in Hollidaysburg and running in part over route forty-seven thence by way of McKee Gap Roaring Spring Martinsburg and Curryville to a point on the dividing line between Blair and Bedford counties thence by way of Woodbury Waterside Loysburg by way of Old Order Brethren Church Foreman near Armstrong School House Church of the Brethren Richey or Gochenour School House Hoover School House Valley Mill to route number thirty-nine near the Hartley farm thence over route number thirty-nine to Everett thence by way of Clearfield going by way of a public watering trough near Hanks by Weimer School House Morris Store Chapmans Run Postoffice by five forks of road Fletcher School House Zion Lutheran Church Kinzer's Store Conrod's School House Simon Jay's Store Piney Creek and Silver Mills to a point on the Maryland State line

Route Two Hundred and Ninety-one From Laporte to Williamsport Commencing in Laporte and running by way of Forksville Estella Lincoln Falls to mouth of Elk Creek and Hillsgrove to a point on the dividing line between Sullivan and Lycoming counties thence by way of Barber and Loyalsock to Montoursville thence over route eighteen to a point on the boundary line of the city of Williamsport Lycoming county Pennsylvania

On the question,

Will the House agree to the section?

Mr. MOULTHROP. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Section 1, line 103, strike out "one" insert "on"
Section 1, line 127, strike out "awy" insert "way"
Section 1, line 169, strike out "eleven" insert "seven"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth cetrain existing public roads connecting county-seats principal cities and towns and extending to the State line descriping and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporate town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incoroprated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

On the question,

Will the House agree to the title?

Mr. MOULTHROP. Mr. Speaker, I desire to offer the following amendments:

The amendment was read by the Clerk.

Title, line 34, after 'township" insert "or" after "county" insert "roads and prescribing the contents of township, county."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1919 (Senate No. 764), entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of conencting improved streets of such cities or boroughs with a State Highway or State-aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State-aid Highway

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1605. as follows:

An Act relating to roads in townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the road supervisors in the several townships of this Commonwealth upon the petition of at least twelve residents and electors of any township in which a private road is now or hereafter may be laid out by any person or persons owning and cultivating twenty or more acres of improved land abutting on said road and having thereon a dwelling house and the necessary outbuildings may maintain said road for the use of the public at the expense of the township in which it is so laid out and located Provided That the townships in which such roads are laid out and used shall bear no part of the expenses incident to the building and maintenance of the necessary culverts and bridges

Section 2 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1932, as follows:

A Joint Resolution providing for a Commission to investigate the traffic in women and girls in Pennsylvania for immoral purposes prescribing powers and duties of the Commission and making an appropriation therefor

Section 1 Be it resolved by the Senate and House of Hepresentatives of the Commonwealth of Pennsylvania in General Assembly met a Commission is hereby established which shall consist of five persons two of whom shall be members of the Senate not of the same political party and appointed by the President Pro Tempore of the Senate and three of whom shall be members of the House of Representatives and not all of the same poliitcal party and appointed by the Speaker of the House of Representatives It shall be the duty of this Commission to investigate as thoroughly as may be the alleged traffic in women and girls in Pennnsylvania for immoral purposes To this end the Commission may compel the attendance and testimony of witnesses and the production of books papers and documents deemed by the Commission pertinent to any investigation held by it The members of the Commission shall serve without compensation but each shall be ollowed expenses actually and necessarily incurred in the performance of the duties herein imposed Upon completing their labors the Commission shall report in writing to the General Assembly of this Commonwealth not later than the third Monday in January one thousand nine hundred fifteen

Section 2 To carry out the purposes of this resolution the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated for the use of the Commission Payment of the moneys herein appropriated shall be on order of the chairman of the Commission with certified and itemized vouchers and upon warrant of the Auditor General subject to such conditions as may be imposed by the Auditor General

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1915, as follows:

An Act to repeal an act approved the twenty-eighth day of March one thousand eight hundred seventy entitled "An Act extending to Crawford county an act to enlarge the jurisdiction of justices of the peace in the county of Erie"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-eigthth day of March one thousand eight hundred seventy entitled "An Act extending to Crawford county an act to enlarge the jurisdiction of justices of the peace in the county of Erie" is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1785, as follows:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

ARTICLE 1

Application of Act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of this act shall apply to every anthracite coal mine or colliery in this Commonwealth

ARTICLE II

Definition of Terms

Section 1 For the purposes of this act the definitions of terms contained herein shall be as ollows

Colliery The term 'colliery" means the inside workings of a mine or mines and the outside works connected therewith

Mine The term "mine" means the shafts slopes drifts tunnels incline planes and the excavations connected therewith penetrating coal stratum or strata which are ventilated by one general air current or divisions thereof and connect by one general system of mine railroads over which coal is delivered to one or more common point out side the mine when such is operated by one operator together with all roads appliances machinery and materials below the surface

Shaft The term "shafe" means a vertical opening through that strata that is or may be used for the purpose of ventilation or drainage or or hoisting men or material or both in connection with the mining of coal

Slope The term "slope" means an incline opening used for the same purpose as a shaft

Workings The term "workings" means all the excavated parts of a mine those abandoned as well as those being worked

Breaker The term "breaker" means the structure containing the machinery used for the preparation of coal

Approved Safety Lamp The term "approved safety lamp" means any safety lamp approved by the Chief of the Department of Mines

Operator The term "operator" means any firm corporation or individual operating any colliery mine or other part thereof as owner occupier or lessee

Superintendent The term "superintendent" means the person who shall have immediate supervision of one or more mines or collieries on behalf of the operator

Mine Foreman The term "mine foreman" means the person who is in charge of the inside workings of a mine or mines and of the persons employed therein in so far as it is necessary for him to comply with his duties under this act

Outside Foreman The term "outside foreman" means the person in charge or has charge of a working place also any person engaged at general work in a mine who has the qualification of a miner as herein prescribed

Chief The term "chief" means the Chief of the Department of Mines who is charged with the supervision of the execution of the mining laws of this Commonwealth

Inspector The term "inspector" means the person elected by the qualified electors in the inspection district in which he resides and who is charged with the supervision of the execution of the mining laws of this Commonwealth in the mines and collieries assigned to him by the Chief of the Department of Mines

Working Place The term "working place" means the gangway airway breast chamber pillar or other working face where coal is being mixed

ARTICLE III

Duties of mine owner operator or superintendent

Section 1 The mine owner operator or superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not and he shall place the underground workings thereof and all that is related to the same under the charge and daily supervision of a competent person who shall be called mine foreman and who shall perform such duties and only such duties as are prescribed for said mine foreman in this act

Section 2 Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall employ a sufficient number of competent and qualified persons to act as his assistants who shall be subject to his orders

Section 3 Whenever safety lamps are required in any mine they shall be the property of the owner of said mine and a competent person who shall be appointed for the purpose shall examine every safety lamp immediately before it is taken into the workings for use and ascertain if it is clear safe and securely locked and safety lamps shall not be used until they have been examined and found safe clean and securely locked unless permission be first given by the mine inspector of the district to have the lamps used unlocked

Section 4 Whenever a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed twelve feet in width and there shall be constantly kept at a distance of not less than twenty feet in advance at least one (1) bore hole near the center of the working and sufficient flank bore holes on each side

Section 5 The superintendent shall employe a competent person as engineer and place him in charge of an engine whereby persons are hoisted or lowered in any mine who shall be sober and competent and not less than twenty-one years of age which engineer shall have charge of but one engine and be constantly in attendance at the same during the time that workmen are in the mine

Section 6 A competent person to be termed headman and a competent person to be termed footman shall be employed by the superintendent and shall be in constant attendance at the head and foot of each shaft or slope where men are hoisted or lowered while workmen are in the mine who shall see that the provisions of this act so far as they relate to them of either of them are obeyed

Section 7 A suitable quantity of all props ties rails timbers cap-pieces and all other material and supplies necessary for the health and safety of the employes shall be kept on hand at all times at a mine or colliery All props ties rails timbers and cap-pieces of suitable sizes as ordered by the miner shall be delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge If from any cause the materials and supplies cap-pieces timbers rails ties and props mentioned aforesaid cannot be furnished as required by this act the workmen shall be withdrawn from the mine or part of the mine affected by reason of the non-furnishing of the aforesaid articles as required above

Section 8 Every passageway used by persons in any mine and also used for the transportation of coal or other material shall be made of sufficient width to permit persons to pass moving cars with safety the distance from the body of the car to the side of the passageway shall not be less than three feet which distance shall be maintained continuously on one side of said passageway the same shall be kept well drained and free from obstruction

Section 9 Safety holes shall be made at the bottom of all shafts slopes and planes and be kept free from obstruction to enable the footman to escape readily in case of danger

Section 10 Waiting rooms of proper dimensions and properly secured shall be constructed at the foot of all shafts and intermediate lifts thereof for workmen to wait therein prior to ascending the shaft

Section 11 Safety blocks or some other device for the purpose of preventing cars from falling into a shaft or running away on a slope or plane shall be placed at or near the head of every shaft slope plane or intermediate lift thereof and said safety blocks or other device must be maintained in good working order

Section 12 No mint cars shall be used in any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other

Section 13 Breakers shall be properly heated and kept sufficiently clear of dust to maintain a healthful atmosphere therein

Section 14 Ample means to produce and maintain a constant and adequate supply of pure air for the workmen and animals in every mine shall be provided and the air shall be circulated through the main entries cross entries working places and abandoned workings to such an extent that it will dillute carry off and render harmless the smoke and noxious or dangerous gases generated in the mines affording not less than two hundred (200) cubic feet of air per minute for each and every person employed therein

Section 15 All shafts slopes planes traveling ways tunnels and haulage ways shall be maintained in a safe condition for persons and animals to travel therein

Section 16 The following safety devices shall be provided installed and maintained in good working order in and about every coal mine and colliery

(a) The top of each shaft and also of each slope if dangerous or any intermediate lift thereof shall be securely fenced off by railing or by vertical or flat gates

(b) Every abandoned slope shaft air hole drift and cave hole shall be properly fenced around or across its entrance

(c) Suitable appliances through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope or any intermediate lift thereof shall be installed in every mine and maintained in good working order and also an efficient means of signaling from the bottom of such shaft or slope and any intermediate lift thereof to the engineer in charge of the hoisting engine which shall be maintained in good working order

(d) Guard rails which will prevent persons from falling into the shaft and efficient safety catches shall be attached to and a sufficient cover over head shall be provided on every cage used for lowering or hoisting persons in any shaft the safety catches shall be tested monthly and the report of said test stating the distance said cage dropped shall be sent to the mine inspector the test shall be made by detaching the rope from the cage and allow the cage to descend by gravity Every cage or gunboat used for lowering or hoisting persons in any slope shall be provided with a proper protector so constructed that persons while on such cage or gun boat shall not be struck by anything which may fall or roll down said slope

(e) The main link of the chain connecting the rope to the cage gun boat or car in any shaft or slope shall be made of the best quality of iron Bridle chains made of the same quality of iron shall be attached to the main link rope or rope socket from the cross-head of the cage or gun boat when persons are being lowered or hoisted thereon

(f) An efficient brake shall be attached to every drum that is used for lowering or raising persons or materials in any mine Flanges or horns of sufficient dimensions to prevent the rope from slipping off the drum shall be provided and properly attached to the drum and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage car or gun boat in the shaft or slope An overwind safety device shall be attached to each engine used to hoist or lower any persons in any shaft to prevent the cage from going to the sheave

(g) Over all shafts which are being sunk or shall hereafter be sunk a safe and substantial structure shall be erected to sustain the sheaves or pulleys at a height of not less than twenty (20) feet above the tipping place and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied

(h) All rock and coal from shafts as they are being sunk shall not be raised except in a bucket or on a cage and such bucket or cage must be connected to the rope or chain by a safety hook clevice or other safe attachment Such shafts shall be provided with guides and guide attachments applied in such manner as to prevent the bucket from swinging while descending or ascending therein and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of such shaft until its sinking shall have been completed but this sentence shall not apply to shafts one hundred (100) feet or less in depth

(i) Whenever the strata are not safe every shaft shall be securely cased lined or otherwise made secure

(j) All boilers used for generating steam in and about mines or collieries shall be kept in good order and the same shall be examined and inspected by a qualified person as often as once in six months and oftener if needed All air receivers used in or about a mine shall be kept in good order and shall be examined once every six months and oftener if needed The results of such examination under oath shall be certified in writing to the inspector of the district within thirty (30) days after said examination

(k) Every nest of boilers shall be provided with a steam gauge properly connected which will indicate the steam pressure in the boilers and another steam gauge shall be attached to the steam pipe in the engine house and placed in such position that the engineer or fireman can readily examine them and see what pressure is carried Such steam gauges shall be kept in good order and inspected as often as once every six months and their condition reported to the inspector of the district in the same manner as the report of boiler inspector

(l) Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape in case the pressure should arise above that set by the boiler inspector and with weights or springs properly adjusted The said weights or springs shall be locked after the same are adjusted and no person except the superintendent shall have a key to the same

(m) All machinery used in or about the mines and collieries and especially in breakers such as engines rollers wheels screens shafting belting and conveyor lines shall be protected by covering or railing which will prevent persons from inadvertently walking against falling upon or into the same The sides of the stairs trestles and plank walks in and around the colliery shall be provided with hand and guard rails which will prevent persons from falling over their sides This section shall not forbid the temporary removal of a fence guard rail or cevering for the purpose of making repairs if proper precautions are used and the fence guard rails or covering is replaced immediately thereafter

(n) It shall not be lawful to place any boiler or boilers for the purpose of generating steam under or nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal provided that this section shall not apply to boilers or breakers already erected

(o) There shal lbe provided installed and properly maintained a sufficient number of telephones speaking tubes barometers thermometers and anemometers in and about every coal mine or colliery as provided in sections forty-one forty-two and forty-four of general rules Article nine of this act

(p) Whenever batteries are used in any mine for the purpose of exploding blasts they shall be the property of the owner and he shall furnish and maintain in good condition a sufficient quantity of electric batteries to amply supply all workmen who will use the same

Section Any owner operator or superintendent who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

Duties of Mine Foreman and Assistant Mint Foreman

Section 1 The mine foreman shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction and any owner operator or superintendent who shall cause the mine foreman to disregard the provisions of this act shall be amendable in the same manner as the mine foreman

Section 2 All acesible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his asistants at least once a week and all danger found existing therein shall be immediately removed A report of said examination shall be recorded with ink in a book kept at the colliery for that purpose and signed by the person making the same a copy of the record thus made shall be mailed to the superintendent of the colliery and also to the mine inspector of the district on the day the examination is made

Section 3 In mines generating explosive gases the mine foreman or his asistants shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall be made with a safety lamp within three (3) hours at most before time for commencing work at the breaker and the workmen shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe Every report shall be recorded without delay with ink in a book which shall be kept at the colliery for that purpose and shall be signed by the persons making the examination

Section 4 The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place and all other places examined

Section 5 A station or stations shall be established at the entrance to each mine or different parts of each mine as the case may require and a workman shall not pass beyond such station until the mine or part of the mine beyond the same has been inspected and reported to be safe It shall be the duty of the mine foreman or assistant mine foreman to remain at the danger station until relieved by some persons authorized b ythe mine foreman or assistant mine foreman who shall stand guard until said mine or part of said mine shall be reported safe by the person in authority and he shall not permit any person to pass without permission from the mine foreman or assistant mine foreman

Section 6 If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious or explosive gases prevailing in such mine or such part thereof or of any cause whatever the mine or the said part is dangerous every precaution shall be used to insure the safety of the workmen and every workman except such persons as may be required to remove the danger shall be withdrawn from the mine or such part thereof as is so found dangerous until the said mine or said part thereof is examined by a competent and qualified person and reported by him to be safe

Section 7 The mine foreman or assistant mine foreman shall visit and examine every working place in the mine in

addition at least twice a day while the men of such place dition to the examination required by section three of this article at least twice a day while the men of such place are or should be at work the first of said examinations shall take place in theforenoon and the second in the afternoon while the men are at work The person who makes these examinations shall see that each and every working place is properly secured by props and timber and that safety in all respects is assured by having all loose coal or rock pulled down or secured and that a sufficient quantity of air is circulating in the face of each working place to dilute render harmless and sweep all smoke noxious and explosive gases and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure

Section 8 The mine foreman or the assistant mine foreman shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering and see that they are in a safe and efficient working condition A report of said examination shall be made with ink in a book kept at the colliery for that purpose and signed by the person making the examiation a copy of said report shall be sent to the superintendent and inspector of the district at the close of each working day together with a report of the number of working places and where situated in which gas had been found on that day

ARTICLE V

Duties of Miner

Section 1 No miner shall fire a blast in any mine or in any portion of a mine where locked safety lamps are used except by permission of the mine foreman or assistant mine foreman and before such blast is fired and person giving the permission shall examine the place and satisfy himself that it is safe to fire the same

Section 2 No miner while charging holes for blasting coal slate orr ock sall use an iron or steel pointed needle or tamping bar unless the end is tipped with at least six tight cartridge into any hole
inches of copper or other soft material nor shall he force a

Section 3 A miner who is about to fire a blast shall be careful to notify all persons who may be in danger therefrom and give sufficient alarm to warn all persons approaching of the danger

Section 4 A miner who ignites a feeder of gas by blast or otherwise if he discovers the same shall make a reasonable effort to extinguish it If he is unable to do so he shall notify the mine foreman or assistant mine foreman of the location where the feeder is burning Before leaving his working place he shall see that no gas blowers are left burning

Section 5 No miner shal withdraw a charge of any explosive from a hole that has misfired nor shall he reopen the same

Section 6 Any miner having charge of a working place shall keep the roof and sides thereof properly secured by timber or otherwise so as to prevent such roof and sides from falling and he shall not do any work nor permit any work to be done under loose or dangerous material except for the urpose of securing the same

He shall order props cap-pieces and timbers necessary at least one day in advance of needing them as provided for in ther ues of the mine If he fails to rerceive the same and finds his place becoming unsafe he shall vacate it until the necessary timbers are supplied
shall before commencing work and also after firing every

Section 7 A miner working a breast or anw other place blast enter said breast or place until the miner has examined it and found it to be safe

Section 8 No miner shall cut out any props or timbers that are supporting the roof or sides When it becomes necessary to remove such props ortimbers it shall be done by blasing or by placing a chain or rope around such props or timbers that the pressure necessary to remove the same can be exerted at a point of safety

Section 9 Any miner who has gun powder or other explosive shall keep it in a wooden or metallic box securely locked said box shall be placed at a safe distance from the working face and tracks in the entry

Section 10 A miner when opening a box containing explosives or when handling the same shall first place his lamp at a distance of not les than five feet therefrom and in such position that the air current cannot convey sparks to the explosives and he shall not approach with a lighted lamp pipe or any other thing containing fire nearer than five feet to any open box containing the same

Section 11 Any person who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE VI

Shafts Slopes Openings and Outlets

Section 1 It shall not be lawful for the owner operator or superintendent of any mine to employe any person or persons in such mine or permit any person or persons to be in such mine for the purpose of working therein unless they are in connection with every seam or stratum of coal and from every lift thereof worked in such mine not less than two openings or outlets separated by a startum of not less than sixty (60) feet in breadth underground and one hundred and fifty (150) feet in breadth at the surface at which openings or outlets safe and distinct means of ingress and egress are at all times available for the person or persons employed in the said mine but it shall not be necessary for the said two openings to belong to the same mine if the persons employed therein have safe ready and available means of ingrss and egress by not less than two openings This section shall not apply to opening a new mine or to opening any new lift of a mine while being worked for the purpose of making communication between said two outlets so long as not more than twenty persons are employed at any one time in such mine or new lift of a mine neither shall it apply to any mine or part of a mine in which the second district has beeno rendered unavailable by reason of the gnal robbing of pillars previous to abandonment so long as not more than twenty persons are employed therein at any one time The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet

Section 2 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petiton the Court of Common Pleas in and for the county in which said mine is situated which said court is hereby empowered to actin the premises setting forth that in consequenle of intervening lands between the working of his mine and the most practicable point or the only practicable point as the case may be at which to make or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlets in accordance with the requirements of this act the court may make an order of reference and appoint three disinterested persons residents of the county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn to a faithful discharge of their duties shall view and examine the premises and determine as to whether the owner should nave the privilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an aditional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be bound to comply with the provisions of this act in the same manner as if this section had not been enacted In case the said owner operator or superintendent desires to and claims that he ought to make additional opening under through or upon any adjoining on intervening lands to meet the requirements of this act for the ingress and egree of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper to adopt for such additional outlet doing as little damage as possible to the property explored as the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening constructing and using of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act in relation to lateral railroad approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two and the supplements thereto so far as the provisions of the same are applicable hereto and the notice to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of the fifth day of May Anno Domini one thousand eight hundred and thirty-two and the supplements thereto

Section 3 The escapments shafts or slopes shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets

Section 4 In slopes where the angle of inclination is fifteen degrees or less there must be provided a separate traveling way which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases

Section 6 No inflammable structure other than a frame to sustain pulleys or sheaves shall be erected over the entrance of any opening connecting the surface with the underground workings of any mine and no "breaker" or other inflammable structure for the preparation or storage of coal shall be erected nearer than two hundred (200) feet to any such opening but this act shall not be construed to prohibit the erection of a fan drift for the purpose of ventilation or of a trestle for the transportation of cars from any slope to such breaker or structure neither shall it apply to any shaft or slope until the work of development and shipment of coal has commenced Provided That this section shall not apply to breakers that are now erected

Section 6 Every abandoned slope shaft air-hole and drift shall be properly fenced around or across its entrance by the owner operator or superintendent

Section 7 Fences shall be placed around or across all underground entrances to any place not in actual course of working by the owner operator or superintendent which will prevent persons from inadvertently entering the same

Section 8 The following rules shall be observed in every shaft to which this act applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are envolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever persons are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed

Fifth While shafts are being sunk all blasts therein must be exploded by an electric battery

Sixth Any person firm or corporation who fails to comply with or who violates the provisions of this article shall be guilty of an offense against this act

ARTICLE VII

Ventilation

Section 1 The owner operator or superintendent of every mine shall provide and maintain a constant and adequate supply of pure air for the same as hereinafter provided and see that the same is circulated therein as required in this article

Section 2 It shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated

Section 3 The minimum quantity of air thus produced shall not be less than two hundred (200) cubic feet per minute for each and every person employed in any mine and as much more as the circumstances may require

Section 4 The ventilating current shall be conducted and circulated to and along the face sides and roof of each and every working place throughout the entire mine in sufficient quantities to dilute render harmless and sweep away smoke and noxious or dangerous gases to such an extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein

Section 5 All worked out or abandoned parts of a mine in operation shall be kept free of dangerous bodies of gas or water or fenced off by sufficient walls which will prevent any gas or water from any abandoned mine or portion thereof from entering any mine or portion thereof where men are employed therein

Section 6 Every mine employing more than seventy-five (75) persons must be divided into two (2) or more districts Each district must be provided with a separate spilt or pure air and the ventilation shall be so arranged that not more than seventy-five (75) persons shall be employed at the same time in any one current or split of air The inlet and return air passages for any particular district must be separated by a pillar of coal stone or cement except where it is necessary to cut through said dividing pillar for the purposes of ventilation traffic or drainage

Section 7 All air passages shall be of sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air pressure per minute for every person working therein and in no case in mines generating explosive gases shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air currents pass if gauze safety lamps are used except in the main inlet or outlets air ways

Section 8 All cross-cuts connecting the main inlet and outlet air pasages of every district when it becomes necessary to close them permanently shall be substantially closed with brick or other suitable building material laid in mortar or cement but in no case shall said air stoppings be constructed of plank except for temporary purposes

Section 9 All doors used in assisting or in any way affecing the ventilation shall be so hung and adjusted that they will close automatically

Section 10 All main doors shall have an attendant whose constant duty it shall be to open them for transportation and travel and prevent them from standing open longer than is necessary for persons or cars to pass throgh

Section 1 All main doors shall be so placed that when one door is open another which has the same effect upon the same current shall be and remain closed and thus prevent any temporary stoppage of the air current

Section 12 An extra main door shall be so placed and kept standing open as to be out of reach of accidents and so fixed that it can be at once closed in the event of an accident to the doors in use

Section 13 The frame work of such main doors shall be substantially secured in stone or brick laid in mortar or cement unless so otherwise permitted in writing by the inspector

Section 14 All permanent air bridges shall be substantially built of such material and such strength as the circumstances may require

Section 15 The quantities of air in circulation shall be ascertained with an anemometer or other efficient instrument such measurements shall be made by the inside foreman or his assistants once a week at the inlet and outlet airways also at or near the face of each gangway and at the nearest cross-heading to the face of each gangway and at the nearest cross-heading to the face of the inside and outside chamber or breast where men are employed and the heading shall not be driven more than sixty (60) feet from the face of each chamber or breast and shall be entered in the colliery report book

Section 16 A report of these air measurements shall be sent to the inspector before the twelfth day of each month for the preceding month together with a statement of the number of persons employed in each district

Section 17 All ventilators used in mines shall be provided with recording instruments by which the speed of the ventilators or the ventilating pressure shall be registered for each hour and such data shall be preservevd at the colliery for future reference for a period of three (3) months

Section 18 Any person or persons who shall neglect or refuse or fail to comply with the provisions of this article or who shall make any false report in regard to air measurements shall be guilty of an offense against this act

ARTICLE VIII

Maps and Plans

Section 1 The owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the workings or excavations in each and every seam of coal and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the inspector The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings it shall also show section of the seam on each gangway together with the coal thickness It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and in case any mine contains any water dammed up in any part thereof it shall be the duty of the owner operator or superintendent to cause the true location of the said dam to be accurately marked on said map or plan together with the tidal elevation inclination of strata and area of said workings containing water and whenever any workings or excavations are approaching the workings where such dam or water is contained or situated the owner operator or superintendent shall notify the inspector of the same without delay

A true copy of which map or plan the said owner operator or superintendent shall deposit with the inspector of mines for the district in which the said coal mine or colliery is situated showing the workings of each seam if so desired by the inspector on a separate sheet of tracing muslin One copy of the said map or plan shall be kept at the colliery

Section 2 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said inspector's map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the preceding six months The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey

Section 3 When any coal mine or colliery is worked out preparatory to being abandoned or when any lift thereof is about to be abandoned the owner operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all excavations as far as practicable and such portions thereof as have been worked to the boundary lines of adjoining properties or any part or parts of the workings of which it is intended to be allowed to fill with water must be surveyed in duplicate and such surveys must practically agree and certified copies be filed with the inspector of the district in which the mines are situated

Section 4 Whenever the owner operator or superintendnt of any coal mine or colliery shall neglect or refuse or from any cause not satisfactory to the inspector shall fail for a period of three months to furnish to the inspector the map or plan of said colliery or of the extensions thereof as provided for in this act the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof which cost shall be recoverable from said owner as other debts are by law recoverable

Section 5 If the inspector finds or has reason to believe that any map or plan of any coal mine or colliery furnished under the provisions of this act is materially inaccurate it shall be his duty to make application to the Court of Common Pleas of the county in which such colliery is situated for an order to have an accurate map or plan of said colliery prepared and if such survey shall prove that the map furnished was materially inaccurate or imperfect such owner operator or superintendent shall be liable for the expense incurred in making the same

Section 6 If it shall be found that the map or plan furnished by the owner operator or superintendent was not materially inaccurate or imperfect the Commonwealth shall be held liable for the expense incurred in making said test survey

Section 7 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when furnished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding three months at the discretion of the court

Section 8 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the Commonwealth and shall remain in the care of the inspector of the district in which the said collieries are situated to be transferred by him to his successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 9 The inspector's map or plan of any particular colliery shall be open for inspection in the presence of the inspector to any miner or miners of that colliery whenever said miner or miners shall have cause to fear his or their working place or places are becoming dangerous by reason of the proximity to other workings which may be supposed to contain water or dangerous gases or for any other reason map shall also be open to the inspection and examination of any citizen interested during business hours

Section 10 It shall be obligatory on the owners of adjoining coal properties to leave or cause to be left a pillar of coal in each seam or vein of coal worked by them along the line of adjoining property of such width that taken in connection with the pillar to be left by the adjoining property owner will be a sufficient barrier for the safety of the employees of either mine in case the other should be abandoned and allowed to fill with water such width of pillar to be determined by the engineer of the adjoining property owners together with the inspector of the district in which the mine is situated and the surveys of the face of the work-

ings along such pillars shall be made in duplicate and must practically agree A copy of such duplicate surveys certified to must be filed with the owners of the adjoining properties and with the inspector of the district in which the mine or property is situated

Section 1 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE IX

General Rules

Section 1 In every working approaching any place where there is likely to be an accumulation of explosive gas or where workings are required to be examined by safety lamps before the men enter the mine as required in section three article four of this act no light or fire other than a locked safety lamp shall be allowed or used unless permission is given in writing by the inspector of the district specifying what kind of lamps may be used if the inspector gives permission in writing to the superintendent to use other than locked safety lamps he can withdraw that permission in writing at any time to prevent the use of open lights in the mine In testing for gas however the use of any safety lamp approved by the chief of the Department of Mines will be permitted

Section 2 No one except a duly authorized person shall have in his possession a key of any other contrivance for the purpose of unlocking any safety lamp in any mine where locked safety lamps are used No Lucifer matches or any other apparatus for striking light shall be taken into such mine or parts thereof

Section 3 Every workman in want of props ties cappieces rails or timbers shall notify the mine foreman or his assistant of the fact at least one day in advance giving the length of the props or timber required and in case of danger from loose roof or sides he shall not continue to cut or load coal until the said props and timber have been properly furnished and the place made secure A failure to furnish articles above mentioned to the miner or workman ordering the same on the part of the owner operator superintendent or mine foreman shall be deemed an offense against this act and shall be taken to be negligence per se on the part of the owner operator superintendent or mine foreman as the case may be of such mine in any action for the recovery of damages for accidents resulting from insufficient propping of such mine through failure to furnish the necessary props or timbers

Section 4 No blast shall be fired in any mine where locked safety lamps are used except by permission of the mine foreman or assistant mine foreman and before a blast is fired the person in charge must examine the place and adjoining places and satisfy himself that it is safe to fire such blast before such permission is given

Section 5 The doors of any carriage cage bucket or gun boat shall not face downwards while persons are being hoisted or lowered in any shaft slope or plane

Section 6 No person shall ride upon or against any loaded car cage or gun boat in any shaft slope or plane in or about a mine or colliery

Section 7 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five (5) persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1,000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at one time on slopes where two (2) or more loaded cars are regularly hoisted Provided that not less than thirty (30) workmen working therein make such request in writing to the inspector of the district and after inspection by him he finds the hoisting appliances in every respect are of sufficient strength he may comply with the request of the workmen Provided that in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Section 8 Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope and no one shall interfere with or intimidate him while in the discharge of his duties

Section 9 An engineer who has charge of the hoisting machinery by which persons are lowered or hoisted in the mine shall be in constant attendance for that purpose during the whole time any person or persons are below ground and he shall not allow any person or persons except such as may be deputed by the owner operator or superintendent to handle or meddle with the engine under his charge or any part of its machinery

Section 10 No person engaged as hoisting engineer at or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal from the said mines shall be engaged for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Section 11 The engineer shall operate his engine with great care and in such manner that the cage carriage or gun boat shall not exceed a speed of one thousand (1000) feet per minute in shafts and five hundred (500) feet per minute in slopes when any person is being lowered or hoisted in a shaft or slope and no person shall interfere with him while in the discharge of his duties

Section 12 In any shaft or slope where the engine has been standing idle for one-half hour or more an empty trip shall be hoisted as a precautionary measure before any person shall be permitted to ride on the cage carriage or gun boat

Section 13 No person except those who have permission from the superintendent shall enter the engine house while the engineer is on duty and no person shall engage in conversation with the engineer while his engine is in motion Telephone or speaking tubes installed to engine houses shall not be used by any person except to communicate with the engineer and then only on matters pertaining to the engineer's duties under this act

Section 14 When any person is about to descend or ascend a shaft or slope the headman or footman as the case may be shall inform the engineer by signal or otherwise of the fact and the engineer shall return a signal before moving or starting the engine In the absence of a headman or footman the person or persons about to descend or ascend shall give or receive the signals in the same manner

Section 15 Any miner or other workman who shall discover any thing wrong with the ventilating current or with the condition of the roof side timber or road way or with any part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediately report the same to the mine foreman or other person for the time being in charge of the portion of the mine

Section 16 Any person or persons who shall knowingly or willfully damage or without proper authority remove or render useless any fencing means of signalling apparatus instrument or machine or shall throw open or obstruct any airway or open a ventilating door and not have the same closed or enter a place in or about a mine against caution or carry fire open lights or matches in places where safety lamps are used or handle without proper authority or disturb any machinery or cars or do any other act or thing whereby the lives or health of persons or the security of property in or about a mine or colliery are in danger shall be guilty of an offense against this act

Section 17 Gun powder or any other explosive shall not be stored in a mine and the workmen shall not have at any time in any one place more than one keg or box containing twenty-five (25) pounds unless more is necessary for a person to accomplish one day's work

Section 18 Any person who has gun powder or other explosive in a mine shall keep it in a wooden or metallic box securely locked and said box shall be located at a place of safety

Section 19 Whenever a workman shall open a box containing explosives or while in any manner handling the same he shall first place his lamp not less than five (5) feet from such explosive and in such a position that the air current cannot convey sparks to it and a workman shall not approach nearer than five (5) feet to an open box containing powder with a lamp lighted pipe or any other thing containing fire

Section 20 When high explosives other than gun poyder are used in any mine the manner of storing keeping moving charging and firing or in any manner using such explosives shall be in accordance with special rules as furnished by the manufacturers of the same The rules shall be endorsed with his or their official signature and shall be approved by the owner operator or superintendent of the mine in which such explosives are used

Section 21 In charging holes for blasting coal slate or rock in any mine no iron or steel pointed neeedles shall be used and a tight cartridge shall not be rammed into a hole in coal slate or rock with an iron or steel tamping bar unless the end of the tamping bar is tipped with at least six (6) inches of copper or other soft material

Section 22 A charge of powder or any other explosive in coal slate or rock which has missed fire shall not be withdrawn or the hole reopened

Section 23 When a workman is about to fire a blast he shall be careful and notify all persons who may be in danger therefrom and give sufficient alarm to warn any person or persons who might be aproaching

Section 24 No person shall be employed to blast coal or rock unless he is competent and qualified to do so and has successfully passed an examination before a miners' examining board and received a certificate of qualification from said board

Section 25 An accumulation of gas in miners shall not be removed by brushing where it is possible to remove it by brattice

Section 26 When gas is ignited by blast or otherwise the person igniting the same if he discovers it shall make a reasonable effort to extinguish it and if the the same is not extinguished by him he shall notify the mine foreman or assistant mine foreman of the fact

Section 27 Every fireman in charge of a boiler or boilers for the generation of steam shall keep a constant watch of the same and be in constant attendance in the boiler house while on duty He shall see that the steam pressure does not at any time exceed the limit allowed by the superintendent He shall frequently try the safety valve and shall not increase the weight on the same he shall maintain a proper depth of water in each boiler and if anything should happen to prevent this he shall report the same without delay to the superintendent or other person for the time being in charge and take such other action as may under these circumstances be necessary for the protection of life and the preservation of property

Section 28 At every shaft or slope in which provision is made in this act for lowering or hoisting persons a headman and footman shall be designated by the superintendent to be at their proper places from the time that persons begin to descend until all the persons who may be at the bottom of said shaft or slope or any intermediate lift thereof when quitting work shall be hoisted Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts or slopes shall be complied with

Section 29 No person except the man giving the signal shall jump or a car cage or gun boat after the signal to start has been given and if any person should enter a car

cage or gun boat in excess of the lawful number the headman or footman shall notify him of the fact and request him to get off which request must be immediately complied with Any violation of this rule must be reported promptly to the mine foreman

Section 30 When motors or engines are used in any mine their speed shall not exceed six (6) miles per hour and an efficient alarm shall be provided and attached to the front end of the trip in the direction in which it is imoving

Section 31 No person shall couple or uncouple loaded or empty cars while the same are in motion Provided however that this shall not apply to the top or bottom men of slopes planes or shafts or any intermediate lift thereof

Section 32 Whenever cars are run on gravity roads by brakes or sprags the runner shall only ride on the rear end of the last car and a space of not less than three (3) feet from the body of the car to the side of the gravity road shall be left on both sides of said gravity road wherever it may be necessary for the runner to pass along the side of the moving car or cars and said space or passageway shall always be kept free from obstructions

Section 33 No miner shall run cars out of any breast or chamber or on any gravity road unless he is a suitable person employed by the superintendent for that particular work

Section 34 No person shall travel on any gravity slope or plane while cars are being hoisted or lowered thereon Whenever five (5) persons arrive at the bottom or top of such slope or plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said slope or plane

Section 35 It shall not be lawful for any owner operator or superintendent of any mine or colliery to employe any person who is not competent to understand the regulations of any mine evolving explosive gases Provided that this rule will not apply to a section of a mine free from the said explosive gases

Section 36 No person or persons working in any coal mine or colliery shall cut out any rops or timbers while the same are in position to support the roof or sides When it becomes necessary to remove any of said props or timbers it must be done by blasting or by placing a chain or rope around said props or timbers of sufficient length that the pressure necessary to remove the props or timbers can be exerted at a point of safety

Section 37 All records furnished the mine inspector of the district as provided in Article four section two and section eight shall be preserved by said inspector in his office and be the property of the Commonwealth The inspector shall allow any person or persons their relatives or legal representatives who might be interested in what such report contains to see the same and take information therefrom

Section 38 The employees of any mine at their own expense may appoint two of their number who are practical miners with not less than five (5) years' experience to inspect the mine and the persons so appointed shall be allowed to go with any person acting as legal adviser of the employee together with a mining or electrical engineer in any part of the mine where an accident has occurred to investigate the cause of such accident Every facility shall be afforded by the owner operator or superintendent for the purpose of said inspection

Section 39 No motor propelled by steam gasoline oil or any engine using fire to generate its power shall be allowed in any mine

Section 40 If the mine owner operator or superintendent shall assign any duties to the mine foreman or assistant mine foreman other than those provided for the mine foreman or assistant mine foreman by this act or if the mine foreman or assistant mine foreman perform any duties for the mine owner operator or superintendent other than those imposed on the mine foreman or assistant mine foreman by this act which the mine owner operator or superintendent knows or ought to know by the exercise of ordinary prudence the mine foreman or assistant mine foreman who performed such other duties shall be deemed the party in charge on behalf of the owner for all purposes under this act

Section 41 The main office at the colliery shall be connected by telephone with the foot of every shaft and slope and every intermediate lift thereof and also at the head and foot of all inside slopes and planes and also within a half mile of the face of each gangway in sections where persons are employed And the telephones stationed within a half mile of the face of gangways where persons are employed shall have an attendant who shall always be within hearing distance of the telephone while at work

Section 42 A telephone shall be installed at each fan house in mines generating explosives gases in order that communication can be had with the section of the mine ventilated by the fan

Section 43 In mines generating explosive gases an engineer shall be stationed at each fan house whose duty it shall be to remain at the engine during the time that workmen are in the mines Provided however that one fan engineer may attend to two fan engines if the distance between the same is not more than two hundred (200) feet

Section 44 Barometers shall be installed in the main office at every colliery and every change indicated by the barometer of the atmospheric pressure which will affect the condition of the mine must be reported immediately to the mine foreman

Section 45 The mine foreman assistant mine foreman outside foreman or any and all persons having charge of the works or any portion thereof shall be deemed the agent of the operator and shall be under the direction and supervision of the owner operator or superintendent

Section 46 In all seams having a pitch of twenty-five (25) degrees or more no less than two (2) men shall be employed in the robbing of pillars and the persons so employed must not do any work in the robbing of pillars unless in company with the other workman employed for that purpose

Section 47 No person firm or corporation shall place any miner in charge of more than one breast chamber or other working place as a miner and no person shall accept and have charge of as a miner any more than one breast chamber or other working face at one and the same time

Section 48 No fuse or caps shall be used in or about any mine for the purpose of blasting except those approved by the chief of the Department of Mines provided however that all powders fuse caps and explosives listed as permissible by the Bureau of Mines of the United States Government can be used in blasting in any mines

Section 49 The report to be furnished to the mine inspector as required by section two and section eight of article four of this act shall be upon blanks approved by the chief of the Department of Mines

Section 50 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE X

Electricity

Section 1 When elecricity is generated on the surface at any mine and the current is to be conducted by wires or cable into the mine for the purpose of power there in no such wires or cables shall be strung in shafts or slopes where men are hoisted or lowered

Section 2 No wire to conduct electricity in a mine containing a voltage sufficient to cause death or serious injury to persons employed therein shall be strung in any place or places where workmen can inadvertently come in contact with the same

Section 3 Trolley wires used to carry the voltage for electric hauling motors shall not contain a pressure of over two hundred and fifty (250) volts and the same shall be placed i nthe m ne or any part thereof in such manner that workmen cannot inadvertently come in contact with the same

Section 4 Stationary motors used in a mine or any part thereof shall be enclosed in flame proof castings which when completely filled with a mixture of methane and air are capable of either confining the product of such explosion or of so discharging them from the casting that they cannot ignite a mixture of methane and air combined its proportions most sensitive to ignition and entirely surrounding the points of discharge and in most intimate proximity therewith

Section 5 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XI

Wash Houses

Section 1 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convient to the principal entrance of such mine for that use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom which must be constructed within eight weeks from the receipt of said petition The said building shall be maintained in good sanitary condition and order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for supplying light heat or water therein or doing any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

ARTICLE XII

Ambulances and Stretchers

Section 1 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery an ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2 The said ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the side or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be laced on roller frames together with sufficient covering and protection and convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed of such material and in such manner as to afford the greatest ease and comfort in the carriage of the injured person

Section 3 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed to his or their place of abode or to a hospital as the case may require

Section 4 It is provided however that where two or more mines or collieries are located within one mile of each other or the ambulance is located within one mile of each colliery

but one ambulance as aforesaid shall be required if the said mines or colliery shall have ready and quick means of communication one with the other by telegraph or telephone

Section 5 An ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 6 In case of the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to a hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comforts of the injured person must be provided for

Section 7 Any person firm or corporation who fails to comply with any of the foregoing sections or any of the provisions of this article shall be guilty of an offense against this act

ARTICLE XIII

Emergency Hospital

Section 1 After the passage of this act it shall be unlawful to operate any mine where twenty or more persons are employed inside unless said mine is provided with a sufficient quantity of linseed or olive oil bandages splints and woolen and water-proof blankets Said articles shall be stored in a room to be known as the Emergency Hospital erected at a convenient place in the mine and on the surface which shall not be less than eight by twelve feet and sufficiently furnished lighted kept clean and properly ventilated so that medical treatment may be given therein promptly to injured employes

There shall also be provided small handboxes in which shall be kept a quantity of oils bandages and splints which shall be stored in each lift of the mine and the same shall be taken to the scene of accident and the injured cared for preparatory to being taken to the emergency hospital

Section 2 It shall be the duty of the mine foreman or an assistant mine foreman in case of a serious personal injury to an employe from any cause to at once visit the scene of the accident see that the injured is properly cared for wrapped in woolen blankets and removed to the emergency hospital in the mine or on the surface and then so treated as will add to the comfort and ease of the patient Immediately thereafter the injured person shall be wrapped up and sent to the surface and taken to his home or to a hospital The mine foreman shall keep a book showing the required articles on hand name of the person injured nature of the injury treatment and by whom treated at the time of accident

Section 3 The neglect or refusal to perform the duties required by this article by any person required to perform them or the violation of any requirement hereof shall be deemed guilty of an offense against this act

ARTICLE XIV

Certified Mine Foreman

Section 1 It shall not be unlawful neither shall it be prohibited for any person or persons to act as mine foreman or assistant mine foreman in any coal mine or colliery unless they are registered as a holder of a certificate of qualification under act and are citizens of the United States of America

Section 2 Certificates of qualification to mine foreman and assistant mine foreman shall be granted by the Chief of the Department of Mines to every applicant who may be reported by the examiners as hereinafter provided as having passed a satisfactory examination and as having given satisfactory evidence of at least five years' practical experience as a miner and of good conduct capability and sobriety

The certificate shall be in manner and form as shall be prescribed by the Chief of the Department of Mines and a record of all certificates issued shall be kept in his department

Section 3 For the purpose of examination of candidates for such certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said board shall consist of the District Inspector of Mines two (2) practical miners and one owner operator or superintendent of a mine The said inspector shall act ex-officio and the said engineer and owner operator or superintendent shall be appointed in like manner and at the time as the board of examiners for candidates for mine inspectorship under this act are now appointed The said board shall act as such for the period of one year from the date of their appointment Meetings of the board may be held at any time and they may make such rules and conduct such examinations as in their judgment may seem proper for the purpose of such examinations The said board shall report their action to the Chief of the Department of Mines and at least three (3) of the members thereof shall certify to the qualification of such candidate who has passed a successful examination The traveling expenses of the members of such said board to and from their place of meeting together with the sum of six dollars per day each to the said two (2) practical miners owner operator or superintendent members of each board for each day they are actually engaged therein not exceeding twelve (12) days in all during the year shall be paid by the Commonwealth on an order of the Auditor General drawn on the State Treasurer upon the certificate of the mine inspector member of such board

Section 4 The said board shall be permitted to engage the services of a clerk who shall be paid in like manner as the miner superintendent or owner member of the board

Section 5 Certificates of qualification to mine foreman and assistant mine foreman shall be granted by the Chief of the Department of Mines to every applicant who may be reported by the examiners as heretofore provided as having passed a satisfactory examination and as having given satisfactory evidence of at least five (5) years practical experience as a miner Certificates of qualification shall contain the full name age and place of birth of the applicant as also the length and nature of his previous service in or about the mines

Section 8 Before certificates as aforesaid shall be granted applicants for same shall pay to the Chief of the Department of Mines the following fee namely

For examination one dollar for registration of certificate one dollar for certificate one dollar All fees so received shall be pail into the treasury of the Commonwealth

Section 7 No mine shall be operated for a longer period than thirty days without the supervision of a mine foreman In case any mine is wrecked a longer period than thirty (30) days without the supervision of a mine foreman the owner operator or superintendent thereof shall be subject to a penalty of twenty dollars per day for each day over the said thirty (30) days during which the said mine is operated

Section 8 In case of the loss or destruction of a certificate the Chief of the Department of Mines may supply a copy thereof to the person losing the same upon the payment of the sum of fifty (50c) cents Provided it shall be shown to the satisfaction of the Chief of the Department of Mines that the loss has actually occurred

Section 9 If any person or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under this act or in any official copy of the same or shall urge others to do so or shall utter or use any such forged or false certificate or unofficial copy thereof or shall make give utter produce or make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he or they shall be guilty of a misdemeanor and upon conviction thereof shall be fined two hundred dollars or imprisonment for a term not exceeding one (1) year or either or both at the discretion of the court trying the case

Section 10 In addition to the fines and penalties provided in sections seven and nine of this article any person firm or corporation violating any of the provisions of this article shall be guilty of an offense against this act

ARTICLE XV

Inspectors and Inspection Districts

Section 1 The counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin shall be divided into eight inspection districts as follows

Section 2 First district—county of Luzerne

Second district—county of Lackawanna

Third district—county of Carbon

Fourth district—county of Schuylkill

Fifth district—county of Northumberland

Sixth district—county of Columbia

Seventh district—county of Dauphin

Eighth district—counties of Susquehanna Wayne and Sullivan

Section 3 In order to fill any vacancy that may occur in the office of inspector of mines by reason of the expiration of term resignation removal for cause or the creation of a new district or from any other reason whatever the judges of the court or Lackawanna county shall appoint an examining board for the county of Lackawanna and the judges of the court of Luzerne county shall appoint an examining board for the counties of Carbon and Luzerne and the judges of Schuylkill county shall appoint an examining board for the counties of Schuylkill Northumberland Columbia and Dauphin and the judge of the court of Susquehanna county shall appoint an examining board for the counties of Susquehanna Wayne and Sullivan Whenever owing to the creation of a new district or for any other reason an inspection district shall be without a board of examiners the judge or judges of that court in which is vested the appointing power for that district shall appoint a board of examiners for said district as soon as such a vacancy arises The members of said board or boards shall hold their positions until the first term of said court of the following year when the successors shall be named as provided by law

Section 4 The said board of examiners shall be composed of three reputable coal miners in actual practice and two reputable mining engineers all of whom shall be appointed at the first term of court in each year to hold their places during the year Any vacancies that may occur in the board of examiners shall be filled by the court as they occur The said board of examiners shall be permitted to engage the services of a clerk and they together with the clerk shall each receive the sum of six ($6.00) dollars per day for every day they are actually engaged in the discharge of their duties under this appointment and mileage at the rate of six cents per mile from their home to the place of meeting and return by the nearest practicable railway route

Section 5 Whenever candidates for the office of inspector are to be examined the said examiners shall give public notice of the fact in not more than five newspapers published in the inspection district and at least two weeks before the meeting specifying the time and place where such meeting shall be held The said examiners shall be sworn to a faithful discharge of their duties and at least four of them shall sign a certificate setting forth the fact of the applicants having passed a successful examination and who have answered ninety per cent of the question the names of the applicants the questions and answers thereto shall be sent to the Chief of the Department of Mines and published in at least two papers daily or weekly and shall give such certificates to only such applicants as have passed the required examination

Section 6 The said Board of Examiners shall hold at least one such examination during each year at least six months before the date of the general election in the month of November of each year

Section 7 The qualified electors of the several inspection districts mentioned in this act shall select respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district six inspectors
Second inspection district five inspectors
Third inspection district one inspector
Fourth inspection district four inspectors
Fifth inspection district two inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eighth inspection district one inspector

Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owing to the erection of a new district or for any other reason the inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a Board of Examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the Board of Examiners of said district showing that he has passed a successful examination before said board or is the holder of a properly issued mine foreman's certificate and is qualified for the position of inspector

Section 8 Candidates for the office of mine inspector shall file with the county commissioners a certificate from the mine inspectors' examining board as above set forth before their names shall be allowed to go upon the ballot as provided by the county commissioners for the general election and the name of no person shall be placed upon the official ballot except such as has filed the certificate as herein required and no person shall be qualified to act as such mine inspector unless such certificate has been previously filed with the county commissioners of his county Provided however that all persons holding mine foremans' certificates shall be eligible to run for the office of mine inspector and if any person holding a mine foreman certificate desires to run for the office of mine inspector he shall file his mine foreman certificate with the county commissioners in the county in which he resides after the filing of such certificate with the county commissioners his name shall be placed on the official ballot

Section 9 The person so elected must be a citizen of Pennsylvania and shall have attained the age of thirty years He must have a knowledge of the different systems of work in coal mines and he must produce satisfactory evidence to the Board of Examiners of having had at least five years practical experinence in anthracite coal mines of Pennsylvania He must have had experience in coal mines where noxious and explosive gases are evolved

Before entering upon the duties of his office he shall take an oath or affirmation before an officer properly qualified to administer the same that he will perform his duties with fidelity and impartiality which oath or affrmation shall be filed in the office of the prothonotary of the county He shall provide himself with the most modern instruments and appliances for carrying out the intentions of this act

Section 10 The salary of each of the said inspectors shall be three thousand dollars per annum which salary together with the expenses incurred in carrying into effect the provisions of this act shall be paid by the State Treasurer out of the Treasury of the Commonwealth upon the warrant of the Auditor General

Section 11 Each of the said inspectors shall hold said office for the term of four years from the first Monday of January immediately succeeding his election to said office and until his successor is duly elected and qualified

Section 12 It shall be the duty of the Chief of the Department of Mines to direct one or more of the inspectors who shall be elected under this act and it shall be the duty of said inspector to obey said orders of the said Chief of the Department of Mines to inspect such collieries as come under this act in such manner and at such times as is required by law and the inspectors inspecting said collieries shall make and include in their return a due report of said inspection

Section 13 In case of death resignation removal from office or other vacancies in the office of mine inspector before the expiration of said term of office the judges of the court of common pleas of the county in which said vacancy occurs shall appoint a duly qualified person to fill said vacancy for the unexpired term Said appointee to be one of the persons having passed the examination before the board to examine mine inspectors or a person who is the holder of a properly issued mine foreman certificate and is duly qualified as hereinafter and hereafter mentioned

Section 14 In case the inspector becomes incapacitated to perform the duties of his office for a longer period than two weeks it shall be the duty of the judges of the court of common pleas of the county from which said inspector was elected to deputize some competent person recommended by the board of examiners or the holder of a properly issued mine foreman certificate to fill the office of inspector until the said inspector shall be able to fulfill the duties of his office and the person so appointed shall be paid in the same manner as provided for the inspector of mines

Section 15 Each of the said inspectors shall reside in the district for which he is elected and shall give his whole time and attention to the duties of his office He shall examine all the collieries in his district at least once every three months and as often in addition thereto as the necessities of the case or the condition of the miners require He shall see that every necessary precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and he shall personally visit each working face and see that the air current is carried to the working faces and is of sufficient quantity or volume to thoroughly ventilate the place He shall every three months make a report of the condition of each working face in each colliery on a form to be furnished to the inspector by the Chief of the Department of Mines designating the gangway in which the working is situated and the breast number of said working and their condition shall be designated by the words good fair or bad as the circumstances may warrant and the said report or duplicate shall be placed in a weather and dust-proof case with a glass front said case to be furnished by the operator and placed in a conspicuous place at each mine opening shaft slope or drift so that the workmen have easy access thereto He shall certify in said report that the employes are hoisted to the surface of the ground or given access thereto according to law he shall attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in his district he shall visit the scene of the accident for the purpose of making an examination into the particulars of the same wherever loss of life or serious personal injury occurs as elsewhere herein provided for and make an annual report of his proceedings to the Chief of the Department of Mines at the close of every year enumerating all the accidents in and about the collieries in his district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and the results generally shall be fully set forth and each other duties as now are or hereafter may be required by law

Section 16 The nomination and election of said mine inspector shall be under the general election laws of this Commonwealth

Section 17 The mine inspector shall have the right and it is hereby made his duty to enter inspect and examine any mine or colliery in the territory allotted to him and the workings and machinery belonging thereto at all reasonable times either by day or by night but not so as to obstruct or impede the working of the colliery and shall have power to take one or more of his fellow inspectors into or around any mine or colliery in the territory allotted to him for the purpose of consultation or examination

He shall also have the right and it is hereby made his duty to make inquiry into the condition of such miners or colliery workings machinery ventilation drainage method of lighting or using lights and into all matters and things connected with or relating to as well as to make suggestions providing for the health and safety of persons employed in or about the same and especially to make inquiry whether the provisions of this act have been complied with

The owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination inquiry and exit

The inspector shall make a record of the visit noting the time and material circumstances of the inspection

Section 18 No person who shall act or practice as a land agent or as a manager or agent of any coal mine or colliery who is pecuniary interested in operating any coal mine or colliery shall at the time hold the office of inspector of mines under this act

Section 19 Whenever a petition signed by fifteen or more reputable coal miners or by fifteen or more reputable coal operators or either or both setting forth that any inspector of mines neglects his duties or is incompetent or is guilty of malfeasance in office it shall be the duty of the court of common pleas from which said inspector was elected to issue a citation in the name of the Commonwealth to the said inspector to appear at not less that five days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If the court finds that the said inspector is neglectful of his duties or is incompetent to perform the duties of his office for any cause that existed previous to his election or that has arisen since his election or that he is guilty of malfesance in office the court shall declare the said inspector removed from office and proceed to fill the vacancy The cost of said investigation shall be borne by the removed inspector but if the allegations in the petition are not sustained the cost shall be paid by the Treasurer of this Commonwealth upon warrant of the Auditor General or by the petitioners in case the court finds that there was no probable ground for said charge

Section 20 The maps and plans of the miners and the records thereof together with all the papers relating thereto shall be kept by the inspector properly arranged and preserved in a convenient place in the district to which the inspector has been elected and shall be transferred by him with any other property of the Commonwealth that may be in his possession to his successor in office

Section 21 Any person firm or corporation who violates any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XVI

Injunctions

Section 1 Upon application of the inspector of mines of the proper districts acting in behalf of the Commonwealth any of the courts of law or equity having jurisdiction where

the mine or colliery proceeded against is situated whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the workings of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in the matter of the injunction or other proceedings as the court may think just but this section shall be without prejudice to any other remedy permitted by law to enforce the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not less than twenty-four (24) hours before the application is made

ARTICLE XVII

Arbitration

Section 1 Whenever an inspector finds any mine or colliery or part thereof or any matter thing or practice connected with such mine which in any respect thereof is not covered by or provided against by any provision of this act or by any rule to be dangerous or defective or in his judgment tends to bodily injury to a person he shall give notice thereof in writing to the owner operator or superintendent of such mine or colliery stating in such notice the particular matter or defect requiring remedy and may demand that the same be remedied but the owner operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand be made And the party against whom the award is given shall pay all costs attending the case The said board of arbitration shall be composed of three (3) persons one of whom shall be chosen by the inspector one by the owner operator or superintendent and a third by the two thus selected and the decision of a majority of such board shall be final and binding in the matter

ARTICLE XVIII

Penalties

Section 1 Any judge of the court of quarter sessions of the peace of the county in which the mine or colliery at which the offense act or omission as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery or any mine inspector has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident has resulted or might have resulted to any person or persons employed in any such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars or an imprisonment in the county jail for a period not exceeding three (3) months or either or both at the discretion of the court Provided that any defendant may waive trial before a judge as herein provided at any time at or before the time of such trial demand a trial by a jury in the court of quarter sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next court of quarter sessions to answer the charges against him and abide the orders of the court in the premises meanwhile to be of good behavior and keep the peace or in default of such recognizance to be committed to the county jail to await such trial Provided further that nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided

Section 2 If any person shall feel himself aggrieved by such conviction and sentence before a judge or a judge and jury he may appeal therefrom to the Supreme or Superior court which appeal shall be upon the same terms conditions and restrictions as appeals in criminal cases are now regulated by existing laws

Section 3 All offenses under this act are declared to be misdemeanors and in default of payment of any fine penalty or cost by the party or parties sentenced to pay the same he or they may be imprisoned for a period not exceeding three (3) months and not less than thirty (30) days

Section 4 All fines imposed under this act shall be paid into the county treasury for the use of the county

Section 5 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe in any mine or colliery

Section 6 That for any injury to person or property occasioned by any violation of this act or any failure to comply with its provisions by any owner operator superintendent outside foreman mine foreman or assistant mine foreman or of any person in charge of any coal mine or colliery or any part thereof a right of action shall accure to the party injured against said owner or operator for any direct damages he may have sustained thereby and in case of loss of life by reason of such neglect or failure as aforesaid a right of action shall survive to the parties entitled to prosecute like actions under existing laws

ARTICLE XIX

Inquests

Section 1 Whenever loss of life to a miner or other employe occurs in or about a mine or colliery notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the mine foreman or outside foreman or other person having immediate charge of the work at the time of the accident and when death results from personal injury such notice shall be given promptly after the knowledge of death comes to the said foreman or person in charge

Section 2 Whenever loss of life occurs or whenever the lives of persons employed in a mine or at a colliery are in danger from any accident the inspector of mines shall visit the scene of the accident as soon as possible thereafter and offer such suggestions as in his judgment shall be necessary to protect the lives and secure the safety of the persons employed In case of death from such accident and after exaxination he finds it necessary that a coroner's inquest shall be held he shall notify the coroner to hold such inquest without delay and if no such inquest be held by the coroner within twenty-four (24) hours after such notice the inspector shall institute a further and fuller examination of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat The inspector shall make a record of all such investigations and accidents which record shall be preserved in his office The cost of such investigation shall be paid by the county in which the accident occurred or justices of the peace are now paid

Section 3 An inquest held by the coroner upon the body of a person killed by explosion or other accident shall be adjourned by the coroner if the inspector of mines be not present to watch the proceedings and the coroner in such case shall notify the inspector in writing of such adjourned inquest and the time and place of holding the same at least three (3) days previous thereto

Section 4 Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector and at any such inquest the inspector shall have the right to examine witnesses

Section 5 If at any inquest held over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery the inspector be not present and it is shown by the evidence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery which in the judgment of the jury required a remedy the coroner shall need notice in writing to said inspector of such neglect or default

Section 6 No person who is interested personally nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident shall be qualified to serve on a jury empaneled on the inquest and a constable or other officer shall not summon such a person so disqualified as juror but the coroner shall empanel a majority of the jury from miners who are qualified to judge of the nature of the accident every person who fails to comply with the provisions of this article shall be guilty of an offense against this act

ARTICLE XX

Repealing Clause

Section 1 This act shall not be construed to repeal or in any way alter or amend the act of, July fifteenth Anno Domini one thousand eight hundred and ninety-seven Pamphlet Laws two hundred and eighty-seven entitled "An Act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in the anthracite coal mines and providing penalties for a violation of the same" or the act of May ninth Anno Domini one thousand eight hundred and eighty-nine Pamphlet Laws one hundred and fifty-four entitled "An Act to provide for the recovery of the bodies of workmen enclosed buried or entomb in coal mines" but all acts inconsistent herewith are hereby repealed

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And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1563, entitled:

An Act making it unlawful to use any electric current for any purpose in any room breast or entry where miners are engaged in mining or loading coal in any bituminous coal mine in the State of Pennsylvania generating explosive gases and providing a penalty

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That from and after the passage of this act it shall be unlawful for any person or persons firm or corporation whether as owners lessees or agents to use or cause to be used an electric current for any purpose in any room breast or entry where miners are engaged in mining or loading coal in any bituminous coal mine in the State of Pennsylvania generating explosive gases Provided however that this regulation shall not apply to the use of electricity in the main haulage ways of said mines

Section 2 Every person owner lessee or agent or executive officer of any corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to undergo imprisonment for not less than three years nor more than five years and for a subsequent violation of the provisions of this act be sentenced to undergo imprisonment for not less than five years nor more than ten years at the discretion of the court

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

The title was read as follows:

An Act making it unlawful to use any electric current for any purpose in any room or entry where miners are engaged in mining or loading coal in any bituminous coal mine in the State of Pennsylvania generating explosive gases and providing a penalty

On the question,

Will the House agree to the title?

Mr. McDERMOTT. Mr. Speaker, I desire to offer the following amendments to title.

The amendments were read by the Clerk.

Title, line 2. After "room" insert "breast."
Title, line 3. Strike out "State," insert "Commonwealth."

On the question,

Will the House agree to the amendments?

Mr. McDERMOTT. Mr. Speaker, I want to explain this bill to the House. I want this House to understand where the propostion is coming from and I think in justice to myself this bill ought to be explained to this honorable body. You ought to know that this bill regulates electricity in the mines where it generates gas sufficiently to be detected by a safety lamp. This bill does not apply to any mines that don't generate gas sufficient to be detected by a safety lamp. Why, I want to state that if this law would have been in effect when the Marianna explosion took place, when over one hundred and fifty men were blown into eternity, these men would be living to-day. What did that company do on the strength of that explosion? They took out the electric mining apparatus and installed compressed air. Every mine that generates gas sufficient to be detected with a safety lamp must be taken out of all mines. The head of the department, Mr. Roderick, has advised it in his report of 1911, that if electricity is not controlled more effectively, that it will have to be taken out of mines altogether. This only changes the title of the bill, by inserting the word "Commonwealth" instead of "State." The other change which it makes is to insert "breast" after the word "room." I ask the House to support me in this bill for it means thousands of lives saved and millions of dollars' worth of property saved to this Commonwealth. We have a right to protect the men and the miners in this hazardous occupation, even if it does cost a little more to put the output on the market.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the bill on second reading?

The yeas and nays were required by Mr. McDERMOTT and Mr. JOSEPH GRAY, and were as follows:

YEAS—50.

Alworth,	Donahoe,	Lenker,	Piper,
Becker,	Dunn, J. A.,	Light,	Post,
Benson,	Geiser,	Martin,	Reeser,
Blair, W. A.,	Gibson,	McCaig,	Rex,
Campbell, J. J.,	Good,	McDermott,	Robinson,
Carson,	Gray, Joseph,	McKay,	Roney,
Claycomb,	Hobbs,	Mechling,	Schaeffer, A. C.
Cleary,	Howard, J.,	Metzenbacher,	Shaffer, I. E.,
Collins,	Irwin, G. C.,	Miller,	Snyder,
Conniff,	Jackson,	Morrow,	Spillinger,
Currier,	Kaiser,	Murphy,	Thomas,
Davis,	Kaufman,	Peters,	Young, G. K.,
DeFrees,	Kuhn, H. P.,		

NAYS—98.

Allen,	Fahey,	Letzkus,	Rothenberger,
Arthur,	Flynn,	Lohr,	Sassaman,
Baldwin, G. A.,	Frey,	Lowers,	Schuck,
Baldwin, R. J.,	Geary,	Mather,	Scott, S. B.,
Barner,	Goss,	McAleer,	Shern,
Bass,	Gray, Frank,	McAllister,	Sherwood,
Benninger,	Hackett,	McArdle,	Smith, J. W.,
Blair, W. F.,	Haggerty,	McClintock,	Snavely,
Body,	Hemminger,	Mellott,	Steele,
Brosius,	Hess,	Missimer,	Strauss,
Brownlee,	Heyburn,	Mitchell,	Swift,
Burnett,	Hibshman,	Moore,	Trach,
Caldwell,	Hoffman,	Moses,	Ulerich,
Campbell, C.M.,	Howard, R.,	Neel,	Walnut,
Carter,	Irwin, H. H.,	Newbaker,	Walsh,
Cheeseman,	Jones, E. E.,	North,	Walton,
Cochran	Jones, J. R.,	Pennock,	Watson,
Conrade,	Keegan,	Perry, H. L.,	Wilson, J. H.,
Cox,	Keeport,	Price,	Wilson, W. H.,
Curry,	Kennedy,	Ramsey,	Wiltbank,
Dickinson,	Kern,	Redfield,	Young, J. H.,
Donnally,	Klepper,	Rhoads,	Zimmerman,
Eichenberger,	Kuhns, E.G.M.,	Richards,	Alter,
Ely,	Latshaw,	Rockwell,	Speaker.
Ewing,	Leslie,		

So the question was determined in the negative and the bill was not agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1800, entitled:

An Act defining indecent assault and providing penalty for same

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any person male or female shall lay hands with lascivious intent upon the person and private parts of any other person male or female under the age of sixteen years with or without such person's consent or if any person male or female shall lie upon the body or person of any other person or shall or touch another person in the private parts with lascivious intent then such person so offending shall be guilty of misdemeanor and shall be punishable by imprisonment not exceeding five years

On the question,

Will the House agree to the section?

Mr. RONEY. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Section one line three after the word "same" by striking out the whole of the section and inserting in lieu thereof the following:

"That if any person male or female shall lay hands with lascivious intent upon the private parts of any other person male or female under the age of sixteen years with or without such person's consent or if any person male or female shall lie upon the body or touch the private parts with lascivious intent of any other person under the age of sixteen years with or without such person's consent then such person so offending shall be guilty of misdemeanor and upon conviction thereof be sentenced to undergo an imprisonment not exceeding five years and to pay a fine not exceeding five hundred dollars or either or both in the discretion of the court."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act defining indecent assault and providing penalty for same

On the question,

Will the House agree to the bill on second reading, as amended?

Mr. RONEY. Mr. Speaker, where consent would be given to any indecent assault, under our present law that negatives any idea of assault and battery, because consent and assault are terms in conflict. This bill is meant to protect the boy or girl under sixteen years of age from the wiles and moral weaknesses of the moral prevert. The same situation was called to my attention when reading a case in the Supreme Court reports of Ohio, where the justice of the Supreme Court suggested that the Legislature take the matter in hand. A case was tried in Philadelphia County in which I saw the plain necessity for such a bill as this and I am giving that protection which I think the law should give to the female or male under the age of sixteen from the actions of the moral pervert.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, (Mr. Roney) permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, Yes, sir.

Mr. ROCKWELL. Mr. Speaker, as I read the bill there is no exception in it in relation to married persons under sixteen years of age.

Mr. RONEY. Mr. Speaker, of course this could not apply to married persons because of the construction of unlawful carnal intercourse, because the intercourse that exists between married people is not lascivious and the law recognizes it as perfectly lawful. It is not the intent that married persons should be included in this bill; in fact, I think this bill excludes them, because the relations between man and wife are in no sense lascivious.

On the question recurring,

Will the House agree to the bill on second reading as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 556, entitled:

An Act to provide for the compensation by the proper county of the licensed practitioner of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death birth and health and the various reports of contagious and reportable diseases and other medical certificates and reports required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioner of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act

The first, second, third, fourth and fifth sections and preamble were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the date of the passage of this act the county treasurer of each county in this Commonwealth shall pay out of the funds of the county upon proper warrant as hereinafter provided twenty-five cents for each certificate of death and certificate of birth to the physician executing and signing and furnishing to the proper health authorities such certificate

Section 2 The Commissioner of Health of the Commonwealth of Pennsylvania shall after the date of the passage of this act on or before the tenth day of January April July and October of each year send to each licensed physician in the Commonwealth of Pennsylvania who has furnished one or more death certificates or birth certificates a statement or voucher addressed to the county treasurer of the county in which such death or birth occurred setting forth the name and address of the licensed physician who furnished certificates of same to the proper health authorities and the number of death certificates and the number of birth certificates as required by law or the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania furnished by said licensed physician during the three calendar months last preceding and the Commissioner of Health of the Commonwealth of Pennsylvania shall in issuing the above statement or voucher use the form as hereinafter provided in section three of this act

Section 3 The form to be used by the Commissioner of Health of the Commonwealth of Pennsylvania in carrying out the provisions of section two of this act shall be as follows

To the county treasurer of (name of county) county Pennsylvania greeting

'I (name of Commissioner of Health of the Commonwealth of Pennsylvania) Commissioner of Health of the Commonwealth of Pennsylvania hereby certify that doctor (name of licensed physician furnishing certificates) of (address of said licensed physician) has furnished to the proper health authorities as required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania during the months (name of three calendar months last preceding) (year) certificates as follows

Death certificates to the number of (number furnished)

Birth certificates to the number of (number furnished)

Certificates required by law or by the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania (number furnished) occurring in your county of (name of county) under the professional care of the above named licensed physician and you are therefore hereby commanded as required by law to pay on presentation of this voucher to doctor (name of licensed physician furnishing certificates) above named the sum of (amount due) dollars ( ) cents this being at the legal rate of twenty-five cents per certificate or report and this shall be sufficient warrant to you for such payment

(Signature of the Commissioner of Health of the. Commonwealth of Pennsylvania)
Commissioner of Health of the
Commonwealth of Pennsylvania

This voucher shall bear the seal of the Department of Health of the Commonwealth of Pennsylvania

Section 4 The county treasurer of each county of the Commonwealth of Pennsylvania shall upon demand pay out of the funds of the county to the licensed physician named in such voucher as set forth in section three of this act the sum set forth in the voucher as being due said licensed physician provided said voucher bears the signature of the Commissioner of Health of the Commonwealth of Pennsylvania and bears the seal of the Department of Health of the Commonwealth of Pennsylvania

Section 5 All other acts or parts of acts general special or local pertaining to this subject matter covered by this act and inconsistent herewith be and the same are hereby repealed

Whereas, The laws of the Commonwealth of Pennsylvania and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania require licensed practitioners of medicine to report in writing to the Health officers of the local health districts each case of a disease designated by law or by the rules and regulations of the State Department of Health as contagious or reportable and

Whereas, The licensed physicians of the Commonwealth of Pennsylvania are required by law or the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania to furnish to the proper authorities certificates of health birth and death and

Whereas, The furnishing of such reports and certificates aids very materially in the protection of the health and lives of the citizens of the Commonwealth of Pennsylvania in general and in the local health districts in particular therefore

The title was read as folows:

An Act to provide for the compensation by the proper county of the licensed practitioner of medicine of the Commonwealth of Pennsylvania for the execution and furnishing certificates of death birth and health and the various reports of contagious and reportable diseases and other medical certificates and reports required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania and to provide that the county treasurer of each and every county in the Commonwealth of Pennsylvania and the Commissioner of Health of the Commonwealth of Pennsylvania shall carry out the provisions of this act

On the question,

Will the House agree to the title?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Title: Strike out the title and insert in lieu thereof the following: "An Act providing for the compensation by the proper county of licensed physicians for certain reports and certificates required to be furnished to the State Department of Health; and fixing the duties of the respective county treasurers and of the Commissioner of Health."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 961, entitled:

An Act to amend the twenty-eighth section of an act entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" approved the thirty-first day of March one thousand eight hundred and sixty Pamphlet Laws page

four hundred thirty-seven so as to include all acts of embezzlement committed within statutory period

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-eighth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleading" which reads as follows

"Section 28 It shall be lawful in cases of embezzlement by clerks servants or other persons in the employ of another to charge in the indictment and proceed against an offender where any distinct acts of embezzlement not exceeding three which may have been committed by him against the same master or employer within the space of six calendar months from the first to the last of such acts and in every such indictment except where the offence shall relate to a chattel it shall be sufficient to allege the embezzlement to be of money without specifying any particular coin or valuable security and such allegation so far as regards the description of the property shall be sustained if the offender shall be proved to have embezzled any amount although the particular species of coin or valuable security of which such amount was composed shall not be proved or if he shall be proved to have embezzled any piece of coin or valuable security or any portion of the value thereof although such piece of coin or valuable security may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same and such part shall have been returned accordingly" is hereby amended to read as follows

Section 28 It shall be lawful in cases of embezzlement by clerks servants or other persons in the employ of another to charge in the indictment and proceed against an offender for any distinct acts of embezzlement and in every such indictment except where the offense shall relate to a chattel it shall be sufficient to allege the embezzlement to be of money without specifying any particular coin or valuable security and such allegation so far as regards the description of the property shall be sustained if the offender shall be proved to have embezzled any amount although the particular species of coin or valuable security of which such amount was composed shall not be proved or if he shall be proved to have embezzled any piece of coin or valuable security or any portion of the value thereof although such piece of coin or valuable security may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same and such part shall have been returned accordingly

On the question,

Will the House agree to the section?

Mr. BERNTHEIZEL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Section one, line twelve, strike out "where" insert "for"

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was then read and agreed to as follows:

An Act to amend the twenty-eighth section of an act entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleading" approved the thirty-first day of March one thousand eight hundred and sixty Pamphlet Laws page four hundred thirty-seven so as to include all acts of embezzlement committed within statutory period

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to call up the first bill on third reading, on page 23 of to-day's calendar. There are several typographical errors in it and the committee will meet to-day and I would like to have the bill recommitted for the purpose of amendment.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time? The Chair hears no objection and consent is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 507, entitled:

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs within the Commonwealth of Pennsylvania

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. ALLEN. Mr. Speaker, I move that this bill (House Bill No. 507) be recommitted to the Committee on Municipal Corporations.

Mr. EHRHARDT. Mr. Speaker, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. MATT. Mr. Speaker, I move that the vote by which Senate Bill No. 465, entitled:

A Joint Resolution providing for a commission to arrange for and supervise the transfer from the Library and Museum building to the new cases in rotunda of the Capitol building of the flags of Pennsylvania commands in the War for the Suppression of the Rebellion and the Spanish-American War and other flags of historical value and to arrange proper and fitting patriotic ceremony in connection therewith and making an appropriation to defray the necessary expenses incident thereto

was defeated on final passage, be reconsidered.

Mr. McKAY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MATT. Mr. Speaker, this bill that was defeated, provides for the transferring of the flags from the Library and Museum Building to the new cases erected for them in the rotunda of the Capitol Building. It carries with it an appropriation of $10,000.00. It has been thought that that sum can be reduced and if the bill it reconsidered it is proposed to recommit it to the Committee on Appropriations, so that a smaller appropriation can be provided for, which will probably be five or six thousand dollars. I hope that the gentlemen of the House will vote for the reconsideration of this bill, so that it may be recommitted to the Committee on Appropriations and there brought into shape satisfactory to the House.

On the question recurring,

Will the House agree to reconsider the vote by which the bill was defeated on final passage?

It was agreed to.

The question recurring,

Shall the bill pass?

BILL RECOMMITTED.

Mr. MATT. Mr. Speaker, I move that this bill (Senate Bill No. 465) be recommitted to the Committee on Appropriations.

Mr. ALLEN. Mr. Speaker, I second the motion.

Mr. KITTS. Mr. Speaker, I ask unanimous consent to call up for the purpose of amendment House Bill No. 1909, entitled:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the county of Erie

page 31 of to-day's calendar, bills on third reading.

The SPEAKER. Will the House give unanimous consent to the consideration of the bill at this time? The Chair hears no objection and consent is granted.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the bill on third reading and consideration of House Bill No. 1909, entitled:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the County of Erie

On the question,

Will the House agree to the bill on third reading?

Mr. KITTS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 1, line four, strike out "May," insert in lieu thereof "March."

Amend the title, line one, strike out "May," insert in lieu thereof the word "March."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The SPEAKER laid before the House a communication from His Excellency the Governor, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment, House Bill No. 442, entitled, "An Act amending section one thousand four hundred twelve, in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven, entitled, 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children."

(Signed,) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. JAMES A. DUNN. Mr. Speaker, I move to reconsider the vote by which House Bill No. 442, entitled:

"An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children"

passed finally.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. JAMES A. DUNN. Mr. Speaker, I move to reconsider the vote by which this bill was agreed to on third reading.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL POSTPONED.

Mr. JAMES A. DUNN. Mr. Speaker, owing to the fact that certain amendments which are being prepared by the Reference Bureau, have not yet reached me, I move that the further consideration of this bill be postponed for the present.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The SPEAKER also laid before the House a communication from His Excellency the Governor, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 23, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment, House Bill No. 1362, entitled, "An Act authorizing H. W. Brown and D. E. Brown, citizens of Cambria County, Pennsylvania, doing business as the Woodman Lumber Company, to bring suit in the Court of Common Pleas of Cambria County against the Commonwealth of Pennsylvania."

(Signed,) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. JOSEPH GRAY. Mr. Speaker, I move to reconsider the vote by which House Bill No. 1362, entitled:

"An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the Court of Common Pleas of Cambria County against the Commonwealth of Pennsylvania"

passed finally.

Mr. CONNIFF. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. JOSEPH GRAY. Mr. Speaker, I move to reconsider the vote by which this bill was agreed to on third reading.

Mr. CONNIFF. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOSEPH GRAY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend the last line of the title of House Bill No. 1362, file folio 3661, by striking out the word "Cambria" and inserting in lieu thereof the word "Dauphin."

Also amend Section 1, line 8, by striking out the word "Cambria" and inserting in lieu thereof the word "Dauphin."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1125, as follows:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the State authorities levying and collecting taxes shall as provided under existing laws levy and collect an additional special tax of one mill for road purposes on personal property capital stock and bonds of corporations joint stock associations companies limited partnerships gross earnings of corporations bankers brokers and foreign insurance companies which are now taxed for State purposes including the capital stock and bonds of companies limited co-partnerships and corporations engaged in manufacturing and brewing Provided The provisions of this act shall not apply to mortgages and judgments given in the purchase of real estate

Section 2 The road taxes collected under the provisions of this act shall be held by the State as a separate road fund to be distributed under the direction of the State Highway Commissioner among the several boroughs and townships of the State in proportion to the number of miles of public streets and roads in each borough and township for permanent street and road improvements the provisions of this act as to assessment and collection of taxes shall go into effect on the first day of December one thousand nine hundred and thirteen and the distribution of the road fund so collected shall be made on the first day of April in each year beginning in the year one thousand nine hundred and fifteen

On the question,

Shall the bill pass finally?

Mr. ROCKWELL. Mr. Speaker, I would like to offer an amendment to this bill.

The SPEAKER. Then the vote by which the bill passed third reading will have to be reconsidered.

Mr. ROCKWELL. Mr. Speaker, I did not understand that it had passed third reading. I understand a motion will be made to recommit the bill.

Mr. R. J. BALDWIN. Mr. Speaker, I notice this is a bill involving a great deal of revenue, and it comes from the Committee on Public Roads. As it is at present, the bill is very loosely drawn, and as it involves a proposition of several millions of dollars of taxes, I think it should be recommitted to the committee on Ways and Means where it could receive the proper consideration.

I, therefore move, Mr. Speaker, that this bill be recommitted to the Committee on Ways and Means.

The SPEAKER. The motion of the gentleman from Delaware is not in order, and cannot be until a motion is made to reconsider the vote by which the bill passed third reading.

RECONSIDERATION OF VOTE.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the vote by which this bill passed third treading be reconsidered.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER anounced that the noes seem to have it.

Mr. R. J. BALDWIN. Mr. Speaker, I think this bill ought to be recommitted to the Ways and Means Committee. If you were to read this bill now, you would realize what there is at stake. It is the purpose of the bill to place about a one mill tax on about everything in the State of Pennsylvania for one particular purpose. If you will look into the bill you will find that it is very loosely drawn and impracticable for its own purpose as it is now printed. Now, those who are affected by this blil have had no chance to come forward and be heard on it, because you would not look for legislation of this kind in the Public Roads Committee. Therefore, I think it should be referred to the Ways and Means Committee when it involves a question of such magnitude as this, and I think that the public should be heard on it. I hope that the House will vote to reconsider the vote by which this bill passed third reading, and then vote to refer it to the Committee on Ways and Means where all Revenue Legislation should eminate.

POINT OF ORDER.

Mr. JOSEPH GRAY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. JOSEPH GRAY. Mr. Speaker, my point of order is that the gentleman is speaking on a proposition that has just been voted on, and the vote announced.

The SPEAKER. The Chair rules that the point of order is well taken.

On the motion to reconsider the vote by which this bill passed third reading,

Whereupon,

A division having been called for, and 101 gentlemen voting in the affirmative and 5 in the negative, the mo tion is agreed to.

Mr. HUMES. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MATT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

BILL RECOMMITTED.

Mr. R. J. BALDWIN. Mr. Speaker, if it is the sense of the House that the bill should not go back to the Ways and Means Committee, for gracious sake do not put it on the postponed calendar where it can be brought up at any moment. The bill in that place can be brought up at any moment, and it should not be placed there when we don't know what we are voting on, and since it is a measure of so much importance to the State, it certainly should not be placed on the postponed calendar. I do not think, therefore, that the House should stand for its being put there, and I believe that the vote should be taken first on that, and then, if the House decides that it should not go to that Committee, we can agree on a day or fix a day at which time to consider the bill. I move, as a substitute, for the motion made by the gentleman from Crawford, to recommit the bill to the Ways and Means Committee.

Mr. ALLEN. Mr. Speaker, I second the motion.

The substitute motion was agreed to.

On the question,

Will the House agree to the motion to recommit the bill

It was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1107, as follows:

An Act relative to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and and providing penalties for fraud against innkeepers and hotelkeepers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no innkeeper or hotelkeeper whether individual partnership or corporation who constantly has in his inn or hotel a metal safe or suitable vault in good order and fit for the custody of money bank notes jewelry articles of gold and silver manufacture precious stones personal ornaments railroad mileage books or tickets negotiable or valuable papers and bullion and who keeps on the doors of the sleeping rooms used by guests suitable locks or bolts and on the transoms and windows of said rooms suitable fastenings and who keeps a copy of this section printed in distinct type constantly and conspiciously posted in not less than ten conspicious places in all in said hoted or inn shall be liable for the loss or injury suffered by any guest unless such guest has offered to deliver the same to such innkeeper or hotelkeepr for custody in such metal safe or vault and such innkeeper or hotelkeeper has omitted or refused to take it and deposit it in such safe or vault for custody and to give such guest a receipt therefor Provided however that the keeper of any inn or hotel shall not be obliged to receive from any one guest for deposit in such safe or vault any property hereinbefore described exceeding a total value of three hundred dollars and shall not be liable for any excess of such property whether received or not

Section 2 Any innkeeper or hotelkeeper may by special arrangement with a guest receive for deposit in such safe or vault any property upon such terms as they may agree to in writing but every innkeeper or hotelkeeper shall be liable for any loss of the above enumerated articles of a guest in his in or hotel after said articles have been accepted for deposit if caused by the theft or negligence of the innkeeper or hotelkeeper or any of his servants

Section 3 It shall be the duty of every guest and of every one intending to be a guest of any hotel or inn in this State upon delivering to the proprietor of such hotel or inn to his servants any baggage or other articles of property of such guest for safe keeping (elsewhere than in the room assigned to such guest) to demand and of such hotel proprietor or innkeeper to give a check or receipt therefor in such case to evidence the fact of such delivery and no hotel proprietor shall be liable for the loss of or injury to such baggage or other articles of property of this gu st unless the same shall have been actually delivered by such guest to such hotel proprietor or innkeeper or to his servants for safe keeping or unless such loss or injury shall have occurred through the negligence of such hotel proprietor or innkeeper or by his servants or employes in such hotel

Section 4 The liability of the keeper of any inn or hotel whether individual partnership or corporation for loss of or injury to personal property placed by his guest under his care other than that described in the preceding sections shall be that of a depository for hire except that in case such loss or injury is caused by fire not intentionally produced by the hotel proprietor or innkeeper or his servants such hotel proprietor or innkeeper shall not be liable Provided however that in no case shall such liability exceed the sum of one hundred and fifty dollars for each trunk and its contents fifty dollars for each valise and its contents and ten dollars for each box bundle or package and contents so placed under his care and all other miscellaneous effects including wearing apparel and personal belongings fifty dollars unless he shall have consented in writing with such guest to assume a greater liability

And provided further whenever any person shall suffer his baggage or property to remain in any inn or hotel after leaving the same as a guest and after the relation of innkeeper and guest between such guest and the proprietors of such inn or hotel has ceased or shall forward the same to such inn or hotel before becoming a guest thereof and the same shall be received into such inn or hotel such innkeeper may at his option hold such baggage or property at the risk of such owner

Section 5 The keeper of any inn or hotel whether individual partnership or corporation shall have a lien on the baggage and other property in and about such inn belonging to or under the control of his guests or boarders for the proper charges due him from such guests or boarders for the accommodation board and lodging and for all money paid for or advanced to them not to exceed the sum of two hundred dollars and for such other extras as are furnished at their request and said innkeeper or hotelkeeper shall have the right to detain such baggage and other property until the amount of such charges is paid and such baggage and other property shall be exempt from attachment or execution until such innkeeper's lien and the cost of satisfying it are satisfied

Section 6 The innkeeper or hotelkeeper shall retain such baggage and other property upon which he has a lien for a period of ninety days at the expiration of which time if such lien is not satisfied he may sell such baggage and other property at public auction after giving ten days' notice of the time and place of sale in a newspaper of circulation in the county where the inn or hotel is situated and also by mailing a copy of such notice adressed to said guest or boarder at the place of residence registered by him in the register of such inn or hotel

Section 7. After satisfying the lien and any costs that may accure any residue remaining shall on demand within six months be paid to such guest or boarder and if not so demanded within six months from date of such sale such residue shall be deposited by such innkeeper or hotelkeeper with the treasurer of the county in which the inn or hotel is situated together with a statement of the innkeeper or hotel proprietors claim and the cost of enforcing the same a copy of the published notice and of the amounts received for the goods sold at said sale said residue shall by said county treasurer be credited to the general revenue fund of said county subject to a right of said guest or boarder or his representative to reclaim said residue at any time within three years of the date of deposit with said treasurer

Section 8 Any person who shall obtain food lodging or other accommodation at any hotel inn boarding or eating house with intent to defraud the owner or keeper thereof shall be fined not exceeding one hundred dollars or be imprisond in the county jail not exceeding three months

Section 9 Proof that lodging food or other accommodations were obtained by false pretense or by false or fictitious show or pretense of any baggage or other property or that the person refused or neglected to pay for such food lodging or other accommodation on demand or that he gave in payment for such food lodging or other accommodatin negotiable paper on which payment was refused or that he absconded without paying or offering to pay for such food lodging or other accommodation or that he surreptitiously removed or attempted to remove his baggage shall be prima facie proof of the fraudulent intent mentioned in section eight of this act but this act shall not apply where there has been an agreement in writing for delay in payment for a period to exceed ten days

Section 10 It shall be the duty of every hotel inn or boarding house keeper within this Commonwealth to keep a copy of section eight and of section nine of this act printed in distinct type posted in not less than ten conspicious places in said hotel inn boarding or eating house

Section 11 That all acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. ALLEN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1732, as follows:

An Act relating to applications for charters of corporations of the first class and regulating the change of location of the place of business of such corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That where a charter has been heretofore granted in the State of Pennsylvania by the court of common pleas of the proper county and the association thus chartered desires to change the location of its place of business a petition signed by the majority of its board of directors shall be filed in the office of the prothonotary in said county setting forth the exact description of the new location the character of the building for what other purpose if any the building has been or is being used the name of the owner of the building and the number of rooms therein and the number to be used by said association

Section 2 Hereafter all applications for charters to be granted by the court of common pleas of the proper county shall set forth in addition to the matters now required by law the facts specified in section one hereof

Section 3 Before any association so granted a charter by the court of common pleas of the proper county shall change the location of its place of business the petition containing the matters enumerated in the preceding sections after being so filed in the prothonotary's office whereof a record shall be kept in said office shall be duly advertised in like manner as applications for original charters and shall be presented to and the approval had of the court of common pleas of the county that granted the charter for such association

Section 4 This act shall not take effect until sixty days after the passage of the same

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Allen,	Ely,	Light,	Rothenberger,
Alworth,	Ewing,	Lohr,	Runk,
Arthur,	Foster, J. D.,	Lowers,	Sassaman,
Baldwin, G. A.,	Frey,	Mannion,	Savacool,
Baldwin, R. J.,	Geiser,	Martin,	Schaeffer, A. C.
Barner,	Gibson,	Mather,	Schuck,
Becker,	Good,	Matt,	Scott, S. B.,
Benninger,	Goss,	McAleer,	Semmens,
Benson,	Gramley,	McAllister,	Shaffer, C. A.,
Berntheizel,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Bigger,	Gray, Joseph,	McClintock,	Shern,
Bittles,	Hackett,	McDermott,	Sherwood,
Blair, W. A.,	Haggerty,	McKay,	Showalter,
Blair, W. F.,	Helsinger,	Mechling,	Smith, J. W.,
Body,	Hemminger,	Mellott,	Smith, L.,
Brosius,	Hess,	Metzenbacher,	Snavely,
Brown,	Heyburn,	Miller,	Snyder,
Brownlee,	Hibshman,	Moore,	Spillinger,
Burnett,	Hobbs,	Morrow,	Steedle,
Caldwell,	Hoffman,	Moses,	Steele,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Stein,
Campbell, J. J.,	Humes,	Musser,	Strauss,
Carson,	Isler,	Newbaker,	Swartz,
Carter,	Irwin, G. C.,	Newton,	Swift,
Cheeseman,	Irwin, H. H.,	North,	Thomas,
Claycomb,	Jackson,	O'Neill,	Trach,
Cleary,	Jones, J. R.,	Pennock,	Ulerich,
Cochran	Kaiser,	Perry, H. L.,	Ulman,
Collins,	Kaufman,	Perry, S. J.,	Walnut,
Conniff,	Keegan,	Peters,	Walsh,
Conrade,	Keeport,	Piper,	Walton,
Cox,	Kennedy,	Post,	Wettach,
Currier,	Kern,	Price,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Davis,	Klepper,	Redfield,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Donnally,	Lanius,	Rhoads,	Young, G. K.
Down,	Lenker,	Robinson,	Zimmerman,
Dunn, H. B.,	Leslie,	Rockwell,	Alter,
Dunn, J. A.,	Letzkus,	Roney,	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1458, as follows:

An Act creating a division of distribution of documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "documents" as used in this act shall be taken to mean all documents books pamphlets reports and other publications of similar or analogous nature printed at the expense of the Commonwealth for any department of the State Government or any branch thereof or for the General Assembly or for any legislative committee thereof or for any commission or commissioner authorized by law The term shall not include legislative bills the legislative journal legislative calendars or routine blank books or forms used in the performance of the work of the State Government bulletins issued by the departments of the State Government nor paper books briefs or other documents and papers printed for the use of the Attorney General

Section 2 There is hereby established in the Department of Printing and Binding a division to be known as the "Division of Distribution of Documents"

Section 3 The chief of the Division shall be appointed for the term of four years by the Superintendent of Public Printing and Binding with the approval of the Governor He shall before assuming the duties of his office take and subscribe to the oath or affirmation prescribed by the Constitution of this Commonwealth and shall give bond to the Commonwealth in the sum of ten thousand dollars ($10,000) conditioned on the faithful performance by him of the duties of his office He shall receive an annual salary of two thousand four hundred dollars ($2,400)

Section 4 The Superintendent of Printing and Binding shall appoint in said Division one stenographer and typewriter who shall receive an annual salary of twelve hundred dollars ($1,200) Additional help for said Division shall be furnished when necessary by the Superintendent of Public Grounds and Buildings

Section 5 It shall be the duty of the State Printer when he shall print any documents at the expense of this Commonwealth to deliver all such documents to the Division of Distribution of Documents Failure or refusal to do so shall constitute a misdemeanor

Section 6 Whenever any documents shall be delivered to the chief of the Division he shall ascertain the number of the same and shall compare the paper printing and binding thereof with the paper printing and binding set forth in the order of the Superintendent of Public Printing and Binding to the State Priter for such documents and if he shall find any variance in the number of documents or in the quality of the paper or the printing or binding he shall report the same at once to the Superintendent of Public Printing and Binding

Section 7 It shall be unlawful for any officer of the State Government or for any legislative committee or for any commission or commissioner authorized by law to have any document printed except by the State Printer unless the State Printer is required to order printing done elsewhere because of the failure of the State Printer to do the work or it is necessary in order to expedite the printing for the said Superintendent of Public Printing to have the printing done elsewhere as now provided by law

Section 8 The chief of said Division shall distribute documents only on a written order addressed to the chief of the Division by the official or person entitled to such documents The distribution of any document the distribution of which is not provided for in this act shall be subject to the approval of the Superintendent of Public Printing and Binding

Section 9 The only persons who shall be entitled to order documents from the Division shall be the following namely the Governor the members of the General Assembly the heads and deputy heads of the various departments of the State Government Each department and each sole commissioner and the chairman of any lawful commission and the chairman of any legislative committee shall be entitled to order from the Division such document not enumerated in this act as may be necessary in the performance of the work of such department of commissioner or commission or committee or institution and also such documents not enumerated in this act as shall embody the results of the work of such department or any bureau or division thereof or of any such commissioner commission or committee

Section 10 As soon as copies of any document are delivered to the Division the Chief shall in writing notify each member of the General Assembly and each official and department and commission and committee of the number thereof to which he or it is entitled If such member of the General Assembly or official or department or commission or committee shall not requisition his or its quota within three months thereafter The documents so remaining unrequisitioned or any part thereof shall then be open to general requisition on the part of such member and official and department and commission and committee without regard to number There shall however be retained such number of each document for future use as the Superintendent of Public Printing and Binding shall determine Notification thereof shall be sent to said members and officials and departments and commissions and committees

Section 11 To the persons entitled to documents the chief shall furnish on request blank forms for orders for documents

Section 12 Whenever any department or committee or commission shall requisition and receive documents for distribution it shall be the duty of the head of such department committee or commission to file with the Division before the first day of July of each year the exact number of documents of each kind that have been requisitioned but not distributed during the year ending the first day of June preceding said first day of July

Section 13 The Board of Commissioners of Public Grounds and Buildings shall furnish adequate rooms for conducting the affairs of the Division and shall furnish and keep the same duly furnished On requisition of the Chief of the Division countersigned by the Superintendent of Public Printing and Binding it shall furnish all supplies and labor that may be necessary in conducting the affairs of the Division

Section 14 The Superintendent of Public Printing and Binding shall (on requisition of the chief of the Division) furnish all printing that may be necessary in such Division

Section 15 The chief of the division shall on or before the first day of July annually report to the Superintendent of Printing and Binding the number of documents received the manner and on whose order they have been distributed and the number remaining undistributed He shall also report the names of those who in his judgment have unreasonably requested documents or who have exceeded in their orders the number of documents to which they would reasonably be entitled He shall also suggest improved methods leading to economy in the printing and distribution of documents This report or a summary thereof shall be included in the report of said superintendent to the Governor

Section 16 Documents shall be distributed in the following manner only

1 Personally to those entitled thereto or to their duly authorized agent

2 By mail if the documents be requested singly

3 When the documents can be sent more cheaply by common carrier than by mail the distribution shall be in bulk by contract

Upon the requisition of any member of the General Assembly at any time during their term of office any document requested shall be delivered by mail or otherwise to the address of the person indicated in such requisition Due credit shall be given to the respective member by a slip attached to the front of such document upon which shall be printed "Compliments of John Doe member of the Senate (or of the House of Representatives as the case may be)" This however shall not prevent any member from having his allotment sent on requisition in bulk to his home or business address if he shall so desire

Section 17 During the month of July in each even numbered year the Superintendent of Public Printing and Binding shall by advertisemet solicit proposals for distributing documents which are to be distributed in bulk Such advertisements shall be once a week for four consecutive weeks The advertisements shall state approximately the manner in which the documents shall be shipped and shall give the time and place when and where the proposals shall be opened The Governor shall designate one daily newspaper in each of the following cities wherein such advertising shall appear namely Philadelphia Pittsburgh Scranton and Harrisburg The Governor may also designate one newspaper each in such other counties not to exceed five as he may deem proper The rates for such advertising shall not exceed the ordinary legal rate for such newspaper

Section 18 No proposal shall be considered unless it conforms to all of the following requirements

1 Each proposal shall be in duplicate one of which shall be marked "Duplicate Proposal"

2 Each proposal shall be accompanied by a certified check to the order of the State Treasurer in one-fourth of the amount of the proposal or by a bond in such form as shall be prescribed by the Superintendent of Public Printing and Binding and in the full amount of the proposal Each bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealth or two sureties approved by a judge of the court of Common Pleas of the county in which the bidder resides or the county wherein shall be located the principal place of business of the bidder

3 Each proposal together with the proper bond or check shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the Superintendent of Public Printing and Binding who shall retain all envelopes unopened until the time fixed by law for the opening thereof

Blank forms for proposals and blank forms for bond and surety with jurisidction thereof shall be furnished by the chief of the division to all prospective bidders

Section 19 Proposals for distributing documents in bulk shall be opened at twelve o'clock meridian on the second Monday of August in even numbered years and the contract for such distribution shall thereupon be awarded to the lowest and best bidder Bids shall not be opened nor a contract awarded except in the presence of the said Superintendent and of the said chief and of the Auditor General The Superintendent of Public Printing and Binding may however reject any or all bids and re-advertise as before The bids when opened shall be tabulated and shall be opened to inspection by all the bidders A record of all bids shall be kept by the Chief of the Division No contract shall be let without the approval of the Governor the Auditor General and the State Treasurer

Section 20 Each contract for the distribution of documents shall be prepared by the Attorney General and shall be for a period of two years from the fifteenth day of August in even numbered years If all proposals shall be rejected and a readvertisement determined upon any contract entered into thereafter shall be drawn so as to expire on the fifteenth day of August in the odd numbered year next ensuing

Section 21 Any bidder who shall have accompanied his proposal with a certified check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for the check a bond as herein prescribed otherwise the check shall be retained in lieu of a bond

Section 22 The bonds and checks of all unsuccessful bidders shall be held by said Superintendent of Public Printing and Binding for a period of ten days from the date of opening the proposals after which time they shall be returned to the respective parties submitting them

Section 23 When a contract for the distribution of documents shall be awarded the contracts shall remove all documents to be distributed from the rooms of the division of distribution If the contractor shall fail to comply with the terms thereof the contract may be awarded to the next best and responsible bidder or the Superintendent of Public Printing and Binding may re-advertise and proceed as in the case of a new contract or he may have the work stipulated in the contract performed otherwise at the expense of the de faulting contractor and his surety or the Superintendent of Public Printing and Binding may call upon the surety on the bond to fulfill the terms of the contract If the contract be awarded to the next best bidder or be re-advertised and re-awarded or the work done otherwise as aforesaid the Attorney General shall in the name of the Commonwealth bring action against the defaulting contractor and his surety to recover fully the loss if any sustained by the Commonwealth by such default Any check that accompanied the proposal of such contractor shall be forfeited to the Commonwealth

Section 24 All documents of this Commonwealth shall be printed and bound and distributed as provided in this act The Governor and each member of the Senate and each member of the House of Representatives and each department and commission and institution shall be respectively entitled to requisition not more than the number of documents respectively hereinafter set forth

1 Two thousand copies each of the Governor's Inaugural Address Annual Biennial and Special Message one thousand of which shall be bound in cloth The Governor shall be entitled to requisition not more than five hundred copies each Senator seven copies each member of the House of Representatives four copies the State Librarian three hundred copies and the Secretary of the Commonwealth one hundred copies

2 Twenty-eight thousand two hundred five copies of the Pamphlet Laws of each session to be bound in sheep or United States standard buckram as the Superintendent of Public Printing and Binding shall deem most expedient Not more than twenty copies shall be labeled "Property of the Senate" and not more than twenty copies shall be labeled "Property of the House" Each Senator shall be entitled to requisition seventy-five copies each member of the House fifty copies the State Librarian five hundred copies the Governor one hundred copies each department five copies the Legislative Reference Bureau fifty copies and the Secretary of the Commonwealth twelve thousand copies to be distributed as provided by law One of the copies to each department shall be bound to match the sets now in each office

3 Three thousand copies of the Appropriation Laws shall be printed and bound in a separate volume in cloth Each Senator may requisition nine copies each member of the House four copies and the Secretary of the Commonwealth fifteen hundred copies

4 Four hundred copies each of the Journals of the Senate and of the House of Representatives to be bound in full sheep or otherwise as the Superintendent of Public Printing and Binding shall deem most expedient Not more than ten copies shall be labeled "Property of the Senate" and not more than ten copies shall be labeled "Property of the House" Each Senator shall be entitled to requisition one copy each member of the House one copy the State Librarian one hundred copies the Legislative Reference Bureau five copies the Secretary of the Commonwealth ten copies

5 Three thousand fifty copies of the report of the Auditor General on the finances Each Senator may requisition five copies eac hmember of the House five copies the Auditor General

one thousand two hundred copies the Governor fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies

6 One thousand seven hundred fifty copies of the report of the State Treasurer Each Senator may requisition three copies each member of the House of copies the State Treasurer six hundred fifty copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies

7 On thousand five hundred copies of the general report of the Secretary of Internal Affairs Each Senator may requisition two copies each member of the House one copy the Secretary of Internal Affairs seven hundred copies the Governor fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

8 Four thousand copies of the report of the Secretary of Internal Affairs on Industrial Statistics Each Senator may requisition seven copies each member of the House four copies the Secretary of Internal Affairs two thousand two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau ten copies

9 Three thousand one hundred copies of the report of the Secretary of Internal Affairs on railroads canals and telegraphs Each Senator may requisition eight copies each member of the House five copies the Secretary of Internal Affairs one thousand two hundred copies the Secretary of Internal Affairs one thousand two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

10 Eight thousand four hundred copies of the report of the Department of Mines Each Senator may requisition fifteen copies each member of the House ten copies tht Department of Mines five thousand copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Refence Bureau five copies

11 Eleven thousand copies of the report of the Superintendent of Public Instruction Each Senator may requisition eight copies each member of the House five copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Sueprintendent of Public Instruction nine thousand one hundred copies for distribution among the various school districts of the State and the Legislative Reference Bureau five copies

12 Fifty-six thousand seven hundred copies of the School Laws and Decisions Each Senator may requisition twenty-five copies each member of the House fifteen copies the Governor one hundred copies the Secretary of the Commonwealth two hundred copies the State Librarian three hundred copies the Legislative Reference Bureau one hundred copies and the Superintendent of Public Instruction fifty thousand copies for distribution among the various school districts of the Commonwealth

13 Two thousand copies of the report of the Commissioners of Soldiers' Orphan Schools Each Senator may requisition three copies each member of the House two copies the @overnor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Commissioners one thousand copies

14 Three thousand seven hundred copies of the report of the Adjutant General Each Senator may requisition six copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Adjutant General one thousand eight hundred copies

15 Three thousand nine hundred copies of the report of the Insurance Commisisoner on fire and marine insurance Each Senator may requisition eight copies each member of the House five copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Insurance Commission two thousand copies

16 Five thousand four hundred copies of the report of the Insurance Commissioner on life and accident insurance Each Senator may requisition ten copies each member of the House five copies from Goverdnor fifty copies the Secretary of the Commonwealth fifrty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Insurance Commisisoner two thousand copies

17 Twenty thousand copies of the report of the Secretary of Agriculture Each Senator may requisition fifty copies each member of the House fifty copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Agriculture Experiment Station one hundred copies the Legislative Reference Bureau five copies and the Department of Agriculture two thousand five hundred copies

18 Thirty-two thousand six hundred copies of Smull's Legislative Hand Book Each Senator may requisition one hundred fifty copies each member of the House seventy-five copies each department two hundred copies the compiler of the Hand Book one hundred copies the Governor five hundred copies the State Librarian five hundred copies the Secretary of the Commonwealth five hundred copies the Legislative Reference Bureau one hundred copies From the number requisitioned by each department at least one copy shall be delivered by the head of such department to each officer and clerk therein

19 One thousand seven hundred copies of the report of the Board of Public Charities Each Senator may requisition five copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Board of Public Charities four hundred

20 Seven thousand five hundred copies of the report of the Fisheries Commission Each Senator may requisition thirty copies each member of the House fifteen copies the Governor one hundred copies the Secretary of the Commonwealth two hundred copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Fisheries Commission four hundred copies

21 Three thousand nine hundred copies of the annual report of the Commisioner of Health which may be bound in one or two volumes as theSuperintendent of Public Printing requisition eight copies each member of the House four annd Binding shall deem most expedient Each Senator may copies the Department of Health two thousand copies the Governor fifty copies the Secretry of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies

22 Bulletins in pamphlet form issued by the Department of Health monthly or at longer intervals and not more than ten thousand copies at one issue The State Librarian may requisition three hundred copies the Legislative Reference Bureau ten copies and the Department of Health nine thousand copies

23 Two thousand six hundred copies of the report of the Commissioner of Banking on Banks Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Department of Banking seven hundred copies

24 Two thousand six hundred copies of the report of the Commissioner of Banking on Building and Loan Associations Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Department of Banking seven hundred copies

25 One thousand two hundred copies of the report of the Commissioners of the Sinking Fund Each Senator may requisition three copies each member of the House two copies the State Treasurer two hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies and the State Librarian three hundred copies

26 Two thousand one hundred copies of the report of the State Librarian Each Senator may requisition five copies each member of the House three copies of the State Librarian one thousand copies the Governor fifty copies and the Secretary of the Commonwealth fifty copies

27 Five hundred copies of the report of the Superintendent of Public Printing and Binding The Superintendent may requisition two hundred and the State Librarian three hundred copies

28 Two thousand two hundred copies of the report of the Attorney General Each Senator may requisition five copies each member of the House three copies the Governor one hundred copies of the Secretary of th Commonwealth one hundred copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Attorney General eight hundred copies

29 Three thousand four hundred copies of the report of the Factory Inspector Each Senator may requisition five copies each member of the House three copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau twenty-five copies and the Factory Inspector one thousand five hundred copies

30 Two thousand copies of the annual report of the Trustees of Pennsylvania State College and accompanying papers Each Senator may requisition two copies each member of the House one copy the Governor thirty copies the Secretary of the Commonwealth thirty copies the State Librarian one hundred fifty copies and the remaining number for the trustees of the college The President of Pennsylvania State college may have any reprints of any parts of said annual reports or of earlier reports made and bound in paper in such number as he may deem necessary to meet the public demand provided however that the gross cost of the whole number of reports and documents may amount to at least the contract price of five thousand annual reports on the contract for State printing

31 Five thousand five hundred copies of the Report of the Department of Forestry Each Senator may requisition each copies each member of the House four copies the Department of Forestry three thousand six hundred copies the Governor fifty copies the Secretary of the Commonwealth fifty copies and the State Librarian three hundred copies

32 Three thousand copies of the report of the Highway Commissioners Each Senator may requisition eight copies each member of the House four copies the Governor fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau five copies and the Highway Commissioner one thousand one hundred copies

33 Bulletins in pamphlet form issued by the Department of Agriculture (other than Zoological Bulletins) not more than twenty-five thousand copies at one issue The State Librarian three hundred copies the Legislative Reference Bureau ten copies and the Department of Agriculture twenty-three thousand copies

34 Bulletins in pamphlet form issued by the Division of Zoology in the Department of Agriculture not more than fifty thousand copies at one issue The State Libririan may requisition three hundred copies the Legislative Reference Bureau ten copies and the Department of Agriculture forty-five thousand copies

35 Twelve hundred copies of the annual report of the Encampment of the Grand Army of the Republic as ordered by the Secretary of Internal Affairs The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Secretary of Internal Affairs eight hundred copies

36 Four thousand copies of the annual report of the Water Supply Commission The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau ten copies and the Water Supply Commission three thousand five hundred copies

37 One thousand four hundred copies of the annual report of the Report of Game Commissioners The State Librarian may requisition three hundred copies the Legislative Reference Bureau five copies and the Board of Game Commissioners one thousand copies

38 Two thousand eight hundred copies of the report of the Railroad Commission with the reports of the common carriers of the State Librarian may requisition three hundred copies the Legislative Reference Bureau five copies and the Railroad Commission two thousand copies

39 Bulletins in pamphlet form issued by the Highway Commissioner other than of automobile licenses and more than ten thousand copies at one issue. The State Librarian may requisition three hundred copies the Legislative Reference Bureau ten copies and the Commissioner of Highways nine thousand copies

40 Five thousand copies of the Annual Report of the State Fire Marshal The Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies the Legislative Reference Bureau ten copies each Senator may requisition ten copies each member of the House five copies the Fire Marshal two thousand five hundred copies

Section 25 Whenever any document of any kind not included in this act shall be printed by the State Printer for any branch of the State Government or for the General Assembly or for any legislative committee or for any commission or commissioner authorized by law four hundred and five copies thereof shall be printed in addition to the number called for Of such additional copies the Governor may requisition fifty copies the Secretary of the Commonwealth fifty copies the State Librarian three hundred copies and the Legislative Reference Bureau five copies The order for printing such additional copies shall be included by the Superintendent of Public Printing and Binding in his order to the State Printer for such publication

Section 26 If it shall be found at any time that more copies of any document are printed than are actually needed the Governor is authorized by order directed to the Superintendent of Public Printing and Binding to decrease the number of such documents if he may see fit

Section 27 It shall be the duty of the head of each department commission State Library and Chief Clerk of the Senate and House of Representatives at the close of each year to turn over to the Division of Distribution of Documents all such pamphlet bulletins reports et cetera as will not be needed to supply a possible demand and shall take a receipt for the same the Superintendent of Public Printing and Binding to have authority upon approval of the Governor to sell such waste material the proceeds from such sales to be turned into the State Treasury

Section 28 Any person that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and to undergo an imprisonment in the jail of the proper county for a period not exceeding six months

Section 29 The act approved the seventeenth day of April one thousand nine hundred five entitled "An Act to regulate the publication binding and distribution of the public documents of this Commonwealth" and all other acts and parts of acts regulating the number and distribution of public documents and all acts and parts of acts inconsistent with the provisions of this act are hereby repealed But this repeal shall not operate to revive any law not in force at the date of the approval of this act This act shall not become operative until the present contracts for distribution of documents shall have terminated

On the question,

Shall the bill pass finally?

Mr. SCHUCK. Mr. Speaker, I do not want to take up the time of the House with this bill unless there is some one who wishes to ask some questions regarding it. It is a very long bill, but there is very little in it that is new. The first few pages provide for a new division in the department of printing and binding. The last few pages provide for a penalty for the lack of the proper enforcement. The bulk of the bill provides for the amount of supplies that bulk o the bill provides or the amount of supplies that shall be printed for each department, and is about the same as the old law. If there is any one who wishes to know anything about the bill I will be pleased to give him the information desired. This is not the bill of one man's mind, nor of two. We visited all the departments with a view of economizing on the printing contracts to be let. I do not wish to take up any more time unless some one desires some information.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman?

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. SCHUCK. I will.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman how many new offices it creates.

Mr. SCHUCK. Mr. Speaker, it provides for the Head of the Division, a Division Chief, at twenty-four hundred dollars a year, and one assistant who shall be a stenographer at twelve hundred dollars a year. In the original provisions of the act, it called for two assistants, but the printing committee after advising with the head of the Printing and Binding Department with a view to economy cut off the two assistants and left it with one man at two hundred dollars, under a ten thousand dollar bond, which we did not think exorbitant, and the one assistant to be a stenographer at twelve hundred dollars a year.

Mr. ALLEN. Mr. Speaker, I would like to further interrogate the gentleman, and ask whether or not all the things provided for by the proposed newly created department are not now being attended to by the force of the Resident Clerk.

Mr. SCHUCK. Mr. Speaker, the chief object of this distribution act is to prevent the members of this House or Senate or any one in any department from having sent to them a lot of material and documents and reports which they don't want. This bill provides that you shall be entitled to so many requisitions of each report of the Phamplet Laws, and such books as Smulls and various other documents and that you are entitled to that. You can requisition that individually—that is, in separate requisitions. This department will mail from time to time to you or for your constituents what you requisition for; they prepare and stamp the first leaf; that is the popular feature which avoids double transportation and is a great advantage to the officials and members. Under the present system, some of the members cellars are full of documents that are never distributed and every member that has been here for a number of years has hundreds of dollars worth of books in some out of the way place or side office that he has never distributed. Under this act, you get only the reports that you have made a requisition for. You can make a requisition and have them sent in bulk by frieght or you can have them sent in piece meal, one piece at a time.

Mr. ALLEN. Mr. Speaker, the gentleman has answered almost everything but my question. I desire to ask him again whether or not the general duties prescribed by this bill are not now performed by the Resident Clerks' force.

Mr. SCHUCK. Mr. Speaker, no, sir. They are not.

Mr. ALLEN. Mr. Speaker, under the present system my experience has been that the law, in the first place, provides for the printing of certain reports and in the next place, each year at the close of the sesison of this House, the resident clerk sends out a box of books to each member which covers the reports and documents which are issued by the various departments of the state and they are sent to the various members so that they may distribute these reports among their constituents, and if a member of this House should be in dire need of a number of extra copies, he can make a new requisition on the resident clerk and have his wants supplied as a general rule. I see no necessity for this bill. I see no necessity of creating a new department; I see no necessity of changing the manner of sending out these publications and it looks very selfish to me that a member of this House when he wants a report sent to some one of his constituents that he should place a requisition with this newly created department and have it sent at the expense of the State. If he has enough interest in that constituent to send him a report he ought to certainly have enough interest to put on the postage himself and have it sent to him and not ask the State to pay the bill. I cannot agree that the service would be any different from what we have now and I can only see that it creates a new department for which there is no necessity and I am against it.

Mr. SCHUCK. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Allen, permit himself to be interrogated?

Mr. ALLEN. Mr. Speaker, Yes, sir.

Mr. SCHUCK. Mr. Speaker, I would like to ask the gentleman whether he has read this bill carefully and whether he has considered the provisions contained therein?

Mr. ALLEN. Mr. Speaker, so far as the general provisions of the bill are concerned, I have read the bill and considered it. In relation to the details of the bill as to exactly how many of each publication would be sent, I have neither read them nor compared it with the list.

Mr. SCHUCK. Mr. Speaker, the resident clerk gets up a box of books containing reports. This bill provides that you have a right to a certain number which is not changed except in one respect. The number of the Phamplet Laws is increased from thirty-five to fifty. For this reason: The number of lawyers have increased greatly in this State and the demand among the common people for the

laws, also, is greater, and after careful consideration we thought it was a good plan to conservatively increase the number of pamphlets from thirty-five to fifty. After three months, if a member has not requisitioned his supply, it will remain in the department and some other member may requisition, in addition to his specified number by law, and in that way it will permit members to get more if they want them, and there is a great saving and not so much waste. I hope the House will support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—52.

Alworth,	Heidinger,	Moses,	Smith, J. W.,
Baldwin, G. A.,	Hobbs,	Peachey,	Steele,
Bittles,	Humes,	Pennock,	Stone,
Brosius,	Irwin, G. C.,	Post,	Strauss,
Brownlee,	Kern,	Redfield,	Swift,
Cox,	Latshaw,	Reeser,	Trach,
DeFrees,	Leslie,	Richards,	Ulerich,
Down,	Light,	Robinson,	Ulman,
Dunn, H. B.,	Lohr,	Roney,	Walton,
Ely,	Mather,	Schuck,	Wilson, J. H.,
Foster, J. D.,	McAllister,	Scott, S. B.,	Wilson, W. H.,
Gibson,	McCaig,	Shaffer, C. A.,	Wiltbank,
Gramley,	McClintock,	Shaffer, I. E.,	Young, G. K.,
Gray, Frank,	McKay,	Sherwood,	Alter,
Haggerty,	Morrow,	Showalter,	Speaker.

NAYS—102.

Allen,	Dickinson,	Kaufman,	Newton,
Arthur,	Donahoe,	Keegan,	North,
Barner,	Donnally,	Keeport,	O'Neill,
Bass,	Dunn, J. A.,	Kennedy,	Perry, H. L.,
Becker,	Eichenberger,	Kitts,	Perry, S. J.,
Benninger,	Ewing,	Klepper,	Peters,
Benson,	Fahey,	Kuhn, H. P.,	Piper,
Bigger,	Flynn,	Kuhns, E.G.M.,	Price,
Blair, W. A.,	Forster, I. G.,	Lanius,	Ramsey,
Blair, W. F.,	Geiser,	Lenker,	Reese,
Body,	Good,	Letzkus,	Rex,
Burnett,	Grabe,	Lowers,	Rhoads,
Caldwell,	Gray, Joseph,	Martin,	Rothenberger,
Campbell, C.M.,	Hackett,	Matt,	Sassaman,
Campbell, J. J.,	Hemminger,	McAleer,	Savacool,
Carson,	Hess,	McArdle,	Schaeffer, A. C.
Carter,	Heyburn,	McDermott,	Semmens,
Cheeseman,	Hibshman,	Mechling,	Snavely,
Claycomb,	Hoffman,	Mellott,	Snyder,
Cleary,	Howard, R.,	Miller,	Steedle,
Collins,	Isler,	Moore,	Swartz,
Conniff,	Irwin, H. H.,	Moulthrop,	Thomas,
Conrade,	Jackson,	Murphy,	Walnut,
Currier,	Jones, J. R.,	Musser,	Wildman,
Curry,	Kaiser,	Newbaker,	Young, J. H.,
Davis,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1666, as follows:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven and which as amended by said act reads as follows

"Section 13 That it shall and may be lawful for any company incorporated under the provisions of this act for the purpose of constructing a ship canal either wholly within or partly within and partly without this State as heretofore stated between the waters of the Great Lakes and navigable rivers of this Commonwealth under authority of this or any adjoining State to merge and consolidate its capital stock franchises and property with any other similar company or companies organized under the laws of this or any other State or the United States whenever the two or more canals of the companies so to be consolidated when constructed by meeting directly or by means of any intervening branch feeder reservoir or other body of water shall or may form a continuous line of navigable waterway such consolidation shall be made under the conditions provisions restrictions and in the manner provided in the second third fourth fifth sixth seventh and eighth sections of an act entitled "An Act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" said act having been approved on the twenty-fourth day of March Anno Domini one thousand eight hundred and sixty-nine and the laws of the United States or of the other State or States in which such canal or canals are or shall be intended to be constructed

Any company incorporated under this act may abandon any portion of the route of its main canal branches feeders of other works upon which the work of construction has not been commenced Provided That if such abandonment would leave a route not forming a continuous line of waterway between the Great Lakes and a navigable river in this Commonwealth such abandonment shall not become lawful until said company adopt a new route as a substitute for such abandoned portion either wholly within or wholly without or partly within or partly without this State or until such company shall by consolidation merger lease purchase or otherwise acquire such substitute route so that the route of such canal shall be a continuous line of navigable waterway from some point either within or without this State on the Great Lakes to a point on a navigable river within this State And provided further that a copy of the resolution or resolutions adopted by the directors attested by the seal of the corporation and the signatures of the president and secretary shall be filed in the office of the Secretary of the Commonwealth" be and the same is hereby amended to read as follows

"Section 13 That it shall and may be lawful for any company incorporated under the provisions of this act for the purpose of constructing a ship canal either wholly within or partly within and partly without this State as heretofore stated between the waters of the Great Lakes and navigable rivers of this Commonwealth under authority of this or any adjoining State to merge and consolidate its capital stock franchises and property with any other similar company or companies organized under the laws of this or any other State or the United States whenever the two or more canals of the companies so to be consolidated when constructed by meeting directly or by means of any intervening branch feeder reservoir or other body of water shall or may form a continuous line of navigable waterway such consolidation shall be made under the conditions provisions restrictions and in the manner provided in the second third fourth fifth sixth seventh and eighth sections of an act entitled "An Act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" said act having been approved on the twenty-fourth day of March Anno Domini one thousand eight hundred and sixty-five and the laws of the United States or of the other State or States in which such canal or canals are or shall be intended to be constructed

Any company incorporated under this act may abandon any portion of the route of its main canal branches feeders of other works upon which the work of construction has not been commenced Provided That if such abandonment would leave a route not forming a continuous line of waterway between the Great Lakes and a navigable river in this Commonwealth such abandonment shall not become lawful until said company adopt a new route as a substitute for such abandoned portion either wholly within or wholly without or partly within or partly without this State or until such company shall by consolidation merger lease purchase or otherwise acquire such substitute route so that the route of such canal shall be a continuous line of navigable waterway from some point either within or without this State on the Great Lakes to a point on a navigable river within this State And provided further that a copy of the resolution or resolutions adopted by the directors attested by the seal of the corporation and the signatures of the president and secretary shall be filed in the office of the Secretary of the Commonwealth

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, just a word in explanation of this bill, because it may have confused the members in the reading of the bill. In the amendment of the original Act of 1865, which was a change in that amendment as being an act of 1869, and this makes that correction; being a matter in connection with the waterways between the Great Lakes and the rivers, it is a very important matter, and that change should be made, and carefully made, so that the law would positively be in effect and force.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Allen,	Flynn,	Mannion,	Runk,
Alworth,	Foster, J. D.,	Martin,	Sassaman,
Arthur,	Frey,	Mather,	Savacool,
Baldwin, G. A.,	Geary,	Matt,	Schaeffer, A. C.
Baldwin, R. J.,	Geiser,	McAleer,	Schuck,
Barner,	Gibson,	McAllister,	Scott, J. R. K.,
Bass,	Good,	McArdle,	Scott, S. B.,
Becker,	Goss,	McCaig,	Semmens,
Benninger,	Gramley,	McClintock,	Shaffer, C. A.,
Benson,	Gray, Joseph,	McDermott,	Shaffer, I. E.,
Berntheizel,	Hackett,	McKay,	Shern,
Bigger,	Haggerty,	Mechling,	Sherwood,
Bittles,	Heidinger,	Mellott,	Showalter,
Blair, W. A.,	Hess,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Heyburn,	Miller,	Snavely,

Bleloch,	Hibshman,	Missimer,	Snyder,
Body,	Hobbs,	Moore,	Spillinger,
Brosius,	Hoffman,	Morrow,	Steedle,
Brown,	Howard, R.,	Moses,	Steele,
Browniee,	Humes,	Moulthrop,	Stein,
Burnett,	Isler,	Murphy,	Stone,
Caldwell,	Irwin, G. C.,	Neely,	Strauss,
Campbell, C.M.,	Irwin, H. H.,	Newbaker,	Swartz,
Campbell, J. J.,	Jackson,	Newton,	Swift,
Carson,	Jones, E. E.,	North,	Thomas,
Carter,	Jones, J. R.,	O'Neill,	Trach,
Cleary,	Kaiser.	Peachey,	Ulerich.
Cochran	Kaufman,	Pennock,	Ulman,
Collins,	Keegan,	Perry, H. L.,	Walnut,
Conniff,	Keeport,	Perry, S. J.,	Walsh,
Cox,	Kennedy,	Peters,	Walton,
Currier,	Kern,	Piper,	Watson,
Curry,	Kitts,	Post,	Whitaker,
DeFrees,	Klepper,	Price,	Wildman,
Dickinson,	Kuhn, H. P.,	Ramsey,	Williams,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
Donnally,	Lanius,	Reese,	Wilson, W. H.,
Down,	Latshaw,	Rhoads,	Wiltbank,
Dunn, H. B.,	Lenker,	Robinson.	Young, G. K.,
Ehrhardt,	Leslie,	Rockwell,	Young, J. H.,
Eichenberger,	Light.	Roney,	Zimmerman,
Ely,	Lohr,	Rothenberger,	Alter,
Ewing,	Lowers,		Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1348, as follows:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That an amendment be submitted to the people of the Commonwealth of Pennsylvania to amend Section one of Article two of the State Constitution so as to read as follows

Section 1 Legislative Authority The Legislative authority of this Commonwealth shall be vested in a Senate and House of Representatives but the people reserve to themselves power to propose legislative measures laws resolutions and amendments to the Constitution and to enact or reject the same at the polls independent of the General Assembly and also reserve power at their own option to approve or reject at the polls any act item section or any part of any act or measure passed by the General Assembly

Section 1A Initiative The first power reserved by the people is the initiative and not more than fifty thousand legal voters (as may be determined by law) shall be required to propose any measure by initiative petition and every such petition shall include the full text of the measure so proposed Initiative petitions shall be filed with the Secretary of the Commonwealth not less than four months before the election at which they are to be voted upon

The initiative may also be invoked as following if at any time not less than ten days prior to the convening of the general assembly there shall be filed with the Secretary of the Commonwealth an initiative petition for any measure signed by five thousand legal voters he shall transmit certified copies of said measure to the Senate and House of Representatives immediately upon organization If said measure be passed by the general assembly either as petitioned for or in an amended form it shall be subject to referendum petitions as other measures If it shall be enacted in an amended form or if no action is taken thereon within four months from the convening of the General Assembly it shall be submitted to the people by the Secretary of the Commonwealth at the next general election Provided such submission shall be demanded by a supplementary initiative petition signed by thirty thousand legal voters and filed not less than four months before such election Said measure shall be submitted in the form demanded by such supplemental initiative petition which form may be either as originally petitioned for or in any amended or substitute form which may have been proposed by or in the General Assembly or there may be incorporated in said measure any amendment or amendments thereto proposed by or in the General Assembly If the measure so submitted is approved by a majority of the electors voting thereon it shall go into effect and repeal all law in conflict therewith

Section 1B Referendum The second power is the referendum and it may be ordered either by a petition signed by the required number of legal voters or by the General Assembly as other bills are enacted Not more than thirty thousand legal voters (as may be determined by law) shall be required to sign and make a valid referendum petition Laws making appropriations for the maintenance of the State Government or existing State instiutions not exceeding the next previous appropriation for such purpose shall not be subject to referendum petitions The increase in any such appropriation shall take effect as other laws and such increase or any part or item thereof shall be submited to the people upon referendum petition The filing of a referendum petition against one or more items sections or parts of any measure shall not delay the remainder from becoming operative Referendum petition against measures passed by the General Assembly shall be filed with the Secretary of the Commonwealth not later than ninety days after the final adjournment of the session of the General Assembly at which such measures were passed except when adjournment shall be taken temporarily for a longer period than ninety days in which case such petition shall be filed not later than ninety days after such temporary adjournment All measures referred to a vote of the people by referendum petitions shall remain in abeyance until such vote is taken

Section 1C Emergency If it shall be necessary for the preservation of the public peace health or safety that a measure shall become effective without delay such necessity shall be stated in one section and if upon a yea and nay vote three-fourths of all members elected shall vote upon separate roll-call in favor of the measure going into instant operation such measure shall become operative at the time specified therein It shall be necessary to state in such section the facts which constitute such emergency Provided that an emergency shall not be declared on any franchise or act alienating any property of the Commonwealth If a referendum petition is filed against an emergency measure such measure shall be a law until it is voted upon by the people and if it is then rejected by a majority of the electors voting thereon it shall be thereby repealed The provisions of this sub-section shall apply to city councils

Section 1D Municipal and Local Initiative and Referendum The initiative and referendum powers of the people are hereby further reserved to the legal voters of each municipality county and district as to all local special and municipal legislation of every character in and for their respective municipalities counties and districts cities and towns may provide for the exercise of the initiative and referendum as to their local legislation Petitions shall be filed with the city clerk or other officer as may be provided by law Not more than ten per cent of the legal voters may be required to order the referendum nor more than fifteen per cent to propose any measure by initiative petition in any municipality county or local sub-division of the Commonwealth Every extension enlargement purchase grant or conveyance of a franchise or of any rights properly easement lease or occupation of or in any road street alley bridge or park thereof in any real property or interest in any real property owned by a municipal corporation whether the same be by statute ordinance resolution or otherwise shall be subject to referendum by petition and shall not be subject to emergency legislation The time for filing referendum petitions against municipal or local measures shall not be fixed at less than thirty days after the passage thereof by municipal or local legislative bodies

Section 1E General Provisions The word "measure" as used herein means any law bill resolution ordinance charter or constitutional amendment or any other legislative measure All elections on general local and special measures referred to the people of the Commonwealth or any locality shall be held at the regular general elections except when the Legislature or the Governor shall order a special election but counties cities and towns may provide for special elections on local legislation Any measure submitted to the people as herein provided shall take effect and become law when approved by a majority of the votes cast thereon and not otherwise Such measure shall be in operation on and after the thirtieth day after the election at which it is approved The veto power of the Governor or mayor shall not extend to measures initiated by or referred to the people If conflicting measures submitted to the people shall be approved by a majority of the votes severally cast for and against the same the one receiving the highest number of affirmative votes shall thereby become law No measure approved by a vote of the people shall be amended or repealed by the General Assembly or any city council except by a yea and nay vote upon roll call of three-fourths of all the members elected the whole number of votes cast for Governor at the last preceding general election shall be the basis upon which the number of legal voters necessary to sign local petitions shall be computed except that in municipalities it shall be computed upon the vote cast for mayor Duly legal voters only shall be counted upon petitions Petitions may be circulated and presented in parts but each part of any petition shall have attached thereto the affidavit of the person circulating the same that all the signatures thereon were made in the presence of the affiant and to the best of the affiant's knowledge and belief each signature is genuine and that the person signing is an elector and no other affidavit or verification shall be required The sufficiency of all petitions shall be decided by the Secretary of the Commonwealth or corresponding local officer as the case may be subject to review by courts of record which shall give precedence over all other cases in the adjudication of the same If the Secretary of the Commonwealth or such local officer shall decide any petition to be insufficient he shall without delay notify the sponsors of the petition and permit at least twenty days for correction or amendment In the event of legal proceedings in any court to prevent giving effect to any petition upon any grounds the burden of proof shall be upon the person or persons attacking the validity of the petition Not more than one-half of the signatures upon any petition filed with the Secretary of the Commonwealth shall be from any one county

This section shall not be construed to deprive any member of the General Assembly or city council of the right to introduce any measure The style of all bills shall be "Be it enacted by the people of (name of Commonwealth municipality or county as the case may be) All measures of any kind submitted to a vote of the people shall be published as may hereafter be required by law In submitting measures to the people the Secretary of the Commonwealth and all other officials shall be guided by the general laws until additional legislation shall be provided therefor This amendment shall be self-executing but the General Assembly may enact laws to facilitate its operation No legislation shall be enacted to impair or hamper the exercise of the rights herein reserved to the people

On the question,
Shall the bill pass finally?

HOUSE BILL NO. 1348 MADE A SPECIAL ORDER.

Mr. R. J. BALDWIN. Mr. Speaker, I move that further consideration of this bill be postponed for the present—it is known as the initiative and referendum bill—and move that it be made a special order of business for Monday evening at 10 o'clock.

Mr. BENSON. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. R. J. BALDWIN asked and obtained unanimous consent to call up House Bill No. 1491, file folio 6409, known as the "recall" bill of to-day's calendar, bills on third reading postponed for the present.

BILL ON THIRD READING.

Agreeably to order,

The House resumed third reading and consideration of H. R. bill No. 1491, as follows:

A Joint Resolution proposing a constitutional amendment to the constitution of Pennsylvania granting to the people the right of recall of public officers

Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That an amendment be submitted to the people of the Commonwealth of Pennsylvania to amend article six by adding thereto a new section to be known as section five as follows

Section 5 Every elective public officer in the Commonwealth of Pennsylvania including all the judges of the several courts whether holding his office by election or appointment is subject as herein provided to recall by the legal voters of the Commonwealth or of the electoral district from which he is elected There may be required twenty five per centum (25 per centum) but not more of the voters who voted in his district at the preceding election for the office to which he was elected to file a valid petition demanding his recall by the people save and except that the signatures of one hundred and fifty thousand (150,000) legal voters shall make valid petition demanding the recall of a State officer voted for by the qualified electors of the entire State That petitioners shall set forth in their petition the reasons for such demand If he shall offer his resignation it shall be accepted to take effect on the day the resignation is offered and the vacancy shall be filled as may be provided by law If he shall not resign within five (5) days after the petition is filed a special election shall be ordered to be held in his said election district not less than thirty (30) days nor more than sixty (60) days after the filing of such petition to determine whether the people shall recall such officer On the sample and official ballots at said election shall be printed in not more than five hundred (500) words the reasons for demanding the recall of said officer as set forth in the recall petition and in not more than five hundred (500) words the officer's justification of his course in office provided that the General Assembly may provide by means of a publicity pamphlet or otherwise for further information of the voters concerning the reasons alleged for the recall of any officer as set forth in the original petition filed for the recall of said officer together with the said officer's defense He shall continue to perform the duties of his office until the result of said special election shall be officially declared Other candidates for the office may be nominated to be voted upon at said special election by petition or in such manner as is or may be provided by law The recall of the officer against whom such recall petition is filed shall be voted upon as a separate question If a majority of all the voters voting in such special election shall vote in favor of the recall of said officer he shall thereby be removed from such office and the candidate who shall have received the highest number of votes shall be deemed elected to fill the remainder of the term The name of the officer sought to be recalled shall not appear on the ballot as a candidate No vote for any candidate shall be counted unless the voter has also voted upon the question of the recall of the officer sought to be removed The recall petition shall be filed with the officer with whom a petition for nomination to such office should be filed or other officer as may be provided by law and such officer shall order a special election when it is so required No such recall petition shall be circulated against any officer until he has actually held his office six months save and except that it may be filed against a Senator or Representative in the General Assembly at any time after twenty (20) days from the beginning of the first session after his election After one such petition and special election no further recall petition shall be filed against the same officer during the term for which he was elected within one year of the expiration of the term for which said officer was elected and no further petition shall be filed against said officer until such further petitioners shall first pay into the pulic treasury which has paid such election expenses the whole amount of its expenses for such previous special election Such additional legislation as may aid in the operation of this section shall be provided by law including provisions for payment out of the public treasury of the reasonable special campaign expenses of such officer in the event that he is not recalled

This section shall be self executing It shall be held independent of and additional to any other method of removal from office In carrying out this provision the general election laws shall apply as nearly as may be until the necessary legislation shall be provided therefor But no legislation shall in anyway restrict or limit the operation of the provisions of this article or impair the powers herein reserved to the people

On the question,
Will the House agree to the bill on third reading?

HOUSE BILL NO. 1491 MADE A SPECIAL ORDER.

Mr. R. J. BALDWIN. Mr. Speaker, I move that House Bill No. 1491, file folio 6409, be made a special order for Monday evening at 10:30 o'clock.

Mr. BENSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1621, as follows:

An Act empowering incorporated towns of this Commonwealth without petition of the property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof and assess a portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly and it is hereby enacted by the authority of the same That all incorporated towns in this Commonwealth shall have power without petition of property owners to grade pave curb macadamize and otherwise improve public streets or parts thereof which are now or may hereafter be laid out and opened in any of said incorporated towns and collect in the manner hereinafter provided two-thirds of the cost and expenses of the same from the owners of real estate bounding or abutting thereon by an equal assessment on the feet front bounding or abutting as aforesaid said assessment to be estimated by the street commissioner or person in charge of said work or other competent authority designated by the council of said work or other competent authority designated by the council of said incorporated town Provided That the ordinance authorizing and directing such improvement shall be adopted and enacted by the affirmative vote of two-thirds of all members comprising the council of said incorporated town and shall be presented to the burgess or chief executive of said incorporated town for his approval If the burgess or chief executive approve said ordinance he shall sign it but if he shall not approve he shall return it with his objections to the council at the next regular meeting thereof when said objections shall be entered at large upon the minutes and at the next succeeding regular meeting of council after the return of said ordinance the council shall proceed to a reconsideration thereof If after such consideration all of the members elected to the council shall vote to pass said ordinance it shall then become and be of as full force and effect as if the burgess or chief executive had signed it but in such case the vote of the members of the council shall be determined by yeas and nays and the names and votes of the members shall be entered in the minutes If such ordinance shall not be returned by the burgess or chief executive at the next regular meeting of council after the same shall have been presented to him it shall likewise become and be in as full force and effect as if he had signed it No such ordinance shall be finally adopted and enacted in less than thirty days from the date of its introduceian and in the mean time copies of said ordinance shall be published in a newspaper in said incorporated town or circulating therein once a week for two weeks and by at least five handbills posted along the proposed improvement ten days before the final passage in council of such ordinance

Section 2 All municipal assessments for grading paving curbing macadamizing or otherwise improving public streets or parts thereof as aforesaid shall be filed with the clerk or secretary of the incorporated town who shall thereupon cause thirty days written or printed notice to be given to each party assessed either by service on the owner or agent or left on the assessed premises that the assessments are due and payable If said assessments or any of them shall remain unpaid at the expiration of said notice the same shall be placed in the hands of the solicitor of said town for collection whose duty it shall be to collect the same together with five per centum additional as attorney's commission and interest from the completion of the grading paving curbing macadamizing or other improvement by a municipal claim filed against the delinquent owner describing the premises upon which a scire facias may issue When an owner has two or more lots against which there is an assessment for the same improvement all of said lots shall be embraced in one claim

Section 3 No assessments for grading paving curbing macadamizing or other improvement under the provisions of this act shall be a lien on real estate for more than six months from the time of the completion of such work unless a claim for the same shall be filed in the office of the prothonotary of the proper county within that time nor shall the same continue a lien longer than five years from the time of filing the claim unless revived by scire facias in the manner provided by law in the case of mechanics' claims

Section 4 Every claim shall be a plain statement in which the corporate name of the incorporate town shall be used as a plaintiff and the owner or owners named as defendants and shall contain a description of the property or properties against which it is filed the nature and kind of work done and the time when the same was completed and every claim filed shall be prima facie evidence of all matter therein set forth

Section 5 The term "owner" shall be construed to mean all individuals corporations public or private and associations having any title or interest in the property assessed If the owner to whom notice is required to be given by this act is a non-resident of the incorporated town and his her or their place of residence is unknown to the clerk or secretary of the incorporated town or if the ownership of the property cannot be ascertained the notice shall be posted on the premises and a copy left with the occupant if there be one

Section 6 Where the defendant in any writ of scire facias shall be a corporation and the property assessed cannot be sold the scire facias shall be proceeded upon to judgment and a writ of fieri facias shall be issued thereon by virtue of which any personal property of the corporation wherever situated may be levied on and sold or on an attachment in execution may be issued as in other cases

Section 7 All acts or parts or acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Allen,	Down,	Kuhns, E.G.M.,	Reese,
Alworth,	Dunn, H. B.,	Lanius,	Reeser.
Arthur,	Dunn, J. A.,	Latshaw,	Rex,
Baldwin, R. J.,	Ehrhardt,	Lenker,	Richards,
Barner,	Eichenberger,	Leslie,	Rockwell,
Bass,	Ely,	Light,	Roney,
Becker,	Fahey,	Lohr,	Rothenberger,
Benninger,	Foster, J. D.,	Lowers,	Sassaman,
Benson,	Geary,	Mannion,	Savacool,
Berntheizel,	Geiser,	Martin,	Schuck,
Bigger,	Good,	Mather,	Scott, S. B.,
Bittles,	Goss,	Matt,	Semmens,
Blair, W. F.,	Gramley,	McAleer,	Shaffer, C. A.,
Bleloch,	Gray, Joseph,	McAllister,	Shaffer, I. E.,
Body,	Hackett,	McArdle,	Shern,
Brosius,	Haggerty,	McClintock,	Sherwood,
Brown,	Heidinger,	Mechling,	Showalter,
Brownlee,	Hemminger,	Mellott,	Smith, J. W.,
Burnett,	Hess,	Metzenbacher,	Snavely,
Caldwell,	Heyburn,	Miller,	Spillinger,
Campbell, C.M.,	Hibshman,	Missimer,	Steedle,
Campbell, J. J.,	Hobbs,	Moore,	Strauss,
Carson,	Hoffman,	Morrow,	Swartz,
Carter,	Howard, R.,	Murphy,	Swift,
Cheeseman,	Isler,	Musser,	Thomas,
Claycomb,	Irwin, G. C.,	Newton,	Trach,
Cleary,	Irwin, H. H.,	North,	Ulerich,
Cochran	Jackson,	O'Neill,	Ulman,
Conniff,	Jones, E. E.,	Pennock,	Wildman,
Conrade,	Kaiser,	Perry, H. L.,	Wilson, J. H.,
Cox,	Kaufman,	Perry, S. J.,	Wilson, W. H.,
Currier,	Keeport,	Peters,	Wiltbank,
Curry,	Kennedy,	Piper,	Young, J. H.,
Davis,	Kern,	Post,	Zimmerman,
DeFrees,	Kitts,	Price,	Alter,
Dickinson.	Klepper,	Ramsey,	Speaker.
Donnally,	Kuhn, H. P.,	Redfield,	

NAYS—5.

Blair, W. A.,	Jones, J. R., Walnut,	Moses,	Snyder,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1108, as folows:

An Act providing for the arrest and conviction of any person found visiting a gambling house or place and providing penalty for same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person found visiting any house room outhouse den booth or other place where any game or device of address or hazard with cards dice billiard balls or shuffle boards or any other article or thing whatsoever is conducted or established at which money or other valuable thing may or shall be played for staked or betted upon shall upon arrest either upon view or upon information made and warrant issued and conviction before any alderman police magistrate or justice of the peace be fined in a sum not exceeding one hundred dollars and in default of the payment thereof undergo an imprisonment in the jail or workhouse of the proper county not exceeding ninety days

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—74.

Arthur,	Hemminger,	Mannion,	Redfield,
Barner,	Hess,	Martin,	Rex,
Benninger,	Heyburn,	Matt,	Rhoads,
Benson,	Hibshman,	McAleer,	Rockwell,
Bigger,	Isler,	McAllister,	Scott, S. B.,
Blair, W. A.,	Jackson,	McClintock,	Semmens,
Blair, W. F.,	Jones, J. R.,	McKay,	Shaffer, C. A.,
Brownlee,	Keeport,	Mellott,	Shaffer, I. E.,
Campbell, C.M.,	Kern,	Metzenbacher,	Showalter,
Cheeseman,	Klepper,	Miller,	Snavely,
Claycomb,	Kuhn, H. P.,	Morrow,	Snyder,
DeFrees,	Lanius,	Moses,	Stone,
Dunn, H. B.,	Latshaw,	Moulthrop,	Swartz,
Ely,	Lenker,	Musser,	Swift,
Geary,	Leslie,	Newbaker,	Ulerich,
Grabe,	Letzkus,	Newton,	Walnut,
Gramley,	Light,	Peachey,	Alter,
Gray, Frank,	Lohr,	Pennock,	Speaker.
Heidinger,	Lowers,	Post,	

NAYS—44.

Bass,	Ewing,	Kuhns, E.G.M.,	Schaeffer, A. C.
Becker,	Fahey,	McArdle,	Smith, J. W.,
Body,	Foster, J. D.,	McDermott,	Spillinger,
Burnett,	Geiser,	Missimer,	Steedle,
Campbell, J. J.,	Gibson,	Moore,	Thomas,
Cochran,	Goss,	O'Neill,	Walton.
Collins,	Gray, Joseph,	Perry, S. J.,	Whitaker,
Conrade,	Hackett,	Price,	Wildman,
Currier,	Kaiser,	Reeser,	Wiltbank,
Curry,	Kaufman,	Rothenberger,	Young, J. H.,
Donahoe,	Keegan,	Sassaman,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative. the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1092, as follows:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" as amended by changing and enlarging the penalties for committing such offense

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five "creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" and which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act if any person or persons shall willfully make or cause to be made and loud boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents near by or near to any public highway road street lane alley park square or common within this Commonwealth whereby the public peace is broken or disturbed or the traveling public annoyed he she or they shall be guilty of the offense of disorderly conduct and upon conviction thereof before any justice of the peace alderman mayor or burgess shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding ten dollars and in default of the payment thereof shall be committed to and imprisoned in the county jail of the proper county for a period not exceeding thirty days Provided however that the defendant or defendants within five days after such conviction may appeal to the court of Quarter Sessions of the county in which said justice of the peace alderman mayor or burgess shall reside witnout special allowance therefor upon entering into a recognizance in double the amount of costs and fine conditioned for the appearance of defendant or defendants at the next term of Quarter Sessions to answer said charge" be amended so as to read as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act if any person or persons shall willfully make or cause to be made any loud boisterous and unseemly noise or disturbance to the annoyance of the peaceable residents near by or near to any public highway road street lane alley park square or common within this Commonwealth whereby the public peace is broken or disturbed or the traveling public annoyed he she or they shall be guilty of the offense of disorderly conduct and upon conviction thereof before any justice of the peace alderman police magistrate mayor or burgess shall be sentenced to pay the costs of prosecution and for the first offense to forfeit and pay a fine not exceeding ten dollars ($10.00) and in default of the payment thereof shall be committed to imprisonment in the county jail or workhouse of the proper county for a period not exceeding thirty days for the second or subsequent offense shall be sentenced to pay the costs of prosecution and to forfeit and pay a fine not exceeding fifty ($50.00) dollars and in default of the payment thereof shall be committed to imprisonment in the county jail or workhouse of the proper county for a period not exceeding three months Provided however that the defendant

or defendants within five days after such conviction may appeal to the court of Quarter Sessions of the county in which said justice of the peace alderman mayor or burgess shall reside without special allowance therefor upon entering into a recognizance in double the amount of costs and fine conditioned for the appearance of defendant or defendants at the next term of Quarter Sessions to answer said charge"

On the question,
Shall the bill pass?

BILL POSTPONED.

Mr. ALLEN. Mr. Speaker, in the absence of the sponsor of the bill (Mr. Malie), I move that the further consideration of this bill be postponed for the present.

Mr. BIGGER. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The next bill on the calendar, House Bill No. 1453, is not yet on the files and will be passed over.

The following bill, Senate Bill No. 372, is erroneously upon the calendar. It was recommitted to the Committee on Judiciary General yesterday.

Next bill on the calendar, House Bill 1636, is not yet upon the files and will be passed over.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of Senate Bill No. 552, (House Bill No. 1886), as follows:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right to eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements or the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them

Section 2 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase lease locate construct and equip or otherwise acquire transit facilities or any one or more of them and to own maintain use and operate the same within their respective corporate limits and within the limits of adjacent cities boroughs and townships provided such right shall only be exercised by any of said cities within the limits of adjacent cities boroughs and townships subject to the consent and approval of the proper authorities of such adjacent cities boroughs and townships lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein and provided further that such right shall not be exercised within the limits of any public park or parks without the consent and approval of the authorities vested with the power to regulate the use of said park or parks

Section 3 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell pledge or lease transit facilities or any one or more of them and to grant licenses for the use of transit facilities or any one or more of them or any part thereof to any corporation or corporations duly authorized and empowered under the laws of this Commonwealth to use or operate the same also to enter into agreements for the construction or operation or for both the construction and operation of such transit facilities or any one or more of them by any such corporation or corporations upon such terms and conditions including the prescribing and fixing of rates for transportation as the councils of such cities shall determine provided no such lease license or operating agreement shall be for any period longer than fifty (50) years

Section 4 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licenses to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine Such cities their assigns lessees and licensee may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway Provided compensation for such use shall have been paid or secured

Section 5 Any street passenger railway company surface elevated or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company and any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use of said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars

Section 6 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein property and franchises within their respective corporate limits and within the corporate limits of adjacent cities boroughs and townships as shall be necessary for the acquisition location construction maintenance use and operation of transit facilities or any one or more of them under the rights conferred by this act including such lands and rights and interests therein as shall be necessary for future additions to and enlargements of such transit facilities or of any one or more of them also such lands and rights and interests therein as shall be necessary for the relocation of any track or tracks of existing railroads or railways or of any pipes sewers subways underground conduits or ways necessary to be removed and relocated, in order not to interfere with the location construction maintenance use or operation of such transit facilities or any one or more of them and including also such lands and rights and interests therein as shall be necessary for the purpose of disposing of earth stone and other material excavated in the construction of such transit facilities or any one or more of them Provided however That the right hereby conferred shall not be taken as authorizing the taking or appropriating of any railroad or railway in operation in said cities

Section 7 In cases where the city and the owner or owners of lands rights and interests therein property or franchises to be taken under the powers conferred by this act cannot agree as to the price or damages to be paid or where by reason of the absence or legal incapacity of such owner or owners or where the owner or owners are unknown no agreement as to the price or the damages sustained can be agreed upon the said city may tender its bond in such penal sum as it may deem proper to the party claiming or entitled to said moneys or damages or to the agent of any person absent or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided however That in case the party claiming damages refuses to or does not accept said bond as tendered the said city shall then give said party a written notice at least five days beforehand of a time when the same will be presented for filing in court and thereafter said city may present said bond to the proper court of Common Pleas or to any law judge thereof in vacation and if the said bond is approved it shall be filed in said court for the use of those interested In case the title to the lands rights or interests therein property or franchises to be taken as aforesaid is defective disputed or doubtful or the party owning or interested in the same is absent unknown not of full age of unsound mind or from any cause cannot be bargained with or served with notice or have a bond tendered to him her or them within the county where said lands rights or interests therein property or franchises are taken the court of Common Pleas of the proper county or any law judge thereof in vacation upon petition of the said city setting forth the necessary facts shall direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed and approved by the court or a law judge in vacation for the use of those who may be found entitled to the damages for said taking and appropriation the condition whereof shall be the same as is hereinabove provided in bonds to be tendered owners when known Upon the filing and approval of any bond provided for by this section the respective city shall have the right to enter upon take use occupy and appropriate the lands rights or interests therein property or franchises mentioned in the bond aforesaid and the title acquired by virtue of the provisions of this act shall be the fee simple or absolute title

Section 8 In case the damages for the said taking and appropriation have not been agreed upon any court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition of the city or any person interested shall appoint three discreet and disinterested freeholders as viewers and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the premises or lands taken or appropriated or upon which there is property or with respect to which there are rights interests or franchises taken used or appropriated and view the same The said viewers shall give or cause to be given at least ten days' notice of said meeting to the owner or owners of the

lands rights or interests therein property or franchises taken if such owner or owners reside within the proper county and can be found and where the owner or owners are minors and have a guardian then said notice shall be given to the guardian if resident within the county and can be found and where the owner or owners are lunatic or of unsound mind and have a guardian or committee such notice shall be served upon said guardian or committee and in all cases where the owner or owners are incapciated or are unknown notice shall be given in at least two newspapers of general circulation printed and published in the proper city or county and they shall give such other or further notice as the court shall direct having regard to the circumstances of the case Where minors have no guardians and lunatics or persons of unsound or feeble mind have no guardians or committees the said court shall have power to appoint a guardian or committee ad litem and direct that said notice and all other notices required by this act shall be served upon them

Section 9 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning the matter to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act shall hear the parties interested and their witnesses and shall estimate and determine the value of the lands rights or interests therein property or franchises taken and appropriated and any damages that may have been sustained by reason of said taking and appropriation and to whom the same is payable and having so estimated and determined the value of the property and damages sustained they shall make up their report which shall be signed by them or any two of them and thereupon filed in the court of Common Pleas from which the order to view issued Upon the filing of said report the said viewers shall give notice thereof by one publication in at least two newspapers printed and published in the proper city or county and in additional papers if so directed by the court

Section 10 Upon said report being filed in court any interested party within thirty days may file exceptions thereto and the court shall have power to confirm modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report Or within said thirty days from the filing of any such report in court the respective city or any party whose lands rights or interests therein property or franchises have been taken may appeal to the proper court of Common Pleas and demand a trial by jury according to the course of the common law and said court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such orders as it may deem requisite Upon the entry of final judgment on any issue had upon such appeal either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 11 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell any of the lands rights and interests therein property and franchises acquired and owned under the rights conferred by this act or any one or more of them or any part thereof if and when the same shall have become unnecessary for their purposes

Section 12 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass?

RECONSIDERATION OF VOTE.

Mr. RONEY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

Mr. W. H. WILSON. Mr. Speaker. I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend Section 3. line 14, by inserting after the word "years" the following:

"Providing further that no such agreement for the construction of such transit facilities or any one or more of them or any part thereof shall be made or entered into unless the same provides that work on such construction shall begin within one year from the date of said agreement and completed within a fixed time designated in said agreement. Providing further that no agreement for the leasing, licensing, using or operating transit facilities or any one or more of them or any part thereof to any individuol co-partnership or corporation shall be made or entered into unless said agreement provides that the actual use or operation of such transit facilities or any one or more of them or any part thereof shall begin within a definite, fixed and reasonable time."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will eb inserted in accordance with the instructions of the House.

Mr. JHON R. K. SCOTT. Mr. Speaker, I ask unanimous consent to insert further amendments.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section 4, line 16 by inserting after the word "railway" the following: "upon such terms and conditions as the councils of such cities shall determine."

Amend Section 5, line 16 by striking out the word "and."

Amend Section 5, line 16 by inserting before the word "Any" the words "Upon such terms and conditions as the councils of such cities shall determine."

Amend Section 5, line 21 by adding after the word "cars" the words: "Upon such terms and conditions as the councils of such cities shall determine."

Amend Section 8, line 5 by inserting after the word "appoint," the word "any."

Section 8, line 5. By striking out the words "discrete and disinterested free-holders as viewers" and inserting "members of the Board of Viewers of such city."

Amend Section 10, line 5 by striking out after the word "report" the word "or" and insert the word "and."

Amend Section 10, line 6 by striking out the word "said."

Amend Section 10, line 6 by inserting after the word "report" the words "or disposal of exceptions."

Amend Section 11, line 7 by inserting after the word "purposes" the words "upon such terms and conditions as the councils of such cities shall determine."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1815 (Senate No. 502), entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Allen,	Geiser,	Matt,	Savacool,
Alworth,	Gibson,	McAllister,	Schaeffer, A. C.
Arthur,	Good,	McArdle,	Schuck,
Baldwin, G. A.,	Grabe,	McCaig,	Scott, S. B.,
Baldwin, R. J.,	Gramley,	McClintock,	Semmens,
Barner,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Bass,	Gray, Joseph,	McKay,	Shaffer, I. E.,
Becker,	Hackett,	Mellott,	Shern,
Benninger,	Heidinger,	Metzenbacher,	Smith, J. W.,
Benson,	Hemminger,	Miller,	Snavely,
Berntheizel,	Herman,	Missimer,	Snyder,
Bigger,	Hess,	Mitchell,	Spangler,
Bittles,	Heyburn,	Moore,	Spillinger,
Blair, W. F.,	Hibshman,	Morrow,	Steedle,
Boch,	Hobbs,	Moses,	Steele,
Body,	Hoffman,	Moulthrop,	Stone,
Brosius,	Howard, R.,	Musser,	Strauss,
Brownlee,	Humes,	Newbaker,	Swartz,
Burnett,	Irwin, G. C.,	Newton,	Swift,
Caldwell,	Irwin, H. H.,	North,	Thomas,
Campbell, C.M.,	Jackson,	Peachey,	Trach,
Campbell, J. J.,	Jones, E. E.,	Pennegar,	Ulerich,
Carter,	Jones, J. R.,	Perry, H. L.,	Ulman,
Claycomb,	Kaufman,	Perry, S. J.,	Walnut,
Cleary,	Keeport,	Peters,	Walsh,
Conniff,	Kennedy,	Piper,	Walton,
Conrade,	Klepper,	Post,	Watson,
Cox,	Kuhn, H. P.,	Ramsey,	Wettach,
Currier,	Kuhns, E.G.M.,	Redfield,	Whitaker,
Curry,	Lanius,	Reese,	Whitman,
Davis,	Latshaw,	Reeser,	Wildman,
Donahoe,	Lenker,	Rex,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Light,	Robinson,	Wiltbank,
Eichenberger,	Lohr,	Rockwell,	Young, G. K.,
Ely,	Lowers,	Roney,	Young, J. H.,
Ewing,	Mannion,	Rothenberger,	Zimmerman,
Fahey,	Martin,	Sassaman,	Alter,
Foster, J. D.,	Mather,		Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affrmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House had passed the same without amendment.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 585, as follows:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven

Whereas, The time for the organization of the councils of the several boroughs of this Commonwealth has since the twenty-fifth day of April nineteen hundred and seven been changed from the first Monday of March of each and every year to the first Monday of January of each and every even numbered year now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred and three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" which reads as follows "That the town council of each of said boroughs on the first Monday of March nineteen hundred and seven or as soon thereafter as practicable may elect by the vote of a majority of the members one person learned in the law who shall be styled the borough solicitor and shall serve for the term of three years from the first Monday of March succeeding his election and until his successor shall be duly qualified and the town council shall also fix the compensation he shall be allowed for said term Vacancies in said office shall be filled by the town council for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties to be approved by the town council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance" be and the same is hereby amended to read as follows

That the town council of each and every borough within this Commonwealth at the time of its biennial organization on the first Monday of January in any even numbered year or as soon thereafter as practicable may elect by the vote of a majority of the members one person learned in the law who shall be styled the borough solicitor and shall serve for the term of four years from the first Monday of January of the even numbered year in or succeeding which he was elected and until his successor shall be duly qualified and the said town council shall also fix the compensation he shall be allowed for said term Vacancies in said office shall be filled by the town council for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties or one trust or bonding company to be approved by the town council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance All borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven Pamphlet Laws one hundred and three at the date of the approval of this act whose terms of office expire prior to the first Monday of January of the next even numbered year shall continue to hold their offices until the first Monday of January nineteen hundred and fourteen and all borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven Pamphlet Laws one hundred and three at the date of the approval of this act whose terms of office expire at any time between the first Monday of January nineteen hundred and fourteen and the first Monday of January nineteen hundred and sixteen shall continue to hold their offices until the first Monday of January nineteen hundred and sixteen

On the question,

Will the House agree to the bill on third reading?

Mr. MILLER. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Add to the title after the word seven "and providing for the furnishing of a bond by a trust or bonding company"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none, and the amendment wi l be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1228, as follows:

An Act amending section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for presrving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one as the same was amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine changing the method of service by advertisement of writs of scire facias issued upon municipal and tax claims

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for the municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one (Pamphlet Laws three hundred and sixty-four) as amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine (Pamphlet Laws four hundred fifty-two) which as amended reads as follows

"Section 18 (As amended by act six May one thousand nine hundred and nine Pamphlet Laws four hundred and fifty-two) The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is in possession he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names in any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further seved as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said persons shall be served as in case of a summons by the sheriff of the county in which the said defendant or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto connat be found or their residencec within this Commonwealth are unknown or in case they reside without the Commonwealth the said writ may be served by advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein as to whom publication has been made shall file their affidavit of defense as required by the said writ within fifteen days after the date of the last weekly advertisement of the said writ Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served" shall be and the same is hereby amended to read as follows

Section 18 The sheriff to whom the scire facias is given for service shall add to the writ as parties defendant all persons other than those named therein who may be found in possession of the property described or any part thereof and in case no one is in possession he shall post a true copy of the writ on the most public part of said property and he shall add to the said writ the names in any persons not already named therein whom he may ascertain to have an interest in the property described or any part thereof which writ shall then be further served as follows

(a) By serving as in the case of a summons such of those named in the writ or added thereto as may be found in the county in which the writ issued and

(b) Where the sheriff has information that those named in the writ or added thereto or any of them may be found in any other county of this Commonwealth the said persons shall be served as in case of a summons by the sheriff of the county in which the said defendant or any of them may reside he being deputized for that purpose by the sheriff of the county in which the writ issues and

(c) In case any of those named in the writ or added thereto cannot be found or their residence within this Com-

monwealth are unknown or in case they reside without the Commonwealth the said writ may be served by advertising a copy thereof or a brief notice of the contents of the same once a week for three successive weeks in one newspaper of general circulation in the county and in the legal periodical if any designated by the court for that purpose Provided however That any defendant may accept service of said writ in person or by counsel with the same effect as if duly served therewith by the sheriff

Where the said writ or the brief notice of the contents thereof have been advertised as aforesaid the same shall have the same effect as if the writ had been personally served and all those named therein as to whom publication has been made shall file there affidavit of defense as required by the said writ within fifteen days after the date of the last weekly advertisement of the said writ Service of any such writ may be made at any time within three months from the date on which it was issued but it shall be served and returned at the earliest date possible and the plaintiff may require its return at any time whether or not it be actually served

Aud said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Allen,	Donnally,	Lohr,	Runk,
Alworth,	Down,	Mather,	Sassaman,
Arthur,	Dunn, J. A.,	Matt,	Schuck,
Baldwin, G. A.,	Ehrhardt,	McAllister,	Scott, S. B.,
Baldwin, R. J.,	Eichenberger,	McCaig,	Semmens,
Barner,	Ewing,	McClintock,	Shaffer, C. A.
Bass,	Fahey,	McDermott,	Shaffer, I. E.,
Becker,	Foster, J. D.,	McKay,	Shern,
Benninger,	Frey,	Mellott,	Sherwood,
Benson,	Geary,	Metzenbacher,	Showalter,
Berntheizel,	Geiser,	Miller,	Smith, J. W.,
Bigger,	Gibson,	Missimer,	Spangler,
Bittles,	Good,	Mitchell,	Spilinger,
Blair, W. A.,	Grabe,	Moore,	Steedle,
Blair, W. F.,	Gramley,	Morrow,	Steele,
Bleloch,	Gray, Frank,	Moulthrop,	Stone,
Body,	Hackett,	Musser,	Strauss,
Brosius,	Haggerty,	Newbaker,	Swartz,
Brown,	Heidinger,	Newton,	Swift,
Brownlee,	Hemminger,	North,	Thomas,
Burnett,	Hess,	O'Neill,	Trach,
Caldwell,	Hirn.	Pennock,	Ulerich,
Campbell, C.M.,	Hibshman,	Perry, H. L.,	Ulman,
Carter,	Hobbs,	Perry, S. J.,	Walsh,
Cheeseman,	Hoffman,	Piper,	Walton,
Claycomb,	Howard, R.,	Post,	Watson,
Cleary,	Isler,	Price,	Wildman,
Collins,	Irwin, G. C.,	Ramsey,	Williams,
Conniff,	Irwin, H. H.,	Reese,	Wilson, J. H.,
Conrade,	Kaufman,	Rex,	Wilson, W. H.,
Cox,	Kern,	Rhoads,	Wiltbank,
Currier,	Kuhn, H. P.,	Robinson,	Young, G. K.,
Curry,	Leslie,	Rockwell,	Young, J. H.,
Davis,	Letzkus,	Roney,	Zimmerman,
DeFrees,	Light,	Rothenberger,	Alter,
Dickinson,			
Donahoe,			Speaker.

NAYS—4.

Jackson,	Keeport,	Kennedy,	Lowers,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. JAMES A. DUNN. Mr. Speaker, I desire to call up House Bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act aproved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

which was recalled from the Governor for the purpose of amendment.

The SPEAKER. Action on this bill was deferred this morning because the amendments were not ready.

Mr. JAMES A. DUNN. Mr. Speaker, I ask unanimous consent to insert amendments to this bill.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section 1 of House Bill No. 442, file folio 2039, by inserting after the word "district" in line 31, the words "either with or"

Also by inserting after the word "supplies" in line 32 the following: "as the directors of the district in which such institution is located may determine provided that when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text books and school supplies of other children of similar grade in such district and provided further that such cost shall be paid to the district in which such institution is located by the district of which the respective pupils are legal residents"

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none, and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

REPORT FROM THE COMMITTEE ON RULES.

Mr. ALLEN. Mr. Speaker, I desire to present a report from the Committee on Rules.

The SPEAKER. The report from the Committee on Rules will be read by the Clerk.

The Clerk twice read the report as follows:

That any House Bill placed upon the postponed calendar not called up within five days on which the House is in session, after being placed upon said calendar, or after the adoption of this rule, shall be dropped unless the time be extended by vote of the House upon motion for cause shown.

GEORGE W. SASSAMAN,
GEORGE A. BALDWIN
HARRY COCHRAN,
GEORGE W. ALLEN,
F. C. EHRHARDT,
GEORGE E. ALTER.

The SPEAKER. The question is on the adoption of the report.

Mr. ALLEN. Mr. Speaker, the reason for this report is clearly evident if the members of the House will simply examine the calendar at this time. While there has been very little taking advantage apparently, for postponing of bills for the purpose of having a full house, but to-day on bills on third reading postponed for the present, the calendar shows not less than forty-three. Now, Mr. Speaker, the printing amounts to something. In this five days' respite by the proposed rule as indicated and clearly stated in that rule, this is for the five days in which this House is in session, and under the present conditions, if the House were to run until Friday and the bill had been placed on the calendar on the Monday preceding, you would have until the following Monday to get the bill on that calendar. That is certainly long enough for anybody to canvass this House. If it is put on proposed calendar for the purpose of making a canvass of the House, that will be ample time. If it is put on on account of there being a light House in attendance, you have the beginning of the succeeding week in which to call up your bill. It is the duty of members of this House to be here at such times as this House may decide to take up a bill and to be here and look after legislation in which they are interested and if they neglect it and allow their bills to remain on the calendar of this House, by being absent from this House, then the punishment ought to be that that bill may be dropped from the calendar so that somebody may get on. To those members who look after their legislation in a businesslike way, this rule is no hardship whatever. All those members who neglect their duty, upon them the burden will fall, and this rule ought to be passed without any dissenting vote.

Mr. S. B. SCOTT. Mr. Speaker, I think an exception ought to be made in favor of Senate bills. When a Senate bill is postponed here, somebody might not be especially interested in it to watch it and might easily forget to bring it up again. I suggest that we except Senate bills.

Mr. R. J. BALDWIN. Mr. Speaker, I think that is a very proper suggestion.

Mr. ALLEN. Mr. Speaker, this does not apply to Senate bills. and it will not operate against Senate bills, but in order to make it clear, I have no objection to embodying that in the report.

The SPEAKER. If there is no objection, the rule will be changed to read "House bills" instead of "bills."

On the question,

Will the House agree to the report?

It was unanimously agreed to.

JOINT RESOLUTION INTRODUCED.

Mr. KEEGAN. Mr. Speaker, I would like to have unanimous consent to introduce a joint resolution at this time.

The SPEAKER. Will the House give unanimous consent? The Chair hears no objection and the Clerk will receive the resolution.

Mr. MILLER. Mr. Speaker, I desire to call up from page 41 of to-day's calendar, bills on third reading postponed, House Bill No. 1581.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1581, entitled:

An Act relating to bail bond or surety bond furnished on appeals from courts of record in certain places

Aud said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Allen,	Fahey,	Leslie,	Rockwell,
Alworth,	Flynn,	Letzkus,	Roney,
Arthur,	Foster, J. D.,	Light,	Rothenberger,
Baldwin, G. A.,	Frey,	Lohr,	Runk,
Baldwin, R. J.,	Geary,	Lowers,	Sassaman,
Barner,	Geiser,	Mannion,	Savacool,
Bass,	Gibson,	Mather,	Schaeffer, A. C.
Becker,	Good,	Matt,	Schuck,
Benninger,	Goss,	McAleer,	Scott, S. B.,
Benson,	Grabe,	McAllister,	Semmens,
Berntheizel,	Gramley,	McArdle,	Shaffer, C. A.,
Bigger,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Bittles,	Gray, Joseph,	McClintock,	Shern,
Blair, W. A.,	Hackett,	McDermott,	Sherwood,
Blair, W. F.,	Haggerty,	McKay,	Showalter,
Bleloch,	Heidinger,	Metzenbacher,	Smith, J. W.,
Body,	Hemminger,	Miller,	Snavely,
Brosius,	Hess,	Missimer,	Snyder,
Brown,	Heyburn,	Mitchell,	Spangler,
Brownlee,	Hibshman,	Moore,	Spillinger,
Burnett,	Hobbs,	Morrow,	Steedle,
Caldwell,	Hoffman,	Moses,	Steele,
Campbell, C.M.,	Howard, J.,	Moulthrop,	Stone,
Campbell, J. J.,	Howard, R.,	Murphy,	Strauss,
Carson,	Humes,	Musser,	Swartz,
Carter,	Isler,	Newbaker,	Swift,
Claycomb,	Irwin, G. C.,	Newton,	Thomas,
Cleary,	Irwin, H. H.,	North,	Trach
Cochran,	Jackson,	O'Neill,	Ulerich,
Collins,	Jones, J. R.,	Peachey,	Ulman,
Conniff,	Kaiser,	Pennock,	Walnut,
Conrade,	Keegan,	Perry, H. L.,	Walsh,
Cox,	Keeport,	Perry, S. J.,	Walton,
Currier,	Kennedy,	Peters,	Watson,
Curry,	Kern,	Piper,	Whitaker,
Davis,	Kitts,	Post,	Wildman,
DeFrees,	Klepper,	Price,	Williams,
Dickinson,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Donnally,	Lanius,	Reese,	Wiltbank,
Dunn, J. A.,	Latshaw,	Reeser,	Young, G. K.,
Ehrhardt,	Lenker,	Rhoads,	Zimmerman,
Eichenberger,		Robinson,	Alter,
Ely,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 106.

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe

House Bill No. 1382.

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE.

Mr. McCLINTOCK asked and obtained leave of absence for himself for the balance of the day, having important business engagements this evening.

The SPEAKER asked and obtained leave of absence for the gentleman from York, Mr. Lanius, for the balance of the week, on account of an engagement with his physician this afternoon in York.

Mr. ULERICH asked and obtained leave of absence for the balance of the week, on account of illness of his father.

The SPEAKER asked and obtained leave of absence for Mr. Ely, who has gone home in response to an urgent telegram from his wife.

OBJECTIONS TO INTRODUCTION OF BILL.

Mr. BLELOCH asked unanimous consent to introduce a bill, the title of which was read for information.

The SPEAKER. Is there objection? The Chair hears objection and consent is not granted.

RECESS.

At 1.05 P. M. the House took a recess until 3.00 o'clock this afternoon.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

BILLS INTRODUCED AND REFERRED.

By Mr. CONNIFF. House Bill No. 1968.

An Act making an appropriation to an association known as City Light, Heat and Power Company of Reading, or its successors or assigns for monies erroneously paid into the State Treasury.

Referred to Committee on Appropriations.

By Mr. KEEGAN, House Bill No. 1969.

A Joint Resolution making an appropriation for the relief of sufferers of the Cincinnati mine disaster at Finleyville in Washington county.

Referred to Committee on Appropriations.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows, viz:

Senate Bill No. 10. (House Bill No. 1963).

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses- prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

Which was referred to the Committee on Judiciary General.

Senate Bill No. 220. (House Bill No. 1964).

An Act making an appropriation to the General Braddock Memorial Park Association of Fayette county

Which was referred to the Committee on Appropriations.

Senate Bill No. 878. (House Bill No. 1965).

An Act providing for the establishment of a State Department of Standardization and Supervision of Accounts requiring certain public officers and officers of corporations

and institutions receiving contributions or appropriations from the State or any sub-division thereof to keep accounts and to make reports in the form prescribed by said Department providing for the inspection by said Department of the accounts of all such officers or offices defining the offenses in relation thereto and providing punishments for violations of the provisions thereof

Which was referred to the Committee on Accounts.

Senate Bill No. 995. (House Bill No. 1966).

An Act prohibiting the offering or giving of premiums by any person partnership or corporation licensed to sell vinous spirituous malt or brewed liquors at wholesale or retail for the return of caps stoppers corks stamps or labels taken from any bottle case keg barrel or package containing such vinous spirituous malt or brewed liquors and providing a penalty for the violation thereof

Which was referred to the Committee on Law and Order.

Senate Bill No. 1050. (House Bill No. 1967).

A Joint Resolution providing for the appointment of a commission to investigate into the causes of mine accidents in the anthracite coal regions of the Commonwealth of Pennsylvania authorizing the commisison to conduct experiments and tests and to enter mines fixing the compensation of the members of the commission and making an appropriation to carry into effect the provisions of this resolution

Which was referred to the Committee on Appropriations.

CONCURRENT RESOLUTION NO. 40.

Mr. DAVIS asked and obtained unanimous consent to call up Senate Resolution No. 40.

The Resolution was read as follows:

Whereas, The protection of the migratory and insertivorous wild birds is essential to the prosperity of man because of their work in consuming insect pests and the seeds of noxious weeds and

Whereas, The Biological Survey of the National Department of Agriculture has been engaged in exhaustive investigations to determine the foods of said birds and their effect on said destructive insect pests and noxious weeds and

Whereas, The publication and distribution of information concerning the beneficial results of the work of said birds has been resulting in a steady and increasing appreciation of the necessity of protecting and preserving the birds aforesaid and

Whereas, There is now pending before the Congress of the United States a joint resolution looking toward the international protection of migratory birds which is known as Senate resolution Number Twenty-five therefore be it

Resolved (if the House of Representatives concur), That the United States Senators and the members of Congress from Pennsylvania be urged to lend their votes and influence to the end that Senate Resolution Number Twenty-five shall be passed and the international protection of our migratory birds be thus assured and be it further

Resolved (if the House of Representatives concur) That the United States Senators and the members of Congress from Pennsylvania be urged to support the work of the Biological Survey in every proper and consistent manner

Ordered That the Clerk present the same to the House of Representatives for its concurrence

On the question,

Will the House concur in the resolution of the Senate?

Mr. DAVIS. Mr. Speaker, I don't know that it is necessary to explain this resolution. There is pending in the Congress of the United States at the present time a resolution to protect these birds. This is a resolution urging our United States Senators and Members of Congress from Pennsylvania to vote for the resolution pending in Congress.

The resolution was concurred in.

Ordered, That the Clerk inform the Senate accordinly.

Mr. FLYNN asked and obtained unanimous consent to call up House Bill No. 984, file folio 5893, on page 43, of to-day's calendar, bills on third reading ponstponed for the present, for the purpose of amendment.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 984, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

On the question,

Will the House agree to the bill on third reading?

Mr. FLYNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section 1: On page 1 in line 9 add the following at the end of the line as a new sentence:

"Provided, however, that if at any time the laws of this Commonwealth shall provide for non partisan primaries this act shall apply only to such enrollment and registration of voters as shall be made for or effective for a party primary."

Section 2: On page 2 in line 9 before the word "primary" insert the word "party."

Section 5: On page 3 strike out the entire section and in lieu thereof insert the following:

"Section 5. No voter at a primary shall be allowed to receive or vote the ballot of any given political party who is not enrolled or registered as herein provided as a member of that party."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS RECOMMITED.

Mr. S.B. SCOTT, from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 507, entitled:

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs within the Commonwealth of Pennsylvania.

Mr. POST, from the Committee on Library, reported as committed, House Bill No. 1850 (Senate Bill No. 630, entitled:

An Act fixing the salary of the Second Assistant State Librarian.

Mr. SEMMENS, from the Committee on Forestry, reported as committed, House Bill No. 1906 (Senate Bill No. 872), entitled:

A Supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry reservations by the Department of Forestry."

Mr. SWIFT, from the Committee on Library, reported with a negative recommendation, House Bill No. 814, entitled:

An Act to amend an act approved the fourteenth day of April, one thousand nine hundred and three, entitled "An Act for the creation and government of a division of the State Library, for the preservation of public records," by establishing the office of supervisor of public records, with general supervision over the care and custody and condition of public records of the several counties, cities and boroughs of this Commonwealth.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1846 (Senate Bill No. 523), entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the Board of Viewers shall show the net result only

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, I move that further consideration of the bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1558, entitled:

An Act empowering cities of the second class to levy assess and collect taxes for general revenue purposes on street railway telegraph electric light or power water gas and heat companies or corporations.

Aud said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Allen,	Ewing,	Matt,	Savacool,
Alworth,	Flynn,	McAleer,	Schaeffer, A. C.
Arthur,	Foster, J. D.,	McAllister,	Scott, S. B.,
Baldwin, G. A.,	Geary,	McCaig,	Semmens,
Baldwin, R. J.,	Goss,	McDermott,	Shaffer, C. A.,
Barner,	Grabe,	McKay,	Shaffer, I. E.,
Becker,	Gramley,	Mechling,	Shern,
Benninger,	Gray, Frank,	Mellott,	Sherwood,
Benson,	Gray, Joseph,	Miller,	Showalter,
Bigger,	Haggerty,	Missimer,	Smith, J. W.,
Bittles,	Hess,	Mitchell,	Snavely,
Blair, W. A.,	Heyburn,	Morrow,	Snyder,
Blair, W. F.,	Howard, J.,	Moses,	Spillinger,
Bleloch,	Howard, R.,	Murphy,	Steedle,
Brosius,	Humes,	Musser,	Stone,
Brown,	Isler,	Newbaker,	Strauss,
Brownlee,	Irwin, H. H.,	Newton,	Swift,
Burnett,	Jackson,	North,	Thomas,
Caldwell,	Jones, E. E.,	O'Neill,	Trach,
Campbell, C.M.,	Kaufman,	Peachey,	Ulerich,
Carter,	Kennedy,	Pennock,	Ulman,
Cheeseman,	Kern,	Perry, H. L.,	Walnut,
Claycomb,	Kitts,	Post,	Walsh,
Cleary,	Kuhns, E.G.M.,	Price,	Walton,
Cochran,	Lanius,	Ramsey,	Whitaker,
Conniff,	Latshaw,	Redfield,	Wildman,
Conrade,	Lenker,	Reese,	Williams,
Cox,	Leslie,	Reeser,	Wilson, W. H.,
Currier,	Letzkus,	Rex,	Wiltbank,
DeFrees,	Light,	Robinson,	Young, J. H.,
Dickinson,	Lohr,	Rockwell,	Zimmerman,
Donahoe,	Martin,	Roney,	Alter,
Donnally,	Mather,	Rothenberger,	Speaker.
Dunn, H. B.,		Sassaman,	

NAYS—1.

Curry,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1826 (Senate Bill No. 294), entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for the compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases.

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. ALLEN. Mr. Speaker, I was informed by Mr. Lowers, who was looking after the bill and who was called away during the noon recess, that it had been arranged that this bill should be recommitted to the Committee on Judiciary General, and I so move you.

Mr. RICHARDS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 525, entitled:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. H. B. DUNN. Mr. Speaker, this bill as drawn does not seem to indicate what it means. I will explain in a few words what the object of the bill is. The twenty-sixth section of the Act of 1911, in regard to roads, known as the Jones Road Bill, provides for vacancies in the office of supervisors in second class townships. It provides that in case of a vacancy the vacancy shall be filled by the Court of Common Pleas and not less than ten days after the presentation of the petition. Now the court objected to it and the supervisors objected to it and the consequence was that when we wanted to have a supervisor appointed quickly, as was often the case, we had to wait ten days. Besides that the petition called for the signing of it by one or more of the supervisors. Now this bill also provides that in case of one vacancy only that the vacancy shall be filled by the other two supervisors and certified to the court. In case there are more than two vacancies, then they are to be filled as usual by the Court. This bill is presented for the purpose of saving expense to the township and saving time and has been unanimously passed by the Road Committee and I ask every member to vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Allen,	Dickinson,	Light,	Richards,
Alworth,	Donnally,	Lohr,	Robinson,
Arthur,	Dunn, H. B.,	Martin,	Rockwell,
Baldwin, G. A.,	Ewing,	Mather,	Sassaman,
Baldwin, R. J.,	Foster, J. D.,	Matt,	Savacool,
Barner,	Geary,	McAleer,	Schaeffer, A. C.
Becker,	Gibson,	McAllister,	Schuck,
Benninger,	Goss,	McArdle,	Scott, S. B.,
Benson,	Gramley,	McCaig,	Semmens,
Berntheizel,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Bigger,	Haggerty,	McKay,	Shern,
Bittles,	Hess,	Mechling,	Sherwood,
Blair, W. A.,	Heyburn,	Metzenbacher,	Showalter,
Blair, W. F.,	Hibshman,	Miller,	Smith, J. W.,
Bleloch,	Hobbs,	Missimer,	Snyder,
Brosius,	Humes,	Mitchell,	Spillinger,
Brown,	Isler,	Morrow,	Steedle,
Brownlee,	Irwin, G. C.,	Moses,	Strauss,
Burnett,	Irwin, H. H.,	Moulthrop,	Swift,
Caldwell,	Jackson,	Musser,	Thomas,
Campbell, C.M.,	Jones, E. E.,	Newbaker,	Trach,
Campbell, J. J.,	Jones, J. R.,	Newton,	Ulerich
Carter,	Kaiser,	North,	Ulman,
Cheeseman,	Kaufman,	O'Neill,	Walnut,
Claycomb,	Keegan,	Peachey,	Walton,
Cleary,	Keeport,	Pennock,	Whitaker,
Cochran,	Kern,	Piper,	Wildman,
Conniff,	Kitts,	Ramsey,	Williams,
Conrade,	Klepper,	Redfield,	Wilson, J. H.,
Cox,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Currier,	Latshaw,	Reeser,	Young, J. H.,
Curry,	Lenker,	Rex,	Zimmerman,
Davis,	Leslie,	Rhoads,	Alter,
DeFrees,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1367, entitled:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk to countersign warrants on the county treasurer when properly drawn during such periods as any said county controller may have so designated such clerk in writing to the county treasurer in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Allen,	Flynn,	Lohr,	Sassaman,
Alworth,	Foster, J. D.,	Mather,	Savacool,
Arthur,	Frey,	Matt,	Schaeffer, A. C.
Baldwin, G. A.,	Good,	McAleer,	Semmens,
Barner,	Gramley,	McAllister,	Shaffer, C. A.,
Becker,	Gray, Frank,	McCaig,	Shaffer, I. E.,
Benninger,	Gray, Joseph,	McDermott,	Shern,
Benson,	Hackett,	McKay,	Sherwood,
Berntheizel,	Haggerty,	Mechling,	Showalter,
Bigger,	Hess,	Metzenbacher,	Smith, J. W.,
Bittles,	Heyburn,	Miller,	Snavely,
Blair, W. A.,	Hibshman,	Missimer,	Snyder,
Blair, W. F.,	Hobbs,	Mitchell,	Spillinger,
Bleloch,	Howard, R.,	Moses,	Steedle,
Body,	Isler,	Moulthrop,	Stone,
Brosius,	Irwin, G. C.,	Musser,	Strauss,
Brown,	Irwin, H. H.,	North,	Swartz,
Brownlee,	Jackson,	O'Neill,	Swift,
Burnett,	Jones, J. R.,	Peachey,	Thomas,
Caldwell,	Kaiser,	Pennock,	Trach,
Campbell, J. J.,	Kaufman,	Perry, H. L.,	Ulerich,
Carter,	Keegan,	Post,	Ulman,
Claycomb,	Keeport,	Price,	Walnut,
Cleary,	Kennedy,	Ramsey,	Watson,
Conniff,	Kern,	Redfield,	Whitaker,
Conrade,	Kitts,	Reese,	Wildman,
Cox,	Klepper,	Reeser,	Williams,
Currier,	Kuhn, H. P.,	Rex,	Wilson, J. H.,
Curry,	Kuhns, E.G.M.,	Rhoads,	Wilson, W. H.,
Davis,	Latshaw,	Richards,	Wiltbank,
DeFrees,	Lenker,	Robinson,	Young, G. K.,
Dickinson,	Leslie,	Rockwell,	Zimmerman,
Donahoe,	Letzkus,	Roney,	Alter,
Dunn, H. B.,	Light,	Rothenberger,	Speaker.
Ewing,		Runk,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1793, entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class".

On the question,

Will the House agree to the bill on third reading?

Mr. ALWORTH. Mr. Speaker, I wish the sponsor of this bill would explain the bill to the House.

Mr. GEARY. Mr. Speaker, this bill applies to cities of the second class only, and gives to the chief executive the right to succeed himself or run for office just the same as any other candidate, if he wishes to do so. I feel that if we get a good live active progressive official at the head of the city government, a man popular and satisfactory to the people and he wants to become a candidate, he should have the same privilege as all others to go before the people for re-election, and I am sure all good citizens would only be too glad to have the opportunity of voting to keep a good man in harness, regardless of what his politics or his political views may be.

BILL POSTPONED.

Mr. STEEDLE. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1828 (Senate No. 394), entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Allen,	Foster, J. D.,	Mather,	Rhoads,
Alworth,	Geiser,	Matt,	Richards,
Arthur,	Gibson,	McAleer,	Robinson,
Baldwin, G. A.,	Grabe,	McAllister,	Rockwell,
Baldwin, R. J.,	Gramley,	McCaig,	Roney,
Barner,	Gray, Frank,	McDermott,	Rothenberger,
Becker,	Hackett,	McKay,	Sassaman,
Benninger,	Haggerty,	Mechling,	Schaeffer, A. C.
Benson,	Heidinger,	Mellott,	Schuck,
Berntheizel,	Hemminger,	Metzenbacher,	Semmens,
Bigger,	Hess,	Miller,	Shaffer, C. A.,
Bittles,	Heyburn,	Missimer,	Shaffer, I. E.,
Blair, W. A.,	Hibshman,	Mitchell,	Sherwood,
Blair, W. F.,	Hobbs,	Moore,	Showalter,
Bleloch,	Howard, R.,	Morrow,	Smith, J. W.,
Body,	Isler,	Moses,	Snavely,
Brosius,	Irwin, G. C.,	Moulthrop,	Snyder,
Brown,	Irwin, H. H.,	Murphy,	Spillinger,
Brownlee,	Jackson,	Musser,	Steedle,
Burnett,	Jones, E. E.,	Newbaker,	Swartz,
Caldwell,	Kaiser,	Newton,	Swift,
Campbell, C.M.,	Keegan,	North,	Thomas,
Campbell, J. J.,	Keeport,	O'Neill,	Trach,
Carter,	Kennedy,	Peachey,	Ulerich,
Conniff,	Kitts,	Pennock,	Ulman,
Conrade,	Kuhn, H. P.,	Peters,	Walsh,
Cox,	Kuhns, E.G.M.,	Post,	Whitaker,
Currier,	Latshaw,	Price,	Wildman,
Curry,	Lenker,	Ramsey,	Williams,
Davis,	Leslie,	Redfield,	Wilson, J. H.,
DeFrees,	Letzkus,	Reese,	Wilson, W. H.,
Dickinson,	Light,	Reeser,	Zimmerman,
Donahoe,	Lohr,	Rex,	Alter,
Donnally,			Speaker.
Ewing,			

NAYS—4.

Jones, J. R.,	Scott, S. B.,	Walnut,	Wiltbank,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate, with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Mr. HEIDINGER. Mr. Speaker, I desire to call up from page 19 of to-day's calendar, bills on final passage postponed, House Bill No. 225.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 225, entitled:

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Allen,	[illegible]	McAllister,	Schaeffer, A. C.
Arthur,	Foster, J. D.,	McCaig,	Schuck,
Baldwin, G. A.,	Geary,	McDermott,	Semmens,
Baldwin, R. J.,	Geiser,	McKay,	Shaffer, C. A.,
Barner,	Good,	Mechling,	Shaffer, I. E.,
Becker,	Grabe,	Missimer,	Shern,
Benninger,	Gramley,	Mitchell,	Sherwood,
Benson,	Gray, Frank,	Moore,	Smith, J. W.,
Bigger,	Haggerty,	Morrow,	Snavely,
Bittles,	Heidinger,	Moses,	Snyder,
Blair, W. A.,	Hemminger,	Moulthrop,	Spillinger,
Blair, W. F.,	Hess,	Murphy,	Steedle,
Bleloch,	Heyburn,	Newbaker,	Strauss,
Body,	Irwin, H. H.,	North,	Swartz,
Brosius,	Jackson,	O'Neill,	Swift,
Brown,	Jones, J. R.,	Peachey,	Thomas,

Brownlee,	Keeport,	Pennock,	Trach,
Burnett,	Kennedy,	Perry, H. L.,	Ulerich,
Caldwell,	Kuhn, H. P.,	Peters,	Ulman,
Carter,	Kuhns, E.G.M.,	Post,	Walnut,
Claycomb,	Latshaw,	Price,	Walsh,
Cleary,	Lenker,	Ramsey,	Watson,
Conrade,	Leslie,	Reese,	Whitaker,
Cox,	Letzkus,	Rex,	Wildman,
Currier,	Light,	Richards,	Williams,
Curry,	Lohr,	Robinson,	Wilson, J. H.,
Davis,	Martin,	Rockwell,	Young, J. H.,
DeFrees,	Mather,	Roney,	Zimmerman,
Dickinson,	Matt,	Rothenberger,	Alter,
Donnally,	McAleer,	Sassaman,	Speaker.
Dunn, J. A.,			

NAYS—5.

Cheeseman,	Hibshman,	Humes,	Metzenbacher,
	Wiltbank,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1844 (Senate Bill No. 417), entitled:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred eleven (Pamphlet Laws page nine hundred twenty-two) extending the provisions thereof in certain cases to other species of trees

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. SHERN. Mr. Speaker, I move that this bill be recommitted to the Committee on Forestry.

Mr. HUMES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1141, entitled:

An Act to fix the compensation and allowances for members of the General Assembly

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—108.

Allen,	DeFrees,	Letzkus,	Rex,
Alworth,	Dickinson,	Mather,	Richards,
Arthur,	Dunn, H. B.,	McAleer,	Robinson,
Baldwin, G. A.,	Ewing,	McAllister,	Roney,
Baldwin, R. J.,	Foster, J. D.,	McArdle,	Rothenberger,
Becker,	Geiser,	McCalg,	Sassaman,
Berntheizel,	Gray, Frank,	McDermott,	Schaeffer, A. C.
Bigger,	Hackett,	McKay,	Schuck,
Bittles,	Haggerty,	Mechling,	Scott, S. B.,
Blair, W. A.,	Heidinger,	Miller,	Semmens,
Blair, W. F.,	Hess,	Missimer,	Smith, J. W.,
Body,	Heyburn,	Mitchell,	Spillinger,
Brosius,	Hibshman,	Moore,	Steedle,
Brown,	Humes,	Morrow,	Stone,
Brownlee,	Isler,	Moses,	Swift,
Campbell, C.M.,	Irwin, G. C.,	Murphy,	Thomas,
Campbell, J. J.,	Irwin, H. H.,	North,	Ulerich,
Carter,	Jackson,	O'Neill,	Walnut,
Cheeseman,	Kaiser,	Pennegar,	Walsh,
Claycomb,	Kaufman,	Pennock,	Walton,
Cleary,	Keegan,	Peters,	Watson,
Conniff,	Keeport,	Piper,	Wildman,
Conrade,	Kennedy,	Post,	Wiltbank,
Cox,	Kitts,	Price,	Young, G. K.,
Currier,	Kuhn, H. P.,	Ramsey,	Young, J. H.,
Curry,	Leslie,	Redfield,	Alter,
Davis,		Reeser,	Speaker.

NAYS—41.

Barner,	Jones, E. E.,	Musser,	Showalter,
Benninger,	Jones, J. R.,	Newbaker,	Snavely,
Benson,	Kern,	Newton,	Snyder,
Burnett,	Kuhns, E.G.M.,	Peachey,	Trach,
Caldwell,	Lenker,	Rhoads,	Ulman,
Donahoe,	Lohr,	Rockwell,	Whitaker,
Gibson,	Matt,	Scott, J. R. K.,	Williams,
Grabe,	Mellott,	Shaffer, C. A.,	Wilson, J. H.,
Gramley,	Metzenbacher,	Shern,	Wilson, W. H.,
Hobbs,	Moulthrop,	Sherwood,	Zimmerman,
Howard, R.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. WILTBANK. Mr. Speaker, Mr. John R. K. Scott being a great reformer, and not having voted on this bill, I would like you to order him to vote either for or against this bill.

The SPEAKER. The Chair has no power in the premises at this time.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I think the gentleman is right. I will vote "No."

The SPEAKER. The gentleman will be so recorded.

QUESTION OF PERSONAL PRIVILEGE.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. S. B. SCOTT. Mr. Speaker, I think the remarks from the gentleman from Philadelphia in the second row suggest that a true reformer could only vote no on this question. It appears to me it ought to be taken up on the grounds of personal privilege. It has always been my belief that the salaries of the members are totally inadequate and reflect a point of view on the general public. From the value and necessity of the services of the members, it is entirely inadequate. I have been a member for four sessions, and if my memory serves me, in at least three and possibly all of those sessions. I think I have voted for an increase in the salaries of the members. I am sorry to say the Governor has not always seen it in that light. I believe this ought to be considered seriously, and that is the reason I voted aye at this time.

Mr. WILTBANK. Mr. Speaker, under the circumstances, my friend reformer having voted aye, and as I have always been a consistent reformer, I would like to change my vote from no to aye.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 731, as follows:

An Act relating to mutual fire insurance companies providing for assessments upon members or stockholders of such companies and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That every mutual fire insurance company doing business in this Commonwealth shall in the month of October in each year make such an assessment upon its members or stockholders as will with the cash on hand be sufficient to liquidate the entire indebtedness of such company including losses if any existing up to the first day of October of the particular year

Section 2 It shall be unlawful for any such mutual fire insurance company to carry over after the first day of November in any year any debt of any nature including losses if any without making an assessment as required in section one of this act or to refund or renew any indebtedness that has existed at least one year

Section 3 Any mutual fire insurance company or any officer or director of such company that shall directly or indirectly violate any of the provisions of this act shall be guilty of a misdemeanor Upon conviction thereof the person or company so convicted shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) and such person so convicted shall also be sentenced to undergo imprisonment in the jail of the county for a period of not more than one year

Section 4 All acts and parts of acts inconsistent with this act are repealed

Section 5 In the discretion of the Insurance Commissioner a period of time not exceeding two years from the approval of this act may allowed any mutual fire insurance company to enable it to comply with the provisions of this act

On the question,

Will the House agree to the bill on third reading?

Mr. METZENBACHER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Title, line 2. Strike out "stockholders" and insert in lieu thereof "policy holders."

Section 1, line 6. Strike out "stockholders" and insert in lieu thereof "policy holders."

Section 1. Add at the end thereof the following: "If the total amount of the losses, expenses and any other indebtedness of any such mutual fire insurance company unpaid on the first day of October in any year shall be less than one-tenth of one per centum of the total amount of the insurance in force, the holders of which policies of insurance are liable for assessment for the payment of said losses, expenses and indebtedness, the said company may, with the consent of the Insurance Commissioner, omit the assessment required by this act."

Section 2, line 2. Insert after "company" the words "without the consent of the Insurance Commissioner."

Section 3, line 7. Strike out "and such person so convicted shall also be sentenced."

Section 3. Strike out lines 8 and 9.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1190, entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Alworth,	Gibson,	Matt,	Rothenberger,
Arthur,	Grabe,	McAllister,	Runk,
Baldwin, G. A.,	Gray, Frank,	McCaig,	Sassaman,
Barner,	Hackett,	McDermott,	Savacool,
Becker,	Haggerty,	McKay,	Schuck,
Benninger,	Hemminger,	Mechling,	Scott, J. R. K.,
Benson,	Hess,	Mellott,	Semmens,
Berntheizel,	Heyburn,	Metzenbacher,	Shaffer, I. E.,
Bigger,	Hibshman,	Missimer,	Shern,
Bittles,	Hobbs,	Moses,	Showalter,
Blair, W. F.,	Humes,	Moulthrop,	Smith, J. W.,
Brosius,	Isler,	Murphy,	Snavely
Brownlee,	Irwin, G. C.,	Newbaker,	Spillinger,
Burnett,	Irwin, H. H.,	Newton,	Stone,
Caldwell,	Jackson,	North,	Strauss,
Carter,	Jones, E. E.,	O'Neill,	Swartz,
Claycomb,	Jones, J. R.,	Peachey,	Swift,
Cleary,	Kaiser,	Pennock,	Trach,
Conniff,	Keeport,	Peters,	Ulerich,
Conrade,	Kennedy,	Post,	Ulman,
Cox,	Kern,	Price,	Walnut,
Currier,	Kitts,	Ramsey,	Wildman,
Curry,	Kuhn, H. P.,	Redfield,	Williams,
Davis,	Lenker,	Reese,	Wilson, J. H.,
Dickinson,	Leslie,	Rex,	Wilson, W. H.,
Ewing,	Letzkus,	Richards,	Wiltbank,
Foster, J. D.,	Lohr,	Rockwell,	Zimmerman,
Geary,	Mather,	Roney,	Alter,
Geiser,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1871, entitled:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entitled

An Act relating to hawking and peddling in the county of Lehigh

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were take nand were as follows, viz:

YEAS—147.

Allen,	Foster, J. D.,	McAllister,	Sassaman,
Alworth,	Frey,	McCaig,	Savacool,
Arthur,	Geary,	McDermott,	Schaeffer, A. C.
Baldwin, G. A.,	Geiser,	McKay,	Schuck,
Baldwin, R. J.,	Gibson,	Mechling,	Scott, J. R. K.,
Barner,	Grabe,	Mellott,	Scott, S. B.,
Becker,	Gramley,	Metzenbacher,	Semmens,
Benninger,	Gray, Frank,	Miller,	Shaffer, C. A.,
Benson,	Hackett,	Missimer,	Shern,
Berntheizel,	Haggerty,	Mitchell,	Sherwood,
Bigger,	Heidinger,	Moore,	Showalter,
Bittles,	Hemminger,	Morrow,	Smith, J. W.,
Blair, W. A.,	Hess,	Moses,	Snavely,
Blair, W. F.,	Heyburn,	Moulthrop,	Snyder,
Bleloch,	Hibshman,	Murphy,	Spillinger,
Body,	Hobbs,	Musser,	Steedle,
Brosius,	Howard, R.,	Newbaker,	Stone,
Brown,	Isler,	Newton,	Strauss,
Brownlee,	Irwin, G. C.,	North,	Swartz,
Burnett,	Irwin, H. H.,	O'Neill,	Swift,
Caldwell,	Jackson,	Peachey,	Thomas,
Campbell, C.M.,	Jones, E. E.,	Pennock,	Trach,
Carter,	Jones, J. R.,	Perry, H. L.,	Ulerich,
Cheeseman,	Kaiser,	Peters,	Ulman,
Cleary,	Kaufman,	Piper,	Walnut,
Conniff,	Keeport,	Price,	Walsh,
Conrade,	Kennedy,	Ramsey,	Walton,
Cox,	Kitts,	Redfield,	Watson,
Currier,	Kuhn, H. P.,	Reese,	Whitaker,
Curry,	Lenker,	Reeser,	Wildman,
Dickinson,	Leslie,	Rex,	Williams,
Donahoe,	Letzkus,	Rhoads,	Wilson, J. H.,
Donnally,	Lohr,	Richards,	Wilson, W. H.,
Dunn, H. B.,	Martin,	Robinson,	Wiltbank,
Ely,	Mather,	Rockwell,	Young, G. K.,
Ewing,	Matt,	Roney,	Zimmerman,
Fahey,		Rothenberger,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 45, as follows:

An Act fixing the penalty for murder of the first degree regulating the procedure incident thereto prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary in Centre county making an appropriation therefor repealing certain acts and parts of acts and exempting from the operation of the act persons now under sentence of death

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person his aiders abettors and counsellors hereafter convicted of the crime of murder of the first degree shall be sentenced to suffer death in the manner herein provided and not otherwise Such punishment in every case must be inflicted by causing to pass through the body of the convict a current of electricity of intensity sufficient to cause death and the application of such current must be continued until such convict is dead The said punishment shall be inflicted by the warden or deputy warden of the Western Penitentiary or by such person as the warden shall designate and shall be inflicted in a building to be erected on the land owned by the Commonwealth in Centre county whereon the buildings of the new Western Penitentiary are to be built

Section 2 Whenever any person shall have been convicted and sentenced to death the clerk of the court where such conviction shall have taken place shall transmit to the Governor of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal

Section 3 After the receipt of the said record the Governor of the Commonwealth shall issue his warrant directed to the warden of the Western Penitentiary commanding said warden to cause such convict to be executed in said penitentiary within the week to be named in said warrant and in the manner prescribed by law

Section 4 Upon the receipt of such warrant the said warden shall duly notify the officer having the custody of such convict to deliver such convict to the custody of such warden and it shall be the duty forthwith to cause such delivery to be made Thereupon and until the penalty of death shall be inflicted or until lawfully discharged from such custody said convict shall be kept in solitary confinement in said penitentiary During such confinement no person except the officers of such penitentiary the counsel of such convict or a spiritual adviser selected by such convict or the members of the family of such convict shall be allowed access to such convict without an order of said court or a judge thereof

Section 5 No person except the following shall witness any execution under the provisions of this act the warden of the penitentiary where such execution takes place a qualified physician six reputable adult citizens selected by such warden one spiritual adviser when requested and selected by the convict not more than six duly accredited representatives of the daily newspapers and such officers of said penitentiary as may be selected by said warden

Section 6 After any such execution the warden of the Western Penitentiary shall certify in writing under oath or affirmation to the court of oyer and terminer of the county wherein such convict has been sentenced to death that such convict was duly executed at the place and in the manner prescribed in this act and at the time designated in the death warrant of the Governor Such certificate shall be filed in the office of the clerk of such court

Section 7 Immediately after execution a post mortem examination of the body of the convict shall be made by the physician present at the execution and his report in writing stating the nature of the examination so made by him shall be annexed to the certificate hereinbefore named and filed therewith After such post mortem examination the body unless claimed by some relative or relatives of the person so executed shall be delivered to the duly authorized agent of the State Anatomical Board

Section 8 The cost and expense incident to any such execution and such post mortem examination shall be paid from the contingent fund of the western Penitentiary

Section 9 The board of inspectors of the western Penitentiary shall immediately after the passage of this act cause to be erected an appropriate building located at such place on the grounds of the new western Penitentiary in Centre county as shall be agreed upon by the said board and shall also cause to be constructed in said building such electrical apparatus machinery and appliances as may be suitable and sufficient to execute condemned criminals in the manner prescribed by this act

Section 10 For the purpose of erecting such building and purchasing such apparatus machinery and appliances and installing the same on the grounds of said penitentiary the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated

Section 11 The provisions of this act shall not apply to any person now under sentence of death but in such cases siad death sentence shall be executed in accordance with the seventy-fifth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" and the seventy-sixth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" and other existing laws which said recited sections as well as all other acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed said repeal to take effect when all persons now under sentence of death thereunder shall have suffered death by hanging by the neck or their sentences shall have been commuted or otherwise disposed of according to existing laws

Section 12 This act is intended to furnish a comprehensive method of inflicting the death penalty If any portion of this act shall be declared invalid or unconstitutional by the Supreme Court of Pennsylvania the entire act shall thereupon be null and void

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HESS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. BERNTHEIZEL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1237. entitled:

A Supplement to an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Allen,	Ely,	Letzkus,	Roney,
Alworth,	Ewing,	Light,	Rothenberger,
Arthur,	Fahey,	Lohr,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Savacool,
Baldwin, R. J.,	Geary,	Mather,	Schaeffer, A. C
Barner,	Geiser,	Matt,	Schuck,
Becker,	Gibson,	McAleer,	Semmens,
Benninger,	Goss,	McAllister,	Shaffer, C. A.,
Berntheizel,	Grabe,	McDermott,	Shaffer, I. E.,
Bigger,	Gramley,	McKay,	Shern,
Bittles,	Gray, Frank,	Mechling,	Sherwood,
Blair, W. A.,	Hackett,	Mellott,	Showalter,
Blair, W. F.,	Haggerty,	Metzenbacher,	Smith, J. W.,
Bleloch,	Heidinger,	Miller,	Snavely,
Body,	Hemminger,	Missimer,	Snyder,
Brosius,	Hess,	Mitchell,	Spillinger,
Brown,	Heyburn,	Moore,	Steedle,
Brownlee,	Hibshman,	Moulthrop,	Strauss,
Burnett,	Hobbs,	Murphy,	Swartz,
Caldwell,	Howard, R.,	Newbaker,	Swift,
Campbell, C.M.,	Isler,	Newton,	Thomas,
Campbell, J.J.	Irwin, G. C.,	North,	Trach,
Carter,	Irwin, H. H.,	O'Neill,	Ulerich,
Cheeseman,	Jackson,	Peachey,	Ulman,
Claycomb,	Jones, E. E.,	Pennock,	Walnut,
Cleary,	Jones, J. R.,	Perry, H. L.,	Walsh,
Conniff,	Kaiser,	Peters,	Walton,
Conrade,	Kaufman	Piper,	Whitaker,
Cox,	Keeport,	Post,	Wildman,
Currier,	Kennedy,	Price,	Williams,
Curry,	Kern,	Ramsey,	Wilson, J. H.,
Davis,	Kitts,	Redfield,	Wilson, W. H.,
DeFrees,	Klepper,	Reese,	Wiltbank,
Dickinson,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Donahoe,	Kuhns, E.G.M.,	Robinson,	Zimmerman,
Donnally,	Lenker,	Rockwell,	Alter,
Dunn, H. B.,	Leslie,		Speaker.
Dunn, J. A.,			

NAYS—1.

McCaig,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1836, entitled:

An Act to repeal an act approved the second day of July one thousand nine hundred and one entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing removing or injuring the same what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FRANK GRAY. Mr. Speaker, In the absence of the sponsor, I move that further consideration of the bill be postponed for the present.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1525, as follows:

An Act regulating the safe conveyance of passengers in cars on roller-coasters by providing a guard for all openings and providing a penalty for the violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cars used on roller-coasters for the conveyance of passengers shall be provided with guard rails for each opening on said car by means of which its passengers have ingress or egress

Section 2 It shall be the duty of every one in charge of the said car to see that the guard rails of said car are properly closed when the car is in motion

Any owners lessees or persons in charge violating the provisions of this act shall be guilty of misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) or more than five hundred dollars ($500) or by an imprisonment in the county jail for not less than ten days nor more than sixty days at the discretion of the court

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. CONNIFF. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. FOSTER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1402 (Senate Bill No. 421), entitled:

An Act to repeal the act entitled "An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington" approved the sixth day of April Anno Domini one thousand eight hundred and thirty and to repeal the first four sections of the act entitled "A supplement to an act entitled 'An Act to provide for the erection of a house for the employment and support of the poor in the county of Washington' passed the sixth day of April Anno Domini one thousand eight hundred and thirty and also 'An Act to incorporate the Monongahela Manual Labour Academy' " aproved the twenty-ninth day of March Anno Domini one thousand eight hundred and thirty-six and to repeal the act entitled "A supplement to the laws for the relief and support of the poor in the counties of Washington Greene and Fayette approved April sixth one thousand eight hundred and thirty" approved the thirtieth day of April Anno Domini one thousand eight hundred and fifty-five so far as it relates to Washington county

On the question,
Will the House agree to the bill on third reading?

It was agreed to.

On the question,
Shall the bill pass?

Mr. POST. Mr. Speaker, I move the further consideration of this bill be postponed for the present.

Mr. KAUFFMAN. Mr. Speaker, I second the motion.

The SPEAKER. The Chair would suggest to the House that there are 150 members present, and there certainly is no occasion to postpone the repealer of a local law unless there is some opposition to the bill.

Mr. POST. Mr. Speaker, there is some opposition to the bill and some of the members who wish to be recorded on it are not present.

On the question,

The SPEAKER declared the nays seemed to have it.

Whereupon, a division was called for, 60 voting in the affirmative and 66 in the negative.

And the motion to postpone was not agreed to.

On the question recurring,
Shall the bill pass?

Mr. ALLEN. Mr. Speaker, I would like to interrogate the Representative from Washington County in reference to the purpose of this bill.

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated.

Mr. BROWNLEE. Mr. Speaker, I will.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman merely if the sole purpose of this bill is not to rip out the present poor board of Washington County?

Mr. BOWNLEE. It is not, Mr. Speaker.

Mr. ALLEN. Then, Mr. Speaker, I desire him to state what the purpose of the bill is.

Mr. BROWNLEE. Mr. Speaker, the purpose of this bill is to repeal a local law, affecting Washington County and Washington County only, and to put the County under the general law, placing the care of the poor under the County Commissioners. Washington County is under a local law. The Poor Board having no power to levy taxes, simply go to the County Commisisoners with their requisition and receive the money to run the poor. There is friction between the Poor Board and the Commisisoners and the people of Washington County feel that the Poor Board is simply a fifth wheel and that the care of the poor can be better accomplished and more economically by placing them under the County Commissioners than in the present way.

It is true that this bill will rip out the Poor Board. The Poor Board consists of three members, one elected each year. One of those member's term will expire on the first of January at the time this bill will take effect. We are not after the Poor Board, but it is impossible to make this change, as far as we know, without doing that. As one member's term expires each year, the only way to make this bill take effect when all the terms expired, would be to lengthen the term of the two that would expire this year and next year. If that could be accomplished we would very willingly allow it to be accomplished and that is one purpose that we had in asking to postpone this. We feel that we were treated very discourteously. A few moments ago an Allegheny County member asked to have a bill postponed and there was no objection. It was a local matter and yet I noticed that the Allegheny County members rose en masse on this bill when they had no interest in the matter. It was a purely local matter. If this bill could be amended so as to continue the terms of the present Poor Board in office until the expiration of all the terms, we are perfectly willing to have it done. We have no feeling against the Poor Board and we proposed to postpone this bill and see if that could not be accomplished, but this House has forced us now, as we feel, unjustly to the passage of the bill.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Washington further, and to ask him if at this time there is not at the present time in the hands of the Directors of the Poor and of the House of Employment for the County of Washington, some 209 acres of land deeded to that Board in its corporate name, over which that Board has absolute control under present laws, and the laws which are attempted to be repealed here, and that there are no laws on the statute books of Pennsylvania which would make any disposition of that property to any other authority?

Mr. BROWNLEE. Mr. Speaker, I cannot answer the gentleman that question. This bill was not preparted by me and I am not the sponsor of it, but I do not understand that there is any legal impediment in the matter.

Mr. ALLEN. Mr. Speaker, I happen to come from that section of Allegheny County which borders on Washington County, and where I have some acquaintances who are just as near and dear to me as those in my own district. The conditions which prevail in Washington County, as had been suggested, and which are attempted to be reached by this bill, are not for political purposes. That might, or it might not be absolutely true.

However, as the records of Washington County will show some two hundred and nine acres of land which is deeded to the directors of the poor and the House of Employment of the County of Washington, that being the corporate name for that body as enacted by the Legislaure in its session of 1830, as you will find in Section Two of the bill which is sought to be repealed here. The general repealer in this case will in no wise allow that property to go either to the county commissioners or to anyone else because of the fact that the original bill which created the Poor Board of Washington County, created it for a special purpose which was provided in the bills which are now sought to be repealed, and the provisions in those bills are not in accordance with the general statutes as they now stand upon the books this day. The consequence would be if such a repealer were to pass this House and were to go to the Senate, and then to the Governor, and were to be approved by him, notwithstanding the fact that it is provided in his bill that the bill shall take effect on the first day of January next, the condition would be that the property would still stand in the name of that corporation notwithstanding the fact that it would be dissolved by the action of this House for a specific purpose, and there would be no authority either now created or in contemplation so far as this House knows, no authority to receive that same property for the same specific purposes, and, Mr. Speaker, in justice to the poor board of Washington County, and we will call it the poor board for short, and in justice to the particular purposes for which that Board acts, this bill or repealer ought to be voted down at least until such time as some provision can be made which will be able to reach and carry out the purposes for which that property was acquired, is now held and is being used.

BILL RECOMMITTED.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I regret that the motion made a few moments ago did not prevail.

It would appear from the remarks of the gentleman

from Allegheny that the House needs a little more light possibly on this question. I, therefore, move that the bill be recommitted to the Committee on Municipal Corporations for the purpose of amendment, if necessary.

Mr. SWIFT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER announced that the ayes appear to have it.

Whereupon,

A division was called for and eighty-two gentlemen having voted in the affiramtive and forty-three in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1429, as follows:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of duly incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals

Section 2 Any person found guilty before any magistrate or alderman of violating the provisions of this act shall be fined in a sum not less than ten nor more than fifty dollars or by imprisonment for not more than six months said fine to be paid to any regularly incorporated society or association for the prevention of cruelty to animals which shall have jurisdiction in the county wherein suit is brought

Section 3 Any policeman or constable of any city of the first or second class or any agent of any regularly incorporated society or association for the prevention of cruelty to animals shall upon his own view of any such offense make arrest and bring before any magistrate or alderman offenders found violating the provisions of this act and any policeman or constable or any agent of any society as aforesaid shall also make arrests of such offenders on warrants duly issued according to law when such offence is not committed in view of said policeman constable or agent

On the question ,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WALNUT. Mr. Speaker, in the absence of the sponsor of this bill, I move that further consideration thereof be postponed for the present.

Mr. O'NEIL. Mr. Speaker, I second the motion.

On the question ,

Will the House agree to the motion?

The SPEAKER announced that the noes appeared to have it.

Mr. WALNUT. Mr. Speaker, I think it is only fair, under the circumstances, to give the sponsor of the bill a chance to come here before the House and defend his measure. I would call for a division on that question.

A division having been called for, and seventy-five gentlemen having voted in the affirmative and thirty in the negative, the question was determined in the affirmative, and the motion was agreed to.

Mr. LIGHT. Mr. Speaker, I desire to call up on page 38 of to-day's calendar, House Bill 479, bills on third reading postponed for the present.

BILL ON THIRD READING.

Agreeably to order.

The House resumed the consideration on third reading of H. R. bill No. 479, entitled:

An Act to amend section five hundred sixty-one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

On the question ,

Will the House agree to the bill on third reading?

Mr. LIGHT. Mr. Speaker, I want to explain the purport of this bill. Under the present system we are not allowed a rebate on school taxes. Prior to the passage of the school code. we got a rebate. This bill asks for the five per cent. rebate as it was prior to this time. Under the present law a penalty of five per cent. is added after sixty days. We think this is entirely too soon, and it is not giving the people enough of a chance so far as this is concerned. The payment of the taxes will be made more promptly, and the poor districts will get the benefit of the taxes. We have rebates on almost all other taxes, and this bill aims to make this more uniform. I think it is a benefit to the poor districts, and gives those who do not pay their taxes in sixty days a chance to pay their taxes during a certain period without a penalty. This bill meets with the approval of the second, third and fourth classes, for which it is intended.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—57.

Alworth,	Geiser,	Matt,	Post,
Baldwin, G. A.,	Grabe,	McCaig,	Redfield,
Barner,	Gramley,	McKay,	Roney,
Benninger,	Gray, Frank,	Mellott,	Rothenberger,
Berntheizel,	Haggerty,	Miller,	Sassaman,
Bigger,	Heyburn,	Missimer,	Semmens,
Body,	Hobbs,	Mitchell,	Shaffer, I. E.,
Brosius,	Isler,	Morrow,	Snyder,
Brownlee,	Irwin, G. C.,	Moses,	Steedle,
Cleary,	Kaiser,	Murphy,	Strauss,
Conniff,	Kern,	Musser,	Swift,
Davis,	Kitts,	Newton,	Thomas,
DeFrees,	Latshaw,	Perry, H. L.,	Ulman,
Dunn, H. B.,	Letzkus,	Peters,	Wilson, W. H.,
			Young, G. K.,

NAYS—58.

Allen,	Foster, J. D.,	Martin,	Shern,
Arthur,	Gibson,	Mather,	Sherwood,
Blair, W. A.,	Hackett,	McAleer,	Smith, J. W.,
Bleloch,	Hemminger,	McAllister,	Trach,
Burnett,	Hess,	McArdle,	Ulerich,
Campbell, C.M.,	Hibshman,	Moore,	Watson,
Cheeseman,	Humes,	Newbaker,	Whitaker,
Claycomb,	Jackson,	North,	Wildman,
Conrade,	Jones, E. E.,	Peachey,	Williams,
Cox,	Jones, J. R.,	Pennock,	Wilson, J. H.,
Curry,	Keeport,	Rhoads,	Wiltbank,
Dickinson,	Kuhns, E.G.M.,	Rockwell,	Young, J. H.,
Donnally,	Lenker,	Savacool,	Zimmerman,
Ewing,	Lohr,	Schuck,	Alter,
Fahey,		Scott, S. B.,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order.

The House proceeded to the third reading and consideraton of House Bill No. 1864, entitled:

An Act directing the Legislature Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

On the question ,

Will the House agree to the bill on third reading?

Mr. KITTS. Mr. Speaker, it seems to me that we should not pass this bill at this time, as it carries with it an appro-

pration and it seems to me that the Committee on Appropriations should pass on it.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman who is the author of this bill.

The SPEAKER. Will the gentleman from Philadelphia, Mr. S. B. SCOTT, permit himself to be interrogated?

Mr. S. B. SCOTT. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I wish to ask the gentleman if there is not already a commission in existence that was appointed in 1883 to do the very work that is provided for in this bill and that that commission is presumed to be still at work?

Mr. S. B. SCOTT. Mr. Speaker. I believe the gentleman is confusing that commission, which is a commission appointed for the codification and republishing of the Colonial Laws. There is a commission of that kind still at work, but it has no relation whatever to the laws of 1700, to which the gentleman himself may have referred.

Mr. ALLEN. Mr. Speaker, I will ask the gentleman if it is not a fact that the work which the commission has produced up to this time starts with volume two, with 1700, and works down to a later date, and that volume one starts from that and goes back of 1700, which has not been touched?

Mr. S. B. SCOTT. Mr. Speaker, what the gentleman refers to is a matter which is entirely different from the purpose of this bill. The early Colonial Laws are being republished by a commisison. There is at present a bill in the House to provide for the publishing of that work, but this bill contemplates future legislation rather than past legislation. We are continually asked to provide for the modifications of different branches of the law. We are continually confused by being called upon to act on laws without knowing what the present state of the laws on these subjects are. We are continually called upon over and over again and again to go over the same work of having it put in perfect form. This bill simply asks for the best equipped department at present existing in the State Government, the Legislative Bureau, to codify these laws, and once for all to go over the whole body of statute law and arranging it in logical order with headings and to get annotations and get the best thought out of the cases as to how the law ought to be codified and changed and present the whole thing to the Legislature so that it may be taken up chapter by chapter and topic by topic and presented in good logical order. This House has already—both Houses have already, passed this bill in a somewhat similar form, and it was passed by a very large majority. The Senate passed it and the Governor vetoed it because he had some objections to its form and not because he had any objections to the bill itself. There have been conferences held and it is believed that the present form of this bill will meet with the Governor's approval and I hope that the House will pass this bill.

Mr. KITTS. Mr. Speaker, I was not raising any objection to this bill and I did not rise in opposition to it I quite agree with the gentleman from Philadelphia, Mr. S. B. Scott, that we should have a bill of this kind to codify the laws of the Commonwealth, but I think when we have an appropriation committee whose business it is to look over the appropriations that any bill calls for, and with the different institutions that are making requests for appropriations in various portions of the State, it appears that we should know where the money is to go and as this is a subject that should be well considered I think it would be well for the Appropriations Committee to consider this matter. We are giving what? How does the sponsor of the bill know how much it is going to cost to codify these laws? How do you know how much that will be? The bill specifies salaries for two of the men in the department and then goes on and appropriates thirty thousand dollars for this work. You don't know whether it is going to cost two thousand dollars or a hundred and fifty thousand dollars. I think it should go to the Appropriations Committee in order to let that Committe make an investigation as to how much it will actually cost; then, if that is done, I am in favor of the bill.

Mr. S. B. SCOTT. Mr. Speaker, the sum of thirty thousand dollars has been arrived at after careful consultation with the department that has to do the work and if it takes less than the amount specified, the money will be returned to the Treasury, and it canot cost any more than that. If this measure were up for the first time I would willingly acquiesce in the gentleman's suggestion that the Appropriation Committee should pass upon it, but the House having already appropriated thirty thousand dollars for that purpose, it seems to me, as both Appropriations Committees have had due notice of the matter and as the House and Senate have already given their consent to the matter, it would seem to be unwise at this time to recommit it.

The SPEAKER. The question is on the motion by the gentleman from Erie, Mr. Kitts, seconded by the gentleman from Perry, Mr. Donnally, that this bill be recommitted to the Committee on Appropriation.

Whereupon a division was called for, 53 gentlemen voting in the affirmative and 68 in the negative.

The motion was not agreed to.

The SPEAKER. The question recurs.

Shall the bill pass?

BILL POSTPONED.

Mr. S. B. SCOTT. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1838, entitled:

An Act to repeal the seventh section of an act approved the fourth day of April one thousand eight hundred and seventy-two entitled "An Act to authorize the borough of Phoenixville to erect water and gas works and to supply the said borough with water and gas"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Allen,	Donnally,	Lenker,	Reese,
Alworth,	Dunn, H. B.,	Leslie,	Rhoads,
Arthur,	Ewing,	Letzkus,	Robinson,
Baldwin, G. A.,	Fahey,	Light,	Rockwell,
Baldwin, R. J.,	Flynn,	Lohr,	Roney,
Barner,	Foster, J. D.,	Martin,	Rothenberger,
Benninger,	Frey,	Mather,	Sassaman,
Benson,	Geary,	Matt,	Savacool,
Berntheizel,	Gibson,	McAleer,	Schaeffer, A. C.
Bigger,	Goss,	McAllister,	Schuck,
Bittles,	Grabe,	McCaig,	Scott, S. B.,
Blair, W. A.,	Gramley,	McDermott,	Semmens,
Blair, W. F.,	Gray, Frank,	McKay,	Shaffer, C. A.,
Bleloch,	Hackett,	Mellott,	Shaffer, I. E.,
Body,	Haggerty,	Metzenbacher,	Shern,
Brosius,	Heidinger,	Missimer,	Sherwood,
Brown,	Hemminger,	Mitchell,	Showalter,
Brownlee,	Hess,	Moore,	Smith, J. W.,
Burnett,	Heyburn,	Morrow,	Snavely,
Caldwell,	Hibshman,	Moses,	Spillinger,
Campbell, C.M.,	Hobbs,	Moulthrop,	Steedle,
Campbell, J.J.	Humes,	Musser,	Strauss,
Carter,	Isler,	Newbaker,	Swift,
Cheeseman,	Irwin, G. C.,	Newton,	Thomas,
Claycomb,	Irwin, H. H.,	North,	Trach.
Cleary,	Jackson,	O'Neill,	Ulman,
Collins,	Jones, E. E.,	Peachey,	Walsh,
Conniff,	Jones, J. R.,	Pennock,	Watson,
Conrade,	Keeport,	Perry, H. L.,	Whitaker,
Cox,	Kennedy,	Peters,	Williams,
Currier,	Kern,	Piper,	Wilson, J. H.,
Curry,	Kitts,	Post,	Wilson, W. H.,
Davis,	Klepper,	Price,	Young, J. H.,
DeFrees,	Kuhn, H. P.,	Ramsey,	Zimmerman,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Alter,
Donahoe,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1877, (Senate Bill No. 284) entitled:

An Act granting to the Delaware and Hudson Company its successors and asigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane

QUESTION OF PERSONAL PRIVILEGE.

Mr. DAVIS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. DAVIS. Mr. Speaker, I notice some oposition to this Senate bill. About two years ago the Delaware and Hudson Railway Company donated to the Commonwealth of Pennsylvania about three hundred acres of land to build a hospital for the criminal insane. They had their station situated at a certain place. Now, they want to move it over in front of the hospital, and this is only granting these people the right to move their station to a more convenient place for the people who travel to this hospital.

And said bill having been read at length the third time considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Allen,	Flynn,	Light,	Roney,
Alworth,	Foster, J. D.,	Lohr,	Rothenberger,
Arthur,	Frey,	Martin,	Sassaman,
Baldwin, G. A.,	Geary,	Mather,	Savacool,
Benninger,	Gibson,	Matt,	Schuck,
Benson,	Goss,	McAleer,	Scott, S. B.,
Berntheizel,	Grabe,	McAllister,	Semmens,
Bigger,	Gramley,	McArdle,	Shaffer, C. A.,
Blair, W. A.,	Hackett,	McCaig,	Shaffer, I. E.,
Blair, W. F.,	Haggerty,	McKay,	Shern,
Bleloch,	Heidinger,	Mechling,	Sherwood,
Body,	Hemminger,	Mellott,	Showalter,
Brosius,	Hess,	Miller,	Smith, J. W.,
Brown,	Heyburn,	Missimer,	Snavely,
Brownlee,	Hibshman,	Mitchell,	Spillinger,
Burnett,	Hobbs,	Moore,	Steedle,
Caldwell,	Howard, J.,	Moses,	Stone,
Campbell, C.M.,	Isler,	Moulthrop,	Strauss,
Campbell, J.J.	Irwin, G. C.,	Murphy,	Swartz,
Carter,	Irwin, H. H.,	Musser,	Swift,
Cheeseman,	Jackson,	North,	Thomas,
Claycomb,	Jones, E. E.,	O'Neill,	Trach,
Cleary,	Jones, J. R.,	Peachey,	Ulerich,
Collins,	Kaiser,	Pennock,	Ulman,
Conniff,	Kaufman,	Perry, H. L.,	Walsh,
Conrade,	Keegan,	Peters,	Walton,
Cox,	Keeport,	Piper,	Whitaker,
Currier,	Kennedy,	Post,	Wildman,
Curry,	Kern,	Price,	Williams,
Davis,	Kitts,	Ramsey,	Wilson, J. H.,
DeFrees,	Klepper,	Redfield,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Donnally,	Lenker,	Rhoads,	Young, G. K.,
Dunn, H. B.,	Leslie,	Robinson,	Zimmerman,
Ewing,	Letzkus,	Rockwell,	Alter,
Fahey,			Speaker.

NAYS—4.

Bittles,	Gray, Frank,	Latshaw,	Newton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 920, as follows:

An Act to prohibit marriage of white persons with persons of negro blood and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That it shall be unlawful for any white person to marry any persons having one-eighth or more negro blood All such marriages shall be void

Section 2 It shall be unlawful for any person authorized by law to solemnize marriages in this Commonwealth knowingly to join in marriage any white person to a person having one-eighth or more negro blood

Section 3 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars or to be imprisoned in the prison of the proper county for a period of not more than ninety days

On the question,

Will the House agree to the bill on third reading?

POINT OF ORDER.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. S. B. SCOTT. Mr. Speaker, my point of order is that this bill is unconstitutional. In Article 1, section 1 of the Constitution of Pennsylvania it says, "All men are born equally free and independent, and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring, possessing and protecting property and reputation, and of pursuing their own hapiness." All men are born equally free and independent. And in the Fourteenth Amendment to the Constitution of the United States, it says no State shall deny to any person within its jurisdiction the equal protection of the laws." Mr. Speaker, this is a discrimination between the people of white and negro blood, and violates this fundamental principle of the Constitution, both of Pennsylvania and of the United States, and therefore is unconstitutional.

BILL POSTPONED.

Mr. SWIFT. Mr. Speaker, in view of the absence of the sponsor of this bill, I move that further consideration be postponed for the present.

Mr. THOMAS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1878, Senate Bill No. 416, entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed date the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the Borough of Waymart in the County of Wayne

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

Agreeably to order,

On the question,

Shall the bill pass?

Mr. DAVIS. Mr. Speaker, I would just like to explain that this bill is a companion bill to Senate Bill No. 288, giving the right to put up their poles and wires and convey the waters to these stations.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—133.

Allen,	Flynn,	Lenker,	Sassaman,
Alworth,	Foster, J. D.,	Leslie,	Savacool,
Arthur,	Geary,	Letzkus,	Schaeffer, A. C.
Baldwin, G. A.,	Geiser,	Martin,	Scott, S. B.,
Barner,	Gibson,	Mather,	Semmens,
Benninger,	Goss,	Matt,	Shaffer, C. A.,
Benson,	Grabe,	McAleer,	Shaffer, I. E.,
Berntheizel,	Gramley,	McAllister,	Sherwood,
Bigger,	Gray, Frank,	McArdle,	Showalter,
Bittles,	Gray, Joseph,	McCaig,	Smith, J. W.,
Blair, W. A.,	Hackett,	McKay,	Snavely,
Blair, W. F.,		Mechling,	Snyder,
Body,	Hemminger,	Mellott,	Steedle,
Brosius,	Hess,	Metzenbacher,	Stone,
Brown,	Heyburn,	Missimer,	Strauss,
Brownlee,	Hibshman,	Mitchell,	Swartz,
Burnett,	Hobbs,	Moore,	Swift,
Caldwell,	Howard, J.,	Moses,	Thomas,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Trach,
Campbell, J.J.	Irwin, G. C.,	Musser,	Ulerich,
Carter,	Irwin, H. H.,	Newbaker,	Ulman,
Claycomb,	Jackson,	Newton,	Walsh,
Cleary,	Jones, E. E.,	O'Neill,	Walton,
Cochran,	Jones, J. R.,	Peachey,	Watson,
Conner,	Kaiser,	Pennock,	Whitaker,
Conniff,	Kaufman,	Peters,	Wildman,
Conrade,	Keeport,	Piper,	Williams,
Cox,	Kern,	Post,	Wilson, J. H.,
Curry,	Kitts,	Price,	Wilson, W. H.,
Davis,	Klepper,	Ramsey,	Wiltbank,
DeFrees,	Kuhn, H. P.,	Reese,	Young, G. K.,
Dickinson,	Kuhns, E.G.M.,	Rockwell,	Young, J. H.,
Donnally,	Latshaw,	Roney,	Zimmerman,
Dunn, H. B.,		Rothenberger,	Alter,
			Speaker.

NAYS—1.

Humes,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1359, as follows:

An Act to repeal the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" so far as it relates to the protection of raccoons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the first section of an act approved the third day of June one thousand nine hundred eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violation of its several provisions" is hereby repealed so far as it relates to the protection of raccoons

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the author of this bill.

The SPEAKER. Will the gentleman from Jefferson permit himself to be interrogated?

Mr. BROSIUS. Mr. Speaker, I will.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman what is the reason for repealing the act of 1911, protecting coons?

Mr. BROSIUS. The reasons that have been given to me are these: The people in the section of the State where the coons are plentiful, claim that they are great destroyers of trout in the small streams and young birds and birds' nests and many other things and destroy their crops, such as corn and other crops.

Mr. ROCKWELL. And that is the purpose this bill is introduced for?

Mr. BROSIUS. Mr. Speaker, yes sir.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Alworth,	Flynn,	Lenker,	Robinson,
Baldwin, G. A.,	Geiser,	Leslie,	Sassaman,
Baldwin, R. J.,	Gibson,	Letzkus,	Schuck,
Barner,	Good,	Lohr,	Scott, S. B.,
Benninger,	Goss,	Martin,	Semmens,
Benson,	Grabe,	Mather,	Shaffer, C. A.,
Berntheizel,	Gramley,	Matt,	Shaffer, I. E.,
Bigger,	Hackett,	McAleer,	Sherwood,
Bleloch,	Haggerty,	McAllister,	Showalter,
Body,	Heidinger,	McArdle,	Smith, J. W.,
Brosius,	Hemminger,	McKay,	Snavely,
Brownlee,	Hess,	Mechling,	Snyder,
Burnett,	Heyburn,	Metzenbacher,	Stone,
Caldwell,	Hibshman,	Mitchell,	Strauss,
Campbell, C.M.,	Hobbs,	Moore,	Swartz,
Campbell, J.J.	Hoffman,	Morrow,	Swift,
Carter,	Howard, J.,	Moses,	Thomas,
Cheeseman,	Howard, R.,	Moulthrop,	Trach,
Claycomb,	Humes,	Musser,	Ulerich,
Cleary,	Isler,	Newbaker,	Walton,
Cochran,	Irwin, G. C.,	Newton,	Watson
Conniff,	Irwin, H. H.,	O'Neill,	Wildman,
Conrade,	Jackson,	Pennock,	Williams,
Cox,	Jones, E. E.,	Piper,	Wilson, J. H.,
Currier,	Jones, J. R.,	Post,	Wilson, W. H.,
Curry,	Kennedy,	Price,	Young, G. K.,
Dickinson,	Kitts,	Ramsey,	Alter,
Donnally,	Kuhn, H. P.,	Reese,	Speaker.
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	
Ehrhardt,	Latshaw,	Rhoads,	
Fahey,			

NAYS—12.

Allen,	Mellott,	Rockwell,	Whitaker,
Blair, W. F.,	Miller,	Rothenberger,	Wilson, J. H.,
Kern,	Peachey,	Ulman,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1109, entitled:

An Act amending section one of an act entitled "An Act empowering cities of this Commonwealth to grade pave curb macadamize and otherwise improve the public streets and alleys or parts thereof within their corporate limits without petition of property holders and providing for the payment of the costs damages and expenses thereof" approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five as amended by act approved the twenty-fifth day of April Anno Domini one thousand nine hundred and three by changing the requirements in respect to publication of ordinances introduced and providing for the grading paving curbing macadamizing or otherwise improving any public street or public alley or part thereof where there is no petition of the property owners

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—89.

Allen,	Dickinson,	Kaufman,	O'Neill,
Alworth,	Down,	Kern,	Peachey,
Arthur,	Dunn, H. B.,	Kitts,	Pennock,
Baldwin, G. A.,	Ehrhardt,	Klepper,	Piper,
Benson,	Ewing,	Kuhn, H. P.,	Ramsey,
Bergey,	Flynn,	Kuhns, E.G.M.,	Robinson,
Berntheizel,	Foster, J. D.,	Latshaw,	Roney,
Bigger,	Gibson,	Letzkus,	Semmens,
Blair, W. A.,	Gramley,	Lohr,	Shaffer, I. E.,
Bleloch,	Gray, Frank,	Mather,	Sherwood,
Brown,	Gray, Joseph,	McAleer,	Showalter,
Brownlee,	Hackett,	McAllister,	Smith, J. W.,
Burnett,	Haggerty,	McArdle,	Steedle,
Campbell, C.M.,	Heidinger,	McCaig,	Swift,
Carter,	Hemminger,	Mechling,	Thomas,
Cleary,	Heyburn,	Miller,	Ulerich,
Collins,	Hobbs,	Missimer,	Watson,
Conniff,	Howard, J.,	Mitchell,	Williams,
Conrade,	Isler,	Moore,	Wilson, J. H.,
Cox,	Irwin, G. C.,	Morrow,	Wilson, W. H.,
Currier,	Jones, E. E.,	Moses,	Wiltbank,
Curry,	Kaiser,	Newton,	Young, G. K.,
Davis,			Zimmerman,

NAYS—44.

Barner,	Humes,	Metzenbacher,	Snyder,
Benninger,	Jackson,	Musser,	Strauss,
Body,	Jones, J. R.,	Newbaker,	Swartz,
Caldwell,	Keegan,	North,	Trach,
Donnally,	Kennedy,	Peters,	Ulman,
Geiser,	Leslie,	Reeser,	Walton,
Glenn,	Martin,	Rockwell,	Whitaker,
Good,	Matt,	Rothenberger,	Wildman,
Goss,	McDermott,	Sassaman,	Young, J. H.,
Grabe,	McKay,	Snaffer, C. A.,	Alter,
Howard, R.,	Mellott,	Snavely,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1040, entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the city treasurer of Philadelphia for an auctioneer's license and paid by said city treasurer into the State Treasury

On the question,

Will the House agree to the bill on third reading?

Mr. MOORE. Mr. Speaker, at the request of the sponsor of this bill I move that its further consideration be postponed for the present.

Mr. HACKETT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. NORTH: Mr. Speaker, I do not want to oppose the motion to postpone, but I would say that it is a bill similar to the one that Mr. Walnut has introduced. It is an appropriation bill, and the matter has been thoroughly investigated and I think it would be quite proper to pass the bill.

Mr. MOORE. Mr. Speaker, the gentleman who is the sponsor of this bill asked me to have it postponed. As it takes money from the State Treasury, I did not know but

that the members might have something to say about it, but as it meets with the approval of the Chairman of the Appropriations Committee, I will withdraw my motion.

Mr. NORTH. Mr. Speaker, the matter has been thoroughly investigated. When the bill came before the Committee a subcommittee was appointed to go into the details in order to satisfy the Committee that it was a proper bill before it was reported out.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Allen,	Ewing,	Martin,	Sassaman,
Alworth,	Fahey,	Mather,	Savacool,
Arthur,	Flynn,	Matt,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	McAleer,	Schuck,
Baldwin, R. J.,	Geary,	McAllister,	Scott, J. R. K.,
Barner,	Geiser,	McArdle,	Scott, S. B.,
Benninger,	Gibson,	McCaig,	Semmens,
Benson,	Glenn,	McKay,	Shaffer, C. A.,
Berntheizel,	Goss,	Mechling,	Shaffer, I. E.,
Bigger,	Grabe,	Mellott,	Showalter,
Bittles,	Gramley,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Gray, Frank,	Miller,	Snavely,
Blair, W. F.,	Gray, Joseph,	Missimer,	Snyder,
Bleloch,	Hackett,	Mitchell,	Spillinger,
Body,	Haggerty,	Moore,	Stone,
Brosius,	Heidinger,	Morrow,	Strauss,
Brown,	Hemminger,	Moses,	Swartz,
Brownlee,	Heyburn,	Moulthrop,	Swift,
Burnett,	Hibshman,	Murphy,	Thomas,
Caldwell,	Hobbs,	Musser,	Trach,
Campbell, C.M.,	Howard, J.,	Newbaker,	Ulerich,
Carter,	Howard, R.,	Newton,	Ulman,
Cheeseman,	Irwin, G. C.,	North,	Walnut,
Claycomb,	Irwin, H. H.,	O'Neill,	Walsh,
Cleary,	Jackson,	Peachey,	Walton.
Collins,	Jones, J. R.,	Pennegar,	Watson,
Conniff,	Keeport,	Pennock,	Wettach,
Conrade,	Kennedy,	Perry, H. L.,	Wildman,
Cox,	Kern,	Piper,	Williams,
Currier,	Kitts,	Price,	Wilson, J. H.,
Curry,	Klepper,	Ramsey,	Wilson, W. H.,
Davis,	Kuhn, H. P.,	Reese,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Dickinson,	Lenker,	Robinson,	Young, J. H.,
Donnally,	Leslie,	Rockwell,	Zimmerman,
Dunn, H. B.,	Letzkus,	Roney,	Alter,
Ehrhardt,		Rothenberger,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. With reference to the statesmanlike recreation of throwing paper, the Chair desires to suggest that, aside from the peril to eyes and eyeglasses, every day, and every hour of the day, there are people from different parts of the State who are here to look upon their House of Representatives deliberating. It would be very unfortunate should any of them go away from here with an erroneous impression.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 858, entitled:

An Act making an appropriation for the refunding of certain moneys mistakenly paid into the State Treasury by S. S. Caughey

Mr. KITTS. Mr. Speaker, this bill is in the same condition as the bill we just passed. It only involves the amount of $204.00 paid mistakingly by Mr. Caughey. It was reported out of the Appropriation Committee after full investigation. It was suggested to me by the Auditor General that the bill be introduced.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Allen,	Ewing,	Letzkus,	Sassaman,
Alworth,	Fahey,	Light,	Schuck,
Arthur,	Flynn,	Lohr,	Semmens,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Shaffer, C. A.,
Baldwin, R. J.,	Geary,	Mather,	Shaffer, I. E.,
Barner,	Geiser,	Matt,	Shern,
Becker,	Goss,	McAleer,	Sherwood,
Benninger,	Grabe,	McAllister,	Showalter,
Benson,	Gramley,	McArdle,	Smith, J. W.,
Berntheizel,	Gray, Frank,	McCaig,	Snavely,
Bigger,	Hackett,	McDermott,	Snyder,
Bittles,	Haggerty,	McKay,	Spillinger,
Blair, W. A.,	Heidinger,	Mechling,	Steedle,
Blair, W. F.,	Hemminger,	Mellott,	Stone
Bleloch,	Hess,	Metzenbacher,	Strauss,
Body,	Heyburn,	Miller,	Swartz,
Brosius,	Hilshman,	Mitchell,	Swift,
Brown,	Hobbs,	Morrow,	Thomas,
Brownlee,	Humes,	Moses,	Trach,
Burnett,	Isler,	Murphy,	Ulerich,
Caldwell,	Irwin, G. C.,	Newbaker,	Ulman,
Campbell, C.M.,	Irwin, H. H.,	Newton,	Walsh,
Carter,	Jackson,	North,	Walton.
Cheeseman,	Jones, E. E.,	O'Neill,	Watson,
Claycomb,	Jones, J. R.,	Pennock,	Whitaker,
Cleary,	Kaufman,	Peters,	Wildman,
Conniff,	Kennedy,	Post,	Williams,
Conrade,	Kitts,	Ramsey,	Wilson, J. H.,
Cox,	Klepper,	Reese,	Wilson, W. H.,
Currier,	Kuhn, H. P.,	Reeser,	Wiltbank,
Curry,	Kuhns, E.G.M.,	Robinson,	Young, G. K.,
Davis,	Latshaw,	Rockwell,	Zimmerman,
DeFrees,	Lenker,	Roney,	Alter,
Dickinson,	Leslie,	Rothenberger,	Speaker.
Donnally,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 383, as follows:

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a Tax Commission and repealing all laws or parts of laws inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act all kinds of property real personal mixed or corporate now the subject of taxation shall be assessed for all purposes according to a fair cash value and at the rate fixed by law for State county city borough township school road poor and other lawful purposes and there shall be no discrimination in favor of or against any person persons partner or partnership associations or corporations for profit but each and every one of them shall be assessed and pay taxes for State county city borough township road school poor and other lawful purposes according to their value Said taxes levied for all purposes shall unless herein other wise provided be collected under the laws regulating the collection of county and local taxes

Section 2 A tax commission is hereby created to be known as the Tax Commission of Pennsylvania to be composed of three Commissioners electors of the State not more than two of whom at any time shal be of the same political party On or before August first one thousand nine hundred and thirteen the Governor shall appoint such Commissioners as follows one member from each political party not exceeding three parties and each of said political parties must have received at least two hundred thousand votes at the last preceding Presidential election Said Tax Commission shall hold their offices until their successors shall have been duly elected and qualified as hereinafter provided On Tuesday November third one thousand nine hundred and fourteen the date of the election of State officers there shall be elected three prsons who shall be electors of the State to the office of Tax Commisioners in the same manner as the State officers are now elected by no elector shall vote for more than two persons for the said office of Tax Commissioner and no political party may nominate or caused to be placed upon the ballot the names of more than two persons as candidates for said office of Tax Commissioners and the three candidates so voted for who shall receive the highest number of votes shall be declared elected to the office of Tax Commissioner On the first Monday of January immediately succeeding the date of the election of the thre electors elected to the office of the State Board of Tax Commission they shall take the constitutional oath and qualify in like manner as is required of other State officers The term for which said Tax Commissioners shall be so elected shall be four years and shall hold their offices until their successors shall have been duly qualified Any vacancy upon said Board shall be filled by appointment or appointments by the Governor said appointments shall be for the unexpired term and said appointment or appointments shall be made from the political party or parties represented by the Commissioner or Commissioners whose death resignation or removal caused said vacancy

Section 3 Each Commissioner and each employee shall devote his entire time to his duties hereinunder and shall not

hold any position of trust or profit engage in any occupation or business interfering with or inconsistent with his duties as such Commissioner or employee or serve on or under any committee of any political party

Section 4 The Commission shall be in continuous session and open for the transaction of business during all the business hours of each and every day excepting Sundays and legal holidays All sessions shall be open to the public and the sessions of the Commission shall stand and be adjourned without further notice thereof on its records All of the proceedings of the Commission shall be shown on its record of proceedings which is hereby declared to be a public record and all voting shall be by calling each member's name by the secretary and each member's vote shall be recorded on the record of proceedings as cast

Section 5 Before entering upon the duties of his office each of the said Commisioners shall take and subscribe the constitutional oath of office and shall swear or affirm that he holds no other office of profit or any position under any committee of a political party which oath or affirmation shall be filed in the office of the Governor

Section 6 Each of the said commissioners shall receive an annual salary or six thousand dollars payable in the same manner as salaries of the State officers are paid

Section 7 The commissioners appointed or elected under this act shall within twenty days after their appointment and qualification meet at the State Capitol at Harrisburg and organize a majority of such commission shall constitute a quorum to transact business and any vacancy shall not impair the right of the remaining commissioners to exercise all the powers of the commission so long as a majority remain Any investigation inquiry or hearing which this commission is authorized to hold or undertake may be held or undertaken by and before any one of three of the commissioners All investigations inquiries hearings and decisions of the commission and every order made by a commissioner when approved and affirmed by the commission and so shown on its record of proceedings shall be deemed to be the order of the commission

Section 8 The commission shall be known as the Tax Commission of Pennsylvania and shall have an official seal with the words "The Tax Commission of Pennsylvania" and such other design as the commission may prescribe engraved thereon by which it shall authenticate its proceedings and of which the courts shall take judicial notice

Section 9 The commission shall keep its office in the city of Harrisburg Pennsylvania and shall provide a suitable room or rooms necessary office furniture supplies books periodicals and maps All necessary expenses shall be audited and paid as other expenses are audited and paid The commission may hold sessions at any place within the State

Section 10 The commission is authorized to employ a secretary examiners experts clerks accountants stenographers and other assistants Such employments and compensation for the same shall be first approved by the Governor The Commissioners secretary experts clerks accountants stenographers and other assistants as may be employed shall be entitled to receive from the State their actual and necessary expenses while traveling on the business of the Commission Such expenses to be itemized and sworn to by the person who incurred the expense and allowed by the Commission

Section 11 Upon the request of the Commission it shall be the duty of the Attorney General or under his direction the prosecuting atorney of the proper county to aid in any investigation hearing or trial had under the provisions of this act and to institute and prosecute the necessary actions or proceedings for the enforcement of this act and for the punishment of all violations thereof

Section 12 The Commission shall adopt reasonable and proper rules and regulations to govern its proceedings and to regulate the mode and manner of all valuations of real or personal property apportionments investigations inspections and hearings not otherwise specifically provided for

Section 13 The Commission may confer and meet with officers of other States and officers of the United States on any matter pertaining to their official duties

Section 14 To carry out the purposes of this act the Commission or any Commissioner or any person or persons employed by the Commission for that purpose shall upon demand have the right to inspect the books accounts record and memoranda of any public utility company corporation or association subject to the provisions of this act and to examine under oath any officer agent or employee of any such company corporation association or public utility Any person other than one of said Commissioners who shall make such demand shall produce his authority to make such inspection

Section 15 The Commission may require by order or subpoena to pe served on any such company corporation association or public utility in the same manner that a summons is served in a civil action in the court of common pleas the production within this State at any such time and place as it may designated of any books accounts papers or records kept by the same in any office or place within or without the State of Pennsylvania or verified copies in lieu thereof if the Commission shall so order in order that an examination thereof may be made by the commission or under its direction Any such company corporation association or public utility failing or refusing to comply with any such order or subpoena shall for each day it shall so fail or refuse forfeit and pay into the State Treasury a sum not less than fifty dollars nor more than five hundred dollars

Section 16 For the purpose of making any investigation with regard to any such company corporation association or public utility the commission shall have the power to appoint by an order in writing an agent whose duties shall be prescribed in such order

Section 17 In the discharge of his duties such agent shall have every power whatsoever of an inquisitorial nature granted in this act to the Commission except in his report to the Commission or when called on to testify in any court or proceeding any such agent who shall divulge any information acquired by him in respect to the transactions property or business of any public utility while acting or claiming to act under any such order shall be fined not less than fifty dollars nor more than one hundred dollars and shall thereafter be disqualified from acting as agent or in any other capacity under the appointment or employment of said Commission

Section 18 The Commission may conduct any number of such investigations contemporaneously through different agents and may delegate to such agent the taking of all testimony bearing upon any investigation or hearing The decision of the Commission shall be based upon its examination of all testimany and records The recommendations made by such agent shall be advisory only and shall not preclude the taking of further testimony if the Commission so order for further investigation

Section 19 Each company corporation association or public utility shall furnish to the Commission all information required by it to carry into effect the provisions of this act and shall make specific answers to all questions submitted by the Commission or its agent

Section 20 Any such company corporation association or public utility receiving from the Commission any blanks with directions to fill the same shall cause the same to be properly filled out so as to answer fully and correctly each question therein propounded and in case it is unable to answer any question it shall in writing give a good and sufficient reason for such failure and the answers to such questions shall be verified under oath by the president secretary superintendent or general manager of the same and returned to the Commission at its office within the period fixed by the Commission

Section 21 Whenever required by the Commission for the enforcement of this act every such company corporation association or public utility shall deliver to the Commission may or all maps profiles contracts reports of engineers and all documents books accounts papers and records or copies of any or all of the same with an inventory of all its property in such form as the Commission may direct

Section 22 Each of the Commissioners the secretary and every agent provided for in this act for the purpose mentioned in this act shall have power to administer oaths certify to official acts issued subpoenas compel the attendance of witnesses and the production of books accounts papers records documents and testimony

In case of disobedience on the part of any person or persons to comply with any order of the Commission or any Commissioner or any subpoena or on the refusal of any witness to testify to any matter regarding which he may be lawfully interrogated before the Commission or its agents authorized as provided in this act it shall be the duty of the court of common pleas of the county in which the person resides or a judge thereof on application of a Commissioner to compel obedience by attachment proceedings for contempt as in the case of disobedience of the requirements of a subpoena issued from such court or a refusal to testify therein

Section 23 Each officer who serves a summons or subpoena shall receive the same fees as a sheriff and each witness who shall appear before the Commission by its order shall receive for his attendants the fees and mileage now provided for witnesses in livil cases in courts of common pleas which shall be audited and paid by the State in the same manner as other expenses are audited and paid upon the presentation of proper vouchers approved by the chairman of the Commission provided that no witness subpoenaed at the instance of parties other than the Commission shall be entitled to compensation from the State for attendance or travel unless the Commission shall certify that his testimony was material to the matter investigated

Section 24 The Commission or any part may in any investigation cause the depositions of witnesses residing within or without the State to be taken in the manner prescribed by law for like depositions in civil actions in courts of common pleas

Section 25 A transcribed copy of the evidence and proceedings or any specific part thereof on any investigation taken by the stenographer appointed by the Commission being certified by such stenographer to be a true and correct transcript of all the testimony on the investigation or of a particular witness or of a specific part thereof carefully compared by him with his original notes and to be a correct statement of the evidence and proceedings had on such investigation so purporting to be taken and transcribed shall be received in evidence with the same effect as if such reporter were present and testified to the facts so certified A copy of such transcript shall be furnished on demand to any party on payment of the fee therefor as provided for transcripts in courts of common pleas

Section 26 No person shall be excused from testifying or from producing acounts books and papers in any proceedings based upon or growing out of any violation of the provisions of this act on the ground or for the reason that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to penalty or forfeiture but no person having so testified shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have testified or produced any documentary evidence provided that no person so testifying shall be exempt from prosecution or punishment for perjury in so testifying

Section 27 The term "Commission" when used in this act means the Tax Commission of Pennsylvania The term "Commissioner" means one of the members of such Commission

Section 28 Any person joint stock association or corporation wherever organized or incorporated engaged in the business of conveying to from or through this State or part thereof money packages gold silver plate or other article by express not including the ordinary lines of transportation of

merchandise and property in this State is an express company

Section 29 Any person joint stock association or corporation wherever organized or incorporated engaged in the business of transmitting to from through or in this State telegraphic messages is a telegraph company

Section 30 Any person joint stock association or corporation wherever organized or incorporated engaged in the business of transmitting to from through or in this State telephonic messages is a telephone company

Section 31 Every express telegraph and telephone company defined in the last three preceding sections of this act doing business in this State shall between the first and thirty-first days of May annually under the oath of the person constituting such company if a person or under the oath of the president secretary treasurer superintendent or chief officer in this State of such association or corporation if an association or corporation make and file with the Commission a statement in such form as the Commission may prescribe

Section 32 Such statement shall contain

1 The The name of the company

2 The nature of the company whether a person or persons or association or corporation and under the laws of what State or country organized

3 The location of its principal office

4 The name and post office address of the president secretary auditor treasurer and superintendent or general manager

5 The name and post office address of the chief officer or managing agent of the company in Pennsylvania

6 The number of shares of capital stock

7 The par and market value or if there is no market value the actual value of the shares of stock on the first day of May

8 A detailed statement of the real estate owned by the company in Pennsylvania where situate and the value thereof as assessed for taxation

9 A full and correct inventory of the personal property including moneys and credits owned by the company in Pennsylvania on the first day of May where situate and the value thereof

10 The total value of the real estate owned by the company and situate outside of Pennsylvania

11 The total value of the personal property owned by the company and situate outside of Pennsylvania

12 In the case of telegraph and telephone companies the whole length of their lines and the length of so much of their lines as is without and within the State of Pennsylvania which shall include the lines of said telegraph and telephone companies control and use under lease or otherwise and the miles of wire in each taxing district in Pennsylvania

13 In the case of telephone telegraph and express companies the entire gross earnings of the company from whatever source derived for the year ending the first day of May of business wherever done

14 In the case of telephone telegraph and express companies the gross earnings for the year ending the first day of May from whatever source derived of each office within the State of Pennsylvania and the total gross earnings of the company for such period

15 In the case of express companies the whole length of the lines of rail and water routes over which the company did business on the first day of May and the length of so much of such lines of land and water transportation as is without and within Pennsylvania naming the lines within Pennsylvania

16 Such other facts and information as the Commission may require in the form of returns prescribed by it

Section 33 Blanks for making such statement shall be prepared and on application furnished to any such company by the Commission

Section 34 On the first Monday in June the Commission shall ascertain and assess the value of the property of the express telegraph and telephone companies in Pennsylvania In determining the value of the property of such companies in this State to be taxed within the State and assessed as herein provided said Commission shall be guided by the value of the property as determined by the value of the entire capital stock of the companies and such other evidence and rules as will enable said Commission to arrive at the true value in money of the entire property of said companies within the State of Pennsylvania in proportion which such property bears to the entire property of the companies as determined by the value of the capital stock thereof and the other evidence and rules as aforesaid

Section 35 Before the assessment of the property of any express telephone or telegraph company is determined any company or person interested shall have the right on written application to appear before the Commission and be heard in the matter of valuation of the property of any company for taxation After the assessment of the property of any such company for taxation by the Commission and before the certification by the Commission of the apportioned valuation to the several counties the Commission may on the application of any interested person or company or on its own motion correct the assessment of valuation of the property of any such company in such manner as will in its judgment make the valuation thereof just and equal

Section 36 The Commission shall deduct from the total value of the property of each of said companies in Pennsylvania the value as assessed for taxation of any real estate situate in Pennsylvania and owned by such company The value of the property of telegraph and telephone companies of Pennsylvania after deducting the value of the real estate shall be apportioned by the Commission among the several counties through or into which the lines of such telegraph or telephone companies run so that to each county shall be apportioned such part of the entire valuation as will equalize the relative value of the property of the company therein in proportion to the whole value of the property of the company in the State and in the proportion that the length of the lines of wire owned by the company in the county bears to the whole length of the lines of wire in the State

Section 37 The value of the property of any express company shall be apportioned by the Commission among the several counties in which the company does business in the proportion that the gross earnings in each county bear to the entire gross earnings in the State

Section 38 The Commission shall on or before the fifteenth day of August certify to the county commissioners the amount apportioned to their county and the county commissioners upon receiving such certificate shall apportion the amount therein stated among the cities boroughs towns townships or other taxing districts after the same method used for the apportionment of the valuation in the State among the counties The county commissioners shall place the apportioned valuation on the tax duplicate and taxes shall be levied and collected thereon at the same rate and in the same manner as taxes are levied and collected on other personal property in the taxing district in question

Section 39 That any person or persons joint stock association or corporation wherever organized or incorporated engaged in the business of operating cars not otherwise listed for taxation in Pennsylvania for the transportation of freight whether such freight is owned by such company or any other persons or company over any railway line or lines in whole or part within this State such line or lines not being owned leased or operated by such company whether such cars be termed box flat ore tank stock gondola furniture or refrigerator cars or by another name shall be deemed to be a freight line company Any person or persons joint stock association or corporation wherever organized or incorporated engaged in the business of furnishing or leasing cars of whatsoever description to be used in the operation of any railway line or lines wholly or partially within this State such line or lines not being owned leased or operated by such company and such cars not being otherwise listed for taxation in Pennsylvania shall be deemed to be an equipment company Any person or persons joint stock association or corporation wherever organized or incorporated engaged in the business of operating cars not otherwise listed for taxation in Pennsylvania for the transportation accommodation comfort convenience or safety of passengers on or over any railway line or lines in whole or part within this State such line or lines not being owned leased or operated by such company whether such cars be termed sleeping palace parlor chair dining or buffet cars or by another name shall be deemed to be a sleeping-car company

Section 40 Every sleeping car freight line and equipment company doing business or owning cars which are operated in this State shall annually between the first and thirty-first days of May under oath of the person constituting such company if a person or under the oath of the president secretary treasurer superintendent or chief officer in this State of such association or corporation if an association or corporation make and file with the Commission a statement in such form as the Commission may prescribe

Section 41 Such statement shall contain

1 The name of the company

2 The nature of the company whether a person or persons or association or corporation and under the laws of what State or county organized

3 The location of its principal office

4 The name and postoffice address of the president secretary auditor treasurer and superintendent or general manager

5 The name and postoffice address of the chief officer and managing agent of the company in Pennsylvania

6 The number of shares of capital stock

7 The par and market value or if there is no market value the actual value of the shares of stock on the first day of May

8 A detailed statement of the real estate owned by the company in Pennsylvania where situate and the value thereof as assessed for taxation

9 The total value of the real estate owned by the company and situate outside of Pennsylvania

10 The whole length of the lines of railways over which the company runs its cars and the length of so much of such lines as is without and is within the State of Pennsylvania

Section 42 In the case of an equipment company such statement shall also contain the whole number and value of the cars owned and leased by the company classifying the cars according to kind The whole length of the lines of railway wherever located operated by the companies naming them to which cars owned by such equipment company are leased and the length of so much of said lines as is without and within the State of Pennsylvania giving the name and location of the lines wholly or partially within the State of Pennsylvania

Section 43 Blanks for making the above statement shall be prepared and on application furnished any company by the Commission Sleeping car freight line and equipment companies shall not be required to make returns

Section 44 The Commission shall ascertain and determine on or before the second Monday in August the amount and value of the proportion of the capital stock of sleeping-car freight line and equipment companies representing capital and property of such companies owned and used in Pennsylvania and in determining the same shall be guided in each case by the proportion of the capital stock of the company representing rolling stock which the miles of railroad over which such company runs cars or its cars are run in Pennsylvania bear to the entire number of miles in Pennsylvania and elsewhere over which such company runs cars or its cars are run and such other rules and evidence as will enable the Commission to determine fairly and equitably the amount and value of the capital stock of such company representing capital and property owned and used in the State of Pennsylvania Before the amount and value of the

capital stock of any company representing capital and property owned and used in Pennsylvania is determined any company or person shall have the right on written application to appear before the Commission and be heard in the matter of such determination After fixing the amount and value of the capital stock of any company representing capital and property owned and used in Pennsylvania and before the certification to the Auditor General of such amount the Commission may on the application of any person or company interested or on its own motion review and correct its action in such manner as it may deem just and proper

Section 45 The Commission shall on the first Monday in September of each year report to the Auditor General who shall charge the amount in the nature of an excise tax charged and to be collected from each sleeping-car freight line and equipment company doing business or owning cars which are operated in this State computed by taking one and two-tenths per centum of the amount fixed by the Commission as the value of the portion of the capital stock representing the capital and property of each company owned and used in Pennsylvania after deducting the value of the real estate of the company in Pennsylvania assessd and taxed locally if any there be It shall be the duty of the Auditor-General on or before the first day of October annually to certify to the State Treasurer as herein provided for collection from sleeping-car freight line equipment company doing business or owning cars which are operated in this State the amount so charged

Section 46 That any person or persons firm or firm joint stock association or corporation wherever organized or incorporated engaged in the business of supplying electricity for light heat or power purposes to consumers within this State is an electric light company when engaged in the business of supplying artificial gas for lighting or heating purposes to consumers within this State is a gas company when engaged in the business of supplying natural gas for lighting heating or power purposes to consumers within this State is a natural gas company when engaged in the business of transporting natural gas or oil through pipes or tubing either wholly or partially within this State is a pipe-line company when engaged in the business of supplying water through pipes or tubing or in a similar manner to consumers within this State is a water works company when engaged in the business of operating a street suburban or interurban railroad wholly or partially within this State whether the cars used in such business are propelled by animals steam cable electricity or other motive power is a street suburban or interurban railroad company when engaged in the business of supplying messengers or of signalling or calling by electrical apparatus or in a similar manner for any purpose is a messenger or signalling company when engaged in the business of operating a union depot or station for railroad or interurban railroad purposes is a union depot company when engaged in the business of operating a railroad either wholly or partially within this State on rights of way acquired and held exclusively by such company or otherwise is a railroad company when engaged as a common carrier in the transportation of passengers or property by boat or other water craft over any water way whether natural or artificial from one point within this State to another point within this State or between points without this State shall be deemed to be a waer transportation company when engaged in the busiess of supplying water steam or air through pipes or tubing to consumers within this State for heating or for cooling purposes is a heating or cooling company

Section 47 Each public utility except railroad companies doing business in this State shall annually on or before the first day of August and each said railroad company shall annually on or before the first day of October under the oath of the person constituting such company if a person or under the oath of the president secretary treasurer superintendent or chief officer in this State of such association or corporation if an association or corporation make and file with the Commission a statement in such form as the Commission may prescribe

Section 48 The statement provided in the preceding section shall contain

1 The name of the company

2 The name of the company whether a person or persons or associations or corporations and under the laws of what State or county organized

3 The location of its principal office

4 The name and postoffice address of the president secretary auditor treasurer and superintendent or general manager

5 The name and postoffice address of the chief officer or managing agent of the company in Pennsylvania

6 Such other facts and information as the Commission may require in the form or return prescribed by it

Section 49 In the case of express companies such statement shall also contain the entire receipts including all sums earned or charged whether actually received or not for business done within the State giving the name of the office for the year then next preceding the first day of May for and on account of such companies including its proportion of gross receipts for business done by such company within this State in connection with other companies excluding therefrom all receipts derived wholly from interstate business or business done for the Federal government Such statement shall also contain the total amount of receipts for business done within this State

Section 50 In the case of telegraph and telephone companies such statement shall also contain the entire gross receipts including all sums earned or charged whether actually received or not for the year when next preceding the first day of May from whatever source derived whether messages telephone tolls rentals or otherwise for business done within this State excluding therefrom all receipts derived wholly from interstate business or business done for the Federal Government Such statement shall also contain the gross receipts of each office within this State giving the name of the office also the total of such gross receipts of the company for such period in this State from such business done within this State

Section 51 In the case of each railroad such statement shall also contain the entire gross earnings including all sums earned or charged whether actually received or not for the year then next preceding the thirtieth day of June from whatever source derived for business done within this State excluding therefrom all earnings derived wholly from interstate business or business done for the Federal Government such statement shall also contain the gross earnings of each office within this State giving the name of the office also the total of such gross earnings of such company for such period in this State from such business done within this State

Section 52 In the case of each street suburban or interurban railroad such statement shall also contain the entire gross earnings including all sums earned or charged whether actually received or not for the year then next preceding the first day of May from whatever source derived for business done within this State excluding therefrom all earnings derived wholly from interstate business or busisns done for the Federal Government Such statement shall also contain the gross earnings of each office within this State giving the name of the office also the total of such gross earnings of such company for such period in this State from such business done within this State

Section 53 In the case of all public utilities railroads street suburban and inteurban railroads such statement shall also contain the entire gross receipts of the company including all sums earned or charged whether actually received or not for business done within this State for the year next preceding the first day of May including the company's proportion of gross receipts for business done by it within this State in connection with other companies firms corporations persons or associations but this shall not apply to receipts from interstate business or business done for the Federal Government

Section 54 Blanks for making such statements shall be prepared by the commission and on application furnished by it to any electric light gas natural gas pipe line waterworks street suburban or inteurban railroad express telegraph messenger or signal union depot railroad heating cooling and water transportation company

Section 55 The Commission shall ascertain and determine on or before the first day of September the entire gross receipts as aforesaid of eac helectric light gas natural gas pipe line water-works express telegraph telephone messenger or signal union depot heating cooling and water transportation company for business done within Pennsylvania for the year then next preceding the first day of May excluding therefrom all receipts derived wholly from interstate busines sor business done for the Federal Government The amount so ascertained by the Commission in such instance for the purpose of this act shall be the gross receipts of such electric light gas natural gas pipe line water-works epress telegraph telephone messenger or signal union depot heating cooling and water transportaion companies for business done within Pennsylvania for such year

Section 56 The Commission shall also ascertain and determine on or before the first day of November the gross earnings as provided in this act of each railroad company whole line is wholly or partially within this State for the year then next preceding the thirtieth day of June The amount so ascertained by the Commission shall be the gross earnings of such railroad company for such year

Section 57 The Commission shall also acertain and determine on or before the first day of September the gross earnings as provided in this act of each street suburban and interurban railroad company whose line is wholly or partially within this State for the year then next preceding the first day of May The amount so ascertained by the Commission shall be the gross earnings of such street suburban or interurban railroad for such year

Section 58 Before the gross receipts or earnings of any such public utility are determined any company or person interested shall have the right on written application to appear before the Commission and be heard in the matter of such determination

Section 59 After the determination of such amount of the gross receipts or earnings of any such public utility and before the report to the Auditor-General of such amount as provided in this act the Commission may on the application of any person or company interested or on its own motion review and correct its findings

Section 60 The Commission shall on or before the first day of October report to the Auditor General the amount of the gross receipts so determined of electric light gas natural gas pipe line water-works express telegraph telephone messenger or signal union depot heating cooling and water transportation companies and the amount of the gross earnings so determined of each street suburban or interurban railroad company for the year then next preceding the first day of May On or before the fifteenth day of November the Commission shall report to the Auditor General the amount of the gross earnings determined as aforesaid of each railroad company for the year then next preceding the thirtieth day of June

Section 61 It shall be the duty of the Auditor General in the month of October annually to charge for collection from each electric light gas natural gas water-works telephone messenger or signal union depot heating cooling and water transportation company a sum in the nature of an excise tax for the privilege of carrying on its intrastate business to be computed on the amount so fixed and

reported by the Commission as the gross receipts of such company on its intrastate business for the year then next preceding the first day of May by adding one and two-tenths per centum of all such gross receipts

Section 62 In the month of October the Auditor-General shall charge for collection from each street suburban and interurban railroad company a sum in the nature of an excise tax for the privilege of carrying on its intrastate business to be computed on the amount so fixed and reported to him by the Commission as the gross earnings of such company on its intrastate business for the year then next preceding the first day of May by taking one and two-tenths per centum of all such gross earnings

Section 63 In the month of October the Auditor-General shall charge for collection from each express and telegraph company a sum in the nature of an excise tax for the privelege of carrying on its intrastate business to be computed on the amount so fixed and reported to him by the Commission as the gross receipts of such company on its intrastate business for the year then next preceding the first day of May by taking two per centum of all such gross receipts

Section 64 In the month of November the Auditor-General shall charge for collection from each railroad company a sum in the nature of an excise tax for the privilege of carrying on its intrastate business to be computed on the amount so fixed and reported to him by the Commission on the gross earnings of such company on its intrastate business for the year then next preceding the thirtieth day of June by taking four per centum of all such gross earnings

Section 65 In the month of November the Auditor-General shall charge for collection from each pipe-line company a sum in the nature of an excise tax for the privilege of carrying on its intrastate business to be computed on the amount so fixed and reported to him by the Commission as the gross receipts of such company on its intrastate business for the year then next preceding the first day of May by taking four per centum of all such gross receipts

Section 66 After determining the amount of taxes payable to the State as provided in this act the Auditor-General shall thereon prepare proper duplicates and reports and certify the same to the State Treasurer for collection At the time of so certifying he shall notify the companies charged therewith of the amount due The State Treasurer shall proceed to collect the same and render a daily itemized statement to the Auditor-General of the amount of tax collected and the name of the company from whom collected under all the provisions of this act

Section 67 Nothing in this act shall exempt or relieve electric light gas natural gas pipe line water-works street suburban or interurban railroad express telegraph telephone messenger or signal union depot railroad heating cooling and water transportation companies from the assessment and taxation of their property in the manner authorized and provided by law

Section 68 All taxes received by the State Treasurer under the provisions of this act shall be credited to the general revenue fund If any public utility fail or refuse to pay on or before the fifteenth day of December the tax assessed against it the State Treasurer shall certify the list of such utilities so delinquent to the Auditor-General who shall add to the tax due a penalty of fifteen per cent. thereon and forthwith certify the same to the Attorney-General for collection The Attorney-General shall forthwith proceed to collect the same and the amount so collected shall be paid into the State Treasury and credited to the general revenue fund Suits for the collection of such tax may be brought in the name of the State in Dauphin county or in any county in which such street suburban or interurban railroad company or railroad company is located

Section 69 In the case the tax herein authorized to be charged and collected against any class of companies defined in this act shall for any reason be declared invalid such invalidity shall in no wise effect the validity of the law as applicable to any other class or classes of companies provided in this act nor shall the abrogation or repeal of any section or clause of this act be held to abrogate or repeal any other section or clause thereof

Section 70 During the month of November of each year the Commission shall file with the Secretary of State a written statement containing the name of each company which has complied with the provisions of this act during the year next preceding and such facts respecting it within its knowledge which are required by law to be annually filed with the Secretary of Internal Affairs by corporations other than those included within the provisions of this act

Section 71 This act shall not be construed so as to require municipal corporation within the State to make any return or pay any taxes under the provisions of this act

Section 72 Between the first and fifteenth days of January in the year one thousand nine hundred and thirteen and within the same time of each year thereafter a statement shall be delivered to the Commission in such form as the Commission may prescribe by each public utility as defined in this act other than express telegraph and telephone companies with respect to such utilities plant or plants and all property owned o roperated or both by it wholly or in part within this State Such statement shall be signed and sworn to under the oath of the person constituting such public utility if a person or under the oath of the president secretary treasurer superintendent or principal accounting officer or person of such firm association or corporation and such statement shall contain

1 The name of the company

2 The name of the company whether a person or persons firm association or corporation and under the laws of what State or county organized

3 The location of its principal office

4 The name and postoffice address of its president secretary auditor or the principal accounting officer or person treasurer and superintendent or general manager

5 The name and postoffice address of the chief officer or managing agent of the company in Pennsylvania

6 The number of the shares of the capital stock

7 The par value and market value or if there is no market value the actual value of its shares of stock on the first day of January in which the statement is made the amount of capital stock subscribed and the amount thereof actually paid in

8 A detailed statement of the real estate owned by the company in Pennsylvania where situated and the value thereof as assessed for taxation making separate statements of that part used in connection with the daily operations of the company and that part used otherwise if any such there be

9 A full and correct inventory of the personal property including moneys investments and credits owned by the company in Pennsylvania on the first day of the month of January in which the statement is made where situate and the value thereof making separate statements of that part used in connection with the daily operations of the company and that part used otherwise if any such there be

10 The total value and a general description of the real estate owned by the company and situate outside of Pennsylvania giving the location of the same making separate statements of that part used in connection with the daily operations of the company and that part used otherwise if any such there be

11 A description or inventory and the total value of the personal property owned by the company and situate outside of Pennsylvania giving the location thereof making separate statements of that part used in connection with the daily operation of the company and that part used otherwise if any such there be

12 The total amount of bonded indebtedness and of indebtedness not bonded the gross receipts for the preceding calendar year from any and all sources and the gross expenditures for the preceding calendar year giving a detailed statement thereof under each class or head of expenditures

13 In the case of street suburban or interurban railroad companies and railroad companies such statements shall also give

(a) The whole length of their lines and the length of so much of their lines as is without and is within the State of Pennsylvania including branches in and out of the State which include lines and branches and companies control and use under lease or otherwise

(b) The railway track in each county in the State through which it runs giving the whole number of roads in the county including the track and its branches and side and second tracks switches and turnouts therein and the true and actual value per mile of such railway in each county stating the valuation of main track second or other main tracks branches sidings switches and turnouts separately

(c) Such statement as to character classes number accounts values locations ownership or control and use of rolling stock as the Commission may require

(d) The depots station houses section houses freight houses machine and repair shops and machinery therein and all other buildings structures and appendages connected thereto or used therewith including tool houses and the tools usually kept therein together with telegraph and telephone lines owned or used and the true and actual value of all buildings and structures and all such machinery tools and appendages including such telegraph and telephone lines and its true and actual value thereof in each county in this State in which it is located

(e) The gross earnings for the year including earnings from telegraph lines which shall be stated separately on the whole length of the road including the branches thereof in and out of the State and also such earnings within the State on way freight and passengers

14 In the case of the pipe line gas natural gas water works and heating and cooling companies such statement shall also show

(a) The number of miles of pipe line owned leased or operated within the State the size of the pipe composing such line and the material of which such pipe is made

(b) If such pipe line be partly within and partly without the State the whole number of miles thereof within this State and the whole number of miles without this State including all branches and connecting lines in and out of the State

(c) The length size and true and actual value of such pipe line in each county of the State including in such valuation the main lines and stating the different values of the pipe separately

(d) Its pumping stations machine and repair shops and Machinery therein tanks storage tanks and all other buildings structures and appendages connected or used therewith including telegraph and telephone lines and wires and the true and actual values of all such stations shops tanks buildings structures machinery and appendages and of such telegraph and telephone lines and the true and actual value thereof in each county in this State in which it is located and the number and value of all tank cars tanks barges boats and barrels

15 In addition to the facts and information herein specifically required to be given such statement shall contain any and all other facts and information which the Com-

mission may require and in the form of returns prescribed by the Commission

Section 73 Between the fifteenth day of January and the fifteenth day of May of each year the Commission shall ascertain and asses sat its true value in money all the property in the State of each public utility subject to the provisions of this act other than express telegraph and telephone companies In determining the value of the property of such public utility to be assessed and taxed within the State the Commission shall be guided by the value of the property and determined by the information contained in the sworn statements made by the public utility to the Commission and other such evidence and rules as will enable it to arrive at the true value in money of the entire property of the said utility within the State in the proportion which the value of such property bears to the value of the entire property of the said public utility The property of such public utilities to be so assessed by the Commission shall be all the personal property thereof which shal linclude all read estate necessary to the daily operations of the public utility and money and credits within this State

Section 74 The Commission shall give notice to each public utility referred to in the last preceding section hereof ten days before such property shall be assessed of the time and place when such value will be ascertained Before the assessment of said property each of said public utility shall have the right upon written application to appear before the Commission and be heard in the matter of the valuation of its said property for taxation After the assessment of the property of any such public utility for taxation by the Commission and before the certification by it of the apportioned value to the county or to the several counties as herein provided the Commission may on the application of any such public utility to any person interested therein or on its own motion correct the assessment or valuation of its property in such manner as will in its judgment make the valuation thereof just and equal The Commission shall have and may exercise all the powers possessed by the County Commissioners The Commission shall deduct from the total value of the property of each of said public utilities in Pennsylvania as assessed by it the value of the real and personal property owned by said public utilities if any there be otherwise valued and assesed for taxation in Pennsylvania and shall justly and equitably equalize the relative values thereof

Section 75 The Commission shall ascertain all of the personal property which shall include road bed stations power houses poles wires water and wood stations and other realy necessary to the daily running operations of the road moneys and credits of each railroad company and each suburban or interurban railroad company having any line or road or part thereof in this State and the undivided profits reserved or contingent fund of the company whether in moneys credits or in any manner invested and the actual value thereof in money and also locomotives motors and cars not belonging to the company but hired for its use or run under its control on its road by a sleeping-car company or other company Such rolling stock not belonging to it but under its control may be returned by such public utility separate from its own property and if so returned the Commission shall fix the valuation of such property separately but must include the amount in the aggregate valuation

Section 76 The Commission shall within twenty days after the valuation of any such public utility has been determined make a certified copy of its findings in full with reference to each public utility and forward the same to the County Commissioners in each county having any property of the said companies within their county Such County Commissioners shal lrecord the same in a book to be kept for that purpose which said book and the certified copy of such findings shall be open to public inspection during all business hours The County Commissioners shall place the apportioned value on the tax duplicate and taxes shall be levied and collected thereon in the same manner and at the same rate as other property in the taxing district in question

Section 77 The value of such property moneys credits of each of said companies as found and determined by the Commission shall be apportioned by the Commission among the several counties through which the road or any part thereof runs so that to each county and to each taxing district therein shall be apportioned such part thereof as shall equalize the relative value of the real estate structure and stationary personal property of the company in this State and so that the rolling stock main track road bed power houses poles wires supplies moneys and credits of the company shall be apportioned in like proportion that the length of road in such county bears to the entire length thereof in all the counties and to each city village and district or part thereof therein If the line of such company is divided into separate divisions of branches so much of the rolling stock thereof as belongs to or is used solely upon any such divisions or branches shall be apportioned in like manner to the county and to each taxing district therein through which such branch or division runs The Commission shall certify to each such board of county commissioners such apportionment

Section 78 When a public utility has part of its road in this State and part thereof in another State or States the Commission shall take the entire value of such property moneys and credits of such public utility so found and determined in accordance with the provisions of this act and divide it in the proportion the length thereof and determine the principal sum for the value of the road in this State accordingly equalizing the relative value thereof in this State

Section 79 The Commission shall within twenty days after the valuation of any public utility other than express telegraph telephone and railroad companies suburban or interurban railroad companies apportion the value of the property of al lother public utilities assesed according to the provisions of this act as follows

(a) When the property of said public utility is located within the limits of the county the assessed value thereof shall be apportioned by the Commission between the several taxing districts therein in the proportion which the property located within the taxing district in question bears to the entire value of the property of said public utility as ascertained and valued as herein provided so that to each taxing district there shall be apportioned such part of the entire valuation as will fairly equalize the relative value of the property therein located to the whole value thereof

(b) When the property of said public utility is located in more tha none county in the State the assessed value thereof shall be apportioned by the Commission between the several counties and the taxing districts therein in the proportion in which the property located therein bears to the entire value of the property of said public utility as ascertained and valued as herein provided so that to each county and taxing district therein there shall be apportioned such part of the entire valuation as will fairly equalize the relative value of the property therein located to the whole value thereof

(c) When the property of said public utility required to be assessed by the provisions of this act is located in more than one State the assessed value thereof shall be apportioned by the Commission in such manner as will fairly and equitably determine the principal sum for the value thereof in this State and after ascertaining the same it shall be apportioned by the Commission as provided herein

Section 80 The Commission may remit taxes and penalties thereon found by it to have been illegally assessed and such penalties as have accrued or may accrue in consequence of the negligence or error of an officer required to perform a duty relating to the assessment of property for taxation or the levy or collection of taxes It may corrocet an error in an assesment of property for taxation or in the duplicate of taxes in a county No such taxes assessments or penalties in excess of one hundred dollars shall in any case be remitted until after at least ten days' notice of the application to have the same remitted shall have been served upon the prosecuting attorney and the county commissioners of the county where such taxes or assessments were levied and proof of such services has been filed with the Commission

When any taxes or penalties have been remitted as provided in this section the Commission shall make a report of the same to the Auditor-General It may receive complaints and carefully examine into all cases where it is alleged that property subject to taxation has not been assessed or has been farudulently or for any reason improperly or unfairly assessed or the law in any manner evaded or violated and may cause to be instituted such proceedings as will remedy improper or negligent administration of the taxation laws of the State

Section 81 The Commission shall prepare and transmit to the Commissioners of the several counties such forms of returns to be made by them to its office and such instruction as it deems conducive to the best interests of the State upon a subject affecting taxation or the construction of any statute affecting taxation the execution of which devolves upon any county or local officer It shall see that the laws concerning the valuation and assessment of all classes of property and the collection of taxes thereon are fully obeyed It shall issue such orders and instructions to the different taxing officers as will carry into effect the provisions of law relating to taxation and shall enforce the same agreeably to the provisions of this act Each such officer shall obey and observe all such orders and instructions and upon failure shall be subject to the penalties herein provided

It shall order a re-assessment of the real or personal property in any taxing district when in the judgment of the Commission such property has not been assed to its true value in moneys to the end that all classes of property in such taxing district shall be assessed in compliance with the law When a re-assessment is ordered in any taxing district the Commission shall appoint an appraised or board of appraisers who shall forthwith proceed to reassess such property in such taxing district and who shall have all the powers shall perform all the duties and shall receive the same compensation from the same sources as provided by law for assessors of real or personal property as the case may be It shall require the county commissioners to place upon the tax duplicate any property which may be found to have for any reason escaped assessment and taxation

It may raise or lower the assessed value of any real or personal property first giving notice to the owners thereof fixing a time and place for hearing any person or persons interested to the end that the assessment laws of the State may be equitably administered Said hearing shall in case of realty be had within the county in which said realty is situated and in case of personality within the county wherein the owner thereof resides if a natural person residing in the State

For the purpose of protecting the public interests the Commonwealth is authorized to appear and upon its application to be heard in any court or tribunal in any proceeding in which an abatement of taxes is sought It shall be the duty of the clerk of any court of record in this State to immediately transmit to the Commission by registered letter a copy of the petition filed in any action in which an abatement of taxes assessed by the Commission is sougth and charge the fee thereof in the costs

County commissioners and all local officers shall observe and use such forms and obey such instructions

Section 82 Each corporation organized under the laws of this State fo rprofit shall make a report in writing to the Commission annually during the month o fMay in such form as the Commission may prescribe The report shall be signed and sworn to before an officer authorized to administer oaths by the president vice-president secretary or generad manager of the corporation and forwarded to the Commission

Section 83 Such report shall contain

1 The name of the corporation

2 The location of its principal office

3 The names of the president secretary treasurer and members of the board of directors with the postoffice address of each

4 The date of the annual election of officers

5 The amount of authorized capital stock and the par value of each share

6 The amount of capital stock subscribed the amount of capital stock issued and outstanding and the amount of capital stock paid up

7 The nature and kind of business in which the corporation is engaged and its place or places of business

8 The change or changes if any in the above particulars made since the last annual report

Section 84 Upon the filing of the report provided in sections eighty-two and eighty-three of this act the Commission after finding such report to be correct shall report to the Auditor-General who shall charge and certify to the treasurer of State for colection on or before July fifteenth as herein provided from such corporation a fee of three-twentieths of one percentum upon its subscribed or issued and outstanding capital stock which fee shall not be less than ten dollars in any case

Section 85 Each foreign corporation for profit doing business in this State and owning or using a part of its capital or all of its capital and plant in this State and subject to compliance with all other provisions of this law and in addition to all other statements required by law shall make a report in writing to the Commission annually during the month of July in such form as the Commission may prescribe

The report shall be signed and sworn to before an officer authorized to administer oaths by the president vice-president superintendent or managing agent in this State and forwarded to the Commission

Section 86 Such report shall contain

1 The name of the corporation and under the laws of what State or county organized

2 The location of its principal office

3 The names of the president secretary treasurer and members of the board of directors with the postoffice address of each

4 The date of the annual election of officers

5 The amount of authorized capital stock and the par value of each share

6 The amount of capital stock subscribed the amount of capital stock issued and the amount of capital stock paid up

7 The nature and kind of business in which the company is engaged and its place of business both within and without this State

8 The name and location of its office or offices in this State and the name and addresses of the officers or agents of the corporation in charge of its business in this State

9 The value of the property owned and used by the company in this State where situated and the value of the property owned and used outside of this State and where situated

10 The change or changes if any in the above particulars made since the last annual report

Section 87 Upon the filing of the report provided for in the last two sections the Commission from the facts thus reported and any other facts coming to its knowledge bearing upon the question shall determine the proportion of the authorized capital stock of the company represented by its property and business in this State on or before September first and shall report the same to the Auditor-General who shall charge and certify to the State Treasurer on or before October first for collection as herein provided annually from such company in addition to the initial fees otherwise provided by law for the privilege of exercising its franchise in this State one-tenth of one per centum for the year one thousand nine hundred and fourteen and three-twentieths of one per centum for each year thereafter upon the proportion of the authorized capital stock of the corporation represented by property owned and used and business transacted in this State which fee shall not be less than ten dollars in each case

Section 88 Each corporation organized under the laws in this State not for profit and having no capital stock shall make a report in writing to the Commission annually during the month of November in such form as the Commission may prescribe The report shall be signed and sworn to before an officer authorized to administer oaths by the president secretary or other chief officer of the corporation and forwarded to the Commission

Section 89 Such report shall contain

1 The name of the corporation

2 The location of its principal office

3 The names of the president secretary treasurer and members of the board of trustees or directors with the post office address of each

4 The date of the annual election of officers

5 The object or purpose which such corporation is engaged in carrying out

Section 90 Upon the filing of the report as provided for in the last two preceding sections the Commission shall report the Auditor General on or before December first who shall charge and certify to the Treasurer of the State on or before January first for collection as provided for herein a fee of ten dollars from each corporation not having a capital stock or any other mutual corporation not organized strictly for benevolent or charitable purposes and having no capital stock or of a company or association organized to transact the business of life or accident or life and accident insurance on the assessment plan for the purpose of mutual protection and relief to its members and the payment of stipulated sums of money to the family heirs executors administrators or assigns of the deceased members thereof

Section 91 Upon the filing of the report provided in sections eighty-eight and eighty-nine of this act the Commission shall report to the Auditor General on or before December first who shall charge and certify to the Treasurer of the State on or before January first for collection as herein provided one dollar from each corporation formed for benevolent or literary purposes or of such corporations as are not organized for profit having no capital stock and are not mutual in their character or of religious or secret societies or associations composed of any class of mechanics express mutual protection and relief of the members thereof and their families

Section 92 Upon the filing of the report and the payment of the fee provided for in sections eighty-two to one hundred inclusive of this act to the State Treasurer the Auditor General shall make out and deliver to the corporations so paying a certificate of the compliance by such corporations with said sections of this act and the payment of the annual fee therein provided for The Auditor General shall make a report monthly to the Commission of the annual fees so collected

Section 93 The fees taxes and penalties required to be paid by this act shall be the first and best lien on all property of the corporations whether such property is employed by the corporation in the prosecution of its business or is in the hands of an assignee trustee or receiver for the benefit of the creditors and stockholders thereof

Section 94 If a corporation other than public utility required to file a report and pay the fee prescribed in this act fails or neglects to make such report as required herein or pay such fee within thirty days after the same has been cretified to the Treasurer for collection it shall be subject to a penalty of fifteen per cent of the amount of the fee required to be paid by it

Section 95 Such penalty or penalties and the annual fee or fees to be paid as provided in this act may be recovered by an action in the name of the State and on collection shall be paid into the State Treasurer to the credit of the general revenue fund

Section 96 The Attorney General on request of the Commission shall institute such action in the court of common pleas of Dauphin County or any county in the State in which such corporation has an office or place of business

Section 97 If a corporation organized under the laws of Pennsylvania for profit or not for profit required to file the report and pay the fee prescribed in this act fails or neglects to make such report or pay such fee for three months after the expiration of the time limited by this act and such default is wilful and intentional the Attorney General on request of the Commission shall bring an action in the court of Dauphin County or any county in this State in which corporation is located to forfeit and annul the charter of such corporation If the court is satisfied that such default is willful and intentional it may revoke and annul such charter

Section 98 The Secretary of Internal Affairs shall prepare and keep a correct list of all corporations subject to the provisions of sections eighty-two to one hundred inclusive of this act and engaged in business within this State and shall on the first day of July one thousand nine hundred and fourteen certify a copy of said list to the Commission and shall monthly all new corporations the increase or decrease of the capital stock or the dissolution of existing corporations and such other information as the Commission may require For the purpose of obtaining necessary information the Secretary of Internal Affairs or the Commission shall have access to the records of the offices of the County Commissioners of the State

Section 99 The several Board of County Commissioners upon the request of the Secretary of Internal Affairs or Commission shall furnish such information as is shown by the records of their office concerning corporations located within their county and subject to the provisions of this act The Commission for the purpost of determining the amount of fees due from such corporation may investigate and determine the facts showing the proportion of the authorized capital stock of the company represented by its property and business in this State

Section 100 Any corporation may be heard by the Commission upon the question of the amount of fees or penalties due to the State from it under the provisions of this act and its decision in the matter shall be final

Section 101 Electric light gas natural gas water works pipe line street railroad suburban or interurban railroad steam railroad messenger union depot express freight line sleeping car telegraph telephone and other public utilities required by law to file annual reports with the Commission shall not be subject to the provisions of sections eighty-two to ninety-two inclusive

Section 102 A corporation shall not be required to file its first annual report under sections eighty-two to one hundred inclusive of this act until the proper month hereinbefore provided for the filing of such report next following the expiration of six months from the date of its incorporation or admission to do business in this State

Section 103 Nothing in this act is intended to repeal any law or parts of laws of this Commonwealth providing for taxation of money at interest represented by bond mortgage note or other evidence of indebtedness by whosoever held or owned

Section 104 Nothing contained in this act is intended to change after amend or repeal any law now in force providing for the collection of the collateral inheritance tax liquor tax or any other property of a public utility company or corporation

Section 105 Each Board of County Commissioners on or before the first Monday of March one thousand nine hundred and fourteen and each year thereafter shall make and transmit to the Commission an abstract of the real and personal property of each taxing district in the county in which they shall set forth the value thereof as returned by the assessors with such additions as have been made thereto

Section 106 The Commission shall on or before the first day of April following determinc whether the real and personal property of the several counties cities boroughs towns townships or taxing districts in the State shall have been assessed at its true value in money and if in the opinion of the said Commission the real and personal property which any county city borough town township or taxing district in the State as reported by the said commissioners to said commission is not on the duplicate at its true value in money the said commission may increase or decrease the valuation in such county city borough town township or taxing district by such rate of percentage or by such amount as will place said property on the duplicate at its true value in money

Section 107 When the commission has determined the true value of the real and personal property in the several taxing districts the commission shall transmit to each Board of County Commissioners a statement of the amount to be added or deduction from the valuation of the real and personal property of each taxing district in their county specifying the amount to be added or deducted from the valuation of the real and personal property of each of the taxing districts The County Commissioners shall forthwith add to or deduct from each tract or lot of real and personal property in their county the required percentage or amount on the valuation thereof as it stands after it has been equalized by the county and city board of equalization adding or deducting in each case any sum less than five dollars so that the value of any separate tract or lot shall be ten dollars or some multiple thereof

Section 108 The commission shall cause to be prepared suitable blanks for carrying out the purpose of this act and shall when necessary furnish such blanks to each public utility company corporation association or individual subject thereto

Section 109 Any officer agent or employe of any public utility company corporation and association subject to the provisions of this act or who shall fail or refuse to answer any questions therein or shall knowingly or willfully give a false answer to such question where the fact inquired of is within his knowledge or who shall upon proper demand fail or refuse to exhibit to the Commission or any commissioner or any person authorized to examine the same any book paper account record or memoranda of such public utility which is in his possession or under his control shall be guilty of a misdemeanor and upon conviction thereof shall be fined not more than one thousand dollars for each offense

And a penalty of not less than five hundred dollars nor more than one thousand dollars shall be recovered from the public utility for each such offense when officer or agent or employe acted in obedience to the direction instruction or request of such public utility company corporation or association or any general officer thereof

Section 110 Whoever violates any provision of this act or neglects or refuses to perform any duty herein required for wihch a penalty has not otherwise been provided or neglects or refuses to obey any lawful requirement or order made by the commission for every such violation failure or refusal shall be fined not less than twenty-five dollars nor more than one thousand dollars for each offense In construing and enforcing the provisions of this act (this section) omission or failure of any officer agent or any person acting for or employed by public utility company corporation or association acting within the scope of his authority shall in every case be deemed to be the act ommission failure of such public utility company corporation or association

Section 111 Whoever being a member of the commission or an assessor or a member of a county board of equalization or a person whose duty it is to list value assess or equalize real or personal property for taxation shall knowingly or willfully fail to or return for assessment or valuation any real estate or personal property or knowingly list or return for assessment or valuation any real or personal property at any other than its true value in money or shall knowingly or willfully fail to equalize any real or personal property according to its true value in money shall be fined not less than fifty dollars notmore than five hundred dollars and in addition thereto if he be an officer shall forfeit his office of position

Section 112 Every day during which any public utility company corporation association officer or individual subject to the provisions of this act or any officer agent or employe thereof shall willfully fail to observe and comply with any order or direction of the Commission or to perform any duty enjoined by this act shall constitute a separate and distinct offense

Section 113 If any public utility company corporation or association subject to the provisions of this act fails or refuses to make out and deliever to the Commission any statement required by this act or furnish the Commission with any information requested the oCmmission shall inform itself as best it may on the matters necessary to be known in order to discharge its duties under this act

Section 114 All powers duties and privileges imposed and conferred upon any State board which board is by this act abolished or its powers and duties in whole or in part conferred upon this Commission or any power or duty which has been heretofore conferred upon any State or county officer or board which power and duty is hereby conferred upon the Commission is hereby imposed and conferred upon the Commission created by this act Provided That the powers and duties so transferred by this act shall continue to be exercised under existing laws until such time as the Commission hereby created has been appointed and qualified

Section 115 The Commission shall whenever called upon by any officer board or commission now existing or hereafter created of the State or any polictial division thereof furnish any data or information to such officer board or commission and shall so far as possible aid and assist such officer board or commision in performing his or its office All State county and olcal officers shall make and forward to the Commission upon its written order such transcript of records or parts thereof and other information on file in their respective offices or in their possession as are deemed necessary by the Commission to properly and effectually carry into operation the provisions of this act

Section 116 Each section of this act and every part of each section is hereby declared to be independent sections and parts of sections and the holding of any section or part thereof to be void or ineffective for any cause shall not be deemed to affect any other section or part thereof

Section 117 Every order or notice provided for in this act shall be served upon every person or corporation to be affected thereby or by either personal delivery or a copy thereof or by mailing a certified copy thereof by registered mail to the person to be affected thereby or in the case of a corporation to any officer or agent thereof upon whom a summons may be served Within the times specified on the order of the Commission every person or corporation upon it is esrevd if so required in the order shall notify the Commission in like manner whether the terms of the order are accepted and will be obeyed

Section 118 No injunction shall issue suspending or staying any order of the Commission except upon application to the court or a judge thereof and upon notice to the Commission and a hearing

Section 119 In addition to the other remedies provided by this act for the prevention and punishment for any violation of the provisions hereof and all oredsr of the Commission the Commission may compel compliance with the provisions of this act and of the orders of the Commission by proceedings in mandamus injunction or by other appropriate civil remedies

Section 120 The term "public utility" as used in this act means and embraces each corporation company firm individual and association their lesses trustees or receivers elected or appointed by any authority whatsoever and in this act referred to as express company telephone company telegraph company sleeping car company freight line company equipment company electric light company gas company natural gas company pipe line company water works company messenger company signal company messenger or signal company union depot company water transportation company heating company cooling company street railroad company railroad company suburban railroad company and interurban railroad company nd such term "public utility" shll include any plant or property operated or owned or both by any such companies corporations firms individuals or associations

Section 121 The Commission shall annually on or before the fifteenth day of December and each year thereafter make and deliver to the Governor a full report of the operations and execution of all laws which it is herein required to administer one thousand copies of which shall be printed in book form for the use of the General Assembly and the public The board shall report to the Governor and General Assembly its recommendations of such changes and alterations as in its opinion should be made in the tax laws of this State

Section 122 This act shall in no manner affect existing causes of action or pending actions proceedings or prosecutions This act shall take effect and be in force on and after December thirty-first one thousand nine hundred and thirteen but the Commission may be appointed and organize before said date as provided in sections one to ten inclusive of this act And it shall be the duty of the Tax Commission to proceed to gather all information relating to the assessment of taxes and for all other purposes as fully as though this act were in full force and effect But nothing herein contained shall be so construed as to change or alter the laws now governing the assessment and collection of taxes for the year one thousand nine hundred and thirteen

Section 123 For the year one thousand nine hundred and fourteen there shall be levied and assessed two mills upon the valuation of all the real and personal property subject to taxation as returned as herein provided by the several Boards of County Commissioners to the Board of Tax Commission and said Board of Tax Commissioners shall cause the several Boards of County Commissioners of this Commonwealth to place said rate of two mills so levied for State purposes upon all the tax duplicates of the several taxing districts of the said county and proceed to collect said tax in like manner and subject to the same laws governing the collection of county taxes and the County Commissioners shall cause and direct the several tax collectors of their respective tax districts in said counties to collect and pay the same to the county treasurer of each of said counties and after deducting the cost of collecting said tax therefrom as now provided by law for the counties of this Commonwealth shall remit said State taxes so collected to the State treasurer whose receipt shall be sufficient voucher to the said county treasurer The Board of County Auditors shall at the time of the annual auditing of the accounts of the several county officers likewise audit the accounts of the county treasurer and the accounts of the several tax collectors of each county relating to all moneys paid collected or outstanding in any wise relating to the payment or collection or distribution of sad State tax and the said county auditors shall mail or deliver a complete itemized statement of such account so audited to the Secretary of Internal Affairs and likewise to the Board of Tax Commissioners

Section 124 On the first Tuesday of January one thousand nine hundred and fifteen and bi-annually thereafter the Board of Tax Commissioners shall transmit to the Governor and the General Assembly of Pennsylvania a complete statement of the entire valuation of all property real personal or mixed as shown by the returns to the Board o fTax Commissioners by the Board of County Commissioners of the several counties of this Commonwealth and as well an estimate showing as nearly as possible the revenue of the State to be derived from other sources during the two succeding vears and the Legislature shall thereupon proceed to levy a sufficient tax upon the property so returned by the several Boards of County Commissioners to the Board of Tax Commissioners as may be required to

provide sufficient revenue for all State purposes and when the General Assembly shall have complied with this section of this act the same shall be submitted to the Governor for his approval Upon the approval of the Governor shall transmit the same to the Secretary of Internal Affairs and thereupon the said Secretary of Internal Affairs shall forward to the County Commissioners of each county the rate of levy so fixed who shall cause the said rate of levy to be entered in the regular tax duplicate of the tax collectors and proceed to collections of said tax in same manner as county taxes are now collected and cause the same to be remitted to the State Treasurer through the office of the several county treasurers in same manner as like moneys are being remitted to the State Treasurer

Section 125 All laws or parts of laws inconsistent with this act be and the same are hereby repealed but nothing herein contained shall be construed to repeal any law now in force exempting church or religious properties form taxation

On the question,

Wi l the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BENSON. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. R. J. BALDWIN. Mr. Speaker, I feel that this is one of the important bills of the House and that the gentleman from McKean should fix a date for it to come up on special order. If it is put on the postponed calendar, it might be called up at any moment and as it involves the question of taxation of the whole State of Pennsylvania, I will agree to any time that he may suggest for making it a special order.

HOUSE BILL NO. 383 MADE A SPECIAL ORDER.

Mr. BENSON. Mr. Speaker, I move that this bill be made a special order of business for next Wednesday morning at 10.30 o'clock.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1825 (Senate No. 259), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred fifty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth' "

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—139.

Allen,	Flynn,	Lohr,	Robinson,
Alworth,	Foster, J. D.,	Martin,	Rockwell,
Arthur,	Geary,	Mather,	Roney,
Baldwin, R. J.,	Geiser,	Matt,	Rothenberger,
Barner,	Grabe,	McAleer,	Sassaman,
Benson,	Gramley,	McAllister,	Savacool,
Berntheizel,	Gray, Frank,	McArdle,	Schaeffer, A. C
Bigger,	Hackett,	McCaig,	Schuck,
Bittles,	Haggerty,	McDermott,	Scott, S. B.,
Blair, W. A.,	Heidinger,	McKay,	Semmens,
Blair, W. F.,	Hemminger,	Mechling,	Shaffer, C. A.,
Bleloch,	Hess,	Metzenbacher,	Shaffer, I. E.,
Body,	Heyburn,	Miller,	Sherwood,
Brosius,	Hibshman,	Missimer,	Showalter,
Brown,	Hobbs,	Mitchell,	Smith, J. W.,
Brownlee,	Humes,	Moore,	Snyder,
Burnett,	Isler,	Morrow,	Steedle,
Caldwell,	Irwin, G. C.,	Moses,	Strauss,
Campbell, C.M.,	Irwin, H. H.,	Moulthrop,	Swift,
Carter,	Jackson,	Murphy,	Thomas,
Cheeseman,	Jones, J. R.,	Newbaker,	Trach,
Claycomb,	Kaiser,	Newton,	Ulerich,
Cleary,	Kaufman,	North,	Ulman,
Conniff,	Keeport,	O'Neill,	Walnut,
Conrade,	Kennedy,	Peachey,	Walsh,
Cox,	Kern,	Pennock,	Watson,
Currier,	Kitts,	Perry, H. L.,	Whitaker,
Curry,	Klepper,	Piper,	Wildman,
Davis,	Kuhn, H. P.,	Post,	Williams,
Dickinson,	Kuhns, E.G.M.,	Price,	Wilson, J. H.,
Donahoe,	Lenker,	Ramsey,	Wilson, W. H.,
Donnally,	Leslie,	Reeser,	Wiltbank,
Ely,	Letzkus,	Rex,	Young, G. K.,
Ewing,	Light,	Rhoads,	Alter,
Fahey,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 894, as follows:

An Act to prohibit the capturing killing or exposing to sale of woodcock within this Commonwealth for a period of two years and providing penalties for the violation of its provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for and during a period of two years from and after the pasage of this act it shall be unlawful to capture or kill or to attempt to capture or kill or to have in possession either living or dead or to expose for sale any woodcock within this Commonwealth

Section 2 Any person violating any of the provisions of this act shall be liable to a penalty of twenty-five dollars ($25.00) for each offense or in default of the payment thereof with costs of prosecution to undergo an imprisonment in the jail of the county where the offense is committed of one day for each dollar of penalty imposed

Section 3 All other acts or parts of acts inconsistent herewith are hereby repealed

On the question ,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, I question whether we ought to pass this bill or not. The thought comes to my mind if we are going to simply protect game or woodcock in Pennsylvania and the State to the south of us and the State to the north of us do not, it is not a wise proposition. If the author of the bill is not here to explain the bill, I would suggest postponing further consideration at this time.

BILL POSTPONED.

Mr. COX. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1618, as follows:

An Act authorizing Boyd L Hunter a citizen of Centre county Pennsylvania to bring suit in the Court of Common Pleas of Centre county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the General Assembly of the Commonwealth of Pennsylvania by virtue of the power vested in it by section eleven of article first of the Constitution of Pennsylvania does hereby authorize and allow Boyd L. Hunter a citizen of Centre county Pennsylvania to bring suit either at law or equity in the Courts of Common Pleas of Centre County against the said Commonwealth of Pennsylvania for such sum or sums of money that may be legally or justly due the said Boyd L Hunter by the said Commonwealth of Pennsylvania Said suit or suits to be subject to the same rules of pleading evidence and appeal as other suits brought in said court are subject

On the question ,

Will the House agree to the bill on third reading?

Mr. GRAMLEY. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amenndments will be read for information.

The Clerk then read the amendments as follows:

Amend Section 1 line 9 by striking out the brackets and the word "Center"

Amend line two in title by striking out the brackets.

Amend line three in title by striking out the word "Centre."

The SPEAKER. Will the House give its consent to the insertion of these amendments? The Chair hears no objection and as this amendment consists merely in striking out, the bill comes up on final passage.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Allen,	Dunn, H. B.,	Latshaw,	Redfield,
Alworth,	Ewing,	Letzkus,	Reese,
Arthur,	Fahey,	Lohr,	Rex,
Baldwin, G. A.,	Flynn,	Martin,	Robinson,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Rockwell,
Barner,	Geiser,	Matt,	Roney,
Benson,	Good,	McAleer,	Rothenberger,
Berntheizel,	Grabe,	McAllister,	Sassaman,
Bigger,	Gramley,	McArdle,	Scott, S. B.,
Bittles,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Blair, W. A.,	Hackett,	McDermott,	Shaffer, I. E.,
Bleloch,	Haggerty,	McKay,	Sherwood,
Body,	Heidinger,	Mechling,	Showalter,
Brosius,	Hemminger,	Mellott,	Smith, J. W.,
Brown,	Hess,	Metzenbacher,	Steedle,
Brownlee,	Heyburn,	Missimer,	Swartz,
Burnett,	Hibshman,	Moore,	Swift,
Caldwell,	Hobbs,	Morrow,	Thomas,
Campbell, C.M.,	Humes,	Moses,	Trach,
Carter,	Isler,	Moulthrop,	Ulerich,
Cheeseman,	Irwin, G. C.,	Murphy,	Ulman,
Claycomb,	Irwin, H. H.,	Musser,	Walsh,
Cleary,	Jackson,	Newbaker,	Watson,
Conniff,	Jones, J. R.,	Newton,	Whitaker,
Conrade,	Keeport,	North,	Wildman,
Cox,	Kennedy,	O'Neill,	Williams,
Currier,	Kern,	Peachey,	Wilson, J. H.,
Curry,	Kitts,	Pennock,	Wilson, W. H.,
Davis,	Klepper,	Price,	Wiltbank,
DeFrees,	Kuhn, H. P.,	Ramsey,	Zimmerman,
Dickinson,			Alter,
Donnally,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. It has been suggested that, in view of the fact that the calendar of the House is in better shape than it has been for some weeks, if we run on for another hour, until 7 o'clock, we may conscientiously adjourn for the week.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1853 (Senate Bill No. 717), as follows:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations heretofore or hereafter incorporated under any special or general law of this Commonwealth may at any time or times declare dividends of so much of their net profits as shall appear advisable to the directors such dividends to be paid to the stockholders or their legal representatives at such time after their declaration as the directors may fix but such dividends shall in no case exceed the amount of the net profits actually acquired by the company so that the capital stock shall never be impaired thereby

Section 2 That anything contained in any general or special law inconsistent with this act be and the same is hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, I would like to ask anyone who sponsors this bill in the House to give an explanation of its meaning and purpose.

BILL RECOMMITTED.

Mr. HEIDINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. BROSIUS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1435, entitled:

An Act to amend section one of an act entitled "An Act making it unlawful to trespass upon land posted as private property and providing the penalty therefor" approved the fourteenth day of April Anno Domini one thousand nine hundred and five limiting the lands to which the provisions of said act shall apply

BILL RECOMMITTED.

Mr. WILDMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Local for the purpose of amendment.

Mr. MARTIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1354, as follows:

An Act making it a misdemeanor to sell or offer for sale any ticket or tickets for admission to or for a seat or seats in any theatre or place of public amusement or entertainment for a sum in excess of the price printed thereon or to sell any such ticket or tickets except as the duly designated agent of the theatre or other place of amusement or entertainment and providing a penalty therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of every person who whether as owner manager or lessee or otherwise engages in the business of managing or conducting any theatre or other place of public amusement or entertainment and who shall sell or offer for sale or procure to be sold or offered for sale any ticket or tickets for admission thereto or for a seat or seats therein to plainly print or cause to be printed upon the face of such ticket or tickets the price for which the same is to be sold at the box office of such theatre or other place of public amusement or entertainment

Section 2 It shall be unlawful for any person except a duly designated agent of such theatre or other place of public amusement or entertainment to sell or offer for sale any ticket or tickets for admission to any such theatre or place of public amusement or entertainment or for a seat or seats therein or for any person whatsoever to sell or offer for sale or procure to be sold or offered for sale any such ticket or tickets for a greater price than that so printed thereon as the price for which the same is sold at the box office of such theatre or other place of public amusement or entertainment

Section 3 Any person violating any of the provisions of this act shall be deemed guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of one hundred dollars for each ticket sold or offered for sale in violation of the provisions hereof

Section 4 This act shall take effect on the first day of August one thousand nine hundred and thirteen

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Allen,	Ewing,	Lohr,	Roney,
Alworth,	Fahey,	Martin,	Sassaman,
Arthur,	Flynn,	Mather,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Matt,	Schaeffer, A. C.
Barner,	Gibson,	McAleer,	Scott, S. B.,
Benninger,	Goss,	McAllister,	Semmens,
Benson,	Grabe,	McArdle,	Shaffer, C. A.,
Berntheizel,	Gramley,	McCaig,	Shaffer, I. E.,
Bigger,	Gray, Frank,	McKay,	Shern,
Blair, W. A.,	Haggerty,	Mechling,	Sherwood,
Bleloch,	Heidinger,	Mellott,	Snyder,
Body,	Hemminger,	Metzenbacher,	Steedle,
Brosius,	Hess,	Mitchell,	Stone,
Brown,	Heyburn,	Morrow,	Strauss,
Brownlee,	Hibshman,	Moses,	Swift,
Burnett,	Hobbs,	Moulthrop,	Thomas,
Caldwell,	Howard, R.,	Musser,	Trach,
Campbell, C.M.,	Isler,	Newbaker,	Ulerich,
Carter,	Irwin, G. C.,	Newton,	Ulman,
Cheeseman,	Jackson,	North,	Watson,
Claycomb,	Jones, E. E.,	O'Neill,	Whitaker,
Cleary,	Keegan,	Peachey,	Wildman,
Cochran,	Keeport,	Pennock,	Williams,
Conniff,	Kennedy,	Post,	Wilson, J. H.,
Conrade,	Kitts,	Price,	Wilson, W. H.,
Cox,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Curry,	Kuhns, E.G.M.,	Redfield,	Young, J. H.,
Dickinson,	Lenker,	Reese,	Zimmerman,
Donahoe,	Leslie,	Rhoads,	Alter,
Donnally,	Light,	Rockwell,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1849 (Senate Bill No. 567), entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended providing for the creation and certification of first class townships from portions of a second class township or townships.

Mr. ROCKWELL. Mr. Speaker, it seems to me we ought to examine this bill a little before we pass it. It provides in Section 2, in the second clause, that a second class township joining a first class township, which township contains three hundred peop'e to the square mile, can by certain procedure annex itself to the first class township. Now, the evil of that would be that a wealthy portion of a second class township might withdraw to the first class township, to the detriment of the second class township. and it seems to me that it would be an unwise proposition.

BILL POSTPONED.

Mr. MITCHELL. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. BROSIUS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. R. J. BALDWIN. Mr. Speaker, I would like to amend the motion by making the bill a special order for a certain day. By putting this bill on the postponed calendar, it might possibly be overlooked.

Mr. MITCHELL. I will call it up within the five days required by the rule.

Mr. R. J. BALDWIN. Mr. Speaker, perhaps the gentleman does not understand. A bill on the postponed calendar can be called up at any moment and we are more or less called out of the House on other matters, and I might not be present. I would very much like to have the gentleman fix a special time.

The SPEAKER. Doubtless the gentleman from Erie would agree to notify the gentleman from Delaware before he calls the bill up.

Mr. MITCHELL. Mr. Speaker, I do not think it is sufficiently important to make it a special order, but I will agree to notify the gentleman from Delaware before bringing it up.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1650, entitled:

An Act requiring in certain counties that deeds conveying real estate recite the full consideration therefor and providing a penalty for the failure to recite such consideration.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. R. J. BALDWIN. Mr. Speaker, I am frank to say that I do not know of any place to record deeds except in the recorder's office. I do not see much sense in the bill.

BILL POSTPONED.

Mr. LESLIE. Mr. Speaker. I move that further consideration of this bill be postponed for the present.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The members seem to hesitate about calling up bills about which there is any question. If there is no objection we wi'l spend a little time on bills which gentlemen desire to call up, taking up only such as the sponsors wish to have taken up.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1881 (Senate Bill No. 643), entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars.

On the question,

Will the House agree to the bill on third reading?

Mr. ISLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 1, line 5, by inserting after the word 'incorporated" the following: "for purposes not for profit."

Amend Section 1, line 5, by inserting after the word "under" being the second word instead of line, the following: "any general or special law' and by striking out the words "the laws."

Amend section 1, line 9, by striking out the word "value" being the second word in said line and inserting said word "value" after the word "rental", the word "rental" being the third word in said line.

Amend section 1, line 10, by striking out the first word of said line "thing" and inserting therefore the word "limitation."

Amend the title, line 2, by inserting after the word "Pennsylvania" the following: "for purpose not for profit."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read?

Mr. R. J. BALDWIN. Mr. Speaker, I wish to call the attention of the gentleman that that word "any" at the end of line 9 and the word "thing" at the beginning of line 10 should be stricken out together.

Mr. ISLER. Mr. Speeaker, this is another stepson of mine. I am merely doing this for Mr. Stein, who turned the amendments over to me and asked me to look after them while he is away.

The SPEAKER. Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. SEMMENS. Mr. Speaker, I ask unanimous consent to call up at this time for the purpose of amendment, House Bill No. 1536, page 33 of to-day's calendar, bills on third reading.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time? The Chair hears no objection and consent is granted.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1536, entitled:

An Act authorizing counties to charge telephone telegraph electric light or gas light companies or other public service corporations now maintaining poles on county roads a reasonable license fee providing for the removal of such poles in case of non-payment requiring such companies hereafter occupying county roads to agree in writing with the county commissioners in relation to such occupancy and the compensation to be paid therefor and providing for the use of all monies received under this act

On the question,

Will the House agree to the bill on third reading?

Mr. SEMMENS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Title, line six, after roads insert "with their poles wires conduits or other apparatus"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Upon calling over the remaining bills on the calendar it was agreed that the following bills would be called up in order: Calendar Nos. 44, 53, 57, 58, 59, 61, 62 and 63, the intervening bills to hold their place on the calendar.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 873, entitled:

An Act to amend an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution

On the question,

Will the House agree to the bill on third reading?

Mr. RAMSEY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section one, lines three and six, Beginning with "that" in line three strike out down to "That" in line six.

The SPEAKER. Will the House give unanimous cansent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 266, entitled:

An Act making an appropriation to the Gettysburg Battlefield Memorial Commission for various purposes

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, the merits of this bill were thoroughly investigated by a sub-committee of the Appropriation Committee that went into all the details and requirements and reported to the general committee, and it was reported out without a dissenting vote. It seems to me that in consideration of the fact that this is the fiftieth anniversary of that famous battle and the further fact that the sponsor of this bill has gone to his last home, that the bill ought to pass without a dissenting vote.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Allen,	Dickinson,	Letzkus,	Roney,
Alworth,	Donnally,	Light,	Rothenberger,
Arthur,	Dunn, H. B.,	Lohr,	Sassaman,
Baldwin, G. A.,	Flynn,	Martin,	Schaeffer, A. C.
Baldwin, R. J.,	Foster, J. D.,	Mather,	Schuck,
Barner,	Geary,	Matt,	Scott, J. R. K.,
Benson,	Geiser,	McAleer,	Scott, S. B.,
Berntheizel,	Gibson,	McAllister,	Semmens,
Bigger,	Gramley,	McArdle,	Shaffer, C. A.,
Bittles,	Gray, Frank,	McCalg,	Shaffer, I. E.,
Blair, W. A.,	Hackett,	McDermott,	Shern,
Blair, W. F.,	Haggerty,	McKay,	Sherwood,
Bleloch,	Heidinger,	Mechling,	Showalter,
Body,	Hemminger,	Metzenbacher,	Smith, J. W.,
Brosius,	Hess,	Missimer,	Snyder,
Brown,	Heyburn,	Mitchell,	Spillinger,
Brownlee,	Hibshman,	Moore,	Strauss,
Burnett,	Hobbs,	Moulthrop,	Swartz,
Caldwell,	Howard, J.,	Murphy,	Swift,
Campbell, C.M.,	Humes,	Newbaker,	Thomas,
Carter,	Isler,	North,	Ulerich,
Cheeseman,	Irwin, G. C.,	O'Neill,	Ulman,
Claycomb,	Irwin, H. H.,	Peachey,	Walsh,
Cleary,	Jackson,	Pennock,	Walton
Cochran,	Jones, J. R.,	Peters,	Whitaker,
Collins,	Kaufman,	Post,	Wildman,
Conniff,	Keegan,	Ramsey,	Williams,
Conrade,	Keeport,	Redfield,	Wilson, J. H.,
Cox,	Kennedy,	Reese,	Wilson, W. H.,
Currier,	Klepper,	Rex,	Wiltbank,
Curry,	Kuhn, H. P.,	Rhoads,	Young, J. H.,
Davis,	Leslie,	Robinson,	Alter,
DeFrees,		Rockwell,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1575, entitled:

An Act to further amend section twenty-one of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, and gentlemen of the House, I will not take up much of your time, but I think a brief explanation at this time would be very proper. This is a bill proposed by the Joint Tax Commission. The necessity for such a bill was suggested by the action of the Provident Life and Trust Company, of Philadelphia, which is an institution at once a trust company and doing also an insurance business, although not a mutual insurance company. When the taxing authorities thought to tax the invested securities of the reserve fund as entering into the capital of that company, the officers of that company insisted that that fund was held for the benefit of the policy holders. Then when the local authorities sought to put on a four mill tax these officers then insisted that it was a portion of the capital stock and denied the right of the local authorities to collect a tax. I might say in that connection—that was three years ago—the amount of this taxable property was thirty millian dollars and now it amounts to something like fifty million dollars, and so you can readily see what an advantage it is to the State revenue to have a bill like this which will not permit this shifting of what today is claimed to be capital stock and what tomorrow is not capital stock, and I ask the members of the House to pass this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—111.

Allen,	Davis,	Latshaw,	Savacool,
Alworth,	DeFrees,	Lohr,	Schuck,
Arthur,	Dickinson,	Martin,	Scott, J. R. K.,
Baldwin, G. A.,	Dunn, H. B.,	Mather,	Scott, S. B.,
Baldwin, R. J.,	Ewing,	Matt,	Shaffer, C. A.,
Barner,	Flynn,	McAleer,	Shern,
Benninger,	Foster, J. D.,	McAllister,	Sherwood,
Benson,	Geiser,	McDermott,	Showalter,
Berntheizel,	Gibson,	McKay,	Smith, J. W.,
Bigger,	Goss,	Mechling,	Snyder,
Bittles,	Gramley,	Metzenbacher,	Steedle,
Blair, W. A.,	Gray, Frank,	Mitchell,	Strauss,
Blair, W. F.,	Haggerty,	Moulthrop,	Swift,
Bleloch,	Hemminger,	Musser,	Thomas,
Body,	Hess,	Newbaker,	Trach,
Brosius,	Heyburn,	Newton,	Ulerich,
Brown,	Hibshman,	O'Neill,	Ulman,
Brownlee,	Hobbs,	Pennock,	Walnut,
Burnett,	Howard, J.,	Post,	Whitaker,
Caldwell,	Howard, R.,	Price,	Wildman,
Campbell, C.M.,	Isler,	Ramsey,	Williams,
Carter,	Irwin, G. C.,	Reese,	Wilson, J. H.,
Cheeseman,	Irwin, H. H.,	Rex,	Wilson, W. H.,
Claycomb,	Jackson,	Robinson,	Wiltbank,
Cleary,	Jones, J. R.,	Rockwell,	Young, J. H.,
Cochran,	Keeport,	Roney,	Zimmerman,
Collins,	Klepper,	Sassaman,	Alter,
Conniff,	Kuhn, H. P.,		Speaker.
Currier,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on Third Reading of H. R. bill No. 912 entitled:

An Act laying a tax on anthracite coal and providing for the colection and distribution of the same

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the clerk.

The Clerk then read the amendment as follows:

Amend Section 5, line 2, by striking out "one-half" and insert in lieu thereof "three-fourths."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection?

Mr. R. J. BALDWIN. Mr. Speaker, I object.

Mr. DAVIS. Mr. Speaker, I hope the gentleman will withdraw his objection. The only natural resources we have in northeastern Pennsylvania is the anthracite coal and we are getting nothing from it. This puts a tax of a mill and a half on anthracite coal, and will give the State its fair share. We represent Luzerne, Lackawanna, Dauphin, Schuylkill, Northampton and Susquehanna Counties. As I said before, the only resource we have is our coal, and we are entitled to it all, if it comes down to that, and I hope that the members will adopt this amendment to give three-fourths of the tax back to the county from which it comes.

Mr. R. J. BALDWIN. Mr. Speaker, I would state to the House that this tax is less than that suggested by the Revenue Commission which was in session not only two years, but for four years examining this very question. This tax does not prevent the local authorities from placing whatever taxes they desire on the coal property. The Tax Commission thought that by placing this tax of one and one-half per cent on the coal, and sending half of it back to the districts that it would be fair. Surely the State is entitled to something from these deposits. The local authorities can tax them as they see fit, and I do not think that this is taking anything from them. This was our conclusion, and I think ought to be the conclusion of the House. It is also the wisdom of the Commission and of the Ways and Means Committee.

Mr. DAVIS. If the State places this tax on the anthracite coal, why not upon the bituminous? The price of anthracite will be increased. Eighty per cent of the anthracite coal is shipped out of Pennsylvania. If we increase the price of the anthracite coal, we are going to make a market for the soft coal. The Constitution to-day states that you can tax coal only in place. This is double taxation, but by the amendment I have offered, the State will get the benefit of the tax also.

BILL POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. RONEY: Mr. Speaker, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. MITCHELL, from the Committee on Labor and Industry, reported as amended House Bill No. 1614, entitled:

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for notice to debtor before attachment proceedings are instituted and exempting debtor from costs

Mr. WILLIAMS, from the Committee on Appropriations, re-reported as amended House Bill No. 292, entitled:

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" and to reimburse counties for moneys paid under the provisions of such act

Mr. LOHR, from the Committee on Agriculture reported as amended House Bill No. 26, entitled:

An Act providing for the licensing and bonding of persons firms and corporations engaged in selling agricultural products on commission providing for action on such bonds and fixing penalties for violation of this act

ADJOURNMENT.

Mr. RONEY. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to, and at 6:40 P. M. the House adjourned until next Monday evening at eight o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, APRIL 28, 1913. No. 56.

SENATE

MONDAY, April 28, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"They that trust in the Lord shall be as Mount Zion which cannot be removed." "We lift up our eyes unto the hills from whence cometh our help; our help cometh from the Lord which made heaven and earth." "Blessed is the man which walketh not in the counsel of the ungodly; nor standeth in the way of sinners, nor sitteth in the seat of the scornful, but his delight is in the law of the Lord, and His law doth he meditate day and night." We, O Lord, enter upon the labors of another week. In the words of thy servant, "If Thy presence go not with us, carry us not up hence." We know not what work Thou shalt commit unto our hands, but we read in Thy Word, "As thy days, so shalt thy strength be." We know not whither Thou shalt call us to go, but we hear a voice saying: "Lo, I am with you alway even unto the end of the world." Now, Lord, with bowed heads and uplifted hearts we again offer unto Thee with all the earnestness of our souls a prayer for him whose face has brightened this chamber; whose handclasp has always thrilled us and whose kindly word has always cheered us. For one—our brother and colleague—who walks in the Valley of the Shadow of Death. How true Thy word: "In an hour that we think not the Son of Man Cometh." If it be Thy will, may he remain with us and not go hence. Bless Thou the means being used; guide Thou the hand of the physician; be Thou with her of whom he so often spake, his dear wife, whose tender hand ministers unto him. God bless them both. We ask it in our Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. NULTY presented petitions of Richmond Council No. 147, D. of L., and Penn Treaty Council No. 167, D. of L., favoring the passage of bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. NULTY presented petition of Richmond Council No. 147, D. of L., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

FAVORING PENSION TO SOLDIERS, SAILORS AND MARINES.

The Chair presented petition of the Pennsylvania Division, Sons of Veterans, U. S. A., favoring the passage of bill providing for pensions to soldiers, sailors and marines, who enlisted from Pennsylvania between 1861 and 1865.

Which was referred to the Committee on Pensions and Gratuities.

FAVORING PASSAGE OF SENATE BILL NO. 1140, HOUSE BILL NO. 938.

Mr. VARE presented petition signed by every member of the Police Department of Philadelphia praying for the passage of Senate Bill No. 1140 (House Bill No. 938).

Which was referred to the Committee on Law and Order.

LEAVES OF ABSENCE.

Mr. SENSENICH asked and obtained leave of absence for the Senator from Warren, Mr. Knapp.

Mr. MILLER asked and obtained leave of absence for the Senator from Berks, Mr. Herbst, for the balance of the week on account of illness.

COMMITTEE TO ARRANGE FOR TESTIMONIAL TO HONORABLE ARCHIBALD W. POWELL.

The PRESIDENT. In pursuance of resolution adopted last week in reference to properly recognizing the leaving from this body of the Senator from Allegheny, Mr. Powell, the Chair appoints the following committee: Senators McNichol, Crow, Magee, Vare and Hall.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 50, entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by providing for the education of certain blind children under eight years of age

Senate Bill No. 366, entitled:

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing a penalty for violation thereof.

Senate Bill No. 386, entitled:

An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations

Senate Bill No. 583, entitled:

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna county Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act.

Senate Bill No. 588, entitled:

An Act fixing the compensation of the assistant librarian of the Senate and the assistant resident clerk of the House of Representatives

Senate Bill No. 644, entitled:

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine, entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

Senate Bill No. 651, entitled:

An Act making an appropriation to the State Hospital for the Criminal Insane at Farview Wayne County

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 160.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 160, entitled "An Act amending part of section one of an act entitled 'An Act relating to the service of certain process in actions at law and the effect thereof and providing who shall be made parties to certain writs' approved July ninth nineteen hundred and one."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 67.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 67, entitled "An Act to repeal the act of January seventh, one thousand eight hundred and sixty-four entitled 'A further supplement to an act to establish a board of wardens for the port of Philadelphia and for other purposes approved March twenty-ninth one thousand eight hundred and three."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 151.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 24, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 151, entitled "An Act regulating the time of payment of wages and earnings and providing a penalty for violation hereof."

JOHN K. TENER.

REPORTS FROM COMMITTEES.

Mr. SNYDER, from the Committee on Judiciary Special, re-reported as committed Senate Bill No. 381 (House Bill No. 265), entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the Board of Public Charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 677 (House Bill No. 503) entitled:

An Act prescribing the conditions under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in various counties of the Commonwealth of Pennsylvania

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 540 (House Bill No. 540) entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 916 (House Bill No. 562) entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 544 (House Bill No. 624) entitled:

An Act to amend section one of an act approved the third day of May A D one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damage where property is taken, used and appropriated for the said purposes" by changing the limitations of the amount of money which such township or borough in the exercise of th eauthority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 775 (House Bill No. 791) entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 897 (House Bill No. 835) entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 898 (House Bill No. 847) entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 845 (House Bill No. 1039) entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May A D one thousand eight hundred and ninety-three, requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1179 (House Bill No. 1044) entitled:

An Act to amend section two of an act entitled "An Act to preven the pasting painting branding stamping or placing of advertisements notices signs cards or posters in

certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1123 (House Bill No. 1053) entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1122 (House Bill No. 1050) entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to two hundred and eighty thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 866 (House Bill No. 1054) entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor and the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales' approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 927 (House Bill No. 1137) entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1051 (House Bill No. 1144) entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1074 (House Bill No. 1283) entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1129 (House Bill No. 1318) entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1131 (House Bill No. 1357) entitled:

An Act concerning building regulation and inspection in townships of the first class

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1041 (House Bill No. 1365) entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne County Pennsylvania"

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 967 (House Bill No. 1356) entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1017 (House Bill No. 1168) entitled:

An Act to provide for the payment of costs and charges on writs of executions or attachments and fixing the liability of sheriff in the execution thereof

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1085 (House Bill No. 1437) entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitats

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1196 (House Bill No. 1426) entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1043 (House Bill No. 1464) entitled:

An Act regulating the openings of buildings upon over o under external fire escapes

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1133 (House Bill No. 1534) entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1089 (House Bill No. 1660) entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" as amended

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1110 (House Bill No. 1772) entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1018 (House Bill No. 1226) entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1136 (House Bill No. 1712) entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organi-

zation representative of the denomination of which said church was a member as trustees for said church to hold and dispose of the title to the property owned by said church and defining the procedure therein

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 801 (House Bill No. 464) entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain building not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 675 (House Bill No. 465) entitled:

An Act requiring a license for conducting certain kinds of business regulating such license and fixing a penalty for violation of this act

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 625 (House Bill No. 466) entitled:

An Act to amend the first section of an Act of Assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 669 (House Bill No. 82) entitled:

An Act authorizing and regulating the employment on county highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 491 (House Bill No. 115) entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred and eighty-nine, entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs' "

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 107 (House Bill No. 146) entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 471 (House Bill No. 143) entitled:

An Act to amend section eighteen of an act approved the twenty-eight day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class"

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 348 (House Bill No. 149) entitled:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 529 (House Bill No. 162), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 492 (House Bill No. 215) entitled:

A joint resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 671 (House Bill No. 290) entitled:

An Act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 723 (House Bill No. 221) entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 534 (House Bill No. 293) entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 384 (House Bill No. 421) entitled:

An Act to amend the thirteenth section on an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 901 (House Bill No. 1116) entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred and fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile schools or farms as heretofore established by the Act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1008 (House Bill No. 357) entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offense of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offense" and imposing duties on conductors

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1126 (House Bill No. 1132) entitled:

A supplement to an act approved the twenty-third day of April one thousand nine hundred and three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassess-

ment between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 699, entitled:

An Act regulating parades of associations of veteran soldiers

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 987, entitled:

An Act making a chief burgess of a borough eligible to the office for the next succeeding term

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1049, entitled:

An Act regulating the salaries of county commissioners when said commissioners are directors of the county poor in counties of more than fifty thousand inhabitants

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 986, entitled:

An Act authorizing corporations owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use of a beverage or for medicinal purposes to operate such distillery without a license and regulating the taxation of such corporations

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1117, entitled:

An Act to amend an act entitled "An Act to provide for the division of boroughs and the erection of new boroughs," approved the twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-nine so as to extend the provisions of the same to boroughs and cities in this Commonwealth whether situate in one or more counties and to provide for the adjustment of indebtedness.

Also, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1207, entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population.

Mr. KLINE, from the Committee on Counties and Townships, reported as committed Senate Bill No. 1162, entitled:

An Act to amend section two of the act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and the payment of same.

Also, from the Committee on Counties and Townships, reported as committed Senate Bill No. 1185 (House Bill No. 536), entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same.

Mr. SONES, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 624 (House Bill No. 305) entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes.

Mr. CLARK, from the Committee on Education, reported as committed, Senate Bill No. 1036 (House Bill No. 1191), entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one of an act approved the eighteenth day of May 1911 entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special local or any parts thereof that are or may be inconsistetnt therewith."

Mr. GRAFF, from the Committee on Elections, re-reported as amended Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration and enrollment and for voters voting or attempting to vote and for the election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket.

Also, from the Committee on Elections, re-reported as amended, Senate Bill No. 883, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith.

Also, from the Committee on Elections, re-reported as amended Senate Bill No. 884, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith.

Also, from the Committee on Elections, reported as committed Senate Bill No. 1189 (House Bill No. 1695), entitled:

A! further supplement to an act approved the seventeenth day of February nineteen hundred andsixetaoieeetta teenth day of February one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registrations a condition of the right to vote in such cities and to provide penalties for violations of its provisions."

Mr. CATLIN, from the Committee on Elections, re-reported as amended, Senate Bill No. 876, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms in such officers.

Mr. McNICHOL, from the Committee on Elections, re-reported as amended, Senate Bill No. 444, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incidents thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballott the method of distributing the ballots to the electors the method of voting and the method of counting the votes.

Mr. JARRETT, from the Committee on Game and Fisheries, reported as committed Senate Bill No. 1203 (House Bill No. 1872), entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrles and for other purposes in the county of Huntingdon."

Mr. SALUS, from the Committee on Elections, re-reported as amended Senate Bill No. 956, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions.

Also, from the Committee on Elections, re-reported as amended, Senate Bill No. 457, entitled:

An Act to provide for the election at Fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior Courts when such office is to be filled at a municipal election.

Mr McNICHOL, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 692 (House Bill No. 953) entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collection storing and transporting of ma-

nure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transportated in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsisting acts.

Mr. SNYDER, from the Committe on Judiciary Special, re-reported as committed, Senate Bill No. 679 (House Bill No. 512), entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof.

Mr. THOMPSON, from the Committe on Municipal Affairs, reported as committed Senate Bill No. 1039 (House Bill No. 1218) entitled:

An Act to amend the ninth section of an act entitled "An Act to amend the ninth section of an act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of the field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes.

Mr. VARE, from the Committee on Law and Order, reported as committed Senate Bill No. 1140 (House Bill No. 938) entitled:

An Act to amend section eight of an act entitled "An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors of any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-nine.

BILLS INTRODUCED.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1208, entitled:

An Act validating acts done and transfers and conveyances made to or by corporations after letters patent have been issued but before the recording of the same

Which was committed to the Committee on Judiciary Special.

Also, read in his place and presented to the Chair Senate Bill No. 1209, entitled:

An Act authorizing each city in the Commonwealth to prepare adopt and amend its own charter regulating the preparation adoption and amendment thereof providing penalties for violation of the act and repealing certain laws relating to the government of cities

Which was committed to the Committee on Judiciary Special.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 1210, entitled:

A supplement to an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An act for the incorporation and government of cities of the third class" authorizing third class cities to manufacture and sell ice.

Which was committed to the Committee on Judiciary Special.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 1211, entitled:

An Act to provide for the better protection of gray rabbits and hare in this Commonwealth fixing the open season for such animals and providing penalties for violation of its several provisions

Which was committed to the Committee on Game and Fisheries.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 1212 entitled:

An Act to repeal an act entitled "An act providing that in all counties having more than five hundred thousand inhabitants advertisements and notices required by law or rules of court to be published in newspapers of general circulation unless dispensed with by special order of court shall be published in the legal newspaper issued at least weekly of the proper county designated by rules of court for the publication of court or other legal notice" approved the third day of May Anno Domini one thousand nine hundred and nine

Which was committed to the Committee on Municipal Affairs.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1213, entitled:

An Act making it unlawful for any person to practice law in any county in the State of Pennsylvania unless duly admitted to practice by a court of record in any county of this Commonwealth defining what shall constitute the practice of law and providing a penalty for any violation thereof

Which was committed to the Committee on Judiciary Special.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 1214, entitled:

An Act defining how borough and township auditors shall audit the borough school and road supervisors' accounts and providing for the publication of same in one or more newspapers of the county

Which was committed to the Committee on Judiciary General.

CONCURRENT RESOLUTION FOR COMMITTEE TO SELECT STATE SONG.

Mr. SHEATZ offered the following resolution, which was twice read, as follows:

Whereas, There have been proposed as official songs of the Commonwealth of Pennsylvania two compositions, one by Edgar M. Dilley, of Philadelphia, and another by John E. Barrett, of Scranton, both called Pennsylvania;

And Whereas, Resolutions have been introduced requesting the endorsement of this Genreal Assembly for each of these compositions;

Therefore, Be It Resolved (If the House of Representatives concur), That a Joint Committee of the Senate and House of Representatives, two to be appointed by the President of the Senate and three to be appointed by the Speaker of the House, inquire into and test by competition, if necessary, the merits and availability of the said compositions for selection as the official song of this Commonwealth, and to make such recommendation as they shall deem proper.

Mr. SHEATZ. Mr. President, I ask unanimous consent that Rule 39 be suspended in order that the resolution just read may be considered at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 685 (House Bill No. 787), as follows:

An Act to amend an act entitled "An act to amend section one of an act entitled 'An act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be done by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" "approved the third day of May Anno Domini one thousand nine hundred and nine"

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An act to amend section one of an act entitled 'An act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgment for the amount so admitted to be due" "approved the third day of May Anno Domini one thousand nine hundred and nine" which now reads as follows

"That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit provided however that in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in and such action is admitted to be due the city solicitor shall within thirty days after the service of the writ in such suit file the affidavit of the director or chief officer of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in other cases" be and the same is hereby amended so that it shall read as follows

Section 1 That municipal corporations shall not be required to file affidavits of defense in actions of assumpsit Provided however That in any action of assumpsit now pending or hereafter brought when all or any part of plaintiff's claim in any such action is admitted to be due the city solicitor within thirty days after the service of the writ in such suit file the affidavit of the director or chief officers of the department of the defendant municipal corporation having charge of the subject matter of such suit or action setting forth the amount admitted to be due the plaintiff in such action whereupon the plaintiff therein may take judgment against such municipal corporation for the amount so admitted to be due and interest on said amount admitted to be due shall thereupon cease and the case shall be proceeded in for the recovery of the balance of the claim of the plaintiff in like manner as now provided by law in such cases

In case of the failure or refusal of the director or chief office of the said department to make or of the city solicitor to file such affidavit the plaintiff may by proper petition to the court take depositions to establish if possible the fact as to whether or not any amount is due by the defendant to tne plaintiff and if it appears from such depositions that any amount is due by defendant to plaintiff the court may thereupon enter judgment for the amount so admitted or thus shown to be due plaintiff by defendant

And the amendments made thereto having been printed as required by the Constitution,

The question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gyger,	Kurtz,	Sensenich,
Beidleman,	Hall,	Magee,	Sheatz,
Buckman,	Hilton,	Martin,	Snyder,
Catlin,	Hoke,	McIlhenny,	Sones,
Clark,	Homsher,	McNichol,	Thompson,
Crow,	Huffman,	Miller,	Vare,
DeWitt,	Hunter,	Mills,	Wasbers,
Endsley,	Jones,	Moore,	Gerberich,
Farley,	Judson,	Morgan,	Pres. pro tem.
Graff,	Kline,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 264, entitled:

An Act to amend an act entitled "An act to amend sections four seventeen eighteen nineteen twenty-one twenty-six twenty-nine thirty-one thirty-three thirty-four and thirty-six of an act entitled 'An act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned' approved the twenty-ninth day of March one thousand eight hundred and three and vesting the authority over pilot and pilotages in the bay and river Delaware in the Board of Commissioners of Navigation for the river Delaware and its navigable tributaries approved the eighth day of June one thousand nine hundred and seven providing for hearing complaints of misbehavior of pilots authorizing the Board of Commissioners of Navigation to institute an inquiry into the cause of an accident or casualty in which a pilot or a vessel in charge of a pilot is involved to compel the attendance of witness at any hearing or inquiry to examine witnesses under oath or affirmation and providing penalties for the misbehavior or negligence of pilots"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19.

Beidleman,	Hilton,	Judson,	Sensenich,
Buckman,	Hoke,	Martin,	Vare,
Crow,	Homsher,	McIlhenny,	Wasbers,
Endsley,	Huffman,	Mills,	Gerberich,
Graff,	Hunter,	Nulty,	Pres. pro tem.

NAYS—14.

Catlin,	Hall,	Miller,	Salus,
DeWitt,	Jarrett,	Moore,	Snyder,
Farley,	Kline,	Powell,	Thompson,
Fisher,	Magee,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 542 (House Bill No. 600), as follows:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for the compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the court of common pleas of each county is authorized to employ such number of interpreters and in such languages as the court may deem necessary for the proper transaction of its business Such interpreters may be removed by the court at any time Any interpreter so appointed shall when required act as interpreter in any court of the county and shall receive out of the county treasury such annual or per diem compensation as the appointing court shall fix Provided That in counties containing population of one million two hundred thousand inhabitants and over the salary paid interpreters shall not exceed two thousand dollars per annum for each interpreter Before assuming the duties of the office each interpreter shall take and subscribe the oath prescribed in the Constitution of this Commonwealth

Section 2 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Hall,	Magee,	Salus,
Beidleman,	Heacock,	Martin,	Sensenich,
Buckman,	Hilton,	McIlhenny,	Sheatz,
Catlin,	Hoke,	McNichol,	Sones,
Clark,	Homsher,	Miller,	Thompson,
Crow,	Hunter,	Mills,	Vare,
DeWitt,	Jarrett,	Moore,	Wasbers,
Farley,	Jones,	Morgan,	Gerberich,
Graff,	Judson,	Nulty,	Pres. pro tem.
Gyger,	Kurtz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572, entitled:

An Act to validate appointments heretofore made of persons to act as patrolmen and firemen of cities of the first class of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Fisher,	Jones,	Salus,
Beidleman,	Graff,	Kline,	Sheatz,
Buckman,	Gyger,	Kurtz,	Snyder,
Catlin,	Hall,	Magee,	Thompson,
Clark,	Hilton,	Martin,	Vare,
Crow,	Hoke,	Mills.	Wasbers.
DeWitt,	Homsher,	Moore,	Gerberich,
Endsley,	Jarrett,	Morgan,	Pres. pro tem.
Farley,			

NAYS—5.

Heacock,	McIlhenny,	Miller,	Nulty,
	Sensenich,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 791, entitled:

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MAGEE. Mr. President, I ask unanimous consent to amend section 1, line 4, by inserting after the word "title" the words "for municipal highway purposes;" also in line 1 of the title by inserting after the word "title" the words "for municipal highway purposes."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 826, entitled:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gyger,	Kline,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Clark,	Hilton,	Martin,	Snyder,
Crow,	Homsher,	Miller,	Sones,
DeWitt,	Huffman,	Mills,	Thompson,
Endsley,	Hunter,	Moore,	Vare,
Farley,	Jarrett,	Morgan,	Wasbers,
Fisher,	Jones,	Nulty,	Gerberich,
Graff,	Judson,		Pres. pro tem.

NAYS—1

Hoke,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 827, as follows:

A supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations and providing for and regulating a local fire patrol and established for the purpose of preventing forest fires the compensation thereof

Whereas The question of forest fires and their suppression has become a serious problem within this Commonwealth the losses therefrom amounting to large sums of money each year which losses ought to be prevented by adequate legislative authority and assistance and

Whereas local associations for the prevention and suppression of forest fires have been established in different parts of the Commonwealth composed of owners of land with timber growing thereon whose lands are every year subjected to the menace of forest fires and

Whereas it is desirable that the Department of Forestry co-operate with such associations and render assistance to them in accomplishing to the best advantage the work which they are established to do Therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same The Department of Forestry shall cooperate with local forest fire protective associations for the prevention and suppression of forest fires and to that end is directed to expend out of any moneys appropriated for the prevention or suppression of fires such sums as may be required by this act until the funds shall be exhausted A regular system of fire patrol shall be established in such districts where owners of land shall unite for mutual protection against forest fires and shall agree to contribute to a common fund at least one-half cent per acre of land to be protected In each township in such district at least three patrolmen shall be appointed who shall patrol during two months in the spring and two months in the fall commonly called the fire seasons Such time shall be determined in each instance by the Commissioner of Forestry and the local association Each patrolman shall be paid by the Department of Forestry as herein above provided the sum of twenty-five dollars ($25.00) per month during the months of such regular patrol

Section 2 Every such local forest fire protective association shall render to the Department of Forestry at the end of each calendar year a report showing the number of acres of land comprised within the activities of the association the amount of money raised by assessment or other means which has been expended during the year for which the report is rendered and shall also report any general results of the work that the Commissioner of Forestry may desire

Section 3 The fire seasons hereinabove mentioned shall not be construed by reason of the act to which this act is a supplement as being limited to the periods of time stated in the eighteenth section thereof

Section 4 When any group of land owners desire to organize themselves into a mutual forest fire protective association they shall promptly notify the Commissioner of Forestry of their intent He shall thereupon report the amount of moneys still available in the fund appropriated for the prevention and suppression of forest fires

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Heacock,	Kurtz,	Salus,
Buckman,	Hilton,	Magee,	Sensenich,
Catlin,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills.	Vare.
Fisher,	Jones,	Moore,	Wasbers,
Graff,	Judson,	Morgan,	Gerberich,
Gyger,	Kline,	Nulty,	Pres. pro tem.
Hall,			

NAYS—0.

A majority of all the Senators having voted 'aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 837 (House No. 296), entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Graff,	Judson,	Sheatz,
Buckman,	Hall,	Kurtz,	Snyder,
Catlin,	Heacock,	Martin,	Sones,
Clark,	Hilton,	Miller,	Thompson,
Crow,	Homsher,	Moore,	Wasbers,
DeWitt,	Hunter,	Morgan,	Gerberich.
Endsley,	Jarrett,	Nulty,	Pres. pro tem.
Farley,	Jones,	Powell,	

NAYS—3.

Fisher,	Hoke,	Mills,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 841 (House Bill No. 701), as follows:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs or incorporated towns of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough or incorporated town who shall be known as commissioners of Water Works

Section 2 Any borough or incorporated town within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any incorporated town or borough council as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarily expended in the performance of their duty

Section 4 It shall be the duty of the commissioners of water works in each borough or incorporated town of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough or incorporated town Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough or incorporated town if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven Pamphlet Laws one thousand one hundred and twenty-three entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough or incorporated town within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds' They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and matrials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough or incorporated town of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough or incorporated town for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough or incorporated town and the penalties imposed thereby shall be collected in the same manner as penalties imposed by incorporated town or borough ordinances are now by law collected

Section 11 Whenever two or more boroughs or any borough and township having united in the construction or acquisition and maintenance of water works or hereafter uniting for the purpose of constructing or acquiring and maintaining water works desire to avail themselves of the provision of this act the councils of such boroughs and the commissioners or supervisors of such townships shall by joint action after ordinance or resolution duly passed apply to the court of common pleas of the proper county for the appointment of a commission of water works in accordance with this act Said commission shall be composed of citizens of each of said boroughs and townships so uniting

Section 12 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough or incorporated town until the authorities thereof shall by appropriate ordinance accept the provisions of this act Provided always however That anything herein to the contrary notwithstanding the act of Assembly entitled "An Act authorizing the creating of water works in the borough of Sewickley by commissioners and the issue of borough bonds and the levy of a special water tax" approved February twenty-first one thousand eight hundred and seventy-three (Pamphlet Laws one hundred and forty-seven shall in no wise be affected or repealed by this act

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. HOKE. Mr. President, I would like to call the attention of the Senate briefly to the several reasons why I consider this a very dangerous measure. It seems to me that any Senator who has in his district any borough which owns its own water plants should hesitate and examine this bill very carefully before he votes for it. It provides that the court of common pleas, upon resolution passed by a borough council, shall appoint a water commission of three citizens and it gives to this commission

plenary powers to regulate the conduct of the water plant and appoint officers and fix their salaries. It gives the commission the right of eminent domain to condemn property inside the borough and out of the borough, and it makes of the commission absolutely a law making body. It provides in section 10, that "all by-laws, rules and regulations when made by said commissioners shall have the force and effect of ordinances of said boroughs." It seems to me that it is giving too much power to the court of common pleas. My own opinion is that a court is created for the purpose of administering law and not to appoint bodies that are actually law-making bodies. Now this act provides that the court of common pleas shall appoint these commissioners on the action of the borough council without anything being said or done by the people of the borough, and after the commission is appointed the law provides no means whereby the people of the borough may get rid of the commissioners, and it seems to me it places too much power in the hands of the court and takes all of the power out of the hands of the citizens of the borough.

Mr. SNYDER. Mr. President, I desire to interrogate the Senator from Franklin, Mr. Hoke.

The PRESIDENT. Will the Senator from Franklin, Mr. Hoke, permit himself to be interrogated?

Mr. HOKE. Mr. President, I will.

Mr. SNYDER. Has the Senator from Franklin, Mr. Hoke, in his district any water works owned by boroughs?

Mr. HOKE. Mr. President, I do, Chambersburg.

Mr. SNYDER. Mr. President, does the borough operate at a profit?

Mr. HOKE. Mr. President, indeed it does, and has ever since it was created as a borough.

Mr. SNYDER. Mr. President, does the Senator from Franklin, Mr. Hoke, have any information of any borough within our jurisdiction that owns its own water works where the water works are not operated at a profit?

Mr. HOKE. Mr. President, I have no information to that effect.

Mr. SNYDER. Mr. President, does the Senator from Franklin, Mr. Hoke, know the purpose of the bill at all?

Mr. HOKE. Mr. President, I think I do know the purpose of the bill.

Mr. SNYDER. Mr. President, the district I live in I do not think is any different from any other in the State, but in the county of Schuylkill we have several boroughs that are as large as several boroughs in the district that the Senator from Franklin, Mr. Hoke, represents, and they own their own water works. Now on account of the rotation of politics the water works have not the attention from some of the borough councils they ought to have; therefore the purpose of this bill, if I understand it rightly, is whenever a reform wave would strike a borough the good sound men, I mean of course those who are interested in the finances of the borough property, would get into council and they could then ask representing the people as they do, that the court of common pleas appoint citizens who would have no other interest, because they had no salaries, to run the water department properly and economically and for the benefit of the whole people, I have no fear of the court of common pleas doing anything, even in Schuylkill county, that would be against the will of the people, and it seems to me since the power is lodged in the councils to pass a resolution to ask the court of common pleas to appoint a commission no wrong can be committed against the people of that district and for that reason it seems to me that even in Chambersburg, if the borough desires that the water works should be conducted by a commission if the borough council would pass a resolution that the court should appoint such a commission, that would be the proper thing. All these advanced Senators talk in favor of commission government, because they have argued it on this floor, and this is only a commission form of government, that the courts shall appoint proper men to run the water works of the borough, and any Senator that is in favor of a commission form of government, I submit, cannot consistently be against this bill, especially as the court would not appoint inefficient men to conduct such an important department of the borough as the water works. But since there is some opposition and the gentlemen are not properly informed as to what a commission form of government ought to be, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 909, entitled:

An Act to authorize the display of the State county city borough or other municipal flags on public buildings in the Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kurtz,	Powell,
Beidleman,	Hall,	Magee,	Salus,
Buckman,	Heacock,	Martin,	Sensenich,
Catlin,	Hilton,	McIlhenny,	Sheatz,
Clark,	Hoke,	McNichol,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
Graff,	Kline,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. BEIDLEMAN. Mr. President, I ask that Senate Bill No. 918 (House Bill No. 962), on third reading, entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecutor in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

The Senate proceeded to the third reading and consideration of Senate Bill No. 920 (House No. 1145), entitled:

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Hall,	Kurtz,	Powell,
Beidleman,	Heacock,	Magee,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Catlin,	Hoke,	McIlhenny,	Sheatz,
Clark,	Huffman,	McNichol,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,

Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
Graff,	Kline	Nulty,	Pres. pro tem.
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. JONES. Mr. President, I move that Senate Bill No. 988, on third reading, entitled:

An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions

be recommitted to the Committee on Game and Fisheries for the purpose of a hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 997, entitled:

An Act to repeal section two of an act approved June third one thousand nine hundred and eleven entitled "An Act regulating the printing of the laws of this Commonwealth"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. JUDSON. Mr. President, I desire to interrogate the Senator from Dauphin, Mr. Beidleman.

The PRESIDENT. Will the Senator from Dauphin, Mr. Beidleman, permit himself to be interrogated?

Mr. BEIDLEMAN. I will.

Mr. JUDSON. Mr. President, I understand from this bill that it is desired to repeal the Act of 1911 which provides that the appropriation bills shall be printed in a separate volume, and also providing that they receive a single line in the pamphlet laws.

Mr. BEIDLEMAN. This bill is intended to repeal the Act of 1911 so that all the laws passed at this session and subsequent sessions shall be contained in one volume as they were prior to the Act of 1911. There is no special good derived by reason of publishing them in two separate volumes. It is an expense to the State and by reason of publishing but one volume and including the appropriation bills you get all the laws into the pamphlet laws, and you certainly have considerable less expense in printing them.

Mr. JUDSON. Mr. President, I am opposed to this bill. I think it was a step in the right direction when the Legislature two years ago passed that Act. It did away with printing in the pamphlet laws each appropriation act in full and allowed to them one line each. It reduced the volume of the pamphlet laws and also the expense of printing the pamphlet laws and it makes them much more convenient.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Farley,	Kline,	Sheatz,
Beidleman,	Graff,	Kurtz,	Snyder,
Buckman,	Hall,	Magee,	Thompson,
Catlin,	Hoke.	Martin,	Vare,
Crow,	Homsher,	McNichols.	Gerberich.
DeWitt,	Hunter,	Moore,	Pres. pro tem.
Endsley,	Jones,	Salus,	

NAYS—12.

Clark,	Jarrett,	Miller,	Powell,
Heacock,	Judson,	Mills.	Sensenich,
Hilton,	McIlhenny,	Nulty,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1000, entitled:

An Act to repeal section eight of an act entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MILLS. Mr. President, I ask unanimous consent to amend the title, in line 1, by by inserting after the word "act" the words "approved the first day of May one thousand nine hundred and nine;" also in section 1, line 5, by inserting after the word "nine" the words "An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food fish, and which are bait fish, and to regulate the catching and sale and encourage the propagation of the same, to protect the waters within this Commonwealth from unfair, improper, wasteful and destructive fishing, and to protect fish from being destroyed or injured by destructive means; to provide for the appointment of fish wardens, and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth, and regulate the free distribution of the same by the Department of Fisheries, in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propagated for profit; to forbid the sale of unlawful devices for catching fish; and to provide penalties and punishments for the violation of the provisions of this act, and providing how and by whom the costs shall be paid;" also in line 6 by striking out "thhe" and inserting in lieu thereof the word "the;" also in line 21 by striking out the word "to."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. WASBERS. Mr. President, I ask that Senate Bill No. 1009 (House Bill No. 734), on third reading, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse quail and wild water fowl

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1056 (House No. 1445), as follows:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board providing for the appointment of a Commissioner

of Labor Inspector Statistitions clerks and others to enforce the provisions of this act and providing salaries for the same prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That there is hereby established a Department of Labor and Industry the head of which shall be a commissioner of Labor and Industry who shall be appointed by the Governor by and with the consent of the Senate and who shall hold office for the term of four years from the date of his appointment and who shall receive an annual salary of eight thousand dollars ($8,000) and shall appoint and may at pleasure remove all officers clerks and other employees of the Department of Labor and Industry except as herein otherwise provided

Section 2 The Commissioner of Labor and Industry shall forthwith appoint upon entering upon the duties of his office one chief inspector of the Department of Labor and Industry who shall receive a salary of five thousand dollars ($5,000) a year and who shall during the absence or disability of the Commissioner of Labor and Industry possess all the powers and perform all the duties of the said Commissioner except the power to make appointments and who in addition to his duties prescribed by this act shall perform such other duties and possess such other powers as the Commissioner of Labor and Industry shall prescribe

Section 3 The office force of the department excluding that of the different bureaus shall be a chief clerk at an annual salary of two thousand dollars ($2,000) a statistician at an annual salary of two thousand dollars ($2,000) two copying clerks at an annual salary of fifteen hundred dollars ($1,500) each a stenographer who shall be a typewriter at an annual salary of fifteen hundred dollars ($1,500) and a messenger at an annual salary of twelve hundred dollars ($1,200)

Section 4 The Department of Labor and Industry shall be divided into three bureaus as follows

1 Bureau of Inspection
2 Bureau of Statistics and Information
3 Bureau of Arbitration

Together with such other bureaus as the Commissioner of Labor and Industry may deem necessary and shall with the consent of the Governor from time to time establish

Section 5 The Commissioner of Labor and Industry shall establish and maintain branch offices in the cities of Philadelphia and Pittsburgh and in such other cities of the Commonwealth as he may deem advisable Such branch offices shall be subject to the supervision and direction of the Commissioner of Labor and Industry be in immediate charge of such officers or employees as the said Commissioner may designate and the reasonable and necessary expenses of such offices shall be paid as are the other expenses of the said Department of Labor and Industry

Section 6 The Attorney General shall have authority to employ and may at pleasure remove an attorney of the Commonwealth of Pennsylvania who shall represent the Department of Labor and Industry and shall take charge of and assist in the prosecution of actions and proceedings brought by or on behalf of the said Commissioner or of the said Department and who shall act generally as legal adviser to the said Commissioner Such counsel shall receive an annual salary of three thousand dollars ($3,000) to be paid out of the appropriation made to said department The Commissioner of Labor and Industry shall have further power to employ attorneys and counsellors at law to be designated by the Attorney General to assist the counsel in special actions or proceedings or generally in performance of his duties

The said Commissioner of Labor and Industry may purchase such supplies and materials as may be necessary in carrying on the work of his department

Section 7 The Bureau of Inspection subject to the supervision of the Commissioner of Labor and Industry shall have charge of all inspections made pursuant to the provisions of this act and shall perform such other duties as may be assigned to it by the Commissioner of Labor and Industry The said Bureau shall be under the charge of the Chief Inspector hereinabove provided for subject to the supervision and direction of the Commissioner of Labor and Industry

There may be in the said bureau fifty-eight inspectors divided into four grades as follows

1 Inspectors of the first grade of whom there may be fifty in number and not less than five of whom shall be women and such additional inspector as the commissioner may deem necessary and proper to appoint from time to time each of whom shall receive an annual salary of one thousand five hundred dollars ($1,500)

2 Inspectors of the second grade of whom there shall be two in number and who shall act as Supervising Inspectors with offices at the cities of Philadelphia and Pittsburgh respectively Each of said inspectors shall receive an annual salary of two thousand five hundred dollars ($2,500)

3 Inspectors of the third grade of whom there shall be two one of whom shall be a woman and both of whom shall be physicians duly licensed to practice medicine in Pennsylvania and who shall act as medical inspectors and each of whom shall receive an annual salary of two thousand five hundred dollars ($2,500)

4 Inspectors of the fourth grade of whom there shall be four one of whom shall be a physician duly licensed to practice medicine in the State of Pennsylvania and who shall be Chief Medical Inspector one of whom shall be a mechanical engineer and expert in ventilation and accident prevention one of whom shall be a chemical engineer and one of who shall be a civil engineer and expert in fire prevention and building construction Each of the inspectors of the fourth grade shall receive an annual salary of three thousand dollars ($3,000)

Section 8 The Commissioner of Labor and Industry shall from time to time divide the State into districts and shall assign to such districts such inspectors and supervising inspector as may in his judgment appear expedient and shall from time to time assign and transfer such inspectors from one district to any other district or to special duty in any bureau of the said department and may assign an inspector to inspect any special class of factories or establishments and may assign one or more of them to act as clerks in any office of the department

The Commissioner of Labor and Industry shall visit and inspect or cause to be visited and inspected during reasonable hours and as often as practicable every room building or place where and when any labor is being performed which is affected by the provisions of any law of this Commonwealth or of this act and shall cause to be enforced therein the provisions of all such existing laws and of this act and the rules and regulations of the industrial board hereinafter provided for

The Commissioner of Labor and Industry and all inspectors may in the discharge of their duties enter any such place building or room whenever they have reasonable cause to believe that any such labor is being or will be performed therein

Section 9 The inspectors of the third grade shall together with the Chief Medical Inspector hereinabove provided for inspect all rooms buildings and other places subject to the provisions of this act throughout the State with respect to the conditions of work affecting the health of persons employed therein and shall perform such other duties and render such other service as the Commissioner of Labor and Industry shall direct

Section 10 The inspectors of the fourth grade shall constitute a division of industrial hygiene which shall be under the immediate charge of the Commissioner of Labor and Industry The members of the division of industrial hygiene shall make special inspections of factories and mercantile establishments and all rooms buildings or other places subject to the provisions of this act and shall conduct special investigations throughout the Commonwealth of Pennsylvania relative to industrial processes and conditions The members of such division shall prepare material for leaflets and bulletins calling attention to dangers in particular industries and the precautions to be observed to avoid them and shall perform such other duties and render such other services as may be required by the Commissioner of Labor and Industry Each member of said division shall make an annual report to the Commissioner of Labor and Industry which shall be transmitted to the Legislature as part of the annual report of said Commissioner

Bureau of Statistics and Information

Section 11 The bureau of statistics and information shall be under the immediate charge of a chief of the bureau subject to the direction and supervision of the Commissioner of Labor and Industry who shall receive an annual salary of three thousand dollars ($3,000) There shall also be in the office of said bureau an assistant who shall receive a salary of two thousand five hundred dollars ($2,500) one statistician at an annual salary of two thousand dollars ($2,000) one filing clerk and one copying clerk at an annual salary of fifteen hundred dollars each and three collectors of statistics who shall receive an annual salary of fifteen hundred dollars ($1,500) each It shall be the duty of said bureau to keep in touch with labor in the Commonwealth especially in relation to commercial industrial physical educational social moral and sanitary conditions of the wage-earners of the Commonwealth and to the productive industries thereof also to collect assort publish and systematize the details and general information regarding industrial accidents and occupational diseases their causes and effects and the methods of preventing and remedying the same and of providing compensation therefor also to make inquiry and investigation into the condition welfare and industrial opportunities of all aliens arriving and being within the State and to gather information with respect to the supply of labor afforded by such aliens and ascertain the occupations for which such aliens may be best adapted and to bring about communication between the aliens and the several industries requiring labor and to collect assort and publish statistical details and general information relative thereto

The chief or duly authorized deputy shall have power to issue subpoenas administer oaths and take testimonal in all matters relating to the duties herein required of said bureau Any corporation firm or individual doing business within the Commonwealth who shall neglect or refuse for thirty days to answer questions by circular or upon personal application or who shall refuse to obey the subpoena and give testimony according to the provisions of this act shall be liable to a penalty of one hundred dollars to be collected by order of the Commissioner of Statistics in an action of debt in which the Commonwealth of Pennsylvania shall be plaintiff This Bureau shall also be required to collect compile and publish annually the productive statistics of manufacturing commercial and other business interests of the State

Industrial Board

Section 12 There is hereby created and established in the Department of Labor and Industry an Industrial Board to consist of the Commissioner of Labor and Industry and four additional members to be appointed by the Governor by and with the consent of the Senate one of whom shall be an employer of labor one a wage-earner and one a woman The said additional members shall be designated by the Governor to serve until the first day of January in the years one thousand nine hundred and fifteen one thousand nine hundred and sixteen one thousand nine hundred and seventeen and one thousand nine hundred and eighteen respectively Upon the expiration of each of the said terms the term of office of each associate member

thereafter appointed shall be four years from the first of January The Commissioner of Labor and Industry shall be the chairman of the said Board Vacancies shall be filled by appointment for an unexpired term in the same manner as provided for the appointments of the previous holders of the office in which said vacancy occurs

The members of said Board other than the two associate members as hereinabove provided shall receive no additional compensation for services as members of the said Board The four associate members shall each receive a compensation of ten dollars ($10.00) per day and expenses actually and necessarily incurred while engaged in the performance of their duties

The Board shall appoint and may remove a secretary who shall receive a salary to be fixed by the Board The Commissioner of Labor and Industry shall detail from time to time to the assistance of said Board such employees of the Department of Labor and Industry as the Board may require In aid of its work the said Board is empowered to employ experts for special and occasional services The counsel to the Department of Labor and Industry shall act as counsel to the Board without additional compensation

The Board shall hold stated meetings which shall be open to the public at least once a month during the year and shall hold other meetings at such times and places as may be necessary Such meetings shall be called by the chairman or majority of the Board The Board shall keep minutes of its proceedings showing the vote of each member upon every question and records of its examination and other official action

Section 13 The Industrial Board shall have the power to make investigations concerning and report upon all matters touching the enforcement and effect of the provisions of all laws of the Commonwealth the enforcement of which shall now and hereafter be imposed upon the Department of Labor and Industry and the rules and regulations made by the Industrial Board in connection therewith and to subpoena and require the attendance in this Commonwealth of all witnesses and the production of books and papers pertinent to the said investigation and to examine them and such public records as it may require in relation to any matter which it has power to investigate Any witness who refuses to obey a subpoena of the said Board as hereinabove provided for or who refuses to be sworn or to testify or who fails or refuses to produce any books papers or documents touching any matter under investigation or examination by the said Board or who is guilty of any contempt after being summoned to appear before the said Board as above provided may be punished as for contempt of court and for this purpose application may be made to any court within whose territorial jurisdiction the said contempt took place and for which purpose the courts of the Common Pleas of this Commonwealth are hereby given jurisdiction In the course of such investigation each member of said Board shall have power to administer oaths Each member shall have the further power to make personal investigations of all establishments in this Commonwealth where labor is employed

Section 14 All rooms buildings and places in this Commonwealth where labor is employed or shall hereafter be employed shall be so constructed equipped and arranged operated and conducted in all respects as to provide reasonable and adequate protection for the life health safety and morals of all persons employed therein For the carrying into effect of this provision and the provisions of all the laws of this Commonwealth the enforcement of which is now or shall hereafter be entrusted to or imposed upon the Commissioner or Department of Labor and Industry the Industrial Board shall have power to make alter amend and repeal general rules and regulations necessary for applying such provisions to specific conditions and to prescribe means methods and practices to carry into effect and enforce such provisions

Section 15 The rules and regulations of the Industrial Board and the amendments and alterations thereof may embrace all matters and subjects to which power and authority of the Department of Labor and Industry extends and shall be distributed to all applicants Every rule or regulation adopted by the Board shall be promptly published in bulletins of the Department of Labor and Industry and in such daily newspapers as the Board may prescribe and no such rule or regulation shall take effect until thirty days after such publication Any employer employee or other person interested either because of ownership in or occupation of any property affected by any such order or regulation or otherwise may petition for a hearing on the reasonableness of a rule or regulation Such petition for hearing shall be by verified petition filed with the said Industrial Board setting out specifically and in full detail the rule or regulation upon which a hearing is desired and the reasons why such rule or regulation is deemed to be unreasonable All hearings of the Board shall be open to the public Upon receipt of such petition if the issues raised in such peition have theretofore been adequately considered the Industrial Board shall determine the same by confirming without hearing its previous determination or if such hearing is necessary to determine the issue raised the Industrial Board shall order a hearing thereon and consider and determine the matter or matters in question at such time as shall be prescribed Notice of the time and place of such hearing shall be given to the petitioner and to such other persons as the industrial Board may find directly interested in such decision

Section 16 Every person who violates any of the provisions of this act or any of the rules or regulations of the Industrial Board or who resists or interfers with any officer or agent of the Department of Labor and Industry in the performance of his duties in accordance with the said rules and regulations shall be deemed guilty of a misdemeanor and shall upon conviction thereof be punished by a fine of not more than one hundred dollars ($100.00) or by imprisonment not exceeding one month or both at the discretion of the court

Section 17 There shall be created in the Department of Labor and Industry a Bureau of Mediation and Arbitration the head of which shall be a Chief of Bureau who shall receive an annual salary of three thousand five hundred dollars ($3,500)

Section 18 Whenever a difference arises between an employer and his employees which cannot be readily adjusted the Deputy Commissioner of the Bureau shall proceed promptly to the locality thereof and endeavor by meditation to effect an amicable settlement of the controversy If such settlement cannot be effected the dispute may be arbitrated by a Board composed of one person selected by employer and one person selected by employes and a third who shall be selected by the representatives of the employer and the employe and such third member of the board shall be selected and appointed within a period of five days after the matter has been submitted for arbitration and in the event of any such appointment or selection not being made within a period of five days then the chairman of the board shall constitute the third member of the board and be the chairman of the board and if such third representative is chosen by the two representatives of the employer and employe within five days then a chairman of the board shall be established by the board itself A submission to the Board shall be made in writing and the parties thereto shall agree to abide by the determination of the Board Said Board shall render a written decision within ten days after the completion of the investigation one copy thereof to be filed in the Bureau and a copy to be furnished each party to the controversy The deputy commissioner shall make an annual report of his work containing such information as the Commissioner of Labor and Industry may request

Section 19 The Commissioner of Labor and Industry may assign to this Bureau from his department such clerical assistance as from time to time he may think necessary

Section 20 In addition to their respective salaries as hereinabove provided the Commissioners Inspectors and other officers of the Department of Labor and Industry shall receive the expenses actually and necessarily incurred in the performance of their official duties which expenses together with all other necessary expenses under the provisions of this act shall after the approval in writing by the Governor and the Commissioner of Labor and Industry be paid by the State Treasurer upon warrant of the Auditor General in the manner now provided by law

Section 21 Upon requisition of the Commissioner of Labor and Industry the Board of Public Grounds and Buildings shall furnish suitable accommodations in the State Capitol Building for the use of this department

Section 22 Upon requisition of the Commissioner of Labor and Industry an order of the Superintendent of Public Printing and Binding the State Printer shall do the printing and binding necessary for the proper performance of the duties of this department

Section 23 All of the powers and duties now by law vested in and imposed upon the Department of Factory Inspection which is hereby abolished are now hereby vested in the Department of Labor and Industry

Section 24 This act shall take effect on and after the first day of June one thousand nine hundred and thirteen

Section 25 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Fisher,	Kurtz,	Salus,
Beidleman,	Graff,	Magee,	Sheatz,
Buckman,	Gyger,	Martin,	Snyder,
Catlin,	Hilton,	McIlhenny,	Thompson,
Clark,	Hoke,	McNichols,	Vare,
Crow,	Huffman,	Mills,	Wasbers,
DeWitt,	Hunter,	Moore,	Gerberich,
Endsley,	Jarrett,	Nulty,	Pres. pro tem.
Farley,	Kline,	Powell,	

NAYS—2.

Heacock, Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1063, entitled:

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county

by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gyger,	Martin,	Salus,
Beidleman,	Hall,	McIlhenny,	Sensenich,
Buckman,	Hilton,	McNichol,	Sheatz,
Catlin,	Hoke,	McNichols,	Snyder
Clark,	Homsher,	Miller,	Sones,
Crow,	Huffman,	Mills,	Thompson,
DeWitt,	Hunter,	Moore,	Vare,
Endsley,	Judson,	Morgan,	Wasbers,
Farley,	Kline,	Nulty,	Gerberich,
Fisher,	Kurtz,	Powell,	Pres. pro tem.
Graff,	Magee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1064, entitled:

A Supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the apointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or councils of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. ENDSLEY. Mr. President, I ask unanimous consent to amend the title by adding thereto the words "Providing for constructing, reconstructing or maintaining certain spurs or branch roads."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1114, entitled:

An Act making the land heretofore or hereafter purchased for the new Western penitentiary in Centre county subject to taxation for local purposes regulating the assessment thereof and the payment of taxes thereon

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Hall,	Kurtz,	Powell,
Beidleman,	Heacock,	Magee,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Catlin,	Hoke,	McIlhenny,	Sheatz,
Clark,	Homsher,	McNichol,	Snyder,
Crow,	Huffman,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
Graff,	Kline,	Nulty,	Pres. pro tem.
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. CATLIN. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 1135 (House Bill No. 1631), on third reading postponed for the present, entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th section of the act approved April 29, 1874 entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. CATLIN. Mr. President, I ask unanimous consent to amend section 1, line 29, by inserting after the word "incorporated" the following: "Provided also that if any corporation shall have been consolidated or merged with any other corporation Letters Patent shall issue with like force and effect to such consolidated or merged corporation upon its acceptance of the provisions of this Act in like manner."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Mr. SALUS. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 719 (House Bill No. 53), on third reading postponed for the present, entitled:,

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend in section 16, line 10, by striking out the word and figure "eight (o);" and inserting in lieu thereof the word and figure "ten (10"; also in section 21, line 5, by striking out all of the section after the word "same"; also in section 23, line 13, by striking out the words and figures "less than thirty (30) nor."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate?

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceded to the second reading and consideration of Senate Bill No. 5, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm co-partnership limited partnership joint stock company or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to manufacture sell offer for sale expose for sale or have in possession with intent to sell any article of food which is adulterated or misbranded or of foods short in weight or measure within the meaning of this act

Section 2 That the term "food" as used in this act shall include not only every article used for food by man but also every article used for or entering into the composition of or intended for use as an ingredient in the preparation of food for man

That the term "person" as used in this act shall include individuals firms co-partnerships limited partnerships joint stock companies and bodies corporate as well as all officers agents servants employes or others acting for any of the same and shall be taken as applying in the singular or plural as the case may require

The third section of the bill was read as follows:

Section 3 That for the purpose of this act an article of food shall be deemed to be adulterated

First If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality strength or purity

Second If any substance has been substituted wholly or in part for the article

Third If any valuable constituent of the article has been wholly or in part abstracted

Fourth If it be mixed colored or changed in color coated polished powdered stained or bleached whereby damage or inferiority is concealed or so as to deceive or mislead the purchaser or if by any means it is made to appear better or of greater value than it is

Fifth If it contain any added sulphurous acid sulphur dioxide or sulphate except as hereinafter provided benzoic acid sodium benzoate or other benzoate acetic acid cinnamic acid cinnamic aldehyde essential oils of spices acetic acid extracts of spices boric acid or borate salicylic acid or salicylate formaldehyde hydrofluroic acid or fluoride fluoborate fluosilicate or other fluorine compound dulcin glucin saccarin compound of copper betanapthol hydronapthol abrostol asaprol alum or any compound of aluminum except that alum or an aluminum compound may be used in baking powders and except further that water from a filtration plant where alumn or an aluminum compound is used for purifying may be used as an ingredient of food oxide of nitrogen nitrous acid or nitrate pyroligneous acid all substances whose substance effect is to produce or impart color solely except that one hundred and seven Amaranth fifty-six Ponceau three R five hundred and seventeen Erythrosin eighty-five orange I four naptha yellow S four hundred and thirty-five light green S F yellowish six hundred and ninety-two indigo disulfoacid and harmles vegetable and animal colors shall be permitted in confectionery ice creams icings and deserts preparations when not used for deceptive purposes dye resinous glaze or other ingredient deleterious to health and in the case of candy if it contains alcoholic liquor or alcohol except in flavoring extracts Provided that nothing in this act shall be construced to prohibit the use of common salt sugar (sucrose) pure corn syrup (glucose) pure corn sugar wine vinegar cider vinegar malt vinegar sugar vinegar distilled vinegar spices or their essential oils except as hereinbefore prohibited edible oils edible fats or wood smoke applied directly as generated Provide further That sulphur dioxide either free or in simple combination may be used in dried fruits or molasses in quantities that shall not be deleterious to health And provided further that when any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses the fact that sulphur dioxide has been used in the preparation thereof shall be plainly stated on each package of such food

Sixth If in the case of manufactured foods it is diseased contaminated filthy or decomposed or contains any diseased contaminated filthy or decomposed substance or is manufactured in whole or in part from a disease contaminated filthy or decomposed substance or if it is made stored transported or kept in a way or manner that may render the article diseased contaminated filthy or unwholesome or if it is a product of a diseased animal or a product of an animal which has died otherwise than by slaughter

Seventh If in the case of non-manufactured foods except nuts in the shell five per centum or more of the units composing the same are manifestly diseased decayed decomposed contaminated or filthy and said objectionable units shall not with reasonable diligence have been sorted out and destroyed by the vendor before said non-manufactured food is offered or exposed for sale or used for food manufacture or if the food is produced stored transported or kept in a way or manner that may render the same diseased contaminated filthy or unwholesome or if in the case of meat poultry game fish or shell-fish it is diseased decayed decomposed contaminated or unwholesome or is part of an animal that has died otherwise than by slaughter

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 3, line 22, by striking out the word "abrostol" and inserting in lieu thereof the word "abrastol;" also in line 34 by striking out "desert" and inserting in lieu thereof the word "dessert;" also in line 35 by striking out the word "dye."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth, fifth and sixth sections of the bill were read as follows and agreed to:

Section 4 That for the purpose of this act an article shall be deemed to be misbranded

First If it be an imitation of or offered for sale under the name of another article

Second If it is labeled or branded so that it may deceive or mislead the purchaser or purport to be a foreign product when not so or if the contents of the package as originally put up shall have been removed in whole or in part and other inferior contents shall have been placed in such package

Third If the package containing it or its label shall bear any statement design or device regarding the substance or ingredients contained therein which statement design or device shall be false or misleading in any particular

Fourth If it be a mixture or compound now or hereafter known as an article of food and be not labeled or branded with a statement that it is a mixture or compound together with a statement of the substance entering into said mixture or compound Provided That nothing in this act shall be construed as requiring or compelling the proprietors manufacturers or sellers of proprietary foods to disclose their trade formulas except in so far as may be necesary under the provisions of this act to avoid adulteration imitation or misbranding

Fifth All labels of packages required by this act shall be placed only on the fronts or backs of each package or container and in type not less than eight point brevier caps in size and in such positions and terms as may be easily read and understood by the purchaser

Section 5 When the Dairy and Food Commissioner or his agent shall obtain an article of food or a sample of portion thereof from any person for the purpose of determining whether the same is adulterated or misbranded within the meaning of this act it shall be found that the said article of food is adulterated or misbranded within the meaning of this act then the Dairy and Food Commissioner shall proceed against the said person from whose store warehouse or other place of business said article sample or portion thereof shall have been obtained for a violation of the provisions of this act

But no prosecution shall be sustained under the provisions of this act against a retail dealer for the selling offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded article of food as defined herein if the retail dealer from whom the said article of food sample or portion thereof was obtained by the Dairy and Food Commissioner or his agent can establish a guaranty signed by the manufacturer or wholesale dealer or jobber or distributor residing in the United States from whom such article of food was purchased or procured to the effect that the same is not adulterated or misbranded within the meaning of this act designating it

Said guaranty to afford protection shall contain the name and address of the mnufaacturer or wholesale dealer or jobber or dis-

tributor making the sale of such article of food to such retailer and shall be in the following language

"I or we ———— (name of guarantor) the vendor of the article of food mentioned in the foregoing invoice do hereby guarantee and warrant that none of said articles of food are adulterated or misbranded within the meaning of the act of the General Assembly of Pennsylvania known as the General Food Act of one thousand nine hundred and thirteen"

(Signature ————————————)

(Address) ————————————

In such case the said manufacturer or wholesale dealer or jobber or distributor so as aforesaid giving such guaranty shall be amendable to the prosecution fines and other penalties which attach in due course to the retailer holding such guaranty under the provisions of this act for a violation hereof and every manufacturer or wholesale dealer or jobber or distributor giving a guaranty under the provisions of this act shall be held responsible and shall be proceeded against for the adulteration or misbranding of any article of food sold under said guaranty and shall be subject to the penalties for the violation of the provisions of this act No such guaranty shall operate as a defense to prosecution for a violation of the provisions of this act if the retailer holding such guaranty shall continue to sell the same article of food after written or printed notice from the Dairy and Food Commissioner or his agent that such article is adulterated or misbranded within the meaning of this act

Whenever it shall appear that any jobber wholesaler or dealer has had or has in his possession with intent to sell any goods which are adulterated or misbranded within the meaning of this act and which goods were manufactured in or shipped from another State into the State of Pennsylvania and sold under a guarantee of the non-resident manufacturer or dealer the Dairy and Food Commissioner shall certify all the facts and findings in such cases to the Secretary of Agriculture at Washington District of Columbia in accordance with the act of Congress approved June thirty one thousand nine hundred and six It shall be the duty of any person claiming immunity from conviction by reason of a guaranty of any adulterated or misbranded article of food sold offered for sale exposed for sale or had in possession with intent to sell to produce said guaranty for inspection upon being notified that any such article of food is adulterated or misbranded within the meaning of this act and failure or refusal to so produce said guaranty shall subject such person to prosecution and conviction for a violation of the provisions of this act the same as though he had no such guaranty

No guaranty shall avail for the protection of any person who shall violate the provisions of paragraph six section three of this act by having stored or transported or kept any article of food in a way or manner that may render the article diseased contaminated filthy or unwholesome

No guaranty shall avail for the protection of any person who shall violate any of the provisions of paragraph seven section three of this act

Section 6 For the purpose of this act an article shall be deemed to be the same article

First When it shall be of the same brand or have thereon the same label and shall be adulterated or misbranded in the same way

Second When it is not labeled or branded but is sold offered for sale or exposed for sale under the same name and adulterated or misbranded in the same way

Third When although sold offered for sale or exposed for sale under another name or labeled or branded in a different way it shall be found to be the product of the same manufacturer grower or maker and to be adulterated or misbranded in the same way Provided however That an article shall be deemed to be adulterated in the same way if it shall contain the same adulterant substance or substances

The seventh section of the bill was read as follows:

Section 7 That any person who shall violate any of the provisions of this act shall e guilty of a misdemeanor and upon conviction thereof for the first offense shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dolars ($100.00) and upon conviction thereof for any violation of this act committed subsequently to the said first offense shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or to undergo imprisonment of not more than sixty (60) days or both Provided That the term "first offense" as used in this section shall be held to include all violations of this act committed before any prosecution shall have been brought hereunder

On the question,

Will the Senate agree to the section?

Mr. BEIDLEMAN. Mr. President, I move to amend section 7, in line 10, by striking out after the word "both" the balance of the section and inserting in lieu thereof the following: "Provided, that the term 'first offense,' as used in this section, shall be held to include all sales of an article of food made in violation of this act before any prosecution for the sale of such article shall have been brought hereunder, and provided further that a conviction for the sale of an article of food of one brand shall not be construed to be a 'first offense' upon a conviction for the sale of a food of another brand."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth, ninth, tenth, eleventh and twelfth sections of the bill were read as follows and agreed to:

Section 8 The Dairy and Food Commissioner of the State shall be charged with the enforcement of the provisions of this act and shall make rules and regulations for the proper enforcement thereof and shall cause such rules and regulations to be published in the official bulletins in the issue immediately following the preparation of the same

Section 9 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and by the Dairy and Food Commissioner be paid into the State Treasury for the use of the Commonwealth

Section 10 That the act of Assembly entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May Anno Domini one thousand nine hundred and nine be and the same is hereby repealed

Section 11 This act shall be known as the General Food act of one thousand nine hundred and thirteen

Section 12 This act shall take effect on the first day of April Anno Domini one thousand nine hundred and fourteen and until it takes effect all laws or parts of laws which are either expressly or by implication repealed by this act shall remain in full force and effect And all violations of existing laws occurring prior to April first Anno Domini one thousand nine hundred and fourteen may be prosecuted to conviction and final judgment and execution under the provisions of said existing laws notwithstanding the repeal of such laws by this act and notwithstanding such violations may occur after the passage of this act and notwithstanding that such prosecution judgment and execution or any of them may occur after the first day of April Anno Domini one thousand nine hundred and fourteen The repeal of any law or part of a law relating to the subject matter of this act shall be expressly subject to this saving clause

The title of the bill was read as follows and agreed to:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 7, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale or exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to manufacture sell offer for sale expose for sale or have in possession with intent to sell any article of non-alcoholic drink which is adulterated or misbranded within the meaning of this act

Section 2 That the term "non-alcoholic drink" as used herein shall include carbonated beverages of all flavors sarsaparilla ginger ale soda water of all flavors lemonade orangeade sweet cider root beer grape juice and all other non-intoxicating drinks

Section 3 A non-alcoholic drink shall be deemed to be adulterated within the meaning of this act if it contains any added boric acid or borate Benzoic acid or benzoate salicylic acid or salicylate formaldehyde sulphur dioxide sulphurous acid or sulphite hydrofluoric acid or fluoride fluobrate fluosilicate or other fluorine compound dulcin glucin saccharin betanapthol hydronapthal abrastol asaprol oxides of nitrogen nitrous acid or nitrate compound of copper pyroligneous acid coal tar dye artificial flavor artificial ether artificial ester saponin soapbark extract or other added substances deleterious to health Provided however That fruit syrups as permitted by the act approved April twenty-sixth one thousand nine hundred and five shall be exempt from the provisions of this act

The fourth section of the bill was read as follows:

Section 4 The bottles or other containers in which a non-alcoholic drink is packed for retail sale shall be plainly labeled or branded with a statement of the same of the non-alcohol c drink Provided That ginger ale in the preparation of which capsicum or any capsicum product has been used shall be labeled "GINGER ALE WITH CAPSICUM"

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend the fourth section in line 3 by striking out the word "same" and inserting in lieu thereof the word "name."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows and agreed to:

Section 5 That for the purpose of this Act a non-alcoholic drink shall be deemed to be misbranded

First If it be an imitation of or offered for sale under the distinctive name of another article or if it is colored or flavored in imitation of the genuine color or flavor of another substance

Second If it be labeled or branded or tagged so as to deceive or mislead the purchaser

Third If the bottle or receptacle containing it or its label shall bear any statement design or device regarding the ingredients or the substances contained therein which statement design or device shall be false or misleading in any particular

The sixth section of the bill was read as follows:

Section 6 When the Dairy and Food Commissioner or his agent shall obtain an article of non-alcoholic drink or a sample or portion thereof from any person for the purpose of determining whether the same is adulterated or misbranded within the meaning of this act it shall be found that the said article of non-alcoholic drink is adulterated or misbranded within the meaning of this act then the Dairy and Food Commissioner shall proceed against the said person from whose store warehouse or other place of business said article sample or portion thereof shall have been obtained for a violation of the provisions of this act

But no prosecution shall be sustained under the provisions of this act against a retail dealer for the selling offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded article of non-alcoholic drink as defined herein if the retail dealer from whom the said article of non-alcoholic drink sample or portion thereof was obtained by the Dairy and Food Commissioner or his agent can establish a guaranty signed by the manufacturer or wholesale dealer or jobber or distributor residing in the United States from whom such article of non-alcoholic drink was purchased or procured to the effect that the same is not adulterated or misbranded within the meaning of this act designating it

Said guaranty to afford protection shall contain the name and address of the manufacturer or wholesale dealer or jobber or distributor making the sale of such article of non-alcoholic drink to such retailer and shall be in the following language

"I (or we) ———————— (name of the guarantor) the vendor of the article of non-alcoholic drink mentioned in the foregoing invoice do hereby guarantee and warrant that none of said articles of non-alcoholic drink are adulterated or misbranded within the meaning of the act of the General Assembly of Pennsylvania known as the Non-Alcoholic Drink Act of one thousand nine hundred and thirteen"

(Signature) ————————————

(Address) ————————————

In such case the said manufacturer or wholesale dealer or jobber or distributor so as aforesaid giving such guaranty shall be amenable to the prosecution fines and other penalties which would attach in due course to the retailer holding such guaranty under the provisions of this act for violation hereof and every manufacturer or wholesale dealer or jobber or distributor giving a guaranty under the provisions of this act shall be held responsible and shall be proceeded against for the adulteration or misbranding of any article of non-alcoholic drink sold under said guaranty and shall be subject to the penalties for the violation of the provisions of this act No such guaranty shall operate as a defense to prosecution for a violation of the provisions of this act if the retailer holding such guaranty shall continue to sell the same article of non-alcoholic drink after written or printed notice from the Dairy and Food Commissioner or his agent that such article is adulterated or misbranded within the meaning of this act

Whenever it shall appear that any jobber wholesaler or dealer has had or has in his possession with intent to sell any goods which are adulterated or misbranded within the meaning of this act and which goods were manufactured in or shipped from another State into the State of Pennsylvania and sold under a guarantee of the non-resident manufacturer or dealer there will be no prosecutions hereunder within this State but the Dairy and Food Commissioner shall certify all the facts and findings in such cases to the Secretary of Agriculture at Washington District of Columbia in accordance with the act of Congress approved June thirty one thousand nine hundred and six

It shall be the duty of any person claiming immunity from conviction by reason of a guaranty of any adulterated or misbranded article of non-alcoholic drink sold offered for sale exposed for sale or had in possession with intent to sell to produce said guaranty for inspection upon being notified that any such article of non-alcoholic drink is adulterated or misbranded within the meaning of this act and failure or refusal to so produce said guaranty shall subject such person to prosecution and conviction for a violation of the provisions of this act the same as though he had no such guaranty

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend the section 6, in line 5, by inserting after the word "act" the word "and"; also in lines 59-60, by striking out after the word "dealer" the words "there will be no prosecutions hereunder within this State but."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The seventh, eighth, ninth and tenth sections of the bill were read as follows and agreed to.

Section 7 That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars or to undergo an imprisonment of not more than sixty (60) days or both or either at the discretion of the court

Section 8 The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 9 All fines and penalties imposed and recovered for any violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

Section 10 That the Act of Assembly entitled "An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine be and the same is hereby repealed

The title of the bill was read as follows and agreed to.

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 514, as follows:

An Act to amend an act approved the third day of April one thousand eight hundred and fifty-one entitled "An Act regulating boroughs" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth paragraph of section two of an act approved the third day of April one thousand eight hundred and fifty-one entitled "An Act regulating boroughs" which as heretofore amended reads as follows

"IV To regulate the roads streets lanes alleys common sewers public squares common grounds foot-walks pavements gutters culverts and drains and the heights grades widths slopes and forms thereof and they shall have all other needful jurisdiction over the same and they shall have power to survey lay out enact and ordain foot-walks pavements gutters culverts and drains over and upon the lands abutting on and along the sides of turnpikes roads which may be within the limits of said boroughs and over and upon lands abutting on and along the side or sides of public roads where the said roads are outside the limits of said boroughs and the lands over and upon which said sidewalks pavements gutters culverts and drains are to be surveyed laid out enacted and ordained are inside the limits of the said boroughs and to fix the size and width thereof and to require the grading curbing and guttering

thereof by the owner or owners of the land respectively fronting thereon in accordance with the general regulations prescribed" is hereby further amended to read as follows

IV To regulate the roads streets lanes alleys common sewers public squares common grounds foot-walks pavements gutters culverts and drains and the heights grades widths slopes and forms thereof and they shall have all other needful jurisdiction over the same and they shall have power to survey lay out enact and ordain foot-walks pavements gutters culverts and drains over and upon the lands abutting on and along the sides of turnpikes roads and State Highways which may be within the limits of said boroughs and with the consent of the companies owning or controlling such turnpike roads or with the consent of the State Highway Commissioner controlling said State Highways on over and upon the beds of said turnpike roads or said State Highways within the limits of said boroughs and over and upon lands abutting on and along the side or sides of public roads where the said roads are outside the limits of said boroughs and the lands over and upon which said sidewalks pavements gutters culverts and drains are to be surveyed laid out enacted and ordained are inside the limits of the said boroughs and to fix the size and width thereof and to require the grading curbing and guttering thereof by the owner or owners of the land respectively fronting thereon in accordance with the general regulations prescribed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 600, as follows:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act no prisoner who has been sentenced to a minimum and maximum imprisonment after such prisoner has served the minimum sentence shall be detained in any penal institution because of the inability of such prisoner to procure a sponsor who shall be satisfactory to the board of inspectors or trustees of such penal institution and that in any case in which such prisoner shall be unable to secure such satisfactory sponsor the inspectors or trustes of such penal institution may procure a sponsor for such prisoner or may require reports from such parole prisoner in lieu of a sponsor as the board of inspectors or trustees may see proper

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 670 (House Bill No. 173), entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 750, entitled:

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public streets or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the council of any incorporated borough of this Commonwealth shall have the right and power to require by resolution and cause to be sprinkled or oiled any public street of thoroughfare or parts thereof which may now be laid out or may hereafter be laid out and opened in any of the said boroughs and collect in the manner hereinafter provided the cost and expense of the same from the owner or owners or occupiers of the real estate bounding or abutting thereon by an equal assessment on the feet front bounding or abutting as aforesaid said assessment to be estimated by the street commissioner or other competent authority designated by the board of council of said borough Provided That the council of any such borough shall not require or cause to be sprinkled or oiled any street or thoroughfare or any part thereof except upon the petition of a majority of the owners or occupiers of property representing not less than one-half in number of feet of the properties fronting or abutting on said street or thoroughfare or the part thereof proposed to be sprinkled or oiled

The second section of the bill was read as follows:

Section 2 All assessments for sprinkling or oiling as aforesaid shall be filed with the secretary of the board of council within thirty days after the season for sprinkling or oiling the street is ended which said season shall be from June first to November first of each year

The secretary of the board of council shall keep a record of the names of the persons assessed and the number of feet fontage each is charged with and the amount charged against which the assessment is charged

On the question,

Will the Senate agree to the section?

Mr. MILLS. Mr. President, I move to amend section 2, in line 8, by inserting after the word "amount" the word "so;" also in line 8 and 9, by striking out the words "against which the assessment is charged."

Mr. POWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended

It was agreed to.

The third, fourth, fifth and sixth sections of the bill were read as follows and agreed to:

Section 3 Within thirty days after the return of the assessment to the secretary of the board of council the secretary shall issue a statement to each of the persons charged with an assessment showing the amount due from such person this notice to be served by the chief of police or some other person designated by the board of council to serve said notice

Section 4 Any notice required to be served in any proceedings under this act may be served upon the owner or occupier of the lot personally or by leaving a copy of said notice with an adult member of the family of the owner or occupier of the lot and if the owner cannot be found and no person in possession the notice shall be posted upon the premises

Section 5 Each notice shall describe the lot the owner or occupier of which is sought to be charged with the assessment named in the notice

Section 6 If the claim is not paid within fifteen days after the service of notice of the amount due the claim shall be certified by the secretary to the solicitor of the board of council who shall proceed to collect the same as debts of like amount are now collected in the common action of assumpsit of which justices of the peace have jurisdiction

The title of the bill was read as follows and agreed to:

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public street or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 793 (House Bill No. 3), entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the year one thousand nine hundred and thirteen and annually thereafter the entire net amount of tax based on the return of personal propert subject to taxation for State purposes required to be made to and accepted by the State Board of Revenue Commissioners annually by county commissioners and the board of revision of taxes in cities co-extensive with counties or other counties having such boards of revision that is collected and paid into the State Treasury by a county or city co-extensive with the county shall be returned by the State

Treasurer to such county or city co-extensive with the county for its own use except that the State Treasurer shall retain five per centum of the amount collected for the use of the State Provided That in consideration of the return to the counties and cities co-extensive with counties of the taxes as aforesaid no claim shall be made upon or allowed by the Commonwealth for abatements tax collectors' commissions uncollectable taxes or any other expenses whatsoever in connection with said tax

On the question,

Will the Senate agree to the section?

Mr. McILHENNY. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 811 (House Bill No. 964), entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 822, entitled:

An Act requiring proprety owners in townships to clean highways from brush and providing for the work to be done by the Supervisors in the event of the neglect or failure of the property owners so to do and the manner of collecting the cost of the same and providing for penalties in case of failure

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all owners or occupiers of property in the various townships in the Commonwealth shall be required to cut out and clean the highways and ditches adjacent to the said properties from all brush and weeds within fifteen days after having had notice in writing so to do from the supervisors of their said township

On the question,

Will the Senate agree to the section?

Mr. MILLS. Mr. President, I move to amend Section 1, in line 8, by inserting after the word "the" the words "township commissioners or."

Mr. MOORE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 That upon neglect or failure of said person so notified to so clean the said highway within the said time then the said Supervisors shall proceed to do the said work and charge the cost of the same against the said property with twenty per centum added as a penalty and the said amount shall be a tax charge upon the said land and shall have the same standing against the same and shall be collected the same as road taxes are now by law a charge and are collected

On the question,

Will the Senate agree to the section?

Mr. MILLS. Mr. President, I move to amend Section 2, in line 2, by inserting after the word "highway" the words "and ditches;" also in line 2, by inserting after the word "said" where it appears the second time the words "township commissioners or."

Mr. MOORE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act requiring property owners in townships to clean highway from brush and providing for the work to be done by the supervisors in the event of the neglect or failure of the property owners so to do and the manner of collecting the cost of the same and providing for penalties in case of failure

On the question,

Will the Senate agree to the title?

Mr. MILLS. Mr. President, I move to amend the title, in line 2, by inserting after the word "owners" the words "or occupiers of property;" also, in line 2, by striking out the word "highway" and inserting in lieu thereof the words "highways and ditches;" also in line 3, by inserting after the word "the" where it appears the second time the words "township commissioners or;" also in line 4, by inserting after the word "owners" the words "or occupiers of property."

Mr. MOORE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 835 (House Bill No. 41), entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 893 (House Bill No. 897), entitled:

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 922 (House Bill No. 1234), entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 924 (House Bill No. 607), entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty-one one-hundredths dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretofore and now known as the Standard Distilling Company

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 976 (House Bill No. 1321), entitled:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter in any civil cause in any court in this Commonwealth a verdict of a jury is set aside and a new trial ordered such order of such court shall be in writing and shall contain the reason or reasons therefor whereupon the said order shall become a part of the record in the cause If the only reason set forth in the said order be that the damages awarded by the verdict are excessive or inadequate then the new trial shall be restricted to the question of the amount of the damages and the verdict so set aside as to the damages shall stand good in all other respects

On the question,

Will the Senate agree to the section?

Mr. HUFFMAN. Mr. President, I move to amend section 1, in line 5, by inserting after the word "aside" the words "or the judgment of the court reversed;" also in line 10, by inserting after the word "inadequate" the words "or the court erred in its instructions on the measure of damages;" also in line 12, by inserting after the word "aside" the words "or the judgment of the court reversed."

Mr. HUNTER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

The title of the bill was read as follows:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of the court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

On the question,

Will the Senate agree to the title?

Mr. HUFFMAN. Mr. President, I move to amend the title, in line 3, by inserting after the word "aside" the words "or the judgment of the court reversed;" also in line 7, by inserting after the words "inadequate" the words "or the court erred in its instructions on the measure of damages."

Mr. HUNTER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 981 (House Bill No. 23), as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be paved curbed or macadamized with brick stone or other suitable material any public street or thoroughfare or part thereof either cartway or footwalk or both or is now causing such paving curbing or macadamizing pursuant to such ordinance but owing to some defect in the petition or notice or other proceeding necessary under existing law and ordinance to give jurisdiction to such council or owing to some defect in ordinance or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made—now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or is now being made such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after a lien is filed as hereinafter provided

Section 2 The council of an incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims Such lien shall state the name of the party claimant which shall be the corporate name of the borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so filed shall be prima facie evidence of all matters therein set forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The lien when so filed shall be proceeded upon for collection by writ of scire facias The said writ shall be made returnable to the monthly or other return day in the respective courts and shall be served upon the owner or reputed owner personally or by leaving a copy thereof duly attested with an adult member of his family or of the family in which he resides at least ten days before the return day thereof If the owner of the property cannot be found or has no residence within the county in which the property lies the sheriff shall thereupon return the said writ nihil and thereupon an alias scire facias may issue which shall be served by notice posted upon the premises stating the substance of writ at least ten days prior to the return day and also by advertisement in at least two newspapers published in the county in which the premises are located once a week for three successive weeks Such posting and publication shall be equivalent to a service

Section 4 If the writ shall have been served and no appearance entered on or before the return day thereof the plaintiff therein shall be entitled to judgment after the return day thereof for the debt interest costs and attorneys' commission If an appearance be entered the plaintiff shall also be entitled to judgment unless a sufficient affidavit of defense be filed within fifteen days after the return day If such affidavit be filed the cause shall be proceeded with in accordance with the rules of law and the practice of the courts

Section 5 When final judgment shall have been entered upon such lien the plaintiff therein may have a writ of levari facias and upon the same the sheriff shall cause the said property to be advertised for sale in at least two newspapers of the proper county once a week for three weeks before the day of sale and shall also give notice by at least ten handbills posted in conspicuous places one of which shall be posted upon the property of the time and place of sale and thereupon shall proceed to sell the same The place of sale shall be the sheriff's office The proceeds of sale shall be distributed according to law

Section 6 The term "owner or reputed owner" as used in this act shall mean any person or persons in open peaceable

and notorious possession of property Remaindermen or other persons interested in expectancy not having been heard and aggrieved by such final judgment upon petition presented in the proper court may have the judgment opened at any time before the sale of the property and be allowed to defend when in the judgment of the court such opening is necessary to secure justice to all parties Sale of the property shall preclude all persons from setting up anything contrary to the record

Section 7 Nothing in this act shall be taken to restrict the right of either plaintiff or defendant in proceeding under it to appeal as in other cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 982 (House Bill No. 60), on second reading, entitled:

An Act to provide for the pensioning of soldiers sailors and marines who served in the army or navy of the United States from Pennsylvania in the Civil War of one thousand eight hundred and sixty-one to sixty-five fixing the rate of said pension the manner of obtaining same and making an appropriation for the payment thereof

be recommitted to the Committee on Appropriations.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 990, as follows:

An Act regulating the qualifications and election of township supervisors in townships of the second class and limiting the term of all present township supervisors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election of the year one thousand nine hundred and thirteen the qualified electors of each township as township supervisors who shall serve as follows One to serve from the first Monday of December in said year until the first Monday of January one thousand nine hundred and sixteen one to serve from said first Monday of December until the first Monday of January one thousand nine hundred and eighteen and one to serve from said first Monday of December until the first Monday of January one thousand nine hundred and twenty Biennially thereafter the qualified electors of each township of the second class shall elect one qualified elector of the township to serve as township supervisor for a term of six years The terms of all present township supervisors of such townships shall end on the first Monday of December in the year one thousand nine hundred and thirteen

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 991, entitled:

An Act to confirm conveyances of lands made by building and loan associations or companies after expiration of the term of their chartered existence.

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all deeds of conveyance of lands situate within this Commonwealth heretofore made by any building and loan association after the term for which it was incorporated shall have expired shall be as good and effectual and have the same force and effect for passing title to the lands so conveyed as though executed during the period of its chartered existence.

The title of the bill was read as follows:

An Act to confirm conveyances of lands made by building and loan associations or companies after expiration of the term of their chartered existence

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend the title, in line 3, by striking out the words "or companies"

Mr. HUNTER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1001, entitled:

An Act to amend section seven of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgments entered by transcript in the office of the prothonotary and giving the county power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modyfying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs'" approved the second day of April one thousand nine hundred and thirteen by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex delicto and providing for bills of particulars

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section seven of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in apeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the common pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply therto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary

and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs" approved the second day of April one thousand nine hundred and thirteen which now reads as follows

"Section 7 The procedure in said court in all civil action shall be substantially as follows

(a) The plaintiff may file with the clerk of the court at the county-seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand verified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by the plaintiff and said clerk shall thereupon issue a writ of summons or replevin under the seal of the court requiring the defendant to appear at a time and place designated in said writ to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall be not less than twelve nor more than fifteen days from the date of said writ

(b) Upon the date fixed in said writ or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than nine days after service of the writ upon the defendant the parties shall attend with their witnesses and the cause shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision of the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court

(c) In all actions the defendant shall at least three days exclusive of Sundays before the time fixed for hearing by the writ or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the plaintiff may at any time after the time for filing such answer has expired in actions for the recovery of money on contract and in actions of replevin enter judgment in the clerk's office in default of such answer and in actions ex delicto the court shall on or after the time for hearing fixed by the summons enter such judgment as may be proper after examination of the plaintiff's statement or after sharing such evidence as may be necessary for the proper disposal of the case If an answer be filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true

(d) In the action of replevin the practice shall be as is provided by law except in so far as modified by any of the provisions of this amending and supplementary act Any party interested desiring to intervene may do so as of course prior to the expiration of time to answer and thereafter upon leave of court If no answer or intervention be filed the plaintiff may take judgment by default in the clerk's office as of course If answer or intervention be filed the case shall be heard on the day fixed for hearing in the writ or thereafter as the court may direct and shall be disposed of on the pleadings or evidence as the court may find necessary The court may require such additional pleadings as may be necessary to define the issue in desertion and non-support cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writs of summons and replevin and of copies of plaintiff's statements and execution of the writ of replevin shall be made in the same manner as is now provided by law for the service and execution of such writs in the courts of common pleas of Allegheny county and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court" be and the same is hereby further amended so as to read as follows

Section 7 The precedure in said court in all civil actions shall be substantially as follows

(a) The plaintiff may file with a clerk of the court at the county seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand verified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by plaintiff and said clerk shall thereupon issue a writ of summons or replevin under the seal of the court requiring the defendant to appear at a time and place designated in said writ to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall be not les sthan twelve nor more than fifteen days from date of said writ

(b) Upon the date fixed in said writ or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than nine days after service of the writ upon the defendant the parties shall attend with their witnesses and the cause shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision of the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court

(c) In all actions except actions ex delicto in which actions ex delicto the defendant shall not file nor be required to file any answer or affidavit of defense the defendant shall at least three days exclusive of Sundays before the time fixed for hearing by the writ or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the plaintiff may at any time after the time for filing such answer has expired in actions for the recovery of money on contract and in actions of replevin enter judgment in the clerk's office in default of such answer In actions ex delicto the court shall on or after the time for hearing fixed by the summons enter such judgment as may be proper after examination of the plaintiff's statement or after hearing such evidence as may be necessary for the proper disposal of the case If an answer be filed as aforesaid all material anverments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true Provided however that in all cases the court may for proper cause require either party to file a bill of particulars

(d) In the action of replevin the practice shall be as is provided by law except in so far as modified by any of the provisions of this amending and supplementary act Any party interested desiring to intervene may do so as of course prior to the expiration of time to answer and thereafter upon leave of court If no answer or intervention be filed the plaintiff may take judgment by default in the clerk's office of course If answer or intervention be filed the case shall be heard on the day fixed for hearing in the writ of thereafter as the court may direct and shall be disposed of on the pleadings of evidence as the court may find necessary The court may require such additional pleadings as may be necessary to define the issue In desertion and nonsupport cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writs of summons and replevin and of copies of plaintiff's statements and execution of the writ of replevin shall be made in the same manner as is now provided by law for the service and execution of such writs in the Courts of Common Pleas of Allegheny county and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court

On the question,

Will the Senate agree to the section?

Mr. POWELL. Mr. President, I move to amend Section 1, in line 84, by striking out the word "sharing" and inserting in lieu thereof the word 'hearing;" also in line 129 by inserting before the word "Upon" the letter "(b);" also in line 169, by inserting after the word "office" the word "as."

Mr. MILLS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to,

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows and agreed to:

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act to further amend section seven of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitld 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the Common Pleas Court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such setoff must be pleaded and providing for a reply thereto by plaintiff

changing the effect of judgment entered by transcript in the office of the prothontary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs" approved the second day of April one thousand nine hundred and thirteen by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex delicto and providing for bills of particulars

On the question,

Will the Senate agree to the title?

Mr. POWELL. Mr. President, I move to amend the title, in line 7, page 2, by inserting after the word "appeal" the word "in."

Mr. MILLS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1061, as follows:

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the county of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An Act providing the manner in which county bridges shall be built by the county of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1075 (House Bill No. 1454), entitled:

An Act for the better protection of wild turkeys in this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1155 (House Bill No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini one thousand eight hundred and eighty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred and seven by altering the seventh section and by repealing the sixth section thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 268, entitled:

An Act to amend the first paragraph of the first section of "An Act to authorize chattel mortgages in this Commonwealth upon iron ore pig-iron blooms steel and iron nails ingots and billets rolled or hammered steel in sheets bars or plates and all steel or iron castings of every description not in place" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven so as to authorize chattel mortgages of not less than one hundred dollars on all kinds of machinery.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 470 (House Bill No. 132), entitled:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 533 (House Bill No. ---), entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 598, entitled:

An Act relating to alcoholic liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell of adulterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcement thereof.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 705, entitled:

An Act fixing the salary of the Chief of the Bureau of Information and the guides in the State Capitol Building.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 726 (House Bill No. 642), entitled:

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 745, entitled:

An Act making desertion or non-support of wife by husband, or of children, by either father or mother, a misdemeanor in certain cases, and providing punishment therefor, giving the court power to make an order of support in such cases directing that imprisonment in such cases be at hard labor with wages payable to the wife or children and providing for the payment of the expenses incident to the carrying out of this act and to promote uniformity between the states in reference thereto.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 747, entitled:

An Act creating a board of managers to have control of the institutions for the care and treatment of the insane and the house of employment and support of the poor in certain counties prescribing their powers and duties and abolishing the office of director of the poor in said counties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 749, entitled.

An Act amending an act approved March twenty-one one thousand nine hundred and seven entitled "An Act authorizing the county commisisoners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day" so as to include camps of the Spanish War Veterans

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 780, entitled:

An Act validating certain municipal assessments and claims and liens filed therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 804 (House Bill No. 774), entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 861, entitled:

An Act in relation to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future establish

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 890 (House Bill No. 696), entitled:

An Act providing and requiring standard provision in policies of health or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 899 (House Bill No. 1080), entitled:

A supplement to an act, entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commisisoners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and appointing the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 928, entitled:

An Act to fix and determine the salary of the several court clerks of the Courts of Common Pleas of the county of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 952, entitled:

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commisisoners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 958, entitled:

An Act to relieve from the payment of mercantile license corporations joint-stock associations and limited partnerships doing business as wholesale or retail distributors or vendors of merchandise who pay to the Commonwealth a tax upon their capital stock

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 959, entitled:

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violation of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 961 (House Bill No. 1490), entitled:

An Act regulating the appointment confirmation duties salaries and expenses of county detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 962 (House Bill No. 1120), entitled:

An Act to amend section one of articlue one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 965 (House Bill No. 1072), entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 970 (House Bill No. 1022), entitled

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 971(House Bill No. 1074), entitled:

An Act authorizing municipalities to purchase the entire capital stotck and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 973 (House Bill No. 1077), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a forestry department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property owners and providing for the acquisition by said cities by purchase condemnation of lands for certain purposes upon the recommendation of the forestry board

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 992, entitled:

An Act providing for the re-charter of building and loan associations or companies after expiration of their charter and for the taking over of all of the property and assets by the re-chartered corporation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 993, entitled:

An Act regulating the sale of exchange of defective or diseased horses and mules and providing a penalty for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 999, entitled:

An Act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1005 (House Bill No. 1153), entitled:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflamation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1006 (House Bill No. 1379), entitled:

An Act authorizing counties to appropriate money for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American War and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1010 (House Bill No. 825), entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner' approved the sixth day of April Anno Domini one thousand eight hundred ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1013 (House Bill No. 1025), entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1015 (House Bill No. 1073), entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The Senate proceeded to the first reading and consideration of Senate Bill No. 1016 (House Bill No. 1156), entitled:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The Senate proceeded to the first reading and consideration of Senate Bill No. 1019 (House Bill No. 1242), entitled:

An Act requiring burial grounds and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.
The Senate proceeded to the first reading and consideration of Senate Bill No. 1021 (House Bill No. 1264), entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supereme Court to appeals relating to ward borough and township officers to the acknowledgements of deeds and sequestrations of life estates" approved April fourteenth ont thousand eight hundred fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act entitled "An Act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred thirty-three defining and declaring the interesta that shall descend to and rest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pahmplet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1029 (House Bill No. 471), entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1032 (House Bill No. 799), entitled:

An Act authorizing persons corporations associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the court of quarter sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1034 (House Bill No. 967), entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1054 (House Bill No. 1102), entitled:

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptics and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institutions and provide for the method of admission to said institutions and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all commitals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Instituion for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1059, entitled:

An Act authorizing courts of common pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to restrict the lien thereof to a part only of the real estate of such defendant or defendants

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1067, entitled:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erceted or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fire-proof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1072 (House Bill No. 1023), entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a resevre fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to make loans in certain cases upon a stimulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1080 (House Bill No. 1586), entitled:

An Act authorizing and directing the Insurance Commissioner to revoke the certificate of authority and to refuse admission to companies associations societies or orders from any State which refuses to permit like companies associations societies or orders organized and operating under the laws of this State to do a like business in said State and designating who may and who may not make examination of said companies associations societies or orders and providing who shall pay the expenses of examinations of such companies associations or orders

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 1080 (House Bill No. 1586), the bill just read, be recommitted to the Committee on Insurance for a hearing.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1082 (House Bill No. 154), entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1086 (House Bill No. 1465), entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statements by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1093 (House Bill No. 285), entitled:

An Act providing for the appointment and qualifications of instructors and demonstrators in agriculture and making an appropriation for the same

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1095 (House Bill No. 416), entitled:

An Act to prevent occupational diseases and to provide for the health of employees exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requirng sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1096 (House Bill No. 426), entitled:

An Act relating to divorce

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1099 (House Bill No. 1241), entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers and steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

And said bill having been read at length the first time,
Ordered. To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1105 (House Bill No. 1436), entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1118 (House Bill No. 176), entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting venders from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand none hundred eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1145, entitled:

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1146, entitled:

An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by extending to August first the date for the payment of taxes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1147, entitled:

An Act requiring the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1160, entitled:

An Act to repeal sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eighth undred ninety-seven so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relates to nomination papers also to repeal sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections approved the tenth day of June Anno Domini one thousand eight hundred ninety-three by specifying how the names adopted by political parties may be protected by fixing the time for filling crtificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred ninety-seven which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections two three four five and six of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1163, entitled:

An Act to repal the act approved the eleventh day of April one thousand eight hundred sixty-eight entitled "An Act relative to the election of commisisoner's clerk in the county of Northampton

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1166, entitled:

A supplement to an act approved the third day of June one thousand eight hundred ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly wheres uch bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1167, entitled:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate or the same office by more than one political party to prohibit election officers from receiving counting or returnname of any person as a candidate for the same office as the name of any person as a candidate for the same office as the nominee of more than one political party and to declare all such ballots void and excepting from the provisions of the act candidates for judges and associate judges of the supreme superior common pleas and orphans' court and of such other courts of record as are now or hereafter may be established under the laws of this Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1169, entitled:

An Act regulating the signing and recording of all instruments in writing intended to be recorded

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which wre laid upon the table.

RECESS.

Mr. McILHENNY. Mr. President, I move that the Senate do now take a recess of ten minutes.
Mr. HOMSHER. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:
House Bill No. 106, entitled:

An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe.

House Bill No. 1382, entitled:

An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings.

Whereupon,
The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

HOUSE CONCURS IN SENATE BILL NO. 259.

The Chair cleared his table and laid before the Senate communication from the House of Representatives, returning to the Senate Senate Bill No. 259, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the wilfull and malicious wrecking of cars and locomotives upon railroads in this Commonwealth'"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 284.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 284, entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State hospital for criminal insane.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 416.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 416, entitled:

Granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 65.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 65, entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 66.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 66, entitled:

A supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 308.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 308, entitled:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 490.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 490, entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 556.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 556, entitled:

An Act to permit of the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 661.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 661, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia.

with the information that the House has passed the same without amendment.

SENATE BILL NO. 394 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 394, entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions.

with the information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

SENATE BILL NO. 22 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 22, entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid.

with the information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

SENATE BILL NO. 553 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 553, entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class.

with the information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

SENATE BILL NO. 502 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for mimimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide.

with the information that the House of Representatives has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

HOUSE CONCURS IN RESOLUTION FAVORING PASSAGE BY CONGRESS OF UNITED STATES SENATE RESOLUTION NO. 25.

He also laid before the Senate communication from the House of Representatives returning to the Senate concurrent resolution as follows:

In the Senate, April 16, 1913.

Whereas, The protection of the migratory and insectivorous wild birds is essential to the prosperity of man, because of their work in consuming insect pests and the seeds of noxious weeds; and,

Whereas, The Biological Survey of the National Department of Agriculture has been engaged in exhaustive investigations to determine the foods of said birds, and their effect on said destructive insect pests and noxious weeds; and,

Whereas, The publication and distribution of information concerning the beneficial results of the work of said birds has been resulting in a steady and increasing appreciation of the necessity of protecting and preserving the birds aforesaid; and,

Whereas, There is now pending before the Congress of the United States a joint resolution looking toward the international protection of migatory birds, which is known as Senate Resolution No. 25; therefore, be it

Resolved, (if the House of Representatives concur) That the United States Senators and the members of Congress from Pennsylvania be urged to lend their votes and influence to the end that Senate Resolution No. 25 shall be passed and the international protection of our migratory birds be thus assured; and, be it further

Resolved (if the House of Representatives concur), That

the United States Senators and the members of Congress from Pennsylvania be urged to support the work of Biological Survey in every proper and consistent manner.

with the information that the House has passed the same without amendment.

CONCURRENT RESOLUTION TO CONTINUE COMMISSION TO EXAMINE AND REPORT UPON THE "ERIE PURCHASE."

He also laid before the Senate resolution of the House of Repjresentatives which was read as follows and referred to the Committee on Judiciary General:

Whereas, By a concurrent resolution approved the thirteenth day of June one thousand nine hundred eleven a commission was authorized to be appointed by the Governor to examine into and ascertain the several pieces or tracts of land owned by or to which the State of Pennsylvania has title lying and being within the county of Erie or the city of Erie or the harbor of Erie or adjacent to said city of Erie and fronting upon the harbor of Erie or Lake Erie or both and make a description of said tracts or pieces of land together with plots of the same and make report to the Governor thereon such commission serving without compensation and,

Whereas, Owing to the magnitude of the labors and the great amount of details required to be investigated the commission has been unable to make its report prior to this session of the General Assembly therefore,

Be it Resolved (if the Senate concur), That the said commission is hereby authorized to continue its labors in accordance with the said resolution and make its report to the Governor of Pennsylvania prior to the session of the General Assembly of one thousand nine hundred fifteen with such recommendations as the commission may see fit to make in the interests of the Commonwealth Said commission shall continue to serve without compensation.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 732 (Senate Bill No. 1215) entitled:

An Act to provide for the protection of insectivorous and fur bearing animals by fixing a season for trapping or killing the animal commonly called the skunk or pole cat and providing a penalty for violation of this act.

Which was committed to the Committe on Game and Fisheries.

House Bill No. 1194 (Senate Bill No. 1216) entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth having a population of fifteen thousand or over and prescribing the qualifications powers and duties therefor and abolishing the office of borough auditors in said boroughs.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1458 (Senate Bill No. 1217), entitled:

An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act.

Which was committed to the Committee on Judiciary Special.

House Bill No. 266 (Senate Bill No. 1218) entitled:

An Act making an appropriation to the Gettysburg Battlefield Memorial Commission for various purposes.

Which was committed to the Committee on Appropriations.

House Bill No. 1354 (Senate Bill No. 1219) entitled:

An Act making it a misdemeanor to sell or offer for sale any ticket or tickets for admission to or for a seat or seats in any theatre or place of public amusement or entertainments for a sum in excess of the price regularly charged therefor by the management of such theatre or place of public amusement or entertainment and providing the penalty for violations of the provisions of such act.

Which was committed to the Committee on Judiciary Special.

House Bill No. 1575 (Senate Bill No. 1220) entitled:

An Act to further amend section twenty-one of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June first one thousand eight hundred and eighty-nine.

Which was committed to the Committee on Finance.

House Bill No. 1618 (Senate Bill No. 1221) entitled:

An Act authorizing Boyd L. Hunter, a citizen of Centre county Pennsylvania to bring suit in the court of Common Pleas of Centre county against the Commonwealth of Pennsylvania.

Which was committed to the Committee on Judiciary General.

House Bill No. 858 (Senate Bill No. 1222) entitled:

An Act making an appropriation for the refunding of certain moneys mistakenly paid into the State Treasury by S. S. Caughey.

Which was committed to the Committee on Appropriations.

House Bill No. 1040 (Senate Bill No. 1223) entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the city treasurer of Philadelphia for an auctioneer's license and paid by said city treasurer into the State Treasury.

Which was committed to the Committee on Appropriations.

House Bill No. 1190 (Senate Bill No. 1224) entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies.

Which was committed to the Committee on Banks and Building and Loan ssociations.

House Bill No. 1237 (Senate Bill No. 1225) entitled:

A supplement to an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole their conviction of crime during parole and their rearrest and reconviction for breach of parole and extending the powers and duties of boards of prison inspectors of penitentiaries.

Which was committed to the Committee on Judiciary General.

House Bill No. 1359 (Senate Bill No. 1226) entitled:

An Act to repeal the first section of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act to provide for the better protection and preservation of game game-quadrupeds and game-birds and prescribing penalties for violations of its several problems."

Which was committed to the Committee on Game and Fisheries.

House Bill No. 1871 (Senate Bill No. 1227) entitled:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entitled "An Act relating to hawking and peddling in the county of Lehigh."

Which was committed to the Committee on Judiciary General.

House Bill No. 1838 (Senate Bill No. 1228) entitled:

An Act to repeal the seventh section of an act approved the fourth day of April one thousand eight hundred and seventy-two entitled "An Act to authorize the borough of Phoenixville to erect water and gas works and to supply the said borough with water and gas"

Which was committed to the Committee on Judiciary Special.

House Bill No. 1367 (Senate Bill No. 1229) entitled:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk to countersign warrants on the county treasurer when properly drawn during such period as any said county controller may have so designated such clerk in writing to the county treasurer in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants

Which was committed to the Committee on Judiciary General.

House Bill No. 1558 (Senate Bill No. 1230) entitled:

An Act empowering cities of the second class to levy assess and collect taxes for general revenue purposes on street railway telegraph electric light or power water gas and heat companies or corporations

Which was committed to the Committee on Municipal Affairs.

House Bill No. 423 (Senate Bill No. 1231) entitled:

An Act regulating the placing of earth or any other material in any creek river or stream within this Commonwealth or upon the banks of the same or on any place where said earth or other material would be likely to slide into or be washed into such creek river or stream providing for the construction in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania of a retaining wall or walls along the banks of said creeks rivers or streams under the suprevision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act

Which was committed to the Committee on Corporations.

House Bill No. 931 (Senate Bill No. 1232) entitled:

A joint resolution providing for the distribution to each newspaper and periodical published in Pennsylvania of a copy of each annual edition of Smull's Legislative Hand Book and of a copy daily of the Legislative Journal during the session of the General Assembly

Which was committed to the Committee on Public Printing.

House Bill No. 937 (Senate Bill No. 1233), entitled:

An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its powers and duties and providing certain penalties

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1007 (Senate Bill No. 1234) entitled:

An Act authorizing the appointment of two delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

Which was committed to the Committee on Judiciary Special.

House Bill No. 1110 (Senate Bill No. 1235) entitled:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1232 (Senate Bill No. 1236) entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of a deed of extinguishment by the prothonotary in cases where the owner or owners of said ground rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release or extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto

Which was committed to the Committee on Judiciary General.

House Bill No. 1294 (Senate Bill No. 1237) entitled:

A supplement to an act entitled "An Act defining and prohibiting pandering providing penalties for violation hereof and regulating the competency of certain evidence at the trial thereof" approved the seventh day of June one thousand nine hundred and eleven

Which was committed to the Committee on Judiciary General.

House Bill No. 1460 (Senate Bill No. 1238), entitled:

An Act fixing the salary and providing for the expenses of township commissioners of townships of the first class of this Commonwealth

Which was committed to the Committee on Counties and Townships.

House Bill No. 1473 (Senate Bill No. 1239) entitled:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors

Which was committed to the Committee on Law and Order.

House Bill No. 1521 (Senate Bill No. 1240) entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1522 (Senate Bill No. 1241) entitled:

An Act relating to lynching fixing the liability of police officers constables sheriffs and deputy sheriffs and the liability and rights of counties cities boroughs towns and townships for injury or death to persons in custody and prescribing certain penalties

Which was committed to the Committee on Judiciary General.

House Bill No. 1543 (Senate Bill No. 1242) entitled:

An Act making it unlawful for the commissioners of any county in this Commonwealth to contract to repair build or rebuild any county bridges without due advertisement for sealed proposals excepting contracts not amounting to two hundred and fifty dollars

Which was committed to the Committee on Judiciary General.

House Bill No. 1600 (Senate Bill No. 1243) entitled:

An Act empowering counties to construct operate and maintain public highways public highway bridges and tunnels in the several counties of this Commonwealth either wholly within or partly within any city borough or township therein authorizing the entry upon any public highways for the purpose of constructing and maintaining approaches thereto authorizing counties to lay out open widen straighten or extend streets and alleys or parts thereof within the boundaries of any city borough or township therein so as to connect said bridges and tunnels or public highways or roads leading thereto with any public highways therein or so as to connect any other county bridge or road or hereafter constructed with any public highway within such city borough or township and to grade pave macadamize or otherwise improve the same and authorizing the taking of property for all or any of said purposes providing for the payment of the cost and expense thereof and compensation therefor and damages resulting therefrom and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1666 (Senate Bill No. 1244) entitled:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to conect the Great Lakes with points on navigable rivers of this Commonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1708 (Senate Bill No. 1245) entitled:

An Act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs

Which was committed to the Committee on Judiciary Special.

House Bill No. 1719 (Senate Bill No. 1246) entitled:

An Act amending article eleven of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the provisions relating to the Sinking Fund Commission

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1730 (Senate Bill No. 1247) entitled:

An Act to amend an act approved the thirty-first day of March one thousand eight hundred sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth"

Which was committed to the Committee on Judiciary General.

House Bill No. 1692 (Senate Bill No. 1248) entitled:

An Act giving the power to mayors of third class cities of this Commonwealth to be present and vote at council meetings in order to make a quorum and cast a deciding ballot in case of a tie vote

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1767 (Senate Bill No. 1249) entitled:

A supplement to an act entitled "An Act to fix the fees to be allowed the district attorney in counties containing over eight hundred thousand inhabitants" so as to provide for fees in counties containing one million two hundred thousand inhabitants and over

Which was committed to the Committee on Judiciary General.

House Bill No. 225 (Senate Bill No. 1250) entitled:

An Act regulating the equipment use and operation of motor boats row boats and canoes and providing penalties

Which was committed to the Committee on Judiciary General.

House Bill No. 525 (Senate Bill No. 1251) entitled:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1141 (Senate Bill No. 1252) entitled:

An Act to fix the compensation and allowances for members of the General Asembly

Which was committed to the Committee on Judiciary Special.

House Bill No. 1228 (Senate Bill No. 1253) entitled:

An Act amending section eighteen of an act entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one as the same was amended by an act approved the sixth day of May Anno Domini one thousand nine hundred and nine changing the method of service by advertisements of writs of scire facias issued upon municipal and tax claims

Which was committed to the Committee on Judiciary Special.

House Bill No. 1581 (Senate Bill No. 1254) entitled:

An Act relating to bail bond or surety bond furnished on appeals from courts of record in certain places

Which was committed to the Committee on Judiciary General.

House Bill No. 1621 (Senate Bill No. 1255) entitled:

An Act empowering incorporated towns of this Commonwealth without petition of the property owner to grade pave curb macadamize and otherwise improve public streets or parts thereof and assess a portion of the cost of the same on the owners of property abutting thereon and providing for the collection of the same

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1646 (Senate Bill No. 1256) entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania abolishing the office of Secretary of Internal Affairs

Which was committed to the Committee on Judiciary General.

House Bill No. 1732 (Senate Bill No. 1257) entitled:

Relating to applications for charters of corporations of the first class and regulating the change of location of the place of business of such corporations

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEES.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committe on Judiciary Special, reported as committed, Senate Bill No. 1234 (House Bill No. 1007) entitled:

An Act authorizing the appointment of delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor.

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1213, entitled:

An Act making it unlawful for any person to practice law in any county in the State of Pennsylvania unless duly admitted to practice by a court of record in any county of this Commonwealth, defining what shall constitute the practice of law, and providing a penalty for any violation thereof.

BILL INTRODUCED.

Mr. SALUS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1258, entitled:

An Act making it a misdemeanor to refuse full and equal accommodations to any person or persons, on account of race or color, and repealing certain acts.

Which was committed to the Committee on Judiciary General.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn until eleven o'clock to-morrow morning.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11.59 o'clock P. M. until Tuesday morning April 29, 1913, at eleven o'clock.

ERRATUM.

In the proceedings of April 22, 1913, page 2083, second column, under heading "Bills on Second Reading," Senate Bill No. 683 (House Bill No. 745) entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

should read

Senate Bill No. 683 (House Bill No. 745) entitled:

An Act authorizing the creation division and consolidation of wards and a reappointment of all wards in cities of the third class providing a method therefor and fixing the minimum number of inhabitants in each ward

HOUSE OF REPRESENTATIVES.

MONDAY, April 28th, 1913.

The House met at 8.00 o'clock P. M.

The SPEAKER (George A. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, as we gather in our places for the work of this week, we are impressed anew with the sense of our responsibility. The questions submitted to us are not trivial questions, of transient or passing interest, but important questions affecting, and some of them vitally affecting, great multitudes of people. We would remember Thee as we enter upon our work, and we would remember as well the people whom we represent, constituting the homes of this Commonwealth, having to do with the schools, the churches and philanthropic institutions, doing the work which is wrought in the mines and factories, the forests and fields, in the offices and shops and streets, some of them possessed of great wealth, representing important interests, exercising large influences, some of them struggling and impoverished and under the stress of urgent need. We would not be disregardful of the people in our work, who are so affected by the things which we do. May we be men of sobriety and earnestness and discretion; may we not be afraid to form our judgments and to utter our decisions, and on the other hand may we not be presumptuous, bearing the duties of our office lightly. Preside Thou in all of the sessions of this Assembly during this week; bless Thy servant who directs and controls the work of the House, and continue to him the energy and vigor so essential to his work, and grant to supervise and control everything that is done so that it may promote in every way the interests of our Commonwealth. And Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of Thursday's proceedings.

The Clerk proceeded to read the Journal of Thursday's proceedings, when, on motion of Mr. Humes, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. ULERICH asked and obtained leave of absence for Mr. Neel for to-day and to-morrow on account of the death of his father.

Mr. HIBSHMAN asked and obtained leave of absence for Mr. Hoffman indefinitely, on account of illness.

Mr. Rex. asked and obtained leave of absence for Mr. Spangler for this evening's session.

The SPEAKER asked and obtained leave of absence for Mr. Pennegar for this session and Tuesday and Wednesday on account of illness.

The SPEAKER also asked and obtained leave of absence for Mr. Snavely, indefinitely, on account of illness.

RECONSIDERATION OF VOTE.

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following motion.

The SPEAKER. The motion fill be read by the Clerk.

The Clerk then read the motion as follows:

Moved by Mr. Williams of Tioga, seconded by Mr. Arthur, that the vote by which House Bill No. 1194, entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth prescribing the qualifications powers and duties thereof and abolishing the office of borough auditors in said boroughs

was defeated on final passage on April 22nd, be reconsidered.

The SPEAKER. The question is on the adoption of the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—146.

Adams,	Dunn, J. A.,	Kennedy,	Rhoads,
Allen,	Ehrhardt,	Kitts,	Richards,
Alworth,	Eichenberger,	Kuhn, H. P.,	Robinson,
Ambler,	Ely,	Leslie,	Rockwell,
Aron,	Ewing,	Letzkus,	Roney,
Arthur,	Fahey,	Malie,	Rothenberger,
Baldwin, G. A.,	Flynn,	[illegible]on,	Sassaman,
Baldwin, R. J.,	Forster, I. G.,	Martin,	Shyacoot,
Barner,	Foster, J. D.,	Mather,	Schuck,
Bass,	Frey,	Matt,	Semmens,
Benninger,	Gans,	McAleer,	Shaffer, C. A.,
Benson,	Geary,	McAllister,	Shaffer, I. E.,
Bergey,	Geiser,	McArdle,	Sherwood,
Berntheizel,	Gibson,	McCaig,	Showalter,
Bigger,	Glenn,	McDermott,	Smith, J. W.,
Bittles,	Good,	Missimer,	Smith, L.,
Blair, W. F.,	Grabe,	Morrow,	Snyder,
Body,	Gramley,	Moses,	Speiser,
Brosius,	Gransback,	Moulthrop,	Spillinger,
Brown,	Gray, Frank,	Murphy,	Stone,
Brownlee,	Hackett,	Neely,	Strauss,
Burnett,	Haggerty,	Newbaker,	Swartz,
Caldwell,	Heidinger,	Newton,	Swift,
Campbell, C.M.,	Hess,	North,	Thomas,
Campbell, J. J.,	Heyburn,	O'Neill,	Trach,
Carter,	Hibshman,	Peachey,	Ulerich,
Cheeseman,	Hobbs,	Pennock,	Ulman,
Claycomb,	Howard, J.,	Perry, S. J.,	Walnut,
Cleary,	Humes,	Peters,	Watson,
Conner,	Isler,	Piner,	Wettach,
Connitt,	Irwin, G. C.,	Price,	Whitman,
Conrade,	Jackson,	Ramsey,	Williams,
Cox,	Jones, J. R.,	Redfield,	Wilson, J. H.,
Currier,	Kaiser,	Reese,	Wiltbank,
Curry,	Keegan,	Reeser,	Young, G. K.,
Davis,	Keeport,	Rex,	Young, J. H.,
Down,			Alter,
Dunn, H. B.,			Speaker.

NAYS—13.

Becker,	Kuhns, E.G.M.,	Lowers,	Post,
Donnally,	Latshaw,	Mellott,	Redfield,
Hemminger,	Lohr	Miller,	Zimmerman,
Herman,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

JOINT RESOLUTIONS INTRODUCED.

Mr. HOBBS asked unanimous consent to offer a joint resolution, which was read for information.

The SPEAKER. Will the House give its unanimous consent to the introduction of the resolution? Is there any objection. The Chair hears objection.

Mr. HOBBS. Mr. Speaker, I would like to have the privilege of explaining—of course under the rules the gentleman has the right to object—but this song is one that has become very popular among the educators of this Commonwealth.

It will be furnished to the schools of our Commonwealth as they see fit or desire to purchase it, at a very low rate. There is no idea or thought of any speculation and inasmuch as it should be the desire of every patriotic citizen to create the principle of patriotism and enthuse the rising generation with the—

Mr. ALLEN. Mr. Speaker,, in order not to delay this matter. I withdraw my objection.

The SPEAKER. The objection having been withdrawn, the Clerk will receive the resolution.

Mr. WILTBANK asked and obtained unanimous consent to introduce a joint resolution, which was read for information.

RESOLUTION NO. 45.

Mr. J. A. DUNN. Mr. Speaker, I deside to call up Resolution No. 45, file folio 6887.

The resolution was read as follows:

Resolved That the Chief Clerk of the House be instructed have five thousand copies of the Hunter's License law printed in pamphlet form for the use of the members of this House

On the question,

Will the House agree to the adoption of the resolution?

It was agreed to.

RESOLUTION NO. 42.

Mr. MITCHELL. Mr. Speaker, I desire to call up Resolution No. 42, file folio 6771.

The resolution was read as follows:

Whereas By a concurrent resolution approved the thirteenth day of June one thousand nine hundred eleven a commission was authorized to be appointed by the Governor to examine into and ascertain the several pieces or tracts of land owned by or to which the State of Pennsylvania has title lying and being within the county of Erie or the city of Erie or the harbor of Erie or adjacent to said city of Erie and fronting upon the habor of Erie or Lake Erie or both and make a description of said tracts or pieces of land together with plots of the same and make report to the Governor thereon such commission serving without compensation and

Whereas Owing to the magnitude of the labors and the great amount of details required to be investigated the commission has been unable to make its report prior to this session of the General Assembly therefore

Be it resolved (if the Senate concur) That the said commission is hereby authorized to continue its labors in accordance with the said resolution and make its report to the Governor of Pennsylvania prior to the session of the Gen- such recommendations as the commission may see fit to make in the interests of the Commonwealth Said commission shall continue to serve without compensation

On the question,

Will the House agree to the adoption of the resolution?

It was agreed to.

RESOLUTION NO. 44.

Mr. STONE. Mr. Speaker, I desire to call up Resolution No. 44, file folio 6775.

The resolution was read as follows:

Resolved That during the remainder of this session no member of the House shall be granted leave of absence excepting for cause shown

On the question,

Will the House agree to the adoption of the resolution?

A division was called for, 69 voting in the affirmative and 92 in the negative.

And it was not agreed to.

RECONSIDERATION OF VOTE.

Mr. PIPER. Mr. Speaker, I move that the vote by which House Bill No. 1458, file folio 6717, entitled:

An Act creating a Division of Distribution of Documents defining its powers and duties regulating the printing binding and distribution of the public documents of this Commonwealth and providing penalties for the violation of this act

on page 15 of Thursday's Calendar, bills on final passage, was defeated, be reconsidered.

Mr. O'NEILL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, it has been but a short while since the House took most decisive action on this bill. As I remember, there were fifty-nine yeas cast on this bill when the bill was up on third reading and final passage on last Thursday. The members of this House, at that time, Mr. Speaker, were put in possession of the facts in relation to the provisions of this bill. I do not know what conditions have made it so important now, or what conditions have changed so greatly the aspect of this bill, and it needs and requirements. It was finally drawn out from the people who stood as proposing and advancing this bill that the same distribution of the reports is being done now by a department which is being paid for it. There is no question but that it makes new jobs for somebody. What kind of job is anticipated I do not know. I do not say there is any, but there may be one.

The fact that this bill embodies in its provisions at this time for distribution, as I understand it, identically the same number of reports that are now proposed, it seems to me to be giving an idea of very far fetched results when you say that it is going to cheapen that department, if by the addition of two men to keep tabs on how many reports go out and how many somebody wants, when the same quantity, mark you, are printed under the provisions of this bill that are now printed under the law, hereafter, two years hence a new bill may be drafted in relation to how many reports of this kind and how many of that kind and how many of another may prepared. It seems to me to be very far fetched as a saving institution. We all know, Mr. Speaker, that during this session it has cost the State probably twice the amount of printing of bills that the original bills themselves would cost for the reason that the bills as a rule have been printed on an average of at least twice, many three and four and some five times, have gone to the printer, and to be asked now, the sort of a bill which is proposed here—I cannot turn to it now, because the folio has slipped my mind. But as I recall, the bill which is before us at this time, embraces not less than twenty-one pages of printing. If it takes that much printing at this time, and one or two sections, the first part of the bill, are devoted to the office duties, the main portion of the bill being taken up with the number of documents that are to be printed—they commence, I believe, on page probably nine, not later than ten—there is about twelve pages of this bill that are made up of a number of documents. Now, if after two years experience with a new department that is keeping check on how much of the State's printing goes out, how much is required by the members and by the various departments, it is found that a saving can be made in certain lines of printing, then we will chop a few hundred reports off here and a few hundred there. But surely some members of this House who are practical printers, and after the form is set up, Mr. Speaker, for any one of the Department publications, I care not what it is, even us members who know nothing about the printing business, know that after the form is made up that it costs very little for the additional copies; that a very small saving is made by the chopping off of one hundred copies here and one hundred copies there and one hundred copies yonder. Now, I ask this question, while the law provides just the same number of publications as are provided in this bill, has this House at any time or has anybody at any time called upon those who have had charge of distributing these reports to see whether or not those numbers could be cut down? I think not, isn't it possible, if you made some investigation and went to the chief clerk of the House of Representatives today, that he could tell us whether or not all of the Agricultural Reports were required, or all the Mining Reports were required or all the Fishery Reports were required, or all the Forestry Reports that are published are required, isn't it barely possible that he could do that? All that is in this bill, as explained on the floor of the House the other day, is that some man who has a job as superintendent, or assistant superintendent, shall have charge of that work and hereafter send out to some one of my constituents—I say send out one copy of such and such report to Thomas Brown, who lives at such and such a point, and mark it with my compliments, and it goes out and the State pays for it. Now look here at the saving end of it. Let us look at this a minute. I will receive at the end of my term a certain number of reports I don't know how many, but I know the clerk sends me a box or two of books and sends to each of the other members a box or two of books. Many of your constituents come to your place of business and ask for these books, and these books go out and they appreciate them coming from your hands; or you may do like one of my constituents does: You may order that book and have it wrapped and go to the post office and

pay forty-two cents on a Smull's Hand book, because you write your compliments in it. That costs him forty-two cents. It costs me forty-two cents if I want to play the good fellow; but if the State sent it out, who will pay the bill? The State will pay it, because the State's credit with Uncle Sam is no better than yours or mine. Now you are paying somebody to send it out and this bill is before you as a saver for this State. Now let me ask the gentlemen on the other side of the House who is sponsor of this bill, whether or not he has calculated or any calculation has been made in relation to how much postage it will cost the State to send out these publications and whether or not that postage won't equal in amount the entire cost of the publications as they are made at this time? If it is not a saver what is it? A job maker? It is one of two things, and probably both. That it is a job maker cannot be denied, and I simply ask that question and I would like the gentleman on the other side of the House, who stands as sponsor for this bill, to tell this House if one-half of the publications provided for in this bill go out, what will it cost the State in postage, and how much would it cost the State to publish other half if it stop at the halfway point?

Mr. R. J. BALDWIN. Mr. Speaker, it don't need to take very long to tell just what there is in this bill. In the first place, every member of this House, I think, that has ever sent out public documents sent to him, realizes the great mass of useless books that come to most of us. It should not be so, I admit, but it is so. As a matter of fact, by statute we are allowed so many publications from the different departments. As a matter of fact it would be our duty, if we did it, to notify the different departments that we only want a certain amount. The result of it is in practice that very likely in the homes of nearly every member of this House who has served one or two sessions there are cart loads of public documents and I am willing to plead guilty to being one of them. I believe there are at my house a cart load of useless documents. In the time I served in this House, four terms, a four horse wagon load would not hold them all. It is true, I am partly to blame, but as far back as 1897 I saw the great necessity of this legislation, preventing that useless waste of public money. Now this law simply does this: That unless you put in your requisition for certain books, why you will not get any. It shifts the proposition. The result will be that each and every member will apply to this department for the number of publications that he desires and this awful waste will stop. I am frank to say to the House that it will make a saving of $50,000.00 a year, and I think more than that. If the other members of the House have been as negligent as I have and have received as many useless books as I have, it may make a saving of one hundred thousand dollars a year. I want to say in conclusion, that the next legislature, if this change has resulted in a greater expenditure instead of economy, then they can change back to the old statute. I will wager my reputation that it will make a saving to the State and we will get the books we need. When this bill was defeated the other day I never dreamed that would happen. At the time it was under discussion I passed out to get a glass of water, expecting to get back in time. I supposed the discussion would go on, but when I came back the roll was being called and to my utter surprise I found the House had defeated the bill. On inquiring around I discovered that this was because, in my opinion, they thought it was to create a new department and some more salaries, something with no economy to the State. I do think that every member of the House ought to vote to try this experiment. I venture the next House will approve of what this House has done.

Mr. ALLEN. Mr. Speaker, will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, sure.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Delaware whether he has any trouble in disposing of his Smull's Hand books?

Mr. R. J. BALDWIN. Mr. Speaker, I am glad the gentleman asked the question. No, because of the lack of performing my duties as I should have done in this Legislature, and had a great mass of publications sent to me that should not have come, and we should have passed some legislation that a book that there is a tremendous demand for, namely, Smull's Hand books and the Pamphlet Laws, should be increased in number. We are to blame, perhaps you as well as I; but I do know the State at large wants Smull's Hand Books and Pamphlet Laws in larger number than we give them, but the other publications have been a tremendous waste. This is a move in the right direction, but where we are deficient is, that we have not provided legislation that gives us more Smull's Hand Books and more Pamphlet Laws and stop the useless waste on the reports of the Department of State.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman if he has any trouble in disposing of agricultural reports among his agricultural constituents?

Mr. R. J. BALDWIN. Mr. Speaker, I want to say, that four-fifths of the agricultural reports sent to me are now piled up at my home. I always supposed that the agriculturalists would demand the publications and each year I thought the demand would be greater, but each year that demand failed and now there is nearly a cart load there.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Delaware, if he were allowed fifty agricultural reports and the State to pay the postage on them, if he would not furnish the State Department fifty names to whom to send the agricultural reports?

Mr. R. J. BALDWIN. I would like to ask the gentleman if this bill does not provide that where the State can send by parcels post or express, whether it don't state in the bill—I so found it and read it in the bill—whether it is not compulsory on the part of the State that they be sent by parcel post or express, as I understand, if that is the cheapest method of doing it. It is true it provides that now you can send word to the State Department and have a single copy for one cent by mail.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman if he would not furnish a list of fifty agriculturalists in his community to whom the head of that department could furnish by mail, express or by carrying it, or should convey fifty copies of the agricultural reports?

Mr. R. J. BALDWIN. Mr. Speaker, to say that I would not, would perhaps be an attempt to parade my honesty. I do not say so, but I do not believe I would; it does not so present itself to me. My experience tells me that it would not only be a waste of public documents but a waste of public revenue.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether he does not know that the postal laws do not allow books to be sent by parcels post.

Mr. R. J. BALDWIN. Mr. Speaker, I believe the department of State will send them the cheapest way, and it may be the express rates will be cut down so as to meet the parcels post. The chances are that an express rate of five cents for five pounds will be made to compete with the parcels post.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman further that if a form that we have referred to say Smull's Handbook, if a form is set up and being run off, what the cost is for extra copies to be printed and bound?

Mr. R. J. BALDWIN. Mr. Sepaker, I did not expect to be interrogated to the last detail on the printing proposition in this bill, but I presume the gentleman from Allegheny can answer that question for himself.

Mr. ALLEN. Mr. Speaker, no, I cannot. If I could, I would answer it. Not only that, if I did not know, I would not make a statement as to how much money it would save the State without having anything upon which to base my argument.

Mr. R. J. BALDWIN. Mr. Speaker, I have something upon which to base my argument, and that is the amount of reports and publications and documents, useless reports, that I have at home. I think that is a pretty good argument, and if it isn't I do not know where I can find one that is.

Mr. SCHUCK. Mr. Speaker, the gentleman from Allegheny has challenged a few of the provisions in this bill that I think it is necessary to answer. I will take up very little of your time, but I will not discuss picayune matters such as postage, where there is a big quarter of a million dollars proposition under consideration. That is the amount of money that this State pays for printing. This bill provides for a storekeeper and place him under contract and makes him amenable to the law and requires him to furnish a bond. I want to say that the United States Government at the present time is practicing this same system of adjustment of supply and demand. Massachusetts has a similar law. The gentleman from Allegheny wants to know why conditions have changed. They have changed because the

members voted under a misapprehension of the merits and virtue of this bill. The more it is discussed with them, and the more you tell them about it, the more they appreciate it and favor it. There are two things in it that I will discuss and then I am through. It adjusts automatically supply and demand as the National Congress does with its supplies. Your lack of demand makes my increased supply. Second, it gets a record of the demand and makes it possible for the Governor, not this Governor, to cut down the unnecessary printing when it is found by this Department that it should be cut down. But by the present system, and the indiscriminate distribution, and the careless, loose business methods, we would never know what we are printing or how much we use. When we print too small a number, this Department comes in and asks for more of these reports to be paid for from the contingency fund. It is a simple business matter, and I think the members understand it fully, and I will take no more time to foster opposition to this bill.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Westmoreland whether or not books and publications can be sent by parcels post.

Mr. SCHUCK. No, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Westmoreland the cost. we will say, of a Smull's Handbook after the form is set up, for additional copies?

Mr. SCHUCK. Mr. Speaker, I do not understand the question.

Mr. ALLEN. Mr. Speaker, approximately the cost of publishing and binding Smull's Handbook after the forms have been set up and a certain number, any number, have been printed?

Mr. SCHUCK. Mr. Speaker, that depends upon the number of lines and pages, and the binding of the book, but it would cost aproximately one dollar.

Mr. ALLEN. Mr. Speaker, I would ask the gentleman if the publishing of Smull's Handbook such as was published in 1911 would not cost less than fifty cents?

Mr. SCHUCK. I do not thing so. However, these are small picayune matters when we have under consideration a big business proposition involving a quarter of a million of dollars.

Mr. ALLEN. Mr. Speaker, I will ask the gentleman further, if even this system were put in operation, that in order to get down to the basis proposed by the system, it would not be required to have introduced in this session and have passed a bill specifying and limiting the number of publications each session?

Mr. SCHUCK. The number of publications of what?

Mr. ALLEN. Of each department.

Mr. SCHUCK. Mr. Speakr, this bill already specified the number of each report to be published annually.

Mr. ALLEN. But, Mr. Speakr, I do not want to be unfair. I think that the gentleman does not gather my question. If after a two years trial under the number of publications made in the present bill, it were found that there would be a large surplus in certain reports and a demand for certain other reports, would not a new bill have to be introduced in order to meet the required conditions?

Mr. SCHUCK. No, sir, it would not be because we could change the contract that the State has with the State printer.

Mr. ALLEN. Well then, Mr. Speaker, if that is the fact, there would be nothing gained by the provisions of this bill.

Mr. SCHUCK. Mr. Speaker, the next contract can change that.

The question recurring,

Will the House agree to the motion?

It was agreed to.

The question recurring,

Shall the bill pass finally?

Mr. E. G. M. KUHNS. Mr. Speaker, so that the members of the House will not make a mistake in voting, as in the roll call last week, I wish to call your attention to just a few facts. The gentleman from Delaware tells us that he has piles and piles of agricultural reports that he has not given out. I cannot understand why that is. I will agree with you that I am a novice in the legislative work. In 1911 I received my supplies and I distributed every copy of the agricultural reports. I went to the city of Allentown, and got every copy of the agricultural reports from my colleagues and distributed them. When the farmers ask for these reports, what are you going to tell them. Are you going to tell them that the State hasn't got any more? We are allowed to fill out a list to be sent to the little county of Lehigh. Where is the money saving proposition in this bill. I received the reports and distributed them myself and the State did not spend one copper. Where is the saving in that proposition. I want to cut short my remarks, but I want you not to make any mistake, but to give your vote to the right side in this question. Do not be lead, do not be blindfolded, but vote correctly.

Mr. HORACE B. DUNN. Mr. Speaker, in the back part of my office, a little over a hundred miles away, there are mining reports piled up almost to the ceiling. At different times, by trickery, cajolery, false pretence and other ways that are dark, I have succeeded in getting two miners to carry off two of these reports. The mining Department having heard of this sent word to me that they wanted these reports and that they would like very much if I would send the reports back to them C. O. D. I would like very much to do so and get them out of my office, but I have not had time to get them ready. Also as soon as I went home last week I had a letter from the Mining Department, beseeching me to send them down at once as they had urgent need of these reports in other places. It seems to me, gentleman, that is an argument in favor of this bill.

Mr. Watson. Mr. Speaker, I can repeat the same experience as my friend from Huntingdon. I had a quantity of books in my office which I sent to the junk dealer, and I think the only persons who are interested in defeating this bill are the junk dealers, because I sent wagon loads of mining reports, and reports of different kinds to them. As I understand this bill, we file an application for the character of books that we want, and then there will not be a surplus, and I think any member in this House can clearly see that in voting for this bill they will save the State thousands of dollars.

QUESTION OF PERSONAL PRIVILEGE.

Mr. EWING. Mr. Speaker, I rise to a question of personal privilege?

The Speaker. The gentleman will state his question of personal privilege.

Mr. EWING. Mr. Speaker, in looking over the report of this bill when it was voted upon last week, I find that I have been recorded as voting in the negative, while I voted in the affirmative. I would like to have that corrected.

The Speaker. The gentleman will have an immediate opportunity of correcting it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Forster, I. G.,	Lenker,	Richards,
Alworth,	Foster, J. D.,	[illegible],	Robinson,
Ambler,	Frey,	Lohr,	Rockwell,
Aron,	Gans,	Lowers,	Roney,
Arthur,	Geary,	Malie,	Runk,
Baldwin, G. A.,	Geiser,	Martin,	Sassaman,
Baldwin, R. J.,	Gibson,	Mather,	Savacool,
Barner,	Glenn,	McAleer,	Schuck,
Bass,	Grabe,	McAllister,	Semmens,
Bergey,	Gramley,	McArdle,	Shaffer, C. A.,
Berntheizel	Gransback,	McCaig,	Shaffer, I. E.,
Bigger,	Gray, Frank,	McClintock,	Sherwood,
Bittles,	Hackett,	McKay,	Showalter,
Blair, W. A.,	Haggerty,	McNichol,	Smith, J. W.,
Brosius,	Heidinger,	Metzenbacher,	Smith, L.,
Brown,	Hemminger,	Missimer,	Snyder,
Brownlee,	Herman,	Mitchell,	Speiser,
Campbell, J. J.,	Hess,	Moore,	Spillinger,
Carter,	Hibshman,	Morrow,	Stone,
Cheeseman,	Hobbs,	Moses,	Strauss,
Claycomb,	Howard, J.,	Moulthrop,	Swartz,
Cleary,	Humes,	Murphy,	Swift,
Cochran,	Isler,	Newton,	Thomas,
Conniff,	Irwin, H. H.,	North,	Ulerich,
Cox,	Jackson,	O'Neill,	Ulman,
Currier,	Jones, E. E.,	Peachey,	Walnut,
Curry,	Jones, J. R.,	Pennock,	Watson,
Davis,	Kaiser,	Perry, H. L.,	Wettach,
Dickinson,	Kaufman,	Perry, S. J.,	Whitaker,
Donnally,	Keegan,	Piper,	Whitman,
Down,	Keeport,	Post,	Williams,
Dunn, H. B.,	Kennedy,	Price,	Wilson, J. H.,
Eichenberger,	Kitts,	Ramsey	Wiltbank,
Ely,	Kuhn, H. P.,	Redfield,	Young, G. K.,
Ewing,	Lanius,	Reeser,	Young, J. H.,
Fahey,	Latshaw,		Alter,
Flynn,			Speaker.

NAYS—31.

Allen,	Caldwell,	Letzkus,	Newbaker,
Becker,	Campbell, C.M.,	Mannion,	Peters,
Benson,	Carson,	Matt,	Reese,
Berntheizel,	Conrade,	McDermott,	Rex,
Blair, W. F.,	Ehrhardt,	Mellott,	Rothenberger,
Bleloch,	Good,	Miller,	Schaeffer, A. C
Body,	Kern,	Musser,	Scott, J. R. K.
Burnett,	Kuhns, E.G.M.,	Neely,	Zimmerman,

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

CORRECTION OF CALENDAR.

Mr. NEWTON. Mr. Speaker, I desire to present a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the motion as follows:

Moved by Mr. Newton, seconded by Mr. Showalter, that in view of the fact that the calendar is incorrect on page 19 of to-day's third reading calendar, where Senate Bill 464, file folio 1337, is recorded as being presented by Senator Powell but as Senator Powell is not sponsor of the bill and the bill was introduced by Senator Crow that the correction be made at this time.

The SPEAKER. The correction will be made by the Clerk.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ULMAN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ULMAN. Mr. Speaker, I was vigorously assailed by some of the leading newspapers of the State who allege that I was the author and favored the passage of House Bill 303, known as "the railroad service bill." For the information of these newspapers and the public generally I desire to state that the records will show that I am not the author of the bill nor the chairman of the Railroad Committee of the House; that as a member of the Railroad Committee I opposed this bill, as did a majority of the committee who were present when the same was taken up for consideration, and the bill was sent out with a negative recommendation.

Furthermore, in the Legislative Journal of March 19, 1913, on page 930, is the following:

"Mr. Ulman reports House Bill No. 303, with a negative recomendation."

and in the Legislative Journal of March 24th, 1913, page 1050, is recorded "by vote of House of Representatives, House Bill 303 was placed on the calendar, Mr. Ulman voting in the negative." I ask that this be spread on the Journal.

The SPEAKER. The matter will be entered on the Journal accordingly.

QUESTION OF PERSONAL PRIVILEGE.

Mr. RONEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. RONEY. Mr. Speaker, about three weeks ago, to be exact, three weeks ago to-morrow, the Ways and Means Committee appointed a sub-committee to consider Senate Bill No. 554, which had been referred to that committee for consideration. It was one of the three bills which have been popularly called "The Philadelphia Bills," concerning which some fifteen hundred persons came from Philadelphia to this House some few weeks ago to advocate their passage. The sub-committee was composed of Philadelphians because at the time this bill seemed to effect peculiarly Philadelphians and Philadelphia improvements. The sub-committee held several meetings in Philadelphia for the purpose of securing information which we considered pertinent for us to have as a Ways and Means Committee and for the further important reason that it was pertinent for the members of this Legislature. Immediately following these meetings a number of newspapers of Philadelphia began to assault the members of the committee calling approbrious names and otherwise indicating that these men were not acting in good faith and impugning their motives as legislators. I think, Mr. Speaker, that it is only proper that we should call this matter to your attention by my rising to a question of personal privilege because I think that committee striving to get the information, which you as a legislator should have, should not have their motives impugned except upon solid and substantial reasons. It is, therefore, Mr. Speaker, that I take great pleasure to-night in calling your attention to a communication which I have received from the Mayor of the City of Philadelphia, Mr. Rudolph Blankenburg, as a result of the conference which was had between the Mayor and the sub-committee on April 28th, 1913.

April 28, 1913.

Hon. W. H. Wilson, Chairman,
Sub-Committee of Ways and Means Committee,
Harrisburg, Pa.

My dear sir:—I take pleasure in enclosing a letter from A. Merritt Taylor, Esq., Transit Commisisoner. This letter explains itself. At a harmonious conference held in my office this morning, participated in by yourself, Messrs. John R. K. Scott, A. Merritt Taylor, Parker S. Williams and Charles L. McKeehan, we fully discussed the amendments and I am glad to confirm and endorse Mr. Taylor's letter.

Trusting that nothing will now interfere with the passing of legislation so much needed by Philadelhia, I remain with regards,

Very truly yours,
(signed) RUDOLPH BLANKENBURG,
Mayor.

Mr. Speaker, I have also the communication from Mr. A. Merritt Taylor, the Transit Commissioner of Philadelphia, which was written to the Mayor of Philadelphia, and I ask leave to read this letter.

Philadelphia, April 28, 1913.

Hon. Rudolph Blankenburg, Mayor,
Philadelphia, Penn.

My dear sir:—As I stated in the conference held in your office this morning, I have very carefully considered the amendments made to Senate Bill No. 552 on third reading in the House of Representative on April 24th, and see no objection to them with the following exceptions:

1st: The proposed amendment to Section 3 in my judgment fixes too short a period within which work is to be started in all instances. Litigation or other delays over which a contracting party might have control whatever could arise to make compliance impossible. It had been my thought that this was among the several matters proper to be left to Councils to determine in authorizing the necessary contracts. Either the definite fixing of a longer period (say two years) or an exception to cover such unavoidable delays as I have referred to, would meet my objection.

2nd: There is a typograpical error in Section 8, 6th line. The word "county" should be substituted for the word "city."

As I have already indicated, I consider that there is nothing in any of these amendments, other than as above stated, detrimental to the interests of the City; or to suggest that the sponsors therefor have been actuated by any motive other than the City's interests.

Yours very ruly,
(Signed) A. M. TAYLOR,
Transit Commissioner.

It is therefore, Mr. Speaker, that I take this opportunity of calling to the House the fact of the impugning of the motives of this committee which we have established now by these letters and proven to be absolutely unfounded and which has in a sense been unpleasant to your committee and I think it only proper in view of the turn of affairs and in view of the communication from the Mayor and from the Transit Commissioner to say that our amendments are in the interests of the City and that the public press which has found fault with our work and has impugned our motives might give public retraction to the members of this House.

RECONSIDERATION OF VOTE.

Mr. FOSTER. Mr. Speaker, I desire to present a motion at this time.

The SPEAKER. The motion will be read by the Clerk.

The Clerk then read the motion as follows:

Moved by Mr. FOSTER that the vote by which House Bill No. 732, file folio 5341, entitled:

An Act to provide for the protection of insectivorous and fur bearing animals by fixing a season for trapping or killing the animal commonly called the skunk or pole cat and providing a penalty for violation of this act

was defeated on final passage on April 23rd, 1913, be reconsidered.

On the question,
Will the House agree to the motion?

Mr. METZENBACHER. Mr. Speaker, just a word to this bill. This bill was introduced at the request of a large number of farmers of this State. The skunk is considered one of the greatest insectivorous animals that we have. It destroys large numbers of white grubs and insects of all kinds, and the field mouse, which are the natural enemies of vegetation. Now, before introducing this bill I consulted Professor Surface, the State Zoologist, because I thought that he was a good authority along this line, and he gave it as his opinion that such a bill should be passed and that we should have had such a law before this time. It was he that prepared this bill, and it was Professor Surface that made the statement in the preamble to this bill, and he gave it as his opinion that that statement is true, and that he was not only willing, but that he desired the opportunity of appearing before the committee to which this bill would be assigned, and defend that statement

Mr. GRABE. Mr. Speaker, there are a great many of the members here that seems to take a measure of this kind as a joke. I want to say to you members that it it is not a joke. If you go home and consult your wives in reference to the potatoes that are ofttimes destroyed and are almost entirely unfit for use, they would convince you that a measure of this kind was not a joke. The skunk is the greatest friend that we have in reference to the white grub. If some of you would go back and cross some of the meadows in which those white grubs are working, you would soon be convinced of what that grub did for the want of the protection of the skunk that destroys this bug. I have seen some fields, pototo fields and meadows, almost entirely destroyed by these bugs, and you will not see that where the skunk has range of those fields. They take their broods and travel all night over these fields and live entirely on these varmints that destroy these plants. Now, I hope you men will not take this as a joke and will vote in favor of this measure.

The motion was agreed to.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Adams,	Foster, J. D.,	Lowers,	Sassaman,
Allen,	Frey,	Malie,	Savacool,
Baldwin, G. A.,	Geary,	Mather,	Schaeffer, A. C.
Baldwin, R. J.,	Gibson,	McAleer,	Schuck,
Barner,	Good,	McAllister,	Semmens,
Bass,	Grabe,	McCaig,	Shaffer, C. A.,
Benson,	Gramley,	McDermott,	Shaffer, I. E.,
Bergey,	Hackett,	McKay,	Showalter,
Berntheizel,	Hemminger,	Metzenbacher,	Smith, J. W.,
Bigger,	Herman,	Miller,	Smith, L.,
Bittles,	Hess,	Mitchell,	Snyder,
Blair, W. F.,	Hibshman,	Moses,	Spillinger,
Body,	Hobbs,	Moulthrop,	Stone,
Brosius,	Howard, J.,	Murphy,	Strauss,
Brownlee,	Howard, R.,	Musser,	Swift,
Burnett,	Humes,	Neely.	Thomas,
Caldwell,	Irwin, H. H.,	Newbaker,	Trach,
Campbell, C.M.,	Jackson,	North.	Ulerich,
Carson,	Jones, J. R.,	O'Neill,	Ulman,
Cheeseman,	Kaiser,	Peachey,	Walnut,
Cleary,	Kaufman,	Pennock,	Watson,
Cochran,	Keeport,	Perry, S. J.,	Wettach,
Conrade,	Kern,	Piper,	Whitaker,
Cox,	Kuhn, H. P.,	Post,	Whitman,
Currier,	Kuhns, E.G.M.,	Ramsey,	Wildman,
Dickinson,	Lanius,	Reese,	Williams,
Donnally,	Latshaw,	Rhoads,	Wilson, J. H.,
Down,	Lenker,	Richards,	Wiltbank,
Dunn, H. B.,	Leslie,	Robinson,	Young, G. K.,
Ely,	Letzkus,	Rockwell,	Zimmerman,
Fahey,	Lohr,	Rothenberger,	Alter,
		Runk,	Speaker.

NAYS—22.

Becker,	Flynn,	Mannion,	Morrow,
Benninger,	Gans,	Matt,	Newton,
Campbell, J.J.,	Geiser,	McArdle,	Price,
Davis,	Gransback,	McNichol,	Rex,
Ehrhardt,	Haggerty,	Mellott,	Sherwood,
Eichenberger,			Swartz,

The majority required by the Constitution having voted affirmative the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. CONRADE. Mr. Speaker, I move that the vote by which House Bill No. 1573, file folio 4425, entitled:

An Act to repeal an act entitled "An Act to prohibit the sale of intoxicating drinks in the townships of Ohio in the County of Beaver" approved the twenty-seventy day of March Anno Domini one thousand eight hundred and sixty-six in so far as the same applies to the Borough of Midland

on page two of Tues, April twenty-second's calendar, failed of passage, be reconsidered.

Mr. SPILLINGER. Mr. Speaker, I second the motion.

On the question,
Will the House agree to the motion?

Mr. G. A. BALDWIN. Mr. Speaker, I trust that this motion will not prevail. This is the so-called "Midland Repealer," repealing a special prohibitory law applying to Ohio Township in Beaver County, so far as that bill covers the Borough of Midland in Beaver. Last Tuesday, this bill came up and was decisively defeated, the vote being eighty-two members for and ninety-one members against the bill. Now, there has been no change such as would justify a change in the position of the House on this bill. Last week, I pointed out to you when this bill came up on final passage that a petition presented in behalf of the bill had been stuffed. I pointed out to you that eighteen of the people who signed that petition had signed it twice. I pointed out that one man had signed it no less than three times. I pointed out that four minors had signed the petition. I pointed out to you that twenty-eight non-naturalized persons had signed it and that thirty-six persons, non-residents of the borough, had signed it. Those statements have not been denied, so far as I know, and I challenged their denial. If they be denied, I can produce proof of their absolute truth. Gentlemen, I ask you to vote down this motion.

Mr. LETZKUS. Mr. Speaker, the petition that the gentleman from Beaver refers to is not the one that I spoke of last Tuesday when this bill was up. The petition that was signed by non-residents and non-naturalized citizens had one hundred and eleven names. The petition that I spoke of has a list of one hundred and sixty-seven out of one hundred and sixty-nine voters of Midland Borough thereto attached. One man, I think, has signed it twice. No doubt the petition was taken around by different people. Since that time I have had letters and petitions from the people of Midland Borough, asking this to go through. I have a letter here from the Council of Midland Borough, also from the School Board of Midland Borough, and from the merchants of Midland Borough, begging this House to pass this Midland Repealer. I would like to ask the gentlemen from Beaver, Mr. Swift and Mr. Baldwin, if they have not received a telegram from sixty-five of the most prominent merchants and professional men and business men of Midland Borough, in the past week.

I would like to ask that question, Mr. Speaker.

The SPEAKER. Will the gentleman from Beaver, Mr. Baldwin, permit himself to be interrogated?

Mr. G. A. BALDWIN. Yes, sir.

Mr. LETZKUS. Have you not received, in the past week, a telegram from the merchants, professional men, and also laboring men, to the number of sixty-five, asking Mr. Baldwin and Mr. Swift to support this "Midland Repealer?"

Mr. GEORGE A. BALDWIN. Mr. Speaker, I would say that I received and I believe my colleague Dr. Swift received a telegram purporting to be signed by a number of people of the Borough of Midland. I did not count them, nor did I check up these names with the voting list.

Mr. LETKUS. Mr. Speaker, for the benefit of those members who were not here when this bill was defeated, I want to say that ninety-eight per cent. of the people of Midland Borough signed this petition for this repealer, and I think this House is justified in granting this repealer to the people. The conditions were explained to the gentleman why they wanted this repealer and I ask the members of this House to vote for this repealer and grant these people their request.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny (Mr. Letzkus).

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. LETZKUS. Yes, sir, Mr. Speaker.

Mr. GEORGE A. BALDWIN. Mr. Speaker, the gentleman has stated that ninety-eight per sent. of the citizens of Midland Borough signed the petition.

Mr. LETZKUS. Mr. Speaker, the voters.

Mr. GEORGE A. BALDWIN. Mr. Speaker, to which petition does the gentleman refer?

Mr. LETZKUS. Mr. Speaker, the one with one hundred and sixty-seven names on.

Mr. GEORGE A. BALDWIN. Mr. Speaker, when was that petition circulated?

Mr. LETZKUS. Mr. Speaker, it is not dated, but here is the affidavit that is annexed:

State of Pennsylvania, County of Beaver, ss:

Personally appeared before me a, Notary Public, in and for the County and State, residing in the Borough of Midland, Charles McNeill, who being duly sworn according to law, deposes and says that the hereto subscribed names are qualified citizens of the Borough of Midland.

CHARLES McNEILL.

Sworn and subscribed this thirteenth day of March, 1913, before me,

W. K. HART, JR.,
Notary Public.

My Commission expires at the end of the next session of the Senate.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I would ask the gentleman if that is the same petition that was filed with the Law and Order Committee?

Mr. LETZKUS. Mr. Speaker, yes, sir; both the petitions were filed with the Law and Order Committee.

Mr. GEORGE A. BALDWIN. Mr. Speaker, these are the same petitions to which I referred last week and have compared the petitions with the voting lists, of which I hold a copy in my hand, taken from the records of the Commissioner's Office. I found this doubling of names, this signing of unnaturalized persons and by non-residents of the borough, checking it up with the voters' list, I found only fifty-seven on it who are actual voters of the borough, entitled to be on it; so I deny that any such per cent. have signed or would sign a petition of this kind.

Mr. SPEAKER, while I am on my feet I want to call the attention of the members of the House to the fact that the people of Ohio Township, outside the Borough of Midland, have not been consulted in the matter at all, by the gentlemen who are pushing this bill, and they are vitally concerned with the legislation. The prohibitory law covers the whole of Ohio Township and I do not hesitate to say to you Mr. Speaker, and members of this House, that if this proposition were submitted to the people of Ohio Township as a whole that they would vote it down by a two to one vote

Mr. LETZKUS. Mr. Speaker, this petition is sworn to and if the the gentleman from Beaver wants to he can prosecute the signer for perjury if it is not correct. This petition is not the petition with the unnaturalized citizens on. I did not quote that in my address to the House in behalf of the Midland bill. I just quoted the petition with the one hundred and sixty-seven names on out of one hundred and sixty-nine voters of Midland Borough.

On the question,

Of the adoption of the motion to reconsider,

The SPEAKER declared himself in doubt.

Whereupon a rising vote was taken, eighty-four voting in the affirmative and sixty-seven in the negative, and the motion was agreed to.

On the question recurring,

Shall the bill pass?

POINT OF ORDER.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. GEORGE A. BALDWIN. Mr. Speaker, this bill is special legislation and unconstitutional within the meaning of Article three Section seven of the Constitution. Next to the last paragraph of this section provides:

"Nor shall the General Assembly indirectly enact such special or local law by the partial repeal of a general law; but laws repealing local or special acts may be passed."

Now, Mr. Speaker, this special prohibitory law was enacted in 1866, prior to the adoption of the Constitution. The special prohibitory law covered the whole of Ohio Township. The Borough of Midland was carved out of Ohio Township six years ago. It is therefore incompetent for the Legislature to repeal that special prohibitory law as to any part of the territory covered by the original bill for the reason that new prohibitory territory would thereby be created.

In the case of Irwin et al vs. McCallum, Twenty-eighth Pamphlet Laws page 322, and in the case of Rassau vs. Vampbell, Fifty-ninth Pamphlet Laws, page 210, in my judgment this has been settled. In the case that I have referred to a special prohibitory law was passed in relation to Wilkins Township, in Allegheny County. afterwards by authority of the Court of Quarter Sessions, Sterritt Township was carved out of what was originally Wilkin's township. The Treasurer of the County granted a license in Wilkins Townships and the question was whether or not the prohibitory law applying to the whole of Sterritt Township had been impliedly repealed by the order of the Court of Quarter Sessions of Allegheny County incorporating the new township. The Court ruled, that was not so repealed.

Now, Mr. SPEAKER, the case presented here is one "on all fours" with these Allegheny County cases. I think by making an illustration that I can make it plain to every member of the House, whether he is a lawyer or not.

It would certainly be plain to you that it would not be constitutional to repeal this special law applying to Ohio Township, for instance, so far as it might apply to the farm of John Smith, located in that township. It could not be repealed as to one of the wards in the Borough of Midland, if as a matter of fact that borough, be dividided into wards. A special act could not be passed here repealing this special prohibitory law, for instance, as to the land on which a certain hotel in the town of Midland is erected. And by the same reasoning and by the same authority, no special law can be passed repealing that special prohibitory law as to any part of Ohio Township. It must be either all or nothing. I submit, Mr. Speaker, that this bill is unconstitutioned.

The SPEAKER. The Chair is of the opinion that the point of order is well taken, but in view of the uniform practice of submitting constitutional questions to the House, the question will be so submitted.

And the question is,

Shall the point of order be sustained?

The yeas and nays were required by Mr. GEORGE A. BALDWIN and Mr. SWIFT.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—89.

Alworth,	Gray, Frank,	Matt,	Runk,
Baldwin, G. A.,	Hemminger,	McAleer,	Savacool,
Barner,	Herman,	McClintock,	Scott, S. B.,
Benson,	Hess,	McKay,	Semmens,
Bergey,	Hobbs,	Mellott,	Snaffer, C. A.,
Bittles,	Howard, R.,	Metzenbacher,	Shaffer, I. E.,
Blair, W. A.,	Humes,	Miller,	Showalter,
Blair, W. F.,	Irwin, G. C.,	Morrow,	Smith, J. W.,
Brosius,	Jackson,	Moses,	Smith, L.,
Brownlee,	Jones, E. E.,	Moulthrop,	Snyder,
Burnett,	Jones, J. R.,	Musser,	Stone,
Campbell, C.M.,	Kennedy,	Newton,	Strauss,
Carson,	Kern,	North,	Swartz,
Cheeseman,	Klepper,	Peachey,	Swift,
Claycomb,	Kuhn, H. P.,	Pennock,	Thomas,
Currier,	Latshaw,	Perry, H. L.,	Ulerich,
Donnally,	Lenker,	Post,	Walnut,
Dunn, H. B.,	Leslie,	Redfield,	Whitman,
Forster, I. G.,	Light,	Rex,	Williams,
Gibson,	Lohr,	Rhoads,	Wilson, J. H.,
Glenn,	Martin,	Rockwell,	Young, G. K.,
Grabe,	Mather,	Roney,	Alter,
Gramley,			Speaker.

NAYS—92.

Adams,	Ehrhardt,	Keeport,	Price,
Allen,	Eichenberger,	Kitts,	Ramsey,
Ambler,	Ely,	Kuhns, E.G.M.,	Reese,
Aron,	Ewing,	Lanius,	Richards,
Arthur,	Fahey,	Letzkus,	Robinson,
Baldwin, R. J.,	Flynn,	Lowers,	Rothenberger,
Bass,	Foster, J. D.,	Malie,	Sassaman,
Becker,	Frey,	Mannion,	Schaeffer, A. C
Benninger,			Schuck,

Bigger,	Gans,	McAllister,	Sherwood,
Body,	Geary,	McArdle,	Speiser,
Brown,	Geiser,	McCaig,	Spillinger,
Campbell, J.J.	Goss,	McDermott,	Steedle,
Carter,	Gransback,	McNichol.	Stein,
Cleary,	Gray, Joseph,	Missimer,	Trach,
Cochran,	Hackett,	Mitchell,	Ulman,
Conniff,	Haggerty,	Moore,	Watson.
Conrade,	Hibshman,	Neely,	Wettach,
Cox,	Isler,	Newbaker,	Whitaker,
Curry,	Irwin, H. H.,	O'Neill,	Wildman,
Davis,	Kaiser,	Perry, S. J.,	Wilson, W. H.,
Dickinson,	Kaufman,	Peters,	Wiltbank,
Down,	Keegan,	Piper,	Young J. H.,
Dunn, J. A.,			Zimmerman,

So the question was determined in the negative and the point of order was not sustained.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas were taken.

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—94.

Adams,	Dunn, J. A.,	Keeport,	Ramsey,
Allen,	Ehrhardt,	Kitts,	Reese,
Ambler,	Eichenberger,	Kuhns, E.G.M.,	Richards,
Aron,	Ely,	Lanius,	Robinson,
Arthur,	Ewing,	Letzkus,	Roney,
Baldwin, R. J.,	Fahey,	Lowers,	Rothenberger,
Bass,	Flynn,	Malie,	Sassaman,
Becker,	Foster, J. D.,	Mannion,	Schaeffer, A. C.
Benninger,	Frey,	McAllister,	Schuck,
Bigger,	Gans,	McArdle,	Sherwood,
Body,	Geary,	McCaig,	Speiser,
Brown,	Geiser,	McDermott,	Spillinger,
Caldwell,	Good,	McNichol,	Steedle,
Campbell, J.J.	Goss,	Missimer,	Stein,
Carson,	Gransback,	Mitchell,	Trach,
Carter,	Gray, Joseph,	Moore,	Ulman,
Cochran,	Hackett,	Neely,	Walsh,
Conniff,	Haggerty,	Newbaker,	Watson,
Conrade,	Hibshman,	O'Neill,	Wettach,
Cox,	Isler,	Perry, S. J.,	Wildman,
Curry,	Irwin, H. H.,	Peters,	Wilson, W. H.,
Davis,	Kaiser,	Piper,	Wiltbank,
Dickinson,	Kaufman	Price,	Young, J. H.,
Down,	Keegan,		Zimmerman,

NAYS—90.

Alworth,	Gray, Frank,	Matt,	Savacool,
Baldwin, G. A.,	Hemminger,	McAleer,	Scott, S. B.,
Barner,	Herman,	McClintock,	Semmens,
Benson,	Hess,	McKay,	Shaffer, C. A.,
Bergey,	Hobbs,	Mellott,	Shaffer, I. E.,
Bittles,	Howard, J.,	Metzenbacher,	Showalter,
Blair, W. A.,	Howard, R.,	Miller,	Smith, J. W.,
Blair, W. F.,	Irwin, G. C.,	Morrow,	Smith, L.,
Brosius,	Jackson,	Moses,	Snyder,
Brownlee,	Jones, E. E.,	Moulthrop,	Stone,
Burnett,	Jones, J. R.,	Musser,	Strauss,
Campbell, C.M.,	Kennedy,	Newton,	Swartz,
Cheeseman,	Kern,	North,	Swift,
Claycomb,	Klepper,	Peachey,	Thomas,
Cleary,	Kuhn, H. P.,	Pennock,	Ulerich,
Currier,	Latshaw,	Perry, H. L.,	Walnut,
Donnally,	Lenker,	Post,	Whitaker,
Dunn, H. B.,	Leslie,	Redfield,	Whitman,
Forster, I. G.,	Light,	Reeser,	Williams,
Gibson,	Lohr,	Rex,	Wilson, J. H.,
Glenn,	Martin,	Rhoads,	Young, G. K.
Grabe,	Mather,	Rockwell,	Alter,
Gramley,		Runk,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. SHERN. Mr. Speaker, I desire to be recorded as voting "Aye."

Mr. GEORGE A. BALDWIN. Mr. Speaker, I object to the gentleman from Philadelphia recording his vote; he was not in the House when the roll was called. I challenge the vote.

The SPEAKER. Was the gentleman from Philadelphia, Mr. Shern, in the House when his name was called?

Mr. SHERN. Mr. Speaker, no, sir.

The SPEAKER. Then the callenge will have to be sustained.

SPECIAL ORDER.

The SPEAKER. The hour of ten o'clock having arrived, the Chair lays before the House as a special order business House Bill No. 138, file folio, on final passage.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1348, entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

On the question,

Shall the bill pass?

Mr. BENSON. Mr. Speaker, in order to be as brief as possible I have typwritten what I have to say on this great question.

This bill calls for an amendment to the Constitution providing for the Initiative and Referendum.

The proposed amendment is the work of the Hon. William S. U'Ren, and Judson King, Secretary of the National Referendum League. It follows the Aregon plan but is modified from the original plan, as time and experience have shown to be necessary for the best results, both to the State and to the people. It provides for the direct initiative by which 50,000 legal voters may propose a law or constitutional amendment to the people by filing a petition with the Secretary of the Commonwealth four months before the general election. It provides for the indirect initiative by which 5,000 legal voters may propose any measure to the legislature. Such measure may then get all the discussion and wisdom the legislature has to give, and if the people are satisfied with the legislative action, then the end is accomplished, but, if the legislature refuses to act or enacts the bill in an abortive and worthless form, the people can, by an additional petition of 30,000 legal voters, have the original proposed measure brought to a vote of the people, or, if any improvements have been proposed in the legislature, or any better substitutes for the whole, after the debates thereon has been defeated, this better form can be initiated.

The referendum is provided by petition of 30,000 legal voters.

The initiative and referendum are reserved for the people of their respective municipalities, counties and districts, in and for their local affairs, and the measures petitioned for by the people are voted upon at the regular general elections except when the legislature or the Governor order special elections. This proposed amendment is without jokers, and will be of value to the people because it is beyond their reach to operate, but it is sufficiently difficult and well enough protected to prevent the submission of any question for which there is not a well-grounded and respectable demand. The people need the initiative and referendum as the quickest means by which they can overthrow a corrupt political machine which disgraces our State. By the initiative they can pass any law they want and by the referendum they can veto any law they do not want, and this is a deadly peril to the machine and to the representative who is really a representative of corrupt special interests, while it is a shield to the representative who really at heart represents the people.

The initiative and referendum comprise the quickest, most direct, adequate, available means by which to put an end to corrupt machine politics, and to overthrow the baleful influence of the political machine. Oklahoma, Oregon, California, Washington, Arizona, Utah, Colorado, Montana, North Dakota, South Dakota, Missouri, Arkansas, Nebraska, Wisconsin, Ohio and Maine have adopted the initiative and referendum.

Oregon could never get a corrupt practices prevention act that was efficient until Oregon had the initiative and referendum nor could they get a proper direct primary or other needed statutes.

The only argument against the initiative and referendum proceeds from a common basis. The distrust of the people; the lack of confidence in the people for self-government.

Pennsylvania has been disgraced already too much by machine politics, and it is due time that she was setting her face toward the rising sun.

The late Professor Frank Parsons has probably best stated the reasons for the initiative and referendum, which are as follows:

"I. Is essential to self government.

2. Destroys the private monopoly of lawmakers.

3. Is a common sense application of the established principles of agency.

4. Will perfect the representative system.

5. Is immediately and easily practicable.
6. Makes for political purity.
7. Kills the lobby.
8. Makes it useless to bribe legislature because they cannot deliver the goods.
9. Attracts better men to political life.
10. Simplifies elections.
11. Simplifies the law.
12. Lessens the power of partnership.
13. Elevates the press and the people.
14. Stops class legislation.
15. Opens the door of progress.
16. Is widely conservative.
17. Works an automatic disfranchisement of the unfit.
18. Tends to stability.
19. Is a safety valve for discontent.
20. Is in line with the general trend of modern political history throughout the world."

Perhaps no other subject, likely to be presented to this House, is so unreasonably opposed as is the initiative and referendum. This subject can no longer be regarded as the dream of the visionary, or proclaimed a dangerous or hazardous experience. It is well tried and thoroughly established principle, endorsed by the greatest students of the science of government. It can not be regarded as an attach upon the principles of representative government, but rather a balance-wheel, attached to the operating machinery of representative government, used for the purpose of enforcing the will of masses, and compelling those clothed with delegated power and authority to truly represent their constituents. It is not for the pur pose of hindering or delaying the work of legislation, but rather to quicken it to action by compelling the legislative bodies to be responsive to the public demand, was contemplated by those who clothed them with representative and delegated authority. They who seem to think that the machinery to be provided by this remedy will of necessity be cumbersome and impractical, will, in due time, change their minds, and will be forced to admit that it is the most perfect, accurate and speedy legislation that has even been enacted. They will learn that there will be fewer pigeon holes in committee rooms used to thwart the will of the people. They will realize that when the people speak, it is their duty and privilege to sit up and take notice. Before this law, the boss and his bribery, the faithless official and corrupt politician, the giver of bridges, the political grafter and the weakling, together, will disappear as the frost before the morning sun, while, in triumph, the banner of Pennsylvania will float higher and higher under the very Heaven of man's perfect destiny, as it proclaims to the men and women of all climes that we are secure as freeman, because our fathers established this Democracy, this asylum for the oppressed, upon the rock of representative government, supported, maintained and perpetuated by the doctrine of the initiative and referendum.

Mr. SPEAKER. I wish to ask every member of this House who really believes and who wants in reality a Government of the people, for the people and by the people, to support this bill.

Mr. R. J. BALDWIN. Mr. Speaker, I don't know whether the House cares to have anyone take up much time in discussing this proposition. Very much to my surprise, this bill passed second reading a few days ago, without any comment. Very much to my surprise, this bill was considered about one-half a minute in the Committee on Constitutional Reform. The reason this surprises me is because this is a proposition that strikes deep down into the fundamental principle of this Government. It is well known to every student of history that there had been attempts many, many times to establish the Republican form of government, but in every instance, they had been failures. There is not an instance in history prior to the establishment of this government or any government of any magnitude, which survived when there were attempts to establish what is known as a Republican form of government,—in other words, a Democratic form of government. There is a vast difference between a democracy and a republican form of government . A democracy means, or at least is so understood by students of history, to mean a government carried on directly by the vote of the people. A representative form of government is that where the people delegate the powers of administering national affairs to those whom they feel confident to perform those duties. Now, while this bill is called the "initiative and referendum"—they are words that they juggle with—sheared of those high—sounding names they simply mean this: Is it wiser for the people to legislate directly on all affairs of Government, or is it wiser to delegate those powers to certain individuals whom you may feel as more competent to undertake to pass legislation and administer the affairs of State by the direct voice of the people? Now, the "initiative and referendum," so-called, is not a new proposition. It was in operation and tried out before the United State was on the map of the world. Certainly, this House is not going to vote blindly upon a measure of this character, which affects the very fundamental principles of this government. When we stop to think that these principles were worked out after the deepest and most careful thought of the best men that the world had ever produced up to that time;monarchial forms of government and oligarchies and pure democracies had been tried; pure democracy had been demonstrated to be a total failure when it came to dealing with large communities. A pure democracy is all right in a very small community, but it is an utter failure when applied to a large territory and large numbers. I have something that I want to read to you, prior to my remarks on the question. I feel this is a question that cannot be disposed of in one night's discussion on intelligently. The subject is so broad and so deep and so far-reaching in its effects that I want to say that I do not, in any sense, feel competent to deal with it as broadly and as intelligently as it should be dealt with before the great Legislature of the State of eight millions of people should decide to cast their vote against our present system of government. It might be well to inquire into this proposition was first in operation what the effect of it was, what the conditions were, and where it is now in operation. Back in the sixteenth century, in Larned's Ready Reference, a sort of political encyclopedia, I find that J. M. Vincent, writing on state and federal government of Switzerland, has this to say:

"A popular vote under the name Referendum was known in the valleys of Craubunden and Wallis as early as the 16th century. Here existed small federations of communities who regulated certain matters of general concern by means of assemblies of delegates from each village. The conventions were not allowed to decide upon any important measure finally, but most refer the matter to the various constituencies. If a majority of these approved, the act might be passed to the next assembly. This primitive system lasted till the French invasion of 1798, and was again established in Braubunden in 1815. The word Referendum was also used by old federal diets, in which there were likewise no comprehensive powers of legislation. If not already instructed the delegates must vote 'ad referendum' and carry all questions to the home government. The institution is now known is a product of this century. It originated in the canton of St. Gallen in 1830, where at the time the constitution was undergoing revision. As a compromise between the party which strove for pure democracy and that desiring representative government, it was provided that all laws should be submitted to popular vote if a respectable number of voters so demanded. Known at first by the name veto, this system slowly found its way into several of the German-speaking cantons, so that soon after the adoption of the federal constitution five were employing the optional referendum. Other forms of popular legislation were destined to find wider acceptance, but at present, 1891, in eight States including three of the Romance tongue, laws must be submitted on request. The usual limit of time during which the petition must be signed is 30 days." And so forth, "some states provide that in connection with the vote on the bill as a whole, an expression may be taken on separate points."

I read that simply to convince the House that this is not a new proposition by any means, but has been tried and has been used, not where there was a sovereign government, such as there is here, now, at this time, but where conditions existed similar to those at the time of the confederation.

Now, the point I desire to make and want to impress on the House is this: The friends of this proposition hold that it will remedy the ills that exist in a representative form of government. What evidence have they to offer that this is true? None whatever, where tried in a government of the size of Pennsylvania, much less than in one as large as this national government. I hold that this will be a weapon that can be used with just as much force and with a very

great danger to the public peace and the public good than it will be for the benefit of the people at large. If a political party or a political organization be so strong that it can nominate a man who represents it in the State government, can elect its Chief Executive, why will they not control by ballot the legislation that may come before them? I don't see how any person can conclude that a political machine will not do this that is powerful enough to control a State in its election of individuals, where the individual voter will be much more capable of solving simple propositions of whether Brown is a better man to represent their district than Jones. If the public can be deceived, as the friends of this resolution hold, so as to bring about a misrepresentation of the people, how much more easy it will be for the people to be deceived when it comes to vote upon legislation. On that point let me say that so far as the initiative is concerned, it certainly looks foolish to every member of this House to say that it needs fifty thousand signers to introduce a bill in this Legislature. Why, it don't rise to the dignity of receiving an answer! If there is any man in this House who feels that is necessary to get fifty thousand signatures to introduce a bill in the Legislature of Pennsylvania—I don't like to call any member of this House hard names—but I do think, he must be a fool. My observation is that so far as the initiative is concerned, if there is any legislation at all desired, it is to restrict the initiative and not encourage or advocate it. Four thousand initiatives, nearly, have been introduced in this House; then why the necessity of the initiative.

Now, when I say to you that this proposition can be used with as much force by the so-called trickster or political ringster, I can point to history and prove my statement. I want to say to you that in the history of France the so-called referendum was in operation and it was put in operation for what purpose? It was put in operation for the sole purpose of giving upon its face an apparent endorsement of the people for a corrupt government, known at that time as a Plebiscite. Let me see what the historian says on that question. A. V. Dicey writes in this same history:

"A plebiscite is a mass vote of the French people by which a Revolutionary or Imperial Executive obtains for its policy, or its crimes, the apparent sanction of condonation of France. Frenchmen are asked at the moment and in the form most convenient to the statesmen, or conspirators who rule in Paris, to say 'Aye' or 'No' whether they will or will not, accep the given Constitution or a given policy. The crowd of voters are expected to reply in accordance to the wishes or the orders of the Executive and the expectation always has met, and an observer may confidently predict always will meet ,with fulfillment. The plebiscite is a revoluntionary, or at least abnormal proceeding. It is not preceded by debate. The form and nature of the question to be submitted to the nation is chosen and settled by the men in power. Rarely indeed, when a plebiscite has been taken, has the voting itself been either free or fair. Taine has a strange tale to tell of the methods by which a Terrorist faction, when all but crushed by general odium, extorted from the country by means of the plebiscite a sham assent to the prolongation of revolutionary despotism. The credulity of partisanship can nowadays hardly induce even imperialists to imagine that the plebiscite which sanctioned the establishment of the Empire, which declared Louis Napolon president for life, which first resestablished Imperialism, and then approved more or less liberal reforms, fatal at the bottom to the Imperial system, were the free, deliberate, carefully considered votes of the French nation, given after the people heard all that could be said, for and against the proposed innovation."

There was your so-called referendum put in operation, where the population was great in number, and where the territory affected was wide; and it was used just exactly as I have suggested and as it will be used again, if you put it in operation. Why the man who thinks that the men in public life who have their political life at stake will not resort to any legal method that the opportunity affords to sustain their position and their political life, certainly must be a foolish man. Any man who believes that the people en masse will have more intelligence will give more thought to statutory law, than the legislative body, or as it is now considered under our form of government, certainly must be mistaken beyond a question. If this proposition—and I want to read to you just what this bill really says, as in my judgment it goes farther than any initiative or referendum laws of any State in the Union—this bill provides that not only can you pass statutory law, irrespective of the consideration of the Legislature, or the Attorney General, or the Governor, but it provides that you can change the constitutional law of this government by one presentation to the people and one single vote. Will this Legislature suggest that the Constitution of this State be amended so that such a thing as that can occur? Don't the members of this House appreciate that in all human probability no republic of the magnitude of the United States could ever have survived these one hundred and twenty odd years had the framers of the Constitution believed in the direct voice of the people in all the branches of this government? When the framers of our Constitution were wrestling with the form and fundamental principles or laying down the foundations of this government, which contained less than one-third or about one-third the population of the State of Pennsylvania, the population of the United States at the time the Constitution was framed numbered less than four million of people. It was the belief, and the strong belief, of those who took part in the great National Constitutional Convention that a Republican form of government could not exist and that it would be a mistake upon the part of the framers to attempt to do it, and they were reinforced in that opinion, because the Confederation was an admitted failure. But fortunately for the people of the time and the people of the future, there were men in that Constitutional Convention who had studied the question of government, so far as it was laid down in the histories, the histories extant; they had studied the question with most careful and deep thought, careful comparison, and they suggested there in that convention, the men whose names have gone down in history, men like Madison, Jefferson, Hamilton, Pinkney and names that will never be forgotten, it was suggested that the thought that a Republican form of government would be a failure was a mistake. It was true, they admitted, that a true democracy had always failed. It was true they admitted that a monarchial government, while strong and had survived, yet it led to oppression of the people and became corrupt, and the suggestion was made there and then, and it was pressed to a successful issue, that the people would be intelligent enough to name representatives, that they should be named for short terms, which was equivalent to the recall. If a member of the legislative body be derelict or incapable or not intelligent enough to perform the duties for which they elected him, they could send another in his stead and the men they suggested, they are the men who carved out this Unian and made it what it is to-day and there is not in the histories of the world, nor there is not on the map of the world a government that has given to the masses the opportunities of life, liberty, their own religion, or pursuit of happiness and the opportunity to accumulate enough of the world's goods to live comfortably; and you can lay every particle of that success to the great thought that was thrown into that body, that we tried what has never yet been tried, and that is, a Republican form of government and not a pure democracy. As to this proposition, now every man is acquainted and knows the checks and balances in addition to the indirect manner of legislating on the part of the people, that not even then were they satisfied.

They said we will elect the executive of this great government every four years. We will elect the House every two years, and the various States of the Union have followed that proposition. And above that recollect that immediately after this bill, comes the question of the recall of the Judiciary, which amounts practically to the same proposition. Now the thought in the minds of the men who framed that government was that notwithstanding that they gave the people the right to name these different legislative and executive bodies, they thought it wise, in so far as the national government was concerned at least, that the other division of government, the judiciary, the people shall not vote upon at all. The thought that goes all the way through the minds of those men was, and they so stated—if I only had the time to read. I could read what all the men who were the framers of that Constitution—that the main thought that was running through their minds all the time was that the people would act hastily, without thought and without that consideration that would be so vitally essential to the stability of a great government, and following out that line of thought, they did these very things I have suggested. In this State of ours we elect the lower branch every two years; we elect the other branch every four years; we elect the executive every four years. We give to the executive a large degree of appointing power, and

over and above that we elect the Supreme Court of this State for twenty-one years. If this resolution is correct in principle, then you should wipe away all the different periods of election. If I were to make one first move towards changing our present system, leading back to a more direct voice of the people, it would not be through the initiative and referendum and recall, but it would be gradually shortening the terms of the longer term offices which would accomplish the same purpose. If the initiative, referendum and recall is correct, then why not go directly in a much shorter way and pass some legislation, or amend the Constitution, that each and every branch of our government, the legislative, and executive, and judiciary, should be elected every two years. If that be not satisfactory, then elect them every year. There is only one way I have of judging whether a proposition is a good one, or a bad one, and that is to judge whether it has been a success or whether it has been a failure. They tell us that in some of the Western States they have this proposition. Perhaps the thought has gone through your mind why this proposition comes from out of the West. It went through my mind. It led me to inquire. It didn't come from the Eastern States. It was discussed throughout the Eastern States, but never took root. It was discussed through the Western States. It was agitated through the Western States and why? If you will examine the census of the Western States, and examine the nationalities of the different foreign elements that are peopling these Western States, you will find that a very large part of them come from that part of Europe where this law was in operation. It has been said that a little learning is a dangerous thing. They come to this country of ours, and like all other men, there is something back home that looks good to them, while they come here because they heard it was a better country to live in, and the opportunities were greater, and the degree of liberty was larger, yet they thought they could improve upon it by introducing the initiative, the referendum and the recall. They do not understand, they do not understand really the fundamental principles of this government, nor its magnitude, or they never would have suggested it. I want to say to this House that if that proposition goes on to the statute books, or is engrafted upon the Constitution of this State, if the conditions in the West are duplicated in ratio here in the State of Pennsylvania, it will take five millions of dollars every year to advertise the proposed legislation. Am I overstating the fact? Why we will have statutes offered to us through the initiative and referendum that will cover pages. That resolution if passed by this House, it is true, it will have to be advertised twice, but if we are guided by what has occurred in the past, it will cost over one hundred and fifty thousands of dollars to this State to advertise it. Now no man would suggest that a statute should be presented to the people that has not been advertised—he certainly would not. It is true that this resolution does not absolutely require it, but nobody has ever suggested yet that a proposition should be submitted to the people to vote upon that was not advertised. A Congressman from South Dakota speaking the other day in Congress (I think his name was Crawford) held up in the United States Senate the ticket to be voted upon in his State. It was six feet long and ten inches wide. It is true that the population of South Dakota does not amount to but five to each square mile, and it is also true that in the State of Pennsylvania it amounts to over 171 to the square mile. It is true that such a law in a sparsely settled community where there are not such a multitude of vexatious proposition with counter effects and complex propositions where a piece of legislation may be beneficial to one community and very detrimental to another. How is it possible my friends to put a proposition of that character up intelligently before the men who are going to pass an opinion upon it. There is no member in this House who does not know that numbers and numbers of times he has very strong convictions that a piece of legislation is exactly correct and would be beneficial for his particular community, but when he gets down into the committee and when the gentleman from Crawford County, and the gentleman from Delaware, and another from Erie and another from Greene, and so on, and those twenty-five different counties come together and look at that piece of legislation, it convinces you the proper thing to do is to consign it to the waste basket. In my ten years of experience in this House that has not only occurred once but many times to my own personal experience. If we want placed upon the statute books a hodge podge bunch of enactments that may crucify one community and be beneficial to another, it is to present this proposition to the eight millions of people of the State of Pennsylvania whose conditions are so dissimilar that unless you have some representative from that particular locality you may place upon your statute books some legislation that would be a great hardship to that particular community. I see that most all of you have made up your minds how you will vote on this bill, and I am not going to tire you, and I do not want to tire the House, but this, gentlemen of the House, is dealing with the fundamental principles of this government, and there is no question that will come before you that needs so serious consideration nor that has such a far-reaching effect. This is not one of those blunders that we make when we pass a statute when in two years it can be changed, but if this proposition be placed on the statute books thoughtlessly, because if it is placed there at all it will be thoughtlessly, I felt that it was my duty to raise my voice in protest—whether it will have any effect I know not—but I do think we can well afford in the State of Pennsylvania—a State that has grown and prospered as but few States in the Union have, and as no other government of eight millions of people in the world have—it certainly is the part of wisdom to let this proposition wait a little while. My friend has told you of the different States that have adopted it. Some of the latter States come a little nearer being a parallel to our State. Those sparcely settled communities of the Western States—they have had this law in operation some of them fourteen years, but very few of them, but from some of them in that country comes the cry that it is burdensome and does not work out as they supposed it would. I want to say that the historian that I read an article said that right there, where the proposition has been in operation for decades and decades there is much dissatisfaction, and they think that the representative form of government is far superior. I think we ought to defeat this measure, and wait until we get further light. If Pennsylvania continues to go on further as in the past 125 years, certainly the people of this State ought to be satisfied and notwitstanding all the cry that has been raised we have excelled all other eight millions of people with all of our defects, and it seems to me that the part of wisdom demands that we should defeat this proposition and continue in the success that we have had in the past one hundred and twenty-five years.

Mr. HUMES. Mr. Speaker, like the gentleman from Delaware. I love the grand old State of Pennsylvania; and like the gentleman from Delaware. I love the people of the grand old State of Pennsylvania but, Mr. Speaker, unlike the gentleman from Delaware, I have faith and confidence in the people I love, and it strikes me that it is not fitting that the gentleman from Delaware, after having a few weeks ago, displayed his lack of confidence in the people of this State by opposing an amendment to the Federal Constitution which would permit them to elect their United States Senators, that he should tonight oppose this amendment to our own constitution that would entrust to the people of the State the same control over their own destinies and their own laws. The gentleman has said this is not a new proposition; it has been in vogue in these United States and in this State and other states for many years. It has been a part of the Constitution of the nation, of every state in the nation in so far as Constitutional amendments were concerned. That is the referendum feature of this amendment and, to a limited extent, the initiative feature has been a part of the federal constitution, although the initiative was the initiative of the State Legislature rather than the vote of the people themselves. It strikes me that the most commendable words that can be uttered in behalf of this is the declaration of the gentleman from Delaware that the people of the Western States, who are rallying about this great safeguard, come from the nations across the water where this is a part of their national law. I believe that those people who have lived under this system on foreign soil might well be able to judge as well as those of us who have not had a similar experience. The gentleman complains of the legislation that would be produced through this law, but I want to call your attention to the fact that the greatest safeguard that this resolution could furnish to the people, or that could be made to furnish to the people, is the provision that no law becomes operative until ninety days after its enact-

ment. During that ninety days, the people of the State have an opportunity to know what their legislators have done and, Mr. Speaker, if that was a part of our fundamental law today this Legislature and this Commonwealth would not be placed tonight in the ridiculous position of having upon its statute books a law providing for the appointment of tax collectors in certain counties of the State that never passed the Legislature because of the changes that were made in the printing of it at various times and the bill, as finally passed, never passed third reading in the two Houses. If the people of this State had the opportunity of ninety days after the law was signed by the executive, to consider the practices that accomplished its enactment, I believe they would be protected from its provisions. There are many features of this bill that we might discuss and, as the Gentleman from Delaware has said, it would take a great while to discuss it thoroughly but it has been on our calendar for a long time and I believe that we are all familiar with its provisions and I believe that we need not discuss it in detail or at any great length. I will call your attention to one fact that you all know. You know that this Legislature and every Legislature is at times, sometimes at many times, pestered by the lobbyist and the representative of the special interests, here, to seek special favors for himself or for those who employ him. I want to say that if before any of the legislation which is stolen from the State of Pennsylvania or from its legislative body through the tactics of the operation of the lobbyists of the special interests had to be submitted to the people of the State, advantage could be realized and all corruptionists would disappear as has been very aptly illustrated by one of the authorities of this State on this subject. If the burglar that breaks into your home in the darkness of the night, after gathering the jewels and silverware preparatory to departing with his loot, with your property and your rights and the rights of your family and was compelled to arouse the entire household to submit to them, by referendum, the question of as to whether or not he should profit by his theft and carry off the stolen property, burglary would be a thing of the past. So I say the enactment of this amendment itself would furnish all the security that would be necessary, and it would be seldom that people would be compelled to avail themselves of the opportunity to furnish it and its enactment would absolutely secure the people of this State from the corrupting things or improper things in the legislative halls or from any of the representatives of the special interests, no matter whether great or small. I think it is the duty of this House tonight to go on record in favor of this most progressive legislation.

Mr. MILLER. Mr. Speaker, after listening to the remarks of the gentleman from Delaware, one might suppose that this were striking at the very root and foundation of representative government. And after listening also to what he has told you, one might suppose that you are going to wipe away all of the legislative bodies in every state and throughout the United States or wherever a system of the initiative and referendum had been introduced or was about to be introduced in any Commonwealths of this nation. The question of the initiative and the referendum has been discussed so thoroughly within the past half decade that there is no need for a lengthly discussion this evening except the simple reference to get back and realize that we are not disturbing representative government at all. We are simply attempting to keep hold of representative government and bolster it up wherein it has fallen down. We are simply restoring the confidence of the people in representative government. There is nothing sacred, there is nothing divine in our constitution. The framers of the federal constitution drafted that in the light of the government as it was approved during that day. They drafted for a republican government as they conceived the thought in favor of the government existing at that time. The speaker from Delaware has very truthfully said that it is the new constitutions of the Western States which contain the demand for the initiative and referendum. Why? Because they are alive with the thought of the construction of governments. Because they see that since 1838, there has been in existence this system in Switzerland which has been in vogue to such an extent that they see its true benefits and its proper results by seeing it used in its proper manner. It is simply applying the principle of government of the people. It is simply making the agent responsible to the people. It simply says when a man is elected to office, he is not given absolute power to pass a law upon which no one can pass except the Supreme Court. And when the Supreme Court of the State of Pennsylvania passes upon the law it simply decides whether it is constitutional or not. It omits the larger fact of the question as to whether it is beneficial to the people of Pennsylvania from an economic standpoint, from a social standpoint or the things which are best for the people at large, aside from a constitutional question. The framers of the constitution of 1874 very properly said in Article one, section two, "all power is inherent in the people." That is all that this is doing. It is simply amending the section which says that the legislative power is resting in the General Assembly. There is not anything new in it. Why, we know that we have had this matter of referring constitutional amendments to the people since the Constitutional Convention of 1874. Let me point out the differance between that and the federal constitution to show you that the framers of the federal constitution in the light of their day, presumed in the referring of an amendment on the federal constitution to a vote of the people and which in order to be valid the amendment is to first be ratified by two-thirds of the Legislatures of those States and not by the people. The framers of the conomitted the matter of amending altogether. The framers of the Constitution in 1838 took up this question and while the framers in 1874 omitted the question of referring to the people altogether we find that this matter of referring the question to the people as it has gone into this republican form of government was when the constitution of 1838 came along and they inserted the Article bearing on the amendments of the Constitution similar to the ones we have in the Constitution of 1874. The matter of referendum is not a new thing at all. It is in the constitution and all that is to be accomplished in this amendment which we are considering this evening is to apply the matter of referendum to the States, by two-third of the Legislatures of the States, and then let there be a proper check in the hands of the people. We have the initiative which is meant to permit the people to exercise something which the Legislature or some Legislatures probably will refuse to do. It simply is exercising something to which the people have an inherent right and which inherently belongs to them. That is all there is to it. There is nothing awe inspiring about it. There is nothing awful or anything to be fearful of. It has been tried in other states in this nation; it has been tried since 1838 in this country. The people want it and there is no danger in passing upon it tonight and passing it in this House and then passing it in two years again and referring it to the people to see whether they want it and to see whether they want to exercise their inherent right and change the constitution, and then it will be in their hands if they so desire. Constitutions are not such a serious thing. In the new constitution of 1874 the framers clearly recognized that there was a necessity for change every twenty years and that the question of right as to a new constitution should be referred to the people. There was that feeling in that body. The feeling in that body was that they were creating a instrument for the present but something not to endure for all times but something that might change as conditions changed and in this convention they changed that recognizing that in twenty years would be the time in which whatsoever might want to be changed could be changed when it was deemed proper. In the light of present conditions and in the light of the new states that are in favor of this principle, why is it not proper that this amendment shall be referred to the people two years hence?

Mr. HERMAN. Mr. Speaker, I move the previous question.

The SPEAKER. The motion does not seem to be seconded by the required number.

Mr. R. J. BALDWIN. Mr. Speaker, I dot not like to take up the time of the House, but I so widely differ from my friend on the proposition that I would like to state it again to the House. I cannot understand why it is that those who are the supporters of this new idea continually say of those who take the position that I do that we are afraid to trust the people. Now that is a mistake. I think I have more confidence in the people than the gentleman who suggest that I am afraid to trust them. But I

would like the gentlemen who make that suggestion to consider the importance of the people's thoroughly and carefully, understanding a question before they express a voice on it. We all know and we know only too well that the people in haste do foolish things, and there is no denying it. Everyone of us knows it, and the proposition of whether the handling of the government daily as propositions arise shall go over into the hands of the people, or whether it is wiser to delegate someone to perform that duty is the whole and only proposition that is under consideration, because every man in this House knows as well as I do that the great mass of our people are too busy attending to their daily affairs to give the question of statutory law or constitutional law or the administraion of public affairs any servious consideration. And there isn't a member of this House who does not know that this body, the chosen few of eight millions of people, does not give very serious consideration to the propositions that we pass over to the other side. And if we, the selected two hundred and seven, won't do it, do you expect better consideration and more wisdom to be shown when the masses undertake to deal with statutory law? Now, there isn't one of you thinks so. It is not the distrust of the American people to do what is right that I suggest. I know as well as any man on the floor of this House that when the American people can see clearly and plainly a proposition, no man need fear the result, and no man does fear it less than I do, but I know down to the present day that the records show that more men are lynched in the United States annually than are legally executed, and in not one single instance would it occur if they didn't in a fit of passion do that which perhaps the rest of their lives they will regret. "There is nothing new in this proposition," my friend says. Why, there is everything that is new as compared to our form and principal of government. It does go down to the very bed rock of our principle of government, and I am surprised to hear the gentleman say that the framers of the Constitution had only in mind the conditions of their time when they decided that we should have a representative form of government, with its checks and balances. I didn't intend to tire the House with the remarks of some of those men, but since the statement has been made, I will show you exactly what they said and what they thought in some of those statements. I have here the opinions of some twenty-five of the men who helped to frame the Constitution. I will read only two or three of those statements. I will say that they contain exactly the same thought and the same suggestion that all of them had. I will begin with Madison. The statement was made; now, here is a complete answer. If you listened to the statement, I should think you would like to have the answer. No man took a larger part, no man took more responsibility in the framing of our national Constitution than James Madison, and this is the thought he had in mind when they were arguing this very proposition that we are arguing to-night. This is the way he expressed himself:

> But the most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are cerditors and those who are debtors fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests, grow up of necessity in civilized nations and divide them into different classes, actuated by different sentiments and views. The regulation of these various and interfering interests forms the principal task of modern legislation and involves the spirit of party and faction in the necessary and ordinary operations of government.

Isn't that the thought to-day? For those reasons given by the statesmen who framed the Constitution, they decided posiively and agreed unanimously, and every one of the thirteen States, I believe, with the exception of one, after arguing it out in their constitutional conventions, all agreed that the wise policy and the only form of government, was the representative form. This proposition means not representation, not a government by representation, but a pure democracy by the voice of the people. That proposition says that the people can vote directly for legislation, without the signature of the governor, without the opportunity of an amendment, without the opportuniy of debate and discussion to amend. You take a measure as it is presented to you. Has there a bill been presented to this House this session, drafted by any man—some of the wisest men in the State have drafted bills and sent them to this House—and has there a single one of them, even the smallest, gone through without some amendment arising from suggestions that came when the conflicting interests came in contact. And here are seven millions of people who are going to legislate directly without the opportunity of amendment, without the opportunity of correction, without the opportunity of two different bodies, without the opportunity of the Attorney General to correct; and make that the statute law of the State of Pennsylvania. That is exactly what that proposition is, and I want to say it is monstrous, when you try to thrust it upon seven millions of people, with their diversified interests. I do not think the bill ought to pass. It is dangerous and ought not to pass.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

The SPEAKER. The roll will be verified.

The roll was verified and was as follows:

YEAS—136.

Adams,	Geary,	Leslie,	Rex,
Allen,	Geiser,	Light,	Richards,
Alworth,	Gibson,	Lohr,	Robinson,
Baldwin, G. A.,	Glenn,	Lowers,	Rockwell,
Barner,	Good,	Malie,	Runk,
Becker,	Goss,	Mannion,	Sassaman,
Benninger,	Grabe,	Martin,	Savacool,
Benson,	Gramley,	Mather,	Schaeffer, A. C
Bergey,	Gray, Frank,	Matt,	Scott, S. B.,
Bigger,	Gray, Joseph,	McAleer,	Semmens,
Bittles,	Haggerty,	McClintock,	Shaffer, C. A.,
Blair, W. A.,	Heidinger,	McDermott,	Shaffer, I. E.,
Blair, W. F.,	Hemminger,	McKay,	Showalter,
Body,	Herman,	Mellott,	Smith, J. W.,
Brosius,	Hobbs,	Metzenbacher,	Smith, L.,
Brown,	Howard, R.,	Miller,	Spillinger,
Browniee,	Humes,	Morrow,	Steedle,
Caldwell,	Isler,	Moses,	Steele,
Campbell, C.M.,	Irwin, H. H.,	Moulthrop,	Stein,
Campbell, J.J.	Jackson,	Murphy,	Stone,
Carson,	Jones, E. E.,	Musser,	Strauss,
Cheeseman,	Jones, J. R.,	Neely,	Swift,
Claycomb,	Kaiser,	Newbaker,	Thomas,
Cleary,	Kaufman,	Newton,	Trach,
Cochran,	Keegan,	Peachey,	Ulerich,
Conniff,	Keeport,	Pennock,	Ulman,
Currier,	Kennedy,	Perry, H. L.,	Walnut,
Donahoe,	Kern,	Peters,	Walsh,
Donnally,	Klepper,	Post,	Watson,
Down,	Kuhn, H. P.,	Price,	Whitaker,
Dunn, H. B.,	Kuhns, E.G.M.,	Redfield,	Whitman,
Ehrhardt,	Lanius,	Reese,	Williams,
Flynn,	Latshaw,	Reeser,	Wilson, J. H.,
Foster, J. D.,	Lenker,		Young, G. K.,
Frey,			Zimmerman,

NAYS—48.

Ambler,	Eichenberger,	Letzkus,	Roney,
Aron,	Ely,	McAllister,	Rothenberger,
Arthur,	Ewing,	McArdle,	Schuck,
Baldwin, R. J.,	Fahey,	McCaig,	Shern,
Bass,	Forster, I. G.,	McNichol,	Sherwood,
Berntheizel,	Gans,	Missimer,	Snyder,
Conrade,	Gransback,	Mitchell,	Swartz,
Cox,	Hackett,	Moore,	Wettach,
Curry,	Hess,	North,	Wildman,
Davis,	Hibshman,	O'Neill,	Wilson, W. H.,
Dickinson,	Howard, J.,	Ramsey,	Wiltbank,
Dunn, J. A.,	Irwin, G. C.,	Rhoads,	Alter,
			Speaker.

The majority required by the Constitution having voted in the affirmative the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

GEORGE E. ALTER. It is not fair to submit a bill like this as a test of sentiment upon the principle of the intitiative and the referendum. Without going further into detail, it is sufficient to note that upon petitions signed by "not more than" fifty thousand legal voters (as may be determined by law), all of who may come from two counties, an election may be held in four months after the filing of the petitions, and however small the vote cast at said election, the majority of such vote, under the provisions of this bill, would be sufficient to amend the Constitution of the Commonwealth.

SPECIAL ORDER.

The SPEAKER. The hour of ten-thirty having arrived, the Chair lays before the House the next bill on Special Order, House Bill No. 1491, File Folio 6409.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1491, entitled:

A joint resolution proposing a constitutional amendment to the Constitution of Pennnsylvania granting to the people the right of recall of public officers

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass?

Mr. BENSON. Mr. Speaker, I realize that the hour is late yet I feel that I ought to say a word or two so that the members will vote intelligently upon this amendment.

This bill provides for an amendment to the Constitution providing for the Recall of every elective public officer in the State, whether holding his office by election or appointment, including all the judges of the several courts.

This amendment is the work of Judson King, and has the endorsement of Hon. William S. U'Ren. It provides that the signatures of 150.000 legal voters shall make a valid petition demanding the recall of a state officer voted for by the qualified electors of the entire State, and twenty-five per cent. of the voters in the district who voted at the preceding election for the office to which the recall is to be used.

Pennsylvania needs this legislation to make her officers truly represent the people, (and to take her out of the power of the most tryrannical machine that ever disgraced a state.)

In presenting this bill for your consideration, I am aware that many regard the recall of public officers as dangerous, particularly so in the principles applied to the various judicial positions throughout the Commonwealth. Nothing, to my mind, is farther from thef acts. It is not the experience of the citizens of our sister states where the doctrines of recall have been applied.

The states of Oregon, Arizona, California, Arkansas, Colorado, Idaho, Montana and Nevada have adopted the recall. We have yet to find a single state in which it has been tried that the people are not satisfied with this great reform. The opponents of this great reform are among those who do not have faith in the people, and it is the old cry of the Tory and the Federalist.

It is an echo from the chamber of Hamilton and his followers. Democracy feels that the man who is competent to hire is also competent to discharge; it believes that in a Republic there is no place for a judicial aristocracy; it fully understands and recognizes the fact that a vast majority of the State judiciary are honest, God-fearing and country-loving citizens, but, it is also well satisfied that there are many men now holding office who could do their state no better service than by resigning. It is an admitted fact that in many instances these so-called judges have demonstrated to a certainty that they have in the past, and would in the future, serve the great corporate interests to the best of their ability. They, by their unwarranted conduct have cast a doubt over our entire judicial fabric; they have started the tongue of the critic; they have loosened the hand of the character assassin, until today there is scarcely a court any where which does not come in for its share of condemnation, and, to continue to temporize with this condition is inviting destruction.

This bill is not to be regarded as an indictment against any official now holding office under this government. It simply, and in no mistaken language, demands that the people reserve to themselves the right to hire and discharge their own servants, whether that servant be a country supervisor or a judge of a court of record. They who shout mob are unworthy to hold office of trust under this government; they are not keeping pace with the spirit of the times; they cannot trust the people because the people can no longer trust them; they cannot reach the conclusion that the people owning this government are intelligent enough to conduct its affairs; they are blind, because they do not care to see; they would overawe and terrorize the great army of men and women who would dare to demand their guaranteed constitutional rights. The fact that the right to remove remains with the people has the most wholesome effect, and, as a consequence, the use of the recall will seldom become necessary, but the fact that it exists stands as a notice that judicial tyranny will not be tolerated.

Pass this bill, and you will put an end to the debauchery and crime in politics; the faithless official and corrupt politician; the giver of bribes and the corporate judicial truckling, and cause the public servants to do their utmost to serve the public interests, and thereby treminate the gross abuses of machine politics, and establish the best form of government of which the American intelligence and conscience is capable. Mr. Speaker, and Gentlemen of the House, I ask you to support this bill.

Mr. FORSTER. Mr. Speaker, and gentlemen of the House, it becomes a fashion to-day to attack our public offices, especially the judiciary. I believe this is a dangerous measure as applied to all officers of State, but particularly as applied to our judges. As I have said before, it has become a fashion to attack the judiciary. A subsidized set of periodicals, moved in the first instance by a small body of capitalists seeking to obtain their own ends, and a coterie of politicians seeking for a new popular clamor to put themselves in the public trough, and a few disgruntled litigants, have brought about this entire movement. Gentlemen, I have respect for the judicial office. I respect the man who sits on the bench. Possibly as a man, he has the same frailities and weaknesses that I have, but as a judge, sitting in the position that he does, between persons who come before him, to deprive them of their liberty in some instances, to see that justice is done to rich and poor, to weak and strong, I respect his office. This is the one office that should be removed from popular influence. The minority has rights as well as the majority. The judge must protect the minority. If the judge does not protect the minority, who will? The gentleman from Delaware, on the question on the last bill spoke of the system of checks and balances which was improvised by the framers of our constitution; the legislative, the executive, the judiciary, a branch of the legislature subject to the popular whim, subject to the breath of popular influence; another branch, a little further removed from the people, so that the opportunity may come for a consideration of measures which may have been passed during some great popular clamor without reason; the executive, still further removed; and finally the judiciary, which is absolutely removed from the people. Unfortunately our judges are in a measure in politics. We in Philadelphia believe, and we have practiced this belief that our judges should be removed from that influence. When a political question comes before them they can judge that question without fear of the recall. We elect them for a term of ten years and it would be better to have a still longer term. Why? Because they could keep that high position free from influence and bias and fear. They have only their own conscience and the higher courts to answer to. Now if a judge who is elected by a small majority, renders an unpopular decision, what is the result? Answer, the recall. Or again, what is the result? Answer; the fear of the recall, and we have a wavering, vacillating and unjust judge. I think we have made a great mistake in passing the legislation just preceding this, and I feel that we will make an irreparable mistake if we pass this. I do not feel that we have the right to hide behind the saying of "Put it up to the people and let them decide." We are here to decide. It is our duty to do what is right. If we do not believe that this measure should be voted upon, then we ought not to shun the responsibility on to our constituents. Gentlemen I ask all of you to hold sacred unto yourselves, away from the whim of the people, although I believe in trusting the people, these things, but I believe when it comes to a question of self-interest, the minority has a right to be protected. Subject the judges to the popular recall, and you are doing away with the safeguard of the minority.

Mr. S. B. SCOTT. Mr. Speaker, I rise to oppose this bill simply because it contains in it the principle of the recall of judicial officers. The principle of recall in general I believe in. I think the government belongs to the people, and where they find an officer whom they have delegated to

carry out their will not doing it, I believe that such an officer ought to be recalled. But the functions of the judiciary are something absolutely and radically different from the functions of either of the legislative or administrative officers. The function of the judiciary is to apply to specific sets of facts, general principles which have been settled upon by the people at large. Now minds differ and men differ about the specific applicability of general principles to a particular state of facts, and when questions arise, they often bring with them great personal interests so that passions and prejudices are aroused which would make people act differently than when considering calmly the questions involved. What we need is a tribunal which is absolutely removed from all influences, which in itself would tend to make them free from fear in the consideration of questions upon these high principles, and of all those things which sway men's minds, fear and hope are the greatest influences. This conflict between general principles and specific desires can be found within the breast of each individual man, what we call our conscience. We have regulative principles within us which guide us true to our principles, and what we call our passions, our desire for immediate satisfaction, we frequently find them in conflict with our conscience, and the principle of the recall as applied to the individual man is but putting his conscience to the test of his immediate desires, which I am sorry to say would often end in the defeat of his conscience. Now this same conflict we have in an enlarged sphere when it comes to the body politic. Our constitution is that body of carefully considered general principles which we have laid down for our guidance, and what we desire from moment to moment corresponds to the passions of that individual, and unless we have some calm, fearless and uninfluenced body such as the judiciary would be, we would have nothing in the body politic which would correspond to the conscience of the individual. Then again take the simile of the compass. It is supposed to point true to the north, and yet when other metallic bodies are around it sometimes it is drawn from its true point and brings shipwreck and disaster. Now those influences which cause the compass to deflect can be compared with the influences which arise from time to time to lead men to vote in a different way than they would have if their own interests were not involved. So we want such an uninfluenced body, some men without hope or fear and we want to say to those men that we have selected them as a body of men and we want to tell them that they are to decide according to the law and the evidence and not according to what they may hope or what they may fear. And so, Mr. Speaker, while I believe in the principle of the recall when it is applied to that position where it is applicable, I do not believe that it should apply to the judiciary and I, therefore, intend to vote against this resolution.

Mr. ROCKWELL. Mr. Speaker, in order to set myself clear on this question, I want to say just a few words on this subject. The initiative and the referendum and the recall have been used so often that they are being almost a triplicate set of words, yet to my mind, as has been stated by the two gentlemen from Philadelphia who have spoken on this measure, there is a difference. In my conversations with my constituents, and different people on these subjects, my experience is that seven out of ten of them if you asked them what these three words mean, could not tell you. I believe as the gentleman from Philadelphia said, in the principles of the initiative and the referendum and the recall, but when we couple in the question of the recall of our judges, you have a proposition that I cannot stand for. The framers of our Constitution, who framed that wonderful document which has been the admiration of the world from that time to this put around our judges some restrictions that no other officer has. Our common pleas and orphans' court judges, their terms are fixed at ten years; our supreme court judges are fixed at a term of twenty years. Why? To get them beyond and above this popular clamour which arises sometimes, and as one gentleman on the floor of this House who spoke some time ago, named it political hysteria, and make them free and unbiased in their judgment of all matters that come before them. There has also grown up another doctrine along this line. The recall of judiciary decisions on constitutional questions. That would mean submitting to the vote of the people whether a judge had decided a constitutional question rightly or not. If this bill was shorn of the judicial recall, I would support it, but I cannot as it is.

Mr. WATSON. Mr. Speaker, I do not propose to make a speech but I want to endorse what the gentlemen have said in opposition to this bill. In addition to that there is one thing that is necessary to the election of judges in my opinion, for what it may be worth, and that is that our candidates for judgeships should be non-partizan candidates, and should be elected by the people regardless of party ties, but so far as going to the extent of recalling our judges I am opposed to that; but I would very heartily support a bill to elect non partizan judges for every judgeship from the common pleas to the supreme bench.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

The SPEAKER. The roll will be verified.

This was done as follows:

YEAS—78.

Adams,	Dunn, H. B.,	Keegan,	Moulthrop,
Allen,	Ehrhardt,	Keeport,	Murphy,
Baldwin, G. A.,	Foster, J. D.,	Kennedy,	Musser,
Barner,	Geiser,	Kern,	Newton,
Becker,	Glenn,	Kuhn, H. P.,	Peachey,
Benninger,	Good,	Lanius,	Pennock,
Benson,	Goss,	Latshaw,	Post,
Bergey,	Grabe,	Lenker,	Price,
Bigger,	Gray, Frank,	Leslie,	Rex,
Bittles,	Gray, Joseph,	Light,	Richards,
Blair, W. F.,	Haggerty,	Lowers,	Runk,
Body,	Heidinger,	Malie,	Savacool,
Caldwell,	Herman,	Martin,	Shaffer, I. E.,
Campbell, C.M.,	Hobbs,	Matt,	Showalter,
Campbell, J. J.,	Howard, R.,	McDermott,	Smith, J. W.,
Carson,	Humes,	McKay,	Steedle,
Claycomb,	Irwin, H. H.,	Mellott,	Steele,
Cochran	Jackson,	Metzenbacher,	Swift,
Currier,	Kaiser,	Miller,	Trach,
Donnally,			Wilson, J. H.,
			Young, G. K.

NAYS—107.

Ambler,	Gibson,	Moore,	Shern,
Aron,	Gramley,	Morrow,	Sherwood,
Arthur,	Gransback,	Moses,	Smith, L.,
Baldwin, R. J.,	Hackett,	Neely,	Snyder,
Bass,	Hemminger,	Newbaker,	Speiser,
Berntheizel,	Hess,	North,	Spillinger,
Blair, W. A.,	Hibshman,	O'Neill,	Stein,
Brosius,	Howard, J.,	Perry, H. L.,	Stone,
Brown,	Irwin, G. C.,	Perry, S. J.,	Strauss,
Cheeseman,	Jones, E. E.,	Peters,	Swartz,
Cleary,	Jones, J. R.,	Ramsey,	Thomas,
Conner,	Kaufman,	Redfield,	Ulerich,
Conrade,	Klepper,	Reese,	Ulman,
Cox,	Kuhns, E.G.M.,	Reeser,	Walnut,
Curry,	Letzkus,	Rhoads,	Walsh,
Davis,	Lohr,	Robinson,	Watson,
Dickinson,	Mannion,	Rockwell,	Wettach,
Donahoe,	Mather,	Roney,	Whitaker,
Dunn, J. A.,	McAleer,	Rothenberger,	Whitman,
Eichenberger,	McAllister,	Sassaman,	Wildman,
Ely,	McArdle,	Schaeffer, A. C.	Williams,
Fahey,	McCaig,	Schuck,	Wilson, W. H.,
Flynn,	McClintock,	Scott, J. R. K.,	Wiltbank,
Frey,	McNichol,	Scott, S. B.,	Wilson, J. H.,
Gans,	Missimer,	Semmens,	Zimmerman,
Geary,	Mitchell,	Shaffer, C. A.,	Alter,
			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

By Mr. JOHN ROBERT JONES on House Bill 1491. I do not think the principle of the Recall should be applied to the office of Judge of the Courts. The functions of the office of Judge differ from the functions of an executive or legislative office. In the administration of an executive or legislative office it is largely a question of what is the best policy to pursue for the public welfare. It is the function of the Judge to declare the law which the people have enacted either in their constitution or through their legislative bodies.

RESOLUTION RECALLING HOUSE BILL NO. 645 FROM THE GOVERNOR.

Mr. ALLEN. Mr. Speaker, I desire to offer a resolution at this time.

The SPEAKER. The resolution will be read by the Clerk.

The Clerk then read the resolution as follows:

Resolved if the Senate concur that House Bill No. 645 file folio No. 6697 entitled An Act regulating the licensing of all places of amusement buildings tents of enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performance tragedies comedies or farces or the exhibition of fixed or moving pictures or steropticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skilll or any equestrian circus or menagerie or musuem or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudevillle performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled "An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine (eighty-nine) entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendmenta or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-five" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof be recalled from the Governor.

The SPEAKER. The question is on the adoption of the resolution.

It was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 29, entitled:

An Act fixing the compensation and mileage of the members and the number and compensation of the officers and employes of the General Assembly

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1945 (Senate No. 875) entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 302, entitled:

An Act to amend section two of an act entitled "An Act to amend section two of an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indetedness shall be equal to eight per centum of the amount of such increased debt providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed approved the thirteenth day of April Anno Domini one thousand eight hundred and ninety-seven by extending the power to incur and increase indebtedness to townships of the second class

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1842 (Senate No. 359), entitled:

An Act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificates of the deceased member

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 453, entitled:

An Act to promote the public health by providing for one day of rest in seven for employees in continuous industries and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1068, entitled:

An Act prohibiting persons partnerships and corporations operating railroads from allowing certain things except material for the immediate repair thereof to remain on the right of way and fixing penalties for violation hereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1637, entitled:

An Act for the taxation of dogs and the protection of sheep and poultry creating the office of dog catcher in townships boroughs and cities defining his duties providing methods for the enforcement of this act and prescribing penalties for its violation and repealing certain acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1599, entitled:

A supplement to an act entitled "An Act for the government of cities of the third class" approved the sixteenth day of May Anno Domini one thousand nine hundred one creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five cities beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 396, entitled:

An Act to promote the public health by providing for one day of rest in seven for employees in certain employments and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1787, entitled:

An Act relating to indebtedness incurred by cities of the first class of this Commonwealth to provide for the construction and improvement of subways tunnels railways elevated railways and other transit facilities of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks providing that interest during the period of construction on expenditures for such construction improvement and reclamation shall be included in the cost thereof and that bonds may be issued to provide therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1606, entitled:

An Act to prevent misrepresentation or misleading estimates intended in inducing the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse of forfeiture of policies of insurance prescribing penalties for violations of this act making provision for compelling the production of evidence and repealing existing laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1928, entitled:

An Act repealing an act entitled "An Act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage or petroleum benzine benzole or naptha" approved the second day of March one thousand eight hundred and sixty-five and a supplement thereto entitled "A supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naptha approved March second one thousand eight hundred and sixty-five" approved the twenty-fourth day of March one thousand eight hundred and sixty-five and a further supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia approved March twenty-fourth one thousand eight hundred and sixty-five and to extend the boundaries of the same" approved the twenty-third day of May one thousand eight hundred and seventy-one

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1716, entitled:

An Act exempting certain buildings from the provisions of the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred ninety-nine as amended by an act approved the fifth day of June one thousand nine hundred and one entitled an act supplemental to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred ninety-nine" so that the same shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 612 (Senate No. 84) ,entitled:

An Act to amend section six of an act entitled "An Act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at a general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a board of managers and that certain judges of the Common Pleas court and the county commissioners shall be ex-officio members of the board of managers prescribing the powers and duties of the board of managers and that the expenses of maintaining and operating the buildings grounds and improvements shall be paid by the county of Allegheny

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1627, entitled:

An Act relating to the issuing of policies of insurance prohibiting the giving or offering or receiving of rebates or inducements of any kind not specified in the policy with certain exceptions prescribing penalties for violation of this act and making provision for compelling the production of evidence and repealing existing laws

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1900 (Senate Bill No. 582), entitled:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1075, entitled:

An Act repealing an act entitled "An Act relating to the assessment of damage for the appropriation of land for public use" approved fifteenth day of June Anno Domini one thousand eight hundred seventy-one

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1655, entitled:

An Act prohibiting the conversion or embezzlement of premium or return premiums under policies of insurance by agents solicitors or brokers providing that violations of this act shall constitute the crime of embezzlement and shall be punishable as embezzlements by agents and brokers are now by law punishable and repealing existing acts

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1551, entitled:

An Act authorizing cities of the first class to remit taxes owing by any public charity hospital where a dispute has arisen as to the right of the city to assess and collect such taxes

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1736, entitled:

An Act limiting the time within which to begin actions in trespass for malicious prosecutions conspiracy and false imprisonment to one year after the injury complained

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House bill No. 1656, entitled:

An Act providing for the annulment of charters of boroughs incorporated by decree of the court of quarter sessions and prescribing the manner and procedure necessary to secure such decree of annulment.

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1393 (Senate No. 190), entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1394 (Senate No. 191), entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and timber harvested and the collection distribution and use of the taxes collected therefrom

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1395 (Senate No. 192), entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 46, entitled:

An Act requiring hospitals receiving appropriations from the Commonwealth to maintain a free room for certain patients regulating the use of said rooms and regulating the care and treatment of such patients

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 527, entitled:

An Act to regulate the practice of pharmacy and sale of poisons drugs of all kinds and providing penalties for the violation thereof defining the words "drug" and "poison"

and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House bill No. 1363, entitled:

An Act to give the owner of a stallion or jack a lien on certain property for service rendered and providing a method for enforcing such lien

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1457, entitled:

An Act to amend the fourteenth section of an act entitled "An Act to provide for the incorporation of causalty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred eleven and providing for the incorporation of casualty companies for the insurance of glass against breakage upon the mutual plan.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1548, entitled:

An Act to amend sections fourteen and seventeen of an act approved June first one thousand nine hundred and eleven entitled "An Act to establish an insurance department authorizing the appointment of an Insurance Commissioner and prescribing his powers and duties providing for the licensing examination regulation and dissolution of insurance and surety companies and associations and for the licensing and regulation of insurance agents and insurance brokers also providing for the collection of fees and prescribing penalties for the violation of any of the provisions of this act and repealing all existing acts"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 451, entitled:

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonmonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1906 (Senate No. 872), entitled:

A supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry reservations by the Department of Forestry

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1850 (Senate No. 630), entitled:

An Act fixin gthe salary of the second assistant State Librarian

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the attachment of wages or salary upon judgment obtained for necessaries limiting the amount of exemption to be claimed and providing for notice to debtor before attachment proceedings are instituted and exempting debtor from costs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 26, entitled:

An Act providing for the licensing and bonding of persons firms and corporations engaged in selling agricultural products on commission providing for action on such bonds and fixing penalties for violation of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ADJOURNMENT.

Mr. SPEISER. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 11.58 o'clock P. M., the House adjourned to meet to-morrow morning at ten o'clock

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, APRIL 29, 1913. No. 57.

SENATE

TUESDAY, April 29, 1913.

The Senate met at 11 o'clock.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"The earth is the Lord's and the fullness thereof; the world and they that dwell therein. For He has founded it upon the seas and established it upon the floods. Who shall ascend into the hill of the Lord, or who shall stand in His holy place. He that hath clean hands and a pure heart." Our Father in Heaven, we come to Thee at this time again standing within the council chamber of this Commonwealth. Be Thou our counsellor; be Thou our guide in the hour of doubt; be Thou our strong tower of defense in the hour of trial; be Thou the eternal rock upon which we shall build to-day. Help us to work while it is called to-day, for the night cometh when no man can work. Help us, then, to build that structure which shall endure long after these bodies shall have crumbled into dust; even the structure of character.

> "For the structure that we raise,
> Time is with materials filled;
> Our todays and yesterdays
> Are the blocks with which we build."

Give us strength to build upon Thine eternal Word. We ask it in our Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senate being present, the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. KLINE, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE READING OF THE BIBLE IN PUBLIC SCHOOLS.

Mr. JARETT presented two petitions of citizens of Mercer County, praying for the passage of legislation compelling the reading of the Bible in the public schools.

Which were referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. NULTY presented petition of Egyptian Council, No. 144, D. of L., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. NULTY presented petition of Egyptian Council, No. 144, D. of L., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

FAVORING WALNUT "CHILD LABOR BILL."

Mr. KLINE presented petition of citizens of Allegheny County, praying for the passage of the Walnut "Child Labor Bill."

Which was referred to the Committee on Judiciary Special.

LEAVES OF ABSENCE.

Mr. JARRETT asked and obtained leave of absence for the Senator from Warren, Mr. Knapp, for the balance of the week.

Mr. HEACOCK asked and obtained leave of absence for himself for the balance of the week.

REPORTS FROM COMMITTEES.

Mr. JARRETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1134 (House Bill No. 1550), entitled:

An Act to further amend section two of an act, entitled "An Act to establish a county court for the County of Allegheny, and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof," approved the 5th day of May, 1911, as amended by an act, entitled "An Act to amend section two of an act, entitled 'An Act to establish a County Court for the County of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof,' approved the 5th day of May, 1911, and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania," approved the 6th day of June, 1911, by increasing the salaries of the judges of said court.

Mr. POWELL, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 235, entitled:

An Act providing for an Initiative and Referendum system of legislation under certain conditions in all cities and boroughs within the Commonwealth of Pennsylvania; the manner and time of conducting elections hereunder; the form of petitions and number and qualifications of petitioners required; the form of the ballot to be used; the ascertainment and announcement of the result of elections hereunder; the payment of expenses incurred under this act; also making certain violations of this act misdemeanors and prescribing penalties for the violations of the provisions of this act.

Mr. BUCKMAN, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1038 (House Bill No. 1203), entitled:

An Act making it a misdemeanor for the keeper, owner, proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor.

RESOLUTION FAVORING THE CIVIL WAR OFFICERS' LIST.

Mr. SHEATZ, from the Committee on Pensions and Gratuities, reported as committed the following resolution, which was laid over one day under the rules.

Whereas, The Government of the United States in securing volunteers for soldiers for the Civil War of one thousand eight hundred and sixty-one to sixty-five offered "the officers non-commissioned officers and privates organized in the army navy and marine corps shall in all respects be placed on the same footing as to pay and allowances of similar corps of the regular army"

And Whereas, The Congress of the United States passed acts of Congress on the twenty-second day of July one thousand eight hundred and sixty-one and of the third of August one thousand eight hundred and sixty-one and at divers other times embodying and making pledges and promises aforesaid

And Whereas, By the pension laws of the United States passed by the Congress of the United States and in existence and in force at this date there is provision made for the redemption practically of the pledges and promises aforesaid in so far as the non-commissioned officers and privates are concerned mentioned and characterized as such

And Whereas, There has been no provision made for the redemption of the pledges and promises as aforesaid to the officers designated as such in the said act or any other act or acts of Congress contained

Now Therefore by reason of the premises hereinbefore set forth

Be it Resolved (if the Senate concur) That the Legislature of Pennsylvania approve of and recommend the Congress of the United States to pass an act of Congress providing for the institution of a roll designated "The Civil War Officers' Retired List" to be made and kept in the Department of War and the Department of the Navy respectively of the Government of the United States authorizing and directing the placing thereon with retired pay all persons who were organized and served as officers in the army navy and marine corps of the United States respectfully in and during the Civil War of one thousand eight hundred and sixty-one to sixty-five and will embody and provide for the redemption of the pledges and promises in said acts of Congress of one thousand eight hundred and sixty-one and other acts of Congress aforesaid

And be it further Resolved That the above-named Legislature urge and request the members of the United States Senate from the State of Pennsylvania and each and every member of the House of Representatives of the Congress of the United States from Pennsylvania to vote for and in favor of such act of Congress designated in the preceding resolution

CONCURRENT RESOLUTION TO FIX MINIMUM WAGES FOR UNITED STATES ARSENAL EMPLOYES.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, the following resolution, which was laid over one day under the rules:

Whereas, In the United States Arsenal located at Frankford Philadelphia County Pennsylvania over twelve hundred women and men are employed in the manufacture of ammunition and explosives and

Whereas, The minimum rate of wages paid such women is approximately one dollar to one dollar and ten cents per day and the wages paid such men one dollar and fifty cents per day except where those who work at piece work which said minimum wages by forced work is raised occasionally to one dollar and fifty cents for women and one dollar and seventy-five cents for men and

Whereas, It is eminently proper that the United States Government should take the lead in establishing minimum wage scales for men and women in this country especially for those who are employed on work that is extremely hazardous therefore

Be it Resolved (if the Senate concur) That the President of the United States is respectively urged to recommend to the Congress of the United States as soon as practicable the passage of an act of Congress establishing a minimum rate of wages for employes in the arsenals of the United States of one dollar and fifty cents for women and two dollars for men and

Be it further Resolved That each Senator and member of Congress from the Commonwealth of Pennsylvania be requested to advocate and vote for the passage of any measure so recommended and

Be it Further Resolved That a copy of these resolutions be duly prepared certified and forwarded by the Secretary of the Commonwealth to the President of the United States and to each Senator and member of Congress from this State

REPORTS FROM COMMITTEES.

Mr. GYGER, from the Committee on Education, reported as committed, Senate Bill No. 1102 (House Bill No. 1302), entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that or may be inconsistent therewith," approved the 18th day of May, A. D. 1911, amending sections two thousand six hundred and twenty-two, two thousand six hundred and twenty-four, two thousand six hundred and twenty-six and two thousand six hundred and twenty-seven thereof. and also conferring upon tax payers similar rights in regard to reports of auditors of school districts of the second, third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon tax payers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such repor of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto.

Mr. MOORE, from the Committee on Education, reported as committed, Senate Bill No. 783, entitled:

An Act to amend an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Comomnwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. KLINE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1186 (House Bill No. 900), entitled:

An Act relative to the regulation of plastering in cities of the first and second classes.

Mr. ALEXANDER, from the Committee on Education, reported as committed, Senate Bill No. 1033 (House Bill No. 960), entitled:

An Act to amend section one thousand two hundred and seven of an act approved the 18th day of May, 1911, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

Mr. HEACOCK, from the Committee on Education, reported as committed, Senate Bill No. 1205 (House Bill No. 1370), entitled:

An Act to amend section five hundred thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the 18th day of May A. D. 1911 so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed.

Mr. THOMPSON, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 870 (House Bill No. 210), entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the rights to practice Medicine and Surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the 3d day of June 1911.

Mr. SALUS, from the Committee on Elections, reported as amended, Senate Bill No. 721 (House Bill No. 118), entitled:

An Act regulating certain political parties, providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National Party conventions and of certain party officers a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and of United States Senator and the payment by the several counties and their reimbursement by the State of the expenses of the same; authorizing the State committee of a political party to make and to alter amend and revoke party rules and providing penalties for the violation of the provisions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation.

Also, from the Committee on Judiciary Special, reported as amended, Senate Bill 693 (House Bill No. 956), entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses, shops, wagons and places where meats poultry fish game and shell-fish are prepeared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the 26th day of April, A. D.

1907, so as to provide that licenses shall be for the calendar year and the licenses continuing shall be for the calendar year and that licensees continuing in business shall annually apply for new licenses.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1071 (House Bill No. 952), entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 796 (House Bill No. 399), entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and rgulating procedure for the determination of liability and compensation thereunder.

Also, from the Committee on Corporations, reported as committed Senate Bill No. 797 (House Bill No. 401), entitled:

A joint resolution proposing an amendment to Section twenty-one of Article three of the Constitution of Pennsylvania.

Also, from the Committee on Corporations, reported as committed, Senate Bill No. 798 (House Bill Uo. 402), entitled:

An Act regulating policies of insurance against liability arising under Article two of the Workmen's Compensation Law of one thousand nine hundred and thirteen.

Also, from the Committee on Corporations, reported as committed, Senate Bill No. 799 (House Bill No. 403), entitled:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Insurance Associations.

Also, from the Committee on Corporations, reported as committed, Senate Bill No. 800 (House Bill No. 404), entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employees and prescribing a penalty for non-compliance therewith.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 157.

Mr. HEACOCK submitted the report of Committee of Conference on the subject of the differences existing between the two Houses in relation to Senate Bill 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the Board of commisisoners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

Which was laid over for printing.

COMMUNICATIONS FROM THE GOVERNOR.

The private secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were laid upon the table.

BILLS INTRODUCED.

Mr. GYGER read in his place and presented to the Chair Senate Bill No. 1259, entitled:

An Act to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any county, city, borough, township or other corporate authority in the State of Pennsylvania.

Which was committed to the Committee on Agriculture.

Mr. HOKE read in his place and presented to the Chair Senate Bill No. 1260, entitled:

An Act providing that Water Companies shall have the right of eminent domain as respects the riparian rights of owners of land along the main or major stream into which the tributary stream or waters appropriated flows.

Which was committed to the Committee on Corporations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

SENATE BILL NO. 120 RECALLED FROM THE GOVERNOR.

Mr. MILLS offered the following resolution, which was twice read, considered and agreed to:

Resolved (If the House concur), That Senate Bill No. 120, entitled "An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

CONCURRENT RESOLUTION FAVORING THE CIVIL WAR OFFICERS' LIST.

Mr. SHEATZ. Mr. President, I move that Rule 39 be suspended in order to consider the resolution reported from the Committee on Pensions and Gratuities at this morning's session.

M. KLINE. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read as follows:

Whereas, The government of the United States in securing volunteers for soldiers for the Civil War of one thousand eight hundred and sixty-one to sixty-five offered "the officers non-commisioned officers and privates organized in the army and navy and marine corps shall in all respects be placed on the same footing as to pay and allowances of similar corps of the regular army"

And Whereas the Congress of the United States passed acts of Congress on the twenty-second day of July one thousand eight hundred and sixty-one and of the third of August one thousand eight hundred and sixty-one and at divers other times embodying and making pledges and promises aforesaid

And Whereas By the pension laws of the United States passed by the Congress of the United States and in existence and in force at this date there is provision made for the redemption practically of the pledges and promises aforesaid in so far as the non-commissioned officers and privates are concerned mentioned and charterized as such

And whereas There has been no provision made for the redemption of the pledges and promises as aforesaid to the officers designated as such in the said act or any other act or acts of Congress contained

Now, Therefore by reason of the premises herein before set forth

Be it Resolved (if the Senate concur) That the Legislature of Pennsylvania approve of and recommend the Congress of the United States to pass an act of Congress providing for the institution of a roll designated "The Civil War fficers' Retired List" to be made and kept in the Department of War and the Department of the Navy respectively of the Government of the United States authorizing and directing the placing thereon with retired pay all persons who were organized and served as officers in the army navy and marine corps of the United States respectfully in and during the Civil War of one thousand eight hundred and sixty-one to sixty-five and will embody and provide for the redemption of the pledges and promises in said acts of Confiress of one thousand eight hundred and sixty-one and other acts of Congress aforesaid

And be it further Resolved That the above-named Legislature urge and request the members of the United States Senate from the State of Pennsylvania and each and every member of the House of Representatives of the Congress of the United States from Pennsylvania to vote for and in favor of such act of Congress designated in the preceding resolution

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

CONCURRENT RESOLUTION TO FIX THE MINIMUM WAGES FOR UNITED STATES ARSENAL EMPLOYES.

Mr. JUDSON. Mr. President, I move that Rule 39 be suspended in order to consider the resolution reported from the Committee on Judiciary General at this morning's session.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

The resolution was twice read as follows:

Whereas in the United States Arsenal located at Frankford Philadelphia County Pennsylvania over twelve hundred women and men are employed in the manufacture of ammunition and explosives and

Whereas, The minimum rate of wages paid such women is approximately one dollar to one dollar and ten cents per day and the wages paid such men one dollar and fifty cents per day except where those who work at piece work which said minimum wages by forced work is raised occasionally to one dollar and fifty cents for women and one dollar and seventy-five cents for men and

Whereas, It is eminently proper that the United States Government should take the lead in establishing minimum wage scales for men and women in this country especially for those who are employed on work that is extremely hazardous therefore

B it Resolved (If the Senate concur) That the President of the United States is respectively urged to recommend to the Congress of the United States as soon as practicable the passage of an act of Congress establishing a minimum rate of wages for employes in the arsenals of the United States of one dollar and fifty cents for women and two dollars for men and

Be it further Resolved That each Senator and member of Congress from the Commonwealth of Pennsylvania be requested to advocate and vote for the passage of any measure so recommended and

Be it further Resolved That a copy of these resolutions be duly prepared certified and forwarded by the Secretary of the Commonwealth to the President of the United States and to each Senator and member of Congress from this State

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL NO. 23.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 23, entitled "An Act applicable to all counties of this Commonwealth to provide monthly payments as approved by the trustees to indigent widowed or abandoned mothers for partial support of their children in their own homes The manner of appointment of the trustees the administration of the trust amount of appropriations proportioning appropriations co-ordinate appropriations amounts to be paid form of records eligibility penalties and reports as set forth."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 316.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advse you that I thave this day approved and signed Senate Bill No. 316, entitled "An Act to provide for the protection and preservation of elk and deer providing a method through which certain lands in the Commonwealth may be closed to hunting for a term of years and prescribing penalties for violation of its several provisions."

JOHN K. TENER.

NOMINATIONS BY THE GOVERNOR.

He also laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 28, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

A. L. Goldstrom, McKeesport.
George R. Cain, Pittsburgh.
R. C. Davis, Pittsburgh.

CLARION COUNTY.

Wash. Logue, Perry Township.

LACKAWANNA COUNTY.

Frank R. Stocker, Scranton.

MERCER COUNTY.

John M. Clingman, Farrell.

PHILADELPHIA COUNTY.

B. Griffith Jones, II., Philadelphia.
John Marsdon, Philadelphia.
Charles Rieder, Jr., Philadelphia.

JOHN K. TENER.

HOUSE CONCURS IN SENATE BILL NO. 156.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 156, entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

with the information that the House has passed the same without amendment.

HOUSE BILL NO. 645 RECALLED FROM THE GOVERNOR.

He also laid before the Senate resolution from the House of Repersentatives which was read as follows:

Resolved (If the Senate concur) that House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances acrobatic or athletic performances or the exhibition of trained animals or contest of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled an act supplemental to an act entitled an act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class approved the fifth day of May one thousand eight hundred and ninety-nine shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudevile acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

be recalled from the Governor for the purpose of amendment.

The resolution was twice read, considered and agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS RETURNED FROM HOUSE WITH AMENDMENT.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 22, entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

Said bill having been returned from the House of Representatives, with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

By striking out the preamble as follows:

Whereas, There has been grave complaint on the part of litigants and their counsel and others interested that unwarranted delay exists in the administration of justice, and

Whereas, A large part of this delay is due to the procrastication of judges in rendering decisions, and

Whereas, Such delay is not only vexatious but very costly to those seeking justice in our courts, and

Whereas, This Commonwealth has been very generous in compensating judges for the services rendered on the bench therefor

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gyger,	Kline,	Salus,
Beidleman,	Hall,	Kurtz,	Sensenich,
Buckman,	Heacock,	Magee,	Sheatz,
Clark,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	Miller,	Sones,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Jarrett,	Morgan,	Vare,
Gerberich,	Jones,	Nulty,	Wasbers,
Graff,	Judson,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 394, entitled:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions.

Said bill having been returned from the House of Representatives with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

In Section 1, line 5, by striking out the word "resident" and inserting in lieu thereof the word "person"; also by striking out section 2; also, in section 3, line 1, by striking out the numeral "3" and inserting in lieu thereof the numerla "2", so that the same shall read "Section 2"; also, in section 4, line 1, by striking out the numeral "4" and inserting in lieu thereof the numeral "3", so that the same shall read "Section 3"; also, in the same section line 2, by striking out "deput", and inserting in lieu thereof the word "deputy."

On the question,

Will the Senate Concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Powell,
Catlin,	Hall,	Kurtz,	Salus,
Clark,	Heacock,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke,	McNichol,	Snyder
DeWitt,	Homsher,	McNichols,	Sones,
Endsley,	Huffman,	Miller,	Thompson,
Farley,	Hunter,	Mills,	Vare,
Fisher,	Jarrett,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid and for maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide.

Said bill having been returned from the House of Representatives with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

In the title, in line 10, by inserting after the word "paid" the words "and for."

On the question,

Will the Senate Concur in the same?

Mr. SALUS. Mr. President, I hope the Senate will not agree with this amendment as made by the House. This amendment should be adjusted by a conference committee, and I hope the Senate will non-concur.

And the question recurring,

Will the Senate Concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—2.

Farley, Hall,

NAYS—36.

Alexander,	Gerberich,	Jarrett,	Powell,
Beidleman,	Graff,	Jones,	Salus,
Buckman,	Gyger,	Kline,	Sensenich,
Catlin,	Heacock,	Kurtz,	Sheatz,
Clark,	Hilton,	Magee,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
Daix,	Homsher,	Mills,	Thompson,
DeWitt,	Huffman,	Moore,	Vare,
Endsley,	Hunter,	Morgan,	Wasbers,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 553, entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Said bill having been returned from the House of Representatives with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

In Section 4, line 11, by striking out "othewise" and inserting in lieu thereof the word "otherwise."

On the question,

Will the Senate Concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Kurtz,	Powell,
Catlin,	Heacock,	Magee,	Salus,
Clark,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
Daix,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Jones,	Moore,	Wasbers,
Gerberich,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 719 (House Bill No. 53), as follows:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Cold Storage Act of one thousand nine hundred and thirteen"

Section 2 The term "cold storage" as used in this act shall mean the storage of food at or below a temperature of forty degrees Fahrenheit in a cold storage warehouse

Section 3 The term "cold storage warehouse" as used in this act shall mean an establishment employing refrigerating machinery or ice for the purpose of refrigeration or a place otherwise artificially cooled in which articles of food are stored for thirty (30) days or more at a temperature of forty degrees Fahrenheit or under

Section 4 The term "food" as used in this act shall mean the fresh flesh of animals and fresh products therefrom the fresh flesh of fowls fresh food fish eggs and butter which have been stored in a cold storage warehouse

Section 5 The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton crate firkin hogshead jar jug keg stopper vessel wrapper frozen bulk or any similar or analogous utensil receptacle band or wrapper in which food may be kept stored sold or offered for sale

Section 6 The word "marked" as used in this act shall be taken to mean written printed stamped or painted or any other means whereby words or figures may be indicated in or on a container or on any cover attached thereto

Section 7 The term "wholesome" as used in this act shall mean fit for human food

Section 8 No person firm or corporation shall operate a cold storage warehouse without a license issued by the Department of Agriculture through its agent the Dairy and Food Commissioner Such license shall be issued only on written application stating the location of such warehouse Upon receipt of the application said Dairy and Food Commissioner shall cause an examination to be made into the sanitary conditions of such warehouse If it be found to be in a sanitary condition and properly equipped for the purpose of cold storage the Dairy and Food Commissioner shall cause a license to be issued authorizing the applicant to operate a cold storage warehouse during the period of one year from the date of such license No license shall be issued until the applicant therefor shall have paid to the Dairy and Food Commissioner the sum of fifty dollars ($50.00) A license shall be required for each separate warehouse building

Section 9 Whenever any warehouse licensed under the provisions of this act or any portion of such warehouse shall be deemed by the Dairy and Food Commissioner to be in an unsanitary condition it shall be the duty of the Dairy and Food Commissioner to cause such warehouse or portion thereof to be closed until it shall be put in a sanitary condition If such changes be not made within a reasonable time the Dairy and Food Commissioner may suspend or revoke the license granted for the operation of such warehouse It shall be unlawful for any person firm or corporation to operate any such warehouse or portion thereof when the same shall be closed by order of the Dairy and Food Commissioner

Section 10 It shall be the duty of every person firm or corporation that shall be licensed to operate a cold storage warehouse to keep an accurate record of the receipts and withdrawals of food therefrom The agents of the Dairy and Food Commissioner shall have free access to such records at all times It shall be the duty of each person firm or corporation licensed to operate a cold storage warehouse to file in the office of the Dairy and Food Commissioner on or before the sixth day of January April July and October of each year a report setting forth in itemized particulars the kind and quantities of food products held in cold storage in such warehouse The report shall be made on printed forms prepared and supplied by the Dairy and Food Commissioner If in the judgment of the Dairy and Food Commissioner it shall be deemed better in enforcing this act to cause reports to be made at more frequent intervals than herein required said Dairy and Food Commissioner may cause such reports to be filed in accordance herewith

Section 11 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse to keep therein or to sell offer or expose for sale any diseased tainted or otherwise unwholesome food

Section 12 It shall be unlawful for any person firm or corporation to place in any cold storage warehouse any slaughtered animals or parts thereof unless the entrails and other offensive parts have been first properly removed

Section 13 It shall be the duty of the Dairy and Food Commissioner to cause to be made a careful inspection of all cold storage foods with a view to determining whether the same are wholesome Such inspection shall be made where such food is stored and each package of such food so inspected shall bear the marks stamps or other devise for identification provided for in this section

It shall be the duty of the Dairy and Food Commissioner to make such rules and regulations as he may deem proper relating to such inspection and supervision and to the cold storage of food and otherwise to secure the proper enforcement of this act Duly authorized agents of the Dairy and Food Commissioner may at any reasonable time enter such warehouse and inspect the same

Section 14 All food when deposited in cold storage warehouses shall have plainly marked upon the container the date that such food shall be placed in such warehouses If such food be not in a container such marking shall be on such food or on a tag or label securely and permanently attached thereto

Such food or the container thereof shall have marked plainly thereon the date of withdrawal of such food from such warehouses The marking of food in accordance with the terms of this section shall be under such regulations as may be prescribed by the Dairy and Food Commissioner

Section 15 It shall be unlawful for any person firm or corporation or any agent thereof to sell or offer or expose for sale or have in possession with intent to sell at wholesale any food which is not marked and distinguished on the outside of each container in a conspicuous place by a placard with the words "wholesome cold storage food" printed thereon such placard to be placed in a conspicuous position in full view of the purchaser and the said words "wholesome cold storage food" on such placard shall be printed in plain uncondensed gothic letters not less than one-half (½) in in length and in addition to all such food shall be marked with the date when it is placed in any such cold storage warehouse and with the date when it is withdrawn from such cold storage warehouse

There shall also be displayed upon every open container containing such food in the same manner in a conspicuous position a placard with the words "wholesome cold storage food" printed thereon in the same form as above described in this section and when such food is sold from such container or otherwise at retail before being delivered to the purchaser it shall be wrapped in wrappers plainly stamped on the outside thereof with the words "wholesome cold storage food" printed or stamped thereon in letters one-fourth (¼) inch square and such wrapper shall also contain the date of first placing such food in cold storage and the said words "wholesome cold storage food" and the date of first placing such food in cold storage so stamped or printed on said wrapper shall not be in any manner concealed but shall be in plain view of the purchaser at the time of the purchase

Section 16 No person firm or corporation shall sell offer or expose for sale any of the herein named foods which shall have been held for a longer period of time than herein specified in a cold storage warehouse or warehouses to wit Whole carcasses of beef or any parts thereof four (4) months Whole carcasses of pork or any parts thereof six (6) months Whole carcasses of sheep or any parts thereof six (6) months Whole carcasses of lamb or any parts thereof six (6) months Whole carcasses of veal or any parts thereof three (3) months dressed fowl drawn five (5) months dressed fowl undrawn ten (10) months eggs eight (8) months butter nine (9) months and fish nine (9) months

Section 17 After food has been withdrawn from a cold storage warehouse for the purpose of placing it on the market for sale it shall be unlawful for any person firm or corporation to return such food or any portion thereof to such warehouse or any other similar warehouse Subject to such regulations as shall be prescribed by the Dairy and Food Commissioner food may be transferred from one cold storage warehouse to another provided that the total length of time such food shall remain in cold storage for the purpose of sale shall not exceed the time specified in section sixteen (16) of this act

Section 18 No food shall be sold or offered or exposed for sale in this State which shall have been placed or stored in any cold storage warehouse outside of this State unless it first shall have been marked as provided for in section fifteen (15) of this act Provided however that no such food shall be sold or offered or exposed for sale in this State if the total length of time that such food has remained in cold storage shall exceed that specified in section sixteen (16) of this act

Section 19 It shall be unlawful for any person firm or corporation to mark or cause to be marked any container of food with a mark or marks other than those required by this act to be marked on such food or container It shall be unlawful for any person firm or corporation to change or cause to be changed any mark or marks on any food or container after such mark or marks have been placed thereon Provided That nothing in this section shall apply to the marking of such container with the name and address of the owner thereof

Section 20 Nothing in this act shall be construed to prohibit the shipping consigning or transporting of fresh food in properly refrigerated cars within this State to points of destination nor when received to prohibit the same being held in a cooling room for a period of forty-eight (48) hours and provided further that nothing in this act shall be construed to prohibit the keeping of fresh food in ice-boxes or refrigerators in retail stores while the same is offered or exposed for sale

Section 21 It shall be the duty of the Department of Agriculture through its Dairy and Food Commissioner to enforce all of the provisions of this act and to make all rules and regulations not otherwise herein provided necessary for the enforcement of the same

Section 22 That all license fees and fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth in accordance with the provisions of this act

Section 23 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offensse to pay a fine not exceeding five hundred dollars ($500.00) and for the second and each subsequent offense such person firm or corporation shall be sentenced to pay a fine of not more than one thousand dollars ($1,000.00) and in addition thereto such person or the members of such firm or the officers of such corporation as the case may be with guilty knowledge of the fact may be sentenced to undergo imprisonment in the jail of the proper county for a period of not more

than ninety (90) days or both at the discretion of the court

Section 24 All acts and parts of acts inconsistent with the provisions of this act are repealed

Section 25 This law shall take effect ninety (90) days after its final passage

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Gyger,	Magee,	Salus,
Beidleman,	Hilton,	McIlhenny,	Sensenich,
Buckman,	Hoke,	McNichol,	Sheatz,
Catlin,	Homsher,	Mills,	Snyder,
Endsley,	Huffman,	Moore,	Thompson,
Farley,	Hunter,	Nulty,	Vare,
Gerberich,	Jones,	Powell,	Wasbers,
Graff,	Kline		

NAYS—5.

Clark,	Heacock,	Jarrett,	Judson,
	Martin,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 791, as follows:

An Act vesting in the municipalities of this Commonwealth the title for municipal highway purposes to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the title for municipal highway purposes to the land embraced within the lines of all streets lanes and alleys within the corporate limits of the municipalities which have been laid out by this Commonwealth shall be vested in the respective municipalities wherein such streets lanes and alleys are located

Section 2 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Farley,	Homsher,	Moore,
Beidleman,	Gerberich,	Hunter,	Morgan,
Buckman,	Graff,	Jones,	Salus,
Catlin,	Gyger,	Kline,	Sensenich,
Crow,	Hall,	Magee,	Snyder,
Daix,	Heacock,	McNichol,	Thompson,
Endsley,	Hoke,	Miller,	Vare,

NAYS—10.

Clark,	Judson,	Nulty,	Sones,
Huffman,	Martin,	Powell,	Wasbers,
Jarrett,	Mills,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1000, as follows:

An Act to repeal section eight of an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section eight of the act of May first one thousand nine hundred and nine "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect fish from being destroyed or injured by destructive means to provide for the apointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisherits to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid" which reads as follows "That it shall be unlawful to use fish baskets in the waters within or under the control of this Commonwealth from the first day of December to the fourteenth day of August next ensuing each date inclusive that it shall be lawful to use fish baskets from the fifteenth day of September to the thirteenth day of November in each year both dates inclusive and from four o'clock in the afternoon until eight o'clock on the following morning for the capture of eels and no fish basket shall be set or used in a stream known as a trout stream and no wing-walls of any two baskets shall be within twenty feet of each other at the upper end when side by side or extend beyond each other at the upper end or reach from main shore to main shore or extend over more than three-fourths of the width of a stream or occupy so much of the stream as to prevent the passage of canoes or boats and fish at either side of the stream or be constructed of any other material than loose stones and no basket and wing-walls shall be set immediately above one already legally located nearer than one-quarter of a mile And provided That the bottoms of the basket so used shall be made of well-rounded wooden slats not more than two inches wide so set or placed that shall not be less than three-eighths of an inch apart when swollen by water And provided further That bottoms of said baskets shall be movable for the entire width of each and every fall or so much of said bottoms be movable as to leave not more than seven slats in one section and such bottoms or parts of bottoms shall be taken out of said falls or so adjusted as to make it impossible for them to catch fish from eight o'clock in the morning and kept out until four o'clock in the afternoon And provided further That the number of the license of said basket shall be clearly and permanently painted or marked on the sides thereof Provided That nothing in this section shall be so construed as to allow any fish-baskets to be erected and operated within a quarter of a mile of any fishway chute or opening in a dam through which fish can pass when water is running through raceways and mills excepted And provided also That before any person or persons shall be authorized to catch or take eels by means of a fish basket as described he or they shall be required to take out a license from the treasurer of the county in which he or they propose to erect or construct any fish basket in accordance with section twenty-one of this act and no person shall be given a license was given another person the previous year until the first day of the lawful season for using basket unless the licensee of the previous year shall have previously notified the county treasurer in writing of his intention not to renew his license Provided That any person who shall neglect to take out a license for two years shall have no priority to such location And provided also That no license shall be granted for a fish basket in any stream without the written consent of the owner and occupant of the land on which it is proposed to place such basket And provided further That all baskets used or operated under the provisions of this section shall be entirely removed from the wing-walls or dismantled or destroyed within one week after the closing of the legal season And provided also That no person or persons shall operate said basket in the absence of the owner or owners except it be a member of his family or a bona fide employe or employes of a member of his or their family in which case the holder or holders of the certificate or license shall be held legally responsible for any violation of this section or of any existing acts relating to fish or fishing within this Commonwealth by the use of said fish baskets Provided further That nothing in this section shall be so construed as to prevent the licensee or lawful operator keeping besides eels any carp suckers or mullets but no other fish which may be taken by the basket while lawfully used for catching eels And provided further That at the end of the fishing season each holder of a license shall furnish to the Department of Fisheries on request of the Commissioner of Fisheries a written report of the approximate number and weight of eels carp suckers and mullets taken to-

gether with the market value of the same for statistical purposes No individual report to be made public without the written consent of the licensee Any person or persons violating any of the provisions of this section shall on conviction be subject to a fine of twenty-five dollars as provided in section twenty-seven of this act together with the forfeiture of any boats or appliances which may have been used to the Department of Fisheries and in addition be deprived of the right to secure another license for the period of two years and this section shall apply to the river Delaware above Trenton Falls" be and the same is hereby repealed

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gerberich,	Kline,	Nulty,
Beidleman,	Graff,	Kurtz,	Powell,
Buckman,	Gyger,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sensenich,
Clark,	Hoke,	McNichol,	Sheatz,
Crow,	Homsher,	McNichols,	Snyder,
Daix,	Huffman,	Miller,	Sones,
DeWitt,	Jarrett,	Mills,	Thompson,
Endsley,	Jones,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Fisher,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. ENDSLEY. Mr. President, I ask that Senate Bill No. 1064 on final passage, entitled:

A supplement to an act approved the thiry-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and precedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioners decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways any kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for constructing re-constructing repairing or maintaining certain spurs or branch roads

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1135 (House Bill No. 1631), as follows:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-nine one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

Whereas, Prior to one thousand nine hundred three upon a broad construction of the word "districts" contained in the thirty-fourth section of the act, approved April twenty-ninth, one thousand eight hundred and seventy-four, entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements and amendments, the Governor of the Commonwealth issued letters patient or charters incorporating a number of electric light companies for the purpose of supplying electricity for heat light and power in districts comprising contiguous municipalities or townships; and,

Whereas, Some of these companies so incorporated relying upon the validity of charters so issued have established light plants and pole lines and have entered upon the business of supplying electricity for light, heat or power, or any or all of them in municipalities or townships named in their respective charters; and,

Whereas, Doubt has arisen concerning the validity of charters so issued; now therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That whenever any charter heretofore issued by the Governor of the Commonwealth to a corporation purports to authorize such corporation to manufacture distribute or sell electricity for heat light or power or any of them in a territory comprising two or more municipalities or townships or a municipality or municipalities and a township or townships and whenever such corporations having accepted said charter has heretofore established a plant for the manufacture or erected pole lines for the distribution of electricity in one or more of the municipalities or townships named in said charter such charter shall be and hereby is validated and confirmed as and for the municipalities or townships in which said plant or pole lines have been established and erected so that said charter shall have the same force and legal effect as if it had originally been lawfully granted for the respective municipalities or townships in which the corporation has heretofore actually operated Provided however That any corporation company or association before deriving the benefits of this act shall by a majority vote of its stockholders at any regular or special meeting accept the provisions of this act and file in the office of the Secretary of the Commonwealth a certificate under the seal of the company setting forth the date of such acceptance whereupon the Governor shall issue his Letters Patent validating confirming and creating said company or association as a corporation in deed and in law with full force and effect as if said company or association had been originally lawfully incorporated Provided also That if any such corporation shall have been consolidated or merged with any other corporation letters patent shall issue with like force and effect to such consolidated or merged corporation upon its acceptance of the provisions of this act in like manner

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Kline,	Nulty,
Beidleman,	Fisher,	Kurtz,	Salus,
Buckman,	Gerberich,	Magee,	Sensenich,
Catlin,	Graff,	McIlhenny,	Snyder,
Clark,	Hall,	McNichol,	Sones,
Crow,	Hilton,	McNichols,	Thompson,
Daix,	Homsher,	Miller,	Vare,
DeWitt,	Hunter,	Moore,	Wasbers,
Endsley,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. GEBERICH. Mr. President, I ask that Senate Bill No. 5, on third reading, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GEBERICH. Mr. President, I ask that Senate Bill No. 7, on third reading, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale or exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINNAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 514, entitled:

An Act to amend an act approved the third day of April one thousand eight hundred and fifty one entitled "An Act regulating boroughs" as amended.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller.	Thompson,
Endsley,	Hunter,	Mills,	Vare,
Farley,	Jarrett,	Moore,	Wasbers.
Gerberich,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 600, entitled:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Kurtz,	Salus.
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix.	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Thompson
Endsley,	Hunter,	Mills,	Vare.
Fisher,	Jarrett,	Moore,	Wasbers,
Gerberich,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 670 (House No. 173), entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Kurtz,	Powell,
Buckman,	Heacock,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sensenich,
Clark,	Hoke,	McNichol,	Sheatz,
Crow,	Homsher,	McNichols,	Snyder,
Daix,	Huffman,	Miller,	Sones,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Jarrett,	Moore,	Vare,
Fisher,	Jones,	Morgan,	Wasbers,
Graff,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 679 (House No. 512), entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Thompson,
Endsley,	Hunter,	Mills,	Vare,
Fisher,	Jarrett,	Moore,	Wasbers,
Gerberich,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 750, as follows:

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public streets or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That from and after the passage of this act the council of any incorporated borough of this Commonwealth shall have the right and power to require by resolution and cause to be sprinkled or oiled any public street or thoroughfare or parts thereof which may now be laid out or may here-

after be laid out and opened in any of the said boroughs and collect in the manner hereinafter provided the cost and expense of the same from the owner or owners or occupiers of the real estate bounding or abutting thereon by an equal assessment on the feet front bounding or abutting as aforesaid said assessment to be estimated by the street commissioner or other competent authority designated by the board of council of said borough Provided That the council of any such borough shall not require or cause to be sprinkled or oiled any street or thoroughfare or any part thereof except upon the petition of a majority of the owners or occupiers of property representing not less than one-half in number of feet of the properties fronting or abutting on said street or thoroughfare or the part thereof proposed to be sprinkled or oiled

Section 2 All assessments for sprinkling or oiling as aforesaid shall be filed with the secretary of the board of council within thirty days after the season for sprinkling or oiling the street is ended which said season shall be from June first to November first of each year

The secretary of the board of council shall keep a record of the names of the persons assessed and the number of feet frontage each is charged with and the amount so charged

Section 3 Within thirty days after the return of the assessment to the secretary of the board of council the secretary shall issue a statement to each of the persons charged with an assessment showing the amount due from such person this notice to be served by the chief of police or some other person designated by the board of council to serve said notice

Section 4 Any notice required to be served in any proceedings under this act may be served upon the owner or occupier of the lot personally or by leaving a copy of said notice with an adult member of the family of the owner or occupier of the lot and if the owner cannot be found and no person in possession the notice shall be posted upon the premises

Section 5 Each notice shall describe the lot the owner or occupier of which is sought to be charged with the assessment named in the notice

Section 6 If the claim is not paid within fifteen days after the service of notice of the amount due the claim shall be certified by the secretary to the solicitor of the board of council who shall proceed to collect the same as debts of like amount are now collected in the common action of assumpsit of which justices of the peace have jurisdiction

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Kurtz,	Powell,
Buckman,	Heacock,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sensenich,
Clark,	Hoke,	McNichol,	Sheatz,
Crow,	Homsher,	McNichols,	Snyder,
Daix,	Huffman,	Miller,	Sones,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Jarrett,	Moore,	Vare,
Gerberich,	Jones,	Morgan,	Wasbers,
Graff,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 811 (House No. 964), entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Thompson,
Endsley	Hunter,	Mills,	Vare,
Farley,	Jarrett,	Moore.	Washers,
Gerberich,	Jones,	Morgan.	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 822, as follows:

An Act requiing property owners or occupiers of property in townships to clean highways and ditches from brush and providing for the work to be done by the township commissioners or supervisors in the event of the neglect or failure of the property owners or occupiers of property so to do and the manner of collecting the cost of the same and providing for penalties in case of failure

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all owners or occupiers of propert yin the various townships in the Commonwealth shall be required to cut out and clean the highways and ditches adjacent to the said properties from all brush and weeds within fifteen days after having had notice in writing so to do from the township commissioners or supervisors of their said township

Section 2 That upon neglect or failure of said person so notified to so clean the said highway and ditches within the said time then the said township commissioners or supervisors shall proceed to do the said work and charge the cost of the same against the said property with twenty per centum added as a penalty and the said amount shall be a tax charge upon the said land and shall have the same standing against the same and shall be collected the same as road taxes are now by law a charge and are collected

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MARTIN. Mr. President, The bill is objectionable in as much as it requires each individual owner along a public highway to keep the weeds cut down at his own expense, and failing to do this the Supervisor may cause it to be done and add twenty per cent to the cost, and compel by process of law the land owner to pay the expense thereof. This is unfair and unjust, being a double tax against the abutting property owner, as he has only the right of passage over the highway the same as any other user thereof. The cutting of brush and weeds or the removing of any obstruction in the highways should be under the direction of the Supervisor and at the expense of the township and the cost thereof assessed the same as for any other road repairs. It is to my mind altogether wrong to put the power in the hands of the supervisor to compel individuals to go upon the highway and remove brush or any other obstruction. That should be done by the supervisor and he only or under his direction.

Mr. MILLS. Mr. President, this bill provides that the supervisor, if they deem it necessary, shall notify the various property owners along the highways of townships, to clean from the ditches along the road brush and weeds. If the owners do not do so, then the supervisors proceed to do the work and charge it up to the land as taxes. In other words, if the various property owners obey the mandate of the supervisors they relieve themselves of taxation which would fall upon them for having the road properly maintained in front of their premises. The bill was framed and designed at the instance of the supervisors, or some of the supervisors' associations, in some of the Northern tier counties. It is patterned after the law of New York which worked out to very great advantage. It can be presumed that every person owning property in townships faces along some of the highway, and if property owners obey the mandate of the supervisors, then they are relieved of the taxes which are necessarily incurred in cleaning the highways. If they do not do so the supervisors do it and it becomes a part of the land owners' tax. By enacting it the road would be well cleaned and would thereby be much better for the travelling public and for the citizens and townships where the roads are thus treated.

And the question recurring,

Will the Senate agree to the bill?

Mr. MARTIN. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 835 (House No. 41), entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Beidleman,	Hall,	Kline,	Nulty,
Buckman,	Heacock,	Kurtz,	Powell,
Catlin,	Hilton,	Magee,	Salus,
Clark,	Hoke,	Martin,	Sensenich,
Crow,	Homsher,	McIlhenny,	Sheatz,
Daix,	Huffman,	McNichol,	Snyder,
DeWitt,	Hunter,	Miller,	Sones,
Endsley,	Jarrett,	Mills,	Thompson,
Gerberich,	Jones,	Moore,	Vare,
Graff,	Judson,	Morgan,	Wasbers,
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 893 (House No. 897), entitled:

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Magee,	Powell,
Beidleman,	Hilton,	Martin,	Salus,
Buckman,	Hoke,	McIlhenny,	Sensenich,
Catlin,	Homsher,	McNichol,	Sheatz,
Clark,	Huffman,	McNichols,	Snyder,
Crow,	Hunter,	Miller,	Sones,
Daix,	Jones,	Mills,	Thompson,
Endsley,	Judson,	Moore,	Vare,
Gerberich,	Kline,	Morgan,	Wasbers,
Graff,	Kurtz,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 918 (House No. 962), entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecutor in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Endsley,	Hunter,	McNichols,
Beidleman,	Farley,	Judson,	Mills,
Buckman,	Graff,	Kline	Moore
Catlin,	Gyger,	Kurtz,	Sensenich,
Clark,	Hall,	Martin,	Thompson,
Crow,	Hilton,	McIlhenny,	Vare,
DeWitt,	Hoke,		

NAYS—5.

Heacock,	Miller,	Nulty,	Powell,
		Wasbers,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate Proceeded to the third reading andconsideration of Senate Bill No. 922 (House No. 1234), entitled

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Fisher,	Judson,	Morgan,
Beidleman,	Graff,	Kurtz,	Powell,
Buckman,	Gyger,	Magee,	Salus,
Catlin,	Hall,	Martin,	Sensenich,
Clark,	Heacock,	McIlhenny,	Sheatz,
Crow,	Hilton,	McNichols,	Snyder,
Daix,	Hoke,	Miller,	Sones,
DeWitt,	Homsher,	Mills,	Thompson,
Endsley,	Hunter,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 924 (House No. 607), entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty-one one-hundredths dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretofore and now known as the Standard Distilling Company.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Kurtz,	Nulty,
Beidleman,	Hall,	Magee,	Powell,
Buckman,	Heacock,	Martin,	Salus,
Catlin,	Hilton,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Sheatz,
Daix,	Hunter,	McNichols,	Snyder,
Endsley,	Jarrett,	Miller,	Sones,
Fisher,	Jones,	Mills,	Thompson,
Gerberich,	Judson,	Moore,	Vare,
Graff,	Kline	Morgan,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 976, (House Bill No. 1321) on third reading, entitled:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside or the judgment of the court reversed and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate or the court erred in its instructions as to the measure of damages the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 981 (House No. 23), entitled:

An Act providing for the creation and requlation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McNICHOLS. Mr. President, I ask unanimous consent to amend the title in line 4, by striking out the word "state" and inserting in lieu thereof the word "Commonwealth;" also in section 1, line 5 by striking out "Ordiance" and inserting in lieu thereof the word "ordinance;" also in section 1, line 12, by inserting after the word "in" the word "the;" also in the same line, by striking out "ordiance" and inserting in lieu thereof the word "ordinance" also in section 3, line 12, by inserting after the word "of" the word "the."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 990, entitled:

An Act regulating the qualifications and election of township supervisors in townships of the second class and limiting the term of all present township supervisors.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEQS—37.

Alexander,	Graff,	Magee,	Powell,
Beidleman,	Gyger,	Martin,	Salus,
Buckman,	Hilton,	McIlhenny,	Sensenich,
Catlin,	Hunter,	McNichol,	Sheatz,
Clark,	Jarrett,	Miller,	Snyder,
Crow,	Jones,	Mills,	Sones,
Daix,	Judson,	Moore,	Thompson,
DeWitt,	Kline,	Morgan,	Vare,
Endsley,	Kurtz,	Nulty,	Wasbers,
Gerberich,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 991, as follows:

An Act to confirm conveyances of lands made by building and loan associations after expiration of the term of their chartered existence

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all deeds of conveyance of lands situate within this Commonwealth heertofore made by any building and loan association after the term for which it was incorporated shall have expired shall be as good and effectual and have the same force and effect for passing title to the lands so conveyed as though executed during the period of its chartered existence

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Powell,
Buckman,	Hall,		Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McIlhenny,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	Miller,	Thompson,
Endsley,	Hunter,		Vare,
Fisher,	Jarrett,	Moore,	Wasbers,
Gerberich,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER ON ORDER.

The PRESIDENT. Senate Bill No. 1001, on third reading, entitled:

An Act to further amend section seven of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in

entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the Common Pleas court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs'" approved the second day of April one thousand nine hundred and thirteen by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex delicto and providing for bills of particulars

has not been received from the Printer and will go over in its order.

BILL ON THIRD READING AND FINNAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1009 (House No. 734), entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse quail and wild water fowl.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Endsley,	Homsher,	Magee,
Beidleman,	Farley,	Huffman,	Miller,
Buckman,	Gerberich,	Hunter,	Mills,
Catlin,	Graff,	Jarrett.	Moore,
Clark,	Gyger,	Jones,	Morgan,
Crow,	Hall,	Judson,	Sensenich,
Daix,	Heacock,	Kline,	Snyder,
DeWitt,	Hilton,	Kurtz,	Thompson,

NAYS—1.

Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1061, entitled:

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the county of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Kurtz,	Powell,
Catlin,	Heacock,	Magee,	Salus,
Crow,	Hilton,	Martin,	Sensenich,
Daix,	Hoke,	McIlhenny,	Sheatz,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1075 (House No. 1154), entitled:

An Act for the better protection of wild turkeys in this Commonwealth.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Gyger,	Kline,	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Martin,	Sensenich,
Clark,	Hilton,	McIlhenny,	Sheatz,
Crow,	Hoke,	Miller,	Snyder,
DeWitt,	Huffman,		Sones,
Endsley,	Hunter,	Moore,	Thompson,
Farley,	Jones,	Morgan,	Vare,
Gerberich,	Judson,	Nulty,	Wasbers,
Graff,			

NAYS—1.

Beidleman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1155 (House Bill No. 1139), on third reading, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini one thousand eight hundred and eighty-five as amend by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred and seven by altering the seventh section and by repealing the sixth section thereof

be recommitted to the Committed on Judiciary Special for the purpose of a hearing.

Mr. CROW. I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. McILHENNY. I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at this moring's session, which were laid upon the table.

REPORTS FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make reports from Committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Finance, reported as committed, Senate Bill No. 676 (House Bill No. 483), entitled:

An Act to amend an act approved the 30th day of April, 1864, entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board," as amended by an act approved the 11th day of May, 1911, entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purpose and to abolish the Revenue Board,' approved the 30th day of April, A. D. 1864, by requiring the treasurer of each school district and

chief officer of each incorporated district to make report under oath to the Auditor-General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts.'

Also, from the Committee on Corporations reported as committed, Senate Bill No. 1192 (House Bill No. 415), entitled:

An Act making an appropriation to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as a properitor of a moving picture place in the State of Pennsylvania.

Also, from the Committee on Corporations, reported as committed, Senate Bill No. 1128 (House Bill No. 1278), entitled:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys, smoke stacks or other source.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. McILHENNY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. McILHENNY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Kurtz,	Powell,
Catlin,	Heacock,	Magee,	Salus,
Clark,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
Dalx,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	
Fisher,	Jones,	Moore,	Wasbers,
Gerberich,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 268, as follows:

An Act to amend the first paragraph of the first section of an act hitherto amended and entitled "An Act to authorize chattel mortgages in this Commonwealth upon iron ore pig-iron blooms steel and iron nails steel ingots and billets rolled or hammered steel in sheets bars or plates and all steel and iron castings of every description not in place" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven so as to authorize chattel mortgages of not less than one hundred dollars on all kinds of machinery

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first paragraph of section one of an act hitherto amended and entitled "An Act to authorize chattel mortgages in this Commonwealth upon iron ore pig-iron blooms steel and iron nails steel ingots and billets rolled or hammered steel in sheets bars or plates and all steel and iron castings of every description not in place" which as amended reads of follows

"That all iron ore mined and prepared for use pig-iron blooms and rolled or hammered iron in sheets bars or plates iron and steel nails steel ingots and billets rolled or hammered steel in sheets bars or plates and all boilers engines oil gas and artesian well supplies and all steel or iron castings of every descrption not in place all petroleum or coal oil crude or refined in tanks barrels reservoirs or other receptacle in bulk all roofing and manufactured slate as well as all slate quarried to be used for roofing or manufactured for other uses asphaltum blocks including all materials used in the manufacture thereof all manufactured cement in barrels bags or bins including all materials on hand used in the manufacture thereof may be mortgaged for any sum not less than one hundred dollars by an instrument in writing signed by the owner thereof or by his agent duly authorized and constituted and duly acknowledged before some person authorized to take acknowledgements of deeds" is hereby further amended to read as follows

That all iron ore mined and prepared for use pig-iron blooms and rolled or hammered iron in sheets bars or plates iron and steel nails steel ingots and billets rolled or hammered steel in sheets bars or plates and all boilers engines oil gas and artesian well supplies and all steel or iron castings of every description not in place all petroleum or coal oil crude or refined in tanks barrels reservoirs or other receptacle in bulk all roofing and manufactured slate as well as all slate quarried to be used for roofing or manufactured for other uses asphaltum blocks including all materials used in the manufacture thereof all manufactured cement in barrels bags or bins including all materials on hand used in the manufacture thereof and all kinds of machinery may be mortgaged for any sum not less than one hundred dollars by an instrument in writing signed by the owner thereof or by his agent duly authorized and constituted and duly acknowledged before some person authorized to take acknowledgements of deeds

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 381 (House Bill No. 265), on second reading, entitled:

An Act providing for the establishment and maintenance of tuberculosis hospitals by a single county or by a group of two or more counties authorizing the holding of elections for the approval thereof and the appointment of boards of directors to erect and manage the same providing for the issue of county bonds and the appropriation of moneys by the county commissioners for the purposes of such hospitals imposing the duty upon the board of public charities to fix in each year the maximum per capita maintenance rates for such hospitals and prescribing the duties and powers of the board of directors

be recommitted to the Committee on Judiciary Special.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 444, as follows:

An Act to amend an act enttled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the method of counting the votes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to regulate the nomination and election of public officers requiring cerain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all ballots cast in elections for public officers within this Commonwealth shall be printed and distributed at public expense as hereafter provided The printing of the ballots and of the cards of instruction for the elections in each county and the delivery of the same to the election officers as hereinafter provided and all other expenses incurred under the provisions of this act shall be a county charge unless herein otherwise provided the payment of which shall be provided for in the same manner as the payment of other election expenses It shall be the duty of the Secretary of the Commonwealth to prepare forms for all the blanks made necessary or advisable by this act and to furnish copies of the same to the county commissioners of each county who shall procure further copies of the same at the cost of the county and furnish them to the election officers or other persons by whom they are to be used in such quantities as may be necessary to carry out the provisions of this act" be amended so as to read as folllows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gen-

eral Assembly met and it is hereby enacted by the authority of the same That all ballots and envelopes cast in elections for public officers within this Commonwealth shall be printed and distributed at public expense as hereinafter provided The printing of the ballots the envelopes and of the cards of instructions for the elections in each county and the delivery of the same to the election officers as hereinafter provided and all other expenses incurred under the provisions of this act shall be a county charge unless herein otherwise provided the payment of which shall be provided for in the same manner as the payment of other election expenses It shall be the duty of the Secretary of the Commonwealth to prepare forms for all the blanks made necessary or advisable by this act and to furnish copies of the same to the county commissioners of each county who shall procure further copies of the same at the cost of the county and furnish them to the election officers or other persons by whom they are to be used in such quantities as may be necessary to carry out the provisions of this act

Section 2 That section thirteen of said act which reads as follows

"Section 13 The county commissioners of each county shall cause all the ballots to be used therein to be printed The said commissioners shall ascertain the office to be filled and shall be responsible for the accurate printing of the ballots in accordance with this act and for the safe-keeping of the same while in their possession or that of their subordinates or agents" be amened so as to read as follows

Section 13 The county commissioners of each county shall cause all the ballots and envelopes to be used therein to be printed The said commissioners shall ascertain the office to be filled and shall be responsible for the accurate printing of the ballots in accordance with this act and for the safe-keeping of the ballots and envelopes while in their possession or that of their subordinates or agents

Section 3 That section fifteen of said act which reads as folllows

"Section 15 All the ballots used in the same voting place at an election shall be alike and shall be at least six inches long and four inches wide They shall be printed with the same kind or kinds of type (which shall not be smaller than the size known as "brevier" or "eight-point body") upon white paper without any impression or mark to distinguish one from another and of sufficient thickness to prevent the printed matter from showing through Each ballot shall be attached to a stub or counterfoil and all the ballots for the same voting place shall be bound together in convenient numbers in books in such manner that each ballot may be detached and removed sparately

On the back of each ballot or on the right hand side of the back if the ballots is printed in two columns there shall be printed as a caption "official ballot for" followed by the designation of the voting place for which the ballot is prepared the date of the election and a fac-simile of the signatures of the county commissioners of the respective counties who have caused the ballots to be printed A record of the number of ballots printed and furnished to each voting place shall be kept and preserved by the county commissioners of the several counties When it is shown by affidavit that mistake or ommission has cccurred in the publication of names or description of candidates or in the printing of the ballots the Court of Common Pleas of the district or county or any judge thereof may upon the application of any qualified elector of the district or county require the county commissioners to correct the mistake or omission or to show cause why they should not" be amended to read as follows

Section 15 All the ballots used at the same voting place at any election shall be alike and shall be at least six inches long and four inches wide They shall be printed with the same kind or kinds of type (which shall not be smaller than the size known as "brevier" or "eight-point body") upon white paper without any impression or mark to distinguish one from another and of sufficient thickness to prevent the printed matter from showing through Each ballot shall be attached to a stub or counterfoil and all the ballots for the same voting place shall be bound together in convenient numbers in books in such manner that each ballot may be detached and removed separately

On the back of each ballot or on the right hand side of the back if the ballot is printed in two columns there shall be printed as a caption "official ballot for" followed by the designation of the voting place for which the ballot is prepared the date of the election and a fac-cimile of the signatures of the county commissioners of the respective counties who have caused the ballots to be printed When it is shown by affidavit that mistakes or omission has occurred in the publication of names or description of candidates or in the printing of the ballots the Court of Common Pleas of the district or county or any judge thereof may upon the application of any qualified elector of the district or county require the county commissioners to correct the mistake or omission or to show cause why they should not

In addition to the official ballot there shall be an official envelope large enough to conveniently receive a single ballot when folded On the back of the envelope shall be printed the words "official envelope" followed by the date of the election and a fac-simile of the signatures of the county commissioners The flap of the envelope shall be gummed A record of the number of ballots and envelopes printed and furnished to each voting place shall be kept and preserved by the county commissioners of the several counties

Section 4 That section sixteen of said act which reads as follows

"Section 16 The county commissioners of each county shall provide for each election district in which an election is to be held one set of such ballots of not less than seventy-five for every fifty and fraction of fifty voters therein as contained upon the assessor's list They shall also prepare full instructions for the guidance of voters as to obtaining ballots as to the manner of marking them and the method of gaining assistance and as to obtaining new ballots in place of those accidentally spoiled and they shall respectively cause the same together with copies of sections thirty to thirty-five inclusive of this act to be printed in large clear type on separate cards to be called Cards of Instruction They shall also in addition to the number of tickets required to be printed for general distribution have printed five hundred official and one hundred sample ballots for every five thousand voters within the county which tickets shall be kept at the office of the commissioners for the use of any district or districts the tickets for which may be lost or destroyed They shall also cause to be printed on tinted paper and without the fac-simile endorsements copies of the form of the ballot provided for each voting place at each election therein which shall be called Specimen Ballots and at each election they shall furnish to each voting place together with the ballots to be used there a sufficient number of cards of instruction and specimen ballots for use as required in section twenty-one of this act They shall also provide for each election district at every election therein two copies of the assessor's list of voters and shall deliver the same as such lists are now delivered one copy to be called the "ballot check-list" for the inspectors in charge of the ballots and the other copy to be called the "voting check-list" to be used in marking the name of those who have voted and the number of their ballots as now required by law' be amended so as to read as follows

Section 16 The county commissioners of each county shall provide for each election district in which an election is to be held one set of such ballots and envelopes of not less than seventy-five for every fifty and fraction of fifty voters therein as contained upon the assessor's list They shall also prepare full instructions for the guidance of voters as to obtaining ballots as to the manner of marking them and as to obtaining new ballots and envelopes in place of those accidentally spoiled and they shall respectively cause the same together with copies of sections thirty to thirty-five inclusive of this act to be printed in clear type on separate cards to be called Cards of Instruction They shall also in addition to the number of tickets and envelopes required to be printed for distribution to the judges of election have printed five hundred official ballots and envelopes and one hundred sample ballots for every five thousand voters within the county which tickets and envelopes shall be kept at the office of the commssioners for the use of any district or districts the tickets or envelopes for which may be lost or destroyed They shall also cause to be printed on tinted paper and without the fac simile endorsement copies of the form of the ballot provided for each voting place at each election therein which shall be called specimen ballots and at each election shall furnish to each voting place together with the ballots and envelopes to be used there a sufficient number of cards or instruction and specimen ballots for use as required in section twenty-one of this act They shall also provide for each election district except in cities of the first second and third class at every election therein two copies of the assessor's list of voters and shall deliver the same as such lists are now delivered one copy to be called the Ballot Check List for the inspectors in charge of the ballots the other copy to be called the Voting Check List to be used in marking the names of those who have voted

Section 5 That section seventeen of said act which reads as follows

"Section 17 The ballots together with the specimen ballots and cards of instruction printed by the county commissioners as herein provided shall be packed by them in separate sealed packages with marks on the outside clearly designating the election districts for which they are intended and the number of ballots of each kind enclosed

They shall then be sent by the county commissioners of the respective counties to the judges of election at the several voting places so as to be received by them on the Saturday or Monday before the day of election The respective judges of election shall on delivery to them of such packages return receipts therefor to the commissioners who shall keep a record of the time when and the manner in which the several packages are sent and shall preserve for the period of one year the receipts of the said judges of election

The commissioners of any county may if they prefer instead of sending the package to the judges or any number of them in the manner aforesaid notify the judges of the election districts of which the said commissioners are required to privide ballots to come to the said commissioners' office on the day before the election at a time specified and it shall be the duty of each of the said judges to come to the said office at that time and there on presentation of his certificate of election as judge to receive and receipt for one package of ballots specimen ballots and cards of instruction for use in his election district He shall keep the said package sealed and shall be responsible for the safe-keeping thereof until the ballots are used at the election In case a judge of the election is prevented by illness from performing the duties aforesaid he shall depute one of the inspectors to act in his place" be amended so as to read as follows

Section 17 The ballots together with the envelopes specimen ballots and cards of instruction printed by the county commissioners as herein provided shall be packed by them in separate sealed packages with marks on the outside clearly designating the election districts for which they are intended and the number of ballots and envelopes enclosed

They shall then be sent by the county commissioners of the respective counties to the judges of election at the several voting places so as to be received by them on the Saturday or Monday before the day of election The respective judges of election shall on delivery to them of such packages return receipts therefor to the commissioners who shall keep a record of the times when and the manner in which the several packages are sent and shall preserve for the period of one year the receipt of the said judges of election

The commissioners of any county may if they prefer instead of sending the packages to the judges or any number of them in the manner aforesaid notify the judges of the election districts for which the said commissioners are required to provide ballots to come to the said commissioners office on the day before the election at a time specified and it shall be the duty of each of the said judges to come to the said office at that time and there on presentation of his certificate of election as judges to receive and receipt for one package of ballots specimen ballots envelopes and cards of instruction for use in his election district He shall keep the said package sealed and shall be responsible for the sake-keeping thereof until the ballots and envelopes are used at the election In case a judge of the election is prevented by illness from performing the duties aforesaid he shall depute one of the inspectors to act in his place

Section 6 That section twenty-one of said act which reads as follows

"Section 21 Any person desiring to vote shall give his name and residence to one of the election officers in charge of the ballots who shall thereupon announce the same in a loud and distinct tone of voice and if such name is found upon the ballot check list by the inspector or clerks in charge thereof he shall likewise repeat the said name and the voter shall be allowed to enter the space enclosed by the guard-rail unless his right to vote be challenged no person whose name is not on the said list or whose right to vote shall be challenged by a qualified citizen shall be admitted within said guard-rail until he has established his right to vote in the manner now provided by law and his name if not on the check lists shall then be added to both lists As soon as a voter is admitted within the rail the election officer having charge of the ballots shall detach a ballot from the stub and give it to the said voter but shall first fold it so that the words printed on the back and outside as provided in section fifteen of this act shall be the only wording visible and no ballot shall be voted unless folded in the same manner Not more than one ballot shall be given to a voter except as provided in section twenty-five of this act As soon as a voter receives a ballot the letter "B" shall be marked against his name on the margin of the ballot check list but no record of the number of the ballots shall be made on the said lists Besides the election officers and such supervisors as are authorized by the laws of the United States or overseers appointed by the courts of this Commonwealth not more than four voters in excess of the number of voting shelves or compartments provided shall be allowed in said enclosed space at one time" be amended so as to read as follows

Section 21 Any person desiring to vote shall give his name and residence to one of the election officers in charge of the ballots who shall thereupon announce the same in a loud and distinct voice and if such name is found upon the ballot check list by the inspector or clerks in charge thereof the person so desiring to vote shall be given a ballot unless his right to vote be challenged No person whose name is not on the said list or whose right to vote shall be challenged by a qualified elector shall be given a ballot until he has established his right to vote in the manner now provided by law and his name if not then on the check list shall be added to both lists except in cities of the first second and third classes where if his name is not on the registry list he shall not be entitled to vote As soon as a voter is given his ballot the election officers shall mark the letter capital "B" against his name on the margin of the ballot check list and the voter may leave the voting place and mark the said ballot and thereafter return to said voting place and upon announcing his name and residence and his not being challenged or if challenged having established his right to vote in the manner now provided by law the election officer having charge of the ballots shall permit the voter to enter the enclosed space within the guard rail and give to the voter one of the official envelopes Not more than one envelope shall be given to each voter Should a voter receiving the official ballot not desire to leave the voting room for the purpose of marking his ballot the election officer having charge of the ballots shall permit him to enter the space enclosed by the guard rail and the election officers shall give to the voter one of the official envelopes Besides the election officers and such supervisors as are authorized by the laws of the United States or overseers appointed by the courts of this Commonwealth not more than four voters in excess of the number of voting shelves or compartments provided shall be allowed in said enclosed space at one time

Section 7 That section twenty-two of said act as amended by section three of said act approved April tweny-ninth one thousand nine hundred and three which reads as follows

"Section 22 On receipt of his ballot the voter shall forthwith and without leaving the space enclosed by the guard-rail retire to one of the voting shelves or compartments and draw a curtain or shut the screen or door and shall then prepare his ballot as follows

If he desires to vote for every candidate of a political party he may make a cross-mark in the appropriate square opposite the name of the party of his choice in the straight party column on the left of the ballot and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked

If he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the party of his choice If he desires to divide his vote among candidates from different groups of Presidential electors he shall make a cross-mark in the appropriate square to the right of the name of each candidate for Presidential elector for whom he desires to vote Provided That a mark in the straight party column opposite the name of the party of his choice shall also be counted as a mark for each Presidential elector nominated by such party

He may vote according to the above provisions for the candidate of his choice for each office to be filled according to the number of persons to be voted for by him for each office or he may insert in the blank space provided therefor in accordance with section fourteen of this act any name not already on the ballot And in case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (X) opposite the answer which he desires to give In all cases where by existing laws a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (X) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

Before leaving the voting shelf or compartment the voter shall fold his ballot without displaying the markings thereon in the same way it was folded when received by him and he shall keep the same so folded and deposit it in the ballot-box without undue delay and shall quit the enclosed space immediately thereafter" be amended so as to read as follows

Section 22 On receipt of his envelope the voter shall forthwith without leaving the space enclosed by the guard-rail retire to one of the voting shelves or compartments and draw a curtin or shut the screen or door and there remain until he shall have enclosed in his envelope the ballot which he desires to vote none but official ballots shall be voted

If he desires to vote for every candidate of a political party he may make a cross-mark in the appropriate square opposite the name of the party of his choice in the straight party column on the left of the ballot and every such cross-mark shall be equivalent to a vote for every candidate for the party so marked

If he desires to vote for an entire group of Presidential electors he may place a cross-mark in the appropriate square at the right of the name of the party of his choice If he desires to divide his vote among candidates from different groups of Presidential electors he shall make a cross-mark in the appropriate square to the right of the name of each candidate for Presidential elector for whom he desires to vote Provided that a mark in the straight party column opposite the name of the party of his choice shall also be counted as a mark for each Presidential elector nominated by such party

He may vote according to the above provisions for each office to be filled according to the number of persons to be voted for by him for each office or he may insert in the blank space provided therefor in accordance with section fourteen of this act any name not already on the ballot And in case of a question submitted to the vote of the people he may mark in the appropriate margin or space a cross (X) opposite the answer which he desires to give In all cases where by existing laws a voter is entitled to cast more than one vote for a single candidate he shall place in the appropriate square instead of a cross (X) a number which shall indicate the number of votes to be counted for the candidate whose name is so marked

After enclosing his ballot in the envelope the voter shall seal the envelope and deposit it in the ballot-box without undue delay and quit the enclosed space immediately thereafter

Section 8 That section twenty-three of said act as amended by section one of an act approved April sixteenth one thousand nine hundred and three which reads as follows

"Section 23 No voter shall be allowed to occupy a voting shelf or compartment already occupied by another except when giving the help allowed by section tweny-six of this act nor to remain within said compartment more than three minutes in case all of such compartments are in use and other voters are waiting to occupy the same No voter not an election officer shall be allowed to re-enter the enclosed space after he has once left it except to give help as hereinafter described Each voter's name shall be checked on the voting check list by the officer having charge thereof as soon as he has cast his vote in the manner provided by law It shall be the duty of the judge of election to secure the observation of the provisions of this section to keep order in the room in which the voting is held and to see that no more persons are admitted within the enclosed space than are allowed by this act each party which has by its primary meeting caucus convention or board sent to the proper office a certificate of nomination and each group of citizens which has sent to the proper office a nomination paper as provided in sections two and three of this act shall be allowed to appoint three qualified electors who must be three electors residents of the division in which they are authorized to act to act as watchers in each voting place without expense to the county one of whom shall be allowed to remain in the room outside of the enclosed space Each watcher shall be provided with a certificate from the county commissioners stating his name the names of the persons who have appointed him and the party or policy he represents and no party or policy shall be represented by more than one watcher in the same voting room at any one time Watchers shall be required to show their certificates when required to do so Until the polls are closed no persons shall be allowed in the room outside of the said enclosed space except these watchers voters not exceeding ten at any one time who are waiting their turn to prepare their ballots and peace officers when necessary for the preservation of the peace No person when within the voting room shall electioneer or solicit votes for any party or candidate nor shall any written or printed matter be posted up within said room except as required by law When the hour for closing the polls shall arrive all persons within the enclosed space who have received ballots but have not yet deposited them shall be required to mark and deposit their ballots forthwith but no other person shall be allowed to vote" be amended so as to read as follows

Section 23 No voter shall be allowed to occupy a voting shelf or compartment already occupied by another nor to remain within said compartment more than three minutes

in case all of such compartments are in use and other voters are waiting to occupy the same No voter not an election officer shall be allowed to re-enter the enclosed space after he has once left it Each voter's name shall be checked on the voting check list by the officer having charge thereof as soon as he has cast his vote It shall be the duty of the judge of election to secure the observation of the provisions of this section to keep order in the room in which the voting is held and to see that no more persons are admitted within the enclosed space printed on the official ballot at said election its political or party appellation have printed on the official ballot at said election its political or party appellation shall be allowed to appoint three qualified electors who must be three electors residents of the division in which they are authorized to act as watchers in each voting place without expense to the county one of whom shall be allowed to remain in the room outside of the enclosed space Each watcher shall be provided with a certificate from the County Commissioners stating his name the names of the persons who have appointed him and the party of policy he represents and no party or policy shall be represented by more than one watcher in the same voting room at any one time Watchers shall be required to show their certificates when required to do so Until the polls are closed no person shall be allowed in the room outside of the said enclosed space except these watchers voters not exceeding ten at any one time who are waiting their turn to prepare their ballots and peace officers when necessary for the preservation of the peace No person when within the voting room shall electioneer or solicit votes for any party or candidate nor shall any written or printed matter be posted up within said room except as required by law when the hour for closing the polls shall arrive all persons within the enclosed space who have received envelopes but have not yet deposited them shall be required to deposit their ballots forthwith but no other person shall be allowed to vote

Section 9 That section twenty-four of said act which reads as follows

"Section 24 No list or memorandum of the names of voters except such lists as are expressly authorized by law shall be made within the voting-room by any person or officer nor shall any list or memorandum of the numbers marked upon the ballots be made or kept except such lists as are expressly authorized by law Provided That any voter may make a memorandum of the number of his own ballot and watchers may keep their poll-books and challenge lists

After the closing of the polls and before the ballot-boxes are opened all the lists of voters upon which the numbers of the ballots are recorded as now required by law shall be placed in separate sealed covers properly marked and the stubs of all the ballots used together with all unused ballots and the ballots check-list shall also be enclosed in a sealed package properly designating the voting place which package shall be sent to the proper office as required by law in the case of the ballots cast and neither the said package nor the said list of voters shall thereafter be opened except by the return judges or in the case of a contest or upon the order of a court of a competent jurisdiction" be amended so as to read as follows

Section 24 No list of memorandum of the names of voters except such lists as are expressly authorized by law shall be made within the voting-room by any person or officer but watchers may keep their poll-books and challenge lists

After the closing of the polls and before the ballot-boxes are opened all the lists of voters shall be placed in separate sealed covers properly marked and all unused ballots and envelopes and the ballot check-list shall also be enclosed in a sealed package properly designating the voting place which package shall be sent to the proper office as required by law in the case of ballots cast and and neither the said package nor the said list of voters shall thereafter be opened except by the return judges or in the case of a contest or upon the order of a court of competent jurisdiction

Section 10 That section twenty-five of said act which reads as follows

"Section 25 No person other than the election officers shall take or remove any ballot from the voting place If any voter inadvertently spoils a ballot he may obtain another upon returning the spoiled one The ballots thus returned shall be immediately canceled and at the close of the polls shall be secured in an envelope sealed and sent to the proper office as required by law in the case of the ballot cast" be amended so as to read as follows

Section 25 No person other than the election officers shall take or remove any envelope from the voting place If any voter inadvertently spoils a ballot or envelope he may obtain another upon returning the spoiled one The envelopes thus returned shall be immediately canceled and at the close of the polls shall be secured in a sealed cover and sent to the proper office as required by law in the case of ballots cast

Section 11 That section twenty-seven of said act as amended by section four of said act approved April twenty-ninth one thousand nine hundred and three which reads as follows

"Section 27 If a voter has marked his ballot otherwise than as directed by this act so that for any reason it is impossible to determine the voter's choice for any office to be filled his ballot shall not be counted for such office but the ballot shall be counted for all other offices for which the names of candidates have been properly marked

No ballot without the official endorsement shall except as herein otherwise provided be allowed to be deposited in the ballot-box and none but ballots provided in accordance with the provisions of this act shall be counted Ballots not marked or improperly or defectively marked shall be endorsed as defective but shall be preserved with the other ballots If any ballot appears to have been obtained otherwise than as provided in this act the judge of elections shall transmit such ballot to the district attorney without delay together with whatever information he may have tending to the detection of the person who deposited the same" be amended so as to read as follows

Section 27 If a voter has marked his ballot otherwise than as directed by this act so that for any reason it is impossible to determine the voter's choice for any office to be filled his ballot shall not be counted for such office but the ballot shall be counted for all other offices for which the names of candidates have been properly marked

None but official ballots contained in official envelopes shall be counted If any envelope shall contain more than one ballot such ballots shall not be counted Ballots not marked or improperly or defectively marked shall be indorsed as defective and enclosed with the envelopes in a separate sealed package indorsed "defective ballots" together with the total number of such ballots and returned by the judge of elections to the prothonotary of the Court of Common Pleas If any envelope appears to have been obtained otherwise than as provided in this act the judge of election shall transmit such envelope to the district attorney without delay together with whatever information he may have tending to the detection of the person who deposited the same

Section 12 That section twenty-eight of said act as amended by section five of said act approved April twenty-ninth one thousand nine hundred and three which reads as follows

"Section 28 After the polls are closed the election officers only shall remain in the voting-room within the guard-rail and shall there at once proceed to count the votes Such counting shall not be adjourned or postponed until it shall have been fully completed A record shall first be made of the number of the last ballot cast the officers in charge of the voting check-list shall in the presence of the other officers and watchers count in a distinct and audible voice the names checked on the said list and announce the whole number thereof and the list of voters the stubs of ballots used and all unused ballots shall then be sealed up as required by section twenty-five of this act The ballot-box shall then be opened by the inspectors the ballots taken therefrom and audibly counted one by one by them and when the count is completed the whole number of ballots cast shall be announced and the counting of the number of votes received by each person voted for shall then proceed The judge in the presence of the inspectors shall read aloud the name or names marked or inserted upon each ballot together with the party name or political appellation under which each vote was cast and the answers marked thereon to the questions submitted if any and the clerks shall each carefully enter each vote as read and keep account of the same in tally-papers prepared for the purpose It shall be unlawful for either judge or inspectors while counting the ballots or the votes thereon to have in his hand any pen pencil or stamp for marking ballots

All ballots after being removed from the box shall be kept within the unobstructed view of those present in the voting-room so that they may be able to see all the marks on each ballot but out of their reach until they are placed in the ballot-box as required by law A full return shall be made in the manner now provided by law of all votes cast and such returns as well as those made by the judges of the courts shall state in every case the number of votes cast for each candidate by each political party or body of which such candidate is a nominee as the same shall appear upon the ballots cast The total vote as soon as counted shall be publicly announced

It shall be the duty of the police officers constables and deputy constables now required by law to be present at the polls to remain in the voting-room but outside of the guard-rail while the votes are being counted and preserve order therein No person except the said peace officers when necessary for the preservation of the peace or persons acting by their authority shall enter into the space within the guard-rail or converse with any election officer in any way after the polls are closed and until the counting of the votes has been completed" be amended so as to read as follows

Section 28 After the polls are closed the election officers only shall remain in the voting room within the guard-rail and shall there at once proceed to count the votes Such counting shall not be adjourned or postponed until it shall have been fully completed A record shall first be made of the number of the last ballot given out by the election officers The officers in charge of the voting check list shall in the presence of the other officers and watchers count in a distinct and audible voice the names checked on the said list and announce the whole number thereof and the list of voters and all unused ballots and envelopes shall then be sealed up as required by section twenty-four of this act The ballot-box shall then be opened by the inspectors and the ballots taken therefrom and audibly counted one by one by them and when the count is completed the whole number of ballots cast shall be announced The ballots shall then be taken from the envelopes and the straight party ballots separated from the split ballots The straight party ballots cast for each party shall be counted and a memorandum thereof made upon the tally sheet and the proper number of votes entered opposite the name of each candidate The split ballots shall then be counted one by one and the proper entries of votes cast made upon the tally sheets In case of any question submitted to vote the judge after the count of votes cast for candidates shall have been completed shall go over the ballots one by one and read aloud the answers marked thereon to each of the questions submitted and the clerks shall carefully enter each answer as read in the tally papers

All ballots after being removed from the box shall be kept with the unobstructed view of those present in the voting-room so that they may be able to see all the marks on each ballot but out of their reach until they are placed in the ballot-box as required by law

It shall be the duty of the police officers constables and deputy constables now required by law to be present at the polls to remain in the voting-room but outside of the guard-rail while the votes are being counted and preserve order therein No person except the said peace officers when necessary for the preservation of the peace or persons acting by their authority shall enter into the space within the guard-

rail or converse with any election officer in any way after the polls are closed and until the counting of the votes has been completed

Section 13 That section thirty of said act as amended by section six of said act approved April twenty-ninth one thousand nine hundred and three which reads as follows

"Section 30 A voter who shall allow his ballot to be seen by any person with the apparent intention of letting it be known how he is about to vote or shall cast or attempt to cast any other than the official ballot which has been given him by the proper election officer or shall falsely declare to a judge of election that by reason of any disability he is unable to mark his ballot and on that account desires assistance in marking it or shall wilfully violate any other provision of this act or any person who shall interfere with any voter when inside said enclosed space or when marking his ballot or who shall endeavor to induce any voter before depositing his ballot to show how he marks or has marked his ballot or any helper who shall attempt to influence the vote of the voter whom he is assisting or who shall mark a ballot in any other way than that requested by the voter whom he is assisting or who shall disclose to any one the contents of any ballot which has been marked with his help except when required so to do in any legal proceedings shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars or to undergo an imprisonment for not more than three months or both at the discretion of the court" be amended so as to read as follows

Section 30 A voter who shall cast or attempt to cast any other than the official ballot or shall wilfully violate any other provision of this act or any person who shall interfere with any voter when inside said enclosed space or when marking his ballot shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not to exceed one hundred dollars or to undergo an imprisonment of not more than three months or both at the discretion of the court

Section 14 That section thirty-two of said act which reads as follows

"Section 32 Any person who shall falsely make or wilfully deface or destroy any certificate of nomination or nomination paper or any part thereof or any letter of withdrawal or file any certificate of nomination or nomination paper or letter of withdrawal knowing the same or any part thereof to be falsely made or suppress any certificate of nomination or nomination paper or any part thereof which has been duly filed or forge or falsely made the official endorsement on any ballot or wilfully destroy or deface any ballot or wilfully delay the delivery of any ballots shall be guilty of misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court" be amended so as to read as follows

Section 32 Any person who shall falsely made or wilfully deface or destroy any certificate of nomination or nomination paper or any part thereof or any letter of withdrawal or file any certificate of nomination or nomination paper or letter of withdrawal knowing the same or any part thereof to be falsely made or suppress any certificate of nomination or nomination paper or any part thereof which has been duly filed or forge or falsely make the official endorsement on any ballot or envelope or wilfully destroy or deface any ballot or envelope or wilfully delay the delivery of any ballots or envelopes shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court

Section 15 That section thirty-four of said act which reads as follows

"Section 34 Any printer employed by the commissioners of any county to print any official ballot or any person engaged in printing the same who shall appropriate to himself or give or deliver or knowingly permit to be taken any of said ballots by any other person than such commissioners or their duly authorized agent or shall wilfully print or cause to be printed any official ballot in any other form than that prescribed by such commissioners or with any other names thereon or with the names spelled otherwise than as directed by them or the names or printing thereon arranged in any other way than that authorized and directed by this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than five years of both at the discretion of the court" be amended so as to read as follows

Section 34 Any printer employed by the commissioners of any county to print an official ballot or envelope or any person engaged in printing the same who shall appropriate to himself or to give or deliver or knowingly permit to be taken any of said ballots or envelopes by any other person than such commissioners or their duly authorized agent or shall willfully print or cause to be printed any official ballot in any other form than that prescribed by such commissioners or with any other names thereon or with the names spelled otherwise than as directed by them or the names or printing thereon arranged in any other way than that authorized and directed by law shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than five years or both at the discretion of the court

Section 16 That section thirty-five of said act which reads as follows

"Section 35 Any person other than an officer charged by law with the care of ballots or a person entrusted by any such officer with the care of the same for a purpose required by law who shall have in his possession outside the voting room any official ballot or any person who shall make or have in possession any counterfeit of an official ballot shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not more than one year or both at the discretion of the court" be amended so as to read as follows

Section 35 Any person other than an officer charged by law with the care of envelopes or a person entrusted by any such officer with the care of the same for a purpose required by law which shall have in his possession outside the voting room any official envelope or any person who shall make or have in possession any counterfeit of an official ballot or envelope shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment for not moree than one year or both at the discretion of the court

Section 17 That section twenty-six of said act be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 457, entitled:

An Act to provide for the election at Fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior Courts when such office is to be filled at a municipal election

Whereas, It is provided by article eight, section three, of the Constitution of the Commonwealth of Pennsylvania that all Judges elected by the electors of the State at large may be elected at either a general or municipal election as circumstances may require; and,

Whereas, It is provided by section two of the act of February seventeenth, one thousand nine hundred and six (Pamphlet Laws thirty-six) as amended by section one of the act of April sixth, one thousand nine hundred and eleven (Pamphlet Laws forty-three), that candidates for all offices to be filled at the municipal election shall be nominated at the Fall Primary, and

Whereas, It is provided by section twelve of said act of February seventeenth one thousand nine hundred and six as amended by section one of the act of May twenty-second one thousand nine hundred and seven (Pamphlet Laws one hundred and ninety-nine) that candidates for offices of the Commonwealth to be voted for by electors of the State at large shall be nominated by State Conventions; and,

Whereas, There is no provision under existing laws for the election of delegates to State Conventions for the nomination of candidates for offices to be filled at municipal elections; therefore,

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That whenever a judge of the Supreme or Superior Courts is to be elected at a municipal election any party or body of electors one of whose candidates at either the general or municipal election preceding polled two per centum of the largest entire vote cast in the State for any candidate at the last general election may at the Fall Primary preceding such municipal election elect delegates to a State Convention to be held not later than ten days after the primary for the purpose of nominating candidates for the office of Judge of the Supreme or Superior Courts to be voted for at said municipal election The said election of delegates shall be conducted in accordance with existing laws regulating the election of delegates to other State Conventions except as herein modified

Section 2 Conventions composed of delegates elected in accordance with the provisions of this act may nominate candidates for the office of Judge of the Supreme and Superior Courts to be filled at the succeeding municipal election in the manner provided by existing laws for the nomination of candidates by State Conventions

Section 3 Certificates of nomination by such conventions shall be filed with the Secretary of the Commonwealth at least twenty-one days before the date of such election and when so filed shall be deemed valid unless objections thereto are duly made as now provided by law at least eighteen days before the date of election

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 458, as follows:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That at each and every registration of voters held under any of the election and registration laws of this State

whether it is a personal registration or otherwise and in all cities counties boroughs townships and all other districts there shall be a registration and enrollment of the voters according to their respective party preferences and affiliations

Section 2 In all election districts where personal registration is required any elector desiring to participate in the primaries of any party shall at the time of registration state under oath to the registering officers the name of the party of which he is a member and whose ballot he desires to vote at the primaries and it shall then be the duty of the proper registering officers to write the name of such party opposite the name of the elector on the registration list in a column which it is hereby made the duty of the Registration Commissioners to provide in the registration books for that purpose If any elector about to register and enroll as a member of the party is challenged he shall not be registered as a member of that party unless he makes oath before the said registrars that at the last preceding November election at which he voted he voted for a majority of the candidates of that party Provided however That each Presidential elector shall be counted as one candidate and Provided further That any qualified elector may enroll as a member of any party which has secured by order of the court of common pleas of Dauphin county the exclusive use of a party name or political appellation for the ensuing primary If a voter does not desire to vote at a primary election he shall not be required to answer as to his party affiliations or merbership and such party affiliation or membership shall not be recorded

When an elector registers his political party at the fall registration he may vote the ballot of that party at the succeeding fall and spring primary Should he change his political affiliation by voting for a majority of candidates of some other party at the November election and desire to change his party vote at the spring primary he may appear before the registrars of his division at the spring registration and upon taking oath that at the preceding November election he voted for a majority of candidates of some other party it shall be the duty of the registrars to change his political designation on the register and if otherwise qualified may vote the ballot of the said party at the spring primary Any elector who has registered at the fall registration but did not designate his political party may appear before the registrars of his division at the spring registration and under oath designate the party of which he is a member and for whom he desires to vote at the ensuing spring primary provided he takes oath if challenged that at the last preceding November election at which he voted he voted for a majority of candidates of that party and if otherwise qualified he may vote the ballot of said party at the spring primary Provided however That each Presidential elector shall be counted as one candidate and Provided further That any qualified elector may enroll as a member of any party which has secured by order of the court of common pleas of Dauphin county the exclusive use of a party name or political appellation for the ensuing primary

Section 3 In all election districts (other than in cities of the first second and third classes) the registry assessor shall within forty-five days after the approval of this act make an enrollment of each voter residing within the district in which he is authorized to make an assessment and registration of voters and thereafter during the month of May in each year he shall in addition to the duties now authorized and required by law make an annual enrollment of all the voters in his district Said registry assessor shall leave at the residence of each and every voter in his district a certificate of enrollment which shall be in the following form

Certificate of Enrollment

Date ..... 191....

I ..... a duly qualified voter residing in ..... election district hereby declare that I desire to be enrolled as a member of the ..... party and express my desire to vote the ticket of the ..... party at the ..... primary election next ensuing and request that my name be enrolled on the assessor's list as a member of said party for the purpose of participating in said primary or primaries

.....
(Signature of Elector)

Witness .....

.....
(Address)

The above certificate of enrollment shall be furnished to each assessor by the county commissioners of the various counties at the time of the delivery of said assessor's books by the county commissioners

Section 4 The voter may fill out and give to the assessor the certificate of enrollment when presented by the assessor at the time of making the annual enrollment or present the same at some time prior to or on the sixty-second or sixty-third day preceding each primary at which time said assessor shall sit at the polling place to receive said certificates

Section 5 The county commssioners shall have the register so prepared as to permit the assessor to insert the party enrollment of each voter Upon the receipt of the certificate of enrollment from the voter the assessor shall insert in the register after said voters name his party enrollment Each voter desiring to participate in the primaries must file with the assessor his enrollment certificate If a voter does not desire to vote at a primary election he shall not be required to sign or execute the above certificate as to his party affiliation or membership and such party affiliation shall not be recorded

Section 6 If any voter enrolled as a member of a party is challenged at the primaries as to his party enrollment he shall make oath before the election officers that at the last preceding November election at which he voted he voted for a majority of the candidates of that party Provided however that each presidential elector shall be counted as one candidate

Section 7 The assessors shall be entitled to the same per diem compensation for sitting at the polling places on the sixty second and sixty third days proceeding each primary as is now allowed by law for the making of the original annual assessment which shall be paid in the manner now authorized by law

Section 8 Should the registrars or assessors make a mistake in recording an elector's party the said elector may have the registry corrected amended or altered so as to secure a correct registration in the same manner and by the same processes as are provided by law for the correction and amendment of the registry in other particulars provided that such amendments shall not be made later than ten days before any primary election at which the voter desires or intends to vote

Section 9 A voter duly registered and enrolled as a member of a political party if otherwise qualified may vote the ballot of said party at a primary subject to the provisions of this act No voter enrolled and registered as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at a primary election and no elector who is not enrolled and registered as a member of some political party shall be permitted to vote at any primary election Provided however that if at any time the laws of this Commonwealth shall provide for the nomination of a candidate or candidates for any office or offices at non-partisan primary then and in that case every enrolled or registered qualified elector shall be entitled to receive and vote such non-partisan primary ballot in accordance with the provisions of the law authorizing and establishing such primary

Section 10 Any assessor or registrar wilfully violating any of the provisions of this act or wilfully registering any false statement of an elector or registering as the member of a political party one whom he knows not to be such or excluding from a party registry or enrollment any voter whom he knows to be entitled thereto shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000)

Section 11 Any elector who shall wilfully make any false affidavit or statement to any assessor or registrar with intent to procure the false party enrollment or registration of himself or any other voter shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) years and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000)

Section 12 Any voter or elector of the Commonwealth wilfully voting or attempting to vote at any primary election in violation of the provisions of this act or any election officers wilfully receiving or conspiring to receive the vote of any elector casting the ballots as a voter of any political party not qualified as a member of said party under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000)

Section 13 All laws or Acts of Assembly inconsistent or in conflict herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 470 (House Bill No. 132), entitled:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 533 (House Bill No. 280), entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 598, as follows:

An Act relating to alcoholic liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell or adulaterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcemnt thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That it shall be unlawful for any person to manufacture sell offer for sale or advertise for sale or have in possession with intent to sell any article known or which may hereafter be known as alcoholic liquor which is adulterated or misbranded within the meaning of this act

Section 2 That the term "person" as used in this act shall include individuals firms co-partnerships joint stock companies and bodies corporate as well as all officers agents servants employes or others acting for any of the same and shall be taken as applying in the singular or plural as the case may require

For the purpose of this act an alcoholic liquor shall be deemed to be adulterated if it contains any added deleterious or poisonous substance

Section 4 That the term "misbranded" as used herein shall apply to all alcoholic liquor now used or which may hereafter be used by man or which enters into the composition of an article so used the packages or label or advertisement of which shall bear any statement design or devise regarding such article or the ingredients or substance contained therein which shall be false or misleading and to any alcoholic liquor so used the package containing which is falsely branded or tagged or advertised or otherwise marked as to the place State Territory or county in which it is manufactured or produced

Section 5 That for the purpose of this act the following definitions shall be deemed as correctly defining the products named First Whiskey is the product derived by distillation from the properly prepared and fermented mash of malted sound cereals or sound cereals the starch of which has been hydrolized by malt and which distillate has the flavors of the grain left in it and has been stored in wood not less than four years and shall be labeled true to name

Second Cologne or Neutral Spirits is a product derived by fermentation and distillation from any of the following substances Sound or unsound cereals beet root sugar molasses potatoes water-melons or in fact any substance containing sugar or starch from which all or practically all of its constituents except ethyl alcohol and water are separated

Third Rum is spirits made by distillation from clean sound juice of the sugar cane and clean sound massecuite made therefrom clean sound molasses masscuite or any sound clean intermediate product save sugar property fermented and which has been stored in wood not less than four years under normal conditions for aging

Fourth Brandy is the properly distilled spirits made from wine or cider and stored in wood for not less than four years and kept under normal conditions during the process of aging

Fifth Malt liquor or malt is a beverage made by alcoholic fermentation of an infusion in potable water of barley malt and hops with or without unmalted grains decorticated and degerminated grain

Sixth Beer is malt liquor produced by bottom fermantation and luger beer stored in casks for a period of at least three months

Seventh Malt beer is beer made of an infusion in potable water of barley malt and hops

Eighth Ale is a malt produced by top fermentation

Ninth Porter and stout are varieties of malt liquors made in part from highly roasted malt

Tenth Wine is a product made from the normal fermentation of the juice of sound ripe grapes and the usual cellar treatment fortified or unfortified when properly labeled to show its true character

Eleventh The terms "compound whiskey" "compound brandy" "compound rum" shall apply to the products composed of or prepared from cologne or neutral spirits and whiskey cologne or neutral spirits and brandy cologne or neutral spirits and rum with or without color or flavor

Twelfth The terms "imitation whiskey" "imitation brandy" "imitation rum" shall apply to that product prepared from cologne or neutral spirits with or without flavor.

Thirteenth The term "blend" as used herein shall be construed to mean a mixture of two or more like substance as defined in this act provided that it does not contain cologne or neurtal spirits

Section 6 There shall be shown on the face or main label to be attached to each container a statement showing the age the alcoholic strength the amount by measure and the true name and address of the manufacturer

Section 7 The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act and if it shall appear that any article of alcoholic liquor obtained by the Dairy and Food Commissioner or his agents is adulterated or misbranded within the meaning of this act the Dairy and Food Commissioner shall cause notice thereof to be given to the person from whose store hotel restaurant or other place of business said article shall have been obtained and any person so notified shall be given an opportunity to be heard by the Dairy and Food Commissioner under such rules and regulations as may be by him prescribed And if it shall appear that the provisions of this act have been violated the Dairy and Food Commissioner shall cause a prosecution to be commenced against the person from whose store hotel restaurant or other place of business said article shall have been obtained

Section 8 Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and shall upon the conviction thereof be sentenced to pay a fine of not less than two hundred and fifty dollars and not more than one thousand dollars for each offense or be confined for not less than six months or more than one year in jail or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 705, as follows:

An Act fixing the salary of the Chief of the Bureau of Information and the guides in the State Capitol Building

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That hereafter the salary of the Chief of the Bureau of Information in the State Capitol shall be one thousand dollars ($1,000) per annum and the salary of the guides in said building shall be nine hundred dollars ($900) each per annum

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 726 (House Bill No. 642), entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. McNICHOLS. Mr. President, I move that Senate Bill No. 745, on second reading, entitled:

An Act making desertion or non-support of wife by husband, or of children, by either father or mother, a misdemeanor in certain cases, and providing punishment therefor, giving the court power to make an order of support in such cases directing that imprisonment in such cases be at hard labor with wages payable to the wife or children and providing for the payment of the expenses incident ot the carrying out of this act and to promote uniformity between the States in reference thereto

be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 747, as follows:

An Act creating a board of managers to have control of the institutions for the care and treatment of the insane and the house of employment and support of the poor in certain counties prescribing their powers and duties and abolishing the office of directors of the poor in said counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in each county of the Commonwealth containing a population of more than two hundred thousand and less than two hundred twenty-five thousand inhabitants there shall be established a board of managers which shall consist of the county commissioners the controller and three members to be appointed by the court of Common Pleas of the proper county

Section 2 The three members of the board appointed by the court shall be appointed for a term of four years from the first Monday of January one thousand nine hundred and fourteen and quadrennially thereafter In the case of a vacancy in the said board from among the appointed members the same shall be filled by an appointment by the court for the unexpired term The appointed members shall receive an annual salary of one thousand dollars payable monthly

Section 3 The board of managers created by section one of this act shall have control of and manage all institutions in their respective counties for the care and treatment of the insane maintained wholly or partly by county funds and upon the expiration of the terms of office of the directors of the poor in said counties the said board of managers shall take control of and manage the house of employment and support of the poor in said counties and shall be vested with all the rights and powers now conferred upon the directors of the poor The office of director of the poor in said counties is abolished

Section 4 The said board of managers shall meet on the first Monday of January one thousand nine hundred and fourteen and annually thereafter and shall organize by electing a president and secretary The secretary may be a clerk employed in any of the institutions under the control of said board Four members shall constitute a quorum and no business shall be transacted unless a quorum be present

Section 5 At the annual meeting for organization the board of managers shall appoint a superintendent The appointment of the superintendent shall be confirmed by the court of Common Pleas of the county The superintendent shall be a physician and shall have general charge of the institution for the care and treatment of the insane and after the expiration of the term of office of the directors of the poor shall have charge of the house of employment and support of the poor The board of managers shall appoint such assistant physicians male and female and such other officers and employes as they shall deem necessary and shall fix the salaries of the superintendent and all other officers and agents

Section 6 The board of managers shall before the first Monday of February of each year submit to the controller a detailed memoranda of the approximate cost for the care and maintenance of the insane and poor for the current year which when approved by the controller shall be made a part of the estimate of the expenditures of the county for the current year All expenses for the care and maintenance of the insane and poor shall be paid out of the county treasury upon warrant of the county commissioners approved by the controller and all bills before any warrants are drawn for the payment of the same shall be approved by the superintendent and the board of managers

Section 7 All acts and parts of acts general local or special inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MILLS. Mr. President, I move that Senate Bill No. 749, on second reading, entitled:

An Act amending an act approved March twenty-one one thousand nine hundred and seven entitled "An Act authorizing the county commissioners of the several counties or the town councils of the several boroughs of this Commonwealth or both to appropriate annually a sufficient sum of money to each post of the Grand Army of the Republic in their respective counties or boroughs to aid in defraying the expenses of Memorial Day" so as to include camps of the Spanish War Veterans.

be recommitted to the Committee on Judiciary General.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 780, as follows:

An Act validating certain municipal assessments and claims and the liens filed therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the council of any incorporated city or borough of this State has required by ordinance and caused to be paved curbed or macadamized with brick stone or other suitable material any public street or thoroughfare or part thereof or is now causing such paving curbing or macadamizing pursuant to such ordinance but owing to some defect in the petition or ordinance or other proceeding necessary under existing law to give jurisdiction to such council or for any other reason the cost of such improvement or a portion thereof can not be legally assessed upon the property bounding or abutting upon the street or part thereof improved as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made now by this act such improvements are made valid and binding and the council of such incorporated borough or city may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or is now being made and where such assessments have already been made the same are hereby made valid and binding Such assessments shall be a lien upon the property assessed from the date of the completion of said improvement Provided that where the improvement is now in progress a municipal lien for said assessment shall be filed in the prothonotary's office of said county where the land assessed is situated within six months from the completion of the improvement or within six months after the approval of this act where the improvement is now completed Such liens shall be proceeded on and prosecuted as provided by law in case of municipal liens

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 804 (House Bill titled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight."

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 861, as follows:

An Act in relation to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future be established

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Definition of Hospital For the purpose of this article a "hospital" is declared to be any person corporation institution association or agent whose purpose it is either independently or in connection with any other purpose to furnish at any place or places to persons resident therein or non-resident therein either gratuitously or for a compensation determined without reference to the value of the thing furnished medical or surgical advice or treatment medicine or apparatus with bed board and shelter and medical or surgical care and attendance during a treatment and incidental thereto provided however that the moneys used by and for the purposes of said hospital shall be derived wholly or in part from trust funds public moneys or sources other than the individuals constituting said hospital and the persons actually engaged in the distribution of and for the application of charities of said hospital

Definition of Dispensary A "dispensary" is declared to be any person corporation institution association or agent whose purpose it is either independently or in connection with any other purpose to furnish at any place or places to persons non-resident therein either gratuitously or for a compensation determined without reference to the value of the thing furnished medical or surgical advice or treatment medicine or apparatus provided however that the moneys used by and for the purposes of said dispensary shall be derived wholly or in part from trust funds public moneys or sources other than the individuals constituting said dispensary and for the persons actually engaged in the distribution of charities of such dispensary

Section 3 Licensing of hospitals and dispensaries by the State Board of Charities or succeeding body A License may be issued by the State Board of Charities or succeeding body to a hospital or dispensary as provided in this section An application for such license shall be made to such board or succeeding body in the form and manner prescribed by it which shall be uniform for all schools of medicine There shall be attached to such application a statement verified by the oath of the applicant containing such facts as the board or succeeding body may require If in the judgment of such board or succeeding body the statement filed and other evidence submitted in relation to such application indicate that the operations of said hospital or dispensary will be for the public benefit a license shall be issued to the hospital or dispensary applying therefor The form of such license shall be prescribed by the board or succeeding body A hospital or dispensary shall not enter upon the execution or continue the prosecution of its purpose unless licensed by the State Board of Charities or succeeding body as provided in this article A license shall be issued on application to all hospitals and dispensaries legally incorporated and to unincorporated hospitals and dispensaries conducted in connection with incorporated institutions on April eighteenth one thousand nine hundred and thirteen

Section 4 Rules and regulations The State Board of Charities or succeeding body shall make rules and regulations and alter or amend the same in accordance with which all hospitals and dispensaries shall furnish and applicants obtain medical or surgical relief advice or treatment medicine or apparatus But such rules and regula-

tions shall not in any case specify the particular school of medicine in accordance with which a hospital or dispensary shall manage or conduct its work or determine the kind of medical or surgical treatment to be provided by any hospital or dispensary

Section 5 Revocation of License The State Board of Charities or succeeding body or any of its members may at any and all times visit and inspect licensed hospitals and dispensaries They may examine all matters in relation to said hospitals and dispensaries and ascertain how far they are conducted in compliance with this law and the rules and regulations of the board or succeeding body After due notice to a hospital or dispensary and opportunity for it to be heard the board or bureau may if public interest demands and for just and reasonable cause revoke a license by an order signed and attested by the president and secretary of the board or succeeding body Such order shall state the reason for revoking such license and shall take effect within such time after the service thereof upon the hospital or dispensary as the board or succeeding body shall determine The said board or succeeding body is hereby directed to apply to the Supreme Court to revoke the license and annul the incorporation of any hospital or dispensary legally incorporated or conducted in connection with an incorporated institution on April eighteenth one thousand nine hundred and thirteen for willfull violation of the rules and regulations made by said board or succeeding body

Section 6 Drug stores or tenement houses not to be used by hospitals or dispensaries unlawful display of signs After April eighteenth one thousand nine hundred and thirteen no hospital or dispensary shall make use of any place commonly known as a drug store or any place or building defined by law or by an ordinance of the board of health as a tenement house nor after such time shall any person corporation institution society association or agent thereof except a duly licensed hospital or dispensary display or cause to be displayed a sign or other thing which could directly or indirectly or by suggestion indicate the existence of the equivalent in purpose and effect of a hospital or dispensary

Section 7 Violation of article misdemeanor Any person who willfully violates any of the provisions of this article or any of the rules and regulations made and published under the authority of this article shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine not less than ten dollars and not more than two hundred and fifty dollars

Section 8 Obtaining surgical or medical treatment on false representation misdemeanor Any person who obtains medical or surgical treatment on false representation from any hospital or dispensary licensed under the provisions of this article shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than ten dollars and not more than two hundred and fifty dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 876, as follows:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the term of such office

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That candidates for the office of United States Senator shall be nominated and elected in the year next preceding the expiration of the term of office of the United States Senator whose successor is to be elected in the manner provided by law for the nomination and election of candidates for the office of Governor of this Commonwealth Provided however that returns of the election of United States Senator shall be made to the Secretary of the Commonwealth who shall immediately tabulate and compute the same and upon the conclusion of the said count the Governor shall immediately issue a certificate of election duly signed by himself and attested by the Secretary of the Commonwealth and deliver the same to the candidate receiving the highest number of votes and shall also transmit the returns of the said election to the President of the United States Senate

Section 2 Whenever a vacancy shall occur in the representation of this Commonwealth in the Senate of the United States the said vacancy shall be filled for the unexpired term by a vote of the electors at the next general election provided however that if such vacancy shall occur within sixty days of a general election such vacancy shall be filled at the first general election which shall occur sixty days or more after the happening of such vacancy

Elections to fill vacancies in the office of United States Senator shall be held in the same manner herein provided for holding elections for the purpose of electing candidates for the full term

Section 3 Immediately upon the happening of a vacancy in the office of United States Senator the Governor of the Commonwealth shall make a temporary appointment to fill the vacancy until such time as said vacancy shall be filled by an election as herein provided

Section 4 All acts or parts of acts inconsistent with this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 883, as follows:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Personal Registration Act" in cities of the first and second classes

Section 2 "Commissioners" as used herein has reference to Registration Commissioners "oath" includes affirmation and "swear" includes affirm wherever used Election "district" includes election "division" All references to public officers or municipal authorities where not otherwise specified shall be understood to refer to the authorities of the proper county or judicial district "Party" as used herein has reference to a political party which at the last election polled two per centum of the vote cast in any city or election district for the candidate receiving the largest vote therein "Register" means the book containing or to contain the registry list o electors prepared by the registrars "General election' means the election held in even numbered years "Municipal election" means the election held in odd-numbered years

Section 3 The Governor of the Commonwealth shall at the expiration of the terms of existing Commissioners in said cities and in every fourth year thereafter appoint a Board of Registration Commissioners for each of said cities consisting of four duly qualified electors of said city not more than two of whom shall be members of the same party Provided however that this act shall not in any way be construed as nullifying the appointments already made by the Governor of the existing commissioners for terms for which they have already been appointed The commisisoners shall hold office for a term of four years or until their successors qualify Any commisisoners may be removed for cause by the Governor Any vacancy in a Board of Commissioners shall be filled by the Governor within ten days after the vacancy occurs and the person appointed to fill such vacancy shall hold office during the remainder of the term of the commissioner in whose place he was appointed All appointments shall be so made that at no time shall more than two commissioners belong to the same party Commissioners in cities of the first class shall receive a compensation at the rate of three thousand dollars per annum in cities of the second class at the rate of two thousand dollars per annum said compensation shall be paid by the treasurer of the proper county

Section 4 As soon after their appointment as may be the commissioners shall organize by selecting a chairman and a secretary who shall not be members of the same party The concurrence of three commissioners shall be necessary to any affirmative action except as may be otherwise provided herein The commissioners shall keep a record in permanent form of all their proceedings Their records shall be open to the public at all reasonable times and they shall make an annual report to the Governor They shall have the power to administer oaths

Section 5 The commissioners shall not later than August fifteenth of each year appoint four registrars for each election district as herein provided The registrars must be duly qualified electors of the said district and shall have been residents of the city for a period of two years and of the ward for one year immediately preceding their appointment They must be sober and judicious persons of good moral character able to read intelligently and to write legibly Two of the registrars shall be members of the party polling the highest vote within the election district at the last preceding election and one at least shall be a member of the party polling the next highest number of votes at said election The commissioners shall provide at all times a Board of Registrars not more than two of whom shall be of the same political faith If therefore it appears at any time that by reason of a change in political affiliations or because of error in the appointment a board is not so divided any ten electors of the division may file a peititon with the commissioners setting forth the facts and praying that one or more of the appointments may be revoked and that other appointments may be made The commissioners shall grant a public hearing and if they find the facts to be as represented shall give the relief asked for Two of the said registrars one of whom shall be of the majority party shall be designated by the commissioners to have charge of the two registers as hereinafter provided No person who holds or is a candidate for public office shall act as registrar The names of at least four qualified persons shall be suggested to the commissioners by petition duly filed for each election division two by the ward executive committees if such exist and if not by the city committees of the parties of the district These petitions shall be signed by the president and one secretary of the ward executive committees if such exist if not

by the president and one secretary of the city committee if such exists and by five electors of the division and shall set forth the names addresses and occupations and political affiliations of the persons suggested Each candidate for registrar shall swear to the truth of the facts set forth in his petition The petition shall remain on file open to public inspection at least ten days before the persons named therein shall be appointed except in cases where a vacancy occurs in the office of registrar within ten days of a registration day If no petitions are filed the commissioners may appoint without regard to party and if the persons suggested by petition are unfit shall have the power to appoint others of whom they have knowledge No appointment shall be made unless the person to be appointed has personally appeared before the commissioners and has satisfied them of his qualifications but in case of a reappointment it shall not be necessary for the person so reappointed to be summoned At least one week's notice of the time and place of the examination for each ward or election district of those persons who have been suggested by petition or are under consideration for appointment as registrars in such ward or election district shall be published by the commisisoners in at least two daily newspapers in the city Only electors residing in the same division as the person applying for appointment as registrar may appear in person and being duly sworn shown wherein said person applying for appointment as registrar does not possess the requisite qualifications If the persons nominated are found not to be properly qualified the commisisoners may decline to appoint them and the word executive committee or city committee shall then suggest other names as aforesaid

No person shall be appointed a registrar unless the appointment is approved by three commissioners Provided That if two commissioners have concurred in approving four persons successively to fill one position and the other two commissioners have concurred in objecting to said persons the commissoiners first referred to may approve four other names and from these eight all having been suggested by petition the other two commissioners must select the registrar

The commissioners shall have power to summon any person whom they desire to interrogate and all persons testifying before said commissioners shall be first duly sworn by one of said commissioners or by the recorder Any person so appointed a registrar must perform his duties prescribed by this act unless excused therefrom by the commissioners for cause shown The registrars shall receive a compensation of ten dollars per day for the time actually spent in registration

Section 6 The registrars of each election district shall meet at the polling place thereof in even numbered years on the ninth Thursday the seventh Tuesday and fifth Saturday preceding the November election which shall be known as the Fall Registration on the fifth Wednesday preceding the Spring primary which shall be known as the Spring Registration and in odd numbered years on the tenth Thursday ninth Tuesday and eighth Saturday preceding the November election which shall also be known as the Fall Registration They shall remain in open session from seven ante meridian to ten ante meridian and from four post meridian to ten post meridian of each registration day They shall on said days receive personal applications from persons who claim that they are entitled to be registered They shall have power to administer oaths shall examine said applicants under oath and shall record on the register the names of those whom they shall determine to be qualified as hereinafter provided Two weeks' notice of the registration days shall be given by the commissioners by publication in at least two daily newspapers in the city and by posting notices at the polling-places Electors who did not register at the Fall Registration may register at the Spring Registration and the lists shall become of no validity at the beginning of the period of Fall Registration next succeeding that at which the registers were opened The old registers shall be preserved by the commisisoners for at least two years after the year in which they are in use

Section 7 Every person claiming the right to vote must appear in person before the registrars in the district in which he lives on one of the days prescribed by law and answer the questions put to him by them These answers must be recorded on a single line in two registers which shall have the following form

Surname.	Christian Name.	Occupation.	Present Residence.		
			Street and Number.	Lodger, Lesse or Owner.	Room or Floor Occupied.
1	2	3	4	5	6

Length of Residence.		Place of Residence at Time of Last Registration.				Place of Birth.	Naturalization Papers Produced, Yes or No.	No. of Affidavit of Naturalization of Father if taken.	Tax Receipt Produced, Yes or No.
In State.	In District.	State.	City.	Street and Number.	Date of Last Registration.				
7	8	9	10	11	12	13	14	15	16

No. of Affidavit of loss, if taken. If under 22 years of age, write "Age."	Personal Description.				Designation of Political Party for Primary Vote.	Signature at time of Registration or of Voting.
	Color.	Approximate Age.	Tall, Short or Medium.	Approximate Weight.		
17	18	19	20	21	22	23

If Challenged, No. of Challenge. Affidavit.	VOTED. These columns are for use at elections and are not to be filled in by Registrars.			
	Fall Primary.	November Election.	Spring Primary.	Special Election.
24	*25	26	27	28

The size and character of the said register shall be determined by the Secretary of Commonwealth and the form thereof shall be furnished by the said secretary to the respective commissioners

Immediately above the form shall be printed the following instructions The applicant must be sworn or affirmed that the information given by him in reference to his right to be registered shall be the truth Any willful false statement constitutes perjury and is punishable as such

Every register shall be indexed alphabetically from A to Z The lines of each page shall be consecutively numbered in both margins beginning with the number one at each alphabetical division of the register The answers of the applicants shall be recorded in their presence in both registers in the following manner In the first column shall be entered the surname of the applicant in the order of his appearance at the polling-place on the page bearing the index letter of his surname in the second column shall be entered his christian name or names in the third column his occupation in the fourth column the street and number of his residence in the fifth and sixth columns whether he is a householder lodger lessee or owner and if he is a lodger or lessee of a portion only of a house the location or number of the room or floor which he occupies in the seventh and eighth columns shall be entered the length of his residence in the State and district respectively in the ninth tenth eleventh and twelfth columns the location of the house from which he last registered giving State city street and number respectively and the year in which he is so registered in the thirteenth column the State or territory of the United States or the foreign country where he was born in the fourteenth column whether being foreign-born he produces his naturalization papers in the fifteenth column the number of the affidavit of naturalization of his father if taken in the sixteenth and seventeenth columns the manner in which he complies with the law relating to the payment of taxes as a qualification of

right to vote whether by the production of his receipt or by making affidavit if the applicant is less than twenty-two years of age the word "age" shall be recorded in said columns in the eighteenth nineteenth twentieth and twenty-first columns his personal description designating whether white or colored his approximate age height and weight in the twenty-second column the designation of the political party of the elector for the purpose of voting at the next succeeding primary or primaries in the twenty-third column in the register marked "voting check-list" he shall be required to sign his name if able to write if he alleges inability to write a record of the fact shall be made in the same column and unless due to some apparent physical infirmity he shall be required to make affidavit of his inability ao write in the twenty-third column in the register marked "ballot check-list" he shall if challenged on election day be required to sign his name in the twenty-fourth column shall be entered the number of the challenge affidavit of every person who is required to take said affidavit in the twenty-fifth twenty-sixth twenty-seventh and twenty-eighth columns the election officers shall record in one register the obtaining of the ballot and in the other the casting of the vote of the registered elector at the fall primary November election spring primary or special election as hereinafter provided or as may hereafter be provided by law

Section 8 Every person who shall have paid his taxes either by himself on his duly authorized agent or attorney on or before the last day for registration and who shall possess all the other qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will obtain such qualifications before the next ensuing general or municipal election shall be entitled to be registered at the fall registration but at the spring registration only if he will be qualified to vote at the psring primary but no person shall be registered unless at least three of the registrars determine that he is so qualified

Section 9 Any person claiming the right to register may be challenged by a registrar or by any qualified elector of the election division Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall sign if able to write and swear to their truth He shall also make affidavit at the same time to the truth of his answers as recorded in the register if able to read and which he shall be deemed to have examined or have had the same read to him The affidavits of all persons so registered shall at the close of each day of registration be numbered and filed The challenge affidavit shall be in the following form

No.....

..... Election Division ..... Ward

County of .....

State of Pennsylvania ss

City of .....

What is your full name .....

Are you married or single .....

If married where does your family reside .....

.....

If single where do your parents reside .....

.....

Where did you actually reside immediately prior to taking up your present residence .....

.....

Give your residences for the last four months .....

.....

What is the name of your present employer .....

.....

Where is his place of business .....

.....

What is the name of your last employer .....

.....

Where is or was his place of business .....

.....

Have you read the information given by you as recorded in the register .....

I the undersigned do solemnly swear or (affirm) that I have read the information recorded opposite may name in the register of the ..... Division of the ..... Ward on page .... and that said information as well as that recorded in this affidavit is the truth

..... and subscribed

..... day of .... nineteen .....

(Signature of applicant)

.....

Registrar

Registrar's Description of Applicant

Distinguishing marks .....

Other pecularities .....

Color of hair .....

.....

.....

.....

Registrars

The challenged applicant shall produce such further proof as the law requires challenged persons to produce on election day and it shall be the duty of the registrars to require it before permitting him to be registered All persons claiming the right to vote by reason of naturaliation shall be required to produce the proper naturalization papers or a certified copy thereof before they shall be registered but no such person shall be required to produce his papers a second time in the same district unless he is challenged Provided That any person claiming citizenship by reason of the naturalization of his father may be registered either by the production of his father's papers or a certified copy thereof or by making affidavit that his father was naturalized at a time when he the applicant was less than twenty-one years of age and that he is unable to produce his father's papers Whenever the applicant is rejected after a portion of the record has been filled in a line shall be drawn through the record already made and the registrar shall note on said line the reason for the rejection and shall add his initials thereto All affidavits and vouchers shall be executed in duplicate one being delivered into the custody of each registrar who has charge of the registers

Section 10 On the spring registration day the registrars shall in addition to the registration of electors strike from the list of names of such persons as shall be proven to their satisfaction by the affidavits of at least two qualified elector of the Division to have died or removed from the division since the last registration The registrars shall record on blank forms provided for that purpose the names and previous places of registration giving wards and divisions of all persons registered by them on said day who give as such place of previous registration a place in the same city and shall forward the same to the commissioners for their information Thereafter upon the return of the registers to the office of the commisisoners it shall be their duty to examine the same and whenever registered persons have given as their last place of registration another election division in the same city to strike said name from the register of said division of prior residence and to note thereon the reason for so removing the name On the day of spring registration any person who desires to change his political designation because of change in his political affiliations at the last preceeding election or who has hitherto not enrolled as a member of a party although registered may appear before the registrars of the proper division and change their political designation or cause their political designation of party to be entered on the registers At any time between the November election and the ten days before the spring primary any registered elector who has removed from one election division to another in the same city two calendar months prior to the spring primary may apply at the office of the commission and have the registry of his name transferred from the division from which he has removed to the one in which he has taken up his new residence It shall be the duty of the Commissioners upon satisfactory proof of the electors identity to strike his name from the register in the division from which he has removed to examine him in the regular way as to his qualifications and if his answers are satisfactory to the commissioners to register him in the division to which he has removed Provided however that in no case shall an elector change the registration of the designation of his political party later than the fifth Wednesday before the spring primary

Section 11 Parties or bodies of electors who now are or hereafter may be entitled to have watchers at the general election shall be allowed to appoint not more than three electors of the division to act as watchers in each place of registry without expense to the county on each registration day No more than one watcher from such party shall be allowed in the registry place at any one time Each watcher shall be provided with a certificate from the county commissioners stating his name and the party or policy he represents Watchers shall be entitled to be present during all of the public sessions herein provided for and shall be required to show their certificates when requested to do so They shall have the power to challenge

Section 12 No more than six electors other than the registrars and the watchers herein provided for shall be allowed in the registry room at any one time

Section 13 At the end of each day's registration the registrars shall compare the two registers so kept and cause any errors in either of them to be corrected by aid of the entries in the other so as to make the same agree where there is any difference between them All of the registrars shall then sign their initials in the line immediately under the last names registered under each letter in both books together with the date At the close of both fall and spring registrations the registrars shall sign a certificate the forms of which shall be printed on the last page of the register setting forth the number of persons registered on each day and the number of names which have been stricken out if any

Section 14 The two registrars who have not charge of the registers shall at the fall registration prepare two "street lists" of all names registered These lists shall contain the names of the electors and their addresses in the order which their residences appear upon the streets of the district One of said street street lists shall be hung outside of the polling place and shall remain in that position until the next election The other shall be returned to the office of the commissioners and at least one hundred exact copies of it shall be printed in pamphlet form and shall be ready for distribution at least three weeks before election day

Section 15 If any citizens shall object to the action of the registrars in accepting or rejecting any claim for registration he may file his petition duly sworn to by said citizen with the commissioners setting forth the ground of his complaint If the complaint is to the acceptance of a claim notice to the claimant shall be given by leaving a written or printed notice at his place of residence as given by him to the registrar and recorded in the register When such petitions are filed the commissioners shall fix a time and place for hearing them sufficiently in advance of the election to enable the same ao be heard and disposed of prior thereto and to have a review thereof by the courts Such hearing shall be public before the commissioners and the register of voters may be amended either by the insertion of a new name or the cancellation of a name already on the register or otherwise as the commissioners may order The commissioners may enforce their orders as herein provided or may make the amendments themselves or by their clerks All such applications for correcting the register must be made not later than two weeks prior to a general or municipal election

The applicant or any elector who is not satisfied with the decision of the commissioners may petition the court of Common Pleas setting forth the reason why he feels that injus-

tice has been done and thereupon the said Court of Common Pleas may in its discretion allow an appeal to it from the decision of ahe commissioners The said court may then fix a day for a public hearing of which notice shall be served by the petitioner upon the commissioners and upon the person or his attorney who opposed his contention before the commissioners together with a copy of the petition at least five days before such public hearing may take place proof of which must be exhibited to the court The said court after such public hearing may reverse affirm or alter the decision of the commissioners Such petitions for appeals must be filed not later than ten days preceding an election Any qualified elector who has by himself or duly authorized agent or attorney paid his taxes after the last day of the Fall registration and on or before the final day for the payment of the same in odd-numbered years or any qualified elector who will arrive at the age of twenty-one years between the primary election and the next succeeding election or any elector who has become qcalified by reason of naturalization or residence in the division in which he seeks to be registerd between the primary election and the next sccceeding election may on the twentieth day preceding the election in odd-numbered years present his petition to the commissioners setting forth the fact as to the payment of his taxes and giving in detail the information required to be recorded in the register and praying that his name may be added to the register in the proper division If the facts are proven to the satisfaction of the commissioners subject to the same conditions as though the applicant for such registration had presented himself for registration before the board of registrars of his district they shall order the name of the petitioner to be inserted in the register in the proper place

Any qualified elector who was too ill to appear at the polling-place on all of the registration days or who was unavoidably absent from the city on all of said days may at any time but not less than two weeks before any election or primary present his petition to the commissioners setting forth the facts as to his illness or unavoidable absence and setting forth in detail the information required to be recorded in the register and praying that his name may be added to the register of the proper division After this petition shall have remained in the office of the commissioners open to public inspection for at least two days a hearing shall be granted the petitioner shall personally appear and if the facts are proven to the satisfaction of the commissioners to be as reported they shall order the name of the petitioner to be inserted in the register in the proper place This hearing shall be public and any qualified elector of the division shall have the right to challenge and to require proper proof of identity as in the case of registry before the registrars If any person is not satisfied with the decision of the commissioners he may appeal to the Court of Common Pleas as in other cases The commissioners shall also have power to investigate on their own motion any irregularities in registration and shall have power to summon witnesses to examine them under oath to require the production of the books and papers of the registrars and to correct the registers by striking off names which they may find to be improperly registered The commissioners shall have authority to summon such number of registrars as in their judgment may be necessary to assist them in carrying into effect the provision of this section Registrars when summoned by the commissioners under this section shall be entitled to and receive the same compensation as is received by registrars under the existing law for registration services All witnesses summoned to appear before the registration commissioners shall be entitled to receive one dollar and fifty cents each per day as witness fees payable by the person who serves the summons upon said witnesses the said witness fee must be paid to the person so summoned at the time of the service of the summons and if the person is obliged to appear before the Registration Commissioners on more than one day the said person so summoned must be paid the sum of one dollar and fifty cents per day before the day or days on which he is summoned to appear

Section 16 The two registrars designated to keep the two registers shall obtain at the office of the commissioners the blank books forms and other supplies prepared for their use before the first registration day in the Fall and before the Spring registration day and shall have the same at the polling-place on said days On registration days and during the time from one such day to another until the close of the Fall registration period the said registrars shall have the custody and control and shall be charged with the safe-keeping of the registers in which they have made entries together with all affidavits forms et cetera which have been taken in duplicate as hereinafter provided During the same periods the other registrars shall be charged with the safekeeping of the street lists which are in course of preparation by them At the close of the registration and before twelve o'clock noon on the following day the two registrars who have been charged with the keeping of the registers shall deliver the same together with one street list all affidavits vouchers unused forms et cetera to the commissioners at such place as may be designated by them The said papers and books shall remain on file at a place designated by the commissioners open to public inspection under proper regulation for their safe-keeping subject however to the further provisions of this act The commissioners shall have power to appoint a recorder (who shall have power to administer oaths) and to fix his compensation at a sum not exceeding two thousand five hundred dollars per annum a clerk who shall receive a salary not exceeding fifteen hundred dollars per annum a stenographer who may act as clerk who shall receive a salary not exceeding twelve hundred dollars per annum a custodian who shall receive a salary not exceeding twelve hundred dollars per annum a messenger who shall receive a salary not exceeding eight hundred and forty dollars per annum and as many clerks as may be necessary at a compensation not exceeding four dollars per diem for the time actually employed and a counsel whose compensation shall not exceed two thousand dollars per annum

The county commissioners of each county upon proper vouchers shall provide for the payment of the commissioners council registrars and other officers or clerks provided by this act They shall furnish phoper rooms for the accomodation of the commissioners and their records They shall also at the direction of the commissioners prepare and have printed at the expense of the county all the registers street-lists affidavits blanks blank books and stationery required by the provisions of this act or which in the judgment of the commissioners are reasonably necessary to carry out its provisions and shall provide for their proper distribution to the commisisoners and their registrars It shall also be their duty to see that the polling-places are open and in proper order for the use of the registrars They shall also deliver the two registers to the election officers in the manner in which they are or may be required to deliver other election materials for use on election day

Section 17 Any person whose name is on the register shall ben entitled to vote at any general special primary or municipal election unless it shall be shown to the satisfaction of the election officers that he has become disqualified since registration provided that no person shall vote at a primary unless he has designated at the registration under this law the party whose ballot he desires to vote at the primary and further provided That if a special election or Fall primary shall intervene between registration day and the next general or municipal election the presence of the name of an elector on the list shall not be conclusive evidence of his qualifications as to length of residence or payment of taxes at said special election or primary If his name is not registered he shall not be entitled to vote at any eection or primary Before receiving his ballot every voter shall satisfy the election officers of his indentity and if challenge by signing his name in the place provided for that purpose if able to do so and by the production of such other evidence as is or may be required by law

The two registers shall be used at elections by the election officers in the place of the ballot check list and the voting check list One of the said registers shall be marked "ballot chek list" and the other shall be marked "voting check list" After the polls are closed the names checked as having voted in the said two registers shall be immediately counted and the result announced before the ballot-box is opened The two registers shall be immediately sealed in an envelope and shall be returned to the custody of the commissioners when the ballot box and other election returns are delivered to the proper officers

Section 18 Any person who willfully disobeys a lawful order of the commissioners or refuses to obey their subpoena duly issued and served shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars" provided however that no witness shall be obligd to appear before the Registration Commissioners unless his witness fees as provided by this act shall be paid to him in advance Any willful false statement made under oath by any person in relation to any matter or thing concerning which shall be lawfully interrogated by the registrars or by the commissioners shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding two years or both in the discretion of the court person not lawfully entitled to be reistered or who intenionally refuses to register a person lawfully entitled to be registered or who intentionally assists in preventing such person from being registered shall be guilty of a misdemeanor and upon convict on be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not excedeing five years or both at the discretion of the court

A person who applies for registration knowing that he is not entitled to be registered or who falsely personate another in an application for registration or who knowingly offers false naturalization papers or a fraudulent tax receipt to establish his claim to be registered or who personates another shall be guilty if a misdereanor and upon conviction shall be sentenced for every such offense to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding three years or both in the discretion of the court

A registrar who inserts or intentionally permits to be inserted a name on the registry list without a proper application in person during the hours of registration on a registration day on the part of the person registered or without requiring the proper evidence of the right of the applicant to be registered or who alters any registy list after the entry has been duly made except upon any order of the court or of the commissioners or who makes any entry therein at any time other than during the hours of registration and in the presence of the other registrars shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not eyceeding one thousand dollars or to undergo an imprisonment not exceeding five years or both in the discretion of the court

Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding five years or both in the discretion of the court

Any commissioner registrar or other officer upon whom a duty is laid by this act who shall wilfully refuse to perform his said duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dolars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

Section 19 The act of February seventeenth Anno Domini one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions" the act of June third Anno Domini one thousand nine hundred and seven entitled "An Act to amend the act of February seventeenth one thousand nine hundred and six entitled 'An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions' by changing the days and hours of registration providing an additional registration day for the spring primary providing that foreign-born citizens unable to produce their father's naturalization papers may be registered upon making affidavit providing for the registration of citizens between the February election and the spring primary altering the procedure of the appointment of registrars of appeals to the commissioners and to the courts and providing that proper notice of each be given providing that registered persons shall be entitled to vote only in case they have not since registration become disqualified enlarging the powers of the registration commissioners in certain particulars altering the phraseology of the act so as to make it clear that electors may register at either fall or winter periods that they may be registered by the commissioners only if all or absent on all the registration days and that the lists shall become of no validity at the beginning of the new registration period providing that the lists shall be preserved for two years that an applicant for registration unable to write shall make affidavit of the fact providing that the registrars shall notify the registration commissioners of the registrations of persons previously registered in the same city and making certain verbal corrections in the language of the same" and the act of June sixteenth Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections two three eight thirteen and fourteeen of an act entitled 'An Act to provide for the personal registration of electors in cities of the first and second classes of Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for the violations of its provisions' approved the seventeenth day of Febrary Anno Domini one thousand nine hundred and six and sections five six seven ten fifteen and sixteen of said act as amended by the act entitled "An Act to amend the act of February seventeenth one thousand nine hundred and six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions by changing the days and hours of registration providing an additional registration day for the Spring primary providing that foreign born citizens unable to produce their fathers registration papers may be registered upon making affidavits providing for the rgistration of citizens between the February election and the Spring primary altering the procedure of the appointment of registrars of appeals to the comissioners and to the courts and providing that proper notice of each be given providing that registered persons shall be entitled to vote only in case they have not since registration become disqualified enlarging the powers of the registration commissioners in certain particulars altering the phraseology of the act so as to make it clear that electors may register at either fall or winter periods that they may be registered by the commissioners only if ill or absent on all registration days and that the lists shall become of no validity at the beginning of the new registration period providing that the lists shall be preserved for two years that an applicant for registration unable to write shall make affidavit of the fact providing that the registrars shall notify the registration commissioners of the registration of persons previously registered in the same city and making certain verbal corrections in the language of the same" approved June third one thousand nine hundred and seven by further defining "party" and who may be appointed registrars increasing the terms of commissioners changing the registration days and the form of register the number of registrars and providing further regulations for the registration of electors requiring all petitions to be under oath and empowering the recorder of the board of registration commissioners to administer oaths and providing for additional employes for said boards and fixing their compensation and repealing all acts or parts of acts inconsistent herewith" be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 884, as follows:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violationn of its provisions and to repeal acts or parts of acts inconsistent therewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the receiver of taxes in cities of the first class of this Commonwealth shall designate one of the registrars appointed by the Registration Commissioners for each election district in said cities to be deputy poll tax collector for such district who shall receive poll taxes from persons who have been duly assessed in said district and make proper receipt therefor on any of the registration days provided by law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 890 (House Bill No. 696), as follows:

An Act providing and requiring standard provision in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and fourteen no policy of insurance against loss from sickness or loss or damage from bodily injury or death of the insured by accident shall be issued or delivered to any person in this Commonwealth until a copy of the form thereof and of the classification of risks and the premium rates pertaining thereto have been filed with the Insurance Commissioner nor shall it be so issued or delivered until the expiration of thirty days after it has been so filed unless the said Commissioner shall sooner give his written approval thereto If the said Commissioner shall notify in writing the company corporation association society or other insurer which has filed such form that it does not comply with the requirements of law specifying the reasons for his opinion it shall be unlawful thereafter for any such insurer to issue any policy in such form The action of the said Commoissioner in this regard shall be subject to review by the court of Common Pleas of Dauphin county

Section 2 No such policy shall be issued or delivered except subject to the following conditions (1) unless the entire money and other consideration therefore are expressed in the policy nor (2) unless the time at which the insurance thereunder takes effect and terminates is stated in a portion of the policy preceding its execution by the insurer nor (3) if the policy purports to insure more than one person nor (4) unless every printed portion thereof and of any indorsements or attached papers shall be plainly printed in type of which the face shall be not smaller than ten point or (5) unless a brief description thereof be printed on its first page and on its filing back in type of which the face shall be not smaller than fourteen point nor (6) unless the exceptions of the policy be printed with the same prominence as the benefits to which they apply Provided however That any portion of such policy which purports by reason of the circumstances under which a loss is incurred to reduce any indemnity promised therein to an amount less than that provided for the same loss occurring under ordinary circumstances shall be printed in bold face type and with greater prominence than any other portion of the text of the policy

Section 3 Every such policy so issued shall contain certain standard provisions which shall be in the words and in the order hereinafter set forth and be preceded in every policy by the caption "Standard Provisions" In each such standard provisions wherever the word "Insurer" is used there shall be substituted therefor "company" or "corporation" or "association" or "society" or such other word as will properly designate to the insurer Said standard provision shall be

(1) A standard provision relative to the contract which may be in either of the following two forms Form (A) to be used in policies which do not provide for reduction of indemnity on account of change of occupation and Form (B) to be used in policies which do so provide If Form (B is used and the policy provides indemnity against loss from sickness the words "or contracts sickness" may be inserted therein immediately after the words "in the event that the insured is injured"

(a) 1 This policy includes the endorsements and attached papers if any and contains the entire contract of insurance No reduction shall be made in any indemnity herein provided by reason of change in the occupation of the insured or by reason of his doing any act or thing pertaining to any other occupation

(b) 1 This policy includes the endorsement and attached papers if any and contains the entire contract of insurance except as it may be modified by the insurer's classification of risks and premium rates in the event that the insured is injured after having changed his occupation to one classified by the insurer as more hazardous than that stated in the policy or while he is doing any act or thing pertaining to any occupation so classified except ordinary duties about his residence or while engaged in receration in which event the insurer will pay only such portion of the indemnities provided in the policy as the premium paid would have purchased at the rate but within the limits so fixed by the insurer for such more hazardous occupation

If the law of the State in which the insured resides at the time this policy is issued required that prior to its issue a statement of the premium rates and classification of risks pertaining to it shall be filed with the State official having supervision of insurance in such State then the premium rates and classification of risks mentioned in this

policy shall mean only such as have been last filed by the insurer in accordance with such law but if such filing is not required by such law then they shall mean the insurer's premium rates and classification of risks last made effective by it in such state prior to the occurrence of the loss for which the insurer is liable ..

(2) A standard provision relative to changes in the contract which shall be in the following form

2 No statement made by the applicant for insurance not included herein shall be avoid the policy or be used in any legal proceeding hereunder No agent has authority to change this policy or to waive any of its provisions No change in this policy shall be valid unless approved by an executive officer of the insurer and such approval be endorsed hereon

(3) A standard provisions relative to reinstatement of policy after lapse which may be in either of the three following forms Form (A) to be used in policies which insure only against loss from accident Form (B) to be used in policies which insure only against loss from sickness and Form (C) to be used in policies which insure against loss from both accident and sickness

(A) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover loss resulting from accidental injury thereafter sustained

(B) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover such sickness as may begin more than ten days after the date of such acceptance

(C) 3 If default be made in the payment of the agreed premium for this policy the subsequent acceptance of a premium by the insurer or by any of its duly authorized agents shall reinstate the policy but only to cover accidental injury thereafter sustained and such sickness as may begin more than ten days after the date of such acceptance

(4) A standard provision relative to time of notice of claim which may be in either of the three following forms Form (A) to be used in policies which insure only against loss from accident Form (B) to be used in policies which insure only against loss from sickness and Form (C) to be used in policies which insure against loss from both accident and sickness If Form (A) or Form (C) is used the insurer may at its option add thereto the following sentence "In event of accidental death immediate notice thereof must be given to the insurer"

(A)—4 Written notice of injury on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury

(B)—4 Written notice of sickness on which claim may be based must be given to the insurer within ten days after the commencement of the disability from such sickness

(C)—4 Written notice of injury or of sickness on which claim may be based must be given to the insurer within twenty days after the date of the accident causing such injury or within ten days after the commencement of disability from such sickness

(5) A standard provision relative to sufficiency of notice of claim which shall be in the following form and in which the insurer shall insert in the blank space such office and its location as it may desire to designate for such purpose of notice

5 Such notice given by or in behalf of the insured or beneficiary as the case may be to the insurer at..... or to any authorized agent of the insurer with particulars sufficient to identify the insured shall be deemed to be notice to the insurer Failure to give notice within the time provided in this policy shall not invalidate any claim if it shall be shown not to have been reasonably possible to give such notice and that notice was given as soon as was reasonably possible

(6) A standard provision relative to furnishing forms for the convenience of the insured in submitting proof of loss as follows

6 The insurer upon receipt of such notice will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss If such forms are not so furnished within fifteen days after the receipt of such notice the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting within the time fixed in the policy for filing proofs of loss written proof covering the occurrence character and extent of the loss for whch claim is made

(7) A standard provision relative to filing proof of loss which shall be in such one of the following forms as may be appropriate to the indemnities provided

(A)—7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the date of the loss for which claim is made

(B)—7 Affirmative proof of loss must be furnished to the insurer at its said office within ninety days after the termination of the period of disability for which the company is liable

(C)—7 Affirmatve proof of loss must be furnished to the insurer at its said office in case of claim for loss of time from disability within ninety days after the termination of the period for which the insurer is liable and in case of claim for any other loss within ninety days after the date of such loss

(8) A standard provision relative to examination of the person of the insured and relative to autopsy which shall be in the following form

8 The insurer shall have the right and opportunity to examine the person of the insured when and so often as it may reasonably require during the pendency of claim hereunder and also the right and opportunity to make an autopsy in case of death where it is not forbidden by law

(9) A standard provision relative to the time within which payments other than those for loss of time on account of disability shall be made which provision may be in either of the following two forms and which may be omitted from any policy providing only indemnity for loss of time on account of disability The insurer shall insert in the blank space either the word "immediately" or appropriate language to designate such period of time not more than sixty days as it may desire Form (A) to be used in policies which do not provide indemnity for loss of time on account of disability and Form (B) to be used in policies which do so provide

(A) 9 All indemnities provided in this policy will be paid .....after receipt of due proof

(B) 9 All indemnities provided in this policy for loss other than that of time on account of disability will be paid ..... after receipt of due proof

(10) A standard provision relative to periodical payments of indemnity for loss of time on account of disability which provision shall be in the following form and which may be omitted from any policy not providing for such indemnity The insurer shall insert in the first blank space of the form appropriate language to designate the proportion of accrued indemnity it may desire to pay which proportion may be all or any part not less than one-half and in the second blank space shall insert any period of time not exceeding sixty days

10 Upon request of the insured and subject to due proof of loss ..... accrued indemnity for loss of time on account of disability will be paid at the expiration of each ..... during the continuance of the period for which the insurer is liable and any balance remaining unpaid at the termination of such period will be paid immediately upon receipt of due proof

(11) A standard provision relative to indemnity payments which may be in either of the two following forms Form (A) to be used in policies which designate a beneficiary and Form (B) to be used in policies which do not designate any beneficiary other than the insured

(A) 11 Indemnity for loss of life of the insured is payable to the beneficiary if surviving the insured and otherwise to the estate of the insured All other indemnities of this policy are payable to the insured

(B) 11 All the indemnities of this policy are payable to the insured

(12) A standard provision providing for cancellation of the policy at the instance of the insured which shall be in the following form

12 If the insured shall at any time change his occupation to one classified by the insurer as less hazardous than that stated in the policy the insurer upon written request of the insured and surrender of the policy will cancel the same and will return to the insured the unearned premium

(13) A standard provision relative to the rights of the beneficiary under the policy which shall be in the following form and which may be omitted from any policy not designating a beneficiary

13 Consent of the beneficiary shall not be requisite to surrender or assignment of this policy or to change of beneficiary or to any other changes in the policy

(14) A standard provision limiting the time within which suit may be brought upon the policy as follows

14 No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty days after proof of the loss has been filed in accordance with the requirements of this policy nor shall such action be brought at all unless brought within two years from the expiration of the time within which proof of loss is required by the policy

(15) A standard provision relative to time limitations of the policy as follows

15 If any time limitation of this policy with respect to giving notice of claim or furnishing proof of loss is less than that permitted by the law of the State in which the insured resides at the time this policy is issued such limitation is hereby extended to agree with the minimum period permitted by such law

Section 4 No such policy shall be so issued or delivered which contains any provisions (1) relative to cancellation at the instance of the insurer or (2) limiting the amount of indemnity to a sum less than the amount stated in the policy and for which the premium has been paid or (3) providing for the deduction of any premium from the amount paid in settlement of claim or (4) relative to other insurance by the same insurer or (5) relative to the age limits of the policy unless such provisions which are hereby designated as optional standard provisions shall be in the words and in the order in which they are hereinafter set forth but the insurer may at its option omit from the policy any such optional standard provision Such optional standard provisions if inserted in the policy shall immediately succeed the standard provisions named in section three of this act

(1) An optional standard provision relative to cancellation of the policy at the instance of the insurer as follows

16 The insurer may cancel this policy at any time by written notice delivered to the insured or mailed to his last address as shown by the records of the insurer together with cash or the insurer's check for the unearned portion of the premiums actually paid by the insured and such cancellation shall be without prejudice to any claim originating prior thereto

(2) An optional standard provision relative to reduction of the amount of indemnity to a sum less than that stated in the policy as follows

17 If the insured shall carry with another company corporation association or society other insurance covering the same loss without giving written notice to the insurer then in that case the insurer shall be liable only for such portion of the indemnity promised as the said indemnity bears to the total amount of like indemnity in all policies covering such loan and for the return of such part of the premium paid as shall exceed the pro rata for the indemnity thus determined

(3) An optional standard provision relative to deduction of premium upon settlement of claim as follows

18 Upon the payment of claims hereunder any premium then due and unpaid or covered by any note or written order may be deducted therefrom

(4) An optional standard provision relative to other insurance by the same insurer which shall be in such one of the following forms as may be appropriate to the indemnities provided and in the blank spaces of which the insurer shall insert such upward limits of indemnity as are specified by the insurer's classification of risks filed as required by this act

(A) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity in excess of $..... the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured

(B) 19 If a like policy or policies previously issued by the insurer to the insured be in force concurrently herewith making the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance shall be void and all premiums paid for such excess shall be returned to the insured

(C)—19 If a like policy or policies previously issued by the insurrer to the insured be in force concurrently herewith making the aggreate indemnity for loss other than that of time on account of disability in excess of $..... or the aggregate indemnity for loss of time on account of disability in excess of $..... weekly the excess insurance of either kind shall be void and all premiums paid for such excess shall be returned to the insured

(5) An optional standard provision relative to the age limits of the policy which shall be in the following form and in the blank spaces of which the insurer shall insert such number of years as it may elect

20 The insurance under this policy shall not cover any person under the age of.....years nor over the age of.... years Any premium paid to the insurer for any period not covered by this policy will be returned upon request

Section 5 No such policy shall be issued or delivered if it contains any provision contradictory in whole or part of any of the provisions hereinbefore in this act designated as "Standard Provisions" or as "Optional Standard Provisions" nor shall any endorsements or attached papers vary, alter extend be used as a substitute for or in any way conflict with any of the said "Standard Provisions" or the said "Optional Standard Provisions" nor shall such policy be so issued or delivered if it contains any provision purporting to make any portion of the charter constitution or by-laws of the insurer a part of the policy unless such portion of the charter constitution or by-laws shall be set forth in full in the policy put this prohibition shall not be deemed to apply to any statement of rates of classification of risks filed with the Insurance Commissioner in accordance with the provisions of this act

Section 6 The falsity of any statement in the application for any policy covered by this act shall not bar the right to recovery thereunder unless such false statement was made with actual intent to deceive or unless it materially affected either the acceptance of the risk or the hazard assumed by the insurer

Section 7 The acknowledgment by any insurer of the receipt of notice given under any policy covered by this act or the furnishing of forms for filing proofs of loss or the acceptance of such proofs or the investigation of any claim thereunder shall not operate as a waiver of any of the rights of the insurer in defense of any claim arising under such policy

Section 8 No alteration of any written application for insurance by erasure insertion or otherwise shall be made by any person other than the applicant without his written consent and the making of any such alteration without the consent of the applicant shall be a misdemeanor If such alteration shall be made by any officer of the insurer or by any employee of the insurer with the insurer's knowledge or consent then such act shall be deemed to have been performed by the insurer thereafter issuing the policy upon such altered application The commissioner may revoke the license of the insurer for any violation of this section

Section 9 A policy issued in violation of this act shall be held valid but shall be construed as provided in this act and when any provision in such a policy is in conflict with any provision of this act such provision shall be invalid and the policy shall be deemed to contain all of the standard provisions

Section 10 The policies of insurance against accidental bodily injury or sickness issued by an insurer not organized under the laws of this Commonwealth may contain when issued in this Commonwealth any provision which the law of the State territory or district of the United States under which the insurer is organized prescribes for insertion in such policies and the policies of insurance against accidental bodily injury or sickness issued by an insurer organized under the laws of this Commonwealth may contain when issued or delivered in any other State territory district of country any provision required by the laws of the State territory district or country in which the same are issued anything in this act to the contrary notwithstanding

Section 11 Discrimination between individuals of the same class in the amount of premiums or rates charged for any policy of insurance covered by this act or in the benefits payable thereon or in any of the terms of conditions of such policy or in any other manner whatsover is prohibited

Section 12 (1) Nothing in this act however shall apply to or affect any policy or liability or workmen's compensation insurance or any general or blanket policy of insurance issued to any municipal corporation or department thereof or to any corporation co-partnership association or individual employer police or fire department underwriters' corps salvage bureau or like associations or organizations where the officers members or employees or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy

(2) Nothing in this act shall apply to or in any way effect contracts supplemental to contracts of life or endowment insurance where such supplemental contracts contain no provisions except such as operate to safeguard such insurance against lapse or to provide a special surrender value thereof in the event that the insured shall be totally and permanently disabled by reason of accidental bodily injury or by sickness provided that no such supplemenetal contract shall be issued or delivered to any person in this Commonwealth unless and until a copy of the form thereof has been submitted to and approved by the Insurance Commissioner under such reasonable rules and regulations as he shall make concerning the provisions in such contracts and their submission to and approval by him

(3) Nothing in this act shall apply to or in any way affect fraternal benefit societies or be applicable to policies issued by companies organized under the provisions of the act approved April twenty-eighth one thousand nine hundred and three entitled "An Act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies

(4) The provisions of this act contained in clause (five) of section two and clauses two three eight and twelve of section three may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employees

Section 13 Every company corporation association society or other insurer or any officer or agent thereof which or who issues or delivers to any person in this Commonwealth any policy in willful violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than three hundred dollars for each offense The Insurance Commissioner may revoke the license of any company corporation association society or other insurer of another State or country or of the agent thereof which or who willfully violates any provision of this act

Section 14 This act shall take effect on the first day of October one thousand nine hundred and thirteen Any policy covered by this act the form of which has received the approval of the Insurance Commissioner may be issued or delivered in this Commonwealth on and after the said date

Section 15 Section twenty-six twenty-seven twenty-eight twenty-nine thirty and thirty-one of the act approved June first one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of causalty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" are repealed All other acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 899 (House Bill No. 1090), entitled:

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and appointing the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 928, as follows:

An Act to fix and determine the salary of the several court clerks of the courts of common pleas of the county of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the salaries of each of the court clerks of the courts of Common Pleas of the county of Philadelphia is hereby fixed and determined in accordance with article five section seven of the Constitution of this Commonwealth to be the sum of three thousand dollars per annum payable in equal monthly installments by the said county of Philadelphia

Section 2 All acts of Assembly and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 952, entitled:

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural associations paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated County Agricultural Association paying premiums upon exhibits (exclusive of premiums on trials of speed) holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than four consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided That in case there is more than one claimant in any one year for said fund the county commissioners shall apportion and divide said one thousand dollars among the several claimants acording to the amount of premiums on agriculture stock fruit and other exhibits (exclusive of premiums on speed) actually paid by each claimant at the last fair held by said claimant Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums Provided further That all premiums paid under this act shall be only products of the county wherein such exhibition is held" be and the same is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated County Agricultural Association paying premiums upon exhibits (exclusive of premiums on trials of speed of horses and automobiles) holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided That in case there is more than one claimant in any year for said fund the county commissioners shall apportion and divide said one thousand dollars among the several claimants according to the amount of premiums on agriculture stock fruit and other exhibits (exclusive of premiums on trials of speed of horses and automobiles) actually paid by each claimant at the last fair held by said claimant Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums Provided further That where two counties are contiguous and one of said counties has not complied with the provisions of this act by organizing an incorporated agricultural association and is not holding an annual agricultural exhibition the county commissioners of the county in which no agricultural exhibition is being held under the provisions of this act upon petition presented to them containing the signatures of not less than one hundred citizens of said county engaged in the business of agriculture asking to be joined to such contiguous county holding such agricultural exhibition under the provisions of this act that their county desires to participate in annual agricultural exhibitions to be held in such contiguous county where such exhibitions are being held and thereupon notice thereof shall be given to the president of any and all such incorporated agricultural associations organized under the provisions of this act and existing in the county where application has been made and the citizens of such county shall be permitted to enter their exhibits and contest for premiums as fully as though they were citizens of said county

And provided further That the money which would under the provisions of this act have been paid to the county so applying had said county organized a separate incorporated agricultural association as provided in this act and hold annual agricultural exhibits therein shall be paid to the county in which said agricultural exhibitions are held in the same manner as provided in this act so that the county in which such agricultural exhibition is held shall receive two thousand dollars instead of one thousand dollars now provided by law

And provided further That all premiums under this act shall be only upon the products of the county or counties in which said exhibition is held or where two counties have joined under the provisions of this act the premiums paid under the provisions of this act shall be paid in like manner as though the citizens of the county not holding an annual agricultural exhibition but who have availed themselves of the provisions of this act by joining shall be paid their premiums awarded as fully as though they were citizens of the county in which said exhibition is held

And provided further That any county so joined may withdraw at any time by giving ninety days notice in writing to the commissioners of the county in which said exhibition is held said notice shall contain the statement that the county heretofore joined has organized a separate incorporated agricultural association as provided for by this act and desires to avail itself of the benefit of this act said notice to contain the official signatures of the proper board of county commissioners and shall be filed with the board of county commissioners of the county in which said annual agricultural exhibitions are held

Provided further That any county not having any incorporated agricultural association lies contigious to two counties having one or more incorporated agricultural associations holding annual agricultural exhibitions under the provisions of this act the county commissioners of the county may upon presentation of a petition signed by not less than two hundred citizens of said county engaged in the business of agriculture divide said county in such manner as nearly as may be in two parts of equal territorial area and each of said sub-divisions shall in like manner be joined to the nearest contigious county in the same manner provided for in this section of this act where an entire county is joined to a contigious county

And provided further That in the event of such sub-division the appropriation provided for in this section shall be divided equally between the said two contigious counties holding such agricultural exhibitions said appropriation to be distributed in like manner as provided for where an entire county is joined to a contigious county

And it is further provided That no agricultural association hereafter organized under the provisions of this act in any county of this Commonwealth shall be entitled to any proportion of the appropriation provided for in this act until such time as said agricultural association incorporated under the provisions of this act shall have held agricultural exhibitions as provided for in this section for at least two consecutive and immediately preceding years

On the question,

Will the Senate agree to the section?

Mr. HILTON. Mr. President, I move to amend Section 1, line 74, by striking out the word "the" where it appears the second time and inserting in lieu thereof the word "he."

Mr. JUDSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend an act entitled "An Act to authorize county commisisoners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollar to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commisisoners relative to said exhibi-

tion and providing for the repayment to the county by the State of the sum so paid' approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 956, as follows:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain publice offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Uniform Primaries Act"

Section 2 Form and after the passage of this act one primary shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates or party officers elected as herein provided The said primaries shall be held on the last Tuesday in September in all odd-numbered years and on the second Tuesday in April in all even-numbered years The primary held on the last Tuesday in September shall be known as the Fall primary and the primary held on the second Tuesday in April shall be known as the Spring primary

Delegates to State and National conventions except delegates-at-large to National conventions who shall be elected by the State conventions shall be elected at the Spring primary throughout this Commonwealth by any party or body of electors one of whose candidates at either the general or municipal election preceding polled two per centum of the largest entire vote cast in the State for any candidate at the last general election and also by any party or body of electors who shall have pre-empted throughout the entire Commonwealth the right to the use of a party name or appellation as provided by this act

Candidates for all offices to be filled at the general election with the exception of those nominated by the State or National conventions shall be nominated at the Spring primary Candidates for all offices to be filled at the municipal election shall be nominated at the Fall primary and such party officers as are provided for by the rules of the several political parties to be elected by the votes of the party electors shall be elected at the Spring primary by any political party or body of electors one of whose candidates at either the general or municipal election preceding such primary polled two per centum of the largest entire vote cast in the political district or division in which nominations are to be made or candidates elected for any candidate at the last general election and by such body of electors as may have filed pre-emptions for political appellation and complied with the provisions of section five of this act

No delegates to State or National conventions or officers of parties shall be elected or candidates for public offices herein specified be nominated in any other manner than as set forth in this act Provided that nothing herein contained shall prevent the nomination of candidates for borough or township offices or other offices not herein specifically enumerated in the manner provided by existing laws

This act shall not apply to nomination of candidates for Presidential electors or the nomination of candidates to be voted for at special elections to fill vacancies and it shall not be construed to prevent the nomination of Presidential electors at primaries if the rules of the respective parties so provide

Section 3 On or before the ninth Tuesday preceding the primary the Secretary of the Commonwealth shall send to the county commisisoners in each county a written notice setting forth the number of Congressmen and officers of the Commonwealth not nominated by State conventions to be elected or voted for therein at the next succeeding election

On or before the same date in even-numbered years the chairman of the State committee of each party shall send to the county commissioners a written notice setting forth the number of delegates to be elected in such county to the National convention of such party

On or before the ninth Tuesday preceding the Spring primary the chairman of the county committee of each party shall send to the county commisisoners of such county a written notice setting forth the names of all party offices to be filled by election at the ensuing primary

On or before the ninth Tuesday preceding the Fall primary the chairman of the county committee of each party shall send to the county commissioners of such county a written notice setting forth the names of all county and State offices to be filled by election at the ensuing primary

Upon the receipt of such notices and beginning with one week thereafter such county commissioners shall publish the number of delegates to be elected to the State and National conventions of each party together with the names of all offices for which nominations are to be made or candidates for party offices to be elected within the county at the ensuing primary at least once a week for three successive weeks in two newspapers of general circulation published within the county wherever such course is possible such newspapers so far as practicable shall be representative of different poliitcal parties

Section 4 Official primary ballots for each party shall be prepared by the county commissioners of each county These ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance The ballot of each party shall be in the following form

.....PRIMARY BALLOT
(Name of Party)
..... District..... Ward City of .....
County of ..... State of Pennsylvania
Primary held on the ..... day of ..... 19....

Make a cross (X) in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

DELEGATES TO STATE CONVENTION
(Vote for .....)

John Doe .....
Richard Doe .....
John Stiles .....

MEMBER OF CONGRESS .... DISTRICT
(Vote for .....)

John Doe .....
Richard Doe .....
John Stiles .....

STATE SENATOR .... DISTRICT
(Vote for one)

John Doe .....
Richard Doe .....
John Stiles .....

DISTRICT ATTORNEY
(Vote for one)

John Doe .....
Richard Doe .....
John Stiles .....

PARTY COMMITTEEMEN
(Vote for .....)

John Doe .....
Richard Doe .....
John Stiles .....

(And on the back of such ballot shall also be printed in prominent type the name of the party)

The ballot shall very in form only as the names of offices or candidates may require The names of the candidates shall appear in alphabetical order under the respective offices The voter may designate his choice as is indicated by the instructions shown on the form of ballot above set forth

Section 5 Any body of electors who otherwise under this act would not be entitled to an official ballot at the primary may not later than the fifteenth day of January in even-numbered years and not later than the fifteenth day of June in odd-numbered years obtain the exclusive use of a party name for the next ensuing primary by filing a petition in the Court of Common Pleas of Dauphin county setting forth the name or appellation which they desire to adopt and the election district or division in which they desire to use such name as well as the primary at which they desire to use such name Such petition shall be signed by qualified electors of the election district or division in which it is desired to use such name to the number of at least three per centum of the largest entire vote cast in such election district or division for any office at the last preceding election at which any officer was voted for by the electors at large in such political district or division Opposite the name of each person so signing shall be set forth his residence his occupation his age when where and to whom he paid his last State or county tax also whether he be a native born or a naturalized citizen and if a naturalized citizen when and where he was naturalized Such petition shall be vouched for by the affidavit of not less than three of such signers who shall make affidavit attached to said petition that the averments contained in said petition are true that they and each of them saw all of said signers affix their signatures to said petition and that said signers are all qualified electors of such political district or division No elector shall sign more than one of said petitions for adoption of political appellation or name to be used at the ensuing primary

Upon the filing of said petition for the exclusive right to use said party name at an ensuing primary the Court of Common Pleas of Dauphin county shall after such notice by advertisement or otherwise as the said court may direct set a date for a hearing on said petition which date shall not be more than fifteen days after the filing of said petition at least one of the affiants must appear before the said court in person at the time set for the hearing and vouch for the truth of all the averments contained in said petition Should none of the affiants appear to vouch for the truth of the averments contained in said petition or if said affiants appear but do not show that the averments contained in the said petition are true or if any cause be shown why the said body of electors should not have the exclusive right to the use of said party name then the said court shall dismiss said petition and place the costs of the proceeding upon the said three affiants if however the said court should find that the averments contained in said petition are true then said court shall enter an order granting to the said body of electors the exclusive right to the use of said name or political appellation for the ensuing primary in such election district or division at which the nomination or nominations are to be made

No right shall be given to any body of electors pre-empting a party name as above to use the name or part of the name or a name similar to that of any other party which shall be entitled to an official ballot at the ensuing primary

In the event of two petitions for the same party name being filed the court shall allow only that petition which is in due accordance with the provisions of this act and which is the first filed In no event shall any body of electors be granted the right to the use of the name or part

of the name or a name similar to that already granted to any other body of electors for use at the ensuing primary

When the Court of Common Pleas of Dauphin county has entered its order allowing a body of electors the exclusive right to the use of a party name or political appellation for the ensuing primary the said party shall be entitled to an official party ballot at said primary and the names of delegates and candidates or party offices for said party shall be printed on the official ballot of said party in the same manner and by same means as the names of delegates candidates and party officers are placed upon the official ballots of other parties participating in said primary

As soon as convenient after the court of common pleas of Dauphin county has entered its order allowing the exclusive use of a party name to any body of electors the members of said party shall organize and elect a State chairman and such county chairmen as may be necessary for the purpose of sending the notices required in section three of this act to the Secretary of the Commonwealth or the county commissioners as the case may be

Section 6 The names of candidates shall be printed upon the official ballot of the designated party upon the filing of petitions signed by qualified electors of the political district or division in which the nomination or election is to be made setting forth that the signers thereof are members of the party designated and are duly registered and enrolled as members of such party The said petitions in the case of candidates for Congress or for State offices shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth and in all other cases said petitions shall be filed at least three weeks prior to the primary with the county commissioners of the respective counties

The number of signers on such petitions shall be as follows

For the nomination of candidates for the office of member of Congress and judges of the various courts and for offices to be voted for by the entire county five hundred (500) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

For the nomination of candidates for State Senator and for members of the State House of Representatives three hundred (300) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

For the nominations of candidates as delegates to the State and National conventions one hundred (100) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

For the nomination of candidates for all other offices and for party offices ten (10) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

Provided that in no event shall any person's name be printed upon the official ballot of any party as a delegate candidate or party officer unless he is registered and enrolled as a member of said party and unless on the petition to place his name on the ballot of said party he has signed a certificate that he consents to be such delegate candidate or party officer and acknowledge the same in the manner that deeds are acknowledged Should such a petition be filed to place the name of any person on the official ballot of any party no petition shall be filed to place his name upon the ballot of any other party

Section 7 The Secretary of the Commonwealth shall immediately upon the filing of said petitions with him forward to the county commissioners of each county a correct list of the candidates of each party for the various offices as contained in said petitions The county commissioners shall have on file in their offices at least one week preceding the primary open to public inspection forms of balots with the names printed thereon which are to be used in each election district or division within said county

Section 8 The county commissioners shall prepare and furnish to election officers for use at the primary as many official ballots of each party as are equal to double the total number of persons enrolled as members of said party within the election district or division Provided that the county commissioners shall furnish such additional number of ballots in any election district or division as may be requested in writing by the chairman of the county committee of any party Such requests must be filed with the county commissioners two weeks before the primaries The county commissioners shall also furnish one-fourth (1-4) as many speciments ballots as the whole number of official ballots to be printed upon colored paper and to be of the same size and form as the official ballots for the use of the electors at the polls The official ballots shall be bound in books of one hundred (100) each in the same manner as ballots at elections and shall be delivered to the officers of election as ballots are or may be hereafter required by law to be delivered to officers of election for use at elections The county commissioners shall prepare and furnish to the election officers at primaries such ballot boxes properly numbered for each election district list of voters forms blanks return sheets blank books and other supplies as they are or hereafter may be required to furnish by law to said officers for use at elections and shall deliver them in the same manner as at elections Said supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries The county commissioner shall also provide for the opening of polling places and for the compensation of the owners thereof shall see that they are in proper order and provided with voting booths as at elections

Section 9 The primaries shall be conducted by the regular election board duly elected under existing laws who shall receive one-half the compensation for their services that they receive at elections Inspectors of election shall have the right to appoint clerks to assist them as at elections who shall receive one-half the compensation that clerks receive at elections for such services at elections Vacancies in the election board shall be filled in the manner now provided or hereafter to be provided by law Before entering upon their duties the election officers and clerks shall be sworn as is now required by law The polls shall be open between the hours of two o'clock post meridian and eight o'clock post meridian provided that all persons licensed to sell liquors either at retail or wholesale or as bottlers shall be compelled to keep their places of business closed on the days for holding the primaries only between the hours of one o'clock post meridian and nine o'clock post meridian Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided that no elector shall be permitted to mark the ballot of any other elector unless the elector so assisted shall first make affidavit that he cannot read the names on the ballot or that by reason of physical disability he is unable to mark his ballot

Section 10 The county commissioners shall keep an accurate account of the entire expense of holding such primary including the preparation and delivery of supplies voting material et cetera and the total amount thereof shall be paid in the first instance by the county treasurer upon the order of the county commissioners As soon as convenient thereafter the county commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor General who if he find the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the moneys in the State Treasury not otherwise appropriated

Section 11 The qualifications of electors entitled to vote at primaries shall be the same as the qualifications of electors entitled to vote at elections within the election district or division where the primary is held Provided that no elector may vote at any primary unless he has been enrolled as a member of some political party and then he shall be permitted to vote only the official ballot of the party in which he is thus enrolled as a member Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district or division in which he offers to vote are or hereafter may be required to prove his qualifications or identity on election day Each elector shall have the right to receive the ballot of the party in which he has been duly enrolled as a member Provided that if he is challenged he shall be required to make oath or affirmation that at the last preceding November election at which he voted he voted for a majority of the candidates of the party for whose ballot he asks Upon executing such affidavit the voter shall be entitled to receive the ballot of the party in which he has been enrolled and to cast his vote according to law

Section 12 The ballot boxes lists of voters (one of which shall be posted outside of the polling-place) and other records shall be delivered into the custody of the officers who are or hereafter may be required by law to keep similar records of election

Upon the closing of the polls at such primary election the election officers shall forthwith proceed to open the ballot boxes and take therefrom the ballots and first count the number cast for each party and make a record thereof and then count the vote cast for the dicerent persons named upon said party ballots and when said count is finally completed they shall certify in due and proper form to the number of voters cast for each person upon the respective party tickets They shall then replace the ballots counted and canvassed in the boxes and lock the same They shall then replace the returns of voters and the register of voters aforesaid for each party in separate envelopes and seal the same which said envelopes shall on or before noon of the Wednesday following be deposited by the judge of election in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed and for that purpose to have the right to petition the court of common pleas for the use of its processes to enforce the provisions of this act in relation to the returns of the election officers

Upon the sworn petition of five qualified electors of any election precinct division or district that any specific act of fraud which upon information which they consider reliable they believe has been committed in any election precinct division or district of the county the court of common pleas of said county shall order the county commissioners to open the balot box of such election precinct division or district and recount the votes such recount to be conducted in such manner and under such conditions as the court shall prescribe Any person aggrieved by any decision of the county commissioners relative to the counting of the votes may appeal therefrom to the court of common pleas of the proper county whose duty it shall be to hear the said appeal and to make such decree as right and justice shall require Provided however That in case of a contest of delegates to a State convention such contests shall be determined by the State convention according to the rules of their respective parties Contests of primaries shall be originated and conducted as in the case of elections

The county commissioners shall make the proper certification of returns of voters cast for the candidates for nomination for members of Congress or for State offices to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the county commissioners the result of the computation of the vote for such offices at least forty (40) days prior to the election

Section 13 Candidates for offices of the Commonwealth to be voted for by electors of the State at large shall be nominated by the State conventions for which delegates are elected in accordance with the terms of this act The delegates who

receive a plurality of the votes of the party electors at the Spring primary shall be the duly elected delegates to the respective State and National conventions

Candidates for nomination as provided herein who receive a plurality of votes of any party at a primary shall be the candidates of that party and it shall be the duty of the proper officers to print their names upon the official ballots for use at the election as is now or hereafter may be required by law

Candidates for party offices who receive a plurality of the votes cast for such candidates shall be the party officers of such party

In case of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be and the one to whom the lot shall fall shall be entitled to the nomination or election

No person elected or nominated as a delegate or candidate for public office at a primary shall be permitted to withdraw later than fifteen days before any election and in case of such withdrawal the said delegate or candidate shall file his affidavit of withdrawal duly signed and acknowledged by him in the manner that deeds are acknowledged and filed before said time in the office in which the petition to nominate the said delegate or candidate was filed The said withdrawal in order to be valid and effective shall be accompanied by a certificate duly signed by the officers of the political committee of the party of which he is a nominee certifying that two-thirds of the members of said committee have voted their consent to said withdrawal at a special meeting of said committee called for the purpose of considering the withdrawal of said candidate or delegate The political committee shall be the committee which under the rules of the said party have the right to fill vacancies existing or happening after the date of the primaries And in the event of the person desiring to withdraw as a delegate or candidate having been the nominee of a party which before the primary secured the right to the exclusive use of a party name before the said primary by the order of the court of common pleas of Dauphin county the said withdrawal of the said delegate or candidate to be valid and effective shall be accompanied by a certificate duly signed by two-thirds of the signers of the petition for the exclusive use of the said party name theretofore filed in the court of common pleas of Dauphin county and sworn to by three of the signers thereof that the signatures to said certificate are the proper signatures of the person who signed the said petition for the pre-emption of said party name

Vacancies existing or happening after the date of the primary shall be filed under the party rules Provided that when the vacancy existing or happening after the date of the primaries is of a delegate or a candidate elected or nominated at the primary by a party which before the said primary secured the exclusive right to use a party name by order of the court of common pleas of Dauphin county No delegate or candidate shall be elected or nominated to fill said vacancy except by a certificate duly signed by two-thirds of the signers of the petition for the exclusive right to use said party name theretofore filed in the court of common pleas of Dauphin county which certificate shall be sworn to by three of the signers thereto that all of the signatures attached thereto are the signatures of the persons who signed the petition for the pre-emption of the said party name and that the delegate or candidate named to fill said vacancy is the choice of the said party for said office

Section 14 Each candidate shall be entitled to have two watchers at the primaries as at elections only one of whom shall be entitled to be within the polling-room at one time Their rights duties and methods of appointment shall be as at elections Each party or candidate may at any time before the primary present a petition to the court of common pleas of the proper county setting forth the fact that it or he has reason to believe that in a certain district or districts fraud or unfair methods may be attempted and if upon a consideration of the facts presented in said petition the court shall be of opinion that said application is made in good faith the said court shall appoint an overseer for said petitioner or petitioners who shall be entitled to remain within the polling-place during the casting and the counting of the ballots

Section 15 Any person who votes or attempts to vote at a primary knowing that he does not possess the qualifications of a voter at such primary or who shall vote or attempt to vote more than once at a primary or who shall have unlawfully in his possession an official ballot outside the polling-place shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding two years or both in the discretion of the court No police officer in commission whether in uniform or in citizen's clothes shall be within one hundred feet of a polling-place during the conduct of a primary election unless in the exercise of his provilege of voting or for the purpose of the serving of warrants or the preserving of the peace

Any election officer who permits a person to vote at any primary with the knowledge that such person is not so entitled to vote or refuses to permit any lawfully entitled elector to vote at such primary with the knowledge that such person is so entitled to vote or who refuses to permit him to receive the party ballot for which he asks after having executed the affidavit herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not excedeing five years or both in the discretion of the court

Any election officer or clerk who shall be guilty of any wilful fraud in the conduct of his duties at a primary or who shall make a false return of the votes cast at such primary or who shall deposit fraudulent ballots in the ballot box or who shall certify as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who shall write false names in the list of voters for the purpose of concealing the deposit of such fraudulent ballots or of aiding in the perpetration of such fraud or who shall conspire with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment not exceeding five years or both in the discretion of the court

Except as modified by the terms of this act election officers shall be subject to the same pains and penalties for violations or neglect of their duties at a primary as they are or hereafter may be subject to for violation or neglect of such duties at elections In all other respects officers officiating at primaries shall be subject to the pains and penalties provided by law for offenses committed at primaries The existing laws relating to bribery at primaries shall continue in force and shall apply to bribery at primaries as provided by this act

Section 16 All laws or parts of laws inconsistest herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 958, as follows:

An Act to relieve from the payment of mercantile license corporations jointstock associations and limited partnerships doing business as wholesale or retail distributors or vendors of merchandise who pay to the Commonwealth a tax upon their capital stock

Whereas corporations jointstock associations and limited partnerships engaged in business in Pennsylvania as wholesale or retail distributors or vendors of merchandise are required under the revenue laws thereof to pay to the Commonwealth a five mill tax on their capital stock employed therein and also to pay the Commonwealth a mercantile license under the act entitled "An Act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of the same" approved the second day of May Anno Domini one thousand eight hundred and ninety-nine

And whereas the license thus exacted amounts to a double axation and is oppressive being also a discrimination against such wholesale and retail dealers or vendors who have to come in competition with the dealers and vendors from this State who do not pay the double tax and from dealers and vendors of states that sell through soliciting agents catalogues et cetera and from whom no license can be exacted therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act corporations jointstock associations and limited partnerships conducting business in Pennsylvania as wholesale or retail dealers or vendors of merchandise who pay to the Commonwealth a tax on their capital stock employed therein be and the same are hereby relieved from the payment of mercantile license and for the year one thousand nine hundred and thirteen and each subsequent year thereafter they shall not be required to make the returns and be rated by the mercantile appraisers as now required by law

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 959, as follows:

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violations of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any person driving a vehicle of any rescription or riding or leading a horse horses or other animals of draft or burden upon any of the public streets or highways in this Commonwealth shall meet another vehicle or animals of draft or burden being led ridden or driven thereon he shall seasonably turn to the right of the centre of such street or highway sufficiently to permit such vehicle or animals to pass without interference and whenever any person driving or operating a vehicle or riding or leading a horse horses or other animals of draft or

burden shall overtake another vehicle or animal being led ridden or driven he shall pass to the left thereof and the person so overtaken shall upon warning or signal turn promptly to the right of the centre of said street or highway to allow free passage to the left Where the width and condition of the streets or highways permit slower moving vehicles shall keep to the right of the centre of such streets or highways

Section 2 From one hour after sunset until one hour before sunrise there shall be displayed upon every vehicle excepting motor vehicles being driven or standing upon the public streets or highways of this Commonwealth at least one fixed light visible for at least one hundred feet both to the front and to the rear of said vehicle

Section 3 Every person in charge of a herd of five (5) or more animals of any kind led ridden or driven upon the public highways of this Commonwealth or where there is more than one person in charge of such herd at least one of them shall from one hour after sunset to one hour before sunrise carry a lighted lantern to identify the presence of such herd to other users of the highway

Section 4 No vehicle meeting or overtaking a street passenger car which has stopped for the purpose of taking on or discharging passengers shall pass car on the side on which passengers get on or off until the car has started or until any passenger who may have alighted shall have reached the side of the road or any passenger who may be about to board the car shall have done so Provided however that if the distance between such car and the curb or side of the road is twenty-five (25) feet or more it shall be lawful for the driver of any vehicle to pass

Section 5 The constable and police officers of the cities boroughs townships and counties of this Commonwealth may arrest upon view and without warrant any person violating any of the provisions of this act

Section 6 Any person violating any of the provisions of this act shall be subject to a fine of not less than one ($1.00) dollar nor more than five ($5.00) dollars for each offense to be collected by summary conviction before any magistrate or justice of the peace as like fines and penalties are now by law collected or in case of non-payment of such fine within forty-eight (48) hours shall undergo an imprisonment in the county prison for a period not exceeding five (5) days

Section 7 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 961 (House Bill No. 1490), entitled:

An Act regulating the appointment confirmation duties salaries and expenses of county detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 962 (House Bill No. 1120), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 965 (House Bill No. 1072), entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 970 (House Bill No. 1022), entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 971 (House Bill No. 1074), entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 973 (House Bill No. 1077), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a forestry department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property owners and providing for the acquisition by said cities by purchase condemnation of lands for certain purposes upon the recommendation of the forestry board

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the while being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 992, as follows:

An Act providing for the re-charter of building and loan associations or companies after expiration of their charter and for the taking over of all of the property and assets by the re-chartered corporation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all building and loan associations or companies whose charters have expired by lapse of time from their own limitations may apply for a re-charter or have their charter renewed under the provisions of the general incorporation act of April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and its supplements and amendments thereto in the manner provided for under section forty of said act in the same manner and with like effect as if such re-charter had been applied for prior to the expiration of the original charter

Section 2 All of the rights privileges powers immunities lands properties and assets of whatsoever kind or character the same may be possessed and owned by the said original corporation either during their chartered existence or after their charter had expired shall vest in and be owned and enjoyed by the said re-chartered corporation as fully and with like effect as if their original charter had not expired and all suits actions claims and demands of whatsoever character the same may be heretofore started and concluded by said corporations after their charter had expired shall be as good and effectual and have the same force and effect as though instituted during the period of their chartered existence

Section 3 All suits claims and demands of every nature and a charter in existence at said re-charter may be collected from and of the said re-chartered corporation as fully and with the like effect as if their charter had not expired

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 993, as follows:

An Act regulating the sale or exchange of defective or diseased horses and mules and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to sell or to exchange for any thing of value any horse or mule knowing the same to be afflicted with glanders or with any other infectious or contagious disease or with the heaves or knowing the same to broken-winded or to be is commonly called a "roarer" or a "cribber" and to conceal the existence of such defect or disease from the person partnership or corporation to whom or to which the animal is sold or exchanged or by any drug device artifice or trick to conceal the existence of such defect or disease from the person partnership or corporation to whom or to which such animal is sold or exchanged

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment in the jail of the county not exceeding six months or both

Section 3 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 999, as follows:

An Act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person who shall place in any garage or automobile shop any automobile for storage repairing or garage service and shall surreptitiously remove the automobile or cause it to be removed by any false pretension of device with intent to defraud shall be adjudged guilty of a misdemeanor and upon conviction shall be sentenced to a fine of not more than one hundred dollars or imprisonment in the county jail for a term not exceeding three months either or both at the discretion of the court

Section 2 All acts and parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1005 (House Bill No. 1153), entitled:

An Act for the prevention of blindness by requiring the reporting of cases of aphthalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1006 (House Bill No. 1379), as follows:

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American War and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commisisoners of each county are authorized to appropriate moneys for the erection of monuments or memorials in memory of soldiers sailors and marines of the Spanish-American war and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1010 (House Bill No. 825), entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred ninety-three (PaImphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE.

Mr. MOORE. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MOO—, from the Committee on Insurance, reported as committed, Senate Bill No. 150, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1013 (House Bill No. 1025), entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1015 (House Bill No. 1073), entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1016 (House Bill No. 1158), entitled:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1019 (House Bill No. 1242) entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every burial ground or cemetery company or association shall keep a complete list of the names of every person buried in such burial ground or cemetery arranged alphabetically with the date of burial the exact location of the grave and the number and owner of the lot in which the grave is situated This shall be accomplished by means of a card index or other system in such a way that knowledge of the name of a person or of the lot in which he or she is buried or of the date of burial will furnish a ready reference to the complete record

The second section of the bill was read as follows:

Section 2 Within two years after the passage of this act every burial ground or cemetery company or association shall have on file for public inspection a complete record if such information is obtainable of all past burials made in such burial ground or cemetery arranged in conformity with the requirements of section one of this act

On the question,

Will the Senate agree to the section?

Mr. McILHENNY. Mr. President, I move to amend section 2, line 3, by striking out the words "public inspection" and inserting in lieu thereof the words "the inspection of all persons having an interest therein."

Mr. POWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 Every person firm or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one hundred dollars

The preamble of the bill was read as follows, and agreed to:

Whereas, Owing to the loose and inefficient methods of listing and indexing now employed by many burial ground and cemetery companies and associations it has become exceedingly difficult and at times impossible to discover the location of certain graves or even to find a record of names of persons known to be buried therein therefore

The title of the bill was read as follows, and agreed to:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1021 (House Bill No. 1264), entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedants and to partitions in the Common Pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgements of deeds and sequestrations of life estates" approved April fourteenth one thousand eight hundred fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act entitled 'An Act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred thirty-three defining and declaring the interest that shall descend to and rest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1029 (House Bill No. 471), entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for cooperative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1032 (House Bill No. 799), entitled:

An Act authorizing persons co-partnerships associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the Court of Quarter Sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act it shall be lawful for any person persons partnership association or corporation within this Commonwealth who shall comply with the requirements of this act to loan money at interest and charge and collect for the loan thereof interest in excess of six per centum per annum under the following conditions

(a) Any person persons partnership association or corporation desiring and intending to loan money at interest at a charge in excess of six per centum per annum shall on or before the first day of September in each and every year file with the court of quarter sessions for the county in which such applicant desires to carry on the business of loaning money as aforesaid an application in writing for a license to carry on said business of loaning money as aforesaid within the said county and shall set forth in said application the age place of birth place of residence of applicant or applicants if they be and individual or individuals and the same information as to all the partners if the applicant be a partnership and the full names and adresses with places of birth of all officers and directors if the applicant be an association or corporation together with a true and correct copy of the articles of co-partnership or association

or of the charter if the applicant be a partnership association or corporation the location of the office or place where the said business is to be conducted the amount of money or assets to be used in and applied to the said business together with a statement of the fact if said applicant or any of them or any of said officers or directors has ever been convicted of any crime The said application shall be signed by the applicant or applicants if an individual or individuals by all the partners if the applicant be a copartnership by the president and secretary if the applicant be an association or corporation and in addition the said application shall be sworn and subscribed to by one of the persons so signing before a clerk of the said quarter sessions court before it shall be filed

(b) Notice of all such applications together with time and place for hearing the same shall be advertised by the clerk of the court of quarter sessions at the expense of the applicant in two papers of general circulation printed in the English language in the county in which said court is situate twice a week for a period of four weeks and in a leading periodical once a week for four weeks and said applications shall be heard by one or more judges of the said court of quarter sessions at such time as the said court shall appoint at which hearing the applicant shall appear and shall answer under oath all questions of the said court and shall be subject to cross-examination as the said court may direct and any person or persons who shall have filed with the clerk of the said court in writing verified under oath at least five clear days before the time of said hearing a remonstrance against the granting of a license to said applicant shall be heard by said court at the said hearing upon said application

(c) If after hearing the said court shall be of the opinion that the application is a proper one they shall grant to the applicant a license to loan money in accordance with the provisions of this act for a period of one calendar year from date of issuance of said license The said court shall not be required to write an opinion in the event of refusing to grant a license to any such applicant and no person or persons copartnership association or corporation applicant or remonstrant shall have any right of review of any decision of said court or appeal therefrom

(d) Any person persons co-partnerships associations or corporation to whom a license shall be granted under the provision of this act shall pay to the clerk of the court of quarter sessions upon the issuance of the same the sum of one hundred dollars which shall be for use of the county within which said license is issued and shall be the license fee to do business for a period of one year

A license so granted and issued shall not be transferable and shall entitle the holder to conduct the said business at only one location within the said county said license shall not give the holder the right to loan money conduct or solicit business except by advertising in newspapers either by agents solicitors or mailed matter or in any other way outside of the county in which said license is issued

Any person persons co-partnership association or corporation desiring to conduct said business at more than one location in the same county shall apply for a separate license for each location and if it or they be granted shall pay one hundred dollars license fee as aforesaid for each license

(e) Before any license shall be issued by the clerk of the court of quarter sessions as aforesaid the applicant for a license shall file with the said court a bond in the sum of five thousand dollars with good and sufficient surety to be approved by the court and conditioned for the faithful observance of the provisions of this act and for the payment of all fines penalties or judgments which may or shall be imposed upon or recovered against the said licensee under the provisions of the act said bond to be for a period of three years and to remain in force for a period of two years after such time as said licensee shall fail to receive a license or shall suffer the same to be revoked

(f) A license shall not be granted to any person or to any co-partnership any member of which or to any association or corporation any officer or director of which is not a citizen of the United States of America or who has at any time been convicted in any jurisdiction of forgery perjury false swearing larceny false pretence embezzlement robbery or conspiracy to defraud

On the question,

Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 1, line 44. by striking out the word "leading" and inserting in lieu thereof the word "legal;" also in line 62, by striking out the bracket after the word "applicant" and by inserting a brcaket before the word "and."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second, third, fourth, fifth, sixth and seventh sections of the bill were read as follows, and agreed to:

Section 2 Any person copartnership association or corporation who shall obtain a license in accordance with the provisions of section one of this act shall be entitled to loan money at his their or its place of business for which said license is issued and to charge the borrowers thereof for its use or loan interest not to exceed the rate of two per centum per month on all loans of less than fifty dollars in amount and interest not to exceed one per centum per month on all loans in excess of fifty dollars in amount such interest shall not be payable in advance and shall be chargeable only on unpaid balances No charge in addition to the said interest shall be exacted charged or collected excepting an examination fee of not more than one dollar on all loans of less than fifty dollars in amount and of not more than two dollars on all loans of more than fifty dollars in amount It shall not be lawful for said lender to divide or split up applications for loans or said loans under any pretext whatsoever so as to require or exact any other or greater charges than prescribed herein or to make any chages for renewals or extensions or for any transfers or changes of any loan or loans within one year of the date of the original loan If interest or charges in excess of those hereinbefore prescribed shall be received by any licensee the said licensee shall thereupon lose all his right to collect or receive the interest and charge allowed under this act and shall be entitled to recover from the borrower only the amount actually loaned together with interest at the rate of six per centum per annum upon unpaid balances less any and all amounts already paid by the borrower on account of said loan either as principal or interest Any person borrowing money from any licensee under this act who shall be charged and pay any charges or interest in excess of those prescribed and allowed by the provisions of this act shall be entitled to recover back from the lender by action at law begun at any time within two years from the date of the last payment any and all sums of money so charged and paid in excess of the amount of the original loan together with interest at the rate of six per centum per annum upon unpaid balances up to the date of final payment of said loan

Section 3 A license making any loan under the terms of this act shall at the time of making such loans give to the borrower a receipt or card upon which shall be stated the date and amount actually loaned the amount and date of each payment thereon and the rate of interest charged On the back thereof or immediately attached thereto shall be printed in English in a type as large as the public acts of this State are printed the following

'Notice Interest in excess of per centum per month upon unpaid balances or charges in excess of dollars per year (as the case may be) cannot be asked upon this loan If interest or charges in excess of the amount fixed be asked or received the lender is entitled to recover no more than the principal of this loan with interest at six per centum per annum and any sum in excess of this amount paid may be recovered at law by suit begun within two years from date of payment of loan

Section 4 Wherever payment is made on account of a loan to which the provisions of this act shall apply the person receiving such payment shall when payment is made give to the person paying a receipt setting forth the amount then paid the total amount previously paid and the amount remaining due identifying the interest accompanying the loan to which the payment is to be applied

Section 5 Any license who shall make a loan under the provisions of this act on account of salary or wages to be earned in the future by the borrower upon an assignment or note covering such loans or advances shall not acquire any right to collect or attach said salary or wages while in possession or control of the employer unless such note or assignment is dated on the same day on which the loan is actually made and unless within a period of three days after such loan and assignment or note are actually made the licensee shall have filed with the employer of the borrower a duly authenticated copy of such agreement or notes under which the claim is made The day of making a loan within the meaning of this act shall be deemed to be the day when the money loaned is delivered to the borrower

A licensee under the provisions of this act shall not ask for accept or receive from any borrower or intending borrower any power of attorney or written instrument authorizing or purporting to authorize any person or persons either individually or acting as officer or agent for any person persons copartnership association or corporation either within or outside of this Commonwealth to sign make or execute any note instrument or written promise to pay any sum or sums of money whatsoever Any note instrument or written promise to pay any sum of money made or executed by virtue or authority of any such power of attorney or written authorization shall be null and void and proof that the same was made in said manner shall be sufficient to prevent recovery being had upon the same in any court of this Commonwealth

Section 6 Every person copartnership association or corporation any partner director officer agent or member thereof who shall violate any provision of this act or shall direct or consent to such violation or who shall lend money and charge or receive for the loan or use thereof interest in excess of six per centum per annum without first having complied with the provisions of section one of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars for the first offense and for each subsequent offense a like fine and to suffer imprisonment not to exceed six months and to have his or their license revoked forthwith in the discretion of the court

Section 7 This act shall not apply to any person or persons copartnership association or corporation operating or doing business by authority of or under the law of this Commonwealth relating to banks trust companies building associations or pawnbrokers

The eighth section of the bill was read as follows:

Section 7 Any person firm or corporation that shall make to any person a loan on any household or kitchen furntiure

household goods wearing apparel sewing machines or musical instruments shall not acquire any right to collect or attach the same while in the possession or control of the borrower unless if such employee be married written consent of his wife or if the borrower be a married woman the written consent of her husband to the making of such assignment or order is attached thereto Provided where a man or woman is living separate and apart from his wife or husband for a period of six months prior to said assignment then such consent shall not be required

On the question,
Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to amend section 8, in line 1, by striking out the numeral "7" and inserting in lieu thereof the numeral "8," so that the same shall read "Section 8."

Mr. KLINE. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The ninth section of the bill was read as follows:

Section 8 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

On the question,
Will the Senate agree to the section?

Mr. CROW. Mr. President, I move to mend section 9, in line 1, by striking out the numeral "8," and inserting in lieu thereof the numeral "9," so that the same shall read "Section 9."

Mr. KLINE. Mr. President. I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

The title of the bill was read as follows:

An Act authorizing persons corporations associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the Court of Quarter Sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

On the question,
Will the Senate agree to the title?

Mr. CROW. Mr. President, I move to amend the title, in line 1, by inserting after the word "authorizing" the words "any person;" also, in line 1, by striking out the word "corporations" where it appears the first time and inserting in lieu thereof the word "partnership:" also, in line 1, by striking out the word "associations" and inserting in lieu thereof the word "association;" also, in line 1, by striking out the words "and corporations" and in serting in lieu thereof the words "or corporation;" also, in line 2, by striking out the word "change" and inserting in lieu thereof the word "charge;" also, in line 8, by striking out the word "repeal" and inserting in lieu thereof the word "repealing."

Mr. KLINE. Mr. President, I second the motion.

On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 1034 (House Bill No. 961), entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The Senate proceeded to the second reading and consideration of Senate Bill No. 1054 (House Bill No. 1102), entitled:

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptics and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of costs of all commitals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with.
The Senate proceeded to the second reading and consideration of Senate Bill No. 1059, entitled:

An Act authorizing courts of common pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to restrict the lien thereof to a part only of the real estate of such defendant or defendants

The first and second sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where a judgment has been entered against a defendant or defendants in any proceeding at law in any Court of Common Pleas or a decree for the payment of money has been entered against any defendant or defendants in any case in equity in any Court of Common Pleas which judgment or decree shall have or constitute a lien upon the real estate of such defendant or defendants and if proceedings shall have been taken on appeal and perfected in such suit at law or in equity it shall be lawful for the court in which the said judgment or decree has been entered upon petition of the defendant or defendants therein setting forth that the petitioner or petitioners is or are the owner or owners of real estate subject to the lien of such judgment or decree of a clear value above all other liens charges and encumbrances whatever of more than double the amount of such judgment or decree together with costs of suit and that the petitioner has taken and perfected an appeal in the case to ascertain the facts set forth in said petition and thereupon such court shall have power to make an order in the case confining or restricting the lien of such judgment or decree to such part or parts of the real estate of the said defendant or defendants so petitioning which may then be subject to such lien as aforesaid as it may deem adequate for the full and complete security of said lien and freeing and discharging all other real estate of such defendant or defendants of and from the lien of such judg-

ment or decree Provided That the foregoing provision shall not apply to a case in which it shall appear that such defendant or defendants is or are the owner or owners of only a single parcel of real estate subject to the lien of such judgment or decree

Section 2 Where a judgment or decree is confined or restricted by the court as provided in section one of this act it shall be the duty of the prothonotary to index such judgment or decree setting forth the particular part or parts of real estate subject to such lien

The title of the bill was read as follows:

An Act authorizing courts of common pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to restrict the lien thereof to a part only of the real estate of such defendant or defendants

Mr. MOORE. Mr. President, I move to amend the title by adding the following: "Provided that the index of such judgment or decree shall show the real estate subject to such lien."

Mr. GYGER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1067, as follows:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fire-proof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no building shall be erected in any city of the second class to be used for public entertainments or amusements on any floor except the first nor shall any existing building be remodeled or altered so as to permit the same to be used on any floor except the first as a place for public entertainments or amusements unless said building shall be fire-proof construction and ample means of entrance and exit shall be provided from said place of public entertainment or amusement

Section 2 The Bureau of Building Inspection shall be furnished by the owner contracter or architect with a copy of the general drawings plans and specifications of any proposed erections or alterations of buildings to be used as places of public entertainment or amusement as provided for in section five of the act to which this is a supplement and permits therefor shall be issued and the rights to appeal shall exist in case of refusal to issue a permit as therein provided

Section 3 Any violation of any of the provisions of this act shall subject the person of persons so offending to a fine or penalty of not less than ten dollars nor more than one hundred dollars and any such violation of the provisions of this act if continued after the first fine is imposed therefor shall for every week of such continuance be punishable by an additional fine of not less than ten dollars nor more than one hundred dollars All such fines and penalties shall be recoverable by summary proceedings before the recorder mayor or any alderman or police magistrate in any of said cities and all suits or actions at law instituted for the recovery thereof shall be in the name and for the use of the city within or against which the offense is committed and upon the recovery thereof all such fines and penalties shall be paid to the city treasurer thereof In default of the payment of any fines or penalty imposed by any such authority the person or persons so offending may be committed to the jail workhouse or other penal institution of the county in which said city is situated for a period not exceeding thirty days

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1072 (House Bill No. 1023), entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1082 (House Bill No. 154), entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1086 (House Bill No. 1465), as follows:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative of said exhibition and providing for the repayment to the county by the State of the sum so paid" which as heretofore amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated county agricultural association paying premiums upon exhibits exclusive of premiums on trials of speed holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided That in case there is more than on claimant in any one year for said fund the county commissioners shall apportion and divide said one thousand dollars among the several claimants according to the amount of premiums on agriculture stock fruit and other exhibits exclusive of premiums on speed actually paid by each claimant at the last fair held by said claimant Provided Said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums provided furthere that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held and provided further that any county fair association receiving State aid as aforesaid shall issue a permit to any citizen of this Commonwealth applying for the same to maintain upon the grounds of said association during the progress

of any fair a stand for the sale of merchandise for the conducting of an amusement enterprise under and subject to the rules and regulations adopted by said association upon payment of the changes by it established which charges shall be uniform upon the same class of business or amusement" is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars to each of not more than two incorporated county agricultural associations being premiums upon exhibits exclusive of premiums on trials of speed holding in their county an annual agricultural exhibition in the interests of stock raising grain poultry handiwork fruit dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or only receive under this act the sum they each and severally pay in premiums provided further that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held And provided further That any county fair association receiving State aid as aforesaid shall issue a permit to any citizen of this Commonwealth applying for the same to maintain upon the grounds of said association during the progress of any fair a stand for the sale of merchandise or the conducting of an amusement enterprise under and subject to the rules and regulations adopted by the said association upon payment of the charges by it established which charges shall be uniform upon the same class of business or amusement

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1093 (House Bill No. 285), entitled:

An Act providing for the appointment and qualifications of instructors and demontrators in agriculture and making an appropriation for the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1095 (House Bill No. 416), entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1096 (House Bill No. 426), entitled:

An Act relating to divorce

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1099 (House Bill No. 1241), entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers and steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1105 (House Bill No. 1436), entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1118 (House Bill No. 176), entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting venders from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1145, as follows:

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of legislation good government and the exercise of certain corporate powers and having respect to the number character powers and duties of the offices and officers thereof the counties of this Commonwealth now in existence and those hereafter erected shall be divided into nine classes

Those having a population of one million five hundred thousand inhabitants or over constitute the first class

Those having a population of one million inhabitants or over and less than one million five hundred thousand shall constitute the second class

Those having a population of three hundred thousand inhabitants or over and less than one million shall constitute the third class

Those having a population of one hundred fifty thousand inhabitants or over and less than three hundred thousand shall constitute the fourth class

Those having a population of one hundred thousand inhabitants or over and less than one hundred fifty thousand shall constitute the fifth class

Those having a population of fifty thousand inhabitants or over and less than one hundred thousand shall constitute the sixth class

Those having a population of twenty-five thousand inhabitants or over and less than fifty thousand shall constitute the seventh class

Those having a population below twenty-five thousand inhabitants shall constitute the eighth class

Section 2 The classification of said counties respectively shall be ascertained and fixed by reference to their population according to the last preceding Federal census Whenever it shall appear after any such census that any county has attained a population entitling it to an advance in classification as hereby prescribed It shall be the duty of the Governor under the great seal of this Commowealth to certify the fact accordingly which certificate shall be recorded in the office of the recorder of deeds in the proper county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1146, as follows:

An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by extending to August first the date for the payment of taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the seventh section of an act approved the twentieth day of June one thousand nine hundred one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commowealth and providing that the city Treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" which reads as follows

"Section 7 All persons who shall make payment on or before the first day of July in each year of any city school or poor tax levied within the respective city of the third class and charged against the said persons in the proper duplicate shall be entitled to a reduction or abatement of one per centum from the amount thereof Upon all taxes remaining unpaid on the first day of September of each tax year three per centum shall be added thereto and upon the first day of every succeeding month thereafter there shall be added or charged an aditional penalty for non-payment of one per centum until such taxes are paid which penalties shall be added to the taxes by the said treasurer as collector and be collected by him" is hereby amended to read as follows

Section 7 All persons who shall make payment on or before the first day of August in each year of any city or poor tax levied within the respective city of the third class and charged against the said persons in the proper duplicate shall be entitled to a reduction or abatement of one per centum from the amount thereof Upon all taxes remaining unpaid on the first day of September of each tax year three per centum shall be added thereto and upon the first day of every succeeding month thereafter there shall be added or charged an additional penalty for non-payment of one per centum until such taxes are paid which penalties shall be added to the taxes by the said treasurer as collector and be collected by him

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1147, as follows:

An Act requiring the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War veterans in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the respective authorities of the several counties boroughs and incorporated towns of this Commonwealth are hereby required to appropriate annually to each camp of the United Spanish War Veterans in the respective counties boroughs or towns a sum not to exceed fifty dollars ($50.00 to aid in defraying the expenses of Memorial Day

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1160, as follows:

An Act to repeal sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and puninshing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred and ninety-one so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relate to nomination papers also to repeal sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nnmination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political parties may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred and ninety-seven which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections two three four five and six of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred and ninety-one so far as said sections relate to nominations of candidates for public office by nomination papers and so far as the said sections relate to nomination papers be and the same are hereby repealed

Section 2 That sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as the said sections relate to nomination papers be and the same are hereby repealed

Section 3 That section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political parties may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Speaker of the Commonwealth'" approved the ninth day of July Anno Domini one thousand eight hundred and ninety-seven which said section one relates to how the names adopted by political bodies may be protected and the nomination of candidates for public office by nomination papers be and the same is hereby repealed

Section 4 That sections two three four five and six of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political parties may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prsecribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred and ninety-seven in so far as said sections relate to nomination of candidates for public office by nomination papers and in so far as said sections relate to nomination papers be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1163, as follows:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight entitled "An Act relative to the election of commissioners' clerk in the county of Northampton"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eleventh day of April one thousand eight hundred sixty-eight entitled "An Act relative to the election of commissioners' clerk in the county of Northampton" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1166, as follows:

A supplement to an act approved the third day of June one thousand eight hundred and ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Asesmbly where such bridges have been destroyed by flood fire or other causalty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in rebuilding any bridge under the provisions of the act to which this act is a supplement the Board of Public Grounds and Buildings to facilitate public travel and eliminate grade crossings may rebuild such bridge and the necessary approaches thereto at a lower or higher elevation than the former bridge or may rebuild upon a new site provided the viewers appointed by the court of Common Pleas of Dauphin county recommend such change of site or elevation

In rebuilding any bridge and the approaches thereto under said act or under this act the board and any city county or railroad company or any two or more of them may enter into agreements for the joint payment in proportions to be agreed upon of the cost of such rebuilding of said bridge and the approaches necessary to eliminate said grade crossings and facilitate public travel provided the sum to be expended by the Commonwealth shall not exceed the cost of rebuilding the bridge at the old site and elevation which cost the viewers aforesaid with the approval of the court are authorized to estimate and set forth in their report

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1167, as follows:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate for the same office by more than one political party to prohibit election officers from receiving counting or returning any such ballot at any election upon which appears the name of any person as a candidate for the same office as the nominee of more than one political party and to declare all such ballots void and excepting from the provisions of the act candidates for judges an dassociate judges of the supreme superior common pleas and orphans' courts and of such other courts of record as are now or hereafter may be established under the laws of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act it shall be unlawful for any political party or body of electors to nominate as a candidate for office at any election any person who has already been nominated for the same office by any other political party or body of electors

Section 2 It shall be unlawful for the county commissioners of any county to print or cause to be printed upon the official ballot for any election the name of a candidate for any office to be filled at such election where such person has been nominated for the same office by more than one political party or body of electors

Section 3 It shall be unlawful for any election officer at any election to receive count or return any ballot upon which is printed the name of any person as a candidate for the same office by more than one political party or body of electors and any ballot having printed thereon the name of any person as a candidate for an office under more than one political designation or as the nominee of more than one political party is hereby declared void and of no effect

Section 4 Notwithstanding the provisions of this act a candidate for the office of judge or associate judge of the supreme superior common pleas and orphans' courts or of such other courts of record as are now or hereafter may be established under the laws of the Commonwealth may be nominated for said office at an election by more than one political party or body of electors and the name of said candidate may appear as the nominee of more than one political party or body of electors on the official ballot at said election and the elections officers shall receive count and return said ballots if otherwise proper and lawful

Section 5 All laws or parts of laws inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1169, as follows:

An Act regulating the signing and recording of all instruments in writing intended to be recorded

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person signing a deed note mortgage or other instrument in writing intended to be recorded in any public office in this Commonwealth shall sign his or her first given or Chirstian name in full If any such instrument not so signed is presented for record the officer in whose office the instrument is presented for record may at his option refuse to receive or to record the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 348 (House Bill No. 149), entitled:

An Act relating to extortion and attempted extortation by threats and fixing a penalty therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 384 (House Bill No. 421), entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 471 (House Bill No. 143), entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prsecribe the form of government for townships of each class"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 491 (House Bill No. 115), entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred and eighty-nine entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 492 (House Bill No. 215), entitled:

A joint resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 529 (House Bill No. 162), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 534 (House Bill No. 293), entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 540 (House Bill No. 540), entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 544 (House Bill No. 624), entitled:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitations of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 624 (House Bill No. 305), entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and prohibiting for the sale of such lands for taxes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 625 (House Bill No. 466), entitled:

An Act to amend the first section of an act of assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audit for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 669 (House Bill No. 82), entitled:

An Act authorizing and regulating the employment on county highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 671 (House Bill No. 290), entitled:

An Act authorizing Robert Stewart a citizen of Dauphin County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 675 (House Bill No. 465), entitled:

An Act requiring a license for conducting certain kinds of busines regulating such license and fixing a penalty for violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 677 (House Bill No. 503), entitled:

An Act prescribing the conditions under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in various counties of the Commonwealth of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 692 (House Bill No. 953), entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collection storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transportated in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsisting acts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 699, entitled:

An Act regulating parades of associations of veteran soldiers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 723 (House Bill No. 221), entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the County Treasury

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 775 (House Bill No. 791), entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 801 (House Bill No. 464), entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain building not in cities of the first and second classes by providing proper exists fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and providing proper penalties for any violation of the same" approved the third day of May Ann Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 845 (House Bill No. 1039), entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dog whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 866 (House Bill No. 1054), entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor and the methods for preserving such liens and enforcement payment of such claims the efftct of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred one by changing the provisions prescribing what property shall be included in tax and municipal claims

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 897 (House Bill No. 835), entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 898 (House Bill No. 847), entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. SNYDER. Mr. President, I move that the Senate resume consideration of Senate Bill No. 841 (House Bill No. 701), bill on third reading postponetd for the present, for the purpose of amendment, entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the apointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. SNYDER. Mr. President, I ask unanimous consent to amend the bill as follows:

In section 12, line 7, by striking out the word "creating," and inserting in lieu thereof the word "erection."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 901 (House Bill No. 1116), entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile schools or farms as heretofore established by the act of assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenances equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 916 (House Bill No. 562), entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 927 (House Bill No. 1137), entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish a dmaintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 967 (House Bill No. 1356, entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 986, entitled:

An Act authorizing corporations owning or operating distilleries producing only denatured alochol for industrial purposes and not for use as a beverage or for medicinal purposes to operate such distillery without a license and regulating the taxation of such corporations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 987, entitled:

An Act making a chief burgess of a borough eligible to the office for the next succeeding term

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1008 (House Bill No. 357), entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offenses" and imposing duties on conductors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1017 (House Bill No. 1168), entitled:

An Act to provide for the payment of costs and charges on writs of executions or attachments and fixing the liability of sheriff in the execution thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1018 (House Bill No. 1226), entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideratio nof Senate Bill No. 1036 (House Bill No. 1191), entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1039 (House Bill No. 1218), entitled:

An Act to amend the ninth section of an act entitled An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred ninety-three by repealing the provisions that the divisions in each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1041 (House Bill No. 1365), entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1043 (House Bill No. 1464), entitled:

An Act regulating the openings of buildings upon over or under external fire escapes

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate bill No. 1049, entitled:

An Act regulating the salaries of county commissioners when said commisisoners are directors of the county poor in counties of more than fifty thousand inhabitants

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1051 (House Bill No. 1144), entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1070 (House Bill No. 146), entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1074 (House Bill No. 1283), entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1085 (House Bill No. 1437), entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1089 (House Bill No. 1660), entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" as amended

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1110 (House Bill No. 1772), entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1110 (House Bill No. 1772), the bill just read, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1117, entitled:

An Act to amend an act entitled "An Act to provide for the division of boroughs and the erection of new boroughs" approved the twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-nine so as to extend the provisions of the same to boroughs and cities in this Commonwealth whether situate in one or more counties and to provide for the adjustment of indebtedness

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1122 (House Bill No. 1050), entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to two hundred and eighty thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1123 (House Bill No. 1053), entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1126 (House Bill No. 1132), entitled:

A supplement to an act approved the twentythird day of April one thousand nine hundred and three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assesments and the reassessments between the periods of triennial assessment of property and fixing the time for the return thereof" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1129 (House Bill No. 1318), entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

And said bill having been read at length the first time. Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1131 (House Bill No. 1357), entitled:

An Act concerning building regulation and inspection in townships of the first class

And said bill having been read at length the first time Ordered. To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1133 (House Bill No. 1534), entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1136 (House Bill No. 1712), entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustees for said church to hold and dispose of the title to the property owned by said church and defining the procedure therein

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1140 (House Bill No. 938), entitled:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-nine

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1162, entitled:

An Act to amend section two of the act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of same

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1179 (House Bill No. 1044), entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1185 (House Bill No. 536), entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1189 (House Bill No. 1695), entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions"

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1196 (House Bill No. 1426), entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolens and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1203 (House Bill No. 1872), entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1207, entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1213, entitled:

An Act making it unlawful for any person to practice law in any county in the State of Pennsylvania unless duly admitted to practice by a court of record in any county of this Commonwealth defining what shall constitute the practice of law and providing a penalty for any violation thereof

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1234 (House Bill No. 1007), entitled:

An Act authorizing the appointment of delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

And said bill having been read at length the first time.
Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 709, entitled:

An Act to regulate the admission of minors to public dance houses or halls, to concert saloons, to theatres and to places where theatrical, acrobatic or vaudeville performancer or moving picture shows are given, and providing the punishment for a violation thereof.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1210, entitled :

A supplement to an act approved the 23d of May, 1889, entitled "An Act for the incorporation and government of cities of the third class," authorizing third class cities to manufacture and sell ice.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 733, entitled:

An Act to repeal an act approved the 4th day of June, 1901, entitled "An Act defining the rights and liabilities of parties to, and regulating the effect of contracts for work and labor to be done, and labor or materials to be furnished to any building, bridge, wharf, dock, pier, bulkhead, vault, subway, tramway, toll-road, conduit, tunnel, mine, coal-breaker, flume, pump, screen, tank, derrick, pipe-line, aqueduct, reservoir, viaduct, telegraph, telephone, railway or railroad line; canal, mill race; works for supplying water, heat, light, power, cold air, or any other substance furnished to the public; well for the production of gas, oil or other volatile or mineral substance; or other structure or improvement, of whatsoever kind or character the same may be; providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto."

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1062, entitled:

An Act to amend the first section of an act approved the 14th day of April, A. D. 1903, entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth, and providing penalties for violation of its provisions, and repealing an act approved the 24th day of April, 1901," by making the license fee twenty dollars, instead of ten dollars, as at the present time.

BILL INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 1261, entitled:

An Act to authorize incorporated or unincorporated churches, cemeteries or burial associations owning burial grounds located wholly or in part in any city, township or borough of this Commonwealth, to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes, or which may have been reconveyed to them, or shall have reverted or become acquired by them under the terms hereof, or otherwise, and providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth, upon petition of the managers, officers and other persons vested with the management of said burial ground, to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church, cemetery or burial association, and to provide for the purchase of new lots, the cost of the removal of such bodies, and compensation to the owners of the lot or lots therein, the sale of the ground and distribution of the proceeds derived from such sale.

Which was committed to the Committee on Judiciary General.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, George A. Willmanns of Philadelphia County, to be a Notary Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from May 16, 1913.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named person to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Frank Scurich, Bridgeville.

BLAIR COUNTY.

Clyde E. Brown, Altoona.

CAMBRIA COUNTY.

H. A. Englehart, Jr., Ebensburg.

PHILADELPHIA COUNTY.

Miss Elizabeth Dedeker, Philadelphia.
James Steele, Philadelphia.

YORK COUNTY.

Miss Gertrude C. Anstine, York.

JOHN K. TENER.

ALDERMAN.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Guy R. Jones to be Alderman in and for the Third Ward of the city of Allentown, county of Lehigh, to serve until the first Monday in January, 1914, vice Walter L. Jones, deceased.

JOHN K. TENER.

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Josephus Stout, to be Justice of the Peace in and for the township of Rutland county of Tioga, to serve until the first Monday in January, 1914, vice W. H. Adams, deceased.

JOHN K. TENER.

CORONER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Albert Addison Hemer, of East Brady, to be Coroner in and for the county of Clarion, to serve until the first Monday in January, 1914.

JOHN K. TENER.

THIRD DEPUTY ATTORNEY GENERAL.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William N. Trinkle, of Philadelphia, to be Third Deputy Attorney General for the Commonwealth of Pennsylvania, to serve until lawfully determined or annulled.

JOHN K. TENER.

SECOND DEPUTY ATTORNEY GENERAL.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William M. Hargest, of Harrisburg, to be Second Deputy Attorney General for the Commonwealth of Pennsylvania, to serve until lawfully determined or annulled.

JOHN K. TENER.

FIRST DEPUTY ATTORNEY GENERAL.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Jesse E. B. Cunningham, of Greensburg, to be First Deputy Attorney General for the Commonwealth of Pennsylvania to serve until lawfully determined or annulled.

JOHN K. TENER.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence, as follows:

House Bill No. 117 (Senate Bill No. 1262), entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and clerks and the clerks or secretaries of cities boroughs townships and school districts providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and election and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

Which was committed to the Committee on Elections.

House Bill No. 1348 (Senate Bill No. 1263), entitled:

A joint resolution proposing an amendment to the Constitution of Pennsylvania providing for the Initiative and Referendum

Which was committed to the Committee on Elections.

House Bill No. 1653 (Senate Bill No. 1264), entitled:

A further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty-one authorizing the corporate authorities of any borough to levy and collect a license tax on hacks carriages omnibuses and motor vehicles carrying persons or property for pay to regulate the operation and compensation of such vehicles within the limits of any such borough and other points or places"

Which was committed to the Committee on Judiciary Special.

House Bill No. 93 (Senate Bill No. 1265), entitled:

An Act to regulate political campaigns at and prior to elections and primaries enacting for such purpose provisions amongst others to regulate election and primary expenses and conributions therefor to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate politcal advertising and the publication of political matter to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incured to regulate political committees and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts to impose duties on the Secretary of the Commonwealth district attorneys county commissioners clerks of courts assessors and their respective subordinates to regulate investigations of election practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances to vest certain courts with jurisdiction to annul certain elections and nominations to certify their findings as to other elections and nominations and to authorize the incurring of election expenses in certain instances to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation

Which was committed to the Committee on Elections.

House Bill No. 1793 (Senate Bill No. 1266), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class."

Which was committed to the Committee on Municipal Affairs.

ADJOURNMENT.

Mr. McNICHOLS. Mr. President, I move that the Senate do now adjourn until ten o'clock to-morrow morning.

Mr. SNYDER. Mr. President, I second the motion.

The Senate adjourned at 1.40 o'clock P. M. until Wednesday morning, April 30, 1913, at 10 o'clock:

HOUSE OF REPRESENTATIVES.

TUESDAY, April 29th, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we come before Thee this morning, thankful for the rest of the night, glad that we are in the enjoyment of health and strength; hopeful that with the new opportunities of this new day we shall be enabled to render some efficient, helpful service. Condition us in every particular for the work of this day, in body, mind and spirit; in disposition and temper; in desire and purpose. Let us not shirk our duties or shrink from our responsibilities nor belittle in any way the work which is assigned to us. May we be brave and fearless, strong and true, hopeful and cheerful and, above all, faithful.

Wilt Thou bless our nation and our State; the President of the nation and the Governor of the State; the Congress, with its perplexing problems and the various Legislatures, and especially this Legislature; and grant, dear Lord, that whatever we do may be done with an eye to Thine honor and to the welfare of the people whom we are trying to serve, through Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Leslie, the further reading was dispensed with, and the Journal was approved.

BILL RECOMMITTED.

Mr. KLEPPER. Mr. Speaker, I move that Senate Bill No. 430 (House Bill No. 1813), file folio 2557, entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

be recommitted to the Committee on Judiciary Special.

Mr. MELLOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. DAVIS. Mr. Speaker, I move that House Bill No. 1440, file folio 6931, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Marchine Examiners and defining its powers and duties providing rules and regulation for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

on page 6 of to-day's calendar, be recommitted to the Committee on Elections.

Mr. W. A. BLAIR. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. E. E. JONES. Mr. Speaker, I move that House Bill No. 1146, file folio 7077, entitled:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State

Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highway to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injurying or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

on page 13 of to-day's calendar, be recommitted to the Committee on Public Roads.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ROCKWELL. Mr. Speaker, I move that House Bill No. 183, file folio 7245, entitled:

An Act defining public service companies prescribing and defining the duties and liabilities of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies creating and establishing a public service commission for the supervision and regulation of public service companies prescribing and defining the powers and duties of such commission and its officers and providing for the salaries and compensation of the members of the commission its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin county and giving such court exclusive jurisdiction of such appeals and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal from all decrees of said court to the Supreme Court prescribing penalties fines and imprisonment for the violation of such orders or of the provisions of this act and repealing the act approved May thirty-first one thousand nine hundred and seven which provided for the appointment of a railroad commission and all other legislation inconsistent with this act and making it the duty of the Public Service Commission to enforce the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes upon railroad by compelling common carriers by railroad to properly man their trains"

known as the "public utilities" bill, on page 37 of to-day's calendar, be recommitted to the Committee on Judiciary General.

Mr. E. E. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. KAUFMAN. Mr. Speaker, I move that House Bill No. 1637, file folio 7037, entitled:

An Act for the taxation of dogs and the protection of sheep and poultry creating the office of dog catcher in townships boroughs and cities defining his duties providing methods for the enforcement of this act and prescribing penalties for its violation and repealing certain acts

on page 39 of to-day's calendar, be recommitted to the Committee on Judiciary Local.

Mr. McCAIG. Mr. Speaker, I second the motion.

The motion was agreed to.

MOTION TO PLACE BILL ON CALENDAR.

Mr. WILTBANK. Mr. Speaker, I move that House Bill No. 1323, entitled:

An Act to amend section three of an act approved the eighteenth day of April one thousand nine hundred and five entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" extending the time for registration of persons who had assumed the title of veterinary surgeon or analogous title prior to the passage of the acts of Assembly approved the eleventh day of April one thousand eight hundred and eight-nine and the twenty-ninth day of April one thousand eight hundred and ninety-one but who failed to register within the time provided by the said acts

be placed upon the calendar, notwithstanding the negative report of the Committee on Agriculture.

Mr. GANS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Forty-four gentlemen, or less than the number required by the rule, having voted in the affirmative,

The motion was not agreed to.

BILLS RECOMMITED.

Mr. H. B. DUNN. Mr. Speaker, I offer the following motion:

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by H. B. DUNN, seconded by Mr. Swift, that House Bill No. 113, file folio 303, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to restrain and regulate the sale of vinuous and spirituous malt or brewed liquors or any admixtures thereof"

be recommitted to the Committee on Law and Order for amendment.

On the question,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1840 (Senate Bill No. 156), entitled:

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—162.

Adams,	Eichenberger,	Lohr,	Sassaman,
Allen,	Ewing,	Lowers,	Savacool,
Ambler,	Fahey,	Mannion,	Schaeffer, A. C.
Arthur,	Foster, J. D.,	Martin,	Schuck,
Baldwin, G. A.,	Gans,	Mather,	Scott, J. R. K.,
Baldwin, R. J.,	Geary,	McAleer,	Scott, S. B.,
Barner,	Geiser,	McAllister,	Semmens,
Bass,	Gibson,	McCaig,	Shaffer, C. A.,
Bayle,	Good,	McClintock,	Shaffer, I. E.,
Becker,	Goss,	McDermott,	Sherwood,
Benninger,	Grabe,	McKay,	Showalter,
Benson,	Gramley,	Mellott,	Smith, L.,
Bergey,	Gransback,	Metzenbacher,	Snyder,
Bigger,	Gray, Frank,	Miller,	Spangler,
Bittles,	Hackett,	Missimer,	Spillinger,
Blair, W. A.,	Haggerty,	Mitchell,	Steedle,
Blair, W. F.,	Heidinger,	Morrow,	Steele,
Body,	Hemminger,	Moses,	Stein,
Brosius,	Herman,	Moulthrop,	Stone,
Brown,	Hess,	Murphy,	Strauss,
Brownlee,	Hilbshman,	Musser,	Swartz,
Burnett,	Hobbs,	Newbaker,	Swift,
Caldwell,	Howard, R.,	Newton,	Thomas,
Campbell, C.M.,	Humes,	North,	Trach,
Campbell, J.J.	Irwin, G. C.,	O'Neill,	Ulerich,
Carson,	Irwin, H. H.,	Peachey,	Ulman,
Cheeseman,	Jackson,	Pennock,	Walnut.
Claycomb,			

Cleary,	Jones, J. R.,	Perry, H. L.,	Walsh,
Cochran	Kaiser,	Peters,	Wettach,
Conniff,	Kaufman,	Post,	Whitaker,
Conrade,	Keegan,	Price,	Whitman,
Currier,	Keeport,	Ramsey,	Wildman,
Curry,	Kennedy,	Redfield,	Williams,
Davis,	Kern,	Reeser,	Wilson, J. H.,
DeFrees,	Klepper,	Rex,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Rhoads,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Robinson,	Young, G. K.,
Down,	Lanius,	Rockwell,	Young, J. H.,
Dunn, H. B.,	Lenker,	Roney,	Zimmerman,
Ehrhardt,	Leslie,	Rothenberger,	Alter,
		Runk,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk return the same to the Senate, with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1653, entitled:

A further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty one authorizing the Corporate Authorities of any borough to levy and collect a license tax on hacks carriages omnibuses and motor vehicles carrying persons or property for pay to regulate the operations and compensation of such vehicles within the limits of any such borough between any such borough and other points or places"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Dunn, H. B.,	Kern,	Reeser,
Allen,	Dunn, J. A.,	Kitts,	Rex,
Alworth,	Ehrhardt,	Klepper,	Richards,
Ambler,	Eichenberger,	Kuhn, H. P.,	Robinson,
Arthur,	Ewing,	Kuhns, E.G.M.,	Rockwell,
Baldwin, G. A.,	Fahey,	Lanius,	Roney,
Baldwin, R. J.,	Flynn,	Lenker,	Runk,
Barner,	Forster, I. G.,	Leslie,	Schuck,
Bass,	Foster, J. D.,	Lohr,	Scott, J. R. K.,
Bayle,	Gans,	Lowers,	Showalter,
Becker,	Geary,	Mannion,	Smith, L.,
Benninger,	Geiser,	Martin,	Snyder,
Benson,	Gibson,	Mather,	Spillinger,
Bergey,	Good,	McAleer,	Steele,
Bigger,	Grabe,	McAllister,	Stein,
Bittles,	Gramley,	McArdle,	Stone,
Blair, W. A.,	Gransback,	McCaig,	Strauss,
Blair, W. F.,	Gray, Frank,	McKay,	Swartz,
Body,	Gray, Joseph,	McNichol,	Swift,
Brosius,	Hackett,	Miller,	Thomas,
Brown,	Haggerty,	Missimer,	Trach,
Brownlee,	Heidinger,	Mitchell,	Ulerich,
Burnett,	Hemminger,	Moore,	Ulman,
Caldwell,	Herman,	Morrow,	Walnut,
Campbell, C.M.,	Hess,	Moses,	Watson,
Campbell, J.J.	Hibshman,	Musser,	Wettach,
Carson,	Hobbs,	Neely,	Whitaker,
Carter,	Howard, J.,	Newbaker,	Whitman,
Claycomb,	Humes,	Newton,	Wildman,
Cleary,	Isler,	North,	Williams,
Cochran	Irwin, G. C.,	O'Neill,	Wilson, J. H.,
Conniff,	Irwin, H. H.,	Peachey,	Wilson, W. H.,
Conrade,	Jackson,	Pennock,	Wiltbank,
Cox,	Jones, E. E.,	Perry, H. L.,	Young, G. K.,
Curry,	Jones, J. R.,	Peters,	Young, J. H.,
Davis,	Kaufman,	Post,	Zimmerman,
DeFrees,	Keeport,	Ramsey,	Alter,
Dickinson,	Kenna,	Redfield,	Speaker.
Donnally,	Kennedy,		
Down,			

NAYS—11.

Howard, R.,	McDermott,	Rothenberger,	Shaffer, I. E.,
Keegan,	Mellott,	Sassaman,	Smith, J. W.,
Matt,	Price,	Shaffer, C. A.,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Mr. JAMES A. DUNN. Mr. Speaker, I desire to call up at this time House Bill No. 442, file folio 71..., entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school sysem in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Bill on final passage recalled from the Governor.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 442, as follows:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violtaion thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children may permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district The education of such non-resident children in any school district may be done without charge by the district or at a cost not exceeding the cost of tuition textbooks and school supplies of other children of similar grade in such district is amended so as to read

Section 1412 The board of school directors of any school district in this Commonwealth in which there is located any orphan asylum home for the friendless children's home or other institution for the care or training of orphans or other children shall permit any children who are inmates of such homes but not legal residents in such district to attend the public schools in said district either with or without charge for tuition text books or school supplies as the directors of the district in which such institution is located may determine provided that when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text books and school supplies of other children of similar grade in such district and provided further that such cost shall be paid to the district in which such institution is located by the district of which the respective pupils are legal residents

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—178.

Adams,	Forster, I. G.,	Lowers,	Richards,
Allen,	Foster, J. D.,	Malie,	Robinson,
Alworth,	Gans,	Mannion,	Rockwell,
Ambler,	Geary,	Martin,	Roney,
Aron,	Geiser,	Mather,	Rothenberger,
Arthur,	Gibson,	Matt,	Runk,
Baldwin, G. A.,	Glenn,	McAleer,	Sassaman,
Baldwin, R. J.,	Good,	McAllister,	Savacool,
Barner,	Grabe,	McArdle,	Schuck,
Bass,	Gramley,	McCaig,	Scott, J. R. K.,
Bayle,	Gransback,	McClintock,	Scott, S. B.,
Becker,	Gray, Frank,	McDermott,	Shaffer, C. A.,
Benninger,	Hackett,	McKay,	Shaffer, I. E.,
Benson,	Haggerty,	McNichol,	Sherwood,
Bergey,	Heidinger,	Mechling,	Showalter,
Bigger,	Hemminger,	Mellott,	Smith, J. W.,
Bittles,			

Blair, W. A.,	Herman,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Hess,	Miller,	Snyder,
Body,	Hibshman,	Missimer,	Speiser,
Brosius,	Hobbs,	Mitchell,	Spillinger,
Brown,	Hoffman,	Moore,	Steedle,
Brownlee,	Howard, J.,	Morrow,	Steele,
Burnett,	Howard, R.,	Moses,	Stein,
Caldwell,	Humes,	Moulthrop,	Stone,
Campbell, C.M.,	Isler,	Murphy,	Strauss,
Campbell, J.J.	Irwin, G. C.,	Musser,	Swartz,
Carson,	Irwin, H. H.,	Neely,	Swift,
Carter,	Jackson,	Newbaker,	Thomas,
Cleary,	Jones, E. E.,	Newton,	Trach,
Cochran	Jones, J. R.,	North,	Ulerich,
Collins,	Kaiser,	O'Neill,	Ulman,
Conniff,	Kaufman,	Peachey,	Walnut,
Conrade,	Keegan,	Pennegar,	Walsh,
Currier,	Keeport,	Pennock,	Watson,
Curry,	Kennedy,	Perry, H. L.,	Wettach,
Davis,	Kern,	Perry, S. J.,	Whitaker,
DeFrees,	Klepper,	Peters,	Whitman,
Donnally,	Kuhn, H. P.,	Piper,	Wildman,
Down,	Kuhns, E.G.M.,	Post,	Williams,
Dunn, H. B.,	Lanius,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Lenker,	Redfield,	Wilson, W. H.,
Ehrhardt,	Leslie,	Reese,	Wiltbank,
Eichenberger,	Letzkus,	Reeser,	Young, G. K.,
Ely,	Light,	Rex,	Zimmerman,
Ewing,	Lohr,	Rhoads,	Alter,
Fahey,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to call up at this time, House Bill No. 117, file folio 6489, on page 22 of to-day's calendar, bills on third reading postponed.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 117, entitled:

An Act to regulate nominations and elections for certain public offices providing for non-partisan nominations and elections for said offices abolishing existing methods of nomination in certain cases and the use of party or political names or applications at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth Auditor General State Treasurer county commissioners county treasurer election officers and clerks and the clerks or secretaries of cities boroughs townships and school districts vesting the courts of common pleas with certain powers duties and jurisdiction providing for the payment by the several counties and their reimbursement by the State of certain expenses incident to such nominations and elections and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

The question recurring,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, I ask unanimous consent to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 19, page 19, by striking out all after the word "principle" in line 18 down to and including the word "election" in line 29.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The question recurring,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, this bill is what is known as the non-partisan primary and election bill. The bill has been on the calendar for some length of time. I do not wish to tire the House, Mr. Speaker, by going into the full details of the bill but I will state the principle involved and the officers to which this bill is applicable. The bill applies solely to municipal elections and the office of judge, whether such judge be nominated or elected at the municipal or general election. The principle involved in the bill is that the officers chosen in a municipal election and for the office of judge are such officers as should be removed as far as possible from party lines. As a result of the differentiation between the parties in this State and Nation, there is involved into every election party questions which should have no bearing upon the election of such officers. On the question of the selection of judges, it is needless to say that the judge should be removed as far as possible from political affiliations so far as affecting his nomination and election. He should be chosen solely upon his qualifications and fitness for the place. Unless there be any further discussion I will not take up your time; the principle being plain and the bill carefully drafted by the Republican Legislative and Executive Committee. It follows out the line of recommendation contained in the message of the Governor to the General Assembly, wherein he states the following:

"I have long entertained the belief that the nomination and election of municipal and county officers, and especially of the Judges, should be non-partisan, and I therefore recommend that our election laws be amended so as to provide for the nomination of such officers at non-partisan primary elections and their subsequent election upon a non-partisan ballot." I ask therefore the support of every member in this House for this bill.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Ewing,	Mannion,	Sassaman,
Allen,	Fahey,	Martin,	Savacool,
Alworth,	Foster, J. D.,	Mather,	Schaeffer, A. C.
Ambler,	Geiser,	Matt,	Scott, J. R. K.,
Baldwin, G. A.,	Gibson,	McAleer,	Scott, S. B.,
Barner,	Glenn,	McAllister,	Semmens,
Bass,	Good,	McCaig,	Shaffer, C. A.,
Bayle,	Goss,	McClintock,	Shaffer, I. E.,
Becker,	Grabe,	McDermott,	Shern,
Benninger,	Gramley,	McKay,	Showalter,
Benson,	Gray, Frank,	Mellott,	Smith, J. W.,
Bergey,	Haggerty,	Metzenbacher,	Smith, L.,
Bigger,	Heidinger,	Miller,	Snyder,
Bittles,	Hemminger,	Mitchell,	Speiser,
Blair, W. A.,	Herman,	Morrow,	Spillinger,
Bleloch,	Hobbs,	Moses,	Steedle,
Body,	Howard, J.,	Moulthrop,	Steele,
Brosius,	Howard, R.,	Murphy,	Stein,
Brown,	Humes,	Musser,	Stone,
Brownlee,	Isler,	Neely,	Strauss,
Burnett,	Irwin, G. C.,	Newbaker,	Swartz,
Caldwell,	Irwin, H. H.,	Newton,	Swift,
Campbell, C.M.,	Jackson,	North,	Thomas,
Campbell, J. J.,	Jones, E. E.,	O'Neill,	Trach,
Carson,	Jones, J. R.,	Peachey,	Ulerich,
Carter,	Kaiser,	Pennegar,	Ulman,
Cheeseman,	Kaufman,	Pennock,	Walnut,
Claycomb,	Keegan,	Perry, H. L.,	Walsh,
Cleary,	Keeport,	Peters,	Watson,
Cochran	Kennedy,	Piper,	Wettach,
Conrade,	Kern,	Post,	Whitaker,
Cox,	Kitts,	Price,	Whitman,
Currier,	Klepper,	Ramsey,	Wildman,
Curry,	Kuhn, H. P.,	Redfield,	Williams,
Davis,	Lanius,	Reese,	Wilson, J. H.,
DeFrees,	Latshaw,	Reeser,	Wilson, W. H.,
Dickinson,	Lenker,	Rex,	Wiltbank,
Donahoe,	Light,	Richards,	Young, G. K.,
Donnally,	Lohr,	Robinson,	Young, J. H.,
Down,	Lowers,	Rockwell,	Zimmerman,
Dunn, H. B.,	Malle,	Roney,	Alter,
Ehrhardt,		Runk,	Speaker.

NAYS—7.

Aron,	Eichenberger,	Forster, I. G.,	Rothenberger,
Arthur,	Ely,	Hackett,	

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. JOHN ROBERT JONES. Mr. Speaker, I desire to call up at this time, House Bill No. 93, file folio 6423, on page 22, of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 93, entitled:

An Act to regulate political campaigns at and prior to elections and primaries enacting for such purpose provisions amongst other to regulate election and primary expenses and

contributions therefor to regulate campaign practices and the solicitation of anything of value from candidates and others engaged in campaigns or in the public service and to regulate political advertising and the publication of political matter to limit the amount of election expenses and the objects for which and the persons by whom such expenses may be incurred to regulate political committees and the rendering of bills for campaign expenses and the keeping and filing of campaign accounts to impose duties on the Secretary of the Commonwealth district attorneys county commissioners clerks of courts and their respective subordinates to regulate investigations of election practices and to provide for the payment of costs and certain expenses of parties thereto out of public treasuries in certain instances to vest certain courts with jurisdiction to annul certain elections and nominations to certify their findings as to other elections and nominations and to authorize the incurring of election expenses in certain instances to regulate the procedure on exceptions to campaign accounts to provide penalties for the violation of this act and to repeal inconsistent legislation

On the question recurring,

Will the House agree to the bill on third reading?

Mr. JOHN ROBERT JONES. Mr. Speaker, this bill is what is known as the "Corrupt Practices Act." For the information of the House, there being considerable interest in all these election measures, I will state that I am sponsor of this bill, it having been drafted and prepared by the Legislative and Executive Committee of the Republican party, and fulfills one of the pledges of that party: The platform contains the following declaration as to legislative pledged:—

"A bill defining by whom and the purposes for which money may be contributed or spent in any general or primary election, limiting the total expenditure and requiring full accounting at public audit and such amendments to the election laws as shall guarantee the freedom of said elections from fraud, coercion and undue influence."

There is no question, Mr. Speaker, but that the use of money in election is the greatest source of corruption, and this bill aims, so far as it is possible, to govern the expenditure of money and remove corruption from politics. It will take away that undue advantage which any man of great wealth may have by reason of his unlimited amount of money. It will also afford an opportunity to other men who have not unlimited means, of becoming candidates to the different offices, and will allow him to enter the fight upon a fair and even basis with the men who are wealthy. The following from the introductory vote of the Legislative and Executive Committee gives a clear exposition of the purpose of this legislation:

"It must be admitted by those familiar with out elections, both primary and general, that the Corrupt Practices Act of 1906 has largely failed to accomplish that which was intended at the time of its passage. The Act has neither afforded a check to the growing use of money in politics, nor has it worked to prevent many vicious election practices. Indeed it might be safely said that certain provisions, notably those relating to watchers and the dissemination of information, have served as a mere cloak for the purchase of votes.

The bill presented herewith aims to strike down the indirect corruption of the franchise, not only in forbidding many expenditures heretofore allowed, but by fixing a total of the amount that any candidate may spend or that maybe spent in his behalf, and also by requiring a strict accounting and a certificate of right before office may be taken.

The purposes for which money may be spent are explicitly defined and the expenditure of all necessary amounts to conduct an honest campaign is permitted. An effort is made to place the candidate with meager resources on somewhat of an equal footing with an opponent having money or the backing of people with money.

The bill does not simply undertake to regulate the compaign practices of candidates alone. The receipt of contributions from unauthorized sources is forbidden; no corporation and no business concern, whether holding a special privilege or not, is permitted to contribute. The receipt of contributions from sources outside of the State is forbidden, and no public employees, except when candidates themselves, are permitted to make contributions. The bill furthermore seeks to put an end to the constant demands upon candidates to patronize entertainments, balls, programs and a great variety of schemes, of ten times projected merely to make money out of the candidate for office. All political matter published in any newspaper and paid for, whether by the candidate or not, must be clearly marked as paid advertisement."

A ready means is provided for the purpose of contesting the accuracy of all accounts of expenditures Where the contestant establishes a substantial violation of the act, the candidate loses the office to which he may have been elected."

I bespeak for this bill the support of the House.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill should have the support of every Republican in this House. It should have the support of every Republican in the House who is known as a strict party man. The element that was in the bill that was objectionable was that portion which refers to the sending out of the advertising by the State Department and has been eliminated, and the bill is simply down to the position of limiting the amount of money that can be contributed by various candidates for their various expenses and prohibiting contributions by certain interests for campaign purposes. The importance of this bill from a party standpoint is indeed very wide. No party can last long unless it is placed upon the very strong foundation of having no fraud at its bottom. This bill goes to the very root of the tree; this bill, if it is fully carried out—if its purposes are fully carried out by the various parties will eliminate from party politics that which has brought discredit upon us in years past. It will eliminate, to a great extent, fraud at the polls; it will eliminate improper influence that has found its way into various legislative branches. If we have no improper use of money—if we have no improper contribution of money, then the election will indeed be free and the people will shall be freely expressed and it will not only be beneficial to the people in the broad sense but it will be beneficial to those of us who give our attention to party politics. The very best thing that a party can do is to pass a bill of this character because it will bring back to the party which is the dominant party in this House those members who have left us in the past. Mr. Speaker, I dare say that this bill will pass with very little opposition from the House; it is so important that it will pass not only this branch but the higher branch of the Legislature and become enacted on our statute books.

Mr. HOBBS. Mr. Speaker, this bill is one of great importance, and I would say that it ought to be voted on affirmatively by every member of this House, regardless of his party affiliation. Two years ago, I was sponsor for a bill limiting campaign expenses of any candidate of this Commonwealth, and that bill was ridiculed by many members of this body. I am glad that progress is very prominent in this House and that the members of this session are ready to take up a measure of this kind and favor it who were opposed to it two years ago. This bill ought to be passed unanimously because it stands for honest politics and good government.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—188.

Adams,	Ely,	Light,	Rothenberger,
Allen,	Ewing,	Lohr,	Runk,
Alworth,	Fahey,	Lowers,	Sassaman,
Ambler,	Flynn,	Malie,	Savacool,
Aron,	Forster, I. G.,	Mannion,	Schaeffer, A. C.
Arthur,	Foster, J. D.,	Martin,	Schuck,
Baldwin, G. A.,	Frey,	Mather,	Scott, J. R. K.,
Baldwin, R. J.,	Gans,	Matt,	Scott, S. B.,
Barner,	Geary,	McAleer,	Semmens,
Bass,	Geiser,	McAllister,	Shaffer, C. A.,
Bayle,	Gibson,	McArdle,	Shaffer, I. E.,
Becker,	Glenn,	McCaig,	Shern,
Benninger,	Good,	McClintock,	Sherwood,
Benson,	Goss,	McDermott,	Showalter,
Bergey,	Grabe,	McKay,	Smith, J. W.,
Berntheizel,	Gramley,	McNichol,	Smith, L.,
Bigger,	Gransback,	Mellott,	Snyder,
Bittles,	Gray, Frank,	Metzenbacher,	Spangler,
Blair, W. A.,	Hackett,	Miller,	Speiser,
Blair, W. F.,	Haggerty,	Missimer,	Spillinger,
Bleloch,	Heidinger,	Mitchell,	Steedle,
Brosius,	Hemminger,	Moore,	Steele,
Brown,	Herman,	Morrow,	Stein,
Brownlee,	Hess,	Moses,	Stone,
Burnett,	Hobbs,	Moulthrop,	Strauss,
Caldwell,	Howard, J.,	Murphy,	Swartz,
Campbell, C.M.,	Howard, R.,	Neely,	Swift,
Campbell, J.J.	Humes,	Newbaker,	Thomas,
Carson,	Isler,	North,	Trach,
Carter,	Irwin, G. C.,	O'Neill,	Ulerich,
Cheeseman,	Jackson,	Peachey,	Ulman,
Claycomb,	Jones, E. E.,	Pennock,	Walnut,
Cleary,	Jones, J. R.,	Perry, H. L.,	Walsh,
Cochran	Kaiser,	Perry, S. J.,	Watson,
Conniff,	Kaufman,	Peters,	Wettach,
Conrade,	Keeport,	Piper,	Whitaker,
Cox,	Kennedy,	Post,	Whitman,
Currier,	Kern,	Price,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Davis,	Klepper,	Reese,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Rex,	Wiltbank,
Donnally,	Lanius,	Rhoads,	Young, G. K.,
Down,			

Dunn, H. B.,	Latshaw,	Richards,	Young, J. H.,
Dunn, J. A.,	Lenker,	Robinson,	Zimmerman,
Ehrhardt,	Leslie,	Rockwell,	Alter,
Eichenberger,	Letzkus,	Roney,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. GEARY. Mr. Speaker, I desire to call up House Bill No. 1793, file folio 5537, on page 23 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed consideration on third reading of H. R. bill No. 1793, entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	DeFrees,	Kaiser,	Rex,
Allen,	Dickinson,	Kaufman,	Rhoads,
Alworth,	Donahoe,	Keegan,	Richards,
Ambler,	Donnally,	Keeport,	Robinson,
Aron,	Down,	Kitts,	Rockwell,
Arthur,	Dunn, H. B.,	Kuhns, E.G.M.,	Roy,
Baldwin, G. A.,	Dunn, J. A.,	Lanius,	Savacool,
Baldwin, R. J.,	Ehrhardt,	Letzkus,	Schaeffer, A. C.
Barner,	Eichenberger,	Light,	Schuck,
Bass,	Ely,	Malie,	Scott, J. R. K.,
Bayle,	Ewing,	Mannion,	Semmens,
Becker,	Fahey,	Mather,	Shaffer, C. A.,
Benninger,	Flynn,	Matt,	Shaffer, I. E.,
Benson,	Forster, I. G.,	McAllister,	Shern,
Bergey,	Foster, J. D.,	McArdle,	Sherwood,
Berntheizel,	Frey,	McCaig,	Showalter,
Bigger,	Gans,	McDermott,	Smith, J. W.,
Bittles,	Geary,	McKay,	Speiser,
Blair, W. A.,	Geiser,	McNichol,	Steedle,
Blair, W. F.,	Gibson,	Mellott,	Stein,
Boyle,	Glenn,	Metzenbacher,	Stone,
Body,	Good,	Missimer,	Strauss,
Brosius,	Goss,	Mitchell,	Swartz,
Brown,	Grabe,	Moore,	Thomas,
Brownlee,	Gramley,	Murphy,	Trach,
Burnett,	Gransback,	Musser,	Ulman,
Caldwell,	Gray, Joseph,	Neely,	Walsh,
Campbell, C.M.,	Hackett,	Newbaker,	Watson,
Campbell, J. J.,	Haggerty,	Newton,	Wettach,
Carson,	Heidinger,	O'Neill,	Whitaker,
Carter,	Hemminger,	Pennock,	Whitman,
Claycomb,	Hess,	Perry, H. L.,	Williams,
Cleary,	Hibshman,	Perry, S. J.,	Wilson, J. H.,
Cochran,	Hobbs,	Peters,	Wilson, W. H.,
Conniff,	Howard, R.,	Piper,	Wiltbank,
Conrade,	Humes,	Price,	Young, G. K.,
Cox,	Isler,	Ramsey,	Young, J. H.,
Currier,	Irwin, H. H.,	Redfield,	Zimmerman,
Curry,	Jackson,	Reese,	
Davis,			

NAYS—25.

Cheeseman,	Leslie,	North,	Steele,
Howard, J.,	Lohr,	Peachey,	Swift,
Irwin, G. C.,	Lowers,	Rothenberger,	Walnut,
Jones, E. E.,	McAleer,	Scott, S. B.,	Wildman,
Jones, J. R.,	Miller,	Smith, L.,	Alter,
Kuhn, H. P.,	Morrow,	Snyder,	Speaker.
Latshaw,	Moses,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 574, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "An Act providing for the election of commissioners of townships of the first class of this Commonwealth and the filling of vacancies in the office of township treasurer and township commissioner in said townships" and repealing the second section of the act

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. R. J. BALDWIN. Mr. Speaker, I would like to call the House's attention to the provisions of this bill. In 1911 we passed an Act that applied to townships of the first class, providing for their election on the principal that we elect the members to the House and to the Senate. We divided the State up into representative districts, senatorial districts, judicial districts and congressional districts. Prior to 1911, in townships of the first class, all of the commissioners could be elected from any one locality in the township. Under the Act of 1911 it provides that one commissioner shall come from each of the different election districts of the township. If there be more commissioners than there be election districts, then the remaining number shall be elected at large. The provisions of this amended bill that you are now asked to pass mean going back to the old system of electing them all at large. No member of the House would stand for that principle as applied to the State Legislature nor the State Senate, nor the Congressional or Judicial Districts. If you do not believe it correct to elect all of these at large, you certainly must be opposed to this bill now pending. By experience we find it is very much better that members from different sections of townships of the first class shall be elected so that each and every section of the township shall have representation on the board of township commissioners. I think it is a great mistake to pass this bill and change the present law.

Mr. CONNIFF. Mr. Speaker, as the gentlemen from Delware has stated to you the Act of 1911 provides that the township commissioners shall be elected from each election district. After a trial of two years these twonships of the first class have found that this method is a mistake, for this reason: In some townships there are as many as nine, ten and eleven election districts, therefore it is required that eleven men be elected to the office of township commissioner, in order to govern those small municipalities, and it often happens that in election district a commissioner may have a sufficient number of relatives in that election district to elect him to the office of commissioner without regard as to his efficiency or fitness to govern the affairs of the township. Now, we maintain that if five commissioners are elected at large, throughout the township, then efficient men will be elected.

One of the arguments advanced while the School Code was being considered was to the effect that the election of school directors from wards brought to the school board inefficient men and that such a method should be eliminated; consequently, the School Code now provides that the school directors should be elected at large, and we have found no fault with that system, therefore this bill only asks for that same system as is provided in the Code, that the commissioners shall be elected at large. There is only one purpose for this, gentlemen, and that is to get from these townships the best men in the townships to govern those municipalities.

I know that there is opposition to this bill, but gentlemen it comes from those township commissioners who are operating and holding office under the present system. The people of these municipalities, these townships of the first class, desire this change and I am here asking for this change in their name, not in the name of any township commissioner. I live in a township of the first class. I was born in that township and have lived there all my life and I know something of the working of the townships of the first class. I happen to be a township solicitor and I know that the people of the township do not desire this nefarious system that has been provided for in the Act of 1911. They ask you to give them better men and it is plain to be seen that the way in which to get better men to govern these townships is to elect them at large.

There has been some comment on this bill for the reason that the five commissioners might come from certain districts, and that one certain district in the township would not have a township commissioner. The argument against that is this. Under the present system the electors in a certain district can only vote for one; under this bill the electors in each election district have the opportunity of

voting for five men, and if you have each election district throughout the township voting for five men, you are sure to get the five best men among the candidates for the office of commissioner.

Mr. MILLER. Mr. Speaker, might I interrogate the gentleman from Luzerne, (Mr. Good)?

The SPEAKER. Will the gentleman from Luzerne, Mr. Good, permit himself to be interrogated?

Mr. GOOD. Mr. Speaker, I decline to get involved in the controversy, and therefore refuse to be interrogated.

Mr. MILLER. Mr. Speaker, the question I wish to ask Mr. Good, is whether the bill on third reading, No. 4, does not meet the objections which the gentleman from Luzerne has advanced. It seems to me that if you examine that bill you will see that many of the objections raised by Mr. Conniff are liminated. We have a first class township in Lehigh County and we are perfectly satisfied with the way in which the township commissioners are elected. Imagine a township ten miles in length electing all the commissioners from one section of that township. Imagine what those commissioners know about the needs of the people lying ten miles distant from the place where they live. As far as I have been able to discover, by asking gentleman who come from other first class townships in Pennsylvania, there is no general demand at all for this bill. There may be local conditions existing in a number of townships of Luzerne which may be the cause of asking for this change, but there is no wide demand in the State of Pennsylvania and there certainly is not in Lehigh county where we have a first class township whose affairs are administered to the satisfaction of the people concerned.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, (Mr. Conniff).

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, I will.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to ask the gentleman how many first class townships there are in his county?

Mr. CONNIFF. Mr. Speaker, five or six.

Mr. R. J. BALDWIN. Well, Mr. Speaker, there are some six or seven in Delaware county. I think the thought of this division, the thought of the law of 1911, originated in Delaware County and the bill was introduced by a member who in part represented Delaware County, and it was done at the suggestion of the people of those first class townships. Now, I have received several letters and several protests and notices on this bill to do all I could to defeat it. Throughout our county there is not one single citizen in any of these first class townships who is not opposed to this bill. They like the present system very much and think it is fair, because the township commissioners receive no compensation and do not pass around the townships and see the wants and needs of the other townships.

The different members of this commission, being very well acquainted with the local conditions, suggest the improvements and changes that are necessary to be made, and I think it would be wisdom on the part of the House to keep this law on the statue books the way it is. It has only been on the statute books since 1911, and was put there without one particle of opposition, and there comes to this House no opposition to it now except from one county. It may be true that in that paricular county my friend from Luzerne is supporting a position that from his standpoint is correct, but he ought to conceive that when all of the State is affected, and when it has worked so much better in such a large portion of the State that the House should not try to correct that small evil and bring upon us a great number of them.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—49.

Becker,	Geary,	Kuhns, E.G.M.,	Rex,
Benninger,	Geiser,	Lanius,	Richards,
Body,	Goss,	Lenker,	Rockwell,
Brown,	Gray, Frank,	Letzkus,	Roney,
Carson,	Gray, Joseph,	Malie,	Rothenberger,
Cochran	Hackett,	McAllister,	Sassaman,
Conniff,	Haggerty,	McKay,	Steedle,
Conrade,	Hobbs,	O'Neill,	Stein,
Currier,	Howard, J.,	Peters,	Strauss,
Davis,	Howard, R.,	Piper,	Thomas,
Donnally,	Keegan,	Post,	Wettach,
Down,	Kitts,	Price,	Zimmerman,
Ely,			

NAYS—111.

Adams,	Eichenberger,	Lowers,	Schuck,
Ambler,	Ewing,	Martin,	Scott, S. B.,
Aron,	Fahey,	Matt,	Semmens,
Arthur,	Forster, I. G.,	McAleer,	Shaffer, C. A.,
Baldwin, G. A.,	Foster, J. D.,	McDermott,	Shaffer, I. E.,
Baldwin, R. J.,	Frey,	McNichol,	Sherwood,
Barner,	Gans,	Mellott,	Showalter,
Bass,	Gibson,	Metzenbacher,	Smith, J. W.,
Bergey,	Good,	Miller,	Smith, L.,
Berntheizel,	Gramley,	Missimer,	Snyder,
Bigger,	Gransback,	Mitchell,	Spangler,
Blair, W. A.,	Heidinger,	Moore,	Steedle,
Blair, W. F.,	Hemminger,	Morrow,	Stone,
Bleloch,	Herman,	Moses,	Swartz,
Brosius,	Hess,	Moulthrop,	Swift,
Burnett,	Hibshman,	Murphy,	Trach,
Caldwell,	Jackson,	Musser,	Ulerich,
Campbell, C.M.,	Jones, E. E.,	Newbaker,	Walnut,
Campbell, J. J.,	Jones, J. R.,	Newton,	Walsh,
Carter,	Keeport,	Peachey,	Watson,
Cheeseman,	Kennedy,	Pennock,	Whitaker,
Cleary,	Kern,	Perry, H. L.,	Whitman,
Cox,	Klepper,	Ramsey,	Williams,
Curry,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
DeFrees,	Leslie,	Reese,	Wilson, W. H.,
Dickinson,	Light,	Rhoads,	Wiltbank,
Donahoe,	Lohr,	Savacool,	Young, J. H.,
Dunn, J. A.,		Schaeffer, A. C.	Alter, Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1263, entitled:

An Act to provide that fines and forfeitures levied and collected for violations of the game laws of the Commonwealth shall be paid to the Game Commission for the purpose of acquiring and maintaining game preserves and for acquiring propagating and distributing game

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That from and after the approval of this act all fines and penalties levied and collected for the violation of any law of this Commonwealth enacted for the protection of game animals and game birds shall be paid to the State Treasurer for the use of the Game Commission and shall constitute a fund for the purpose of acquiring maintaining game preserves for the purpose of propagating game animals and game birds therein and for the purpose of acquiring propagating and distributing such game animals and game birds in the public covers of the Commonwealth

Section 2 The said moneys shall be deposited with the State Treasurer as a special fund for the purposes aforesaid which said moneys are hereby specifically appropriated solely for such purpose and shall be paid out upon the presentation of properly certified vouchers of the expenditure of money previously drawn and of satisfactory proof to the Auditor General that the expenditure is duly authorized by law and is not excessive for the purpose intended

The question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. McKAY. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

The question recurring.

Will the House agree to the bill on third reading?

Mr. McKAY. Mr. Speaker. I ask unanimous consent to offer an amendment.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section 1, lines 7 and 8, by striking out the words "to the State Treasurer for the use of the Game Commission" and inserting in lieu thereof the following "into the State Treasury."

Amend the bill by striking out section 2.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection?

Mr. ALLEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections.

Mr. McKAY. Mr. Speaker, I move that the House go into committee of the whole for the purpose of special amendment.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. Will the gentleman from Tioga, Mr. Rockwell, kindly take the Chair.

MR. ROCKWELL IN THE CHAIR.

Mr. ROCKWELL. The Committee of the Whole House having under consideration House Bill No. 1263 for the purpose of special amendment, the amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend Section 1, lines 7 and 8, by striking out the words "to the State Treasurer for the use of the Game Commission" and inserting in lieu thereof the following: "into the State Treasury."

Amend the bill by striking out Section two.

On the question,

Will the Committee of the Whole House agree to the amendments?

Mr. ALLEN. Mr. Chairman, I have not had an opportunity in the time alloted here to go into the merits of this thing, but a cursory reading suggests and it appears to me that the purpose of this amendment is to pay funds into the State Treasury while the provisions of the bill evidently on account of the matter is stricken out was that these fines should go into the Treasury for the use of the Game Commission and for the use of the Game Commission only. Why? For the very purpose that if a person went and killed game out of season, and they killed more game than is alloted under the game laws, that the funds or the fine which is paid goes into the hands of the Game Commission which they may utilize to replace that stock which has been depleted by that amount. I see no reason, Mr. Chairman, why this fund when it was intended for that purpose or fines for that very purpose to renew again the stock, why these fines should be paid into the State Treasury and I would like to have the gentleman who has offered this amendment state at this time what the purpose of this amendment is if that is not the purpose.

Mr. R. J. BALDWIN. Mr. Chairman, I think I can say to the gentleman from Allegheny that upon careful consideration he will agree with me that this amendment is a proper one. It seems to me that under the bill before amended this money would be covered into the State Treasury who pays it out to the Game Commission and that any act on the part of the Legislature is not necessary. That we need only the amendment as it appears. It seems to me that it is a wiser policy to cover all these moneys or pay all these moneys into the State Treasury and then let the matter of the expenses of that department be considered by the Legislature and the money be appropriated to the various departments. It seems to me that if this money covered into the State Treasury could not be gotten out it is the wiser course to pursue. I am very much in favor of the amendment, myself, and I think it is the more businesslike way of doing the matter, as the Legislature knows exactly what money has got to go into that department and for what purpose. The explanation will cover that and the Legislature will act intelligently in the matter If drawn upon by the Game Commission, there is no check or no information comes through it unless you examine the records. I think the amendment is a proper thing and is in the direction of good business management.

Mr. ALLEN. Mr. Chairman, I cannot agree with the gentleman from Delaware, with whom I do generally agree, because of the fact that the bill as it is presented now must make a correct and accurate accounting of this money in two ways. First, that it is paid into the State Treasury, and secondly, that, from the State Treasury, it is paid again into the hands of the Game Commission. Now the State Treasury's check is first by the funds which are collected in various parts of the State and through proper channels, and again the check is on the Game Commission as evidenced by the vouchers which are paid out by the State Treasurer for the same fines which pass into that general fund. The Game Commission has been constituted under the laws of the State and is a recognized authority and as such it must account and it must account to this legislative body. It must account to all other authorities which it is required to account to under the laws which created that department. Now, there is no danger—there can be no danger if this money is collected as fines and turned into the State Treasury and by it turned back again into the Game Commission. There is no qusetion but what there is a check upon that money all the way along the line and that the Game Commission can only use that money for the purpose which it is authorized to use it for under the provisions of the law and for which it must make an accounting. Now, Mr. Chairman, by striking out this entire matter; in the first place we all know that by saying that it shall be paid into the Treasury and leaving the purpose wide open that it is paid in there and becomes a part of the general fund, and the second section of this bill by the amendments offered which provided exactly how it should be paid out and for all purposes is eliminated so that the portion of the department of this State, to wit:—The Game Commission which has been robbed by the people who have infringed upon the game laws; that department has been robbed and there is nothing coming back to it except that which the Legislature may from time to time say Aye, Yes or No as it in its wisdom sees fit. However, Mr. Chairman, if the money is paid as is now provided in the bill, as I said a moment ago, to repair the damage that has been done and to replace the game product of this country of which it has been robbed. this money is specifically set aside the amendments ought not to carry; they ought to be voted down but the bill ought to be passed in its present form.

Mr. McKAY. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The gentleman, Mr. McKay, withdraws the amendment. The Chair hears no objection and the amendment is withdrawn.

Mr. ALLEN. Mr. Chairman, I move you that the committee of the whole do rise and report back to the House.

Mr. RONEY. Mr. Chairman, I second the motion.

The motion was agreed to.

The SPEAKER (George B. Alter) in the Chair.

Mr. ROCKWELL. Mr. Speaker, as Chairman of the committee of the whole, I now report back to the House, House Bill No. 1263, without amendment.

The SPEAKER. Will the House agree to the report of the committee of the whole.

It was agreed to.

Mr. McKAY. Mr. Speaker, I move that the vote by which this bill was agreed to on third reading be reconsidered.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. McKAY. Mr. Speaker, I move that this bill be recommitted to the Committee on Game.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House bill No. 461, entitled:

An Act to further amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot and regulating the method of marking the same

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I would like to inquire of the author if this bill whether it is not intended to take away the party square in voting?

The SPEAKER. The gentleman from Crawford. Mr. Humes.

Mr. HUMES. Mr. Speaker, in answer to the gentleman from Delaware, Mr. R. J. Baldwin, I would say that this bill has two purposes in view. The first purpose is to

abolish the party square on the ballot leaving the party designation of candidates the same as heretofore but abolishing what now constitutes the first part of the ballot—the column of the straight party square. It also amends the ballot law so as to place the Presidential electors in the same position as all other candidates with reference to having their names printed on the ballot more than once. In other words, it has in view a shortening of the ballot and would very materially shorten the ballot if it was passed by this Assembly. You will remember that the candidates for any office, except Presidential electors, have their names on the ballot but once with the various party designation opposite the name, but it seems and I think it was not so intended by the Legislature—but it seems when they amended the ballot law in that particular they failed to cover the Presidential electors. Consequently, this last fall we had three parties nominating the same Presidential electors and all of their names were printed on the ballot three times. Under this bill Presidential electors' names appear but once and in the cases that we had to meet last fall, each one would have opposite their names the names of three parties who had nominated them, the same as any other candidate.

Mr. R. J. BALDWIN. Mr. Speaker, I think it will be a mistake to take away the party square. The great trouble to-day with the people is to have them go to the polls and the great mass of them will give no attention to the names of the various candidates. They will make a great number of mistakes in voting. It appears to me that the disposition of these days, so far as election legislation is concerned, has been rather to increase the difficulty to a person in going to the polls and voting instead of making it easier. There is some reason and I don't know why it is, that we gradually see that the disposition of the people is not to respond at election time; they don't go to vote. As to what that reason is, different persons perhaps have different opinions. My own opinion is that you have made it so difficult for the average man, who gives no consideration to public affairs, to go and vote intelligently, that he does not care to go to the polls. Repeatedly in my own community I have heard the cry go out "Give us a simple ballot." We have passed over to the Senate some election bills that have greatly increased the difficulty, or in other words, the simplicity of voting by having a simple ballot. We have got it more cumbersome and more difficult for the average man to vote intelligently now, and because you are offering a proposition to take away the party square which to my mind is one of the only things that is left to simplify the ballot, I realize that some people feel and think that men don't vote intelligently when they vote in the square. In my judgment they vote much more intelligently. It is a great guide to the average man as to how he shall vote and I think it is the only simple guide that is left. I think it would be a mistake to take away the party square. I hear no demand to take away the party square. I realize that this goes back of the different party influences, but I believe that the people, if they were allowed to intelligently vote upon this question, that seven-eighths of them would vote to retain the party square, because they realize that this is the only simplicity that is now left. I do not think the House should take away the party square, because it gives to the man who does not give a great deal of consideration to elections, an opportunity to express his opinion in a simple manner with one cross, and vote his whole party. Another matter is this, in my opinion: The keeping of the square here will simplify the whole election proposition as presented to our people.

Mr. WALNUT. Mr. Speaker, I would like to call the attention of the House to the fact that the question of the validity of the party square law of 1893 was presented to the Supreme Court and was presented upon this theory: That under it elections were not free and equal. The Constitution provides that elections shall be free and equal. It was argued with considerable force, I believe, that the man whose name appeared upon a party which had considerable strength and which had a party square on the left hand side of the ballot, was put in a position very much superior to that of another individual running for the same office whose name did not happen to appear upon that same party. It discriminated between individuals and in favor of parties. The question was argued before the Supreme Court, and the Supreme Court split in its determination. Out of seven judges, there was a dissenting opinion filed in which Judges Dean, Mestrezat and Thompson dissented. (Oughton versus Black, 212 Pa. 1.) The basis of that opinion was this: "Making it easy for one section of voters who desired to vote a straight party ticket, on which no mistake could be made, and hampering and obstructing intelligent voters who desire to vote independent of party, for men, destroys the freedom and equality of voters." And that appears to my mind to be the whole proposition involved in this bill. We advocate in all our election laws changes in our election machinery which will weaken the will of the organization upon the community. We have concluded that party organization has been built to that point where it has become an evil. We desire now to weaken its strength, and it appears to me that one of the means of weakening the grasp of party organization is by the abolition of the party square. With the abolition of the party square, the individual voter is called upon to exercise his individual opinion as to the propriety and as to the character of the individual man that he has to vote for, and no man totally unfit for office will be able to be carried through or can be carried through into office merely because he happens to belong to a strong party. Over in New Jersey—I have seen the ballot there—they vote for each individual man that they wish to support. They have no party square, and I feel that the party square in Pennsylvania, whose tendency has been to build up strong party organizations, to be in line with other legislation, should be wiped out.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Adams,	Frey,	Kern,	Peachey,
Allen,	Geary,	Kuhns, E.G.M.,	Pennock,
Alworth,	Geiser,	Lanius,	Perry, H. L.,
Baldwin, G. A.,	Gibson,	Latshaw,	Post,
Barner,	Glenn,	Lenker,	Price,
Becker,	Good,	Light,	Rex,
Benninger,	Goss,	Lohr,	Richards,
Benson,	Grabe,	Lowers,	Savacool,
Bigger,	Gramley,	Mannion,	Scott, J. R. K.,
Bittles,	Gray, Frank,	Martin,	Scott, S. B.,
Blair, W. A.,	Gray, Joseph,	Mather,	Semmens,
Bleloch,	Haggerty	Matt,	Shaffer, I. E.,
Brown,	Heidinger,	McAleer,	Showalter,
Brownlee,	Herman,	McClintock,	Smith, J. W.,
Burnett,	Hobbs,	McDermott,	Smith, L.,
Campbell, C.M.,	Howard, R.,	McKay,	Snyder,
Campbell, J. J.,	Humes,	Mellott,	Spangler,
Carson,	Jackson,	Metzenbacher,	Swift,
Cheeseman,	Jones, J. R.,	Miller,	Trach,
Claycomb,	Kaiser,	Moses,	Ulerich,
Cochran	Kaufman,	Moulthrop,	Walnut,
Davis,	Keegan,	Musser,	Watson,
DeFrees,	Keeport,	Newbaker,	Williams,
Donnally,	Kennedy,	Newton,	Young, G. K.,
Dunn, H. B.,			

NAYS—83.

Ambler,	Ehrhardt,	Malie,	Sassaman,
Aron,	Eichenberger,	McAllister,	Schaeffer, A. C.
Arthur,	Ely,	McCaig,	Schuck,
Baldwin, R. J.,	Ewing,	McNichol,	Shern,
Bass,	Fahey,	Missimer,	Sherwood,
Bayle,	Flynn,	Mitchell,	Spillinger,
Becker,	Forster, I. G.,	Moore,	Steedle,
Berntheizel,	Gans,	Morrow,	Stein,
Blair, W. F.,	Gransback,	Murphy,	Thomas,
Body,	Hackett,	Neely,	Ulman,
Brosius,	Hemminger,	North,	Walsh,
Caldwell,	Hess,	Perry, S. J.,	Wettach,
Carter,	Hibshman,	Peters,	Whitaker,
Cleary,	Howard, J.,	Piper,	Whitman,
Conrade,	Isler,	Ramsey,	Wildman,
Cox,	Irwin, G. C.,	Redfield,	Wilson, J. H.,
Currier,	Kitts,	Reese,	Wilson, W. H.,
Curry,	Kuhn, H. P.,	Reeser,	Wiltbank,
Dickinson,	Leslie,	Rhoads,	Young, J. H.,
Donahoe,	Letzkus,	Roney,	Zimmerman,
Dunn, J. A.,		Rothenberger,	Alter,
			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

Mr. AMBLER. Mr. Speaker, I ask unanimous consent to call up House Bill No. 878, file folio 3111, known as the increase in the State Police force, on page 17 of to-day's calendar.

The SPEAKER. Will the House give unanimous consent for the consideration of the bill at this time? The Chair hears no objection and consent is granted.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 878, entitled:

An Act to amend an act approved the second day of May one thousand nine hundred and five entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with the officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith" as amended by an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to amend sections two and three of an act entitled "An Act creating the Department of State Police providing for the appointment of a Superintendent thereof together with officers and men who shall constitute the force defining their powers and duties and making an appropriation for the expenses connected therewith' approved the second day of May Anno Domini one thousand nine hundred and five by fixing the salaries of the employes of the Department of State Police also the salaries of the officers and men of the State Police"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. PIPER. Mr. Speaker, I rise at this time in opposition to this bill because I believe that the State of Pennsylvania to-day has a sufficient number of men in the State Constabulary force. I feel also that there is no necessity for increasing the expenses of this Commonwealth in adding 120 more men to the State Constabulary force.

In looking over the report that has been made by the Superintendent of the State Constabulary of this State, Mr. Groome, I find these figures: The total number of arrests that were made by the State Constabulary during the year of 1912, was 1,144, several hundred less than in 1911. The total number of convictions that were made in the year 1912 was 847. The total number of men enlisted at the present time is 228. The total cost of the State Constabulary for the year 1912 was $330,964.89. Each arrest has cost the State $290.00. For each conviction alone the State Constabulary cost was $390.00. The total number of arrests for the year being 1,144 will just average five arrests for each trooper for the entire year—five arrests for each trooper and it has cost $290.00 for the arrests and for the convictions $390.00. By adding 120 more men to the force, if I can take the same ratio of figures as taken from this report, it will cost the State of Pennsylvania over one half million of dollars in the next year.

Now, Mr. Speaker, I feel that there is no necessity for increasing this force.

Mr. Speaker, I would desire to interrogate the gentleman from Montgomery County, the sponsor of this bill, (Mr. Ambler).

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. AMBLER. Certainly, Mr. Speaker.

Mr. PIPER. Mr. Speaker and Mr. Ambler, I desire to know what the total cost of maintaining the police force in your particular district is at this time?

Mr. AMBLER. Mr. Speaker, I do not quite understand what police force he is talking about.

Mr. PIPER. Mr. Speaker, I understand that in the district from which Mr. AMBLER comes there is not any State Constabulary, but there is a regular police force, and I would ask if he has any idea of the cost of maintaining that police force in that district?

Mr. AMBLER. Mr. Speaker, the cost of maintaining the police force in the legislative district is about $70,000.00 a year.

Mr. PIPER. Mr. Speaker, I might be misquoted in my information, but I have learned that in Mr. Ambler's township, the cost of maintaining the police department is about $15,000.00 per year.

Mr. AMBLER. Mr. Speaker, the gentleman from Philadelphia asked me what it cost in my legistlative district. What he says is true about the township from which I come. There are other townships that are in the first legislative district that also have a township police force.

Mr. PIPER. Mr. Speaker, I made a misake in saying district rather than township. I am satisfied that he admits that $15,000.00 is the cost of maintaining the police force.

I would further ask Mr. Ambler, is it not true that the tax-payers of your district are objecting to this great expense?

Mr. AMBLER. Mr. Speaker, there may be a few objecting. We have people that object to everything down in Abbington township, but they are always in the minority.

Mr. PIPER. Mr. Speaker, I would ask again, if the township from which Mr. Ambler comes, would ask the same privilege of the State of Pennsylvania as they did in Hamburg, Berks County, where they can possibly do away with their police department and use the State Constabulary to control the affairs rather than at the expense of the township?

Mr. AMBLER. Mr. Speaker, we would be very glad to have the State Police if it were possible to get them. We have made repeated requests and in the township adjoining mine, which is a second class township, they have made repeated requests to get the State Constabulary, but we have been unable to do so for the reason that there is not enough men in the force.

Mr. PIPER. Mr. Speaker, I feel very nearly satisfied that if the Ambler bill passes this House to-day and should pass the Senate, just the same as Hamburg, in Berks County, received the State police for their particular use, so would Abbington township receive the same privilege, thereby reducing the expenses of the township and putting more money in their treasury and taking it out of the treasury of the State of Pennsylvania.

I am going to ask the members to vote against this bill.

Mr. McNICHOL. Mr. Speaker, I do not see any reason why this House should refuse to pass this measure. The State Police are an established body, recognized as such, and we are simply called upon to elevate them to a condition of efficiency that will meet the requirements of the citizens of this State. There is absolutely no reason why a prejudice should exist against this body of men on the part of any. If those men who oppose this measure through any thought of affiliation with labor, that they will be doing the right thing, if they will stop to consider, they will recognize that the establishment of the State Police was the best thing that could happen because in the State Police we have disinterested men dealing impartially between labor and capital; whereas, prior to the induction or inception of the State Police, we had hired men from the Pinkerton Detective Agency and other agencies who acted solely in the interests of corporations. Now, I want to say to the gentlemen of this House and I believe that when I make this statement that I will be believed, there has not been a more consistent supporter of labor measures in this House than I have been. I believe in standing by labor when I think that labor is right, but I do not believe in standing by the wishes of labor when I think they are standing in their own light.

They are asking to increase this force 120 men. You gentlemen who live in the suburban towns should know that when you feel that a member of the State Police is nearby you rest easily, because you recognize that you have in him a trained officer of the law, understanding his duty and not afraid to perform it.

My friend raises the question of the price per capita for arrests. Why, if he took you into Philadelphia County or into Allegheny County and applied the same tests you would find that the ratio of cost was much greater in either one of those counties than that expressed by my friend from Philadelphia, Mr. Piper.

Two years ago, as a member of this House I voted against this bill because at that time I was carried away, probably as some of my friends will be carried away to-day, through the clamor that was made in opposition to this bill through a prejudice. Since then I have learned that at the very time the State Police was being created, the president of one of our largest railroads said that the creation of this Department would mean the destruction of their interests, because, he said, "if you create a department of this character you render them independent of our orders; allow conditions to remain as they are; allows us to employ private detectives and our interests will be safeguarded." Why, gentlemen of the House you know since the inception of this institution, known as the State Police, the militia of this State has not been called out

once; whereas, prior to that time the State was put to millions of dollars of expense upon the calling out of the State militia for the purpose of suppressing labor trobules. We have now an institution of men who are capable, who are fearless, who are impartial, standing there representing law and order, respecting no person or persons, obeying the majesty of the law, and why should we hesitate to make this institution that is now a fixture, why should we hesitate to raise it to the highest order of efficiency? Gentlemen of the House there has not been a measure that has come before you for your consideration that demands your support more than the vote to increase the number of the State Constabulary and increase the salary of its efficient commander.

Mr. McDERMOTT. Mr. Speaker, I am opposed to this bill. They have a standing army in Ireland, where I was born, of from one thousand to fifteen hundred. They have also a standing army of fifteen thousand on that island, governed by another country. In 1910 they had this standing army, and the statistics show they had one murder. The records also show that some fifteen of the county jails were closed, there being no prisoners. Are we going to pattern after Ireland with this useless standing army? Most of these men in the State Constabulary have served for two or three years in the regular army. Why do they come to Pennsylvania to seek employment? Because we pay them better. It has been said by one of the gentlemen from Philadelphia that crime has been decreasing. Why, in the name of Heaven, if that is so, do they ask for a greater force? This has already cost the State $330,000, and an additional force would run the cost up to three-quarters of a million. If crime is decreasing and we have this money to spend, let us put it into hospitals, insane asylums and public roads where it will be a benefit to the public at large. I say to you, gentlemen, that this bill ought to be defeated because we have no need for it. I could give you the records of some of these men in the State Constabulary that I know to be facts, but it is such stuff that should not be said even before gentlemen, let alone ladies, and I believe there are some ladies in this House. Vote down this bill, gentlemen, because it is not needed. Let us do away with this standing army because we are not ruled by a dictator like the Czar of Russia with his Cossacks.

Mr. ULERICH. Mr. Speaker, I desire to add a word in favor of this bill, and in favor of this excellent department of men we have now in Pennsylvania, and for the increasing of the force. This measure should be voted for irregardless of prejudice and sentiment. Mr. Speaker, I make this statement for this reason: Some of the newspapers of the country and some of the magazines have stated things detrimental to, and to the prejudice of the State Police. I think there are members in this House who will remember when this measure, or rather a measure to increase the salaries of the State Police was before the House at the last session that there was an article written in one of the leading magazines of this country, no other than Collier's Weekly, under the caption of "Pennsylvania's Russia." That article was very much prejudiced against the State Police. "Pennsylvania's Russia" was Westmoreland County. The article went on to describe the conditions in Westmoreland County during the strike that was on at that time, and it said things very detrimental to the State Police. That article was taken as a sort of a basis for an argument. We folks over in Westmoreland County knew the facts exactly, because the things described and the characters that were used, and the incidents related were a part of and happened in my own town of Latrobe and the vicinity, and I want to say to you, gentlemen of the House, that that article was viciously false in almost every particular. We folks who knew anything about it considered it ridiculous, we considered it scandalous and we considered it libelous in almost every particular. In bringing out that article, they have tried in these newspaper articles and magazine articles to prejudice this measure in the eyes of the laboring people. Now I just want to relate some incidents in Westmoreland County during our strike there relative to the State Police. I called up the Lieutenant of our State Police located in Westmoreland County and asked him some of the incidents relative to our strike over there. If you folks remember anything you will remember that the operators brought in almost five hundred deputies, and this Lieutenant told me that the State Police had as much trouble with the deputies, and more, than with the strikers. He further told me this peculiar circumstance: He said that when the strikers wanted to have a march from one coal operation to another that sometimes the leaders of these marches would call upon the Captain of the State Police and ask him to detail some men to go along with them, and guard them against these deputies. Now all of these deputies were men of high character, and a good many of them were of bad character. They were after the money they could get out of it, and were not there for the protection of the property. Furthermore, you will see by what I have stated that the strikers themselves, the laboring men, did not consider the State Police their enemies. No, it seems to me that if the men who are against this proposition would take the report of the head of this department, they could not do anything else except vote for the increase in this number of men. Let me relate some of the things that happened in Westmoreland County, showing the value of this body of men. Over there, we had in the last year several murders committed. The perpetrators of the crimes got away from the local authorities and the county authorities. The State Police followed them west and south and by their secret detective work were able to bring back these murderers from as far west as Illinois and Colorado, and as far south as Alabama. They are protecting our streams from pollution, and arrest those who fish in violation of the fish laws, they protect our game, cleared our highways of tramps, and have done many things, Mr. Speaker, that have been of benefit to us people. We had a strike two years ago over in Westmoreland County which cost the operators there over one hundred and eighty-five thousand dollars for deputies. There is nobody over there who knows anything about the matter who will not tell you that if we had a few more State Police, a larger detail of State Police, we would not have had to have the five hundred deputies there. It seems to me Mr. Speaker, that it resolves itself into this question: shall we have a larger detail of State Police, or shall we have these incompetent deputies, or shall we have the National Guard as some one has suggested. I want to call your attention to a little matter, and then I am done with this proposition. When we had no State Police, we had to call out the National Guard. Here is the history of it: In 1892, during the strike at Homestead, 8,563 men of the National Guard were called out at a cost of $440,386. In 1897, during the coal strike in Luzerne County, 3,000 of the National Guard were called out at a cost of $140,000. In 1897, during the anthracite strike, 2,250 men were called out at a cost to the State of $113,000. In 1902, the entire National Guard of 9,000 men were callde out during the strike in the hard coal fields at a cost of $993,000, or a total cost at all the strikes of $1,894,000. Mr. Speaker, it seems to me that that matter ought to settle it entirely, for if we do not increase the State Police, we are likely to have the National Guard called out, while if we increase the force, there is hardly any likelihood at all that it will be necessary to call out the National Guard. So far as the bill is concerned, I would be ashamed to go back to Westmoreland County and face the miners and operators in that county if I had voted against this measure.

Mr. WATSON. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland County.

The SPEAKER. Will the gentleman from Westmoreland County permit himself to be interrogated?

Mr. ULERICH. I will.

Mr. WATSON. Mr. Speaker, I will say to start with that I am in favor of the State Police. I would like to ask the gentleman how many State Police they had in Westmoreland County at the time of the strike there?

Mr. ULERICH. Mr. Speaker, the gentleman asks how many men we had in Westmoreland County during the time of the strike. It is hard to answer that question.

Mr. WATSON. Mr. Speaker, I would like to ask the gentleman further where the State Police were engaged that were not engaged in Westmoreland County at that time.

Mr. ULERICH. Mr. Speaker, I do not know.

Mr. WATSON. Mr. Speaker, I would like to ask where they are engaged to-day?

Mr. ULERICH. Mr. Speaker, the gentleman asked me a pretty hard question. I do not know.

Mr. WATSON. Mr. Speaker, I would like to ask what services they are rendering to the Commonwealth to-day?

Mr. ULERICH. Mr. Speaker, the gentleman asks me what services they are rendering to the Commonwealth today? If the gentleman from Indiana will read the report of the head of this Department he will find out what the State Police are doing throughout the Commonwealth.

Mr. WATSON. Mr. Speaker, I would like to ask what character of men they elect for their home constabulary?

Mr. ULERICH. Mr. Speaker, very poor sometimes.

Mr. WATSON. Why.

Mr. ULERICH. That's a pretty hard question to answer.

Mr. McALEER. Mr. Speaker, in answer to the gentleman from Indiana I just want to bring out one point that has not been mentioned by the other gentleman and that is the fact that the men in the State Police Department must spend considerable time in study and preparation for their duties before they are permitted to go on duty, while the home constabulary are simply appointed one day, and go on duty the next, and do not, in the course of a whole life time, acquire the knowledge of their duties that the State Police must have before they go on duty. As a matter of safety to the public at large, the State Police is the best force that the people can have. It will also be a matter of economy as against the calling out of the National Guard who are men unaccustomed to their duties. If you have the State Police, you will have a force that has a full knowledge of the duties it has to perform, and knows the things it should not do. There is no question but that this bill should pass.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I wish to make a few remarks in support of this bill.

The gentlemen in opposition to this bill who have spoken, I believe they personally believe that State Police is a blessing and a God send. For the reason they protect home, the public in general. They may have protected your home from theft, assault and battery and murder.

They have allowed you in many towns of Pennsylvania to travel your streets all hoursof night, where before it was not safe, because of dring, loafers and obstreperous characters. They have been able to render valuable service in running down the men who have been doing the great crimes in this Commonwealth, such as shooting, and murder, and many other crimes too numerous to mention.

These men, I mean the State Police, after the arrest and capture have been able to show the evidence in most every instance, and the right man, was captured, and in many cases, not only found guilty by trial, but confessed of committing the crime. These men are trained and drilled and Pennsylvania should be congratulated upon the efficiency of such men who know and can be called upon to protect and safeguard your home, your property, your life.

The State Police are as a rule, all of them exemplary men, and perform the duty fearlessly. These men, Mr. Speaker, and Members of the House, merit the highest praise we can give them. These men show to our citizens in the apprehension of criminals more promptness, are more efficient, more satisfactory to the general public, than the Local Constable could be or expected to be.

For the reason—it shows the result of training, they grasp the situation more readily and have the happy faculty of sifting the immaterial facts from the material facts they have, and the report of their investigation, they always can verify. The people in general do appreciate their services. They are on the job if need be; they work unceasingly day and night and it is never any trouble to them to investigate the slightest clue.

All the big gatherings, county fairs ask for these men because they generally display good judgment, and because of that, they have good order. Thus by their presence they prevent an enormous lot of trouble.

Since the establishment of the State Police in Pennsylvania between seven and eight years ago, we have had a million more people to our State and since they have become recognzied as a force for peace and harmony in our State. The demands have become so great that the Department can not meet the demand.

They have patroled every county in this State in the past year, but one, traveled 491,398 miles in 2,379 towns or boroughs.

In the seven years of active service, seven of these members have been killed, 19 dangerously wounded, 7 of whom crippled for life, and the State pays nothing for loss of life or pension them, when unable to perform their duties because of being crippled in service in performing the duties of saving human life or apprehending criminals.

Mr. SPEAKER, I have here a clipping from the New York World of April 11th of this year that I would like to read:

A STATE CONSTABULARY

If New York had a State constabulary such as Pennsylvania has there would have been no occasion for ordering three thousand troops on duty in Buffalo. Violence and disorder were soon stopped at the time of the great street railway strike in Philadelphia after the appearance of the State troopers Violence and disorder would have been stopped just as promptly at Buffalo if this State had had a similar force of thoroughly efficient State police within call

The merits of the strikers' cause in Buffalo have nothing to do with the question whether a mob shall defy the law, destroy property and imperil the lives of innocent people on the streets. Such conditions are intolerable, and no surer preventive has been found than that tried in Pennsylvania after many disastrous experiences

I have a number of letters here that I could read if I had the time but I do not wish to take the time (about 25 letters produced). Some of these letters are from the leading and the very best business men of our State.

The men are drilled daily both mounted and dismounted and have constant target practice.

During the year one thousand one hundred and forty-four arrests were made for 80 different crimes. Eighty per cent. of those arrested were convicted and 103 are now awaiting trial. The largest number of arrests under the Criminal Code were for "assault and battery," "larceny," "burglary," "disorderly conduct," "violation of the game laws," and "violation of the liquor laws." Twenty-three arrests were made for murder, 6 of which resulted in convictions, making a total of 87 convictions for murder in seven years.

Two thousand five hundred and ninety two requests for assitsants were received, many of these requests could not be responded to owing to the limited number of men on the force.

In the interest of the citizens of this Commonwealth, I cannot urge too strongly an increase in the number of the men on the Force. With a territory covering 45,000 square miles and the entire rural district practically without police protection, the necessity for a larger force of State Police is most evident. The 2,592 legtimate requests for assitance received during the past year, from County officials and private citizens clearly indicate the growing demand for the services of the men on the Force, and it is absolutely impossible to comply with a majority of these requests or to give the necssary protection to life and property in this large Commonwealth with only 228 officers and men. I would respectfully recommend that the Force as now organied be increased by 120 privates and that 30 of these men be added to each of the four Troops, thereby increasing the number of Privates in each Troop from 45 to 75.

In conclusion,—Mr. Speaker, the conclusion for you to decide is, are you for law and order, if so, in my judgment give us protection with men who are trained and knew how to preserve order, who can and will come to your aid when in trouble. I ask you to support this bill with your vote.

Mr. SCHUCK. Mr. Speaker, it is well-known that this institution is well established by the experience of a seven year's test. That question is not at issue. I believe the opposition is largely based upon the idea or prejudice that comes without a proper understanding of the institution. But that is not what we are considering. The question has been voted upon for from six to seven years, as a party measure. But it has come to the time now when we know in our own hearts that it is an efficient, sober force of men who have knowledge of the law for the intelligent and proper enforcement of this institution. We know that it is the best force of its kind in the world. We are not voting upon this question on that point because that is established, but the immediate question is the increase or the demand for an increase of compensation and numbers. We have forty-five thousand square miles of territory in this State and the record of the past seven years and the experience with this department shows that less

than one-half of the legitimate requests furnished by officials elected by the people are covered. There is not an answer or a request made for State Police that is not on file. Are we going to pass many more mandatory rules and be powerless to enforce them? Where are the police today? Since this institution has been established there have been eighty-six murderers arrested many of whom would be at large if it were not for the State Police. They need no defence. The only question is on the point of an increase is in the number required and of an increase of compensation. It is only a commensurate increase of duties and a commensurate increase of the force. Here are from twelve to fourteen departments in the State of Pennsylvania. The Attorney General is getting ten thousand dollars a year, the Commissioner of Health gets ten thousand dollars a year; the Secretary of the Commonwealth gets eight thousand dollars a year and the Head of the Legislative Bureau gets five thousand dollars a year. This is only commensurate with the increase of duties under the present system. We have three deputies getting the same salaries as suggested for the Head of this Department and we have four deputies getting a thousand dollars more and this is only commensurate with the increase of responsibility. Just as people formerly were objecting to the introduction of invention and new machinery just so far there remains a little prejudice to this body of men. This being wiped out we don't any longer vote upon it as a party measure, but as a measure of merit. I hope that the gentlemen will see this question as I have seen it from actual experience.

Mr. NEEL. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Letzkus, Burnett, Barner, Geary, Metzenbacher, J. H. Wilson, Zimmerman, Savacool, Charles A. Shaffer, Matt, Eichenberger, Aaron, Gransbach, Currier, Moses, Snyder, John H. Young, Benson, Keegan, Peters, McDermott and others.

The SPEAKER. More than 20 members having joined in moving the previous question,

On the question,

Shall the main question now be put?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

Mr. PIPER. Mr. Speaker, I call for the verification of the roll.

The roll was verified as follows:

YEAS—95.

Alworth,	Fahey,	McAllister,	Sassaman,
Ambler,	Forster, I. G.,	McClintock,	Schuck,
Aron,	Frey,	McNichol,	Scott, J. R. K.,
Arthur,	Gans,	Mellott,	Scott, S. B.,
Baldwin, R. J.,	Glenn,	Missimer,	Shaffer, C. A.,
Bass,	Gramley,	Mitchell,	Shern,
Bayle,	Gransback,	Moore,	Showalter,
Bergey,	Gray, Frank,	Morrow,	Smith, J. W.,
Berntheizel,	Heidinger,	Moses,	Smith, L.,
Bleloch,	Herman,	Newbaker,	Snyder,
Body,	Hess,	North,	Spangler,
Brownlee,	Hoyburn,	O'Neill,	Speiser,
Burnett,	Hibshman,	Peachey,	Strauss,
Cheeseman,	Howard, J.,	Pennock,	Swartz,
Conrade,	Irwin, G. C.,	Perry, H. L.,	Ulerich,
Cox,	Jackson,	Peters,	Ulman,
Curry,	Jones, E. E.,	Price,	Walnut,
DeFrees,	Jones, J. R.,	Redfield,	Whitaker,
Dickinson,	Kaufman,	Reese,	Whitman,
Donnally,	Kennedy,	Reeser,	Wildman,
Dunn, J. A.,	Kuhn, H. P.,	Rex,	Wilson, W. H.,
Eichenberger,	Kuhns, E. G. M.,	Rhoads,	Wiltbank,
Ely,	Mather,	Rothenberger,	Alter,
Ewing,	McAleer,	Runk,	Speaker.

NAYS—89.

Adams,	Dunn, H. B.,	Klepper,	Richards,
Allen,	Flynn,	Lanius,	Rockwell,
Baldwin, G. A.,	Foster, J. D.,	Latshaw,	Roney,
Barner,	Geary,	Lilley,	Savacool,
Becker,	Geiser,	Leslie,	Schaeffer, A. C.
Benninger,	Gibson,	Letzkus,	Semmens,
Benson,	Good,	Light,	Shaffer, I. E.,
Bigger,	Goss,	Lohr,	Spillinger,
Blair, W. A.,	Grabe,	Malie,	Steedle,
Blair, W. F.,	Gray, Joseph,	Mannion,	Steele,
Brown,	Hackett,	Matt,	Stein,
Caldwell,	Haggerty,	McDermott,	Swift,
Campbell, C.M.,	Hemminger,	McKay,	Thomas,
Campbell, J. J.,	Hobbs,	Metzenbacher,	Trach,
Carson,	Howard, R.,	Miller,	Walsh,
Carter,	Humes,	Moulthrop,	Watson,
Claycomb,	Isler,	Murphy,	Wetzach,
Cleary,	Irwin, H. H.,	Musser,	Williams,
Cochran	Kaiser,	Neely,	Wilson, J. H.,
Conniff,	Keegan,	Newton,	Young, G. K.,
Currier,	Keeport,	Piper,	Young, J. H.,
Davis,	Kitts,	Post,	Zimmerman,
Donahoe,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and the bill falls.

RECESS.

At 1:17 P. M., the House took a recess until 3 o'clock P. M.

AFTER RECESS.

The House convened at 3:00 o'clock P. M.
The SPEAKER, (George E. Alter) in the Chair.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

Senate Bill No. 50,

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsitent therewith by providing for the education of certain blind children under eight years of age

Senate Bill No. 366,

An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing a penalty for violation thereof

Senate Bill No. 386,

An Act providing for county organizations and annual meetings of supervisors of townships of the second class and fixing the compensation and expenses to be paid by the proper townships

Senate Bill No. 583,

An Act providing for an examination of the Pennsylvania Oral School for the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropriation to carry out the purposes of this act

Senate Bill No. 588,

An Act fixing the compensation of the Assistant Librarian of the Senate and the Asistant Resident Clerk of the House of Representatives

Senate Bill No. 644,

An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled "An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people

Senate Bill No. 651,

An Act making an appropriation to the State Hospital for the Criminal Insane at Farview Wayne County

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGES.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 29, 1913.

Resolved (if the House of Representatives concur), That Senate Bill No. 120, entitled "An Act regulating the pay of election officers and clerks at certain elections hereafter held within this Commonwealth"

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 28, 1913.

Whereas, There have been proposed as official songs of the Commonwealth of Pensylvania two compositions, one by Edgar M. Dilley, of Philadelphia, and another by John E. Barrett, of Scranton, both called "Pennsylvania;"

And Whereas, Resolutions have been introduced requesting the endorsement of this General Assembly for each of these compositions,

Therefore Be It Resolved (if the House of Representatives concur), That a Joint Committee of the Senate and House of Representatives, two to be appointed by the President of the Senate and three to be appointed by the Speaker of the House, to inquire into and test by competition, if necessary the merits and availability of the said compositions for selection as the official song of the Commonwealth, and to make such recommendation as they shall deem proper.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

Ordered, That the resolution lie over for printing.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, April 29, 1913.

Resolved (if the Senate concur), That House Bill No. 645, entitled An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical or operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act of amusement of the public designating what is meant by the words "places of amusement dramatic theatrical or operatic or vaudeville performances circuses or menagries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents on enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

be recalled from the Governor for the purpose of amendment.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, April 29, 1913.

CONCURRENT RESOLUTION NO. 28.

Whereas, In the United States Arsenal located at Frankford, Philadelphia County, Pennsylvania, over twelve hundred women and men are employed in the manufacture of ammunition and explosives; and

Whereas, The minimum rate of wages paid such women is approximately one dollar to one dollar and ten cents per day and the wages paid such men one dollar and fifty cents per day except where those who work at piece work which said minimum wages by forced work is raised occasionally to one dollar and fifty cents for women and one dollar and seventy-five cents for men; and

Whereas, It is eminently proper that the United States Government should take the lead in establishing minimum wage scales for men and women in this country especially for those who are employed on work that is extremely hazardous; therefore

Be It Resolved (if the Senate concur), That the President of the United States is respectively urged to recommend to the Congress of the United States as soon as practicable the passage of an act of Congress establishing a minimum rate of wages for employes in the arsenals of the United States of one dollar and fifty cents for women and two dollars for men; and

Be It Further Resolved, That each Senator and member of Congress from the Commonwealth of Pennsylvania be requested to advocate and vote for the passage of any measure so recommended; and

Be It Further Resolved, That a copy of these resolutions be duly prepared certified and forwarded by the Secretary of the Commonwealth to the President of the United States and to each Senator and member of Congress from this State.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, April 29, 1913.

CONCURRENT RESOLUTION NO. 5.

Whereas, The Government of the United States in securing volunteers for soldiers for the Civil War of one thousand eight hundred and sixty-one to sixty-five offered "the officers non-commissioned officers, and privates organized in the army, navy and marine corps shall in all respects be placed on the same footing as to pay and allowances of similar corps of the regular army,"

And Whereas, The Congress of the United States passed acts of Congress on the twenty-second day of July one thousand eight hundred and sixty-one and of the third of August one thousand eight hundred and sixty-one and at divers other times embodying and making pledges and promises aforesaid

And Whereas, By the pension laws of the United States passed by the Congress of the United States and in exisetnce and in force at this date there is provision made for the redemption practically of the pledges and promises aforesaid in so far as the non-commissioned officers and privates are concerned mentioned and characterized as such;

And Whereas, There has been no provision made for the redemption of the pledges and promises as aforesaid to the officers designated as such in the said act or any other act or acts of Congress contained;

Now, Therefore, By reason of the premises herein before set forth,

Be It Resolved (if the Senate concur), That the Legislature of Pennsylvania approve of and recommend the Congress of the United States to pass an act of Congress providing for the institution of a roll designated "The Civil War Officers' Retired List" to be made and kept in the Department of War and the Department of the Navy respectivcly of the Government of the United States authorizing and directing the placing thereon with retired pay all persons who were organized and served as officers in the army navy and marine corps of the United States respectfully in and during the Civil War of one thousand eight hundred and sixty-one to sixty-five and will embody and provide for the redemption of the pledges and promises in said acts of Congress of one thousand eight hundred and sixty-one and other acts of Congress aforesaid;

And Be It Further Resolved, That the above-named Legislature urge and request the members of the United States Senate from the State of Pennsylvania and each and every member of the House of Representatives of the Congress of the United States from Pennsylvania to vote for and in favor of such act of Congress designated in the preceding resolution.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bills numbered and entitled as follows, viz:

Senate Bill No. 22,

An Act to avoid delay in the administration of justice by fixing a time within decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

Senate Bill No. 394,

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting

the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

Senate Bill No. 553,

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 296,

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

House Bill No. 1145,

An Act authorizing and empowering the overseers of the poor of any two or more districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of building for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home

With information that the Senate has passed the same without amendment.

SENATE NON-CONCURRED IN AMENDMENTS.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill No. 502, entitled as follows:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

Mr. HUMES. Mr. Speaker, I move that the House adhere to its amendments.

Mr. MALIE. Mr. Speaker, I second the motion.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF HOUSE BILL NO. 1414.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1414, entitled "An Act reorganizing the Attorney General's Department designating the officers and employees thereof and fixing their salaries."

(Signed,) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1099.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1099, entitled "An Act making an appropriation to cover a deficiency in the item in the general appropriation act of the fourteenth day of June Anno Domini one thousand nine hundred and eleven making an appropriation for the salaries of eight Orphans' Court Judges in districts other than Philadelphia and Allegheny Counties."

(Signed,) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1042.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1042, entitled "An Act to amend section one thousand one hundred and twenty-five of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any part thereof that are or may be inconsistent therewith.'"

(Signed,) JOHN K. TENER.

APPROVAL OF H'USE BILL NO. 841.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 841, entitled "An Act to regulate the sale of certain seeds providing for the selection of samples thereof and their examination by the Department of Agriculture and the publication of information concerning the same providing also for the enforcement of the act and fixing penalties for its violation."

(Signed,) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 452.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 452, entitled "An Act to repeal section two thousand eight hundred and six of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

(Signed,) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 364.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 364, entitled "An Act regulating the storage and sale of linseed oil and compounds and imitations thereof fixing standards for raw and boiled linseed oil providing penalties for violations thereof providing for the enforcement of this act and expenses thereof providing for examination of samples of linseed oil and repealing an act approved the twenty-third day of April one thousand nine hundred and one entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' and the act approved the twenty-second day of April one thousand nine hundred and five entitled 'An Act supplemental to an act entitled 'An Act to prevent the adulteration of and deception in the sale of linseed or flaxseed oil' approved the twenty-third day of April Anno Domini one thousand nine hundred and one.'"

(Signed,) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1094.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 24, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1094, entitled "An Act to validate receiver's sales of real estate held subsequent to the passage of an act entitled 'An Act relating to receiver's sales approved the eleventh day of May Anno Domini one thousand nine hundred and eleven in all cases where notices of said sales have been mailed within the time specified in said act."

(Signed,) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1097.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 24, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1097, entitled "An Act to amend section two of 'An Act entitled an act relating to receiver's sales' approved the eleventh day of May

Anno Domini one thousand nine hundred and eleven by providing the method of giving notices of sales under said act and the manner and effect of providing the giving of the same."

(Signed,) JOHN K. TENER.

SENATE MESSAGE.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 600.

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

Line 8, strike out the word "to" after the word "required."

Line 11, insert after the word "fix" the following: "Provided that in counties containing population of one million two hundred thousand inhabitants and over, the salary paid interpreters shall not exceed two thousand dollars per annum for each interpreters."

On the question,

Will the House concur in the said amendments?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Adams,	Fahey,	Mannion,	Schuck,
Allen,	Flynn,	Martin,	Scott, S. B.,
Alworth,	Foster, J. D.,	Mather,	Semmens,
Ambler,	Gans,	Matt,	Shaffer, C. A.,
Aron,	Geiser,	McAleer,	Shaffer, I. E.,
Arthur,	Gibson,	McAllister,	Shern,
Baldwin, R. J.,	Glenn,	McArdle,	Sherwood,
Bass,	Goss,	McCaig,	Showalter,
Becker,	Gramley,	McKay,	Smith, J. W.,
Benninger,	Gransback,	Miller,	Snyder,
Benson,	Gray, Frank,	Missimer,	Spangler,
Berntheizel,	Gray, Joseph,	Moore,	Speiser,
Bigger,	Hackett,	Morrow,	Spillinger,
Bittles,	Haggerty,	Moses,	Steedle,
Blair, W. A.,	Hemminger,	Moulthrop,	Steele,
Body,	Heyburn,	Neely,	Stein,
Brownlee,	Hibshman,	Newbaker,	Stone
Caldwell,	Hobbs,	Newton,	Strauss,
Campbell, C.M.,	Howard, J.,	O'Neill,	Swift,
Campbell, J. J.,	Humes,	Peachey,	Thomas,
Carson,	Isler,	Pennock,	Trach,
Carter,	Irwin, G. C.,	Perry, H. L.,	Ulerich,
Cheeseman,	Irwin, H. H.,	Perry, S. J.,	Walsh,
Claycomb,	Jackson,	Peters,	Watson,
Cleary,	Jones, J. R.,	Piper,	Whitaker,
Conniff,	Kaiser,	Post,	Whitman,
Conrade,	Kaufman,	Ramsey,	Wildman,
Cox,	Keeport,	Redfield,	Williams,
Davis,	Kitts,	Rex,	Wilson, J. H.,
DeFrees,	Klepper,	Rhoads,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Richards,	Wiltbank,
Donnally,	Lenker,	Robinson,	Young, G. K.,
Down,	Leslie,	Roney,	Young, J. H.,
Dunn, H. B.,	Light,	Rothenberger,	Zimmerman,
Dunn, J. A.,	Lowers,	Runk,	Alter,
Eichenberger,	Malie,	Sassaman,	Speaker.
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 787.

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred and nine"

Said bill having been amended by the Senate, and the amendments non-concurred in by the House of Representatives, with the information that the Senate has further amended the said bills in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

In line 35, after the word "after" insert the word "brought;" in line 37, strike out the word "of" and insert the word "in."

On the question,

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Adams,	Eichenberger,	Light,	Rockwell,
Allen,	Ely,	Lohr,	Roney,
Alworth,	Ewing,	Lowers,	Rothenberger,
Ambler,	Fahey,	Malie,	Runk,
Aron,	Flynn,	Mannion,	Sassaman,
Arthur,	Foster, J. D.,	Martin,	Savacool,
Baldwin, G. A.,	Frey,	Mather,	Schaeffer, A. C.
Baldwin, R. J.,	Gans,	Matt,	Schuck,
Barner,	Geary,	McAleer,	Scott, S. B.,
Bass,	Geiser,	McAllister,	Semmens,
Bayle,	Gibson,	McArdle,	Shaffer, C. A.,
Bergey,	Gramley,	McClintock,	Shaffer, I. E.,
Berntheizel,	Gransback,	McKay,	Shern,
Bigger,	Gray, Frank,	McNichol,	Sherwood,
Bittles,	Gray, Joseph,	Mellott,	Showalter,
Blair, W. A.,	Hackett,	Metzenbacher,	Smith, J. W.,
Blair, W. F.,	Haggerty,	Miller,	Snyder,
Bleloch,	Heidinger,	Missimer,	Spangler,
Body,	Hess,	Moore,	Speiser,
Brosius,	Heyburn,	Morrow,	Spillinger,
Brown,	Hibshman,	Moses,	Steele,
Brownlee,	Hobbs,	Moulthrop,	Stein,
Burnett,	Howard, J.,	Neely,	Strauss,
Caldwell,	Howard, R.,	Newbaker,	Swartz,
Campbell, C.M.,	Humes,	Newton,	Swift,
Cheeseman,	Isler,	O'Neill,	Thomas,
Claycomb,	Irwin, G. C.,	Peachey,	Trach,
Cleary,	Jackson,	Pennock,	Ulerich,
Conniff,	Jones, J. R.,	Perry, H. L.,	Ulman,
Conrade,	Kaiser,	Perry, S. J.,	Walnut,
Cox,	Kaufman,	Peters,	Walsh,
Currier,	Keeport,	Piper,	Wettach,
Curry,	Kennedy,	Post,	Whitaker,
Davis,	Kern,	Price,	Wildman,
DeFrees,	Kitts,	Ramsey,	Williams,
Dickinson,	Kuhn, H. P.,	Reese,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Rex,	Young, G. K.,
Down,	Lenker,	Rhoads,	Zimmerman,
Dunn, H. B.,	Leslie,	Richards,	Alter,
Dunn, J. A.,	Letzkus,	Robinson,	Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 1445.

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board providing for the appointment of a Commissioner of Labor inspectors statisticians clerks and others to enforce the provisions of this act and providing salaries for the same prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

With information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend the title by inserting after the word "board" in line 2, the following: "providing for the appointment of a commissioner of labor, inspectors, statistician, clerks, and others to enforce the provisions of this act, and providing salaries for the same;" strike out all of section 3 after the numeral "3" and insert the following:

The office force of the department excluding that of the different bureaus shall be a chief clerk at an annual salary of two thousand dollars ($2,000) a statistician at an annual salary of two thousand dollars ($2,000) two copying clerks at an annual salary of fifteen hundred dollars ($1,500) each a stenographer who shall be a typewriter at an annual salary of fifteen hundred dollars ($1,500) and a messenger at an annual salary of twelve hundred dollars ($1,200)

In section 11, line 8, after the figures "$2,000.00" insert the following:

One statistician at an annual salary of two thousand dollars ($2,000) one filing clerk and one copying clerk at an annual salary of fifteen hundred dollars each and three collectors of statistics who shall receive an annual salary of fifteen hundred dollars ($1,500) each

In line 12, strike out all of line 12 and line 13 down to and including the word "each."

On the question,

Will the House concur in the amendments of the Senate?

Mr. HUMES. Mr. Speaker, I move that the House non-concur in the amendments of the Senate.

Mr. SAMUEL PERRY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. RONEY. Mr. Speaker, these amendments made by the Senate are to Section 3 and Section 11, and I do not think they are intended for anything except to supplement and make efficient this department, to which these amendments particularly apply. The bill as originally presented to the Senate provided for three collectors of statistics at a salary of two thousand dollars a year each, which would amount to six thousand dollars. It now provides for a statistician at an annual salary of two thousand dollars, one filing clerk and one copying clerk at a salary of fifteen hundred dollars each, and three collectors of statistics who shall receive a salary of fifteen hundred dollars annually each. So as regards a money increase, there is not enough for the House to non-concur in the amendments, and in view of the fact that the Bureau in this Department is to be one of the heaviest worked bureaus, I think the House should concur in the amendments. A few days ago, we passed a bill abolishing the office of Secretary of Internal Affairs, and the Statistical Bureau in the Department of Labor and Industry becomes one of the heaviest worked bureaus in that department. These amendments were merely offered for the purpose of making the bill effective in those sections which apply to this bureau.

Mr. HUMES. Mr. Speaker, I wish to say that the members of the House have not had an opportunity to look over these amendments. The suggestion of the gentleman from Philadelphia as to the passing of a Joint Resolution abolishing the Department of Internal Affairs does not mean that that Department is going to be abolished, or that this new department will now take over the work that is being prepared in that Department. That resolution will have to pass another session of the Legislature and run the gauntlet of public approval before it can become effective. At this time I will not undertake to say how these amendments will affect the bill, but, as I understand them, it creates new positions and makes changes in the salaries, and I think we should have an opportunity to look them over very carefully to know what they really do. I think that every time the Senate amends a bill by creating new positions we are not bound to concur in the amendment without properly studying the matter sufficiently to know what the amendments mean.

Mr. RONEY. Mr. Speaker, I ask the gentlemen of the House to concur in the amendments made by the Senate, and I do not think it is a valid objection to a bill of the magnitude of this bill to complain that the Senate has created a few additional jobs. I think that in a bill of this character, that the creation of one or two or three or four or six additional jobs does not happen to be the milk in the cocoanut. The fact that there is an increase in the salary or jobs, is no reason why this House should not concur in the amendments of the Senate. The bill has been on the files from time to time, and the bugaboo objection made from time to time, I do not think is the proper kind matters for us to consider here. I ask the gentlemen of the House to concur in the amendments made by the Senate, and send the bill on its way to the Governor, where it should have been some time ago. I think the amendments made by the Senate are proper, because I think this Department of Statistics is one which should be properly taken care of on account of the heavy work which it will be called upon to do.

Mr. HUMES. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Roney, permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, Yes, sir.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman how many new jobs these amendments create?

Mr. RONEY. Mr. Speaker, with your indulgence I will count them; it is easy to do that.

Mr. HUMES. Mr. Speaker, there are eight new jobs and it strikes me that if the gentleman does not know the fact of this any better than his answer indicates by not knowing how many offices are created without now going over the calendar that it may be well to consider this bill very carefully.

Mr. MILLER. Mr. Speaker, I believe the motion of the gentleman from Crawford should prevail. We were told when this bill came here that it was an administration measure—something the Governor was behind; something he wanted. There is no question in my mind at all that as the bill came here it conformed with what he wanted but from the amendments that were inserted by the Senate it seems that there have been a number of jobs created, and nine thousand dollars in addition tacked on the total amount of the former salaries, and it is clear to my mind that it is all for that purpose. Why would not they be placed in at the beginning? I think, therefore, that the motion of the gentleman from Crawford should prevail.

The SPEAKER. The Chair will put the question to the House. "Shall the House concur in the amendments made by the Senate" and direct a roll call and if the constitutional majority vote in favor of concurring, it will be so decided and otherwise, if it will not concur. The Clerk will call the roll.

On the question,

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—80.

Adams,	Ewing,	Lowers,	Rockwell,
Alworth,	Fahey,	Malie,	Roney,
Ambler,	Forster, I. G.,	Mannion,	Schaeffer, A. C.
Aron,	Gans,	McAleer,	Schuck,
Arthur,	Geary,	McAllister,	Shern,
Baldwin, R. J.,	Gransback,	McArdle,	Sherwood,
Bass,	Gray, Frank,	McCaig,	Spangler,
Bayle,	Gray, Joseph,	McNichol,	Speiser,
Blair, W. A.,	Hackett,	Missimer,	Spillinger,
Brosius,	Haggerty,	Moore,	Steedle,
Campbell, J.J.	Hess,	Morrow,	Swartz,
Cleary,	Heyburn,	Moses,	Thomas,
Conniff,	Hibshman,	Murphy,	Walsh,
Conrade,	Isler,	Neely,	Watson,
Cox,	Irwin, G. C.,	O'Neill,	Wettach,
Curry,	Irwin, H. H.,	Piper,	Whitaker,
Dickinson,	Keeport	Ramsey,	Wildman,
Down,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Leslie,	Rhoads,	Wiltbank,
Ely,	Letzkus,	Robinson,	Young, J. H.,

NAYS—89.

Allen,	Ehrhardt,	Lenker,	Rex,
Baldwin, G. A.,	Foster, J. D.,	Light,	Rothenberger,
Barner,	Geiser,	Lohr,	Sassaman,
Becker,	Gibson,	Martin,	Savacool,
Benninger,	Good,	Mather,	Scott, S. B.,
Benson,	Grabe,	Matt,	Semmens,
Bergey,	Gramley,	McClintock,	Shaffer, I. E.,
Bigger,	Heidinger,	McDermott,	Showalter,
Bittles,	Hemminger,	McKay,	Smith, J. W.,
Bleloch,	Herman,	Mellott,	Smith, L.,
Body,	Hobbs,	Metzenbacher,	Snyder,
Brownlee,	Howard, J.,	Miller,	Steele,
Burnett,	Howard, R.,	Moulthrop,	Swift,
Caldwell,	Humes,	Musser,	Trach,
Campbell, C.M.,	Jackson,	Newbaker,	Ulerich,
Carson,	Jones, J. R.,	Newton,	Ulman,
Carter,	Kennedy,	Peachey,	Walnut,
Cheeseman,	Kern,	Pennock,	Williams,
Cochran	Klepper,	Perry, H. L.,	Wilson, J. H.,
Currier,	Kuhns, E.G.M.,	Perry, S. J.,	Young, G. K.
DeFrees,	Lanius,	Post,	Zimmerman,
Donnally,	Latshaw,	Price,	Alter,
Dunn, H. B.,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative, and amendments were not concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1341 (Senate Bill No. 328), entitled:

A further suplement to an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

On the question,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, this is the bill about which we had some discussion the other day as to whether a laundry was a manufacturing institution or not. It brings up two questions: One is for this House to decide whether a laundry is a maufacturing corporation or institution, and the other is, if we so decide, shall we exempt such institution from taxation? Manufacturing corporations are, to a certain extent, exempt from taxation, but it seems to me that this is an improper provision of the law and there are very many people who think the law should be changed in this respect and that manufacturing establishments should not be exempt from taxation, and I agree with that. But here we are to decide whether a laundry is a manufacturing corporation. One of the newspapers the other day illustrated this proposition better than I can. So I will try to tell you in my own words as near as I can remember. If I sent my shirt or collar to the laundry and the collar comes back with edges so rough that it saws my neck and the shirt comes back with the buttons off, what kind of a manufacturing establishment is it? One gentleman says "——poor." I cannot see my way to support this bill and I believe that the House ought to vote it down.

Mr. KITTS. Mr. Speaker, when this bill was called up the other day and placed on the postponed calendar, this very discussion was entered into by the gentleman from Tioga, Mr. Rockwell, as to whether a laundry is a manufacturing concern. It is too long for argument, but I do want to call the House's attention to one matter. It recalls the session of 1911. The Senate and House of Representatives appointed a joint committee whose business it was to inquire into the revenue laws and the revision of the corporation laws of the State of Pennsylvania. Such gentlemen as these composed that joint committee:

The present Speaker of the House, Mr. George E. Alter, Honorable Milton W. Shreve, Honorable James F. Woodward, and on the other side of the House were Honorable James P. McNichol, Honorable William C. Sproul, Honorable William H. Kaiser They reported back to the House as follows:

I seem to have misplaced my book mark in some manner, but the Committee reported to the effect that they had decided that the laundry business of the State of Pennsylvania should be classed as a manufacturing concern, and I call the attention of the House to the further fact that the laundry institutions are so classified for the purpose of taxation by the states of New York, Wisconsin, Connecticut, Vermont, and Michigan, and for the purposes of enumeration by the United States Census Bureau of the Federal Government. Now, if the laundry business is not a manufacturing concern, I ask those members of the House who are in doubt about it to tell me why the dyeing and cleaning industry is classified as we desire the laundry business to be classified. Their business is simply to take garments which are sent in to them for cleaning and for dyeing, and their work is not a bit different from that of the laundry business. I also ask those members who are in doubt to explain to me why he who takes pieces of hide and leather and passes it through his rolls and mills and shapes them into leather products, such as gloves or boots is also classed as a manufacturer. I ask those gentlemen, also, to explain to me why those people who dress marble, for instance, or repolish it or reclean it, are classified as manufacturers, or even those men who might take some crude product of wood, if you please, and bundle it into some minor product, such as other manufacturers do, and are still classed as manfucturerers. It is not my purpose to take up the time of the House with this discussion, but I have convinced myself beyond a reasonable doubt that the laundry business is a manufacturing concern. The laundry people have never come into this House of Representatives and asked for anything that was unfair; nor have they come in here attempting to pull the wool over the eyes of the members. In the report that was presented by this Commission, whose names I have just read, the Commission, after the taking of testimony and much deliberation, reported to the Senate and the House of Representatives that the laundrymen of the State of Pennsylvania, for the purpose of taxation, should be classed as manufacturers. I can, if the House demands it, point to many decisions of the courts, wherein, not alone in Pennsylvania, but in the courts of Maryland and neighboring states, Now York and other, have in similar cases to thoseI have cited classified laundries as manufactories. I think this bill, in its inception, is fair. The margin of profit is so small in the laundry business that it should be classed in accordance with the recommendations of this committee as a manufactory, and I hope the House will vote favorably on this measure.

Mr. S. B. SCOTT. If we want to know whether or not a laundry is a manufacturing corporation in the sense used in the statute, I think we ought to investigate why manufacturing corporations are exempt, and then see whether or not the same reasons which have moved the Legislature to grant them exemption would operate in favor of the laundry business now as I understand it, manufacturing companies are exempt because the policy of the State is to encourage as much manufacturing as possible—in other words, as much business, as much pay-roll, as much flow of money, as much creation of value within the lines of the State as is possible. Now, manufacturing is a peculiar kind of thing, in which the State comes in competition with other states, which, if unequally taxed can be removed to other and more favorable communities. Now, exactly those same considerations apply with equal force to laundries. Laundries employ people; laundries distribute, as well as create, value, because a soiled article of clothing is practically valueless for all use, until they create a clean article and restore it as a useful article. And they also may leave the State; that is to say, the laundry business of Philadelphia could easily be conducted in Camden, and the laundry business in the western part of the State could be conducted in Ohio. Since the business is of an easily migratory character, and because in its creation of wealth it comes within all the reasons for which manufacturing corporations are exempt, the quibble whether it is or is not a manufacturing corporation in another sense is entirely beside the question.

Mr. KITTS. Mr. Speaker, I desire to quote to the House, having found that passage in the report of the joint conference commission in this matter, which reads as follows:

"Laundry companies are manufacturers in effect and should be exempt. They are so classed by the Census Bureau and the New York tax laws. They remake a useless article into one almost new, like those who work over scrape of various kinds; and their labor cost—sixty per cent. of all expenses is much greater than most manufacturers'."

Now, gentlemen, I submit to the attention of the House that if this Commission's voluminous reports on these matters are to be received in good faith, you should vote favorably on this bill.

Mr. WALNUT. Mr. Speaker, I feel that any exemption from taxation is a very serious matter. The fundamental principal of our taxation system is that taxation ought to be uniform and that no one should escape from it unless there is a very clear reason. I feel that the policy of this Commonwealth has always been that certain manufacturers should be encouraged to come to this State because they are placed in competition with manufacturers in similar lines of business in other states. I propose to vote against this bill, because I think the reason advanced that laundrymen leave the State of Pennsylvania because they are taxed is by no means good. I feel that the laundry industry is a local industry, purely and simply, and the laundry must be in the immediate vicinity of the place where the work is being collected. I therefore have no fears whatever that the laundry industry would be compelled to seek other states because of the tax here. I feel that the laundry industry would be just as well off. The doctrine and principle by which other manufacturers are exempted does by no means apply to them. I therefore propose to vote against the bill.

Mr. ROCKWELL in the Chair.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Ely,	Lowers,	Robinson,
Allen,	Ewing,	Malie,	Roney,
Alworth,	Fahey,	Martin,	Rothenberger,
Ambler,	Flynn,	Mather,	Runk,
Arthur,	Forster, I. G.,	Matt,	Sassaman,
Baldwin, G. A.,	Foster, J. D.,	McAleer,	Savacool,
Baldwin, R. J.,	Frey,	McAllister,	Schaeffer, A. C
Barner,	Gans,	McArdle,	Schuck,
Bass,	Geary,	McCaig,	Scott, S. B.,
Bayle,	Geiser,	McClintock,	Semmens,
Becker,	Gibson,	McDermott,	Shaffer, C. A.,
Benninger,	Good,	McKay,	Shern,
Bergey,	Goss,	McNichol,	Sherwood,
Berntheizel,	Gransback,	Meilott,	Smith, J. W.,
Bigger,	Gray, Frank,	Miller,	Smith, L.,
Bittles,	Gray, Joseph,	Missimer,	Snyder,
Blair, W. A.,	Hackett,	Mitchell,	Spangler,
Bleloch,	Haggerty,	Moore,	Speiser,
Body,	Herman,	Morrow,	Spillinger,
Brosius,	Hess,	Moses,	Steedle,
Burnett,	Heyburn,	Moulthrop,	Steele,
Caldwell,	Hibshman,	Murphy,	Stein,
Campbell, J.J.	Howard, J.,	Musser,	Strauss,
Carter,	Humes,	Newbaker,	Swartz,
Cleary,	Isler,	Newton,	Swift,
Cochran	Irwin, G. C.,	O'Neill,	Thomas,
Conniff,	Irwin, H. H.,	Peachey,	Trach,
Conrade,	Jackson,	Pennock,	Ulerich,
Cox,	Kaiser,	Perry, H. L.,	Ulman,
Currier,	Kaufman,	Perry, S. J.,	Walsh,
Davis,	Keeport,	Piper,	Walton,
DeFrees,	Kern,	Post,	Watson,
Dickinson,	Kitts,	Price,	Wettach,
Donahoe,	Kuhn, H. P.,	Ramsey,	Whitman,
Donnally,	Kuhns, E.G.M.,	Reese,	Wildman,
Down,	Lanius,	Reeser,	Wilson, W. H.,
Dunn, H. B.,	Lenker,	Rex,	Wiltbank,
Dunn, J. A.,	Leslie,	Rhoads,	Zimmerman,
Ehrhardt,	Lohr,	Richards,	Alter,
Eichenberger,			Speaker.

NAYS—10.

Brownlee,	Cheeseman,	Jones, J. R.,	Walnut,
Campbell, C.M.,	Hobbs,	Rockwell,	Williams,
Carson,	Jones, E. E.,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1284, entitled:

An Act fixing the salary of the messenger in the State Library

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. ELY. Mr. Speaker, I would like to interrogate the gentleman from Tioga, (Mr. Williams).

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, certainly.

Mr. ELY. Mr. Speaker, I would like to ask the gentleman from Tioga whether or not this is a salary raiser.

Mr. WILLIAMS. Mr. Speaker, replying to the gentleman from Westmoreland, I would say that this bill is a salary raiser, but of a very moderate amount. The purpose of this bill is to put the messenger of the Library Department on a level with the messenger of the Executive Department, the Auditor General's Department, the State Treasurer's Department, the Internal Affairs Department, the Insurance Department, the Mines and Banking Departments, who are paid twelve hundred dollars a year. In addition to performing his duties as messenger, he is the department shipping clerk and the newspaper file clerk, give all of his time to the performance of his duties in these three positions. Dr. Montgomery, the State Librarian, believes such an increase is warranted and this bill has his hearty approval.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Adams,	Ely,	Malie,	Schaeffer, A. C
Allen,	Ewing,	Mannion,	Schuck,
Alworth,	Fahey,	Mather,	Shaffer, C. A.,
Ambler,	Flynn,	McAleer,	Shaffer, I. E.,
Aron,	Forster, I. G.,	McAllister,	Shern,
Arthur,	Foster, J. D.,	McArdle,	Sherwood,
Bass,	Frey,	McCaig,	Showalter,
Bayle,	Gans,	McClintock,	Smith, J. W.,
Benninger,	Geiser,	McDermott,	Smith, L.,
Benson,	Gibson,	McKay,	Snyder,
Bergey,	Goss,	McNichol,	Spangler,
Berntheizel,	Gransback,	Miller,	Speiser,
Bigger,	Gray, Frank,	Missimer,	Spillinger,
Bittles,	Gray, Joseph,	Moore,	Steedle,
Blair, W. A.,	Hackett,	Morrow,	Steele,
Body,	Haggerty,	Moses,	Stein,
Brosius,	Hemminger,	Murphy,	Swartz,
Brownlee,	Herman,	Musser,	Swift,
Campbell, C.M.,	Hess,	Neely,	Thomas,
Carter,	Heyburn,	Newton,	Trach,
Cheeseman,	Hibshman,	O'Neill,	Ulerich,
Cleary,	Howard, J.,	Peachey,	Ulman,
Cochran	Isler,	Pennock,	Walnut,
Conniff,	Irwin, H. H.,	Perry, S. J.,	Walsh,
Conrade,	Jackson,	Piper,	Watson,
Cox,	Jones, E. E.,	Post,	Wettach,
Currier,	Jones, J. R.,	Price,	Whitaker,
Curry,	Kaufman,	Ramsey,	Whitman,
Davis,	Keeport,	Reese,	Wildman,
DeFrees,	Kennedy,	Rhoads,	Williams,
Dickinson,	Kitts,	Richards,	Wilson, J. H.,
Donahoe,	Kuhn, H. P.,	Robinson,	Wilson, W. H.,
Donnally,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
Down,	Lanius,	Roney,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rothenberger,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Sassaman,	Zimmerman,
Ehrhardt,			Alter,
Eichenberger,			Speaker.

NAYS—8.

Baldwin, G. A.,	Carson,	Latshaw,	Matt,
Barner,	Kern,	Lenker,	Mellott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1444, entitled:

An Act to amend the second third fourth fifth sixth seventh eighth eleventh twelfth and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and presons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven by extending the powers and duties of the State Fire Marshal his deputies and assistants and providing penalties for violations of said act as amended and to repeal the fourteenth section of said act

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section four, page seven, line 52, by striking out after the word "shal" down to and including the word "fire" in line 55

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

The SPEAKER. The amendment consisting simply of a strike out, the bill is now on final passage.

On the question,

Shall the bill pass finally?

Mr. HUMES. Mr. Speaker, we once more have the Fire Marshal bill with us. This is the bill that was much dis-

cussed, and after the discussion was postponed a few days ago and it is the bill that increases the expenditure for the Fire Marshal's Department from $70,000.00 to $303,000.00. It is the bill that has for its purpose the creation of some forty or fifty new jobs at salaries ranging from fifteen or eighteen hundred to three thousand dollars a year. The amendment that has just been inserted has removed only the telegraphic report feature that was in the original bill. It has corrected none of the important points that are liable to attack from any one that will carefully study the bill, having in view economy and a reasonable and sensible conduct of this department This department was only created two years ago and if the department in two years time is to grow by about five hundred per cent. in so far as its expenditures are concerned, it must be developing very fast. I think that we have pretty fairly, in the discussion the other day, threshed over the various features of this bill and when we witness as we do, if we observe the operations of the Appropriation Committee undertaking to reduce the General Appropriation bill some eleven or twelve million dollars, in order to keep within the estimated revenues of the next two years, it strikes me it is up to this House to lend such assistance as it can in the effort that is being made by that Committee, rather than by undertaking to hamper them in their efforts by increasing the expenditures of this Department by about five hundred per cent., and I trust that this House at this time will not undertake to pass a bill that creates promiscuous fire wardens and that will permit the appointment, in addition to the employees named in the bill, of some forty odd fire wardens, or assistant fire marshals that are not disclosed on the face of the bill and that are covered by the general proviso in the bill, which authorizes the chief fire marshal to employ as many assistants as is necessary. The General Appropriation bill discloses the fact that it is the evident purpose of the chief fire marshal to take advantage of that provision in the bill by appointing forty persons at a salary, I believe, of three thousand dollars a year, from twenty-five hundred to three thousand dollars a year, under that general authority to employ such other assistants and wardens as he may deem necessary. The bill in itself is an effort to practice a deception on this House and when taken in connection with the General Appropriation bill discloses the true purpose that lies behind the bill and I hope the House will not at this time undertake to pass this bill and incur the expenses incident to it or extend some of the powers that are extended by the bill.

Mr. HESS. Mr. Speaker, all that the gentleman has said in reference to increasing the expenditure of this Department is true, but let us see whether or not this is an expenditure that is justified. During the year 1910 within the confines of the Commonwealth of Pennsylvania there was a property loss by fire to the extent of $11,044,263.00; During the year 1911 there was a property loss by fire of $11,799,206.00; almost one million per month. If this bill becomes a law, under its provisions the expenditure for wages and contingent expenses will amount to $303,000.00 for two years or $151,500.00 per year. What percentage is that of our present fire loss within this State? Did you stop to think, gentlemen, that it is one and one-fourth per cent? Now I submit it to you as a fair business proposition, will it pay this Commonwealth to invest one and one-fourth cents in prevention to save one dollar's worth of property? The State of Ohio has had a Fire Marshal's Department since 1901. In the year 1900 the loss from fires in the State of Ohio, with a population half that of Pennsylvania today, was eleven million dollars. Last year it was a trifle less than six million dollars.

Mr. Speaker, this bill seeks to remedy and reduce the amount of destruction of property by fire in two ways. First, it aims to do this by supplying this department with sufficient men to investigate every fire that is presumed to be of incendiary origin. Is that justified? In defense of this bill two years ago, when this Department was first created with seven men to canvass this enormous Commonwealth of sixty-seven counties, I cited this in its defense, and I ask your indulgence that I may repeat it. A few years ago, in Lancaster County, one after another of the finest farm barns standing on the farms was consumed by fire. It was presumed that they were of incendiary origin. No one every suspected the owners, and no one knew just who the incendiary might be. But, finally, after six or seven of the finest barns had been consumed, entailing a loss in the buildings and contents of more than thirty thousands of dollars, a reward was offered for the apprehension of the individual who might be the guilty party, and an investigation was begun and a young man right in the community who no one would have suspected, and not even the people in the family in which he lived would have suspected, burned down every one of those buildings, and confessed that he had a mania to see the buildings burning. I suggest to gentlemen that if there had been a department at that time which would have made it a point when the first job had been done to investigate things of this sort, and if that young man had seen that after his first act every step and act that could be traced to that case was being investigated, and that he was taking very great chances to attempt another job, I submit it to you that he would not have done it more than one time, or perhaps not oftener than one or two times, at least no six times. In the six months that this department has been in existence with not more than seven men in the department, this is the result that has been attained: There were 152 special investigations made of incendiary fires. Of this 152, 97 were found to be without sufficient evidence, and five convictions were secured. In a trifle more than six months, five convictions have already been secured. There have been three trials without conviction. Thirteen cases are in the hands of the district attorneys now, and there are twenty still under investigation now. There has been one confession, one suicide of an incendiary, and one suspect has left the State. That, gentlemen, is about the work of six months with seven men. Now, I submit it to you gentlemen, to cover these two propositions in this bill, first, the investigation of fires presumed to be of incendiary origin, and second, to canvass this entire Commonwealth and regulate the causes of fire. This bill provides for a sub-warden in practically every district. It provides that a burgess of a borough shall report fires that appear to be of incendiary origin. It provides that the Board of Supervisors in townships shall report such fires. I submit to you, is forty men too large a force to canvass this entire State to endeavor to prevent causes for fire, which are menaces to surrounding property. I want you to think of this bill from this standpoint. When, fellow citizens, we were unfortunate to the extent of $11,900,000 during the year 1911, the rest of us had to pay for it. I want to submit another fact to you. When a dishonest man burns down his property, the honest man must pay for it. I trust that this bill will pass. I feel that it is one of the most meritorious measures introduced into this House this session. If there is a single kind of conservation which we should encourage, or a single kind of waste which we should attempt to discourage, it is this waste of a million dollars a month by fire many of which could be avoided.

Mr. WATSON. Mr. Speaker, I do not want to make a speech, but I want to endorse every word that my friend from Lancaster County has expressed, every word of it from beginning to end, and it is unnecessary to repeat it because he has put it before this House so squarely and fairly, yet I want to corroborate a part of it. I happened to live in a county in which a certain individual had burned two stores. He migrated after two trials because it is hard to convict these people unless you have sleuths after them and detectives to trace them. After a trial he migrated to Jefferson County, and there burned another store, and he is to-day in the penitentiary by the efforts of the fire warden. This bill was not understood when it was before this House. There is none other so meritorious from a financial standpoint and nothing that will save the property of our Commonwealth, and of the individual to the extent that this bill will. And in addition to that, it will drive the fire bugs out of our State. It will drive out that character of people who go into business and insure their property at as high a rate as they can and then burn it down, and collect the money from the insurance company. I hope the House will take a serious view of this matter. We have not had time to demonstrate the benefits that the citizens of this Commonwealth will derive from this department, and I hope that you will pass this bill since it only asks for the appointment of an inspector in every two counties. If there was a fire in Erie and one along the Delaware, under the present system, it would be impossible for this department to render the proper service to each of those affected. We hope that you will give us the appropriation to have the inspectors appointed in every two counties, and as my friend from Lancaster has

said, it will save millions of dollars. I hope the House will take a serious view of this matter, and support this bill.

Mr. HUMES. The gentleman from Lancaster seems to convey the impression that the only fire fighting force that the present Fire Marshal's Department has consists of seven men. He forgets to tell this House that in addition to that, under the Act of 1911, every chief of the fire departments in the boroughs and cities of this Commonwealth are Assistant Fire Marshals. He forgets to tell the House that the Burgess of every borough is an Assistant Fire Marshal. This bill goes one step further. Besides the regularly paid fire marshals or assistants, it makes every township supervisor an Assistant Fire Marshal. Now, Mr. Speaker, if the purpose of this fire fighting force is to do detective work it strikes me that we might well ponder over some of the eulogies delivered this morning to that most efficient State Police force we have, and realize that to-day they are at the beck and call of this Commonwealth, either for the purpose of ferreting out fires or other crimes. There are at the disposal of this State for the purpose of ferreting out crimes of every nature, and you must remember that this Fire Marshal's Department can call upon them, upon that State Constabulary, upon the State Police force, to do the detective work that is necessary in addition to having the assistance of the burgess or chief of the fire department in every borough of the Commonwealth. I believe that that force is a sufficient force to accomplish all that can be accomplished, and that we need not create forty or fifty three thousand dollar a year jobs in order to accomplish the purposes that this bill pretends to aim at.

Mr. R. J. BALDWIN. Mr. Speaker, I think the gentleman from Crawford is giving the House a wrong impression about these burgesses and township supervisors. They are not chief fire marshals, they are not fire marshals at all. It is true that the State Fire Marhsal has gotten into touch, under the powers of his department, with the burgesses and the fire chiefs and township supervisors all over the State. Certain blanks are sent to them and they are allowed fifty cents whenever a fire occurs in the neighborhood to notify the Department at Harrisburg that a fire has occurred and certain circumstances that may have come to their knowledge through their casual knowledge of the fact that the fire occurred. And there is where their power ceased. Now it is the duty of the State Fire Marshal to take up these fire propositions with the employees of his Department, and then ferret out the causes and the circumstances surrounding the fires. The idea suggested here by my friend from Crawford is a mistaken idea. The power given to these people is to simply notify, if you please, these other men of the various fires in order that they might get in touch with when and where and how the fire occurred. In case there is a fire in our neighborhood and a neighbor is suspected of incendiarism, we dislike very much to meddle in the matter, because we are afraid we might be mistaken, and then the whole community would turn against the man when he was trying to be of benefit to the community. Under this bill they simply notify the Department, and the Department sends a representative there who is a stranger, who knows no one, who is no man's friend, and he finds out or tries to find out the facts irrespective of conditions. This is the case in Central Europe and in your neighboring States, and the fire loss has been reduced nearly one-half in the State of Ohio. You men interested in insurance will know what it means and every member of this House will know what it means to have the fire loss in Pennsylvania reduced to that extent.

It only involves fifteen thousand dollars annually which is a very small sum of money to give to a department when the proposition is one that so directly interests the people. I fear that my friend from Crawford is too pecuniary in his thoughts. He is not broad enough and don't consider the great results that may come and have come from similar situations. This House will make one of the greatest mistakes that it will make during this session if it don't increase the arm and power of this department.

Mr. HUMES. Mr. Speaker, just a word. Inasmuch as the gentleman from Delaware seems to think that I have undertaken to misrepresent the facts to the House—

Mr. R. J. BALDWIN. Mr. Speaker, I said the gentleman is mistaken.

Mr. HUMES. Mr. Speaker, inasmuch as the gentleman has said that I was mistaken, I want to read a portion of two sections of the Act of 1911, then if I am mistaken I will beg the pardon of the House and if I am correct, I would like the House to recognize that fact. I will read from section three, line three, to the end of the sentence in line twelve, as follows:

> The chief of the fire department in any county city borough township school district or other municipality or incorporated district where such fire department is established or where no such fire department exists the burgess of any borough or president or chairman of the board of supervisors of any township or other municipality or incorporated district shall be by virtue of such office held by them assistants to the State Fire Marshal and subject to the duties and obligations imposed by this act and subject to the directions of the State Fire Marshal in the execution of the provisions hereof

Section four prescribes these duties. It says:

> The assistants of the State Fire Marshal shall investigate the cause origin and circumstances of every fire occurring in this State by which life or property has been destroyed damaged or endangered and so far as possible shall determine whether the fire was the result of design or carelessness

I trust in the face of that citation from the act that the gentleman from Delaware will not persist in his assertion that I undertook to misrepresent the Act of 1911.

Mr. SPEISER. Mr. Speaker, I move the previous question.

The motion was seconded by the following members:

Messrs. Bass, Hess, Cox, J. H. Wilson, Keeport, George A. Baldwin, A. C. Schaffer, Kaufman, O'Neill, Miller, H. B. Dunn, Currier, Snyder, Moulthrop, J. H. Young, Matt, Burnett, Mellott, Brosius, Moore, Conrade.

The SPEAKER. More than twenty members having joined in moving the previous question,

On the question,

Shall the main question be put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. ALWORTH. Mr. Speaker, I desire to be recordsd as voting "aye."

Mr. ALLEN. Mr. Speaker, I object. I understood that the gentleman voted once.

Mr. ALWORTH. Mr. Speaker, my name was not called. They passed my name before I voted. I didn't vote when my name was called and I ask to have my name recorded.

The SPEAKER. Was the gentlemtn in the hall when his name was called?

Mr. ALWORTH. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I withdraw my objection.

Mr. SPEISER. Mr. Speaker, I voted under a misapprehension. I desire to change my vote from "No" to "Aye."

The SPEAKER. The gentleman will be so recorded.

Mr. ALLEN. Mr. Speaker, I object.

I desire to interrogate the gentleman from Philadelphia, Mr. Speiser.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SPEISER. I refuse, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I am convinced in my own mind as to wherein the gentleman was mistaken—

QUESTION OF PERSONAL PRIVILEGE.

Mr. SPEISER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. SPEISER. Mr. Speaker, I think, sir, that the incident is closed. I stated my position to the Chair and the Chair has signified its intention to accept it, and I don't believe the comment of the gentleman from Allegheny is proper.

The SPEAKER. The point seems to be well taken.

Mr. ALLEN. Mr. Speaker, the gentleman stated that he voted under a misapprehension.

The SPEAKER. The Chair ruled that that is for the member himself.

Mr. ALLEN. Mr. Speaker, I simply desired to interrogate the gentleman in relation to whether or not that lay in the fact that he thought the bill might be defeated.

The SPEAKER. The gentleman refuses to be interrogated, and there is nothing before the House.

The SPEAKER. The roll will be verified.

Mr. ALLEN. Mr. Speaker, I understand the name of Mr. Geary was called in the affirmative.

The SPEAKER. The gentleman is so recorded and so answered.

Mr. ALLEN. Mr. Speaker, I don't doubt but that somebody answered for Mr. Geary, but I think that he was not in the House.

QUESTION OF PERSONAL PRIVILEGE.

Mr. RONEY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. RONEY. Mr. Speaker, I desire to state for the information of the Chair and for the information of the House that I spoke to Mr. Geary within the rail and asked him how he voted and he said "aye."

The roll was verified and was as follows:

YEAS—105.

Adams,	Fahey,	McArdle,	Schaeffer, A. C.
Alworth,	Flynn,	McClintock,	Schuck,
Ambler,	Forster, I. G.,	McNichol,	Shaffer, C. A.,
Aron,	Frey,	Miller,	Shaffer, I. E.,
Arthur,	Gans,	Missimer,	Shern,
Baldwin, R. J.,	Geary,	Moore,	Sherwood,
Bass,	Gibson,	Morrow,	Showalter,
Bayle,	Gransback,	Murphy,	Smith, I.,
Becker,	Gray, Frank,	North,	Spangler,
Berntheizel,	Gray, Joseph,	O'Neill,	Speiser,
Brosius,	Hackett,	Peachey,	Spillinger,
Brown,	Haggerty,	Pennock,	Strauss,
Campbell, J.J.	Heidinger,	Perry, S. J.,	Swartz,
Carter,	Hess,	Piper,	Thomas,
Cleary,	Heyburn,	Price,	Ulerich,
Conrade,	Hibshman,	Ramsey,	Ulman,
Cox,	Hobbs,	Reese,	Walsh,
Curry,	Irwin, G. C.,	Reeser,	Watson,
Davis,	Keeport,	Rex,	Whitaker,
Dickinson,	Kitts,	Rhoads,	Whitman,
Donahoe,	Lanius	Robinson,	Wildman,
Down,	Lowers,	Rockwell,	Wilson, W. H.,
Dunn, H. B.,	Mannion,	Roney,	Wiltbank,
Dunn, J. A.,	Mather,	Rothenberger,	Young, G. K.,
Ehrhardt,	McAleer,	Runk,	Alter,
Eichenberger,	McAllister,	Sassaman,	Speaker.
Ely,			
Ewing,			

NAYS—76.

Allen,	Currier,	Kern,	Musser,
Baldwin, G. A.,	DeFrees,	Klepper,	Newbaker,
Barner,	Donnally	Kuhn, H. P.,	Newton,
Benninger,	Foster, J. D.,	Kuhns, E.G.M.,	Perry, H. L.,
Benson,	Geiser,	Latshaw,	Post,
Bergey,	Glenn	Lenker,	Redfield,
Bigger,	Good,	Leslie,	Savacool,
Bittles,	Goss,	Letzkus,	Semmens,
Blair, W. A.,	Grabe,	Lohr,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Malie,	Snyder,
Bleloch,	Howard, J.,	Martin,	Steedle,
Brownlee,	Howard, R.,	Matt,	Steele,
Burnett,	Humes,	McCaig,	Stein,
Caldwell,	Isler,	McDermott,	Swift,
Campbell, C.M.,	Irwin, H. H.,	McKay,	Trach,
Carson,	Jackson,	Mellott,	Walnut,
Cheeseman,	Jones, J. R.,	Metzenbacher,	Wettach,
Claycomb,	Kaiser,	Moses,	Young, J. H.,
Cochran	Kennedy,	Moulthrop,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 736, as follows:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended providing such libraries shall be purchased or maintained by appropriations made by the proper counties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended by act approved the twenty-fifth day of March one thousand nine hundred and three entitled "An Act to amend the first section of an act approved the eleventh day of May Anno Domini one thousand nine hundred and one entitled 'An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library' so as to extend its provisions to all counties in this Commonwealth not having special or local laws inconsistent therewith" which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That one-half of all fines and forfeitures to which counties in this Commonwealth are by existing laws entitled is hereby directed to be paid by the county treasurer to the committee hereinafter provided for the purchase and support of a law library to be kept in or near the court house of said county for the use of the citizens thereof" is hereby amended to read

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the county commissioners of each county shall annually appropriate to the committee hereinafter provided such sum or sums as may be directed by the president judge of the court of common pleas of the county for the purchase and support of a law library to be kept in or near the court house of the county for the use of the citizens thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. NORTH. Mr. Speaker, just a word by way of explanation of this bill. It only affects counties with a population of less than 150,000, and under the present law in many counties where they do not have special or local laws, one half of the fines and forfeitures goes to the purchase of a law library and the other half goes to the general county fund. Now, in many counties this fund does not amount to a great deal, therefore it leaves a very small amount for the purchase of a library. This amends the act by allowing the president judge of the various county courts in counties to which this applies to designate the amount which shall be applied to the purchase of a library, and the balance to revert to the county fund. In some counties, the fund has accumulated to a considerable amount and is more than is required for the use of the library, and the provisions of this act provide that the amount necessary for the library shall be designated by the president judge and the balance to revert to the general fund of the county for the use of the county in a general way, as the commissioners may direct.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Down,	Lenker,	Ramsey,
Allen,	Dunn, J. A.,	Leslie,	Redfield,
Alworth,	Ehrhardt,	Letzkus,	Rex,
Ambler,	Eichenberger,	Light,	Rhoads,
Aron,	Ely,	Lohr,	Richards,
Arthur,	Ewing,	Lowers,	Robinson,
Baldwin, R. J.,	Fahey,	Malie,	Rockwell,
Barner,	Forster, I. G.,	Mannion,	Rothenberger,
Bass,	Foster, J. D.,	Martin,	Runk,
Bayle,	Gans,	Mather,	Schuck,
Becker,	Geiser,	Matt,	Semmens,
Benson,	Gibson,	McAleer,	Shaffer, C. A.,
Berntheizel,	Good,	McAllister,	Shaffer, I. E.,
Bigger,	Gransback,	McArdle,	Sherwood,
Blair, W. A.,	Gray, Frank,	McCaig,	Showalter,
Blair, W. F.,	Gray, Joseph,	McClintock,	Smith, J. W.,
Brosius,	Hackett,	McDermott,	Snyder,
Brownlee,	Haggerty,	McKay,	Spangler,
Burnett,	Hemminger,	Mellott,	Speiser,
Caldwell,	Herman,	Metzenbacher,	Spillinger,
Campbell, C.M.,	Hess,	Mitchell,	Steedle,
			Steele,

Campbell, J.J.	Heyburn,	Morrow,	Stein,
Carson,	Hibshman,	Moses,	Swartz,
Carter,	Hobbs,	Moulthrop,	Thomas,
Claycomb,	Howard, J.,	Neely,	Trach,
Cleary,	Humes,	Newbaker,	Ulerich,
Cochran,	Isler,	Newton,	Ulman,
Conniff,	Irwin, G. C.,	North,	Walnut,
Conrade,	Jackson,	O'Neill,	Wettach,
Cox,	Jones, E. E.,	Peachey,	Whitman,
Currier,	Jones, J. R.,	Pennock,	Williams,
Curry,	Kennedy,	Perry, H. L.,	Wilson, W. H.,
Davis,	Kern,	Peters,	Wiltbank,
DeFrees,	Klepper,	Post,	Zimmerman,
Dickinson,	Kuhns, E.G.M.,	Price,	Alter,
Donahoe,			Speaker.
Donnally,			

NAYS—3.

Benninger,	Kaiser,	Reeser,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1225, entitled:

An Act to prohibit experiments on any human being by the application of drugs instruments or deleterious substances of any kind or by innoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor

On the question,

Shall the bill pass??

Mr. NEWBAKER. Mr. Speaker, I wish to give at this time my reasons for opposing the enactment into law of House Bill No. 1225 entitled an act to prohibit experiments on any human being by the application of drugs, instruments or deleterious substances of any kind or by inoculation or injection without the consent of the person subjected to such experiment his or her parent or guardian and providing penalties therefor. In the first place the bill is defective in construction, the title not being in harmony with the phraseology of the sections following the enacting clause which describes the experimentation prohibited and further should this bill become a law it would prove to be a great disadvantage in emergency cases in patients of any age where they are found by the physician called to attend the case to be in an unconscious or comatose condition. Such cases require quick judgment and prompt action in the application of external remedies and in many instances the hypodermis use of remedies stimulating to the nerve centres functionally inactive as the result of shock caused by severe injury or toxic conditions result of disease. Now should the law be upon the statute books of the State, it would have a deterrent effect upon the attending physician or physicians for, Mr. Speaker, the layman has not the slightest idea of why a remedy is used in any particular case, and friends of the patients of the various pathic types such as Christian Scientists, naturopaths, vitopaths and even allopaths et id omne genus might in case of a fatal result following treatment of such a case become possessed with the idea that the attending physician had experimented upon the patient. The experienced physician knowing what misconceptions are liable to take possession of the minds of the excited and hysterical friends and relations of a patient who has died under the circumstances. I have mentioned would hestitate in promptly using the treatment and remedies his best judgment would lead him to think were indicated in the case for fear of subsequent prosecution for mal practice for even if not found guilty after a fair and impartial trial in a court of justice he would have been subject to the annoyance and expense of defending himself. Lawyer's fees and court charges are not to be lightly considered by the average medical man.

Now, for these reasons I do not think this bill should be enacted into law. Emergency cases would receive scant attention from the fact that a bill like this was upon the statute books and would have a deterrent effect upon the attending physician. He would feel that he might be charged with experimenting upon the patient, provided the case resulted fatally, and emergency cases require prompt attention.

Mr. LANIUS. Mr. Speaker, replying to the gentleman who has just preceded me, I desire to say that there is nothing in this act which will take or cover any point the gentleman has in opposition or objection. He has stated that if the patient would die by such treatment prescribed by him that he might be arrested for mal-practice. Well, perhaps he would be arrested for mal-practice, but mal-practice has nothing at all to do with this act. Mal-practice, as the gentleman knows, is the improper use of a proper remedy at an improper time. It is not an experiment and consequently has nothing whatever to do with this act. He says every physician who would attend a patient would have to be afraid of prosecution. I ask you, all fair minded men of this House and Mr. Speaker, why should a physician be exempt? If you are a merchant you are liable to be arrested for misrepresentation by any person who might think you have not treated him fairly in a trade matter. I am amenable to the laws of this State and my affliction would be no protection to me in the Court of Justice and it should not be, and I think the man who violates this act, if he is guilty he most certainly should pay the penalty. Gentlemen and Mr. Speaker, this bill says explicitly "experiments", and I call your attention to the fact that the word treatment does not appear in this bill. If you will follow me and bear in mind that there is an absolute difference between "experiment" and "treatment"; you will see the provisions of this act are just, that they are right and should be written upon the statute books of this State. Experiment is the trying out of a theory to prove or disprove its value. Experiment is not preceded by a diagnosis. It is the use of drugs or the administration of instruments into the body and is always accompanied by a disorder or disarrangement. An experiment, Mr. Speaker, does not seek to heal, does not seek to cure nor to alleviate pain, nor seek to prevent disease. A treatment, you will understand, is the opposite from this. In a treatment what a physician does is to make a diagnosis. He decides in his own mind what ails the patient and then by applying his theraputics and materia medico, proceeds to relieve that pain or makes that cure or remedy. Now there is a difference between experiment and treatment. Any man can see that an experiment is certainly not treatment and treatment is not experiment. I do not see any reason why a man when he enters a hospital of this State should not have the knowledge that he is going to be protected, that there is going to be no experiment upon him and which will not be benefit to him personally, and experiment, my friends and Mr. Speaker, never does the man experimented upon one single bit of good. They have asked me what to do in a delirious case. In a delirious case of what? I say if a man is delirious and needs treatment, then most certainly he has a perfect right to treat that case. If he wishes to experiment, it is something else. They have said that if there is diphtheria in a home or in a school and they wish to take the antitoxin treatment and prevent this disease spreading out in this Commonwealth, I say they should use the antitoxin with the knowledge of medicine. It is not an experiment and the man who would say that it is, in my opinion, would be unenlightened and the use of antitoxin is not an experiment and consequently would not be barred under this act.

Why do we hestitate to write this law upon the statute books of this State. We have just passed the child's labor law and the women's labor law and we have passed humane acts and good acts and now we are going to stop? We are not going to write this law on the statute books? we are not going to continue the good work? Mr. Speaker, do I look like a man who would stand here and talk this stuff if I was not convinced that I was right? Let me tell you there is something more behind these dark glasses than you imagine. I ask you men, you fair minded citizens of this Commonwealth to stand by this bill and vote aye.

Mr. STEELE. Mr. Speaker, I do not wish to take up much of the time of this House with this discussion, but I just want to explain a few things in regard to this bill, to show you that what it reads is not what it means. I have the highest respect for the gentleman from York (Mr. Lanius), but I want to get away from the sympathic and sentimental side for just a few moments. I want to recite to you a case which happened this week at Mont Alto, when about seventy-five or eighty young people were inoculated or had the serum of diphtheria injected into them on account of a case of diphtheria. Of those seventy-five or

eighty people who had the diphtheria antitoxin injected into them and I do not suppose there was one mother or father or guardian within one hundred, two hundred or three hundred miles. This bill if passed and would go into effect would prohibit just such operation of that kind. Now that one case of diphtheria that the patient had and was helped and cured by antitoxin, may in a few years from now—five or ten years—die of Brights disease or chronic nephritis. Where people have diphtheria or scarlet fever there are eighty per cent. of them die of Bright's disease in later life, that comes from that scarlet fever and diphtheria. Now for instance you take and give those patients who have diphtheria the antitoxin. They run one chance of two in dying in later life of chronic Bright's disease, and you men know from reading the papers day after day, how many people die of kidney disease, and I say fifty per cent. of these people that die of Bright's disease, have had in their younger life, scarlet fever or diphtheria. Now this bill has originated just like the anti-vivisection bill and the anti-vaccination bill, from quite a few women in the City of Philadelphia These women I might say have been here on the anti-vivisection and anti-vaccination bill and to show you that diphtheria antitoxin would mean just the same to them as what vaccination does. They have provided in this bill that "nothing in this act shall be construed to prohibit a treatment or operation upon an unconscious person immediately necessary to relieve or cure said person from physical ailment, and provided further that nothing in this act shall be construed to prohibit the injection or inoculation of any virus or any other substance for the purpose of vaccination."

Now remember that they have admitted themselves that this is an experiment, and an experiment to the common people and the laity, I might say—

Mr. LANIUS. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. STEELE. I will.

Mr. LANIUS. Was not that amendment put in the bill while it was in Committee?

Mr. STEELE. Yes, sir.

Mr. LANIUS. Didn't I understand you to say that having that in proved that the friends of this bill were hostile to vaccination?

Mr. STEELE. When I asked one of the ladies whether that meant vaccination, she said "yes" we are not in favor of vaccination." While it may be an experiment to the laity, yet to the physician and to what the judge would decide are enfirely different. So far as vaccination and diphtheria toxin, and the tubercular test of the eye, and all tests of syphillis to the able physician, they are not experiments, but to the laity, they might appear as experiments. You nor I do not know how the judge will decide whether they are experiments or not. I want you to know what you are voting on, and if you pass a bill of this kind, you are voting to stamp out scientific research. There is not an honorable physician in the State of Pennsylvania that would vote for this bill. The friends of this bill have gone to New York, and taken as a basis for their bill the Roosevelt Hospital in New York, where large advancement has been made in research. They have also a hospital in New York, the name of which I do not know, because in that hospital they are doing some work with the tuberculin test of the eyes. I ask you to vote against this bill. Throw away all sentiment and sympathy and know what we are voting on. There is no man that has any more respect in the world for women than I have, but if we left it to them we would not have any scientific research. Gentlemen, I ask you to vote against this bill.

Mr. LANDIUS. Mr. Speaker, the gentleman in his remarks has stated that one of the ladies from Philadelphia told him that she was opposed to vaccination. Well, suppose she did. That does not prove conclusively that all the ladies interested in this measure are opposed to vaccination, nor does it prove that all the members in this House are opposed to it, nor that all the doctors are opposed to it, or that any one is in favor of it. They all wanted that amendment, and I understood him to say that it was inserted in this bill at that time. It also appeared at that time that they were satisfied with this bill. They believed it was a blow to vaccination, but they did not know the provisions of this bill. He stated that every physician will use the tuberculin test. I will tell you of some of the tests used in these schools, and I will leave it to you to decide one way or the other for yourself, about these experiments. I will first take up the Roosevelt Institute of New York. There were 146 children used there, and inoculated with syphillitic virus. They said that some of these children probably may have this disease later in life. One hundred of them, it is admitted, were furnished through the courtesy of the various hospitals in that city. Forty-six of the children were absolutely healthy children. Do you believe that any sane mother or father, I say, any sane mother or father, would allow a child to be inoculated with syphillitic virus. The authorities were asked if they had the consent of these people, and they refused to answer the question. Why? Because they dared not. In Ohio a woman came to the hospital with an ulcer on her head, having been burned in early childhood. There was nothing he could do for her to cure her, but he saw an opportunity to experiment, and the doctor tells of the experiment. He tells us that he took an electric needle, and placed it through the ear to the base of the spine. He tells of the twitching of the limbs and whole body, and said her eyes started from the socket, and she died. E. E. Slocum of the University of Wyoming says: "What is human life compared to a fact in science." He said that science must advance even at the cost of human life. Mr. A. H. Wendberth, of the Children's Hospital of Boston, states that eight children were experimented upon by being punctured in the spine. There are no indication of any spinal meningitis. These punctures were made in children from the age of two months to six years, and the eight of them died. This man was removed. They would not keep him because they thought that if there was to be any scientific research his body ought to be used, and not the body of these little children. In the Vincent Home in Philadelphia, they experimented with this tuberculin test. They tell us that they used about fifteen children in these tests, and they admit that they did not examine these children, and it was afterwards admitted that the eye might be blinded by the use of the tuberculin test for such an experiment. Is it right? Talk about sentiment and sympathy. Talk about justice. That is what you want to talk about. Don't sit here and make your ears deaf to what I am telling you. It doesn't matter what you call yourselves, you are men, with souls in your bodies, and with hearts and consciences, and I know that you are not going to subscribe to the character of injustice that these experiments are. One word in conclusion. They say that science must advance, that a layman is not the judge. Perhaps he is not of medical fact, but he is of right and wrong, and that is the question. He knows what is right and what is wrong. If there must be experiments, if they wish to experiment, let them experiment upon their own bodies. Let them experiment upon the bodies of men who are willing to have it done, but don't let them take the man who doesn't want it. The Evening Telegraph of last evening tells of a man who worked his way by slow degrees from Pittsburgh to Harrisburg. He came here to see the Governor and he called upon certain officials in the capital. He said that he believed he was experimented upon in one of the hospitals in Pittsburgh, I have forgotten the name of it. He said that a drug had been administered which made it impossible for him to work. The State gives to the hospitals millions of dollars for their support. Why not protect the people in these hospitals in order that a man might know that his body would be just as safe there as it is at home. I care not whether the experiment as described by the gentleman is true. There is a lingering suspicion in the hearts of the common people that the hospitals are not for them except to be used as experiments. There is no man who has more respect for the medical profession than I have. I have spoken to practitioners, and they say the bill is all right. I have spoken to attorneys, and they say the bill is all right, but that the medical fraternity would fight it. The medical profession do not care whose body is used just so long as the science can advance. An old practitioner told me that in twenty-five years there would be no room for him. He said that you will have nothing but specialists, that the doctors were going mad specialties, so that payment and fortune could advance. With all due respect to the medical profession and the zealous manner in which they guard that profession, I suppose they think they are right from their standpoint, but I speak from the masses and the common people, and don't tell me that I don't know the circumstances for I have stood shoulder

to shoulder with them, and know what I am talking about. Do you suppose I got this scarred head of mine playing with children? No, indeed! I am here for the laboring class and I am here to defend their interests. I ask you not for my sake, but for their sake, and for the sake of your conscience, and for the sake of this bill, to support this measure.

Mr. NEWBAKER. Now Mr. Speaker, if the author of this bill or the members of this House who deem the enactment of legislation of the character described in this bill to be necessary will consent to have it recommitted to the Committee on Public Health and Sanitation for the purpose of having it amended so as to properly protect and safe guard a reputable and qualified physician called from prosecution when called to treat cases of injury and disease of any character whatever. I will vote for the bill and I believe every other physician in the House will do the same. If in order at this time and with the consent of the gentleman from York, Mr. Lanius, I will outline in a few words my conception of a short bill which in my opinion would forever set at rest and ease the mind of these persons who never feel entirely safe as long as a doctor is within range of their vision and yet who are the first to call upon him for succor and assistance when injured or afflicted with disease I would substitute for the first section of the bill, the following:

That from and after the passage of this act it shall be a felony for any person to experiment upon any human being minor or adult sane or insane either by the administration of drugs or other deleterious substances or by the insertion within the body of such human being any instrument of any kind whatsoever or by the injection or inoculation of any substance whatsoever whether toxic or nontoxic with or without the consent of the person thus subjected to experimentation and whether he be conscious or unconscious at the time such experimentation is instituted.

And I would put in a little longer provision than he has in his bill.

And provided further that nothing in this act shall be construed to prohibit or prevent any legally qualified physician from using any means instrumental, medicanical or mechanical, externally or internally which in his judgment might under any circumstances contribute to the relief or benefit of any case of injury or disease he may be called upon to treat whether such patient is in a conscious or unconscious state.

That would eliminate the danger which the antis appear to fear the physicians to treat emergency cases or any other cases. The bill as drawn by the gentleman from York, Mr. Lanius, would prevent physicians from taking care of any of their cases.

Mr. PIPER. Mr. Speaker, I rise at this time to speak in favor of the passage of this bill. I have in my home today a boy who is seven years of age and I have not yet started to send him to any public school. While I realize that the law would request that I send that boy to school at the age of six years, I refrain from complying with the law, because the minute that I send that boy to school he must be vaccinated. I have heard a statement made here, on the floor of this House, that any honorable doctor or physician, as you might say, would not vote in favor of this bill. My family physician has advised me that I should not permit my child to be vaccinated under any circumstances. He knows the nature of that child; he knows the condition of that child's blood. Some two years ago, I attended a convention that was composed of representatives of labor throughout the whole United States. They represented all told, taking in the man, the woman and the child, in the textile workers line some three hundred thousand employes and every delegate represented at that convention were opposed to compulsory vaccination. I have no real objection to these experiments being performed, if I give my consent and I feel not out of sympathy for the sponsor of this bill, because I know that the ones who are the poorest, the ones who are most destitute in this State of Pennsylvania are those who are being used to-day for experiments. I have no real objection to the medical profession, nor have I any objection to the surgical profession, but I don't feel that any father should have to consent that the use of drugs or the use of the knife be practiced without their consent, or without being consulted as to what the nature of the disease is. This bill does nothing more than say that the consent of the parent or the consent of the patient must be received as to the nature of his disease or her disease or that child's disease as it has been made known before the use of drugs or any surgical operation can be performed. I would ask here to-day that the members of this House vote in favor of this bill. I believe that it is one of the best bills that has been presented to this Legislature.

Mr. WALTER A. BLAIR. Mr. Speaker, I would like to interrogate the gentleman who has just spoken.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Piper, permit himself to be interrogated?

Mr. PIPER. Mr. Speaker, yes, sir.

Mr. WALTER A. BLAIR. Mr. Speaker, I would like to ask the gentleman whether he would consider himself efficient enough to know whether a physician was experimenting or not?

Mr. PIPER. Mr. Speaker, I don't believe I would consider myself efficient to know whether a physician was experimenting or not but I would know if he first told me the nature of the disease whether or not he was fooling me or just practicing for experience.

Mr. WALTER A. BLAIR. Mr. Speaker, I would like to cite a case to the gentleman. About four weeks ago, while I was at home, a boy seven years of age was run over by a street car and had his leg practically amputated. We took that boy to a hospital. His father was working in a coal mine and his mother could not leave home. When we got the boy to the hospital we had to open a vein and use what we call transfusion by inserting into the vein a tube which we introduced into the veins and injected about a pint and a half of normal salt solution and after that we amputated the leg. The child is now living. Had that been your boy to whom we did that, would you consider that we were experimenting or not?

Mr. PIPER. Mr. Speaker, I would have been very sorry to have a boy of mine of seven years of age meet with such a mishap of having a leg amputated without first trying in some way to find the trouble of that child's injury to see if there would be any way of saving the child and the leg.

Mr. WALTER A. BLAIR. Mr. Speaker, I would ask the gentleman had the boy died would and had you considered that we were all experimenting we could have been sued for perjury, as this bill is drawn, if you considered, in that case, or in such a case as this, that we were experimenting with your boy. That is absolutely the provision of this bill; it is an insult to the profession and should not pass this House.

Mr. PIPER. Mr. Speaker, in answer to the gentleman's statement, I desire to say that there are a number of physicians in this State who should be sued for the tactics they use in experimenting in accident cases.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—97.

Allen,	Flynn,	Martin,	Roney,
Ambler,	Geary,	Matt,	Rothenberger,
Aron,	Geiser,	McAleer,	Runk,
Barner,	Gibson,	McArdle,	Sassaman,
Bass,	Goss,	McCaig,	Savacool,
Bayle,	Gransback,	McClintock,	Schaeffer, A. C
Becker,	Gray, Joseph,	McDermott,	Semmens,
Benninger,	Heidinger,	McNichol,	Spillinger,
Benson,	Heyburn,	Mellott,	Stein,
Bergey,	Hibshman,	Metzenbacher,	Thomas,
Bleloch,	Hobbs,	Miller,	Ulerich,
Body,	Humes,	Moore,	Walnut,
Brosius,	Isler,	Murphy,	Watson,
Burnett,	Irwin, G. C.,	Musser,	Whitaker,
Campbell, J.J.	Irwin, H. H.,	Neely,	Whitman,
Cheeseman,	Jackson,	Newton,	Wildman,
Cleary,	Keeport,	O'Neill,	Wilson, J. H
Cochran	Kitts,	Pennock,	Wilson, W. H.,
Conniff,	Klepper,	Perry, H. L.,	Wiltbank,
Conrade,	Kuhns, E.G.M.,	Perry, S. J.,	Young, G. K.,
Donnally,	Lanius,	Peters,	Young, J. H.,
Dunn, H. B.,	Letzkus,	Piper,	Zimmerman,
Dunn, J. A.,	Lowers,	Post,	Alter,
Ehrhardt,	Malie,	Ramsey,	Speaker.
Fahey,	Mannion,	Rockwell,	

NAYS—58.

Bittles,	Good,	Light,	Schuck,
Blair, W. A.,	Gray, Frank,	Lohr,	Scott, S. B.,
Brownlee,	Hackett,	Mather,	Sherwood,
Caldwell,	Haggerty,	McAllister,	Showalter,
Campbell, C.M.,	Howard, J.,	Missimer,	Smith, J. W.,
Carson,	Jones, E. E.,	Morrow,	Smith, L.,

Currier,	Kaiser,	Moses,	Snyder,
Davis,	Kaufman,	Moulthrop,	Steedle,
DeFrees,	Keegan,	Newbaker,	Steele,
Dickinson,	Kennedy,	Peachey,	Swift,
Donahoe,	Kern,	Redfield,	Trach,
Down,	Kuhn, H. P.,	Reeser,	Ulman,
Eichenberger,	Latshaw,	Rex,	Wettach,
Ely,	Leslie,	Robinson,	Williams,
Foster, J. D.,			
Gans,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER (George E. Alter) in the Chair.

BILL ON THIRD READING.

Mr. BIGGER. Mr. Speaker, I desire to call up House Bill No. 1451, File Folio 5267, on page 21 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1451, entitled:

An Act providing for the resignation or retirement of certain officers and employees of State institutions and under certain conditions allowing them half pay during the remainder of their lives and making an appropriation therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—51.

Adams,	Ely,	McAllister,	Rothenberger,
Baldwin, R. J.,	Fahey,	McArdle,	Sassaman,
Bass,	Gans,	McClintock,	Sherwood,
Benson,	Geary,	McNichol,	Spillinger,
Bergey,	Isler,	Missimer,	Steedle,
Bigger,	Kin. H. H.,	Moore,	Steele,
Blair, W. A.,	Kaiser,	Neely,	Stein,
Campbell, C.M.,	Kennedy,	Newbaker,	Thomas,
Campbell, J.J.	Klepper,	O'Neill,	Trach,
Conner,	Leslie,	Perry, H. L.,	Wettach,
Davis,	Letzkus,	Piper,	Young, J. H.,
Dunn, H. B.,	Lowers,	Reeser,	Alter,
Ehrhardt,	Malie,	Roney,	Speaker.
Eichenberger,			

NAYS—92.

Allen,	Gray, Frank,	Light,	Rex,
Barner,	Gray, Joseph,	Lohr,	Rhoads,
Becker,	Hackett,	Mannion,	Runk,
Benninger,	Haggerty,	Martin,	Savacool,
Berntheizel,	Hemminger,	Mather,	Scott, S. B.,
Brosius,	Herman,	Matt,	Semmens,
Brownlee,	Hess,	McAleer,	Showalter,
Burnett,	Heyburn,	McCaig,	Smith, J. W.,
Caldwell,	Hobbs,	McClintock,	Smith, L.,
Carson,	Hoffman,	McDermott,	Snyder,
Cheeseman,	Howard, J.,	Mellott,	Strauss,
Cleary,	Howard, R.,	Metzenbacher,	Swartz,
Cochran,	Humes,	Miller,	Swift,
DeFrees,	Irwin, G. C.,	Moses,	Ulerich,
Dickinson,	Jones, E. E.,	Musser,	Ulman,
Donnally,	Jones, J. R.,	Newton,	Walnut,
Flynn,	Kaufman,	North,	Watson,
Forster, I. G.,	Keegan,	Pennock,	Whitaker,
Foster, J. D.,	Keeport,	Peters,	Whitman,
Geiser,	Kern,	Post,	Williams,
Good,	Kuhns, E.G.M.,	Price,	Wiltbank,
Grabe,	Lanius,	Ramsey,	Young, G. K.,
Gramley,	Latshaw,	Redfield,	Zimmerman,
Gransback,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECESS.

Mr. CHEESEMAN. Mr. Speaker, I move that this House take a recess until 8 o'clock this evening.

The motion was agreed to and (at 6 o'clock P. M.) the House took a recess until 8 o'clock P. M.

AFTER RECESS.

The House reconvened at 8 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 41.

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification therof in accordance therewith'

House Bill No. 173.

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

House Bill No. 512.

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

House Bill No. 607.

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland County Pennsylvania the sum of eight hundred and ninety-five and fifty one-hundredths dollars inadvertently and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretobefore and now known as the Standard Distilling Company

House Bill No. 897.

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the supreme court of the Eastern District also the appointment of a deputy by the supreme court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

House Bill No. 962.

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registraion of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that State Board of Veterinary Medical Examiners shall be entiteld to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said Board or its duly authorized agent shall be prosecutor in action for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act

House Bill No. 964.

An Act authorizing and empowering townships supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide fo the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

House Bill No. 1234.

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

House Bill No. 1454.

An Act for the better protection of wild turkeys in this Commonwealth

With information that the Senate has passed the same without amendment.

REPORTS FROM COMMITTEE.

Mr. KERN, from the Committee on Appropriations, reported as committed, House Bill No. 419, entitled:

An Act relating to the advertising of proposed amendments to the Constitution of this Commonwealth.

Mr. GANS, from the Committee on Law and Order, reported as committed House Bill No. 1926 (Senate Bill No. 772), entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors of any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal.

Mr. HEIDINGER, from the Committee on Corporations, reported as committed House Bill No. 1962 (Senate Bill No. 1002), entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restriction and regulations in the matter of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith.

Mr. SWIFT, from the Committee on Law and Order, reported as committed House Bill No. 855, entitled:

A supplement to an act approved the thirteenth day of May, one thousand eight hundred and eighty-seven, entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof."

Mr. SHOWALTER, from the Committee on Municipal Corporations, reported as committed House Bill No. 1898 (Senate Bill No. 521), entitled:

An Act to amend the second and fifth sections of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a city planning department giving it jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to reports of the city planning commission on certain ordinances and bills and relating to plans and plots submitted to said planning commission for approval.

Mr. O'NEILL, from the Committee on Public Health and Sanitation reported as committed House Bill No. 1233, entitled:

An Act relating to the public health; prohibiting the keeping of drinking cups and glasses for public or general use, and imposing a penalty.

Mr. McALEER, from the Committee on Municipal Corporations reported as committed House Bill No. 1921, (Senate Bill No. 877), entitled:

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof.

Mr. BIGGER, from the Committee on Municipal Corporations reported as amended House Bill No. 1913, entitled:

An Act to amend an act approved the sixth day of June, one thousand eight hundred ninety-three, entitled "An Act to provide for the consolidation of boroughs and the government and regulation thereof," as amended.

Mr. LIGHT, from the Committee on Judiciary General reported as amended House Bill No. 1682, entitled:

An Act to amend section five of an act approved the tenth day of April, one thousand eight hundred and sixty-seven, entitled "An Act for the better and more impartial selection of persons to serve as jurors, in each of the counties of this Commonwealth."

Mr. MILLER, from the Committee on Judiciary General reported as committed House Bill No. 1391, (Senate Bill No. 140), entitled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the averments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decress except in certain cases.

Mr. KEEPPER, from the Committee on Municipal Corporations reported as committed House Bill No. 1894, (Senate Bill No. 507), entitled:

An Act to amend sections three and seven of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the City Treasurer the Board of Water Assessors and Collectors of Delinquent Taxes and repealing certain acts relating to certain matters herein provided for approved May twelfth one thousand nine hundred and eleven.

Mr. COCHRAN. from the Committee on Ways and Means, reported as committed House Bill No. 1833 (Senate Bill No. 558), entitled:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleven one thousand eight hundred and sixty-two in relation to the county of Berks" approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven.

Mr. STRAUSS. from the Committee on Judiciary General, reported as committed House Bill No. 1675, entitled:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the general boroughs and townships of this Commonwealth," approved the twenty-fifth day of June one thousand eight hundred and eighty-five.

Mr. BERGEY, from the Committee on Military Affairs, reported as committed, House Bill No. 1947 (Senate Bill No. 882), entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits.

Mr. BERGEY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1953 (Senate Bill No. 832), entitled:

An Act regulating the number and election of members of borough councils.

Mr. H. B. DUNN, from the Committee on Judiciary General, reported as committed, House Bill No. 1667, entitled:

An Act requiring the recorder of deeds of the several counties to keep a docket or docket open for inspection by the public showing the entry and filing of instruments with him and to permit abstracts of the same to be made for publication, providing a penalty for non compliance.

Mr. W. H. WILSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1744, entitled:

A supplement to an act entitled "A supplement to an act, entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth,' approved the first day of June, one thousand eight hundred and eighty-five, creating a department of wharves, docks and ferries, for the improvement, regulation and supervision of the construction, extension, alteration, maintenance and use of wharves, piers, bulkheads, docks, slips, basins, ferries, harbors and harbor structures, in cities of the first class; and providing for the making and enforcement of rules and regulations, and fixing certain penalties for violation thereof; and providing for the acquisition of property by said cities, by purchase and by condemnation, for certain purposes," approved the 8th day of June, A. D. 1907.

Mr. STEIN, from the Committee on Judiciary General, re-reported as committed, House Bill No. 1826 (Senate Bill No. 294), entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in froma pauperis prescribing under what circumstances appeals shall operate a supersedeas requiring notice to the opposite party when appeals are allowed by the common pleas court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the common pleas court to take such appeal and prescribing the practice in such cases.

Mr. JACKSON, from the Committee on Public Roads, re-reported as amended, House Bill No. 1739, entitled:

An Act to provide for the protection of vehicular pedestrian and animal traffic under trolley wires on public highways in the Commonwealth.

Mr. FORSTER, from the Committee on Judiciary General, re-reported as committed, House Bill No. 1853 (Senate Bill No. 717), entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid.

Mr. NEELY, from the Committee on Municipal Corporations, re-reported as amended, House Bill No. 1076, entitled:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second class shall apply to cities of the second and third class as herein provided.

Mr. DONNALLY, from the Committee on Counties and Townships, re-reported as committed, House Bill No. 411, entitled:

An Act relating to the time of payment of wages or salaries to officers and employers in counties co-extensive with cities.

Mr. STEIN, from the Committee on Geological Survey, re-reported as amended, House Bill No. 1911, entitled:

An Act relating to petroleum and natural gas wells drilled through coal measures within the Commonwealth of Pennsylvania and providing penalties for the violation thereof.

Mr. CONRADE, from the Committee on Public Buildings, reported with a negative recommendation, House Bill No. 1492, entitled:

An Act to amend section three of an act approved the thirty-first day of May, one thousand nine hundred and seven, entitled "An Act to provide for the appointment of a superintendent of Public Grounds and Buildings and subordinate officers; defining their powers and duties, and fixing their compensation; and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly, approved the twenty-eighth day of March, Anno Domini one thousand eight hundred and ninety-five.

Mr. MISSIMER, from the Committee on Law and Order, reported with a negative recommendation, House Bill No. 776, entitled:

An Act making it unlawful to procure or purchase intoxicating liquor for any other person or persons to be used as a beverage at any bar or in any room adjacent to said barraam furnished and kept solely for drinking purposes and providing for a penalty for the violation thereof

Mr. JOSIAH HOWARD, from the Committee on Banks and Banking, reported with a negative recommendation, House Bill No. 1407, entitled:

An Act for the regulation incorporation supervision and control of the business of banking and providing penalties for its violation, and repealing all acts and parts of acts inconsistent herewith.

Mr. KUHNS, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 1559, entitled:

An Act dividing the counties of this Commonwealth into classes, for the purpose of providing a more suitable and equitable government therefor.

Mr. BITTLES, from the Committee on Counties and Townships, reported with a negative recommendation, House Bill No. 1519, entitled:

An Act to amend an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" as amended.

Mr. PIPER, from the Committee on Labor and Industry, reported as amended, House Bill No. 1026, entitled:

An Act to provide for the licensing of firemen operating steam stationary boiler or boilers in the first and second class cities of Pennsylvania.

Mr. McNICHOL, from the Committee on Judiciary General, reported as amended, Senate Bill No. 833 (House Bill No. 1903), entitled:

An Act to consolidate the five courts of common pleas of Philadelphia County.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1429, entitled:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than twelve hours in any twenty-four hour period in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than twelve hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of duly incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

On the question recurring,

Will the House agree to the bill on third reading?

Mr. McCLINTOCK. Mr Speaker, I ask unanimous consent to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 1, line 8, after the word "than" strike out the word "twelve" and insert in lieu thereof the word "fifteen" after the word "period" add the words "nor more than 90 hours in any one week." In line 12, after the word "than' strike out the word "twelve" and insert in lieu thereof the word "fifteen."

Amend the title after the word "than" on line 4, strike out the word "twelve" and insert in lieu thereof the word "fifteen" after the word "period" in line 5 add the words "nor more than 90 hours in any one week" on line 9, strike out the word "twelve" and insert in lieu thereof the word "fifteen."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House

The bill as amended was then agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1293, entitled:

An Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth providing for the election of such commissioner and prescribing his powers and duties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—113.

Adams,	Donnally,	Jones, J. R.,	Price,
Allen,	Down,	Kaiser,	Ramsey,
Alworth,	Dunn, H. B.,	Kaufman,	Rex,
Ambler,	Dunn, J. A.,	Keeport,	Rhoads,
Aron,	Ely,	Kern,	Richards,
Arthur,	[illegible]	Kuhns, E.G.M.,	Robinson,
Baldwin, G. A.,	Foster, J. D.,	Lenker,	Rothenberger,
Baldwin, R. J.,	Gans,	Letzkus,	Sassaman,
Bass,	Geary,	Malie,	Schaeffer, A. C.
Becker,	Geiser,	Mannion,	Schuck,
Benninger,	Gibson,	Martin,	Shaffer, C. A.,
Benson,	Glenn,	Mather,	Shaffer, I. E.,
Bergey,	Goss,	Matt,	Showalter,
Berntheizel,	Grabe,	McAleer,	Smith, L.,
Bigger,	Gramley,	McClintock,	Snyder,
Bittles,	Gransback,	McDermott,	Speiser,
Blair, W. A.,	Gray, Frank,	McKay,	Spillinger,
Blair, W. F.,	Gray, Joseph,	McNichol,	Stein,
Body,	Hackett.	Mellott,	Stone,
Brosius,	Haggerty,	Missimer,	Swift,
Brownlee,	Herman,	Mitchell,	Thomas,
Campbell, C.M.,	Hess,	Moses,	Trach,
Campbell, J.J.	Heyburn,	Moulthrop,	Ulerich
Carter,	Hibshman,	Musser,	Wildman,
Claycomb,	Hobbs,	Neely,	Wiltbank,
Cleary,	Isler,	O'Neill,	Young, G. K
Conniff,	Jackson,	Piper,	Alter,
Davis,	Jones, E. E.,	Post,	Speaker.
DeFrees,			

NAYS—16.

Barner,	Good,	Peachey,	Watson,
Caldwell,	Latshaw,	Redfield,	Wilson, J. H.,
Carson,	Lohr,	Swartz,	Wilson, W. H.,
Cheeseman,	McArdle,	Ulman,	Zimmerman,
Flynn,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, April 29, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment House Bill No. 645, entitled "An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical or operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act of amusement of the public designating what is meant by the words "places of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of May fifth one thousand eight hundred and eighty-nine entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' and the amendment or supplement thereto of June fifth one thousand nine hundred and one shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof."

(Signed) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. ALLEN. Mr. Speaker, I move that the vote by which House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled "An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and ispection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

passed on final passage be reconsidered.

Mr. JACKSON. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ALLEN. Mr. Speaker, I move that the vote by which this bill (title just read) passed on third reading be reconsidered.

Mr. JACKSON. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Strike out the title and insert in lieu thereof the following: "An Act defining and regulating public amusements and places used therefor; requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly; and providing penalties for violation of this act."

Section 2, line 15: Strike out "first" and "had and."

Section 2, line 16: Strike out "of city or county (borough or township)."

Section 3, line 28: Add after "equivalent" the words "to seating capacity."

Section 4, line 1: Insert after "license" the word "fee."

Section 5, line 23: Strike out "Whereby" and insert in lieu thereof "whereupon."

Section 6, line 2 Strike out "(borough or township)."

Section 6, line 8. Strike out "(of any city, borough or township)."

Section 7, line 3 Strike out "of the cities (boroughs or townships)."

Section 7, line 6: Strike out "ower" and insert in lieu thereof "owner."

Section 7: Add at the end thereof the following: "A license when granted shall not be transferable except to the lawful representatives of the deceased licensee or to a purchaser at an insolvent or bankrupt sale for the remainder of the term."

Section 7, line 8 and 9: Strike out "director of public safety of the cities of the first class or of the."

Section 7, line 9: Strike out "officer" and insert in lieu thereof "officers."

Section 7, line 10 and 11: Strike out "of the cities of the second and third class, boroughs or townships."

Section 8, line 5: Strike out "amount" and insert in lieu thereof "number."

Section 8, line 6: Strike out "such" and insert in lieu thereof "the."

Section 8, line 7: Strike out "transports' and insert in lieu thereof "transport."

Section 8, lines 8, 9, 10: Strike out "Every applicant shall be required to sign and make oath or affirmation as to the correctness thereof," and insert in lieu thereof "Each application for a license shall be verified by the oath or affirmation of the applicant."

Section 8, line 12: Strike out "the crime of."

Section 8, line 13. Strike out "and shall be punished as such."

Section 8, line 3. Strike out "applicants" and insert in lieu thereof "persons."

Section 8, line 3. Insert after "license" the word "fee."

Section 9, line 2. Strike out "as provided."

Section 9, lines 8 and 9. Strike out "him or it" and insert in lieu thereof "such applicant."

Section 10, line 16. Strike out "and" and insert in lieu thereof "or."

Section 10, line 5. Insert after "license" the word "fee."

Section 10, line 11. Strike out "money" and insert in lieu thereof the word "fee."

Section 10, lines 14, 19 and 37. Insert after "license" the word "fee."

Section 10, line 21. Strike out "and" and insert in lieu thereof "or."

Section 10, line 21. Strike out "he, they or it" and insert in lieu thereof "such person."

Section 10, line 36. Strike out "he" and insert in lieu thereof "such person."

Section 10, line 38. Strike out "he" and insert in lieu thereof "such person."

Section 10, line 39. Strike out "him" and insert in lieu thereof "such person."

Section 11, line 2. Strike out "licenses" and insert in lieu thereof "license fees."

Section 11, line 4. Strike out "and every."

Section 11, line 4. Strike out "of" after "July" and insert in lieu thereof "in."

Section 11, line 9. Strike out "taxes" and insert in lieu thereof "fees."

Section 12, line 1. Insert after "license" the word "fee."

Section 12, line 2. Strike out "on each and every" and insert in lieu thereof "in each."

Section 12, line 4. Strike out "taxes" and insert in lieu thereof "fee."

Section 12, line 9. Strike out "person" and insert in lieu thereof "party."

Section 13, line 6. Strike out "persons" and insert in lieu thereof "person."

Section 13, line 7. Insert after "license" the word "fee."

Section 15, lines 2 and 3. Strike out "of the cities (boroughs or townships)."

Section 15, line 3. Strike out "parties" and insert in lieu thereof "persons."

Section 15, line 4. Strike out "proven" and insert in lieu thereof "shown."

Section 15, line 11. Strike out "of the cities (borough or townships)."

Section 16, lines 1 and 2. Strike out "department of public safety of the cities of the first class or the."

Section 16, line 2. Strike out "of the" at the end of the line.

Section 16, line 3. Strike out "cities of the second and third class, boroughs or townships."

Section 16, line 8. Insert after "proven" the words "to be true."

Section 16, line 9. Strike out "to be true."

Section 17, lines 4 and 5. Strike out "city or county treasurer, or the director of public safety of cities of the first class or the."

Section 17, lines 5 and 6. Strike out "of cities of the second and third class, boroughs or townships."

Section 17, line 6. Insert after "granting" the words "or refusing to grant."

Section 17, line 18. Insert after "and" the word "are."

Section 17, lines 29 and 30. Strike out "city or county treasurer or director of public safety of cities of the first class of the."

Section 17, lines 31 and 32. Strike out "of cities of the second and third class or boroughs and townships."

Section 17, line 32. Strike out "and" and insert in lieu thereof "or."

Section 19, line 16. Insert before "places" the word "theatres."

Section 19, line 18. Insert after "and" the word "are." Insert after "a" the words "theatre or,"

Section 19, line 25. Insert after "a" the words "theatre, place of amusement or."

Section 19, line 26. Add after "place" the words "at the time of such erection, construction or alteration."

Section 20, line 6. Strike out "first" and "had and."

Section 20, lines 8 and 9. Strike out "liable to indictment" and insert in lieu thereof "guilty of a misdemeanor."

Insert in line 9 before "pay" the words "be sentenced to."

Section 20, line 11. Strike out "greater" and insert in lieu thereof "more."

Section 20, line 12. Strike out "trying the said offence."

Section 21. Strike out the section and insert in lieu thereof the following: "If any person liable for the payment of the license fee as herein provided shall open any such building, tent or enclosure after the license year commencing May first in each year, he shall be permitted to pay a proportonate part of the license fee from the date of the opening thereof until the end of the license year."

Section 22, line 5. Strike out "or" and insert in lieu thereof "nor."

Add after section 22 and before section 23 the following: to be numbered as Section 23. Section 23. The words 'owner,' 'lessee,' 'applicant,' 'person' or 'party' wherever used in this act shall include a partnership or corporation."

Renumber old section 23 accordingly.

Section 23, line 4. Insert after "held" the word "and."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1219, entitled:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled "An Act amending sections one two three seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hundred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain redistricting of inspectors granting to the qualified voters of Sullivan Susquehanna and Wayne counties the ri ght to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector thereof until such time as an inspector should be duly elected" by providing for additional inspectors therein

On the question,

Shall the bill pass?

Mr. E. E. JONES. Mr. Speaker, this bill calls for the addition of ten new anthracite mine inspectors. As a members of the commission to codify and revise the anthracite mining laws of Pensylvania I will state that we considered the proposition of increasing the number of mine inspectors in the anthracite districts and it was the opinion that four or five more new inspectors was sufficient; that there was no call for any more than four. At the present time there are twenty-one. We recommended an increase of four making the number twenty-five. This bill calls for ten additional mine inspectors, increasing the number to thirty-one. We understand from the Department of Mines that these are unnecessary and that there is no call for them and I believe that this bill should not receive the favorable vote of this Legislature. I believe that it is unnecessary.

Mr. LENKER. Mr. Speaker, this bill was drafted by the three district trades United Mine Workers of the anthracite coal regions—those men who are in close touch with the situation in the anthracite coal field and they feel that this is an absolute necessity. When we consider the enormous loss of life in the anthracite coal fields, we certainly realize that it is necessary to do something. As most of the gentlemen of this House are aware, as a rule I don't support bills of this kind, let alone present them, unless I feel that they are absolutely warranted. In 1911 there were six hundred and fifteen miners killed inside of the anthracite coal mines. The miners feel that the bill is just and I have heard no complaint from the operators. The policy of the Department of Mines has been to gradually increase the number of mine inspectors knowing that the lives of the miners will be better safeguarded by a thorough inspection, which is impossible at present because there are certainly not enough mining inspectors. I trust the House in its wisdom will see fit to pass this bill.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Adams,	Ehrhardt,	Kitts,	Rex,
Allen,	Eichenberger,	Klepper,	Rhoads,
Ambler,	Ewing,	Kuhns, E.G.M.,	Richards.
Aron,	Fahey,	Lenker,	Roney,
Arthur,	Flynn,	Letzkus,	Runk,
Baldwin, G. A.,	Foster, J. D.,	Malie,	Sassaman,
Barner,	Gans,	Mannion,	Schaeffer, A. C
Bass,	Geary,	Martin,	Schuck,
Becker,	Geiser,	Matt,	Semmens,
Bergey,	Gibson,	McAleer,	Shaffer, C. A.,
Berntheizel,	Glenn,	McAllister,	Shaffer, I. E.,
Bigger,	Good,	McClintock,	Shern,
Bittles,	Goss,	McDermott,	Sherwood,
Blair, W. A.,	Grabe,	McKay,	Smith, J. W.,
Blair, W. F.,	Gramley,	McNichol,	Snyder,
Bleloch,	Gransback,	Metzenbacher,	Stone,
Brosius,	Gray, Frank,	Miller,	Swartz,
Brown,	Gray, Joseph,	Missimer,	Swift,
Brownlee,	Hackett,	Mitchell,	Thomas,
Burnett,	Haggerty,	Moore,	Trach,
Caldwell,	Herman,	Moses,	Walnut,
Campbell, C.M.,	Hess,	Moulthrop,	Wettach,
Campbell, J.J.	Heyburn,	Musser,	Whitaker,
Carter,	Hibshman,	Neely,	Whitman,
Cleary,	Hobbs,	Newton,	Wildman,
Cochran,	Howard, R.,	O'Neill,	Williams,
Conniff,	Isler,	Peachey,	Wilson, J. H.,
Conrade,	Irwin, H. H.,	Pennock,	Wilson, W. H.,
Curry,	Jones, J. R.,	Piper,	Wiltbank,
Davis,	Kaiser,	Post,	Young, G. K.,
DeFrees,	Keegan,	Price,	Young, J. H.,
Dickinson,	Keeport,	Ramsey,	Zimmerman,
Down,	Kennedy,	Redfield,	Alter,
Dunn, H. B.,	Kern,		Speaker.
Dunn, J. A.,			

NAYS—5.

Body,	Carson,	Jackson,	Jones, E. E.,
	Ulman,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. HESS. Mr. Speaker, I desire to call up House Bill No. 45, file folio 6539, on page 24 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 45, entitled:

An Act fixing the penalty for murder of the first degree regulating the procedure incident thereto prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary in Centre county making an appropriation therefor repealing certain acts and parts of acts and exempting from the operations of the act persons now under sentence of death

On the question,

Will the House agree to the bill on third reading?

Mr. HESS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 4, line 8 by inserting after the word "duty" the words "of such office to"

Amend Section 4, line 8, by striking out the first word "to"

Amend Section 4, line 13, by inserting after the second word "the" and before the word "family" the word "immediate"

Amend Section 10, line 1, by inserting after the word "of" the words "commencing and if possible completing the erection of"

Amend Section 10, line 1 by striking out the word "erecting"

Amend Section 11, line 13, by inserting after the word "thereunder" the following: "and all persons sentenced to death the date of whose execution as fixed by the Governor of this Commonwealth shall be prior to the completion of the building and the installation of the appliances provided for in this act"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. CLAYCOMB. Mr. Speaker, I desire to call up House Bill No. 1510, file folio 4449, on page 32 of to-day's calendar, bills on final passage postponed for the present.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1510, entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—168.

Adams,	Down,	Kuhn, H. P.,	Richards,
Allen,	Dunn, H. B.,	Latshaw,	Robinson,
Alworth,	Dunn, J. A.,	Leslie,	Runk,
Ambler,	Ehrhardt,	Letzkus,	Sassaman,
Aron,	Eichenberger,	Light,	Savacool,
Arthur,	Ely,	Lohr,	Schaeffer, A. C
Baldwin, G. A.,	Ewing,	Lowers,	Schuck,
Baldwin, R. J.,	Fahey,	Malie,	Semmens,
Barner,	Flynn,	Mannion,	Shaffer, I. E.,
Bass,	Foster, J. D.,	Martin,	Shern,
Becker,	Gans,	Mather,	Sherwood,
Benson,	Geiser,	McAleer,	Showalter,
Bergey,	Gibson,	McAllister,	Smith, J. W.,
Berntheizel,	Glenn,	McClintock,	Smith, L.,
Bigger,	Good,	McDermott,	Snyder,
Bittles,	Goss,	McKay,	Speiser,
Blair, W. A.,	Gramley,	McNichol,	Spillinger,
Blair, W. F.,	Gransback,	Mellott,	Steedle,
Bleloch,	Gray, Frank,	Metzenbacher,	Steele,
Body,	Haggerty,	Miller,	Stein,
Brosius,	Heidinger,	Missimer,	Stone,
Brown,	Hemminger,	Mitchell,	Strauss,
Brownlee,	Herman,	Moore,	Swartz,
Burnett,	Hess,	Moses,	Swift,
Caldwell,	Heyburn,	Moulthrop,	Thomas,
Campbell, C.M.,	Hibshman,	Murphy,	Trach,
Campbell, J.J.	Hobbs,	Musser,	Ulerich.
Carson,	Howard, J.,	Neely,	Ulman,
Carter,	Humes,	Newbaker,	Walsh,
Cheeseman,	Isler,	Newton,	Watson,
Claycomb,	Irwin, G. C.,	O'Neill,	Wettach,
Cleary,	Jackson,	Peachey,	Whitaker,
Cochran,	Jones, E. E.,	Pennock,	Whitman,
Conniff,	Jones, J. R.,	Peters,	Wildman,
Conrade,	Kaiser,	Piper,	Williams,
Cox,	Kaufman,	Post,	Wilson, J. H.,
Currier,	Keegan,	Price,	Wiltbank,
Curry,	Keeport,	Ramsey,	Young, G. K.,
Davis,	Kennedy,	Redfield,	Young, J. H.,
DeFrees,	Kern,	Reese,	Zimmerman,
Dickinson,	Kitts,	Rex,	Alter,
Donahoe,	Klepper,	Rhoads,	Speaker.
Donnally,			

NAYS—3.

Benninger,	Hackett,	Roney,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Mr. ISLER. Mr. Speaker, I desire to call up House Bill No. 1118, file folio 6299, on page 32 of to-day's calendar, bills on final passage postponed for the present.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1118, as follows:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works or systems of water works or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or systems of water works

Whereas It has been determined that under the present legislation municipalities having the power to provide a supply of water for municipal and domestic purposes have exhausted the same by reason of franchises granted to private water companies and

Whereas It is desirable that all municipalities shall have the power to supply water for municipal and domestic purposes through municipal systems and

Whereas It is desirable that such right should not be given to municipalties in competition with private water companies which have constructed water works within the limits of such municipalities without providing for the acquisition of the water works of such private companies upon a basis which is fair and equitable both to the municipalities and to the private companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That municipalities of this Commonwealth shall have the power and authority subject to the provisions of existing laws to provide a supply of water both for municipal and domestic purposes by the construction and operation of water works or systems of water works Provided however that where a private water company is now or hereafter supplying any municipality or any part thereof for municipal and domestic purposes that the municipality shall not erect or construct its own water works if the private company shall upon the request of the municipality signify its consent in writing to sell its water works or system of water works to the municipality or so much thereof as may come within the limits of the municipality upon the following basis to wit

The then value of the physical property with fifteen per centum additional thereto and no allowance shall be made for franchise values or for any rights in the streets of the municipality or for earning power either present or future Provided That if a contract between a municipality and a private water company for the purchase of the said water works or portion thereof then upon the terms and conditions provided in said contract

Section 2 If the said water company shall within thirty (30) days after the request of the municipality signify its consent in writing to sell its water works or systems of water works or the portion thereof lying within the municipality upon the basis herein provided then the municipality shall be bound to purchase the same

If the said private water company shall refuse or not so signify its consent in writing within thirty days to sell its water works within said territory upon the basis herein provided then the said municipality shall have the right to lay its water mains and construct its water works or systems of water works in the territory supplied by said company within the limits of such municipality

Section 3 If the said water company shall signify its consent in writing to sell its water works or systems of water works upon the basis herein provided then the Court of Common Pleas of the county within which said municipality is located shall upon the petition of said municipality or the said water company appoint three disinterested persons as viewers or arbitrators who shall appraise the value of the said water works or systems of water works and said viewers or arbitrators and the parties to the said proceedings shall proceed in the same manner and with all the rights and powers given to the viewers and to the parties with reference to the appraisement and acquisition of said property as provided by an act approved March twenty-fourth one thousand nine hundred and nine (Pamphlet Laws sixty-seven) entitled "An Act authorizing municipalities to purchase or condemn public toll-bridges crossing rivers or streams within the limits thereof and giving power to municipalities to charge and collect tolls or rentals for the use of any such bridge from any railway telephone or telegraph companies and other persons making a use thereof for other than ordinary public foot and vehicle travel and providing for the preservation of existing contracts with such persons and their assignment to such municipality"

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass?

Mr. ISLER. Mr. Speaker, just a word with regard to this bill. In the City of Pittsburgh in some of the newly annexed territory we have water lines belonging to independent water companies. We want to try to get this bill through so that the City can acquire these water lines and turn their own filtered water into them and give the

citizens on the hill tops and parts of the East End, City filtered water at the same rate as the rest of the City now enjoys. These water companies are charging 33 cents per thousand gallons and the city charges 17 cents. By this bill passing we can give these people the same water that the rest of the City now enjoys.

On the question recurring,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Donnally,	Latshaw,	Rhoads,
Allen,	Down,	Lenker,	Richards,
Alworth,	Dunn, H. B.,	Leslie,	Robinson,
Ambler,	Ehrhardt,	Letzkus,	Roney,
Aron,	Eichenberger,	Light,	Rothenberger,
Arthur,	Ely,	Lohr,	Runk,
Baldwin, G. A.,	Ewing,	Lowers,	Sassaman,
Baldwin, R. J.,	Fahey,	Malie,	Schaeffer, A. C.
Barner,	Foster, J. D.,	Mannion,	Schuck,
Bass,	Gans,	Martin,	Semmens,
Bayle,	Geary,	Mather,	Shaffer, C. A.,
Becker,	Geiser,	Matt,	Shaffer, I. E.,
Benninger,	Gibson,	McAleer,	Shern,
Benson,	Glenn,	McAllister,	Sherwood,
Bergey,	Good,	McArdle,	Showalter,
Berntheizel,	Goss,	McCaig,	Smith, J. W.,
Bigger,	Grabe,	McClintock,	Smith, L.,
Bittles,	Gramley,	McDermott,	Snyder,
Blair, W. A.,	Gransback,	McKay,	Spangler,
Blair, W. F.,	Gray, Frank,	McNichol,	Speiser,
Bleloch,	Gray, Joseph,	Mellott,	Spillinger,
Body,	Hackett,	Metzenbacher,	Steedle,
Brosius,	Haggerty,	Miller,	Stein,
Brown,	Herman,	Missimer,	Stone,
Brownlee,	Hess,	Mitchell,	Strauss,
Burnett,	Heyburn,	Morrow,	Swartz,
Caldwell,	Hibshman,	Moses,	Swift,
Campbell, C.M.,	Hobbs,	Moulthrop,	Thomas,
Campbell, J. J.,	Howard, J.,	Murphy,	Trach,
Carson,	Howard, R.,	Musser,	Ulerich,
Carter,	Humes,	Neely,	Ulman,
Cheeseman,	Isler,	Newbaker,	Walsh,
Claycomb,	Irwin, G. C.,	Newton,	Watson,
Cleary,	Irwin, H. H.,	O'Neill,	Wettach,
Cochran,	Jackson,	Peachey,	Whitaker,
Conniff,	Jones, E. E.,	Pennock,	Whitman,
Conrade,	Kaiser,	Perry, H. L.,	Wildman,
Cox,	Kaufman,	Perry, S. J.,	Williams,
Currier,	Keeport,	Peters,	Wilson, W. H.,
Curry,	Kennedy,	Piper,	Wiltbank,
Davis,	Kern,	Price,	Young, G. K.,
DeFrees,	Kitts,	Ramsey,	Young, J. H.,
Dickinson,	Kuhns, E.G.M.,	Redfield,	Zimmerman,
Donahoe,	Lanius,	Reese,	Alter,
			Speaker.

NAYS—1.

Rex,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. that the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consid eration of House Bill No. 1147, entitled:

An Act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants

On the question,
Will the House agree to the bill on third reading?

Mr. MATT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend section 1, line 5, by striking out "fifty thousand" and insert in lieu thereof "One hundred and fifty thousand"

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,
The House resumed the consideration on third reading of H. R. bill No. 1282, entitled:

An Act exempting from levy and sale upon execution issued upon any judgment household goods and furniture in use as such to the value of three hundred dollars and providing a method for the apraisal of such household goods and furniture

And said bill having been read at length the third time, considered and agreed to.

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Adams,	Donahoe,	Jones, E. E.,	Ramsey,
Allen,	Donnally,	Kaufman,	Redfield,
Ambler,	Down,	Keegan,	Reese,
Aron,	Dunn, H. B.,	Keeport,	Reeser,
Arthur,	Dunn, J. A.,	Kennedy,	Rex,
Baldwin, G. A.,	Ehrhardt,	Kitts,	Rhoads,
Baldwin, R. J.,	Eichenberger,	Kuhns, E.G.M.,	Richards,
Barner,	Ely,	Latshaw,	Robinson,
Bass,	Ewing,	Lenker,	Rothenberger,
Bayle,	Flynn,	Leslie,	Runk,
Becker,	Foster, J. D.,	Letzkus,	Schaeffer, A. C.
Benninger,	Frey,	Lohr,	Schuck,
Bergey,	Gans,	Lowers,	Semmens,
Berntheizel,	Geary,	Mannion,	Shern,
Bigger,	Geiser,	Matt,	Sherwood,
Bittles,	Gibson,	McAllister,	Showalter,
Blair, W. A.,	Glenn,	McArdle,	Smith, J. W.,
Blair, W. F.,	Good,	McCaig,	Smith, L.,
Bleloch,	Goss,	McClintock,	Snyder,
Body,	Gramley,	McDermott,	Spillinger,
Brosius,	Gransback,	McKay,	Steedle,
Brown,	Gray, Frank,	McNichol,	Stein,
Brownlee,	Gray, Joseph,	Mellott,	Stone,
Burnett,	Hackett,	Metzenbacher,	Strauss,
Caldwell,	Haggerty,	Miller,	Swartz,
Campbell, C.M.,	Heidinger,	Missimer,	Thomas,
Campbell, J.J.	Herman,	Moore,	Ulman,
Carter,	Hess,	Morrow,	Walsh,
Cheeseman,	Heyburn,	Moses,	Watson
Claycomb,	Hibshman,	Moulthrop,	Wettach,
Cleary,	Hobbs,	Musser,	Whitaker,
Cochran,	Howard, J.,	Neely,	Wildman,
Conniff,	Howard, R.,	Newbaker,	Wiltbank,
Conrade,	Humes,	O'Neill,	Young, G. K.,
Cox,	Isler,	Pennock,	Young, J. H.,
Currier,	Irwin, G. C.,	Piper,	Zimmerman,
Curry,	Irwin, H. H.,	Post,	Alter,
Davis,	Jackson,	Price,	Speaker.
DeFrees,			
Dickinson,			

NAYS—9.

Alworth,	Light,	Mitchell,	Roney,
Jones, J. R.,	Mather,	Peachey,	Swift,
	Trach,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House resumed the consideration on third reading of H. R. bill No. 1195, entitled:

An Act to further regulate and restrain the sale of vinous spirituous malt or brewed liquors or any admixture thereof by forbidding such sale on certain holidays and providing penalty for violation of this act

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass?

Mr. SWIFT. Mr. Speaker, I do not know if it is necessary for me to extend remarks upon this bill, other than to say that it is prepared in response to a call, not simply from the temperance side, but also from judges and also from those who are interested in the traffic. I may call to notice a declaration made by a judge recently in considering questions that were brought before him and he says this: "We are advised that some licensees have not shown proper respect for the request of the Court that they close Memorial, Thanksgiving and Christmas Days."

I also read from a letter from Mr. George Bullitt, former Editor of the Beaver Trade News, the following:

"I would prohibit the sale of intoxicating liquors on Decoration Day, Thanksgiving and Christmas Days. They are in the best sense holy days and it is most unfit that they be made the scene of drunken ribaldry and debauchery. The present tendency is to make them the worst instead of the best days of the year."

I may simply add this. It seems that upon these three days, which as has been stated in the letter, we may recognize them as holy days, for with them there is connected something of a religious service. Thanksgiving Day under the direct proclamation of our President and the Governor's of the different States of the United States is one when we offer gratitude and thanksgiving. It seems that upon this day it is highly fitting that our saloons should be closed On Memorial Day the day when we are to remember men for their services and sacrifices, when we are to remember the deeds of noble men so nobly done, when we are called to consider their acts, their lives, and their deaths to bring us peace and happiness and quiet, it is becoming in us a nation and a people to give our entire attention calling and recalling of the past and to consider carefully and shall I say religiously the work and service of men who have passed into the beyond. On Christmas Day, when happiness, when peace, when joy and when gladness should be in every home, every father, every mother, every brother, and every sister with grateful hearts in memory of the great gift which God gave to man revealing his fatherhood, humanity's brotherhood, it seems to me that it is highly becoming in us as a people to follow gratefully and considerately the direction of not simply the church, but also of our judges, also of the thought and feeling of our wisest and best men. And I call upon this House to-night to record its vote in favor of closing the saloons upon these days which are given to us as days in which we are to remember God, our country, and our people.

Mr. STEIN. Mr. Speaker, I regret that I am compelled to occupy your attention and shall do so but for a few moments, but I wish to reply to my very good friend from Beaver, and assure him that the proposition he seeks in the enactment of this bill will certainly not follow from any proposition such as it contains. There are other gentlemen in the House who are equally devoted and equally religious in the observation of the three days in question, but I point to you, gentlemen, that the closing of every licensed hotel or saloon in the State of Pennsylvania will not produce the results contended for by my friend from Beaver. Does not the gentleman know that on those days every theatre, every concert hall, and every place of amusement is doing full time, and in many instances over time, and so long as these places are open, why should not every other place be open to men who are forced to be in the business center of the city. Of course, I can readily see in rural districts and small country districts many good and right-minded people would desire that the licensed places close, but what about the city of Philadelphia, which has in it on holidays and almost every day fifty thousand transient population? What about the City of Pittsburgh that has anywhere from five thousand to ten thousand of a transient population. Shall these men be deprived of the rights given them? Every hotel in the State is licensed because of a public need. If there was no need for the hotel or saloon the court would not have granted the license, and if there is a need for them every other day in the week, who shall say that the same need does not exist on the Holidays? Besides if we close up these places on the holidays, it will tend to produce drunkenness and disorder because men accustomed to getting their drinks every day may feel that because they cannot get them on the holidays that they have to stock up on the day before, and, therefore, it will not produce that condition that ought to be produced on the holidays. There is another argument and a very serious argument against this bill. Do you realize that it costs any saloon or hotel in a city such as Pittsburgh, or Harrisburg or Philadelphia a daily expense of not less than fifty dollars. When you consider the license and high rent and the payment of help, have we the right to penalize these people to the extent of three days business without reimburseing them? Should we compel these hotel people to pay their good money and lose three days business? You can readily see, and it is a good argument against it, that the bill while intended in the best of good faith and from sincere and honest motives will not produce the condition for which it contends. I ask you, therefore, gentlemen to vote against this bill.

Mr. KITTS. Mr. Speaker, I feel that the gentlemen of the House in coming here this evening have their minds made up on how to vote on this bill. There have been two things which have called forth heavy artillery in the art of oratory. One is pertaining to the liquor question, and the other to the bills which create extra jobs in the Commonwealth. I, therefore, move the previous question.

The SPEAKER. It is possible that no other gentleman desires to speak on the subject and time will be saved by putting the question directly.

Mr. KITTS. Mr. Speaker, I withdraw my motion.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. MARTIN. Mr. Speaker, I ask that this vote be verified.

This was done as follows:

YEAS—67.

Baldwin, G. A.,	Donnally,	Martin,	Robinson,
Baldwin, R. J.,	Down,	Mather,	Rockwell,
Barner,	Dunn, H. B.,	Matt,	Runk,
Benson,	Gibson,	McKay,	Shaffer, C. A.,
Bergey,	Glenn,	Mellott,	Showalter,
Bittles,	Grabe,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Gramley,	Mitchell,	Snyder,
Brosius,	Gray, Frank,	Moses,	Stone,
Brownlee,	Hemminger,	Moulthrop,	Swartz,
Burnett,	Hobbs	Musser,	Swift,
Campbell, C.M.,	Howard, J.,	Newton,	Ulerich,
Carson,	Howard, R.,	Peachey,	Watson,
Cheeseman,	Jackson,	Pennock,	Whitaker,
Claycomb,	Jones, J. R.,	Post,	Whitman,
Curry,	Latshaw,	Redfield,	Williams,
Davis,	Light,	Reeser,	Wilson, J. H.,
DeFrees,	Lohr,	Rhoads,	Alter,
			Speaker.

NAYS—86.

Adams,	Eichenberger,	Kitts,	Rex,
Allen,	Ely,	Klepper,	Richards,
Ambler,	Ewing,	Kuhns, E.G.M.,	Roney,
Aron,	Flynn,	Letzkus,	Rothenberger,
Arthur,	Forster, I. G.,	Malle,	Sassaman,
Bass,	Foster, J. D.,	Mannion,	Schaeffer, A. C.
Bayle,	Gans,	McAllister,	Schuck,
Becker,	Geary,	McArdle,	Shern,
Benninger,	Geiser,	McClintock,	Sherwood,
Bigger,	Good,	McDermott,	Smith, J. W.,
Body,	Goss,	McNichol	Spillinger,
Brown,	Gransback,	Missimer,	Steedle,
Caldwell,	Gray, Joseph,	Moore,	Stein,
Campbell, J.J.	Hackett,	Murphy,	Thomas,
Carter,	Haggerty,	Neely,	Trach,
Cleary,	Hibshman,	Newbaker,	Wettach,
Cochran	Isler,	O'Neill,	Wildman,
Conniff,	Irwin, H. H.,	Piper,	Wilson, W. H.,
Conrade,	Kaiser,	Price,	Wiltbank,
Donahoe,	Keegan,	Ramsey,	Young, G. K.,
Dunn, J. A.,	Keeport,	Reese,	Young, J. H.,
Ehrhardt,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 573, entitled:

An Act regulating the sale of anthracite coal fixing standards of size and quality thereof and requiring inspectors of weights and measures in certain cases to make a test thereof and providing penalties for violation of this act

On the question,

Will the House agree to the bill on third reading?

Mr. J. H. YOUNG. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendments as follows.

Amend page 2, line 17, strike out "two" (2) and insert "one" (1)

Amend Page 2, line 26, strike out "two" (2) and insert "one and one half" (1 1-2)

Amend line 27, strike out "two" (2) and insert "one and one half" (1 1-2)

Page 2, line 35, strike out "four" (4) and insert "two" (2).

Line 36 strike out "three" (3) and insert "two" (2).

Page 3 line 45, strike out the first "five" (5) and insert "three" (3).
Line 45 strike out the second "five" (5) and insert "three" (3).
Page 3, line 53, strike out first "nine" (9) and insert "four" (4).
Line 53, strike out the second "nine" and insert "four."
Section 2, page 3, line 1, insert after the word "the" the word "mining."
Page 3, lines 2 and 3, strike out the words "containing more than 18 per centum of coal of a smaller size," and insert in lieu thereof, as follows: "of broken, egg or stove size containing more than five per centum of coal of a larger or smaller size; or chestnut coal containing more than five per centum of a larger size, or more than five per centum of a smaller size or pea coal containing more than five per centum of a smaller size."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendments?

Mr. REESE. Mr. Speaker, I object to those amendments for the following reasons:

The SPEAKER. The gentleman's objection is sufficient without any reason.

Mr. J. H. YOUNG. Mr. Speaker, I move that the House go into Committee of the whole for the purpose of special amendment.

Mr. SHERN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. REESE. Mr. Speaker, this bill has been drawn with a great deal of care. It has been attacked through the newspapers by the coal dealers or Coal Exchange of Reading and Philadelphia and the gentleman from Philadelphia who has just taken his seat is a member of the same. This bill we consider in the anthracite region as one being as important to the consumer of coal as flour and clothing. The sizes named as to the mesh and is the standard size of all the companies used in the preparation of coal. We are taking their sizes and the breaking of the coal as to the precentage of slate and also as to the precentage of smaller size is identical with the inspection made at the collieries upon every car loaded and shipped to the market. In addition to that the size is the same as is contained in the contract signed by the coal dealers and the object of offering this amendment is to try to compel the people who prepare the coal to do something which is utterly impossible and which will make this bill practically null and void. In taking up the sizes, as I said before, the precentage of bone and slate—we know that those grades have been used for the last fifteen years and if followed out or carried out the consumer of coal will get at least from fifteen to twenty per cent better coal than he is getting to-day. I went to the Philadelphia Coal Exchange and spent home hours with them on one day and went through these sizes and I had their contract and adopted their contract and at that meeting they requested me to reduce the size or the precentage of slate or bone, and under their contract which the people had prepared I told them then as I tell you now that you would make it impracticable.

If you will notice and follow that bill, the percentage of broken coal, as I said, in the contract with the operator made by the coal dealer in the preparation at the colliery of broken coal is one per cent. slate and two per cent. bone. In this connection I would like to read a letter from the Downing Brothers, the largest coal dealers, I suppose, in Philadelphia, or one of the largest dealers, under date of March 8, 1913, in which he says, "Honorable Frank C. Reese, Harrisburg, Pennsylvania. Dear Sir: In reply to your recent request, we have made a test of one hundred pounds each of broken, egg, stove, nut and pea coal, all of which coals have been received from the mines within the last thirty days, and we find the proportion of slate and bone in each size of coal such a quantity that it is a crime against the public for any coal dealer or producing company or individual operator to dare ship such coal from the mines." Now, if you will follow that bill, the inspection of broken coal is 5 per cent. slate and 2 per cent. bone. Their inspection calls for 11 per cent. slate and 13 per cent. bone, or, in other words, the consumer is filched out of 10 per cent. of good bill and 10 per cent. of slate. This bill calls for 2 per cent. of slate and 2 per cent. of bone on egg coal, and their inspection shows 12 per cent. slate and 11 per cent. bone, an increase in one place of 10 per cent. and on the bone of 13 per cent. On stove coal, we pass at 4 per cent. slate and 3 per cent. bone; their inspection shows 10 per cent. slate and 5 per cent. bone. On nut coal our figures are 5 per cent. slate and 5 per cent. bone. Their inspection shows 10 per cent. slate and 11 per cent. bone, or 5 per cent. more in slate and 5 per cent. more in bone. On pea coal our inspection shows 8 per cent. slate and 8 per cent. bone, while they carry with it 9 per cent. slate and 9 per cent. bone. You will see, in this connection, that the pea coal in that case must have run very good, because our inspection, after making not one, but thirty, in the anthracite region, from cars that had left the collieries, showed nearer 20 per cent. of slate than it does 9 per cent. That is of slate; on pea coal there is no inspection as to bone, because pea coal, buckwheat and rice are made largely from bony coal, that is bony coal that is thrown out in the larger sizes is crushed and run into pea, buckwheat and rice. Further than that, pea coal, buckwheat and rice are what we call steam coal, not domestic coal. The Government test of those smaller sizes is 19 per cent. ash. They give a premium on what is lower than 19 per cent., but will not accept anything above 19 per cent. I ask you gentlemen to vote down those amendments, as it means that, with that in the bill, it would reduce, as I said before, grades that it makes impracticable at the collieries, and it will be putting it lower than what the coal dealers have been buying under their contracts for the last fifteen years.

Mr. GEORGE K. YOUNG. Mr. Speaker, I would like to interrogate the gentleman from Schuylkill, Mr. Reese.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. REESE. Yes, sir.

Mr. GEORGE K. YOUNG. Mr. Speaker, he also has some other inspections. Will he please read those other inspections?

Mr. REESE. I would say to Mr. Young that I do not have those inspections here. I got the list of collieries from Mr. Schell, and I immediately took them home and wrote to the collieries that he named as soon as I received the communication, and have not been home since to receive the replies, and that data is there. But I would state in this connection that the statements we have received from several collieries are lower than the inspection as given by the Downing Brothers, and in one instance, I think, it is still lower; I think in three instances it is lower than the contract. But I think on the whole, it averages a little above what we are asking in this bill. That is my recollection of it.

Mr. GEORGE K. YOUNG. Mr. Speaker, I think it is my duty to make an explanation of this bill, as I have been a coal dealer in Philadelphia for 15 years. As for those inspections of Mr. Downing that Mr. Reese just read off, they are on a grade of coal that he got through the winter when coal was very scarce. It will go to show that the operators will impose upon the public when they have an opportunity to do so. I also wish to say to you that the Messrs. Downing—if you read the papers—about eight or ten days ago received $350,000 of rebate on freight from the Pennsylvania Railroad Company. When we asked them to send us another inspection, they refused to do it. Now, as for those inspections that Mr. Reese has spoken about, you cannot go by them. I don't know that I ever got such a car of coal in fifteen years that ran that high in percentage of slate. Now I have thirteen inspections here, which would take an awful long time to read. Now as to the impurities that Mr. Reese has put on the public who buy this coal, I will say nothing about the slate in the larger sizes, but the fine coal, as he calls it, he wants every person who buys a ton of coal to take 18 per cent. of small stuff or small coal. I do not see that he specifies what size this small coal is to be. If it happens to be birds-eye coal, we have got to take it, and 18 per cent. means 448 pounds of fine coal you have got to take, gentlemen, if this bill becomes a law, in your ton of coal, and I think it is an imposition to ask the public to pay for 448 pounds of fine coal, which might be birds-eye or dirt, if the operators see fit to ship it to us. It is impossible for the retail dealer to screen out this amount of fine stuff and give you good coal. Everybody is hollering for clean, good coal. Now, also in pea coal, he asks to give you 9 per cent. of slate and 9 per cent. of bony coal. That is another 448 pounds. Pea coal is a coal that most poor men buy; poor people, who cannot buy larger coal, and the percentage in this fine coal of slate and bone would amount to nearly 900 pounds of impurities and dirt that you get in your ton

of pea coal if this bill becomes a law. So, gentlemen, you can judge for yourselves what to do with this bill.

Mr. REESE. All I ask you gentlemen who are using anthracite coal, if you are not acquainted yourselves, just ask your wives what grade they are getting and what troubles they are having. In the first place it is not true that we are legalizing or allowing 18 per cent. of undersized coal, any more than we are allowing 18 per cent. of oversized coal. If you will read the first part of that bill, the size of that coal is based upon the mesh through which that coal goes; that is, in the preparation of coal, if it means round mesh it is of a certain size, if it means square mesh, it is of a certain size. The 18 per cent. is an allowance for this: That is, that mesh wears, and coal will be larger, and especially in the pea coal, that coal becomes larger. Coal dealers come around and have the coal screened into their wagons, and load one-half a ton as pea and the balance chestnut, and sell it to the public as chestnut coal. That is why we fixed the basis of 18 per cent., which we consider in the anthracite regions is 2 per cent. oversize, as the proper basis, but at the request of the same gentleman, I reduced that 2 per cent. in order to satisfy him, which I think is 2 per cent. less than the average run. He stated that at certain times of the year, and especially in winter, we get bad coal. That is certainly true, and it is so bad at times that it is almost impossible to use it. There is no legalizing any dirt in coal. He knows that dirt does not go with coal, and when a ton of coal is shipped it is to be free of dirt. He knows what his contract is. In addition to that, I want to state that after the coal leaves the screens or the jigs and is run down the chutes into what we call hoppers, and from there on the cars, and during transmission there is a certain amount of breakage, and that, in connection with the wear of the screen, is where we get the 18 per cent. of undersized and oversized coal.

Mr. GEORGE K. YOUNG. Mr. Speaker, I omitted saying, as the sponsor of this bill says we have a contract, we have no contract by which we buy coal. There is no law on our statutes regulating the size and preparation of anthracite coal. We have a rule by which we buy coal. If coal runs over a certain percentage of slate or refuse or small stuff, we can refuse it, but if this bill becomes a law, any grade of coal can, as I said, run up to this percentage that he has in this bill. We are bound to take it and we must deliver it to the public. I am not speaking for myself, but am speaking for all coal dealers, not alone in Pennsylvania, but the whole United States where this coal goes. I have a lot of inspections here, and I don't know that it is necessary to take up the time to read them, but I ask you gentlemen to vote this bill down.

On the question recurring,

Will the House go into the committee of the whole for the purpose of considering the amendments?

It was not agreed to.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. REESE. Mr. Speaker, I just want to answer a statement made by the gentleman from Philadelphia a few moments ago, just in this connection: Under this bill, if you read it carefully, it says "the preparation or sale of." That puts it into the position that if the consumer is not getting according to the grade he goes to the coal dealer. In the same bill if the coal dealer is not getting from the operator what he is paying for, he has his redress there.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—69.

Alworth,	Ewing,	Light,	Shaffer, I. E.,
Aron,	Glenn,	Lohr,	Showalter,
Baldwin, R. J.,	Gramley,	Mather,	Smith, J. W.,
Bayle,	Haggerty,	McAllister,	Snyder,
Bigger,	Hemminger,	Miller,	Steedle,
Blair, W. F.,	Herman,	Missimer,	Stein,
Brosius,	Howard, J.,	Morrow,	Stone,
Campbell, C.M.,	Isler,	Neely,	Swartz,
Carson,	Jackson,	O'Neill,	Thomas,
Claycomb,	Jones, E. E.,	Peachey,	Watson,
Conniff,	Jones, J. R.,	Pennock,	Wettach,
Currier,	Kaiser,	Reese,	Whitman,
DeFrees,	Kaufman,	Richards,	Williams,
Donahoe,	Keeport,	Robinson,	Wiltbank,
Down,	Kern,	Runk,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Schaeffer, A. C.,	Alter,
Ehrhardt,	Letzkus,	Semmens,	Speaker.
Eichenberger,			

NAYS—51.

Adams,	Good,	Moore,	Shaffer, C. A.,
Benninger,	Gray, Frank,	Musser,	Shern,
Benson,	Heidinger,	Newbaker,	Smith, L.,
Bleloch,	Heyburn,	Piper,	Swift,
Body,	Hibshman,	Price,	Trach,
Burnett,	Howard, R.,	Ramsey,	Ulman,
Caldwell,	Keegan,	Reeser,	Walnut,
Cleary,	Kuhns, E.G.M.,	Rhoads,	Whitaker,
Cochran,	McClintock,	Roney,	Wilson, J. H.,
Donnally,	McNichol,	Rothenberger,	Wilson, W. H.,
Flynn,	Mellott,	Sassaman,	Young, G. K.,
Foster, J. D.,	Metzenbacher,	Savacool,	Zimmerman,
Geiser,	Mitchell,	Schuck,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 351, entitled:

An Act to amend an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five so as to make it a misdemeanor to sell anthracite coal by short weight

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE K. YOUNG. Mr. Speaker, I make a motion that this bill be referred back to the Committee on Mines and Mining. This bill had been in the Committee on Mines and Mining and had been referred to a sub-committee, and I, being on the sub-committee, how it came on this calendar, I do not know, and I therefore ask the members to have this bill referred back to the Committee on Mines and Mining.

Mr. SPILLINGER. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. REESE. Mr. Speaker, the gentleman's statement is not correct, positively. That bill was referred to a Committee of five, he, myself, Mr. Murphy, Mr. Lenker and Mr. McKay. He was given notice of a meeting and three members of that Committee, namely, myself, Mr. Lenker and Mr. Murphy attended and went over that matter. That was really the meeting on the first bill, the bill just defeated. He is mistaken on that. This bill was before the Committee and taken up when the other bills were considered, or the report of the sub-commiittee, with the Chairman present at a regular meeting. Mr. Young was not there.

I will state that this bill was sent to me from Philadelphia and the merits of the bill lie in this fact: In the first place, there is a law at the present time, in which any coal dealer who shall give or furnish to a customer, short weight, allowing 40 lbs. for variance of scales and 2240 lbs. to the ton, shall be fined fifty dollars. There have been so many complaints in Philadelphia of short weight, that they wanted the present act amended and the amendment to that act is for the first offence, fifty dollars fine, for the second offense, one hundred dollars fine, with an imprisonment of one year, at the discretion of the Court. I have no other interest in the bill except the protection of the people.

Mr. GEORGE K. YOUNG. Mr. Speaker, I would like to say to this gentleman that I know what I am speaking about. I was never notified of the meeting. I spoke to Mr. Murphy an he said he was not notified of the meeting. The same thing applies to Mr. Lenker. I want to say this and tell it to the House, because I do not want to be made out a liar on the floor of the House.

Mr. REESE. Mr. Speaker, I would like to ask the Chairman of the Mines and Mining Committee whether or not this bill was not taken up in its regular course and proper place, and whether or not I did not say to him that

I had no special interest in the bill, but that it was sent to me and was presented by me. I want to say this in addition. Two thousand two hundred and forty is the legalized ton of coal, and forty pounds is allowed for the variance in the scales. The only change in this bill is that there is an allowance of 30 pounds for that variance. This bill makes a penalty of one hundred dollars for the first offense, and imprisonment for the second offense.

Mr. DAVIS. Mr. Speaker, if the gentleman wants to ask me any questions, I will be pleased to answer them.

Mr. REESE. Were not these coal bills taken up at the same time and in their regular course?

Mr. DAVIS. I will state that there was one bill called the pure coal bill and a sub-committee was appointed to redraft the bill and make some amendments. The sponsor of the bill was one of the committee. He offered his amendments and they were adopted by the committee. On No. 351 there was no sub-committee, and the Chairman himself recommended some amendments which were adopted.

Mr. REESE. Mr. Speaker, I want to say this, that no honest coal dealer ought to object to this bill.

The question recurring,

Will the House agree to the motion to recommit?

It was not agreed to.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. GEORGE K. YOUNG. Mr. Speaker, I wish to say a few words on this bill. We have already in this State two laws that protect the public, making 2240 pounds a ton of anthracite coal, and all dealers must deliver that amount. If not, they are fined fifty dollars. We have in Philadelphia a Coal Exchange, and they have detectives on the streets,—and I am one of them,—and they have a man on the street continually, weighing loads every day in the city of Philadelphia to see whether the wagon holds a ton or two tons, and to see that the public is properly protected. I think they are better protected in the city of Philadelphia than in any other city in the State of Pennsylvania. This bill makes it a fine of one hundred dollars, fifty dollars for the first offense and imprisonment for the second offense. I do not think that the bill should have been made so drastic. By this bill you have put us at the mercy of the drivers. We have no choice in hiring drivers in Philadelphia. It is hard, dirty and laborious work. The kind of people that drive coal wagons you cannot have confidence in, because intelligent people would not drive a coal wagon if they were able to obtain other employment. They will take off a ton of coal and sell some of it, or take off a bushel or so for their own homes. If a driver does that and I jack him up for it, then the next morning when he goes out he will say, "Now I will get even with him." Then under this law if he does away with some of the coal they get you for the first offense, and if they catch you again they can fine you a larger fine and put you in jail. You are putting us at the mercy of the worst class of people in Philadelphia, and I think the bill ought to be defeated.

Mr. McCLINTOCK. Mr. Speaker, I think this is a very meritorious bill. It is a bill in the interest of the consumers. Coal dealers have been arrested from time to time in Philadelphia for giving short weight and have been fined fifty dollars. Under the present law, when they are only prohibited from selling coal for three months, they can well afford to do it, because they can make it up in the short weight, and the customer gets the short weight. I do not think the gentlemen of the House will make a mistake if they vote for this bill.

Mr. GEORGE K. YOUNG. Mr. Speaker, I have been in the retail business in Philadelphia for fifteen years, and I have had my coal weighed dozens of times, and I have never been fined for short weight. We have some dealers in that city who sell the coal cheaper, and of course if the gentleman should happen to go to one of those dealers he would be liable to get short weight to make up for the difference in price. If he would go to a good reputable dealer he would not be cheated, but would get a full ton of 2240 pounds.

Mr. REESE. Mr. Speaker, I think that is a good argument from a coal dealer. The consumer gets the short weight because the employee is not honest. If I had an employee I would take that much interest in the business to see that the customer was not cheated. I would like to call the gentleman's attention to the fact that the coal dealers of Philadelphia have had this matter up before the Interstate Commerce Commission for weeks. We know of cars that have been shipped that were of short weight, and the dealers made up the weight, and the customers get the short weight.

Mr. GEORGE K. YOUNG. Mr. Speaker, I desire to interrogate the gentleman from Schuylkill County.

The SPEAKER. Will the gentleman from Schuylkill County permit himself to be interrogated?

Mr. REESE. Mr. Speaker, I will.

Mr. GEORGE K. YOUNG. Mr. Speaker, I would like to ask the gentleman if he is not in the ice business.

Mr. REESE. Mr. Speaker, I am.

Mr. GEORGE K. YOUNG. Mr. Speaker, I would like to ask the gentleman if he can be responsible for his drivers giving short weight in ice.

Mr. REESE. Mr. Speaker, I have from 12 to 14 teams in the ice business, and know that the drivers will even take a spring out of the scales to cheat the people, and I think that it is my duty to see that the spring is there.

Mr. GEORGE K. YOUNG. Mr. Speaker, I would like to ask the gentleman if he did not admit to me in the committee that the customer many a time got short weight in the ice.

Mr. REESE. Mr. Speaker, I would answer that question by saying that ice is similar to coal.

Mr. GEORGE K. YOUNG. Mr. Speaker, if that is so, then why does not the gentleman include ice in this bill?

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Adams,	Ehrhardt,	Keeport,	Robinson,
Allen,	Eichenberger,	Kern,	Runk,
Alworth,	Ely,	Kitts,	Sassaman,
Aron,	Ewing,	Lenker,	Savacool,
Arthur,	Forster, I. G.,	Letzkus,	Schaeffer, A. C
Baldwin, G. A.,	Foster, J. D.,	Light,	Schuck,
Barner,	Gans,	Lohr,	Semmens,
Bayle,	Geary,	Martin,	Shaffer, C. A.,
Becker,	Geiser,	Mather,	Showalter,
Bergey,	Gibson,	Matt,	Smith, J. W.,
Bigger,	Glenn,	McAllister,	Smith, L.,
Blair, W. F.,	Goss,	McArdle,	Snyder,
Bleloch,	Grabe,	McClintock,	Steedle,
Body,	Gramley,	McKay,	Stone,
Brosius,	Gransback,	McNichol,	Swartz,
Brownlee,	Gray, Frank,	Miller,	Swift,
Burnett,	Haggerty,	Missimer,	Thomas,
Campbell, J.J.	Hemminger,	Mitchell,	Trach,
Carson,	Herman,	Moore,	Ulman,
Carter,	Hobbs,	Morrow,	Walnut,
Cleary,	Howard, R.,	Musser,	Watson,
Conniff,	Isler,	Neely,	Wettach,
Currier,	Irwin, H. H.,	Newbaker,	Whitman,
Davis,	Jackson,	Pennock,	Wildman,
DeFrees,	Jones, E. E.,	Post,	Williams,
Dickinson,	Jones, J. R.,	Reese,	Wilson, J. H.,
Donahoe,	Kaiser,	Reeser,	Wiltbank,
Down,	Kaufman,	Rex,	Young, J. H.,
Dunn, H. B.,	Keegan,	Rhoads,	Zimmerman,
Dunn, J. A.,			

NAYS—19.

Baldwin, R. J.,	Claycomb,	McAleer,	Rothenberger,
Benninger,	Good,	Moses,	Spillinger,
Benson,	Heyburn,	O'Neill,	Ulerich,
Blair, W. A.,	Hibshman,	Piper,	Alter,
Cheeseman,	Howard, R.,	Ramsey,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1616, entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Adams,	Eichenberger,	Lenker,	Roney,
Allen,	Ely,	Letzkus,	Rothenberger,
Ambler,	Ewing,	Light,	Runk,
Aron,	Forster, I. G.,	Lohr,	Sassaman,
Arthur,	Foster, J. D.,	Lowers,	Savacool,
Baldwin, G. A.,	Geary,	Malie,	Schaeffer, A. C
Baldwin, R. J.,	Geiser,	Mannion,	Shaffer, C. A.,
Barner,	Gibson,	Martin,	Shaffer, I. E.,
Bayle,	Glenn,	Mather,	Showalter,
Becker,	Good,	Matt,	Smith, J. W.,
Benson,	Goss,	McAleer,	Smith, L.,
Bergey,	Grabe,	McAllister,	Snyder,
Bigger,	Gramley,	McClintock,	Spillinger,
Bittles,	Gransback,	McDermott,	Steedle,
Blair, W. A.,	Gray, Frank,	McKay,	Steele,
Blair, W. F.,	Haggerty,	McNichol,	Stein,
Bleloch,	Hemminger,	Mellott,	Stone,
Body,	Herman,	Metzenbacher,	Strauss,
Brosius,	Hess,	Miller,	Swartz,
Brownlee,	Heyburn,	Mitchell,	Swift,
Burnett,	Hibshman,	Moore,	Thomas,
Caldwell,	Hobbs,	Morrow,	Trach,
Campbell, C.M.,	Howard, J.,	Moses,	Ulerich,
Campbell, J.J.	Howard, R.,	Murphy,	Ulman,
Carson,	Isler,	Neely,	Watson,
Carter,	Irwin, G. C.,	Newbaker,	Wettach,
Cheeseman,	Jackson,	Pennock,	Whitaker,
Claycomb,	Jones, E. E.,	Peters,	Whitman,
Cleary,	Jones, J. R.,	Piper,	Wildman,
Conrade,	Kaiser,	Post,	Williams,
Cox,	Kaufman,	Price,	Wilson, J. H.,
Currier,	Keeport,	Redfield,	Wilson, W. H.,
Curry,	Kennedy,	Reese,	Wiltbank,
Davis,	Kern,	Reeser,	Young, G. K.
Dickinson,	Kitts,	Rex,	Young, J. H.,
Donahoe,	Klepper,	Richards,	Zimmerman.
Donnally,	Latshaw,	Robinson,	Alter,
Dunn, H. B.,			Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. AMBLER. Mr. Speaker, I desire to call up House Bill No. 1424, file folio 4231, on page 21 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1424, entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent neglected or delinquent children" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the Board of Visitation to visit all institutions witihin the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the Boards of Visitation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, what is this bill; what is the purpose of it?

Mr. AMBLER. Mr. Speaker, the purpose of this bill is that it extends the act of February 26, 1903, to children's institutions. It extends it so that the board of visitation may visit all institutions that receive State or county aid. It simply extends that act and is a very meritorious measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Adams,	Eichenberger,	Kuhns, E.G.M.,	Sassaman,
Allen,	Ely,	Lenker,	Schaeffer, A. C.
Ambler,	Ewing,	Leslie,	Semmens,
Aron,	Forster, I. G.,	Lohr,	Shaffer, C. A.,
Arthur,	Foster, J. D.,	Lowers,	Shaffer, I. E.,
Baldwin, G. A.,	Gans,	Malie,	Showalter,
Baldwin, R. J.,	Geiser,	Martin,	Smith, J. W.,
Benninger,	Gibson,	Mather,	Smith, L.,
Benson,	Glenn,	McAleer,	Snyder,
Bergey,	Good,	McAllister,	Spillinger,
Bigger,	Goss,	McArdle,	Steele,
Blair, W. A.,	Gramley,	McClintock,	Stone,
Blair, W. F.,	Gransback,	McNichol,	Swartz,
Bleloch,	Gray, Frank,	Miller,	Swift,
Body,	Haggerty,	Missimer,	Thomas,
Brownlee,	Heidinger,	Mitchell,	Trach,
Burnett,	Herman,	Moore,	Ulerich,
Caldwell,	Heyburn,	Morrow,	Ulman,
Cheeseman,	Hibshman,	Moses,	Walton,
Cleary,	Hobbs,	Moulthrop,	Whitaker,
Conrade,	Howard, J.,	Peachey,	Wildman,
Cox,	Howard, R.,	Pennock,	Williams,
Currier,	Irwin, H. H.,	Piper,	Wilson, J. H.,
Davis,	Jackson,	Post,	Wilson, W. H.,
DeFrees,	Jones, E. E.,	Price,	Wiltbank,
Dickinson,	Jones, J. R.,	Redfield,	Young, G. K.,
Down,	Keegan,	Reese,	Young, J. H.,
Dunn, H. B.,	Keeport,	Reeser,	Zimmerman,
Dunn, J. A.,	Kitts,	Rex,	Alter,
Ehrhardt,		Rothenberger,	Speaker.

NAYS—18.

Barner,	Conniff,	McDermott,	Newbaker,
Becker,	Geary,	Mellott,	Savacool,
Bittles,	Gray, Joseph,	Musser,	Steedle,
Carter,	Hemminger,	Neely,	Wettach,
Claycomb,	Kern,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move you that this House do now adjourn.

The motion was agreed to and (at 10:55 P. M.) the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, APRIL 30, 1913. No. 58.

SENATE

WEDNESDAY, April 30, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

PRAYER.

Rev. John G. Wilson, D. D., offered the following prayer:

Our Father, with grateful hearts we come into Thy presence, thanking Thee for the innumerable evidences of Thy favor. The lines have fallen to us in pleasant places. In Thee we have a goodly heritage. We are the children of Thy care and of Thy love, and have Thy promise to be with us now and always. We ask that Thy blessing in rich measure be with the members of the Senate now in session and that Thy blessing may also be upon the great body of citizens here represented. In the administration of the trust committed to our care give us strength and wisdom, that the trust may be administered wisely and well. We are Thy servants. Help us as toilers in Thy vineyard to labor as workmen that needeth not to be ashamed. Help us to do with out might whatsoever our hands find to do, that when the evening of our day cometh and our faces are turned toward the Homeland it may be ours to hear the Master Workman say: "Well done, thou good and faithful servant." These favors we ask in the Redeemer's name. Amen.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. WASBERS presented petition of Jennie Wade Council No. 68, D. of L., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. NULTY presented petition of W. S. Newhall Council No. 26, D. of L., favoring the passage of bill to erect a monument to Molly Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING WALNUT "CHILD LABOR BILL."

Mr. KLINE presented petition of citizens of Allegheny County, favoring the passage of the Walnut "Child Labor Bill."

Which was referred to the Committee on Judiciary Special.

LEAVE OF ABSENCE.

Mr. BUCKMAN asked and obtained leave of absence for the Senator from Clearfield, Mr. Alexander, for today's session.

REPORTS FROM COMMITTEES.

Mr. McILHENNY, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1199 (House Bill No. 1562) entitled:

An Act to amend section nine of an act, entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June 7th, 1895, by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata share of the cost of said wall from adjoining owner, preserving however all the rights given by statute to owners of party walls erected under said act.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 648, entitled:

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes, or for the construction of wharves and docks, or the reclamation of lands to be used in the construction of a system of wharves and docks as public improvements to be owned by such city, which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of Aritcle IX, Section 8, of the Constitution as amended, and to confer jurisdiction upon any city of the Court of Common Pleas of the County in which such city is situated to determine the amount of any debt to be so excluded.

Also, from the Committee on Judiciary General, reported as amended, Senate Bill No. 774 (House Bill No. 566), entitled:

An Act giving all owners or tenants of lands property or material injured by the laying out, opening, widening, vacating, extending or grading of roads, streets, lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers, abutments, approaches, embankments, slopes, or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking, using, occupying or injuring lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith, granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings.

Also, from the Committee on Judiciary General, reported with favorable recommendation, all the nominations made by His Excellency, the Governor of the Commonwealth, at yesterday's session.

Mr. MILLS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 38, entitled:

An Act relating to the collection of city county, school and poor taxes in the several cities of the third class in this Commonwealth, providing that the city treasurer of each of said cities by virtue of his office, shall be and the collector of said several taxes, prescribing his duties and fixing his compensation.

Mr. POWELL, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1092 (House Bill No. 135), entitled:

An Act providing for the further government and regulation of cities of the second and third class by authorizing the initiative and referendum methods of legislation.

Mr. CATLIN, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1176 (House Bill No. 1541), entitled:

A supplement to an act, entitled "An Act for the government of cities of the second class" approved the 7th day of March, A. D. 1901, changing the fiscal year in cities of the second clas sand providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year.

Mr. JUDSON, from the Committee on Judiciary General, reported as amended, Senate Bill No. 1014 (House Bill No. 1047), entitled:

An Act to amend the fourth section of an act, entitled "An Act establishing in each county a board of viewers prescribing their duties, providing for their appointment as viewers road juries, juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the 23d day of June, A. D. 1911, fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county.

Mr. JARRETT, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1058 (House Bill No. 1704), entitled:

An Act to amend an act approved the 25th day of May, 1907, entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants.

Mr. CATLIN, from the Committee on Elections, re-reported as committed, Senate Bill No. 449, entitled:

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years.

Also, from the Committee on Elections, re-reported as committed, Senate Bill No. 451, entitled:

An Act to amend section one of an act approved the 16th day of June, A. D. 1899, entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides," by enlarging the term of assistant assessors, providing for their election every four years and changing the power of filling vacancies from the court of quarter sessions to the county commisisoners.

Also, from the Committee on Elections, re-reported as committed, Senate Bill No. 441, entitled:

An Act to amend section seventy-four of an act, entitled "An Act relating to the elections of this Commonwealth" approved the 2d day of July, 1839, by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after election.

Mr. MORGAN, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 657, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith.

Also, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 656, entitled:

An Act to provide for the health and safety of persons employed in and about the Anthracite coal mines in the Commonwealth of Pennsylvania for the protection and preservation of property connected therewith for investigations and inquests after accidents defining the liability of employers and prescribing penalties for violations of this act

Mr. SENSENICH, from the Committee on Mines and Mining, reported as committed, Senate Bill No. 867 (House Bill No. 1017), entitled:

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any minor to have charge of as a miner more than one breast chamber or other working face in any anthracite coal mines and providing a penalty for the violation thereof.

Mr. CLARK, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1172 (House Bill No. 1300), entitled:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued.

Also, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 950, entitled:

An Act regulating the offering or operation of automobile vehicles for hire in cities of the first class; providing for the licensing of said vehicles; providing for the licensing of operators, chauffeurs or solicitors for said vehicles authorizing them to solicit business upon the highway; authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof; and providing penalties for the violation thereof.

Also, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1187 (House Bill No. 1448), entitled:

An Act to give the status of a depositor as to preference over other creditors to persons, firms or corporations accepting from a bank or trust company its check in payment of a depositor's check.

Mr. McNICHOLS, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 1175 (House Bill No. 1503), entitled:

An Act authorizing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class and providing a penalty for the violation thereof.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1143 (House Bill No. 1236), entitled:

An Act to amend sections 3, 10, 12, 14, 17, 22, 24, 26, 28, 33, 34, 43, 45, 46, 47, 53, 54 and 59 of an act approved the 7th day of June, 1901, entitled "An Act providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing, house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof," and to further amend sections 2, 8, 21, 25, 29, 35 and 60 of said act of June 7th, 1901, as the same were amended by the Act of May 14th, 1901, by further providing for the examination, licensure and registration of persons, firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing.

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1151, entitled:

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania.

Also, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 817, entitled:

A supplement to an act approved the 31st day of May, 1911, entitled "An Act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commisisoner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expenses to improve or maintain the same, and requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property or otherwise in the improvement thereof, providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State aid highways; providing method of application for State aid in the improvement, maintenance and repair to township or county roads and prescribing the contents of township, county, borough or incorporated town

petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough or incorporated town, and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act."

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1190 (House Bill No. 398), entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof.

Also, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 1177 (House Bill No. 1547), entitled:

An Act to amend section two of an act, entitled "An Act authorizing and requiring county commisioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" approved the 21st day of April, A. D. 1903.

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1153, entitled:

An Act authorizing and regulating the survey, appraisal and patenting of lands in beds of navigable rivers and streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation.

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1081 (House Bill No. 1658), entitled:

An Act to amend section eighteen of an act, entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein, making such originally constructed or improved roads and highways county roads authorizing the relocation, opening, straightening, widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof, providing for the taking of property for such improvement, the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined, providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads, authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the 11th day of May, A. D. 1911, by authorizing counties to contract with boroughs in the improvement of a borough, street connecting with a county road, providing for the cost thereof, prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough.

Also, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 994, entitled:

An Act authorizing the State Highway Commissioner to take over the rights of way of Canal Companies and of Railroad and Railway Companies that have been abandoned or that have not been built upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure.

Also, from the Committee on Public Roads and Highways, reported as amended, Senate Bill No. 697, entitled:

An Act regulating the passage of traction engines, motor and other vehicles over highways and bridges and providing penalties for the violation of the provisions hereof.

Mr. McNICHOL, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 1266 (House Bill No. 1793), entitled:

An Act to amend section one of article one of an act approved the 7th day of March, 1901, entitled "An Act for the government of cities of the second class."

Mr. HOMSHER, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 681 (House Bill No. 638), entitled:

An Act to provide for the health and safety of persons and for the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages begin to run and providing a penalty for violation thereof.

Also, from the Committee on Mines and Mining, reported as amended, Senate Bill No. 674 (House Bill No. 408), entitled:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets, avenues, thoroughfares, courts, alleys, places and public highways within the limits of the several municipal coroprations and authorizing the creation of a Bureau of Mine inspection and surface support by any municipal corporation and giving such Bureau jurisdiction and providing for the filing of certain maps and plans and providing a penalty for violation thereof.

Mr. MAGEE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1124 (House Bill No. 1113), entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease, purchase condemnation or otherwise and to maintain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface of elevated street railway connecting therewith to corporations or individuals with the right in the municipalities to charge an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway conferring upon said municipalities all the rights and powers conferred upon corporations under the Act of June 7th, 1901, an act to provide for the incorporation and government of passenger railways either elevated or underground or partly elevated and partly underground with surface right (Pamphlet Laws 523,) and supplements and amendments thereto.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1125 (House Bill No. 1119), entitled:

An Act empowering corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1139 (House Bill No. 1419), entitled:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 39, entitled:

An Act supplementary to an act, entitled "An Act for the incorporation and government of cities of the third class" approved the 23d day of May, A. D. 1889, amending certain articles and sections thereof, and enlarging, changing, and modifying certain powers and provisions therein; providing for the abolishing of the select and common councils and creating in their stead one legislative body to be known as the Council, and prescribing its powers and duties; and also providing for the nomination and election of members of said council, and all other elective officers of said cities upon a non-partisan ballot, and for a referendum vote on all franchise ordinances.

Mr. MILLS, from the Committee on Judiciary General, reported as committed, Senate Bill No. 672 (House Bill No. 294), entitled:

An Act to amend an act approved the 11th day of May, 1909, entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole."

Mr. MAGEE, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1174 (House Bill No. 1314), entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity preceedings.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1253 (House Bill No. 1228), entitled:

An Act amending section eighteen of an act, entitled "An Act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales," approved the 4th day of June, A. D. 1901, as the same was amended by an act approved the 6th day of May, A. D. 1909, changing the method of service by advertisement of writs of scire facias issued upon municipal and tax claims.

Mr. HOKE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 198, entitled:

An Act to provide for the holding of a Constitutional Convention, the election of delegates thereto, and the submission of the report thereof for the approval of the people.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1209, entitled:

An Act authorizing each city in the Commonwealth to prepare, adopt and amend its own charter; regulating the preparation, adoption and amendment thereof; providing penalties for violations of the act; and repealing certain laws relating to the government of cities.

Mr. CATLIN, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 185 (House Bill No. 44), entitled:

An Act amending an act, entitled "An Act providing a system whereby boroughs may build sewers grade, subgrade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in installments" approved June 15th, A. D. 1911, by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 355 (House Bill No. 20), entitled:

An Act further amending section one of an act, entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines, penalties and forfeitures for violation thereof" approved the 7th day of June, A. D. 1901, extending the provisions of said act to all cities of the third class.

BILLS INTRODUCED.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1267, entitled:

An Act making a special appropriation for the purpose of continuing the work of the Economic Zoologist as provided for in the act entitled "An Act to provide for the protection of trees, shrubs, vines, and plants against destructive insects and diseases; providing for the enforcement of this act, and the expenses connected therewith, and fixing penalties for its violation," approved the thirty-first day of March, Anno Domini one thousand nine hundred and five.

Which was committed to the Committee on Appropriations.

Mr. BEIDLEMAN read in his place and presented to the Chair Senate Bill No. 1268, entitled:

An Act to amend section three of an act approved the eighteenth day of April, one thousand nine hundred and five, entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania," extending the time for registration of persons who had assumed the title of veterinary surgeon or analogous title prior to the passage of the acts of Assembly, approved the eleventh day of April, one thousand eight hundred and eighty-nine and the twenty-ninth day of April, one thousand eight hundred and ninety-one, but who failed to register within the time provided by the said acts.

Which was committed to the Committee on Agriculture.

Also, read in his place and presented to the Chair Senate Bill No. 1269, entitled:

An Act making an appropriation for the erection of a monument or memorial structure on the State Capitol grounds at Harrisburg, in memory of the soldiers, sailors and marines from Pennsylvania, who participated in the War with Spain, in the Philippine Insurrection, and in the China Relief Expedition.

Which was committed to the Committee on Appropriations.

Also, read in his place and presented to the Chair Senate Bill No. 1270, entitled:

An Act making an appropriation to the Home for the Friendless, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also, read in his place and presented to the Chair Senate Bill No. 1271, entitled:

An Act making an appropriation to the Colored Day Nursery, of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also, read in his place and presented to the Chair Senate Bill No. 1272, entitled:

An Act making an appropriation to the Florence Crittenton Home of Harrisburg, Pennsylvania.

Which was committed to the Committee on Appropriations.

Also, read in his place and presented to the Chair Senate Bill No. 1273, entitled:

An Act making an appropriation to pay the proportionate share of the Commonwealth for improving, curbing and paving Maclay Street in the City of Harrisburg, in front of the Pennsylvania State Lunatic Hospital.

Which was committed to the Committee on Appropriations.

Mr. HUNTER read in his place and presented to the Chair Senate Bill No. 1274, entitled:

An Act authorizing cities of the first and second class to compensate employees for time lost while in the employ of the city, as a result of injuries, sickness or disablement of any kind sustained while in the performance of their duties.

Which was committed to the Committee on Counties and Townships.

Mr. CLARK read in his place and presented to the Chair Senate Bill No. 1275, entitled:

An Act making an appropriation to the Erie Anti-Tuberculosis Society.

Which was committed to the Committee on Appropriations.

Mr. GERBERICH read in his place and presented to the Chair Senate Bill No. 1276, entitled:

An Act to amend section one of the act, entitled "An Act requiring that all water, gas or electric light corporations, before entering upon or occupying any public street or highway in any township of the first class of this Commonwealth, shall first make application to the proper authorities of such township of the first class and obtain its consent to such entry or occupancy" approved June sixth 1907; by extending the provisions of the act to corporations organized and existing for any purposes whatsoever.

Which was committed to the Committee on Corporations.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor, John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 22, entitled:

An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

Senate Bill No. 394, entitled

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

Senate Bill No. 553, entitled:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Senate Bill No. 65, entitled:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a Board of Wardens for the port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

Senate Bill No. 66, entitled:

A supplement to an act entitled "An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commisisoners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof

Senate Bill No. 259, entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth'"

Senate Bill No. 284, entitled:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane

Senate Bill No. 308, entitled:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred

Senate Bill No. 416, entitled:

Granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

Senate Bill No. 490, entitled:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

Senate Bill No. 556, entitled:

An Act to permit of the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities

Senate Bill No. 661, entitled:

An Act making an appropriation to the American Oncologic Hospital at Philadelphia

Whereupon,

The PRESIDENT (Lieutenant Governor, John M. Reynolds) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Counties and Townships, reported as committed, Senate Bill No. 1274, entitled:

An Act authorizing cities of the first and second class to compensate employees for time lost while in the employ of the city as a result of injuries sickness or disablement of any kind sustained while in the performance of their duties

REPORT OF COMMITTEE OF CONFERENCE OVER IN ORDER.

The PRESIDENT. The report of the Committee of Conference on Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts

has not been received from the printer and will go over in its order.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 841 (House Bill No. 701), as follows:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs or incorporated towns of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough or incorporated town who shall be known as commissioners of Water Works

Section 2 Any borough or incorporated town within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any incorporated town or borough council as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve

for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarly expended in the performance of their duty

Section 4 It shall be the duty of the commissioners of water works in each borough or incorporated town of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough or incorporated town Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough or incorporated town if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twenty-three) entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough or incorporated town within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds" They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and matrials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough or incorporated town of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough or incorporated town for the information of the public Said commissioners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough or incorporated town and the penalties imposed thereby shall be collected in the same manner as penalties imposed by incorporated town or borough ordinances are now by law collected

Section 11 Whenever two or more boroughs or any borough and township having united in the construction or acquisition and maintenance of water works or hereafter uniting for the purpose of constructing or acquiring and maintaining water works desire to avail themselves of the provision of this act the councils of such boroughs and the commissioners or supervisors of such townships shall by joint action after ordinance or resolution duly passed apply to the court of common pleas of the proper county for the appointment of a commission of water works in accordance with this act Said commission shall be composed of citizens of each of said boroughs and townships so uniting

Section 12 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough or incorporated town until the authorities thereof shall by appropriate ordinance accept the provisions of this act Provided always however That anything herein to the contrary notwithstanding the act of Assembly entitled "An Act authorizing the erection of water works in the borough of Sewickley by commissioners and the issue of borough bonds and the levy of a special water tax" approved February twenty-first one thousand eight hundred and seventy-three (Pamphlet Laws one hundred and forty-seven) shall in no wise be affected or repealed by this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—2.

McNichol,	Thompson,

NAYS—29.

Beidleman,	Graff,	Jarrett,	Morgan,
Buckman,	Gyger,	Judson,	Nulty,
Catlin,	Hall,	Kline,	Powell,
Clark,	Hilton,	Martin,	Salus,
DeWitt,	Homsher,	Miller,	Sensenich,
Endsley,	Huffman,	Mills,	Sones,
Farley,	Hunter,	Moore,	Wasbers,
Fisher,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 981 (House Bill No. 23), as follows:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That whenever heretofore the council of any incorporated borough of this Commonwealth has required by ordinance and caused to be paved curbed or macadamized with brick stone or other suitable material any public street or thoroughfare of part thereof either cartway or footwalk or both or is now causing such paving curbing or macadamizing pursuant to such ordinance but owing to some defect in the petition or notice or other proceeding necessary under existing law and ordinance to give jurisdicton to such council or owing to some defect in the ordinance or for any other reason the cost of such improvement or a portion thereof cannot be legally assessed upon the property bounding or abutting upon the street or part thereof improved as was contemplated by the act or acts of the General Assembly under which the improvement was attempted to be made —now by this act such improvements are made valid and binding and the council of such incorporated borough may cause the property bounding or abutting upon the street or part thereof upon which the improvement has been made or is now being made to be assessed in the manner now provided by law with such a portion of the cost of such improvement as is contemplated by the law under which the improvement was made or is now being made such assessment shall be a lien upon the property assessed The lien shall date from the completion of the improvement for which the assessment is made and shall remain a lien until fully paid and satisfied Provided That a writ of scire facias is issued to revive the same during every period of five years after a lien is filed as hereinafter provided

Section 2 The council of any incorporated borough of this Commonwealth entitled to a lien under this act shall file a lien therefor in the office of the prothonotary of the county within which the property lies within six months after the completion of the work where the improvement is now in progress or within six months after the approval of this act where the improvement is now completed and the same shall be entered upon record as other municipal claims Such lien shall state the name of the party claimant which shall be the corporate name of the borough making the improvement the name of the owner or reputed owner of the property assessed a reasonable description of the property assessed the amount or sum claimed to be due which shall include interest on the assessment from the completion of the improvement for what improvement the claim is made the date of its completion the date of the assessment for which the lien is filed Such lien when so attempted to be made now by this act such improvements are forth and of the right of the borough to recover the amount therein claimed to be due together with interest from the date of the lien or completion of the improvement costs and an attorney's commission of five per centum for collecting

Section 3 The lien when so filed shall be proceeded upon for collection by writ of scire facias The said writ shall be made returnable to the monthly or other return day in the

respective courts and shall be served upon the owner or reputed owner personally or by leaving a copy thereof duly attested with an adult member of his family or of the family in which he resides at least ten days before the return day thereof. If the owner of the property cannot be found or has no residence within the county in which the property lies the sheriff shall thereupon return the said writ nihil and thereupon an alias scire facias may issue which shall be served by notice posted upon the premises stating the substance of the writ at least ten days prior to the return day and also by advertisement in at least two newspapers published in the county in which the premises are located once a week for three successive weeks Such posting and publication shall be equivalent to a service

Section 4 If the writ shall have been served and no appearance entered on or before the return day thereof the plaintiff therein shall be entitled to judgment after the return day thereof for the debt interest costs and attorney's commission If an appearance be entered the plaintic shall also be entitled to judgment unless a sufficient affidavit of defense be filed within fifteen days after the return day If such affidavt be filed the cause shall be proceeded with in accoradnce with the rules of law and the practice of the courts

Section 5 When final judgment shall have been entered upon such lien the plaintiff therein may have a writ of levari facias and upon the same the sheriff shall cause the said property to be advertised for sale in at least two newspapers of the proper county once a week for three weeks before the day of sale and shall also give notice by at least ten handbills posted in conspicuous places one of which shall be posted upon the property of the time and place of sale and thereupon shall proceed to sell the same The place of sale shall be the sheriffs office The proceeds of sale shall be distributed according to law

Section 6 The term "owner or reputed owner" as used in this act shall mean any person or persons in open peaceable and notorious possession of property Remaindermen or other persons interested in expectancy not having been heard and aggrieved by such final judgment upon petition presented in the proper court may have the judgment opened at any time before the sale of the property and be allowed to defend when in the judgment of the court such opening is necessary to secure justice to all parties Sale of the property shall preclude all persons from setting up anything contrary to the record

Section 7 Nothing in this act shall be taken to restrict the right of either plaintiff or defendant in proceeding under it to appeal as in other cases

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Beidleman,	Fisher,	Hunter,	McIlhenny,
Buckman,	Gerberich,	Jarrett,	Nulty,
Catlin,	Graff,	Judson,	Powell,
Clark,	Gyger,	Kline,	Salus,
Crow,	Hall,	Kurtz,	Sensenich,
DeWitt,	Hilton,	Magee,	Thompson,
Endsley,	Huffman,	Martin,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. ENDSLEY. Mr. President, I ask that Senate Bill No. 1064, on final passage, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commisisoners chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing the salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and precedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petition providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repeairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing reconstructing repairing or maintaining certain spurs or branch roads

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GERBERICH. Mr. President, I ask that Senate Bill No. 5, on third reading, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GERBERICH. Mr. President, I ask that Senate Bill No. 7, on third reading, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 268, entitled:

An Act to amend the first paragraph of the first section of "An Act to authorize chattel mortgages in this Commonwealth upon iron ore pig-iron blooms steel and iron nails ingots and billets rolled or hammered steel in sheets bars or plates and all steel or iron castings of every description not in place" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven so as to authorize chattel mortgages of not less than one hundred dollars on all kinds of machinery

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Beidleman,	Fisher,	Kline	Morgan,
Catlin,	Gerberich,	Magee,	Nulty,
Clark,	Graff,	McIlhenny,	Powell,
Crow,	Gyger,	McNichol,	Salus,
DeWitt,	Homsher,	McNichols,	Sensenich,
Endsley,	Hunter,	Mills,	Sones,
Farley,	Jarrett,	Moore,	Thompson,

NAYS—6.

Buckman,	Huffman,	Kurtz,	Miller,
Hilton,	Judson,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 444, on third reading, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the methol of voting and the method of counting the votes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 457, on third reading, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior courts when such office is to be filled at a municipal election

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 458, on third reading, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said regisrtation and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 470 (House No. 132), entitled:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McNICHOLS. Mr. President, I ask unanimous consent to amend section 1, line 9, file folio 480, by striking out after the word "to wit" the words "the judges of the court of quarter sessions."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. SALUS. Mr. President, I sak that Senate Bill No. 533 (House Bill No. 280), on third reading, entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 598, entitled:

An Act relating to alcoholic liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell of adulterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcement thereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. GERBERICH. Mr. President, I ask unanimous consent to amend the third section, line 1, by inserting after the word "for" the word and figure "Section 3"; also, in section 4, line 5, by striking out the word "devise" and inserting in lieu thereof the word "device"; also in section 5, line 10, by striking out "fementation" and inserting in lieu thereof the word "fermentation"; also in section 5, line 18, by striking out the word "property" and inserting in lieu thereof the word "properly" also, in section 5, line 26, by striking out 'fementation" and inserting in lieu thereof the word "fermentation."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 705, entitled:

An Act fixing the salary of the Chief of the Bureau of Information and the guides in the State Capitol Building

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Gerberich,	Kline,	Miller,
Buckman,	Graff,	Kurtz,	Moore,
Catlin,	Gyger,	Magee,	Morgan,
Crow,	Hilton,	Martin,	Nulty,
DeWitt,	Hoke,	McIlhenny,	Powell,
Endsley,	Hunter,	McNichol,	Salus,
Farley,	Judson,		Thompson,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 726 (House No. 642), entitled:

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Beidleman,	Gyger,	Kurtz,	Morgan,
Buckman,	Hilton,	Magee,	Nulty,
Catlin,	Hoke,	Martin,	Powell,
Crow,	Homsher,	McIlhenny,	Salus,
DeWitt,	Huffman,	McNichol,	Sensenich,
Endsley,	Hunter,	McNichols,	Snyder,
Farley,	Jarrett,	Miller,	Sones,
Gerberich,	Judson,	Mills,	Thompson,
Graff,	Kline	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 747, on third reading, entitled:

An Act creating a board of managers to have control of the institutions for the care and treatment of the insane and the House of employment and support of the poor in certain counties prescribing their powers and duties and abolishing the office of director of the poor in said counties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 780, entitled:

An Act validating certain municipal assessments and claims and liens filed therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Graff,	Kline,	Nulty,
Catlin,	Gyger,	Kurtz,	Powell,
Clark,	Hilton,	Magee,	Salus,
Crow,	Hoke,	Martin,	Sensenich,
DeWitt,	Homsher,	McIlhenny,	Sones,
Endsley,	Huffman,	McNichol,	Thompson,
Farley,	Hunter,	Mills,	Wasbers,
Fisher,			

NAYS—1.

Jarrett.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 804 (House No. 774), entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Graff,	Kline,	Morgan,
Catlin,	Gyger,	Kurtz,	Nulty,
Clark,	Hall,	Magee,	Powell,
Crow,	Hilton,	Martin,	Salus,
DeWitt,	Homsher,	McIlhenny,	Sensenich,
Endsley,	Huffman,	McNichol,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 861, entitled:

An Act in relation to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future establish

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. GERBERICH. Mr. President, I ask unanimous consent to amend section 1, line 3, by striking out the word "that"; also, in section 3, in lines 22 and 23, by striking out the words "on April eighteenth one thousand nine hundred and thirteen"; also in section 5, lines 19 and 20, by striking out the words "on April eighteenth one thousand nine hundred and thirteen."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 876 on third reading, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms of such officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 883, on third reading, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second class of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 884, on third reading, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 890 (House Bill No. 696), entitled:

An Act providing and requiring standard provision in policies of health or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Beidleman,	Graff,	Kline,	Moore,
Buckman,	Hilton,	Magee,	Morgan,
Catlin,	Hoke,	Martin,	Nulty,
Clark,	Homsher,	McIlhenny,	Powell,
Crow,	Hunter,	McNichol,	Salus,
Endsley,	Jarrett,	Miller	Sensenich,
Fisher,	Judson,	Mills,	Thompson,
			Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 899 (House Bill No. 1090), on third reading, entitled:

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and appointing the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 928, entitled:

An Act to fix and determine the salary of the several court clerks of the courts of common pleas of the county of Philadelphia in accordance with Article five Section seven of ahe Constitution of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Magee,	Nulty,
Catlin,	Hilton,	McIlhenny,	Powell,
Crow,	Hoke,	McNichol,	Salus,
DeWitt,	Homsher,	Miller,	Sensenich,
Endsley,	Hunter,	Mills,	Thompson,
Fisher,	Judson,	Moore,	Wasbers

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 952, as follows:

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commisisoners relative to said exhibition and providing fof the re-payment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commissioners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated County Agricultural Association paying premiums upon exhibits (exclusive of premiums on trials of speed) holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than four consecutive days upon the filing with the county commissioners of a sworn statement as provided for in section two of this act Provided That in case there is more than one claimant in any one year for said fund the county commisioners shall apportion and divide said one thousand dollars among the several claimants according to the amount of premiums on agriculture stock fruit and other exhibits (exclusive of premiums on speed) actually paid by each claimant at the last fair held by said claimant Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums Provided further that all premiums paid under this act shall be only upon products of the county wherein such exhibition is held" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of county commisisoners of the several counties of this Commonwealth for the purpose of encouraging agriculture and the holding of annual exhibitions of farm products are authorized and shall pay annually by warrant drawn upon the county treasurer the sum of one thousand dollars ($1,000) to the incorporated County Agricultural Association paying premiums upon exhibits (exclusive of premiums on trials of speed of horses and automobiles) holding in their county an annual agricultural exhibition in the interests of stock-raising grain poultry handiwork fruits dairy products et cetera for a period of not less than three consecutive days upon the filing with the county commisisoners of a sworn statement as provided for in section two of this act Provided That in case there is more than one claimant in any year for said fund the county commissioners shall apportion and divide said one thousand dollars among the several claimants according to the amount of premium on agriculture stock fruit and other exhibits (exclusive of premiums on trials of speed of horses and automobiles) actually paid by each claimant at

the last fair held by said claimant Provided said claimants or associations shall each pay in premiums a sum equal to the said one thousand dollars or where two associations claim and receive five hundred dollars they shall severally pay a like sum in premiums or only receive under this act the sum they each and severally pay in premiums Provided further That where two counties are contiguous and one of said counties has not complied with the provisions of this act by organizing an incorporated agricultural association and is not holding an annual agricultural exhibition the county commisisoners of the county in which no agricultural exhibition is being held under the provisions of this act upon petition presented to them containing the signatures of not less than one hundred citizens of said county engaged in the business of agriculture asking to be joined to such contiguous county holding such agricultural exhibition under the provisions of this act that their county desires to participate in annual agricultural exhibitions to be held in such coniguous county where such exhibitions are being held and thereupon notice thereof shall be given to the president of any and all such incorporated agricultural associations organized under the provisions of this act and existing in the county where application has been made and the citizens of such county shall be permitted to enter their exhibits and contest for premiums as fully as though they were citizens of said county

And provided further That the money which would under the provisions of this act have been paid to the county so applying had said county organized a separate incorporated agricultural association as provided in this act and hold annual agricultural exhibits therein shall be paid to the county in which said agricultural exhibitions are held in the same manner as provided in this act so that the county in which such agricultural exhibition is held shall receive two thousand dollars instead of one thousand dollars now provided by law

And provided further That all premiums paid under this act shall be only upon the products of the county or counties in which said exhibition is held or where two counties have joined under the provisions of this act the premiums paid under the provisions of this act shall be paid in like manner as though the citizens of the county not holding an annual agricultural exhibition but who have availed themselves of the provisions of this act by joining shall be paid their premiums awarded as fully as though they were citizens of the county in which said exhibition is held

And provided further That any county so joined may withdraw at any time by giving ninety days notice in writing to the commisisoners of the county in which said exhibition is held said notice shall contain the statement that the county heretofore joined has organized a separate incorporated agricultural association as provided for by this act and desires to avail itself of the benefit of this act said notice to contain the official signatures of the proper board of county commisisoners and shall be filed with the board of county commissioners of the county in which said annual agricultural exhibitions are held

Provided further That any county not having any incorporated agricultural association lies contigious to two counties having one or more incorporated agricultural associations holding annual agricultural exhibitions under the provisions of this act the county commissioners of the county may upon presentation of a petition signed by not less than two hundred citizens of said county engaged in the business of agriculture divide said county in such manner as nearly as may be in two parts of equal territorial area and each of said sub-divisions shall in like manner be joined to the nearest contiguous county in the same manner provided for in this section of this act where an entire county is joined to a contiguous county

And provided further That in the event of such sub-division the appropriation provided for in this section shall be divided equally between the said two contiguous counties holding such agricultural exhibitions said appropriation to be distributed in like manner as provided for where an entire county is joined to a contiguous county

And it is further provided That no agricultural association hereafter organized under the provisions of this act in any county of this Commonwealth shall be entitled to any proportion of the appropriation provided for in this act until such time as said agricultural association incorporated under the provisions o fthis act shall have held agricultural exhibitions as provided for in this section for at least two consecutive and immediately preceding years

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Beidleman	Gyger,	Kurtz,	Nulty,
Buckman,	Hilton,	Magee,	Powell,
Catlin,	Hoke,	Martin,	Salus,
Crow,	Homsher,	McIlhenny,	Sensenich,
DeWitt,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 956, on third reading, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 958, entitled:

An Act to relieve from the payment of mercantile lisense corporations joint-stock associations and limited partnerships doing business as wholesale or retail distributors or vendors of merchandise who pay to the Commonwealth a tax upon their capital stock

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CATLIN. Mr. President, I ask unanimous consent to amend the title, in line 1, by inserting after the word "license," the word "taxes;" also, in Section 1. line 9, by striking out the words "the same" and inserting in lieu thereof the words "said tax."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 959, entitled

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violation of the same

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Beidleman,	Graff,	Kurtz,	Nulty,
Buckman,	Gyger,	Magee,	Powell,
Catlin,	Hall,	Martin,	Salus,
Clark,	Hilton,	McIlhenny,	Sensenich,
Crow,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	Mills,	Thompson,
Endsley,	Hunter,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Gerberich,	Kline,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 961 (House No. 1490), entitled:

An Act regulating the appointment confirmation duties salaries and expenses of county detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Beidleman,	Graff,	Magee,	Nulty,
Buckman,	Gyger,	Martin,	Powell,
Catlin,	Hilton,	McIlhenny,	Salus,
Clark,	Hoke,	McNichol,	Sensenich,
Crow,	Homsher,	Miller,	Sones,
DeWitt,	Hunter,	Mills,	Thompson,
Endsley,	Judson,	Moore,	Vare.
Farley,	Kline	Morgan,	Wasbers,
Gerberich,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 962 (House No. 1120), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MAGEE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 965 (House Bill No. 1072), entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Kurtz,	Powell,
Catlin,	Hilton,	Magee,	Salus,
Clark,	Hoke,	Martin,	Sensenich,
Crow,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	Miller,	Vare.
Farley,	Jarrett,	Moore,	Wasbers,
Gerberich,	Judson,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 970 (House Bill No. 1022), entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Kurtz,	Powell,
Catlin,	Hall,	Magee,	Salus,
Clark,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sones,
DeWitt,	Homsher,	McNichol,	Thompson,
Endsley,	Huffman,	Moore,	Vare,
Farley,	Hunter,	Morgan,	Wasbers,
Gerberich,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered. That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 971 (House No. 1074), entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Beidleman,	Gerberich,	Jarrett,	Morgan,
Buckman,	Graff,	Judson,	Nulty,
Catlin,	Gyger,	Kline,	Powell,
Clark,	Hall,	Kurtz,	Salus,
Crow,	Hilton,	Magee,	Sensenich,
DeWitt,	Hoke,	Martin,	Sones,
Endsley,	Homsher,	McIlhenny,	Thompson,
Farley,	Huffman,	McNichol,	Vare,
Fisher,	Hunter,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 973 (House Bill No. 1077), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a forestry department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property owners and providing for the acquisition by said cities by purchase condemnation of lands for certain purposes upon the recommendation of the forestry board

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Beidleman,	Graff,	Kurtz,	Nulty,
Buckman,	Gyger,	Magee,	Powell,
Catlin,	Hall,	Martin,	Salus,
Clark,	Hilton,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Sones,
DeWitt,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Gerberich,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 976 (House Bill No. 1321), entitled:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order if court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken, agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Graff,	Kline,	Morgan,
Catlin,	Gyger,	Kurtz,	Nulty,
Crow,	Hall,	Magee,	Powell,
DeWitt	Hilton,	Martin,	Sensenich,
Endsley	Homsher,	McNichol,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,			

NAYS—1.

McIlhenny,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL ON THIRD READING.

Agreeably to order, ...

The Senate proceeded to the third reading and consideration of Senate Bill No. 992, entitled:

An Act providing for the re-charter of building and loan associations or companies after expiration of their charter and for the taking over of all of the property and assets by the re-chartered corporation

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BUCKMAN. Mr. President, I ask unanimous consent to amend the title, in line 1, by striking out the word "re-charter" and inserting in lieu thereof the word "re-chartering;" also, in Section 1, line 8, by inserting after the word "seventy-four" the words "entitled 'An Act to provide for the incorporation and regulation of certain corporations;'" also, in Section 3, line 2, by striking out the words "a charter" and inserting in lieu thereof the word "character."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 993, entitled:

An Act regulating the sale or exchange of defective or diseased horses and mules and providing a penalty for violation of this act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Farley,	Hunter,	McNichol,
Buckman,	Gerberich,	Judson,	Miller,
Catlin,	Graff,	Kline,	Morgan,
Clark,	Gyger,	Kurtz,	Nulty,
Crow,	Hall,	Magee,	Powell,
DeWitt,	Hilton,	Martin,	Thompson,
Endsley,	Hoke,	McIlhenny,	

NAYS—1.

Mills,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 999, entitled:

An Act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Beidleman,	Gerberich,	Judson,	Morgan,
Buckman,	Graff,	Kline,	Nulty,
Catlin,	Gyger,	Kurtz,	Powell,
Clark,	Hall,	Magee,	Salus,
Crow,	Hilton,	Martin,	Sensenich,
DeWitt,	Hoke,	McIlhenny,	Sones,
Endsley,	Homsher,	McNichol,	Thompson,
Farley,	Hunter,	Mills,	Wasbers,
Fisher,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Represenitves for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1001, as follows:

An Act to further amend section seven of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act

entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the Common Pleas Court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirements as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs" approved the second day of April one thousand nine hundred and thirteen by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex delicto and providing for bills of particulars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending sections four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the Common Pleas Court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county court power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirments as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs" approved the second day of April one thousand nine hundred and thirteen which now reads as follows

"Section 7 The procedure in said court in all civil actions shall be substantially as follows

(a) The plaintiff may file with the clerk of the court at the county seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand verified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by the plaintiff and said clerk shall thereupon issue a writ of summons or replevin under the seal of the court requiring the defendant to appear at a time and place designated in said writ to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall be not less than twelve nor more than fifteen days from the date of said writ

(b) Upon the date fixed in said writ or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than nine days after service of the writ upon the defendant the parties shall attend with their witnesses and the cause shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision of the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may be designated for that purpose and said judgment shall forthwith be enterer upon the docket of said court

(c) In all actions the defendant shall at least three days exclusive of Sundays before the time fixed for hearing by the writ or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing the clerk and sworn to If no answer be filed the plaintiff may at any time after the time for filing such answer has expired in actions for the recovery of money on contract and in actions or replevin enter judgment in the clerk's office in default of such answer and in actions ex delicto the court shall on or after the time for hearing fixed by the summons enter such judgment as may be proper after examination of the plaintiff's statement or after hearing such evidence as may be necessary for the proper disposal of the case If an answer be filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true

(d In the action of replevin the practice shall be as is provided by law except in so far as modified by any of the provisions of this amending and supplementary act Any party interested desiring to intervene may do so as of course prior to the expiration of time to answer and thereafter upon leave of court If no answer or intervention be filed the plaintiff may take judgment by default in the clerk's office as of course If answer or intervention be filed the case shall be heard on the day fixed for hearing in the writ or thereafter as the court may direct and shall be disposed of on the pleadings or evidence as the court may find necessary The court may require such additional pleadings as may be necessary to define the issue In desertion and non-support cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writs of summons and replevin and of copies of plaintiff's statement's and execution of the writ of replevin shall be made in the same manner as is now provided by law for the service and execution of such writs in the Courts of Common Pleas of Allegheny county and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court" be and the same is hereby further amended so as to read as follows

Section 7 The procedure in said court in all civil actions shall be substantially as follows

(a) The plaintiff may file with a clerk of the court at the county seat or in the district nearest to the residence or place of business of either plaintiff or defendant or any of them if there be more than one plaintiff or defendant a written statement of his demand verified by affidavit or may make to the clerk his complaint orally whereupon the clerk shall reduce the same to writing which shall be signed and sworn to by plaintiff and said clerk shall thereupon issue a writ of summons or replevin under the seal of the court requiring the defendant to appear at a time and place designated in said writ to answer the plaintiff's complaint and a copy of the plaintiff's statement however prepared shall be served with the writ The time of said hearing shall be not less than twelve nor more than fifteen days from date of said writ

(b) Upon the date fixed in said writ or such other date to which the cause may have been duly adjourned by order of the court and which shall not be less than nine days after service of the writ upon the defendant the parties shall attend with their witnesses and the cause shall be heard by one or more of the judges of said court who shall hear the parties and their witnesses and counsel if any and the decision of the judge or judges hearing the cause shall be rendered at the conclusion of the trial or at such other time not more than five days thereafter as may then be designated for that purpose and said judgment shall forthwith be entered upon the docket of said court

(c) In all actions except actions ex delicto in which actions ex delicto the defendant shall not file nor be required to file any answer or affidavit of defense the defendant shall at least three days exclusive of Sundays before the time fixed for hearing by the writ or within such further time as the court may allow upon cause shown file with the clerk of the court an answer duly sworn to setting forth the nature and character of his defense to the plaintiff's demand or he may make a statement of such defense orally to the clerk which shall be reduced to writing by the clerk and sworn to If no answer be filed the plaintiff may at any time after the time for filing such answer has expired in actions for the recovery of money on contract and in actions of replevin enter judgment in the clerk's office in default of such answer In actions ex delicto the court shall on or after the time for hearing fixed by the summons enter such judgment as may be proper after examination of the plaintiff's statement or after hearing such evidence as may be necessary for the proper disposal of the case If an answer be filed as aforesaid all material averments of the plaintiff's statement which are not denied by the answer shall be deemed and taken to be true Provided however that in all cases the court may for proper cause require either party to file a bill of particulars

(d) In the action of replevin the practice shall be as is provided by law except in so far as modified by any of the provisions of this amending and supplementary act Any party interested desiring to intervene may do so as of course prior to the expiration of time to answer and thereafter upon leave of court If no answer or intervention be filed the plaintiff may take judgment by default in the clerk's office as of course If answer or intervention be filed the case shall be heard on the day fixed for hearing in the writ or thereafter as the court may direct and shall be disposed of on the pleadings or evidence as the court may find necessary The court may require such additional pleadings as may be

necessary to define the issue In desertion and non-support cases and appeals from summary convictions and judgments for penalties the practice shall be as is now provided by law

(e) Service of the writs of summons and replevin and of copies of plaintiff's statements and execution of the writ of replevin shall be made in the same manner as is now provided by law for the service and execution of such writs in the courts of common pleas of Allegheny county and may be made by the sheriff of the county by a constable of the county or by such persons as may be appointed by the court for that purpose as shall be determined by the court

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Beidleman,	Gerberich,	Judson,	Moore,
Buckman,	Graff,	Kline	Morgan,
Catlin,	Gyger,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sones,
DeWitt,	Homsher,	McNichol,	Thompson,
Farley,	Hunter,	Miller,	Wasbers,
Fisher,	Jarrett,	Mills,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1005 (House No. 1153), entitled:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Gyger,	Kurtz,	Morgan,
Buckman,	Hilton,	Magee,	Nulty,
Catlin,	Hoke,	Martin,	Powell,
Clark,	Homsher,	McIlhenny,	Salus,
Crow,	Huffman,	McNichol,	Sensenich,
DeWitt,	Jarrett,	Miller,	Sones,
Farley,	Judson,	Moore,	Wasbers,
Graff,	Kline		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1006 (House Bill No. 1379), entitled:

An Act authorizing counties to appropriate money for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American War and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments, in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1010 (House No. 825), entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institutiin he shall have the privilege with the consent of the society to make such institution his beneficiary

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman	Gyger,	Magee,	Nulty,
Buckman,	Hall,	Martin,	Powell,
Catlin,	Hilton,	McIlhenny,	Salus,
Clark,	Homsher,	McNichol,	Sensenich,
Crow,	Huffman,	McNichols,	Snyder,
Endsley,	Hunter,	Miller,	Sones,
Farley,	Jarrett,	Mills,	Thompson,
Fisher,	Judson,	Moore,	Vare,
Gerberich,	Kline,	Morgan,	Wasbers.
Graff,	Kurtz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1013 (House Bill No. 1025), entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditure of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Beidleman,	Graff,	Kurtz,	Nulty,
Buckman,	Gyger,	Magee,	Powell,
Catlin,	Hall,	Martin,	Salus,
Clark,	Hilton,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers.
Gerberich,	Kline	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1015 (House No. 1073), entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemsation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1016 (House No. 1156), entitled:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline	Morgan,
Buckman,	Gyger,	Kurtz.	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. HOMSHER. Mr. President, I ask that Senate Bill No. 1019 (House Bill No. 1242), on third reading, entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1021 (House No. 1264), entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgements of deeds and sequestrations of life estates" approved April fourteenth one thousand eight hundred fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act entitled "An Act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred thirty-three defining and declaring the interest that shall descend to and rest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1029 (House No. 471), entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. POWELL. Mr. President, at the request and with the consent of the sponsor of the bill in the House, I move that Senate Bill No. 1032 (House Bill No. 799), on third reading, entitled:

An Act authorizing persons corporations associations and corporations to lend money and to charge and receive a higher rate of interest than six per centum per annum providing for licenses for the same imposing conditions and regulations fixing rates of interest and charges giving to the court of quarter sessions supervision of the same regulating procedure and fixing penalties limiting its application declaring violation of its provisions a misdemeanor and prescribing punishment therefor repeal of acts inconsistent therewith

be recommitted to the Committee on Banks and Building and Loan Associations for the purpose of a hearing.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1034 (House No. 967), entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1054 (House No. 102), entitled:

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State institution for tht Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptics and making and appropraton therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institutions and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institutions by the Commonwealth and the payment of the costs of all commitals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domin one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1059, as follows:

An Act authorizing Courts of Common Pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to restrict the lien thereof to a part only of the real estate of such defendant or defendants and providing that the index of such judgment or decree shall show the real estate subject to such lien

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in all cases where a judgment has been entered against a defendant or defendants in any proceeding at law in any Court of Common Pleas or a decree for the payment of money has been entered against any defendant or defendants in any case in equity in any Court of Common Pleas which judgment or decree shall have or constitute a lien upon the real estate of such defendant or defendants and if proceedings shall have been taken on appeal and perfected in such suit at law or in equity it shall be lawful for the court in which the said judgment or decree has been entered upon petition of the defendant or defendants therein setting forth that the petitioner or petitioners is or are the owner or owners of real estate subject to the lien of such judgment or decree of a clear value above all other liens charges and encumbrances whatever of more than double the amount of such judgment or decree together with costs of suit and that the petitioner has taken and perfected an appeal in the case to ascertain the facts set forth in said petition and thereupon such court shall have power to make an order in the case confining or restricting the lien of such judgment or decree to such part or parts of the real estate of the said defendant or defendants so petitioning which may then be subject to such lien as aforesaid as it may deem adequate for the full

and complete security of said lien and freeing and discharging all other real estate of such defendant or defendants of and from the lien of such judgment or decree Provided That the foregoing provision shall not apply to a case in which it shall appear that such defendant or defendants is or are the owner or owners of only a single parcel of real estate subject to the lien of such judgment or decree

Section 2 Where a judgment or decree is confined or restricted by the court as provided in section one of this act it shall be the duty of the prothonotary to index such judgment or decree setting forth the particular part or parts of real estate subject to such lien

Aud said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. MOORE. Mr. President, I ask that Senate Bill No. 1067, on third reading, entitled:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fire-proof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1072 (House No. 1023), entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

Aud said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1082 (House No. 154), entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Gyger,	Kurtz,	Nulty,
Catlin,	Hall,	Magee,	Powell,
Clark,	Hilton,	Martin,	Salus,
Crow,	Hoke,	McIlhenny,	Sensenich,
DeWitt,	Homsher,	McNichol,	Snyder,
Endsley,	Huffman,	McNichols,	Sones,
Farley,	Hunter,	Miller,	Thompson,
Fisher,	Jarrett,	Mills,	Vare,
Gerberich,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1086 (House Bill No. 1465), entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holdng of county agricultural exhibitons to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statements by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1093 (House No. 285), entitled:

An Act providing for the appointment and qualifications of instructors and demonstrators in agriculture and making an appropriation for the same

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline	Morgan,	Gerberich, Pres. pro tem

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1095 (House No. 416), entitled:

An Act to prevent occupational diseases and to provide for the health of employees exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making voilation of its provisions a misdemeanor and providing penalties for violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1096 (House No. 426), entitled:

An Act relating to divorce

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson;
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1099 (House No. 1241), entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers and steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Salus,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers.
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1105 (House No. 1436), entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers.
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1118 (House No. 176), entitled:

An Act to amend section one of an act entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting venders from giving false or insufficient weight and fixing the penalties for the violation of the provisions hereof" approved the eleventh day of May Anno Domini one thousand nine hundred eleven by vesting the appointment of inspectors of weights and measures in cities of the first class in the county commissioners

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of the Bill No. 1145, entitled:

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. CATLIN. Mr. President, I ask unanimous consent to amend section 1, line 8, by striking out the word "nine" and inserting in lieu thereof the word "eight."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1146, entitled:

An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by extending to August first the date for the payment of taxes

And said bill having been read at length the third time, and agreed to,
On the question,
Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1147, entitled:

An Act requiring the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. CATLIN. Mr. President, I ask unanimous consent to amend the title, in line 3, by inserting after the word "Veterans" the words "and of the Army of the Philippines an to each Post of the American Veterans of Foreign Service;" also, in section 1, line 7, by inserting after the word "veterans" the words "and of the Army of the Philippines and to each Post of the American Veterans of Foreign Service."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1160, entitled:

An Act to repeal sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred ninety-seven so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relates to nomination papers also to repeal sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections approved the tenth day of June Anno Domini one thousand eight hundred ninety-three by specifying how the names adopted by political parties may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred ninety-seven which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections two three four five and six of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend the title, in line 28, by striking out the word "parties" and inserting in lieu thereof the word "bodies;" also, in section 3, line 8, by striking out the word "parties," and inserting in lieu thereof the word "bodies;" also, in section 4, line 9, by striking out the word "parties," and inserting in lieu thereof the word "bodies."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1163, on third reading, entitled:

An Act to repeal the act approved the eleventh day of April one thousand eight hundred sixty-eight entitled "An Act relative to the election of commissioner's clerk in the County of Northampton

be recommitted to the Committee on Judiciary Special, for the purpose of amendment.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1166, entitled:

A supplement to an act approved the third day of June one thousand eight hundred ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers.
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

BILLS OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 1167, on third reading entitled:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate for the same office by more than one political party to prohibit election officers from receiving counting or returning any such ballot at any election upon which appears the name of any person as a candidate for the same office as the nominee of more than one political party and to declare all such ballots void and excepting from the provisions of the act candidates for judges and associate judges of the supreme superior common pleas and orphans' court and of such other courts of record as are now or hereafter may be established under the laws of this Commonwealth

go over in its order.

The PRESIDENT Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1169, entitled:

An Act regulating the signing and recording of all instruments in writing intended to be recorded

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Hall,	Magee,	Powell,
Catlin,	Hilton,	Martin,	Salus,
Clark,	Hoke,	McIlhenny,	Sensenich,
Crow,	Homsher,	McNichol,	Snyder,
DeWitt,	Huffman,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Mills,	Vare,
Fisher,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	Gerberich, Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1033 (House No. 960), entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Hilton,	Martin,	Salus,
Buckman,	Hoke,	McIlhenny,	Sensenich,
Catlin,	Homsher,	McNichol,	Snyder,
Clark,	Huffman,	McNichols,	Sones,
Crow,	Hunter,	Miller,	Thompson,
Endsley,	Jarrett,	Mills,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Fisher,	Kline,	Morgan,	Gerberich,
Graff,	Kurtz,	Nulty,	Pres. pro tem.
Gyger,	Magee,	Powell,	

NAYS—2.

DeWitt, Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. ENDSLEY. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 597, on final passage postponed for the present, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufactures wholesale and retail dealers and by proprietors of hotels restaurants dining rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishments for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. ENDSLEY. Mr. President, I move that the vote by which this bill passed third reading be reconsidered.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. ENDSLEY. Mr. President, I ask unanimous consent to amend section 1, in line 71 and 72, by striking out the words "when it has a tint or shade containing less than seventy (70) per centum. of white as determined by color analysis" and inserting in lieu thereof the following: "when it has a tint or shade containing more than 1.6 degrees of yellow or of yellow and red collectively but with an excess of yellow over red as measured in terms of the Levibond Tintometer scale or its equivalent."

The PRESIDENT Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows, and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, April 30, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ERIE COUNTY.

Robert J. Firman, Erie.

NORTHUMBERLAND COUNTY.

Miss Sara O. Yarnall, Sunbury.

PHILADELPHIA COUNTY.

Mrs. Helen H. Gow, Philadelphia.

SCHUYLKILL COUNTY.

A. T. Ignatovig, Minersville.

CAMBRIA COUNTY.

Miss Goldie I. Noon, Johnstown.

JOHN K. TENER.

AMENDMENTS TO HOUSE BILL NO. 442 RECALLED FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate for concurrence, bill of the House of Representatives as follows:

House Bill No. 442, entitled:

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Said bill having been recalled from the Govermnor for amendment. The vote had on final passage and third reading of said bill were reconsidered in the House of Representatives and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. CLARK. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

The amendments were twice read as follows:

By inserting in Section 1, line 1, after the numeral "1" the following: "Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same." Also in line 31, after the word "district" the words "either with or"; and also by adding at the end of the bill the words "as the directors of the district in which such institution is located may determine provided that when the education of such inmates of such institutions is charged for the cost thereof shall not exceed the cost of tuition text books and school supplies of other children of similar grade in such district and provided further that such cost shall be paid to the district in which such institution is located by the district of which the respective pupils are legal residents."

On the question,

Will the Senate concur in the amendments??

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Beidleman,	Gyger,	Martin,	Salus,
Buckman,	Hall,	McIlhenny,	Sensenich,
Catlin,	Hoke,	McNichol,	Sheatz,
Clark,	Homsher,	McNichols,	Snyder,
Cooper,	Huffman,	Miller,	Sones,
Crow,	Hunter,	Mills,	Thompson,
DeWitt,	Jarrett,	Moore,	Vare,
Endsley,	Judson,	Morgan,	Wasbers,
Farley,	Kline,	Nulty,	Gerberich,
Fisher,	Kurtz,	Powell,	Pres. pro tem.
Graff,	Magee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

SENATE BILL NO. 120 RECALLED FROM THE GOVERNOR.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has concurred in resolution from the Senate as follows:

In the Senate, April 29, 1913.

Resolved (If the House of Representatives concurs), That Senate Bill to. 120, entitled: An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS MADE TO HOUSE BILL NO. 600.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 600, entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 787.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 787, entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred nine

HOUSE INSISTS UPON AMENDMENTS TO SENATE BILL NO. 502.

He also presented communication from the House of Representatives informing the Senate that the House insists upon its amendments non-concurred in by the Senate to Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. VARE. Mr. President, I move that the Senate insists upon its non-concurrence in the amendments to the foregoing bill made by the House of Representatives and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Vare, McNichol and Salus be such committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL 1631.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 1631, entitled:

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the 34th section of the act approved April 29, 1874 entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 53.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 53, entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 734.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 734, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse quail and wild water fowl

HOUSE CONCURS IN SENATE BILL NO. 328.

He also laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 328, entitled:

A further supplement to an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

With information that the House has passed the same without amendment.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1445.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 1445, entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board providing for the appointment of a Commissioner of Labor inspectors statisticians clerks and others to enforce the provisions of this act and providing salaries for the same prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend an repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. CROW. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill, non-concurred in by the House of Representatives, and that a committee of conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

Ordered. That Messrs. Crow, McNichol and Salus be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

COMMUNICATION PROTESTING AGAINST PASSAGE OF HOUSE BILL NO. 1139.

The Chair cleared his table and laid before the Senate communication which was read as follows and referred to the Committee on Judiciary Special:

Brotherhood Bible Class of the Plymouth Congregational Sunday School

Scranton, Pa., April 28th, 1913.

To the Honorable John M. Reynolds,
President of the Senate.

Dear Sir:—At a regular meeting of the Brotherhood Bible Class of the Plymouth Congregational Sunday-School (comprising sixty-two qualified voters), held on Sunday afternoon, April 27th, 1913, the following was presented and unanimously agreed to—

Whereas, There is pending in the Senate of Pennsylvania a bill known as the Flynn Bill, and

Whereas, the said bill we believe to be in direct violation of Section 3 of Article 1 of the Constitution,

Be it Resolved by the Brotherhood Bible Class of the Plymouth Congregational Sunday-School of Scranton, Pennsylvania, that we enter into protest to the passage of any such measure as a violation of that part of the Constitution which says "and no preference shall ever be given by law to any religious estblishments or modes of worship."

Resolved, that a copy of this resolution be sent to Senator Walter McNichols, requesting him to vote against the bill, and to the President of the Senate for the body as a whole; also to the Governor of the Commonwealth of Pennsylvania.

ARTHUR T. REESE, Secretary. 304 N. Bromley Ave.

T. F. STOVER, President. 629 N. Summer Ave.

COMMUNICATION FAVORING PASSAGE OF HOUSE BILL NO. 416.

The Chair cleared his table and laid before the Senate communication which was read as follows and referred to the Committee on Public Health and Sanitation:

American Association for Labor Legislation.
(American Section of the International Association)
131 East 23rd St., New York City, April 26, 1913.

To His Excellency Lieutenant-Gov. John M. Reynolds, State House, Harrisburg, Pa.

Sir—On behalf of its thousands of members and friends in Pennsylvania, our Association now respectfully calls your attention to Senate Bill 1095 (House Bill 416) to prevent lead poisoning.

This measure (which has the endorsement of the Commissioner of Health, Samuel G. Dixon; your leading manufacturers, and the State Federation of Labor), provides for cleanliness in the two principal branches of the lead trade recently investigated by the United States Bureau of Commerce and Labor, and reported upon in Bulletins 95 and 104. Senate Bill 1095 is a Standard Occupational Disease Bill,

and is part of a nation wide campaign for uniform sanitary legislation to prevent lead poisoning. A similar law has been in successful operation in Illinois during the past two years Ohio and Missouri have recently enacted the same measure; and identical bills are now well advanced in the legislatures of the other leading industrial States. Europe for a generation past has furnished such protection.

Our recent investigations, which supplement the exhaustive reports made during the last year by government experts show conclusively this legislation is needed to prevent industrial lead poisoning among several thousand workers in Pennsylvania.

We therefore beg your examination of the reports upon plumbism which we are forwarding to you, and your favorable consideration of a measure which, without injustice to the manufacturers, will effectively protect men and women and children from the evils of a serious and unnecessary occupational disease.

Yours very respectfully,
JOHN B. ANDREWS,
Secretary.

COMMUNICATION FAVORING READING OF BIBLE IN PUBLIC SCHOOLS.

The Chair cleared his table and laid before the Senate communication which was read as follows and referred to the Committee on Judiciary Special:

Brotherhood Bible Class of the Plymouth Congregational Sunday School,
Scranton, Pa., April 28, 1913.

To the Honorable, John M. Reynolds, President of the Senate.

Dear Sir.—At a regular meeting of the Brotherhood Bible Class of the Plymouth Congregational Sunday School (comprising sixty-two qualified voters), held on Sunday afternoon, April 27th, 1913, the following was presented and unanimously agreed to:

Whereas, There are pending in the Legislature, in the Senate Branch, two bills, one known as the Webb Bill, requiring that not less than ten verses of the Scriptures shall be read at the opening of the public school each day;

Be It Resolved by the Brotherhood Bible Class of the Plymouth Congregational Sunday School of Scranton, Pennsylvania, that we urgently request our representative in the Senate, the Honorable Walter McNichols, to vote in favor of the said bill; and,

Resolved, That a copy of the above be forwarded to him, and to the President of the Senate; also to the Governor of the Commonwealth of Pennsylvania.

T. F. STOVER, President,
629 N. Summer Ave.

ARTHUR T. REESE,
Secretary,
304 N. Bromley Ave.

REPORT FROM COMMITTEE.

Mr. CLARK. Mr. President. I ask unanimous consent to make report from committee at this time .

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Judiicary General, reported with a favorable recommendation, all the nominations for Notaries Public made by His Excellency, the Governor of the Commonwealth, at to-day's session, which were laid upon the table.

BILL INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1277, entitled:

An Act making an appropriation to the Hospital Department of the Hahnemann Medical College and Hospital of Philadelphia.

Which was committed to the Committee on Appropriations.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. CROW.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all nominations reported at today's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. CROW.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Beidleman,	Hall,	Magee,	Salus,
Buckman,	Heacock,	Martin,	Sensenich,
Catlin,	Hilton,	McIlhenny,	Sheatz,
Clark,	Hoke,	McNichol,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
DeWitt,	Eutsman,	Miller,	Thompson,
Endsley,	Hunter,	Mills,	Vare,
Farley,	Jarrett,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
Graff,	Kline	Nulty,	Pres. pro tem.
Gyger,	Kurtz,	Powell,	

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILL INTRODUCED.

Mr. WASBERS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT Is there objection? The Chair hears none.

Mr. WASBERS read in his place and presented to the Chair Senate Bill No. 1278, entitled:

An Act making an appropriation to the Children's Home of the City of York Pensylvania

Which was committed to the Committee on Appropriations.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 348 (House Bill No. 149), entitled:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 384 (House Bill No. 421), entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 471 (House Bill No. 143), as follows:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section eighteen of an act entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" approved the twenty-eighth day of April one

thousand eight hundred ninety-nine which reads as follows

"Section 18 The same person may hold the office of township treasurer and treasurer of the school board but no member of the school board no township commissioner or township auditor shall hold the office of township treasurer and no township treasurer shall be eligible to succeed himself" is amended to read as follows

Section 18 The same person may hold the office of township treasurer and treasurer of the school board but no member of the school board no township commissioner or township auditor shall hold the office of township treasurer and no township treasurer shall be eligible to succeed himself Provided that where a person is appointed to fill a vacancy which may have occurred in the office of township treasurer of any township of the first class in this Commonwealth by death resignation removal from township or otherwise such person after serving the unexpired term or any part thereof of the person whose place he is appointed to fill may be elected to succeed himself for one term as township treasurer of such township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 491 (House Bill No. 115), entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred and eighty-nine entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs.'"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 492 (House Bill No. 215), entitled:

A joint resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 529 (House Bill No. 162), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety one entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of the Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 534 (House Bill No. 293), entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicail districts containing more than one hundred and fifty thonsand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 540 (House Bill No. 540), entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 544 (House Bill No. 624), entitled:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken and used and appropriated for the said purposes" by changing the limitations of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 624 (House Bill No. 305), as follows:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That return of taxes assessed by the authorities of any county poor district borough incorporated town or township against seated lands in such county poor district borough town or township shall be made whenever personal property cannot be found thereon sufficient to pay such taxes in the same manner and at the same time that return is now made for unpaid county taxes on unseated lands and whenever any such taxes against said lands in such county poor district borough town or township shall not be paid within two years after the date of the assessment thereof such seated lands in counties poor districts boroughs towns or townships shall be advertised and sold by the proper county treasurer at the time and in the same manner and under the same conditions and with the same effect as unseated lands are now sold by such treasurer for unpaid county taxes

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 625 (House Bill No. 466), entitled:

An Act to amend the first section of an act of assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audit for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 669 (House Bill No. 82), entitled:

An Act authorizing and regulating the employment on county highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No 671 (House Bill No. 290), entitled:

An Act authorizing Robert Stewart a citizen of Dauphin County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 675 (House Bill No. 465), entitled:

An Act requiring a license for conducting certain kinds of business regulating such license and fixing a penalty for violation of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 677 (House Bill No. 503), entitled:

An Act prescribing the conditions under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in various counties of the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 692 (House Bill No. 953), as follows:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsistent acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Board of Health in cities of the first class is hereby authorized and empowered to make all reasonable rules and regulations for the sanitary keeping of all stables and other places where horses mules cows sheep goats or any of them are kept within such cities and for the collecting storing and transporting of manure from such animals

Section 2 No manure from such animals or any of them shall be collected or stored in any stable stall manure pit wharf or other place in any such city without a permit from the Bureau of Health of such city or contrary to the terms of said permit or contrary to said rules and regulations nor shall any such manure be transported through any such city or any part thereof except in accordance with said rules and regulations

Section 3 The rules and regulations adopted by said Board of Health in any such city as aforesaid shall be promulgated by advertising three times each in two newspapers published in said city notice that such rules and regulations have been adopted and where copies thereof may be had Such rules and regulations shall be printed and shall be furnished free upon application by the Bureau of Health

Section 4 Such permits shall be issued free upon application by the Bureau of Health to those who have complied with said rules and regulations

The persons firms or corporations to whom they are granted shall post them conspicuously within the premises to which they refer so as to be readily visible

Section 5 The term "manure" for the purpose of this act shall be construed to mean the dung or offal of any of aforesaid animals and the straw and other refuse dirt and waste ordinarily mixed with it

Section 6 Any violation of the provisions of this act or of any of the rules and regulations hereby authorized shall constitute a misdemeanor punishable on summary conviction before a magistrate by a fine of not less than two dollars or more than ten dollars or imprisonment in default of fine not less than one day or more than five days subject to appeal as in other cases of summary conviction

Section 7 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 699, as follows:

Regulating parades of associations of veteran soldiers

Section 1 Be it enacted by the Senate and Houes of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all associations of veteran soldiers when parading for the purpose of interring any deceased member of such association or other veteran soldier or for the purpose of attending divine service on Sunday may be accompanied by the proper military band from their place of assembly to the place of interment or to the place of holding divine service and thence to the point where they shall disband provided however that upon the return from such interment or from such divine service said band shall not play

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 723 (House Bill No. 221), entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the County Treasury

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 775 (House Bill No. 791), entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 801 (House Bill No. 464), entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire escapes fire extinguishers and other preventatives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 845 (House Bill No. 1039), entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 866 (House Bill No. 1054), entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor and the methods for preserving such liens and enforceing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 897 (House Bill No. 835), entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 898 (House Bill No. 847), entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 901 (House Bill No. 1116), entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile schools or farms as heretofore established by the act of assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and consrtuction thereof not less than ten thousand dollars ($10,000) at any one time

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 916 (House Bill No. 562), entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 916 (House Bill No. 562), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 927 (House Bill No. 1137), entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 967 (House Bill No. 1356), entitled:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty which reads as follows to wit

Section 2 "That the said John S. Law James Clarkson Patrick Moffit R E Marvin and James Scott are hereby constituted directors of the poor in the city aforesaid until successors are appointed and qualified as hereinafter provided and they and

their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatsoever relative to the poor of the said city of Carbondale and shall have perpetual succession by the same style and title of the Directors of the Poor of the City of Carbondale and by that name may sue and be sued plead and be impleaded purchase rent receive take and hold any lands tenements and hereditaments not exceeding in value five thousand dollars to erect and keep in proper condition suitable buildings for the use reception and accommodation and employment of the poor of said city and to provide all things necessary for the lodging maintenance support and employment of the poor of said city within ten miles of the city as aforesaid" be amended so as to read as follows

Section 2 "That the said John S Law James Clarkson Patrick Moffit R E Marvin and James Scott are hereby constituted directors of the poor in the city aforesaid until successors are appointed and qualified as hereinafter provided and they and their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatsoever relative to the poor of the said city of Carbondale and shall have perpetual succession by the name style and title of the Directors of the Poor of the City of Carbondale and by that name may sue and be sued plead and be impleaded purchase rent receive take and hold any lands tenements and herediments not exceeding in value thirty-five thousand dollars to erect and keep in proper condition suitable buildings for the use reception and accommodation and employment of the poor of said city and to provide all things necessary for the lodging maintenance support and employment of the poor of said city within ten miles of the city hall aforesaid"

On the question,

Will the Senate agree to the section?

Mr. McNICHOLS. Mr. President, I move to amend Section 1, in line 38, by striking out the words "thirty-five" and inserting in lieu thereof the word "twenty."

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to,

On the question,

Will the Senate agree to the section as amended?

It was agreed to,

The title of the bill was read as follows and agreed to:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 986, as follows:

An Act authorizing corporations owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use as a beverage or for medicinal purposes to operate such distillery without a license and regulating the taxation of such corporations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation owning or operating a distillery in this Commonwealth which produces only denatured alcohol for industrial purposes and not to be used as a beverage or for medicinal purposes shall not be required to obtain a license to operate such distillery under the provisions of the law approved the thirtieth day of July one thousand eight hundred and ninety-seven entitled "An Act to provide revenue and regulate the sale of malt brewed vinous and spiritous liquors or any admixture thereof by requiring and authorizing licenses to be taken out by brewers distilers wholesalers bottlers rectifiers compounders storekeepers and agents having a store office or place of business within this Commonwealth prescribing the amount of license fees to be paid in such cases and by imposing an additional license fee on retail dealers in intoxicating liquors" or any other law regulating the manufacture and sale of vinous spiritous malt or brewed liquors Any such corporation shall for purposes of State taxation be deemed to be a corporation organized for manufacturing purposes

Section 2 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 987, as follows:

An Act making a chief burgess of a borough eligible to the office for the next succeeding term

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Geenral Assembly met and it is hereby enacted by the authority of the same That a chief burgess of a borough shall be eligible to the office for the next succeeding term

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF HOUSE BILL NO. 701.

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 841 (House Bill No. 701), entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

was defeated on final passage to-day.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "No."

Mr. ENDSLEY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ENDSLEY. Mr. President, I voted "No."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading

Mr. BUCKMAN. Mr. President, I move that this bill be recommitted to the Committee on Judiciary Special for the purpose of amendment.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

The ACTING PRESIDENT PRO TEMPORE (Mr. Clarence J. Buckman) in the Chair.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1008 (House Bill No. 357), entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commision of such offense" and imposing duties on conductors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1017 (House Bill No. 1168), entitled:

An Act to provide for the payment of costs and charges on writs of executions or attachments and fixing the liability of sheriff in the execution thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1018 (House Bill No. 1226), entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS INTRODUCED.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 1279, entitled:

A supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania, defining its duties, fixing the scope of its authority and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five, and providing penalties for violations of this act.

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 1280, entitled:

An Act providing for the regulation of dams or other structures or obstructions as defined herein, in, along, across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth, vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose, and providing penalties for the violation of the provisions thereof

Which was committed to the Committee on Judiciary Special.

Also read in his place and presented to the Chair Senate Bill No. 1281, entitled:

An Act defining the water resurces of the Commonwealth; providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania; vesting in said Commission certain powers and duties; providing penalties for violation of this act; and making an appropriation to carry the same into effect.

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 852 (House Bill No. 1151), entitled:

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities, boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1020 (House Bill No. 1244), entitled:

An Act to amend the 1st, 3d, and 6th sections of an act, entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April 17, 1905, so as to include gas and water companies.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1204 (House Bill No. 1148), entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assitant assessors in such townships, extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1281, entitled:

An Act defining the water resources of the Commonwealth; providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania; vesting is said Commission certain powers and duties; providing penalties for violation of this act; and making an appropriation to carry the same into effect.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1280, entitled:

An Act providing for the regulation of dams or other structures or obstructions as defined herein, in, along, across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth, vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose, and providing penalties for the violation of the provisions hereof.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1279, entitled:

A supplement to an act, entitled "An Act creating the Water Supply Commission of Pennsylvania, defining its duties, fixing the scope of its authority, and making an appropriation for the payment of the salaries and expenses connected therewith," approved the 4th day of May, 1905, and proving penalties for violations of this act.

CONCURRENT RESOLUTION RECALLING SENATE BILL NO. 77 FROM THE GOVERNOR FOR THE PURPOSE OF AMENDMENT.

Mr. McILHENNY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY offered the following resolution which was twice read, considered and agreed to:

In the Senate, April 30, 1913.

Resolved (of the House of Representatives concur), That Senate Bill No. 77 entitled:

An Act to exempt from the payment of nnheritances taxes bequests and devices to institutions of purely public charity

be recalled from the Governor for the purpose of amendment

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

HOUSE MESSAGE.

Th Clerk of the House of Representatives being introdced, presented extracts from the Journal of the House of Representativs which were laid upon the table.

RECESS.

Mr. McNICHOL. Mr. President, I move the Senate do now take a recess for ten minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

The PRESIDENT. The hour of recess having elapsed the Senate will be in order.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 41, entitled:

An Act ao amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith"

House Bill No. 173, entitled:

An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

House Bill No. 512, entitled:

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

House Bill No. 296, entitled:

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

House Bill No. 600, entitled:

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

House Bill No. 607, entitled:

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty one-hundredths dollars inadvertently and erroniously paid by it under protest into the State Treasury for a distiller's license for a distillery heretobefore and now known as the Standard Distilling Company

House Bill No. 897, entitled:

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the supreme court of the Eastern District also the appointment of a deputy by the supreme court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

House Bill No. 962, entitled:

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said Board or its duly authorized agent shall be prosecutor in action for infringements of said act and also including the practice of veterinary dentistry in the provision for infringements of said act

House Bill No. 964, entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter contract with electric gas or other light companies for the purpose of lighting an illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

House Bill No. 1234, entitled:

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

House Bill No. 1454, entitled:

An Act for the better protection of wild turkeys in this Commonwealth

House Bill No. 787, entitled:

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" approved the third day of May Anno Domini one thousand nine hundred nine

House Bill No. 1145, entitled:

An Act authorizing and empowering the overseers of the poor of any two or more districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor home

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

HOUSE CONCURS IN RESOLUTION RECALLING SENATE BILL NO. 77 FROM THE GOVERNOR FOR THE PURPOSE OF AMENDMENT.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate resolution as follows:

In the Senate, April 30, 1913.

Resolved (If the House of Representatives concur) that Senate Bill No. 77, entitled:

An Act to exempt from the payment of inheritance taxes bequests and devises to institutions of purely public charity

be recalled from the Governor for the purpose of amendment.

With the information that the House has passed the same without amendment.

HOUSE BILLS FOR CONCURRENCE.

He also laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 1444 (Senate Bill No. 1282), entitled:

An Act to amend the second third fourth fifth sixth seventh eighth eleventh twelfth and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of public instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven by extending the powers and duties of the State Fire Marshal his deputies and assistants and providing penalties for violation of said act as amended and to repeal the fourteenth section of said act

Which was committed to the Committee on Judiciary Special.

House Bill No. 383 (Senate Bill No. 1283), entitled:

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a Tax Commission and repealing all laws or parts of laws inconsistent herewith

Which was committed to the Committe on Finance.

House Bill No. 736 (Senate Bill No. 1284), entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended

Which was committed to the Committee on Judiciary Special.

House Bill No. 1118 (Senate Bill No. 1285), entitled:

An Act authorizing municipalities to provide a supply of water for municipal and domestic purposes by the construction and operation of water works or systems of water works or if the said municipality or a portion thereof or its inhabitants be supplied by a private water company by the purchase of the water works of such company or parts thereof within the limits of said municipalities upon the basis herein provided or in the event of the refusal of said water company to sell the same as herein provided by the construction and operation of water works or systems of water works

Which was committed to the Committee on Corporations.

House Bill No. 1219 (Senate Bill No. 1286), entitled:

An Act to amend section seven of an act approved the fifth day of May one thousand nine hundred and eleven entitled "An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled 'An Act to amend sections one two three and seven of an act approved the third day of May Anno Domini one thousand nine hundred and five entitled "An Act amending section one two three seven and fifteen article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved June eighth Anno Domini one thousand nine hundred and one (Pamphlet Laws one thousand nine hun-

dred and one page five hundred and thirty-five et cetera) increasing the number of inspectors and inspection districts providing for the examination of candidates for Dauphin county and providing for certain restricting of inspectors granting to the qualified voters of Sullivan Susquehanna and Wayne counties the right to participate in the election of mine inspectors of the second inspection district' so as to increase the number of inspection districts by making the counties of Susquehanna Wayne and Sullivan a separate district providing for the appointment of a board of examiners for said district and for the examination and election of an inspector therefor and for the appointment of an inspector thereof until such time as an inspector should be duly elected" by providing for additional inspectors therein

Which was committed to the Committee on Mines and Mining.

House Bill No. 1284 (Senate Bill No. 1287), entitled:

An Act fixing the salary of the messenger in the State Library

Which was committed to the Committee on Judiciary Special.

House Bill No. 1293 (Senate Bill No. 1288), entitled:

An Act creating the office of commissioner of municipal lighting in boroughs of this Commonwealth providing for the election of such commissioner and prescribing his powers and duties

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1510 (Senate Bill No. 1289), entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditor's reports

Which was committed to the Committee on Judiciary General.

House Bill No. 351 (Senate Bill No. 1290), entitled:

An Act to amend an act entitled "An Act to regulate and determine what weight of anthracite coal shall make a ton in deliveries by retail coal dealers and to impose penalties for short weight" approved the twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five so as to make it a misdemeanor to sell anthracite coal by short weight

Which was committed to the Committee on Mines and Mining.

House Bill No. 1282 (Senate Bill No. 1291), entitled:

An Act exempting from levy and sale upon execution issued upon any judgment household goods and furniture in use as such to the value of three hundred dollars and providing a method for the appraisal of such household goods and furniture

Which was committed to the Committee on Judiciary Special.

House Bill No. 1424 (Senate Bill No. 1292), entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent neglected or delinquent children" approved the 26th day of February A D 1903 and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poorer district of the Commonwealth and providing for the making of nominations of appointment on the Boards of Visitation

Which was committed to the Committee on Judiciary Special.

House Bill No. 1616 (Senate Bill No. 1293), entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

Which was committed to the Committee on Judiciary General.

COMMUNICATION RELATIVE TO ILLNESS OF HON. E. M. HERBST.

He also laid before the Senate communication, which was read as follows:

Oley, Pa., April 28, 1913.

To the Lieutenant Governor of Pennsylvania and the Members of the Senate of Pennsylvania:

Gentlemen:—At the request of Mrs. Herbst, and in reply to an inquiry from your honorable body, as to the condition of Senator Herbst, it is my sad duty to inform you that there is at this time no appreciable change for the better. Senator Herbst suffered a stroke of paralysis shortly after noon yesterday (Sunday) and has been unconscious most of the time. He is blinded and entirely speechless. His right side is paralyzed and his condition at this time, though not entirely hopeless, is serious. Mrs. Herbst is bearing up nobly under the sad circumstances and appreciates the kindly interest in her husband's condition shown by the inquiry by phone from your body.

Very respectfully,
J. B. HERZOG.

RECESS.

Mr. McNICHOL. Mr. President, I move the Senate do now take a recess until 8 o'clock this evening.

Mr. MAGEE. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1036 (House Bill No. 1191), entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1039 (House Bill No. 1218), entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred ninety-three by repealing the provision that the divisions in each batallion in the Naval Force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1041 (House Bill No. 1365), entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1043 (House Bill No. 1464), entitled:

An Act regulating the openings of buildings upon over or under external fire escapes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1049, as follows:

An Act regulating the salaries of county commissioners when said commissioners are directors of the county poor in counties of more than fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first Monday of January one thousand nine hundred and fourteen in all counties of this Commonwealth having a population of more than fifty thousand as appears by the last preceding United States census and in which the county commissioners are or will be the directors of the poor their salaries or compensation shall be not less than one thousand eight hundred dollars ($1,800) per year

Section 2 That all laws or parts of laws inconsistent with the provisions of this act be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1051 (House Bill No. 1144), entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Geenral Assembly met and it is hereby enacted by the authority of the same That the board of township commissioners in every township of the first class shall have power to provide by contract or otherwise for the collection and removal of ashes and garbage accumulating therein

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 1. by adding thereto the following: "Provided that the foregoing provisions of this act shall cease to be operative in any township of the first class, when, after the passage of any ordinance for any of the above purposes, the owners of at least fifty-one per cent. in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance."

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1070 (House Bill No. 146), entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1074 (House Bill No. 1283), entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1085 (House Bill No. 1437), entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1089 (House Bill No. 1660), entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1117, as follows:

An Act to amend an act entitled "An Act to provide for the division of boroughs and the erection of new boroughs" approved the twenty-ninth day of May Anno Domini eighteen hundred and eighty-nine so as to extend the provisions of the same to boroughs and cities in this Commonwealth whether situate in one or more counties and to provide for the adjustment of indebtedness

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act to provide for the division of boroughs and the erection of new boroughs" approved the twenty-ninth day of May Anno Domini eighteen hundred and eighty-nine which reads as follows to wit

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any incorporated borough shall include within its limits two or more villages it shall be lawful for a majority of the free-holders residing in any one or more of the said villages to make application by a petition in writing to the court of quarter sessions of the county wherein such village or villages are situate praying that the said village or villages may be set off from the said borough and erected into a new and separate borough and upon the presentation of the said petition the said court of quarter sessions by and with the concurrence of the grand jury of the county shall have full power and authority to set off and divide the said village or villages from the said borough and to incorporate such village or villages into a new borough

Section 2 The said village or villages so incorporated shall thereupon become a body politic under such name as shall be

given or sanctioned by the court and shall have all the rights and privileges and powers conferred by law upon boroughs within the Commonwealth

Section 3 The said court of quarter sessions shall further have power to fix the time and place for holding the first election in said borough to designate a person to give due notice of such election to appoint a judge and inspectors of such first election from among the electors of the borough and to fix and change the place within the borough of holding the annual election

Section 4 All laws or parts of law inconsistent with the provisions of this act are hereby repealed" and the same is amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any incorporated borough or city in this Commonwealth shall include within its limits one or more villages townships or parts thereof wards or former boroughs whether in the same county or not it shall be lawful for a majority of the free-holders residing in any one or more of said villages townships or parts thereof wards of former boroughs to make application by a petition in writing to the court of quarter sessions of the county wherein such village or villages townships or parts thereof wards or former boroughs are situate praying that the said village or villages townships or parts thereof wards or former boroughs may be set free from the said borough or city and erected into a new and separate borough said petition shall set forth the name of" the proposed new borough with a particular description of the boundaries thereof to be accompanied by a map of the same and upon presentation to the court shall be filed with the clerk and notice thereof shall be given in one newspaper of the proper county for a period of not less than thirty days immediately before the next regular term following the presentation of such application and the filing thereof during which time exceptions may be filed to such petition by any person interested and the court at said term after a full investigation of the case if it shall find that the conditions prescribed by law have been complied with and shall believe that it is expedient to grant the prayer of the petitioners shall grant the same and make decree accordingly and said petition and decree shall be recorded in the recorder's office of the proper county at the expense of the petitioners and shall have the same force and effect as is now given by law to the recording of the petition and decree in proceedings in the incorporation of boroughs if such new borough is formed from part of a borough located in more than one county then the notice of the presentation of the petition shall be published in at least one newspaper in each of the counties in which the original broough is situate and the decree made shall be recorded in the recorder's office of each of the said counties and an exemplification of the record from the court of quarter sessions shall be filed and recorded in the office of the clerk of the quarter sessions of each of the said counties

Section 2 The said village or villages wards townships or former boroughs so incorporated shall thereupon become a body politic under such laws as may be sanctioned and approved by the court and shall have all the rights privileges and powers conferred by law upon boroughs within this Commonwealth

Section 3 The said court of quarter sessions shall further have power to forthwith establish one or more wards in said borough and to fix the time and place for holding the first election therein and to designate a person or persons to give due notice of such election to appoint a judge or judges and inspectors of such first election from among the electors of the borough and to fix and change the place or places within the borough of holding the annual election

Section 4 Immediately after a decree of the court establishing a borough in pursuance of this act an auditor shall be appointed by said court whose duty it shall be to inquire into and ascertain as nearly as possible the entire indebtedness existing and owing on the part of such original borough or city from which territory has been set off and erected into a new borough he shall likewise take into account and embrace in a report to be made by him to the said court the value of all public buildings and all other property owned in full or in part by such original borough or city purchased at the general expense of the same and show therein how much of said indebtedness would be the proportionate share of such debt properly and justly chargeable to the inhabitants and properly embraced in the territory so set off from such original borough or city after reasonable and proper allowance for a proportionate credit for the value of the property owned and purchased by said original borough or city prior to the establishment of a borough in pursuance of this act and taking into consideration the location and use of such public property after the separation of the territory forming the new borough that is whether or not such public property is located in the territories so set apart should there be any indebtedness remaining that would be just chargeable to the borough erected out of territory formerly a part of any such original borough or city then the authorities of the borough created under this act are hereby required to issue and deliver to the proper authorities of the original borough or city interest bearing bonds payable on the part of the said new borough only in liquidation of so much as may be the ascertained proportionate share of such debt as was owing on the part of such original borough or city at the time of the court's decree declaring a new borough if established as herein provided

Section 5 In all cases where an assessment has been made and tax duplicates issued and in the hands of persons authorized to collect taxes levied prior to the establishment of a borough as provided in this act then such an adjustment shall be made by the authorities ruling in the original borough or city as will secure to said borough created under this act a just and equitable proportiion of the taxes collected within the limits thereof for the current year immediately preceding such organization of a borough government

Section 6 All laws or parts of laws requiring the laying of the application or petition before the grand jury for its approval and certificates thereof and inconsistent herewith are hereby repealed

Section 7 All laws or parts of laws inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1122 (House Bill No. 1050), entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to two hundred and eighty thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1123 (House Bill No. 1053), entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property providing penalties for the breach thereof and limiting the amount to be expended for the purpose aforesaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1126 (House Bill No. 1132), entitled:

A supplement to an act approved the twenty-third day of April one thousand nine hundred and three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of triennial assessment of property and fixing the time for the return thereof" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1129 (House Bill No. 1318), entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1131 (House Bill No. 1357), entitled:

An Act concerning building regulation and inspection in townships of the first class

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by the authority of the same That to prevent the spread of fires and to secure structural and sanitary safety of the buildings within the limits of townships of the first class within this Commonwealth the board of township commissioners of every such township shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins municipal approval of plans and specifications therefor be secured and to provide for inspection of such construction and repair including the appointment and compensation of one or more building inspectors to provide limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provisions of any such ordinance is declared to be a public nuisance and abatable as such

The second section of the bill was read as follows:

Section 2 All such building regulation and inspection ordinances heretofore enacted by boards of township commissioners of townships of the first class are hereby validated as being lawfully within their police powers

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 2, by adding therto the words "Provided that the foregoing provisions shall cease to be operative in any township of the first class, when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per cent, in value (according to the last assesed valuation for taxable purposes) of property in said townships shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance.

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections of the bill were read as follows and agred to.

Section 3 Any person aggrieved by action taken by a board of township commissioners under this act may have an appeal therefrom to the court of common pleas of the county which appeal shall be heard summarily in like manner as an application for a special injunction in equity and the court may correct any mistake in law and also any abuse of discretion appearing in the action of the commissioners

Section 4 All acts or parts of acts inconsistent herewith are hereby reepaled

The title of the bill was read as follows and agreed to.

An Act concerning building regulation and inspection in townships of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1133 (House Bill No. 1534), entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1136 (House Bill No. 1712), entitled:

An Act to authorize the courts of common pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustees for said church to hold and dispose of the title to the property owned by said church and defining the procedure therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1140 (House Bill No. 938), entitled:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-nine

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1162, as follows:

An Act to amend section two of the act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" which reads as follows

Section 2 The township supervisors of each township shall meet at the place where the auditors of the respective townships meet to perform their official duties on the first Monday in December one thousand nine hundred and eleven and yearly thereafter and after being duly sworn or affirmed according to law to discharge their duties with fidelity a copy of the oath to be filed with the township auditors shall organize as a board by electing one of their number as chairman and shall appoint a treasurer and a secretary who may or may not be the same person and who may or may not be a member or members of the board but who shall not be a roadmaster and the secretary shall perform all the duties heretofore performed by the township clerk which office is hereby abolished and the said secretary shall receive as compensation for his services such sum as shall be fixed by the township auditors and the treasurer shall receive as compensation for his services such sum as shall be fixed by the township auditors Provided That the combined amount paid to said secretary and treasurer shall not exceed two per centum of the money paid out by said treasurer The board shall proceed immediately to levy a road tax which shall not exceed ten mills on each dollar of valuation this valuation shall be the last adjusted valuation for county purposes and which shall be furnished to said township supervisors by the commissioners of the proper county Provided That a greater rate than ten mills and not to exceed ten additional mills may be levied by order of the court of quarter sessions of the peace of that county upon petition of the board of supervisors with their unanimous recommendation and upon due cause shown Provided however that the said road tax shall hereafter be collected in cash and no such taxes shall be payable in labor or worked out Each township shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January in each year as hereinafter provided for Provided that no township shall receive in any one year more than twenty dollars for each mile of township road in said township Provided That nothing in this section shall interfere with the State appropriation for maintenance of State or macadamized roads under existing laws Upon receipt of the sworn statement from the board of township supervisors it shall be the duty of the State Highway Commissioner to certify to the Auditor General the amount due the respective township and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of the section to the treasurer of the board of township supervisors which shall be paid out of the moneys appropriated for that purpose Provided That all money appropriated under the provisions of this act shall be expended by the supervisors of the respective townships for the making of permanent improvements on the township roads according to plans and specifications furnished by the State Highway Department and under the supervision of the said State Highway Department such supervision

to be without cost to the township Provided further That upon the neglect or refusal of the supervisors of any township to carry out the instructions of the State Highway Commissioner as aforesaid then the State Highway Commissioner shall withhold from the said township so neglecting or refusing the amount to which it would otherwise be entitled for the year in which said neglect or refusal occurred Provided That the State Highway Commissioner shall furnish from time to time bulletins of instruction to each board of township supervisors for the building repairing maintenance and improvement of township roads and shall furnish any additional information when called upon so to do The State Highway Commission shall also furnish from time to time free of charge standards plans and specifications for permament improvements in the building of culverts establishing of grades proper drainage and such other matters as he may deem essential That the State Highway Department shall furnish blanks to the township supervisors in which said supervisors shall make a sworn statement signed by a majority or all of the members of the board that the money has been expended in building repairing maintaining dragging and improving township roads according to the instructions standards plans and specifications submitted by the Highway Department as far as the available funds and local conditions make it possible be and the same is hereby amended to read as follows

Section 2 The township supervisors of each township shall meet at the place where the auditors of the respective townships meet to perform their official duties on the first Monday in December one thousand nine hundred and eleven and yearly thereafter and after being duly sworn or affirmd according to law to discharge their duties with fidelity a copy of the oath to be filed with the township auditors shall organize as a board by electing one of their number as chairman and shall appoint a treasurer and a secretary who may or may not be the same person and who may or may not be a member or members of the board but who shall not be a roadmaster and the secretary shall perform all the duties heretofore performed by the township clerk which office is hereby abolished and the said secretary shall receive as compensation for his services such sum as shall be fixed by the township auditors and the treasurer shall receive as compensation for his services such sum as shall be fixed by the township auditors Provided That the combined amount paid to said secretary and treasurer shall not exceed two per centum of the amount paid out by said treasurer The board shall proceede immediately to levy a road tax which shall not exceed ten mills on each dollar of valuation this valuation shall be the last adjudged valuation for county purposes and which shall be furnished to said township supervisors by the commissioners of the proper county Provided That if any further adjustment of valuation of any property is made by the county commissioners after said tax is so levied and before said tax is payable such valuation so adjusted shall be certified to the township supervisors and the tax shall be collected on the basis of such valuation as so adjusted Provided That a greater rate than ten mills and not to exceed ten additional mills may be levied by order of the court of quarter sessions of the peace of that county upon petition of the board of supervisors with their unanimous recommendation and upon due cause shown Provided however that the said road tax shall hereafter be collected in cash and no such taxes shall be payable in labor or worked out Each township shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January of each year as hereinafter provided for Provided That no township shall receive in any one year more than twenty dollars for each mile of township road in said township Provided That nothing in this section shall interfere with the State appropriation for maintenance of State or macadamized roads under existing laws Upon receipt of the sworn statement from the board of township supervisors it shall be the duty of the State Highway Commissioner to certify to the Auditor General the amount due the respective township and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of the section to the treasurer of the board of township supervisors which shall be paid out of the moneys appropriated for that purpose Provided That all money appropriated under the provisions of this act shall be expended by the supervisors of the respective townships for the making of permanent improvements on the township roads according to plans and specifications furnishel by the State Highway Department and under the supervision of the State Highway Department such supervision to be without cost to the township Provided further That upon the neglect or refusal of the supervisors of any township to carry out the instructions of the State Highway Commissioner as aforesaid then the State Highway Commissioner shall withhold from said township so neglecting or refusing the amount to which it would otherwise be entitled for the year in which said neglect or refusal occurred Provided That the State Highway Commissioner shall furnish from time to time bulletins of instruction to each board of township supervisors for the building repairing maintenance and improvement of township roads and shall furnish any additional information when called upon so to do The State Highway Commissioner shall also furnish from time to time free of charge standards plans and specifications for permanent improvements in the building of culverts establishing of grades proper drainage and such other matters as he may deem essential That the State Highway Department shall furnish blanks to the township supervisors in which said supervisors shall make a sworn statement signed by a majority of all the members of the board that the money has been expended in building repairing maintaining dragging and improving the township roads according to the instructions standards plans and specifications submitted by the Highway Department as far as the available funds and local conditions make it possible

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1179 (House Bill No. 1044), entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of he whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1185 (House Bill No. 536), entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damage and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of he whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1189 (House Bill No. 1695), entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1196 (House Bill No. 1426), entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1203 (House Bill No. 1872), entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred sixty-seven entitled "An act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1207, as follows:

An Act fixing the salaries and providing for the expenses of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the annual salary of each county solicitor appointed or elected by the board of county commissioners in the several counties of this Commonwealth having a population of over one hundred and fifty thousand and less than two hundred and fifty thousand may be eighteen hundred dollars ($1,800) per annum payable monthly The said salary herein fixed shall be in full and in lieu of all other compensation for the services of the county solicitor for the duties he is required to perform by law except traveling expenses necessarily incurred in the discharge of his official duties Provided That the population of the counties be taken from the United States census

Section 2 All general or special acts or parts thereof inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1213, as follows:

An Act making it unlawful for any person to practice law in any county in the State of Pennsylvania unless duly admitted to practice by a court of record in any county of this Commonwealth defining what shall constitute the practice of law and providing a penalty for any violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall not be lawful for any person or persons in any county of the State of Pennsylvania to practice law without having first been duly and regularly admitted to practice law in a court of record in any county of this Commonwealth

Section 2 That the term "to practice law" as used in this act shall be so construed as to include the trial of causes either civil or criminal in any court of record of this Commonwealth the giving of legal advice pertaining to any action at law motion petition deed or will that may be or is filed recorded or probated in any county in this Commonwealth the drafting or the making of any petitions motions accounts or wills to be filed recorded or probated in any court of record or register's office in any county in this Commonwealth giving advice or instructions to administrators executors trustees or guardians in any matter or thing pertaining to the settlement of the estates of decedents and the representing instructing or directing any person or persons standing in a fiduciary capacity appointed by any court of record register or by will in this Commonwealth in any matter or thing relative to the trust or duty imposed by said appointment or the method or procedure thereunder Provided however that nothing herein contained shall be so construed as to prevent any person from trying his own causes drafting and making his own motions petitions accounts wills et cetera in any court of record or register's office in this Commonwealth

Section 3 Any person or persons violating the provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine not exceeding one thousand dollars and to undergo an imprisonment not exceeding two years either or both at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1234 (House Bill No. 1007), entitled:

An Act authorizing the appointment of delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 150, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 235, entitled:

An Act providing for an initiative and referendum system of legislation under certain conditions in all cities and boroughs within the Commonwealth of Pennsylvana the manner and time of conducting elections hereunder the form of petitions and number and qualifications of petitioners required the form of the ballot to be used the ascertainment and announcement of the result of elections hereunder the payment of expenses incurred under this act also making certain violations of this act misdemeanors and prescribing penalties for the violations of the provisions of this act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 235, the bill just read, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 676 (House Bill No. 483), entitled:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred eleven entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purposes and to abolish the Revenue Board' approved the thirtieth day of April Anno Domini one thousand eight hundred sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 693 (House Bill No. 956), entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter houses shops wagons and places where meats poultry fish game and shellfish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred seven so as to provide that licenses shall be for the calendar year and that licensees continuing in business shall annually apply for new licenses

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 709, entitled:

An Act to regulate the admission of minors to public dance houses or halls to concert saloons to theatres and to places where theatrical acrobatic or vaudeville performances or moving picture shows are given and providing the punishment for a violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 721 (House Bill No. 118), entitled:

An Act regulating certain political parties providing for and regulating the nomination of candidates of such political parties for certain public offices the election of delegates and alternate delegates to National Party conventions and of certain party officers a method whereby electors of such political parties may express their choice of candidates for the office of President of the United States and of United States Senator and the payment by the several counties and their reimbursement by the State of the expenses of the same authorizing the State Committee of a political party to make and to alter amend and revoke party rules and providing penalties for the violation of the pro-

visions of this act and for the punishment of certain offenses provided for herein and repealing inconsistent legislation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 721 (House Bill No. 118), the bill just read, be recommitted to the Committee on Elections.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 733, entitled:

An Act to repeal an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 783, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 796 (House Bill No. 399), entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment establishing an elective schedule of compensation and regulating procedure for the determination of liability and compensation thereunder

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 796 (House Bill No. 399), the bill just read, be recommitted to the Committee on Corporations.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 797 (House Bill No. 401), entitled:

A joint resolution proposing an amendment to section twenty-one of article three of the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 797 (House Bill No. 401), the bill just read, be recommitted to the Committee on Corporations.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 798 (House Bill No. 402), entitled:

An Act regulating policies of insurance against liability arising under article two of the Workmen's Compensation Law of one thousand nine hundred and thirteen

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 798 (House Bill No. 402), the bill just read, be recommitted to the Committee on Corporations.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 799 (House Bill No. 403), entitled:

An Act to provide for the incorporation and regulation of Employers' Mutual Liability Insurance Associations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 799 (House Bill No. 403), the bill just read, be recommitted to the Committee on Corporations.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 800 (House Bill No. 404), entitled:

An Act requiring employers to make report to the Bureau of Industrial Statistics of accidents to employes and prescribing a penalty for non-compliance therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 800 (House Bill No. 404), the bill just read, be recommitted to the Committee on Corporations.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 870 (House Bill No. 210), entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the De-

partment of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1038 (House Bill No. 1203), entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefore

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1062, entitled:

An Act to amend the first section of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and three entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth and providing penalties for violation or its provisions and repealing an act approved the twenty-fourth day of April one thousand nine hundred and one by making the license fee twenty dollars instead of ten dollars as at the present time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1071 (House Bill No. 952), entitled:

An Act prohibiting the use of night soil or ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1102 (House Bill No. 1302), entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred and twenty-two two thousand six hundred and twenty-four two thousand six hundred and twenty-six and two thousand six hundred and twenty-seven thereof and also conferring upon tax payers similar rights in regard to reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon tax payers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1128 (House Bill No. 1278), entitled:

An Act authorizing all boroughs within this Commonwealth to regulate the production or emission of smoke from chimneys smoke stacks or other source

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1128 (House Bill No. 1278), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1134 (House Bill No. 1550), entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a County Court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1186 (House Bill No. 900), entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1192 (House Bill No. 415), entitled:

An Act making an appropriation to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as a proprietor of a moving picture place in the State of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of of Senate Bill No. 1205 (House Bill No. 1370), entitled:

An Act to amend section five hundred thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1210, entitled:

A supplement to an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act for the incorporation and government of cities of the third class" authorizing third class cities to manufacture and sell ice

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

RESOLUTION AUTHORIZING THE PRINTING OF PROCEEDINGS OF MEMORIAL SERVICES IN HONOR OF HON. DAVID A. WILBERT.

Mr. McNICHOL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL offered the following resolution which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), That one thousand (1,000) copies of the proceedings of the memorial services, held in honor of the late Honorable David A. Wilbert, be printed for the use of the Senate.

RESOLUTION AUTHORIZING PRINTING OF PROCEEDINGS OF MEMORIAL SERVICES IN HONOR OF HON. JACOB C. STINEMAN.

Mr. BEIDLEMAN. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the House of Representatives concur), That one thousand (1,000) copies of the proceedings of the memorial services, held in honor of the late Honorable Jacob C. Stineman, be printed for the use of the Senate.

REPORTS FROM COMMITTEE.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN, from the Committee on appropriations, reported as committed, Senate Bill No. 1111 (House Bill No. 695), entitled

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, re-reported as committed, Senate Bill No. 1155 (House Bill No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April one thousand eight hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred and seven by altering the seventh section and by repealing the sixth section thereof

Also, from the Committee on Judiciary Special, re-reported as amended Senate Bill No. 620 (House Bill No. 107), entitled:

An Act establishing a court for the County of Philadelphia, prescribed its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

Also, from the Committee on Municipal Affairs, reported as amended Senate Bill No. 1178 (House Bill No. 1681), entitled:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth Anno Domini one thousand eight hundred and ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred and eleven

SENATE BILL NO. 274 RETURNED WITH AMENDMENTS.

The Chair cleared his table and laid before the Senate Communication from the House of Representatives returning to the Senate, Senate Bill No. 274, entitled:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred ninety-five"

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. BUCKMAN. Mr. President, I move that Rule 21, which requires that amended bills be noted on the Calendars be in this case dispensed with and that the Senate proceeded to the consideration of the amendments made by the House to the foregoing bill.

Mr. SNYDER. Mr. President, I second the motion.

The motion was agreed to.

Said amendments were twice read printed as required by the Constitution, as follows:

In section 1, lien 149, by striking out the word "ten" and inserting in lieu thereof the word "twelve."

In section 1, line 152, by striking out the word "seven" and inserting in lieu thereof the word "eight."

In section 1, line 152, by striking out the word "twenty" and inserting in lieu thereof the word "forty."

In section 1, line 171, by striking out the words "six skilled carpenters at a salary of ten hundred and twenty dollars each pear annum."

In section 1, line 205, by striking out the word "twelve" and inserting in lieu thereof the word "fifteen."

In section 1, line 206, by striking out the word "ten" and inserting in lieu thereof the word "twelve."

In section 1, line 206, by striking out the words "and twenty."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Fisher,	Magee,	Snyder,
Buckman,	Hall.	Martin,	Sones,
Catlin,	Homsher,	McNichol,	Thompson,
Clark,	Hunter,	Miller,	Vare,
Crow.	Judson,	Nulty,	Washers.
Endsley,	Kline	Salus,	Gerberich,
Farley,	Kurtz,	Sensenich,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL NO. 645 RECALLED FROM THE GOVERNOR.

He also laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 645, entitled:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

Said bill having been recalled from the Governor for amendment. The vote had on final passage and third reading of said bill were reconsidered in the House of Representatives and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. CLARK. Mr. President, I move that Rule 21, which requires amended bills to be noted on the calendar, be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

The amendments were twice read as follows:

In the title, by striking out after the words "An Act" the words: "Regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or

in the performances of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eighth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled "An Act for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof" and inserting in lieu thereof the words: "Defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act"; also in section 2, line 15, by striking out the word "first" and the words "had and"; also in the same section in line 16 by striking out the words "of the city or county (borough or township)"; also in section 3, by adding thereto the words "to seating capacity"; also in section 4, line 1, by inserting after the word "license" the word "fee"; also in section 5, line 23, by striking out the word "whereby" and inserting in lieu thereof the word "whereupon"; also in section 6, line 2, by striking out the words "(borough or township)"; also, in the same section, line 8, the words "or (of any city, borough or township)"; also, in section 7, line 3, by striking out the words "of the cities (boroughs or townships)"; also in the same section, line 6, by striking out "ower" and inserting in lieu thereof the word "owner"; also in the same section, line 8, by striking out the words "director of public safety of the cities of the first class or of the"; also in the same section, line 9, by striking out the words "officer of the cities of the second and third class, boroughs or townships" and inserting in lieu thereof the word "officers"; also, by adding at the end of the same section the worls: "A license when granted shall not be transferrable except to the lawful representatives of the deceased licensee or to a purchaser at an insolvent or bankrupt sale for the remainder of the term"; also, in section 8, line 3, by striking out the word "applicants" and inserting in lieu thereof the word "persons"; also, in the same line by inserting after the word license the word "fee"; also in the same section, line 5, by striking out the word "amount" and inserting in lieu thereof the word "number"; also in the same section, line 6, by striking out the word "such" and inserting in lieu thereof the word "the"; also in the same section, line 7, by striking out the word "transports" and inserting in lieu thereof the word 'transport"; also, in the same section, line 8, by striking out the words "every applicant shall be required to sign and make oath or affirmation as to the correctness thereof," and inserting in lieu thereof the words: "Each application for a license shall be verified by the oath or affirmation of the applicant"; also, in the same section, line 13, by striking out the words "the crime of"; also in the same section in line 14, by striking out the words "and shall be punished as such"; also in section 9, line 2, by striking out the words "as provided"; also in the same section, line 8, by striking out the words "him or it" and inserting in lieu thereof the words "such applicant"; also, in section 10, line 5, by adding after the word "license" the word "fee"; also, in the same section, line 11, by striking out the word "money" and inserting in lieu thereof the word "fee"; also, in the same section, line 14, by inserting after the word "license" the word "fee"; also in the same section, line 16, by striking out the word "and" and inserting in lieu thereof the word "or"; also, in the same section, line 19, by inserting after the word "license" the word "fee"; also, in the same section, line 21, by striking out the word "and" and inserting in lieu thereof the word "or"; also, in the same line, by striking out the words "he, they or it" and inserting in lieu thereof the word "such person"; also, in the same section, line 36, by striking out the word "he" and inserting in lieu thereof the words "such person"; also in the same section, line 37, by inserting after the word "license" the word "fee"; also, in the same section, line 38, by striking out the word "he" and inserting in lieu thereof the words "such person"; also in the same section, line 39, by striking out the word "him" and inserting in lieu thereof the words "such person"; also, in section 11, line 2, by striking out the word "licenses" and inserting in lieu thereof the words "license fees"; also, in the same section, line 4, by striking out after the word "July" the word "of" and inserting in lieu thereof the word "in"; also, in the same line, by striking out the words "and every"; also, in the same section, line 9, by striking out the word "taxes" and inserting in lieu thereof the word "fees"; also, in section 12, line 1, by adding after the word "license" the word "fee"; also, in section 12, line 2, by striking out the words "on each and every" and inserting in lieu thereof the words "in each"; also, in the same section, line 4, by striking out the word "taxes" and inserting in lieu thereof the word "fee"; also, in the same section, line 9, by striking out the word "person" and inserting in lieu thereof the word "party"; also, in section 13, line 6, by striking out the word "persons" and inserting in lieu thereof the word "person"; also, in the same section, line 7, by inserting after the word "license" the word "fee"; also in section 15, line 2, by striking out the words "of the cities (boroughs or townships)"; also, in the same section, line 3, by striking out the words "parties" and inserting in lieu thereof the word "persons"; also, in the same section, line 4, by striking out the word "proven" and inserting in lieu thereof the word "shown"; also in the same section, line 11, by striking out the words "of the cities (boroughs or townships)"; also, in section 16, line 1, by striking out the words "Department of Public Safety of the cities of the first class or the"; also in lines 2 and 3, by striking out the words "of the cities of the second and third class boroughs or townships"; also, in line 8, by inserting after the word "proven" the words "to be true"; also in line 9, by striking out the words "to be true"; also in section 17, line 4, by striking out the words "city or county treasurer or the director of public safety of the cities of the first class or the"; also, in lines 5 and 6, by striking out the words "of cities of the second and third class boroughs or townships"; also in lines 6 and 7, by inserting after the word "granting" the words "or refusing to grant"; also in line 18, by inserting after the word "and" the word "are"; also in line 29, by striking out the words "city or county treasurer or director of public safety of cities of the first class or the"; also in line 31 and 32, by striking out the words "of cities of the second and third class or boroughs and townships"; also in line 32, by striking out the word "and" and inserting in lieu thereof the word "or"; also in section 19, line 16, by inserting after the word "to" the word "theaters"; also in line 18, by inserting after the word "and" the word "are" also in line 19, by inserting before the word "moving" the words "theatre or"; also in line 25, by inserting after the article "a" the words "theatre place of amusement"; also in line 26, by inserting after the word "place" the words "at the time of such erection construction or alteration"; also in section 20, line 6, by striking out the word "first"; also in line 6, by striking out the words "had and"; also in lines 8 and 9, by striking out the words "liable to indictment" and inserting in lieu thereof "the words "guilty of a misdemeanor"; also in line 10, by inserting after the word "shall" the words "be sentences to "; also in line 11, by striking out the word "greater" and inserting in lieu thereof the word "more"; also in line 12, by striking out the words "trying the said offense"; also in section 21, after the numeral 21, by striking out the entire section and inserting in lieu thereof the words "if any person liable for the payment of the license fee as herein provided shall open any such building tent or enclosure after the license here commencing May first in each year he shall be permitted to pay a proportionate part of the license fee from the date of the opening thereof until the end of the license year"; also, in section 22, line 5, by striking out the word "or" and inserting in lieu thereof the word "nor"; also by inserting after Section 22, a new section as follows: "Section 23. The words 'owner,' 'lessee,' 'applicant,' 'person' or 'party' wherever used in this act shall include a partnership or corporation"; also in section 23, line 1, by striking out the numeral "23" and inserting in lieu thereof the numeral "24."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Hall,	Martin,	Sensenich,
Buckman,	Hilton,	McNichol,	Sheatz,
Catlin,	Hoke,	McNichols,	Snyder,
Clark,	Homsher,	Miller,	Sones,
Crow,	Huffman,	Mills,	Thompson,
Endsley,	Hunter,	Moore,	Vare,
Farley,	Judson,	Morgan,	Wasbers,
Fisher,	Kline,	Nulty,	Gerberich,
Graff,	[illegible]ntz,	Powell,	Pres. pro tem.
Gyger,	Magee,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 1152 RECALLED FROM THE GOVERNOR.

He also laid before the Senate extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, April 30, 1913.

Resilved (if the Senate concur), That House Bill No. 1152. entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a department or suburban metropolitan planning and the appointment of suburban metropolitan planning commissions for such dis-

tricts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1294, entitled:

An Act to amend an act approved the twentiteh day or June, one thousand nine hundred and one, entitled "An Act relating to the collection of city, school and poor taxes, in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities, by virtue of his office, shall be the collector of the said several taxes; prescribing his duties and fixing his compensations," by eliminating certain provisions relating to school taxes; and repealing section eight of said act.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. McNICHOL. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL, from the Committee on Law and Order, reported as committed, Senate Bill No. 1239 (House Bill No. 1473), entitled:

An Act to amend an act approved the 10th day of May, 1881, entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose obtaining intoxicating liquors."

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 274, entitled:

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred ninety-five"

House Bill No. 645, entitled:

An Act regulating the licensing of all places of amusement buildings tents or enclosures used for the purpose of giving dramatic theatrical operatic or vaudeville performances tragedies comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or of songs dances acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or in the performance of some act for the amusement of the public designating what is meant by the words "place of amusement dramatic theatrical or operatic or vaudeville performances circuses or menageries or museums or wild west shows" and that the act of the eight day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one or article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and eighty-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled an act supplemental to an act entitled an act to create a Bureau of Building Inspection and to regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class approved the fifth day of May one thousand eight hundred and ninety-nine shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto fixing the amount to be paid for said licenses and providing the penalty for the violation thereof

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1294, entitled:

An Act to amend an act approved the 20th day of June, 1901, entitled "An Act relating to the collection of city, school and poor taxes in the several cities of the third class in this Commonwealth, and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes; prescribing his duties and fixing his compensation," by eliminating certain provisions relating to school taxes and repealing section eight of said act.

ADJOURNMENT.

Mr. FARLEY. Mr. President, I move that the Senate do now adjourn until Monday evening, May 5, 1913, at 9 o'clock.

Mr. CLARK. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 9:10 o'clock P. M., until Monday evening, May 5, 1913, at 9 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, April 30th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Rev. John G. Wilson, of Philadelphia, offered the following prayer:

"O Lord, Our Lord, how excellent is Thy name in all the earth. The Heavens declare Thy glory and the firmament showeth Thy handiwork. Day unto day uttereth speech and night unto night showeth knowledge." There is no place where Thy voice is not heard and Thy power felt. We have been the recipients of innumerable blessings at Thy hand and gratefully acknowledge Thy marvelous kindness towards us. We are the children of Thy love and Thy care.

"We know not what the future holds of marvel or surprise,
We only know that life and death Thy mercy underlies.
We know not where Thine islands lift their fronded palms in air,
We only know we cannot drift beyond Thy love and care."

Deeply appreciative of Thy great kindness, we ask Thee to give us strength to be true to Thee, loyal to truth and actively interested in the welfare of our fellow men.

Bless, we pray Thee, the members of this House, now in session. Grant that in the administration of the trust committed to their hands they may be guided by the spirit of the Master; guide us all by Thy counsel, sustain us by Thy grace and keep us faithful unto death, that it may be ours to hear Thee say "Well done good and faithful servant."

We ask it in the Redeemer's name, Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Matt, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. ROCKWELL, from the Committee on Judiciary General, reported as amended, House Bill No. 1963 (Senate Bill No. 10), entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and elven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by restricting the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act.

Mr. WALNUT, from the Committee on Judiciary General, reported as amended, House Bill No. 1914, entitled:

An Act prohibiting the placing, fixing or inserting of certain things in or on or to newspapers, magazines, periodicals or books without the consent of the owner or publisher and providing a penalty.

Mr. SHERN, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1901 (Senate Bill No. 773), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss or life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fire works and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for the appeals from and reviews of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor and providing that the Courts of Common Pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations.

Mr. SWIFT, from the Committee on Education, re-reported as amended, House Bill No. 1182, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and elven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties or the violation thereof providing revenue to establish and maintain the same and the methods of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district.

Mr. HERMAN, from the Committee on Education, reported as amended, House Bill No. 1723, entitled:

An Act to amend an act approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith."

Mr. ULERICH, from the Committee on Education, reported as Committed, House Bill No. 1896 (Senate Bill No. 752), entitled:

A supplement to an act entitled "An Act to incorporate any academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty two providing authority to the trustees of the Warren Academy or their successors to sell and convey in fee simple certain lands.

LEAVES OF ABSENCE.

Mr. HACKETT. Mr. Speaker, I ask leave of absence for Mr. Walsh for the balance of the week on account of business.

The SPEAKER. The Chair hears objections.

Mr. ELY. Mr. Speaker, I have a telegram from Mr. Schuck, from Pittsburgh, who was called home on account of illness, and I ask leave of absence for him until his return.

The SPEAKER. The Chair hears objections.

The SPEAKER asked and obtained leave of absence for Mr. Rex for the balance of the week on account of death in the family.

MOTION TO RECOMMIT BILL.

Mr. WALNUT. Mr. Speaker, I ask unanimous consent to offer a motion at this time.

The SPEAKER. Will the House give unanimous consent to permit the motion to be offered at this time? Is there any objection? The Chair hears none and the motion will be read by the Clerk.

The Clerk then read the motion as follows:

It is moved that House Bill No. 1439, entitled:

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred and extending the said compilation and publication to include all the laws of the Commonwealth of Pennsylvania enacted prior to the session of the General Assembly which began December first eighteen hundred and one and placing the supervision and direction thereof under the care of the Legislative Reference Bureau

on page 33 of Tuesday's calendar, be recommitted to the Committee on Municipal Corporations.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER. It will be necessary to reconsider the vote by which this bill passed third reading before this can be done.

Mr. WALNUT. Mr. Speaker, I desire to call your attention to the fact that my recollection is that this bill did not pass on third reading. The first section was read, and then I moved that the further consideration be postponed. I think the records will show that.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ALLEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ALLEN. Mr. Speaker, there are a number of the bills on the postponed calendar that have been there for weeks and weeks, prior to the rule adopted the other day. Ample opportunity has been given to the sponsors of the bills to have them recommitted for amendment or taken off the postponed calendar by the vote of this House. Now we all know that bills at this late day, being taken off the postponed calendar for the purpose of amendment, we old members know that we can take the bill off the calendar by reconsidering the vote by which the bill passed third reading and then recommitting it, and then bringing it out again in a better position. This is simply a system of jockeying, and it is not fair to the members of this House who have bills on the postponed calendar or on second reading or on third reading. I want to call this matter to the attention of the House because it is a very serious matter. The time is getting short, and while no definite time has been set for adjournment, we hope that it will be soon and we think it will please all of the members of this House.

It is unfair to the members who have bills in Committee at this time—bills in which there is merit and which perhaps in the regular course of business would pass through the routine or procedure adopted and be finally passed by this House and messaged to the Senate. Mr. Speaker, I say it is unfair to have those bills held back by a system of the checking of bills against which a limitation has now been placed. I feel that this House ought to take a decided stand in relation to the postponing or recommitting of any bill which is now upon the postponed calendar, unless it is stated by the members who make the motion to so recommit that the purpose of re-

commitment is for the object of amendment of those bills in a very material feature.

Mr. WALNUT. Mr. Speaker, I appreciate what the gentleman from Allegheny has to say and I wish to assure him and the members of the House that I would not attempt to extend the length of time for the consideration of my bill by any such action as this unless I felt there was excellent reason for it. This bill came up on third reading last Thursday or Wednesday of last week, and it carries with it an appropriation. The preparation of these statutes have been in process since 1895 and a great deal of money has been expended in that process. I understand that a certain proportion of the work has been done. I have made an effort to find out how much of that work has been done in order to determine what amount of money should be appropriated. I have not been able as yet to get that information. I propose to get it within the next few days, or probably by next week, and if so, I would at once have the bill reported out with the amendment as to the amount of the appropriation. For that reason I would like to have the bill recommitted.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Walnut, permit himself to be interrogated?

Mr. WALNUT. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not this bill has as yet been before the Committee on Appropriations.

Mr. WALNUT. Mr. Speaker, it has not been before the Committee on Appropriations.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman how long this bill has been on the postponed calendar?

Mr. WALNUT. Mr. Speaker, I think it was since last Wednesday or Thursday.

The SPEAKER. Since the 22nd of April.

Mr. ALLEN. Mr. Speaker, I want to make this absolutely plain to the members of this House. I am not opposed to this bill; I think it is a splendid bill, but I am opposed to this system. I desire to state to the members of this House, and if I am wrong I desire the Chair to correct me, that when a bill which may have been on the postponed calendar for four legislative days is recommitted and comes back once again upon the postponed calendar it still has five days to run to the detriment of other bills which follow. I ask you is that a proper system?

The SPEAKER. When the bill comes back, it is on the regular calendar.

Mr. ALLEN. Mr. Speaker, it would probably appear toward the end and would again work up until it would be reached on the third reading calendar. That is, as I see it, very very unfair and all the bills which at this time are behind that particular bill must suffer, and I desire to call the attention of this House to that feature.

Mr. WALNUT. Mr. Speaker, I appreciate that the procedure would open the door for serious abuse of this privilege, but I believe that under this particular circumstance, I am warranted to make this motion, because I have requested the information I desire from the Legislative Reference Bureau as to the amount that they thought necessary for this work. I requested that, possibly, three weeks ago but the Reference Bureau has not sent me the information. I would like to secure the information and that is my purpose in moving recommitment of the bill.

Mr. ALLEN. Mr. Speaker, if the sponsor of this bill will ask for its recommitment to the Committee on Appropriation, I would gladly consent to that at this time.

Mr. WALNUT. Mr. Speaker, I am satisfied to make that motion.

The SPEAKER. The gentleman from Philadelphia, Mr. Walnut, calls up House Bill No. 1439, entitled:

An Act to provide for the completion of the compilation and publication of the laws of the province and Commonwealth of Pennsylvania prior to the year one thousand eight hundred and extending the said compilation and publication to include all the laws of the Commonwealth of Pennsylvania enacted prior to the session of the General Assembly which began December first eighteen hundred and one and placing the supervision and direction thereof under the care of the Legislative Reference Bureau

for the purpose of recommitment. The Chair hears no objection. The records shows that the bill passed third reading.

RECONSIDERATION OF VOTE.

Mr. WALNUT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. WILLIAMS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. WALNUT. Mr. Speaker, I move that this bill (title just read) be recommitted to the Committee on Appropriations.

Mr. E. E. JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL PLACED ON CALENDAR.

Mr. KERN. Mr. Speaker, I move that House Bill No. 904, entitled:

An Act fixing th pay of assessors in the several counties

be placed upon the calendar notwithstanding the negative report of the Committee.

Mr. NEWBAKER. Mr. Speaker, I second the motion.

The SPEAKER. The Clerk calls attention to the fact that this bill was reported negatively on the 26th of March which under the rule would preclude the bill being placed upon the calendar at this time without unanimous consent.

Mr. KERN. Mr. Speaker, I ask unanimous consent for the consideration of this motion at this time notwithstanding the rule of the House.

The SPEAKER. Is there any objection?

Mr. E. G. M. KUHNS. Mr. Speaker, I object.

Mr. KERNS. Mr. Speaker, the reason I ask to have this bill placed upon the calendar notwithstanding the negative report of the Committee is because it was reported out negatively and I was not notified. Whenever, I asked members of the Towns and Townships Committee what they did with my bill they said it was still in the Commitee and that is the reason I didn't know.

The SPEAKER. Does the gentleman from Lehigh, Mr. Kuhns, insist on his objection?

Mr. E. G. M. KUHNS. Mr. Speaker, I withdraw my objection.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Montgomery, Mr. Kerns, permit himself to be interrogated?

Mr. KERNS. Mr. Speaker, yes, sir.

Mr. S. B. SCOTT. Mr. Speaker, what is the reason for putting this bill on the calendar notwithstanding the negative recommendation of the report of the Committee?

Mr. KEARN. Mr. Speaker, the reason I ask this is because I did not know it was reported out negatively. The reason I did not know it was reported out negatively is because when I asked any member of the Committee about my bill; they always said it was in the Committee. I have been told that a majority of the Committee were in favor of the bill. A similar bill had been reported. I think what we want in this bill is a just demand. It is for an increase in the pay of assessors of the several counties and townships. It fixes the pay of the assessors of those townships. I think the increase is a just one for second class townships of this Commonwealth. The pay is $3.50 per day and this bill increases it to $5.00 per day. When an assessor goes through a township with a horse and buggy he cannot do it for $3.50 a day. There is not a man in this House that would do it and would be willing to do it for $3.50 a day and this bill is simply increasing the pay from $3.50 to $5.00 a day, and the main reason why I am asking that this bill be placed on the postponed calendar is because I was not notified and I am asking for this privilege now.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the Chairman of the Committee on Towns and Townships.

The SPEAKER. Will the gentleman from Huntingdon, Mr. H. B. Dunn, permit himself to be interrogated?

Mr. H. B. DUNN. Mr .Speaker, yes, sir.

Mr. S. B. SCOTT. Mr. Speaker, I desire to have the Chairman of that Committee inform the House why that bill was reported with a negative recommendation?

Mr. H. B. DUNN. Mr. Speaker, if you can tell me what

was in the hearts of the committee at that time, I might be able to tell you, but I know that the minutes of the committee show that the bill was negatived about six weeks or two months ago. Now, the gentleman says that he was not notified; the presumption is that he was notified. That is all that we can say about it.

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. H. B. DUNN. Yes, sir.

Mr. S. B. SCOTT. Mr. Speaker, is it the sense of the committee now that the bill ought to be on the calendar or that it ought not to be on the calendar?

Mr. H. B. DUNN. It is the sense of the committee that it should not be on the calendar.

Mr. AMBLER. Mr Speaker, I am not so sure of that; I think it is the sense of the committee that this bill should be on the calendar. We have been hunting this bill for the last three or four weeks and could not find it in our committee. The bill seemed to be lost. We asked the chairman of the committee about the bill on several different occassions and we could not find the bill, and on investigation, yesterday we found that it had been reported out with a negative recommendation six weeks ago, so I believe it is the sense of the committee that this bill ought to be reported out.

Mr. CURRIER. Mr. Speaker, I would like to interrogate the gentleman from Montgomery, Mr. Ambler.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. AMBLER. Yes, sir.

Mr. CURRIER. Mr. Speaker, I would like to ask Mr. Ambler whether he is working for this bill to get it back on the calendar, or whether he is working for the state police bill?

Mr. AMBLER. Mr. Speaker, I am working to get this bill back on the calendar, because the assessors down in our county want a larger salary.

On the question recurring,

Will the House agree to the motion?

83 gentlemen, or more than the number required by the rule, having voted in the affirmative.

The bill will be placed on the calendar, notwithstanding the negative recommendation of the committee.

BILLS ON FINAL PASSAGE.

Mr. J. R. K. SCOTT. Mr. Speaker, I desire to call up House Bill No. 955, file folio 6347, on page 32 of yesterday's calendar, bills on final passage postponed, for the purpose of having it recommitted.

Agreeably to order,

The House resumed consideration on final passage of H. R. bill No. 955, entitled:

An Act authorizing cities of the first class to make contracts for removal of garbage for a period not exceeding five years providing for annual appropriations for payments for successive years proscribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. John R. K. Scott.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. J. R. K. SCOTT. I have no objection, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Philadelphia whether or not the purpose of the recommitment of this bill be to amend it in a form that will materially change the bill.

Mr. J. R. K. SCOTT. No, it is not. The reason I want to refer this bill to the committee is in order to have it fully discussed in the committee in a public hearing, and bring it back on the floor of the House, so that it will not be under the five-day rule, under which it will be dropped from the calendar.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman how long this bill has been on the postponed calendar.

Mr. J. R. K. SCOTT. Mr. Speaker, I judge since the 21st.

Mr. ALLEN. Mr. Speaker, the same rule applies here as was covered before the gentleman from Philadelphia was in the House this morning. As one of the members of this House, I seriously object, and again put myself on record as objecting to having bills recommitted to the committee on Judiciary Special or any other committee, so that they may be thereby run again under the five-day rule. This bill has been before the House sufficiently long, to have the committee thoroughly consider it; and, Mr. Speaker, further than that, the Committee on Judiciary Special is given credit by this House with thoroughly considering the matters that once before that committee, and to have this bill recommitted and then come out of the committee on a day's notice, perhaps, or two days notice, and take its place upon the calendar in advance of such other bills as may come along and should come along, is wrong, and I am opposed to the recommitment of it for that purpose. The gentleman has been sufficiently frank to tell the House that the purpose of recommitting the bill was simply to avoid the five-day rule.

Mr. J. R. K. SCOTT. Mr. Speaker, I dare say that the gentleman from Allegheny will withdraw his objection when he knows the full purpose of this bill. It is a bill that is advocated by the Mayor of the City of Philadelphia, giving the right to make contracts to the extent of five years for the collection of garbage. There is considerable opposition to this bill. At no time was there a hearing upon it, because we thought that there would be no opposition to the bill. The bill was amended for the purpose of limiting contracts for garbage. We now understand there is very considerable opposition, and we desire to have that opposition fully heard and see if we cannot meet all objections and come up again on the floor of the House and have this bill passed and avoid all unseemly discussion. Now, it is not for the purpose of escaping the five-day rule, in the sense that my friend from Allegheny expresses it. We are satisfied to come back on the floor at the proper time and have this bill put to a vote. I hope the gentleman from Allegheny will withdraw his objection. It is a bill of vast importance, and the bill has had considerable thought from the parties on both sides of the question, and we ask that this bill be sent back to the Committee.

Mr. ROCKWELL. Mr. Speaker, I only wish to say this: That I think the position taken by the gentleman from Allegheny is perfectly proper, and one that, if we wish to stand by the adoption of the five-day rule, we ought to stand by it and carry it out to its fullest intent.

Mr. ALLEN. Mr. Speaker, I suggest to the gentleman from Philadelphia that with the harmonious relations which exist between this House and the Senate, that if this bill be not in exact form that those gentlemen from Philadelphia would like to have the bill placed in, that they have ample opportunity to have a full hearing before the Senate Committee, or doubtless, judging the future by the past, the committee on the Senate side of this Assembly will hold the bill in committee sufficiently long to allow any full hearing that may be desired.

RECONSIDERATION OF VOTE.

Mr. J. R. K. SCOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 955, entitled:

An Act authorizing cities of the first class to make contracts for removal of garbage for a period not exceeding five years providing for annual appropriations for payments for successive years prescribing the extent to which such contracts shall be included in statements and estimates of current liabilities and current income in tax levies and in determining the legality of warrants on the city treasurer and repealing inconsistent acts

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. J. R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

SPECIAL ORDER.

The SPEAKER. The hour of 10:30 having arrived, the Chair lays before the House special order on third reading, House Bill No. 383, File Folio 6561.

BILL ON THIRD READING.

Agreeably to order,
The House resumed the consideration on third reading of H. R. bill No. 383, entitled:

An Act to equalize the taxation of all properties real personal corporate or mixed by the creation of a tax commission and repealing all laws or parts of laws inconsistent herewith

On the question,
Will the House agree to the bill on third reading?

Mr. BENSON. Mr. Speaker, realizing the great work this House has to do, I do not propose to impose upon the time of the House, but I feel that a word or so ought to be said on the injustice of our present taxation system.

We have here in the State of Pennsylvania at the present time real estate valued at four and one half billion dollars. We have, on the other hand, corporate and personal property valued at approximately more than nine billions of dollars. Upon the four and one-half billions of real estate have been paid a tax of over eighty million dollars and upon the corporate and personal property of over nine billions of dollars has been paid a tax of about twenty-five million dollars. In order words, real estate pays in the State of Pennsylvania to-day an average of at least seventeen mills while on corporate and personal property is only paid on average of about three mills. Mr. Speaker, and gentlemen of the House, I want to ask you all to think seriously upon this matter. It is not to be gone over lightly. We have gone along year after year in Pennsylvania. Instead of going forward the way she ought, she has been going down the ladder and to-day where does Pennsylvania stand? When it comes to our standing among the schools of the nation, we stand twenty-third, when it comes to efficiency, and when we come to reckon the per capita expense of children of school age, we find Pennsylvania ranks twenty-sixth. Is there any reason that we are going down, when we find that real estate, the man in his home, whether he lives in the city, in the country or on the farm, has to pay an average of seventeen mills, while the man that owns corporate and personal property only, pays an average of only three mills. Why should not the man in this Commonwealth, I do not care who he may be or in what class of business he may be engaged, why should he be made to pay an average of about six times as much taxes per valuation as the other man. This system is wrong and it is time now that this legislature is taking the right means to remedy this great wrong.

With respect to the great bond issue of fifty million dollars to build roads, let us equalize the taxation here in the State of Pennsylvania, and then we will have money to build roads and we will not have to go to work and bond our State. Take for instance the nine billions of corporate and personal property in the State of Pennsylvania and make them pay the same as you do the man with the farm or home in the city or country and you will find nine billions of dollars upon which you can collect fourteen mills on each dollar valuation more, or one hundred and twenty-six million dollars in one year. Just think of that, if we were to be put on a just basis. Does this question need your attention? Do we need legislation along this line to remedy this great evil? I tell you we do and now is the time to do it, to remedy it to-day. Even if we have to stay here until the Fourth of July, we should not allow such unjust system of taxation to be perpetuated.

We have also many other ways of showing the injustice of taxation here in the State of Pennsylvania. The other evening when I asked the House to put this bill on the calendar notwithstanding the negative recommendation of the committee, I gave an illustration of what the railroads have to pay in the State of New York and what they pay here in the State of Pennsylvania. The New York and Pennsylvania Railroad, which runs up through the Northern part of our State and also in New York State and which has twenty-seven miles in the State of Pennsylvania and twenty-nine in the State of New York, that Railroad pays in the State of New York, six times as much taxes as they do in Pennsylvania. That shows the unequal system of taxation. Right over on the other side we have the State of Ohio and what is the situation there? We find that the legislature passed a bill whereby you cannot assess over ten mills for taxes and here in the State of Pennsylvania, go up in the northwestern part of the State and you will find that we have already a county but what pays an average millage of about thirty-five mills. Is it about time we commence to study this question? Why cannot the State of Pennsylvania be put upon the same foundation and upon the same basis as the States of Ohio and New York. Take the nine billions dollars of corporate and personal property that we have and the four and one-half billions of real estate that we have here in the State of Pennsylvania and make them both pay equally to support our Government, local, county and State, and they would only have to pay an average of about seven and one-half mills. That is the situation. I am not quoting these figures myself. These figures have been gone over in reality by the Committee appointed by the State Grange and after careful consideration they arrive at these figures. We have many other figures that may be given along this line. Take, for instance, the telegraph and telephone companies in the State of Pennsylvania. What tax do they pay? They pay hardly one mill here in the State of Pennsylvania. What tax does the street railway companies, et cetera pay? What tax does the express companies pay? You take, for instance, out in the State of Oregon, they could not get the tax laws they needed until they got the initiative and referendum, but the Grange got busy and then you will find that the express companies and telegraph and telephone companies did not have much tangible property and that they have to pay a certain millage upon their gross earnings or gross receipts. That is the situation in the State where the people are commencing to assert their rights. Is it any wonder that the Pennsylvania Railroad Company and these great corporations could afford to give the members of the legislature years ago hundreds and hundreds of passes, when you come to consider the unequal taxation that we have?

This bill has been introduced after considerable work and it is no small matter to draw bills covering a taxation system of the State of Pennsylvania. The purpose of the introduction and the passage of this bill in intended to remedy the evils of the unjust and unequal taxation. It is provided by this bill, that all property, real, personal, mixed or corporate, now the subject of taxation in Pennsylvania, shall bear a just proportion of the cost of the government, state or local. That means every man's dollar is worth just as much as anybody else's whether he has it invested in a corporation or in a home. It removes the evil of the under-valuation of property. By this bill a tax commission would be created whose sole duty would be to see that no property subject to taxation should be unjustly taxed. As conditions now stand throughout the agricultural district you will find that they are commencing to leave. I could quote from the report of this Committee appointed by the State Grange, relative to the agricultural situation, but I don't propose to take up the time of the House. I don't want this House to give its attention to this matter only in so far as it will allow them to arrive at a just solution. This bill provides among other things, that the duties of the tax commissioner are, first they are to assess the personal and corporate property of the State for taxation purposes; second, they are to revise and review all local assessments. They are to have the power to make reassessments. They are to examine persons, firms and corporations and have them report information relating to their financial afairs. They are to have general supervision over the assessments for taxation in Pennsylvania. They are to have power to confer with, aid and direct local assessors and to cause the tax laws of the Commonwealth to be properly carried out and to issue subpoena and compel the production of books papers, et cetera for examination, and they have the power to prescribe the tax blanks and forms for all purposes that they may deem necessary. This tax commission is also to find out until the next session and to report to this body, what is needed further in order to make this Commonwealth come under the same taxation system as the States of New York and Ohio.

Mr. R. J. BALDWIN. Mr. Speaker, the gentleman voices my sentiments and I believe the sentiments of every member of this House, when he says that he believes in equal taxation. That is a declaration that I think every member of the House stands for. There is not a particle of doubt but what there can be something done to meet conditions in the State of Pennsylvania. It is apparent to every person who gives any consideration to taxation that from time to time the tax laws need to be adjusted to fit conditions. We realize that every body tries to pay as little tax as can. We realize that most of us are entirely satisfied to pay all of the taxes, but I never knew of anybody that rushed forward and told the tax collector that he had some money that he wanted to give him for the support of the government or the municipality. But saying we would like to have that and doing it intelligently and correctly are two different propositions. When we discuss the method of taxation it is a very broad deep question. Some of the best men on the science of economics—especially I read an article not long ago, written by one of the leading teachers in the college of Princeton that the system of taxation in Pennsylvania, after having studied all of the systems of the different States of this Union, was the best that there was on the Statute books. But there is a vast difference between having a good system and having it properly applied. In my judgment the compliant is not against the system in the State of Pennsylvania to-day but there can be a number of things done by the legislature that will more effectually carry out the intents of that system and the desires of the people. Does the bill that the gentleman presents here for you to vote for do that? Do any of you know? I am frank to confess that I do not know but I do say that I have given it a great deal of consideration and that I have also given the question of taxation a great deal of consideration, and the concusions presented are that we have the best system in the State of Pennsylvania of any State in the Union.

The very first expression in this bill I will call your attention to is the fact that this commission has the power and only the power to levy tax on that class of property that is now taxed and I refer you to the very first section. Now this commission will not have the power to go beyond that. Why, if any person stops to study the question of taxation in the State of Pennsylvania as applied and as now in operation, he will find that the greatest evil that exists in the State of Pennsylvania and the greatest shrinkage or shortage in our State Revenue are due to the fact that there is so much property that is not taxed at all now. I might perhaps not call it property, but I might say, great big interests, who having in mind the tax laws of this State, conduct their business under names and by methods that have evaded the taxation of our State. If you read the report of the tax commission of Pennsylvania you will find these recommendations. This is the size of the book. How many of you have read it? I have read every word of it. If its suggestions are followed out, and they will be by the Ways and Means Committee of this House, I do not hesitate to say that several millions of dollars will be added to the revenues of this State of Pennsylvania. You must recollect that that the suggestion made by the gentleman who just spoke on this bill is simply taken from the report of the tax commission in the State of Ohio, and that report no doubt was best for their conditions. Every State has its tax commission, and they have the reports of various commissions, and yet no two of them are similar. There might be several things in the tax laws of the State of Ohio that would be applicable to the State of Pennsylvania, but not all of them, because we have different interest and different conditions. The tax commission may make mistakes, for it is only natural that men should do that. But this is a proposition out of the whole cloth to change the entire system in Pennsylvania. No doubt many people in the State of Oregon think their method is best and that it would apply to the State of Pennsylvania, but if you compare the conditions of this State and that of Ohio or other States, you will find them as different as the noon day light is from the darkness of night. The Ways and Means Committee of this body has given hearing after hearing on this question of taxation, and has given a hearing on this particular bill, and the large majority of them, I might say, decided that it would be a most unqise step to pass this bill. Do you know what this bill means? It means that the power to fix the value of the property assessed will be in the hands of the commission. Even under this bill you cannot take away from the corporations the right of appeal. If this bill passes the House and passes the Senate, and is signed by the Governor of the State, the State of Pennsylvania would be paralyzed for revenue. Any corporation that did not agree with the finding of the Commission would appeal for the assessment. Do you think that six men can fix the valuation of the corporate property in the State of Pennsylvania? Then you know and I know that no corporation will pay the tax until compelled to do so, and neither will the individual. Most of the corporations would probably disagree with the report of this Commission and use their right of appeals, and that would hold up the taxes for two or three years, or at least eighteen months, and what will the State do then for revenue? That is what the passing of this bill will mean to the State. I want to say that there are several features in the bill that I believe in, but I am not in favor of them in their present form. It may be wise for the Legislature to create a tax commission, but by all means limit the powers of that commission, and say who shall be on that commission. If I had the power to put in force any commission of this sort, I would see to it first that the Auditor General of the State was a member of that commission, and I believe I would then rest the whole power in the governor of the State to appoint the balance of the members of that commission. Just imagine three men elected in this State to handle all the corporation and corporate property tax in this State. The corporations would use every effort and influence in their power to elect men to this commission to favor them in fixing the valuation of their property. You know perhaps better than I do that in the present system in this State there is no assessment of the valuation of corporate property. The tax is based on the amount of the capital stock and bonded indebtedness. If the tax is not high enough, for gracious sake, do not wipe off the statute books that system which we now have for fixing taxes. You can raise the tax. In this bill it says that this Commission shall look over all the railroad property in the State and say how much it is worth. That is the system now in your own townships, city or borough or county, and there is no man who does not know that as the result of that some property is assessed at at least one-tenth the value of other property. If the great transportation and transmission companies of our State do not pay enough taxes, we could very properly add a tax of one mill, two mills or three mills to that which they already pay. But under the provisions of this bill it is a question of what these men think as to what the property is worth. I widely differ with the figures that my friend has just suggested to you as the value of these different properties. The figures do not agree with the records of the census of the United States. I want to say to you again, and I feel safe in making the promise to this House that when the revenue bills are passed upon by the Ways and Means Committee of this body that they will reach out and place a tax on that class of corporations that have avoided taxation, and will bring in a revenue of four million dollars to the State. But if you pass this measure we might just as well stop. I think it would be extremely unwise to pass any measure calling for a change in the taxation such as is provided for by this bill. When they tell us about the perfect tax laws in the State of Ohio, they do not tell us that the Governor did not sign it, but that it was passed over his veto. This law in Ohio has only been in operation since 1911 and still they have page after page of amendments to this perfect law. In five years Ohio will have as many contradictory laws on this subject as any State. When you are dealing with taxation questions, you ought to deal with one general proposition, because the times are constantly changing and conditions are changing from day to day. That has been the experience of every one connected with the question of taxation. So far as we have been able under the present system, we have attempted to tax corporate property and to remedy and correct as far as possible all evils. Because we have made some mistakes is no evidence that the whole system is wrong. My judgment is that the House should see to it that any further changes should be stopped, and I ask the members of this House to vote against this measure.

The quesion recurring,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. BENSON. Mr. Speaker, I ask that this roll be verified.

This was done as follows:

YEAS—113.

Adams,	Dunn, H. B.,	Kuhns, E.G.M.,	Price,
Allen,	Ehrhardt,	Lanius,	Redfield,
Baldwin, G. A.,	Foster, J. D.,	Latshaw,	Reeser,
Barner,	Geary,	Lenker,	Rex,
Benninger,	Geiser,	Light	Rockwell,
Benson,	Gibson,	Lohr,	Savacool,
Bergey,	Glenn,	Malie,	Schaeffer, A. C
Bigger,	Good,	Martin,	Scott, S. B.,
Bittles,	Goss,	Mannion,	Shaffer, C. A.,
Blair, W. A.,	Grabe,	Mather,	Shaffer, I. E.,
Blair, W. F.,	Gramley,	Matt,	Showalter,
Body,	Gray, Joseph,	McClintock,	Smith, J. W.,
Brown,	Haggerty,	McDermott,	Smith, L.,
Brownlee,	Hemminger,	McKay,	Snavely,
Burnett,	Herman,	Mellott,	Steedle,
Caldwell,	Hobbs,	Metzenbacher,	Steele,
Campbell, C.M.,	Howard, R.,	Miller,	Stone,
Campbell, J. J.,	Humes,	Moses,	Strauss,
Carson,	Isler,	Moulthrop,	Swift,
Carter,	Irwin, H. H.,	Murphy,	Thomas,
Cheeseman,	Jackson	Musser,	Trach,
Claycomb,	Jones, E. E.,	Newbaker,	Ulman,
Cleary,	Jones, J. R.,	Newton,	Walnut,
Cochran,	Kaufman,	Peachey,	Watson,
Conniff,	Keegan,	Pennock,	Wettach,
Currier,	Kern,	Perry, H. L.,	Williams,
DeFrees,	Kitts,	Peters,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Post,	Zimmerman,
Down,			

NAYS—63.

Alworth,	Flynn,	McArdle,	Rothenberger,
Ambler,	Forster, I. G.,	McCaig,	Sassaman,
Aron,	Gans,	McNichol,	Semmens,
Arthur,	Gransback,	Missimer,	Sherwood,
Baldwin, R. J.,	Gray, Frank,	Mitchell,	Snyder,
Bass,	Hackett,	Moore,	Speiser,
Brosius,	Heidinger,	Morrow,	Spillinger,
Conrade,	Heyburn,	Neel,	Swartz,
Cox,	Hibshman,	North,	Uterich,
Curry,	Irwin, G. C.,	O'Neill,	Whitaker,
Davis,	Keeport,	Perry, S. J.,	Wildman,
Dickinson,	Kennedy,	Piper,	Wilson, W. H.,
Dunn, J. A.,	Leslie,	Ramsey,	Wiltbank,
Eichenberger,	Lowers,	Reese,	Young, J. H.,
Ely,	McAleer,	Rhoads,	Alter,
Fahey,	McAllister,	Roney,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 1631.

An Act to validate certain charters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-nine one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend section one, line 19 to 29 Provided however That any corporation company or association before deriving the benefits of this act shall by a majority vote of its stockholders at any regular or special meeting accept the provisions of this act and file in the office of the Secretary of the Commonwealth a certificate under the seal of the company setting forth the date of such acceptance whereupon the Governor shall issue his Letters Patent validating confirming and creating said company or association as a corporation in deed and in law with full force and effect as if said company or association had been originally lawfully incorporated

On the question,

Will the House concur in the amendment of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Eichenberger,	Malie,	Roney,
Allen,	Ely,	Matt,	Rothenberger,
Alworth,	Ewing,	McAleer,	Sassaman,
Ambler,	Fahey,	McAllister,	Schaeffer, A. C
Aron,	Flynn,	McArdle,	Scott, S. B.,
Arthur,	Forster, I. G.,	McCaig,	Semmens,
Baldwin, G. A.,	Foster, J. D.,	McClintock,	Shaffer, C. A.,
Barner,	Gans,	McDermott,	Shaffer, I. E.,
Bass,	Geary,	McNichol,	Sherwood,
Bayle,	Geiser,	Mellott,	Showalter,
Becker,	Gibson,	Metzenbacher,	Smith, J. W.,
Benninger,	Good,	Miller,	Smith, L.,
Benson,	Goss,	Missimer,	Snavely,
Bergey,	Gramley,	Mitchell,	Snyder,
Berntheizel,	Gransback,	Moore,	Spangler,
Bigger,	Gray, Frank,	Morrow,	Speiser,
Blair, W. A.,	Gray, Joseph,	Moses,	Spillinger,
Blair, W. F.,	Hackett,	Moulthrop,	Steedle,
Body,	Heyburn,	Murphy,	Steele,
Brosius,	Hibshman,	Musser,	Stone,
Brown,	Hobbs,	Neel,	Strauss,
Burnett,	Isler,	Neely,	Swartz,
Caldwell,	Irwin, G. C.,	Newbaker,	Swift,
Campbell, C.M.,	Jackson,	Newton,	Thomas,
Campbell, J. J.,	Jones, E. E.,	North,	Trach,
Carson,	Jones, J. R.,	O'Neill,	Uterich,
Carter,	Kaiser,	Peachey,	Ulman,
Cleary,	Kaufman,	Pennock,	Walnut,
Cochran,	Keegan,	Perry, S. J.,	Wettach,
Conrade,	Keeport,	Piper,	Whitaker,
Cox,	Kennedy,	Price,	Whitman,
Currier,	Kitts,	Ramsey,	Wildman,
Curry,	Klepper,	Redfield,	Williams,
Davis,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Dickinson,	Lanius,	Rhoads,	Wiltbank,
Down,	Lenker,	Richards,	Young, J. H.,
Dunn, H. B.,	Leslie,	Robinson,	Zimmerman,
Dunn, J. A.,	Lohr,	Rockwell,	Alter,
Ehrhardt,			Speaker.

NAYS—3.

Hemminger,	Latshaw,	Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 53.

An Act for the protection of the public health and the preveiton of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments were read as follows:

Section 8. Amend line 14 by striking out after the word "Paid" the words "into the Treasury of this Commonwealth" and insert in lieu thereof the words "to the Dairy and Food Commissioner."

Line 16 strike out "and shall have exhibited the receipt of the State Treasurer therefor to the proper official in the Department of Agriculture"

Section 13. Amend line 13 by striking out the word "in" after the word "enter"

Section 16. Amend line 10 by striking out "six (6)" after the word "undrawn" and insert "eight (8)"

Line 11 strike out "eight (8)" and insert "nine (9)"

Section 20. Amend line 3 by striking out "car" and inserting "cars" after the word "refrigerated"

Line 16, after the word "prosecution" strike out all of section.

Section 22. Line 1 after the word "all" insert "license fees and"

Section 23, line 7 after the word "not" strike out "less than five hundred dollars ($500.00) nor"

Line 11 after the word "fact" strike out the word "shall" and insert "may"

Line 13 after the word "days" insert "or both at the discretion of the court"

On the question,

Will the House concur in the amendments of the Senate?

Mr. W. H. WILSON. Mr. Speaker, the amendments inserted by the Senate meet with the approval of the sponsor of the bill and I ask the House to concur in the same.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—169.

Adams,	Ely,	Leslie,	Roney,
Allen,	Ewing,	Light,	Rothenberger,
Alworth,	Fahey,	Lohr,	Runk,
Ambler,	Flynn,	Malie,	Sassaman,
Aron,	Forster, I. G.,	Mannion,	Savacool,
Arthur,	Foster, J. D.,	Martin,	Schaeffer, A. C
Baldwin, G. A.,	Frey,	Mather,	Scott, S. D.,
Barner,	Gans,	Matt,	Semmens,
Bass,	Geary,	McAleer,	Shaffer, C. A.,
Bayle,	Geiser,	McAllister,	Shaffer, I. E.,
Becker,	Gibson,	McClintock,	Shern,
Benson,	Good,	McDermott,	Sherwood,
Berntheizel,	Goss,	McKay,	Showalter,
Bigger,	Gramley,	McNichol,	Smith, J. W.,
Bittles,	Gransback,	Metzenbacher,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Missimer,	Snavely,
Blair, W. F.,	Gray, Joseph,	Mitchell,	Snyder,
Body,	Hackett,	Moore,	Spangler,
Brosius,	Haggerty,	Morrow,	Speiser,
Brownlee,	Heidinger,	Moses,	Steedle,
Burnett,	Hemminger,	Moulthrop,	Steele,
Caldwell,	Herman,	Neel,	Stone,
Campbell, C.M.,	Hess,	Neely,	Strauss,
Campbell, J.J.	Heyburn,	Newbaker,	Swartz,
Carson,	Hibshman,	Newton,	Thomas,
Carter,	Hobbs,	North,	Trach,
Cheeseman,	Howard, R.,	O'Neill,	Ulerich,
Claycomb,	Humes,	Peachey,	Ulman,
Cleary,		Pennock,	Walnut,
Cochran	Irwin, H. H.,	Perry, S. J.,	Walton,
Conniff,	Jackson,	Peters,	Watson,
Conrade,	Jones, E. E.,	Piper,	Wettach,
Cox,	Jones, J. R.,	Post,	Whitaker,
Currier,	Kaiser,	Price,	Whitman,
Curry,	Keegan,	Ramsey,	Wildman,
Davis,	Keeport,	Redfield,	Williams,
Dickinson,	Kennedy,	Reese,	Wilson, J. H.,
Donnally,	Kern,	Reeser,	Wilson, W. H.,
Down,	Klepper,	Rhoads,	Wiltbank,
Dunn, H. B.,	Kuhn, H. P.,	Richards,	Young, G. K.,
Dunn, J. A.,	Kuhns, E.G.M.,	Robinson,	Young, J. H.,
Ehrhardt,	Lanius,	Rockwell,	Zimmerman,
Eichenberger,	Lenker,		Alter,
			Speaker.

NAYS—2.

Miller,	Rex,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 734.

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions" by giving additional protection to ruffed grouse quail and wild water fowl

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendment was read by the Clerk as follows:

In the title, line 6, strike out the word "woodcock."

On the question,

Will the House concur in the amendment of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Adams,	Dunn, H. B.,	Kuhns, E.G.M.,	Ramsey,
Allen,	Dunn, J. A.,	Lanius,	Redfield,
Alworth,	Ehrhardt,	Latshaw,	Reese,
Ambler,	Eichenberger,	Lenker,	Richards,
Aron,	Ely,	Leslie,	Rockwell,
Arthur,	Ewing,	Letzkus,	Roney,
Baldwin, G. A.,	Fahey,	Light,	Rothenberger,
Baldwin, R. J.,	Flynn,	Lohr,	Sassaman,
Barner,	Forster, I. G.,	Malie,	Schaeffer, A. C
Bass,	Foster, J. D.,	Mannion,	Scott, S. B.,
Bayle,	Frey,	Martin,	Shaffer, C. A.,
Benninger,	Gans,	Mather,	Shaffer, I. E.,
Benson,	Geary,	Matt,	Shern,
Bigger,	Geiser,	McAleer,	Sherwood,
Bittles,	Gibson,	McAllister,	Showalter,
Blair, W. A.,	Good,	McArdle,	Smith, J. W.,
Blair, W. F.,	Goss,	McCaig,	Smith, L.,
Body,	Grabe,	McClintock,	Snavely,
Brosius,	Gramley,	McDermott,	Snyder,
Brown,	Gransback,	McNichol,	Spangler,
Brownlee,	Hackett,	Metzenbacher,	Speiser,
Burnett,	Haggerty,	Missimer,	Spillinger,
Caldwell,	Heidinger,	Mitchell,	Steedle,
Campbell, C.M.,	Herman,	Moses,	Steele,
Campbell, J. J.,	Hess,	Moulthrop,	Stone,
Carson,	Heyburn,	Murphy,	Strauss,
Carter,	Hibshman,	Neely,	Thomas,
Claycomb,	Hobbs,	Newbaker,	Trach,
Cleary,	Isler,	Newton,	Ulerich,
Cochran,	Irwin, H. H.,	O'Neill,	Ulman,
Conniff,	Jones, J. R.,	Peachey,	Walnut,
Conrade,	Kaiser,	Pennock,	Watson,
Cox,	Kaufman,	Perry, H. L.,	Whitaker,
Currier,	Keegan,	Perry, S. J.,	Whitman,
Curry,	Keeport,	Peters,	Wilson, J. H.,
Davis,	Kennedy,	Piper,	Wiltbank,
Dickinson,	Kern,	Post,	Young, J. H.,
Donnally,	Klepper,	Price,	Zimmerman,
Down,			

NAYS—5.

Humes,	Morrow,	Rex,	Alter,
Miller,			Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

Senate Bill No. 22:

An Act to avoid delay in the administration of justice by fixing a time within decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid

Senate Bill No. 394:

An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties or violation of its provisions

Senate Bill No. 553:

A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class

Senate Bill No. 65:

An Act to amend an act entitled "A further supplement to an act entitled 'An Act to establish a board of wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for regulating the rates of pilotage and number of pilots" approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices

Senate Bill No. 66:

A supplement to an act entitled "An Act to establish a board of commissioners of navigation for the River Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basin and exempting cities of the first class from certain of its provisions and making an appropriation therefor" approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware River and its navigable tributaries and fixing certain penalties for the violation thereof

Senate Bill No. 259:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate revise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and

ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth.'"

Senate Bill No. 284:

An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situate in the township of Canaan County of Wayne being a portion of the tract of land purchased for the use of the State Hospital for Criminal Insane

Senate Bill No. 308:

An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred

Senate Bill No. 416:

An Act granting the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne

Senate Bill No. 490:

An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a cost docket prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same

Senate Bill No. 556:

An Act to permit of the re-location of certain portions of the track of street passenger railway companies with the consent of the local authorities

Senate Bill No. 661:

An Act making an avpropriation to the American Oncologic Hospital at Philadelphia

Whereupon,

The SPEAKER, in the presence of the House. signed the same.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 16, entitled:

A Joint Resolution proposing an amendment to the Constitution of Pennsylvania

On the question,

Shall the bill pass?

Mr. C. M. C. CAMPBELL. Mr. Speaker and Gentlemen of the House, I do not intend to take up much of your time. This is a measure that relates to an amendment of the Constitution. This Joint Resolution would give to the electors of the State the right to initiate an amendment to the Constitution and present it to the Secretary of State and within one year or over one year it should be voted on. It also grants to the members of the legislative body the right also of initiating a proposed amendment to the Constitution and by passing it through the legislative body one time it shall then go to the electors of the State and be voted upon. This, gentlemen, is a progressive measure. I do not think any act that has been brought before this Legislature has been any more progressive than just this Joint Resolution. Now, gentlemen of the House, if you believe with me that the people should have the right to initiate amendments to the Constitution of this State, I desire that you shall vote with me in favor of this amendment. If you believe that this measure is not right, gentlemen, vote against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—96.

Adams,	Gibson,	Light,	Reese,
Allen,	Goss,	Lohr,	Reeser,
Alworth,	Grabe,	Lowers,	Rex,
Baldwin, G. A.,	Gramley,	Malie,	Richards,
Barner,	Gray, Frank,	Mannion,	Runk,
Bayle,	Haggerty,	Martin,	Savacool,
Benson,	Heidinger,	Mather,	Scott, S. B.,
Bigger,	Hemminger,	Matt,	Semmens,
Blair, W. A.,	Herman,	McDermott,	Shaffer, I. E.,
Brosius,	Hobbs,	McKay,	Showalter,
Brownlee,	Humes,	Mellott,	Smith, J. W.,
Burnett,	Isler,	Metzenbacher,	Smith, L.,
Campbell, C.M.,	Jackson,	Miller,	Snyder,
Campbell, J.J.	Jones, J. R.,	Moses,	Spillinger,
Carson,	Kaufman,	Moulthrop,	Steele,
Carter,	Keegan,	Musser,	Stein,
Cheeseman,	Keeport,	Newton,	Stone,
Claycomb,	Kennedy,	Peachey,	Swift,
Cochran,	Klepper,	Pennock,	Thomas,
Currier,	Kuhn, H. P.,	Perry, H. L.,	Ulerich,
Curry,	Lanius,	Peters,	Ulman,
Donnally,	Lenker,	Post,	Walnut,
Dunn, H. B.,	Leslie,	Redfield,	Wilson, J. H.,
Ehrhardt,	Letzkus,		Zimmerman,
Geiser,			

NAYS—49.

Ambler,	Donahoe,	Kuhns, E.G.M.,	Roney,
Aron,	Dunn, J. A.,	McAleer,	Rothenberger,
Arthur,	Ely,	McAllister,	Sassaman,
Bass,	Ewing,	McArdle,	Schaeffer, A. C.
Becker,	Flynn,	McCaig,	Spangler,
Bergey,	Forster, I. G.,	McNichol,	Steedle,
Berntheizel,	Frey,	Missimer,	Wettach,
Body,	Geary,	O'Neill,	Whitaker,
Cleary,	Gransback,	Perry, S. J.,	Wildman,
Conrade,	Hackett,	Piper,	Williams,
Cox,	Heyburn,	Ramsey,	Wiltbank,
Davis,	Irwin, G. C.,	Rockwell,	Alter,
Dickinson,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

REASONS FOR VOTE.

Mr. GEORGE E. ALTER. Under this bill a petition of twenty-five thousand voters all of whom may come from one county, that may be gathered up by paid canvassers in one city, is all that is necessary to secure the submission of a constitutional amendment to a popular vote, without any qualification as to the percentage of the voters of the State who shall vote upon the measure. This would make it possible for a very small minority of the voters to change the Constitution. Surely this is not wise legislation.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1092, entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" as amended by changing and enlarging the penalties for committing such offense

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Ehrhardt,	Leslie,	Robinson,
Allen,	Eichenberger,	Letzkus,	Rockwell,
Alworth,	Ely,	Light,	Rothenberger,
Ambler,	Ewing,	Lohr,	Sassaman,
Aron,	Fahey,	Lowers,	Savacool,
Arthur,	Flynn,	Malie,	Schaeffer, A. C.
Baldwin, R. J.,	Forster, I. G.,	Mannion,	Scott, S. B.,
Barner,	Foster, J. D.,	Martin,	Semmens,
Bass,	Frey,	Mather,	Shaffer, C. A.,
Bayle,	Gans,	Matt,	Shaffer, I. E.,
Becker,	Geary,	McAllister,	Shern,
Benninger,	Geiser,	McArdle,	Sherwood,
Benson,	Gibson,	McCaig,	Showalter,
Bergey,	Good,	McKay,	Smith, J. W.,
Berntheizel,	Goss,	McNichol,	Smith, L.,
Bigger,	Grabe,	Mellott,	Snyder,
Bittles,	Gramley,	Metzenbacher,	Spangler,
Blair, W. A.,	Gransback,	Moses,	Speiser,
Blair, W. F.,	Gray, Frank,	Moulthrop,	Spillinger,
Body,	Hackett,	Murphy,	Steedle,
Brosius,	Haggerty,	Musser,	Steele,
Brown,	Hemminger,	Neel,	Stein,

Brownlee,	Herman,	Neely,	Stone,
Burnett,	Heyburn,	Newbaker,	Strauss,
Caldwell,	Hibshman,	Newton,	Swartz
Campbell, C.M.,	Hobbs,	O'Neill,	Thomas,
Campbell, J. J.,	Howard, R.,	Peachey,	Trach,
Carson,	Irwin, G. C.,	Pennock,	Ulerich,
Carter,	Jackson,	Perry, H. L.,	Ulman,
Cheeseman,	Jones, E. E.,	Perry, S. J.,	Watson,
Claycomb,	Jones, J. R.,	Peters,	Wettach,
Cleary,	Kaiser,	Piper,	Whitman,
Cochran,	Kaufman,	Post,	Wildman,
Conrade,	Keegan,	Price,	Williams,
Cox,	Keeport,	Ramsey,	Wilson, J. H.,
Currier,	Kennedy,	Redfield,	Wilson, W. H.,
Curry,	Kern,	Reese,	Wiltbank,
Davis,	Kitts,	Reeser,	Young, G. K.,
DeFrees,	Klepper,	Rex,	Young, J. H.,
Dickinson,	Kuhn, H. P.,	Rhoads,	Zimmerman,
Down,	Latshaw,	Richards,	Alter,
Dunn, J. A.,			Speaker.

NAYS—6.

Kuhns, E.G.M.,	Lenker,	McAleer,	McClintock,
McDermott,	Morrow,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1217, entitled:

An Act authorizing municipal corporations to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof whether the same be wholly within or partly within and partly without the limits of the municipal corporation providing the method for ascertaining and paying or securing the damages incident to the taking or appropriation of street railways by municipal corporations empowering municipal corporations to maintain operate or lease street railways acquired by them and defining the terms and other incidents of said lease

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—183.

Adams,	Eichenberger,	Letzkus,	Richards,
Allen,	Ely,	Light,	Roney,
Alworth,	Ewing,	Lohr,	Rothenberger,
Ambler,	Fahey,	Lowers,	Runk,
Aron,	Flynn,	Malie,	Sassaman,
Arthur,	Forster, I. G.,	Mannion,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	Martin,	Schaeffer, A. C.
Baldwin, R. J.,	Frey,	Mather,	Scott, S. B.,
Barner,	Gans,	Matt,	Semmens,
Bass,	Geary,	McAleer,	Shaffer, C. A.,
Bayle,	Geiser,	McAllister,	Shaffer, I. E.,
Becker,	Gibson,	McArdle,	Shern,
Benninger,	Glenn,	McCaig,	Sherwood,
Benson,	Good,	McClintock,	Showalter,
Bergey,	Grabe,	McDermott,	Smith, J. W.,
Berntheizel,	Gramley,	McKay,	Smith, L.,
Bigger,	Gransback,	McNichol,	Snavely,
Bittles,	Gray, Frank,	Mellott,	Snyder,
Blair, W. A.,	Gray, Joseph,	Metzenbacher,	Spangler,
Blair, W. F.,	Hackett,	Miller,	Speiser,
Body,	Haggerty,	Mitchell,	Steedle,
Brosius,	Heidinger,	Moore,	Steele,
Brown,	Hemminger,	Morrow,	Stein,
Brownlee,	Herman,	Moses,	Stone,
Burnett,	Heyburn,	Moulthrop,	Strauss,
Caldwell,	Hibshman,	Murphy,	Swartz,
Campbell, C.M.,	Hobbs,	Musser,	Swift,
Campbell, J.J.	Howard, R.,	Neel,	Thomas,
Carson,	Humes,	Neely,	Trach,
Carter,	Isler,	Newbaker,	Ulerich,
Claycomb,	Jackson,	Newton,	Ulman,
Cleary,	Jones, E. E.,	O'Neill,	Walnut,
Cochran,	Jones, J. R.,	Peachey,	Watson,
Conniff,	Kaiser,	Pennock,	Wettach,
Conrade,	Kaufman,	Perry, H. L.,	Whitaker,
Cox,	Keegan,	Perry, S. J.,	Whitman,
Currier,	Keeport,	Peters,	Wildman,
Curry,	Kennedy,	Piper,	Williams,
Davis,	Kern,	Post,	Wilson, J. H.,
DeFrees,	Klepper,	Price,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Donnally,	Lanius,	Reese,	Young, J. H.,
Down,	Latshaw,	Reeser,	Zimmerman,
Dunn, H. B.,	Lenker,	Rex,	Alter,
Dunn, J. A.,	Leslie,	Rhoads,	Speaker
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1748, entitled:

An Act relating to the height of buildings in cities of the second class limiting the height of buildings to be erected therein and making provision for enforcing the limitations imposed by this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Forster, I. G.,	Light,	Reeser,
Allen,	Foster, J. D.,	Lohr,	Rex,
Alworth,	Frey,	Lowers,	Rhoads,
Ambler,	Gans,	Malie,	Richards,
Aron,	Geary,	Mannion,	Rockwell,
Arthur,	Geiser,	Mather,	Roney,
Baldwin, R. J.,	Gramley,	Matt,	Sassaman,
Bass,	Gransback,	McAleer,	Savacool,
Bayle,	Gray, Frank,	McAllister,	Schaeffer, A. C.
Becker,	Hackett,	McArdle,	Scott, S. B.,
Benson,	Haggerty,	McCaig,	Semmens,
Bergey,	Heidinger,	McDermott,	Shaffer, C. A.,
Berntheizel,	Herman,	McKay,	Shaffer, I. E.,
Bigger,	Hess,	McNichol,	Shern,
Brosius,	Heyburn,	Mellott,	Sherwood,
Brown,	Hibshman,	Miller,	Showalter,
Burnett,	Hobbs,	Missimer,	Smith, L.,
Caldwell,	Howard, R.,	Mitchell,	Spangler,
Campbell, C.M.,	Isler,	Moore,	Speiser
Campbell, J.J.	Irwin, G. C.,	Morrow,	Spillinger,
Carson,	Jackson,	Moses,	Steedle,
Carter,	Jones, E. E.,	Moulthrop,	Steele,
Cheeseman,	Jones, J. R.,	Murphy,	Stein,
Conniff,	Kaiser,	Neel,	Stone,
Curry,	Kaufman,	Neely,	Strauss
Davis,	Keegan,	Newbaker,	Swartz,
DeFrees,	Keeport,	Newton,	Trach,
Dickinson,	Kennedy,	O'Neill,	Walnut,
Donahoe,	Kern,	Peachey,	Watson,
Donnally,	Kitts,	Pennock,	Wettach,
Down,	Klepper,	Perry, H. L.,	Whitaker,
Dunn, H. B.,	Kuhn, H. P.,	Perry, S. J.,	Wildman,
Dunn, J. A.,	Lanius,	Peters,	Williams,
Ehrhardt,	Latshaw,	Piper,	Wilson, J. H.,
Eichenberger,	Lenker,	Price,	Wilson, W. H.,
Ely,	Leslie,	Ramsey,	Wiltbank,
Ewing,	Letzkus,	Redfield,	Young, G. K.,
Fahey,		Reese,	Young, J. H.,
Flynn,			Zimmerman,

NAYS—9.

Baldwin, G. A.,	Hemminger,	Smith, J. W.,	Alter,
Barner,	Martin,	Swift,	Speaker.
Brownlee,	Rothenberger,	Ulerich,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1397 (Senate Bill No. 274), entitled:

An Act amending the third section of an act approved the thirty-first day of May nineteen hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and supordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five"

On the question,

Will the House agree to the bill on third reading?

Whereupon, a division was called for, 96 gentlemen voting in the affirmative and 35 in the negative.

It was agreed to.

On the question,

Shall the bill pass?

Mr. WILDMAN. Mr. Speaker, I wish to make but a few remarks upon this very meritorious bill. In 1911 both the House of Representatives and The Senate passed a

measure of a similar character which failed to meet with the approval of the Chief Executive for the reason that it increased the salaries of many of the officials who, in his opinion, were receiving ample compensation for their service. This objectionable feature having been eliminated from the present bill, it meets with the general approval of His Excellency, the Governor. Mr. Speaker, this measure is not a salary raiser in any sense of the word.

It applies to those men, to those toilers, who earn their bread by the sweat of their brow. It applies to the elevator men, who, at the present time, receive a salary of $75 a month. It raises them to $90 a month. Those men, gentlemen, have daily in their charge the lives and safety of every employee of this magnificent building; not only of the employees but of the thousands and thousands of strangers who visit it every year. The charmen, who scrub the floors and polish the marble, who now receive the munificent sum of $50 a month are raised to $60, a paltry raise of $10 a month. The yard men, who toil on the grounds in the heat of summer and the cold of winter, receive at the present time $720 a year. They have been raised to $840, a trifling raise. The guides, the men who annually conduct in the neighborhood of 100,000 visitors through the building, are now receiving also $60 per month. There salary is raised, under the provisions of this act, to $900. Gentlemen, there are but five exceptions to the rule of men receiving less than $100. The Chief Clerk, who does the same work which is done by other chief clerks in the other departments, receives $1400. Under the provisions of this act, his salary is raised to an equal footing with the others, of $1800. The expert steam fitter, a practical man in his line, receives at present $1020 per year. His salary is raised to $1200. The assistant chief engineer, also a practical mechanic who works with his hands, receives $1600, and his salary has been raised to $1800 under the provisions of this act. The foreman of carpenters and painters receives at the present time $1200 a year. His salary is raised to $1500. I would like to state, for the benefit of the House, that personally I am in the building business in a small way. I pay my foreman of carpenters $1440 a year. Surely, $1500 is not too much for the great State of Pennsylvania to pay its employees. I hope and trust that every member of this House will feel that it is their duty to support a measure that affects only men who labor, and I trust that the members, when they use their judgment and act upon this bill, will remember the biblical injunction: "Verily the laborer is worthy of his hire."

Mr. LATSHAW. Mr. Speaker, the bill before us for our consdieration, I hesitated to designate as a salary raiser. But since the gentleman from Dauphin has seen fit to call the attention of the House to that feature of it, I want to ask you what you would call it. Any measure that proposes 43 new employees, with a yearly increase of $56,740, seems to me is worthy of that title. Now, we all agree, we are all proud of our capitol, and we all think it should be well taken care of. We all agree that the floors should be wiped out and the marble wiped down, the steel polished and everything kept in order; but certainly there should be a limit somewhere. Now, this measure is not only a salary raiser, but it is an employee raiser, and it seems to me that that is not all there is to it. We find that it makes ample provisions for practically everything else. We find in the last paragraph of this act that the Superintendent of Public Grounds and Buildings is hereby authorized and empowered to temporarily employ all necessary help required for the care, maintenance and preservation of the Public Gronuds and Buildings. Now, they tell us that there have been no additional employees, that they are all here now. My answer to that is, if the Superintendent of Public Grounds and Buildings can draw on some fund that he has for $56,740, what is the necessity for this act at this time? There is another thing to which I wish to call the attention of the House. When this bill was reported out of committe, strange to say there were a number of strange faces in that committee that had not been seen thereon the previous meetings of it. All of those strange faces were strangly in favor of reporting this bill out with the t's and i' just as they were. There was a mild protest made, a very mild one. The bill as reported out, provided for 12 carpenters instead of 6. The committee agreed to strike out 6 of those carpenters, leaving in all 6, but after we look at the bill on our calendar, we find there are four salaries raised in it, the elevator machinist is raised from $1,200 to $1,500; the steam fitter is raised from $1,200 to $1,500. We find also that an assistant storekeeper is raised from $1,000 to $1,200; that the assistant messenger is raised from $720 to $840. Now, Mr. Speaker, none of those amendments were made in the committee. They were made somewhere on the road between the committee and the calendar of this House. Gentlemen, I think this bill should be amended in some way or should be voted down.

Mr. RAMSEY. Mr. Speaker, it will not be my purpose to tire you with any lengthy remarks upon this bill, and I shall not take up much time in discussing the merits of the bill itself. I feel that every man here to-day recognizes that while this bill is a salary raiser in a sense, it is a meritorious one in that it gives to the poorer class of employees of this Capital, of this State Building, more money. That I will leave to the good judgment of the men themselves as to how they shall vote. But, Mr. Speaker and gentlemen, there has been a question raised here and it has appeared in the public press of some of the cities of this State that I feel it my duty as a member of the sub-committee appointed by the Committee on Public Grounds and Buildings to answer, and I think to the satisfaction of a majority of the men here present. When this bill was presented to the committee and acted upon, a sub-committee was appointed, consisting of Mr. Body, Mr. Klepper and myself. That sub-committee went into the details of the bill and reported it at the meeting of the general committee on Public Grounds and Buildings referred to by the gentlemen who just spoke. That committee recommended, gentlemen of the House, the proposed amendments that appear upon the file of the calendar. Those amendments were not inserted by anybody except by that committee in session. I am reading, gentlemen, from the very paper that I read from to that committee, a report of the sub-committee. It is to strike out in section 3, line 149, the word "ten" and insert "twelve;" also, in line 152, strike out the word "seven" and insert "eight;" also, strike out the words "twenty" and insert "forty;" also in line 205, strike out the word "twelve" and insert "fifteen;" also in line 206, strike out the words "ten and twenty" and insert "twelve." It is true that in addition to that amendment the question was drawn to the attention of that Committee and to the general Committee as to the repeat in the printing referring to the six carpenters. That was cut out. When this sub-committee made its report, gentlemen of the House, a motion was made that the bill be reported to this House with the amendments as recommended by the sub-committee, and I, with the addition of the other two members, inserted, along with the secretary of the sub-committee, those amendments, and I so reported the bill as amended to this House. Gentlemen, I am a novice in the legislative business, but when that article appeared in the newspaper, I felt that it was a direct accusation against me, and I want to say to you that while I favor the raising of salaries when they are just, I am not here to do anything that is dishonest, and I hope that the newspaper that published that report will be satisfied by this session to-day verifying what that committee did, and it shall say to this State of Pennsylvania that it was mistaken, or rather in fact that its informants were mistaken, and did not hear this committee make its report. I trust, gentlemen, that you will all vote for this measure.

Mr. WILDMAN. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Latshaw.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LATSHAW. Yes, sir, Mr. Speaker.

Mr. WILDMAN. Mr. Speaker, I would like to ask the gentleman from Armstrong from what source he received his information as to the creation of some 40 odd new offices.

Mr. LATSHAW. Mr. Speaker, I take it from the bill.

Mr. WILDMAN. Mr. Speaker, had the gentleman taken the time to consult with the Department of Public Buildings, he would have discovered that every one of those offices is created under the appropriation and are in existence at the present time.

Last year the Department of Public Grounds and Buildings asked for an appropriation of two hundred and forty-three thousand eight hundred dollars. This year they ask

an appropriation of two hundred fifty-one thousand one hundred and sixty dollars.

In connection with the Department of Public Grounds and Buildings the new acquisition of the Eighth Ward is to be taken into consideration. The Board of Public Grounds and Buildings this year is obliged to maintain and take care of all these properties that have been acquired by the State of Pennsylvania and will be required to do so during the next three years. This in itself is an additional expense to the Department. The amount involved in the raising of the salaries of these poor men who labor amount to somewhat over twenty-three thousand dollars, and I am sure, gentlemen, the great State of Pennsylvania can well afford to pay these men who toil and labor twenty-two thousand dollars a year.

I also desire to say, and I reiterate the fact, that only one new office is created under this measure and that is the office for foreman of maintenance. The office of foreman of maintenance is absolutely necessary for the proper conduct of the affairs of these buildings. At the present time all the supplies, paraphernalia, et cetera, throughout the building is in different hands. Under this new measure, the foreman of maintenance will have charge of all those affairs and he will save the State of Pennsylvania five times the price of his salary.

Mr. PIPER. Mr. Speaker, I desire to interrogate the gentleman from Armstrong, Mr. Latshaw.

The SPEAKER. Will the gentleman from Armstrong permit himself to be interrogated?

Mr. LATSHAW. Mr. Speaker, yes, sir.

Mr. PIPER. Mr. Speaker, I desire to ask the gentleman from Armstrong whether or not he believes that a machinist who served his apprenticeship is not worth one thousand dollars a year?

Mr. LATSHAW. Mr. Speaker, certainly I think he is.

Mr. BLELOCH. Mr. Speaker and Gentlemen, there is one peculiar thing about this bill to my mind and that is that it is an amendment to the act of 1907 providing for a number of employees to take care of this building and their salaries. The Act of 1907 for the general employees of the Department carries with it positions with the salaries attached, to an amount of one hundred and five thousand dollars. The same item in the General Appropriation bill passed last session carried with it two hundred and forty-three thousand dollars without legislative warrant for any increase in the number of employees or for salaries. The General Appropriation bill of 1907, in pursuance of the act passed at this session had in it an item of two hundred and eight thousand dollars for the general employees of the Department which item included the entire care of the Executive Mansion. Since that time the expense of the caring for the Executive Mansion has been listed in a separate item in the General Appropriation bill and has been generally in amount some fifty to seventy-five thousand dollars. Now, in the Act of 1907, with an appropriation for the two fiscal years ending May 31, 1909, of two hundred and eight thousand dollars for that purpose, including the care of the Executive Mansion, I ask any member in this House who sat in the Legislature of 1909 if there was a deficiency appropriation bill introduced for that purpose. I have been unable to find any and I am satisfied that that appropriation was sufficient to carry on the Department for those two years. Since 1909, to my knowledge, there has been no added work, no increased occasion for additional employees to care for this building; but notwithstanding that and knowing, I have no doubt, that it would be impossible to come to the Legislature and amend this Act of 1907, they have succeeded in boosting the number of employees and the number of salaries by inserting it in the Genaral Appropriation bill, where it would be undiscovered and it has slipped through the last two sessions of this Legislature.

Now gentlemen I am opposed to any legislation of that character I do not believe in placing within the authority of a departmental head the right to employ unlimited employees or to fix their salaries when he sees fit to employ them. We are here to regulate the number of employees, to fix their salaries and to see that the General Appropriation bill does not go one wit beyond that mark; and if any department comes along and asks for additional help, they have the right to have legislative warrant for that increase before any such item goes into the General Appropriation bill. Now, Mr. Speaker, I am convinced if this building and its appurtenance were maintained for two years, from 1907 to 1909, and the expense of the Executive Mansion also, and an item of two hundred and eight thousand dollars was sufficient for that purpose, there is absolutely no warrant at this time to pass this bill, providing for these additional employees and legitimatizing the course that has been pursued in the last two Legislatures and put over on this House and the citizens of Pennsylvania, such avicious, patronizing, job raising scheme as this. I am opposed to this bill.

Mr. NORTH. Mr. Speaker, I call for the previous question.

The SPEAKER. It is apparent that there are more than the necessary number of seconds and it may be that no other gentleman desires to discuss the bill, so that we can save the time of putting the question.

The roll will be called.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—120.

Adams,	Fahey,	Malie,	Shaffer, C. A.,
Alworth,	Flynn,	Mannion,	Shern,
Ambler,	Forster, I. G.,	McAllister,	Sherwood,
Aron,	Foster, J. D.,	McArdle,	Smith, J. W.,
Arthur,	Frey,	McCaig,	Smith, L.,
Bass,	Gans,	McClintock,	Snyder,
Bayle,	Geary,	McNichol,	Spangler,
Becker,	Gibson,	Missimer,	Speiser,
Berntheizel,	Goss,	Moore,	Spilinger,
Bigger,	Gransback,	Morrow,	Steedle,
Blair, W. A.,	Hackett,	Moses,	Steele,
Blair, W. F.,		Murphy,	Stein,
Body,	Hibshman,	Neel,	Strauss,
Brosius,	Isler,	Neely,	Swartz,
Brown,	Irwin, G. C.,	North,	Swift,
Carter,	Irwin, H. H.,	O'Neill,	Thomas,
Cleary,	Jones, E. E.,	Pennock,	Trach,
Conniff,	Kaiser,	Perry, S. J.,	Ulerich,
Conrade,	Keegan,	Piper,	Ulman,
Cox,	Keeport,	Price,	Watson,
Currier,	Kitts,	Ramsey,	Wettach,
Curry,	Klepper,	Reese,	Whitaker,
Davis,	Kuhn, H. P.,	Rhoads,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Richards,	Williams,
Donahoe,	Lanius,	Rockwell,	Wilson, J. H.,
Donnally,	Lenker,	Roney,	Wilson, W. H.,
Dunn, J. A.,	Leslie,	Rothenberger,	Wiltbank,
Ehrhardt,	Letzkus,	Runk,	Young, J. H.,
Eichenberger,	Lowers,	Sassaman,	Zimmerman,
Ely,		Schaeffer, A. C.	Alter,
Ewing,		Semmens,	Speaker.

NAYS—47.

Allen,	Claycomb,	Kern,	Peachey,
Baldwin, G. A.,	Glenn,	Latshaw,	Perry, H. L.,
Barner,	Good,	Lohr,	Post,
Benson,	Grabe,	Martin,	Redfield,
Bergey,	Gray, Frank,	Matt,	Reeser,
Bleloch,	Hemminger,	McDermott,	Rex,
Brownlee,	Hobbs,	McKay,	Savacool,
Burnett,	Humes,	Mellott,	Scott, S. B.,
Caldwell,	Jackson,	Metzenbacher,	Showalter,
Campbell, C.M.,	Jones, J. R.,	Miller,	Snavely
Carson,	Kaufman,	Newbaker,	Walnut,
Cheeseman,	Kennedy,	Newton,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

BILL INTRODUCED.

Mr. FAHEY. Mr. Speaker. I ask unanimous consent to introduce an appropriation bill at this time.

The SPEAKER. Will the House give unanimous consent to the introduction of this bill? Is there any objection? The Chair hears none and the bill will be received by the Clerk.

OBJECTIONS TO THE INTRODUCTION OF RESOLUTION.

Mr. SPEISER. Mr. Speaker, I ask unanimous consent to introduce at this time a concurrent resolution calling for a joint commission of the Senate and House to determine upon the song for the State of Pennsylvania. At the present time there are two songs that have been suggested written by two people who are citizens of the State of Pennsylvania, and in order that we might determine upon one song,

whether one of these or some other. I desire to introduce this joint resolution in order that we might come to some decision.

The SPEAKER. Will the House give unanimous consent to the introduction of the resolution. Is there any objection? The Chair hears objections and the resolution will not be received.

SENATE MESSAGES.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate which was read as follows:

In the Senate, April 30, 1913.

Resolved (if the House of Representatives concur), That Senate Bill No. 77, entitled An Act to exempt from the payment of inheritance taxes bequests and devises to institutions of purely public charity

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The SPEAKER. It so happened that the Journal Clerk has furnished the Chair with information which might be of interest to the House. The Session of 1911 up until the thirteenth day of April passed to the Senate 295 House Bills. This House up to today has passed over to the Senate 482 bills.

RECESS.

Mr. SASSAMAN. Mr. Speaker, I move that this House take a recess until eight o'clock tonight.

The motion was agreed to and a recess was declared until eight o'clock this evening.

AFTER RECESS.

The House convened at 8.00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

BILLS SIGNED BY SPEAKER.

The Speaker announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 296.

An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a State Association for the purpose of holding annual meetings and providing for the payment of the expenses thereof

Also House Bill No. 600.

An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation

Also House Bill No. 787.

An Act to amend an act entitled "An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affidavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and authorizing the plaintiff or plaintiffs therein to take judgments for the amount so admitted to be due" "approved the third day of May Anno Domini one thousand nine hundred and nine"

Also House Bill No. 1145.

An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house

Also House Bill No. 41.

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of asceraining and changing the classification thereor in accordance therewith

Also House Bill No. 173.

An Act to validate deeds mortgages and other instruments of writing which have been deftctively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one

Also House Bill No. 512.

An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof

Also House Bill No. 607.

An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and ufty-one hundredth dollars inadvertantly and erroneously paid by it under protest into the State Treasury for a distillers' license for a distillery heretofore and now known as the Standard Distilling Company

Also House Bill No. 897.

An Act to amend section one of an act entitled "An Act to authorize the appointment of a deputy and one clerk by the prothontary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries" approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary

Also House Bill No. 962.

An Act to amend the second and fourth sections of an act entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth or Pennsylvania" approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecutor in actions for infringents of said act and also including the practice of veterinary dentisry in the provisions for infringements of said act

Also House Bill No. 964.

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

Also House Bill No. 1234.

An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth

Also House Bill No. 1454.

An Act for the better protection of wild turkeys in this Commonwealth

Whereupon,

The SPEAKER, in the presence of the Hosue, signed the same.

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 154.

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

Also House Bill No. 285.

An Act providing for the appointment and qualifications of instructors and demonstrators in agriculture and making an appropriation for the same

Also House Bill No. 416.

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

Also House Bill No. 426.

An Act relating to divorce

Also House Bill No. 471.

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

Also House Bill No. 642.

An Act to authorize the Board of Commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

Also House Bill No. 774.

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An act to cede jurisdiction to the United States over the Hanover Public Road in the county of Adams leading to the scene of the cavalry fight"

Also House Bill No. 825.

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registion in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pomphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

Also House Bill No. 960.

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth or Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Also House Bill No. 967.

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by an amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by a act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

Also House Bill No. 1022.

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

Also House Bill No. 1023.

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

Also Hous Bill No. 1025.

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act" by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

Also House Bill No. 1072.

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

Also House Bill No. 1073.

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

Also House Bill No. 1074.

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

Also House Bill No. 1077.

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a forestry department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase of condemnation of lands for certain purposes upon the recommendation of the forestry board

Also House Bill No. 1153.

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmio neonatorum (inflamation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

Also House Bill No. 1156.

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violation of such ordinances

Also House Bill No. 1241.

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam-boilers steam-engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

Also House Bill No. 1264.

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws

to reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgments of deeds and sequestrations of life estates" approved April fourteenth one thousand eight hundred and fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act entitled "An Act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and rest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed

Also House Bill No. 1436.

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

Also House Bill No. 1490.

An Act regulating the appointment confirmation duties salary and expenses of county detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

Also House Bill No. 1102.

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board or trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

With information that the Senate has passed the same without amendment.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to House Bill numbered and entitled as follows:

House Bill No. 442,

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

Said bill having been recalled from the Governor for amendment, the vote had on Final Passage and Thrid Reading on said bill were reconsidered in the House and the bill amended, in which amendment the Senate has concurred.

REPORTS FROM COMMITTEES.

Mr. KELLY, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1498, entitled:

An Act to amend the eleventh, fifteenth, and thirty-fourth sections of an act approved the 7th day of June A. D. 1895 entitled, "An Act regulating the construction, maintenance, alteration and inspection of buildings and party walls in cities of the second class."

Mr. FREY, from the Committee on Judiciary General, reported as committed, House Bill No. 1904 (Senate Bill No. 855), entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors reports.

Mr. LESLIE, from the Committee on Military Affairs, reported as committed, House Bill No. 1851 (Senate Bill No. 633), entitled:

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men, authorizing an increase in the medical hospital and ambulance corps of the National Guard for the service in said regiment, providing for said regiment a regimental band.

Mr. BAYLE, from the Committee on Appropriations, reported as committed, House Bill No. 1950 (Senate Bill No. 585), entitled:

An Act making an appropriation for the restoration of the Brig Niagara, Commodore Perry's Flagship at the Battle of Lake Erie for its participation in the events of this Centennial Celebration years its care and for the erection of a permanent marker arch or memorial at Erie, Pennsylvania.

Mr. KUHNS, from the Committee on Counties and Townships, re-reported as amended, House Bill No. 531, entitled:

An Act fixing the time of organization of the Commissioners of first class townships.

Mr. CONRADE, from the Committee on Insurance, re-reported as amended, House Bill No. 1060, entitled:

An Act to prevent fire insurance companies entering into or maintaining pools trusts conspiracies or agreements to control rates of insurance and prescribing penalty et cetera.

Mr. FREY, from the Committee on Judiciary General, reported as committed, House Bill No. 1893 (Senate Bill No. 212), entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

LEAVE OF ABSENCE.

Mr. HEIDINGER asked and obtained leave of absence for Mr. Spangler, on account of illness.

SENATE MESSAGES.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1445, entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said Board

And has appointed Messrs. Crow, McNichol and Salus a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. JOHN H. YOUNG. Mr. Speaker, I move that the House insist upon its non-concurrence and that a conference committee be appointed.

Mr. LESLIE. Mr. Speaker, I second the motion.
The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the pasage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid and for maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

And has appointed Messrs. Vare, McNichol and Salus a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. STEELE. Mr. Speaker, I move that the House insist upon its amendments and that a conference committee be appointed.

Mr. CLEARY. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON FINAL PASSAGE.

The SPEAKER. The Chair calls up from page 1 of today's calendar, House Bill No. 645, file folio 7465, bills on final passage recalled from the Governor.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 645, as follows:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "place of amusement or dramatic of theatrical or operatic or vaudeville performances circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudville performances or tragedies or comedies or farces or for the exhibition of trained animals or contests of personal skill or of circuses or menageries or museums or wild west shows or any performance or act for the amusement of the public but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or steropticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any building tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic or athletic performances or the exhibition of trained animals or contests of personal skill or any equestrian circus or menagerie or museum or wild west show or any performance or act for the amusement of the public until and unless an annual license or licenses for the buildings or building tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance or contest shall have been obtained from the city or county treasurer in which said buildings tents enclosures or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or steropticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irrespective of the number of chairs or seating capacity in such places of amusement building tent or enclosure the sum of five hundred dollars ($500)

In cities of the second class where such place of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such places of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet of floor or ground space as an equivalent to seating capacity

Section 4 The annual license for any place of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such place of amusement buildings tents or enclosures

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of either or all exhibiting in any building tent or enclosure (other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or steropticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances or contests of personal skill or in the performance of some act for the amusement of the public and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of two hundred and fifty dollars ($250) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) whereupon the owner or lessee thereof shall be permitted to give exhibitions or performances in any city county or borough of the State

Section 6 The city or county treasurer of any city or county where such places of amusement buildings or tents or enclosures are situated shall upon receipt of the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid The term City Treasurer as used in this act refers only to the Treasurer of the city co-extensive with the county

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclosures in which the same are to be held upon the certificate of the proper municipal officers setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances or contests intended to be given, are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of erection construction or alteration thereof either as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" A license when granted shall not be transferrable except to the lawful representatives of the deceased licensee or to a purchaser at an insolvent or bankrupt sale for the remainder of the term

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the persons who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the number of chairs in such place of amusement building tent or enclosure or the number of cars which transport any circus trained animals menagerie or wild west show Each application for a license shall be verified by the oath or affirmation of the applicant

If a false oath shall be made by any person to such application the one so swearing shall be guilty of perjury

Section 9 It shall be the duty of each applicant to fill up the blank as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

In any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess such applicant with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assessment when so made shall be final and conclusive and without appeal and the applicant so

assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement buildings tents or enclosures and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclsure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license fee to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right to appeal to the mercantile appraisers or city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser or city or county treasurer or board of mercantitle appraisers such person shall have the right to appeal to the court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relied upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer or the Mercantile Appraiser or Board of Mercantile Appraissers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shal upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers such person shall not thereafter be permitted in a suit for the recovery of said license fee to set up a defence either that such person is not subject to the payment of the license fee so assessed against him or any other ground of defence which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile Appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer touse for the recovery of all license fee duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July in each year within thirty days after that date provided however if said city or county treasurer is satisfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said fee and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July in each year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such party a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county treasurer the correct list of all persons assessed giving the names and business address of the person liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer after hearing all persons under oath or affirmation which he is hereby empowered to administer it shall be shown that the exhibition performances or contests given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annual and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer shall have full power to prevent any exhibition performance entertainment or contest from being exhibited or performed until the provisions of this act have been fully complied with

Section 16 The proper municipal officers of the first class shall have full power to inquire into any immoral tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment or contest and shall further if said charges are proven (after notice to all the parties in interest) forbid such exhibitions performances entertainments or contests and for that purpose shall have full power to direct the proper officers to close the said places of amusement buildings or building tents or enclosures in which said exhibitions performances entertainments or contests are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings or building tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer or the director of public safety of cities of the first class or proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclosures shall have the right to appeal in writing to the court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear the person or persons aggrieved and determine the character of the applicant nature of the exhibition or permormance and whether such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not or as a theatre in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do and perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city borough or township of this Commonwealth

Section 19 The act of June eghth Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall be held not only to apply to theatres places of amusement buildings tents or enclosures which have been erected constructed or altered and are now in actual use as a theatre or moving picture place where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a theatre place of amusement or moving picture place at the time of such erection construction or alteration

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment or contest as herein provided in any city borough or township of this Commonwealth without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offence a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open any such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the license year

And that such license when granted shall not be transferred to any person or any other building tent or enclosure during the year for which it is granted except that it may be transferred to the lawful representatives of any deceased license or purchaser at any insolvent or bankrupt sale, for the remainder of the term of any calendar year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or

contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The words "owner" "lessee" "applicant" "person" or "party" wherever used in this act shall include a partnership or corporation

Section 24 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures "of like character" as amended by the act approved May twenty-third one thousand nine hundred and seven entitled An Act to amend the first section of an act entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character providing that in cities of the first class the owner or owners or lessee or lessees of a building the capacity of which is less than three hundred persons shall pay thirty dollars ($30.00) and as further amended by the act approved May eleventh one thousand nine hundred and eleven entitled an act to amend the first section of an act entitled an act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as amended by an act approved the twenty-third day of May Anno Domini one thousand nine hundred and seven providing that in cities of the second class the owner or owners or lessee or lessees of a building the seating capacity of which does not exceed one thousand persons nor is less than four hundred persons shall pay an annual license of seventy-five dollars and where the seating capacity is less than four hundred persons shall pay thirty dollars together with any other amendments thereof or therto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Adams,	Davis,	Lohr,	Richards,
Allen,	DeFrees,	Lowers,	Robinson,
Ambler,	Dickinson,	Mannion,	Rockwell,
Baldwin, G. A.,	Donahoe,	Mather,	Roney,
Baldwin, R. J.,	Donnally,	McAleer,	Rothenberger,
Barner,	Dunn, J. A.,	McAllister,	Runk,
Becker,	Foster, J. D.,	McArdle,	Sassaman,
Benninger,	Geiser,	McCaig,	Savacool,
Benson,	Gibson,	McClintock,	Schaeffer, A. C
Bergey,	Glenn,	McKay,	Scott, S. B.,
Berntheizel,	Good,	McNichol,	Shaffer, I. E.,
Bigger,	Grabe,	Mellott,	Sherwood,
Bittles,	Gramley,	Metzenbacher,	Showalter,
Blair, W. A.,	Gransback,	Miller,	Smith, J. W.,
Body,	Hackett,	Mitchell,	Smith, L.,
Brown,	Heidinger,	Murphy,	Snavely,
Brownlee,	Heyburn,	Musser,	Snyder,
Burnett,	Hibshman,	Neel,	Steele,
Caldwell,	Hobbs,	Neely,	Stone,
Campbell, J.J.	Isler,	Newbaker,	Strauss,
Carson,	Jackson,	O'Neill,	Swartz,
Carter,	Jones, J. R.,	Pennock,	Swift,
Claycomb,	Keegan,	Perry, S. J.,	Trach,
Cleary,	Keeport,	Peters,	Watson,
Collins,	Kern,	Post,	Whitaker,
Conniff,	Klepper,	Ramsey,	Whitman,
Conrade,	Kuhns, E.G.M.,	Redfield,	Wiltbank,
Cox,	Leslie,	Reese,	Young, J. H.,
Currier,	Letzkus,	Reeser,	Zimmerman,
Curry,		Rhoads,	Alter,
			Speaker.

NAYS—3.

Cheeseman,	Martin,	Wildman.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION RECALLING HOUSE BILL NO. 1152 FROM THE GOVERNOR.

Mr. AMBLER asked and obtained unanimous consent to offer the following resolution, which was twice read, considered and agreed to:

Resolved (if the Senate concur), That House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FINAL PASSAGE.

The SPEAKER. The Chair lays before the House, House Bill No. 1362, on page 1 of today's calendar, bill recalled from the Governor for the purpose of amendment.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1362, as follows:

An Act authorizing H W Brown and D E Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the Court of Common Pleas of Dauphin county against the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That H W Brown and D E Brown citizens of Cambria County doing business as the Woodman Lumber Company formerly H W Brown D E Brown and E L Winchell doing business as the Woodman Lumber Company are authorized to bring suit in the Court of Common Pleas of Dauphin county against the Commonwealth of Pennsylvania for any sum or sums of money that may be legally or justly due the said H W Brown and D E Brown doing business as the Woodman Lumber Company arising out of a contract for the erection of a State Sanitorium at Cresson Pennsylvania

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Adams,	Dunn, H. B.,	Martin,	Rothenberger,
Alworth,	Dunn, J. A.,	Mather,	Sassaman,
Ambler,	Ehrhardt,	Matt,	Savacool,
Baldwin, G. A.,	Ely,	McAleer,	Schaeffer, A. C.
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Scott, S. B.,
Barner,	Gibson,	McArdle,	Semmens,
Bayle,	Glenn,	McCaig,	Shaffer, C. A.,
Becker,	Good,	McClintock,	Shaffer, I. E.,
Benninger,	Goss,	McDermott,	Sherwood,
Benson,	Grabe,	McKay,	Showalter,
Bergey,	Gransback,	McNichol,	Smith, J. W.,
Berntheizel,	Gray, Frank,	Mellott,	Smith, L.,
Bigger,	Hackett,	Metzenbacher,	Snavely,
Bittles,	Haggerty,	Mitchell,	Snyder,
Blair, W. A.,	Heidinger,	Moore,	Steele,
Blair, W. F.,	Heyburn,	Murphy,	Stone,
Body,	Hibshman,	Musser,	Strauss,
Brownlee,	Hobbs,	Neel,	Swartz,
Burnett,	Howard, R.,	Neely,	Swift,
Caldwell,	Humes,	Newbaker,	Thomas,
Campbell, J. J.,	Irwin, H. H.,	Newton,	Trach,
Carson,	Jackson,	O'Neill,	Ulman,
Carter,	Jones, J. R.,	Peachey,	Wettach,
Cheeseman,	Keegan,	Pennock,	Whitaker,
Cleary,	Keeport,	Perry, S. J.,	Whitman,
Cochran,	Kern,	Peters,	Wildman,
Collins,	Kitts,	Post,	Williams,
Conniff,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Conrade,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Cox,	Lenker,	Reese,	Wiltbank,
Curry,	Leslie,	Reeser,	Young, G. K.
Davis,	Letzkus,	Rhoads,	Young, J. H.,
DeFrees,	Lohr,	Richards,	Zimmerman,
Dickinson,	Lowers,	Robinson,	Alter,
Donahoe,	Malie,	Rockwell,	Speaker.
Donnally,	Mannion,	Roney,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1085, as follows:

An Act to amend sections three four six and seven and to repeal section five of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to appoint agents to assist in its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven which reads as follows

"Section 3 The owners lessees occupiers or managers of all abattoirs slaughtering packing butchering meat-canning meat-manufacturing or rendering establishments and of places or vehicles where meat is prepared stored sold or transported shall keep such establishments places and vehicles in a wholesome clean and sanitary condition" is hereby amended to read as follows

Section 3 The owners lessees occupiers or managers of all abattoirs slaughtering packing butchering meat-canning meat-manufacturing or rendering establishments and of places or vehicles where meat is prepared stored sold or transported shall keep such establishments places and vehicles in a wholesome clean and sanitary condition and shall protect meats and meat food products from being handled by prospective purchasers or other unauthorized persons and from exposure to flies and other objectionable insects

Feeding offal blood other slaughter house refuse or the carcasses of dead animals to swine is forbidden Except for immediate slaughter swine shall not be kept within one hundred yards of any establishments or places mentioned in this section

Section 2 Section four of said act which reads as follows

"Section 4 The Governor is hereby authorized and empowered to appoint ten persons to serve as agents to assist in the enforcement of the provisions of this act Such agents shall have knowledge of the diseases of meat producing animals and shall be versed in the conditions that affect the soundness healthfulness and wholesomeness of animal food products An appropriate standard for fitness for appointees to these offices shall be established and maintained by the State Livestock Sanitary Board" is hereby amended to read as follows

Section 4 Agents of the State Livestock Sanitary Board may be assigned to assist in the enforcement of the provisions of this act Such agents shall have knowledge of the diseases of meat producing animals and shall be versed in the conditions that affect the soundness healthfulness and wholesomeness of animal food products An appropriate standard of fitness for such agents shall be established and maintained by the State Livestock Sanitary Board

Section 3 Section six of said act which reads as follows

"Section 6 It shall be the duty of agents of the State Livestock Sanitary Board as provided in this act to perform such services prescribed by this act as may be imposed by authority of the State Livestock Sanitary Board Such agents are authorized without let or hindrance to enter upon any premises or to enter any place building vehicle or vessel used for the storage preparation or transportation of animals or their products and to examine in any way that may be necessary any animals meats or meat food product there found for the purpose of determining whether such animals meats or meat food products are or may be made into sound wholesome and healthful human food Animals carcasses or parts thereof that are unsound unhealthful unwholesome or otherwise unfit for human food shall be rejected or condemned and said animals carcasses or parts or products thereof shall be treated and disposed of in such a way that they cannot be used as human food as shall be provided by the rules of the State Livestock Sanitary Board" is hereby amended to read as follows

Section 6 Agents of the State Livestock Sanitary Board are authorized without delay let or hindrance to enter upon any premises or to enter any place building vehicle or vessel used for the storage preparation or transportation of animals or their products and to examine in any way that may be necessary any animals meats or meat food product there found for the purpose of determining whether such animals meats or meat food products are or may be made into sound wholesome and healthful human food Animals carcasses or parts thereof that are unsound unhealthful unwholesome or otherwise unfit for human food shall be rejected or condemned and said animals carcasses or parts or products thereof shall be treated and disposed of in such a way that they cannot be used as human food as shall be provided by the rules of the State Livestock Sanitary Board

Section 4 Section seven of said act which reads as follows

"Section 7 It shall be the duty of the agents of the State Livestock Sanitary Board as provided by this act to make examinations of slaughtering packing meat-canning rendering or similar establishments and of places where meats or meat food products are manufactured prepared stored or sold for the purpose of ascertaining whether the said establishments or places are constructed arranged equipped managed or cared for in such a way as injuriously to affect the soundness healthfulness or wholesomeness or otherwise to render unfit for human food the meats or meat food products therein prepared stored or sold In case the establishment or the manner in which it is arranged equipped managed or cared for shall be found to be defective in such particulars as to make it proable that by virtue of such defect or defects the meats or meat food products may be rendered unsound unhealthful unwholesome or otherwise unfit for human food it shall be the duty of the agent of the State Livestock Sanitary Board to notify the owner occupier or manager thereof as to the nature of the particular defects found and report the same to the State Livestock Sanitary Board The said Board shall thereupon send to the owner occupier or manager of the defective establishment or place a notice in writing in which the defect or defects shall be described and the owner occupier or manager shall thereupon within reasonable time remedy remove or abolish the said defects In the case that a defect in respect to the construction arrangement equipment management or care of a slaughtering packing meat-canning rendering or similar establishment or of a place where meat or meat food products are manufactured prepared stored or sold deemed by the State Livestock Board to be of such a nature as to render it probable that the meat or meat food products therein prepared stored or sold may by virtue of said defect be rendered unsound unhealthful or unwholesome or otherwise unfit for human food is not removed or abolished within reasonable time to be designated by the State Livestock Sanitary Board after notice from the said Board the said establishment or place may be closed and the owner occupier or manager thereof and all other persons are forbidden to use the said establishment or place for the preparation storage or sale of meats or meat food products until the said defect is remedied removed or abolished in a way that is approved by an authorized agent of the State Livestock Sanitary Board" is hereby amended to read as follows

Section 7 It shall be the duty of the agents of the State Livestock Board to make examination of slaughtering packing meat-canning rendering or similar establishments and of places where meats or meat food products are manufactured prepared stored or sold for the purpose of ascertaining whether the said establishments or places are constructed arranged equipped managed or cared for in such a way as injuriously to affect the soundness healthfulness or wholesomeness or otherwise to render unfit for human food the meats or meat food products therein prepared stored or sold In case the establishment or the manner in which it is arranged equipped managed or cared for shall be found to be defective in such particulars as to make it proable that by virtue of such defect or defects the meats or meat food products may be rendered unsound unhealthful unwholesome or otherwise unfit for human food it shall be the duty of the agent of the State Livestock Sanitary Board to notify the owner occupier or manager thereof as to the nature of the particular defects found and report the same to the State Livestock Sanitary Board The said Board shall thereupon send to the owner occupier or manager of the defective establishment or place a notice in writing in which the defect or defects shall be described and the owner occupier or manager shall thereupon within reasonable time remedy remove or abolish the said defects In the case that a defect in respect to the construction arrangement equipment management or care of a slaughtering packing meat-canning rendering or similar establishment or of a place where meat or meat food products are manufactured prepared stored or sold deemed by the State Livestock Board to be of such a nature as to render it probable that the meat or meat food products therein prepared stored or sold may by virtue of said defect be rendered unsound unhealthful or unwholesome or otherwise unfit for human food is not removed or abolished within reasonable time to be designated by the State Livestock Sanitary Board after notice from the said Board the said establishment or place may be closed and the owner occupier or manager thereof and all other persons are forbidden to use the said establishment or place for the preparation storage or sale of meats or meat food products until the said defect is remedied removed or abolished in a way that is approved by an authorized agent of the State Livestock Sanitary Board

Section 5 Section five of said act is hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. HEYBURN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Section 1, line 32 on page 3 after the word "forbidden" strike out the words "except for immediate slaughter swine shall not be kept within one hundred yards of any establishment of places mentioned in this section."

The SPEAKER. Will the House give unanimous consent to the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be made in accordance with the instructions of the House.

The bill as amended was then agreed to.

The SPEAKER. The amendment consisting of merely striking out, the bill will now be put upon final passage.

On the question,

Shall the bill pass finally??

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—82.

Alworth,	Curry,	Humes,	Musser,
Ambler,	Davis,	Isler,	Neel,
Baldwin, R. J.,	Dickinson,	Jones, J. R.,	Neely,
Bass,	Donahoe,	Keegan,	O'Neill,
Bayle,	Down,	Kuhn, H. P.,	Perry, S. J.,
Becker,	Dunn, J. A.,	Latshaw,	Ramsey,
Benson,	Ehrhardt,	Letzkus,	Richards,
Bergey,	Ewing,	Light,	Rockwell,
Berntheizel,	Fahey,	Malie,	Scott, S. B.,
Bigger,	Flynn,	Mannion,	Shaffer, C. A.,
Bittles,	Foster, J. D.,	Mather,	Sherwood,
Blair, W. A.,	Frey,	McAleer,	Smith, L.,
Brown,	Gans,	McAllister,	Steedle,
Carson,	Geary,	McArdle,	Steele,
Carter,	Gibson,	McCaig,	Stone,
Claycomb,	Glenn,	McClintock,	Wettach
Cleary,	Gramley,	McDermott,	Wildman,
Cochran,	Gransback,	McNichol,	Wilson, W. H.,
Conniff,	Hackett,	Moore,	Wiltbank,
Conrade,	Haggerty,	Murphy,	Alter,
Cox,	Heyburn,		Speaker.

NAYS—47.

Adams,	Geiser,	Lohr,	Sassaman,
Baldwin, G. A.,	Good,	Martin,	Savacool,
Barner,	Gray, Frank,	Matt,	Shaffer, I. E.,
Benninger,	Heidinger,	McKay,	Showalter,
Body,	Hibshman,	Mellott,	Snavely,
Brownlee,	Hobbs,	Mather,	Snyder,
Burnett,	Irwin, H H.,	Newbaker,	Swartz,
Caldwell,	Jackson,	Newton,	Swift,
Cheeseman,	Keeport,	Peachey,	Ulman,
DeFrees,	Kitts,	Reeser,	Wilson, J. H.,
Donnally,	Lenker,	Rhoads,	Zimmerman,
Dunn, H. B.,		Rothenberger,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1864, entitled:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Eichenberger,	Leslie,	Rothenberger,
Alworth,	Ely,	Letzkus,	Sassaman,
Baldwin, G. A.,	Ewing,	Light,	Schaeffer, A. C
Baldwin, R. J.,	Fahey,	Lohr,	Scott, S. B.,
Barner,	Flynn,	Lowers,	Semmens,
Bass,	Forster, I. G.,	Malie,	Shaffer, C. A.,
Becker,	Foster J. D.,	Mannion,	Shaffer, I. E.,
Benninger,	Frey,	Martin,	Shern,
Benson,	Gans,	Mather,	Sherwood,
Bergey,	Geary,	Matt,	Showalter,
Berntheizel,	Geiser,	McAleer,	Smith, J. W.,
Bigger,	Gibson,	McAllister,	Smith, L.,
Bittles,	Glenn,	McClintock,	Snavely,
Blair, W. A.,	Good,	McDermott,	Snyder,
Body,	Gramley,	McKay,	Spangler,
Brown,	Gransback,	McNichol,	Steedle,
Brownlee,	Gray, Frank,	Mellott,	Steele,
Burnett,	Hackett,	Metzenbacher,	Stone,
Caldwell,	Haggerty,	Mitchell,	Strauss,
Campbell, J.J.	Heyburn,	Moore,	Swartz,
Carson,	Hibshman,	Neel,	Swift,
Carter,	Hobbs,	Neely,	Thomas,
Cheeseman,	Howard, R.,	Newbaker,	Trach,
Claycomb,	Humes,	Newton,	Ulerich,
Cleary,	Isler,	O'Neill,	Ulman,
Cochran,	Irwin, G. C.,	Peachey,	Watson,
Collins,	Irwin, H. H.,	Pennock,	Wettach,
Conniff,	Jackson,	Perry, S. J.,	Whitaker,
Conrade,	Jones, J. R.,	Piper,	Whitman,
Cox,	Kaiser,	Post,	Wildman,
Curry,	Keegan,	Price,	Williams,
Davis,	Keeport,	Ramsey,	Wilson, J. H.,
DeFrees,	Kennedy,	Reese,	Wilson, W. H.,
Dickinson,	Kern,	Reeser,	Wiltbank,
Donahoe,	Kitts,	Rhoads,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Richards,	Young, J. H.,
Down,	Kuhns, E.G.M.,	Robinson,	Zimmerman,
Dunn, H. B.,	Latshaw,	Rockwell,	Alter,
Dunn, J. A.,	Lenker,	Roney,	Speaker.
Ehrhardt,			

NAYS—2.

Goss, Murphy,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 200, entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act to provide for the removal of judges of the supreme superior common pleas and orphans' court permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal" as amended by an act approved the twenty-third day of June one thousand nine hundred and eleven entitled "An Act to amend section one of an act entitled 'An Act to provide for the removal of judges of the supreme superior common pleas and orphans' courts permanently disqualified by reason of physical or mental disability to perform their judicial functions and duties with half pay for their unexpired terms and the filling of vacancies caused by such removal approved May eleventh one thousand nine hundred and one so as to allow them full pay during the balance of their terms of office and under certain conditions half pay during the remainder of their lives"

The question recurring,

Will the House agree to the bill on third reading?

Mr. HUMES. Mr. Speaker, I just want to call the attention of the House to this bill. This bill has for its purpose the repeal of the Judges Pension Bill passed in the session of 1911. I think we are all familiar with its provisions. I think the general sentiment throughout the State is that the time has not come when this State should carry on a system of civil pensioning. The people generally believe that at this time we should not undertake to pension the judges. If it becomes necessary for us to pension any class of men, and I say this in the spirit of kindliness and consideration towards the judges, there are many others in the State that need pensioning very much worse than the judges do. Up to this time the State of Pennsylvania has never undertaken to pension the soldiers of the Civil War. I might cite other instances where the State has overlooked the financial advantages of a pension where it is needed, but I hope that in the light of the fact that the Legislature has been most liberal with the judges of the State and largely increased their compensation at the last session, I do not think that they will become objects of charity if we fail to pension them, and I trust that the House will show its satisfaction with what is undoubtedly the general sentiment and general desire of the people of the State and repeal this iniquitous act.

Mr. R. J. BALDWIN. Mr. Speaker, it appears to me that this bill simply increases the pension list, if I read it correctly. It is true it does repeal the Act of 1911, but it re-enacts a law which is much more sweeping in its pensioning features. It says:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That form and after the passage of this act whenever a judge of any of the supreme superior common pleas or orphans courts of this Commonwealth by reason of physical or mental disability appears to be incapacitated for performing his judicial functions and duties and by reason of such disability has not performed such duties for the period of one year the Governor of this Commonwealth shall appoint a commission consisting of three skilful and disinterested physicians from different counties of the State to examine the said judge and if the said commission shall report that the said judge is permanently incapacitated to perform the duties of his office the Governor shall notify the said judge of such finding and if the said judge shall resign within thirty days of such notice he shall receive for the balance of the term for which he was elected during which he shall live one-half of the salary which he would have received if he had not resigned and

As I understand it, it would increase the pension system as it now is under the law of 1911. I was very much opposed to the act for civil pensioning. I opposed the law of 1911, and I am very much opposed to this law as it now stands. Just as I have always said when one of the pensioning bills passed, others would follow, has turned out to be true. I said it was my opinion that if the bill of

1911 passed, that others would follow broadening that bill, and here comes a bill pensioning under certain conditions all of the judges of the courts of common pleas and the Orphans' Court, besides those of the superior and supreme court. I do understand the bill.

Mr. HUMES. Mr. Speaker, I do not know whether the gentleman from Delaware undertakes with the methods that he adopts so frequently with bills of this kind to willfully misrepresent a peice of legislation, or whether he takes his position because he is not familiar with the provisions of the bill about which he is speaking. Time after time the gentleman from Delaware has undertaken to tell you what a bill contained, and if in the other instances his explanation of the contents of a bill were no nearer the correct interpretation than his interpretation of this bill, I certainly feel that I must lose faith in the declarations he may make on this floor.

The gentleman from Delaware ought to know if he was a member of the Legislature of 1911, and he was, that the Act of 1911 was an amendment to the Act of 1901, and this bill is an amendment to the Act of 1911, which restores once more the Act of 1901. If the gentleman in 1911 voted against this bill to pension judges, he at that time voted to sustain the Act of 1901, because had that bill passed in 1911, the act of 1901 would have continued the law. So the gentleman's argument is rather ridiculous. That Act of 1901—

Mr. R. J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Crawford, Mr Humes, permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to tell the House that if I have said anything that is a mistake I am glad to have the gentleman correct me. As I understand that bill, it is not for a pension.

Mr. HUMES. Mr. Speaker, No. sir, it restores the Act of 1901.

Mr. R. J. BALDWIN. Mr. Speaker, does not this act give the judges a pension, this act which was passed in 1901, and what is the difference between these two acts?

Mr. HUMES. Mr. Speaker, I am just about to explain what the Act of 1901 was. That Act of 1901 was an act that was passed to make it possible to take care of a judge who became physically incapacitated and could not perform the duties of his office. Under the Constitution a judge when he is commissioned for a given term of years cannot be removed from the bench and cannot be cared for except by impeachment proceedings. About that time we had a judge in the Commonwealth of Pennsylvania in one of the courts, who had been physically incapacitated for a year or more and the work of that court was seriously crippled, as that judge was not sitting to participate in the deliberations of the court. So in order to secure a full court in order that the work of the court might be performed, the Legislature of 1901 passed an act providing that the Governor, where a judge had been physically incapacitated and was not able to perform his duties for over a year, could appoint a commission of two physicians, and I believe it was so safeguarded that the two physicians could not be residents of the same county, and they were compelled to examine that judge and if they found that he was physically incapacitated and that in their opinion he would not be able to resume the duties of his office, they reported that back to the Governor and that judge had the choice of one of two things: either to resign for half pay for the rest of his lafe or to resign on full pay for the rest of his term.

That was the only way you could get rid of a judge who was commissioned,—without impeachment proceedings, as it was generally felt that it was not a wise provision, and this provision was better to do it this way, and this would be a better way to take care of a judge and it was also preferable to the system of recall which the gentlemen are so much oposed to. This bill restores the law as it was prior to the passage of the Judges Pension Bill of 1911, and it gives a pension to any judge and provides a means by which he can be cared for if physically incapacitated and if he is not able to perform the duties of his office. It does not contain any other provision that is—

Mr. R. J. BALDWIN. Mr. Speaker, does not the Act of 1911 require under this act that a judge must have given twenty-five years of service before he comes under the provisions?

Mr. HUMES. Mr. Speaker, No. sir. Not in the sense that it applies to an appellate judge.

The SPEAKER. The Chair must insist that members address the House when interrogating or answering an interrogation.

Mr. HUMES. Mr. Speaker, the Act of 1911 provides for the retirement of Common Pleas judges after they have served twenty-five years and Appellate Court judges after they have served twenty years.

Mr. R. J. BALDWIN. Mr. Speaker, I don't think that I was mistaken, still. This bill does permit a pension under certain conditions arising to any former judge in the Common Pleas Court in the State of Pennsylvania no matter if they have been there one year or a longer time, under the provisions of this act, as I understand the bill. The Act of 1911 don't give the judge the benefit of that pension unless he has served twenty-five years on the bench. I leave it to the House as to whether I have been mistaken.

Mr. FOSTER. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir. Certainly.

Mr. FOSTER. Mr. Speaker, I would like to ask the gentleman how many judges since the passage of this Act of 1911 have taken advantage of this pension?

Mr. HUMES. Mr. Speaker, I am not quite sure but if I remember correctly there are three. If tht is not the number the gentleman probably knows.

Mr. FOSTER. Mr. Speaker, I desire to further interrogate the gentleman from Crawford, as to how many judges are at the present time coming under the terms of the act.

Mr. HUMES. Mr. Speaker, I have not investigated the operation or the applicability of this law at the present time. This bill was directed at a principle and the particular application in a given year does not in any way affect the principle.

Mr. FOSTER. Mr. Speaker, I desire to say that since the passage of this act there have been about two men come within its terms and at the present time there is one. Now it seems to me that the great State of Pennsylvania is amply able to take care of one or two or three old servants when the total amount may amount to as much as five thousand dollars a piece. At the present time this State is paying in the so-called pension act that amount. I don't think that it deserves to be called by that term. That is but **half the salary of one judge**, just half of what he did receive when he was on the bench in one year. As to the terms of this act it sepcifically provides that any Common Pleas Judge who has served continuously for twenty-five years prior to the time of his retirement, and who is seventy years of age, is entitled to this compensation. While any Superior or Supreme Court Judge who has served twenty years shall have for the balance of his life one-half the amount of the compensation he received each year. In the course of the lifetime of a man, it must be that many men can have no great length of time to become beneficiaries of this act. I say that a man who is seventy years of age, after he has served this Commonwealth for twenty-five years, is deserving of the care of this great Commonwealth of Pennsylvania. The gentleman from Crawford says it was not the policy of the State of Pennsylvania to pension its soldiers. I say more shame to this State. Furthermore, a judge who has served twenty-five years, who has received and most deservedly received and enjoyed, the faith of his people who elected him and re-elected him for this length of time does not deserve to be kicked out and be denied a decent burial when he is unable to take care of himself and has no longer the vigor and the strength and the health of his former days. He should not be kicked out like a dog and be buried like a pauper. I have heard of one case in the past year, when a gentleman in Philadelphia, who for a number of years has served the Comomnwealth where there actually was a collection taken up to bury him. Is that fitting for this State? At the present time there is one man who is a beneficiary under this act. A man who has a family and who has served for thirty years in his capacity as a judge of the court.. His learning is recognized not alone in every court in this State, but in every court in the United

States; whose kindness and courtesy was such that he commanded the friendship of his fellow practitioners. When he was in the flower of his manhood the confidence which he received throughout this State was unbounded and he was everywhere honored and everything was in keeping with the treatment he deserved and commensurate and what he earned as a private practitioner was greater than what he earned as a judge. He was elected and re-elected and now he is an old man; his strength has gone and this is the kind of compensation he receives during the late years of his life. His eyesight is gone and he is blind and are we going to stop with such picayune legislation as this? Are we going to treat our men whom we have honored and who have honored us in this manner?

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware, Mr. R. J. BALDWIN, permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, Yes, sir.

Mr. HUMES. Mr. Speaker, I would like to inquire of the gentleman from Delaware why, if the Act of 1911 was such an improvement over the Act of 1901, he voted against that bill in the session of 1911?

Mr. R. J. BALDWIN. Mr. Speaker, I didn't say that the Act of 1911 was a better law than the Act of 1901. To tell the truth I was not a member of the House then and not being an attorney, I did not know anything about the Act of 1901. If I am mistaken about this bill of 1901, I am only too glad to make any corrections that may be necessary. I don't think the House is very clear on this bill and I think it would be a very good idea to postpone it.

Mr. WILTBANK. Mr. Speaker, I call for the previous question.

The SPEAKER. The Chair will state that the previous question may not be necessary.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—74.

Baldwin, G. A.,	Collins,	Kuhns, E.G.M.,	Post,
Barner,	Conniff,	Lanius,	Price,
Becker,	Donahoe,	Latshaw,	Redfield,
Benninger,	Donnally,	Lohr,	Reeser,
Benson,	Dunn, H. B.,	Mannion,	Rockwell,
Bergey,	Foster, J. D.,	Mather,	Rothenberger,
Bigger,	Geiser,	Matt,	Savacool,
Bittles,	Gibson,	McDermott,	Shaffer, C. A.,
Blair, W. A.,	Glenn,	Mellott,	Showalter,
Blair, W. F.,	Good,	Metzenbacher,	Smith, J. W.,
Body,	Grabe,	Miller,	Snavely,
Burnett,	Hobbs,	Murphy,	Snyder,
Caldwell,	Howard, R.,	Musser,	Swift,
Campbell, C.M.,	Humes,	Newbaker,	Trach.
Campbell, J.J.	Jackson,	Newton,	Ulman,
Carson,	Jones, J. R.,	Peachey,	Williams,
Cheeseman,	Keegan,	Pennock,	Wilson, J. H.,
Claycomb,	Kern,	Peters,	Zimmerman,
Cochran,	Klepper,		

NAYS—78.

Adams,	Frey,	McAllister,	Scott, S. B.,
Alworth,	Gramley,	McArdle,	Semmens,
Ambler,	Gransback,	McCaig,	Shaffer, I. E.,
Baldwin, R. J.,	Gray, Frank,	McClintock,	Shern,
Bass,	Hackett,	McKay,	Sherwood,
Brownlee,	Haggerty,	McNichol,	Smith, L.,
Carter,	Heyburn,	Mitchell,	Spillinger,
Cleary,	Hibshman,	Moore,	Steedle,
Conrade,	Isler,	Neely,	Steele,
Cox,	Irwin, G. C.,	O'Neill,	Stone,
Currier,	Jones, E. E.,	Piper,	Swartz,
Curry,	Kennedy,	Ramsey,	Walnut,
Davis,	Kuhn, H. P.,	Reese,	Wettach.
DeFrees,	Lenker,	Rhoads,	Wildman,
Dickinson,	Leslie,	Richards,	Wilson, W. H.,
Down,	Letzkus,	Robinson,	Wiltbank,
Dunn, J. A.,	Lowers,	Roney,	Young, J. H.,
Ely,	Martin,	Schaeffer, A. C.,	Alter,
Fahey,	McAleer,	Scott, J. R. K.,	Speaker.
Forster, I. G.,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGES.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to House Bill numbered and entitled as follows, viz:

House Bill No. 645,

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

said bill having been recalled from the Governor for the purpose of amendment.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill No. 274,

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred ninety-five"

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, April 30, 1913.

Resolved, (if the Senate concur), That House Bill No. 1152, entitled:

An Act to create suburban metropolitan districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the appointment of suburban metropolitan planning commission for such districts to prescribe their powers and duties and to provide by assessment upon the cities boroughs and townships within the limits thereof

be recalled from the Governor for the purpose of amendment.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 30, 1913.

Resolved, (if the House of Representatives concur), That one thousand copies of the proceedings of the memorial services held in the honor of the late Honorable Jacob C. Stineman be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution will lie over under the rules for printing.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, April 30, 1913.

Resolved (if the House of Representatives concur), That one thousand copies of the proceedings of the memorial services held in the honor of the late Honorable David A. Wilbert be printed for the use of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution will lie over under the rules for printing.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having

reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 645.

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

Also, Senate Bill No. 274,

An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred ninety-five"

Mr. ROCKWELL. Mr. Speaker, I desire to call up House Bill No. 1032, file folio 1515, on page 29 of yesterday's calendar, bills on final passage postponed.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1032, entitled:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines

On the question,

Shall the bill pass finally??

Mr. ROCKWELL. Mr. Speaker, I just wish to say a word of explanation on this bill. In 1911 the Legislature, realizing the damage to roads that traction engines were doing, passed a law undertaking to tax them locally. Through a misreading of the bill, under the ruling of the Attorney General it did not accomplish that purpose, the Attorney General ruling that the tax was a state tax. The traction engines are now taxed under the law, but they are not taxed locally to help the roads where they should be taxed, and the purpose of this bill is to remedy the defect in the act of 1911. There are some objections to the bill raised by one or two members, I understand, but it seems to me only for the reason that they are taxed at all. They seem to think that traction engines ought not to be taxed. In this case we are taxing property that does the damage to help pay for damaging certain roads. The purpose is very plain, and I do not see that there is need of any further explanation.

Mr. REESER. Mr. Speaker, I have the same reasons to give to oppose this bill as I had a few weeks ago when this bill was defeated, and the reason is that it is unjust and unfair to tax a man who uses a machine of this kind for a few weeks in the fall to do his work, and for the purpose of using them on the road where our opposition claims that they do the damage. I think it is very unfair to tax them from six to twelve per cent. of their actual value. Now, this bill requires that they be assessed for county, school, poor and road purposes. Is this fair? I leave this matter to our city members. Would you like to have a proposition put up to you where you invest one thousand dollars and have to pay six per cent tax and six per cent interest? Would anyone like to invest in anythink like that? I think this is a very unfair proposition. I think it is something that is driving the traction engines out of use. It will make it prohibitive for anybody to own one. I tell you, gentlemen, those who are from the city, remember that these farmers use these machines in the fall four or six weeks, and then to be assessed sixty mills on the dollar, would that be fair? It is very unfair; very unjust. It is a very unfair business proposition, and I think this bill should be voted down as it was before.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I think this is a meritorious bill. A traction engine not only travels the roads in the fall, but they do travel the roads during the entire year almost, not only for threshing machines, but for other purposes, saw mills and sawing wood in the homes, etc. They tear down more bridges than a dozen horses. The horses of today are taxed and why should not traction engines be taxed. They are more hard upon the highways and public roads than the horses can be, and I hope you will support this bill.

Mr. REESER. Mr. Speaker, I would like to interrogate the gentleman from Columbia.

The SPEAKER. Will the gentleman from Columbia permit himself to be interrogated?

Mr. CHARLES A. SHAFFER. Yes, sir, Mr. Speaker.

Mr. REESER. Mr. Speaker, I would like to ask the gentleman whether they have engines propelled by horses that don't weigh as much as traction engines, in his county?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I would think so.

Mr. REESER. Mr. Speaker, that is the case in most every county in the State?

Mr. CHARLES A. SHAFFER. Mr. Speaker, I do not know.

Mr. REESER. Mr. Speaker, well you are not acquainted with the agricultural situation in the State.

Mr. Speaker, I want to tell you that in almost every agricultural district in the State there are engines that are propelled by horses, and not by steam or electricity or gasoline, that weigh as much as traction engines and they break down just as many bridges.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman from Sullivan.

The SPEAKER. Will the gentleman from Sullivan permit himself to be interrogated?

Mr. REESER. Mr. Speaker, yes, sir.

Mr. ROCKWELL. Mr. Speaker, does the gentleman from Sullivan know that horses are taxed now?

Mr. REESER. Mr. Speaker, certainly, I do.

Mr. ROCKWELL. Mr. Speaker, would the gentleman favor the repeal of the tax on horses?

Mr. REESER. Mr. Speaker, No, sir; but they are used every day and a traction engine by the farmer is only used four or six weeks in the year.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman if he does not know that certain industries use traction engines on the road for hauling milks, stone, lumber, etc.?

Mr. REESER. Mr. Speaker, Yes, sir; but why not tax them for road purposes and road purposes only; not for county and school purposes.

Mr. ROCKWELL. Mr. Speaker, in reply to that I would say that the law would not permit such a tax.

Mr. REESER. Mr. Speaker, then have a license granted to them.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman further. Does the gentleman own a traction engine?

Mr. REESER. Mr. Speaker, I do not now.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman further, does he know that automobiles are taxed?

Mr. REESER. Mr. Seaker, I think so, Yes, sir.

Mr. ROCKWELL. Mr. Speaker, I would like to ask the gentleman if he is in favor of repealing the tax on automobiles?

Mr. REESER. On no; not by any means. I want to be licensed, not taxed for county, school and roads.

Mr. KENNEDY. Mr. Speaker, there is a bill pending now, that is in the hands of the committee, that will license all traction engines, as well as automobiles and other vehicles, and that bill will be reported out shortly, and I think it is a very equitable and a very just bill and I think that it will cover every emergency and this bill ought to be voted down and allow the traction engine to be licensed like any other vehicle that is used for hauling.

Mr. ROCKWELL. Mr. Speaker, if the statement of the gentleman from Allegheny is true, I would like to have this bill pass this House to get it away from the five day rule and if that other bill becomes a law I will ask the Senate to kill this bill over there or negative it.

Mr. LOHR. Mr. Speaker, I think this is a very meritorious bill and therefore I hope that this House will support this bill. I know in our section the traction engines are busy almost very day in the year, only when the snow is too deep for them to travel. They are used more days in the year than the automobile.

They destroy more roads than eight or ten four-horse teams hauling lumber. They are used in many sections for

that purpose. If they were only used for hauling machinery from one place to another, I don't think there would be a demand to tax traction engines. That is not the case in the State. We are passing legislation every day looking toward the betterment of our public roads. There should be some arrangement made by which our public roads would be protected. The traction engines in our section have been a nuisance. They take up the greater portion of the road. They are a menace to the public as they travel because of the driving of horses, and they haul long trains of lumber, sometimes four or five trucks of lumber coupled together, making a train sixty to eighthy feet in length on the roads of our Commonwealth, and I see no reason why they should not be taxed. I therefore hope that every member of this House will support this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 115.

Adams,	Donnally,	Lenker,	Redfield,
Baldwin, G. A.,	Dunn, J. A.,	Letzkus,	Reese,
Baldwin, R. J.,	Ely,	Lohr,	Rhoads,
Barner,	Forster, I. G.,	Lowers,	Richards,
Bass,	Foster, J. D.,	Malie,	Rockwell,
Becker,	Frey,	Mannion,	Roney,
Benninger,	Geary,	Martin,	Rothenberger,
Benson,	Geiser,	Mather,	Sassaman,
Bergey,	Glenn,	Matt,	Savacool,
Bigger,	Good,	McAleer,	Scott, S. B.,
Bittles,	Gransback,	McAllister,	Semmens,
Blair, W. A.,	Gray, Frank,	McCaig,	Shaffer, C. A.,
Blair, W. F.,	Hackett,	McDermott,	Shaffer, I. E.,
Bleloch,	Heidinger,	Mellott,	Showalter,
Body,	Heyburn,	Metzenbacher,	Smith, J. W.,
Brown,	Hibshman,	Mitchell,	Smith, L.,
Brownlee,	Humes,	Moore,	Snavely,
Burnett,	Isler,	Murphy,	Steele,
Caldwell,	Jones, E. E.,	Neel,	Stone,
Campbell, J.J.	Jones, J. R.,	Neely,	Swartz,
Cheeseman,	Keegan,	Newbaker,	Trach,
Claycomb,	Keeport,	O'Neill,	Walnut
Cleary,	Kern,	Peachey,	Wettach,
Cochran,	Kitts,	Pennock,	Whitman,
Conniff,	Klepper,	Perry, S. J.,	Wildman,
Conrade,	Kuhn, H. P.,	Peters,	Williams,
Curry,	Kuhns, E.G.M.,	Post,	Wilson, W. H.,
DeFrees,	Lanius,	Price,	Wiltbank,
Dickinson,	Latshaw,	Ramsey,	Zimmerman,
Donahoe,			Alter,
			Speaker.

NAYS 23.

Alworth,	Hobbs,	Light,	Snyder,
Campbell, C.M.,	Howard, R.,	McArdle,	Spillinger,
Cox,	Irwin, G. C.,	Musser,	Ulman,
Currier,	Jackson,	Reeser,	Wilson, J. H.,
Davis,	Kennedy,	Runk,	Young, J. H.,
Gray, Joseph,	Leslie,	Sherwood,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

MOTION TO RECONSIDER VOTE.

Mr. O'NEILL. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

I move you that the vote by which House Bill 620, file folio 2791, was defeated on Wednesday April 23rd, be reconsidered at this time.

Mr. WILDMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. RICHARDS. Mr. Speaker, if I am in order I desire to say that I want this vote reconsidered for the purpose of recommitting the bill to the committee in order that it migh be amended. The serious, and it seems to me, the only objection to this bill is the section permitting the use of some artificial coloring matter. I will promise the members of this House that if they will agree to reconsider the vote that we will offer an amendment to the bill prohibiting manufacturers from using any article which would tend to give the butter any color whatsoever, and I hope that the members of this House will vote to reconsider it for that reason and for that reason alone.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. RICHARDS. I will.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to know whether the gentleman who has charge of this bill will agree that if it is put back into the Committee to have a distinct color for oleo added to the bill, and whether he will agree to take any color he may desire except yellow.

Mr. RICHARDS. Mr. Speaker, that is a very unfair proposition? The sponsor of this bill will agree, however, to amend it so that it will prohibit the use of any article or ingredient for the sole purpose of coloration.

The question recurring,

Will the House agree to the motion?

The Speaker announced that the "noes" seemed to have it.

Whereupon,

A division was called for and fifty-one gentlemen having voted in the affirmative and seventy-six in the negative, the question was determined in the negative and the motion was not agreed to.

Mr. SHERN in the Chair.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1846 (Senate Bill No. 523), entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 156.

Adams,	Flynn,	Mannion,	Rothenberger,
Alworth,	Forster, I. G.,	Martin,	Runk,
Baldwin, G. A.,	Foster, J. D.,	Mather,	Sassaman,
Baldwin, R. J.,	Frey,	Matt,	Savacool,
Barner,	Gans,	McAllister,	Scott, J. R. K.,
Bass,	Geary,	McArdle,	Scott, S. B.,
Becker,	Geiser,	McCaig,	Semmens,
Benninger,	Gibson,	McClintock,	Shaffer, C. A.,
Benson,	Grabe,	McDermott,	Shaffer, I. E.,
Bergey,	Gramley,	McNichol,	Shern,
Berntheizel,	Gransback,	Mellott,	Sherwood,
Bigger,	Gray, Frank,	Metzenbacher,	Showalter,
Bittles,	Hackett,	Miller,	Smith, J. W.,
Blair, W. A.,	Haggerty,	Mitchell,	Smith, L.,
Blair, W. F.,	Heyburn,	Moore,	Snavely,
Body,	Hibshman,	Murphy,	Snyder,
Brown,	Hobbs,	Musser,	Steedle,
Brownlee,	Howard, R.,	Neel,	Steele,
Caldwell,	Humes,	Neely,	Stone,
Campbell, C.M.,	Isler,	Newbaker,	Strauss,
Carson,	Irwin, G. C.,	Newton,	Swartz,
Carter,	Irwin, H. H.,	O'Neill,	Swift,
Claycomb,	Jackson,	Peachey,	Walnut,
Cleary,	Jones, E. E.,	Pennock,	Thomas,
Conniff,	Jones, J. R.,	Perry, S. J.,	Trach,
Conrade,	Keegan,	Peters,	Ulman,
Cox,	Keeport,	Piper,	Walnut,
Currier,	Kennedy,	Post,	Watson,
Curry,	Kern,	Price,	Wettach,
Davis,	Kitts.	Ramsey,	Whitaker,
DeFrees,			

Dickinson,	Kuhn, H. P.,	Redfield,	Whitman,
Donahoe,	Kuhns, E.G.M.,	Reese,	Wildman,
Donnally,	Latshaw,	Reeser,	Williams,
Down,	Lenker,	Rex,	Wilson, J. H.,
Dunn, H. B.,	Leslie,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Richards,	Wiltbank,
Ely,	Light,	Robinson,	Young, G. K.
	Lohr,	Rockwell,	Zimmerman,
Fahey,	Malle,	Roney,	Alter, Speaker.

NAYS 1.

McAleer,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 867 (Senate Bill No. 125).

An Act regulating the payment of any deposit made with any bank trust company or savings institution in the name of two persons

The question recurring,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. GIBSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HOBBS. Mr. Speaker, I second the motion.

The motion was agreed to.

The question recurring,

Will the House agree to the bill on third reading?

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk. The Clerk then read the amendments as follows:

Amend the title, line 1, by striking out the words "any deposit" and inserting in lieu thereof the words "certain deposits"

Amend Section 1, line 4 by inserting after the word "deposit" the words "not exceeding one thousand dollars"

Amend Section 1, line 7, by striking out the word "deposits" and inserting in lieu thereof the word "deposit"

Amend Section 1, line 13, by striking out the word "deposits" and inserting in lieu thereof the word "deposit"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1836, entitled:

An Act to repal an act approved the second day of July one thousand nine hundred and one entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing removing or injuring the same what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—180.

Adams,	Ewing,	Mannion,	Sassaman,
Alworth,	Fahey,	Matt,	Savacool,
Baldwin, G. A.,	Forster, L. G.,	McAleer,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Shaffer, I. E.,
Barner,	Frey,	McArdle,	Shern,
Bass,	Gans,	McNichol,	Sherwood,
Becker,	Geary,	Mellott,	Showalter,
Benninger,	Geiser,	Miller,	Smith, J. W.,
Bigger,	Gibson,	Mitchell,	Smith, L.,
Bittles,	Gramley,	Moore,	Snavely,
Blair, W. F.,	Gransback,	Murphy,	Snyder,
Bleloch,	Hackett,	Musser,	Steedle,
Body,	Haggerty,	Neel,	Steele,
Brown,	Heyburn,	Neely,	Stone,
Burnett,	Hibshman,	Newbaker,	Strauss,
Caldwell,	Hobbs,	Newton,	Swartz,
Campbell, C.M.,	Humes,	O'Neill,	Swift,
Carson,	Isler,	Peachey,	Thomas,
Carter,	Irwin, G. C.,	Pennock,	Trach,
Claycomb,	Irwin, H. H.,	Perry, S. J.,	Ulman,
Cleary,	Jackson,	Peters,	Watson,
Conniff,	Jones, E. E.,	Piper,	Wettach,
Conrade,	Jones, J. R.,	Post,	Whitaker,
Cox,	Keegan,	Price,	Whitman,
Currier,	Keeport,	Ramsey,	Wildman,
Curry,	Kennedy,	Redfield,	Williams,
Davis,	Kern,	Reese,	Wilson, J. H.,
DeFrees,	Kitts,	Rhoads,	Wilson, W. H.,
Dickinson,	Klepper,	Richards,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Roney,	Young, J. H.,
Donnally,	Letzkus,	Rothenberger,	Alter, Speaker.
Down,	Light,	Runk,	
Dunn, J. A.,	Lohr,		
Ely,			

NAYS—6.

Benson,	Brownlee,	Lenker,	Zimmerman,
Bergey,	Grabe,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 920, entitled:

An Act to prohibit the marriage of white persons with persons of negro blood and providing penalties for the violation hereof

On the question,

Will the House agree to the bill on third reading?

Mr. FAHEY. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. SHERWOOD. Mr. Speaker, I second the motion.

The SPEAKER. The question is on the motion to drop this bill from the calendar.

Mr. DOWN. Mr. Speaker, as the sponsor of this bill, I desire to explain to the House that I introduced it at the request of some of my constituents. I was not interested in its provisions particularly one way or the other but after looking into the matter, I considered that this bill ought not to be dropped from the calendar. Each and every one of the members here know how they will vote on this measure and any defense of mine is superfulous.

On the question,

Shall the bill be dropped from the calendar?

Whereupon, a division was called and 58 gentlemen voting in the affirmative and 67 in the negative,

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

POINT OF ORDER.

Mr. S. B. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. S. B. SCOTT. Mr. Speaker, my point of order is that this bill is out of order because it is unconstituional. I will read article one of the Constitution of Pennsylvania, and the fourteenth amendment of the Constitution of United States, if the Chair will submit the point of order to the House.

From the Pennsylvania State Constitution:

"Section 1. All men are born equally free and independent and have certain inherent and indefeasible rights, among which are those of enjoying and defending life and liberty, of acquiring possessing and protecting property and reputation, and of pursuing their own happiness."

From the United States Constitution:

"Section 1. All persons born or naturalized in the United States and subject to the jurisidiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Any bill that makes a discrimination of this kind is unconstitutional.

Mr. MILLER. Mr. Speaker, it may not be advisable to indulge in further discussion of this matter but I don't think that the point of order raised by the gentleman from Philadelphia, Mr. S. B. Scott, should go by unchallenged. This bill is not unconstitutional. I wish to read from 163 United State Supreme Court reports, page 545.

"Laws forbidding the intermarriage of the two races may be said in a technical sense to interfere with the freedom of contract and yet have been universally recognized as within the police power of the State."

And also from Pennsylvania State Reports No. 55.

"The separation of the white and black races upon the surface of the globe is a fact equally apparent. Why this is so it is not necessary to speculate; but the fact of a distribution of men by race and color is as visible in the providential arrangement of the earth as that of heat and cold. The natural separation of the races is therefore an undeniable fact, and all social organizations which lead to their amalgamation are repugnant to the law of nature. From amalgamation it is but a step to illicit intercourse, and but another to intermarriage. But to assert separateness is not to declare inferiority in either; it is not to declare one a slave and the other a freeman—that would be to draw the illogical sequence of inferiority from difference only. It is simply to say that following the order of Divine Providence, human authority ought not to compel these widely separated races to intermix. The right of such to be free from social contact is as clear as to be free from intermarriage."

It was recognized as clearly constitutional in a case in Arizona on a question of law in permitting intermarriage of an Indian and a white person. There was no question in regard to the constitutionality of it and there was not a word said about the constitutionality of it and it was recognized by the court in that case as being clearly constitutional, under the fourteenth amendment.

Mr. S. B. SCOTT. Mr. Speaker, the so-called Jim Crow Cases form absolutely no precedent for the case that is before us tonight, because it is universally recognized in these cases that while the State may make requirements that the races should be separated, they also must give equal facilities, but in this case the State cannot discriminate against a citizen of the United States in case of marriage. How can you say that you will give them equal facilities? There is absolutely no analogy whatsoever.

Mr. MARTIN. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Mercer, Mr. Down, permitted himself to be interrogated?

Mr. DOWN. Mr. Speaker, Yes, sir.

Mr. MARTIN. Mr. Speaker, according to this bill "it shall be unlawful for any white person to marry any person having one-eighth or more negro blood." I would like to know how that is to be arrived at?—how that conclusion can be arrived at, by what method and just how?

Mr. DOWN. Mr. Speaker, by the person who performs the marriage ceremony.

Mr. MARTIN. Mr. Speaker, I would like to know if that is to be by the preacher who performs the ceremony?

Mr. DOWN. Mr. Speaker, any person that is authorized to perform the ceremony—commissioned or licensed to perfom it would have to be the judge in that case.

M. MARTIN. Mr. Speaker, I would like to further interrogate the gentleman—Do you know of any other states having this law?

Mr. DOWN. Mr. Speaker, I believe the State of Maryland has such a law.

Mr. BASS. Mr. Speaker, I don's see any real good in this bill and I don't believe that anybody here believes that there is any inclination on the part of the white people of this State to intermarry with the black people. I know of my own knowledge that there is no inclination on the part of the colored people to intermarry among the white people and therefore I don't see any necessity for this measure. There is but one result that can naturally grow from this bill, as I see it, and that is to irritate and provike hatred and scorn for my people.

Now, that is all, gentlemen, that I can see in this bill. It seems to me that the great Anglo-Saxon race, strong in its numbers, strong in its educational prestige, strong in its material possessions, does not need to employ a legislative method like this to crush an already discouraged people. The Anglo-Saxon people, I say, who have always been able to maintain their individuality, their institutions, their systems, religious, secular and social, through all the vicissitudes of all the centuries, and in all the regions of the globe, do not need, I repeat, to employ a method like this to discourage and to crush an already oppressed people. And I therefore, Mr. Speaker, ask this House of Gentlemen, representing the spirit and genius of the greatest people; Pennsylvanians, I say, are the greatest people; they have distinguished themselves as no other people. This is a State famous for its history, for its battlefield of Brandywine, the massacre of Paola. It was here that the great Constitution was written. It was here that all great things in American life that have taken place had their origin; its magnificent school system and educational facilities established for example by the distinguished man whose picture you see before you, Thaddeus Stevens, for the benefit of all the people. I say that it seems to me to be taking a backward step to legislate on a measure like this at this hour. It is a disposition to reverse the work of centuries and to remove the settled landmarks of Pennsylvania's federal history. I appeal again to the loyalty, to the broadmindedness of these gentlemen who I have already said, legislate for the greatest people of this country, to stand by the principle of equal justice to all men.

On the question recurring,

Shall the point of order be sustained?

One hundred and ten gentlemen voting in the affirmative and eleven in the negative.

The point of order is sustained.

LEAVE OF ABSENCE.

Mr. KITTS asked and obtained leave of absence for Mr. Bayle, indefinitely, on account of the death of his father.

Mr. CONNIFF. Mr. Speaker, I desire to call up House Bill No. 1798, file folio 5885, on page 23 of today's calendar, bills on final passage postponed.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1798, entitled:

An Act to amend the fifth section of an act approved the fifth day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to fix the salaries of the judges of Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas and the judges of the orphans' courts" providing that the annual salary of each of the judges of the Courts of Common Pleas learned in the law in judicial districts having a population of two hundred and fifty thousand and less than five hundred thousand shall be ten thousand dollars

On the question,

Shall the bill pass finally?

Mr. GOOD. Mr. Speaker, I would like to call your attention to this bill and to the fact that the judges' salaries were raised in 1911 session. This represents a salary raiser for Luzerne and Lackawanna County, from $8500 to $10,000 a year. So far as any of us members know, there is no demand from any of these counties for this increase.

Mr. CHARLES A. SHAFFER. Mr. Speaker, I am very sorry that I must take issue with the sponsor of this bill at this time. This bill provides for additional salary for the judges of Luzerne and Lackawanna County from $8500 to $10,000. They have five judges there now, four common pleas and one orphans' court. In the county in which I live—an adjoining county,—the judge of that district serves between 65,000 and 75,000 people. He receives as a salary $6,000. In my judgment, he works as hard as any of the judges of either one of the other two counties. The judges of Luzerne County are not so busy that they cannot go out and assist other judges in other counties. I think the raising of this salary from $8500 to $10,000 is unfair to the rest of the judges in the smaller counties, and I hope that this bill will be defeated.

Mr. ALWORTH. This bill, as has already been explained to the members of this House, applies to the judges of Lackawanna and Luzerne counties. Most of the members of this House know that in the city of Philadelphia the judges receive a salary of $11,000, and in Allegheny County they receive an equal salary. Now, it seems to me, gentlemen, that

in view of the fact that in Lackawanna County and in Luzerne County our judges work equally as hard as the judges in Philadelphia and Pittsburgh, that it is no more than fair that these judges receive equal compensation with the other judges for an equal amount of services performed. Now, as a member of the bar of Lackawanna County, I know that our judges, the four judges, are worked from the beginning of a year to the end. Our calendar is about a year and a half behind because of the fact that there is more work than the judges can possibly do under existing conditions. They have all the work that they can possibly do, and in view of that fact I think it is no more than right and just that they should receive the same salary that is received by other judges performing a similar service. I think, gentlemen, it is perfectly right and proper that this bill should pass.

Mr. HUMES. Mr. Speaker, it might be well at this juncture to call the attention of the House to the fact that these poor, underpaid judges in Lackawanna and Luzerne County can fall back upon a pension if they are unable to maintain themselves on the salary that the law now provides.

Mr. HOBBS. Mr. Speaker, as has already been said, this bill only affects two counties, Luzerne and Lackawanna. It is my opinion that the judges of these respective counties are receiving as high a salary as they deserve. When any person makes a statement that $8,500 a year is not sufficient compensation for a judge in either of these counties, I think he looks upon it from a different standpoint than the average man. We who are compelled, the average man, to depend upon a very small amount for existence, cannot see why the judges of our courts cannot get along with the amounts that they are already receiving. Gentlemen, it is not my purpose to go into this matter in detail, but look at it from a business standpoint and defeat this bill for the reason that the service would not be improved and the salaries are already high enough.

Mr. CONNIFF. Mr. Speaker, the reason for introducing a bill like this, notwithstanding the fact that it is a salary bill, or salary raiser, as some call it, it was introduced by me because of the fact that it is a meritorious measure. As the gentleman from Lackawanna has stated to you, the judges in Philadelphia and Allegheny receive three thousand dollars more than do the judges in Luzerne and Lackawanna and we feel up there that our judges work just as hard, work as many days, as do the judges in Philadelphia and Allegheny.

Not long ago after I had introduced the measure, in order to find out all the sentiment possible concerning it, on both sides, I interviewed lawyers and I interviewed a judge who had resigned from the bench of Luzerne County not long ago, and I asked the reason for his resignation and he stated to me that the reason for his resignation was that he did not receive sufficient salary while on the bench to pay his expenses, and that he actually left the bench in debt. The same case happened in Luzerne County, where a judge was forced to resign because of the fact that while on the bench the calls upon him were so great and the salary so small that he could not afford to sit on the bench.

But there is another reason, gentlemen, back of a measure of this kind. We do not want to place on the bench the average lawyer. We want the best lawyer we can find in our several counties and we know that the best lawyers in the county receive a much greater salary, sometimes than $10,000.00, and $10,000.00 is not too great a salary for a good judge.

I trust, gentlemen, that you will see fit to vote for this measure and help those judges in Luzerne and Lackawanna to stay on the bench.

Mr. GRAMLEY. Mr. Speaker, I desire to interrogate the gentleman from Luzerne, Mr. Conniff.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, Yes, sir.

Mr. GRAMLEY. Mr. Speaker, I would like to know whether there is a dearth of candidates for judge in his county?

Mr. CONNIFF. Mr. Speaker, we have no campaign on now.

Mr. GRAMLEY. Mr. Speaker, whenever there is a vacancy in that office?

Mr. CONNIFF. Mr. Speaker, we do have a dearth of suitable candidates, candidates that would make the best judge, for the reason that the salary is not sufficient.

Mr. GRAMLEY. Mr. Speaker, do you mean to say that the candidates for judges you do have are of an inferior quality of men?

Mr. CONNIFF. Mr. Speaker, they happen not to be, but the judges who are on the bench now, claim that they are not receiving sufficient salary.

Mr. GRAMLEY. Mr. Speaker, if you receive a salary of eight thousand five hundred dollars per year, that means a salary of seven or eight hundred dollars per month; that means a salary of almost two hundred dollars per week; that means a salary of between twenty and thirty dollars a day, counting the Sabbath as well as the week days. Now, Mr. Speaker, to my way of thinking, a man that cannot live on a salary of between twenty and thirty dollars a day, even if a judge, I think that man should resign and seek work elsewhere. I think the pay is abundant. I think it ample pay. Gentlemen of this House, do you know what a record we are making as a House? We are a salary raising House. We have voted an increase to ourselves. We have been voting increases of salaries elsewhere and perhaps when we come home to our constituents we will have to give an account of our doings, and gentlemen of the House, I think this bill should not pass.

Mr. GOOD. Mr. Speaker, I want to state another reason. I can say in a very few words why I do not think this bill ought to be agreed on. In 1911 this Legislature passed a salary raiser and it was understood that salary would effect only those who were elected later on, and not have it accepted contrary to Section 13, of the State Constitution, and accepted by all the men on the bench.

Mr. ADAMS. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, Mr. Good.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. GOOD. Yes, sir, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I would like to ask the gentleman, why we should discriminate between the salaries of the judges of Luzerne County and the salaries of the judges of Philadelphia and Allegheny County.

Mr. GOOD. Mr. Speaker, I was one of the men that voted for the judges' salary raiser in the 1911 session, and the discussion was that the judges in the City of Philadelphia had a great many cases to attend to and I believe they do, and it was agreed to in that session.

Mr. ADAMS. Mr. Speaker, the courts of Luzerne County at the present time are overcrowded with cases. The judges are working over time. They are working just as hard and probably a great deal harder than the judges of Philadelphia and Allegheny counties. I cannot see why we should discriminate between the salaries of the judges of Luzerne County and those of the two larger counties.

Mr. GOOD. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, Mr. Adams.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. ADAMS. Mr. Speaker, Yes, sir.

Mr. GOOD. Mr. Speaker, I would like to ask the gentleman if it is not a fact that one of the Luzerne County judges, O'Boyle, recently held court in Columbia County?

Mr. ADAMS. Mr. Speaker, not to my knowledge. It may be, but I don't see that that has anything to do with the case.

Mr. GOOD. Mr. Speaker, I can state that for a fact, and for that reason the court is not so busy, and only last week the Luzerne courts in one day, in four court rooms, tried only one case.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—61.

Adams,	Forster, I. G.,	Mannion,	Rothenberger,
Alworth,	Foster, J. D.,	McAleer,	Sassaman,
Bass,	Frey,	McAllister,	Schaeffer, A. C.,
Bigger,	Gans,	McCaig,	Scott, S. B.,
Brown.	Geary,	McClintock,	Shern,

Campbell, J.J.	Geiser,	McNichol,	Sherwood,
Carter,	Goss,	Mitchell,	Smith, L.,
Collins,	Gransback,	Moore,	Steedle,
Conniff,	Gray, Joseph,	Murphy,	Thomas,
Conrade,	Hackett,	Neely,	Wettach,
Cox,	Isler,	O'Neill,	Whitaker,
Curry,	Keegan,	Peters,	Wildman,
Davis,	Keeport,	Piper,	Wilson, W. H.,
Dunn, J. A.,	Kuhn, H. P.,	Price,	Wiltbank,
Ely,	Letzkus,	Reese,	Alter,
Fahey,	Malie,	Roney,	Speaker.

NAYS—78.

Baldwin, G. A.,	Currier,	Jones, J. R.,	Reeser,
Baldwin, R. J.,	DeFrees,	Kennedy,	Rockwell,
Barner,	Dickinson,	Kern,	Runk,
Becker,	Donahoe,	Klepper,	Savacool,
Benninger,	Donnally,	Kuhns, E.G.M.,	Shaffer, C. A.,
Benson,	Flynn,	Latshaw,	Shaffer, I. E.,
Bergey,	Gibson,	Lenker,	Showalter,
Bittles,	Glenn,	Lenker,	Smith, J. W.,
Blair, W. A.,	Good,	Light,	Snavely
Blair, W. F.,	Grabe,	Matt,	Snyder,
Bleloch,	Gramley,	Mellott,	Stone,
Body,	Haggerty,	Metzenbacher,	Strauss,
Brownlee,	Heidinger,	Miller,	Swartz,
Burnett,	Heyburn,	Musser,	Swift,
Caldwell,	Hobbs,	Newbaker,	Trach,
Campbell, C.M.,	Humes,	Newton,	Walnut,
Carson,	Irwin, G. C.,	Peachey,	Whitman,
Cheeseman,	Irwin, H. H.,	Pennock,	Williams,
Cochran,	Jackson,	Post,	Wilson, J. H.,
			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 912, entitled:

An Act laying a tax on anthracite coal and providing for the collection and distribution of the same

On the question,

Will the House agree to the bill on third reading?

Mr. ADAMS. Mr. Speaker, I would like to have this bill explained by the sponsor.

Mr. RONEY. Mr. Speaker, this bill puts a tax on anthracite coal and is one of the revenue raisers suggested to the Legislature by the Joint Tax Commission which has been studying the question of measures to raise revenue for the State for the last four years. The original bill suggested fixed a tax of two and one-half per cent. ad valorem on the coal at the mouth of the mine when prepared for the trade. The Ways and Means Committee reduced the percentage from 2 1-2 to 1 1-2. There has been some talk in the committee by way of fear that the tax of 2 1-2 per cent., which would have amounted to about five cents per ton on the coal, would have resulted in an increase in the price of coal to the consumer, so 1 1-2 per cent. was suggested as a substitute. This would amount to something over three cents per ton, and I do not think the coal operators would arbitrarily raise the price of anthracite coal because of this tax measure amounting to about three cents per ton. In the absence of legislation such as this the coal operators have arbitrarily raised the price of coal from time to time, but I think now that public opinion has crystallized and the coal operators will not raise the price of coal in the face of public opposition. This tax at the rate of 1 1-2 per cent. would amount to three million dollars in revenue for the State. Bear in mind that eighty per cent. of the anthracite coal in Pennsylvania goes outside of the State, so that in this State but twenty per cent. is used for local purposes, and the cost will be paid by the people in the New England States and the Western States and all other States outside of Pennsylvania. Another point to be considered is that anthracite coal is being produced in Pennsylvania each year at about ninety millions of tons, and of course as time goes on the demand will increase and the production from time to time will exceed that amount. This coal should be taxed and in this bill we provide that fifty per cent. of the tax is to be kept by the State and fifty per cent. given to the localities in which the coal is produced in a proportionate degree. The money which the State receives will amount to about a million and a half, and as we are clamoring from day to day for State revenue, why not tax this coal. Here is a million and a half of dollars that the next Legislature can use in the building and upkeep of roads or for some other proper purpose. I do not think there should be one vote in opposition to this bill, because it will not raise the price of coal to the consumer. Pennsylvania has an absolute monopoly on anthracite coal, and should have some revenue from it. It has been estimated that the coal in Lackawanna County and Luzerne County will last for ninety years, and in Schuylkill County between two and three hundred years. The greatest amount of coal is being taken from Luzerne and Lackawanna Counties and should be taxed at this time. Each one of the localities from which this tax is collected will receive fifty per cent. of the money collected from that locality. They should have it because where the coal is mined there are continually paying the damage caused by the sinking in of the surface and the loss of property rights, and a hundred other things for which if the State shou'd collect this tax they should receive some pay and some consideration, and I think there can be no valid opposition to this bill on the ground that it will increase the price of coal to the consumer. It simply puts a tax on something that should be taxed. It is a monopoly, and we should not let this get away from us in this session.

Mr. ADAMS. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Phi'adelphia permit himself to be interrogated?

Mr. RONEY. I will.

Mr. ADAMS. Mr. Speaker, I would like to ask whether if this tax is put on coal that is mined exclusively, whether the tax would be laid on coal that is sold by the middleman?

Mr. RONEY. Mr. Speaker, this is a tax on coal when it comes from the mouth of the mine and is ready for trade. Consequently, there would be no tax on coal in the hands of the middleman, but simply as it leaves the producers' hands.

Mr. DAVIS. Mr. Speaker, there are nine anthracite counties in this State, and if there are any sacrifices to be made, they are made by these nine counties. We are almost a unit in favor of the passage of this bill. In order that I might present this bill clearly to the House, I have prepared a short brief which I will read, and I trust it will explain itself.

This bill levying a tonnage tax upon anthracite coal was prepared by the Joint Committee of the Senate and House appointed at the Session of 1911 to investigate the Corporation and Revenue Laws of the Commonwealth as a measure to increase the revenues of the State by imposing a reasonable tax upon this most precious of Pennsylvania's natural resources, which is being depleted at the rate of 90,000,000 of tons annually. It was also designed to insure some slight return to the citizens of this Commonwealth for the permanent and irrevocable loss of this great body of natural wealth.

At the same time the framers of the act recognized the paramount right of the 1,100,000 people living in the coal regions to an interest in this tax, and so provided that one-half of it should be returned to the counties which produced it. This is an eminently just and fair measure. All persons who have given any thought to the question agree that a tonnage tax is the only proper and equitable manner of taxing coal.

The bill as originally drafted levies a tax of two and one-half per cent. upon the value at the mines of each ton of prepared coal. The average value of coal at the mines is now about $2.19 which makes the tax equivalent to about five cents on each ton. On a basis of ninety million tons the total tax collected under this measure would amount to $4,500,000, of which $2.250,000 would accrue direct to the State, a most substantial increase in its revenue. The other half is to be returned to the nine counties which create this revenue as a partial compensation to their 1,100,000 people for the loss of their resource and to defray in many instances the damage done to surface property by reason of the removal of the underlying coal.

The State share of this tax might with propriety be divided among all the counties of the Commonwealth upon some equitable basis, to be expended for the construction and maintenance of county or township roads, thus creating a magnificent auxiliary of feeders to the splendid highways which the State itself will soon be constructing on an

extensive scale. Divided among the sixty-seven counties of the Commonwealth this county allotment would amount in the case of the average county and figured upon the present anthracite tonnage to $33,500 per year.

All this can be secured by the citizens of Pennsylvania by the imposition of a trifling tax of five cents per ton upon its anthracite coal as mined.

Assuming also, for the sake of argument, that this entire tax would be added at once to the price of anthracite coal, and it is most unlikely that the coal companies would dare to increase it more than the tax in view of the aroused public sentiment against the recent advance in price, this would be of minor importance compared with the inestimable benefits conferred upon the citizens of the State wherever residing.

The reason that this peculiar opportunity of securing such direct financial advantage is presented to the people of Pennsylvania through the levying of a tonnage tax upon anthracite coal is because over eighty per cent. of this coal is consumed outside of the State and even though the entire tax was added four-fifths of it would come from the people of New York, New England, Canada and elsewhere where Pennsylvania's anthracite is, and will continue to be used.

Is it not high time that we wake up to the fact that we are not receiving adequate returns from this precious mineral fuel. Within twelve years we people living in the coal regions, with breakers at our very doors and mines under our homes have seen the retail price of anthracite advance from $2.50 per ton to $4.50 and yet, not one cent of this advance has represented any benefit to us except a trifling increase in the wages of the miners themselves which has been more than offset by the increased cost of living. The range of prices in the anthracite coal region hold good also in the rest of the country. Has not the time arrived when the people themselves should proceed to take a profit from this industry before another sharp advance is made in the price of coal for the purpose of placing the dividends of the great coal roads upon a higher basis.

I cannot conceive of any other civilized government upon earth which would calmly stand aside and permit five great corporations to interpose their private and selfish interest against the manifest well-being and betterment of 8,000,000 of people of a great Commonwealth.

I will state further, gentlemen, as I said before, this bill affects mostly the anthracite counties, and we, as the anthracite counties, are entitled to the entire output or tax on this tonnage tax, but we are willing to turn over to the State one-half providing we get the other half. We are sacrificing that, as this is the only natural resource that the anthracite counties have. I ask you gentlemen to vote for this bill.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Lackawanna.

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. DAVIS. I will.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman if it is not a fact that the coal in the ground is now taxed.

Mr. DAVIS. Yes, sir.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman further that if a further tax is levied on it when it is mined, if that would not make it double taxation?

Mr. DAVIS. Mr. Speaker, it is taxed now to the amount of about seven mills.

Mr. ROCKWELL. Mr. Speaker, I would like to know how the gentleman can explain to this House that this is not double taxation.

Mr. DAVIS. The coal is now taxed in place for local purposes.

Mr. ROCKWELL. Mr. Speaker, if this tax was raised, as was stated by the gentleman from Philadelphia, about three millions of dollars, does the gentleman believe that the coal companies would willingly pay that without increasing the price of coal?

Mr. DAVIS. Mr. Speaker, I don't think they would. It would be only a small tax and if we make an increase of five cents a ton they could not increase the coal more than eight cents per ton and eighty per cent. is shipped out of the State of Pennsylvania. It is the outside people who are paying the tax.

Mr. ROCKWELL. Mr. Speaker, I would like to know if it would increase the cost of living to the people who bought coal in the State and outside, both?

Mr. DAVIS. Mr. Speaker, I would say it would not to any extent.

Mr. ROCKWELL. Mr. Speaker, I would like to ask if it would not be true that the people would pay the tax and that it would not be paid by the coal company?

Mr. DAVIS. Mr. Speaker, they have raised the price of coal without any taxation about twenty-five per cent. within the last five years and the State has received nothing for that increase.

Mr. ROCKWELL. Mr. Speaker, I only wish to say this much, as a former member of the Ways and Means Committee a few years ago, after a prolonged hearing, it was believed by the committee from the evidence gathered then, that the price of coal to the consumer was increased anywhere from ten to twenty-five per cent. and the gentleman states that the average price of coal would be $2.19 in his locality. We are paying seven dollars a ton for ordinary nut coal and it seems to me the price must be more than $2.19 or is that an average on pea coal and all kinds of coal?

Mr. DAVIS. Mr. Speaker, that is a general average.

Mr. ROCKWELL. Mr. Speaker, I believe that this would simply be an additional tax to the consumer and that the companies would not pay it.

Mr. ADAMS. Mr. Speaker, this bill calls for taxation and if this carried there will be arbitration among the coal companies and it would naturally cause them to regain that taxation which is levied, and it is going to be a detriment to the consumer because the price of coal will be raised in order to meet this additional taxation. Therefore, I am opposed to this bill.

Mr. ALWORTH. Mr. Speaker, in view of the fact that we have been accused from time to time of being here for the purpose of raising salaries, it is time for us to stop and think and plan and see what natural resources we have in the State that at the present time are exempt from taxation which naturally should be the subject of taxation. In Lackawanna County and in adjoining counties we have a peculiar condition. We have the only natural anthracite bed of coal in this county and it is rapidly being exhausted as a natural resource. It is being taken away and it is taken abroad. It is removed from our locality and is removed from our State and what have we left in Lackawanna and Luzerne and Schuylkill Counties? We have nothing but a naked, void and empty pocket from which our natural resources has been removed and we feel in view of the fact that we have a peculiar condition there, which is bound to result in cavings and settlings of the surface, that our localities should receive some revenue to compensate the people for the inevitable loss to their property as the result of the settlings or subsidings of the surface. Is it not right and equitable that these localities from which this coal is removed and from which this revenue is made and derived should receive some benefit before their resource has been entirely removed. It is time now to stop and think and place a tax upon this property for the protection, in the future, of these localities from which this resource is being removed and which can never be recovered.

Mr. RONEY. Mr. Speaker, I desire to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga, Mr. Rockwell, permit himself to be interrogated?

Mr. ROCKWELL. Mr. Speaker, I will, certainly.

Mr. RONEY. Mr. Speaker, I would like to ask the gentleman whether the public service corporations didn't pay an eight-mill tax on gross receipts or whether they do not pay that?

Mr. ROCKWELL. Mr. Speaker, I believe they do.

Mr. RONEY. Mr. Speaker, I would like to ask the gentleman whether or not he believes that the corporation should be relieved from that tax?

Mr. ROCKWELL. Mr. Speaker, I would not, and I desire to state further, Mr. Speaker, in relation to that; I understand the coal operating concerns are now taxed eight mills on the gross receipts and taxed five mills on the capital stock and also four mills on their bonded indebtedness and at a large value on every acre or foot of coal land that they now have. You now seek to place an additional tax when it comes out of the mouth of the mine. If that is not double taxation, I should like to know what it is.

Mr. RONEY. Mr. Speaker, I would like to ask what mining company pays an eight-mill tax on gross receipts?

Mr. ROCKWELL. Mr. Speaker, I don't know any particular one. I understand some railroad corporations pay it.

Mr. RONEY. Mr. Speaker, railroads;—coal companies do not.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Alworth,	Ely,	Leslie,	Rothenberger,
Baldwin, R. J.,	Fahey,	Letzkus,	Runk,
Bass,	Forster, I. G.,	Lohr,	Sassaman,
Becker,	Foster, J. D.,	Malie,	Savacool,
Benninger,	Frey,	Mannion,	Schaeffer, A. C
Bergey,	Geary,	Mather,	Scott, J. R. K.
Berntheizel,	Gibson,	McAleer,	Scott, S. B.,
Bigger,	Glenn,	McAllister,	Semmens,
Bittles,	Good,	McCaig,	Shaffer, C. A.,
Blair, W. A.,	Grabe,	McClintock,	Shaffer, I. E.,
Blair, W. F.,	Gramley,	McDermott,	Shern,
Bleloch,	Gransback,	McNichol,	Showalter,
Body,	Hackett,	Metzenbacher,	Smith, J. W.,
Brosius,	Haggerty,	Miller,	Smith, L.,
Brownlee,	Heidinger,	Mitchell,	Snyder,
Campbell, C.M.,	Heyburn,	Morrow,	Steele,
Campbell, J. J.,	Hibshman,	Murphy,	Stone,
Carter,	Hobbs,	Neel,	Swartz,
Cheeseman,	Humes,	Neely,	Thomas,
Cleary,	Isler,	Newton,	Trach,
Conniff,	Irwin, G. C.,	North,	Ulman,
Conrade,	Irwin, H. H.,	Peachey,	Walnut,
Currier,	Jackson,	Pennock,	Whitaker,
Curry,	Jones, J. R.,	Peters,	Wildman,
Davis,	Keegan,	Piper,	Wilson, J. H.,
DeFrees,	Keeport,	Post,	Wilson, W. H.,
Dickinson,	Kennedy,	Ramsey,	Wiltbank,
Donahoe,	Klepper,	Redfield,	Young, J. H.,
Donnally,	Kuhn, H. P.,	Reeser,	Zimmerman,
Down,	Kuhns, E.G.M.,	Rhoads,	Alter,
Dunn, J. A.,	Lenker	Roney,	Speaker.
Ehrhardt,			

NAYS—26.

Adams,	Flynn,	Matt,	Sherwood,
Barner,	Goss,	McArdle,	Snavely,
Benson,	Gray, Joseph,	Mellott,	Spillinger,
Caldwell,	Kern,	Musser,	Strauss,
Carson,	Kitts,	Newbaker,	Swift,
Cochran,	Light,	Reese,	Williams,
Collins,	Martin,	Rockwell,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. HUMES. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. HUMES. Mr. Speaker, I discovered in looking over the bills that have been signed by His Excellency the Governor a bill noted as No. 53 in the series of acts approved by the Governor, and what purports to be the same bill as passed this House, as Senate Bill No. 819, being House Bill No. 1890. I find that the bill as signed by His Excellency the Governor is not the bill that passed this House. I find that there has been inserted in that bill these words: "or as soon thereafter as possible." I want to call attention to the fact that on the calendar of Thursday, April 10th, this bill appears as bill No. 97, and the file folio is 1359 on second reading. On Monday, April 14th, this bill was on motion made a special order at the request of the gentleman from Luzerne, Mr. Adams. It came up as a special order later the same evening, and the calendar page 48 of that date, Calendar No. 149, gives the bill as folio No. 1359. Reference to the file at that folio number shows that this bill at that time and as it passed this House on second reading read as follows:

"Section 1," after the enacting clause, "That in counties governed by the provisions of an act to which this act is a supplement the county taxes shall be collected in each city of such counties by a tax collector who shall be appointed by the Board for the assessment and revision of taxes annually on or before the fifteenth day of April and who shall serve until his successor is appointed and has qualified," and so forth. The bill, as signed by His Excellency the Governor has inserted after the words "the fifteenth day of April" the following words: "or as soon thereafter as possible." It strikes me that the dignity of this House requires that it take some notice of this situation. I do not care to be understood as making either charges or inferences at this time. The fact remains that the bill as signed by His Excellency the Governor has never passed this House.

I therefore move that a committee of three members of the House of Representatives be appointed by the Speaker to investigate the records of the House and ascertain and report back the facts as to whether or not Senate Bill No. 819, House Bill No. 1890, as signed by His Excellency the Governor, was ever legally passed by this House.

Mr. GOOD. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. McNICHOL. Mr. Speaker, will the gentleman from Crawford, Mr. Humes, permit himself to be interrogated?

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HUMES. Yes, sir, Mr. Speaker.

Mr. McNICHOL. Mr. Speaker, I ask the gentleman whether he has got a copy of the typewritten bill.

Mr. HUMES. Mr. Speaker, the bill under the rules that passed this House is the bill upon the calendar. If another bill was used by the clerks in making the records of the House, it is of no consequence, because it was not before the members on their calendars, as is required by the rules. And I am referring to and have cited the bill as it appears regularly in its place upon the calendar placed on the desks of the members.

Mr. McNICHOL. Mr. Speaker, the gentleman is making a serious charge and one that in my belief he should have taken caution to investigate. We recognize, all of us, the possibility of a mistake of the printer that might reflect, if taken at first glance, upon both bodies of this Legislature. I have been informed that the bill as read by Mr. Humes is an incorrect copy of the bill that was legally and properly acted upon. If that be the case, I would suggest to the gentlemen of this House that they should maintain the dignity of the House and the Senate by a cautious action. We should not act hastily in this matter, because the motion made by the gentleman tonight goes broadcast throughout the State and the impression is given to the people of this Commonwealth that unfair practices are being performed. And I ask the members of this House to withhold their approval of this motion until proper time for a proper investigation to be made, and I say to the gentlemen of this House, Mr. Speaker, when that investigation is made, it will be found that the charges made by Mr. Humes are absolutely without foundation.

Mr. J. R. K. SCOTT. Mr. Speaker, the gentleman from Philadelphia's advice to the House is ill-advised. There has been a charge made here by the gentleman from Crawford. That charge should be investigated. There should be no delay. Whether it is an error on the part of the gentleman making the charge or whether there has been something done here that ought not to be done, this motion should not only be adopted, but it should be adopted immediately.

Mr. ADAMS. Mr. Speaker, I would like to interrogate the gentleman from Crawford, Mr. Humes.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. HUMES. Yes, sir, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I would like to ask the gentleman whether or not he did not just receive his information from State Chairman Guthrie, who sits right over there behind him.

Mr. HUMES. Mr. Speaker, I will not dignify the inquiry of the member from Luzerne by replying to it.

Mr. ADAMS. Mr. Speaker, I would like to interrogate the gentleman from Crawford further.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. HUMES. Yes, sir, Mr. Speaker.

Mr. ADAMS. Mr. Speaker, I would like to ask the gentleman from Crawford where he got his information.

Mr. HUMES. Mr. Speaker, I think I have disclosed that fact. I got it from the records of this House, as is

appears upon the calendar on my desk, and I might add, as a further response to the gentleman from Philadelphia, Mr. McNichol, that I have in my hand the pink Senate copy of the bill as it was introduced, and that copy of the bill is identical with the copy that appears upon the files on my desk, and the copy of the bill as it was passed by this House according to the records. And I might say, Mr. Speaker, that I have made diligent effort to secure the original bill as it was introduced, and I have failed utterly.

Mr. ALTER. Mr. Speaker, it is my opinion that there cannot be any proper controversy as to the propriety of adopting the resolution. If everything connected with the matter in question is all right, then an investigation would soon disclose that fact. If the suggestion of the gentleman from Crawford is correct and the records of the House have been tampered with, then it is important that that fact be known.

Mr. ADAMS. Mr. Speaker, I would like to ask the gentleman from Crawford, Mr. Humes, whether or not he realizes the fact that an amendment is on record that was made to the bill.

Mr. HUMES. Mr. Speaker, I have no such knowledge. If it was amended, the amendment does not appear in the Leigslative Journal, as it appears on our desks. I had hoped that we might, in a quiet, orderly, proper manner, adopt the motion which has been made here and have this matter investigated as it should be, and I can assure you that I hope that the investigation when made will disclose that I am in error in making the declarations that I have made here tonight. I hope so, for the sake of the dignity and the responsibility of this House, but I think that we should investigate the matter carefully and ascertain whether the facts, as surface indications would appear, are the correct facts.

Mr. ADAMS. Mr. Speaker, I would like to state that the Legislative Journal is not an authentic record, that daily changes are made on its pages; and I also wish to acquaint the members of the House, as I said before, that an absolute bona fide amendment is on record in this Capitol.

On the question recurring,

The motion was agreed to.

The SPEAKER. (Mr. Shern in the Chair). The acting Speaker will defer to Speaker Alter the appointment of the Committee provided for.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 589, entitled:

An Act to abolish for the purposes of municipal assessment and taxation of real estate the distinction between built-up rural and farm property

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, this bill, to abolish for the purpose of municipal assessment and taxation of real estate the distinction between built-up, rural and farm property, is an amendment to the Act of 1868 and applies only to Philadelphia County. The Board of Reviison of Taxes, in Philadelphia, from time to time, as they made assessments upon the real estate of Philadelphia have been confronted by the obstacle of the out-lying districts claiming that they are not subject to the built-up real estate tax which in Philadelphia is $1.50 on the hundred, and this opposition on the part of persons lying outside the built-up sections of Philadelphia has resulted in the municipality being unable to push out into the outlying districts proper needed municipal improvements, because they cannot file and lodge any liens against those properties unless they are properly subjected to the built-up property tax, and consequently in Philadelphia there is always the difficulty and turmoil between persons claiming under the farm property tax and the Board of Revision of Taxes, who are, of course, invested with the duty of assessing the real estate in Philadelphia County, and I think whilst in 1868 when we had a number of suburban or outlying districts, because it was only fourteen years after the consolidation, and in 1868 the residents of Philadelphia still remaining in that district such as Tioga, Chelton, Olney, Paschal and so forth, this was all right, but between 1868 and to-day the city is fast growing up, so that not a great deal of territory now remains which should not be properly subject to the $1.50 tax because of the extension of municipal improvements; and whilst there is some opposition from Philadelphia against this bill, it is from a very selfish standpoint and because some of my good friends from Philadelphia represent districts in which there happens to be two or three small truck farms, and so, Mr. Speaker, and you well know whereof I speak, and gentlemen of the House, I say that the opposition to this bill comes from entirely too conservative a portion of our population, and in the interest of the development of our great cosmopolitan city we should abolish this distinction in tax. In Olney, Felton, Frankford and in the Thirty-first Ward, municipal improvements are needed, such as sewers, paved streets and electric lighting and, gentlemen, I ask you, who are patriotic Pennsylvanians, concerned in the building up of Philadelphia as your Cosmopolitan Metropolis, to not stand back of a few truck farms, but support this bill.

Mr. W. H. WILSON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia (Mr. Roney).

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, I will.

Mr. W. H. WILSON. Mr. Speaker, I would like to ask the gentleman from Philadelphia what the distinction in the tax rate between built-up, rural and farm property now is, in so far as it applies to the City of Philadelphia?

Mr. RONEY. Mr. Speaker, the built-up portions pay $1.50, the suburban pays $1.00 and the few truck farms $0.75.

Mr. W. H. WILSON. Mr. Speaker, I would like to further interrogate the gentleman. I would like to ask the gentleman from Philadelphia what increase in revenue the passage of this bill would bring to the City of Philadelphia, by a statement based upon actual facts?

Mr. RONEY. Mr. Speaker, I will calculate it. The built-up portion of the city is assessed at $427,405,416.00, the suburban $79,642,127.00, and on that, of course, the city would receive an increase of five mills. The farm property is valued now at $24,709,489.00, on which there would be an increase of 75 cents on each one dollar valuation.

Mr. W. H. WILSON. Mr. Speaker, I would like to further interrogate the gentleman from Philadelphia. I would like to ask the gentleman from Philadelphia, that if this bill became a law would it not apply to every city in the Commonwealth of Pennsylvania where there is now a distinction between taxation on built-up, suburban and rural property?

Mr. ROCKWELL. Mr. Speaker, add to it boroughs.

Mr. RONEY. Mr. Speaker, no, sir; because the Act of 1868, which this repeals, applies only to Philadelphia.

Mr. W. H. WILSON. Mr. Speaker, I would like to further interrogate the gentleman, as he has answered my question "No." I would like him to explain the first section of this bill, which reads as follows:

That for the purposes of municipal taxation no distinction shall hereafter be made as between built-up rural and farm property in the assessment of real estate and no classification shall be made as between such built-up rural and farm property in the assessment or taxation thereof

I would like to have the gentleman answer my question as to whether or not that would not affect every municipality in the State of Pennsylvania where there is a distinction in those rates, as well as the boroughs and townships?

Mr. RONEY. Mr. Speaker, the candor which always exists between myself and my colleague from the Thirty-sixth Ward, impels me to say yes.

Mr. W. H. WILSON. Now, Mr. Speaker, I am opposed to this bill and I am willing to admit from the assertion made by my friend from Philadelphia that my opposition does come partly from a selfish standpoint. I represent a district in this House which has a population of 125,000 people. The ward in which I live, which is only half of that district, has a population of seventy-five thousand people and a built-up section which is assessed for the purpose of taxation at the full city rate of over thirty-three million dollars. That ward has still unimproved about one-third of its area. For years we have been knocking at the doors of councils of Philadelphia for the improvements which we need, for the building of sewers, for the exten-

sion of our streets, and we have been clamoring for additional transit facilities, but if we get an additional gasoline lamp down there the city fathers think that we have received all that we are entitled to. South Philadelphia has never shirked a duty, be it either a social, a civic or a political one, but we have paid in the past and are paying now our full share of taxation and when the City of Philadelphia comes to us and gives us the needed improvement which we require there, we will not lay one stone or straw in its way in abolishing the distinction between the tax rate in that section. We will be only too glad to pay our $1.50 a hundred instead of paying our 75 cents as we now pay in our farming districts; and, gentlemen of the House, this bill affects every municipality, every township and every borough in this State and is unfair, unless the people living in those rural districts, in those townships, and in those boroughs are given the added improvements which they are entitled to at the hands of the cities and those municipalities, to add this additional tax, and I therefore ask the gentlemen of the House to vote down this bill.

Mr. S. B. SCOTT. Mr. Speaker, I desire to join the devoted band of selfish patriots. The domain or empire of Germantown has considerable suburban and some farming property. We object to paying for what we don't get, and that is the reason we are selfish.

Mr. BLELOCH. Mr. Speaker, this measure affects my district in the same manner as it affects South Philadelphia. As a matter of information to the members of this House, I would like to call your attention to the fact that the tax rate in the City of Philadelphia is based upon the fact that those properties paying that rate have sewers, paved streets, lighting and full police protection. The suburban rate is based upon the fact that some districts are not well favored and the farming rate upon the fact that those locations have no improvements whatever. In the Forty-second Ward, in which I reside, there is assessed for city purposes, thirty-two million dollars' worth of real property, ten million dollars of which is at the full city rate, seventeen millions at the suburban rate and five millions at the farm rate. In the Twenty-second Ward, which is also a part of my district, there are twenty-two million dollars' worth of property under the suburban and farm rate. To my mind, it is manifestly unfair to ask the farmer or the man owning a suburban home, without city protection and full city improvements, to pay the full city rate.

Mr. JAMES A. DUNN. Mr. Speaker, I appreciate your kindness in permitting the legal talent of our city to speak on this bill first.

I want to say, gentlemen of the House, that I come from the farming district of Philadelphia County. The district I represent is the largest in area of any district in Philadelphia County, containing 42 square miles, or one-half the whole area of the County of Philadelphia. The population in my district is not so large as it is in those represented by the other members here. The population of my district is fifty-two thousand. Now, one ward alone, the Thirty-fifth ward, in my district is the farming district of that county and there are thirty-three square miles of territory in that particular disrict. We are about seventeen miles from the city proper, and we receive no improvements whatever and no assitance whatever in regard to the improvements for which these people have been crying. Now they want to put these farmers in that district on the same rate as they do the property at Market and Broad. It is an unfair and unjust taxation on an honest body of farmers in my district. I think it is unfair to impose this special tax. I want to refer here to a farm, and I want to tell you that they assess the farms to almost the full value of the property. This farm is assessed at twenty-two hundred dollars. In 1911, there was a State Tax of $112.00 on this farm and a school tax of $58.60. In 1912 the city taxes were $112.00, and the school tax, through the operation of the School Code, which placed the power of taxation on property for school purposes, increased the farm rates in my district to such an extent that they increased the school tax on this farm to $121.00. If this law were enacted it would increase the taxes on this farm to $240.00 for city tax, and $117.00 for school, or a total of $341.00, almost double the amount of the taxes on the farms now in order to meet the expense of the boulevard, and the parkway, and other improvements down in the City proper. I think this tax is an unjust one because we are an hour and three-quarters in getting to the city proper without the proper railroad facilities, and then they want to place the burden on the farmers to pay the tax so that the people in the city might enjoy the benefit of the improvements. I hope every farmer who is interested in a tax like this will join the farmers of Philadelphia and help them as I have often helped the farmers in other districts of the State in all legislation.

Mr. RONEY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Dunn.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JAMES A. DUNN. I will

Mr. RONEY. Mr. Speaker, I would like to ask the gentleman if it isn't a fact that the school taxes are uniform throughout the whole city and that each person pays about five mills.

Mr. JAMES A. DUNN. That is so since the School Code has been in operation.

Mr. RONEY. Mr. Speaker, I desire to ask the gentleman whether or not municipal funds have not been expended through Torresdale and up through that ward.

Mr. JAMES A. DUNN. Mr. Speaker, in one ward, but not in the farming ward.

Mr. RONEY. Mr. Speaker, I desire to ask the gentleman if it is not a fact that the very flower of farm land in Philadelphia is not in Torresdale and Andalusia.

Mr. JAMES A. DUNN. Mr. Speaker, the city taxes the farms at six to eight hundred dollars an acre, and in the county just across the line, in Montgomery County, the tax is only fifty dollars and acre..

Mr. BERGEY. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. James A. Dunn.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JAMES A. DUNN. Mr. Speaker, I will.

Mr. BERGEY. Mr. Speaker, I understood the gentleman to say that the farms in Montgomery County were taxed at fifty dollars an acre.

Mr. JAMES A. DUNN. Mr. Speaker, Yes, sir.

Mr. BERGEY. Mr. Speaker, the farms across the line in Montgomery County are taxed anywhere from two hundred to seven hundred dollars and acre, and, Mr. Speaker, let me say further that there is no county in the State outside of Philadelphia County that makes a discrimination between farm land and rural districts in the rate. Throughout the State, with the exception of Philadelphia County, they pay the same rate on farm land that they do on improved land, and I see no reason why the farmer in Philadelphia should enjoy a special privilege, and, Mr. Speaker, I desire to interrogate the gentleman further. I desire to ask the gentleman how many acres were in that farm which he said was assessed at $2,200.00.

Mr. JAMES A. DUNN. Two thousand two hundred dollars is the assessed valuation.

Mr. BERGEY. How many acres are in the farm.

Mr. JAMES A. DUNN. I do not know how many acres are in it.

Mr. McALEER. Mr. Speaker, I move the previous question.

Mr. COX. Mr. Speaker, I second the motion.

The SPEAKER. The previous question having been called for, the Chair recognizes the following gentlemen:

POINT OF ORDER.

Mr. RONEY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. RONEY. Mr. Speaker, my point of order is that the gentleman withdrew his call for the previous question.

Mr. W. H. WILSON. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs, Letzkus, McArdle, Spillinger, Mitchell, Brosius, Heidinger, Lowers, Stone, McAllister, Manion, Sassaman, Blair, Goss, James A. Campbell Semmons, Steele, Conner, Cleary, George K. Young, Leslie, Kuhn, James A. Dunn, Brownlee, Cochran and others.

On the question,

Shall the main question now be put?

It was not agreed to.

The question recurring,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to offer an amendment.

Mr. BLELOCH. Mr. Speaker, I object.

The SPEAKER. The Clerk hears objection.

Mr. RONEY. Mr. Speaker, I move that the House do now go into a Committee of the Whole for the purpose of special amendment.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutions, the yeas and nays were taken and were as follows, viz:

YEAS—32.

Baldwin, R. J.,	Hackett,	Letzkus,	Roney,
Bergey,	Haggerty,	McCaig,	Rothenberger,
Blair, W. A.,	Heyburn,	McClintock,	Sassaman,
Carter,	Hibshman,	McNichol,	Scott, J. R. K.,
Davis,	Hobbs,	Mechling,	Stone,
Donahoe,	Humes,	Miller,	Strauss,
Forster, I. G.,	Irwin, G. C.,	Neely,	Wiltbank,
Frey,	Kuhns, E.G.M.,	Reeser,	Alter,
Gransback,			Speaker.

NAYS—75.

Adams,	Dunn, J. A.,	Matt,	Scott, S. B.,
Alworth,	Ehrhardt,	McAleer,	Semmens,
Benninger,	Fahey,	McAllister,	Shern,
Bigger,	Foster, J. D.,	McArdle,	Sherwood,
Blair, W. F.,	Good,	McDermott,	Smith, J. W.,
Bleloch,	Goss,	Mellott,	Snavely,
Brosius,	Gramley,	Missimer,	Snyder,
Brownlee,	Heidinger,	Mitchell,	Spillinger,
Campbell, J.J	Irwin, H. H.,	Musser,	Steedle,
Carson,	Jones, J. R.,	Newbaker,	Steele,
Cheeseman,	Kennedy,	Newton,	Swartz,
Cochran,	Kern,	O'Neill,	Swift,
Collins,	Klepper,	Peachey,	Trach,
Conniff,	Lenker,	Piper,	Walnut,
Conrade,	Leslie,	Post,	Whitaker,
Cox,	Lohr,	Redfield,	Williams,
Currier	Malie,	Rhoads,	Wilson, J. H.,
Curry,	Mannion	Rockwell,	Wilson, W. H.,
DeFrees,	Mather	Savacool,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McNICHOL. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McNICHOL. Mr. Speaker, I will ask the members of the House to turn to Senate Bill No. 819, file folio 1821. When the question of the regularity of the bill signed by the Governor was questioned by Mr. Humes I took the floor and asked this House to not to be hasty in its action either with regard to the reference made to that, and I positively desire to state that no wrong was committed, and an investigation showed that my position was absolutely correct, because this bill referred to and all bills acted upon and passed by the House and Senate and signed by the Governor and referred to as having been doctored from information received from Mr. Humes, proved to be correct. This is a bill passed by the House and Senate and signed by the Governor, and I believe the gentleman from Crawford will acknowledge that he was hasty in his action and didn't make a proper effort to satisfy himself, as to the truth of the assertion made upon this floor, that led you gentleman into the error of appointing a committee to investigate something that didn't require investigation. I feel that the gentleman from Crawford, Mr. Humes, recognizing the error that he has led the gentlemen of this House into will be sufficiently a gentleman and man to acknowledge his mistake and apologize for leading us falsely into a position that we had no business to be led into.

Mr. HUMES. Mr. Speaker, I appreciate the remarks of the gentleman with reference to a bill that appears on the files of the House of file folio 1821, but I would like to inquire of the gentleman, as to what means he had or any other member of the House had to know that such a bill appeared upon the calendar at any place. The calendar of the House on Thursday, April 2nd, when this bill was on second reading, shows the file folio as 1359. That bill is the bill that was naturally before every member when he voted upon the question of its passage on third reading. The calendar for Monday, April 14th, on page 48, carries with it the file folio of 1359. Now, Mr. Speaker, as I said before, I am not accusing any one. I am making no complaint; I am simply calling the attention of the House to a condition here that is worthy of the consideration of the House. I said before that I wanted this House to withhold judgment as to who was right and who was wrong until we could ascertain the facts. All I ask for is the facts, and in that connection, in order to show that it is a reasonable inquiry, I want to call the attention of the House to the situation. This bill, file folio 1359, was introduced in the Senate, as shown on its face, by Mr. Catlin on March 31st, 1913. On the same day, March 31st, 19[illegible], Mr. Crow reported the bill out of Judiciary Special. Now, the very significant difference arises since the discovery of another bill stuck into the files at the place where it could not be called to our attention, that the bill file folio 1821 shows that it was introduced by Mr. Catlin in place on March 31st and referred to the Committee on Judiciary Special. Now, this is the very striking thing:—If there was an amendment to this bill in Committee, the amendment was taken out of the bill and that very section that now appears in it, for this reason: that the bill which was referred to in the Committee is 1821, subsequent to the bill that was reported out of the Committee and the bill contains the words complained of "as soon as thereafter as possible." Yet when the bill comes out of Committee, the report of the Committee shows that those words are not in the bill and the file folio that the gentleman calls the House's attention to is the file as it was referred to the Committee and not the bill as it was reported out of Committee. I say to the gentleman from Philadelphia, I trust that he will not undertake to say that I am trying to impose on the members of this House. I repeat that I hope they will withhold judgment until we have the facts. We are not here to undertake to charge any one with this offense. If there is an error, I hope it will be discovered that it was an innnocent mistake on the part of somebody. But I say this, in the light of these facts, that the very proper course of this House is to ascertain the facts. You have no right to take these facts from me and you have no right to take the facts from the gentleman from Philadelphia, Mr. McNichol.

You have a right to listen to the facts as we have them at hand to-night and then withhold your judgment until a disinterested fair committee can make such an investigation as will enable us to come to an honest and reasonable conclusion. That is all the action that has been taken here and I see no occasion for the great excitement on the part of any members of the House. I trust that the House will see, under these facts, that it has taken the proper course and the only thing it can do if it is to maintain its own position as a Legilative body in this Commonwealth is to ascertain what the facts are first and act afterwards.

Mr. McNICHOL. Mr. Speaker, does the gentleman from Crawford wish to say that the bill referred to by me is not an exact copy of the bill signed by the Governor?

Mr. HUMES. Mr. Speaker, if the gentleman wishes to interrogate me, I will be very glad to reply. I say that as near as I can discover, insofar as the feature to which we have been referring is concerned—I have not looked at the rest of the bill—that is in the bill that is printed at file folio 1821, but it is not in the bill as it was reported out of committee. And also the file folio of the bill as referred to the Committee is not the file folio, nor the bill that the Senate or the House voted on. They voted on the bill that was reported out from committee and the bill reported out from committee is the bill at file folio 1359.

Mr. McNICHOL. Does the gentleman from Crawford know that when voting on Senate bills, in order to familiarize himself with the bill, that it is necessary to refer to the Senate calendar and not be guided by the House calendar.

Mr. HUMES. Mr. Speaker, these bills are both on the Senate calendar and we did refer to the Senate calendar. We passed this bill on second and third reading from the Senate calendar, and it was to that bill that we referred.

Mr. McNICHOL. Mr. Speaker, I submit that insofar that we have corrected the great wrong that Mr. Humes supposed existed by an investigation, and that it has been found that on the Senate calendar the proper folio of the bill is an exact copy of that signed by the Governor.

I move that the vote by which the motion was carried for the creation of an investigation committee be reconsidered.

Mr. O'NEILL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion.

Mr. J. R. K. SCOTT. Mr. Speaker, I hope the gentleman from Philadelphia will not press his motion, because it would be a very great error. If he will take the time to look at file folio 1359 of the Senate and then look at file folio 1821 of the Senate calendar, he will see that there is a discrepancy between the two bills setting forth these very words complained of. And then, if he will refer to the history of this bill, he will find the facts to be as follows: Referred to the Committee on Judiciary Special and reported out as committed on March 31st; passed first reading March 31st; passed second reading April 1st; passed third reading and final passage April 2nd; referred to the Ways and Means Committee of the House; reported from the Committee to the House April 3rd; passed first reading April 7th; passed second reading April 10th; passed third reading and final passage April 14th; approved by the Governor April 15th; Act No. 53. At no time in the history of this legislation has there been any amendment offered in the Senate Committee or Senate or House Committee or House. Now, there must be something in error here, possibly absolutely harmless, but to have the motion to reconsider, as offered by the gentleman from Philadelphia, to prevail, would be a very great mistake and would stultify this House. I hope that the investigation of this House will clear up this and will show that if there is any error here it has been some harmless error made by the printer, but for us now to presume that this is to be so would merely be, now that this matter has gone to the extent that it has, a reflection upon every one of us. Therefore, I feel that the gentleman from Philadelphia, my colleague, Mr. McNichol, who made his motion, of course, in the very best way, should, if he will, withdraw his motion and allow the committee to be appointed and make its report.

Mr. McNICHOL. Mr. Speaker, and for the information of the gentlemen of the House, I feel assured that there is absolutely nothing irregular in this matter, but my purpose in raising this question the second time was in order that a wrong impression would not go broadcast to the citizens of Pennsylvania. I feel assured that in any investigation that may be made it will be found that every transaction in connection with this bill is absolutely fair, and if it is a satisfaction to those gentlemen who desire to investigate and serve on the committee of investigation, I withdraw my motion.

Mr. HUMES. Mr. Speaker, if I may have permission, just one word. In light of the situation that we have just heard from the Senate history, it may be interesting to know that the pink bill showing the reference of this bill to the committee does not contain the section or phrase complained of. And that pink folio is 2741. I never knew, and I think none of the members ever knew, that a bill was printed in white until after it was reported out of committee, yet the pink bill showing the introduction of it does not contain the clause complained of, and the pink bill is the bill as it was referred to committee, and as the records show was never amended. And yet we find, and I think for the first time in the history of this Legislature, that a bill, before it is reported from committee, is printed in white and given a folio number and subsequent to the file folio number of the bill as reported out of committee. I only say that as supplemental to what the gentleman from Philadelphia, Mr. J. R. K. Scott, has said in reference to the history of the bill as shown on the calendar.

ADJOURNMENT.

Mr. MITCHELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:58 o'clock P. M.) the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, MAY 1, 1913. No. 59.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 1st, 1913.

The House met at 10:00 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER

The Chaplain, Rev. J. E. Wright, offered the folowing prayer:

We thank Thee, O God, for this invigorating Spring morning. We pray that we may be in harmony with the beauty and the gladness which is every where about us, and that we may render to Thee, in our living and in our work, the tribute of a true praise, and in order to do this we offer Thee that prayer which expreses the desire of true hearts that Thou wilt keep us, O Lord, this day from sin, for it is sin that mars the beauty of life and interferes with the gladness and joys of life. It is a large request to make and a bold one, but we are encouraged to it because Thou Thyself has taught us to pray, "Lead us not into temptation, but deliver us from evil." We need Thy help, for there is a subtlety and power in insidious evil that is well nigh resistless. It forever approaches us in the garb of an angel of light. We would not forget that we have not a High Priest who cannot be touched with the feeling of our infirmities but was tempted in all points like as we are, yet without sin. This insures to us Thine interest and sympathy and compassionate help, so we pray that Thou wouldst keep from us today the suggestions of evil, for it may come that we may have the wisdom to discern their approach and to guard against them. May the desire for good be stronger than the desire for evil. May our very work be a safeguard to us.

We ask this in His name who has taught us to say, "Our Father who art in Heaven, hallowed be Thy name Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread and forgive our debts as we forgive our debtors, and lead us not into temptation, but deliver us from evil, for Thine is the Kingdlom and the power and the glory, forever. Amen."

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings when on motion of Mr. Frank Gray, the further reading was dispensed with, and the Journal approved.

LEAVES OF ABSENCE

Mr. STONE asked and obtained leave of absence for himself after 11 o'clock this morning on account of sickness in the family.

Mr. ULMAN asked and obtained leave of absence for Mr. Zimmerman after 11 o'clock this morning in order that he might accompany the Appropriation Committee.

RESOLUTION RELATIVE TO INVESTIGATION OF THE EXPENDITURE OF ALL MONEYS APPROPRIATED TO THE COMMISSION FOR THE COMPILATION AND PUBLICATION OF THE LAWS OF THE PROVINCE AND COMMONWEALTH OF PENNSYLVANIA PRIOR TO THE YEAR 1800.

Mr. WALNUT offered the following resolution which was read and laid over under the rules.

In the House of Representatives, May 1, 1913.

Whereas, Under the provisions of an act, approved the nineteenth day of May, one thousand eight hundred and eighty-seven, entitled, "An Act for the compilation and publication of the laws of the Province and Commonwealth of Pennsylvania, prior to the year one thousand eight hundred," and the various supplements thereto, there have been appropriated for the use of the Commission appointed thereunder, the sum of eighty-four thousand dollars ($84,000); and

Whereas, The Commission appointed under said act has to date prepared only thirteen volumes, the last of which was published in the year one thousand nine hundred and nine, although the sum of eight thousand dollars ($8,000) was appropriated at the session of the General Assembly in one thousand nine hundred and nine, and eight thousand dollars ($8,000) at the session in one thousand nine hundred and eleven; and

Whereas, The said sum of eighty-four thousand dollars ($84,000) was exclusive of the cost of printing and binding of said volumes; therefore

Be It Resolved, That the Speaker of this House is directed to appoint a Commission consisting of three members of this House whose duty it shall be to investigate the expenditure of all moneys appropriated under said act, and the supplements thereto, to ascertain how much work still remains to be done to complete the original purpose of said act, and the estimated cost thereof, to ascertain why no volumes have appeared since the year one thousand nine hundred and nine, despite the appropriation of sixteen thousand dollars ($16,000) to the Commission, and generally to ascertain such facts in regard to the work done and moneys spent under said act and supplements as to the Commission shall seem proper the Commission is authorized to require the attendance and testimony of witnesses and the production of all books and papers and documents deemed pertinent to the work of the Commission The Commission shall report in writing to this House before the fifteenth day of May, one thousand nine hundred and thirteen.

APPOINTMENT OF INVESTIGATION COMMITTEE.

The SPEAKER. The Chair announces that in pursuance of the resolution adopted last night providing for a committee of investigation, upon motion of the gentleman from Crawford, Mr. Humes, the Chair will appoint the following: the gentleman from Crawford, Mr. Humes; the gentleman from Philadelphia, Mr. McNichol; the gentleman from Chester, Mr. Whitaker.

The SPEAKER. Will the House dispense with the Committee of the Whole on the several bills on second reading calendar? The Chair hears no objection and,

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1122, as follows:

An Act amending section nine of an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one as the same was amended by an act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five and as the same was again amended by an act approved the nineteenth day of May Anno Domini one thousand nine hundred and three by changing the requirements in respect to the publication of ordinances in-

troduced and providing for the laying out opening widening straightening extending and vacating streets or alleys or parts thereof where there is no petition of the property owners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section nine of an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) as the same was amended by an act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and six) and the same was again amended by an act approved the nineteenth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws thirty-five) which as amended reads as follows

"Section 9 Every municipal corporation shall have power to open widen straighten or extend streets or alleys or parts thereof within its limits and to vacate streets or alleys or parts thereof upon the petition of a majority in number and interest of owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more parties as in the preceding section a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purposes of petiton Every municipal corporation shall have power whenever the councils or authorities thereof shall deem it necesary to open widen straighten or extend streets or alleys or parts thereof and to vacate streets or alleys or parts thereof without any petition of property owners provided the ordinance or ordinances authorizing the same shall be adopted and enacted by the affirmative vote of three-fourths of the members elect composing the councils of such municipality and approved by the mayor city recorder or burgess thereof No such ordinance shall be finally adopted and enacted in a less period than thirty (30) days from the date of its introduction and in meantime copies of said ordinances shall be published in each of the official newspapers of such municipality once a week for three consecutive weeks immediately following the introduction thereof and in case such municipality shall have no official newspapers then in at least one newspaper published in the county in which the municipality is situate once a week for three consecutive weeks" shall be and the same is hereby amended to read as follows

Section 9 Every municipal corporation shall have power to open widen straighten or extend streets or alleys or parts thereof within its limits and to vacate streets or alleys or parts thereof upon the petition of a majority in number and interest of owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more parties as in the preceding section a majority in interest of owners of undivided interests in any piece of property to be deemed and treated as one person for the purposes of petiton Every municipal corporation shall have power whenever the councils or authorities thereof shall deem it necesary to open widen straighten or extend streets or alleys or parts thereof and to vacate streets or alleys or parts thereof without any petition of property owners provided the ordinance or ordinances authorizing the same shall be adopted and enacted by the affirmative vote of three-fourths of the mebers elect composing the councils of such municipality and approved by the mayor city recorder or burgess thereof No such ordinance shall be finally adopted and enacted in a less period than thirty (30) days from the date of its introduction and in the meantime and at least ten days before its is finally adopted and enacted a copy thereof shall be published in one of the official newspapers of such municipality or if such municipality has no official newspaper then in one newspaper published in the county in which the municipality is situate

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1123, entitled:

An Act amending a portion of section one of article fifteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one so as to change the requirements as to official advertising

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That so much of section one of Article Ffteen of an act entitled "An Act for the government of cities of the second class approved the seventh day of March Anno Domini one thousand nine hundred and one (Pamphlet Laws twenty) which reads as follows

"At the expiration of the present contract and every three years thereafter the city recorder of each of the cities of the second class shall contract for the term of three years with not less than three nor more than five daily newspapers one of which shall be a daily newspaper printed in the German language published within the county in which such city of the second class is situated for the publication of all official advertising the cost of which is payable out of the municipal treasury which said official advertising shall include all ordinances of councils city recorder's proclamations all official reports of the city officers all notices for opening widening straightenig grading paving and curbing ani vacation of streets lanes and alleys and the construction of sewers including all viewers' reports and proposals for public work and supplies such contracts to be let to the lowest bidder agate measure per line for each thousand of circulation the basis of circulation to be the average daily sales (exclusive of Sunday weekly semi-weekly and tri-weekly issues and also exclusive of all credits for returned or unsold newspapers and newspapers distributed free of charge) of such newspaper for the six months preceding the month in which such advertising may be published" shall be and the same is hereby amended to read as follows

At the expiration of the present contracts and every three years thereafter the mayor of each of the cities of the second class shall contract for a term of three years with two daily newspapers one of which shall be a daily newspaper published in the German language published within the county in which such city is situated for the publication of all official advertising the cost of which is payable out of the municipal treasury such contract to be let to the lowest bidder agate measure per line for each thousand of circulation the basis of the circulation to be the average daily sales (exclusive of Sunday weekly semi-weekly and tri-weekly issues and also exclusive of all credits for returned or unsold newspapers and newspapers distributed free of charge) of such newspaper for the six months next preceding the month in which such advertising may be published

On the question,

Will the House agree to the section??

Mr. NEELY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Section 1, line 28. Strike out "proceeding" and insert "next preceding."

Section 1, line 34. Strike out "published" and insert "printed."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act amending a portion of section one of Article Fifteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one so as to change the requirements as to official advertising

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1121, as follows:

An Act to repeal an act entitled "An Act in relation to the official newspaper advertising of cities of the second class" approved the twenty-first day of May Anno Domini one thousand eight hundred and ninety-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act in relation to the official newspaper advertising of cities of the second class" approved the twenty-first day of May Anno Domini one thousand eight hundred and ninety-five be and the same is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule reyuiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1488, as follows:

An Act providing for the licensing of stock brokers as therein defined and for the regulation of the sale pledge negotiation for sale of certain stocks bonds and other securities by such stock brokers or their agents within this Commonwealth providing for the winding up of the business of stock brokers licensed thereunder and con-

ferring certain powers and duties on the Commissioner of Banking for the enforcement of the provisions of this act and imposing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "stock broker" as used in this act includes every corporation joint stock company partnership association person or persons whether now or hereafter incorporated under the laws of this Commonwealth or under laws other than those of this Commonwealth or whether unincorporated which or who shall as principal or agent or solicitor in this Commonwealth engage in the business or offering for sale pledge or negotiating for the sale or pledge of or selling or pledging except to other such stock-broker bank or trust companies exclusively of any stock bond or other securities of any kind or character of any foreign or domestic corporation other than the bonds of the United States and other than State or municipal bonds stocks of National banks or of State banks or trust companies building and loan associations or corporations not for profit and other than the stocks bonds or other securities of public service corporations or public service companies the issue sale or pledging of which may now or hereafter be regulated by any act of Assembly of this Commonwealth Provided however that by the terms "stocks bonds or other securities" as used in this definition is meant only stocks bonds or other securities which are not issued by the stock engaged in the business of offering for sale negotiating for the sale of or selling the same but issued by some other foreign or domestic corporation or unincorporated association

Section 2 The term "agent" as used in this act shall include any person who shall act for any stock broker in offering for sale negotiating for the sale of or selling any securities for any stock broker either as an employee on a salary basis or for a commission

Section 3 From and after the passage of this act it shall be unlawful for any stock broker to offer for sale or pledge negotiate for the sale or pledge of or to sell or pledge in any manner whatsoever any stocks bonds or other securities of any kind or character other than these exempted from the provisions of this act by the definitions contained in section one hereof without a license from the Commissioner of Banking obtained as hereinafter provided

Section 4 As conditions precedent to the granting of such license it shall be necessary for each and every stock broker to file in the office of the Commissioner of Banking along with a filing fee of fifteen dollars ($15.00) an application for such license which application shall set forth with accuracy (if the applicant be a corporation) the name location and principal office of the applicant and if the applicant be a corporation the application shall also set forth the names and addresses of the officers directors or managers thereof and if the applicant be unincorporated the application shall also set forth the name location and principal office of the partnership or unincorporated association and the names and addresses of all partners or members thereof and whether the applicant be incorporated or unincorporated the application shall also set forth in full detail an itemized statement of the financial condition assets property and liabilities of such applicant and the nature character and plan of the business which it is proposed to transact within this Commonwealth

There shall be attached to and made a part of said application

(1) If the applicant shall be an incorporated company a copy of its charter or certificate of incorporation and all amendments thereto if any and if incorporated under laws other than those of this Commonwealth also a copy of the laws under which it is incorporated or exists

(2) If a corporation or unincorporated association a copy of its constitution or by-laws if any of its articles of incorporation or association and all other papers pertaining to the organization of such corporation or unincorporated association

(3) If the applicant be a corporation or unincorporated association or an individual a copy of all applicants for and forms of all contracts of guaranty or suretyship or other contracts which such applicant proposes to make or enter into with any person or persons including in whole or in part the purchase of or in connection with or in any manner affecting or relating to any stocks bonds or other securities as aforesaid proposed to be offered for sale or pledge negotiated for sale or pledge or sold or pledged to any person or persons or to the public generally

(4) If the applicant be a corporation unincorporated association or individual sample copies of all literature advertisements or advertising matter printed or written used or to be used by such applicant inducing in whole or in part the purchase of or in connection with or in any manner relating to any stocks bonds or other securities as aforesaid proposed to be offered for sale or pledge or sold or pledged to any person or persons or to the public generally

Section 5 All statements and representatives as to the assets property and liablities contained in any such application or in the papers attached thereto and made a part thereof as above provided shall be verified by the oath of the president and treasurer of the applicant if it be a corporation and by the applicant himself if an individual or by a member of the partnership or unincorporated association applying for such license

Section 6 Together with said application there shall be presented to and filed with the Commissioner of Banking a joint and several bond to the Commonwealth of Pennsylvania executed by the applicant and by a surety or sureties approved by said Commissioner conditioned for the payment in full of all losses and damages to any person to whom stocks bonds or other securities aforesaid may be sold or pledged sustained by such person or persons by reason of any false or fraudulent literature advertisement advertising matter printed or in writing letters or other false or fraudulent representation printed written or oral issued or made by such stock broker and upon the faith of or on reliance upon which said stocks bonds or other securities may have been purchased and further conditioned in the event of the insolvency of such applicant for the payment of the full amount recoverable under the conditions of said bond to the receiver that may be appointed by the court under the provisions hereinafter contained in this act for the distribution by said receiver under the order or decree of said court made pursuant to said provisions hereinafter contained The penalty of said bond shall be a sum fixed by the Commissioner of Banking which shall not be more than one hundred thousand dollars ($100,000) nor less than ten thousand dollars ($10,000)

In lieu of the aforesaid bond the applicant may deposit and the Commissioner of Banking shall receive money and securities consisting of bonds of the United States or of this Commonwealth or any municipality thereof or other securities approved by him and of a value equal to the amount fixed as the penalty of the bond aforesaid The money and securities provided in the bond as hereinabove specified if the securities be deposited in lieu of the aforesaid bond and shall be accepted as hereinafter provided the Commissioner of Banking shall require the applicant to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such money and securities may be so deposited Such bond or such money and securities shall be released or discharged by the Commissioner of Banking in writing under his official seal only if and when such license shall have ceased doing business in this State and shall have furnished to the Commissioner of Banking satisfactory evidence that all outstanding debts and liabilities of such licensee in this Commonwealth shall have been discharged

Section 7 If the applicant or applicants for such license be a corporation incorporated under laws other than those of the Commonwealth of Pennsylvania or be an unincorporated association or an individual having their or his principal office outside the Commonwealth of Pennsylvania such applicant or applicants shall as a condition precedent to the granting of said license together with said application file in the office of the Commissioner of Banking a duly executed power of attorney or instrument in writing constituting and appointing the Commissioner of Banking its his or their true and lawful attorney and authorized agent upon whom all lawful rules or orders in any action or proceeding against it them or him may be served and therein shall agree that all such processes rules or orders against it them or him which may be served upon the Commissioner of Banking as such attorney or authorized agent shall be of the same force and validity as if served on the applicant or applicants to whom a license may be granted and that the authority of such power of attorney or instrument so required shall continue in force irrevocable so long as any debt or liability of such applicant or applicants to whom a license may be granted remains outstanding against said applicant or applicants in this Commonwealth

The service of such process rule or order shall be made by leaving the same in duplicate in the office of the Commissioner of Banking One copy certified by the Commissioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorney shall be deemed valid service upon such corporation individual or unincorporated association of individuals as the case may be

The Commissioner of Banking shall open process being served upon him as attorney or authorized agent as aforesaid forthwith forward one of the duplicate copies of the process so served to the secretary of such foreign corporation or to such individual or to any member of such unincorporated association of individuals or in the case of a corporation or company of a foreign country to its resident manager in the United States As a condition of valid and effective service of the duty of the Commissioner of Banking in the premises the plaintiff in each such action or proceeding in which such process shall be issued shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars ($2.00) which the said plaintiff shall recover as taxable costs in the case if he prevail in the suit The Commissioner of Banking shall keep a record of all such processes rules or orders which shall show the day and hour of service

Section 8 Upon the receipt of such application the Commissioner of Banking shall cause an examination to be made of the moral character of the applicant or applicants if such applicant or applicants be an individual or unincorporated association of individuals and of the officers and directors or managers of the corporation if such applicant be a corporation and as to whether the statements contained in such application or in the papers or documents attached to and made a part thereof as hereinaoove provided are true and satisfactory and to this end the applicationtion shall be advertised by the Commissioner of Banking at the expense of the applicant or applicants once a week for at least three weeks in two newspapers of general circulation and in a legal periodical if any in the couty where the applicant proposes to do business and if there be not two newspapers of general circulation in the county where the applicant proposes to do business then in two newspapers having general circulation in the nearest county thereto and said Commissioner of Banking shall also if he deem it advisable make or have made a detailed examination audit and investigation of such applicant or applicants Provided that such applicant or applicants may at its his or their option in writing refuse to have such in-

vestigation made in which event said Commissioner of Banking shall reject the application If he finds that such applicant or applicants is or are of good moral character and solvent and that the articles of co-partnership or association constitution and by-laws if any the nature character and plan of the proposed business the literature advertisements advertising matter printed or written letters and the proposed contracts as required to be set forth in said application as aforesaid and proposed to be issued or used in connection with the sale offering for sale or negatiating for the sale of any stocks or other securities aforesaid are satisfactory lawful and not calculated to deceive or mislead any prospective purchasers of such stocks bonds or other securities or the general public the said Commissioner of Banking shall approve said application and accept said bond money or securities above specified deposited with him in lieu thereof and hold it or them for the purpose hereinabove set forth and shall issue a license evidenced by a certificate under his official seal authorizing said applicant or applicants either to sell negotiate for the sale of or offer to sell such stocks bonds or other securities in the Commonwealth of Pennsylvania Such certificate shall not be transferred or assigned by the licensee and it shall further recite that such licensee has complied with the above specified licensing requirements of this act that detailed information in regard to the licensee is on file in the office of the Commissioner of Banking at Harrisburg and that the licensee permitted to do business in this Commonwealth but such license certificate shall further state however in bold type that the Commissioner of Banking in no wise recommends the stocks bonds or other securities aforesaid that may be offered or negotiated for sale or pledge or sold or pledged by such licensee

Immediately upon the receipt of the license certificate issued by the Commissioner of Banking the license named therein shall cause said license certificate to be posted and at all times conspicuously displayed in the principal place of business of said licensee within this Commonwealth so that all persons visiting such places may readily see the same

The Commissione rof Banking may refuse to issue the license aforesaid in any case whereln the above described conditions precedent to the granting of the same have not in his reasonable judgment been satisfied and complied with Such license aforesaid may also be revoked as hereinafter provided

Section 9 The moneys and securities deposited with the Commissioner of Banking as hereinabove provided and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety or surities thereon shall constitute a trust fund to be applied in accordance with the condition contained in the bond above specified and the beneficiaries thereof shall be entitled to an abosiute preference as to such money moneys or securities over all the general creditors of the licensee Such money moneys and securities shall in the event of the insolvency of the license be delivered by the Commissioner of Banking on the order of a court of competent jurisdiction to the receiver of the license that may be appointed under the provisions hereinafter contained in this act The Commissioner of Banking shall from time to time pay over to each such licensee all moneys received by him as interest or income upon any moneys or securities deposited in accordance with the provisions of this act All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned into the State treasuery and receipted for by the State Treasurer to the depositor and be subject to withdrawal only upon warrant of the Commissioner of Banking and all interest coupons of any securities deposited with the State treasurer shall be surrendered when due to the owners of said securities upon their request

Section 10 Any stock broker licensed under the provisions of this act may appoint one or more agents but no such agent shall do or transact any business in this Commonwealth for or on behalf of such licensee until the agent and said stock broker appointing or employing such agent shall not register the name and address of such agent with the Commissioner of Banking and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar ($1.00)

Section 11 Every stock broker licensed under the provisions of this act shall when required by the Commissioner of Banking file a statement or report under oath as herein provided in section five setting forth a complete and detailed list or schedule of the stocks bonds or other securities covered by this act offered or negotiated for sale or pledge or sold or pledged during the period required by the Commissioner of Banking to be covered by such statement or report and setting forth in such form itemization and detail as may be prescribed by the Commissioner of Banking the financial condition assets property and liabilities of such licensed stock broker together with such other information concerning such licensee as the Commissioner of Banking may require Each such statement or report shall be accompanied by a filing fee of five dollars ($5.00) In the event that any licensee fail to file any statement or report within thirty (30) days fro mthe date fixed by the Commissioner of Banking for the filing of the same the license of such licensee to do business in this Commonwealth may be revoked as hereinafter provided

Section 12 Every stock broker licensed under the provisions of this act shall keep such books of account and records as may be prescribed or approved by the Commissioner of Banking and in the manner and form prescribed or approved by such Commissioner of Banking and which shall show full and complete records of all business transacted and a full and complete statement in detail of the assets and liabilities of such stock broker and a complete enumeration and specification of the stocks bonds or other securities sold pledged proffered or negotiated for sale or pledge by such licensee and the names and addresses of the persons or corporations to whom sold or pledged Such licensee shall at the close of business each month make a trial balance of such accounts which shall be recorded in a books kept for that purpose All such books of account trial balances and all other books papers documents and sample copies of all pamphlets circulars letters literature advertisements advertising matter or other printed or written matte ras well as sample copies of all stocks bonds or other securities offered for sale or pledge negotiated for sale or pledge or sold or pledged by such stock broker together with copies of all contracts made by such broker shall be kept on file in the principal office of such stock broker in the Commonwealth of Pennsylvania and shall not be removed therefrom without the consent in writing of the Commissioner of Banking first and obtained and shall at all times be open to the inspection of the Commissioner of Banking his deputies or examiners And sample copies of such advertising matter circulars letters et cetera or other printed or written matter aforesaid and sample copies of all stocks bonds or other securities offered for sale or pledge negotiated for sale or pledge or sold or pledged by such stock in connection with the sale offering for sale or negotiating for sale of such stocks bonds or other securities shall be filed in the office of the Commissioner of Banking unless the license be relieved from such pledge in the office of the Commissioner of Banking upon application in writing first made to and approved by said Commissioner

Section 13 The Commissioner of Banking shall have general supervision and control over any and all stock brokers domestic or foreign licensed or required to be licensed under the provisions of this act and all such stock brokers shall be subject to examination by the Commissioner of Banking or his duly authorized deputies or examiners at any time when the Commissioner of Banking may deem it advisable to make such examination The rights powers and privileges of the Commissioner of Banking in connection with such examination or examinations shall include all those now provided by existing laws in the case of the examinations of State banks and such stock broker shall pay a fee for each of such examinations not exceeding ten dollars for each day or fraction thereof spent therein plus the actual traveling and hotel expenses of said Commissioner of Banking or deputies or examiners incident to such examinations In the event that any such stock broker shall refuse to permit the examination aforesaid to be made by said Commissioner of Banking his deputies or examiners or shall fail or refuse to make payment of the fees and expenses of such examinations upo demand of the Commissioner of Banking or deputy or examiner while making such examination or shall fai lto file any of the papers and documents whatsoever which are or may be required to be filed under any of the provisions of this act the license held by such stock broker may be revoked as hereinafter provided

Section 14 The Commissioner of Banking may in his discretion withhold any information relating to the affairs of any stock broker which in his judgment is not required for the best interests of the purchasers or pledgees of the stocks bonds or other securities covered by this act or the public welfare

Section 15 Any person who shall knowingly or wilfully subscribe to or make or cause to be made any false statement or statements or false entry or entries in any book of accounts or account of said stock broker or exhibit any false paper or writing or printed matter whatsoever with the intention of deceiving the Commissioner of Banking or any of his deputies or examiners or any person authorized to examine into the books papers or affairs of said stock broker or who shall make or publish or cause to be make or published any false statement of the financial condition of such stock broker or of the stocks bonds or other securities offered for sale or pledge negotiated for sale or pledge or sold or pledged by such stock broker shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) or undergo an imprisonment for not less than six months nor more than five years either or both at the discretion of the court

Section 16 Any person who shall knowingly or willfully swear falsely to any statement or representation of assets property or liabilities or other matter of fact contained in any application for a license or contained in any papers attached to and made a part of such application or contained in any report required or which may be required to be made under the provisions of this act shall be deemed guilty of perjury

Section 17 Any stock broker as defined in this act who without having the license hereinabove provided shall within this Comomnwealth offer for sale or pledge or negotiate for the sale or pledge of or sell or pledge or attempt to sell or pledge any stocks bonds or other securities covered by this act or any agent as defined in this act who without being registered as such agent in the office of the Commissioner of Banking shall offer for sale or pledge or negotiate for the sale or pledge of or sell or pledge or attempt to sell or pledge any stocks bonds or other securities covered by this act or any stock agent or other person or person or persons who shall violate any other provision or provisions of this act except as otherwise hereinabove provided in sections fifteen and sixteen of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) for each and every such offense or to undergo imprisonment for a period not exceeding one year both or either in the discretion of the court

Section 18 Whenever any stock broker licensed under the provisions of this act shall refuse to file any reports or documents required or which may be required under the provisions of this act or shall refuse to permit any examination to be made by the Commissioner of Banking his deputies or examiners under the provisions of this act or shall fail to make payment of the fees and expenses for examination payable by such stock broker under the provisions of this act or whenever it shall appear to the Commissioner of Banking from any such reports or documents which may be filed or as the result of any such examination that may be made or from information received by the Commissioner of Banking that such license has violated any of the provisions of this act or that the assets and property do not equal the liabilities of such licensee or that such licensee is in an unsound and unsafe condition to do business or that the stocks bonds or other securities offered for sale or pledge or negotiated for sale or pledge ros old or pledged by such licensee or the contracts made by such licensees with the purchaser of such stocks bonds or other securities are in the judgment of the Commissioner of Banking of a worthless fraudulent or misleading character or that the pamphlets circulars letters advertisements or other written matter used by such licensee are in the judgment of the Commissioner of Banking of a fraudulent or misleading character or of a character calculated or teding to deceive the purchasers or prospective purchasers of such stocks bonds or other securities or the public generally or that the business of such licensee or the manner of conducting the same is fraudulent illegal injurious or contrary to the interests of the purchaser's pledgees or prospective purchasers or pledgees of such stocks bonds or other securities or injurious or contrary to the interests of the public then and in any and every such event the said Commissioner of Banking may after hearing of which at least three day's notice of the time and place shall be given the licensee by written notice left at the last place of business of such licensee revoke the license theretofore granted to said licensee and thereupon if he deem it advisable the Commissioner of Banking shall forthwith communicate the facts and information moving him to revoke said license to the Attorney General who shall forthwith make application to the Court of Common Pleas of Dauphin County or the court of comon pleas of any county in which the principal office of such licensee is located or is doing business or to a law judge of any said courts for the appointment of a receiver to take charge of and wind up the business of such licensee and if the fact or facts above specified appearing to the Commissioner of Banking shall appear to said court or law judge thereof the same shall be sufficient to authorize the appointment of a receiver and the winding up of the business of such licensee and dissolution of such licensee if a corporation and the making of all and every such orders and decrees in such cases as equity may require

Section 19 All fees herein provided for shall be collected b ythe Commissioner of Banking and by him paid into the State Treasury

Section 20 The Commissioner of Banking is hereby authorized to appoint such deputies examiners and clerks as may be necessary to carry this act into full force and effect

Section 21 It shall be the duty of the Commissioner of Banking to enforce the provisions of this act

Section 22 It is hereby declared that the provisions of this act are severable one from another and that each provision thereof is severable as to the subject matters dealt with thereby and if for any reason one or more of such provisions shall in whole or in part be judicially held to be unconstitutional such holding shall not affect the validity of any other provision of said act or the validity of the other part or parts of the same provision

Section 23 All act or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1462, as follows:

An Act Relating to appointment of deputy constables

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act the sole power to appoint a deputy constable or constables in any ward borough or township shall be vested in the constable of such ward borough or township subject to the approval of the court of quarter sessions as provided by law and that no person shall be appointed as a deputy constable unless he shall be at the time of his appointment a bona fide resident of the ward borough or township for which he shall have been appointed and shall continue to be a bona fide resident for the time during which such appointment is made

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1459.

An Act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment and manner of filling vacancies

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the officers and employes of the House of Representatives shall be as follows namely

In the House of Representatives there shall be in addition to the Speaker as provided for by the Constitution one chief clerk one resident clerk one journal clerk one assistant journal clerk one reading clerk one assistant resident clerk one assistant clerk ten clerks one typewriter nine stenographers one chief sergeant-at-arms one chief assistant sergeant-at-arms twenty sergeants-at-arms one postmaster one assistant postmaster three messengers one paster and folder six assistant pasters and folders one Speaker's clerk one stenographer to the Speaker one stenographer to the Chief Clerk one chaplain one day watchman one night watchman two porters for wash and coat room one elevator operator one assistant elevator operator one Speaker's page one chief page and twenty pages The clerk and stenographer to the Speaker shall be appointed by the Speaker the stenographer to the Chief Clerk and the porters of wash and coat rooms shall be appointed by the Chief Clerk and the assistant resident clerk shall be appointed by the resident clerk but all the other officers and employes shall be elected by the House of Representatives

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Amend House Bill No. 1459 Section 1 by striking out the the word "employes" in line 63 and insert in lieu thereof the word "employee

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was read as follows:

Section 2 The compensation of the officers and employes of the House of Representatives hereinbefore provided for shall be as follows namely The Speaker of the House of Representatives in addition to his salary as a member of the Legislature shall receive one dollar per diem for each regular biennial special or extraordinary session The chief clerks shall each receive twenty-five hundred dollars per annum for years in which regular biennial sessions are held and twelve hundred dollars per annum for years in which no regular biennial sessions are held the librarian of the Senate and the resident clerk of the House of Representatives shall each receive two thousand dollars per annum the journal and reading clerks shall each receive fifteen hundred dollars for each regular biennial session and eight dollars per diem for each special or extraordinary session the executive and message clerk desk clerks and assistant journal clerk shall each receive twelve hundred dollars for each regular biennial sesion and eight dollars per diem for each special or extraordinary session Provided however That the salaries of any o fthe said officers for a special or extraordinary session shall not exceed the salary for a regular biennial session for each regular biennial special or extraordinary session the message clerks shall each receive six dollars per diem for each regular biennial special or extraordinary session the bill and petition book clerks bills in place book clerks transcribing clerks clerks to committees and custodians of committee rooms sergeant-at-arms and assistants clerk to President pro tempore Speaker's clerk and postmasters shall each receive five dollars per diem for each regular biennial special or extraordinary sessions the doorkeepers and assistant assistant postmaster messengers superintendent's of folding rooms pasters folders stenographers to President pro tempore stenographer to Speaker stenographers to chief clerks chaplains watchman overseers of heat and ventilation elevator operators and assistants and all custodians and assistant custodians shall each receive five dollars per diem for each regular biennial special or extraordinary session the page to the President pro tempore Speaker's page and the chief pages shall each receive three dollars per diem and the pages two dollars per diem the clerk to the President shall receive fifteen hundred dollars per annum and the stenographer to the President shall receive one thousand dollars per annum Provided however That the watchman and chief elevator operators of both houses and the custodian of the wash room and the custodian of the basement of the Senate shall each receive the sum of three dollars per diem during the interim between legislative sessions The chief clerk shall receive three thousand dollars for regular biennial sessions and one hundred fifty dollars per month for

the interim between regular biennial sessions the resident clerk shall receive two thousand five hundred dollars per annum the assistant clerk and journal and assistant journal clerks shall each receive one thousand five hundred dollars for each regular biennial session and ten dollars per diem for each special or extraordinary session the assistant resident clerk shall receive one thousand five hundred dollars for each regular biennial session and one hundred twenty-five dollars per month during the interim between regular biennial sessions the clerk and typewriter shall each receive six dollars per diem and the stenographers ten dollars per diem for each regular biennial special or extraordinary session the reading clerk shall receive two thousand five hundred dollars for each regular biennial session and twelve dollars per diem for each special or extraordinary session the Chief-Sergeant-at-Arms shall receive eight dollars per diem and the chief assistant sergeant-at-arms and postmaster and the speaker's clerk seven dollars per diem the assistant messengers assistant sergeant-at-arms pasters and folders and assistant pasters folders stenographers to the speaker and chief clerk and chaplain six dollars per diem for each regular biennial special or extraordinary session the watchman elevator operator and assistant elevator operator shall each receive five dollars per diem for each regular biennial special or extraordinary session and the speaker's page chief page and porters shall each receive three dollars per diem and the pages two dollars per diem for each regular biennial special or extraordinary session provided however that the watchmen and chief elevator operator shall receive the sum of three dollars per diem during the interim between legislative sessions

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Section 2. By inserting after the word "addition" in line 4 the word "to."

In line 47 after the word "sessions" insert a bracket.

In line 66 and 67 strike out the word "aster" and insert the words "Assistant Postmaster."

In line 77 strike out the word "legisltaive" and insert the word "Legislative."

On the question,

Will the House agree to the amendments?

They were agred to.

The section as amended was then agreed to.

The third, fourth and fifth sections were separately read and agreed to as follows:

Section 3 All the officers and employes provided for in this act shall return as such to the next regular biennial session of the Legislature following that for which they were elected or appointed and shall be allowed their regular per diem compensation except the assistant clerk journal clerk assistant journal clerk reading clerk who shall each receive eight dollars per diem for ten days or until their successors are duly elected or appointed and qualified

Section 4 That each of the officers and employes authorized by this act shall be entitled to mileage for each regular biennial special or extraordinary session of the Legislature and as returning officers at the rate of five cents per mile to and from their homes to be computed by the ordinary mail route between their homes and the State Capital

Section 5 The officers and employes or the House of Representatives shall be severally sworn before entering upon their duties and shall be under the direction and control of the Speaker who may through the Chief Clerk and the Chief Sergeant-at-arms assign them to such duties as the business of the House may require No extra compensation shall be allowed to any officer because of such assignment of duty

The sixth section was read as follows:

Section 6 All vacancies that may occur by death resignation or otherwise of any of the officers or employes of the House of Representatives during the session of the Legislature shall be filled by election or appoint as provided for in this act If any vacancy shall occur during the recess of the Legislature in the office of Speaker of the House of Representatives the duties of said offices shall be performed by the chairman of the Committee on Judiciary General of the House of Representatives all other vacancies that may occur during the recess in any of the elective offices of the Legislature shall be filled in the House of Representatives by appointment by the Speaker of the House of Representatives vacancies occurring at any time in appointive offices shall be filled by the respective officers authorized to appoint said officers or employes

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend Section 6, line 4 by adding to the word "appoint" the syllable "ment."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The seventh section was read and agreed to as follows:

Section 7 That per diem pay of each such employes shall commence from the day such employee was sworn and actually entered upon the duties of his employment

The eighth section was read as follows:

Section 8 All laws or parts of laws providing for any officer or officers employe or employes for the House of Representatives of the Commonwealth of Pennsylvania or fixing the number and compensation of such officers or employes be and the same are hereby repealed

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend Section 8. Line 5 by striking out the word "fr" and inserting the word "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read as follows:

An Act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment and manner of filling vacancies

On the question,

Will the House agree to the title?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Amend the title by striking out the word "general assembly" in line 2 and inserting in lieu thereof "House of Representatives."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1450, as follows:

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school visitors in school districts of the first class shall remove janitors of grammar and elementary schools in their district for cause

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand two hundred and eight (2208) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven which reads as follows

"Section 2208 The board of school visitors in each ward district shall at least once every three months visit all the public elementary schools therein and inspect the same They shall without delay call the attention of the board of school directors of the district or its appropriate executive officer to every matter requiring official action They shall make at least once every three months a written report to the board of public education of the district respecting the condition of the schools and the needs of the ward district

especially in regard to the number kind equipment and efficiency of the school buildings be and the same is hereby amended to read as follows

Section 2208 The board of school visitors in each ward district shall at least once every three months visit all the public elementary schools therein and inspect the same They shall without delay call the attention of the board of school directors of the district or its appropriate executive officer to every matter requiring official action They shall make at least once every three months a written report to the board of public education of the district respecting the condition of the schools and the needs of the ward district especially in regard to the number kind equipment and efficiency of the school and school buildings They shall have the appointment of all janitors for the grammar and elementary schools in their district subject to the rules of the board of education The board of school visitors shall dismiss such janitors at any time for incompetency negligence drunkenness or immorality

Section 2 All acts and all parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 29, entitled :

An Act fixing the compensation and mileage of the members and the number and compensation of the officers and employes of the General Assembly

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That In the Senate there shall be in addition to the President and President Pro Tempore as provided by the Constitution one chief clerk one secretary one librarian one assistant librarian one journal clerk one reading clerk eight clerks seven stenographers one chief sergeant-at-arms one chief assistant sergeant-at-arms twelve assistant sergeant-at-arms one custodian of wash and coat room two porters one paster and folder three assistant pasters and folders one postmaster one messenger one assistant messenger one clerk to Lieutenant Governor one stenographer to Lieutenant Governor one clerk to President Pro Tempore one stenographer to chief clerk one chaplain one day watchman one night watchman one elevator operator one assistant elevator operator one page to Lieutenant Governor one page to President Pro Tempore one chief page fourteen pages

BILL RECOMMITTED.

Mr. FRANK GRAY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. COX. Mr. Speaker, I second the motion.

The SPEAKER. The question is on the motion of recommitting this bill to the Committee on Judiciary Special.

Mr. ROCKWELL. Mr. Speaker, I trust the House will not adopt this motion. After the report of the committee appointed by this House to investigate the question of the House and the Senate employes, the Judiciary General Committee, to which the two bills were referred, made amendments to them. While these bills are separate bills, one of the bills takes care of the House employes and the other bill takes care of the Senate employes. This bill which the gentleman from Philadelphia asks us to recommit takes care of the House employes while the other one takes care of the Senate employes. When this bill passes on second reading, as amended, the object is to take care of the House employes. They are two companion bills and should be amended to go on and go through together. The gentleman from Crawford, Mr. Humes, has one or two amendments to verify this and it seems to me the bill ought to go on in its regular course.

Mr. FRANK GRAY. Mr. Speaker, this bill of mine, No. 29, has been referred to the committee, of course, as has been suggested, and there is nothing left of it. At the time of the hearing in the committee, I had no chance to say anything, and the only thing that is left of this bill is "No. 29" and "Frank Gray" at the other end, and I object to fathering a bill that I had nothing to do with whatever. I want it referred to this committee in order to amend it. If I am to be sponsor for a bill, I want to have some say in the bill and what is embodied in it.

On the question recurring,

A division was called for, 44 voting in the affirmative and 41 in the negative.

The SPEAKER. Less than a quorum having voted, it will be necessary to call the roll. The Sergeant-at-Arms will call the roll.

Mr. ROCKWELL. Mr. Speaker, I believe there is a quorum present, and I move this vote be reconsidered and taken again.

The SPEAKER. The rule of the House is imperative.

Mr. R. J. BALDWIN. Mr. Speaker, I do not see how the question can be raised as to a quorum until the roll has been called.

Mr. SHERN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. SHERN. Mr. Speaker, my point of order is that the gentleman from Tioga is out of order, no business having intervened.

Mr. ROCKWELL. Mr. Speaker, I move that we adjourn.

The roll was called and 143 gentlemen answered present, as follows:

Adams,	Dunn, H. B.,	Klepper,	Rhoads,
Allen,	Dunn, J. A.,	Kuhn, H. P.,	Robinson,
Alworth,	Ehrhardt,	Kuhns, E.G.M.,	Rockwell,
Baldwin, G. A.,	Ely,	Latshaw,	Roney,
Baldwin, R. J.,	Ewing,	Leslie,	Rothenberger,
Barner,	Foster, J. D.,	Light,	Runk,
Bass,	Frey,	Lohr,	Sassaman,
Becker,	Geiser,	Lowers,	Schaeffer, A. C.
Benninger,	Gibson,	Mather,	Semmens,
Benson,	Good,	Matt,	Shaffer, C. A.,
Bigger,	Goss,	McAleer,	Shaffer, I. E.,
Bittles,	Grabe,	McAllister,	Shern,
Blair, W. A.,	Gramley,	McArdle,	Showalter,
Blair, W. F.,	Gransback,	McCaig,	Smith, J. W.,
Body,	Gray, Frank,	McClintock,	Smith, L.,
Brosius,	Gray, Joseph,	McDermott,	Snavely,
Brown,	Haggerty,	Mellott,	Snyder,
Brownlee,	Heidinger,	Metzenbacher,	Spillinger,
Burnett,	Hemminger,	Miller,	Steele,
Caldwell,	Herman,	Moore,	Stone
Campbell, C.M.,	Hobbs,	Morrow,	Strauss,
Campbell, J.J.	Howard, R.,	Moulthrop,	Swartz,
Carson,	Humes,	Murphy,	Thomas,
Carter,	Isler,	Musser,	Trach,
Claycomb,	Irwin, H. H.,	Newbaker,	Ulman,
Cleary,	Jackson,	Newton,	Walnut,
Cochran,	Jones, J. R.,	North,	Watson,
Conniff,	Kaiser,	Peachey,	Wettach,
Conrade,	Kaufman,	Pennock,	Whitaker,
Cox,	Keegan,	Perry, S. J.,	Wildman,
Currier,	Keeport,	Peters,	Williams,
Curry,	Kennedy,	Post,	Wogan,
Davis,	Kern,	Ramsey,	Young, J. H.,
DeFrees,	Kitts,	Redfield,	Zimmerman,
Donahoe,		Reeser,	Alter,
Donnally,			Speaker.

On the question recurring,

Will the House agree to the motion?

Mr. ROCKWELL. Mr. Speaker, in order that I may make a little fuller explanation in regard to the whole situation to the members, I would say that there were three bills introduced in relation to the salaries of the members and the employes of the House and the Senate, differently. These three bills came to the Judiciary General Committee. Afterwards, a committee was appointed by the House to investigate the number and character of the employes of the House and the Senate. The Committee on Judiciary General did nothing on these three bills, but waited for the report of this committee. In the meantime one of the gentlemen sponsoring one of the bills pertaining to salaries of members only moved to discharge the Committee on Judiciary General from his bill, which was done. That bill was brought out, relating to salaries of members, and has been passed and has gone to the Senate. The other two bills relating to salaries remained in the Judiciary General Committee. After the report of the committee investigating the character and number of the employes, then the Judiciary General Committee, in pursuance to the recommendations of that committee, took up the other two bills, one of them sponsored by the gentleman from Philadelphia, Mr. Gray, and the other by the gentleman from Crawford, Mr. Humes. These two bills were remodeled, one of them to cover the House employes, which is the bill just passed on second reading by Mr. Humes. The other one was remodeled to cover the Senate employes. That is the bill introduced by Mr. Gray. Now, I wish to state that there was no intention of the committee to cast any reflections on Mr. Gray—nothing of the kind. But he seems to feel that the committee did not treat him right in reporting the bill as it did. The reason for making the two bills, one for the Senate employes and one for the House, is that, suppose there were to be one bill and that bill should pass the House and go over to the

Senate and the Senate would say, "we won't stand for the House's changing the Senate employes," and will lick the bill. Now, we have these two bills to go through. We have two bills, one relating to the House employes and one relating to the Senate. It would be just and reasonable for the House to pass the bill relating to the House employes, and the Senate would hardly object and would probably pass the bill relating to the Senate employes, that would be up to them. That is the whole situation of the case and I think I have made it clear. If not, and any gentleman wishes any further light, I will try to answer it as far as possible. Now, I see no reason for recommitting this bill to the Judiciary Special Committee, except for the purpose of defeating the entire bill. If that is the wish of the members of the House, I have nothing to say.

Mr. FRANK GRAY. Mr. Speaker, the gentleman from Tioga says the bill was remodeled. I think the bill was reconstructed. I do not think there was any remodeling about it at all. I was not present in the Judiciary General Committee, neither was I invited to be there. The other gentleman, who had the bill for the legislative part of it, was present, of course, being a member of that committee. Now, the question is not as to whose this bill is. I care nothing about that. I think I have some judgment about it, and I feel that if I am to father the bill, I want to have something in the bill from my own brain. I have not very much, but I have enough to get a few words in the bill, at least. I would like to know my own child.

If there is any way that the gentleman from Tioga can suggest that my name can be taken from the bill, I am willing to let the bill go in its present shape, but as it is I will not father the bill, and I ask to have it recommitted to the Judiciary Special Committee, where I know I can have a hearing and can have some effect in the hearing.

Mr. ROCKWELL. Mr. Speaker, I don't know whether it is parliamentary procedure, but we can pass a joint resolution providing a stepfather for this bill. I do not know of any such procedure, though.

Mr. GRAY. Mr. Speaker, I do not know that a bill can have a stepfather while the father is still living.

On the question recurring,

A division was called for, 65 voting in the affirmative and 56 in the negative.

And the motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1945 (Senate No. 875), entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 302, as follows:

An Act to amend section two of an act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed' approved the thirteenth day of April Anno Domini one thousand eight hundred and ninety-seven by extending the power to incur and increase indebtedness to townships of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act approved the thirteenth day of April Anno Domini one thousand eight hundred and ninety-seven entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof'" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt and providing for the method of assessiong and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed" which reads as follows

"Section 2 That any county city borough school district or other municipality or incorporated district may incur debt or increase its indebtedness to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof and the corporate authorities of such municipality may by a vote thereof duly recorded upon its minutes authorize and direct the incurring or the increase of such debt to the amount aforesaid and may issue coupon bonds or other securities therefor in sums not less than one hundred dollars each bearing interest at a rate not exceeding six per centum per annum payable semi-annually and the principal thereof re-imbursable at a period not exceeding thirty years from the date at which the same is authorized and an annual tax commencing the first year after such debt shall be increased or incurred sufficient for the payment of the interest thereon and the principal of such debt within a period not exceeding thirty years from the date of such increase shall be forthwith assessed Before issuing such obligation or security it shall be the duty of the principal officer or officers of such municipality or incorporated district to prepare a statement showing the actual indebtedness of such district the amount of the last preceding assessed valuation of the taxable property therein the amount of debt to be incurred the form number and date of maturity of the obligations to be issued therefor and he shall make and append thereto his oath or affirmation of the truth of the facts therein stated and shall file the said statement in the office of the clerk of the court of quarter sessions of the proper county upon failure so to do he shall be guilty of a misdemeanor and on conviction thereof shall be punished as provided in the first section of this act Certified copies of the record of such statement under the seal of said court shall be competent evidence in all the courts of this Commonwealth Provided That the bonds shall not be sold at less than their par value is hereby amended to read as follows

"Section 2 That any county city borough school district township of the second class or other municipality or incorporated district may incur debt or increase its indebtedness to an amount in the aggregate not exceeding two per centum upon the assessed value of the taxable property therein as fixed and determined by the last preceding assessed valuation thereof and the corporate authorities of such municipality may by a vote thereof duly recorded upon its minutes authorize and direct the incurring or the increase of such debt to the amount aforesaid and may issue coupon bonds or other securities therefor in sums not less than one hundred dollars each bearing interest at a rate not exceeding six per centum per annum payable semi-annually and the principal thereof re-imbursable at a period not exceeding thirty years from the date at which the same is authorized and an annual tax commencing the first year after such debt shall be increased or incurred sufficient for the payment of the interest thereon and the principal of such debt within a period not exceeding thirty years from the date of such increase shall be forthwith assessed Before issuing such obligation or security it shall be the duty of the principal officer or officers of such municipality or incorporated district to prepare a statement showing the actual indebtedness of such district the amount of the last preceding assessed valuation of the taxable property therein the amount of debt to be incurred the form number and date of maturity of the obligations to be issued therefor and he shall make and append thereto his oath or affirmation of the truth of the facts therein stated and shall file the said statement in the office of the clerk of the court of quarter sessions of the proper county upon failure so to do he shall be guilty of a misdemeanor and on conviction thereof shall be punished as provided in the first section of this act Certified copies of the record of such statement under the seal of said court shall be competent evidence in all the courts of this Commonwealth Provided That the bonds shall not be sold at less than their par value

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1842 (Senate No. 359), entitled:

An Act authorizing fraternal beneficial associations organized unde rthe laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificate of the deceased member

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1068, as follows:

An Act prohibiting persons partnerships and corporations operating railroads from allowing certain things to remain on the right of way and fixing penalties for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person partnership or corporation operating a railroad of any kind or for any person in the employ of such person partnership or corporation to permit any stone metal wood coal debris refuse earth or other matter or material to be or to remain upon the right of way of any such railroad within seven feet from the center of each track or between any two tracks thereof except such material as may be necessary for immediate use to make necessary repairs of said railroad

Section 2 This act shall not apply (a) to what are known as shop or repair tracks (b) to what are known as dwarf or pot signals or to switch lamps or to any other structure heretofore or hereafter established for the protection of the traveling public or to the employes of the railroad

Section 3 Every person partnership or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall for the first offense be sentenced to pay a fine of not more than one hundred dollars ($100) For each subsequent offense each such person partnership or corporation shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500) Each day's retention of such stone metal wood coal debris refuse earth matter or material in violation of this act shall constitute a separate offense except as provided in section one

Section 4 This act shall become operative on the first day of January one thousand nine hundred and fourteen

Section 5 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 396, as follows:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments and making a violation of its provisions to be a misdemeanor and providing penalties for the violations thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of October one thousand nine hundred and thirteen every employer of labor whether a person firm partnership limited partnership corporation or association engaged in carrying on any factory or mercantile establishment in this Commonwealth shall allow every person except those specified in section two employed in such factory or mercantile establishment at least twenty-four consecutive hours of rest in every seven consecutive days No employer shall operate any such factory or mercantile establishment on Sunday unless he shall have complied with section three Provided however That this act shall not authorize any work on Sunday not now authorized by law

Section 2 This act shall not apply to janitors watchmen or to employes whose duties include no work on Sunday other than setting sponges in bakeries caring for live animals or maintaining fires

Section 3 Before operating on Sunday every employer shall post and keep posted in a conspicuous place on the premises a schedule containing a list of his employes who are required or allowed to work on Sunday and designating the day of rest for each and shall file a copy of such schedule with the Chief Factory Inspector The employer shall on the first day of each month file with the Chief Factory Inspector a copy of every change in such schedule No employes shall be required or allowed to work on the day of rest so designated for him

Section 4 Every employer operating such mercantile establishment on Sunday shall keep a time book showing the names and addresses of all employes and the hours worked by each of them in each day and such time book shall be open to inspection by the Chief Factory Inspector or his deputy

Section 5 Any person who whether by himself or for another or through an agent servant foreman shall violate the provisions of this act or any of them shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced for a first offense to pay a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offence by a fine not less than twenty-five ($25) dollars or more than two hundred ($200) dollars at the discretion of the court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1787, as follows:

An Act relating to indebtedness incurred by cities of the first class of this Commonwealth to provide for the construction and improvement of subways tunnels railways elevated railways and other transit facilities of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks providing that interest during the period of construction on expenditures for such construction improvement and reclamation shall be included in the cost thereof and that bonds may be issued to provide therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any city of the first class of this Commonwealth shall hereafter incur indebtedness to provide for all or any of the following purposes to wit for the construction and improvement of subways tunnels railways elevated railways and other transit facilities for the construction and improvement of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks owned or to be owned by said city interest during the period of construction on the moneys expended in and upon such construction improvement or reclamation shall be taken to be a part of and shall be included in the cost thereof and bonds may be issued to provide for such interest in like manner as for other items of such cost

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1606, entitled:

An Act to prevent misrepresentation or misleading estimates intended to induce the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse of forfeiture of policies of insurance prescribing penalties for violations of this act making provisions for compelling the production of evidence and repealing existing laws

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That no insurance company association or society or any officer director agent or broker or solicitor thereof shall issue circulate or use or cause or permit to be issued circulated or used any written or oral statement or circulate misrepresenting the terms of any policy issued or to be issued by such company or making an estimate with intent to deceive of the future dividends payable under any such policy

On the question,

Will the House agree to the section?

Mr. KEEPORT. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 1, line 7. Strike out the word "circulate" and insert the word "circular"

Section 1, line 9. Strike out the word "making" and insert the word "make."

On the question,

Will the House agree to the amendments?

They were agreed to.

The Section as amended was then agreed to.

The second section was then read and agreed to as follows:

Section 2 No insurance company association or society officer director agent solicitor or broker or any person firm association or corporation shall make any misrepresentation or incomplete comparison of policies oral written or otherwise to any person insured in any company for the purpose of inducing or tending to induce a policy holder in any company to lapse forfeit or surrender his insurance therein and to take out a policy of insurance in another company insuring against similar risks

The third section of the bill was read as follows:

Section 3 Upon satisfactory evidence of the violation of the first or second section of this act by any insurance com-

pany association or society its officers solicitors or agents or any insurance broker the Insurance Commissioner shall revoke the certificate of authority of such offending company association or society its solicitors or agents or any insurance broker and he shall have the right in his discretion to refuse for a period of not to exceed one year thereafter to issue a new license to such offending company association or society agent solicitor or broker when a certificate shall be refused or suspended or revoked the party aggrieved may appeal to the court of common pleas of Dauphin County Any insurance company association or society agent solicitor or broker or any person firm association or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) for each and every violation or at the discretion of the court to imprisonment in the county jail of the county in which the offense is committed for a period of not more than six months or both at the discretion of the court

On the question,

Will the House agree to the section?

Mr. KEEPORT. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 3, line 4. Strike out the word "to."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fourth and fifth sections and title were then separately read and agreed to as follows:

Section 4 No person shall be excused from testifying or from producing any books papers contracts agreements or documents at the trial or hearing of any person or company association or society charged with violating any of the provisions of this act on the ground that such testimony or evidence may tend to incriminate himself but no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence documentary or otherwise except for perjury committed in so testifying

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows:

An Act to prevent misrepresentation or misleading estimates intended to induce the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse of forfeiture of policies of insurance prescribing penalties for violations of this act making provision for compelling the production of evidence and repealing existing laws

And said bill having been read at length the second time and agred to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1928, as follows:

An Act repealing an act entitled "An Act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naphtha" approved the second day of March one thousand eight hundred and sixty-five and a supplement thereto entitled "A Supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naphtha approved March second one thousand eight hundred and sixty-five" approved the twenty-fourth day of March one thousand eight hundred and sixty-five and a further Supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia approved March twenty-fourth one thousand eight hundred and sixty-five and to extend the boundaries of the same" approved the twenty-third day of May one thousand eight hundred and seventy-one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the act entitled "An Act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naphtha" approved the second day of March one thousand eight hundred and sixty-five and a Supplement thereto entitled "A Supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naphtha approved March second one thousand eight hundred and sixty-five" approved the twenty-fourth day of March one thousand eight hundred and sixty-five and a further supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia approved March twenty-fourth one thousand eight hundred and sixty-five and to extend the boundaries of the same" approved the twenty-third day of May one thousand eight hundred and seventy-one be and the same are hereby repealed

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 612 (Senate No. 84), entitled:

An Act to amend section six of an act entitled "An Act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at the general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a board of managers and that certain judges of the common pleas court and the county commissioners shall be ex-officio members of the board of managers prescribing the powers and duties of the board of managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the county of Allegheny

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1627, as follows:

An Act relating to the issuing of policies of insurance prohibiting the giving or offering or receiving of rebates or inducements of any kind not specified in the policy with certain exceptions prescribing penalties for violations of this act and making provision for compelling the production of evidence and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That no insurance company association or society by itself or any other party and no insurance agent solicitor or broker personally or by any other party shall offer promise allow give set off or pay directly or indirectly any rebate of or part of the premium payable on the policy or on any policy or agents commission thereon or earnings profit dividends or other benefit founded arising accruing or to accrue thereon or therefrom or any special advantage in date of policy or age of issue or any paid employment or contract for services of any kind or any other valuable consideration or inducement to or for insurance on any risk in this Commonwealth now or hereafter to be written which is not specified in the policy contract of insurance nor shall any such company association or society agent solicitor or broker personally or otherwise offer promise give option sell or produce any stocks bonds securities or property or any dividends or profits accuring or to accrue thereon or other thing of value whatsoever as inducement to insurance or in connection therewith which is not specified in the policy Provided that nothing in this section shall be construed to prevent the taking of a bona fide obligation with legal interest in payment of any premium Upon satisfactory evidence of the violation of the provisions of this section of this act by any insurance company association or society its officers solicitors or agents or any insurance broker the Insurance Commissioner shall revoke the certificate of authority of such offending company association or society its solicitors or agents or any insurance broker and he shall have the right in his discretion to refuse for a period of not to exceed one year thereafter to issue a new license to such offending company association or society agent solicitor or broker When a certificate shall be refused or suspended or revoked the party aggrieved may appeal to the court of common pleas of Dauphin county Nothing in this act shall prevent a company transacting industrial life insurance on a weekly payment plan from returning to policy-holders who have made a premium payment for a period of at least one year the percentage of premium which the company would otherwise have paid for the weekly collection of such premium Any life insurance company organized on the joint stock plan under the laws of Pennsylvania and authorized to do business prior to the first day of March Anno Domini one thousand nine hundred and nine now engaged in selling its own stock to policy holders of such company and also any life insurance company organized on the mutual assessment plan under the laws of Pennsylvania prior to said first day of March Anno Domini one thousand nine hundred and nine and actually engaged prior to and on said date in selling by option or otherwise to its policy holders the stock of a proposed joint stock life insurance company to be organized

under the laws of this Commonwealth for the purpose of taking over the insurance business of said mutual company when so organized may continue for the period of three years from the date of the approval of this act the sale of the same either by said mutual company or by its successor the proposed joint stock company when formed until an amount of capital not in excess of one million dollars shall have been disposed of Any insurance company association or society its officers solicitors or agents or any insurance broker violating the provisions of this section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) for each and every violation or in the discretion of the court to imprisonment in the county jail of the county in which the offense is committed for a period of not more than six months or both

Section 2 No insured person or party or applicant for insurance shall directly or indirectly receive or accept or agree to receive or accept any rebate of premium or of any part thereof or all or any part of any agent's solicitor's or broker's commission thereon or any favor or advantage or share in any benefit to accrue under any policy of insurance or any valuable consideration or inducement other than such as are specified in the policy Any insured person or party or applicant for insurance violating the provisions of this section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) for each and every violation or in the discretion of the court to imprisonment in the county jail of the county in which the offense is committed for a period of not more than six months or both

Section 3 No person shall be excused from testifying or from producing any books papers contracts agreements or documents at the trial or hearing of any person or company association or society charged with violating any of the provisions of this act on the ground that such testimony or evidence may tend to incriminate himself but no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence documentary or otherwise except for perjury committed in so testifying

Section 4 The act approved May third one thousand nine hundred and nine entitled "An Act to prevent any insurance company organized under the laws of or doing business in Pennsylvania or any officer agent or representative thereof or any insurance broker from paying allowing or giving or any person from receiving as an inducement to insurance any rebate of premium payable or any other valuable consideration or inducement whatever not specified in the policy contract and prohibiting any insurance company its officers agents or representatives from giving selling purchasing or offering to give sell or purchase as inducements to insurance or any connection therewith any stocks bonds or other securities of said insurance companies or other insurance companies or any dividends or profits to accrue thereon except as herein provided and to prevent any life insurance company organized under the laws of or doing business in Pennsylvania from making any distinction or discrimination in favor of individuals between insurance of the same class and equal expectation of life in the amount or payment of premium or rates charged for policies or life or endowment insurance and fixing a penalty for any violation thereof" as amended is repealed All other acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1900 (Senate No. 582), entitled:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1655, as follows:

An Act prohibiting the conversion or embezzlement of premiums or return premiums under policies of insurance by agents solicitors or brokers providing that violations of this act shall constitute the crime of embezzlement and shall be punishable as embezzlements by agents and brokers are now by law punishable and repealing existing acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any money substitute for money or thing of value whatsoever received by any agent solicitor or broker as premium or return premium on or under any policy of insurance or application therefor shall be received by such agent solicitor or broker in his fiduciary capacity and any agent solicitor or broker who fraudulently converts or appropriates to his own use or with fraudulent intent takes secretes or otherwise disposes of or fraudulently withholds appropriates lends invests or otherwise uses or applies any money substitute for money or thing of value received by him as premium or return premium on or under any policy of insurance or application therefor contrary to the instructions or without the consent of the company association or society for or on account of which the same was received by him shall be guilty of embezzlement whether or not such agent solicitor or broker has or claims to have any interest in such money substitute for money or thing of value whether by way of commission or otherwise and shall be punishable as agents or brokers are now punishable for embezzlement under the laws of this Commonwealth

Section 2 Section twenty-three of the act approved June first one thousand nine hundred and eleven entitled "An Act to establish an Insurance Department authorizing the appointment of an Insurance Commissioner and prescribing his powers and duties also providing for the licensing examination regulation and dissolution of insurance and surety companies and associations and for the licensing and regulation of insurance agents and insurance brokers also providing for the collection of fees and prescribing penalties for the violation of any provisions of this act and repealing all existing acts is repealed All other acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1551, entitled:

An Act authorizing cities of the first class to remit taxes owing by any public charity hospital where a dispute has arisen as to the right of the city to asses and collect such taxes

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore taxes have been assessed against any property used exclusively for public hospital purposes including the ground upon which any hospital building has been erected and so much additional ground as may be or may have been necessary for such public hospital purposes and said taxes have not been paid the taxes so assessed and unpaid shall be remitted by the municipal authority levying the same

The title of the bill was then read as follows:

An Act authorizing cities of the first clas sto remit taxes owing by any public charity hospital where a dispute has arisen as to the right of the city to assess and collect such taxes

On the question,

Will the House agree to the title?

Mr. WILTBANK. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Strike out entire title and insert the following: "Providing that taxes asessed against property used exclusively for public hospital purposes and which have not been paid shall be remitted by the municipal authority levying the same."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agred to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1736, as follows:

An Act limiting the time within which to begin actions in trespass for malicious prosectuion conspiracy and false imprisonment to one year after the injury complained of

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal actions in trespass for malicious prosecution conspiracy and false imprisonment shall be commenced and sued within the time limitation herein expressed namely within one year from the time when the malicious prosecution conspiracy for false imprisonment occurred and not after Provided That nothing herein contained shall apply to actions already instituted and pending

in the several courts of this Commonwealth or to any cause of action now existing

Section 2 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1656, entitled:

An Act providing for the annulment of charters of boroughs incorporated by decree of the court of quarter sessions and prescribing the manner and procedure necessary to secure such decree of annulment

The first, second, third, fourth and fifth sections of the bill were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several courts of quarter sessions within this Commonwealth shall have power upon petition of seventy-five per centum of the qualified electors of any borough heretofore incorporated to decree the annulment of the charter of such borough

Section 2 That upon presentation of such application for annulment as aforesaid to the court it shall be filed with the clerk and notice thereof shall be given in at least one newspaper of the proper county for a period of not less than thirty (30) days immediately preceding the date of such hearing and during which time exceptions may be filed to such application by any person interested and at such hearing the court shall make a full investigation of the case and if it shall find that the conditions prescribed by law have been complied with and shall believe that it is expedient to grant the prayer of the applicants shall grant the same and make a decree accordingly and said application and decree shall be recorded in the recorder's office of the proper county

Section 3 That upon the entry and recording of such decree the lands embraced within the limits of such borough shall revert to and become a part of the township from which it was originally taken and be under and subject to its government and control provided however that any indebtedness of such borough shall be paid from the taxes assessed and collected from that portion of said township as formerly included within the limits of said borough

Section 4 All costs and expenses incident to the proceeding for the annulment of the charter as aforesaid shall be paid by the petitioners

Section 5 All laws general and special inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act providing for the annulment of charters of boroughs incorporated by decree of the court of quarter sessions and prescribing the manner and procedure necessary to secure such decree of annulment

On the question,

Will the House agree to the title?

Mr. SWIFT. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend title last line, after "annulment" insert "and providing for the reversion to the original township of the property embraced within such borough"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1393 (Senate Bill No. 190), entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1394 (Senate Bill No. 191), entitled:

An Act to provide for the assessment and taxation of anxiliary forest reserves and timber harvested and the collection distribution and use of the taxes collected therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1395 (Senate Bill No. 192), entitled:

An Act providing a fixed charge on land classified as auxiliary forest resreves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 46, entitled:

An Act requiring hospitals receiving appropriations from the Commonwealth to maintain a free room for certain patients regulating the use of said rooms and regulating the care and treatment of such patients

The first section of the bill was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That every hospital which shall received from this Commonwealth any appropriation shall at all times maintain a private room to be known as the "Commonwealth Room" This room shall be for the preferential use of any of the following persons who may apply to such hospital for care and treatment in any serious illness or for a surgical operation of any kind

1 Any honorably discharged soldier sailor or marine who served in the army or navy of the United States during the Civil War or any preceding war and who was at the time of his enlistment and at the time of his application for admission to said hospital a resident of this Commonwealth

The second section of the bill was read as follows:

2 Any resident of this Commonwealth being the wife or widow of any honorably discharged soldier sailor or marine who shall have served as aforesaid

Such care and treatment and any necessary surgical operation shall be given and performed without any cost to such patient during the continuance of such illness if he or she is unable to pay the cost of the same

Section 2 Should any such person make application as aforesaid when said room is already occupied and the Commonwealth room of other hospitals the same locality is also occupied by such persons then the proper hospital shall at once set apart another such room for the applicant and treat and care for such patient or patients as herein required Provided however that if all the rooms of said hospital are occupied then the said applicant shall be entitled to occupy any such room as shall first become vacant

On the question,

Will the House agree to the section?

Mr. J. A. DUNN. Mr. Speaker, I desire to offer the following amendment:

The amendments was read by the Clerk as follows:

Section 2, line 3, after "hospitals" insert "in."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The third section was then read as follows:

Section 3 Before any appropriation to any hospital shall be available the proper hospital authorities shall certify to the Auditor General under the seal of such institution that such

room has been reserved and that all applicants qualified as hereinbefore set forth shall be cared for and treated as required by this act

On the question,
Will the House agree to the section?
Mr. J. A. DUNN. Mr. Speaker, I desire to offer the following amendment:
The amendment was read by the Clerk as follows:

Section 3, line 5, strike out "shall" and insert "will."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The fourth and fifth sections were then separately read and agreed to as follows:

Section 4 Should at any time any such hospital cease to maintain a room as aforesaid or refuse or neglect to care for and treat applicants qualified as aforesaid or fail or neglect to extend to such applicants all proper care and treatment the Auditor General shall upon due proof thereof refuse to authorize any further payment of money from this Commonwealth to such hospital
Section 5 All acts or parts of acts inconsistent with this act are repealed

The title of the bill was read as follows:

An Act requiring hospitals receiving appropriations from the Commonwealth maintain a free room for certain patients regulating the use of said room and regulating the care and treatment of such patients

On the question,
Will the House agree to the title?
Mr. J. A. DUNN. Mr. Speaker, I desire to offer the following amendments:
The amendments were read by the Clerk as follows:

Title, line 2, before "maintain" insert "to."
Title, line 2, strike out "a."
Title, line 2, strike out "room" and insert "rooms."
Title, line 3, strike out "room" and insert "rooms."

On the question,
Will the House agree to the amendments?
They were agreed to.
The tile as amended was then agreed to.
And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1363, as follows:

An Act to give the owner of a stallion or jack a lien on certain property for service rendered and providing a method for enforcing such lien
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the owner of any stallion or jack who has complied with the requirements of the Livestock Sanitary Board and the laws of Pennsylvania relating thereto shall have a lien on the mare served and on the offspring thereof for a period of twelve months after birth of such offspring for the payment of the service of the stallion or jack
Section 2 Such owner may enforce his lien by a writ of replevin issued out of the court of common pleas of the proper county and in any such case the defendant shall have the right to dissolve the writ upon filing a bond in double the value of the goods which bond shall be approved by court The plaintiff shall then have a right to collect his claim by an action upon the bond If no bond is filed then the plaintiff upon gaining possession of the property and giving notice for two weeks in at least three public places where the owner of such mare or offspring resides of his intention to do so may sell the mare or offspring or both at public sale and apply the proceeds of such sale to the payment of the amount due for such service and the expense of the seizure and sale returning the residue to the owner of the mare or offspring
Section 3 All acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1457, entitled:

An Act to amend the fourteenth section of an act entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred and eleven and providing for the incorporation of casualty companies for the insurance of glass against breakage upon the mutual plan

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the fourteenth section of an act entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred and eleven which reads as follows
"Section 14 Companies organized under this act for any one of the purposes of insurance mentioned in the first section of this act must have a capital of not less than one hundred thousand dollars except companies organized for the purpose of credit insurance must have a paid-up capital of not less than two hundred thousand dollars and companies organized to guarantee the fidelity of persons and contracts of suretyship must have at least two hundred and fifty thousand dollars" be and the same is hereby amended to read as follows
Section 14 Companies organized under this act for any one of the purposes of insurance mentioned in the first section of this act must have a capital of not less than one hundred thousand dollars except companies organized for the purpose of credit insurance must have a paid-up capital of not less than two hundred thousand dollars and companies organized to guarantee the fidelity of persons and contracts of suretyship must have at least two hundred and fifty thousand dollars Provided however That companies may be organized under this act for the purpose of insuring glass against breakage upon the mutual plan As soon as applications he made for insurance in said companies to the amount of twenty-five thousand dollars the Insurance Commissioner being notified thereof shall issue a certificate empowering said companies to issue policies and otherwise to do business for which they were organized in the same manner as certificates are issued to fire insurance companies doing business upon a mutual plan"

On the question,
Will the House agree to the section?
Mr. MOULTHROP. Mr. Speaker, I desire to offer amendment to this section.
The SPEAKER. The amendments will be read by the Clerk.
The Clerk then read the amendments as follows:

Section 1, line 18: After "have" insert "a capital of."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read and agreed to as follows:

An Act to amend the fourteenth section of an act entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred eleven and providing for the incorporation of casualty companies for the insurance of glass against breakage upon the mutual plan

And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1548, as follows:

An Act to amend sections fourteen and seventeen of an act approved June first one thousand nine hundred and eleven entitled "An Act to establish an Insurance Department authorizing the appointment of an Insurance Commissioner and prescribing his powers and duties also providing for the licensing examination regulation and dissolution of insurance and surety companies and associations and for the licensing and regulation of insurance agents and insurance brokers also providing for the collection of fees and prescribing penalties for the violation of any of the provisions of this act and repealing all existing acts"
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gen-

eral Assembly met and it is hereby enacted by the authority of the same That section fourteen of an act approved June first one thousand nine hundred and eleven entitled "An Act to establish an Insurance Department authorizing the appointment of an Insurance Commissioner and prescribing his powers and duties also providing for the licensing examination regulation and dissolution of insurance and surety companies and associations and for the licensing and regulation of insurance agents and insurance brokers also providing for the collection of fees and prescribing penalties for the violation of any of the provisions of this act and repealing all existing acts" which reads as follows

"Section 14 Companies to which certificates of authority are issued as provided in the preceding section shall from time to time certify to the Insurance Commissioner the names of agents who may be either individuals partnerships or corporations appointed by them to solicit risks in this State and no such agent either individual partnership or corporation shall transact business until he they or it has procured from the Commissioner a certificate showing that the company has complied with the requirement of this act and that the person either individual partnership or corporation named in said certificate has been duly appointed its agent

"Provided That in case a license is issued to a partnership or corporation every officer and every soliciting employee of such partnership or corporation shall be required to have an individual license under said act of Assembly and shall be subject to all penalties and other provisions of said act

"Provided further That as to corporations this section shall not apply to any which are engaged in any business other than insurance and real estate Certificates for agents of life insurance companies other than industrial shall be issued only upon the written application of persons copartnerships or corporations desiring such authority which applications shall be approved and countersigned by the company which such person co-partnership or corporation desires to represent and shall be upon a form prescribed by the Commissioner giving such information as he may require The Commissioner shall have the authority to refuse to issue or renew and to suspend or revoke certificates previously granted upon its appearing to his satisfaction that the person copartnership or corporation applying for or to whom a certificate has been previously granted has by misconduct violation of law or otherwise proved to be unfit or improper to hold such certificate Any one whose certificate has been refused suspended or revoked shall have the right to appeal to the court of Dauphin county in the manner appeals are now allowed by law from summary convictions which said appeal shall be promptly heard and determined by said court' is hereby amended to read as follows

Section 14 Companies to which certificates of authority are issued shall from time to time certify to the Insurance Commissioners the names of all agents appointed by them to solicit risks in this Commonwealth Such agents may be either individuals co-partnerships or corporations No agent shall transact any busines until a certificate has been procured from the Commissioner showing that the company has complied with the requirements of law and that the person co-partnership or corporation named in said certificate has been duly appointed as its agent No license shall be issued to a corporation unless by its charter it is authorized to engage in the insurance or real estate business

When a license is issued to a co-partnership or corporation every officer of the corporation and director thereof who engages in the business of soliciting insurance and each member of the co-partnership shall be required to have an individual license

Certificates to agents of life insurance companies other than industrial agents collecting premiums on the weekly or monthly plan shall be issued upon written application which application shall be approved and countersigned by the company to be represented and shall be upon a form prescribed by the Commissioner and which shall give such information as he may require The Commisioner may refuse to issue or to renew or may suspend or revoke any certificate when it shall appear to his satisfaction that the applicant for a certificate or the agent holding a certificate by misconduct or by misappropriation of collected premiums or by misrepresentation or by other means used to induce a transfer of a policy or otherwise has proved to be unfit to hold such certificate When a certificate shall be refused or suspended or revoked the party aggrieved may appeal to the Court of Common Pleas of Dauphin County

Section 2 Section seventeen of said act which reads as follows

"Section 17 An agent is a person firm or corporation authorized in writing by a company to solicit or countersign or issue policies of insurance in its behalf No person firm or corporation shall act as agent in this Commonwealth of an insurance company until there has been issued by the Commissioner a certificate showing that the company has complied with the requirements of this act and that the person firm or corporation named has been duly appointed its agent Any person firm or corporation transacting business within this Commonwealth as the agent of an insurance company without a certificate of authority as required by this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars" is hereby amended to read as follows

Section 17 An agent is an individual co-partnership or corporation authorized in writing by a company

(a) To solicit risks and collect premiums and to issue and countersign policies in its behalf or

(b) To solicit risks and collect premiums and countersign policies in its behalf

No individual co-partnership or corporation shall act as agent of any insurance company transacting business in this Commonwealth until a certificate has been issued by the Commissioner stating that the company has complied with the requirements of this act and that the individual co-partnership or corporation named therein has been duly appointed its agent

Any individual co-partnership or corporation transacting business within this Commonwealth as the agent of an insurance company without a certificate as required by this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1906 (Senate No. 872), entitled:

A supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry reservations by the Department of Forestry

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1850 (Senate No. 630), entitled:

An Act fixing the salary of the Second Assistant State Librarian

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1614, entitled:

An Act authorizing the attachment of wages or salary upon judgment obtained for necessaries limiting the amount of exemption to be claimed and providing for notice to debtor before attachment proceedings are instituted and exempting debtor from costs

The first, second, third, fourth and fifth sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That form and after the passage of this act whenever a judgment is obtained in any court of record or before an alderman magistrate or justice of the peace upon a contract for furnishing the necessaries of life and the defendant is a laborer or person engaged in public or private employment the wages of such laborer or the salary of such person shall be subject to attachment in the hands of the employer

Section 2 When an attachment execution is issued upon such judgment and wages or salary are attached in the hands of the employe if the amount in the hands of the employer shall be less than the amount of exemption allowed the defendant by law the debtor shall be entitled in his claim for an exemption to a sum amounting to ninety per centum and no more of the money so attached No deduction from the fund attached shall be permitted for costs but said costs shall be paid by the attaching creditor

Section 3 No attachment shall issue or be levied under this act unless and until the debtor has been given thirty (30) days previous notice by registered mail at his last known address of the intention to issue such writ and shall have failed within said period of thirty days to adjust such judgment to the satisfaction of his creditor

Section The provisions of this act shall only apply to judgments secured upon contracts for the necessaries of life furnished after the passage of this act

Section 5 All acts or parts of acts supplied hereby or inconsistent herewith be and the same are hereby repealed

The title was read as follows:

An Act authorizing the attachment of wages or salary judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs

On the question,

Will the House agree to the title?

Mr. MITCHELL. Mr. Speaker, I desire to offer amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1: After "salary" insert "upon."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1739, as follows:

An Act to provide for the protection of vehicular pedestrian and animal traffic under trolley wires on Public Highways in the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in all actions to recover from any owner for injuries sustained from any wire or electric current conductor charged with electric current breaking or becoming unfastened or falling or hanging down on or over any street or public highway for any reason or from any cause other than the act of God or the public enemy within the Commonwealth of Pennsylvania the fact that said wire or electric current conductor had been inspected at frequent intervals by employees of the owner shall not be a defense in proving that there was no negligence on the part of the owner of such electric wire or electric conductor and the fact of such wire or electric conductor breaking or becoming unfastened or falling or hanging down shall be deemed evidence of negligence on the part of the owner and the burden of disproving negligence shall be on the owner

Section 2 The word "owner" as used in the first section of this act shall include all individuals firms co-partnerships associations and corporations who may be either the owner of electric wires or electric conductors or the lessee of those otherwise in control

Section 3 All laws or parts of laws inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1916, as follows:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice."

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section seventy-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled 'An Act relative to the organization of the courts of justice" which reads as follows

"Section 78 The judges of the several courts of this Commonwealth shall have power to appoint a crier for the respective court and so many tipstaves or constables as may be necessary to attend upon the court and the said officers shall be paid by the respective counties such sum for each day's attendance as the said judge shall allow" is hereby amended to read as follows

Section 78 The judges of the several courts of this Commonwealth shall have power to appoint one or more criers for the respective court or courts and so many tipstaves or constables as may be necessary to attend upon the courts The said officers shall be paid by the respective county such sum for each day's attendance as the said judges shall allow except in districts where the compensation has been heretofore fixed or limited by law in which case such compensation shall remain as heretofore authorized

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1599, entitled:

A supplement to an act entitled "An Act for the government of cities of the third class" approved the day of Anno Domini one thousand nine hundred one creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said Department

The first, second, third, fourth and fifth sections were separately read and agreed to, as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That an additional executive department in the government of cities of the third class is hereby created to be known as the Department of City Planning which shall be in charge of a City Planning Commission consisting of five persons to be appointed by the mayor and councils In the first intance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth They shall serve without compensation and make annually to the mayor and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils

Section 2 The clerks of councils shall upon introduction furnish to the City Planning Commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public building of the city and to the location extension widening narrowing enlargement ornamentaion and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the city plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to councils in writing within ten days from the introduction of said ordinances and shall operate with the same force and effect as a veto by the mayor under existing laws

Section 3 The City Planning Commission may make or cause to be made and lay before councils and at its discretion cause to be published maps of the city or any portion thereof including territory extending five miles beyond the city limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public buildings civic centre street parkway park playground or an other public ground or public improvement or an widening extension or relocation of the same or any change in the city plan by it deemed advisable and it may make recommendations to councils from time to time concerning any such matters and things aforesaid for action by councils thereto and in so doing have regard for the present conditions and future needs and growth of the city and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 4 The City Planning Commission may make recommendations to any public authorities or any corporations or individuals in said cities with reference to the location of any buildings structures or works to be erected or constructed by them

Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of five miles outside thereof shall be submitted to the City Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the City Planning Commission The disapproval of any such plan by the City Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have been made actual appropriation of the same by entry use or improvement No sewer water or gas main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved Where the jurisdictional limit of five miles outside of the city limits as provided in this section may conflict with the zone of similar character connected with another municipality the

jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality

The sixth section was read as follows:

Section 6 All acts and parts of acts inconsistent with this act are repealed

On the question,
Will the House agree to the section?

Mr. MITCHELL. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Strike out Section 6 and insert the following: Section 6. It shall be proper for said cities to provide by ordinance for the exercise of all rights and powers herein conferred upon the City Planning Commission by a Park Commission or kindred municipal Bureau or Commission, authorized under existing laws. And no person holding office under the government of any of said cities, except the mayor, members of ccuncils or commisioners, shall be ineligible to serve as a member of a City Plannig Commission.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

Mr. MITCHELL. Mr. Speaker, I desire to offer amendment to this bill by adding Section 7.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

All acts and parts of acts inconsistent with this act are repealed

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.

The title was read as follows:

A supplement to an act entitled "An Act for the government of cities of the third class" approved the sixteenth day of May Anno Domini one thousand nine hundred one creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department

On the question,
Will the House agree to the section?

Mr. MITCHELL. Mr. Speaker, I desire to offer amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1. Insert after "act" and before "for" the word "providing." Insert after "for" the words "the incorporation and."
Title, line 2. Insert before "day" the word "twenty-third"; and before "Anno" the word "May."
Title, line 3. Strike out "nine hundred one" and insert in lieu thereof "eight hundred eighty-nine."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF VOTE.

Mr. ISLER. Mr. Speaker, I move that the vote by which House Bill No. 1739, entitled:

An Act to provide for the protection of vehicular pedestrian and animal traffic under trolley wires on Public Highways in the Commonwealth

was ordered transcribed for third reading be reconsidered.

Mr. KAISER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. ISLER. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

Mr. KAISER. I second the motion.

The motion was agreed to.

Mr. ISLER. Mr. Speaker, I move that the vote by which the title to this bill was agreed to be reconsidered.

Mr. KAISER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,
Will the House agree to the title?

Mr. ISLER. Mr. Speaker, I desire to offer amendments to the title.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Strike out the entire title and insert the following: An Act extending and defining the Liability of owners or operators of Electric Wires or Electric Current Conductors and declaring what shall Constitute Negligence in actions where Death, or injury to property has resulted on public highways, and declaring on whom the burden of proof shall be, and defining who shall be considered an owner under this act.

On the question,
Will the House agree to the amendments?
They were agreed to.
On the question,
Will the House agree to the title as amended?
It was agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1107, entitled:

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Adams,	Dickinson,	Jackson,	Missimer,
Allen,	Donahoe,	Jones, E. E.,	Moore,
Arthur,	Down,	Kaiser,	Moses,
Baldwin, R. J.,	Dunn, J. A.,	Kaufman,	Murphy,
Benninger,	Ely,	Keegan,	Musser,
Benson,	Ewing,	Keeport,	Newbaker,
Bergey,	Flynn,	Kennedy,	North,
Bigger,	Foster, J. D.,	Kern,	O'Neill,
Bittles,	Frey,	Kitts,	Perry, S. J.,
Blair, W. A.,	Geary,	Kuhn, H. P.,	Peters,
Blair, W. F.,	Geiser,	Kuhns, E.G.M.,	Piper,
Body,	Glenn,	Latshaw,	Price,
Brown,	Good,	Leslie,	Ramsey,
Brownlee,	Goss,	Letzkus,	Reeser,
Burnett,	Grabe,	Lohr,	Robinson,
Caldwell,	Gransback,	Lowers,	Rockwell,
Campbell, C.M.,	Gray, Joseph,	Mannion,	Rothenberger,
Carson,	Haggerty,	Matt,	Sassaman,
Carter,	Hemminger,	McAleer,	Semmens,
Claycomb,	Herman,	McAllister,	Shaffer, C. A.,
Cleary,	Heyburn,	McArdle,	Smith, J. W.,
Cochran,	Hibshman,	McCaig,	Snavely,
Collins,	Hobbs,	McClintock,	Snyder,
Conniff,	Hoffman,	McDermott,	Swartz,
Conrade,	Howard, R.,	McKay,	Thomas,
Cox,	Humes,	McNichol,	Ulman,
Currier,	Isler,	Mellott,	Wilson, J. H.,
Curry,	Irwin, G. C.,	Metzenbacher,	Young, J. H.,
Davis,	Irwin, H. H.,		Zimmerman,
DeFrees,			

NAYS—33.

Baldwin, G. A.,	Jones, J. R.,	Pennock,	Smith, L.,
Barner,	Light,	Post,	Spillinger,
Brosius,	Martin,	Redfield,	Swift,
Cheeseman,	Miller,	Reese,	Trach,
Forster, I. G.,	Mitchell,	Roney,	Walnut,
Gramley,	Morrow,	Schaeffer, A. C.	Whitman,
Gray, Frank,	Newton,	Scott, S. B.,	Wildman,
Hackett,	Peachey,	Sherwood,	Alter,
Heidinger,			Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 666, entitled:

An Act relating to the administering of oaths or affirmations to administrators executors committee or guardians to qualify them for the performance of their respective duties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. KITTS. Mr. Speaker, I desire the sponsor of this bill to give some information to the House as to what the bill purports to be.

Mr. DeFREES. Mr. Speaker, this bill having to do with legal procedure and my not being an attorney, I can say say that it was drawn by one of Warren's oldest attorneys. I can best tell you what the features of it are by reading a letter relative to the provisions of the bill which are written by this attorney, Mr. D. L. Ball. There have been some objections by some of the gentlemen of the House who have come to me and I asked the attorney who drew the bill to write me a letter relative to these objections and this is his letter.

Warren, Pa., April 29, 1913.

Hon. J. H. DeFrees,
Harrisburg, Pa.

Dear Mr. DeFrees:— I understand from you that objection is raised to your bill, House Bill No. 666, that it will interfere with the exercise of the discretion of the Register in appointing administrators, as he has a right to see the parties applying before him.

I think an examination of the bill will show that this objection does not have the force that at first blush it may appear to have.

In the case of executors, they are named by the testator in his will, and the objection raised would not apply in that instance.

In the case of committees, they are usually appointed by the Court at the instance or suggestion of the attorneys or parties interested, and rarely perhaps come under the personal observation of the judge; and at any rate, the act would not apply in that instance.

In the case of guardians, where the minor is above the age of 14 years, he chooses his own guardian, the Court exercising the discretion of approving or otherwise the choice. In such cases, it is rare that the guardian comes under the personal observation of the judge; at any rate, the act would not apply in that case.

In the case of administrators, the law designates the persons who have a right to administer, and the order of the right, upon the estate of the decedent. The order of right to administer upon the estate of the decedent, established by law, will rarely be interferred with by the Register, and probably never except upon the objection of interested parties.

Now it will be seen that the Act in question refers solely to the administering of the oath or affirmation to qualify the person for the performance of the respective duties of administrator, executor, committee, or guardian. That will not prevent the register from requiring the appearance before him of the applicant for letters of administration whenever in his judgment occasion should require it. Nor will it interfere in any degree with the petitions, or facts to be embodied therein, in the application for letters of administration.

The applicant for letters of administration cannot qualify by taking the oath or affirmation until his bonds required have been given and approved. This he may not be able to do always at the time when he makes his application and presents his petition for the appointment as administrator. There is certainly no good reason why the oath or affirmation required to qualify him should not be administered by any magistrate qualified generally to administer such oaths or affirmations. Its binding force, when authorized by law, will be just as binding upon the conscience and in law, as if administered by the Register; and the convenience of the party may be very much enhanced by the provisions of this Act.

The administering of oaths and affirmations generally by magistrates is matter of daily occurrance, in matters of not much less importance than that of qualifying to be an administrator.

Without going into further detail or enlarging upon the subject, I thing these suggestions will probably be sufficient to obviate the objection raised.

Very truly yours,

D. L. Ball.

That is largely the intent of this act—to accommodate the people in the rural districts and to save them long tiresome journeys in certain instances in cases where there is no objection raised.

Mr. LOWERS. Mr. Speaker, this bill has been on the postponed calendar for some several weeks, placed there by my request, I believe, on the part of the sponsor. This is an act relating to executors and administrators of legal documents qualifying them for their respective duties. The members of the bar who are familiar with the work in the office of the Register of Wills and ex-officio Clerk of the Orphans' Court, are fully aware that that office is the court of original jurisdiction in all matters of probate and of the granting of letters testamentary to administrators. They are also familiar with the fact that the man who administers the oath or affirmation to the administrator or executor not only does so in the way of administering an oath but he passes upon a question of law—in fact, the performance is more or less of a judicial act. The party administering the oath to the administrator or executor should have a knowledge of the probate law and the provisions of the laws bearing on probate and what the statute sets forth in the granting of the laws. It sets forth that the executors may be named, in that law. I have had some seven years experience as Deputy Register of Wills in Allegheny County with a population of something over a million people. Frequently a question is raised that can only be settled by one clearly familiar we have received a will and there is an appointment of the executor in that will that is so indefinite in its terms that to pass upon that question properly requires a great deal of experience and that experience can only be gained by a Register of Wills who is in a position to meet with all questions that arise in connection therewith. I believe that this bill should be defeated because it places a power in the hands of the Justices of the Peace or Notaries Public for which they are not equipped.

I can see no advantage in it. On the other hand, it might add to the cost and lessen the safeguards placed around the administering of the estates of the deceased. I am satisfied that the sponsor is simply fulfilling an obligation to some person in presenting this measure here, as he has been informed that a similar measure has been before probably two or three sessions of the Legislature and has been overwhelmingly defeated. Therefore I say to the members of the House at this time that I believe this is mischievous legislation and can do no good, and I hope you will vote it down.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Lowers.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. LOWERS. Yes, sir.

Mr. G. A. BALDWIN. Mr. Speaker, is the gentleman from Allegheny under the impression that this bill gives justices of the peace and notaries public any right to appoint administrators or guardians?

Mr. LOWERS. Mr. Speaker, when they take the oath to perform the duties of their office, it carries with it the appointment of the officer administering, and would necessarily carry with it the right to pass upon the question of the right to administer. That is a judicial question and should only be passed upon by the court of original jurisdiction, in other words, the Register of Wills.

Mr. G. A. BALDWIN. Mr. Speaker, the gentleman is certainly mistaken as to the principles of law; he is away off. This bill does not give the notary or the justice of the peace any right whatever to make an appointment. It simply gives them the right to administer the affidavit after the appointment has been made. As has been stated by the gentleman from Warren, it would be a great convenience to those from the rural districts, saving them time and money in trips to the county seat for the purpose of having oaths administered on appointments that have already been made. It would not affect the question raised by the gentleman from Allegheny at all. It seems to me that this is proper legislation.

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman from Beaver, Mr. Baldwin.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. G. A. BALDWIN. Certainly, Mr. Speaker.

Mr. LOWERS. Mr. Speaker, I would ask the gentleman from Beaver what is the first step in the taking out of letters of administration or testamentory.

Mr. G. A. BALDWIN. Mr. Speaker, there must be an application of course.

Mr. LOWERS. Mr. Speaker, where must this application be filed?

Mr. G. A. BALDWIN. Mr. Speaker, it might be verbal or it might be written, depending upon the rules of the court. Now, in the county I am from, they may be either verbal or written. There is no statute requiring them to be in writing.

Mr. LOWERS. Mr. Speaker, but it is proposed that they shall go before a notary public or justice of the peace, and there the question as to whether or not they have the right to administer be passed upon by them, and that necessarily would be the justice of peace who would take their affdavit and swears them in.

Mr. G. A. BALDWIN. Mr. Speaker, no. The appointment must be made by the proper officer. The letters must be issued by the Register of Wills. They have merely the power to swear the person to whom the letters are directed to proceed with the duties of the appointment.

Mr. LOWERS. Mr. Speaker, then the applicants must appear before either the Orphans' court or the Register of Wills, to make application, do they not? The right to administer is passed upon by the proper officer?

Mr. G. A. BALDWIN. Mr. Speaker, if the Register so desires, he may require attendance in person, therefore this bill would do no harm.

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman further. After the court or the Register of Wills has made the appointment, does it not follow necessarily that the affidavit is made at that time?

Mr. G. A. BALDWIN. Mr. Speaker, it does not. He may have trouble to get his bond, and it may take a week or a month. He has necessarily got to go home to get his bond. Why should he be brought back to the courthouse before the Register under circumstances like that?

Mr. LOWERS. Mr. Speaker, I desire to interrogate the gentleman further. Does the gentleman mean to tell me that letters of administration or testamentary are granted before a bond is taken?

Mr. G. A. BALDWIN. Mr. Speaker, they are not actually granted until a bond is filed and approved, but the applicant may be satisfactory to the Register of Wills. The actual granting of letters and administering of the oath may be merely a formal procedure. There is no occasion whatever for the parties to be brought before the Register.

Mr. LOWERS. Mr. Speaker, I am satisfied that the gentleman from Beaver has never yet in his practice as a member of the bar seen cases where the administrator or the executor has been sworn in before all the requirements of the law as to bond had been made, and I think the gentleman is mistaken in his assertion that cases of this kind are on record.

Mr. G. A. BALDWIN. Mr. Speaker, I have not said that at all. I said that the oath of office may be administered at a later date than that on which the applicant appeared before the Register to request that letters be granted to him. He may go home, and get his bond filled out; then under the law as it now stands he has to go back to the courthouse to the Register and be sworn in. There is no reason whatever why the law should not be made that the affdavit may be made before a justice of the peace or notary public and then mailed to the Register.

Mr. LOWERS. Mr. Speaker, in Allegheny County we have about this system in the matter of granting letters of administration. The applicant appears before the Register of Wills with his sureties and at that time makes formal application and bond filled out, and the bond noted in the bond book, which remains in the office at all times. Then the order is made granting the letters. If this application were made before a justice of the peace or notary public, a fee would have to be paid that notary public or justice of the peace for taking the affidavit, and that application then of necessity would have to be sent to the office of the Register of Wills, there to be passed upon by him as to the right of administering. Without the parties applying appearing before him, he would be unable to interrogate them and arrive at whether or not they were entitled under the law to serve in that capacity. I think that this would bring about a very loose practice. In fact, at the present time, in making application for a marriage license, a justice of the peace or a notary public can take the affidavit on the application for a marriage license, and I want to say to this House that fully fifty per cent. of the applications that come into our office in Allegheny County are erroneously drawn up, and in many instances the law has been overlooked in the matter, and has brought about considerable hardship and expense to those applicants. I cannot see any benefit in this bill, but I can see a great deal of harm and added cost to the cost of administering of the estate.

Mr. ROCKWELL. Mr. Speaker, I think the gentleman from Allegheny misconceives the purpose of this bill. The purpose is not to add additional trouble nor expense, but to save expense. The idea is here. I can see that in the County of Allegheny, where the county is so nearly contigous to the Register's office, that this bill might not be any good, but take it out in a county in the State where the administrator or guardian lives possibly 20, 30 or 40 miles from the county seat, he may be appointed guardian by law and not appear before the court. And I say it will save him the expense of going from his home to the county seat, which may be five or ten or fifteen dollars. He can go before a justice and take the oath that he solemnly swears that he will perform the duties as guardian with fidelity, according to law. That oath is to be sent to the Register's office and filed. It is simply for the purpose of saving expense. I can see no hardship, as it has nothing to do with the appointment, and it is only the final winding up of the appointment as far as the guardian, administrator or executor is concerned; it is simply filing an oath that he will conform with the law. We might have a case where a man was appointed executor in one county to another. A gentleman dying in Allegheny County may appoint an executor in the County of Dauphin, and there all the processes of taking out letters might be fulfilled except the final thing of taking the oath, and here the oath might be made out in the City of Harrisburg and sent to Allegheny, saving $10, $15 or may be $20 of expense for the executor going there. That is all the purpose of the bill is, to save expense.

Mr. LOWERS. I move that House Bill No. 666 be recommitted to the Committee on Judiciary General for the purpose of amendment—cutting out counties of over one million population.

POINT OF ORDER.

Mr. ROCKWELL. I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. ROCKWELL. Mr. Speaker, the point of order is that the bill has passed third reading.

The SPEAKER. The point of order is well taken.

Mr. LOWERS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. KENNEDY. Mr. Speaker, I second the motion.

The motion was not agreed to

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—91.

Adams,	Gibson,	Latshaw,	Richards,
Alworth,	Grabe,	Light,	Rockwell,
Baldwin, G. A.,	Gramley,	Lohr,	Runk,
Barner,	Gransback,	Martin,	Schaeffer, A. C.
Benninger,	Gray, Frank,	Mather,	Scott, J. R. K.,
Benson,	Haggerty,	Matt,	Scott, S. B.,
Bittles,	Heidinger,	McAleer,	Shaffer, C. A.,
Blair, W. A.,	Hemminger,	McClintock,	Shaffer, I. E.,
Bleloch,	Herman,	McDermott,	Showalter,
Brosius,	Hess,	McKay,	Smith, J. W.,
Burnett,	Hibshman,	Miller,	Smith, L.,
Campbell, J.J.	Hobbs,	Mitchell,	Snavely,
Carson,	Howard, R.,	Morrow,	Snyder,
Cheeseman,	Humes,	Moses,	Spillinger,
Claycomb,	Irwin, G. C.,	Musser,	Strauss,
Cleary,	Irwin, H. H.,	Newton,	Swift,
Cochran,	Jones, E. E.,	Peachey,	Walnut.
Conniff,	Jones, J. R.,	Pennock,	Whitman
Curry,	Kaufman,	Perry, H. L.,	Williams,
DeFrees,	Kern,	Peters,	Wiltbank,
Down,	Klepper,	Piper,	Young, G. K.,
Dunn, H. B.,	Kuhn, H. P.,	Post,	Alter,
Forster, I. G.,	Lanius,	Redfield,	Speaker.

NAYS—67.

Allen,	Ewing,	Lenker,	Rhoads,
Baldwin, R. J.,	Fahey,	Lowers,	Roney,
Bass,	Flynn,	Mannion,	Rothenberger,
Becker,	Foster, J. D.,	McAllister,	Sassaman,
Bergey,	Frey,	McArdle,	Semmens,
Bigger,	Geiser,	McCalg,	Sherwood,
Blair, W. F.,	Goss,	Mellott,	Spangler,
Body,	Gray, Joseph,	Meixner,	Steele,
Brown,	Hackett,	Moulthrop,	Trach,
Brownlee,	Heyburn,	Murphy,	Ulman,
Caldwell,	Isler,	Neel,	Watson,
Campbell, C.M.,	Jackson,	Newbaker,	Whitaker,
Carter,	Keegan,	Perry, S. J.,	Wildman,
Conrade,	Keeport,	Price,	Wilson, J. H.,
Davis,	Kennedy,	Ramsey,	Wilson, W. H.,
Dickinson,	Kitts,	Reese,	Zimmerman,
Donahoe,	Kuhns, E.G.M.,		
Donnally,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1594, as follows:

An Act to amend section ten of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medicial Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act approved the third day of June one thousand nine hundred and eleven entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" which reads as follows

"Section 10 Each appointed member of the said bureau shall receive an annual salary of fifteen hundred dollars ($1,500) and the Superintendent of Public Instruction and the Commissioner of Health five hundred dollars ($500) each and the secretary and treasurer an additional five hundred dollars ($500) in addition to the necessary traveling expenses properly incurred and certified to by the secretary of the said bureau" is hereby amended to read as follows

Section 10 Each appointed member of the said bureau receive an annual salary of fifteen hundred dollars ($1,500) and the secretary and treasurer an additional five hundred dollars ($500) in addition to the necessary traveling expenses properly incurred and certified to by the secretary of the bureau The Superintendent of Public Instruction and the Commissioner of Health shall serve without compensation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. BERNTHEISEL. Mr. Speaker, this is evidently an evidence of an effort to prune the dual job holders, but here we have an unusual condition—pruning the salary without lopping off any of the work. The statute as it now exists and as it will continue to exist, whether or not this bill is passed or defeated, provides that the Superintendent of Public Instruction and the Commissioner of Health shall serve on the Medical and Dental Board. Now these men perform actual, positive service as members of that Board, for which they are now paid five hundred dollars. If this amendment goes through they are asked to serve gratuitously. It is our right to be economic but I think it is another thing to be parsimonious. In the absence of any evidence that these men are not doing the duties required of them, or that they are incompetent, I think it unwise and unfair to pass a bill of this character.

Mr. GEISER. Mr. Speaker, this bill is in line with the abolition of dual office holding. It affects the Superintendent of Public Instruction and the Commission of Health and I submit that their duties in serving on these Boards are nominal and the salaries are outrageous. I will read to you a part of the testimony of the Superintendent of Public Instruction as testified to by him under oath before the Dual Office Investigating Committee.

"Dr. Nathan C. Schaffer, having been duly sworn according to law, was examined as follows:

By Mr. Roney:

Q You are the Superintendent of the Department of Public Instructions?

A Yes sir.

Q And as such, your salary is what?

A $5,000.00

Q Do you hold any other position under any department of the State Government, for which you receive extra compensation?

A Yes sir.

Q What are those departments, and what is the compensation paid in each?

A I am member of the Bureau of Medical Education and Licensure, and Secretary and Treasurer. As a member, I receive $5,000.00 compensation by the Act of Assembly, and as Treasurer and Secretary, I receive $500.00 more, by the Act of Assembly.

Q Does the Act of Assembly make the member of the Bureau of Medical Education and Licensure the Superintendent of Public Instruction?

A Yes sir.

Q And fixes the salary?

A Yes sir.

Q Does the Act of Assembly also make the Superintendent of Public Instruction, who is a member of the Board of Examination and Licensure, also Secretary and Treasurer?

A No, sir, the Bureau elects its Secretary and Treasurer.

Q What other position do you hold in any other department?

A I am——

Q Secretary and Treasurer of the Dental Council?

A Secretary and Treasurer of the Dental Council; yes, sir. I receive $500.00 for that.

Q Is that created by Act of Assembly?

A The Act of Assembly makes me ex-officio member of that Board, and the Board elects me the Secretary and Treasurer, and fixes the salary.

Q As a member of the Bureau of Medical Education, how frequently do you attend meetings? How frequently does the Bureau meet?

A The truth is, I cannot tell that without looking up the minutes, but our meetings have been very frequent.

Q As Secretary and Treasurer of the Bureau of Medical Education, what are your duties?

A As Treasurer, I collect the examination fees and pay them over into the State Treasury. As Secretary we have to pass on the credentials of all the people who come up for the examination for licensure to practice medicine in the State of Pennsylvania. Then all of the work connected with reciprocity falls on our Bureau. In addition to that, we have to visit the medical colleges every year, and make a report on them. We have numberless questions to answer; thousands of blanks to send out.

Q Does this entail much extra work on your part?

A It does entail a good deal of work, and almost daily, when I come to the office, there is something I have to look after.

Q As Secretary and Treasurer of the Dental Council, does that entail much extra work?

A Yes, that does; in the same way.

Q Will you elaborate on that?

A Yes, sir; as Secretary——only in that case the fees are not paid into the State treasury, but are paid into the Board of Examiners."

I simply claim that his services are nominal and they are not entitled to be paid. I respectfully ask the members of this House to do away with these side salaries in this instance.

Mr. HESS. Mr. Speaker, I would like to interrogate the gentleman from Northampton (Mr. Geiser).

The SPEAKER. Will the gentleman from Northampton permit himself to be interrogated?

Mr. GEISER. Yes, sir.

Mr. HESS. Mr. Speaker, we are at some distance and I did not understand what report he is reading from.

Mr. GEISER. I was reading from the testimony of Dr. Nathan C. Schaeffer before the special committee appointed under House Resolution No. 10, known as the Dual Office Investigating Committee.

Mr. HESS. Mr. Speaker, I would like to ask the gentleman from Northampton on what day that testimony was given?

Mr. GEISER. Mr. Speaker, the minutes here are very faint and not dated, but to the best of my knowledge it was about three days before the committee made its final report to his House.

Mr. HESS. Mr. Speaker, I would like to ask the gentleman on what day the committee made its final report to this House?

Mr. GEISER. Mr. Speaker, the record will show. I do not recall. It was two weeks ago this morning, I think.

Mr. HESS. Mr. Speaker, I would like to ask the gentleman from Northampton on what day he introduced this bill.

Mr. GEISER. Mr. Speaker, on March 17th.

Mr. HESS. Mr. Speaker, this bill was then introduced several weeks before he had the report that he has read to this House?

Mr. GEISER. Mr. Speaker, it was.

Mr. HESS. Mr. Speaker, this bill was introduced on March 17th and the gentleman admitted that this report was handed into this House two weeks ago and that the testimony was given to the Committee three days before the report was handed in.

Mr. Speaker, I would like to know in what manner the evidence was handed into that committee and inspired this bill. This is what the bill does. It provides that the Superintendent of Public Instruction and the Commissioner of Health shall still continue to do exactly the same work they do now and that they shall do it gratuituously. Now I admit to this House, gentlemen, whether or not the Superintendent of Public Instruction of Pennsylvania is being overpaid at a salary of five thousand dollars a year. The Superintendent of Public Instruction of the State of New Jersey receives ten thousand dollars a year. The Superintendent of Public Instruction of the State of New York, receives ten thousand dollars a year. I do not believe there is any doubt in the minds of any members of this House that the duties of the Superintendent of Public Instruction of the Commonwealth of Pennsylvania are just as important and just as arduous as the duties of the Superintendent of Public Instruction of either New Jersey or New York. He attempts to say to this House that the duties of serving on this Board as a member of the Board of Education and Licensure and the Member of the Dental Board are only nominal, and amount to very little.

This is what the Superintendent of Public Instruction tells me his duties are as secretary of the Bureau of Medical Education and Licensure.

1. Correspondence which my clerks cannot answer, and which consumes considerable time every day, obliging me to work extra hours in my office.
2. Visiting the medical colleges officially.
3. Conducting the examinations at Harrisburg.
4. Supervisng the issue of licenses, every one of which must be properly made out, engrossed and recorded in the Department of Public Instruction.
5. Deciding disputed cases which come before the Bureau and the Dental Council.
6. Advising and passing on cases of reciprocity, courses of study, and examination admissions.
7. Between fifteen and twenty thousand dollars are handled in the course of a year, for which I am personally responsible. If mistakes are made, I make up the deficiency from my own purse.
8. Routine work is done by my clerks, but new questions and disputed cases are brought before me personally.
9. Before I took this work two persons gave it up in despair. Many questions require a university training, and it was this training in my student days which has enabled me to pass upon credentials in foreign languages, and upon multitudes of questions which only men of university training can decide.

My work in these lines is expert work, and gives me more real annoyance and trouble than the regular work of the Department of Public Instruction. The magnitude and difficulty of this work no one can estimate until he tries his hand at it.

His entire income as a member of this Bureau, or as Secretary of this Bureau and as the Superintendent of Public Instruction is five thousand dollars, plus five hundred dollars, plus five hundred dollars again as Secretary, or six thousand dollars a year in all. I submit to this House that this sum of six thousand dollars a year is not extravagant, and I trust that the members will vote down this bill.

Mr. GEISER. Mr. Speaker, it is true that I introduced this bill on the seventeenth of March. That was made necessary by the motion adopted setting the day as the end of the time in which bills could be introduced. There were three or four other bills which I expected to have placed on the Calendar, and I had this bill placed on the postponed calendar in order that one explanation might cover all the bills.

Mr. HUMES. Mr. Speaker, the gentleman from Lancaster, Mr. Hess, seems to undertake to convey the impression to this House that the duties to which he has referred as being performed by the Superintendent of Public Instruction. will, under this act, be performed by him without compensation. That is a very erroneous impression. This bill simply provide that the two men who receive an annual salary from this Commonwealth of Pennsylvania, in return for which they are presumed to give their time and their ability to the Commonwealth of Pennsylvania by every way which they can shall not receive the additional salary of five hundred dollars a year as members of this Board, but this act does provide that the Board of Medical Education and Licensure shall employ a Secretary and a Treasurer at the salary of five hundred dollars a year. If that Board shall elect, as they have done heretofore, the Superintendnt of Public Instruction as that secretary, there is nothing in this act that takes away from him that salary of five hundred dollars a year. It only takes away his salary as a member of the Board, and also the salary of Commissioner of Health. And the duties to which the gentleman from Lancaster as referred here are the duties performed by the secretary of that Board and the salary of the secretary is not disturbed by the provisions of this bill. A few weeks ago, in conversation with the Commissioner of Health on this subject, he said to me that he protested to the Legislature of 1911 not to give him that salary of five hundred dollars a year as a member of that Board, because he considered when he was employed by the Commonwealth of Pennsylvania that it was his duty to give whatever aid he could along the medical and educational lines to the Commonwealth, and as a member of that Board it was his duty to serve the Commonwealth in whatever way he could, but to be connected up with the paltry salary of five hundred dollars, he considered, was an insult. That is the position taken by the Commissioner of Health, and its strikes me that the same condition exists as to the Superintendent of Public Instruction. He is employed by the Commonwealth to aid in every way he can to promote the educational facilities of the Commonwealth, and I say it is an insult to him to undertake to say that he shall be given the paltry sum of five hundred dollars a year for the work in the nature of a dual salary, for performing duties at the occasional meetings of the Board. For performing the duties of secretary, there is no doubt that if the Board sees fit to elect him, there is nothing in this bill to disturb the receipt by him of the five hundred dollars a year for performing the duties of the secretary and treasurer as referred to in the bill.

Mr. HESS. Mr. Speaker, if the gentleman from Crawford, Mr. Humes has succeeded in convincing any of the members of the House that it is going to be an insult if you will give to the Superintendent of Public Instruction the same salary that he is now receiving for his services, and in serving as a member of the Board as has been referred to, I wish to disabuse your minds of the fact and say to you that you will not insult him. Is it not economical to have a man of the calibre of our Superintendent of Public Instruction serving on the Board, to serve as this secretary and perform the nature of work that he does and receive for that work only a thousand dollars? This bill simply strikes away half of that money and you are asking him to do the same amount of work. In other words, he does the same amount of work as heretofore, but receives only five hundred dollars a year for it. It is bound to be economical, and every man of the same calibre doing the same work in the States that surround us is receiving a vastly larger salary. I take it, gentlemen, that this six thousand dollars a year as the total income of our Superintendent of Public Instruction for those three jobs, in spite of the fact that the other men in the same position in other States receive ten thousand dollars a year for one job, is not too much money to give him, and I trust this House will vote this bill down.

The question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—81.

Allen,	Conniff,	Kennedy,	Newbaker,
Becker,	Donahoe,	Kern,	Newton,
Benninger,	Donnally,	Kitts,	Peachey,
Benson,	Dunn, H. B.,	Klepper,	Pennock,
Bergey,	Foster, J. D.,	Kuhns, E.G.M.,	Peters,
Bittles,	Geiser,	Lanius,	Post,
Blair, W. A.,	Glenn,	Latshaw,	Roney,
Blair, W. F.,	Good,	Lenker,	Rothenberger,
Bleloch,	Goss,	Light,	Sassaman,
Body,	Grabe,	Lohr,	Schaeffer, A. C.

Brown,	Gramley,	Lowers,	Scott, J. R. K.,
Brownlee,	Gray, Frank,	Mannion,	Semmens,
Burnett,	Gray, Joseph,	Matt,	Shaffer, I. E.,
Caldwell,	Hemminger,	McDermott,	Smith, J. W.,
Campbell, J. J.,	Herman,	Mellott,	Snavely,
Carter,	Howard, R.,	Metzenbacher,	Snyder,
Cheeseman,	Humes,	Miller,	Strauss,
Claycomb,	Isler,	Moses,	Trach,
Cochran,	Jackson,	Moulthrop,	Ulman,
Collins,	Keegan,	Musser,	Wilson, J. H.,
			Zimmerman,

NAYS—78.

Adams,	Fahey,	McArdle,	Shern,
Alworth,	Forster, I. G.,	McCaig,	Sherwood,
Baldwin, G. A.,	Frey,	McClintock,	Showalter,
Baldwin, R. J.,	Gransback,	McKay,	Smith, L.,
Barner,	Hackett,	McNichol,	Spangler,
Bass,	Haggerty,	Mitchell,	Spillinger,
Berntheizel,	Hess,	Morrow,	Steele,
Bigger,	Heyburn,	Murphy,	Swartz,
Brosius,	Hibshman,	Neel,	Swift,
Campbell, C.M.,	Hobbs,	Perry, S. J.,	Thomas,
Cleary,	Irwin, G. C.,	Piper,	Walnut,
Conrade,	Jones, E. E.,	Ramsey,	Whitaker,
Cox,	Jones, J. R.,	Redfield,	Whitman,
Currier,	Kaiser,	Reese,	[illegible]man,
Curry,	Keeport,	Reeser,	Williams,
DeFrees,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Dickinson,	Martin,	Robinson,	Wiltbank,
Dunn, J. A.,	Mather,	Rockwell,	Young, J. H.,
Ely,	McAleer,	Scott, S. B.,	Alter,
Ewing,	McAllister,		Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

MOTION TO RECONSIDER VOTE.

Mr. PEACHEY. Mr. Speaker, I move that the vote by which House Bill No. 479, file folio 2295, entitled:

An Act to amend section five hundred sixty-one of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven

was defeated on third reading on May 24th, be reconsidered.

Mr. HEMMINGER. Mr. Speaker, I second the motion.

The SPEAKER. The question is on the motion to reconsider the vote on House Bill No. 479.

Mr. LOHR. Mr. Speaker, the Legislature of 1911 in enacting the School Code in its wisdom saw fit to change that provision that no premium or discount be allowed to those who paid a tax before a certain date. I think the action of that session of the Legislature should be sustained at this time. I think there is no occasion why this bill should be passed or why that law should be changed. In most of the districts of the State the money is not needed before October first. The full amount of the school tax as levied and should then be paid but not before, because if it is paid prior to that time, the money is allowed to remain in the banks and in many cases receiving no money and no interest for the persons who have paid the tax and, consequently, does not benefit the school districts any. Therefore, I think the action of the session of the Legislature of 1911 was a wise provision and should remain. This bill ought to be defeated as it was defeated the last time.

Mr. MITCHELL. Mr. Speaker, I feel as much interested in this measure as though I were the sponsor of it. Our school board in Erie suggested this amendment to the school code and it is the only one in respect to which they suggested an amendment to the school law. They are completely satisfied with it, otherwise, and this is the only suggestion that has been made and I had in mind the offering of such a bill at this session but when I found it had already been introduced there was no necessity for that. Our school board in Erie by unanimous vote, are in favor of this amendment to the Code. It merely permits a five per cent discount if the school taxes are paid before the first of October. Between October first and February they are net and after the first of February a penalty of five per cent is imposed. We enjoy a discount on other taxes and our board believes that this will prove salutary and enable them to collect taxes more closely and more speedily. The amount could be added and it would make no difference in the returns to the school board; it is a sort of moral change and that is all. The taxpayer thinks he is getting something; possibly he is not but at any rate, it induces him to pay his taxes earlier and enables the board to collect the taxes more closely and I can see no possible objection to it. Those who live in the first class school districts enjoy that privilege. I sincerely hope the House will pass this bill.

Mr. C. M. C. CAMPBELL. Mr. Speaker, this bill will change the manner of collecting taxes and will be a detriment, in my opinion, to every board in the State. The penalty goes on now on the first of October, of five per cent. Under this bill of Mr. Light's he gives a rebate of five per cent. up to the first of October and any man knows that when you give a rebate—that when you take a thing off in one way you have to put it on in another. This is in the interest of the monied man; every time it is in the interest of the man who can pay and the man who wants to take advantage of the rebate, but the man who cannot take advantage of it, must pay, proportionately a larger amount of money in taxes. The worst feature of this bill is that the penalty does not go on until February, which makes it almost impossible for any collector of the school taxes to get his accounts into proper shape and for the district to get the proper amount of money for the needs of the school.

Mr. MITCHELL. Mr. Speaker, will the gentleman from Allegheny permit himself to be interrogated?

The SPEAKER. Will the gentleman from Allegheny, Mr. C. M. C. Campbell, permit himself to be interrogated?

Mr. C. M. C. CAMPBELL. Mr. Speaker, yes, sir.

Mr. MITCHELL. Mr. Speaker, I would like to ask the gentleman why the taxpayers of the first class townships have the benefit of a discount and others don't?

Mr. C. M. C. CAMPBELL. Mr. Speaker, I don't know that first class townships do have that benefit—do they?

Mr. MITCHELL. Mr. Speaker, I believe they do.

Mr. C. M. C. CAMPBELL. Mr. Speaker, does the gentleman mean first class districts? The first and second I believe do get that.

Mr. MITCHELL. Mr. Speaker, why should they get them and not others?

Mr. C. M. C. CAMPBELL. Mr. Speaker, I cannot say that. They should not get them; I suppose it is their mode of collecting taxes. When I was on the Educational Committee last time, I was very much opposed to passing a law that didn't give a rebate but the gentleman who represented the State Board, Mr. Riley, from Erie, persisted that that was the way they collected taxes in the City of Erie and that there was no district that collected them so well and so effectively as the City of Erie. I want further to state that in my own district I asked how the collection of taxes came along and they said they collected them better now under the new act than ever before.

The SPEAKER. The question recurs on the adoption of the motion to reconsider the vote by which House Bill No. 479 was defeated.

Whereupon, a division was called for and forty gentlemen having voted in the affirmative and seventy-three in the negative,

The motion was not agreed to.

BILL ON SECOND READING.

Mr. REESER. Mr. Speaker, I ask unanimous consent to call up from second reading calendar of yesterday, page 38, House Bill No. 451. The reason I didn't call it up before is because I did not have the amendment, which I wish to offer, from the Reference Bureau.

The SPEAKER. The Chair hears no objection and the Clerk will read the bill.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 451, entitled

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act there shall be paid by the Commonwealth of Pennsylvania a reward or bounty for the killing within the Commonwealth of certain noxious animals as follows For each wildcat the sum of four dollars for each gray fox the sum of two dollars for each weasel the sum of two dollars each hawk the sum of fifty cents for each owl the sum of fifty cents and for each porcupine fifty cents

On the question,
Will the the House agree to the motion?

Mr. REESER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 1, lines 4 and 5: Strike out "there shall be paid by the Commonwealth of Pennsylvania."
Section 1, line 5: After "bounty" insert "shall be paid by this Commonwealth."
Section 1, line 6: After "Commonwealth" insert "only." Strike out "certain" and insert the following: After "animals" insert "and birds."
Section 1, line 10: After "each" and before "hawk" insert hen hawk "duck hawk or goshawk or pigeon hawk." Strike out "hawk" after "each." After "each" and before "owl" insert "great-horned."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The second section of the bill was read as follows:

Section 2 It shall be the duty of any person who having killed one of these animals within the Commonwealth and being desirous of securing the reward or bounty named in section one of this act to produce such slain animal or the entire pelt thereof before any magistrate or alderman or justice of the peace of the county in which said animal was killed and to make affidavit that he or some member of his family killed the same stating clearly the time of such killing and that the place at which such animal was killed (naming it) was within the Commonwealth of Pennsylvania Upon the production of such animal or pelt and the making of such affidavit the magistrate or alderman or justice of the peace as may be shall in the presence of the party making such affidavit and at least one elector of the county of which the claim is made cut off the ears from such animal or pelt and burn the same and split the skin of the face of the animal from between the eyes through the end of the nose

On the question,
Will the the House agree to the motion?

Mr. REESER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 2, line 2: After "animals" insert "or birds."
Section 2, line 4: After "animal" insert "or bird."
Section 2, line 5: Strike out "thereof" and insert "of such animal."
Section 2, lines 5 and 6: Strike out "magistrate or alderman or justice of the peace of" and insert "person authorized to administer oaths in."
Section 2, line 6: After "animal" insert "or bird."
Section 2, line 9: After "animal" insert "or bird."
Section 2, line 11: After "pelt" insert "or of such bird."
Section 2, line 12: Strike out "magistrate or alderman or justice of the peace as may be" and insert "said official."
Section 2, line 15: After "pelt" insert "or the head of such bird."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The third section of the bill was read as follows:

Section 3 Upon the destruction of such ears and the splitting of the skin of the face of such animal the said official shall give to the party making such affidavit a certificate directed to the commissioners of the county in which he has jurisdiction setting forth clearly the fact that the provisions of this act have been complied with naming the kind of animal killed the name of the person killing it the time it was killed and the name of the place within the Commonwealth where it was thus killed Upon the presentation of such certificate in proper form the commissioners of the county shall give an order for the amount named in such certificate to the person presenting the same drawn upon the county treasurer directing the payment of the reward or bounty as provided for in this act and the County Treasurer shall at once upon presentation of said order pay the same from the funds in his hands belonging to said county

On the question,
Will the House agree to the section?

Mr. REESER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 3, line 1: After "ears" insert "or head."
Section 3, line 6: After "animal" insert "or bird."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The fourth section of the bill was read and agreed to as follows

Section 4 The county commissioners of the several counties of this Commonwealth shall keep an accurate account of all applicantions made to them for bounty under the provisions of this act and shall on or about the first day of January and the first day of June of each year prepare and forward to the Auditor General of the Commonwealth at Harrisburg an itemized statement to be prepared upon a form supplied by the Auditor General at the cost of the Commonwealth of all the several amounts directed by them to be paid between the aforesaid dates and under the provisions of this act making affidavit thereto and accompying the same by a sworn statement of the county treasurer setting forth the fact that the several amounts were actually paid by him in compliance with said orders and the Auditor General shall if he finds the before named return in proper form draw a warrant in favor of such county upon the State Treasurer for the amount so claimed and approved which said warrant upon presentation to the State Treasurer shall be paid out of the appropriation hereafter provided

The fifth section of the bill was read as follows:

Section 5 No person shall at any time be paid a bounty for the killing of any animal named in this act the skin of which has had the ears cut off or the front of the face split before presentation to the person authorized to take affidavits under the provisions of this act and no person shall at any time collect or attempt to collect a second bounty for the killing of any animal under the provisions of this act or shall attempt to collect such bounty through the presentation of the skin or any part thereof of an animal not named in this act or through deception of any character and it shall be unlawful for any person in this Commonwealth to present for the purpose of securing the bounty provided for by this act the skin or any part thereof of an animal that has been reared in captivity or the skin or any part thereof of any animal killed or captured outside of this Commonwealth Each and every person who shall willfully or fraudulently collect or attempt to collet any reward or bounty provided for by this act to which he or they are not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in an attempt to defraud the State through the collection or payment of any reward or bounty provided for by this act shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth of Pennsylvania a penalty of not less than one hundred dollars or more than five hundred dollars or suffer an imprisonment in the common jail of the county for a period of one day in jail for each dollar of penalty imposed

On the question,
Will the House agree to the section?

Mr. REESER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 5, line 4: After "split" insert "or of any bird which has had the head cut off."
Section 5, line 7: After "animal" insert "or bird."
Section 5, line 9: After "skin" insert "or head." After "animal" insert "or bird."
Section 5, line 13: After "skin" insert "or head." After "animal" insert "or bird."
Section 5, line 14: After "skin" insert "or head."
Section 5, line 15: After "animal" insert "or bird."
Section 5, line 26: Strike out 'penalty and insert "fine."
Section 5, line 29: Strike out "penalty" and insert "fine."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The sixth section of the bill was read as follows:

Section 6 That the sum of one hundred thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated for the purpose of carrying into effect the provisions of this act during the coming two (2) years beginning with June first one thousand nine hundred and thirteen It being specifically understood that this entire amount thus appropriated for this purpose shall be returned to the State Treasury for the use of the Commonwealth through collections made under the provisions of the act requiring resident hunters to secure a license before hunting in this Commonwealth

On the question,

Will the House agree to the section?

Mr. REESER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Section 6, line 4: Strike out "coming."
Section 6, line 5: Strike out "(2)." Insert before "years" the word "fiscal."
Section 6, line 6. After "thirteen" insert "but no bounty shall be paid on any animal or bird killed prior to the passage of this act."
Section 6, line 8: After "Commonwealth" insert "by putting into the General Funds of the Commonwealth fifty per centum of the amount obtained."
Section 6, line 11: After "Commonwealth" insert "until one hundred thousand dollars have been so returned."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The seventh section of the bill was read and agreed to as follows:

Section 7. All acts or parts of acts inconsistent with this act are hereby repealed

The title of the bill was read as follows:

An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions

On the question,

Will the House agree to the title?

Mr. REESER. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Title, line 2: After "animals" insert "and birds."

On the question,

Will the House agree to the amendments?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Mr. GLENN asked and obtained unanimous consent to call up House Bill No. 530, File Folio 513, on page 22 of yesterday's calendar, bills on final passage postponed.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 530, as follows:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. GLENN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 530, entitled:

An Act to amend section sixty-eight of an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relative to the organization of the courts of justice"

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. GLENN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

Mr. MILLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1824 (Senate Bill No. 178), entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Ewing,	Lohr,	Rockwell,
Allen,	Fahey,	Lowers,	Roney,
Alworth,	Forster, I. G.,	Malle,	Rothenberger,
Baldwin, G. A.,	Foster, J. D.,	Mannion,	Runk,
Baldwin, R. J.,	Frey,	Martin,	Sassaman,
Barner,	Geiser,	Mather,	Savacool,
Bass,	Gibson,	Matt,	Schaffner, A. C
Becker,	Glenn,	McAleer,	Scott, J. R. K.,
Benninger,	Good,	McAllister,	Scott, S. B.,
Benson,	Grabe,	McArdle,	Semmens,
Bergey,	Gramley,	McCaig,	Shaffer, C. A.,
Berntheizel,	Gransback,	McKay,	Shaffer, I. E.,
Bigger,	Gray, Frank.	McNichol,	Shern,
Bittles,	Hackett,	Mellott,	Sherwood,
Blair, W. A.,	Haggerty,	Metzenbacher,	Showalter,
Blair, W. F.,	Heidinger,	Miller,	Smith, J. W.,
Body,	Herman,	Mitchell,	Smith, L.,
Brosius,	Hess,	Moore,	Snavely,
Brown,	Hoyburn,	Morrow,	Snyder,
Brownlee,	Hibshman,	Moses,	Spangler,
Burnett,	Hobbs,	Moulthrop,	Spillinger,
Caldwell,	Howard, J.,	Murphy,	Steele,
Campbell, C.M.,	Howard, R.,	Musser,	Strauss,
Campbell, J. J.,	Isler,	Neel,	Swift,
Carson,	Irwin, H. H.,	Newbaker,	Thomas,
Carter,	Jackson,	Newton,	Trach,
Cheeseman,	Jones, E. E.,	Peachey,	Ulman,
Claycomb,	Jones, J. R.,	Pennock,	Walnut,
Cleary,	Kaiser,	Perry, H. L.,	Watson,
Conniff,	Keegan,	Perry, S. J.,	Wettach,
Conrade,	Kennedy,	Peters,	Whitaker,
Cox,	Kitts,	Piper,	Whitman,
Currier,	Klepper,	Post,	Wildman,
Curry,	Kuhn, H. P.,	Price,	Williams,
Davis,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
DeFrees,	Lanius,	Redfield,	Wilson, W. H.,
Dickinson,	Latshaw,	Reese,	Wiltbank,
Donnally,	Lenker,	Reeser,	Young, J. H.,
Down,	Leslie,	Rhoads,	Zimmerman,
Dunn, H. B.,	Letzkus,	Richards,	Alter,
Ehrhardt,	Light,	Robinson,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1486, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

On the question,

Will the House agree to the bill on third reading?

It was agree to.

On the question,

Shall the bill pass?

Mr. GOOD. Mr. Speaker and gentlemen of the House, this bill provides a four year term for first class township commissioners after the present term expires, and would make their office conform to the schedule of the constitutional amendment passed sometime ago, providing for four year terms after the present term expires.

Mr. CONNIFF. Mr. Speaker, and gentlemen of the House, this bill seeks to double the term of the township

commissioners as they exist under the present law. It also seeks to give certain election districts in certain townships of the first class more representatives or more township commissioners than have other districts in that county. For instance in certain election districts—

Mr. GOOD. Mr. Speaker, I desire to interrogte the gentleman from Luzerne, (Mr. Conniff).

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. CONNIFF. Yes, sir, Mr. Speaker.

Mr. GOOD. Mr. Speaker, I would like to ask the gentleman from Luzerne whether this bill increases the number of township commissioners?

Mr. CONNIFF. Mr. Speaker, it does not increase the number of township commissioners, but it gives to certain election districts more township commissioners than other election districts. The bill is invented in the first place to suit certain townships; and besides, gentlemen it is not fair to the people now to change the law as it exists, as the present law says that township commissioners shall be in office two years and this bill seeks to give township commissioners a term of four years, just double their present term. It is a measure I think, gentlemen, that should be defeated.

Mr. GOOD. Mr. Speaker, I would like to state for the information of the House, that this proposed bill does not change the method of electing township commissioners, It leaves the present law in the same shape it is now. The only thing the bill does, it seeks to make the length of the term four years instead of two years to conform to the schedule passed by this State some time ago.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	Fly,	Lohr,	Reese,
Allen,	Ewing,	Lowers,	Rockwell,
Alworth,	Fahey,	Martin,	Roney,
Baldwin, R. J.,	Gibson,	Mather,	Rothenberger,
Barner,	Glenn,	McAleer,	Sassaman,
Bass,	Good,	McCaig,	Savacool,
Becker,	Grabe,	McClintock,	Schaeffer, A. C.
Benninger,	Gramley,	McDermott,	Scott, J. R. K.
Benson,	Gransback,	McKay,	Scott, S. B.,
Bergey,	Gray, Frank,	McNichol,	Semmens,
Berntheizel,	Hemminger,	Mellott,	Shaffer, C. A.,
Bigger,	Herman,	Metzenbacher,	Shaffer, I. E.,
Bittles,	Hess,	Miller,	Sherwood,
Blair, W. A.,	Heyburn,	Mitchell,	Showalter,
Blair, W. F.,	Hibshman,	Moore,	Smith, J. W.,
Body,	Hobbs,	Morrow,	Smith, L.,
Brosius,	Howard, J.,	Moses,	Snavely,
Brownlee,	Isler,	Moulthrop,	Snyder,
Burnett,	Irwin, G. C.,	Murphy,	Strauss,
Caldwell,	Irwin, H. H.,	Musser,	Swartz,
Campbell, C.M.,	Jackson,	Neel,	Swift,
Carson,	Jones, J. R.,	Newbaker,	Ulman,
Carter,	Kaiser,	Newton,	Walnut,
Cheeseman,	Kennedy,	Pennock,	Watson,
Claycomb,	Kitts,	Perry, H. L.,	Whitman,
Cochran,	Klepper,	Perry, S. J.,	Wildman,
Currier,	Kuhn, H. P.,	Peters,	Williams,
Curry,	Kuhns, E.G.M.,	Piper,	Wilson, J. H.,
Davis,	Lanius,	Post,	Wiltbank,
Dickinson,	Lenker,	Price,	Young, J. H.,
Donahoe,	Leslie,	Ramsey,	Zimmerman,
Donnally,	Light,	Redfield,	Alter,
Ehrhardt,			Speaker.

NAYS—11.

Brown,	Forster, I. G.,	Keegan,	Trach,
Conniff,	Foster, J. D.,	Mannion,	Wilson, W. H
Flynn,	Gray, Joseph,	McAllister,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (George E. Alter) in the Chair.

RECESS.

The SPEAKER. The hour of one o'clock having arrived, this House will now take a recess until 3:00 o'clock this afternoon.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

APPOINTMENT OF CONFERENCE COMMITTEES.

The SPEAKER. The Chair has appointed as a Committee on Conference on House Bill No. 1445, the gentleman from Philadelphia, Mr. Roney, the gentleman from Lackawanna, Mr. Ehrhardt and the gentleman from Fayette, Mr. Cochran. Also as a Committee on Conference on Senate Bill No. 502, the gentleman from Philadelphia, Mr. Piper, the gentleman from Philadelphia Mr. James Campbell, and the gentleman from Allegheny, Mr. Steele.

REPORTS FROM COMMITTEES.

Mr. LORENZO SMITH, from the Committee on Ways and Means, reported as committed House Bill No. 1721, entitled:

An Act to repeal an act entitled "An Act to provide for the better collection of money and taxes due the Commonwealth and property belonging to or liable to escheat to the same" approved the fifteenth day of June one thousand nine hundred and eleven

Mr. WHITMAN, from the Committee on Appropriations, reported as committed, House Bill No. 800, entitled:

An Act making an appropriation for the purchase for the Pennsylvania State Museum of a collection of photograph negatives showing the history of the oil industry of this Commonwealth from the earliest discoveries to the present time

Mr. BROSIUS, from the Committee on Ways and Means, reported as committed, House Bill No. 1331 (Senate Bill No. 69), entitled:

A Joint Resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

Mr. W. H. WILSON, from the Committee on Ways and Means, reported as amended, House Bill No. 1949, entitled:

An Act to provide revenue for State and County purposes and in cities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

Mr. W. H. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 1706, entitled:

An Act conferring jurisdiction upon courts of Quarter Sessions in cases of nuisance against Townships Cities Boroughs and other Municipal Corporations to hear and determine the same without trial by jury and regulating procedure fine and costs

Mr. STRAUSS, from the Committee on Judiciary General, reported as committed, House Bill No. 1958 (Senate Bill No. 873), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Mr. STRAUSS, from the Committee on Judiciary Special, reported as committed, House Bill No. 1854 (Senate Bill No. 221), entitled:

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of the General Assembly of the Commonwealth of Pennsylvania approved the twenty-third day of May Anno Domini one thousand nine hundred and one

Mr. GEISER, from the Committee on Judiciary General, reported as committed, House Bill No. 1337 (Senate Bill No. 169), entitled:

An Act relating to the compentency as evidence of certain findings in procedings in lunacy

Mr. ELY, from the Committee on Ways and Means, reported as committed, House Bill No. 1333 (Senate Bill No. 75), entitled:

An Act regulating reports for the purposes of taxation by corporations joint stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth

Mr. CLAYCOMB, from the Committee on Ways and Means, reported as committed, House Bill No. 1725, entitled:

An Act to repeal an act entitled "An Act to amend the third fifth seventh twenty-fourth and twenty-seventh sections of an act approved the second day of May Anno Domini one thousand eight hundred and eighty-nine entitled "An Act defining and regulating escheats in cases where property is without lawful owner and providing for more convenient proceedings relative to the same so as to provide for the escheat of property held in trust or resulting from the investment of trust funds which property is or shall be without a lawful owner fixing the jurisdiction of the courts of this Commonwealth in cases of such escheat reducing the amount to be paid to informers and increasing the percentage to be paid to escheators" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Mr. ELY, from the Committee on Ways and Means, reported as committed, House Bill No. 668, entitled:

An Act to provide for the return by the State Treasurer to the several counties from which the same are received for their own use of three-fourths of certain taxes received or collected by County Treasurers or other officers and paid into the State Treasury

Mr. METZENBACHER, from the Committee on Ways and Means, reported as committed, House Bill No. 1823 (Senate Bill No. 147), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

Mr. DONNALLY, from the Committee on Appropriations, reported as amended House Bill No. 595, entitled:

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervirsors in second class townships defining their powers duties and limitations relating to road tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions"

Mr. GOSS, from the Committee on Agriculture, reported as committed, House Bill No. 1349, entitled:

An Act to regulate the temperature of milk and cream to be shipped sold or offered for sale

Mr. GOSS, from the Committee on Military Affairs, reported as committed, House Bill No. 1951 (Senate Bill No. 714), entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundrel and ninety-three by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by batteries in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

Mr. WALNUT, from the Committee on Elections, reported as amended, House Bill No. 355, entitled:

An Act prohibiting any officer clerk or employees of any county city borough town township school district or poor district from taking any active part in politics political movement or elections or from interfering with elections or from using his office to influences politics political movements or elections and providing penalties for violation thereof

Mr. BARNER, from the Committee on Elections, re-reported as committed, House Bill No. 1440, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held within voting machines and providing penalties for violation of the provisions of this act

Mr. BENSON, from the Committee on Ways and Means, re-reported as committed, House Bill No. 1125, entitled:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

Mr. WALNUT, from the Committee on Elections, reported with a negative recommendation, House Bill No. 1277, entitled:

An Act to amend an act entitled "An Act providing that voters in this Commonwealth shall cast their ballots at polling places inside the election district in which they are domiciled and making it the duty of the courts of quarter sessions of the several counties to carry out the provisions of the same" approved the eighteenth day of April one thousand eight hundred and ninety-three and providing a method for voting at general elections by voters who are absent from the lawfully designated election districts in which they are domiciled and providing a penalty

SENATE MESSAGES.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1379.

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish American War and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend title in the fourth line, strike out the word "one" and insert the word "fourth."

In line five strike out the word "one" and insert the word "two."

Amend section 1, line 8, strike out the word "one" and insert the word "fourth." In line nine, strike out the word "one" and insert the word "two."

On the question,

Will the House concur in the amendments of the Senate?

Mr. GEISER. Mr. Speaker, the amendments are satisfactory and I move that the House concur.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	Ely,	Kennedy,	Reese,
Allen,	Ewing,	Kitts,	Rhoads,
Arthur,	Fahey,	Kuhn, H. P.,	Richards,
Baldwin, G. A.,	Flynn,	Kuhns, E.G.M.,	Robinson,
Baldwin, R. J.,	Foster, J. D.,	Lenker,	Rockwell,
Bass,	Geiser,	Letzkus,	Rothenberger,
Becker,	Gibson,	Lowers,	Sassaman,
Benninger,	Glenn,	Martin,	Schaeffer, A. C.
Benson,	Good,	Mather,	Scott, J. R. K.,
Bergey,	Goss,	Matt,	Scott, S. B.,
Bigger,	Grabe,	McAleer,	Semmens,
Bittles,	Gramley,	McAllister,	Shaffer, C. A.,
Body,	Gray, Frank,	McClintock,	Shern,
Brosius,	Hackett,	McDermott,	Sherwood,
Brown,	Haggerty,	McKay,	Showalter,
Brownlee,	Heidinger,	Miller,	Smith, J. W.,
Burnett,	Hemminger,	Missimer,	Smith, L.
Caldwell,	Herman,	Mitchell,	Snavely,
Campbell, J.J.	Hess,	Moore,	Snyder,
Carson,	Heyburn,	Morrow,	Strauss,
Carter,	Hibshman,	Moses,	Swartz,
Cheeseman,	Hobbs,	Moulthrop,	Swift,
Claycomb,	Howard, J.,	Murphy,	Thomas,
Conniff,	Humes,	Musser,	Ulman,
Conrade,	Isler,	Newbaker,	Walnut,
Cox,	Irwin, G. C.,	Peachey,	Wildman,
Currier,	Irwin, H. H.,	Pennock,	Wilson, J. H.,
Curry,	Jackson,	Perry, H. L.,	Wilson, W. H.,
Dickinson,	Jones, E. E.,	Post,	Young, J. H.,
Donahoe,	Jones, J. R.,	Price,	Zimmerman,
Donnally,	Kaiser,	Ramsey,	Alter,
Down,	Keeport,	Redfield,	Speaker.
Dunn, H. B.,			
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1465.

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section one, line sixty-one, by striking out the word "the" and inserting in lieu thereof the words "not more than two."

On the question,

Will the House concur in the amendment of the Senate?

Mr. BODY. Mr. Speaker, the amendment is satisfactory and I move that the House concur.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Adams,	Dunn, H. B.,	Keeport,	Rhoads,
Allen,	Dunn, J. A.,	Kennedy,	Robinson,
Arthur,	Ely,	Kitts,	Rockwell,
Baldwin, G. A.,	Ewing,	Kuhn, H. P.,	Roney,
Baldwin, R. J.,	Flynn,	Kuhns, E.G.M.,	Rothenberger,
Barner,	Foster, J. D.,	Lenker,	Sassaman,
Bass,	Geary,	Letzkus,	Schaeffer, A. C.
Becker,	Geiser,	Lohr,	Scott, J. R. K.,
Benninger,	Gibson,	Lowers,	Scott, S. B.,
Benson,	Glenn,	Martin,	Semmens,
Bergey,	Good,	Mather,	Shaffer, I. E.,
Berntheizel,	Goss,	Matt,	Shern,
Bigger,	Grabe,	McAleer,	Sherwood,
Bittles,	Gramley,	McAllister,	Showalter,
Body,	Gray, Frank,	McArdle,	Smith, J. W.,
Brosius,	Gray, Joseph,	McCaig,	Smith, L.,
Brown,	Hackett,	McClintock,	Snavely,
Brownlee,	Haggerty,	McDermott,	Snyder,
Burnett,	Heidinger,	McKay,	Spillinger,
Caldwell,	Hemminger,	Miller,	Strauss,
Campbell, J. J.,	Herman,	Missimer,	Swartz,
Carson,	Hess,	Mitchell,	Swift,
Carter,	Heyburn,	Moore,	Thomas,
Claycomb,	Hibshman,	Moses,	Trach,
Cleary,	Hobbs,	Moulthrop,	Ulman,
Conniff,	Howard, J.,	Musser,	Wettach,
Conrade,	Humes,	Newbaker,	Wildman,
Cox,	Isler,	Perry, H. L.,	Williams,
Currier,	Irwin, G. C.,	Peters,	Wilson, J. H.
Curry,	Jackson,	Post,	Wilson, W. H.,
Dickinson,	Jones, E. E.,	Ramsey,	Wiltbank,
Donahoe,	Jones, J. R.,	Redfield,	Young, J. H.,
Donnally,	Kaiser,	Reese,	Zimmerman,
Down,	Keegan,	Reeser,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 23.

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendments were read as follows:

Amend the title, line 3, by striking out the word "State" after the word "this" and insert the word "Commonwealth."

Section 1, line 5, strike out the word "State" after the word "this" and insert the word "Commonwealth."

Line 12, after the word "council" insert "or owning to some defect in the ordinance."

Section 2, line 2, strike out the word "State" and insert the word "Commonwealth."

Section 6, line 7, after the word "and" strike out the word "they" and insert the word "be."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. G. A. BALDWIN. Mr. Speaker, the amendments are satisfactory and I ask the House to concur in them.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Adams,	Ely,	Kuhn, H. P.,	Rhoads,
Allen,	Ewing,	Kuhns, E.G.M.,	Richards,
Arthur,	Fahey,	Lanius,	Robinson,
Baldwin, G. A.,	Flynn,	Latshaw,	Rockwell,
Baldwin, R. J.,	Forster, I. G.,	Lenker,	Roney,
Barner,	Foster, J. D.,	Letzkus,	Rothenberger,
Bass,	Gans,	Lohr,	Runk,
Becker,	Geary,	Lowers,	Sassaman,
Benninger,	Geiser,	Mannion,	Schaeffer, A. C.
Benson,	Gibson,	Martin,	Scott, J. R. K.,
Bergey,	Good,	Mather,	Scott, S. B.,
Berntheizel,	Goss,	Matt,	Semmens,
Bigger,	Grabe,	McAleer,	Shaffer, C. A.,
Bittles,	Gramley,	McAllister,	Shaffer, I. E.,
Body,	Gray, Frank,	McArdle,	Shern,
Brosius,	Hackett,	McCaig,	Sherwood,
Brown,	Haggerty,	McClintock,	Showalter,
Brownlee,	Heidinger,	McDermott,	Smith, J. W.,
Burnett,	Hemminger,	McKay,	Smith, L.,
Caldwell,	Herman,	Mellott,	Snavely,
Campbell, C.M.,	Hess,	Metzenbacher,	Snyder,
Campbell, J. J.,	Heyburn,	Miller,	Speiser,
Carson,	Hibshman,	Mitchell,	Spillinger,
Carter,	Hobbs,	Moore,	Strauss,
Claycomb,	Howard, J.,	Morrow,	Swartz,
Cleary,	Humes,	Moses,	Swift,
Collins,	Isler,	Moulthrop,	Trach,
Conner,	Irwin, G. C.,	Murphy,	Ulman,
Conniff,	Irwin, H. H.,	Musser,	Walnut,
Conrade,	Jackson,	Neely,	Wildman,
Cox,	Jones, E. E.,	Newbaker,	Williams,
Currier,	Jones, J. R.,	Pennock,	Wilson, J. H.,
Curry,	Kaiser,	Perry, H. L.,	Wilson, W. H.,
DeFrees,	Kaufman,	Perry, S. J.,	Wiltbank,
Dickinson,	Keegan,	Post,	Young, J. H.,
Donahoe,	Keeport,	Ramsey,	Zimmerman,
Donnally,	Kennedy,	Redfield,	Alter,
Down,	Kitts,	Reese,	Speaker.
Dunn, H. B.,	Klepper,		
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1321.

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate damages and the verdict shall stand good in all other respects

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendments were read as follows:

Amend the titled by inserting after the word "whenever" in the first line the word "hereafter."

Line 2 after the word "aside" insert "or the judgment of the court reversed."

Line 6 after the word "inadequate" insert "or the court erred in its instructions as to the measure of damages."

Section 1, line 5, after the word "aside" insert "or the judgment of the court reversed."

Line 10 after the word "inadequate" insert "or the court erred in its instructions on the measure of damages."

Line 13, after the word "aside" insert "or the judgment of the court of the court reversed."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. W. H. WILSON. Mr. Speaker, the amendments are satisfactory and I ask the House to concur in them.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Adams,	Dunn, J. A.,	Keeport,	Rhoads,
Allen,	Ely,	Kennedy,	Robinson,
Baldwin, G. A.,	Ewing,	Kitts,	Rockwell,
Baldwin, R. J.,	Flynn,	Klepper,	Roney,
Barner,	Foster, J. D.,	Kuhn, H. P.,	Rothenberger,
Bass,	Geiser,	Kuhns, E.G.M.,	Sassaman,
Becker,	Gibson,	Lenker,	Schaeffer, A. C
Benninger,	Glenn,	Leslie,	Scott, S. B.,
Benson,	Good,	Letzkus,	Semmens,
Bergey,	Goss,	Lowers,	Shaffer, I. E.,
Berntheizel,	Grabe,	Martin,	Shern,
Bigger,	Gramley,	Mather,	Sherwood,
Bittles,	Gray, Frank,	Matt,	Showalter,
Blair, W. A.,	Hackett,	McAleer,	Smith, J. W.,
Body,	Haggerty,	McAllister,	Smith, L.,
Brosius,	Heidinger,	McArdle,	Snavely,
Brown,	Hemminger,	McClintock,	Snyder,
Brownlee,	Herman,	McDermott,	Spillinger,
Burnett,	Hess,	McKay,	Strauss,
Caldwell,	Heyburn,	Mellott,	Swartz,
Campbell, J.J.	Hibshman,	Metzenbacher,	Swift,
Carson,	Hobbs,	Missimer,	Trach,
Carter,	Hoffman,	Mitchell,	Ulman,
Claycomb,	Howard, J.,	Moore,	Walnut,
Conniff,	Howard, R.,	Morrow,	Wildman,
Conrade,	Humes,	Moses,	Williams,
Cox,	Isler,	Moulthrop,	Wilson, J. H.,
Currier,	Irwin, G. C.,	Newbaker,	Wilson, W. H.,
Curry,	Irwin, H. H.,	Pennock,	Wiltbank,
DeFrees,	Jackson,	Perry, H. L.,	Young, J. H.,
Dickinson,	Jones, E. E.,	Redfield,	Zimmerman,
Donahoe,	Jones, J. R.,	Reese,	Alter,
Donnally,	Kaiser,	Reeser,	Speaker.
Down,	Keegan,		
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL SIGNED BY THE SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 53.

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

House Bill No. 734.

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and the preservation of game game-quadrupeds and game-birds and song and insectivorous birds and other wild birds and prescribing penalties for violation of its several provisions"

House Bill No. 1631.

An Act to validate certain characters issued by the Governor of the Commonwealth to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-ninth one thousand eight hundred and seventy-four entitled "An Act to provide for the Incorporation and Regulation of Certain Corporations" and its supplements

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

LEAVES OF ABSENCE.

The SPEAKER. The Chair was requested to ask leave of absence for the Chairman of the Appropriation Committee, the gentleman from Jefferson, Mr. North, together with the gentleman from Allegheny, Mr. C. M. C. Campbell, the gentleman from Greene, Mr. W. F. Blair, the gentleman from Allegheny, Mr. Geary, the gentleman from Columbia, Mr. Charles A. Shaffer, the gentleman from Delaware, Mr. R. J. Baldwin and the gentleman from Lackawanna, Mr. Ehrhardt, these constituting a sub-committee visiting certain institutions.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1453, as follows:

An Act to amend article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintaine the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding a new section thereto

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be adminstered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding the following as a new section

Section 635 In school districts other than cities boroughs and incorporated towns no public school house shall be hereafter erected unless it be upon a lot or piece of ground at least one acre in area So much of the ground not occupied by school buildings shall be used as a playground for the pupils of the school

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—126.

Adams,	Ely,	Kennedy,	Reese,
Allen,	Ewing,	Kitts,	Reeser,
Baldwin, G. A.,	Fahey,	Klepper,	Rhoads,
Barner,	Flynn,	Kuhn, H. P.,	Robinson,
Bass,	Foster, J. D.,	Kuhns, E.G.M.,	Rockwell,
Becker,	Geiser,	Latshaw,	Roney,
Benninger,	Gibson,	Lenker,	Sassaman,
Benson,	Good,	Letzkus,	Schaeffer, A. C.
Bergey,	Goss,	Light,	Scott, S. B.,
Berntheizel,	Grabe,	Lohr,	Semmens,
Bigger,	Gramley,	Lowers,	Shaffer, I. E.,
Bittles,	Gray, Frank,	Martin,	Shern,
Body,	Hackett,	Mather,	Sherwood,
Brosius,	Haggerty,	Matt,	Showalter,
Brown,	Heidinger,	McAleer,	Smith, J. W.,
Brownlee,	Hemminger,	McAllister,	Smith, L.,
Burnett,	Herman,	McArdle,	Snavely,
Caldwell,	Hess,	McClintock,	Snyder,
Campbell, J.J.	Heyburn,	McDermott,	Strauss,
Carson,	Hibshman,	McKay,	Swartz,
Carter,	Hobbs,	McNichol,	Swift,
Cheeseman,	Hoffman,	Mellott,	Trach,
Claycomb,	Howard, J.,	Metzenbacher,	Ulman,
Conner,	Humes,	Miller,	Walnut,
Conrade,	Isler,	Mitchell,	Wildman,
Cox,	Irwin, G. C.,	Moses,	Williams,
Currier,	Irwin, H. H.,	Moulthrop,	Wilson, J. H.,
DeFrees,	Jackson,	Newbaker,	Wilson, W. H.,
Dickinson,	Jones, E. E.,	Pennock,	Wiltbank,
Donahoe,	Jones, J. R.,	Peters,	Young, J. H.,
Donnally,	Kaiser,	Post,	Zimmerman,
Down,	Keegan,	Ramsey,	Alter,
Dunn, J. A.,	Keeport,	Redfield,	Speaker.

NAYS—1.

Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1636, as follows:

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth containing a population of over one million inhabitants to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equilization of the taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury

Section 1 Be it enacted by the Senate and House of Rep-

resentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That it shall be the duty of the recorders of deeds all counties of this Commonwealth having a population of over one million inhabitants before admitting to the records any deed or other instrument of conveyance of real estate to require of the grantee or grantees in such deed or other instrument to furnish to such recorders his or their affidavit or the affidavit of some other person who is conversant with the facts that the consideration mentioned in the said deed or other instrument is the actual and true consideration therefor and that there is no other or further consideration for such conveyance or if the consideration stated in the deed or other instrument be not the true and actual consideration then such affidavit shall set forth what is true and actual consideration for the same The affidavits furnished as aforesaid shall be sent by such recorders of deeds to the authorities in their respective counties charged with the duty of the revision and equalization of taxes upon real estate therein and by such authorities shall be certified by such recorders of deeds to the officials of their respective counties who may be charged with the duty of revising the assessments of real estate

Section 2 Any person who shall make or furnish a false affidavit in pursuance of the provisions of this act shall be deemed guilty of perjury and on conviction thereof shall be punishable as other persons committing perjury are by law punishable

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass?

Mr. HEIDINGER. Mr. Speaker, this bill provides that whenever a deed is offered at the office of the Recorder of Deeds it would have to be accompanied by an affidavit setting forth that the consideration set forth in the deed was the true consideration paid for the property, or if not, what price was actually being paid for it; this affidavit to be transmitted by the Recorder of Deeds to the authorities having in charge the assessment of the properties for taxation. This bill would effect Philadelphia and Allegheny Counties. I do not think that the bill should pass for two or three reasons. In the first place, it is saddling an additional unnecessary burden of cost upon the purchaser in that he will have to pay out for an additional item of expense. In the second place, its purpose is simply to furnish information to the Real Estate Assessors and they in their skill and knowledge should be able to fix a true valuation or an approximately correct valuation upon the property without this information. In the third place, there is no means provided for safeguarding this information from the public at large. Very often a price may be paid for a property which would be fair enough for the special needs of the purchaser and yet would be in excess of the true market value of the property and if an assessment was placed upon the property in accordance with that price the purchaser would really be paying an inordinate amount. Very often the purchaser is able to get a property at a bargain and to make a profitable resale, but if these records are going to become public property and the public at large know exactly what is being paid for the property, it would militate against the owner's chances of getting a good price for it. I think that the real estate assessors should be men skilled enough to be able to appraise the properties without this burden being placed upon the purchaser, and that therefore this bill should be defeated.

Mr. RONEY. Mr. Speaker, the Board of Revision of Taxes of Philadelphia, since the advent, particularly, of the new administration, have been up against a very difficult proposition by way of fairly assessing real estate valuations in Philadelphia and for the purpose of arriving at a fair valuation of property in Philadelphia, they in their wisdom have suggested this bill, and I think their logic and their reasoning is indisputable. In Philadelphia last year the increase in valuation on real estate property was something about twenty-three million dollars. This, however, was a very low increase for the year. A fair average would be about forty to fifty million dollars a year. If so happens that this increase is not made up so much in the increased valuation of properties now existing, but in the new buildings as erected and on which the Board of Revision of Taxes have to make some guess as to valuation. It is only fair and proper that the vendee in filing his deed in the Recorders' office, should give to the Board of Revision of Taxes some indication of what the value of that property is, or some information upon which they, using his knowledge and exercising their own skillful judgment, might make an equitable assessment. It is idle to say that this would prevent a man making a good real estate sale. Purchasers knowing anything about the properties they are about to purchase are not absolutely bound by the real estate valuation. A property would have a value to some man for his partiuclar needs that it would not have to another, so this does not deter the man who files his deed setting forth the consideration at twenty-five hundred dollars from selling at thirty-five hundred dollars. There is absolutely nothing in that. Moreover, the Board of Revision, seeking this information for the purpose of making equitable valuation all over the city, have not asked that this information or the affidavit setting forth the consideration be filed with the Recorder of Deeds, but that the Recorder of Deeds transmit this information to the Board of Revision of Taxes and I think this is a bill which in their wisdom is to help them make an equitable and fair valuation and should receive the support of all the gentlemen of the House.

I wish to say further that this bill only applies to Allegheny and Philadelphia and the bill last night, which I inadvertently made to apply only to Philadelphia, is in a sense a companion bill to this, and I ask this House, particularly the gentlemen outside of Philadelphia, to bear in mind when you come to vote on this bill, that the sole purpose of this piece of legislation is to arrive at an equitable and fair valuation of property in Philadelphia.

Mr. FLYNN in the Chair.

Mr. WILTBANK. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. RONEY. I will.

Mr. WILTBANK. Mr. Speaker, I would like to ask the gentleman if this is not a measure to cover up incompetent assessors in the City of Philadelphia.

Mr. RONEY. Mr. Speaker, in answer to the gentleman from Philadelphia I desire to say that this is not to cover up an incompetent board. The Board's competency is unquestioned. This is simply a piece of legislation for the purpose of having the board given some additional information in order to have a scientific and equitable valuation of the property in Philadelphia.

Mr. WILTBANK. Mr. Speaker, I desire to interrogate the gentleman further. I desire to ask him if there is any real estate dealer consults the Board of Revision of Taxes when going out to speculate in real estate in the City of Philadelphia?

Mr. RONEY. Of course not, just as I argued before. To the purchaser the property may offer some benefit which the real estate assessors assessing the property do not take into consideration.

Mr. WILTBANK. Do not all of the large corporations and trust companies who loan money have their own investigators go out and put their own values on this property?

Mr. RONEY. Of course the corporations do and private citizens do the same thing. Of course, in selling your property you have an idea of its value and you do not sell it unless you can get what you think you ought to for it.

Mr. WILTBANK. Has not the County of Philadelphia the same privilege of employing experts as the private individuals themselves?

Mr. RONEY. Mr. Speaker, this is not a real estate bargaining bill, but a bill for the purpose of giving the real estate assessors the information upon which to make a fair assessment on Captain Wiltbank's house the same as any other property in Philadelphia.

Mr. WILTBANK. Mr. Speaker, this is a bill to cover up an incompetent real estate board of assessors of Philadelphia and you cannot get over it. The Pennsylvania Trust Company, the Philadelphia Savings Fund Company and all the institutions in Philadelphia when you make an application for a loan have a competent man to pass upon that loan and to investigate the property and place a value upon it. Sometimes it is a hundred per cent. above the value placed on it by the Philadelphia Assessors and sometimes it is a hundred per cent. below. It is not fair to compel men to tell you exactly what is paid for the property. Let the City of Philadelphia appoint competent men to make these assessments and if they are too high I will guarantee that the real estate men will complain and take it to court, which they will never do when it is too low.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill is a bill of very great importance to the citizens of Philadelphia.

What has been said by the gentleman from Philadelphia, Mr. Wiltbank, does not meet the issue that this bill raises, and does not meet the faults that this bill is intended to correct. There are a great many properties transferred in Philadelphia and the consideration mentioned in the deed is but nominal, the amount mentioned in the deed being "for the consideration of one dollar." You gentlemen who do not live in large cities cannot imagine the great difficulty it is to gauge the values and keep gauging the values of real estate. A row of properties this year will be selling at $6,500.00 say, and the character of people that live in that neighborhood keep the value up. The value will either rise or the value will lower, and the only way that the assessors can keep in touch with the fluctuation of values in that neighborhood is by watching the sales and keeping in touch with the sales. Now this bill is not meant for the purpose of stopping proper speculation in real estate. It merely means that when a man buys a property and has mentioned the nominal consideration of one dollar in the deed, that he must at the same time file his affidavit giving the actual consideration, and that affidavit is sent over to the Board for the Revision of Taxes. It is not public property so that any one can come in and scrutinize and see what the vendee has paid for the property, but it is merely for the purpose of keeping the Board for the Revision of Taxes in touch with the fluctuation in value. Now it cannot do any harm, nor is it there for the purpose of covering up incompetency, but it is for the purpose of keeping the taxable proerty assessed at an equitable value. There is no reason why this bill should be defeated. It has been advanced by the gentlemen who are members of the Board for Revision of Taxes in Philadelpiha. As far as the assessors are concerned, I dare say that the leading experts on realty values in Philadeuphia, are the men that are members of the Board of Assessors and working under the Board of Revision of Taxes. For the gentleman from Philadelphia to oppose this legislation is a mistake. It is legislation that is desired by the present board. It is legislation which is to carry out the policy of the present administration of having a property equitable valuation on the property so there can be a perfectly equitable assessment of taxes. I hope that the gentlemen of the House, that you gentlemen who are not residents of large cities, will give this measure your support.

Mr. WILTBANK. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Scott.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JOHN R. K. SCOTT. Mr. Speaker. I will.

Mr. WILTBANK. Mr. Speaker, will the gentleman tell the House, with all the money that he has invested in the City of Philadelphia, whether he has ever called upon one of the real estate assessors to go out and make that assessment for him individually?

Mr. JOHN R. K. SCOTT. Mr. Speaker. I have no private investigators, nor any public ones. I would say that if I wanted to get expert informaeion as to the value of property undoubtedly I would ask them to give it to me, if I knew them.

Mr. WILTBANK. Mr. Speaker, I would like to ask the gentleman if he does not know personally every one of the ninety real estate assessors?

Mr. JOHN R. K. SCOTT. Yes, Mr. Speaker, I know nearly all of them.

Mr. WILTBANK. Then, Mr. Speaker. I would like to ask the gentleman why he put in that remark "if I knew them?" I venture to say there is not one of the ninety assessors that the gentleman would get to go out to investigate property if the gentleman from Philade'phia had ninety thousand dollars to invest.

Mr. SHERN. Mr. Speaker, to my mind this bill puts a premium on fraud. There are eighty-four men receiving a salary of three thousand dollars a year in Philadelphia who are supposed to know the value of property in their respective districts. There are three men drawing a salary of six thousand dollars a year, who are styled the Board for the Revision of Taxes. What does this bill compel the owner and seller of real estate to do? It compels him to mention the actual consideration that he has received in disposing of his property, and if that is true, you could have eighty-four one thousand dollar clerks, or you could have twenty one thousand dollar clerks just to keep a record of the purchases and sales of real estate. But that is not my real opposition to this bi l, gentlemen. You gentlemen that live in large cities such as Scranton and Pittsburgh, and Wilkes-Barre and Philadelphia, know that there are men who speculate in real estate. now three or four real estate brokers can get together, and for the purpose of enmeshing some poor, innocent purchaser, they will make a wash sale. they will even commit perjury amongst themselves to get some individual to invest at their price. They can say to him this is the price of the property and here is my affidavit to it. They can show it to him and he will rely upon it, from the fact that this affidavit has been filed as to the price of the property. Now, I cannot understand why any purchaser or seller of real estate should be compelled to disclose the actual consideration of the purchasing price competent men are employed for the express purpose of ascertaining the true value of real estate in Philadelphia, and I am convinced that this bill would serve no good purpose.

Mr. RONEY. Mr. Speaker, I desire to say in reply to the gentleman from Philadelphia that when this gentleman talks about fraud he inverts his argument. This bill is intended to protect people from fraud.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I feel that there is undobutedly a misunderstanding on this bill, and as we have not the full material with which to explain it to the House, I move that its further consideration be postponed for the present.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—46.

Adams,	Dunn, J. A.,	Keeport,	Roney,
Bergey,	Ely,	Kuhn, H. P.,	Sassaman,
Bigger,	Ewing,	Lowers,	Scott, J. R. K.,
Brosius,	Gibson,	McClintock,	Shaffer, I. E.,
Brown,	Gramley,	McKay,	Shern,
Brownlee,	Haggerty,	McNichol,	Sherwood,
Conniff,	Heyburn,	Metzenbacher,	Showalter,
Cox,	Hibshman,	Missimer,	Smith, L.,
Curry,	Hobbs,	Moses,	Snyder,
DeFrees,	Humes,	Pennock,	Wilson, W. H.,
Donahoe,	Isler,	Ramsey,	Alter,
Dunn, H. B.,	Jones, E. E.,	Redfield,	Speaker.

NAYS—76.

Allen,	Good,	Kuhns, E.G.M.,	Reeser,
Baldwin, G. A.,	Goss,	Latshaw,	Rockwell,
Barner,	Grabe,	Lenker,	Rothenberger,
Bass,	Heidinger,	Light,	Runk,
Bleloch,	Hemminger,	Lohr,	Scott, S. B.,
Body,	Herman,	Martin,	Semmens,
Burnett,	Hess,	Mather,	Shern,
Caldwell,	Howard, J.,	McAleer,	Smith, J. W.,
Campbell, J. J.,	Howard, R.,	McArdle,	Snavely,
Carson,	Irwin, G. C.,	McDermott,	Spillinger,
Cheeseman,	Irwin, H. H.,	Mellott,	Steele,
Claycomb,	Jackson,	Miller,	Strauss,
Cochran,	Jones, J. R.,	Mitchell,	Swartz,
Conrade,	Kaiser,	Morrow,	Swift,
Currier,	Keegan,	Musser,	Trach,
Dickinson,	Kennedy,	Newbaker,	Ulman,
Flynn,	Kitts,	Newton,	Walnut,
Foster, J. D.,	Klepper,	Peters,	Watson,
Glenn,	Kuhn, H. P.,		Wiltbank,

Less than the majority required by the Constitution having voted in the affirmative. the question was determined in the negative and the bill falls.

REPORT OF COMMITTEE OF CONFERENCE.

Mr. KEEPORT. Mr. Speaker, I desire to call up the Conference Report on the last page of the calendar on House Bill No. 39, entitled:

Regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

The SPEAKER. The Clerk will read the report.

The Clerk then read the report as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 39.

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference, on the part of the Senate and House of Representatives for the

purpose of considering House Bill No. 39, entitled "An Act regulating the use of bottles and other utensils for milk and cream and providing a penalty for violation of this act," beg leave to submit the following amended bill as our report:

CLARENCE J. BUCKMAN,
ENOS M. JONES,
JOHN GYGER,
Committee on the part of the Senate.

JOHN F. LOWERS,
A. E. KEEPORT,
GEORGE W. ALLEN,
Committee on the part of the House of Representatives.

An Act regulating the use of bottles and other utensils for milk or cream and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person selling or delvering milk or cream in bottles or other analogous utensils to use or permit to be used any such bottle or utensil unless the same shall have been sterilized or thoroughly washed in boiling water immediately before it is again employed to contain milk or cream

Section 2 Every person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than fifty dollars ($50) for the first offense and for each subsequent offense a fine of not less than one hundred dollars ($100) nor more than five hundred dollars ($500)

Section 3 The Dairy and Food Commissioner shall be charged with the enforcement of all the provisions of this act

Section 4 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and by the Dairy and Food Commissioner to be paid into the State Treasury for the use of the Commonwealth

Section 5 All acts and parts of acts inconsistent with this act are repealed

The SPEAKER. The question is, will the House agree to the Report of the Committee on Conference. The Clerk will call the roll.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—82.

Adams,	Foster, J. D.,	Kitts,	Rockwell,
Allen,	Geiser,	Klepper,	Runk,
Barner,	Gibson,	Kuhn, H. P.,	Schaeffer, A. C.,
Bigger,	Glenn,	Latshaw,	Scott, J. R. K.,
[illegible]osius,	Good,	Lenker,	Scott, S. B.,
Brownlee,	Hackett,	Light,	Semmens,
Burnett,	Haggerty,	Martin,	Shaffer, C. A.,
Caldwell,	Hemminger,	McAllister,	Sherwood,
Carson,	Herman,	McDermott,	Snyder,
Claycomb,	Hess,	McKay,	Strauss.
Cochran,	Heyburn,	McNichol,	Swartz,
Conniff,	Hibshman,	Miller,	Swift,
Conrade,	Howard, J.,	Missimer,	Ulman,
Cox,	Howard, R.,	Morrow,	Walnut,
Curry,	Irwin, G. C.,	Moore,	Williams,
Davis,	Irwin, H. H.,	Moulthrop,	Wilson, W. H.,
Dickinson,	Jackson,	Musser,	Wiltbank,
Down,	Jones, E. E.,	Ramsey,	Young, J. H.,
Dunn, H. B.,	Jones, E. E.,	Rhoads,	Alter,
Dunn, J. A.,	Keeport,	Robinson,	Speaker.
Ely,	Kennedy,		
Flynn,			

NAYS—28.

Body,	Kuhns, E.G.M.,	Newbaker,	Sassaman,
Brown,	Mather,	Newton,	Showalter,
Campbell, J.J.	Matt,	Pennock,	Smith, J. W.,
Goss,	McAleer,	Post,	Snavely,
Grabe,	Mellott,	Redfield,	Trach,
Gramley,	Metzenbacher,	Reeser,	Whitman,
Hobbs,	Mitchell,	Rothenberger,	Wilson, J. H.,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the report falls.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1886 (Senate Bill No. 552), as follows:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right to eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements or the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them

Section 2 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase lease locate construct and equip or otherwise acquire transit facilities or any one or more of them and to own maintain use and operate the same within their respective corporate limits and within the limits of adjacent cities boroughs and townships provided such right shall only be exercised by any of said cities within the limits of adjacent cities boroughs and townships subject to the consent and approval of the proper authorities of such adjacent cities boroughs and townships lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein and provided further that such right shall not be exercised within the limits of any public park or parks without the consent and approval of the authorities vested with the power to regulate the use of said park or parks

Section 3 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell pledge or lease transit facilities or any one or more of them and to grant licenses for the use of transit facilities or any one or more of them or any part thereof to any corporation or corporations duly authorized and empowered under the laws of this Commonwealth to use or operate the same also to enter into agreements for the construction or operation or for both the construction and operation of such transit facilities or any one or more of them by any such corporation or corporations upon such terms and conditions including the prescribing and fixing of rates for transportation as the councils of such cities shall determine provided no such lease license or operating agreement shall be for any period longer than fifty (50) years Providing further that no such agreement for the construction of such transit facilities or any one or more of them or any part thereof shall be made or entered into unless the same provides that work on such construction shall begin within one year from the date of said agreement and completed within a fixed time designated in said agreement Providing further that no agreement for the leasing licensing using or operating transit facilities or any one or more of them or any part thereof to any individual copartnership or corporation shall be made or entered into unless said agreement provides that the actual use or operation of such transit facilities or any one or more of them or any part thereof shall begin within a definite fixed and reasonable time

Section 4 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licenses to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine Such cities their assigns lessees and licensee may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway upon such terms and conditions as the councils of such cities shall determine Provided compensation for such use shall have been paid or secured

Section 5 Any street passenger railway company surface elevated or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company upon such terms and conditions as the councils of such cities shall determine and any railroad company incorporated under the laws of this Commonwealth

is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use of said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars upon such terms and conditions as the councils of such cities shall determine

Section 6 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein property and franchises within their respective corporate limits and within the corporate limits of adjacent cities boroughs and townships as shall be necessary for the acquisition location construction maintenance use and operation of transit facilities or any one or more of them under the rights conferred by this act including such lands and rights and interests therein as shall be necessary for future additions to and enlargements of such transit facilities or of any one or more of them also such lands and rights and interests therein as shall be necessary for the relocation of any track or tracks of existing railroads or railways or of any pipes sewers subways underground conduits or ways necessary to be removed and relocated in order not to interfere with the location construction maintenance use or operation of such transit facilities or any one or more of them and including also such lands and rights and interests therein as shall be necessary for the purpose of disposing of earth stone and other material excavated in the construction of such transit facilities or any one or more of them Provided however That the right hereby conferred shall not be taken as authorizing the taking or appropriating of any railroad or railway in operation in said cities

Section 7 In cases where the city and the owner or owners of lands rights and interests therein property or franchises to be taken under the powers conferred by this act cannot agree as to the price or damages to be paid or where by reason of the absence or legal incapacity of such owner or owners or where the owner or owners are unknown no agreement as to the price or the damages sustained can be agreed upon the said city may tender its bond in such penal sum as it may deem proper to the party claiming or entitled to said moneys or damages or to the agent of any person absent or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided however That in case the party claiming damages refuses to or does not accept said bond as tendered the said city shall then give said party a written notice at least five days beforehand of a time when the same will be presented for filing in court and thereafter said city may present said bond to the proper court of Common Pleas or to any law judge thereof in vacation and if the said bond is approved it shall be filed in said court for the use of those interested In case the title to the lands rights or interests therein property or franchises to be taken as aforesaid is defective disputed or doubtful or the party owning or interested in the same is absent unknown not of full age of unsound mind or from any cause cannot be bargained with or served with notice or have a bond tendered to him her or them within the county where said lands rights or interests therein property or franchises are taken the court of Common Pleas of the proper county or any law judge thereof in vacation upon petition of the said city setting forth the necessary facts shall direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed and approved by the court or a law judge in vacation for the use of those who may be found entitled to the damages for said taking and appropriation the condition whereof shall be the same as is hereinabove provided in bonds to be tendered owners when known Upon the filing and approval of any bond provided for by this section the respective city shall have the right to enter upon take use occupy and appropriate the lands rights or interests therein property or franchises mentioned in the bond aforesaid and the title acquired by virtue of the provisions of this act shall be the fee simple or absolute title

Section 8 In case the damages for the said taking and appropriation have not been agreed upon any court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition of the city or any person interested shall appoint any three members of the board of viewers of such city and appoint a time not less than twenty nor more than thirty days thereafter when said viewer shall meet upon the premises or lands taken or appropriated or upon which there is property or with respect to which there are rights interests or franchises taken used or appropriated and view the same The said viewers shall give or cause to be given at least ten days' notice of said meeting to the owner or owners of the lands rights or interests therein property or franchises taken if such owner or owners reside within the proper county and can be found and where the owner or owners are minors and have a guardian then said notice shall be given to the guardian if resident within the county and can be found and where the owner or owners are lunatic or of unsound mind and have a guardian or committee such notice shall be served upon said guardian or committee and in all cases where the owner or owners are incapciated or are unknown notice shall be given in at least two newspapers of general circulation printed and published in the proper city or county and they shall give such other or further notice as the court shall direct having regard to the circumstances of the case Where minors have no guardians and lunatics or persons of unsound or feeble mind have no guardians or committees the said court shall have power to appoint a guardian or committee ad litem and direct that said notice and all other notices required by this act shall be served upon them

Section 9 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning the matter to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act shall hear the parties interested and their witnesses and shall estimate and determine the value of the lands rights or interests therein property or franchises taken and appropriated and any damages that may have been sustained by reason of said taking and appropriation and to whom the same is payable and having so estimated and determined the value of the property and damages sustained they shall make up their report which shall be signed by them or any two of them and thereupon filed in the court of Common Pleas from which the order to view issued Upon the filing of said report the said viewers shall give notice thereof by one publication in at least two newspapers printed and published in the proper city or county and in additional papers if so directed by the court

Section 10 Upon said report being filed in court any interested party within thirty days may file exceptions thereto and the court shall have power to confirm modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report and within thirty days from the filing of any such report or disposal of exceptions in court the respective city or any party whose lands rights of interests therein property or franchises have been taken may appeal to the proper court of Common Pleas and demand a trial by jury according to the course of the common law and said court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such orders as it may deem requisite Upon the entry of final judgment on any issue had upon such appeal either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 11 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell any of the lands rights and interests therein property and franchises acquired and owned under the rights conferred by this act or any one or more of them or any part thereof if and when the same shall have become unnecessary for their purposes upon such terms and conditions as the councils of such cities shall determine

Section 12 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the vote by which this vote passed third reading be reconsidered.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendment was read by the Clerk as follows :

Amend section 8, line six, strike out the word "city" and insert the word "county" therein

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 585, as follows:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven and providing for the furnishing of a bond by a trust or bonding company

Whereas, The time for the organization of the councils of the several boroughs of this Commonwealth has since the twenty-fifth day of April nineteen hundred and seven been changed from the first Monday of March of each and every year to the first Monday of January of each and every even numbered year now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred and three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" which reads as follows

Section 1 "That the town council of each of said boroughs on the first Monday of March nineteen hundred and seven or as soon thereafter as practicable may elect by the vote of a majority of the members one person learned in the law who shall be styled the borough solicitor and shall serve for the term of three years from the first Monday of March succeeding his election and until his successor shall be duly qualified and the said town council shall also fix the compensation he shall be allowed for said term Vacancies in said office shall be filled by the town council for the unexpirer term He shall give a lawful bond to the corporation with two or more sufficient sureties to be approved by the town council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance" be and the same is hereby amended to read as follows:

Section 1 That the town council of each and every borough within this Commonwealth at the time of its biennial organization on the first Monday of January in any even numbered year or as soon thereafter as practicable may elect by the vote of a majority of the members one person learned in the law who shall be styled the borough solicitor and shall serve for the term of four years from the first Monday of January of the even numbered year in or succeeding which he was elected and until his successor shall be duly qualified and the said town council shall also fix the compensation he shall be allowed for said term Vacancies in said office shall be filled by the town council for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties or one trust or bonding company to be approved by the town council in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance All borough solicitors holding office under the said act of April twenty-fifth nine hundred and seven Pamphlet Laws one hundred and three at the date of the approval of this act whose terms of office expire prior to the first Monday of January of the next even numbered year shall continue to hold their offices until the first Monday of January nineteen hundred and fourteen and all borough solicitors holding office under the said act of April twenty-fifth nineteen hundred and seven Pamphlet Laws one hundred and three at the date of the approval of this act whose terms of office expire at any time between the first Monday of January nineteen hundred and fourteen and the first Monday of January nineteen hundred and sixteen shall continue to hold their offices until the first Monday of January nineteen hundred and sixteen

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—115.

Adams,	Herman,	Mather,	Runk,
Allen,	Hess,	Matt,	Sassaman,
Baldwin, G. A.,	Heyburn,	McAleer,	Scott, J. R. K.,
Barner,	Hibshman,	McAllister,	Scott, S. B.,
Benson,	Hobbs,	McArdle,	Semmens,
Berntheizel,	Howard, R.,	McCaig,	Shaffer, I. E.,
Bigger,	Humes,	McClintock,	Shern,
Body,	Isler,	McKay,	Sherwood,
Brosius,	Irwin, G. C.,	McNichol,	Showalter,
Brown,	Irwin, H. H.,	Mellott,	Smith, L.,
Brownlee,	Jackson,	Metzenbacher,	Snavely,
Burnett,	Jones, E. E.,	Miller,	Snyder,
Campbell, J. J.,	Jones, J. R.,	Missimer,	Spillinger,
Carter,	Kaiser,	Mitchell,	Steele,
Claycomb,	Keeport,	Moses,	Strauss,
Conniff,	Kennedy,	Moulthrop,	Swartz,
Conrade,	Kitts,	Musser,	Swift,
Curry,	Klepper,	Newbaker,	Thomas,
Down,	Kuhn, H. P.,	Newton,	Trach,
Dunn, H. B.,	Kuhns, E. G. M.,	Pennock,	Ulman,
Flynn,	Latshaw,	Perry, S. J.,	Watson,
Foster, J. D.,	Lenker,	Piper,	Whitman,
Gibson,	Leslie,	Ramsey,	Wildman,
Glenn,	Letzkus,	Redfield,	Williams,
Good,	Light,	Rhoads,	Wilson, J. H.,
Grabe,	Lohr,	Robinson,	Wiltbank,
Gramley,	Lowers,	Rockwell,	Young, J. H.,
Hackett,	Martin,	Roney,	Zimmerman,
Haggerty,		Rothenberger,	Alter,
Hemminger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 731, as follows:

An Act relating to mutual fire insurance companies providing for assessments upon members or policy holders of such companies and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every mutual fire insurance company doing business in this Commonwealth shall in the month of October in each year make such an assessment upon its members or policy holders as will with cash on hand be sufficient to liquidate the entire indebtedness of such company including losses if any existing up to the first day of October of the particular year If the total amount of the losses expenses and any other indebtedness of any such mutual fire insurance company unpaid on the first day of October in any year shall be less than one-tenth of one per centum of the total amount of the insurance in force the holders of which policies of insurance are liable for assessment for the payment of said losses expenses and indebtedness the said company may with the consent of the Insurance Commissioner omit the assessment required by this act

Section 2 It shall be unlawful for any such mutual fire insurance company without the consent of the Insurance Commissioner to carry over after the first day of November in any year any debt of any nature including losses if any without making an assessment as required in section one of this act or to refund or renew any indebtedness that has existed at least one year

Section 3 Any mutual fire insurance company or any officer or director of such company that shall directly or indirectly violate any of the provisions of this act shall be guilty of a misdemeanor Upon conviction thereof the person or company so convicted shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more one thousand dollars ($1,000)

Section 4 All acts and parts of acts inconsistent with this act are repealed

Section 5 In the discretion of the Insurance Commissioner a period of time not exceeding two years from the approval of this act may be allowed any mutual fire insurance company to enable it to comply with the provisions of this act

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. METZENBACHER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GRABE. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1881 (Senate Bill No. 643), as follows:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations within the Commonwealth of Pennsylvania incorporated for purposes not for profit under any general or special law of the Commonwealth of Pennsylvania or which may hereafter be incorporated under the authority of the same have and shall have the right to own hold use and enjoy real estate within this Commonwealth of the clear yearly rental value or income of fifty thousand dollars any limitation contained in the charters of such corporations to the contrary notwithstanding

Section 2 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Adams,	Geary,	Lenker,	Redfield,
Allen,	Gibson,	Letzkus,	Rockwell,
Baldwin, G. A.,	Good,	Light,	Rothenberger,
Baldwin, R. J.,	Goss,	Lohr,	Runk,
Barner,	Grabe,	Lowers,	Sassaman,
Berntheizel,	Gramley,	Matt,	Savacool,
Bigger,	Hackett,	McAleer,	Shaffer, I. E.,
Body,	Haggerty,	McAllister,	Sherwood,
Brosius,	Heidinger,	McCaig,	Showalter,
Brown,	Hemminger,	McClintock,	Snavely,
Brownlee,	Hess,	McKay,	Snyder,
Burnett,	Heyburn,	Mellott,	Steele,
Caldwell,	Hibshman,	Miller,	Strauss,
Campbell, J. J.	Hobbs,	Missimer,	Swartz,
Carson,	Howard, J.,	Mitchell,	Swift,
Carter,	Howard, R.,	Moore,	Ulman,
Claycomb,	Isler,	Moses,	Walnut,
Cleary,	Irwin, H. H.,	Moulthrop,	Watson,

Conniff,	Jackson,	Musser,	Whitman,
Conrade,	Jones, J. R.,	Newbaker,	Wildman,
Curry,	Kaiser,	Newton,	Williams,
Davis,	Kennedy,	Pennock,	Wilson, J. H.,
DeFrees,	Kitts,	Peters,	Wiltbank,
Dickinson,	Klepper,	Piper,	Young, J. H.,
Down,	Kuhn, H. P.,	Post,	Zimmerman,
Ely,	Kuhns, E.G.M.,	Price,	Alter,
Flynn,	Latshaw,	Ramsey,	Speaker.
Foster, J. D.,			

NAYS—1.

Glenn,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendment in which the concurrence of the Senate is requested.

BILLS INTRODUCED.

Mr. McNICHOL asked and received unanimous consent to introduce a bill, the title of which was first read for information of the House.

Mr. H. B. DUNN asked and received unanimous consent to introduce a bill, the title of which was first read for information of the House.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 873, as follows:

An Act to amend an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the governor shall nominate and by and with the advice and consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the trustees of the State Hospital for the Insane at Danville Pennsylvania and shall manage and direct the concerns of the institutions and make all necessary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of and convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by apointment for three years and should any vacancy occur by death or resignation of any trustee such vacancy shall be filled by apointment for the unexpired term of such trustee the said trustees shall have charge of the general interests of the institution they shall appoint the superintendent who shall be a skillful physician familiar with the treatment of the insane subject to removal or re-election no oftener than in periods of ten years except by infidelity to the trust reposed in him or for incompetency said physician shall always reside in the hospital shall be a married man and his family shall reside with him the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of the other officers and assistants who may be necessary for the just and economical administration of the affairs of the said hospital" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the governor shall nominate and by and with the consent of the Senate appoint nine persons to be trustees of the said institution who shall be a body politic or corporate by the name and style of the trustees of the State Hospital for the Insane at Danville Pennsylvania and shall manage and direct the concerns of the institution and make all necessary by-laws and regulations not inconsistent with the constitution and laws of the Commonwealth and shall have power to receive hold dispose of and convey any real and personal property conveyed to them by gift devise or otherwise for the use of said institution and shall serve without compensation of those first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by appointment for three years and should any vacancy occur by death or resignation of any trustee such vacancy shall be filled by appointment for the unexpired term of such trustee the said trustees shall have entire charge of the management government and control of the institution they shall appoint the superintendent who shall be a skillful physician familiar with the treatment of the insane subject to removal or re-election no oftener than in periods of three years except for inndelity to the trust reposed in him or for incompetency said physician shall reside in the hospital and if he be a married man his family may reside with him at the expense of the hospital the trustees shall also appoint a treasurer who shall give bonds to the Commonwealth for the faithful discharge of his duties they shall determine his compensation for services also the salaries of other officers and assistants who may be necessary for the just and economical administration of the affairs of said hospital

Section 2 Section two of said act which reads as follows

"Section 2 The superintending physician shall appoint and exercise entire control over all subordinate officers and assistants in the institution and shall have entire direction of the duties of the same" be and the same is hereby amended so as to read as follows

Section 2 The trustees shall appoint and exercise entire control over all subordinate officers and assistants in the institution and shall have entire direction of the duties of the same and of the management and government thereof

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Adams,	Glenn,	Lowers,	Rhoads,
Allen,	Good,	Martin,	Robinson,
Baldwin, G. A.,	Goss,	Mather,	Rockwell,
Barner,	Grabe,	Matt,	Roney,
Bass,	Gramley,	McAleer,	Rothenberger,
Berntheizel,	Haggerty,	McAllister,	Runk,
Bigger,	Heidinger,	McArdle,	Sassaman,
Bitties,	Hemminger,	McClintock,	Scott, S. B.,
Brosius,	Herman,	McDermott,	Shaffer, I. E.,
Brown,	Heyburn,	McKay,	Shern,
Brownlee,	Hobbs,	McNichol,	Showalter,
Burnett,	Howard, J.,	Mellott,	Smith, J. W.,
Caldwell,	Howard, R.,	Metzenbacher,	Snavely,
Campbell, J. J.,	Humes,	Miller,	Snyder,
Cheeseman,	Isler,	Mitchell,	Strauss,
Claycomb,	Irwin, G. C.,	Morrow,	Swartz,
Conniff,	Jackson,	Moses,	Swift,
Conrade,	Jones, E. E.,	Moulthrop,	Trach,
Cox,	Jones, J. R.,	Musser,	Ulman,
Currier,	Kaiser,	Newbaker,	Walnut,
Curry,	Kennedy,	Newton,	Whitman,
Davis,	Kitts,	Pennock,	Wildman,
DeFrees,	Klepper,	Peters,	Williams,
Dickinson,	Kuhn, H. P.,	Piper,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Post,	Wiltbank,
Dunn, H. B.,	Latshaw,	Ramsey,	Young, J. H.,
Flynn,	Lenker,	Redfield,	Alter,
Foster, J. D.,	Letzkus,	Reeser,	Speaker.
Gibson,	Lohr,		

NAYS—2.

Bleloch, Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER (George E. Alter) in the Chair.

BILL INTRODUCED.

Mr. HERMAN asked and received unanimous consent to introduce a bill, the title of which was first read for information of the House.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1909, as follows:

An Act to repeal an act approved the sixteenth day of March one thousand eight hundred and sixt-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the county of Erie

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the sixteenth day of March one thousand eight hundred and sixty-six entitled

"An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the county of Erie is hereby repealed

On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. KITTS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. FLYNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1536, as follows:

An Act authorizing counties to charge telephone telegraph electric light or gas light companies or other public service corporations now maintaining poles on county roads a reasonable license fee providing for the removal of such poles in case of non-payment requiring such companies hereafter occupying county roads with their poles wires conduits or other apparatus to agree in writing with the county commissioners in relation to such occupancy and the compensation to be paid therefor and providing for the use of all moneys received under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That wherever any portion of any county road in any county of this Commonwealth is now occupied by the poles of any telegraph telephone electric light or gas light company or any other public service corporation it shall be lawful for the county commissioners of the proper county and they are hereby authorized and empowered to impose a reasonable license fee upon any such company for each pole occupying a portion of any such road and also for every mile of wire now placed upon or over such road Upon the failure of any such company to pay a reasonable license fee the county commissioners of the proper county are hereby authorized and empowered to remove such poles together with the apparatus incident thereto from the road

Section 2 Whenever any telephone telegraph electric light or gas light company or any other public service corporation shall hereafter desire to occupy any portion of any county road with its poles wires conduits or other apparatus incident to the successful operation of its business such company before occupying any portion of any such road shall first enter into a written agreement with the county commissioners of the proper county which shall impose a reasonable compensation for the use of the portion of such county road by such poles wires conduits or other apparatus of such company The agreement shall also stipulate the length of time that the company shall occupy the road and shall provide the terms and conditions under which repairs or renewals to the poles wires conduits or other apparatus shall be made The county commissioners in any such case shall have the right to designate the part of the road to be used by the company

Section 3 All moneys received from any telephone telegraph electric light or gas light company or other public service corporations shall be paid into the county treasury of the proper county to be used for the improvement and maintenance of county roads

Section 4 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Adams,	Ely,	Latshaw,	Ramsey,
Allen,	Flynn,	Lenker,	Redfield,
Baldwin, G. A.,	Foster, J. D.,	Letzkus,	Reeser,
Bass,	Gibson,	Lohr,	Rhoads,
Benson,	Glenn,	Lowers,	Robinson,
Bigger,	Good,	Martin,	Rockwell,
Bittles,	Goss,	Matt,	Rothenberger,
Bleloch,	Grabe,	McAleer,	Scott, S. B.,
Body,	Haggerty,	McAllister,	Semmens,
Brosius,	Heidinger,	McClintock,	Shaffer, I. E.,
Brown,	Hess,	McDermott,	Shern,
Brownlee,	Heyburn,	McKay,	Showalter,
Caldwell,	Hibshman,	McNichol,	Smith, J. W.,
Campbell, J.J.	Howard, J.,	Mellott,	Snavely,
Carson,	Humes,	Miller,	Snyder,
Carter,	Isler,	Mitchell,	Swartz,
Claycomb,	Irwin, G. C.,	Moore,	Swift,
Conniff,	Irwin, H. H.,	Morrow,	Ulman,
Conrade,	Jackson,	Moses,	Walnut,
Cox,	Jones, E. E.,	Moulthrop,	Whitman,
Currier,	Jones, J. R.,	Musser,	Wildman,
Curry,	Kaiser,	Newbaker,	Williams,
Davis,	Kennedy,	Newton,	Wilson, J. H.,
DeFrees,	Kitts,	Pennock,	Wiltbank,
Dickinson,	Klepper,	Piper,	Young, J. H.,
Donnally,	Kuhn, H. P.,	Post,	Alter,
Down,	Kuhns, E.G.M.,		Speaker.
Dunn, H. B.,			

NAYS—9.

Berntheizel,	Heidinger,	Hobbs,	Peters,
Gramley,	Herman,	Mather,	Sassaman,
	Trach,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS INTRODUCED AND REFERRED.

By Mr. HOBBS. House Bill No. 1970.

A Joint Resolution designating the song "Pennsylvania" as the official song of this Commonwealth and authorizing the respective School Boards of the State of Pennsylvania to purchase as many copies of said song required to supply the teachers and pupils of the schools in their respective districts.

Referred to the Committee on Education.

By Mr. WILTBANK. House Bill No. 1971.

A Joint Resolution providing for and regulating the editing and revision of Bates' History of Pennsylvania Volunteers and for the publication in one volume of certain omissions errors and corrections therein and making an appropriation therefore

Referred to the Committee on Appropriations.

By Mr. FAHEY. House Bill No. 1987.

An Act making an appropriation to the Hospital Department of the Hahnemann Medical College and Hospital of Philadelphia

Referred to the Committee on Appropriations.

By Mr. McNICHOL. House Bill No. 2001.

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania

Referred to the Committee on Judiciary Special.

By Mr. RICHARDS. House Bill No. 2002.

An Act authorizing the Board of Township Commissioners in Townships of the first class to join with the county commissioners in the improving of roads or streets in first class townships and providing for the assessment of a part of the cost upon the abutting property

Referred to the Committee on Counties and Townships.

By Mr. HERMAN. House Bill No. 2003.

A Joint Resolution proposing an amendment to article eighteen section one of the Constitution of the Commonwealth of Pennsylvania providing a different method of publishing proposed amendments to said Constitution

Referred to the Committee on Elections.

PETITIONS.

FAVORING PUBLIC ROAD IN WASHINGTON COUNTY.

Mr. POST presented the petition of citizens of Washington County, praying for the establishment of a certain public road as a "State Highway."

Which was referred to the Committee on Public Roads.

PROTESTING AGAINST PASSAGE OF HOUSE BILL NO. 1776.

Mr. BENSON presented the petition of citizens of McKean County, praying against the passage of House Bill No. 1786

Which was referred to the Committee on Mines and Mining.

FAVORING CLARK BILL NO. 13.

Mr. MANNION presented the petition of citizens of Carbondale, praying for the passage of Clark Bill No. 13.

Which was referred to the Committee on Judiciary Special.

FAVORING MONUMENT TO MOLLIE PITCHER.

Mr. HEIDINGER presented the petition of Lydia Dariah Council of Philadelphia, petitioning for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. FRANK GRAY presented the petition of citizens of Philadelphia, praying for a memorial to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. MARTIN presented the petition of citizens of Dauphin County, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. E. E. JONES presented the petition of citizens of Susquehanna County, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JAS. A. DUNN presented the petition of citizens of Philadelphia County, praying for a memorial to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. LANIUS presented the petition of citizens of York County, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. H. L. PERRY presented the petition of citizens of York County, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. ALTER presented the petition of citizens of Allegheny County, praying for a memorial to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. PIPER presented the petition of citizens of Philadelphia, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. KERN presented the petition of citizens of Montgomery County, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. STRAUSS presented the petition of citizens of Berks County, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. SAMUEL J. PERRY presented the petition of citizens of Philadelphia, praying for a memorial to Molly Pitcher.

Which was referred to the Committee on Appropriations.

Mr. MARTIN presented the petition of citizens of Dauphin County praying for a memorial to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING PASSAGE OF BILL NO. 1188.

Mr. ALTER presented the several petitions of citizens of Westmoreland County, praying for the passage of Bill No. 1188.

Which were referred to the Committee on Appropriations.

Mr. C. M. C. CAMPBELL presented the several petitions of citizens of Allgheny County, praying for the passage of Bill No. 1188.

Which was referred to the Committee on Appropriations.

Mr. FRANK GRAY presented the petition of citizens of Philadelphia County, praying for the passage of House Bills Nos. 1294, 195, 365, 1103, 138, and 178.

Which was referred to the Committee on Law and Order.

Mr. CLAYCOMB presented the petition of citizens of Blair County, praying for the passage of House Bills Nos. 1294, 195, 365, 1103, 138 and 178.

Which was referred to the Committee on Law and Order.

FAVORING THE ERECTION OF A MONUMENT TO THE FOUNDERS OF THE PUBLIC SCHOOLS.

Mr. FRANK GRAY presented the petition of citizens of Philadelphia, praying for the erection of a monument to the founder of Public Schools.

Which was referred to the Committee on Education.

Mr. FRANK GRAY presented the petition of citizens of Washington Camp No. 461, Philadelphia, praying for the erection of a monument to the founder of Public Schools.

Which was referred to the Committee on Education.

Mr. BURNETT presented the petition of citizens of Cumberland County, praying for the erection of a monument to the founders of Public Schools.

Which was referred to the Committee on Education.

Mr. ALTER presented the petition of citizens of Philadelphia, praying for the erection of a monument to the founders of Public Schools.

Which was referred to the Committee on Education.

Mr. MARTIN presented the petition of citizens of Golden Star Council, No. 6, of Middletown, praying for the erection of a monument to the founders of the Public Schools.

Which was referred to the Committee on Education.

Mr. SAMUEL J. PERRY presented the petition of citizens of Philadelphia, praying for the erection of a monument to the founders of the Public Schools.

Which was referred to the Committee on Education.

FAVORING MIDDLETOWN BRIDGE.

Mr. FREY presented the several petitions of citizens of York County, praying for the erection of a bridge across the Susquehanna River at Middletown.

Which were referred to the Committee on Public Roads.

Mr. ALTER presented the several petitions of citizens of Adams, Cumberland and Lancaster Counties, praying for the erection of a bridge across the Susquehanna River at Middletown.

Which were referred to the Committee on Public Roads.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

Senate Bill No. 572 (House Bill No. 1972),

An Act to validate appointments heretofore made of persons to act as patrolman and fireman of cities of the first clas of this Commonwealth

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 826 (House Bill No. 1973),

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 827 (House Bill No. 1974),

A supplement to an act entitled "An Act to create a system of fire wardens to preserve the forests of the Commonwealth by preventing and suppressing forest fires and prescribing penalties for the violation thereof providing for the compensation of the fire wardens and those who assist in extinguishing fire and making an appropriation therefor" conferring authority upon the Department of Forestry to enter into co-operative relations with local associations established for the purpose of preventing forest fires

Referred to the Committee on Forestry.

Senate Bill No. 909 (House Bill No. 1975),

An Act to authorize the display of the State county city borough or other municipal flags on public buildings in the Commonwealth

Referred to the Committee on Judiciary Special.

Also Senate Bill No. 997 (House Bill No. 1976),

An Act to repeal section two of an act approved June third one thousand nine hundred and eleven entitled "An Act regulating the printing of the laws of this Commonwealth."

Referred to the Committee on Appropriations.

Also Senate Bill No. 1063 (House Bill No. 1977),

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year

Referred to the Committee on Agriculture.

Also Senate Bill No. 1114 (House Bill No. 1978),

An Act making the land heretofore or hereafter purchased for the new Western penitentiary in Centre county subject to taxation for local purposes regulating the assessment thereof and the payment of taxes thereon

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 514 (House Bill No. 1979),

An Act to amend an act approved the third day of April one thousand eight hundred and fifty-one entitled "An Act regulating boroughs" as amended

Referred to the Committee on Municipal Corporations.
Also Senate Bill No. 600 (House Bill No. 1980),

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth

Referred to the Committee on Judiciary General.
Also Senate Bill No. 750 (House Bill No. 1981),

An Act authorizing the councils of incorporated boroughs to require the sprinkling or oiling of public streets or thoroughfares or parts thereof and assess the cost of the same to the owner or owners or occupiers of the property abutting thereon and providing for the collection of the same

Referred to the Committee on Municipal Corporations.
Also Senate Bill No. 791 (House Bill No. 1982),

An Act vesting in the municipalities of this Commonwealth the title to land embraced within the lines of all streets lanes and alleys within their corporate limits laid out by this Commonwealth

Referred to the Committee on Municipal Corporations.
Also Senate Bill No. 990 (House Bill No. 1983),

An Act regulating the qualifications and election of township supervisors in townships of the second class and limiting the term of all present township supervisors

Referred to the Committee on County and Townships.
Also Senate Bill No. 991 (House Bill No. 1984),

An Act to confirm conveyances of lands made by building and loan associations or companies after expiration of the term of their chartered existence

Referred to the Committee on Judiciary Special.
Also Senate Bill No. 1000 (House Bill No. 1985),

An Act to repeal section eight of an act entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid

Referred to the Committee on Fisheries.
Also Senate Bill No. 1061 (House Bill No. 1986),

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the County of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seventy

Referred to the Committee on Judiciary Local.
Also Senate Bill No. 268 (House Bill No. 1988),

An Act to amend the first paragraph of the first section of an act hitherto amended and entitled "An Act to authorize chattel mortgages in this Commonwealth upon iron ore pig-iron blooms steel and iron nails steel ingots and billets rolled or hamered steel in sheets bars or plates and all steel and iron castings of every description not in place" approved twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-seven so as to authorize chattel mortgages of not less than one hundred dollars on all kinds of machinery

Referred to the Committee on Judiciary General.
Also Senate Bill No. 705 (House Bill No. 1989),

An Act fixing the salary of the Chief of the Bureau of Information and the guides in the State Capitol Building

Referred to the Committee on Public Buildings.
Also Senate Bill No. 780 (House Bill No. 1990),

An Act validating certain municipal assessments and claims and the liens filed therefor

Referred to the Committee on Judiciary Special.
Also Senate Bill No. 928 (House Bill No. 1991),

An Act to fix and determine the salary of the several court clerks of the Courts of Common Pleas of the county of Philadelphia in accordance with article five section seven of the Constitution of this Commonwealth

Referred to the Committee on Judiciary General.
Also Senate Bill No. 952 (House Bill No. 1992).

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statements by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

Referred to the Committee on Agriculture.
Also Senate Bill No. 959 (House Bill No. 1993).

An Act regulating drivers and operators of all vehicles and persons riding or leading animals on the public highways requiring the display of lights upon vehicles excepting motor vehicles and by persons in charge of such animals prohibiting any vehicle from passing a trolley car standing to receive or discharge passengers and prescribing penalties for violation of the same

Referred to the Committee on Public Roads.
Also Senate Bill No. 993 (House Bill No. 1994).

An Act regulating the sale or exchange of defective or diseased horses and mules and providing a penalty for violation of this act

Referred to the Committee on Agriculture.
Also Senate Bill No. 999 (House Bill No. 1995),

An Act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

Referred to the Committee on Judiciary Special.
Also Senate Bill No. 1001 (House Bill No. 1996).

An Act to amend section seven of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act supplementing and amending section four six seven nine ten eleven twelve seventeen and nineteen of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven by providing for affixing the seal of the court to all official papers by increasing the jurisdiction of the court in civil actions to fifteen hundred dollars and extending the jurisdiction to include interpleaders in certain cases and regulating the practice therein by modifying the practice in replevin by extending the time in all civil cases for the date of hearing by changing the time before which process must be served and answer filed by requiring the defendant to answer in all cases and by changing the practice in entry of judgment by default by requiring the apellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final penalty for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas and requiring notice to the opposite party when appeals are allowed by the Common Pleas Court by requiring defendants to plead set-off in amounts not exceeding fifteen hundred dollars changing the time when such set-off must be pleaded and providing for a reply thereto by plaintiff changing the effect of judgment entered by transcript in the office of the prothonotary and giving the county power to issue writs of execution or attachment execution in certain cases prescribing the practice therein and providing that such execution and attachment shall not be a lien on or used for the sale of real estate by modifying the requirmenets as to docket entries in certain respects by giving the court power to suspend or exclude attorneys guilty of improper conduct and by making further provisions regarding costs'" approved the second day of April one thousand nine hundred and thirteen by providing that the defendant shall not file nor be required to file any answer or affidavit of defense in actions ex delicto and providing for bills of particulars

Referred to the Committee on Judiciary General.
Also Senate Bill No. 1059 (House Bill No. 1997).

An Act authorizing Courts of Common Pleas in all cases where a judgment at law or a decree in equity for the payment of money shall have been entered against any defendant or defendants and become a lien on his or their real estate and an appeal therefrom by such defendant or defendants shall have been taken and perfected to resrict the lien thereof to a part only of the real estate of such defendant or defendants and providing that the index of such judgment or decree shall show the real estate subject to such lien

Referred to the Committee on Judiciary General.

Also Senate Bill No. 1146 (House Bill No. 1998).

An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled 'An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by extending to August first the date for the payment of taxes

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 1166 (House Bill No. 1999).

A supplement to an act approved the third day of June one thousand eight hundred and ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been detsroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

Referred to the Committee on County and Townships.

Also Senate Bill No. 1169 (House Bill No. 2000).

An Act regulating the signing and recording of all intruments in writing intended to be recorded

Referred to the Committee on Judiciary General.

BILL ON FINAL READING.

Mr. HESS. Mr. Speaker, I ask for unanimous consent to call up House Bill No. 45, entitled:

An Act fixing the penalty for murder of the first degree regulating the procedure incident thereto prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary in Centre County making an appropriation therefor repealing certain acts and parts of acts and exempting from the operation of the act persons now under sentence of death

on page 14 of to-day's calendar for the purpose of amendment.

The SPEAKER. The Chair hears no objections.

Agreeably to order.

The House proceeded to the consideration on final passage of H. R. bill No. 45, as follows:

An Act fixing the penalty for murder of the first degree regulating the procedure incident thereto prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary in Centre county making an appropriation therefor repealing certain acts and parts of acts and exempting from the operation of the act persons now under sentence of death

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person his aiders abettors and counsellors hereafter convicted of the crime of murder of the first degree shall be sentenced to suffer death in the manner herein provided and not otherwise Such punishment in every case must be inflicted by causing to pass through the body of the convict a current of electricity of intensity sufficient to cause death and the application of such current must be continued until such convict is dead The said punishment shall be inflicted by the warden or deputy warden of the Western Penitentiary or by such person as the warden shall designate and shall be inflicted in a building to be erected on the land owned by the Commonwealth in Centre county whereon the buildings of the new Western Penitentiary are to be built

Section 2 Whenever any person shall have been convicted and sentenced to death the clerk of the court where such conviction shall have taken place shall transmit to the Governor of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal

Section 3 After the receipt of the said record the Governor of the Commonwealth shall issue his warrant directed to the warden of the Western Penitentiary commanding said warden to cause such convict to be executed in said penitentiary within the week to be named in said warrant and in the manner prescribed by law

Section 4 Upon the receipt of such warrant the said warden shall duly notify the officer having the custody of such convict to deliver such convict to the custody of such warden and it shall be the duty of such officer to forthwith cause such delivery to be made Thereupon and until the penalty of death shall be inflicted or until lawfully discharged fro msuch custody said convict shall be kept in solitary confinement in said penitentiary During such confinement no person except the officers of such penitentiary the counsel of such convict or a spiritual adviser selected by such convict or the members of the immediate family of such convict shall be allowed access to such convict without an order of said court or a judge thereof

Section 5 No person except the following shall witness any execution under the provisions of this act the warden of the penitentiary where such execution takes place a qualified physician six reputable adult citizens selected by such warden one spiritual adviser when requested and selected by the convict not more than six duly accredited representatives of the daily newspapers and such officers of said penitentiary as may be selected by said warden

Section 6 After any such execution the warden of the Western Penitentiary shall certify in writing under oatn or affirmation to the court of oyer and terminer of the county wherein such convict has been sentenced to deatn that such convict was duly executed at the place and in the manner prescribed in this act and at the time designated in the death warrant of the Governor Such certificate shall be filed in the office of the clerk of such court

Section 7 Immediately after execution a post mortem examination of the body of the convict shall be made by the physician present at the execution and his report in writing stating the nature of the examination so made by him shall be annexed to the certificate hereinbefore named and filed therewith After such post mortem examination the body unless claimed by some relative or relatives of the person so executed shall be delivered to the duly authorized agent of the State Anatomical Board

Section 8 The cost and expense incident to any such execution and such post mortem examination shall be paid from the contingent fund of the Western Penitentiary

Section 9 The board of inspectors of the Western Penitentiary shall immediately after the passage of this act cause to be erected an appropriate building located at such place on the grounds of the new western Penitentiary in Centre county as shall be agreed upon by the said board and shall also cause to be constructed in said building such electrical apparatus machinery and appliances as may be suitable and sufficient to execute condemned criminals in the manner prescribed by this act

Section 10 For the purpose of commencing and if possible completing the erection of such building and purchasing such apparatus machinery and appliances and installing the same on the grounds of said penitentiary the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated

Section 11 The provisions of this act shall not apply to any person now under sentence of death but in such cases siad death sentence shall be executed in accordance with the seventy-fifth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" and the seventy-sixth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" and other existing laws which said recited sections as well as all other acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed said repeal to take effect when all persons now under sentence of death thereunder and all persons sentenced to death the date of whose execution as fixed by the Governor of this Commonwealth shall be prior to the completion of the building and the installation of the appliances provided for in this act shall have suffered death by hanging by the neck or their sentences shall have been commuted or otherwise disposed of according to existing laws

Section 12 This act is intended to furnish a comprehensive method of inflicting the death penalty If any portion of this act shall be declared invalid or unconstitutional by the Supreme Court of Pennsylvania the entire act shall thereupon be null and void

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. HESS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. RHOADS. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. HESS. Mr. Speaker, I desire to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were then read as follows:

Amend title, in line six, insert before the word "persons" the word "certain." Also amend title, lines six and seven, strike out the words "now under sentence of death."

Amend section eleven, line 19, insert after the word "disposed" the words "of according"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading, as amended?

It was agree to.
Ordered that the bill be prepared for final passage.

LEAVE OF ABSENCE.

Mr. GRAMLEY asked and obtained leave of absence for himself for next Monday and Tuesday.

The SPEAKER. The Chair is informed that the Chief Page is unable to permit all the page boys to go away from the building at one time. There is to be a circus in Harrisburg on Saturday; does the House give its unanimous consent that the Chief Page may permit all the Page Boys to leave at that time. The Chair hears of no objection and it is permitted.

ADJOURNMENT.

Mr. COX. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 5.20 o'clock P. M. the House adjourned to meet next Monday at 8:00 o'clock P. M.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, MAY 5, 1913. No. 60.

SENATE.

MONDAY, MAY 5, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

Thy word, O Lord, teaches us to ask and we shall receive; seek and we shall find; knock and it shall be opened unto us. We come this evening as suppliants to Thy throne of mercy, O Lord. We come seeking Him who is the giver of every good and perfect gift. We come together this evening knocking upon the door of opportunity, beseeching Thee to open unto us. We come together this evening knocking upon the door of Christian service, feeling that Thou hast already opened unto us. We are knocking on the door which leads into Thy presence. We hear a voice from Heaven saying, "Enter into His gates with singing, and into His courts with praise." "Whatsoever things are true; whatsoever things are honest; whatsoever things are just; whatsoever things are pure; whatsoever things are lovely; whatsoever things are of good report, if there be any virtue and if there be any praise," help us to think on these things, O Lord. "The Lord bless thee and keep thee. The Lord make his face to shine upon thee and be gracious unto thee. The Lord lift up his countenance upon thee and give thee peace." Amen.

The PRESIDENT. A qourum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McILHENNY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. WASBERS presented petitions of True Blue Council, D. of L., and Columbian Council, No. 125, D. of L., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

Mr. DAIX presented petition of Bellevue Council, No. 148, D. of L., favoring the passage of bill providing for the erection of memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

AGAINST HOUSE BILL NO. 1786.

Mr. HILTON presented petition of citizens of McKean County against the passage of House Bill No. 1786.

Which was referred to the Committee on Judiciary Special.

FAVORING HOUSE BILL NO. 1928.

The Chair presented the petition of Harry Gibson, of Philadelphia, favoring the passage of House Bill No. 1928.

Which was referred to the Committee on Judiciary Special.

LEAVES OF ABSENCE.

Mr. HUFFMAN asked and obtained leave of absence for the Senator from Bradford, Mr. Mills.

The Chair asked and obtained leave of absence for the Senator from Erie, Mr. Clark, on account of death in the family.

REPORTS FROM COMMITTEES.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed Senate Bill No. 1287 (House Bill No. 1284), entitled:

An Act fixing the salary of the messenger in the State Library.

Mr. POWELL, from the Committee on Railroads, reported as amended Senate Bill No. 903, entitled:

An Act to amend section ten of an act, entitled "An Act regulating railroad companies," approved February 19th, 1849, broadening the powers of eminent domain of railroad companies.

BILLS INTRODUCED.

Mr. ALEXANDER read in his place and presented to the Chair Senate Bill No. 1295, entitled.

An Act prohibiting the running at large of horses and mules on public highways, providing and regulating penalties for violation of the act and imposing certain duties on constables, township supervisors, roadmasters and the State police force.

Which was committed to the Committee on Public Roads and Highways.

Mr. McNICHOLS read in his place and presented to the Chtair Senate Bill No. 1296, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws, and providing a penalty for violation.

Which was committed to the Committee on Judiciary Special.

MOTION TO DISCHARGE COMMITTEE FROM CONSIDERATION OF BILL.

Mr. SENSENICH. Mr. President, I move that the Law and Order Committee be discharged from further consideration of Senate Bill No. 605, entitled:

An Act to further regulate and restrain the granting of license for the sale of vinous, spirituous, malt and brewed liquors or any admixture thereof, by forbidding any Court of Quarter Sessions to issue license in any township, borough, city or county when a certain per centum of the voters therein petition against the issuance of said license

and that this bill be placed on the calendar.

Mr. KNAPP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SENSENICH. Mr. President, this bill has been before this committee since March 12th. Two weeks ago I filed a petition, signed by about one third of all the Senators, praying that it be reported out of the committee at once. There has been no attention paid to this request—it has been simply ignored. I do not know if that is Senatorial courtesy or not. This committee is composed of honest and conscientious men, I believe, but its method, since I became a

member of this committee is this—that whenever a bill comes before it, which favors the liquor or brewery interests, it is reported out at once. But, if it favors temperance, in any way, it is held there to die. Mr. President, is this honest, or fair—is it not slapping and defying several millions of Christian and temperance people of this Commonwealth? This committee has had every opportunity possible to report this bill, so, I ask every Senator here, who believes in fairness, to vote to have this bill reported from committee.

Mr. SALUS. Mr. President, this bill was considered at a meeting of the Law and Order Committee, where the Senator who made the motion was present together with the Senator who seconded the motion. It was at that time postponed for the present, and while there was a petition signed by some members of the Senate presented to me, there was no demand made by these men that an additional or new hearing of the committee be had. It is my firm conviction that the man who made the application to have this committee discharged, does not want this committee discharged, that he made the little speech made here to-night for the purpose if some time in the future he becomes a candidate for re-election, that it may be used for campaign argument. The speech to-night is to my mind but seeking notoriety, and to furnish capital for a possible re-election four years from now. This committee is at any time ready and willing to hear the Senator or anybody connected with the body, if they can form or produce any possible argument why this bill should be reported out of this committee.

Mr. CROW. Mr. President, it strikes me there is another very good reason why this motion should not prevail. During the early part of the session of the Legislature, the House was occupied fully three-fourths of its time passing on liquor legislation, by repeated efforts on the part of those who were in favor of local option and other measures and it was demonstrated to the satisfaction of every one that it is not possible to pass a local option measure through the House side of the Legislature during this session. Now, after every effort made on that side of the Legislature has failed, this bill was introduced here—for what purpose I know not, unless it was to put some members of the Senate in the embarrassing position of having to go on record on the legislation. Now, if those who are in favor of this legislation know in advance that it is not possible to get the legislation through the House if the Senate does pass it, then why should the members of the Senate be required to waste the time of this body in the consideration of the legislation? Under these circumstances, it having been demonstrated that this legislation, even if passed here, will accomplish nothing for the cause of temperance or reform, I am most undoubtedly and positively against this motion. It is not fair to the Senate to offer a resolution or introduce legislation that will make it embarrassing to any member of the Senate unless it is done with reasonable belief that some good can be accomplished by it, and it being known in advance that it cannot pass, I sincerely hope that this motion will not prevail.

Mr. KNAPP. Mr. President, I believe that this bill as proposed is an amendment to the Brooks Law. The position taken by the courts in some sections is that the Brooks Law is mandatory—that they cannot refuse a license. This merely provides that if there is a petition signed by fifty-one per cent. of the qualified electors of the district against it, remonstrating, that there is no question then that they have a perfect right to refuse a license. And I believe that this bill should have been reported from this committee. It has laid in the committee now for over a month, and there is no reason why it should not be reported that I know of. I am not a member of that committee, but I believe it should have been reported, and I believe from the fact that it is of general interest to the people of this State that this motion should prevail, and his bill should go on the calendar.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. Sensenich and Mr. Jarrett and were as follows, viz:

YEAS—16.

Alexander,	Gyger,	Jarrett,	McIlhenny,
Cooper,	Heacock,	Judson,	Powell,
Endsley,	Hilton,	Knapp,	Sensenich,
Graff,	Hoke,	Martin,	Sheatz,

NAYS—25.

Beidleman,	Farley,	Magee,	Snyder,
Buckman,	Hall,	McNichol,	Sones,
Catlin,	Homsher,	McNichols,	Thompson,
Crow,	Huffman,	Miller,	Vare,
Daix,	Hunter,	Morgan,	Wasbers.
DeWitt,	Jones,	Nulty,	Gerberich,
		Salus,	Pres. pro tem.

So the question was determined in the negative.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows.

COMMISSIONER OF DEEDS.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 5th, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named gentlemen to be Commissioners of Deeds for the Commonwealth of Pennsylvania, with residence in the State of New Jersey, for the term of five years, to compute from the date of confirmation:

George A. Elvins, Atlantic City, N. J.,
Miss Emeline G. Bender, Camden, N. J.

JOHN K. TENER.

JUDGE OF THE ORPHANS' COURT OF THE FIFTH JUDICIAL DISTRICT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 5, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Thomas P. Trimble to be a Judge of the Orphans' Court of the Fifth Judicial District of the Commonwealth of Pennsylvania, composed of the county of Allegheny, to serve until the first Monday in January, 1914.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 5, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation.

ALLEGHENY COUNTY.

George P. Richardson, McKeesport.

BERKS COUNTY.

Howard S. Sharadin, Kutztown.

BUTLER COUNTY.

George W. Huselton, Millerstown.

ELK COUNTY.

T. A. Russell, Jay Township.

LANCASTER COUNTY.

Charles M. Harple, Upper Leacock Twp.

NORTHUMBERLAND COUNTY.

J. Mal Gillespie, Shamokin.

PHILADELPHIA COUNTY.

Stewart C. Lennox, Philadelphia.
Robert T. Potts, Philadelphia.

WESTMORELAND COUNTY.

Miss Julia M. Joyce, Greensburg.
Alfred J. Parker, West Newton.

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 611.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 611, entitled "An Act to amend the third section of an act approved the ninth day of June on ethousand nine hundred and eleven entitled 'An Act authorizing the establishment and maintenance of psychopathic wards in certain hospitals providing for the regulation thereof the commitment of persons suffering with mental disorders to such wards and for the payment of the expenses of maintaining and treating persons committed thereto.'"

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 406.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 406 entitled "An Act to amend the fourth fifth eighth and ninth sections of an act entitled 'An Act to create a Board of Public Charities' approved the twenty-fourth day of April Anno Domini one thousand eight hundred and sixty-nine so as to confer additional powers upon the said board and extend the duties and fix the compensation of the secretary and general agent.

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 116.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 116, entitled "An Act to prohibit the depositing of glass or metal or refuse on certain highways and providing a penalty.'

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 651.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 3, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 651, entitled "An Act making an appropriation to the State Hosiptal for the Criminal Insane at Farview Wayne County"

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 590.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 590, entitled "An Act enabling a married woman who has been deserted abandoned or driven from her home by her husband to sue her husband upon any cause of action whatsoever and making such wife a competent witness against the husband in such case"

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 3.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 3, entitled "An Act validating certain elections of counties cities boroughs townships school districts and other incorporated districts held pursuant to the provisions of an act approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof' and the amendments thereto and validating bonds issued or authorized to be issued in pursuance of such elections"

JOHN K. TENER.

VETO OF SENATE BILL NO. 405.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—I return herewith, without my approval, Senate Bill No. 405, entitled

"An Act to amend the third section of an act entitled 'An Act relative to the supervision and control of hospitals or houses in which the insane are placed for treatment or detention' approved the eighth day of May Anno Domini one thousand eight hundred and eighty-three so as to fix the number and compensation of the officers of the Committee on Luncay"

I am not convinced of the necessity for the increased number of officers and increased compensation authorized under the provisions of this bill.

For this reason the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. SNYDER. Mr. President, I move that the question together with the consideration of this bill, be postponed for the present.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 157

Agreeably to order,

The Senate proceeded to the consideration of the Report of the Committee of Conference on Senate Bill No. 157, as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate bill number one hundred and fifty-seven entitled "An Act to amend an act approved the third day of of June, one thousand nine hundred and eleven entitled 'A further supplement to an Act, entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class, providing for certain duties of the secretary of the board of commissioners, invalidating contracts hirings, purchases or orders not provided for by or in excess of appropriations, providing for inspection of the records and documents by taxpayers and the method of making contracts'"

J. CARTER JUDSON,
JOSEPH HEACOCK,
FRANCIS S. McILHENNY,
Committee on the part of the Senate.

HORACE B. DUNN,
PLYMOUTH A. SNYDER
CHARLES A. AMBLER,
Committee on the part of the House of Representatives.

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" which reads as follows

"Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over one hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated" is hereby amended to read as follows

Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over five hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one of more newspapers of the county in which such township shall be situated Provided That this section shall not apply to the operation or use by any township of the first class of its own tools implements crushers or other adequate machinery necessary for repairing public highways

On the question,

Will the Senate agree to the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Graff,	Magee,	Powell,
Beidleman,	Gyger,	Martin,	Sensenich,
Buckman,	Hall,	McIlhenny,	Sheatz,
Catlin,	Hoke,	McNichol,	Snyder,
Cooper,	Homsher,	McNichols,	Sones,
Crow,	Huffman,	Miller,	Thompson,
Daix,	Hunter,	Moore,	Vare,
DeWitt,	Jarrett,	Morgan,	Wasbers,
Endsley,	Judson,	Nulty,	Gerberich,
Farley,	Kurtz,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 470 (House Bill No. 132), as follows:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons. Approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine.

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the jail or county prison with the authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine," which reads as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the person now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants shall compose a board to be known by the name and style of Inspectors of the jail or county prison to wit: The judges of the court of quarter sessions the district attorney the sheriff the controller and commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution.

Section 2. That within thirty days after this act shall become effective the above named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of the prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors.

Section 3. That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder.

"Section 4. That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board.

Section 5. Provided that in all counties to which this act applies where the sheriff is now the acting warden or keeper of the county jail or prison and has his residence therein this act shall not take effect until the expiration of the term of office of the sheriff now so acting as jail or prison warden or keeper.

"Section 6. This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act be and the same is hereby amended so as to read as follows:

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same, That the persons now holding the following offices and their successors in all counties in this Commonwealth containing over one hundred and fifty thousand and less than three hundred and twenty-five thousand inhabitants shall compose a board to be known by the name and style of inspectors of the jail or county prison to wit: The sheriff the controller and the commissioners of each of said counties in which board and the officers appointed by it the safe-keeping discipline and employement of prisoners and the government and management of said institution shall be exclusively vested and that the present responsibility of the sheriff of each of said counties in regard to the safe-keeping of the prisoners shall cease and determine on their committal to said prison and such sheriff shall no longer be furnished a residence in said institution.

Section 2. That within thirty days after this act shall become effective the above named board shall meet and organize by the election of a president and secretary A majority of the members of said board shall constitute a quorum for the transaction of business and all actions of said board must be by the approval of a majority of all the members of said board The board shall meet monthly or oftener if required and keep regular minutes of their proceedings in a book to be filed with the financial records of each of said counties and shall make such rules and regulations for the government and management of the prison and the safe-keeping discipline and employment of the prisoners as may be deemed necessary The board shall appoint a warden of the prison who shall reside in the building The warden subject to the approval of the board may appoint such deputy or deputies assistant or assistants keeper or keepers as may be required in taking care of the prison the number and salary of the same to be fixed by said board of inspectors.

Section 3. That all the expenditures required for the support and maintenance of prisoners the repairs and improvement of said prison shall be paid from the county treasury by warrants drawn in the mode now prescribed by law on the regular appropriation for the purpose but no warrant shall be certified by the controller for any expense connected with the prison unless on vouchers approved by a majority of said board and endorsed by the president and secretary thereof and all contracts involving an expenditure of over one hundred dollars shall be publicly advertised in the newspapers authorized to do the county advertising and be given to the lowest and best bidder.

Section 4. That the warden at the time of his appointment shall give bond with good and sufficient security to be fixed and approved by the board of inspectors for the faithful performance of his duty and may at any time be removed by said board for misconduct or inefficiency All deputies assistants or keepers shall also give bond if required by said board and may at any time be suspended by the warden or removed by the said board. Provided, That in all counties in which this act applies where the Sheriff is now acting warden or keeper of the county jail or prison and has his residence therein This act shall not take effect until the expiration of the term of office of the sheriff now so acting as jail or prison warden or keeper.

Section 5. This bill shall not be construed to repeal any special laws relating to the management of jails or county prisons in the counties affected by this act.

Section 6. That all acts or parts of acts inconsistent with this act or any part thereof are hereby repealed.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,

Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Wasbers.
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jarrett,	Morgan,	Pres. pro tem.
Fisher,	Jones,	Nulty,	

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 597, as follows:

The Senate proceeded to the second reading and consideration of Senate Bill No. 597, as follows:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violation of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure which reads as follows

That no person firm or corporation shall by himself herself or themselves or by his her or their agent or servant nor shall any officer agent servant or employe of any person firm or corporation manufacture sell ship consign offer for sale, expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance article product or compound made wholly or partly out of any fats, oils or oleaginous substance or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person, firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell shall be made and kept free from all coloration or ingredients causing it to look like yellow butter nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person, firm or corporation shall in all respects comply with and observe the provisions of this act be and the same is hereby amended to read as follows

That no person, firm or corporation shall by himself, herself or themselves or by his, her or their agent or servant, nor shall any officer, agent, servant or employe of any person, firm or corporation manufacture sell ship consign offer for sale, expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance article product or compound made wholly or partly out of any fats, oils or oleagious substances or compound thereof not produced from pure unadulterated milk or cream from the same without the admixture or addition of any fat foreign to the said milk or cream and which shall be in imitation of yellow butter produced from pure unadulterated milk or cream of the same with or without coloring matter unless such person, firm or corporation shall have first obtained a license and paid a license fee as hereinafter provided nor unless the said article product or compound so manufactured shipped consigned offered for sale exposed for sale or had in possession with intent to sell, shall be made and kept free from all colorations or ingredients causing it to look like butter of any shade of yellow as hereinafter described nor unless the same shall be kept and presented in a separate and distinct form and in such manner as will advise the purchaser and consumer of its real character nor unless such person, firm or corporation shall in all other respects comply with and observe the provisions of this act For the purpose of this act oleomargarine, butterine or similar substance shall be deemed to look like, be in resemblance of or in imitation of butter of a shade of yellow when it has a tint or shade containing more than one and six-tenths degrees of yellow or of yellow and red collectively but with an excess of yellow over red as measured in the terms of the Lovibond tintometer scale or its equivalent

The second section of said act which reads as follows

Every person, firm or corporation and every agent of such person, firm or corporation desiring to manufacture, sell or offer or expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance not made or colored in imitation of yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business If the said application is satisfactory to the said Dairy and Food Commissioner and said name and style shall not in the judgment of the Dairy and Food Commissioner be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him, her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble or be in imitation of yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel, restaurant or dining-room the annual sum of fifty dollars and if a proprietor of a boarding house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately covered into the State Treasury Such licenses shall not authorize the manufacture of sale, exposing for sale or having in possession with intent to sell oleomargarine butterine or any similar substance at any other place than that disignated in the application and license and the said license shall not authorize the manufacture sale, exposing for sale or having in possession with intent to sell any oleomargarine, butterine or any similar substance made or colored so as to resemble or be in imitation of yellow butter

All licenses under this act shall expire on the thirty-first day of December of each year, but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such license may be transferred by Dairy and Food Commissioner upon the application in writing of the person, firm or corporation to which the same has been granted, Privided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons, firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons, firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons, firms and corporations who shall sell in quantities less than ten ponuds is amended to read as follows

Every person, firm or corporation and every agent of such person, firm or corporation desiring to manufacture, sell or offer or expose for sale or have in possession with intent to sell oleomargarine, butterine or any similar substance not made or colored so as to look like yellow butter shall make application for a license so to do in such form as shall be prescribed by the Department of Agriculture through its agent the Dairy and Food Commissioner which application in addition to other matters which may be required to be stated therein by said Dairy and Food Commissioner shall contain an accurate description of the place where the proposed business is intended to be carried on and the name and style under which it is proposed to conduct the said business. If the said application is satisfactory to the said Dairy and Food Commissioner and said name and style shall not in the judgment of the judgment of the Dairy and Food Commissioner be calculated to deceive or mislead the public as to the real nature of the business so proposed to be carried on he shall issue to the applicant or applicants a license authorizing him, her or them to engage in the manufacture or sale of oleomargarine or butterine or any similar substance which shall not contain any coloration or ingredient that causes it to resemble yellow butter for which said license the applicant or applicants shall first pay if a manufacturer the annual sum of one thousand dollars if a wholesaler the annual sum of five hundred dollars and if a retailer the annual sum of one hundred dollars if a proprietor of a hotel, restaurant or dining-room the annual sum of fifty dollars and if a proprietor of a boarding house the annual sum of ten dollars and the said license fee when received by the Dairy and Food Commissioner or his agent shall be by him immediately converted into the State Treasury Such licenses shall not authorize the manufacture or sale exposing for sale or having in possession with intent to sell oleomargarine, butterine or any similar substance at any other place than that designated in the application and license and the said license shall not

authorize the manufacture sale exposing for sale, or having in possession with intent to sell any oleomargarine, butterine or any similar substance made or colored so as to look like yellow butter as herein provided

All licenses under this act shall expire on the thirty-first day of December of each year but licenses may be granted to commence on the first day of any month for the remainder of a year upon the payment of a proportionate part of the annual license fee such licenses may be transferred by the Dairy and Food Commissioner upon the application in writing of the person, firm or corporation to which the same has been granted Provided The transferee shall comply with the regulations made by the said Dairy and Food Commissioner in regard to the said transfer and shall thereafter comply with the provisions of this act

Wholesale dealers within the meaning of this act shall be all persons, firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons, firms and corporations who shall sell to dealers and persons who shall buy to sell again and all persons, firms and corporations who make sales in quantities of ten pounds and over at any time and retail dealers shall be all persons, firms and corporations who shall sell in quantities less than ten pounds

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Farley,	Jones,	Miller,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Knapp,	Nulty,
Catlin,	Heacock,	Magee,	Sones,
Cooper,	Hilton,	Martin,	Thompson,
Crow,	Hoke,	McIlhenny,	Vare,
Daix,	Homsher,	McNichol,	Washers,
DeWitt,	Huffman,	McNichols,	Gerberich,
Endsley,	Jarrett,		Pres. pro tem.

NAYS—1.

Powell,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

Mr. SNYDER, Mr. President, I ask that Senate Bill No. 598, on final pasage, entitled:

An Act relating to alcoholc liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell of adulterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcement thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN. Mr. President, I ask that Senate Bill No. 861, on final pasage, entitled:

An Act in relation to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future establish

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 958. as follows:

An Act to relieve from the payment of mercantile license taxes corporations joint-stock associations and limited partnerships doing business as wholesale or retail distributors or vendors of merchandise who pay to the Commonwealth a tax upon their capital stock

Whereas corporations joint-stock associations and limited partnerships engaged in business in Pennsylvania as wholesale or retail distributors or vendors of merchandise are required under the revenue laws thereof to pay to the Commonwealth a five mill tax on their capital stock employed therein and also to pay the Commonwealth a mercantile license under the act entitled "An Act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of the said tax approved the second day of May Anno Domini one thousand eight hundred and ninety-nine

And whereas the license thus exacted amounts to a double taxation and is oppressive being also a discrimination against such wholesale and retail dealers or vendors who have to come in competition with the dealers and vendors from this State who do not pay the double tax and from dealers and vendors of states that sell through soliciting agents catalogues et cetera and from whom no license can be exacted therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the pasage of this act corporations joint-stock associations and limited partnerships conducting business in Pennsylvania as wholesole or retail dealers or vendors of merchandise who pay to the Commonwealth a tax on their capital stock employed therein be and the same are hereby relieved from the payment of mercantile license and for the year one thousand nine hundred and thirteen and each subsequent year threafter they shall not be required to make the returns and be rated by the mercantile appraisers as now required by law

Section 2 All acts and parts of acts inconsistent herewith be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24.

Beidleman,	Hall,	Kurtz,	Nulty,
Catlin,	Heacock,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
DeWitt,	Hunter,	McNichol,	Thompson,
Graff,	Judson,	Miller,	Vare,
Gyger,	Knapp,	Morgan,	Gerberich,
			Pres. pro tem.

NAYS—11.

Alexander,	Hoke,	Jones,	Sensenich,
Buckman,	Huffman,	McIlhenny	Washers,
Endsley,	Jarrett,	Powell,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 992. as follows:

An Act providing for the rechartering of building and loan associations or companies after expiration of their charter and for the taking over of all of the propert and assets by the re-chartered corporation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all building and loan associations or companies whose charters have expired by lapse of time from their own limitations may apply for a re-charter or have their charter renewed under the provisions of the general incorporation act of April twenty-ninth Anno Domini one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements and amendments thereto in the manner provided for under section forty of said act in the same manner and with like effect as if such re-charter had been applied for prior to the expiration of the original charter

Section 2 All of the rights privileges powers immunities lands properties and assets of whatsoever kind or character the same may be possessed and owned by the said original corporation either during their chartered existence or after their charter had expired shall vest in and be owned and enjoyed by the said re-chartered corporation as fully and with like effect as if their original charter had not expired and all suits actions claims and demands of whatsover character the same may be heretofore started and concluded by said corporations after their charter had expired shall be as good and effectual and have the same force and effect as though instituted during the period of their chartered existence

Section 3 All suits claims and demands of every nature and character in existence at said re-charter may be collected from and of the said re-chartered corporation as fully and with the like effect as if their charter had not expired

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Hall,	Knapp,	Nulty,
Beidleman,	Heacock,	Kurtz,	Powell,
Buckman,	Hilton,	Magee,	Sheatz,
Cooper,	Hoke,	Martin,	Snyder
Daix,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	McNichols,	Vare,
Farley,	Jarrett,	Miller,	Wasbers,
Graff,	Judson,	Morgan,	Gerberich,
Gyger,			Pres. pro tem.

NAYS—3.

Catlin,	Fisher,	Sen enich,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. ENDSLEY. Mr. President, I ask that Senate Bill No. 1064, on final passage, entitled:

A Supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of State highways solely at the expense of the Commonwealth and relieveing the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorported towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for constructing reconstructing repairing or maintaining certain spurs or branch roads

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill Noo. 1145 as follows:

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of legislation good government and the exercise of certain corporate powers and having respect to the number character powers and duties of the offices and officers thereof the counties of this Commonwealth now in existence and those hereafter erected shall be divided into eight classes.

Those having a population of one million five hundred thousand inhabitants or over shall constitute the first class

Those having a population of one million inhabitants or over and less than one million five hundred thousand shall constitute the second class

Those having a population of three hundred thousand inhabitants or over and less than one million shall constitute the third class

Those having a population of one hundred fifty thousand inhabitants or over and less than three hundred thousand shall constitute the fourth class

Those having a population of one hundred thousand inhabitants or over and less than one hundred fifty thousand shall constitute the fifth class.

Those having a population of fifty thousand inhabitants or over and less than one hundred thousand shall constitute the sixth class

Those having a population of twenty-five thousand inhabitants or over and less than fifty thousand shall constitute the seventh class

Those having a population below twenty-five thousand inhabitants shall constitute the eighth class

Section 2 The classification of said counties respectively shall be ascertained and fixed by reference to their population according to the last preceding Federal census Whenever it shall appear after any such census that any county has attained a population entitling it to an advance in classification as hereby prescribed it shall be the duty of the Governor under the great seal of this Commonwealth to certify the fact accordingly which certificate shall be recorded in the office of the recorder of deeds in the proper county

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Fisher,	Knapp,	Powell,
Beidleman,	Graff,	Kurtz,	Sensenich,
Buckman,	Gyger,	Magee,	Sheatz,
Catlin,	Hall,	Martin,	Snyder,
Cooper,	Heacock,	McIlhenny,	Sones,
Crow,	Hilton,	McNichol,	Thompson,
Daix,	Hoke,	McNichols,	Vare,
DeWitt,	Homsher,	Miller,	Wasbers,
Endsley,	Jarrett,	Morgan.	Gerberich,
Farley,	Judson,	Nulty,	Pres. pro tem.

NAYS—1.

Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1147, as follows:

An Act requiring the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each Post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the respective authorities of the several counties boroughs and incorporated towns of this Commonwealth are hereby required to appropriate annually to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each Post of the American Veterans of Foreign Service in the respective counties boroughs or towns a sum not to exceed fifty dollars ($50,00) to aid in defraying the expenses of Memorial Day

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I move that the vote by which the bill passed third reading be reconsidered.

Mr. AEXANDER. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. BUCKMAN. Mr. President, I ask unanimoous consent to amend the title, in line 1, by striking out the word "requiring" and inserting in lieu thereof the word "authorizing;" also in section 1, line 5, by striking out the word "required" and inserting in lieu thereof the word "authorized."

The amendments were agreed to.

On the question,

Will the Senate garee to the bill on third reading as amended?

It was agreed too.

Ordered, That the bill be printed as amended for the use of the Senate.

BILL OVER IN ORDER.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 1160, on final passage, entitled:

An Act to repeal sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred ninety-seven so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relates to nomination papers also to repeal sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections approved the tenth day of June Anno Domini one thousand eight hundred ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on tht official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred ninety-seven which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections two three four five and six of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 5, on third reading, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 7, on third reading, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 348 (House No. 149), entitled:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Morgan,	Gerberich,
Fisher,	Jones,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 384 (House No. 421), entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Beidleman,	Hilton,	Kurtz,	Sensenich,
Catlin,	Hoke,	Martin,	Sheatz,
Cooper,	Huffman,	McIlhenny,	Snyder,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Morgan,	Wasbers,
Graff,	Judson,	Nulty,	Gerberich,
Hall,	Knapp,		Pres. pro tem.

NAYS—1.

Buckman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 441, on third reading, entitled:

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth" approved the second day of July one thousand eight hundred and thirty-nine by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 444, on third reading, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the metho of counting the votes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 457, on third reading, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior courts when such office is to be filled at a municipal election

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 458, on third reading, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeeded to the third reading and consideration of Senate Bill No. 471 (House Bill No. 143), entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEA.—43.

Alexander,	Heacock,	Kurtz,	Salus,
Beidleman,	Hilton,	Magee,	Sensenich,
Buckman,	Hoke,	Martin,	Sheatz,
Catlin,	Homsher,	McIlhenny,	Snyder,
Cooper,	Huffman,	McNichol,	Sones,
Crow,	Hunter,	McNichols,	Thompson,
Daix,	Jarrett,	Miller,	Vare,
Endsley,	Jones,	Morgan,	Wasbers,
Farley,	Judson,	Nulty,	Gerberich,
Graff,	Knapp,	Powell,	Pres. pro tem.
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 491 (House No. 115), entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred and eighty-nine entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs'"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Jones,	Salus,
Beidleman,	Farley,	Knapp,	Sensenich,
Buckman,	Graff,	Kurtz,	Sheatz,
Catlin,	Heacock,	Magee,	Sones,
Cooper,	Hilton,	Martin,	Thompson,
Crow,	Hoke,	McIlhenny,	Gerberich,
Daix,	Homsher,	McNichol,	Pres. pro tem.
DeWitt,	Jarrett,		

NAYS—3.

Huffman,	Judson,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 492 (House No. 215), entitled:

A joint resolution extending the time for the making of the report by the Commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Graff,	Jones,	Salus,
Beidleman,	Gyger,	Judson,	Sensenich,
Buckman,	Hall,	Knapp,	Sheatz,
Catlin,	Heacock,	Kurtz,	Sones,
Cooper,	Hilton,	Martin,	Thompson,
Crow,	Hoke,	McIlhenny,	Vare,
Daix,	Homsher,	McNichols,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jarrett,	Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 529 (House No. 162), entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Gyger,	Jones,	Sensenich,
Beidleman,	Hall,	Judson,	Sheatz,
Buckman,	Heacock,	Knapp,	Sones,
Cooper,	Hilton,	Kurtz,	Thompson,
Daix,	Hoke,	Martin,	Vare,
DeWitt,	Homsher,	McIlhenny,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jarrett,	Morgan,	Pres. pro tem.
Graff,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. HALL. Mr. President, I ask that Senate Bill No. 533 (House Bill No. 280), on third reading, entitled.

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534 (House No. 293), entitled:

An Act to regulate the fees and salaries of the tipstaves and court criers in judicial districts containing more than one hundred and fifty thousand inhabitants and less than two hundred and fifty thousand inhabitants and to provide for the payment of the same

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. GRAFF. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SENSENICH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 540 (House Bill No. 540), entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Graff,	Knapp,	Salus,
Beidleman,	Gyger,	Kurtz,	Sensenich,
Buckman,	Heacock,	Magee,	Sheatz,
Catlin,	Hilton,	Martin,	Sones,
Cooper,	Hoke,	McIlhenny,	Thompson,
Crow,	Huffman,	McNichol,	Vare,
Daix,	Hunter,	McNichols,	Wasbers,
DeWitt,	Jarrett,	Miller,	Gerberich,
Endsley,	Jones,	Morgan,	Pres. pro tem.
Farley,	Judson,		

NAYS—1.

Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 544 (House No. 624), entitled:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitations of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Judson,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Hilton,	Magee,	Sheatz,
Cooper,	Hoke,	Martin,	Sones,
Crow,	Homsher,	McIlhenny,	Thompson,
Daix,	Huffman,	McNichol,	Vare,
DeWitt,	Hunter,	McNichols,	Wasbers,
Endsley,	Jarrett,	Miller,	Gerberich,
Farley,	Jones,	Morgan,	Pres. pro tem.
Graff,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 624 (House Bill No. 305), entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and prohibiting for the sale of such lands for taxes

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Sensenich,
Buckman,	Heacock,	Magee,	Sheatz,
Catlin,	Hilton,	Martin,	Snyder,
Cooper,	Hoke,	McIlhenny,	Sones,
Crow,	Homsher,	McNichol,	Thompson,
Daix,	Huffman,	McNichols,	Vare,
DeWitt,	Hunter,	Miller,	Wasbers,
Endsley,	Jarrett,	Morgan,	Gerberich,
Farley,	Jones,	Nulty,	Pres. pro tem.
Graff,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 625 (House Bill No. 466), entitled:

An Act to amend the first section of an act of assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audit for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and Superior and Supreme Courts" approved the ninth day of June Anno Domini one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Huffman,	McNichols,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jarrett,	Morgan,	Pres. pro tem.
Fisher,	Jones,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 669 (House No. 82), entitled,

An Act authorizing and regulating the employment on county highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Huffman,	McNichols,	Wasbers.
Endsley,	Hunter,	Miller,	Gerberich.
Farley,	Jarrett,	Morgan,	Pres. pro tem.
Fisher,	Jones,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 671 (House No. 290), entitled:

An Act authorizing Robert Stewart a citizen of Dauphin County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—43.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers
Farley,	Jarrett,	Morgan,	Gerberich,
Fisher,	Jones,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amenddments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 675 (House No. 465), entitled:

An Act requiring a license for conducting certain kinds of business regulating such license and fixing a penalty for violation of this act

And said bill having been read at length the third time,

Will the Senate agree to the bill?

Mr. JARRETT. Mr. President, I ask unanimous consent to amend the title in line 1, by inserting after the word "conducting" the following: "any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way;" also by striking out the words "certain kinds of business" and inserting in lieu thereof the word "and."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 677 (House No. 503), entitled:

An Act prescribing the conditions under which agreements and contracts for the sale and exchange of lands tenements and hereditaments may be recorded in the offices of the recorders of deeds in various counties of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HUFFMAN. Mr. President. This bill provides that where a stipulation is made in a contract for the sale of land the deed may not be put on record; that is to say the recorder would not record a deed if there is a stipulation in a deed that should not be recorded. I do not think there is any demand for an act of this kind as it will certainly interfere with the descent of land and title of land in such a matter that I think no lawyer could keep track of the title to land. I don't think it is well thought out.

Mr. McILHENNY. Mr. President, I understand the reason for this bill is this, certain real estate dealers enter into an agreement for the sale of property and pay fifty dollars down. They then record the agreement of the sale and cannot comply with its terms. This clouds the title, so that in order to get the agreement off the record they have to be paid a substantial sum, and it is the means of holding up people who desire to sell the property. I think it is a good bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24.

Alexander,	Farley,	Homsher,	McNichols,
Beidleman,	Graff,	Hunter,	Sensenich,
Buckman,	Gyger,	Jarrett,	Sheatz,
Cooper,	Hall,	Knapp,	Thompson,
Crow,	Hilton,	Martin,	Gerberich,
Daix,	Hoke,	McIlhenny,	Pres. pro tem.
Endsley,			

NAYS—8.

Heacock,	Judson,	Nulty,	Sones,
Huffman,	Miller,	Salus,	Wasbers,

Less than a majority of all the Senators having voted 'aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 692 (House Bill No. 953), entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collection storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transportaied in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsisting acts

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	Endsley,	Knapp,	Powell,
Beidleman,	Fisher,	Kurtz,	Salus,
Buckman,	Hoke,	Martin,	Sheatz,
Catlin,	Homsher,	McIlhenny,	Snyder,
Cooper,	Huffman,	McNichol,	Thompson,
Crow,	Hunter,	McNichols,	Vare,
Daix,	Jarrett,	Miller,	

NAYS—11.

DeWitt,	Hall.	Judson,	Sones,
Farley,	Heacock,	Morgan,	Wasbers,
Gyger,	Hilton,	Nulty,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 699, entitled:

An Act regulating parades of associations of veteran soldiers

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Graff,	Judson,	Powell,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Morgan,	Gerberich,
Fisher,	Jones,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 723 (House No. 221) entitled:

An Act the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the County Treasury

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I ask unanimous consent to amend the title by striking out all after the word "act" and inserting in lieu thereof the following: "Fixing the salary of registers of wills in counties within which are or may be, located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury after deduction of expenses which expenses said registers are authorized to incur;" also by striking out section 2 and inserting in lieu thereof the followng: "Section 2. The register of wills in said counties shall pay into the county treasury all fees or commissions of any kind earned by them for services performed either for the county or for the State or otherwise after deducting therefrom counsel fees and other legal expenses incurred in the collection of the same, the said registers being authorized and empowered to employ an attorney or attorneys to aid them in the collection in the Orphans' Court and other courts and otherwise of inheritance taxes."

The PRESIDENT. Is there objection?

Mr. HUFFMAN. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. McNichol.

The PRESIDENT. Will the Senator from Philadelphia, Mr. McNichol, permit himself to be interrogated?

Mr. McNICHOL. Mr. President, I will.

Mr. HUFFMAN. Mr. President, I would like to ask the Senator from Philadelphia, Mr. McNichol, what those amendments mean.

Mr. McNICHOL. Mr. President, I understand the amendments will permit the register of wills to take from the fee a sufficient amount of money to pay the attorneys that are employed in the collection thereof and permit him to have the $10,000 as provided for by the act.

Mr. HUFFMAN. Mr. President, nothing further.

Mr. McNICHOL. Mr. President, nothing further, as I understand it.

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 747, entitled:

An Act creating a board of managers to have control of the institutions for the care and treatment of the insane and the house of employment and support of the poor in certain counties prescribing their powers and duties and abolishing the office of director of the poor in said counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Graff,	Kurtz,	Sensenich,
Beidleman,	Hall,	Magee,	Sheatz,
Buckman,	Heacock,	Martin,	Snyder,
Catlin,	Hilton,	McIlhenny,	Sones,
Crow,	Hoke,	McNichol,	Thompson,
DeWitt,	Homsher,	Miller,	Vare,
Endsley,	Hunter,	Morgan,	Wasbers,
Farley,	Jarrett,	Nulty,	Gerberich,
Fisher,	Judson,	Salus,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 775 (House No. 791) entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the Court

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gyger,	Kline,	Powell,
Beidleman,	Hall,	Knapp,	Salus,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Hilton,	Magee,	Sheatz,
Cooper,	Hoke,	Martin,	Snyder,
Crow,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	McNichols,	Vare,
Farley,	Jarrett,	Miller,	Wasbers,
Fisher,	Jones,	Morgan,	Gerberich,
Graff,	Judson,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 801 (House No. 464) entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain building not in cities of the first and second classes by providing proper exists fire escapes fire extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	DeWitt,	Homsher,	McIlhenny,
Beidleman,	Endsley,	Kline	McNichol,
Buckman,	Farley,	Knapp,	McNichols,
Catlin,	Gyger,	Kurtz,	Powell,
Cooper,	Heacock,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
Daix,			Vare,

NAYS—11.

Fisher,	Jarrett,	Morgan,	Thompson,
Hoke,	Jones,	Nulty,	Gerberich,
Huffman,	Judson,	Sensenich,	Pres. pro tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 845 (House No. 1039) entitled:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred and eleven entitled "An Act supplementary to 'An Act for the taxation of dogs and the protection of sheep' approved the twenty-fifth day of May Anno Domini one thousand eight hundred ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Sensenich,
Buckman,	Hall,	Knapp,	Sheatz,
Catlin,	Heacock,		Snyder,
Cooper,	Hilton,	Magee,	Sones,
Crow,	Hoke,	Martin,	Thompson,
Daix,	Homsher,	McIlhenny,	Vare,
DeWitt,	Hunter,	McNichol,	Wasbers,
Endsley,	Jones,	Moore,	Gerberich,
Farley,			Pres. pro tem.

NAYS—1.

Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I move that Senate Bill No. 866 (House Bill No. 1054), on third reading, entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for mnunicipal improvements and for the removal of nuisances the procedure upon claims filed therefor and the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred one by changing the provisions prescribing what property shall be included in tax and municipal claims

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 876, on third reading, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms of such officers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 883, on third reading, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second class of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 884, on third reading, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 897 (House No. 835), entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

And said bill having been read at length the third time and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
Graff,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 898 (House No. 847), entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Moore.	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
Graff,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with informataion that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 899 (House No. 1090), entitled:

A supplement to an Act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and appointing the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws two hundred forty-four) extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Kline	Nulty,
Beidleman,	Hall,	Knapp,	Powell,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones.
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich.
Graff,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was deterfined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. BEIDLEMAN. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 533 (House Bill No. 280), on third reading, entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 533 (House No. 280), entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Graff,	Kline,	Nulty,
Beidleman,	Gyger,	Knapp,	Powell,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Moore	Wasbers,
Fisher,	Judson,	Morgan,	Gerberich,
			Pres. pro tem.

NAYS—1.

Heacock,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 901 (House No. 1116), entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred and fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile schools or farms as heretofore established by the act of assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand

and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriate and the taxes collected thereunder from time to time for the maintenances equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Hilton,	Magee,	Powell,
Beidleman,	Hoke,	Martin,	Sensenich,
Catlin,	Homsher,	McIlhenny,	Sheatz,
Cooper,	Hunter,	McNichol,	Sones,
Crow,	Jones,	McNichols,	Thompson,
DeWitt,	Judson,	Miller,	Vare,
Farley,	Kline,	Moore,	Wasbers,
Graff,	Knapp,	Morgan,	Gerberich,
Heacock,	Kurtz,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 927 (House No. 1137), entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gyger,	Kurtz,	Salus,
Beidleman,	Hall,	Magee,	Sensenich,
Buckman,	Heacock,	Martin,	Sheatz,
Catlin,	Hilton,	McIlhenny,	Snyder,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Huffman,	McNichols,	Thompson,
Daix,	Hunter,	Miller,	Vare,
DeWitt,	Jarrett,	Moore,	Wasbers,
Endsley,	Judson,	Morgan,	Gerberich,
Farley,	Kline	Nulty,	Pres. pro tem.
Graff,	Knapp,	Powell,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The ACTING PRESIDENT PRO TEMPORE (Mr. Clarence J. Buckman) in the Chair.

BILL OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 956, on third reading, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

go over in it sorder.

The PRESIDENT. Is there objection? The Chairs hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 967 (House Bill No. 1356), as follows:

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne, approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in the county of Luzerne" approved the ninth day of March Anno Domini one thousand eight hundred and sixty which reads as follows to wit

"Section 2 That the said John S. Law James Clarkson Patrick Moffit R E Marvin and James Stott are hereby constituted directors of the poor in the city aforesaid until successors are appointed and qualified as hereinafter provided and they and their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatsoever relative to the poor of the said city of Carbondale and shall have perpetual succession by name style and title of the Directors of the Poor of the City of Carbondale and by that name may sue and be sued plead and be impleaded purchase rent receive take and hold any lands tenements and hereditaments not exceeding in value five thousand dollars to erect and keep in proper condition suitable buildings for the use reception and accommodation and employment of the poor of said city and to provide all things necessary for the lodging maintenance support and employment of the poor of said city within ten miles of the city hall aforesaid be amended so as to read as follows

Section 2 That the said John S. Law James Clarkson Patrick Moffit R E Marvin and James Stott are hereby constituted directors of the poor in the city aforesaid until successors are appointed and qualified as hereinafter provided and they and their successors in office are hereby created a body politic and corporate in law to all intents and purposes whatsoever relative to the poor of the said city of Carbondale and shall have perpetual succession by name style and title of the Directors of the Poor of the City of Carbondale and by that name may sue and be sued plead and be impleaded purchase rent receive take and hold any lands tenements and hereditaments not exceeding in value twenty thousand dollars to erect and keep in proper condition suitable buildings for the use reception and accommodation and employment of the poor of said city and to provide all things necessary for the lodging maintenance support and employment of the poor of said city within ten miles of the city hall aforesaid

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Knapp,	Salus,
Beidleman,	Gyger,	Kurtz,	Sensenich,
Buckman,	Heacock,	Magee,	Sheatz,
Catlin,	Hilton,	Martin,	Snyder,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Huffman,	Miller,	Thompson,
DeWitt,	Hunter,	Moore,	Vare,
Endsley,	Jones,	Morgan,	Wasbers,
Farley,	Judson,	Nulty,	Gerberich,
Fisher,	Kline,	Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 986, entitled:

An Act authorizing corporations owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use as a beverage or for medicinal purposes to operate such distillery without a license and regulating the taxation of such corporations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Hilton,	Martin,	Sensenich,
Beidleman,	Hoke,	McIlhenny,	Sheatz,
Buckman,	Homsher,	McNichol,	Snyder,
Catlin,	Hunter,	McNichols,	Sones,
Crow,	Jarrett,	Miller,	Thompson,
Daix,	Judson,	Moore,	Vare,
Endsley,	Kline,	Morgan,	Wasbers,
Farley,	Knapp,	Nulty,	Gerberich,
Graff,	Kurtz,	Powell,	Pres. pro tem.
Gyger,	Magee,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 987, entitled:

An Act making a chief burgess of a borough eligible to office for the next succeeding term

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Farley,	Kline,	Nulty,
Beidleman,	Graff,	Knapp,	Salus,
Buckman,	Gyger,	Magee,	Sheatz,
Catlin,	Heacock,	Martin,	Snyder,
Crow,	Hilton,	Miller,	Sones,
Daix,	Homsher,	Moore,	Thompson,
Endsley,	Hunter,	Morgan,	Wasbers,

NAYS—4.

Hoke,	Judson,	McIlhenny,	Sensenich,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1008 (House No. 357), entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offense" and imposing duties on conductors

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Graff,	McNichol,	Sheatz,
Buckman,	Heacock,	McNichols,	Snyder,
Catlin,	Homsher,	Miller,	Sones,
Cooper,	Judson,	Moore,	Thompson,
Crow,	Kline,	Morgan,	Vare,
Daix,	Knapp,	Nulty,	Wasbers,
DeWitt,	Magee,	Powell,	Gerberich,
Endsley,	Martin,	Salus,	Pres. pro tem.
Farley,	McIlhenny,	Sensenich,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1017 (House Bill No. 1168), entitled:

An Act to provide for the payment of costs and charges on writs of executions or attachments and fixing the liability of sheriff in the execution thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Graff,	Martin,	Sensenich,
Beidleman,	Gyger,	McIlhenny,	Sheatz,
Buckman,	Hilton,	McNichol,	Snyder,
Catlin,	Homsher,	McNichols,	Sones,
Cooper,	Jarrett,	Miller,	Thompson,
Crow,	Judson,	Moore,	Vare,
Daix,	Kline,	Morgan,	Wasbers,
DeWitt,	Knapp,	Nulty,	Gerberich,
Endsley,	Kurtz,	Powell,	Pres. pro tem.
Farley,	Magee,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1018 (House No. 1226), entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Alexander,	Gyger,	Knapp,	Powell,
Beidleman,	Hall,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Cooper,	Hoke,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Huffman,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Moore,	Wasbers,
Farley,	Jones,	Morgan,	Gerberich,
Fisher,	Judson,	Nulty,	Pres. pro tem.
Graff,	Kline,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. SALUS. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 1155 (House Bill No. 1139), on third reading, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April one thousand eight hundred fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred seven by altering the seventh section and by repealing the sixth section thereof

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1155 (House No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April one thousand eight hundred fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred seven by altering the seventh section and by repealing the sixth section thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—24.

Beidleman,	Hall,	Magee,	Salus,
Catlin,	Homsher,	McNichol,	Sheatz,
Crow,	Hunter,	McNichols,	Thompson,
Daix,	Jarrett,	Moore,	Vare,
Farley,	Kline,	Morgan,	Wasbers,
Graff,	Kurtz,	Nulty,	Gerberich, Pres. pro tem.

NAYS—12.

Buckman,	Endsley,	Hilton,	Knapp,
Cooper,	Gyger,	Hoke.	Sensenich,
DeWitt,	Heacock,	Judson,	Snyder,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL OVER IN ORDER.

Mr. HOMSHER. Mr. President, I ask that Senate Bill No. 1019, (House Bill No. 1242), on third reading, entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1036 (House No. 1191) entitled:

An Act to amend sections five hundred and forty and five hundred and forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follws, viz:

YEAS—27.

Alexander,	Gyger,	McIlhenny,	Snyder,
Beidleman,	Hilton,	McNichol,	Sones,
Buckman,	Homsher,	Miller,	Thompson,
Catlin,	Judson,	Moore,	Vare,
DeWitt,	Kline,	Salus,	Wasbers,
Farley,	Knapp,	Sensenich,	Gerberich,
Graff,	Magee,	Sheatz,	Pres. pro tem.

NAYS—2.

Cooper,	Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1039 (House Bill No. 1218) entitled:

An Act to amend the ninth section of an act entitled An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred ninety-three by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalent of companies of the National Guard and by providing that the divisions of the Naval Force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follws, viz:

YEAS—33.

Alexander,	Farley,	Martin,	Sensenich,
Beidleman,	Graff,	McNichol,	Sheatz,
Buckman,	Hilton,	McNichols,	Snyder,
Catlin,	Hoke,	Miller,	Sones,
Cooper,	Homsher,	Moore,	Thompson,
Crow,	Judson,	Morgan,	Vare,
Daix,	Knapp,	Nulty,	Wasbers,
DeWitt,	Magee,	Salus.	Gerberich,
Endsley,			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1041 (House No. 1365) entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follws, viz:

YEAS—38.

Alexander,	Graff,	Magee,	Salus,
Beidleman,	Gyger,	Martin,	Sensenich,
Buckman,	Heacock,	McIlhenny,	Sheatz,
Catlin,	Hoke,	McNichol,	Snyder,
Cooper,	Homsher,	McNichols,	Sones,
Crow,	Judson,	Miller,	Thompson,
Daix,	Kline,	Moore,	Vare,
DeWitt,	Knapp,	Morgan,	Wasbers,
Endsley,	Kurtz,	Nulty,	Gerberich,
Farley,		Powell,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1043 (House No. 1464) entitled:

An Act regulating the openings of buildings upon over or under external fire escapes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follws, viz:

YEAS—33.

Alexander,	Graff,	Martin,	Sheatz,
Beidleman,	Gyger,	McNichol,	Snyder,
Buckman,	Hoke,	Miller,	Sones,
Catlin,	Homsher,	Moore,	Thompson,
Cooper,	Judson,	Morgan,	Vare,
Crow,	Kline,	Powell,	Wasbers,
Daix,	Knapp,	Salus,	Gerberich,
Endsley,	Kurtz,	Sensenich,	Pres. pro tem.
Fisher,	Magee,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. KNAPP. Mr. President, I ask that Senate Bill No. 1049, on third reading, entitled:

An Act regulating the salaries of county commissioners when said commissioners are directors of the county poor in counties of more than fifty thousand inhabitants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1051 (House Bill No. 1144), as follows:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the board of township commissioners in every township of the first class shall have power to provide by contract or otherwise for the collection and removal of ashes and garbages accumulating therein Provided that the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance

And said bill having been read at length the third time, and agreed to,

An the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Graff,	Knapp,	Sensenich,
Beidleman,	Gyger,	Kurtz,	Sheatz,
Buckman,	Hilton,	Magee,	Snyder,
Catlin,	Homsher,	Martin,	Sones,
Cooper,	Hunter,	McNichol,	Thompson,
Crow,	Jarrett,	Miller,	Vare,
DeWitt,	Judson,	Moore,	Wasbers,
Endsley,	Kline,	Salus,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. MAGEE. Mr. President, I ask that Senate Bill No. 1067, on third reading, entitled:

A supplement to an Act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fire-proof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1070 (House No. 146), entitled:

An Act to amend the tenth section of an act entitled "An supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Fisher,	Kurtz,	Salus,
Beidleman,	Graff,	Magee,	Sensenich,
Buckman,	Gyger,	Martin,	Sheatz,
Catlin,	Hall,	McIlhenny,	Snyder,
Cooper,	Heacock,	McNichol,	Sones,
Crow,	Hilton,	McNichols,	Thompson,
Daix,	Hoke,	Miller,	Vare,
DeWitt,	Jarrett,	Moore,	Wasbers,
Endsley,	Judson,	Morgan,	Gerberich,
Farley,	Kline,		Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. KLINE. Mr. President, I move that Senate Bill No. 1074 (House Bill No. 1283), on third reading, entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

be recommitted to the Committee on Banks and Building and Loan Associations.

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

CONSIDERATION OF BILLS ON SECOND AND FIRST READING.

Mr. CROW. Mr. President, I move that the Senate do now proceed to the consideration of bills on second and first reading in their order.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1193 (House Bill No. 1048), entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, re-reported as amended, Senate Bill No. 280, entitled:

An Act for the protection of the public health by providing that persons firms or corporations who are operating or conducting hotels restaurants common carriers and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks waiters kitchen help chamber maids or other house servants any person or person who are suffering from or who are carriers of a communicable disease and further providing that no dishes pots pans finger bowls linens or other kitchen or dining room utensils shall be used or towels furnished in washrooms maintained in any hotel restaurant common carrier or public eating place except as provided in this act and providing a penalty for violation thereof

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1251 (House Bill No. 525), entitled:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof, abolishing the work tax defining certain duties of the clerk of court, fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1296, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

BILL INTRODUCED.

Mr. KNAPP. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KNAPP read in his place and presented to the Chair Senate Bill No. 1297, entitled:

An Act to authorize the sale and conveyance of portions of the land belonging to the Commonwealth of Pennsylvania in the county of Erie now occupied by the Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania

Which was committed to the Committee on Judiciary Special.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives which were laid upon the table.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 150, as follows:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any property real or personal shall be wholly or partially destroyed by fire and which shall have been insured by the owner thereof and the owner and the insuring company cannot agree upon an equitable adjustment of the loss if any sustained by such owner than the owner and the insurer shall each choose an arbitrator and the court of common pleas of the county upon the petition of either owner or insurer shall appoint an umpire who with the two arbitrators shall adjust such loss The compensation of the umpire shall be fixed by the court and such compensation together with the costs attending such petition shall be paid by the owner and insurer share and share alike It shall be unlawful for any insurance company to issue any policy of fire insurance in this Commonwealth unless such company at the time of issuing such policy shall agree with the owner of the property insured to adjust the loss if any under such policy in accordance with the provisions of this act

Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 449, as follows:

An Act fixing the term of registry assessors or assesors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at the municipal election to be held on the Tuesday after the first Monday of November nineteen hundred and thirteenth and quadriennially thereafter at the November municipal election there shall be elected in each election district or precinct in all cities of the third class in the Commonwealth a properly qualified person for registry assessor to perform only such duties as are now and as heretofore have been required by law of assessors registry or assistant assessors incident to the holding of elections and registration of voters

Section 2 That the term of such assessors shall begin on the first Monday of December following their election and shall continue for four years

Section 3 The compensation of such assessors shall be the same as now fixed by law

Section 4 That all laws inconsistent with this are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 451, as follows:

An Act to amend section one of an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to authorize the election of assistant assesors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" by enlarging the term of assistant assessors providing for their election every four years and changing the power of filling vacancies from the court of quarter sessions to the county commissioners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" which reads and provides as follows to wit

"Section 1 Be it enacted by the Senate and House of Repsecentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the qualified voters of every election district in boroughs and townships in the Commonwealth of Pennsylvania wherein more than one election district is authorized and where but one assessor for valuation of taxable property resides in the boroughs or township having more than one election district shall on the third Tuesday of February Anno Domini one thousand eight hundred and ninety-two and annually thereafter elect a properly qualified person for assistant assesor in each of said election districts who shall perform all the duties relating to elections now required to be performed by assessors in boroughs and townships having but one election district

"In case of a vacancy in said office the court of quarter sessions or any judge of the said court of the same county shall appoint a person to fill such vacancy" be and the same is hereby amended to read as follows to wit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the qualified voters of every election district in boroughs and townships in the Commonwealth of Pennsylvania wherein more than one election district is authorized and where but one assessor for valuation of taxable property resides in the borough or township having more than one election district shall at the municipal election on Tuesday after the first Monday of November one thousand nine hundred and thirteen and quadrennially thereafter elect a properly qualified person for assistant assessor in each of said election districts to serve for four years who shall perform all the duties relating to elections now required to be performed by assessors in boroughs and

townships having but one election district In case of a vacancy in said office the county commissioners shall appoint a person to fill such vacancy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President, I ask that Senate Bill No. 620 (House Bill No. 107), on second reading, entitled:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the proceure therein and appeals therefrom and providing for the expenses thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 656. as follows:

An Act to provide for the Health and Safety of persons employed in and about the Anthracite Coal Mines in the Commonwealth of Pennsylvania for the protection and preservation of property therewith for investigations and inquests after accidents defining the liability of employers and prescribing penalties for violations of this act

ARTICLE I

Application of Act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of this act shall apply to every anthracite coal mine in this Commonwealth

ARTICLE II

Definition of Terms

Section 1 For the purpose of this act the definitions of the terms contained herein shall be as follows

Colliery The term "colliery" means the inside workings of a mine or mines and the outside operations connected therewith

Mine The term "mine" means all under-ground workings and excavations shafts slopes drifts tunnels and all other openings penetrating a coal seam or seams also all shafts drifts slopes tunnels and other openings being sunk or driven together with all roads appliances machinery and materials below the surface which openings are tributary to one colliery and ventilated by one general air current or division thereof and connected by one general system over which coal is or may be delivered to one or more points outside the mine when such is operated by the one operator

Shaft The term "shaft" means a vertical opening through the strata that is or may be used for the purpose of ventilation or drainage or for hoisting men or material or both in connection with the mining of coal

Slope The term "slope" means an incline opening used for the same purpose as a shaft

Workings The term "workings" means all the excavated parts of a mine those abandoned as well as those being worked

Breaker The term "breaker" means the structure containing the machinery used for the preparation of coal

Approved Safety Lamp The term "approved safety lamp" means any safety lamp approved by the Chief of the Department of mines

Operator The term "operator" means any firm corporation or individual operating any colliery mine or other part thereof as owner occupier or lessee

Superintendent The term "superintendent" means the person who shall have immediate supervision of one or more mines or colleries on behalf of the operator

Mining Engineer The term "mining engineer" means any person who is competent to survey and plot accurately the inside workings of a mine as well as the surface topography and who has had five years practical experience at such work or a graduate of a school of mines or some similar institution who has had three years practical experience

Mine Foreman The terms "mine foreman" means the person who is in charge of the inside workings of a mine or mines and of the persons employed therein

Outside Foreman The term "outside foreman" means the person in charge of all the outside operations of a colliery and the persons employed thereat

Miner The term "miner" means the person who blasts coal or rock and has charge of a working place also any person engaged at general work in a mine who has the qualifications of a miner as herein prescribed

Working Place The term "working place' means a gangway airway breast pillar cross-headings or any other place where coal is being mined

Chief The term "chief" means the chief of the Department of Mines who is commissioned by the Governor and is charged with the supervision of the execution of the mining laws of this Commonwealth

Inspector The term "inspector" means the person commissioned by the Governor on behalf of the Commonwealth to have supervision of mines and colleries in the district alloted to him

ARTICLE III

Duties of Owner Operator or Superintendent

Section 1 The owner or operator or every colliery shall appoint a person to be known as the superintendent provided however any individual operator or any member of a firm operating any coal mine or colliery may act as superintendent of his respective colliery or collieries within the meaning of this act

Provided further whenever the superintendent cannot personally comply with the provisions of this act he shall have the right to employ a sufficient number of assistants who shall be liable to the same penalties as the superintendent for any violation of this act

Section 2 In order to secure efficient management to promote the health and safety of the persons employed and to protect and preserve the property connected therewith the owner operator or superintendent shall appoint a certificated mine foreman for every mine except as otherwise provided in section one of Article six of this act where twenty or more persons are employed therein but no mine employing more than twenty persons shall be operated for a longer period than thirty days without the supervision of a mine foreman

Section 3 The Superintendent and the mine foreman shall employ a sufficient number of assistant mine foremen and if the mine is liberating explosive gas in sufficient quantities to be detected by an approved safety lamp they shall also employ a sufficient number of fire bosses so that the assistant foreman and fire bosses can comply with the provisions of this act as hereinafter provided

Section 4 The Superintendent of every mine shall provide and maintain ample means of ventilation to furnish a constant and adequate supply of pure air for the persons and animals employed therein

Section 5 It shall be his duty on behalf and at the expense of the operator to keep on hand at each mine at all times a sufficient quantity of materials and supplies required to preserve the health and safety of the employes as provided by this act

Section 6 He shall direct that all foremen employed under him shall comply with the provisions of this act especially when his attention has been called by the inspector to any violations thereof

Section 7 The superintendent of every mine shall provide a sufficient number of danger signals or signs Such signals or signs shall be uniform and as designed by the Chief of the Department of Mines

Section 8 He shall keep on hand at the mine a supply or printed rules and record books required by this act which shall be furnished through the inspector on request in writing and he shall see that said rules and record books are delivered to the proper persons and that an abstract of that portion of this act known as General Rules Special Rules and Article twenty-four shall be posted up in legible characters in conspicuous places near the main entrance or checking station of the mine which shall be protected and renewed when necessary

Section 9 The superintendent shall employ a competent person to be called "outside foreman" who shall have charge of the breaker and the outside operations of every colliery The mine foreman the assistant mine foreman and the outside foreman shall be under the charge and direction of the superintendent The operator shall be held responsible for any negligence on the part of any of the said mine officials

Section 10 He shall see that no mine cars or motors shall be used inside or outside any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars or motors separated by not less than twelve inches when the cars stand on a straight level road and the bumpers touch each other

Section 11 He shall forthwith notify the inspector by telephone or telegraph or special messenger of any loss of life or of any serious accident inside or outside a mine whereby the lives of the employes are endangered

Section 12 The operator or superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not

Section 13 The superintendent shall at least once each week read examine carefully and countersign all the reports entered in the record book of the mine foreman If he finds therefrom that any of the provisions of this act are being violated he shall at once call the attention of the mine foreman to the fact and shall order that said provisions be complied with forthwith

Section 14 The superintendent of every colliery on or before the twenty-fifth day of January in each year shall send to the inspector a correct report of the year ending December thirty-first which shall contain the name of the operator and officials of the colliery the tons of coal mined the quantity of gun powder dynamite and permissable explosives used the number of persons employed inside and outside of each mine those between the ages of fourteen and sixteen years and those between sixteen and twenty-one years and those above twenty-one years separately classifying the occupations of persons so employed and also the number of days each breaker has been in operation The reports shall be in such form and on such blanks and shall give such information regarding the mine or colliery as may be from time to time required and prescribed by the chief

Section 15 The superintendent of every colliery shall

notify the inspector within fifteen days of the following occurrences

(1) When any work has been commenced for the purpose of opening a new mine

(2) When the working of a mine is resumed after an abandonment or a discontinuance for a period exceeding two months

(3) When a mine has been abandoned or the working thereof discontinued

(4) When any change occurs in the name of a colliery or in the name of the operator

(5) When the pillars are to be removed and he shall forthwith notify the inspector of the following occurrences

(1) When a serious fire occurs

(2) When a dangerous body of gas is encountered

(3) When a squeeze or any other cause that may endanger the safety of the employes occurs

Section 16 The superintendent shall cause to be placed at every colliery a self-recording barometer which shall be properly cared for and the records for each day shall be preserved in the mine foreman's office

Section 17 An office to be known as the mine Foreman's office shall be provided and maintained by the superintendent at or near the main entrance to each mine of sufficient size and dimensions to properly store and care for the maps and records required by this act to be kept and preserved

Section 18 Any operator superintendent or assistant superintendent who neglects to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE IV

Mine Maps

Section 1 The operator or superintendent of every mine shall make or cause to be made by a competent mining engineer an accurate map of the mine on a scale of one hundred (100) feet to the inch which map shall show as follows

First All the openings excavations shafts slopes drifts tunnels planes gangways airways breasts and the name or number of each

Second An accurate delineation of the boundary lines between said mine and all adjoining mines or coal lands and the relation and proximity of the workings of said mines to all adjoining mines or coal lands and if requested by the inspector the map or blue print in the office at the mine shall show by arrows the direction of the air currents in said mine with each split shown in different color

Third The elevation above or below mean tide of the top and bottom of each shaft slope drift tunnel plane and of gangways and also of breasts adjacent to boundary lines between such mine and any adjoining mine or mines at points to be not more than three hundred feet apart and the location of streams rivers lakes dams or any other bodies of water on the surface with their elevations accurately and plainly marked the location and elevation of any body of water dammed in the mine giving the true area of said body of water unless inaccessible before the passage of this act and also the location and number of all holes penetrating the coal strata and a vertical section of the same shall be furnished to the inspector upon written request to the superintendent

Section 2 A true copy of said map shall be kept in the mine foreman's office for the use of the mine officials and the inspector and for the inspection (in the presence of the superintendent of the mine foreman) of any perso working in said mine whenever he shall fear that his working place is becoming dangerous by reason of its proxmity to other workings that may contain dangerous accumulations of water or noxious gases

Section 3 At least once every six months the superintendent of every mine shall cause to be shown accurately on the original may of said mine and on a true copy of the same kept at the mine foreman's office all the excavations made therein during the time that has elapsed since such excavations were last shown thereon

Section 4 The inspector's map of any particular mine shall be open for inspection in the presence of the inspector to any miner whenever said miner shall have cause to fear that his working place is becoming dangerous by reason of its proximity to other workings which may contain water or dangerous gases Said map shall also be open to the inspection of any citizen interested in the presence of the inspector

Section 5 The owner operator or superintendent at the request of the inspector in writing shall order that any portion of a mine be surveyed and entered on the original map and on the duplicate at the mine foreman's office when in his opinion such portion of the mine is approaching accumulations of water or noxious gases And whenever any of the workings or excavations of such mine have been driven to their destination it shall be the duty of the superintendent to see that the mining engineer checks up all his previous work and notes so that he can certify that the said map shows correctly all the excavations made therein

Section 6 The owner operator or superintendent of every mine shall furnish the inspector with a true and correct copy of the aforesaid original map on tracing cloth and at the end of every six months thereafter the inspector shall return said copy to the superintendent who shall place or cause to be placed thereon all the extensions made during the preceding six months as provided for in section three of this article and shall forward the map to the inspector within thirty days from the time of receiving it Provided that in lieu of the map on tracing cloth as aforesaid the superintendent shall have the privilege of furnishing a blue print showing the complete workings of the mine When more than one seam of coal is being worked in any mine the inspector shall be provided with a separate copy of the original map on tracing cloth or a blue print of the complete workings of each seam as provided for in this article The copies of the maps of the several mines as hereinbefore required to be furnished to the inspector shall remain in his care as official records pertaining strictly to the office of said inspector to be transferred by him to his successor in office and in no case shall any copy thereof be made without the consent of the superintendent in writing

Section 7 Whenever a mine or a portion thereof is worked out or abandoned the superintendent shall within thirty days thereafter have the inspector's map extended to show clearly all the worked out or abandoned territory with all propery and bounday lines and elevations as required in section one of this article

Section 8 The owner operator or superintendent of the abandoned mine shall also within sixty days after its abandonment send to the Department of Mines a tracing of said complete original map which shall be kept in the department as a public document and the mining engineer shall certify that said tracing is a true and correct copy of the said map and that the original map is a true complete and correct survey of all the excavations made in said abandoned mine

Section 9 If the inspector shall have reason to believe that any map of any mine furnished to him in pursuance of the provisions of this article is inaccurate or imperfect he is hereby authorized to have a special survey made and a map thereof The cost of said survey and map shall be recoverable by law from the owner or operator as other debts are recoverable by law Provided however that if the map claimed by the inspector to be inaccurate or imperfect shall be found sufficiently accurate to serve the purpose for which it is intended then the Commonwealth shall be liable for the expense incurred in making said survey and map which expenses shall be paid by the State Treasurer upon warrant of the Auditor General issued upon presentation of voucher approved by the Chief of the Department of Mines

Section 10 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when furnished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding three months at the discretion of the court

Section 11 Any person firm or corporation neglecting or failing to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE V

Boards to Examine Applicants for Certificates of Qualification as Mine Foreman Assistant Mine Foreman and Fire Boss

Section 1 On petition of the inspector of any district the court of common pleas in any county in said district shall appoint on or before the third Tuesday in January in each year for said inspection district an examining board of three persons to be known as the Mine Foreman's Examining Board consisting of said inspector a miner and a superintendent who shall be residents of said district The miner so appointed shall have had at least five years practical experience as a miner in gaseous mines and be at the time of appointment in actual practice and the superintendent shall also have had five years' experience as a superintendent of gaseous mines All members of said examining board shall be citizens of the United States and shall after being duly organized take and subscribe to before an officer authorized to administer the same the following oath namely

"I the undersigned do solemnly swear (or afirm) that I will perform the duties of examiner of applicants for certificates of qualification as mine foreman assistant mine foreman and fire bosses that I will not divulge or make known to any person any questions prepared or the examination prior thereto or in any manner assist any applicant to pass the examination but will be governed by the evidence of the qualifications of the applicants to fill said positions and not by any consideration of political or personal favor and that I will certify all whom I may find qualified in accordance with the law"

Section 2 Any vacancy that may occur in the membership of the board of examiners shall be filled by the court of common pleas in accordance with the provisions of section one of this article

Section 3 Any member of any board of examiners who divulges or makes known any question prepared for an examination prior to such question being handed to the applicants at the examination or in any manner assist any applicant to pass the examination shall be deemed guilty of an offense against this act

Section 4 The members of the boards of examiners appointed as provided in section one of this article with the inspectors in office shall meet in the city of Hazleton each year on the second Tuesday in April for the purpose of discussing the nature and scope of the theoretical and practical questions to be given the applications and to adopt rules to govern the examinations and to decide any oher important matter pertaining to their duties

Section 5 The members of said boards shall select at such meeting a committee of six of their number comprising two inspectors two miners and two superintendents who shall meet in the city of Harrisburg on the third Tuesday in April to formulate a code of questions to be used at the next succeeding examinations This committee shall select one of their members as chairman and one as secretary The question prepared by the said committee shall be printed under the personal direction of the chairman and sent by him by registered mail in sealed packages each package containing a set of questions for each session to the chairman of each Board of

Examiners who shall break the seal and open the package at the commencement of each session in the presence of the applicants and the other members of the board

Section 6 The said Board of Examiners shall meet in their respective districts at the call of the Inspector on the third Tuesday in May at a place designated by him to examine applicants for mine foremen assistant mine foremen and fire bosses Public notice of said meeting shall be given twice a week for two weeks in two daily newspapers published in the district prior to the holding of said examinations

Section 7 After the examinations are over and before the several boards meet to examine the papers of the applicants the said committee of six shall meet in the city of Wilkes-Barre not later than seven days after such examinations to prepare answers to the questions propounded and these answers shall be printed and sent by registered mail to the Chairman of each board to be used in rating of the value of the answers to the questions as given by the applicants While preparing answers to the questions the committee is hereby authorized to engage the services of a clerk whose compensation and mileage shall be the same as that of the members of the Committee

Section 8 The members of each board except the inspectors shall receive six dollars a day for every day actually employed not exceeding twelve days in all and mileage at the rate of two and one-half cents a mile for every mile traveled by the shortest route in going to and from the place of meeting Provided that the mileage shall be paid out once for each continuous session of the board and by a continuous session is meant a session of not less than four days in each week provided further that the members of the committee of six except the inspectors shall each receive additional compensation at the rate of six dollars a day for the time spent in preparing the questions and answers together with mileage as hereinbefore provided and all other necessary expenses

Section 9 The chairman of each Board of Examiners shall on final adjournment send to the Chief of the Department properly attested vouchers for compensation and mileage of each member of the board The Chief shall then approve all proper vouchers and transmit them to the Auditor General who shall issue a warrant for their payment to the State Treasurer

Section 10 Applicants must appear before the Board of Examiners of which the inspector of the district where they work is a member and all persons who desire to attend the examination shall notify the chairman of the board of their intention if possible not less than six days prior to the day set for the examination

Section 11 Applicants for certificates of qualifications as mine foreman or assistant mine foreman and fire bosses shall be citizens of the United States at least twenty-three years of age and shall have had at least two years practical experience as miners in the anthracite mines of Pennsylvania

All applicants shall be able to read and write the English language intelligently and shall furnish the board with certificates from trustworthy persons as to their character and temperate habits and also from superintendents and foremen showing the length of their services in the different mines

Section 12 Certificates of qualifications as mine foremen shall be granted to persons who have given to the board of examiners satisfactory evidence of their ability to perform their duties and who shall have received an average of at least eighty per centum in the examination

Section 13 Certificates of qualification as assistant mine foremen shall be granted to persons who have given to the board of examiners satisfactory evidence of their ability to perform their duties and who shall have received an average of at least seventy per centum in the examination

All applicants for certificates as mine foremen and assistant mine foremen must also undergo an oral examination of their practical experience with dangerous gases found in mines

Section 14 Certificates of qualifications as fire bosses shall be granted to persons who have given to the board of examiners satisfactory evidence of their ability to perform their duties and who shall have received an average of at least sixty per centum in the examination

Section 15 Before such examination each applicant shall pay to the board of examiners the sum of one dollar and if successful two dollars additional for a certificate All money received by the boards of examiners shall be transmitted to the chief of the department who shall pay the same into the State Treasury less the cost of issuing and recording the certificates

Section 16 Each board of examiners or at least two members thereof shall certify to the chief on forms furnished by him the name of every person whose examination shall disclose his fitness for the duties of mine foreman assistant mine foreman or fire boss who shall then prepare certificates of qualification for the successful applicants and send them to the inspector for distribution Each certificate shall contain the full name age and place of birth of applicant and also the length and nature of his previous service in or about the mines The certificates shall be in manner and form as prescribed by the Department of Mines

Section 17 Each board of examiners shall send to the Department of Mines the answers to each applicant to the questions propounded with all other papers together with the tally sheets and a list of the questions and answers as prepared by the committee of six which shall be filed therein

Section 18 It shall be unlawful to employ a mine foreman an assistant mine foreman or a fire boss who has not obtained the proper certificate of qualification as required by this article Provided that all persons holding certificates of qualification or service as mine foremen or assistant mines foremen granted prior to this act may continue to servive as such without further examination

Section 19 In case of the loss or destruction of a certificate the chief of the department shall issue a duplicate thereof to the person losing the same on payment of the sum of one dollar Provided that it shall be shown to the satisfaction of the chief by affidavit that the loss or destruction has actually occurred

Section 20 If any person shall forge a certificate of knowingly make or cause to be made any false statement in procuring such certificate issued under this act or shall make use of such forged or false certificates or duplicate thereof or shall make use of any false declaration representation or statement in any such certificate or duplicate thereof or any document containing the same he shall be deemed guilty of an offense against this act

ARTICLE VI

Duties of Mine Foreman and Assistant Mine Foreman

Section 1 To secure efficient management every mine where twenty or more persons are employed inside shall be under the direction of a mine foreman who shall have full charge of the inside workings and of all the persons employed therein so that the provisions of this act so far as they relate to him shall be complied with and he shall direct that the regulations prescribed for each class of workmen be complied with Provided however that a mine foreman may have charge of several detached openings of the same colliery And provided further that in a mine where less than twenty persons are employed they shall be under the charge and direction of an assistant mine foreman

Section 2 He shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction He shall post a notice at the fan engine house stating the least number of revolutions per minute the ventilator shall run

Section 3 Every working place shall be examined at least once each working day and whenever the mine foreman cannot personally comply with this provision he shall employ as provided in section three of article three of this act a sufficient number of assistant mine foremen to make such examinations wherever practicable during working hours and he shall give special care and attention to miners engaged in removing pillars

Section 4 The mine foreman or assistant mine foreman shall once every two weeks on the first and third Mondays of each month or as soon thereafter as practicable while the mine is in operation measure the air current at or near the main inlet and main outlet and also in the main inlet and outlet of each split in the cross-heading nearest the face of the first inside working breast and in the inside cross-heading nearest the face in the last outside working breast of each split of air and he shall make a record of such measurements with ink in a book prepared for that purpose Said record shall also designate the area of each opening the velocity of the air therein and the number of persons employed in each split with dates when such measurements were taken An exact copy of such measurements and records shall be sent to the inspector not later than the eighth day of the following month

Section 5 The mine foreman shall devote his time to his duties in the mine while the same is in operation and shall keep a careful watch over the ventilation airways traveling ways timbering and drainage and shall see that all stoppings between gangways and airways are properly built as provided for in section five of article fourteen of this act He shall see that proper cross-headings are made in pillars of all breasts and gangways at such distance apart as in his judgment may be necessary but the face of any breast shall not be more than sixty feet distant from the gangway or last cross-heading and he shall see that cross-headings are closed when necessary or when ordered closed by the inspector in writing and that in gaseous mines a cross-heading is driven at the face of every breast when finished

Section 6 The mine foreman assistant mine foreman or fire boss shall once each week examine carefully all accessible openings to all abandoned portions of a mine where explosive gas has been or is being generated and all dangers found therein shall be immediately removed if practicable A report of said examination shall be recorded with ink in a book kept in the mine foreman's office and signed by the persons who made the examinations

Section 7 The mine foreman or an assistant mine foreman shall see that every working place is properly secured by props timbers or otherwise that no person is permitted to work in an unsafe place unless it be for the purpose of making it secure and that safety in all respects is assured and if any employe neglects to carry out or disobeys the instructions given in regard to securing his working place and through such negligence or disobedience shall cause serious injury or loss of life to any person he shall report such employe to the inspector for prosecution

Section 8 The mine foreman shall see that the miners are provided with the necessary props timbers and cap pieces of suitable sizes which shall be delivered at the working faces or as near thereto as they can be conveyed in mine cars when requested by the miner that the props are cut square on one end and as near as practicable to the proper length as given by the miner and if for any reason the said props timbers and cap-pieces are not provided the mine foreman shall withdraw the men from the mine or from the portion of the mine affected which is dangerous to life and limb until such props timbers and cap-pieces are received

Section 9 The mine foreman or a competent person or persons designated by him shall each working day examine the shafts slopes traveling ways signal apparatus and all machinery connected therewith to see that they are in safe and efficient working condition so as to safeguard life and property The person making such examination shall report the same in writing with ink each day in a book kept for that purpose signing his name and giving the date of the examination

Section 10 When an assistant mine foreman is employed his duty shall be to assist the mine foreman in carrying out the provisions of this act In the absence of the mine fore-

man through sickness or otherwise one of the assistant mine foremen designated by the superintendent may perform the duties of the mine foreman and shall be liable to the same penalties as the mine foreman for any violation of this act

Section 11 Each assistant mine foreman shall make a daily report with ink in a book provided for that purpose stating the general condition of the working places visited in the portion allotted to him by the mine foreman and he shall make a note of any danger observed and sign his name thereto The mine foreman shall read carefully the daily report of each asistant mine foreman and shall countersign such reports with ink not later than the following day

Section 12 The mine foreman shall each day enter plainly with ink in a book provided for that purpose a brief report of the condition of the portion of the mine examined by him and shall state clearly any danger that may have come under his observation and sign his name thereto

Section 13 In a mine wherein explosive gas has been liberated within one year before the passage of this act or shall be liberated after the pasage of this act in sufficient quantities to be detected by an approved safety lamp the mine foreman shall employ a sufficient number of fire bosses (whenever he is unable to make the examination himself) in order that each mine shall be examined in accordance with the provisions of article seven of this act and he shall see as often as practicable that such fire boss has left his mark in places reported as examined He shall each day read carefully and countersign with ink all daily reports entered in the record book of the fire boss

Section 14 The mine foreman of a mine liberating explosive gas shall at or near the bottom of each shaft or slope or one the surface provide a permanent station where a proper danger signal or sign designated by letters and or both be placed thereon and no persons shall pass said station as long as the danger signal or sign is so posted

Section 15 When the workings of a mine are a mile or more from the bottom of a shaft or slope the mine foreman with the consent of the inspector in writing may provide a permanent station for the use of the fire bosses with danger signal or sign attached as provided in section fifteen and no person shall pass said station so long as the danger signal or sign is posted thereon In said station a fire proof vault of ample dimensions shall be erected of brick stone or concrete in which the temporary record book of the fire boss shall be placed and locked for safe keeping during their absence

Section 16 When the permenent station of the fire bosses is located a mile or more from the bottom of a shaft or slope all abandoned finished or unfinished workings is the intervening distance shall be completely shut off from the traveling way (which shall be in the intake) by stopping of stone or brick laid in cement or lime mortar or by concrete of sufficient thickness with other suitable material approved in writing by the inspector so as to prevent noxious or explosive gases from coming in contact with the employes while going to or returning from their work

Section 17 The mine foreman shall see that all working places and roadways and all other places of the mine are kept free from standing gas Any accumulation of explosive gas or noxious gases in the worked-out or abandoned portion of a mine shall be removed as soon as possible after its recovery if practicable No person except those employed in the removal of the same shall be allowed in that portion of the mine until such gases are removed or rendered harmless

Section 18 The mine foreman shall see that all dangerous places in the mine are properly fenced off across the openings so that no person can enter and hat danger signals or signs are posted thereon He shall notify the superintendent in writing whenever in his opinion the mine is becoming dangerous through the lack of ample ventilation squeeze or from any other cause beyond his control

Section 19 The mine foreman shall see that in a place that is being driven within supposedly dangerous proximity to an abandoned mine or a portion of the same suspected of containing explosive gas noxious gases or an accumulation of water at least one bore hole shall be maintained not less than twenty feet in advance of the face and on each side bore holes of the same depth shall be drilled at right angles not more than ten feet apart and the opening shall not be more than twelve feet wide

Section 20 The mine foreman shall see that no dangerous accumulation of water or gas shall be tapped from the mine or any abandoned portion thereof until all the employes are out except those engaged at the work of tapping and such work shall be done with locked safety lamps under the immediate supervision of the mine foreman or assistant mine foreman

Section 21 In case of accident to a ventilator or its machinery whereby the ventilation of the mine or portion thereof is seriously interrupted he shall order the employes to withdraw immediately from the mine or the portion thereof affected and they shall not be allowed to return to their work until the ventilation has been restored and the mine examined by the mine foreman assistant mine foreman or fire boss and reported safe

Section 22 The mine foreman assistant mine foreman or fire boss shall have the right if he deems it necessary for the protection of life and property to make a personal examination of any employe about to enter a gaseous mine or portion thereof where locked safety lamps are used and he shall not allow such employe to go to his work until it shall be satisfactorily shown that no prohibited articles are concealed about the employe's body

Section 23 The mine foreman and the assistant mine foreman shall as often as practicable see that the diameter of the bits of all drills is at least one-eighth of an inch larger than the diameter of the cartridge in use so as to prevent the forcing of a tight cartridge into any hole

Section 24 At the foot of every shaft or slope where persons are hoisted therefrom the mine foreman shall provide a comfortable waiting room for shelter and protection and of ample dimensions to seat from ten to twenty persons

Section 25 The mine foreman shall see that the height of gangways or traveling ways wherein employes have to travel into and out of the mines shall not be less than five feet Where such height is impracticable the employes at their request shall be hauled into and out of the mine at the beginning and end of each shift

Section 26 The mine foreman shall see that in all gangways or main haul-roads driven prior to the passage of this act where coal is hauled and where employes travel there is sufficient width to permit persons to pass moving cars with safety and if in the judgment of the inspector sufficient width has not been provided then safety holes not more than one hundred and fifty feet apart on gangways or roads where coal is hauled by animal power and not more than seventy-five feet apart when coal is hauled by motive power shall be made on one side of the passageway which hole shall not be less than two feet deep by four feet wide and shall be level with the road white-washed and kept free from obstructions

Section 27 The mine foreman shall see that all gangways and main haulage roads driven after the passage of this act where employes travel and coal is hauled thereon shall have a clear space of two and one-half feet from the side of the car to the rib or lagging which shall be made and continued throughout on the one side of said passageway if in the judgment of the inspector the conditions will permit all such space shall be kept free from obstructions Provided however That if found impracticable by the inspector to provide such clearance then safety holes shall be made as required in section twenty-six of this article Provided further That this section shall not apply to a distance within three hundred feet from the face of a gangway or main haulage road

Section 28 If at any time it is found by the person in charge of the mine or any portion thereof for any cause whatever the same has become dangerous every precaution shall be taken to insure the safety of the employes and every employe except such as may be required to remove the danger shall be withdrawn from the mine or portion thereof until it is examined by the mine foreman assistant mine foreman or fire boss and reported safe

Section 29 The mine foreman shall see that locked safety lamps are used where in his judgment the use of open lights is a menace to life and property and that only permissible explosives shall be allowed for blasting purposes in such places

Section 30 He shall provide suitable lighted signals to be placed on the end of all trips operated in the mine by motors

Section 31 The transportation of explosives and tools into and out of the mine shall be under the direction of the mine foreman

Section 32 He shall direct and see that efficient safety blocks or devices are placed for the purpose of preventing cars from running into shafts slopes or planes where employes are hoisted or traveling therein and shall see that they are maintained in good working condition

Section 33 A miner when first employed shall have his attention called by the mine foreman to article twenty-four of this act

Section 34 Any mine foreman or assistant mine foreman who fails or neglects to carry out the provisions of this article or of any other article that relates to his duties shall be deemed guilty of a offense against this act

ARTICLE VII

Duties of Fire Boss

Section 1 It shall be the duty of the fire boss to examine carefully every morning before the men enter the mine every working place all places adjacent to live workings every roadway and every unfenced road to abandoned workings and falls but before entering the mine he shall satisfy himself that the ventilation apparatus is running at the speed designated by the mine foreman and before proceeding with the examination he shall see that the air current is traveling in its proper course In making the examination for gas he shall use no light other than the enclosed in an approved safety lamp provided however that in addition thereto he may use an approved electric lamp for other examinations The examination shall begin within three hours prior to the appointed time for men to enter the mine The fire boss shall examine all dangers in all portions of the mine under his charge and after such examination shall leave at or near the face of every place the date as evidence that he has performed his duty He shall also examine the entrance or entrances to all workedout and abandoned portion adjacent to the roadways and working places under his charge where explosive gas is likely to accumulate and he shall place a danger signal or sign across the entrance to every working place and every other place where explosive gas is discovered or where immediate danger is found to exist from any other cause and said signal or sign shall be sufficient warning for persons not to enter

Section 2 A suitable record book shall be kept in the mine foreman's office on the surface or at a station located near the bottom of a shaft or slope or at a station a mile or more from a shaft or slope and on the return of the fire boss to said station he shall enter with ink in said record book the condition of the portion examined giving the date and sign his name to the same Such record shall show the time taken in making the examination and shall clearly state the location and nature of any danger that may have

been discovered and he shall immediately report the location thereof to the mine foreman or an assistant mine foreman

Section 3 No person shall enter the mine or any portion thereof until the fire boss returns to the station on the surface or to a station near the bottom of a shaft or slope or to a station located a mile or more from the shaft or slope as the case may be and reports that the mine or the portion thereof is safe for men to enter When the station is located a mile or more from the foot of the shaft or slope he shall report to the mine foreman or an assistant mine foreman by telephone or otherwise and it shall be his duty when stations are located inside the mines to keep his record book locked in a vault provided for that purpose whenever he is absent from the station

Section 4 A second examination shall be made by him each day when practicable during working hours of every working place previously examined where men are employed and shall give special attention to the condition of the roof and sides and the general condition of each working place as to its safety and if he discovers any working place in a dangerous condition he shall direct the miner to secure the place at once if practicable but if it cannot be made safe he shall withdraw the men immediately and report the matter to the mine foreman

Section 5 It shall not be lawful for any person (except mine foremen and in case of necessity such other persons as may be designated by him) to pass beyond a danger signal until the mine or the portion thereof has been examined and reported to be safe and he shall not allow any person to remain in any portion of the mine through which a dangerous accumulation of explosive gas is being passed in the ventilating current

Section 6 Any fire boss who neglects to comply with the provisions of this article relating to his duties or who shall make a false report of the conditions of any place in the portion of the mine alloted to him for examination shall be deemed guilty of an offense against this act and upon conviction his certificate shall be revoked by the Chief provided however that he may again be an applicant for a certificate at any regular examination after the expiration of six months but if found guilty of a second offense his certificate shall be revoked and he cannot be an applicant for re-examination

ARTICLE VIII

Duties of Outside Foremen

Section 1 The owner operator or superintendent of every colliery shall appoint a person to be known as outside foreman provided that nothing in this act shall be construed as to prevent the superintendent from also acting in the capacity of outside foreman where the circumstances will permit of such an arrangement

Section 2 The outside operations of every colliery shall be under the charge and direction of the outside foreman whose duty it shall be to see that the provisions of this act so far as they aply to him are obeyed and carried out

Section 3 The outside foreman shall see that all dangerous machinery is properly protected and especially in breakers such as engines rolls wheels screens shafting belting and conveyor lines the sides of stairs trestlings and plank walks shall be provided with hand or guard railings for protection but this section shall not forbid the temporary removal of a fence guard rail or covering for the purpose of repairs if precaution is taken but which shall be replaced immediately thereafter

Section 4 The outside foreman shall employ a sober and competent person not under eighteen years of age as a breaker engineer who shall attend to such engine while the same is in motion

Section 5 A signal apparatus shall be placed at important points in every breaker so that in case of accident the engineer can be promptly notified to stop the machinery

Section 6 The outside foreman shall not employ an oiler for said breaker machinery under sixteen years of age but such oiler or any other employe shall not oil dangerous parts of such machinery while in motion

Section 7 The outside foreman shall not employ any person under the age of fourteen years to do any work in the breaker or at any other work on the surface

Section 8 The outside foreman where coal dust in a breaker is injurious to the health of the persons employed therein shall immediately adopt measures for the removal of the same as far as practicable and see that the breaker is heated by steam or hot water and kept at a temperature so as to preserve the health of the persons employed therein

Section 9 In shafts or slopes where men are lowered from or hoisted to the surface the outside foreman shall as often as necessary see that the part of the rope inserted in the cone is cut off (as much as may be found defective and the cone readjusted and that no doubtful ropes are allowed to be used in lowering or hoisting employes

Section 10 Any outside foreman who neglects or fails to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE IX

Mine Inspectors' Examining Boards

Section 1 The Governor shall appoint during the month of June one thousand nine hundred and thirteen and every four years thereafter five citizens of the Commonwealth and residents of the Anthracite region who shall be men of good repute and at least thirty-five years of age to be known as the Mine Inspector's Examining Board whose duty it shall be to examine applicants for the office of mine inspector Two of the members of said board shall be mining engineers of not less than five years practical experience in mines and mining three shall be miners in actual practice who shall have had at least five years' practical experience as miners in Anthracite mines generating explosive gas

The members of said Board shall each receive the sum of ten dollars a day for each day actually employed not exceeding thirty-five days in all and all necessary expenses incurred in carrying out the provisions of this article which shall be paid out of the State Treasury on warrant of the Auditor General issued upon presentation of vouchers properly made out and sworn to by each member of the Board and approved by the Chief of the Department of Mines The Board is hereby authorized to engage the services of a clerk whose compensation shall be the same as that of the members of the Board Any vacancy that may occur in the membership of the Board shall be filled by the Governor

Section 2 The said Board of Examiners shall meet in the city of Harrisburg on the second Tuesday in July following its appointment to prepare questions and answers thereto and formulate rules for conducting the governing the examination provided there by a vacancy in the office of inspector The members of the Board after being duly organized shall each take and subscribe to before any officer authorized to administer the same the following oath namely

"I do solemnly swear (or affirm) that I will perform the duties of examiner of applicants for appointment as inspector to the best of my ability and that in recommending or rejecting said applicants I will be governed by the evidence of their qualifications to fill the position and not by any consideration of political or personal favor and that I will certify all applicants who may be found qualified and no others according to the true intent and meaning of the law

The oaths of the members of the Examining Board shall be filed in the Department of Mines

Section 3 On the fourth Tuesday in July public notice having been given for two weeks prior thereto in two newspapers published in the district where any such vacancy exists the Board shall meet again in the city of Harrisburg to examine applicants for the office of inspector whose qualifications shall be certified to the Board and be as follows They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits of good repute of personal integrity in good physical condition and not under thirty-five and not over fifty-five years of age Provided That this age limit shall not apply to inspectors now in office They shall have a comprehensive knowledge of the different systems of working and ventliating coal mines and shall have had at least ten years' practical experience in mines as miners fire bosses mine foremen or superintendents five years of which immediately preceding their examination shall have been in the anthracite mines of this Commonwealth They shall have had practical experience with explosive gas dangerous and noxious gases generally found in coal mines and shall have a general knowledge of mines mining and machinery and of chemistry of gases generally found in coal mines They shall be conversant with the work of first aid corps and with the work requirements of the rescue corps They shall be conversant with the science and use of electricity as applied to coal mines and shall have sufficient knowledge of the science of mining engineering to enable them to understand and read the mine workings of any mine as shown on maps presented at the examination and to make a cross section of any mine from said maps when so required by the examining board They shall give evidence of such theoretical as well as practical knowledge and general intelligence respecting mines and mining and the working and ventilation of mines as will satisfy the board of their capability and fitness for the important duties imposed upon the inspectors by the provisions of this act

After the passage of this act no person shall be eligible to the position of inspector unless he shall prove to the satisfaction of the Mine Inspector's Examining Board that he has served as a practical miner for at least five years provided that this shall not apply to inspectors now in office

Section 4 The principal examination shall be in writing and each applicant shall also undergo an oral examination pertaining to explosive gas and noxious gases safety lamps and general methods of mining The questions and answers in the oral examination shall be reported verbatim by an expert stenographer and typewritten fully to assist the board in the work of rating the qualifications of the applicants The applicants who have made a general average of at least ninety per centum shall be deemed successful

Section 5 The manuscripts and all other papers of the applicants in the principal examination together with the tally sheets and the correct solution of each question as prepared by the examining board and also the stenographic report of the oral examination shall be filed in the Department of Mines The examining board or at least six members thereof shall certify to the Governor and also to the Chief of the Department of Mines the names and percentags of all successful applicants who are properly qualified under the provisions of this article to fill the office of inspector A certificate of qualification prepared by the Chief of the Department of Mines shall be issued to each successful applicant

The examining board shall as soon as practicable after the examination furnish to each candidate examined a typewritten copy of all questions (oral and written) given at the examination marked "solved right" "imperfect" or "wrong" as the case may be

Section 6 The Governor shall from the names certified to him by the examining board commission a person having the highest percentage in the examination to be inspector for each district where a vacancy exists Provided however that no person shall be eligible who has received a less rating than ninety per centum in the examination The inspectors so named during one thousand nine hundred and thirteen shall serve until December thirty-first one thousand nine hundred and fifteen The inspectors elected or appointed under the provisions of the act of one thousand nine hundred and one etitled "An Act amending

article two of an act entitled 'An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith' approved the second day of June Anno Domini one thousand eight hundred and ninety-one" shall continue to serve until December thirty-first one thousand nine hundred and fifteen After January first one thousand nine hundred and sixteen the term of all inspectors shall be four years

Section 7 When a vanacncy occurs in the office of inspector by dearh or otherwise the Governor shall commission for the unexpired term from the names on file in the Department of Mines the person having the highest percentage in the examination to fill said vacancy When the number of applicants who have received at least ninety (90) per centum shall be exhausted the Governor shall cause the examining board to meet for a special examination and examine the persons who may present themselves for examination in accordance with section three (3) of this article and the board shall certify to the Governor and also to the Chief of the Department of Mines the names of all applicants who have made a general average of at least ninety (90) percentum in said examination as provided for in section four of this article and the one receiving the highest percentage shall be commissioned by the Governor according to the provisions of section six of this article for the office of inspector for the unexpired term Special examinations shall be conducted in the same manner as regular examination

Section 8 After the passage of this act the salary of the inspectors shall be three thousand and six hundred dollars ($3,600.00) a year to be paid quarterly by the State Treasurer on warrant of the Auditor General issued upon the presentation of voucher approved by the Chief of the Department of Mines Each inspector may also incur traveling and all other expenses as may be necessary for the proper discharge of his duties under the provisions of this act which shall be paid quarterly by the State Treasurer on warrant of the Auditor General issued upon the presentation of vouchers properly made out and sworn to by the inspector and approved by the Chief of the Department of mines Each inspector shall have an office in his district which may be at the place of residence Provided that a suitable room approved by the Chief be set apart for that purpose The Chief of the Department of Mines shall have authority to proceure for the inspectors on their request furniture instruments chemicals typewriters stationery and all other necessary supplies which shall be paid for by the State Treasurer on warrant of the Auditor General issued upon the presentation of vouchers approved by the Chief All furniture instruments plans books memoranda notes and other materials pertaiming to the office of inspector shall be the property of the State and shall be delivered by the inspector to his successor in office

Section 9 The inspectors shall be allowed all necessary expenses incurred by them in enforcing the several provisions of this act in the respective courts of this Commonwealth provided they have the consent of the Chief of the Department of Mines before such expenses are incurred the same to be paid by the State Treasurer on warrant of the Auditor General issued upon the presentation of itemized vouchers approved by the court before which the proceedings were instituted and also by the Chief of the Departmnt of Mines

Section 10 Each inspector shall before entering upon the discharge of his duties give a bond to the Commonwealth in the sum of five thousand dollars with sureties to be approved by a judge of the Court of Common Pleas of the district conditioned for the faithful discharge of his duties and shall take an oath or make affirmation that he will discharge his duties with impartiality and fidelity

Section 11 In case any inspector becomes incapacitated to perform the duties of his office or is granted leave of absence by the Chief of the Department of Mines it shall be the duty of the Governor at the request of said Chief to appoint temporarily to the office a person on the eligible list of applicants filed in the Department of Mines The temporary inspector shall act until the regular inspector is able to resume the duties of his office and shall be paid in the same manner as hereinbefore provided for the payment of the regular inspector

Section 12 No inspector under this act shall act as manager of any coal mine or as agent or as mining engineer for any company or be interested in the operation of any anthracite coal mine of this Commonwealth

Section 13 Any member of the Board of Examiners or clerk or stenographer employed by the Board who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE X

Duties of Inspector

Section 1 The inspector shall devote the whole of his time to the duties of his office It shall be his duty to examine thoroughly each mine and the outside workings thereof as often as possible but at least once every three months giving special attention to all mines liberating explosive gas and to all other mines where unusual dangers exist or may be suspected to exist to see that all the provisions of this act are complied with especially those that effect the safety of life health and property therein and those that demand that the air current be carried to the working faces He shall keep in his office a record of all such inspections showing the general condition in which he finds the mine especially with reference to its condition as to safety and ventilaton and also drainage where employes travel therein the number of persons employed inside the number of serious accidents showing the nature and causes thereof the number of deaths resulting therefrom and such other information as he may deem necessary or as may be required by the Chief of the Department of Mines

Section 2 It shall be the duty of the inspector when making his regular inspections to read and examine carefully the record books of the mine foreman assistant mine foreman and fire boss Upon the discovery that the law is not being complied with he shall notify the mine foreman to that effect in writing and if the same offense is found the second time his duty shall be to forthwith prosecute the guilty party He shall also see that all notices are posted in compliance with the provisions of this act

Section 3 It shall be the duty of the inspector to see as far as practicable that all the provisions of this act are observed and obeyed Provided that whenever he is in doubt regarding the enforcement of certain provisions he shall refer the matter to the Chief of the Department of Mines who shall render a decision as soon as possible and said decision shall be final unless the superintendent shall within seven (7) days of the receipt thereof appeal from such decision to the court

Section 4 To enable the inspector to perform the duties imposed upon him by this act he shall have the right at all times to enter any mine in his district or in any other district when directed to do so by the chief of the department to make inspection or to obtain information and upon the discovery of or being informed of any violation of this act which may endanger life or limb or if he finds any other thing or practice not covered by the provisions of this act which may endanger life or health of the employes he shall at once notify the mine foreman in writing to remove forthwith said dangerous conditions If the mine foreman fails to comply he shall immediately apply in the name of the Commonwealth to the court of Common Pleas of the county in which said mine is located or to a judge thereof in chambers for a writ of injunction to enjoin the operation of all work in said mine or portion thereof Whereupon said court or a judge thereof shall at once proceed to hear and determine the case and if the cause appears to be sufficient after hearing the parties and their evidence as in like cases shall issue its writ to restrain the working of said mine or portion thereof until all cause of danger is removed The cost of said proceedings shall be borne by the operator provided that should said court or a judge thereof find said allegations not sufficient said case shall be dismissed and the costs shall be borne by the county wherein said mine is located provided also that should any inspector find during his inspection of a mine or a portion thereof such dangerous conditions existing therein that in his opinion any delay in removing the workmen from such dangerous places might cause loss of life or serious personal injury said inspector shall have the right to temporarily withdraw all persons from such dangerous places until the foregoing provisions of this section can be carried into effect

Section 5 It shall be his duty after the final inspection of any mine to make out a written report on forms furnished by the Department of Mines which show the general condition thereof the dates of all inspections the number of cubic feet of air entering the mine and the number of cubic feet of air as found in the return airway outside the last cross heading in each split together with the number employed in each split The report shall contain such other information as he may deem necessary or as may be required by the Chief of the Department of Mines Said report shall be conspicuously posted at the mine and protected where it shall remain until the next final inspection is made and a copy shall be sent forthwith to the chief Said report shall be preserved in the office of the inspector for one year

Section 6 It shall be the duty of the inspector to visit each emergency hospital in the mines of his district once every three months see that the law is being complied with and examine the records of said emergency hospitals He shall notify the superintendent in writing of any neglect or non-compliance with the provisions of this article Such complaint shall be regarded as evidence in any inquest that may be held on any employe dying from injuries received in the mine

Section 7 It shall be the duty of the inspector whenever he has reason to believe that an illuminant is used or sold in violation of the provisions of this act to take samples of the same and have them tested under the directions of the Chief of the Department of Mines

Section 8 The inspector shall make the following reports to the chief on blank forms provided for that purpose not later than the tenth of each month he shall make a report of all fatal and serious non-fatal accidents as reported to him by the several foremen during the preceding month stating the date nature and cause of each accident and placing the responsibility therefor together with the name age occupation and nationality of each person killed or injured and whether married or single and the number of widows and orphans left which report shall be recorded and filed in the department and included or a synopsis of the same in the annual report of said department Not later than the sixth day of each month he shall make a report giving the name of the operator and the name and location of each mine inspected during the preceding month with dates of inspection condition of mine quantity of air in circulation at all points required by this article or as required by the chief and the number employed in each split of air Not later than the twentieth of February of each year he shall make an anuual report to the Chief which shall recapitulate the duties performed by him during the preceding year and briefly describe the conditions of the mines relative to ventilation drainage and general sanitary conditions as relating to the health safety and welfare of the employes and which shall also contain such suggestions or information of importance as he may deem necessary or as may be required by the Chief

ARTICLE XI

Discretionary Powers of Inspectors

Arbitration

Section 1 The inspector shall exercise sound discretion in the performance of his duties under the provisions of this act and if the operator superintendent or mine foreman shall be dissatisfied with any decision the inspector has given in the discharge of his duties which shall be in writing it shall be the duty of the dissatisfied persons to appeal from said decision to the Chief of the Department who shall at once direct two or more other inspectors to accompany promptly the inspector of the district to make further examination into the matter in dispute If the said inspector shall agree with the decision of the inspector of the district their decision shall be final unless the dissatisfied person shall within seven (7) days of the receipt of the decision of the committee of inspectors appeal therefrom to the court of Quarter Sessions of the county in which said mine is situated

Section 2 Whereupon the court or a judge thereof in chambers shall forthwith appoint a commission of four practical reputable and competent persons two of whom shall be recommended by the superintendent and two by the Chief and the four (4) persons thus recommended shall name a fifth person equally qualified and the five persons so named (none of whom shall be in the employ of the operator operating company or any of its officers or of the Department of Mines) shall constitute a commission to investigate and report on the matter in dispute Provided however in case any or all of said four (4) persons are not recommended by a writing filed in said court within seven days after the appeal is filed then the said court or a judge thereof in chambers shall forthwith fill the vacancy or vacancies by the appointment of a person or persons of equal qualifications should the four persons thus chosen not agree in writing upon the fifth person of this commission within five days after they have received notice of their appointment then the said court shall appoint the said fifth person on this commission The duty of said commission of five persons shall be under the instructions of the court to forthwith examine said mine or a portion thereof and report under oath within ten days after their appointment the facts as they exist and the conditions pertaining thereto based upon such conditions and facts the decision of a majority on the matter in dispute and their report and decision thereto shall be final and conclusive unless exceptions thereto shall be filed by the operator or superintendent or by the Chief within seven days of the filing of said commission's report If exceptions are filed the court shall at once hear and testimony taken thereon determine then and enter a decree in accordance with such determintion provided that the superintendent or the Chief shall thereafter have the right to have the record and proceedings removed to the Supreme Court for review by appeal or writ of error

Section 3 If said court of Quarter Sessions sustains the decision of the committee of inspectors and said court's decree in not appealed from or if on appeal the Supreme Court finally sustains the decision of the inspector then the appellant from said decision of the inspectors shall pay all costs of such proceedings but if said court of Quarter Sessions or the Supreme Court shall not sustain the decision of the committee of inspectors then all costs shall be paid by the Commonwealth provided however that any and all appeals from any decision made by the committee of inspectors or made by the committee appointed by the court of Quarter Sessions shall not operate as a supersedeas to such decision during the pendency of such appeal either to the court of Quarter Sessions or the Supreme Court unless so ordered by the court of Quarter Sessions or the appellate court or any judge thereof either by general rule or special order upon such terms as may be required by the court or judge granting the order or supercedeas

ARTICLE XII

Neglect of Malfeasance of Inspector

Section 1 The court of Common Pleas in any county of district upon a petition signed by not less than fifteen reputable citizens who shall be mine workers or operators of mines and with the affidavits of five or more of said petitioners attached setting forth that any inspector is neglectful of or is incompetent to perform the duties of his office or that he is guilty of malfeasance in office shall issue a citation in the name of the Commonwealth to the said inspector to appear on not less than fifteen days' notice given in the same manner as summonses are now by law required to be served upon a day fixed before said court at which time the court shall proceed to inquire into and investigate the allegations of the said petitioners provided however that the citation shall not issue until the petitioners shall file a bond in said court in the name of the Commonwealth in such sum as the court may direct and with sufficient sureties to be approved by the court conditioned that the petitioners shall pay the costs of the proceedings in case the charges are not sustained

Section 2 If the court finds that the said inspector is neglectful of or is incompetent to perform the duties of his office or that he is guilty of malfeasance in office the court shall certify the same to the Governor who shall declare the office of said inspector vacant and proceed in compliance with the provisions of this act to fill the vacancy

The costs of said investigation shall if the charges are sustained be imposed upon the inspector but if the charges are not sustained they shall be imposed upon the petitioners

ARTICLE XIII

Inspection Districts

Section 1 Under this act the anthracite region of the Commonwealth shall be arranged by the Chief of the Department of Mines into twenty-five (25) inspection districts and it shall be the duty of the Chief to assign the inspectors to their respective districts He shall also designate their places of abode at points convenient to the mines under their charge

Section 2 With the consent of the Governor the Chief may at any time re-arrange the districts and add to the number of inspectors if in his judgment the same should be increased

ARTICLE XIV

Ventilation

Section 1 The minimum quantity of air provided shall not be less than two hundred cubic feet per minute for each person employed in the mine and shall be as much more as may be required by the inspector

Section 2 The ventilation shall be conducted to and along the face of every working place in the mine in sufficient quantities to dilute render harmless and carry away smoke and noxious and dangerous gases to such an extent that all the working place and roadways shall be kept continually in a healthful and safe condition for the employes who work and travel therein

Section 3 All worked out or abandoned portions of a mine in operation so far as practicable shall be kept free of dangerous bodies of gas or water but if found impracticable the inspector must be immediately notified

Section 4 Every mine where more than seventy-five persons are employed shall be divided into two or more districts Each district shall be provided with a separate split of pure air and the ventilation shall be so arranged that not more than seventy-five persons shall be employed at the same in any one split The return air from each split shall be conducted through an overcast or an undercast when necessary which shall lead into a main return airway The inlet and return airways of every district shall be separated by a pillar of coal or rock where practicable otherwise with a wall of concrete stone or brick laid in cement or lime mortar not less than sixteen inches in thickness

Section 5 All cross-headings connecting the inlet and outlet airways of every district when closed permanently shall be substantially closed with walls of concrete or of stone or brick laid in cement or lime mortar or with other suitable material approved in writing by the inspector Cross-headings between rooms except those nearest the face shall be closed and a brattice shall be erected from the last cross-heading through which the air enters so as to conduct the air to the face Provided That the closing of such headings and the erection of brattice may be omitted on the written consent of the inspector

Section 6 All doors used for guiding and directing the ventilating current shall be so hung and adjusted as to close automatically

Section 7 Every main door (that is the door that controls the air currents in each split) or the door the opening of which would short circuit the air between the intake and the return of any split shall have an attendant whose constant duty shall be to open and close the same for transportation or travel to prevent it from standing open any longer than is necessary for persons animals or cars to pass through unless a self-acting door is used which is approved by the inspector A hole for shelter shall be made at each door where an attendant is employed Provided That the space is less than five feet from the body of the cars to the rib

Section 8 All main doors shall be so placed that when one door is open another which has the same effect upon the air current shall remain closed and thus prevent any temporary stoppage of the ventilation but if the inspector is of the opinion that an extra main door is necessary he shall notify the mine foreman in writing to that effect and such door shall be erected forthwith and left standing open and out of reach of accidents from runaway cars and so fixed that it can be at once closed in the event of accident to the main door in use The frame work of all main doors shall be substantially secured with concrete or with stone or brick laid in cement or lime mortar

Section 9 Every permanent overcast or undercast shall be substantially built of incombustible material and of such strength as the circumstances may require Provided That this section shall not apply to overcasts or undercasts in use prior to the passage of this act unless in the opinion of the inspector the same are a menace to the lives of the persons employed in the mine

Section 10 All permanent ventilators shall be erected on surface Provided That this shall not be so construed as to prevent the erection of a temporary ventilating machine inside of the mine All such permanent machinery built for such ventilation shall be kept continually in operation at the speed established by the mine foreman and said ventilating apparatus shall not be stopped except upon his written consent

Section 11 Every ventilator in operation at a mine shall be provided with a recording instrument by which the speed of the ventilator or the ventilating pressure for each hour of every day is indicated with the date thereof and such record shall be preserved in the mine foreman's office for a period of one year for future reference

Section 12 All air passages shall be of sufficient area to allow for the circulation of not less than two hundred cubic feet of air per minute for every person working therein and in no case in mines liberating explosive gas which can be detected by an approved safety lamp shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air current passes if safety lamps are used except in the main inlet or outlet airways

Section 13 It shall not be lawful to use a furnace for the purpose of ventlating any mine wherein explosive gas is being generated

Section 14 Every person who shall neglect or fail to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XV

Signalling Apparatus

Hoisting Machinery Ropes and Safety Catches

Section 1 In every shaft or slope wherein men are being lowered or hoisted the owner operator or superintendent shall install and maintain in good condition a signal apparatus so

that conversation may be held and understood between the employes at the top and at the bottom and vice versa and also of any intermediate lift thereof The same provision shall apply to inside planes where coal is lowered and employes have to travel therein

Section 2 In mines liberating explosive gas telephone connections shall be made from the surface to each lift or main centers of the mine and telephone connections shall be made in any other mine when ordered in writing by the inspector

Section 3 Every carriage used for lowering or hoisting employes in shafts shall be provided with guard rails at the sides and with chains bar or gate at the ends and with sufficient covering overhead to protect the employes thereon and with suitable overhead holds and each carriage shall also be provided with efficient safety catches which shall be tested once every two (2) months and a record of each test shall be sent to the superintendent and also recorded in a book kept at the mine foreman's office for that purpose

Section 4 All shafts shall be provided with safety gates at the top and intermediate landings the top gates to be controlled by the carriages where practicable

Section 5 All ropes shall be securely attached to the shaft of the drum of every engine that is being used for lowering or hoisting employes into and out of the mine and the flanges of said drum shall have a clearance of not less than two inches when the whole of the rope is wound thereon and no less than two full turns of the rope shall always remain on the drum An adequate brake shall be attached to the drum where men are being lowered or hoisted and an indicator shall be attached to the hoisting apparatus to show the position of the carriage cages or cars in the shaft or slope and an efficient device to prevent overwidening shall be attached to every engine used for lowering or hoisting employes if required in writing by the inspector

Section 6 The main coupling chain attached to the socket of the wire rope of every shaft or slope shall be made of the best quality of steel or iron and bridle chains of the same material shall be fastened to the top cross-piece of the carriage and attached to the rope not less than three feet above the socket

Section 7 In shafts or slopes where coal is hoisted and employes lowered or hoisted the ropes links and chains shall be of ample strength with a factor of safety of not less than four to one of the maximum load In shafts or slopes used exclusively for lowering or hoisting men and supplies the factor of safety shall not be less than eight to one of the maximum load or four to one of the maximum load of supplies All such ropes links and chains safety catches sockets and other hoisting apparatus shall be carefully examined at least once every working day by a competent person delegated for that purpose by the outside or inside foreman and any defect therein found by which life and limb may be endangered shall be reported at once to the outside or inside forman who shall immediately proceed to remedy the defect and until that is accomplished he shall prohibit the employes from being lowered or hoisted by the defective apparatus The person making said examination shall keep a daily record of each inspection in a book kept for that purpose and the record shall be made out in ink

Section 8 Every car cage or gunboat used for lowering or hoisting employes to any slope shall be provided with a proper guard so constructed that employes while thereon shall be protected from anything that may roll down said slope

Section 9 Every person who fails or neglects to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XVI

Safety Lamps and Open Lights

Section 1 The use of open lights is prohibited in any gangway airway traveling-way or in any other working place where explosive gas is being liberated in such quantity as well indicate danger by an approved safety lamp or other approved device also in pillar workings where a sudden inflow of explosive gas is likely to be encountered and all such places shall be worked exclusively with locked safety lamps The use of open lights is also prohibited in all working places roadways or other portions of the mine through which explosive gas is carried in the air current in quantities indicating danger

Section 2 When one section of a mine is worked by the use of locked safety lamps while another section is worked by the use of open lights the return air from the gaseous section shall be conducted directly into a return airway leading to the outlet When a section of a mine is worked by the use of locked safety lamps and other sections are worked by the use of open lights it shall be the duty of the mine foreman to provide a suitable danger station with danger signal or sign posted thereon and employes using open lights shall not pass such danger signals or signs nor enter a section where locked safety lamps are in use

Section 3 When safety lamps are used the position of the lamp station for lighting or relighting shall not be in the return air current

Section 4 Whenever safety lamps are used by fire bosses or other persons they shall be so constructed that they may be safely carried against the air current ordinarily prevailing in that portion of the mine in which the lamps are used

Section 5 All safety lamps used for examining mines or for working therein shall be the property of the owner or operator and shall be in the care of a competent person or persons apointed for that purpose whose duty it shall be to clean fill trim examine light and deliver them in a safe condition to the men who are using safety lamps when entering the mine and to receive the lamps from the men when returning from work Where locked safety lamps are required to be used they shall be locked before delivery to the men unless permission be first given by the mine foreman to have the lamps used unlocked and any person receiving a safety lamp shall see that it is clean and safe for uses

Section 6 At any mine liberating explosive gas in sufficient quantity to be detected by an approved safety lamp a sufficient number of safety lamps not less than one-fourth of the number of safety lamps in use shall be provided by the owner operator or superintendent as a surplus and kept in a convenient place and in good condition for use in case of emergency

Section 7 It shall be the duty of every person who knows that his safety lamp has been injured or is defective to extinguish the light at once and return the lamp immediately to the person who has charge of such safety lamps

Section 8 Any person who neglects or fails to comply with any of the provisions of this article shall be deemed guilty of an offense against this act and any person using a safety lamp who shall without authority make an alteration thereto or commit intentional damage to the same while in his possession shall likewise be guilty of an offense against this act

ARTICLE XVII

Shafts Slopes Openings and Outlets

Section 1 It shall not be lawful for the superintendent or mine foreman to employ any person to work in a mine unless there are at least two openings inlet and outlet from every seam of coal actually worked and available from every lift thereof and such openings and outlets shall have distinct means of ingress and egress available at all times for the use of the employes The distance between shafts shall not be less than one hundred and fifty feet The distance between inlet and outlet of a slope must not be less than one hundred and fifty feet on the surface but the distance between said openings inside shall not be less than sixty feet Provided that such distance between said openings shall apply only to mines opened after the passage of this act and provided further that the distance specified may be less with the written consent of the Inspector The passageways between said two shafts or slopes shall at all times be maintained in safe and available condition for the employes to travel therein and the pillars between said shafts or said slopes shall not be removed without the consent of the inspector given in writing to the mine foreman The foregoing requirements shall not apply to the openings of a new mine or to the openings of a new lift of a mine that is being worked for the purpose of making connection between said two outlets provided that not more than twenty persons are employed at any one time in making such connection or driving the second opening nor shall said requirements apply to any mine in which the second opening has been rendered unavailable by reason of the final removal of pillars provided that not more than twenty persons are employed therein at any one time

Section 2 The cage or carriage or other safe means of egress shall be available at all times for the persons employed in any mine that has no available second outlet

Section 3 There shall be at the bottom of every shaft where employes and material are lowered and hoisted (and similarly at such shaft at any intermediate point where it intersects any lift) a passageway not less than five feet high and three feet wide in the clear which passageway shall be either cut through the solid strata or constructed of masonry and shall be kept open at all times so as to enable persons to pass around said shaft or slope in going from one side thereof to the other

Section 4 The escapements shafts or slopes shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets

Section 5 In slopes where the angle of inclination is fifteen degrees or less there must be provided a separate traveling way which shall be maintained in a safe condition for travel and kept free from steam dangerous and noxious gases

Section 6 No inflammable structure other than a frame to sustain pulleys or sheaves shall be erected over the entrance of any shaft or slope connecting the surface with the underground workings of any mine and no inflammable structure shall be erected within one hundred feet of any such entrance provided further that breakers or other inflammable structures for the preparation of coal shall not be erected within two hundred feet of any such entrance but this section shall not be construed to prohibit the erection of a fan drift for the purpose of ventilation or of a trestle for the transportation of cars from any shaft or slope to such breaker or structure neither shall it apply to any shaft or slope until the work of development and shipment of coal has commenced Where breakers are now erected over shafts or slopes fire doors to be approved by the Department of Mines shall be so installed in same as to prevent the passage of smoke or fire from said structure into the mine and where intake cannot be otherwise provided a lateral airway shall be so arranged that when said fire doors are closed air may enter the shaft or slope through such airway below the fire doors from a point not less than two hundred feet distant from the same

Section 7 One year after the passage of this act if in the opinion of the inspector such precaution is necessary the sides roof and bottom of every slope airway travelingway and every other opening to the surface except cave-ins shall be made incombustible for at least twenty-five feet from the mouth and all cave-ins as far as practicable shall be so secured that fire from the surface cannot enter the mine The work shall be done to the satisfaction of the inspector Provided however that an extension of time not to exceed sixty days may be granted by the Chief of the Department of Mines on the recommendation of the inspector in writing

Section 8 The top of each shaft and also of each slope where the angle of inclination is forty-five degrees or more or any intermediate lift thereof shall be securely fenced off by railing or by vertical or flat gates

Section 9 Every abandoned slope shaft air-hole or drift shall be properly fenced around or across its entrance and said fencing shall be maintained

Section 10 All underground entrances to any places not in actual course of working or extension shall be properly fenced across the whole width of such entrances so as to prevent persons from entering the same

Section 11 Every person firm or corporation failing or neglecting to comply with or who violates any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XVIII

Sinking of Shafts

Section 1 The owner operator superintendent or contractor shall erect over every shaft that is being sunk or shall hereafter be sunk a safe and substanial structure to sustain sheaves or pulleys ropes and loads at a height of not less than twenty feet above the tipping place and the top of such shaft and landing platform shall be so arranged that no material can fall into the shaft while the bucket is being emptied Said structure shall be erected as soon as a substantial foundation is obtained and in no case shall a shaft be sunk to a depth of more than fifty feet without such structure

Section 2 If provisions are made to land the bucket on a truck it shall be so constructed that material cannot fall into the shaft

Section 3 Rock and coal from shafts while being sunk shall not be hoisted except in a basket or on a cage and said bucket or cage must be connected with the rope by a safety hook clevis or other safe attachment The rope shall be securely fastened to shaft of the drum and not less than three coils of rope shall always remain on the same If said shafts are one hundred feet or more in depth they shall be provided with guides and guide attachments applied in such manner as to prevent the bucket from swinging while being lowered or hoisted and such attachments shall be maintained at a distance of not more than seventy-five feet from the bottom

Section 4 An efficient brake shall be attached to every drum of an engine used for sinking shafts and all machinery ropes and chains connected therewith shall be examined once every day

Section 5 Where the strata are not safe every shaft shall be cased lined or otherwise made secure

Section 6 The following rules shall be observed as far as practicable in every shaft to which this article applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are evolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever men are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed

Fifth While shafts are being sunk all blasts therein must be exploded by electricity

Section 7 Every person who fails to comply with or who violates any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XIX

Openings for Drainage Et Cetera On Other Lands

Section 1 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petition the court of common pleas in and for the county in which such mine is situated which said court is hereby empowered to act in the premises setting forth that in consequence of intervening lands between the working of his mine and the most practicable point or the only practicable point as the case may be at which to make or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlet in accordance with the requirements of this act whereupon the court may make an order of reference and appoint three (3) disinterested persons residents of the county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn in a faithful discharge of their duties shall view and examine the premises and determine as to whether the owner should have the privilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an additional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be found to comply with the provisions of this act in the same manner as if this section had not been enacted In case the said owner operator or superintendent desires to and claims that he ought to make an additional opening under through or upon any adjoining or intervening lands to meet the requirements of this act for the ingress and egress of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper or such additional outlet doing as little damage as possible to the property explored and the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening constructing and using of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act in relation to lateral railroads approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two An Act regulating lateral railroads and the supplements thereto so far as the provisions of the same are applicable thereto and the notices to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of May fifth Anno Domini one thousand eight hundred and thirty-two and the supplements thereto

ARTICLE XX

Boundary Pillars

Section 1 It shall be obligatory on the land owners and operators to leave a pillar of coal in each seam worked along the lines of adjoining mines or properties of such width taken in connection with the pillar to be left by the land owner or operator of an adjoining property that will be a sufficient barrier to safeguard life and property in case the mine or mines of either property should be filled with water or endangered from any other cause

Section 2 Whenever a gangway airway breast or any other opening in a mine has reached within three hundred feet of any boundary line of any adjoining mine or property it shall be the duty of the mine foreman to suspend work in said opening until the width of the pillar necessary to safeguard life and property shall be decided upon and he shall notify the inspector whose duty it shall be to look into the matter and with the engineers of both properties shall forthwith decide upon the width of the pillar required

Section 3 If the inspector and said engineers shall fail to agree on the width of said pillar the matter in dispute shall be referred to the Chief of the Department of Mines and if he is not able to amicably settle the dispute he shall select three (3) disinterested engineers who shall decide upon the width of said pillar and their decision shall be final The cost of the investigations made by the three engineers so selected shall be paid jointly by said land owners and operators

Section 4 If at any time a barrier pillar as provided for in the previous section of this article should have fully served its purpose and shall no longer be necessary in the interest of safety the same may be removed if upon petition of the odjoining operator to the mine inspector of the district the board shall establish such pillar or a new board selected for the purpose shall give its approval in writing for the removal of said pillar

Section 5 Any land owner or operator who shall fail or neglect to comply fully with the provisions of this article shall be deemed guilty of an offense against this act and in addition there shall be liable to the operator or owner of the adjoining property in a sum equivalent to treble the value of the coal mined beyond the boundary line established in accordance with the provisions of this article said sum to be recovered with costs of suit by action of trespass and no prosecution by indictment under this act shall be a bar to such action

Section 6 Any owner or operator who fails to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXI

Use of Electricity

Definitions

Section 1 The definitions of terms contained herein shall be as follows

Potential The term "Potential" and "Voltage" are synonymous and mean electrical pressure

Difference of Potential The term "Difference of Potential" means the difference of electrical pressure existing between any two points of an electrical system or between any point of such system and the earth as determined by a voltmeter

Potential of a Circuit The potential or voltage of a circuit machine or any piece of electrical apparatus is the potential normally existing between the conductors of such circuit or the terminals of such machine or apparatus

A Where the conditions of supply of electricity are such that normally the difference of the potential between any points in the circuit does not exceed three hundred twenty-five (325) volts the supply shall be deemed a low voltage

B Where the conditions of supply of electricity are such that the difference of potential between any two points in the circuit may at any time exceed low voltage but normally does not exceed six hundred fifty (650) volts the supply shall be deemed medium voltage

C Where the conditions of the supply of electricity are such that the difference of potential between any two points in the circut at any time exceeds medium voltage the supply shall be deemed a high voltage

Grounding Grounding any part of an electric system shall consist in so connecting such part to the earth as will insure at all times a proper path for the immediate discharge of electrical energy

Explosion or flame proof casings or enclosures are those which when completely filled a mixture of methane and air and the same exploded are capable of either entirely confining the products of such explosion within the casing or of so discharging them from the casing that they cannot ignite a mixture of methane and air combined in the preparation most sensative to ignition and entirely surrounding the points of discharge and in most intimate proximity therewith

Underground Stations An underground station is herein considered as any place where electrical machinery including transformers is permanently installed

SPECIAL RULES

General

Section 2 The following rules relating to the installation and use of electricity in mines shall be observed as far as is practicable

1 All electrical apparatus and conductors shall be sufficient in power and size and of proper design for the work they may be called upon to do sufficiently protected efficiently covered and safe-guarded and so installed worked and maintained as to reduce danger from accident shock or fire to the minimum and shall be of such construction and so worked that the rise in temperature caused by ordinary working will not injure the insulating materials

2 No higher voltage than medium voltage shall be used underground except for transmission or for application to transformers or other apparatus in which the whole of the high voltage circuit is stationary

3 When high voltage cables are taken into the mine and unless they are mechanically protected they shall be taken through a bore hole suitable for the purpose or through a shaft or slope where no employes are lowered or hoisted therein or through a tunnel drift or gangway where no employes travel into an underground station from which point low or medium voltage may be conveyed All high voltage circuit cables or conductors shall be properly insulated

4 In gaseous mines high voltage transmission cables shall be installed in the intake airways only and high voltage motors and transformers shall be installed only in underground stations ventilated by the intake air which has not passed through or by a gaseous district

Precaution Against Shock

5 Gloves or mats of rubber or other suitable insulating material shall be provided and used by persons or engaged when repairs are made to the live parts of any electrical apparatus or when the live parts of electrical apparatus have to be handled for the purpose of adjustment

6 At every colliery where electricity is used below ground for power there shall be available a competent electrician who shall have full charge of the electrical apparatus in the mine but who shall be subject to the authority of the mine foreman

7 Instructions shall be posted in every generating transforming and motor room and at the entrance to the mine containing directions as to the restoration of persons suffering from electric shock and all employes working in connection with electrical apparatus shall be familiar with and know how to carry out these instructions

8 In the event of a breakdown or of damage or injury to any portion of the electrical equipment in a mine or of overheating or of the appearance of sparks or arcs outside of enclosing casings or in the event of any portion of the equipment not a part of the electrical circuit becoming alive every such occurrence shall be promptly reported to the mine foreman

Underground Stations

9 In underground stations where switchboards are installed there shall be a pasageway in front of the switchboard not less than three (3) feet in the clear

When medium voltage is used insulating floors or mats shall be provided where live metal work is on the front of the board

When high voltage is used there shall be no live metal work on the front of the main switchboard within seven (7) feet of the floor or platform and the space back of the board shall be kept locked up but the lock shall allow of the door being opened from the inside without the use of a key and the floor back of the board shall be made of incombustible material

10 No person other than one authorized by the mine foreman shall enter an underground station or interfere with the working of an apparatus connected therewith

11 Fire buckets filled with clean dry sand or other standard extinguishers for electrical fires shall be kept in underground stations ready for immediate use in extinguishing fires

Transmission Circuits and Conductors

12 Medium or low pressure conductors may be bare except in gaseous portions of the mine

13 Every branch power circuit shall be provided at the point where it leaves the main circuit with a switch of not less than one hundred (100) amphere capacity on each pole

14 In underground roads the trolley wires shall be installed as far to one side of the passageway as is practicable and securely supported on insulated hangers and placed at such intervals that the sag between points of support shall not exceed three (3) inches The sag between points of support can exceed three (3) inches if the height of the trolley wire shows the rail is five (5) feet or more and does not touch the roof when the trolley passes under it

15 All other wires except telephone shot firing and signal wires shall be on the same side of the road as the trolley where practicable

16 All landings and partings where men are required to regularly work or pass under trolley or other bare power wires which are placed less than six and one-half (6 ½) feet above top of rail a suitable protection shall be provided This protection may consist of channeling the roof placing boards along the wires which shall extend below them or the use of other approved devices that afford protection

17 All undergrounded power wires and cables in hoisting shaft or manway compartments shall be highly insulated and substantially fixed in position Shaft cables not capable of sustaining their own weight shall be properly supported at intervals according to the weight of the cables Where the cables are not completely boxed in and protected from falling material space shall be left between them and the sides of the shaft so that they may yield when struck and thus lessen the blow given by the falling material

18 Where the cables or feed wires other than trolley wires in main haulage roads cannot be kept at least twelve (12) inches from any part of the mine car or locomotive they shall where practical be specially protected by guards

19 When main or other roads are being repaired or blasting is being carried on suitable temporary protection from damage shall be given the cables

20 Trailing cables for portable machines shall be specially flexible heavily insulated and protected with extra stout braiding hose pipe or other equally effective covering

21 Each trailing cable in use shall be daily examined by the machine operator for abrasions and other defects and he shall also be required to carefully observe the trailing cable while in use and shall at once report any defect to the mine foreman

22 In the event of the trailing cable in service breaking down or becoming damaged in any way or of its inflicting a shock upon any person it shall be at once put out of service The faulty cable shall not again be used until it has been repaired and tested by a properly authorized person

23 In gaseous portions of mines a fixed terminal box shall be provided at the points where trailing cables are attached to the power supply This terminal box shall be flame proof and shall contain a switch and fuse on each pole of the circuit The switch shall be so arranged that it can only be operated from without the box when the latter is completely closed and the switch shall also be so constructed that the trailing cables cannot be detached or removed when the switch is closed

Switches Fuses and Circuit Breakers

24 All points at which a circuit other than a signal circuit have to be made or broken shall be provided with proper switches The use of hooks or other make shifts is prohibited except that connection for gathering locomotives or locomotives and machines used in driving headings or rooms may be made to the trolley by means of suitable hooks switches shall be so installed that they cannot be closed by gravity in any gaseous portion of a mine switches circuit breakers or fuses shall not be of the open type but shall be enclosed in explosion proof casings or break under oil

Motors

25 In any gaseous portion of a mine where gas is likely to be encountered all stationary motors unless placed in such room as are separately ventilated with intake air shall have all their current carrying parts also their starters terminals and connections completely enclosed in explosion proof enclosures made of non-inflammable material These enclosures shall not be opened except by an authorized person and then only when the power is switched off The power shall not be switched on while the enclosures are open

26 Motors used for operating fans in non-gaseous mines where they are so situated that they are not under constant supervision of a competent man shall be totally enclosed (not necessarily explosion proof) unless placed in a chamber or passageway completely lined with incombustible material and the chamber or passageway itself free from combustible material

27 In working places where gas is likely to be encountered a safety lamp or other suitable apparatus for the detection of explosive gas shall be provided for use with each machine when working and should any indication of explosive gas appear on the flame of the safety lamp or other apparatus used for the detection thereof the person in charge shall immediately stop the machine cut off the current at the nearest switch and report the matter to the mine foreman

28 No man shall be placed in charge of a coal cutting machine in any gaseous portion of a mine who is not a competent person capable of determining the safety of the roof and sides of the working place and detecting the presence of explosive gas

29 In any gaseous portion of a mine a coal cutting machine shall not be brought within the last break-through next the working face until the machine man shall have made an inspection for gas in the place where the machine is to work unless examination is then made by some other competent person authorized or appointed for that purpose by the mine foreman If any explosive gas is found in the place the machine shall not be taken in

30 No coal cutting machine shall be continued in operation in a gaseous portion of a mine for a longer period than half an hour without an examination as above described being made for gas and if gas is found the current shall at once be switched off the machine and the trailing cable shall forthwith be disconnected from the power supply

31 The person finding gas shall at once report the fact to the fire boss or mine foreman and the machine shall not again be started in such place until the fire boss or a person duly authorized by the mine foreman has examined it and pronounced it safe

32 The person in charge of a coal cutting machine or drilling machine shall not leave the machine while it is working and shall before leaving the working place see that the current is cut off from the trailing cables

33 In any gaesous portion of a mine if an electric sparking or arc be produced outside of coal cutting or other per-

table motor or by the cable or rails the machine shall be stopped and not be worked until the defect is repaired and occurrence shall be reported to the mine foreman

Electric Locomotives

34 Electric haulage by locomotives operated from a trolley wire is not permissible in any gaseous portion of mines except in the intake air fresh from the outside

35 In no case shall the potential used in the trolley system be higher than medium voltage

36 Storage battery locomotives shall be used in gaseous mines only when the boxes containing the cells and all electrical parts are enclosed in flame and explosion proof casings

Electric Lighting

37 Are lamps shall not be used in gaseous mines except under conditions where trolley locomotives are allowable

38 If arc lamps are used in the mines they shall be of the enclosed arc type

39 In all mines the sockets of fixed incandescent lamps shall be of the so-called "weather proof" type the exterior of which shall be entirely non-metallic Flexible lamp connections are prohibited except for portable lamps as hereinafter provided

40 In any gaseous portion of a mine except where ventilated by fresh intake air incandescent lamps shall be protected by gas-tight fittings of strong glass except that lamps of two hundred and twenty (220) volts or higher and of not more than eight (8) candle power and without tips need not be so protected

41 Incandescent lamps shall be so placed that they cannot come in contact with combustible material

42 Portable incandescent lamps other than battery lamps shall not be used except in connection with the repair and inspection of machines and equipment and then only in non-gaseous portions of mines When so used they shall be protected by a heavy wire cage completely enclosing both lamp and socket and shall be provided with a handle to which both cage and socket are firmly attached and through which the leading in wires are carried

43 Electric lamps shall be replaced by a competent person only and in gaseous portions of a mine only after an examination for gas has been made with a safety lamp

Shot Firing By Electricity

44 Electricity from any grounded circuit shall not be used for shot firing

45 When shot firing cables or wires are used in the vicinity of power or lighting conductors special precaution shall be taken to prevent the shot firing cables or wires from coming in contact wtih the light power or any other circuit

46 Any miner or any person who has the necessary training and skill and who has been properly instructed in the work and duly authorized by the mine foreman shall be allowed to fire shots electrically in any mine

47 Portable shot firing machines sometimes called generators shall be enclosed in a tightly constructed case when employed in any portion of the mine All contacts when made or broken shall be within the case except that the binding posts for making connections to the firing leads may be outside

48 All portable devices for generating or supplying electricity for shot firing when in a mine shall be in charge of the person firing the shots

49 No firing machine or battery shall be connected to the shot firing leads until all other taps preparatory to the firing of shot have been completed and all persons have moved to a place of safety

50 Immediately after the firing of a shot the firing lead shall be disconnected from the supply or source of electricity and no person shall approach a shot which has failed to explode until the firing leads have been so disconnected from the device and an interval of five (5) minutes have elapsed since the last attempt to fire the shot

Electric Signalling

51 All proper precautions shall be taken to prevent electric signal and telephone wires from coming into contact with other electrical conductors whether insulated or not

52 Bells wires insulators contact-makers and other apparatus used in connection with electric signalling underground shall be of suitable design of substantial and reliable construction and erected in such manner as to reduce the liability of failure or false signals to a minimum

53 In any gaseous portion of a mine the potential used for signalling purposes shall not exceed twenty-four (24) volts and bare wires shall not be used for signal circuits except in haulage roads

Electric Re-lighting of Safety Lamps

54 If in any place or portion of a mine in which safety lamps are used they are re-lighted underground by electricity the mine foreman shall select a suitable station or stations not being in the return airway and where there is not likely to be any accumulation of inflammable gas and no electric re-lighting apparatus shall be used in any other place All electric re-lighting apparatus shall be securely locked and shall not be available for use except by persons authorized by the mine foreman to re-light safety lamps and such persons shall examine all safety lamps brought for relighting before they are re-issued

Any person who neglects or fails to comply with any of the provisions of the foregoing rules or who shall wilfully damage or without authority alter or make connections to any portion of a mine electrical system shall be guilty of an affense against this act

ARTICLE XXII

Inspection by or in Behalf of Employes

Section 1 The employes of every mine may at their own expense appoint two of their number who are practical miners with not less than five years' experience to inspect the mine where an accident has occurred of which notice is required under this act to be given and shall be allowed to go together with any person acting as legal adviser to the employes or with a mining or electrical engineer selected by said employes accompanied as aforesaid to the place where the accident occurred and to make such inspection as may be necessary for ascertaining the cause of the accident subject however to the provisions of this act requiring the place where the accident has occurred to be left as it was immediately after the accident

Section 2 Every facility shall be afforded by the mine foreman and all persons employed in the mine for the purpose of the inspection and if the mine foreman or any other person refuses or neglects to afford such facilities as aforesaid he shall be deemed guilty of an offense against this act

ARTICLE XIII

Miners' Examining Board

Section 1 Hereafter no person whosoever shall be employed or engaged in the anthracite coal region of this Commonwealth as a miner in any anthracite coal mine without having obtained a certificate of competency and qualification so to do from the "Miners' Examining Board" of the proper district and having been duly registered as herein provided

Section 2 That there shall be established in each of the inspection districts in the anthracite coal region a board to be styled the "Miners' Examining Board of the ..... District" to consist of three miners who shall be appointed in the manner hereinafter set forth from among the most skilful miners actually engaged in said business in their respective districts and who must have had five years' practical experience in the same The said persons so appointed shall each serve for a term of two years from the date upon which their appointment takes effect and they shall be appointed upon or before the expiration of the term of the present members of the "Miners' Examining Board" and they shall be and constitute the "Miners' Examining Board" for their respective districts and shall hold the office for the term for which they were appointed or until their successors are duly appointed and qualified and shall receive as compensation for their services three ($3.00) dollars per day for each day actually engaged in this service and all legitimate and necessary expenses incurred in attending the meetings of said board under the provisions of this act and no part of the salary of said board or expenses thereof shall be paid out of the State Treasury

Each of said board shall organize by electing one of their members president and one member as secretary

Every member of said board shall within ten days of their appointment or being apprised of the same take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially discharge the duties of their office

Any vacancies occurring in said board shall be filled in the manner herein provided from among such only as are eligible for original appointment

Section 3 Each of said examining boards shall designate some convenient place within their district for their meetings the name and address of each and every person duly qualified of which due notice shall be given by advertisement in two or more newspapers of the proper county and so divided as to reach as nearly as practicable all the mining districts therein but in no case shall such meeting be held in a building where any intoxicating liquors are sold

Each of said committee shall open at the designated place of meeting a book of registration in which shall be registered the name and address of each and every person duly qualified under this act to be employed as a miner in an anthracite coal mine And it shall be the duty of all persons employed as miners to be properly registered and in case of a removal from the district in which a miner is registered it shall be his duty to be registered in the district to which he removes

Application for registration only may be sent by mail to the board after being properly attested before any person authorized to administer an oath or affirmation in the county in which the applicant resides The form of application shall be subject to such regulation as may be prescribed by the boards but in no case shall any applicant be put to any unnecessary expense in order to secure registration

Section 4 Each applicant for examination and registration and for the certificate hereinafter provided shall pay a fee of one ($1.00) dollar to the said board and a fee of twenty-five (25c) cents shall be charged for registering any person who shall have been examined and registered by any other board and the amount derived from this source shall be held by said board and applied to the expenses and salaries herein provided and such as may arise under the provisions of this act and the said board shall report annually to the court of common pleas of their respective counties and the Department of Mines all moneys received and disbursed under the provisions of this act together with the number of miners examined and registered under this act and the number who failed to pass the required examination

Section 5 It shall be the duty of each of the said boards to meet once every month and not oftener and said meeting shall be public and if necessary the meeting shall be continued to cover whatever portion may be required of a period of three days in succession and examine under oath all persons who shall desire to be employed as miners in their respective districts and said board shall grant such persons as may be qualified certificates of competency or qualification which shall entitle the holder thereof to be employed as and to do the work of miners as may be expressed in said certificate and such certificates shall be good and sufficient evidence of registration and competency under this act and the holder thereof shall be entitled to be registered without any examination in any other of the anthracite districts upon the payment of the fee herein provided

Persons applying for a certificate of competency entitling them to be employed as miners shall not be less than

twenty-one years of age and have had at least two years' experience as a miner miner's laborer or man of general work in the coal mines of this country or of other countries and in no case shall an applicant be deemed competent unless he appear in person before the said examining board to answer twelve questions in the English language pertaining to the requirements of a practical miner He shall demonstrate that he understands the use of safety lamps knows how to handle explosives and is competent to do the work of a miner without endangering his own life or the lives of others The said board shall keep an accurate record of the proceedings of all its meetings and in said record shall show a correct detailed account of the examination of each applicant with the questions asked and their answers and at each of its meetings the board shall keep said record open for public inspection Any miner's certificate granted under the provisions of this act and any prior acts shall not be transferable to any person or persons whatsoever and any transfer of the same shall be deemed a violation of this act Certificates shall be issued only at meetings of said board and said certificate shall not be legal unless then and there signed by at least three members of said board

Section 6 That no person shall hereafter engage as a miner in any anthracite coal mine without having obtained such certificate as aforesaid And no person shall employ any person as a miner who does not hold such certificate as aforesaid and no mine foreman or superintendent shall permit or suffer any person to be employed under him or in the mines under his charge and supervision as a miner who does not hold such certificate Any person or persons who shall violate or fail to comply with the provisions of this act shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred ($100.00) dollars and not to exceed five hundred ($500.00) dollars or shall undergo imprisonment for a term not less than thirty days and not to exceed six months or both at the discretion of the court

Section 7 For the purpose of examination of applicants for certificates as aforesaid a board of examiners shall be appointed immediately after the passage of this act in each of the inspection districts by the judges of the court of Lackawanna County for all inspection districts wholly or the greater part in the counties of Lackawanna Sullivan Susquehanna and Wayne by the judges of the court of Luzerne County for all inspection districts wholly or the greater part in the counties of Luzerne and Carbon and by the judges of the court of Schuylkill County for all inspection districts wholly or the greater part in the counties of Schuylkill Northumberland Columbia and Dauphin The board so appointed shall hold office until December thirty-one one thousand nine hundred and fourteen And the respective courts shall on the tenth day of January one thousand nine hundred and fifteen and every two (2) years thereafter appoint the aforesaid board of examiners

Section 8 Nothing in this act shall be construed to in any way excepting as herein provided affect miners' certificates which have been lawfully issued

Section 9 It shall be the duty of the several Miners' Examining Boards to investigate all complaints or charges of noncompliance or violation of the provisions of this act and to prosecute all persons so offending and upon their failure so to do then it shall become the duty of the district attorney of the county wherein the complaints or charges are made to investigate the same and prosecute all persons so offending and it shall at all times be the duty of the district attorney to prosecute such members of the Miners' Examining Board as have failed to perform their duty under the provisions of this act but nothing herein contained shall prevent any citizen a resident of the Commonwealth from prosecuting any person or persons violating this act with power to employ private counsel to assist in the prosecution of the same upon conviction of any member of the Miners' Examining Board for any violation of this act in addition to the penalties herein provided his office shall be declared vacant and he shall be deemed ineligible to act as a member of the said board

Section 10 For the purpose of this act the members of the said "Miners' Examining Board" shall have power to administer oaths

ARTICLE XXIV

Duties of Miner

Section 1 No miner shall fire a blast in any mine or in any portion of a mine where locked safety lamps are used except by permission of the mine foreman or assistant mine foreman but before such blast is fired the person in charge shall examine the place and adjoining places and satisfy himself that it is safe to fire such blast before such permission is given

Section 2 A miner whether using black powder high explosives or permissible explosives shall tamp the hole complete to the mouth irrespective of whether it is fired by electricity fuse or squib and in charging the hole he shall only use one kind of explosive

Section 3 A miner who is preparing to explode a blast by the use of a fuse shall at all times cut the fuse of sufficient length that it shall protrude at least six inches outside of the hole and that said fuse shall be lighted at the extreme end and so as to give the miner ample time to reach a place of safety

Section 4 No miner while charging holes for blasting coal slate or rock shall use an iron or steel tamping bar unless the end is tipped with at least six inches of copper or other soft metal nor shall he force a tight cartridge into any hole

Section 5 A minor who is about to explode a blast by the use of a patent squip shall not shorten the match nor saturate it with oil nor turn it down when placed in a hole nor ignite it except at its extreme end nor do anything to shorten the time the match will burn

Section 6 A minor who is about to fire a blast shall be careful to notify all persons who may be in danger therefrom and shall give sufficient alarm before and after igniting the same so that any person or persons who may be approaching shall be warned of the danger

Section 7 A minor who ignites a feeder of gas by a blast or otherwise shall immediately extinguish it if possible If he is unable to do so he shall at once notify the mine foreman assistant mine foreman or fire boss The miner immediately before leaving his working place shall see that no gas blowers are left burning

Section 8 No miner shall withdraw a charge of any explosive from a hole that has misfired nor shall he reopen the same but a new hole shall be drilled at a distance of not less than two feet from the old hole and fired

Section 9 Any miner having charge of a working place shall keep the roof and side thereof properly secured by timber or otherwise so as to prevent such roof and sides from falling and he shall not do any work nor permit any work to be done under loose or dangerous material except for the purpose of securing the same

He shall order props cap-pieces and timbers necessary at least one day in advance of needing them as provided for in the rules of the mine If he fails to receive the same and finds his place becoming unsafe he shall vacate it until the necessary timbers are supplied

Section 10 A miner working a breast or any other place shall before commencing work and also after firing of every blast enter said breast or place to examine and ascertain its conditions and his laborer or assistant shall not go to the face of said breast or place until the miner has examined it and found to be safe

Section 11 No miner shall remove any props or timbers that are supporting the roof or sides except it shall be done by blasting or by some other safe method

Section 12 Any miner who has gunnowder or other explosive shall keep it in a wooden or metallic box securely locked and at least ten (10) feet from the tracks where space at that distance is available

Section 13 A miner when opening a box containing explosives or when handling the same shall first place his lamp at a distance of not less than five (5) feet therefrom and in such position that the air current cannot convey sparks to the explosives and he shall not approach with a lighted lamp pipe or any other thing containing fire nearer than five feet to an open box containing the same

Section 14 Any miner who fails or neglects to comply with or who violates any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXV

Emergency Hospital

Section 1 After the passage of this act it shall be unlawful to operate any mine where twenty or more persons are employed inside unless said mine is provided with a sufficient quantity of linseed oil or picric acid ganze bandages splints and wooden and water-proof blankets Said articles shall be stored in a room to be known as the emergency hospital erected at a convenient place in the mine or on the surface at the discretion of the inspector which shall not be less than eight by twelve feet and sufficiently furnished lighted kept clean and properly ventilated so that medical treatment may be given therein promptly to injured employes

Section 2 It shall be the duty of the mine foreman assistant mine foreman or fire boss in case of a serious personal injury to an employe from any cause to at once visit the scene of accident see that the injured is properly cared for wrapped in woolen blankets and removed to the emergency hospital and then so treated as will add to the comfort and ease of the patient Immediately thereafter the injured shall be wrapped up and sent to the surface and taken to his home or to a hospital The mine foreman shall keep a book showing the required articles on hand name of the person injured nature of injury treatment and by whom treated at time of accident

Section 3 The neglect or refusal to perform the duties required by this article by any person required to perform them or the violation of any of the requirements hereof shall be deemed guilty of an offense against this act

ARTICLE XXVI

Rescue and First Aid Corps

Section 1 The operator of every colliery shall organize and maintain a competent first aid corps and rescue corps at said colliery recruited from volunteers among the employes

Section 2 Each first aid corps and each rescue corps shall consist of five robust and intelligent employes of the colliery properly trained by those in charge of the work

Section 3 Portable breathing apparatus electrical safety lamps and other appliances sufficient for the purpose for which they are intended shall be maintained in good working condition

Section 4 A company operating two or more collieries may establish a central station if the collieries are located in a group and connected by telephone or telegraph At every central station where two or more collieries are so connected there shall be kept and maintained not less than six rescue helmets with oxygen tanks attached also a sufficient supply of oxygen to enable the helmets to be in constant use for period of twenty-hours There shall further provided sufficient electric lamps resuscitating apparatus and other appliances necessary in rescue work Facilities shall be provided to promptly transport the equipment from the central station to the collieries

Section 5 The superintendent shall adopt such rules and regulations for the conduct and guidance of the men employed in first aid and rescue work as may appear best for the good of the service

Section 6 Any superintendent who fails to comply with any of the provisions of this article shall be demed guilty of an offense against this act

ARTICLE XXVII

Ambulances and Stretchers

Section 1 The owner operator or superintendent of every mine at which twenty or more persons are employed inside

shall provide and keep in good condition at the principal entrance to the mine at such other place as the superintendent and inspector may determine and designate one ambulance and at least two stretchers for conveying to their places of abode persons who may be injured while in the discharge of their duties and he shall also provide and keep in good condition a sufficient supply of woolen and water-proof blankets Provided further that when two or more mines are located within one mile of each other or when the ambulance is lodged within one mile of each mine only one such conveyance shall be required if such mines have ready and quick means of intercommunication by telephone or telegraph Provided further That two stretchers are kept in readiness at all times at small mines when less than twenty persons are employed therein

Section 2 The ambulance shall be constructed upon good substantial easy springs covered and closed with windows on the sides or end and provided with spring mattrasses or other comfortable bedding placed on roller frames together with sufficient covering and protection for the convenient movement of the injured It shall be of sufficient size to convey at least two injured persons and two attendants at one time and shall be provided with seats for the same The stretchers shall be constructed of such material and in such a manner as to insure ease and comfort in the carriage of the injured person

Section 3 Whenever an employe in or about a mine shall receive an injury as to render him unable to walk to his place of abode the superintendent shall immediately have him conveyed thereto or to a hospital as the case may require

Section 4 If the conditions are such that the person injured can be conveyed to his home or to the hospital more conveniently and more quickly by railroad trolley road or otherwise such mode shall be permitted but in such cases the conveyance must be under cover and the comfort of the injured person must be provided for

Section 5 Any superintendent who fails or neglects to carry out the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXVIII

Regulations for Explosives and Detonators

Section 1 No black powder high explosives or permissable explosives shall be stored in a mine and not more than twenty-five pounds of either shall be taken into any mine at one time by any person unless more is required in one shift

Section 2 Black powder high explosives permissible explosives or detonators shall not be hauled on any electric motor trip in any mine unless the same are encased in non-conductive boxes or receptacles

Section 3 High or permissible explosives shall not be sold for use in mines unless the name of the manufacturer and name and grade of explosive are stamped on each stick and the method of handling and full instructions for use are conspicuously displayed on and in the original box or package containing the same

Section 4 Detonators shall at all times be kept separate and apart from other explosives until required for use

Section 5 Black powder high explosives or permissible explosives stored for daily use at a colliery shall be in separate buildings which shall be built of incombustible material and rifle bullet proof Detonators must be kept in an annex which must also be fireproof No open light shall be permitted in either building These buildings shall be erected at least two hundred and fifty feet from shafts slopes and breakers where persons are employed

Section 6 Buildings where high explosives or permissible explosives are stored for daily use shall be heated by steam or hot water and kept at a temperature as directed by the manufacturer and no frozen explosives shall be sold to any employe nor distributed to or used by any employe

Section 7 Black powder high explosives permissible explosives and detonators shall be handled with care and used in accordance with the printed instructions issued by the manufacturer

Section 8 No person shall thaw any explosive inside or outside the mines except by the method recommended by the manufacturer

Section 9 Any person firm or corporation who fails or neglects to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXIX

Weight of Black Powder

Section 1 After the passage of this act every keg of black blasting powder manufactured which is sold or used in and about any mine shall contain twenty-five pounds each half keg shall contain twelve and one-half pounds each quarter keg shall contain six and one-quarter pounds all of standard weight Every keg shall be plainly stamped with the name of the person firm or corporation manufacturing said powder and also the number of pounds it contains

Section 2 No person firm or corporation except only such person firm or corporation whose name is stamped or inscribed on a keg shall be allowed to refill the same with black powder

Section 3 Any manufacturer or dealer person firm or corporation violating any of the provisions of section one and two of this article and any superintendent who buys or any person who offers for sale any black powder contrary to the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXX

Regulations for Oil

Section 1 The oiling and greasing of cars inside of a mine is strictly prohibited unless the place where said oil or grease is used is thoroughly cleaned once every day to prevent the accumulation of oil or grease on the roads or in the drains at that point Not more than one barrel of lubricating oil shall be permitted in any mine at one time and the same shall be kept in a fire proof building of masonry or concrete of sufficient thickness to insure safety or cut out of the solid rock

Section 2 No explosive oil shall be taken into or used in any mine for lighting purposes except when used in safety lamps and shall not be stored in any mine in quantities exceeding five gallons Said oil when stored in a mine shall be kept in a fire proof vault of concrete or masonry with fire proof doors which shall be kept locked when not in use

Section 3 All oils used in open lamps shall be non-explosive and free from odor and fumes deleterious to health and shall have a burning point not lower than three hundred degrees When acetylene lamps are used the quantity of carbide taken into the mine by each man shall be limited to such quantity as may be necessary for his daily use

Section 4 Paraffine wax for use in a mine shall not contain over three per centum of oil

Section 5 All illuminants sold for use in open lamps in mines shall have branded conspiciuously on the barrel or receptacle containing the same the name of the manufacturer and date of shipment

Section 6 An employe who shall use and any mine foreman who shall permit or persons who shall sell for use in a mine oil or other materials for illuminating purposes other than that prescribed by this article shall be deemed guilty of an offense against this act

ARTICLE XXXI

Code of Signals

Section 1 In all shafts and slopes where persons coal and material are to be hoisted by machinery the following code shall be used

(A) One rap or whistle to hoist coal or material

(B) One rap or whistle to stop car carriage cage of gun boat when in motion

(C) Two raps or whistles to lower car carriage cage or gunboat

(D) Three raps or whistles to hoist persons The engineer shall signal back when ready after which the persons shall get on the car carriage cage or bunboat and then one rap or whistle shall be given the engineer to hoist

ARTICLE XXXII

BOILERS AND CONNECTIONS

Examinations and Reports

Section 1 All boilers used for generating steam about mines or collieries shall be kept in safe condition and the superintendent or outside foreman shall have them examined by a qualified person at least once in six months and oftener if necessary The result of such examination under oath shall be certified in writing to the inspector within thirty days thereafter

Section 2 It shall not be lawful hereafter to place a boiler for the purpose of generating steam nearer than one hundred feet to any breaker or other structures used in the preparation of coal

Section 3 Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape and with weights or springs properly adjusted

Section 4 Steam gauges shall be properly connected with the boilers to indicate the steam pressure and a steam gauge shall be attached to the main steam pipe in the boiler house and placed in such a position that the firemen in charge can readily see what pressure is being carried Such steam gauges shall be kept in good working order tested and adjusted on every general inspection and so reported to the inspector

Section 5 Any person who fails or neglects to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXXIII

Inside Stables and Buildings

Section 1 It shall not be lawful to provide a stable for a horse or mule inside a mine unless space for said stable is excavated in solid strata of rock slate or coal If excavated in the coal seam a wall shall be built of brick stone or concrete not less than eight inches in thickness along the face of the coal from the bottom slate to the roof or cased in entirely with incombustible material In the construction of said stable wood or other combustible material shall not be used except for a floor where the animals shall stand upon

Section 2 No hay or straw shall be taken into any mine unless pressed and made into compact bales which shall be kept in a store house apart from the stable and built in the same manner as the stable Under no circumstances shall the hay be stored in the stable No open lights shall be permitted to be used in any stable store house or at any other place in the mine where hay and straw are handled

Section 3 The air current used for the ventilation of a stable shall be intermixed with the air current used for ventilating any other portion of the mine

Section 4 That all buildings inside a mine including engine houses pump houses and all other buildings and shanties shall be built of incombustible material which shall be approved in writing by the inspector

Section 5 Any foreman who fails or neglects to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXXIV

Wash Houses

Section 1 It shall be the duty of the owner operator or superintendent of each colliery at the request in writing of ten or more persons employed to provide a suitable building which shall be convenient to the principal entrance for the use of the persons employed and for the purpose of washing and changing their clothes when entering and returning therefrom The said building shall be maintained in good order and in a healthful and sanitary condition properly lighted heated and supplied with pure cold and hot water and with proper facilities for the employes to wash Any superintendent who shall fail or neglect to comply with the provisions of this article or any person who shall maliciously injure or destroy or cause to be injured or destroyed the said building or part thereof or any of the appliances or fittings used for supplying light heat and water therein or do any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

ARTICLE XXXV

Employment of Miners

Section 1 No minor under fourteen years of age and no female of any age (except a female fourteen years or over may be employed in a colliery office at clerical work) shall be employed permitted or suffered to work in or about or for any outside operations of any mine or colliery and no minor under the age of sixteen years and no female of any age shall be employed permitted or suffered to work inside any mine

Section 2 Before any minor under the age of sixteen years be permitted to work in or about the outside operations of any mine or colliery the employer of said minor shall procure and keep on file (which file shall at all times accessible to the inspector) an employment certificate as required by the laws of this Commonwealth issued to said minor A complete list of all such minors under the age of sixteen employed at said colliery shall be kept on file at the mine foreman's office The employment certificate shall nevertheless remain the property of the minor and such minor shall be entitled to a surrender of said certificate to him or her by the employer whenever said minor shall leave the service of any employer holding said certificate

Section 3 Any inspector may make written demand upon any superintendent or outside foreman if said minor is employed outside the mine as being fourteen years and not more than sixteen or upon any mine foreman if said minor is employed in a mine as being sixteen years or over and it shall appear to said inspector that any such minor is under the required age for employment that such superintendent outside foreman or mine foreman as the case may be shall either furnish him within ten days with the same evidence that such minor is in fact of the proper age as is required for the issuance of an employment certificate or failing so to do shall cease to employ or permit such minor to work In case any such superintendent outside foreman or mine foreman shall fail to furnish to said inspector within ten days after written demand the required evidence of age and shall thereafter continue to employ such minor or permit him to work proof of the making of such demand failure to produce the evidence required and continuing such minor in his employ shall be prima facie evidence of the illegal employment of such minor in any prosecution brought therefor

Section 4 Any superintendent outside foreman or mine foreman who shall employ any minor contrary to or in violation of any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXXVI

Checking System

Section 1 At every mine where more than two hundred persons are employed inside a check system shall be adopted whereby each person before being allowed to enter the mine shall show his check and number to the headman whose duty shall be to prevent any person from entering such mine unless qualified with such check and upon the return from the mine shall deposit his check with an official or in a place designated by the mine foreman

Section 2 If any checks are not returned within the period of two hours after the end of a regular days work said official shall immediately notify the mine foreman of the fact whose duty is shall be at once to make an investigation and discover the cause

Section 3 Said check system shall be of uniform design and on a form approved by the Chief of the Department of Mines

Section 4 Any superintendent or other person who neglects to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XXXVII

SPECIAL RULES

Duties of Hoisting Engineer

Rule 1 The engineer in charge of an engine by which persons are lowered into and hoisted out of a mine shall be a sober and competent person of not less than twenty-one years of age

Rule 2 He shall operate his engine with great care and in such manner that the cage carriage or gunboat shall not exceed an average speed of one thousand (1000) feet per minute in shafts and in slopes at such speed as the inspector may designate when any person is being lowered or hoisted in shafts or slopes and no person shall interfere with him while in the discharge of his duties

Rule 3 The engineer who has charge of the hoisting machinery by which persons are lowered into and hoisted out of a mine shall be in constant attendance for that purpose during the whole time any person is below ground and he shall not allow any person (except such as may be designated by the foreman in charge) to run said engine nor allow any one to interfere with any part of the machinery

Rule 4 No person engaged as a hoisting engineer part of whose duties it is to lower men or boys into and hoist them and coal or rock from the mines shall be employed for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Rule 5 In any shaft or slope where the engine has been standing idle for one hour or more an empty trip shall be hoisted as a precautionary measure before any person shall be permitted to ride thereon

Duties of Fireman

Rule 6 The fireman in charge of a boiler or boilers for the generating of steam at any colliery shall keep constant watch over the same and shall see that the steam pressure does not at any time exceed the limit allowed by the outside foreman or the superintendent He shall frequently try the safety valves and shall not increase the weight thereon and shall maintain a proper depth of water in each boiler and if anything should happen to prevent this shall notify without delay the foreman in charge and take such other action as may under the particular circumstances be necessary for the protection of life and preservation of property

Duties of Headman

Rule 7 A headman who shall be designated by the outside foreman at every shaft or slope where persons are lowered or hoisted in any mine shall be at his proper place from the time persons begin to descend until all persons that may be at the bottom of the shaft or slope when quitting work at the end of the shift shall be hoisted He shall personally atend to the signals and see that the provisions of this act in respect to the lowering of persons into shafts or slopes are complied with

Rule 8 He shall inform the engineer by signal or otherwise when any person is about to descend a shaft or slope and the engineer shall return the signal before starting the engine In the absence of the headman outside of working hours a person about to descend shall give and receive the signals in the same manner

Rule 9 He shall not allow any tools to be placed on the same cage with persons who are being lowered except that the same are laid flat on the bottom of the carriage

Rule 10 The headman of a shaft slope or plane shall be careful to see that all safety blocks or other devices to prevent runaway cars from entering the same are properly closed when necessary and in no case left open when persons are riding therein The said safety blocks or other devices shall not be withdrawn until the cars on top of the slope or plane are coupled to the rope or chain and the proper signal given

Rule 11 The headman of a shaft shall see that the fans or keeps for the cage to rest upon are properly operated and also see that no material is liable to fall down such shaft which can be prevented

Rule 12 The headman shall report to the outside foreman any violation of General Rule fourteen of this act

Duties of Footman

Rule 13 A footman shall be designated by the mine foreman for every shaft or slope where persons are hoisted who shall be at his proper place from the time that persons begin to descend until all the persons that may be at the bottom of the shaft or slope when quitting work at the end of the shift shall be hoisted He shall personally attend to the signals and see that the provisions of this act in respect to the hoisting of persons out of shafts or slopes are complied with

Rule 14 He shall inform the engineer by signal or other wise when any person is about to descend a shaft slope and the engineeer shall return the signal before starting the engine In the absence of the footman outside of working hours the person about to descend shall give and receive the signals in the same manner

Rule 15 He shall not allow any tolls to be placed on the same carriage with persons who are being hoisted except the same are laid flat on the bottom of the carriage

Rule 16 The footman shall report to the mine foreman any violation of general rule fourteen of this act

Duties of Furnaceman

Rule 17 The furnaceman shall attend to his duties with regularity and he shall at al ltime keep a clear brisk fire which must not be smothered with coal or slack during working hours and he shall not allo washes to accumulate excessively on or under the bars or in the approaches to the furnace and said ashes shall be cooled before being removed

Duties of Fan Engineer

Rule 18 The engineer in charge of a ventilating fan shall keep it running at such speed as the mine foreman shall direct in writing He shall report promptly to the mine foreman or an assistant mine foreman any great change in the pressure gauge or any other serious defect In case of an accident to the machinery he shall immediately notify the mine foreman or an assistant mine foreman If only ordinary repairs are needed he shall await the instructions of the mine foreman or an assistant mine foreman before stopping the fan but if it becomes necessary to stop it to prevent its destruction he shall forthwith notify the superintendent or mine foreman who shall immediately give warning to the persons in the mine

Duties of Motorman or Locomotive Engineer

Rule 19 The motorman or locomotive engineer shall keep a sharp lookout ahead and sound the whistle or alarm bell frequently when coming near cross-over switches or branches and shall not exceed the speed of six miles per hour

Rule 20 The motorman shall see that the motor cables and controlling parts are kept clean and in a safe working condition and that the head light is burning when the motor is in motion He shall not allow any person except those delegated by the mine foreman to ride on the motor or loaded cars

Duties of Driver

Rule 21 When a driver has occasion to leave his trip he must be careful to see that it is left when possible in a safe place and where it will not endanger the drivers of other trips and must take care while taking his trip down grade to have the brakes or sprags so adjusted that the same is kept under control He shall not leave any cars standing where they materially obstruct the ventilation unless in case of an accident which he shall promptly report to the mine foreman or an assistant mone foreman and he shall not allow any person to ride on loaded cars nor to drive his horses or mules

Any hoisting fan or locomotive engineer fireman headman footman furnaceman motorman or driver or any other person who fails or neglects to comply with or who violates any of the provisions of the foregoing rules shall be deemed guilty of an offense against this act

ARTICLE XXXVIII

General Rules

Rule 1 No one unauthorized person shall have in his possession a key or any other contrivance for the purpose of unlocking safety lamps in a mine where locked safety lamps are used nor shall matches or other means for striking light be taken into such mines

Rule 2 No person shall ride upon or against any loaded car cage or gunboat in any shaft slope or plane in or about any mine

Rule 3 No driver or other person shall descend or ascend a shaft in company with a mule or horse

Rule 4 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at one time on slopes where two (2) or more loaded cars are regularly hoisted Provided that not less than thirty (30) workmen working therein make such a request in writing to the inspector of the district and if in his judgment the hoisting appliances in every respect are of sufficient strength he may comply with the request of the workmen

Provided That in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Rule 5 No gunpowder or other explosives shall be stored in a mine and no workman shall have at any one time in any one place more than twenty-five pounds unless more is necessary for him to accomplish one day's work

Rule 6 When high explosives are used in a mine the manner of storing keeping moving charging firing or using shall be in accordance with special rules as furnished by and endorsed with the official signature of the manufacturer and which shall also be approved by the superintendent in writing and it shall not be lawful for any person to use any brand of explosives detonators caps squibs or fuses except upon the written approval of the superintendent

Rule 7 No person who is not practical shall charge or fire a blast unless he has given satisfactory evidence of his ability to do so with safety and has obtained permission from the mine foreman

Rule 8 An accumulation of gas in mines shall no tbe removed by brushing where it is practicable to be removed by bratticing

Rule 9 When a feeder of gas is ignited the person igniting the same shall immediately extinguish it if possible but if unable to do so he shall notify the mine foreman assistant mine foreman or fire boss of the fact at once

Rule 10 When motors are used in any mine their speed shall not exceed six miles per hour and an efficient alarm shall be provided and attached to the front end of the trip in the direction in which it is moving

Rule 11 Motors propelled by steam shall not be used in any passageway which is also used as an intake airway in any mine where persons are employed except upon the approval of the inspector in writing

Rule 12 No person shall run cars out of any breast or on any gravity road except he be a person employed by the mine foreman for that particular work

Rule 13 No person shall travel on any gravity plane while cars are being hoisted or lowered thereon Whenever five persons arrive at the top or the bottom of any plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or the bottom

Rule 14 No person except the man giving the signal shall jump on a car carriage or gunboat after the signal to start has been given and if any person shall enter a car carriage or gunboat in excess of the lawful number the headman or footman as the case may be shall notify him of the fact and request him to get off which request shall be immediately complied with Any violation of this rule shall be reported promptly to the foreman in charge who shall forthwith notify the inspector to that effect

Rule 15 No person except employes shall be allowed to enter the mine without permission from the superintendent or mine foreman and no person in a state of intoxication shall be allowed to go into any mine

Rule 16 Every workman when first employed in a mine shall have his attention directed by the mine foreman to the special and general rules posted at the mine

Rule 17 No safety lamp shall be entrusted to any person for use in a mine until said person has given satisfactory evidence to the mine foreman that he understands the proper use thereof and the danger of tampering with the same

Rule 18 Nothing in this act shall prevent a mine foreman from acting as an asistant mine foreman or fire boss in any mine or an assistant mine foreman from acting as a fire boss

Rule 19 No person shall go into an abondoned portion of a mine or into any other place that is not in actual course of working without permission from the mine foreman and no person shall travel to or from his work except by the traveling ways assigned for that purpose

Rule 20 All persons are expressly forbidden to commit any nuisance or throw into deposit or leave dirt stones or other rubbish in any airway so as to interfere with or pollute the air passing into and through the mine

Rule 21 No person whatever shall remove any props or timbers that are supporting roof or sides except it shall be done by blasting or by other safe method

Rule 22 Any person who has gunpowder or any other explosives shall keep it in a wooden or metallic box securely locked and at least ten (10) feet from the tracks in all cases where space at that distance is available

Rule 23 Any person opening a box containing explosives or handling the same shall place his lamp at a distance of not less than five feet therefrom and in such position that the air current canot convey sparks to the explosives and he shall not approach with a lighted lamp pipe or any other thing containing fire nearer than five (5) feet to an open box containing the same

Rule 24 Every passageway used by the employes in any mine and also used for the transportation of coal shall be made of sufficient width to permit employes to pass moving cars with safety but if found impracticable to make such passageway of sufficient width then safety holes of ample dimensions shall be made on one side of said passageway and not more than fifty yards apart Such passageway and safty holes shall be level with the track kept free from refuse well drained and the roof and sides shall be secure

Rule 25 No person shall couple or uncouple cars while in motion provided however that this shall not apply to the top or bottom men of shafts slopes or planes

Rule 26 When cars are run on gravity roads by brakes or sprags the runner only shall ride on the rear end of the last car and when said cars are controlled by sprags there shall be a space of not less than two and one-half feet from the body of the car to the rib and said space shall be made on one or both sides of the track Provided that this section shall not apply to gravity roads constructed prior to the passage of this act Whenever it may be necessary for the runner or driver to pass moving cars said space shall be kept free from obstructions

Rule 27 It shall not be lawful for a foreman of any mine to employ any person who is not competent to understand the regulations of any mine liberating explosive gas provided that this rule shall not apply to a section of a mine that does not liberate such gas

Rule 28 When a workman is about to fire a blast he shall be careful to notify all persons who may be in danger therefrom and shall give sufficient alarm before and after igniting the match or fuse or if the blast is fired by electricity before the wires are connected so that any person or persons approaching shall be warned of the danger

Rule 29 Safety holes shall be made at the bottom of all slopes and planes and kept free from obstruction to enable the footman to escape readily in case of danger

Rule 30 A miner or other employe who shall discover anything wrong with the ventilating current or with the condition of the roof side timber or roadway or with any other part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediatly report the same to the mine foreman or other person for the time being in charge of that portion of the mine

Rule 31 Any superintendent or mine foreman who prevents the footman from giving an empty car cage or gunboat designated in a former rule shall be deemed guilty of an offense against this act

Rule 32 Any person who shall knowingly or wilfully damage remove or render useless any danger signal fencing means of signaling electric wires apparatus instrument machine or shall obstruct any airway open a ventilating door and not have the same closed enter a place in or about the mine against caution carry fire open lights or matches into places where locked safety lamps are in use deface pull down or destroy any notice required to be posted by this act disturb any machinery or cars or do any other act or thing whereby the lives or health of the employes or the safety of the property of the operator in or about the mine or colliery may be endangered shall be deemed guilty of an offense against this act and any person who fails to comply with any of the provisions of any of the foregoing rules shall be deemed guilty of an offense against this act

ARTICLE XXXIX.

Inquests

Section 1 Whenever a loss of life occures in a mine or on the surface it shall be the duty of the superintendent to forthwith give notice thereof by telegraph telephone or special messenger to the inspector and when death results from personal injury the superintendent shall as heretofore provided promptly notify the inspector

Section 2 Whenever loss of life occurs or whenever the lives of the employes are endangered the inspector shall visit the scene of the accident as soon as possible after being notified and offer such suggestions as in their judgment shall be necessary to safeguard the lives of the employes and the property of the operator

Section 3 The condition of the place or the scene of a fatal accident shall not be disturbed or altered except for the purpose of preventing loss of life or personal injury or for the repairing of damage that may effect safety in other parts of the mine untill the inspector has visited the scene and given permission to the mine foreman to do so

Section 4 In case of death and after a thorough examination the inspector is of the opinion that a coroner's inquest is necessary he shall notify the coroner to hold such inquest without delay and if no such inquest is called within twenty-four hours after giving the notice to the coroner he shall make a fuller examination into the cause of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths or affirmations to persons testifying thereat The inspector shall make a record of all such investigations which shall be preserved in his office The cost of such investigation shall be paid by the county in which the accident occured in like manner as costs of inquests held by the coroner or justice of the peace are now paid

Section 5 An inquest held by the coroner shall be adjourned if the inspector is not present to watch the proceedings and the coroner in such cases shall notify the inspector in writing of such adjournment and the time and place of holding the same at least three days prior thereto and at all such inquests the inspector shall have the right to examine and cross-examine witnesses

Section 6 If at any such inquest the inspector be not present and it is shown by the evidence given at the inquest that the accident was caused by neglect or by any defect in the mine or on the surface which in the judgment of the jury requires a remedy the coroner shall send notice in writing to the inspector of such neglect or default

Section 7 No person who is interested personally or a person employed in the mine or on the surface when such accident has occurred shall be qualified to serve on a jury or be empanneled on the inquest and a constable or other officer shall not summon such a person so disqualified as a juror but the coroner shall empanel a majority of the jurors from the miners who are qualified to judge of the nature of the accident

Any person who fails to comply with any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XL

Location of Mine and Jurisdiction of Courts—Injunctions

Section 1 A mine is located within the meaning of the act in the county where the mouth or opening or the greater portion thereof is located irrespective of the geographical location of the underground workings and the courts of the county where the mouth or opening of such mine is situate shall have jurisdiction of all matters and questions arising under this act and where a mine has two openings which are located in different counties the courts of such counties shall have concurrent jurisdiction

Section 2 Upon application of the inspector in the name of the Commonwealth the court of the proper county or any judge thereof whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the working of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in said injunction or other proceedings as the court or judge thereof may think proper provided that this section shall be without prejudice to any other remedy permitted by law for enforcement of the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not lsss than twenty-four hours before the application is made

ARTICLE XLI

Records Forms and Printed Matter

The Department of Mines shall furnish to the several examining boards and to the operator on application and without cost all forms blanks reports record books and printed matter required by the provisions of this act

ARTICLE XLII

Penalties

Section 1 Any judge of the court of quarter sessions of the county in which the mine or colliery at which the offense act or omission as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of the district attorney of the proper county or upon the affidavit of any citizen of said county setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident had resulted to any person or persons employed in such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilty or innocense of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred ($500.00) dollars or an imprisonment in the county jail for a period not exceeding thirty days or both at the discretion of the court provided that any defendant may waive trial before a judge as herein provided and at any time at or before the time of such trial demand a trial by a jury in the court of Quarter Sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next court of Quarter Sessions to answer the charge against him and abide the order of the court in the premises meanwhile to be of good benavior and keep peace or in default of such recognizance to be committed to the county jail to await such trial

Section 2 If any persons shall feel himself aggrieved by such conviction and sentence before a judge as aforesaid he may appeal therefrom subject to the following conditions namely the appelant shall within seven days after the decree has been made give notice to the prosecutor of his intention to appeal and within the same time enter into a recognizance with such surety or sureties and in such sum as shall be approved by said judge conditioned to appear and try such appeal before the next Court of Quarter Sessions and to abide the judgment of the court thereon and to pay all such costs and penalties as may be there awarded and upon the compliance with such conditions the judge shall release the appellant from custody pending the appeal

Section 3 Nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided and if the court before whom any such proceeding is held shall be of the opinion that procedings ought to be taken against such persons under any other act or otherwise he may adjourn the case to enable such proceedings to be taken

Section 4 All offenses under this act are declared to be misdemeanors and every person found guilty of an offense against this act shall be subject to a fine not exceeding five hundred ($500.00) dollars or imprisonment in the jail of the proper county for a period not exceeding six months or both at the discretion of the court

Any offense under this act committed by a corporation shall constitute a misdemeanor and upon conviction the offending corporation shall be subject to a fine of not more than one thousand ($1,000.00) dollars and its officers directors or agents or any of them participating in such violation shall upon conviction be sentenced to pay a fine of not more than five hundred ($500.00) dollars or undergo imprisonment in the county jail of the proper county for a period not exceeding six months or both at the discretion of the court

Section 5 For any violation of duty by the mine inspector prescribed in this act he shall be deemed guilty of a misdemeanor and upon conviction be sentenced to pay a fine of not more than three hundred ($300.00) dollars or to be imprisoned for a period not exceeding three (3) months or either or both at the discretion of the court

Section 6 All fines imposed under this act shall be paid into the treasury of the county wherein the proceedings are had for the use of the county

Section 7 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe in any mine or colliery

Section 8 For any injury to person or property occasioned by any violation of this act or any failure to comply with its provisions by any owner operator or superintendent of any mine or colliery a right of action shall accrue to the party injured against said operator for any direct damages he may have sustained thereby and in case of loss of life by reason of such neglect or failure aforesaid a right of action shall accrue to the widow and lineal heirs of the person whose life shall be lost for like recovery of damages for the injury they have sustained

ARTICLE XLIII

Employers Liability

Nothing in this act shall be taken or construed to in any manner repeal by implication or otherwise an act entitled "An Act extending and defining the liability of employers in actions for negligence for injury or death of their employers declaring what shall not be a defense in such actions by employes against their employers and defining who are agents of the employer under this act" approved June ten one thousand nine hundred and seven

ARTICLE XLIV

Repeal

Section 1 All acts or parts thereof inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 657, as follows:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

ARTICLE 1

Application of Act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of this act shall apply to every anthracite coal mine or colliery in this Commonwealth

ARTICLE II

Definition of Terms

Section 1 For the purposes of this act the definitions of terms contained herein shall be as follows

Colliery The term "colliery" means the inside workings of a mine or mines and the outside works connected therewith

Mine The term "mine" means the shafts slopes drifts tunnels incline planes and the excavations connected therewith penetrating coal stratum or strata which are ventilated by one general air current or divisions thereof and connect by one general system of mine railroads over which coal is delivered to one or more common point outside the mine when such is operated by one operator together with all roads appliances machinery and materials below the surface

Shaft The term "shaft" means a vertical opening through that strata that is or may be used for the purpose of ventilation or drainage or for hoisting men or material or both in connection with the mining of coal

Slope The term "slope" means an incline opening used for the same purpose as a shaft

Workings The term "workings" means all the excavated parts of a mine those abandoned as well as those being worked

Breaker The term "breaker" means the structure containing the machinery used for the preparation of coal

Approved Safety Lamp The term "approved safety lamp" means any safety lamp approved by the Chief of the Department of Mines

Operator The term "operator" means any firm corporation or individual operating any colliery mine or other part thereof as owner occupier or lessee

Superintendent The term "superintendent" means the person who shall have immediate supervision of one or more mines or collieries on behalf of the operator

Mine Foreman The term "mine foreman" means the person who is in charge of the inside workings of a mine or mines and of the persons employed therein in so far as it is necessary for him to comply with his duties under this act

Outside Foreman The term "outside foreman" means the person in charge of all the outside operations of a colliery and the persons employed thereat

Miner The term "miner" means the person who blasts coal or rock or has charge of a working place also any person engaged at general work in a mine who has the qualifications of a miner as herein prescribed

Chief The term "chief" means the Chief of the Department of Mines who is charged with the supervision of the execution of the mining laws of this Commonwealth

Inspector The term "inspector" means the person elected by the qualified electors in the inspection district in which he resides and who is charged with the supervision of the execution of the mining laws of this Commonwealth in the mines and collieries assigned to him by the Chief of the Department of Mines

Working Place The term "working place" means the gangway airway breast chamber pillar or other working face where coal is being mixed

ARTICLE III

Duties of mine owner operator or superintendent

Section 1 The mine owner operator or superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not and he shall place the underground workings thereof and all that is related to the same under the charge and daily supervision of a competent person who shall be called mine foreman and who shall perform such duties and only such duties as are prescribed for said mine foreman in this act

Section 2 Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall employ a sufficient number of competent and qualified persons to act as his assistants who shall be subject to his orders

Section 3 Whenever safety lamps are required in any mine they shall be the property of the owner of said mine and a competent person who shall be appointed for the purpose shall examine every safety lamp immediately before it is taken into the workings for use and ascertain if it is clear safe and securely locked and safety lamps shall not be used until they have been examined and found safe clean and securely locked unless permission be first given by the mine inspector of the district to have the lamps used unlocked

Section 4 Whenever a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed twelve feet in width and there shall be constantly kept at a distance of not less than twenty feet in advance at least one (1) bore hole near the center of the working and sufficient flank bore holes on each side

Section 5 The superintendent shall employe a competent person as engineer and place him in charge of an engine whereby persons are hoisted or lowered in any mine who shall be sober and competent and not less than twenty-one years of age which engineer shall have charge of but one engine and be constantly in attendance at the same during the time that workmen are in the mine

Section 6 A competent person to be termed headman and a competent person to be termed footman shall be employed by the superintendent and shall be in constant attendance at the head and foot of each shaft or slope where men are hoisted or lowered while workmen are in the mine who shall see that the provisions of this act so far as they relate to them or either of them are obeyed

Section 7 A suitable quantity of all props ties rails timbers cap-pieces and all other material and supplies necessary for the health and safety of the employes shall be kept on hand at all times at a mine or colliery All props ties rails timbers and cap-pieces of suitable sizes as ordered by the miner shall be delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge If from any cause the materials and supplies cap-pieces timbers rails ties and props mentioned aforesaid cannot be furnished as required by this act the workmen shall be withdrawn from the mine or part of the mine affected by reason of the non-furnishing of the aforesaid articles as required above

Section 8 Every passageway used by persons in any mine and also used for the transportation of coal or other material shall be made of sufficient width to permit persons to pass moving cars with safety the distance from the body of the car to the side of the passageway shall not be less than three feet which distance shall be maintained continuously on one side of said passageway the same shall be kept well drained and free from obstruction

Section 9 Safety holes shall be made at the bottom of all shafts slopes and planes and be kept free from obstruction to enable the footman to escape readily in case of danger

Section 10 Waiting rooms of proper dimensions and properly secured shall be constructed at the foot of all shafts and intermediate lifts thereof for workmen to wait therein prior to ascending the shaft

Section 11 Safety blocks or some other device for the purpose of preventing cars from falling into a shaft or running away on a slope or plane shall be placed at or near the head of every shaft slope plane or intermediate lift thereof and said safety blocks or other device must be maintained in good working order

Section 12 No mine cars shall be used in any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other

Section 13 Breakers shall be properly heated and kept sufficiently clear of dust to maintain a healthful atmosphere therein

Section 14 Ample means to produce and maintain a constant and adequate supply of pure air for the workmen and animals in every mine shall be provided and the air shall be circulated through the main entries cross entries working places and abandoned workings to such an extent that it will dillute carry off and render harmless the smoke and noxious or dangerous gases generated in the mines affording not less than two hundred (200) cubic feet of air per minute for each and every person employed therein

Section 15 All shafts slopes planes traveling ways tunnels and haulage ways shall be maintained in a safe condition for persons and animals to travel therein

Section 16 The following safety devices shall be provided installed and maintained in good working order in and about every coal mine and colliery

(a) The top of each shaft and also of each slope if dangerous or any intermediate lift thereof shall be securely fenced off by railing or by vertical or flat gates

(b) Every abandoned slope shaft air hole drift and cave hole shall be properly fenced around or across its entrance

(c) Suitable appliances through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope or any intermediate lift thereof shall be installed in every mine and maintained in good working order and also an efficient means of signaling from the bottom of such shaft or slope and any intermediate lift thereof to the engineer in charge of the hoisting engine which shall be maintained in good working order

(d) Guard rails which will prevent persons from falling into the shaft and efficient safety catches shall be attached to and a sufficient cover over head shall be provided on every cage used for lowering or hoisting persons in any shaft the safety catches shall be tested monthly and the report of said test stating the distance said cage dropped shall be sent to the mine inspector the test shall be made by detaching the rope from the cage and allow the cage to descend by gravity Every cage or gunboat used for lowering or hoisting persons in any slope shall be provided with a proper protector so constructed that persons while on such cage or gun boat shall not be struck by anything which may fall or roll down said slope

(e) The main link of the chain connecting the rope to the cage gun boat or car in any shaft or slope shall be made of the best quality of iron Bridle chains made of the same quality of iron shall be attached to the main link rope or rope socket from the cross-head of the cage or gun boat when persons are being lowered or hoisted thereon

(f) An efficient brake shall be attached to every drum that is used for lowering or raising persons or materials in any mine Flanges or horns of sufficient dimensions to prevent the rope from slipping off the drum shall be provided and properly attached to the drum and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage car or gun boat in the shaft or slope An overwind safety device shall be attached to each engine used to hoist or lower any persons in any shaft to prevent the cage from going to the sheave

(g) Over all shafts which are being sunk or shall hereafter be sunk a safe and substantial structure shall be erected to sustain the sheaves or pulleys at a height of not less than twenty (20) feet above the tipping place and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied

(h) All rock and coal from shafts as they are being sunk shall not be raised except in a bucket or on a cage and such bucket or cage must be connected to the rope or chain by a safety hook clevice or other safe attachment Such shafts shall be provided with guides and guide attachments ap-

plied in such manner as to prevent the bucket from swinging while descending or ascending therein and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of such shaft until its sinking shall have been completed but this sentence shall not apply to shafts one hundred (100) feet or less in depth

(i) Whenever the strata are not safe every shaft shall be securely cased lined or otherwise made secure

(j) All boilers used for generating steam in and about mines or collieries shall be kept in good order and the same shall be examined and inspected by a qualified person as often as once in six months and oftener if needed All air receivers used in or about a mine shall be kept in good order and shall be examined once every six months and oftener if needed The results of such examination under oath shall be certified in writing to the inspector of the district within thirty (30) days after said examination

(k) Every nest of boilers shall be provided with a steam gauge properly connected which will indicate the steam pressure in the boilers and another steam gauge shall be attached to the steam pipe in the engine house and placed in such position that the engineer or fireman can readily examine them and see what pressure is carried Such steam gauges shall be kept in good order and inspected as often as once every six months and their condition reported to the inspector of the district in the same manner as the report of boiler inspector

(l) Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape in case the pressure should arise above that set by the boiler inspector and with weights or springs properly adjusted The said weights or springs shall be locked after the same are adjusted and no person except the superintendent shall have a key to the same

(m) All machinery used in or about the mines and collieries and especially in breakers such as engines rollers wheels screens shafting belting and conveyor lines shall be protected by covering or railing which will prevent persons from inadvertently walking against falling upon or into the same The sides of the stairs trestles and plank walks in and around the colliery shall be provided with hand and guard rails which will prevent persons from falling over their sides This section shall not forbid the temporary removal of a fence guard rail or covering for the purpose of making repairs if proper precautions are used and the fence guard rails or covering is replaced immediately thereafter

(n) It shall not be lawful to place any boiler or boilers for the purpose of generating steam under or nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal provided that this section shall not apply to boilers or breakers already erected

(o) There shall be provided installed and properly maintained a sufficient number of telephones speaking tubes barometers thermometers and anemometers in and about every coal mine or colliery as provided in sections forty-one forty-two and forty-four of general rules Article nine of this act

(p) Whenever batteries are used in any mine for the purpose of exploding blasts they shall be the property of the owner and he shall furnish and maintain in good condition a sufficient quantity of electric batteries to amply supply all workmen who will use the same

Section 7 Any owner operator or superintendant who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

Duties of Mine Foreman and Assistant Mine Foreman

Section 1 The mine foreman shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction and any owner operator or superintendent who shall cause the mine foreman to disregard the provisions of this act shall be amendable in the same manner as the mine foreman

Section 2 All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his asistants at least once a week and all danger found existing therein shall be immediately removed A report of said examination shall be recorded with ink in a book kept at the colliery for that purpose and signed by the person making the same a copy of the record thus made shall be mailed to the superintendent of the colliery and also to the mine inspector of the district on the day the examination is made

Section 3 In mines generating explosive gases the mine foreman or his assistants shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall be made with a safety lamp within three (3) hours at most before time for commencing work at the breaker and the workmen shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe Every report shall be recorded without delay with ink in a book which shall be kept at the colliery for that purpose and shall be signed by the persons making the examination

Section 4 The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place and all other places examined

Section 5 A station or stations shall be established at the entrance to each mine or different parts of each mine as the case may require and a workman shall not pass beyond such station until the mine or part of the mine beyond the same has been inspected and reported to be safe It shall be the duty of the mine foreman or assistant mine foreman to remain at the danger station until relieved by some persons authorized by the mine foreman or assistant mine foreman who shall stand guard until said mine or part of said mine shall be reported safe by the person in authority and he shall not permit any person to pass without permission from the mine foreman or assistant mine foreman

Section 6 If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious or explosive gases prevailing in such mine or such part thereof or of any cause whatever the mine or the said part is dangerous every precaution shall be used to insure the safety of the workmen and every workman except such persons as may be required to remove the danger shall be withdrawn from the mine or such part thereof as is so found dangerous until the said mine or said part thereof is examined by a competent and qualified person and reported by him to be safe

Section 7 The mine foreman or assistant mine foreman shall visit and examine every working place in the mine in addition to the examination required by section three of this article at least twice a day while the men of such place are or should be at work the first of said examinations shall take place in the forenoon and the second in the afternoon while the men are at work The person who makes these examinations shall see that each and every working place is properly secured by props and timber and that safety in all respects is assured by having all loose coal or rock pulled down or secured and that a sufficient quantity of air is circulating in the face of each working place to dilute render harmless and sweep all smoke noxious and explosive gases and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure

Section 8 The mine foreman or the assistant mine foreman shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering and see that they are in a safe and efficient working condition A report of said examination shall be made with ink in a book kept at the colliery for that purpose and signed by the person making the examiation a copy of said report shall be sent to the superintendent and inspector of the district at the close of each working day together with a report of the number of working places and where situated in which gas had been found on that day

Section 9 Any mine foreman or assistant mine foreman who fails to comply with the provisions of this atricle shall be deemed guilty of an offense against this act

ARTICLE V

Duties of Miner

Section 1 No miner shall fire a blast in any mine or in any portion of a mine where locked safety lamps are used except by permission of the mine foreman or assistant mine foreman and before such blast is fired and person giving the permission shall examine the place and satisfy himself that it is safe to fire the same

Section 2 No miner while charging holes for blasting coal slate or rock shall use an iron or steel pointed needle or tamping bar unless the end is tipped with at least six inches of copper or other soft material nor shall he force a tight cartridge into any hole

Section 3 A miner who is about to fire a blast shall be careful to notify all persons who may be in danger therefrom and give sufficient alarm to warn all persons approaching of the danger

Section 4 A miner who ignites a feeder of gas by blast or otherwise if he discovers the same shall make a reasonable effort to extinguish it If he is unable to do so he shall notify the mine foreman or assistant mine foreman of the location where the feeder is burning Before leaving his working place he shall see that no gas blowers are left burning

Section 5 No miner shall withdraw a charge of any explosive from a hole that has misfired nor shall he reopen the same

Section 6 Any miner having charge of a working place shall keep the roof and sides thereof properly secured by timber or otherwise so as to prevent such roof and sides from falling and he shall not do any work nor permit any work to be done under loose or dangerous material except for the purpose of securing the same

He shall order props cap-pieces and timbers necessary at least one day in advance of needing them as provided for in the rules of the mine If he fails to receive the same and finds his place becoming unsafe he shall vacate it until the necessary timbers are supplied

Section 7 A miner working a breast or any other place shall before commencing work and also after firing every blast enter said breast or place to examine and ascertain its condition and his laborer or assistant shall not go to the face of said breast or ploce until the miner has examined it and found it to be safe

Section 8 No miner shall cut out any props or timbers that are supporting the roof or sides When it becomes necessary to remove such props ortimbers it shall be done by blasing or by placing a chain or rope around such props or timbers that the pressure necessary to remove the same can be exerted at a point of safety

Section 9 Any miner who has gun powder or other explosive shall keep it in a wooden or metallic box securely locked said box shall be placed at a safe distance from the working face and tracks in the entry

Section 10 A miner when opening a box containing explosives or when handling the same shall first place his lamp at a distance of not less than five feet therefrom and in such position that the air current cannot convey sparks to the explosives and he shall not approach with a lighted lamp pipe or any other thing containing fire nearer than five feet to any open box containing the same

Section 11 Any person who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE VI

Shafts Slopes Openings and Outlets

Section 1 It shall not be lawful for the owner operator or superintendent of any mine to employe any person or persons in such mine or permit any person or persons to be in such mine for the purpose of working therein unless they are in connection with every seam or stratum of coal and from every lift thereof worked in such mine not less than two openings or outlets separated by a startum of not less than sixty (60) feet in breadth underground and one hundred and fifty (150) feet in breadth at the surface at which openings or outlets safe and distinct means of ingress and egress are at all times available for the person or persons employed in the said mine but it shall not be necessary for the said two openings to belong to the same mine if the persons employed therein have safe ready and available means of ingress and egress by not less than two openings This section shall not apply to opening a new mine or to opening any new lift of a mine while being worked for the purpose of making communication between said two outlets so long as not more than twenty persons are employed at any one time in such mine or new lift of a mine neither shall it apply to any mine or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment so long as not more than twenty persons are employed therein at any one time The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet

Section 2 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petiton the Court of Common Pleas in and for the county in which said mine is situated which said court is hereby empowered to act in the premises setting forth that in consequence of intervening lands between the working of his mine and the most practicable point or the only practicable point as the case may be at which to make or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlets in accordance with the requirements of this act the court may make an order of reference and appoint three disinterested persons residents of the county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn to a faithful discharge of their duties shall view and examine the premises and determine as to whether the owner should have the privilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an aditional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be bound to comply with the provisions of this act in the same manner as if this section had not been enacted In case the said owner operator or superintendent desires to and claims that he ought to make additional opening under through or upon any adjoining on intervening lands to meet the requirements of this act for the ingress and egress of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper to adopt for such additional outlet doing as little damage as possible to the property explored as the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening construcing and using of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act in relation to lateral railroad approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two and the supplements thereto so far as the provisions of the same are applicable hereto and the notice to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of the fifth day of May Anno Domini one thousand eight hundred and thirty-two and the supplements thereto

Section 3 The escapements shafts or slopes shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets

Section 4 In slopes where the angle of inclination is fifteen degrees or less there must be provided a sparate traveling way which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases

Section 5 No inflammable structure other than a frame to sustain pulleys or sheaves shall be erected over the entrance of any opening connecting the surface with the underground workings of any mine and no "breaker" or other inflammable structure for the preparation or storage of coal shall be erected nearer than two hundred (200) feet to any such opening but this act shall not be construed to prohibit the erection of a fan drift for the purpose of ventilation or of a trestle for the transportation of cars from any slope to such breaker or structure neither shall it apply to any shaft or slope until the work of development and shipment of coal has commenced Provided That this section shall not apply to breakers that are now erected

Section 6 Every abandoned slope shaft air-hole and drift shall be properly fenced around or across its entrance by the owner operator or superintendent

Section 7 Fences shall be placed around or across all underground entrances to any place not in actual course of working by the owner operator or superintendent which will prevent persons from inadvertently entering the same

Section 8 The following rules shall be observed in every shaft to which this act applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are envolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever persons are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed

Fifth While shafts are being sunk all blasts therein must be exploded by an electric battery

Sixth Any person firm or corporation who fails to comply with or who violates the provisions of this article shall be guilty of an offense against this act

ARTICLE VII

Ventilation

Section 1 The owner operator or superintendent of every mine shall provide and maintain a constant and adequate supply of pure air for the same as hereinafter provided and see that the same is circulated therein as required in this article

Section 2 It shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated

Section 3 The minimum quantity of air thus produced shall not be less than two hundred (200) cubic feet per minute for each and every person employed in any mine and as much more as the circumstances may require

Section 4 The ventilating current shall be conducted and circulated to and along the face sides and roof of each and every working place throughout the entire mine in sufficient quantities to dilute render harmless and sweep away smoke and noxious or dangerous gases to such an extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein

Section 5 All worked out or abandoned parts of a mine in operation shall be kept free of dangerous bodies of gas or water or fenced off by sufficient walls which will prevent any gas or water from any abandoned mine or portion thereof from entering any mine or portion thereof where men are employed therein

Section 6 Every mine employing more than seventy-five (75) persons must be divided into two (2) or more districts Each district must be provided with a separate spilt or pure air and the ventilation shall be so arranged that not more than seventy-five (75) persons shall be employed at the same time in any one current or split of air The inlet and return air passages for any particular district must be separated by a pillar of coal stone or cement except where it is necessary to cut through said dividing pillar for the purposes of ventilation traffic or drainage

Section 7 All air passages shall be of sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air pressure per minute for every person working therein and in no case in mines generating explosive gases shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air currents pass if gauze safety lamps are used except in the main inlet or outlets air ways

Section 8 All cross-cuts connecting the main inlet and outlet air pasages of every district when it becomes necessary to close them permanently shall be substantially closed with brick or other suitable building material laid in mortar or cement but in no case shall said air stoppings be constructed of plank except for temporary purposes

Section 9 All doors used in assisting or in any way afecing the ventilation shall be so hung and adjusted that they will close automatically

Section 10 All main doors shall have an attendant whose constant duty it shall be to open them for transportation and travel and prevent them from standing open longer than is necessary for persons or cars to pass throgh

Section 11 All main doors shall be so placed that when the door is open another which has the same effect upon the same current shall be and remain closed and thus prevent any temporary stoppage of the air current

Section 12 An extra main door shall be so placed and kept standing open as to be out of reach of accidents and so fixed that it can be at once closed in the event of an accident to the doors in use

Section 13 The frame work of such main doors shall be substantially secured in stone or brick laid in mortar or cement unless so otherwise permitted in writing by the inspector

Section 14 All permanent air bridges shall be substantially built of such material and such strength as the circumstances may require

Section 15 The quantities of air in circulation shall be ascertained with an anemometer or other efficient instrument such measurements shall be made by the inside foreman or his assistants once a week at the inlet and outlet airways also at or near the face of each gangway and at the nearest cross-heading to the face of each gangway and at the nearest cross-heading to the face of the inside and outside chamber or breast where men are employed and the heading shall

not be driven more than sixty (60) feet from the face of each chamber or breast and shall be entered in the colliery report book

Section 16 A report of these air measurements shall be sent to the inspector before the twelfth day of each month for the preceding month together with a statement of the number of persons employed in each district

Section 17 All ventilators used in mines shall be provided with recording instruments by which the speed of the ventilators or the ventilating pressure shall be registered for each hour and such data shall be preservevd at the colliery for future reference for a period of three (3) months

Section 18 Any person or persons who shall neglect or refuse or fail to comply with the provisions of this article or who shall make any false report in regard to air measurements shall be guilty of an offense against this act

ARTICLE VIII

Maps and Plans

Section 1 The owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the workings or excavations in each and every seam of coal and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the inspector The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings it shall also show section of the seam on each gangway together with the coal thickness It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and in case any mine contains any water dammed up in any part thereof it shall be the duty of the owner operator or superintendent to cause the true location of the said dam to be accurately marked on said map or plan together with the tidal elevation inclination of strata and area of said workings containing water and whenever any workings or excavations are approaching the workings where such dam or water is contained or situated the owner operator or superintendent shall notify the inspector of the same without delay

A true copy of which map or plan the said owner operator or superintendent shall deposit with the inspector of mines for the district in which the said coal mine or colliery is situated showing the workings of each seam if so desired by the inspector on a separate sheet of tracing muslin One copy of the said map or plan shall be kept at the colliery

Section 2 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said inspector's map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the preceding six months The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey

Section 3 When any coal mine or colliery is worked out preparatory to being abandoned or when any lift thereof is about to be abandoned the owner operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all excavations as far as practicable and such portions thereof as have been worked to the boundary lines of adjoining properties or any part or parts of the workings of which it is intended to be allowed to fill with water must be surveyed in duplicate and such surveys must practically agree and certified copies be filed with the inspector of the district in which the mines are situated

Section 4 Whenever the owner operator or superintendnt of any coal mine or colliery shall neglect or refuse or from any cause not satisfactory to the inspector shall fail for a period of three months to furnish to the inspector the map or plan of said colliery or of the extensions thereof as provided for in this act the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof which cost shall be recoverable from said owner as other debts are by law recoverable

Section 5 If the inspector finds or has reason to believe that any map or plan of any coal mine or colliery furnished under the provisions of this act is materially inaccurate it shall be his duty to make application to the Court of Common Pleas of the county in which such colliery is situated for an order to have an accurate map or plan of said colliery prepared and if such survey shall prove that the map furnished was materially inaccurate or imperfect such owner operator or superintendent shall be liable for the expense incurred in making the same

Section 6 If it shall be found that the map or plan furnished by the owner operator or superintendent was not materially inaccurate or imperfect the Commonwealth shall be held liable for the expense incurred in making said test survey

Section 7 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when furnished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars or imprisonment not exceeding three months at the discretion of the court

Section 8 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the Commonwealth and shall remain in the care of the inspector of the district in which the said collieries are situated to be transferred by him to his successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 9 The inspector's map or plan of any particular colliery shall be open for inspection in the presence of the inspector to any miner or miners of that colliery whenever said miner or miners shall have cause to fear his or their working place or places are becoming dangerous by reason of the proximity to other workings which may be supposed to contain water or dangerous gases or for any other reason map shall also be open to the inspection and examination of any citizen interested during business hours

Section 10 It shall be obligatory on the owners of adjoining coal properties to leave or cause to be left a pillar of coal in each seam or vein of coal worked by them along the line of adjoining property of such width that taken in connection with the pillar to be left by the adjoining property owner will be a sufficient barrier for the safety of the employees of either mine in case the other should be abandoned and allowed to fill with water such width of pillar to be determined by the engineer of the adjoining property owners together with the inspector of the district in which the mine is situated and the surveys of the face of the workings along such pillars shall be made in duplicate and must practically agree A copy of such duplicate surveys certified to must be filed with the owners of the adjoining properties and with the inspector of the district in which the mine or property is situated

Section 11 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE IX

General Rules

Section 1 In every working approaching any place where there is likely to be an accumulation of explosive gas or where workings are required to be examined by safety lamps before the men enter the mine as required in section three article four of this act no light or fire other than a locked safety lamp shall be allowed or used unless permission is given in writing by the inspector of the district specifying what kind of lamps may be used if the inspector gives permission in writing to the superintendent to use other than locked safety lamps he can withdraw that permission in writing at any time to prevent the use of open lights in the mine In testing for gas however the use of any safety lamp approved by the chief of the Department of Mines will be permitted

Section 2 No one except a duly authorized person shall have in his possession a key of any other contrivance for the purpose of unlocking any safety lamp in any mine where locked safety lamps are used No Lucifer matches or any other apparatus for striking light shall be taken into such mine or parts thereof

Section 3 Every workman in want of props ties cappieces rails or timbers shall notify the mine foreman or his assistant of the fact at least one day in advance giving the length of the props or timber required and in case of danger from loose roof or sides he shall not continue to cut or load coal until the said props and timber have been properly furnished and the place made secure A failure to furnish articles above mentioned to the miner or workman ordering the same on the part of the owner operator superintendent or mine foreman shall be deemed an offense against this act and shall be taken to be negligence per se on the part of the owner operator superintendent or mine foreman as the case may be of such mine in any action for the recovery of damages for accidents resulting from insufficient propping of such mine through failure to furnish the necessary props or timbers

Section 4 No blast shall be fired in any mine where locked safety lamps are used except by permission of the mine foreman or assistant mine foreman and before a blast is fired the person in charge must examine the place and adjoining places and satisfy himself that it is safe to fire such blast before such permission is given

Section 5 The doors of any carriage cage bucket or gun boat shall not face downwards while persons are being hoisted or lowered in any shaft slope or plane

Section 6 No person shall ride upon or against any loaded car cage or gun boat in any shaft slope or plane in or about a mine or colliery

Section 7 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five (5) persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1,000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at one time on slopes where two (2) or more loaded cars are regularly hoisted Provided that not less than thirty (30) workmen working therein make such request in writing to the inspector of the district and after inspection by him he finds the hoisting appliances in every respect are of sufficient strength he may comply with the request of the workmen Provided that in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Section 8 Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope and no one shall interfere with or intimidate him while in the discharge of his duties

Section 9 An engineer who has charge of the hoisting machinery by which persons are lowered or hoisted in the

mine shall be in constant attendance for that purpose during the whole time any person or persons are below ground and he shall not allow any person or persons except such as may be deputed by the owner operator or superintendent to handle or meddle with the engine under his charge or any part of its machinery

Section 10 No person engaged as hoisting engineer at or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal from the said mines shall be engaged for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Section 11 The engineer shall operate his engine with great care and in such manner that the cage carriage or gun boat shall not exceed a speed of one thousand (1000) feet per minute in shafts and five hundred (500) feet per minute in slopes when any person is being lowered or hoisted in a shaft or slope and no person shall interfere with him while in the discharge of his duties

Section 12 In any shaft or slope where the engine has been standing idle for one-half hour or more an empty trip shall be hoisted as a precautionary measure before any person shall be permitted to ride on the cage carriage or gun boat

Section 13 No person except those who have permission from the superintendent shall enter the engine house while the engineer is on duty and no person shall engage in conversation with the engineer while his engine is in motion Telephone or speaking tubes installed to engine houses shall not be used by any person except to communicate with the engineer and then only on matters pertaining to the engineer's duties under this act

Section 14 When any person is about to descend or ascend a shaft or slope the headman or footman as the case may be shall inform the engineer by signal or otherwise of the fact and the engineer shall return a signal before moving or starting the engine In the absence of a headman or footman the person or persons about to descend or ascend shall give or receive the signals in the same manner

Section 15 Any miner or other workman who shall discover any thing wrong with the ventilating current or with the condition of the roof side timber or road way or with any part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediately report the same to the mine foreman or other person for the time being in charge of the portion of the mine

Section 16 Any person or persons who shall knowingly or willfully damage or without proper authority remove or render useless any fencing means of signalling apparatus instrument or machine or shall throw open or obstruct any airway or open a ventilating door and not have the same closed or enter a place in or about a mine against caution or carry fire open lights or matches in places where safety lamps are used or handle without proper authority or disturb any machinery or cars or do any other act or thing whereby the lives or health of persons or the security of property in or about a mine or colliery are in danger shall be guilty of an offense against this act

Section 17 Gun powder or any other explosive shall not be stored in a mine and the workmen shall not have at any time in any one place more than one keg or box containing twenty-five (25) pounds unless more is necessary for a person to accomplish one day's work

Section 18 Any person who has gun powder or other explosive in a mine shall keep it in a wooden or metallic box securely locked and said box shall be located at a place of safety

Section 19 Whenever a workman shall open a box containing explosives or while in any manner handling the same he shall first place his lamp not less than five (5) feet from such explosive and in such a position that the air current cannot convey sparks to it and a workman shall not approach nearer than five (5) feet to an open box containing powder with a lamp lighted pipe or any other thing containing fire

Section 20 When high explosives other than gun powder are used in any mine the manner of storing keeping moving charging and firing or in any manner using such explosives shall be in accordance with special rules as furnished by the manufacturers of the same The rules shall be endorsed with his or their official signature and shall be approved by the owner operator or superintendent of the mine in which such explosives are used

Section 21 In charging holes for blasting coal slate or rock in any mine no iron or steel pointed neeedles shall be used and a tight cartridge shall not be rammed into a hole in coal slate or rock with an iron or steel tamping bar unless the end of the tamping bar is tipped with at least six (6) inches of copper or other soft material

Section 22 A charge of powder or any other explosive in coal slate or rock which has missed fire shall not be withdrawn or the hole reopened

Section 23 When a workman is about to fire a blast he shall be careful and notify all persons who may be in danger therefrom and give sufficient alarm to warn any person or persons who might be aproaching

Section 24 No person shall be employed to blast coal or rock unless he is competent and qualified to do so and has successfully passed an examination before a miners' examining board and received a certificate of qualification from said board

Section 25 An accumulation of gas in miners shall not be removed by brushing where it is possible to remove it by brattice

Section 26 When gas is ignited by blast or otherwise the person igniting the same if he discovers it shall make a reasonable effort to extinguish it and if the the same is not extinguished by him he shall notify the mine foreman or assistant mine foreman of the fact

Section 27 Every fireman in charge of a boiler or boilers for the generation of steam shall keep a constant watch of the same and be in constant attendance in the boiler house while on duty He shall see that the steam pressure does not at any time exceed the limit allowed by the superintendent He shall frequently try the safety valve and shall not increase the weight on the same he shall maintain a proper depth of water in each boiler and if anything should happen to prevent this he shall report the same without delay to the superintendent or other person for the time being in charge and take such other action as may under these circumstances be necessary for the protection of life and the preservation of property

Section 28 At every shaft or slope in which provision is made in this act for lowering or hoisting persons a headman and footman shall be designated by the superintendent to be at their proper places from the time that persons begin to descend until all the persons who may be at the bottom of said shaft or slope or any intermediate lift thereof when quitting work shall be hoisted Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts or slopes shall be complied with

Section 29 No person except the man giving the signal shall jump or a car cage or gun boat after the signal to start has been given and if any person should enter a car cage or gun boat in excess of the lawful number the headman or footman shall notify him of the fact and request him to get off which request must be immediately complied with Any violation of this rule must be reported promptly to the mine foreman

Section 30 When motors or engines are used in any mine their speed shall not exceed six (6) miles per hour and an efficient alarm shall be provided and attached to the front end of the trip in the direction in which it is moving

Section 31 No person shall couple or uncouple loaded or empty cars while the same are in motion Provided however that this shall not apply to the top or bottom men of slopes planes or shafts or any intermediate lift thereof

Section 32 Whenever cars are run on gravity roads by brakes or sprags the runner shall only ride on the rear end of the last car and a space of not less than three (3) feet from the body of the car to the side of the gravity road shall be made continuously on one side of said road and a space of not less three (3) feet from the body of the car to the side of the gravity road shall be left on both sides of said gravity road wherever it may be necessary for the runner to pass along the side of the moving car or cars and said space or passageway shall always be kept free from obstructions

Section 33 No miner shall run cars out of any breast or chamber or on any gravity road unless he is a suitable person employed by the superintendent for that particular work

Section 34 No person shall travel on any gravity slope or plane while cars are being hoisted or lowered thereon Whenever five (5) persons arrive at the bottom or top of such slope or plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said slope or plane

Section 35 It shall not be lawful for any owner operator or superintendent of any mine or colliery to employe any person who is not competent to understand the regulations of any mine evolving explosive gases Provided that this rule will not apply to a section of a mine free from the said explosive gases

Section 36 No person or persons working in any coal mine or colliery shall cut out any props or timbers while the same are in position to support the roof or sides When it becomes necessary to remove any of said props or timbers it must be done by blasting or by placing a chain or rope around said props or timbers of sufficient length that the pressure necessary to remove the props or timbers can be exerted at a point of safety

Section 37 All records furnished the mine inspector of the district as provided in Article four section two and section eight shall be preserved by said inspector in his office and be the property of the Commonwealth The inspector shall allow any person or persons their relatives or legal representatives who might be interested in what such report contains to see the same and take information therefrom

Section 38 The employees of any mine at their own expense may appoint two of their number who are practical miners with not less than five (5) years' experience to inspect the mine and the persons so appointed shall be allowed to go with any person acting as legal adviser of the employee together with a mining or electrical engineer in any part of the mine where an accident has occurred to investigate the cause of such accident Every facility shall be afforded by the owner operator or superintendent for the purpose of said inspection

Section 39 No motor propelled by steam gasoline oil or any engine using fire to generate its power shall be allowed in any mine

Section 40 If the mine owner operator or superintendent shall assign any duties to the mine foreman or assistant mine foreman other than those provided for the mine foreman or assistant mine foreman by this act or if the mine foreman or assistant mine foreman perform any duties for the mine owner operator or superintendent other than those imposed on the mine foreman or assistant mine foreman by this act which the mine owner operator or superintendent knows or ought to know by the exercise of ordinary prudence the mine foreman or assistant mine foreman who performed such other duties shall be deemed the party in charge on behalf of the owner for all purposes under this act

Section 41 The main office at the colliery shall be connected by telephone with the foot of every shaft and slope and every intermediate lift thereof and also at the head and foot of all inside slopes and planes and also within a half mile of the face of each gangway in sections where per-

sons are employed And the telephones stationed within a half mile of the face of gangways where persons are employed shall have an attendant who shall always be within hearing distance of the telephone while at work

Section 42 A telephone shall be installed at each fan house in mines generating explosives gases in order that communication can be had with the section of the mine ventilated by the fan

Section 43 In mines generating explosive gases an engineer shall be stationed at each fan house whose duty it shall be to remain at the engine during the time that workmen are in the mines Provided however that one fan engineer may attend to two fan engines if the distance between the same is not more than two hundred (200) feet

Section 44 Barometers shall be installed in the main office at every colliery and every change indicated by the barometer of the atmospheric pressure which will affect the condition of the mine must be reported immediately to the mine foreman

Section 45 The mine foreman assistant mine foreman outside foreman or any and all persons having charge of the works or any portion thereof shall be deemed the agent of the operator and shall be under the direction and supervision of the owner operator or superintendent

Section 46 In all seams having a pitch of twenty-five (25) degrees or more no less than two (2) men shall be employed in the robbing of pillars and the persons so employed must not do any work in the robbing of pillars unless in company with the other workman employed for that purpose

Section 47 No person firm or corporation shall place any miner in charge of more than one breast chamber or other working place as a miner and no person shall accept and have charge of as a miner any more than one breast chamber or other working face at one and the same time

Section 48 No fuse or caps shall be used in or about any mine for the purpose of blasting except those approved by the chief of the Department of Mines provided however that all powders fuse caps and explosives listed as permissible by the Bureau of Mines of the United States Government can be used in blasting in any mines

Section 49 The report to be furnished to the mine inspector as required by section two and section eight of article four of this act shall be upon blanks approved by the chief of the Department of Mines

Section 50 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE X

Electricity

Section 1 When elecricity is generated on the surface at any mine and the current is to be conducted by wires or cable into the mine for the purpose of power there'n no such wires or cables shall be strung in shafts or slopes where men are hoisted or lowered

Section 2 No wire to conduct electricity in a mine containing a voltage sufficient to cause death or serious injury to persons employed therein shall be strung in any place or places where workmen can inadvertently come in contact with the same

Section 3 Trolley wires used to carry the voltage for electric hauling motors shall not contain a pressure of over two hundred and fifty (250) volts and the same shall be placed in the mine or any part thereof in such manner that workmen cannot inadvertently come in contact with the same

Section 4 Stationary motors used in a mine or any part thereof shall be enclosed in flame proof castings which when completely filled with a mixture of methane and air are capable of either confining the product of such explosion or of so discharging them from the casting that they cannot ignite a mixture of methane and air combined its proportions most sensitive to ignition and entirely surrounding the points of discharge and in most intimate proximity therewith

Section 5 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XI

Wash Houses

Section 1 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for that use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom which must be constructed within eight weeks from the receipt of said petition The said building shall be maintained in good sanitary condition and order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for supplying light heat or water therein or doing any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

ARTICLE XII

Ambulances and Stretchers

Section 1 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery an ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2 The said ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the side or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be placed on roller frames together with sufficient covering and protection and convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed of such material and in such manner as to afford the greatest ease and comfort in the carriage of the injured person

Section 3 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed to his or their place of abode or to a hospital as the case may require

Section 4 It is provided however that where two or more mines or collieries are located within one mile of each other or the ambulance is located within one mile of each colliery but one ambulance as aforesaid shall be required if the said mines or colliery shall have ready and quick means of communication one with the other by telegraph or telephone

Section 5 An ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 6 In case of the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to a hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comforts of the injured person must be provided for

Section 7 Any person firm or corporation who fails to comply with any of the foregoing sections or any of the provisions of this article shall be guilty of an offense against this act

ARTICLE XIII

Emergency Hospital

Section 1 After the passage of this act it shall be unlawful to operate any mine where twenty or more persons are employed inside unless said mine is provided with a sufficient quantity of linseed or olive oil bandages splints and woolen and water-proof blankets Said articles shall be stored in a room to be known as the Emergency Hospital erected at a convenient place in the mine and on the surface which shall not be less than eight by twelve feet and sufficiently furnished lighted kept clean and properly ventilated so that medical treatment may be given therein promptly to injured employes

There shall also be provided small handboxes in which shall be kept a quantity of oils bandages and splints which shall be stored in each lift of the mine and the same shall be taken to the scene of accident and the injured cared for preparatory to being taken to the emergency hospital

Section 2 It shall be the duty of the mine foreman or an assistant mine foreman in case of a serious personal injury to an employe from any cause to at once visit the scene of the accident see that the injured is properly cared for wrapped in woolen blankets and removed to the emergency hospital in the mine or on the surface and then so treated as will add to the comfort and ease of the patient Immediately thereafter the injured person shall be wrapped up and sent to the surface and taken to his home or to a hospital The mine foreman shall keep a book showing the required articles on hand name of the person injured nature of the injury treatment and by whom treated at the time of accident

Section 3 The neglect or refusal to perform the duties required by this article by any person required to perform them or the violation of any requirement hereof shall be deemed guilty of an offense against this act

ARTICLE XIV

Certified Mine Foreman

Section 1 It shall not be unlawful neither shall it be prohibited for any person or persons to act as mine foreman or assistant mine foreman in any coal mine or colliery unless they are registered as a holder of a certificate of qualification under act and are citizens of the United States of America

Section 2 Certificates of qualification to mine foreman and assistant mine foreman shall be granted by the Chief of the Department of Mines to every applicant who may be reported by the examiners as hereinafter provided as having passed a satisfactory examination and as having given satisfactory evidence of at least five years practical experience as a miner and of good conduct capability and sobriety

The certificate shall be in manner and form as shall be prescribed by the Chief of the Department of Mines and a record of all certificates issued shall be kept in his department

Section 3 For the purpose of examination of candidates for such certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said board shall consist of the District Inspector of Mines two (2) practical miners and one owner operator or superintendent of a mine The said inspector shall act

ex-officio and the said engineer and owner operator or superintendent shall be appointed in like manner and at the time as the board of examiners for candidates for mine inspectorship under this act are now appointed The said board shall act as such for the period of one year from the date of their appointment Meetings of the board may be held at any time and they may make such rules and conduct such examinations as in their judgment may seem proper for the purpose of such examinations The said board shall report their action to the Chief of the Department of Mines and at least three (3) of the members thereof shall certify to the qualification of such candidate who has passed a successful examination The traveling expenses of the members of such board to and from their place of meeting together with the sum of six dollars per day each to the said two (2) practical miners owner operator or superintendent members of each board for each day they are actually engaged therein not exceeding twelve (12) days in all during the year shall be paid by the Commonwealth on an order of the Auditor General drawn on the State Treasurer upon the certificate of the mine inspector member of such board

Section 4 The said board shall be permitted to engage the services of a clerk who shall be paid in like manner as the miner superintendent or owner member of the board

Section 5 Certificates of qualification to mine foreman and assistant mine foreman shall be granted by the Chief of the Department of Mines to every applicant who may be reported by the exanimers as heretofore provided as having passed a satisfactory examination and as having given satisfactory evidence of at least five (5) years practical experience as a miner Certificates of qualification shall contain the full name age and place of birth of the applicant as also the length and nature of his previous service in or about the mines

Section 6 Before certificates as aforesaid shall be granted applicants for same shall pay to the Chief of the Department of Mines the following fee namely

For examination one dollar for registration of certificate one dollar for certificate one dollar All fees so received shall be pail into the treasury of the Commonwealth

Section 7 No mine shall be operated for a longer period than thirty days without the supervision of a mine foreman In case any mine is worked a longer period than thirty (30) days without the supervision of a mine foreman the owner operator or superintendent thereof shall be subject to a penalty of twenty dollars per day for each day over the said thirty (30) days during which the said mine is operated

Section 8 In case of the loss or destruction of a certificate the Chief of the Department of Mines may supply a copy thereof to the person losing the same upon the payment of the sum of fifty (50c) cents Provided it shall be shown to the satisfaction of the Chief of the Department of Mines that the loss has actually occurred

Section 9 If any person or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under this act or in any official copy of the same or shall urge others to do so or shall utter or use any such forged or false certificate or unofficial copy thereof or shall make give utter produce or make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he or they shall be guilty of a misdemeanor and upon conviction thereof shall be fined two hundred dollars or imprisonment for a term not exceeding one (1) year or either or both at the discretion of the court trying the case

Section 10 In addition to the fines and penalties provided in sections seven and nine of this article any person firm or corporation violating any of the provisions of this article shall be guilty of an offense against this act

ARTICLE XV

Inspectors and Inspection Districts

Section 1 The counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin shall be divided into eight inspection districts as follows

Section 2 First district-county of Luzerne
Second district—county of Lackawanna
Third district—county of Carbon
Fourth district—county of Schuylkill
Fifth district—county of Northumberland
Sixth district—county of Columbia
Seventh district—county of Dauphin
Eighth district—counties of Susquehanna Wayne and Sullivan

Section 3 In order to fill any vacancy that may occur in the office of inspector of mines by reason of the expiration of term resignation removal for cause or the creation of a new district or from any other reason whatever the judges of the court or Lackawanna county shall appoint an examining board for the county of Lackawanna and the judges of the court of Luzerne county shall appoint an examining board for the counties of Carbon and Luzerne and the judges of Schuylkill county shall appoint an examining board for the counties of Schuylkill Northumberland Columbia and Dauphin and the judge of the court of Susquehanna county shall appoint an examining board for the counties of Susquehanna Wayne and Sullivan Whenever owing to the creation of a new district or for any other reason an inspection district shall be without a board of examiners the judge or judges of that court in which is vested the appointing power for that district shall appoint a board of examiners for said district as soon as such a vacancy arises The members of said board or boards shall hold their positions until the first term of said court of the following year when the successors shall be named as provided by law

Section 4 The said board of examiners shall be composed of three reputable coal miners in actual practice and two reputable mining engineers all of whom shall be appointed at the first term of court in each year to hold their places during the year Any vacancies that may occur in the board of examiners shall be filled by the court as they occur The said board of examiners shall be permitted to engage the services of a clerk and they together with the clerk shall each receive the sum of six ($6.00) dollars per day for every day they are actually engaged in the discharge of their duties under this appointment and mileage at the rate of six cents per mile from their home to the place of meeting and return by the nearest practicable railway route

Section 5 Whenever candidates for the office of inspector are to be examined the said examiners shall give public notice of the fact in not more than five newspapers published in the inspection district and at least two weeks before the meeting specifying the time and place where such meeting shall be held The said examiners shall be sworn to a faithful discharge of their duties and at least four of them shall sign a certificate setting forth the fact of the applicants having passed a successful examination and who have answered ninety per cent of the question the names of the applicants the questions asked and answers thereto shall be sent to the Chief of the Department of Mines and published in at least two papers daily or weekly and shall give such certificates to only such applicants as have passed the required examination

Section 6 The said Board of Examiners shall hold at least one such examination during each year at least six months before the date of the general election in the month of November of each year

Section 7 The qualified electors of the several inspection districts mentioned in this act shall elect respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district six inspectors
Second inspection district five inspectors
Third inspection district one inspector
Fourth inspection district four inspectors
Fifth inspection district two inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eighth inspection district one inspector

Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owing to the erection of a new district or for any other reason the inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a Board of Examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the Board of Examiners of said district showing that he has passed a successful examination before said board or is the holder of a properly issued mine foreman's certificate and is qualified for the position of inspector

Section 8 Candidates for the office of mine inspector shall file with the county commissioners a certificate from the mine inspectors' examining board as above set forth before their names shall be allowed to go upon the ballot as provided by the county commissioners for the general election and the name of no person shall be placed upon the official ballot except such as has filed the certificate as herein required and no person shall be qualified to act as such mine inspector unless such certificate has been previously filed with the county commissioners of his county Provided however that all persons holding mine foremans' certificates shall be eligible to run for the office of mine inspector and if any person holding a mine foreman certificate desires to run for the office of mine inspector he shall file his mine foreman certificate with the county commissioners in the county in which he resides after the filing of such certificate with the county commissioners his name shall be placed on the official ballot

Section 9 The person so elected must be a citizen of Pennsylvania and shall have attained the age of thirty years He must have a knowledge of the different systems of work in coal mines and he must produce satisfactory evidence to the Board of Examiners of having had at least five years' practical experinence in anthracite coal mines of Pennsylvania He must have had experience in coal mines where noxious and explosive gases are evolved

Before entering upon the duties of his office he shall take an oath or affirmation before an officer properly qualified to administer the same that he will perform his duties with fidelity and impartiality which oath or affrmation shall be filed in the office of the prothonotary of the county He shall provide himself with the most modern instruments and appliances for carrying out the intentions of this act

Section 10 The salary of each of the said inspectors shall be three thousand dollars per annum which salary together with the expenses incurred in carrying into effect the provisions of this act shall be paid by the State Treasurer out of the Treasury of the Commonwealth upon the warrant of the Auditor General

Section 11 Each of the said inspectors shall hold said office for the term of four years from the first Monday of

January immediately succeeding his election to said office and until his successor is duly elected and qualified

Section 12 It shall be the duty of the Chief of the Department of Mines to direct one or more of the inspectors who shall be elected under this act and it shall be the duty of said inspector to obey said orders of the said Chief of the Department of Mines to inspect such collieries as come under this act in such manner and at such times as is required by law and the inspectors inspecting said collieries shall make and include in their return a due report of said inspection

Section 13 In case of death resignation removal from office or other vacancies in the office of mine inspector before the expiration of said term of office the judges of the court of common pleas of the county in which said vacancy occurs shall appoint a duly qualified person to fill said vacancy for the unexpired term Said appointee to be one of the persons having passed the examination before the board to examine mine inspectors or a person who is the holder of a properly issued mine foreman certificate and is duly qualified as hereinbefore and hereafter mentioned

Section 14 In case the inspector becomes incapacitated to perform the duties of his office for a longer period than two weeks it shall be the duty of the judges of the court of common pleas of the county from which said inspector was elected to deputize some competent person recommended by the board of examiners or the holder of a properly issued mine foreman certificate to fill the office of inspector until the said inspector shall be able to fulfill the duties of his office and the person so appointed shall be paid in the same manner as provided for the inspector of mines

Section 15 Each of the said inspectors shall reside in the district for which he is elected and shall give his whole time and attention to the duties of his office He shall examine all the collieries in his district at least once every three months and as often in addition thereto as the necessities of the case or the condition of the miners require He shall see that every necessary precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and he shall personally visit each working face and see that the air current is carried to the working faces and is of sufficient quantity or volume to thoroughly ventilate the place He shall every three months make a report of the condition of each working face in each colliery on a form to be furnished to the inspector by the Chief of the Department of Mines designating the gangway in which the working is situated and the breast number of said working and their condition shall be designated by the words good fair or bad as the circumstances may warrant and the said report or duplicate shall be placed in a weather and dust-proof case with a glass front said case to be furnished by the operator and placed in a conspicuous place at each mine opening shaft slope or drift so that the workmen have easy access thereto He shall certify in said report that the employes are hoisted to the surface of the ground or given access thereto according to law he shall attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in his district he shall visit the scene of the accident for the purpose of making an examination into the particulars of the same wherever loss of life or serious personal injury occurs as elsewhere herein provided for and make an annual report of his proceedings to the Chief of the Department of Mines at the close of every year enumerating all the accidents in and about the collieries in his district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and the results generally shall be fully set forth and each other duties as now are or hereafter may be required by law

Section 16 The nomination and election of said mine inspector shall be under the general election laws of this Commonwealth

Section 17 The mine inspector shall have the right and it is hereby made his duty to enter inspect and examine any mine or colliery in the territory allotted to him and the workings and machinery belonging thereto at all reasonable times either by day or by night but not so as to obstruct or impede the working of the colliery and shall have power to take one or more of his fellow inspectors into or around any mine or colliery in the territory allotted to him for the purpose of consultation or examination

He shall also have the right and it is hereby made his duty to make inquiry into the condition of such mines or colliery workings machinery ventilation drainage method of lighting or using lights and into all matters and things connected with or relating to as well as to make suggestions providing for the health and safety of persons employed in or about the same and especially to make inquiry whether the provisions of this act have been complied with

The owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination inquiry and exit

The inspector shall make a record of the visit noting the time and material circumstances of the inspection

Section 18 No person who shall act or practice as a land agent or as a manager or agent of any coal mine or colliery who is pecuniary interested in operating any coal mine or colliery shall at the time hold the office of inspector of mines under this act

Section 19 Whenever a petition signed by fifteen or more reputable coal miners or by fifteen or more reputable coal operators or either or both setting forth that any inspector of mines neglects his duties or is incompetent or is guilty of malfeasance in office it shall be the duty of the court of common pleas from which said inspector was elected to issue a citation in the name of the Commonwealth to the said inspector to appear at not less that five days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If the court finds that the said inspector is neglectful of his duties or is incompetent to perform the duties of his office for any cause that existed previous to his election or that has arisen since his election or that he is guilty of malfesance in office the court shall declare the said inspector removed from office and proceed to fill the vacancy The cost of said investigation shall be borne by the removed inspector but if the allegations in the petition are not sustained the cost shall be paid by the Treasurer of this Commonwealth upon warrant of the Auditor General or by the petitioners in case the court finds that there was no probable ground for said charge

Section 20 The maps and plans of the miners and the records thereof together with all the papers relating thereto shall be kept by the inspector properly arranged and preserved in a convenient place in the district to which the inspector has been elected and shall be transferred by him with any other property of the Commonwealth that may be in his possession to his successor in office

Section 21 Any person firm or corporation who violates any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XVI

Injunctions

Section 1 Upon application of the inspector of mines of the proper districts acting in behalf of the Commonwealth any of the courts of law or equitv having jurisdiction where the mine or colliery proceeded against is situated whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the workings of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in the matter of the injunction or other proceedings as the court may think just but this section shall be without prejudice to any other remedy permitted by law to enforce the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not less than twenty-four (24) hours before the application is made

ARTICLE XVII

Arbitration

Section 1 Whenever an inspector finds any mine or colliery or part thereof or any matter thing or practice connected with such mine which in any respect thereof is not covered by or provided against by any provision of this act or by any rule to be dangerous or defective or in his judgment tends to bodily injury to a person he shall give notice thereof in writing to the owner operator or superintendent of such mine or colliery stating in such notice the particular matter or defect requiring remedy and may demand that the same be remedied but the owner operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand be made And the party against whom the award is given shall pay all costs attending the case The said board of arbitration shall be composed of three (3) persons one of whom shall be chosen by the inspector one by the owner operator or superintendent and a third by the two thus selected and the decision of a majority of such board shall be final and binding in the matter

ARTICLE XVIII

Penalties

Section 1 Any judge of the court of quarter sessions of the peace of the county in which the mine or colliery at which the offense act or omission as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery or any mine inspector has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident has resulted or might have resulted to any person or persons employed in such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars or an imprisonment in the county jail for a period not exceeding three (3) months or either or both at the discretion of the court Provided that any defendant may waive trial before a judge as herein provided at any time at or before the time of such trial demand a trial by a jury in the court of quarter sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next court of quarter sessions to answer the charges against him and abide the orders of the court in the premises meanwhile to be of good behavior and keep the peace or in default of such recognizance to be committed to the county jail to await such trial Provided further that nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided

Section 2 If any person shall feel himself aggrieved by such conviction and sentence before a judge or a judge and jury he may appeal therefrom to the Supreme or Superior court which appeal shall be upon the same terms conditions and restrictions as appeals in criminal cases are now regulated by existing laws

Section 3 All offenses under this act are declared to be misdemeanors and in default of payment of any fine penalty or cost by the party or parties sentenced to pay the same he or they may be imprisoned for a period not exceeding three (3) months and not less than thirty (30) days

Section 4 All fines imposed under this act shall be paid into the county treasury for the use of the county

Section 5 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe in any mine or colliery

Section 6 That for any injury to person or property occasioned by any violation of this act or any failure to comply with its provisions by any owner operator superintendent outside foreman mine foreman or assistant mine foreman or of any person in charge of any coal mine or colliery or any part thereof a right of action shall accure to the party injured against said owner or operator for any direct damages he may have sustained thereby and in case of loss of life by reason of such neglect or failure as aforesaid a right of action shall survive to the parties entitled to prosecute like actions under existing laws

ARTICLE XIX

Inquests

Section 1 Whenever loss of life to a miner or other employe occurs in or about a mine or colliery notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the mine foreman or outside foreman or other person having immediate charge of the work at the time of the accident and when death results from personal injury such notice shall be given promptly after the knowledge of death comes to the said foreman or person in charge

Section 2 Whenever loss of life occurs or whenever the lives of persons employed in a mine or at a colliery are in danger from any accident the inspector of mines shall visit the scene of the accident as soon as possible thereafter and offer such suggestions as in his judgment shall be necessary to protect the lives and secure the safety of the persons employed In case of death from such accident and after exaxination he finds it necessary that a coroner's inquest shall be held he shall notify the coroner to hold such inquest without delay and if no such inquest be held by the coroner within twenty-four (24) hours after such notice the inspector shall institute a further and fuller examination of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat The inspector shall make a record of all such investigations and accidents which record shall be preserved in his office The cost of such investigation shall be paid by the county in which the accident occurred in like manner as costs of inquests held by coroners or justices of the peace are now paid

Section 3 An inquest held by the coroner upon the body of a person killed by explosion or other accident shall be adjourned by the coroner if the inspector of mines be not present to watch the proceedings and the coroner in such case shall notify the inspector in writing of such adjourned inquest and the time and place of holding the same at least three (3) days previous thereto

Section 4 Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector and at any such inquest the inspector shall have the right to examine witnesses

Section 5 If at any inquest held over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery the inspector be not present and it is shown by the evidence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery which in the judgment of the jury required a remedy the coroner shall send notice in writing to said inspector of such neglect or default

Section 6 No person who is interested personally nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident shall be qualified to serve on a jury empaneled on the inquest and a constable or other officer shall not summon such a person so disqualified as juror but the coroner shall empanel a majority of the jury from miners who are qualified to judge of the nature of the accident every person who fails to comply with the provisions of this article shall be guilty of an offense against this act

ARTICLE XX

Repealing Clause

Section 1 This act shall not be construed to repeal or in any way alter or amend the act of July fifteenth Anno Domini one thousand eight hundred and ninety-seven Pamphlet Laws two hundred and eighty-seven entitled "An Act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in the anthracite coal mines and providing penalties for a violation of the same" or the act of May ninth Anno Domini one thousand eight hundred and eighty-nine Pamphlet Laws one hundred and fifty-four entitled "An Act to provide for the recovery of the bodies of workmen enclosed buried or entomb in coal mines" but all acts inconsistent herewith are hereby repealed

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And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITED.

Mr. THOMPSON. Mr. President, I move that Senate Bill No. 657, the bill just read, be recommitted to the Committee on Mines and Mining for further consideration.

Mr. HUNTER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, I would like to ask the Senator from Beaver a question.

The PRESIDENT. Will the Senator from Beaver, Mr. Thompson, permit himself to be interrogated by the Senator from Monroe, Mr. Huffman?

Mr. THOMPSON. Mr. President, I will.

Mr. HUFFMAN. Mr. President, is that the minority report bill or is it the majority report bill.

Mr. THOMPSON. Mr. President, the minority.

Mr. HUFFMAN. Mr. President, I do not think that that bill ought to go back. Now, that bill has been considered along with the majority report bill during the whole of this session, and as I understand this bill has received as much consideration as has the majority report bill. This bill is supported by the miners over in the coal regions, I think to a man; the other bill is being opposed by them, and I think the bill should be left on the Calendar and voted on. It has had all the consideration that this Senate can reasonably give it.

On the question,

Will the Senate agree to the motion?

Mr. KURTZ. Mr. President. I think we are entirely out of order in this proposition. As Chairman of the Mines and Mining Committee, I wish to say that the committee has had some hearings on this bill, also on the majority report bill. We want to get it back there. I think the two different factions can get together, as I was told by some of our friends they can and I would like to get it back so that they can get together on it. I move to amend the motion to recommit Senate Bill 657, so that the motion shall be that both Senate Bills 657 and 656, be recommitted to the Committee on Mines and Mining.

Mr. POWELL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the motion as amended?

It was agreed to.

RECONSIDERATION OF SENATE BILL NO. 1155 (HOUSE BILL NO. 1139).

Mr. SNYDER. Mr. President, I move to reconsider the vote by which Senate Bill No. 1155 (House Bill No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses' 'approved the twenty-sixth day of April one thousand eight hundred fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred seven by altering the seventh section and by repealing the sixth section thereof

was defeated on final passage this evening.

The PRESIDENT. How did the Senator vote?

Mr. SNYDER. Mr. President, I voted "No."

Mr. ENDSLEY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. ENDSLEY. Mr. President, I voted "No."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 676 (House Bill No. 483), entitled:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred eleven entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purposes and to abolish the Revenue Board" approved the thirtieth day of April Anno Domini one thousand eight hundred sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 693 (House Bill No. 956), as follows:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shell fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that licensees continuing in business shall annually apply for new licenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four (4) of an act entitled "An Act to provide for the licensing and regulating of slaughter houses shops wagons and places where meats poultry fish game and shell fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven which reads as follows

Section 4 Licenses when issued shall be valid for not more than one year shall not be transferrible either as to the person or place and may be revoked at any time by the board of health for failure to comply with the rules and regulations established by the board of health

It shall be the duty of every licensee to post and keep posted a printed copy of this act and of the license granted under it in the place for which the license is granted and where the said license is granted for the use of any building or part of building said posting shall be in the principal and most public room of said building or part of building A fee of one dollar ($1.00) shall be paid to the Bureau of Health for said license" be and the same is hereby amended so as to read as follows

Section 4 Licenses when issued shall be valid for one calendar year or fractional part thereof next ensuing from the date of issue shall not be transferrible either as to the person or place and may be revoked at any time by the board of health for failure to comply with the rules and regulations established by the board of health.

It shall be the duty of every licensee to post and keep posted a printed copy of this act and of the license granted under it in the place for which the license is granted and where the said license is granted for the use of any building or part of building said posting shall be in the principal or most public room of the said building or part of building A fee of one dollar ($1.00) shall be paid to the Bureau of Health for said license

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 709, as follows:

An Act to regulate the admission of minors to public dance houses or halls to concert saloons to theatres and to places where theatrical acrobatic or vaudeville performances or moving picture shows are given and providing the punishment for a violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no owner or owners or lessee or lessees or the president of any corporation owning or leasing any building or grounds or any one having any control of any building or buildings or the premises connected therewith or of any tent or tents or enclosure or any other method of construction used as a roller skating rink or public dance hall or any concert saloon whether licensed as such or not shall permit any minor child under the age of eighteen years to enter or remain in such place or places unless said minor child is accompanied by and in charge of an adult of full age standing in locoe parentis or guardian

Section 2 No owner or owners or lessee or lessees or the president of any corporation owning or leasing any building or grounds or any manager or director or doorkeeper thereof or any one having control of any building or buildings or the premises connected therewith or any tent or enclosure or any other method of construction used as a theatre museum or place of amusement for the purpose of giving acrobatic performances tragedies or comedies or for the exhibition of stereopticon views or either fixed or moving pictures or the exhibition of trained animals theatrical performances or any equestrian circus menageries museum or wild west show or the exhibition of personal skill or the performances of any act of any character whatever for the amusement of the public shall permit no minor child under the age of fourteen years to enter or remain in any such place or places of amusement unless said minor is accompanied by and in charge of an adult of full age not furnished or provided by said owner or lessee or president manager or doorkeeper or the person in charge thereof after nine o'clock post meridan or during the hours of school session of such minor child

Section 3 Any person or persons wilfully violating the provisions of this act shall be guilty of a misdemeanor and shall be punished by a fine not exceeding ten dollars for the first offense and for each succeeding offense not less than fifteen dollars nor more than twenty-five dollars to be collected by process of summary proceeding before any magistrate or justice of the peace as like offenses are now collected

Section 4 This act shall take effect immediately

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 733, as follows:

An Act to repeal an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials

to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto" is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 783, as follows:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred fifty-eight of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 558 If any person firm association or corporation receiving a notice from any school tax collector requesting the payment of any occupation tax of any employe or employes deducts from any wages then due or that may thereafter become due and owing to such employe or employes the amount of such ocupation tax and fails to pay the same over to the collector of school taxes in any district within thirty days afer making such deductio nor deductions such person firm or corporation shall forfeit and pay to the said school district a sum equal to the amount of such occupation tax collected from such employe or employes as aforesaid which sum together with costs may be recovered by the said school district in an action of assumpsit against said person firm association or corporation failing to pay over such tax as debts of like amount are now recoverable In the collection of any judgment recovered for any such delinquent ocupation tax against any person firm association or corporation the defendant therein shall not be entitled to the benefit of any exemption appraisement law or stay of execution" is hereby amended to read as follows

Section 558 If any person firm association or corporation receiving a notice from any school tax collector requesting the payment of any occupation tax of any employe shall fail or refuse to deduct from any wages then due or that may thereafter become due and owing to such employe the amount of such occupation tax or if such person firm association or corporation deducts the amount of such occupation tax and fails to pay the same over to the collector of school taxes in any district within thirty days after making such deduction or deductions such person firm or corporations shall forfeit and pay to the said school district a sum equal to the amount of such occupation tax collected from such employe or employes as aforesaid which sum together with costs may be recovered by the said school district in an action of assumpsit against said person firm association or corporation failing to pay over such tax as debts of like amount are now recoverable In the collection of any judgment recovered for any such delinquent occupation tax against any person firm association or corporation the defendant therein shall not be entitled to the benefit of any exemption appraisement law or stay of execution

Section 2 Section two thousand six hundred twenty-three of said act which reads as follows

"Section 2623 The compensation for auditors appointed by the court in school districts of the second and third class shall be fixed by the court at the time the report is filed not exceeding five dollars ($5.00) per day for each day necessarily spent by each auditor and the total expense of such auditing including the cost of making the appointment filing the report advertising and other necessary costs shall be paid by the school district" is hereby amended to read as follows

Section 2623 The compensation for auditors appointed by the court in school districts of the second and third class shall be fixed by the respective school directors at the time the report is filed not exceeding five dollars ($5.00) per day for each day necessarily spent by each auditor and the total expense of such auditing including the cost of making the appointment filing the report advertising and other necessary cost shall be paid by the school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. THOMPSON. Mr. President, I move that Senate Bill No. 870 (House Bill No. 210), on second reading, entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven.

be recommitted to the Committee on Public Health and Sanitation.

Mr. GERBERICH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1038 (House Bill No. 1203), entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1062, as follows:

An Act to amend the first section of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and three entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth and providing penalties for violation of its provisions and repealing an act approved the twenty-fourth day of April one thousand nine hundred and one" by making the license fee twenty dollars instead of ten dollars as at the present time

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and three entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth and providing penalties for violation of its provisions and repealing an act approved the twenty-fourth day of April one thousand nine hundred and one" which reads as follows

"Section 1 Be it enacted by the Senate and Housse of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every non-resident of this Commonwealth shall be required to take out a license from the treasurer of the county in which he proposes to hunt before beginning to hunt in any part of this Commonwealth Each and every person not a resident of this Commonwealth shall pay a license fee of ten dollars to the treasurer of the county in which he proposes to hunt and the said treasurer shall thereupon issue to him a certificate on forms supplied by the Board of Game Commissioners of this Commonwealth bearing the name and place of residence of the applicant with his description as near as may be which said certificate shall authorize the owner thereof to hunt and kill game in any part of this Commonwealth during the period of that year when game may be legally killed under the restrictions and for the purposes allowed by law said certificate shall not be transferrable and shall be exposed for examination upon demand made by any game protector constable or game warden of the State One-half of the license fee so received by any county treasurer shall be retained by him for the use of the county wherein the same is paid and the remaining one-half of said fee shall be forwarded by him to the State Treasurer in the same manner and for the same purposes as is now provided by law in the case of fines or penalties recovered for viola-

tion of the provisions of any of the sections of an act entitled "An Act to provide for the protection and preservation of game game quadrupeds and game birds and song and insectivorous birds" approved the fourth day of June Anno Domini one thousand eight hundred and ninety-seven All fines and penalties recovered for violation of the provisions of this act shall be distributed as are fines and penalties collected for violation of the said act of June fourth one thousand eight hundred and ninety-seven" is amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every non-resident of this Commonwealth such person being a citizen of the United States shall be required to take out a license from the treasurer of the county in which he proposes to hunt before beginning to hunt in any part of this Commonwealth Each and every person not a resident of this Commonwealth but who is a citizen of the United States upon the filing of a written description of himself with and the payment of a license fee of twenty dollars ($20) to the treasurer of the county in which he proposes to hunt shall be entitled to a "Non-Resident Hunters' License" and the said treasurer shall thereupon issue to him a certificate on form supplied by the Board of Game Commissioners bearing the name and place of residence of the applicant with his description as near as may be which said certificate shall authorize the owner thereof to hunt and kill wild birds or animals in any part of this Commonwealth during the period of that year when such birds or animals may be legally killed under the restrictions and for the purposes allowed by law said certificate shall not be transferrable and shall be exposed for examniation upon demand made by any game protector constable or game warden in the State One-half of the license fee so received by any county treasurer shall be retained by him for the use of the county wherein the same is paid and the remaining one-half of said fee shall be forwarded by him to the State Treasurer and all fines and penalties recovered for violation of any of the provisions of this act shall be forwarded by the magistrate or justice or other court recovering the same to the State Treasurer who shall retain all moneys arising through or because of the provisions of this act in a fund separate and apart from other funds to the uses of the Board of Game Commissioners of Pennsylvania for game and wild bird protection and propagation the same to be drawn out in quarterly allowances upon demand made by the president of the said Board of Game Comissioners and the presentation of satisfactory vouchers to the Auditor General that the moneys expended were spent for the purposes provided for in this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1071 (House Bill No. 952), entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

And said bill having been read at lenugth the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1102 (House Bill No. 1302), entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred and twenty-two two thousand six hundred and twenty-four two thousand six hundred and twenty-six and two thousand six hundred and twenty-seven thereof and also conferring upon tax payers similar rights in regard to reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon tax payers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided in regard to appeals from reports of auditors filed subsequently hereto

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1134 (House Bill No. 1550), entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the Court of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a County Court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1186 (House Bill No. 900), entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1192 (House Bill No. 415), entitled:

An Act making an appropriation to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as a proprietor of a moving picture place in the State of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1205 (House Bill No. 1370), entitled:

An Act to amend section five hundred thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1210, as follows:

A Supplement to an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act for the incorporation and government of cities of the third class" authorizing third class cities to manufacture and sell ice

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority

of the same That each city of the third class is hereby authorized to manufacture ice and to sell the same to the inhabitants of such city at such rate as shall be fixed by ordinance and to that end may erect equip and maintain such buildings and other structures and may purchase or hire and maintain such vehicles as may be deemed necessary for such purpose

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 38, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes prescribing his duties and fixing his compensation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideraeration of Senate Bill No. 39, entitled:

An Act supplementary to an act entitled "An Act for the incorporation and government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine amending certain articles and sections thereof and enlraging changing and modifying certain powers and provisions therein providing for the abolishing of the select and common councils and creating their stead one legislative body to be known as the council and prescribing its powers and duties and also providing for the nomination and election of members of said council and all other elective officers of said cities upon a nonpartisan ballot and for a referendum vote on all franchise ordinances

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 185 (House Bill No. 44), entitled:

An Act amending an act entitled "An Act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in instalments" approved June fifteenth Anno Domini one thousand nine hundred eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 198, entitled:

An Act to provide for the holding of a Constitutional Convention the election of delegates thereto and the submission of the report thereof for the approval of the people

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 355 (House Bill No. 20), entitled:

An Act further amending section one of an act entitled "An Act providing for the examination licensure and registration of persons firm or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred one extending the provisions of said act to all cities of the third class

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 648, entitled:

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of article nine section eight of the Constitution as amended and to confer jurisidiction upon any city of the Court of Common Pleas of the county in which such city is situated to determine the amount of any debt to be so excluded

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senaee Bill No. 672 (House Bill No. 294), entitled:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 674 (House Bill No. 408), entitled:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys places and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of Mine Inspection and surface support by any municipal corporation and giving such bureau jurisdiction and providing for the filing of certain maps and plans and providing a penalty for violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 681 (House Bill No. 638), entitled:

An Act to provide for the health and safety of persons and for the protection and preservation of propety where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages begin to run and providing a penalty for violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 697, entitled:

An Act regulating the passage of traction engines motor and other vehicles over highways and bridges and providing penalties for the violation of the provisions hereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 774 (House Bill No. 566), entitled:

An Act giving all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacatin gof the same and the construction of sewers the right to damage both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing lays for ascertaining damages or benefits appointed under existing laws for ascertaining damages or benefits for taking using occuping or injuring lands property or material to asses said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and the right of appeal to the superior court or supreme court after disposal of exceptions or verdict and final judbment and providing that this act shall apply to all existing and future proceedings

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 817, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 852 (House Bill No. 1151), entitled:

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 867 (House Bill No. 1017), entitled:

An Act to protect the lives and limbs of persons employed in the anthracite coal mines of this Commonwealth by prohibiting the employment of any miner to have charge of as a miner more than one breast chamber or other working-face in any anthracite coal mines and providing a penalty for the violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CROW. I move that Senate Bill No. 867 (House Bill No. 1017), the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 950, entitled:

An Act regulating the offering or operation of automobile vehicles for hire in cities of the first class providing for the licensing of said vehicles providing for the licensing of operators chauffeurs or solicitors for said vehicles authorizing them to solicit business upon the highway authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 994, entitled:

An Act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abandoned or that have not been built upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1014 (House Bill No. 1047), entitled:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred eleven fixing the per diem and mileage of said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1020 (House Bill No. 1244), entitled:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeenth one thousand nine hundred five so as to include gas and water companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1058 House Bill No. 1704), entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

And said bill having been read at length the first time,
Ordered, To be laid asidc for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1081 (House Bill No. 1658), entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of pubic roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescrieb rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred eleven by au-

thorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1092 (House Bill No. 135), entitled:

An Act providing for the further government and regulation of cities of the second and third class by authorizing the initiative and referendum methods of legislation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1111 (House Bill No. 695), entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1124 (House Bill No. 1113), entitled:

An Act authorizing and empowering municipalities to construct and for this purpose to procure locations therefor by purchase or condemnation proceedings in fee simple as herein provided or to acquire by lease purchase condemnation or otherwise and to maintain and operate underground street passenger railways or subways whether the same be wholly within or partly within and partly without the limits of the municipality and also street passenger railways or elevated railways connecting therewith or exchanging passengers with said underground street railway and to lease the underground street railway and any surface or elevated srteet railway connecting therewith to corporations or individuals with the right in the municipalities to change an additional sum for each passenger using the subway to meet the interest and sinking fund charges on the cost of the subway and conferring upon said municipalities all the rights and powers conferred upon corporations under the act of June seventh one thousand nine hundred one an act to provide for the incorporation and government of passenger railways either elevated or underground or partly elevated and partly underground with surface rights (Pamphlet Laws five hundred twenty-three) and supplements and amendments thereto

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1124 (House Bill No. 1113), the bill just read, be recommitted to the Committee on Corporations for the purpose of a hearing.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1125 (House Bill No. 1119), entitled:

An Act empowering corporations to construct street railway tracks and equipment for the operation of street cars and to lease said tracks and equipment to persons or corporations desiring to use the same for the operation of street cars and defining the terms and other incidents of said leases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1125 (House Bill No. 1119), the bill just read, be recommitted to the Committee on Corporations for the purpose of a hearing.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1139 (House Bill No. 1419), entitled:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1143 (House Bill No. 1236), entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred one as the same were amended by the act of May fourteenth one thousand nine hundred one by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1151, entitled:

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1153, entitled:

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1172 (House Bill No. 1300, entitled:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1174 (House Bill No. 1314), entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No .1175 (House Bill No. 1503), entitled:

An Act authorzing the creation and establishment and defining and regulating the powers of the Bureau of Electricity under the jurisdiction and control of the Department of Public Safety in cities of the second class and providing a penalty for the violation thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 1175 (House Bill No. 1503), the bill just read, be recommitted to the Committee on Corporations.

Mr. HUNTER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1176 (House Bill No. 1541), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1177 (House Bill No. 1547), entitled:

An Act to amend section two of an act entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" approved the twenty-first day of April Anno Domini one thousand nine hundred three

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1178 (House Bill No. 1681), entitled:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth Anno Domini one thousand eight hundred ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1187 (House Bill No. 1448), entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its checks in payment of a depositor's check

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1190 (House Bill No. 398), entitled:

An Act to require the reporting by physicians to the State Register of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1199 (House Bill No. 1562), entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata share of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1204 (House Bill No. 1148), entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1209, entitled:

An Act authorizing each city in the Commonwealth to prepare adopt and amend its own charter regulating the preparation adoption and amendment thereof providing penalties for violations of the act and repealing certain laws relating to the government of cities

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1239 (House Bill No. 1473), entitled:

An Act to amend an act approved the tenth day of May one thousand eight hundred eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1253 (House Bill No. 1228), entitled:

An Act amending section eighteen of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment for such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred one as the same was amended by an act approved the sixth day of May Anno Domini one thousand nine hundred nine changing the method of service by advertisement of writs of scire facias issued upon municipal and tax claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 1253, (House Bill No. 1228), the bill just read, be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1266 (House Bill No. 1793), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred one entitled "An Act for the government of cities of the second class."

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1274, entitled:

An Act authorizing cities of the first and second class to compensate employees for time lost while in the employ of the city as a result of injuries sickness or disablement of any kind sustained while in the performance of their duties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bil. No. 1279, entitled:

A supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1280, entitled:

An Act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commision of Pennsylvania for this purpose and providing penalties for the violation of the provisons hereof

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1281, entitled:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1294, entitled:

An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by eliminating certain provisions relating to school taxes and repealing section eight of said act

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

HOUSE BILL NO. 964 RECALLED FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate resolution from the House of Representatives, which was twice read, considered and agreed to.

In the House of Representatives, May 5, 1913.
Resolved (if the Senate concur), That House Bill No. 964, entitled: An Act authorizing and empowering township supervisors in townships of the second class to enter contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited
be recalled from the Governor for the purpose of amendment

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

He also presented communication from the House of Representatives informing the Senate that the House insists on its non-concurrence in the amendments made by the Senate to House Bill No. 1445, entitled:

An Act creating a Department of Labor and Industry defining its powers and duties establishing an Industrial Board providing for the appointmtnt of a Commissioner of Labor inspectors statisticians clerks and others to enforce the provisions of this act and providing salaries for the same prescribing a standard of reasonable and adequate protection to be observed in the rooms buildings and places where labor is employed empowering the said Industrial Board to make alter amend and repeal rules and regulations relating thereto transferring the powers and duties of the Department of Factory Inspection to the Department of Labor and Industry and abolishing the Department of Factory Inspection and providing a penalty for the violation of the provisions of this act or the rules and regulations of the said board

And has appointed Messrs. Roney, Ehrhardt and Cochran as a Committee of Conference to confer with a similar Committee of the Senate (already appointed) to consider the differences existing between the two Houses in relation to said bill.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 23.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 23, entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1321.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 1321, entitled:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1379.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 1379, entitled:

An Act authorizing counties to appropriate money for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American War and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1465.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 1465, entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statements by the claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

HOUSE APPOINTS COMMITTEE OF CONFERENCE.

He also communication from the House of Representatives informing the Senate that the House insists upon the amendments made by the House non-concurred in by the Senate Bill No. 502, entitled:

An Act to amend section six of an act approved the twenty-third day of May one thousand eight hundred and seventy-four entitled "An Act dividing the cities of this State into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offences in all of said cities and providing for the incorporation and government of cities of the third class" by authorizing the councils of cities to provide for minimum rates of wages to be paid maximum hours of work to be done under contracts with such cities and validating existing ordinances which so provide

And has Messrs. Piper, J. J. Campbell and Steele as a Committee of Conference to confer with a similar committee of the Senate (already appointed) to consider the differences existing between the two Houses in relation bill.

SENATE BILL NO. 643 RETURNED WITH AMENDMENTS.

He also laid before the Senate communication from the House of Representative, returning to the Senate Senate Bill No. 643, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Which was laid over one day under the rules.

HOUSE CONCURS IN SENATE BILL NO 178.

He also laid before the Senate communication from the House of Representative, returning to the Senate Senate Bill No. 178, entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 553.

He also laid before the Senate communication from the House of Representative, returning to the Senate Senate Bill No. 523, entitled:

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess or benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

with the information that the House has passed the same without amendment.

AMENDMENTS TO HOUSE BILL NO. 1362 RECALLED FROM THE GOVERNOR.

He also laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 1362, entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

said bill having been recalled from the Governor for amendment.

The vote had on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires amendments to bills to be noted on the calendar be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The amendments were twice read as follows:

In the title, line 4, by striking out the words "Cambria," and inserting in lieu thereof the word "Dauphin"; also in Section 1, line 8, by striking out the word "Cambria" and inserting in lieu thereof the word "Dauphin."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Beidleman,	Graff,	Magee,	Powell,
Buckman,	Hoke,	McIlhenny,	Salus,
Catlin,	Homsher,	McNichol,	Sensenich,
Cooper,	Huffman,	McNichols,	Thompson,
Crow,	Hunter,	Miller,	Vare,
Daix,	Judson,	Moore,	Wasbers.
Endsley,	Kline,	Morgan,	Gerberich,
Farley,	Kurtz,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 53, entitled:

An Act for the protection of the public health and the prevention of fraud and deception by regulating the storage and sale of cold storage foods fixing penalties for the violation of the provisions thereof and providing for the enforcement thereof

House Bill No. 734, entitled:

An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game gamequadrupeds and game-birds and song and insectiverous and other wild birds and prescribing penalties for violation of its several provision" by giving additional protection to ruffed grouse quail and wild water fowl

House Bill No. 1631, entitled:

An Act to validate certain charters issued by the Governor of the Commonwealh to electric light companies for districts comprising two or more municipalities or townships under the thirty-fourth section of the act approved April twenty-nine one thousand eight hundred seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" and its supplements

Senate Bill No. 156, entitled:

An Act relating to the satisfaction of mortgage under power of attorney directed to the recorder of deeds

Senate Bill No. 328, entitled:

A further supplement to an act approved the seventh day of June one thousand eight hun
"An Act to provide revenue
amended and supplemented

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

RECESS.

Mr. CROW. Mr. President, I move the Senate do now take a recess for ten minutes.

Mr. POWELL. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 585 (Senate Bill No. 1298), entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven Pamphlet Laws one hundred and three entitled "A supplement to the act of April third eighteen hundred and fifty-one entitled 'An Act regulating boroughs' providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the term of the borough solicitors holding office under the act of April twenty-fifth nineteen hundred and seven and providing for the furnishing of a bond by a trust or bonding company

Which was committed to the Committee on Municipal Affairs.

House Bill No. 873 (Senate Bill No. 1299), entitled:

An Act to amend an act entitled "An Act to organize the State Hospital for the insane at Danville and provide for the government and management of the same" approved the twenty-seventh day of March Anno Domini one thousand eight hundred and seventy-three so as to change the term of the superintendent of said hospital and extend the powers of the trustees of said institution

Which was committed to the Committee on Judiciary General.

House Bill No. 912 (Senate Bill No. 1300), entitled:

An Act laying a tax on anthracite coal and providing for the collection and distribution of the same

Which was committed to the Committee on Finance.

House Bill No. 1032 (Senate Bill No. 1301), entitled:

An Act providing for the taxing of traction engines for local purposes and repealing a certain act relating to the taxation of traction engines

Which was committed to the Committee on Finance.

House Bill No. 1092 (Senate Bill No. 1302), entitled:

An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act creating and defining the offense of disorderly conduct by persons on the public highways roads streets lanes alleys parks squares or commons of the Commonwealth or near thereto and fixing penalties for committing such offense" as amended by changing and enlarging the penalties for committing such offense

Which was committed to the Committee on Judiciary General.

House Bill No. 1107 (Senate Bill No. 1303), entitled:

An Act relative to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

Which was committed to the Committee on Judiciary Special.

House Bill No. 1217 (Senate Bill No. 1304), entitled:

An Act authorizing municipal corporations to acquire by purchase lease stock ownership condemnation or otherwise street railways or portions thereof whether the same be wholly within or partly within and partly without the limits of the municapl corporation providing the method for ascertaining and paying or securing the damages incident to the taking or appropriation of street railways by municipal corporations empowering municipal corporations to maintain operate or lease street railways acquired by them and defining the terms and other incidents of said lease

Which was committed to the Committee on Corporations.

House Bill No. 1453 (Senate Bill No. 1305), entitled.

An Act to amend article six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by adding a new section thereto

Which was committed to the Committee on Education.

House Bill No. 1486 (Senate Bill No. 1306), entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

Which was committed to the Committee on Judiciary Special.

House Bill No. 1748 (Senate Bill No. 1307), entitled:

An Act relating to the height of buildings in cities of the second class limiting the height of buildings to be erected therein and making provision for enforcing the limitations imposed by this act

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1536 (Senate Bill No. 1308), entitled:

An Act authorizing counties to charge telephone telegraph electric light or gas light companies or other public service corporations now maintaining poles on county roads a reasonable license fee providing for the removal of such poles in case of non-payment requiring such companies hereafter occupying county roads to agree in unity with the county commissioners in relation to such occupancy and the compensation to be paid therefor and providing for the use of all monies received under this act

Which was committed to the Committee on Corporations.

House Bill No. 1836 (Senate Bill No. 1309), entitled:

An Act to repeal an act approved the second day of July one thousand nine hundred and one entitled "An Act to encourage the planting of trees along the roadsides of this Commonwealth and providing a penalty for killing removing or injuring the same what disposition is to be made of moneys collected as penalties and for keeping a record by the supervisor of roads or boards of supervisors of roads of the trees so planted and upon which a tax abatement has been granted

Which was committed to the Committee on Judiciary General.

House Bill No. 1864 (Senate Bill No. 1310), entitled:

An Act directing the Legislature Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

Which was committed to the Committee on Judiciary Special.

BILL INTRODUCED.

Mr. GRAFF. Mr. President. I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GRAFF read in his place and presented to the Chair Senate Bill No. 1311, entitled:

An Act providing that hereafter in all cities of the third class in this Commonwealth the necessary taxes for county purposes shall be levied and assessed on the city assessments, requiring the proper official in each of said cities to furnish annually to each of the counties in which such cities are situated a properly certified duplicate of said assessments, making all of the occupations and property shown and contained in said assessments taxable for county purposes, and directing that in each of said cities the assessments of said occupations and property heretofore made by said counties shall hereafter be discontinued and not made by said counties.

Which was committed to the Committee on Municipal Affairs.

REPORTS FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 841 (House Bill No. 701), entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth,

providing for the appointment of commissioners of water works, prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town.

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1310 (House Bill No. 1864), entitled:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejections by the General Assembly fixing the powers and duties of the Bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1303 (House Bill No. 1107), entitled:

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers.

BILLS ON FIRST READING.

Mr. SNYDER. Mr. President, I move that the Senate do now proceed to the first reading of Senate Bill No. 1193, (House Bill No. 1048), entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

Senate Bill No. 1303 (House Bill No. 1107), entitled:

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

Senate Bill No. 1310 (House Bill No. 1864), entitled:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first read and consideration of Senate Bill No. 1193 (House Bill No. 1048), entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first read and consideration of Senate Bill No. 1303 (House Bill No. 1107), entitled:

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first read and consideration of Senate Bill No. 1310 (House Bill No. 1864), entitled:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESIGNATION OF HON. A. W. POWELL, SENATOR FROM THE FORTY-FOURTH SENATORIAL DISTRICT.

The Chair cleared his table and laid before the Senate communication which was read as follows:

Harrisburg, Pa., May 5th, 1913.

To the President of the Senate

I hereby resign as member of the General Assembly from the 44th Senatorial District.

Very respectfully yours,

A. W. POWELL.

To the Hon. John M. Reynolds, Lieutenant Governor.

ADJOURNMENT.

Mr. POWELL. Mr. President, I move that the Senate do now adjourn until ten o'clock tomorrow morning.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 o'clock P. M. until Tuesday morning May 6th, 1913 at ten o'clock.

HOUSE OF REPRESENTATIVES.

MONDAY, May 5th, 1913.

The House met at 8 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain (Rev. J. E. Wright) offered the following prayer:

O God, Thou hast said in Thy Word, "They that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; they shall walk and not faint." Help us to remember what this Scripture means to us. We need the renewal of our strength as we take up again the work which is before us, for as the session advances and the work presses and the summer comes with its withering heat, we are conscious of a lassitude and an apathy which is seriously in danger of interfering with our work. May we not yield to this, Lord but steadfastly resist it, and looking to Thee may we find the strength which we need. May we have high ideals and loftly aspirations. May we imitate the eagle who soars towards the skies. May we run, not merely with patience, but with alacrity and cheerfulness along the paths marked out for us of duty and of service. And may we have the strength for that hardest of all requirements, the patience and perisistence to walk along the way, even though the way seems rugged and the path seems hard; and though we do not have the cheer of outward success or victory, yet let us patiently and persistently go along the way. So shall we make progress; so shall we honor Thee and honor the people who have chosen us to serve them; and Thy name shall have the praise of it, now and forever. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of Thursday, May 1st, 1913.

The Clerk proceeded to read the Journal of the proceedings of Thursday, May 1st, 1913, when on motion of Mr. Hess the further reading was dispensed with, and the Journal was approved.

REPORT FROM COMMITTEE.

Mr. SASSAMAN, from the Committee on Appropriations, reported as committed, House Bill No. 879, entitled:

An Act making an appropriation to further carry into effect the provisions of an act, approved the thirteenth day of June, Anno Domini one thousand nine hundred and seven, entitled "An Act to authorize county commissioners, for the purpose of encouraging agriculture and the holding of county agricultural exhibitions, to pay annually one thousand dollars to the incorporated agricultural asociation, paying premiums on agricutlural exhibits, holding an annual exhibition in the county; providing for the filing of sworn statement by the claimant or claimants with the county commisioners relative to said exhibition, and providing for the repayment to the county by the State of the sum so paid."

LEAVE OF ABSENCE.

Mr. EHRHARDT asked and obtained leave of absence for Mr. Haggerty until Wednesday evening.

RESOLUTION RELATIVE TO OFFICIAL SONGS

Mr. SPIESER offered the following resolution which was read and laid over for printing.

Whereas, There have been proposed as official songs of the Commonwealth of Pennsylvania two compositions, one by Edgar M. Dilley, of Philadelphia, and another by John E. Barrett, of Scranton, both called "Pennsylvania."

And Whereas, Resolutions have been introduced requesting the endorsement of this General Assembly for each of these compositions.

Therefore, be it Resolved, By the Senate and House of Representatives that a Joint Committee of the Senate and House of Representatives, two to be appointed by the President of the Senate, and three to be appointed by the Speaker of the House inquire into and test by competition, if necessary, the merits and availability of the said compositions for selection as the official song of this Commonwealth, and to make such recommendations as they shall deem proper.

POINT OF ORDER.

Mr. HOBBS. Mr. Speaker, I rise to a point of order. The resolution offered by the gentleman from Philadelphia, Mr. Speiser, setting forth—

The SPEAKER. The resolution offered by the gentleman from Philadelphia is not up for consideration at the present time. Under the rules it has to lie over for printing, and will then be in order for consideration.

Mr. HOBBS. Mr. Speaker, haven't I the right to raise the point of order whether this resolution is in order or not?

The SPEAKER The Chair is of the opinion that until the resolution is printed its consideration is not in order, and until its consideration is in order, a point of order cannot be raised against it.

RESOLUTION REQUESTING INFORMATION FROM THE ATTORNEY GENERAL RELATIVE TO SENATE ADJOURNMENT.

Mr. JOHN R. K. SCOTT offered a resolution which was read as follows:

Whereas, The Legislature of the Commonwealth of Pennsylvania is now in session, and

Whereas, The Senate has without the concurrence of the House on several occasions adjourned upon Wednesday to reconvene the following Monday night at eight oclock, and

Whereas, Article second, Section fourteen of the Constitution of the Commonwealth of Pennsylvania reads as follows:

"Neither House shall without the consent of the other adjourn for more than three days, nor to any other place than that in which the two Houses shall be sitting."

Whereas, Parlimentary decisions and opinions are conflicting upon the question as to whether or not Sunday in the contemplation of the above section of the Constitution of Pennsylvania in reference to the adjournment of either branch of the Legislature without the consent of the other is a dies non, and

Whereas, It is desirable that this question be determined for the expedition of legislation in the present session, therefore

Be it Resolved, That the Attorney General of the Commonwealth of Pennsylvania be requested, and is hereby requested, to inform the House of Representatives of the Commonwealth of Pennsylvania on or before Monday, the twelfth day of May, 1913, whether or not in the contemplation of the aforesaid section of the Constitution of Pennsylvania, Sunday is a dies non, and whether or not it is lawful for either branch of the Legislature to adjourn without the consent of the other for a period of four full days, one of which is Sunday, and whether or not it is lawful in the contemplation of the aforesaid section of the Constitution of Pennsylvania for either branch of the Legislature without the consent of the other to adjourn upon Wednesday to reconvene upon the following Monday.

On the question,

Will the House agree to the adoption of the resolution?

The SPEAKER announced that the ayes seemed to have it,

Whereupon,

A division was called for and 118 gentlemen, or more than the majority of the whole House having voted in the affirmative, the question was determined in the affirmative, and the resolution was adopted.

RESOLUTION RECALLING HOUSE BILL NO. 964 FROM THE GOVERNOR.

Mr. SWARTZ offered the following resolution which was twice read, considered and agreed to:

In the House of Representatives, May 5, 1913.

Resolved (if the Senate concur), That House Bill No. 964, entitled "An Act authorizing and empowering township supervisors in townsips of the second class to enter into contract with electric, gas or other light companies for the purpose of lighting and illuminating the streets, highways and other public places in any village in said township, and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited," be recalled from the Governor for the purpose of amendment.

RESOLUTION RELATIVE TO ADOPTION OF STATE SONG.

Mr. NORTH offered a resolution which was read and laid over under the rules:

In the House of Representatives, May 5, 1913.

Whereas, the State of Pennsylvania has in so many particulars occupied a very important place in the history and development of the United States of America, being in the very foremost rank of the great States of this Union in wealth, population, mining, manufacturing, commerce, and education, and unquestionably has a future before it which will lead to still higher and greater accomplishments; and

Whereas, it is always commendable to stimulate patriotism and State pride, which can most easily be done through the agency of verse and song; therefore, be it

Resolved (if the Senate concur, That the song- entitled, "PENNSYLVANIA", by a native born Pennsylvanian, Mr. Arthur H. Haskins, of Reynoldsville, Jefferson County, Pennsylvania, as follows, to-wit:

PENNSYLVANIA

Dear old Pennsylvania grand old state to thee our praise we sing
We love thy valleys and thy hills where woodland echoes ring
We love to sing the praise of deeds of by gone days and may ne'er cease
To praise thy name so grand and great
Hail Pennsylvania our grand old State.

'Twas here that Liberty was born in days of long ago
'Twas here that men made history when fighting fiercest foe
We love thy memory thou friend of Liberty and to freedoms cause
Thy name we humbly dedicate
Hail Pennsylvania our Keystone State.

Dear Pennnsylvania native state to thee our hearts we raise
From shore to shore let echoes ring with songs of endless praise
Our hearts will ever be filled with true loyalty and through all the years
May Heaven guard and guide thy fate
Hail Pennsylvania our grand old State.

be and the same hereby is declared and adopted as the State song of the State of Pennsylvania.

HOUSE BILL NO. 595 MADE A SPECIAL ORDER.

Mr. E. E. JONES. Mr. Speaker, I move that House Bill No. 505, file folio 7687, entitled:

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax defining certain duties of the clerk of court fixing penalities for violation of this act and making an appropriation to carry out its provisions"

on page 7 of to-day's calendar be made a special order of business on second reading on Tuesday, May 6th, at eleven o'clock A. M. and for third reading on Wednesday, May 7th, at eleven o'clock A. M.

Mr. GIBSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 419, entitled:

An Act relating to the advertising of proposed amendments to the Constitution of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1926 (Senate No. 772), entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors of any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

And said bill having been read at length the first time, Ordered, To be laid aside for second reading

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1962 (Senate No. 1002), entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 855, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1898 (Senate No. 521), entitled:

An Act to amend the second and fifth section of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to reports of the City Planning Commission on certain ordinances and bills and relating to plans and plots submitted to said Planning Commission for approval

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1233, entitled:

An Act relating to the public health prohibiting the keeping of drinking cups and glasses for public or general use and imposing a penalty

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1921 (Senate No. 877), entitled:

An Act authorizing the councils of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1913, entitled:

An Act to amend an act approved the sixth day of June one thousand eight hundred and ninety-three entitled "An Act to provide for the consolidation of boroughs and the government and regulation thereof" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1682, entitled:

An Act to amend section five of an act approved the tenth day of April one thousand eight hundred and sixty-seven entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1391 (Senate No. 140), entitled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1894 (Senate No. 507), entitled:

An Act to amend sections three and the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a averments of a responsive answer must be overcome by decrees except in certain cases seven of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the City Treasurer Board of Water Assessors and Collectors of Delinquent Taxes and repealing certain acts relating to certain matters herein provided for approved May twelfth one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1833 (Senate No. 558), entitled:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleven one thousand eight hundred and sixty-two in relation to the County of Berks" approved the twenty-third days of April Anno Domini one thousand eight hundred and sixty-seven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1675, entitled:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the general boroughs and townships of this Commonwealth" approved the twentl-fifth day of June one thousand eight hundred and eighty-five

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1947 (Senate No. 882), entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1953 (Senate No. 832), entitled:

An Act regulating the number and election of members of borough councils

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1667, entitled:

An Act requiring the recorder of deeds of the several counties to keep a docket or dockets open for inspection

by the public showing the entry and filing of instruments with him and to permit abstracts of the same to be made for publication providing a penalty for non-compliance

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1744, entitled:

A supplement to an act entitled "A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1026, entitled:

An Act to provide for the licensing of firemen operating steam stationery boiler or boilers in the first and second class cities of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1903 (Senate No. 833), entitled:

An Act to consolidate the five Courts of Common Pleas of Philadelphia County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideratio nof House Bill No. 1963 (Senate No. 10), entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by restricting the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation and duties and the inspectors extending their powers and duties and changing the penalties for violation of said act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. EHRHARDT. Mr. Speaker, I move that House Bill 1963 be recommitted to the Committee on Judiciary General.

Mr. ALWORTH. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1914, entitled:

An Act prohibiting the placing fixing or inserting of certain things in or on or to newspapers magazines periodicals or books without the consent of the owner or publisher and providing a penalty

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1901 (Senate No. 773), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammable and dangerous chemicals and substances to prohibit the manufacture of explosives and fireworks and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for the appeals from the reviews of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor and providing that the Courts of Common Pleas shall have jurisdiction to punish witnesses for disobedience of orders of the director of said department when holding investigations

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1723, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1896 (Senate No. 752), entitled:

A supplement to an act entitled "An Act to incorporate any academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or their successors to sell and convey in fee simple certain lands

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 904, entitled:

An Act fixing the pay of assessors in the several counties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1498, entitled:

An Act to amend the eleventh fifteenth and thirty-fourth sections of an act approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1904 (Senate No. 855), entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1851 (Senate No. 633), entitled:

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for the service in said regiment providing for said regiment a regimental band

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1950 (Senate No. 585), entitled:

An Act making an appropriation for the restoration of the Brig Niagara Commodore Perry's flagship at the Battle of Lake Erie for its participation in the events of this centennial celebration years its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1893 (Senate No. 212), entitled:

An Act to amend section seventy-five of an act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1721, entitled:

An Act to repeal an act entitled "An Act to provide for the better collection of money and taxes due the Commonwealth and property belonging to or liable to escheat to the same" approved the fifteenth day of June one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 800, entitled:

An Act making an appropriation for the purchase for the Pennsylvania State Museum of a collection of photograh negatives showing the history of the oil industry of this Commonwealth from the earliest discoveries to the present time

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1331 (Senate No. 69), entitled:

A joint resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1949, entitled:

An Act to provide revenue for State and county purposes and in cities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1706, entitled:

An Act conferring jurisdiction upon courts of quarter sessions in cases of nuisance against townships cities boroughs and other municipal corporations to hear and determine the same without trial by jury and regulating procedure fine and costs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 668, entitled:

An Act to provide for the return by the State Treasurer to the several counties from which the same are received for their own use of three-fourths of certain taxes received or collected by county treasurers or other officers and paid into the State Treasury

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1823 (Senate No. 147), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 595, entitled:

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1349, entitled:

An Act to regulate the temperature of milk and cream to be shipped sold or offered for sale

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1951 (Senate No. 714), entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the Naval Force shall be considered the equivalents of compaies of the National Guard and by providing that the divisions of the Naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by batteries in the Naval Force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1958 (Senate No. 873), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1854 (Senate No. 221), entitled:

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of the General Assembly of the Commonwealth of Pennsylvania approved the twenty-third day of May Anno Domini one thousand nine hundred and one

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1337 (Senate No. 169), entitled:

An Act relating to the competency as evidence of certain findings in proceedings in lunacy

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1333 (Senate No. 75), entitled:

An Act regulating reports for the purposes of taxation by corporations joint-stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonweath

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 1725, entitled:

An Act to repeal an act entitled "An Act to amend the third fifth seventh twenty-fourth and twenty-seventh sections of an act approved the second day of May Anno Domini one thousand eight hundred and eighty-nine entitled 'An Act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same so as to provide for the escheat of property held in trust or resulting from the investment of trust funds which property is or shall be without a lawful owner fixing the jurisdiction of the courts of this Commonwealth in cases of such escheat reducing the amount to be paid to informers and increasing the percentage to be paid to escheators" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.
The House proceeded to the first reading and consideration of House Bill No. 355, entitled:

An Act prohibiting any officer clerk or employee of any county city borough town township school district or poor district from taking any active part in politics political movements or elections or from interfering with elections or from using his office to influence politics political movements or elections and providing penalties for violations thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON POSTPONED CALENDAR.

The SPEAKER. Any gentleman having bills on the postponed calendar on third reading or final passage will kindly send memoranda of the same to the desk. This is the last day for calling up bills which are on the postponed calendar prior to the adoption of the resolution of April 24th. Any bills called up to-night and not disposed of to-night through lack of time will be listed and carried over until to-morrow. Is this arrangement satisfactory to the House?

Mr. SPEISER. Mr. Speaker, do I understand the Chair to mean that if there are any bills that are not reached to-morrow will be dropped from the calendar?

The SPEAKER. The bills will be carried over until to-morrow, if not reached to-night, and will be disposed of one way or the other.

Mr. SPEISER. Then a request placed with the Chair will save the bills from being dropped from the calendar no matter when reached?

The SPEAKER. These bills will be taken up one after the other in order. This is the only way in which fairness can be given to members who desire to call up their bills, because there might be more bills called up to-night than might be considered.

Mr. CONNIFF. Mr. Speaker, I desire to call up from page 12, to-day's calendar, bills on final passage postponed, House Bill No. 1248.

BILL ON FINAL PASSAGE.

Agreeably to order.
The House resumed the consideration on final passage of H. R. bill No. 1248, entitled:

An Act to fix the salaries of the deputies in the offices of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff chief clerk to the county commissioners and chief deputy to the board for the assessment and revision of taxes in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each

On the question, recurring.
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—119.

Adams,	Dunn, J. A.,	Leslie,	Rex,
Allen,	Ehrhardt,	Letzkus,	Rhoads,
Arthur,	Eichenberger,	Lowers,	Roney,
Baldwin, R. J.,	Ely,	Mannion,	Rothenberger,
Barner,	Fahey,	Mather,	Runk,
Bass,	Flynn,	Matt,	Sassaman,
Becker,	Foster, J. D.,	McArdle,	Savacool,
Benninger,	Frey,	McCaig,	Schuck,
Berntheizel,	Gans,	McClintock,	Shaffer, C. A.,
Bigger,	Geiser,	McDermott,	Shaffer, I. E.,
Bleloch,	Good,	McKay,	Smith, J. W.,
Body,	Gransback,	McNichol,	Smith, L.,
Brosius,	Gray, Frank,	Mechling,	Spangler,
Brown,	Hackett,	Missimer,	Speiser,
Caldwell,	Herman,	Morrow,	Spillinger,
Campbell, C.M.,	Hess,	Murphy,	Stone,
Campbell, J.J.	Heyburn,	Newbaker,	Strauss,
Cleary,	Hibshman,	Newton,	Swartz,
Cochran,	Hoffman,	North,	Thomas,
Collins,	Howard, R.,	O'Neill,	Trach,
Conniff,	Humes,	Peachey,	Ulman,
Conrade,	Isler,	Pennock,	Walsh,
Cox,	Irwin, G. C.,	Perry, S. J.,	Watson,
Currier,	Jackson,	Piper,	Whitman,
Curry,	Kaiser,	Price,	Wildman,
Davis,	Keegan,	Ramsey,	Wilson, W. H.,
DeFrees,	Keeport,	Redfield,	Young, G. K.
Dickinson,	Kennedy,	Reese,	Zimmerman,
Donahoe,	Kitts,	Reeser,	Alter,
Donnally,	Kuhns, E.G.M.,		Speaker.
Down,			

NAYS—26.

Alworth,	Glenn,	Lohr,	Steele,
Benson,	Grabe,	McAllister,	Swift,
Blair, W. F.,	Hemminger,	Neel,	Walnut,
Carson,	Hobbs,	Rockwell,	Whitaker,
Cheeseman,	Jones, J. R.,	Scott, S. B.,	Williams,
Conner,	Latshaw,	Snavely,	Wiltbank,
Gibson,	Light,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Mr. CONNIFF. Mr. Speaker, I desire to call up from page thirty-three of to-day's calendar, bills on third reading postponed, House Bill No. 790.

Agreeably to order,
The House resumed the third reading and consideration of House Bill No. 790, entitled:

An Act to fix the salary of county solicitor in counties containing a population of more than two hundred and fifty thousand and less than one million and providing for the payment thereof

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass?

Mr. HOBBS. Mr. Speaker, this bill increases the salary of the County Solicitor from fifteen hundred dollars to twenty-seven hundred dollars. I don't care to go into detailed argument of this bill but it is entirely uncalled for. It applies to Lackawanna County and Luzerne County, and I believe that you can get men to do the work satisfactorily for fifteen hundred dollars. Therefore, I hope this bill will be defeated, for it is entirely uncalled for in our county.

Mr. CONNIFF. Mr. Speaker, this bill is introduced to get sufficient pay for these solicitors of Luzerne and Lackawanna Counties, who happen to be efficient men in their positions and I don't think—in fact, I know from personal knowledge of the affairs of these counties, that the salary fixed is not too high. In fact, it is not high enough, but it was lessened by myself in committee in order that the bill might have a better chance of passing. You can take it from the gentlemen who are members from Luzerne and Lacakawanna Counties, with the exception of Mr. Hobbs, that this bill is a fair one and that it does not call for too much salary.

Mr. HOBBS. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Luzerne, Mr. Conniff, permit himself to be interrogated?

Mr. CONNIFF. Mr. Speaker, yes, sir.

Mr. HOBBS. Mr. Speaker, I would like to ask the gentleman if the County Commissioner, as a rule, fix the salaries of the County Solicitors.

Mr. CONNIFF. Mr. Speaker, no, sir.

Mr. HOBBS. Mr. Speaker, I would like to ask the gentleman when there is a vacancy in that position do you have any trouble in getting candidates at the present salary?

Mr. CONNIFF. Mr. Speaker, yes, sir; at the present salary we do. This bill is introduced in order that the salary may be sufficient to obtain efficient men in these positions.

Mr. SPEAKER. these positions of county solicitor of these counties occupy the time of both these solicitors, and this bill is introduced in order that they may devote their whole time to the affairs of these counties and be paid sufficiently therefor.

Mr. HOBBS. Mr. Speaker, I do not doubt that the gentleman's word in regard to Luzerne county, but pertaining to Lackawanna county, there are many applicants for the position at the present salary. Please vote this bill down.

Mr. GOOD. Mr. Speaker, this is the first time that I have been out of my seat to agree to a salary raiser. I believe that this is a very meritorious bill. I am thoroughly acquainted with all the circumstances connected with it and in a conversation with the county Controller. who is a very careful man in our county, he agreed with me that this was a very meritorious salary raiser and didn't think it was quite large enough in this particular instance. I hope the bill will pass.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Adams,	Dunn, J. A.,	Kern,	Price,
Allen,	Ehrhardt,	Kitts,	Redfield,
Ambler,	Eichenberger,	Kuhns, E.G.M.,	Reese,
Arthur,	Ely,	Lanius,	Reeser,
Baldwin, R. J.,	Ewing,	Leslie,	Rex,
Barner,	Fahey,	Letzkus,	Roney,
Becker,	Flynn,	Lowers,	Rothenberger,
Benninger,	Foster, J. D.,	[illegible]	Runk,
Bigger,	Gans,	Mather,	Sassaman,
Blair, W. F.,	Geiser,	McAllister,	Savacool,
Bleloch,	Gibson,	McArdle,	Schaeffer, A. C.
Body,	Good,	McClintock,	Semmens,
Brosius,	Grabe,	McDermott,	Shaffer, C. A.,
Brown,	Gransback,	McKay,	Shaffer, I. E.,
Burnett,	Gray, Frank,	McNichol,	Smith, J. W.,
Caldwell,	Hackett,	Mechling,	Spangler,
Campbell, C.M.,	Heidinger,	Missimer,	Speiser,
Campbell, J. J.,	Hemminger,	Mitchell,	Stone,
Cleary,	Herman,	Moore,	Strauss,
Collins,	Heyburn,	Morrow,	Swartz,
Conner,	Hibshman,	Murphy,	Thomas,
Conniff,	Hoffman,	Musser,	Trach,
Conrade,	Howard, R.,	Neely,	Ulman,
Cox,	Isler,	Newbaker,	Walsh,
Currier,	Irwin, G. C.,	North,	Watson,
Curry,	Irwin, H. H.,	O'Neill,	Whitman,
Davis,			Wildman,
DeFrees,	Kaiser,	Peachey,	Wilson, W. H.,
Dickinson,	Keegan,	Pennock,	Young, G. K.,
Donahoe,	Keeport,	Perry, S. J.,	Zimmerman,
Donnally,	Kennedy,	Peters,	Alter,
Down,			Speaker.

NAYS—22.

Alworth,	Jackson,	Lohr,	Ramsey,
Benson,	Jones, E. E.,	Matt,	Scott, S. B.,
Carson,	Jones, J. R.,	Mellott,	Swift,
Cheeseman,	Kaufman,	Moulthrop,	Walnut,
Hess,	Latshaw,	Neel,	Wiltbank,
Hobbs,	Light,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. KITTS. Mr. Speaker, I desire to call up House Bill No. 1909, file folio 7159, on page 13 of to-day's calendar, bills on final passage postponed.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1909, entitled:

An Act to repeal an act approved the sixteenth day of March one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery in so far as refers to the county of Erie

On the question,

Shall the bill pass finally?

Mr. KITTS. Mr. Speaker, for fear some of the gentlemen of the House may mistake this bill for one other that was introduced, I have been requested to explain the meaning of this bill. The Act of 1866, as you will recall, prohibits exhibitions of boxing in the Counties of Luzerne and those enumerated in the title, Erie being among others. There has been some demand in the past ten or twelve years in Erie county for a repeal of this act, as respects that county. Those old members of the House will recall that the provisions of this act concerning Luzerne. Montgomery and Schuylkill have already been lifted. This applies only to Erie county and has nothing to do with the law excepting as it relates to exhibitions of sparring and boxing in the other counties and the other parts of the State. The law would still be under police regulation and being a local matter, if there is any responsibility, I suppose it falls upon me to shoulder it. I hope the House will assist by voting "aye" on this bill.

On the question, recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Adams,	Donnally,	Kern,	Price,
Allen,	Ehrhardt,	Kitts,	Ramsey,
Alworth,	Eichenberger,	Kuhns, E.G.M.,	Reese,
Ambler,	Ely,	Lanius,	Rex,
Arthur,	Ewing,	Leslie,	Roney,
Baldwin, R. J.,	Fahey,	Letzkus,	Rothenberger,
Barner,	Flynn,	Light,	Runk,
Bass,	Foster, J. D.,	Mannion,	Sassaman,
Becker,	Gans,	McAllister,	Savacool,
Benninger,	Geiser,	McArdle,	Schuck,
Berntheizel,	Gibson,	McCaig,	Semmens,
Bigger,	Good,	McDermott,	Shaffer, C. A.,
Blair, W. F.,	Gransback,	Mellott,	Shern,
Body,	Hackett,	Missimer,	Spangler,
Burnett,	Heidinger,	Moore,	Speiser,
Campbell, C.M.,	Herman,	Morrow,	Steele,
Campbell, J. J.,	Hess,	Moulthrop,	Strauss,
Cleary,	Heyburn,	Murphy,	Thomas,
Collins,	Hibshman,	Musser,	Ulman,
Conner,	Hobbs,	Neely,	Walnut,
Conniff,	Isler,	Newbaker,	Walsh,
Conrade,	Irwin, H. H.,	O'Neill,	Watson,
Cox,	Jones, E. E.,	Pennegar,	Whitaker,
Currier,	Kaiser,	Pennock,	Wildman,
Curry,	Kaufman,	Perry, S. J.,	Wiltbank,
Davis,	Keegan,	Peters,	Young, J. H.,
DeFrees,	Keeport,	Piper,	Zimmerman,
Dickinson,			Alter,
Donahoe,			Speaker.

NAYS—22.

Brosius,	Kennedy,	Neel,	Scott, S. B.,
Carson,	Latshaw,	Newton,	Shaffer, C. A.,
Cheeseman,	Lohr,	Phillips,	Shaffer, I. E.,
Hemminger,	Martin,	Peachey,	Stone,
Jackson,	Mather,	Redfield,	Swift,
Jones, J. R.,	McKay,	Scott, J. R. K.	Trach,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. R. J. BALDWIN. Mr. Speaker, I am in receipt of a telegram which has been handed to me, from the Chairman of the Committee on Banks and Banking. He desires to postpone House Bill No. 1019 and under the rules of the House it cannot be further postponed.

I therefore desire to call up House Bill No. 1019, file folio 5439, on page 12 of to-day's calendar, bills on final passage postponed, which is known as the banking bill.

Agreeably to order,

The House resumed the consideration on final passage of House Bill No. 1019, entitled:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

On the question,

Shall the bill pass finally?

BILL POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, Mr. Howard is not here, and I therefore move that the time of this bill be extended one day.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1886 (Senate Bill No. 552), as follows:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right to eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements or the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them

Section 2 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase lease locate construct and equip or otherwise acquire transit facilities or any one or more of them and to own maintain use and operate the same within their respective corporate limits and within the limits of adjacent cities boroughs and townships provided such right shall only be exercised by any of said cities within the limits of adjacent cities boroughs and townships subject to the consent and approval of the proper authorities of such adjacent cities boroughs and townships lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein and provided further that such right shall not be exercised within the limits of any public park or parks without the consent and approval of the authorities vested with the power to regulate the use of said park or parks

Section 3 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell pledge or lease transit facilities or any one or more of them and to grant licenses for the use of transit facilities or any one or more of them or any part thereof to any corporation or corporations duly authorized and empowered under the laws of this Commonwealth to use or operate the same also to enter into agreements for the construction or operation or for both the construction and operation of such transit facilities or any one or more of them by any such corporation or corporations upon such terms and conditions including the prescribing and fixing of rates for transportation as the councils of such cities shall determine provided no such lease license or operating agreement shall be for any period longer than fifty (50) years Providing further that no such agreement for the construction of such transit facilities or any one or more of them or any part thereof shall be made or entered into unless the same provides that work on such construction shall begin within one year from the date of said agreement and completed within a fixed time designated in said agreement Providing further that no agreement for the leasing licensing using or operating transit facilities or any one or more of them or any part thereof to any individual copartnership or corporation shall be made or entered into unless said agreement provides that the actual use or operation of such transit facilities or any one or more of them or any part thereof shall begin within a definite fixed and reasonable time

Section 4 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licenses to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine Such cities their assigns lessees and licensee may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway upon such terms and conditions as the councils of such cities shall determine Provided compensation for such use shall have been paid or secured

Section 5 Any street passenger railway company surface elevated or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company upon such terms and conditions as the councils of such cities shall determine and any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use of said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars upon such terms and conditions as the councils of such cities shall determine

Section 6 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein property and franchises within their respective corporate limits and within the corporate limits of adjacent cities boroughs and townships as shall be necessary for the acquisition location construction maintenance use and operation of transit facilities or any one or more of them under the rights conferred by this act including such lands and rights and interests therein as shall be necessary for future additions to and enlargements of such transit facilities or of any one or more of them also such lands and rights and interests therein as shall be necessary for the relocation of any track or tracks of existing railroads or railways or of any pipes sewers subways underground conduits or ways necessary to be removed and relocated in order not to interfere with the location construction maintenance use or operation of such transit facilities or any one or more of them and including also such lands and rights and interests therein as shall be necessary for the purpose of disposing of earth stone and other material excavated in the construction of such transit facilities or any one or more of them Provided however That the right hereby conferred shall not be taken as authorizing the taking or appropriating of any railroad or railway in operation in said cities

Section 7 In cases where the city and the owner or owners of lands rights and interests therein property or franchises to be taken under the powers conferred by this act cannot agree as to the price or damages to be paid or where by reason of the absence or legal incapacity of such owner or owners or where the owner or owners are unknown no agreement as to the price or the damages sustained can be agreed upon the said city may tender its bond in such penal sum as it may deem proper to the party claiming or entitled to said moneys or damages or to the agent of any person absent or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same

shall have been agreed upon by the parties or assessed in the manner provided by this act Provided however That in case the party claiming damages refuses to or does not accept said bond as tendered the said city shall then give said party a written notice at least five days beforehand of a time when the same will be presented for filing in court and thereafter said city may present said bond to the proper court of Common Pleas or to any law judge thereof in vacation and if the said bond is approved it shall be filed in said court for the use of those interested In case the title to the lands rights or interests therein property or franchises to be taken as aforesaid is defective disputed or doubtful or the party owning or interested in the same is absent unknown not of full age of unsound mind or from any cause cannot be bargained with or served with notice or have a bond tendered to him her or them within the county where said lands rights or interests therein property or franchises are taken the court of Common Pleas of the proper county or any law judge thereof in vacation upon petition of the said city setting forth the necessary facts shall direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed and approved by the court or a law judge in vacation for the use of those who may be found entitled to the damages for said taking and appropriation the condition whereof shall be the same as is hereinabove provided in bonds to be tendered owners when known Upon the filing and approval of any bond provided for by this section the respective city shall have the right to enter upon take use occupy and appropriate the lands rights or interests therein property or franchises mentioned in the bond aforesaid and the title acquired by virtue of the provisions of this act shall be the fee simple or absolute title

Section 8 In case the damages for the said taking and appropriation have not been agreed upon any court of Common Pleas of the proper county or any law judge thereof in vacation on application thereto by petition of the city or any person interested shall appoint any three members of the board of viewers of such county and appoint a time not less than twenty nor more than thirty days thereafter when said viewer shall meet upon the premises or lands taken or appropriated or upon which there is property or with respect to which there are rights interests or franchises taken used or appropriated and view the same The said viewers shall give or cause to be given at least ten days' notice of said meeting to the owner or owners of the lands rights or interests therein property or franchises taken if such owner or owners reside within the proper county and can be found and where the owner or owners are minors and have a guardian then said notice shall be given to the guardian if resident within the county and can be found and where the owner or owners are lunatic or of unsound mind and have a guardian or committee such notice shall be served upon said guardian or committee and in all cases where the owner or owners are incapciated or are unknown notice shall be given in at least two newspapers of general circulation printed and published in the proper city or county and they shall give such other or further notice as the court shall direct having regard to the circumstances of the case Where minors have no guardians and lunatics or persons of unsound or feeble mind have no guardians or committees the said court shall have power to appoint a guardian or committee ad litem and direct that said notice and all other notices required by this act shall be served upon them

Section 9 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning the matter to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act shall hear the parties interested and their witnesses and shall estimate and determine the value of the lands rights or interests therein property or franchises taken and appropriated and any damages that may have been sustained by reason of said taking and appropriation and to whom the same is payable and having so estimated and determined the value of the property and damages sustained they shall make up their report which shall be signed by them or any two of them and thereupon filed in the court of Common Pleas from which the order to view issued Upon the filing of said report the said viewers shall give notice thereof by one publication in at least two newspapers printed and published in the proper city or county and in additional papers if so directed by the court

Section 10 Upon said report being filed in court any interested party within thirty days may file exceptions thereto and the court shall have power to confirm modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report and within thirty days from the filing of any such report or disposal of exceptions in court the respective city or any party whose lands rights of interests therein property or franchises have been taken may appeal to the proper court of Common Pleas and demand a trial by jury according to the course of the common law and said court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such orders as it may deem requisite Upon the entry of final judgment on any issue had upon such appeal either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 11 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell any of the lands rights and interests therein property and franchises acquired and owned under the rights conferred by this act or any one or more of them or any part thereof if and when the same shall have become unnecessary for their purposes upon such terms and conditions as the councils of such cities shall determine

Section 12 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass?

Mr. ROCKWELL. Mr. Speaker, I would like to have an explanation on this bill from some one interested therein. It seems to me it is a little peculiar to authorize cities of the first class to go outside of their jurisdiction and authority and operate street railways. The proposition itself may be perfectly proper, but I would like to hear some reasons for it.

Mr. S. B. SCOTT. Mr. Speaker, cities of the first class—I might say, the city of the first class, is really larger than the corporate limits either of itself or of the county and in order to make a comprehensive system, which will be adequate not only for the present, but for the near future, it is necessary to give it the same power without its boundaries as within it. The growth of population does not stop at the city line by any means, and there is no reason why a unitary system should not prevail, giving facilities to the populations which are technicallly known as suburban, but as a matter of fact belong to the city itself.

Mr. R. J. BALDWIN. Mr. Speaker, do I understand that bill to mean that if the City of Philadelphia desired to extend a railway through one of the boroughs of Delaware county, it could assert the right of eminent domain in doing so?

Mr. S. B. SCOTT. Mr. Speaker, the power is exercised subject to the consent of the local authorities.

Mr. R. J. BALDWIN. Mr. Speaker, subject to the consent of the borough council, I suppose?

Mr. S. B. SCOTT. Mr. Speaker, the gentleman will find in file folio of the Senate, 3255, line 7, of the second section, on page two of the bill, the following language:

"Such rights shall only be exercised by any of said cities within the limits of adjacent cities, boroughs and townships, subject to the consent and approval of the proper authorities of such adjacent cities, boroughs and townships, lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein ....."

Mr. R. J. BALDWIN. Mr. Speaker, I would like to ask the author of this bill or those who are supporting it if they would not make it a special order for to-morrow morning as I realize that I am so much interested in it that I would like to give a little more careful examination of it.

Mr. SPEISER. Mr. Speaker, I was going to say that while I believe the interrogations of the gentleman from Delaware have been fully answered, I believe both the sponsor of the bill and those friendly to it will have no objection to having it made a special order for to-morrow morning.

Mr. R. J. BALDWIN. Mr. Speaker, while I realize that that is a question that is very important, yet there may be several other propositions contained in this bill that I do not at the moment think of and I must certainly ask the gentlemen to postpone the bill until some time to-morrow, and I am willing to join in the special order.

Mr. SPEISER. Mr. Speaker, I do not believe the friends of the measure will have any objections, but I think the motion should emanate from the gentleman from Delaware.

HOUSE BILL NO. 1886 MADE A SPECIAL ORDER.

Mr. R. J. BALDWIN. Mr. Speaker, I move that this bill be made a special order for to-morrow morning at eleven thirty o'clock.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 984, as follows:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That at each and every registration of voters held under any of the election and registration laws of this State whether it is a personal registration or otherwise and in all cities counties boroughs townships and all other dis-

tricts there shall be a registration and enrollment of the voters according to their respective party preferences and affiliations Provided however that if at any time the laws of this Commonwealth shall provide for non partisan primaries this act shall apply only to such enrollment and registration of voters as shall be made for or effective for a party primary

Section 2 In all election districts where personal registration is required in addition to other questions to be asked and answered and record made of the answer the voter shall be interrogated and his answer shall be recorded as to the political party with which he is affiliated and at whose next primary he desires to vote and this party preference or affiliation shall be certified with and in the same manner as all other matters of which record is made Provided however that if any voter does not desire to vote at party primary election he shall not be required to answer as to his party affiliation and in such case his party affiliation shall not be recorded

Section 3 In all election districts in which personal registration is not required and in which the registry of voters is made by assessors registers or registrars the person making the registry shall ascertain by inquiry of the voter when practicable and by the best other means in his power the party politics preferences or affiliations of the voter and note and record the same with the residence and other particulars required in registration and the same shall be returned and certified with the names of the voters

Section 4 Any elector who is dissatisfied with the registration made of his party preferences or affiliations or whose preferences and affiliations have not been ascertained designated or recorded may have the registry corrected amended altered or enlarged so as to secure a correct registration in the same manner and by the same process as are provided by law for the correction and amendment of the registry in other particulars provided that such amendments shall not be made later than ten days before any primary election at which the voter desires or intends to vote

Section 5 No voter at a primary shall be allowed to receive or vote the ballot of any given political party who is not enrolled or registered as herein provided as a member of that party

Section 6 Any assessor or registrar willfully violating any of the provisions of this act or willfully registering any false statement of any elector or registering as the member of a political party one whom he knows not to be such or excluding from a party registry or enrollment any voter whom he knows to be entitled thereto shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 7 Any elector who shall willfully make any false affidavit or statement to any assessor registrar with intent to procure the false party enrollment or registration of himself or of any other voter shall be guilty of a misdemeanor and on conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 8 Any voter or elector of this Commonwealth willfully voting or attempting to vote at any primary election in violation of the provisions of this act or any election officer willfully receiving or conspiring to receive the vote of any elector casting the ballot as a voter of any political party not qualified as a member of said party under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year and a fine of not less than one hundred dollars (100) and not more than one thousand dollars ($1,000) and in addition thereto he shall be deprived of the right of suffrage for a term of four (4) years from the date of his conviction

Section 9 All laws or acts of Assembly inconsistent or in conflict herewith be and the same are hereby repealed

On the question,

Shall the bill pass?

MOTION TO RECONSIDER VOTE.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. S. B. SCOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this motion is made for the purpose of subsequently making a motion to recommit the bill to the Committee on Elections.

Mr. FLYNN. Mr. Speaker, I understand the purpose of the motions is to recommit this bill to the Elections Committee and I am opposed to that motion for the reason that the opponents of this bill were given every opportunity to consider it and amend it. At the time the bill was reported from the election committee I was asked if I would consider an amendment to the bill, which I did, and not only that, but accepted the amendment and had it inserted in the bill.

I might briefly state the purpose of the act. It is to provide for the registration and enrollment of voters and add a qualification to a vote for the purpose of voting at a primary election by requiring him to register as to the party with which he is affiliated. This is certainly no hardship upon a vote because when he goes to the primary election he must call for his party ballot and at that time declare his affiliation. This merely requires him to register that at the time he registers, the purpose being to prevent party raiding which has become very common under our present system of holding uniform primary elections. This, Mr. Speaker, might be characterized as an election reform. Certainly, in my judgment, there has been no bill offered here this session, which has been more in the interest of clean elections. In some of the districts of this Commonwealth I am told that the members of one political party steal the nominations of other parties by having their members go in and call for some ballot other than their own and vote that ballot at the primary.

I see no reason why this bill should not take its regular course and go to a vote at this time.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this motion now being a motion to reconsider the vote by which this bill passed third reading, has been made for the purpose of having the bill recommitted, as has been said by the gentleman from Elk, to the Elections Committee. I was under the impression that he had agreed to have it recommitted to the Elections Committe. The purpose in having this referred back to the Elections Committee is not antagonistic. At the present time there are in the Senate a great many election bills, some that we sent over from this House to the Senate and which at the present time are reposing in their Elections Committee, and we understand that there are a great many bills that the Senate has seen fit to introduce and have already passed or are about to pass, which will come to the House. Some of them have been bills recommended by the Election Commission, of which the gentleman from Elk was a member. I understand that this bill is a bill that was recommended by the Election Commission. Now if we should consider this bill in the House and pass it in my mind it would be an improper position to place the members of the House in. If this bill was put back in the Elections Committee it will then be taken up with the other election bills, one of which is almost identical with this bill, and we can then dispose of all this legislation together. Now, surely, Mr. Speaker, the gentleman from Elk, desiring to have this legislation pass the House, will not compel any of those who are friendly to his bill to oppose it because of his attitude in refusing to allow this bill to go back to the Committee on Elections, of which he is a member and as he will be there when action is taken on it. The Committee has already expressed itself upon this bill by reporting it out and surely there can be no great hardship in having this bill go back to the Committee.

Therefore, I ask that the members allow the reconsideration of this vote and subsequently the motion to recommit the bill to the Elections Committee. In doing this I am not doing it antagonistic to the general purpose of the bill in its entirety. I think there are many portions of the bill which are beneficial, but some portions of it ought to be scrutnized before it is passed so as to see that we are not passing legislation contrary to the spirit of the laws expressed in this bill.

Mr. HUMES. Mr. Speaker, it strikes me that the purpose of the motion to recommit this bill or the reconsideration of the vote by which it passed third reading, is none other than a desire to kill the bill. This bill was considered in the Elections Committee and after this bill was on the calendar and the Committee of Elections held a meeting last week the bill was again considered and it was decided by the Committee, after an informal discussion, that the place to meet any objections to this bill was on the floor of the House and there was no reason for that committee asking that the bill be recommitted to their committee, so we now have the bill ready for final passage and I see no reason why we should wait for the Senate to pass some law on this subject. We did not wait for the Senate to pass a primary law before we considered that subject. We did not wait for the Senate to pass a corrupt practice act and send it over to us for consideration before we acted on legislation on that subject. We did not wait for them to send us a non-partisan primary bill for our considera-

tion. In all election matters in this session the House has taken the initiative and has passed bills on almost every subject pertaining to elections and looking to carrying out the reforms pledged by our parties and this is one of them and its only purpose is to prevent the raiding of one party by the members of another and I beleve every member of the House who beleves that a man should stay within his own party primary and should not raid any other party, will be in favor of this bill and I see no reason to reconsider the vote by which it passed third reading, or why we should refer it back to the Elections Committee simply for the purpose of intending to kill it or delay it, and I hope this motion will not prevail and that the bill will go upon final passage and then if any gentleman who is trying to kill this bill by referring it back to the Elections Committee can convince the House that it is an improper bill, the House will avail itself of the knowledge secured and kill it then.

Mr. FLYNN. Mr. Speaker, the gentleman from Philadelphia has referred to this bill in a manner that would perhaps lead members to believe that it was a complex proposition. There is only one thing in the bill, to wit: It provides an additional qualification for an elector to vote at the primaries, and that qualification is that he must register as to which party he is affiliated with. That is all there is to it, and that alone. Why should that bill be sent back to the committee to consider that? Why not consider it now? Mr. Speaker, there has been a great deal said about reform in our election laws, and I want to say now, "Consistency thou art a jewel," so let this bill come to a vote on the floor of the House and we will then find out who is going to oppose this measure, which is a reform measure and good legislation, and on that, Mr. Speaker. I insist upon the yeas and nays.

Mr. JOHN R. K. SCOTT. Mr. Speaker, there is no question that in many of the elements of this bill it is a reform bill and good legislation. If this legislation will do that which on its face it appears to do, the stopping of the raiding of the opposite party, or rather the minority party, or parties, by the majority party, it does a very great good. But I see by the Senate calendar, Mr. Speaker, that in the Senate there are many bills being offered for the consideration of the Senate, and later for the consideration of this House, which, if they pass in connection with this bill, instead of making it a reform bill, it is going to make it a bill that will not only stifle but kill every likelihood of reform or independent movement. If, for instance, this bill becomes a law on the statute books, if we allow this bill, in its present form to get over to the Senate, and then the bill that the Senate has suggested comes to this House and becomes a law, a bill to prevent the nomination of candidates by nomination papers, where is the independent movement to be. Many an independent voter will not go to a primary and register his party, and by not doing that, he forfeits his right of voting in a primary election. Many of us will register our party and go to the primary and insist upon our vote, but the independent voter, who is satisfied to surrender his right to vote at a primary rather than disclose the fact that he belongs to an independent party, that voter will be beyond all possibility of placing an independent candidate in the field with any successful strength, if another law which is now on its way towards this House becomes a law on the statute books, which prevents the putting of a candidate on the ballot by nomination papers. We are not, Mr. Speaker, against this reform legislation, but we suspect the haste with which it is being put through. We suspect the haste by which it is being placed out of our hands into the hands of the Senate. We do not trust the Senate. That is the reason we ask this House to hold this bill until we see what bill they send over here, and whether or not our suspicions that the majority of the reform election laws coming from the Senate are not laws to stifle any possibility of independence at the elections. Now, Mr. Speaker, we do not think that the gentleman from Elk who offers this bill has the right to say that we are sending this bill back to the committee for the purpoes of killing it. He himself is a powerful member of that committee. The other gentlemen who spoke, the gentleman from Crawford, is himself a member of that committee, and takes very active action in the decisions of the committee. The gentlemen on this side who are asking that the bill go back to the committee, are also members of the Election Committee. There is no possibility in that committee of killing any legislation that is proper and meritorious legislation, and with few exceptions, those of us who are asking to recommit this bill to the Elections Committee will more than likely support it in its substantial parts. Mr. Speaker and gentlemen of the House, I do not understand why the gentleman from Elk and the gentleman from Crawford, should ask that this bill be voted on when we are merely asking the House to hold it so that we can consider the bills in their entirety that are being offered upon election matters. We are not only voting on reform elections laws, but we are standing here opposing the adjournment of this Legislature in order that we may force reform in election laws. Now I hope that the gentleman from Elk and the gentleman from Crawford, who are undoubtedly in favor of the advancement of reform in election laws, will not insist upon their opposition to the recommitment of this bill to the committee.

Mr. KITTS. Mr. Speaker, I admire in some ways the resourcefulness of the gentleman from Philadelphia, but sometimes I believe he speaks a long time without quoting very much if anything that is of fact in the case. He has talked a great deal this evening about haste. I want to call the attention of the House to the fact that this bill was presented on the 25th of February and that it is now the 5th day of May. I cannot see that there is any undue haste upon the part of the gentleman from Elk in offering the bill for consideration now. Not long ago the gentleman from Elk offered to place this bill upon the postponed calendar, but no one took advantage of the offer, and besides we have the argument that the Senate Elections Committee are holding up several of the reform legislation bills, that the House has passed, and we are asked to hold this bill back to watch and see what our friends on the other side of the House are going to do, because, as the gentleman has said, we do not trust them, and that we had better wait and see what they are going to do. Now, in the trial of a case, do we wait and see what matter sentence the Judge imposes before we proceed with the trial of the case. What we should do is clean up the calendar and let them dispose of the bills as they see fit. I do not think in a matter of legislation that we should sit here and offer amendments to try to stifle the bill by unfair means, by killing it, and putting it back to the committee. This House understands what the bill concerns and what is in it. There is only one thing that is necessary to do under this bill, there is only one more qualification and that is when a voter registers he must declare to which party he belongs. I hope the House will vote this motion down.

Mr. S. B. SCOTT. Mr. Speaker, there are several objections to this bill and several reasons why it should go back to the committee. A voter can with perfect propriety belong to two parties at the same time. What I mean is this: That as politics have developed in this State in the last ten years there are distinct local parties overlapping national parties, and many good, patriotic citizens have belonged to both at the same time without the slightest conflict of their principles.

Mr. FLYNN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. S. B. SCOTT. The gentleman will.

Mr. FLYNN. Mr. Speaker, I desire to ask the gentleman if he wishes to state to the House that a voter can call for two distinct party tickets at a primary election.

Mr. S. B. SCOTT. Mr. Speaker, I made no such asserion as that.

Mr. FLYNN. Mr. Speaker, then I would ask the gentleman if it is not true that a voter must choose what party ballot he calls for at the primaries just as he would be required to choose with what party he registers under this act?

Mr S. B. SCOTT. Mr. Speaker, that is true, but entirely irrelevant. This bill ought to be so arranged that it will not compel a person to fix himself on national issues and cut himself out on local issues.

Mr. WALNUT. Mr. Speaker, as Chairman of the Committee on Elections, I feel that this bill ought to go back to the committee. When the bill originally came out it was with the understanding that it was to be recommitted. The committee did not take any affirmative action on the

bill and subsequently the question was raised, and the sponsor of the bill, however, declined to have the bill recommitted. The committee was called together to pass on the bill. We did not have the bill with us and the committee decided that the best thing to do was not to attempt to take the bill off the calendar. The committee has, however, not taken affirmative action in reporting the bill out. I feel that there is a very valid reason for recommitting it. We have passed through this House a non-partisan election law, the purpose of which is to do away both in the primaries and in the elections with the distinction between the National and present State parties for local elections. We believe that this bill intensifies the distinction between them, and will intensify the distinction between them both at local and national elections unless the non-partisan bill passes the Senate. I think the question as to whether this bill shall apply upon local elections or upon National elections, will have a very decided effect upon our opinion as to whether or not it is good legislation. I feel that this bill ought to be held in the House from my point of view at least until the Senate has taken action upon the non-partisan ballot act. If that bill passes the Senate, my most serious objection to this bill will be ended, and I will feel differently towards it.

Mr. WILTBANK. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Walnut.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WALNUT. Mr. Speaker, I will.

Mr. WILTBANK. Mr. Speaker, will the gentleman tell us how many times he has changed his political spots in the last seven years.

Mr. WALNUT. Mr. Speaker, if the gentleman will consider that a party is merely a question of principle, I will tell the gentleman, not once in the last seven years.

Mr. WILTBANK. Have you not changed the name of your party?

Mr. WALNUT. The name of the party has been changed but the principle never.

Mr. WILTBANK. Mr. Speaker, then I would like to ask the gentleman the reason for changing name of the party.

Mr. WALNUT. Mr. Speaker, the reason for changing the name is probably the reason that the gentleman wants, namely, that we changed it because we considered that our primaries had been raided upon.

Mr. WILTBANK. Mr. Speaker, that is exactly what I am getting at, and that is exactly what this bill is aimed to kill. They have gone to work in Philadelphia and changed the name of the party several times, and we have had the Philadelphia Party, and the Penn Party, the Keystone Party and the City Party. They claim that their party has been raided, and I am going to ask them why they have changed their spots so many times.

Mr. HUMES. Mr. Speaker, there seems to be some confusion here as to the relation that may exist between this act and some proposed act that may be in existence affecting the nomination of independent candidates and the puting of their names on the ballot by nomination papers. I think that in the opinion of the members who have read this bill, they will not suspect for a moment that there is anything in this bill that in any way effects the right of an independent party or an association of individuals in establishing an independent party and nominating their own candidates by nomination papers. The gentleman from Philadelphia refers to a bill on that subject that is now pending in the Senate. I think that we have had a good deal of experience in this House with election bills. While the gentleman from Philadelphia may feel that he cannot trust the Senate, and while there may be a good many of us who feel somewhat the same way, yet I believe that on an election bill we can trust our Senate and these elections bill that the gentleman is so much in fear of must run the gauntlet of the Election Committee of that House, and I think that a bill such as has been described by the gentleman from Philadelphia will have rough sledding in that House. That bill will have a most severe drilling; I think that we need not have any fear in connection with this bill which might make it injurious to the best interests of the community. This bill in itself is absolutely meritorious as the gentleman must admit. The gentleman from Philadelphia admits that they have changed their names in each campaign and I think the gentlemen from Philadelphia, who are interested in the independent movements of that city, should be glad and anxious to have an act passed that will enable them at least to maintain it through two campaigns, and that is something they cannot do under the existing law. I think the Republican party to-day believes that it should have a right to nominate its own candidates. I believe the Washington party believes they should have the right and I believe that right should be preserved to them. I feel that the Democratic party feels that they should have the right to control their nominations. I believe the right should be secured to them. The only way to protect a political party in Pennsylvania from the raiding of the other parties is by the enactment of this law. I hope the House will not join in the motion and kill it in committee. If you want to kill it and wish to do so in the House, that is another matter.

Mr. SPEISER. Mr. Speaker, I don't want to go into any discussion as to the merits of this bill but I believe the motion made by the gentleman from Philadelphia, Mr. John R. K. Scott, should be voted on favorably by this House. It merely desires to vote to consider recommitment. There is a bill in the Senate that was introduced by Mr. Farley and I don't believe that we want to be doing double work. I say that that bill will be here to-morrow or the next day and the purpose of the motion is merely to give the members of this House on the Election Committee an opportunity to consider which of these two measures is most advisable. It is a kindness, this suggestion, by the gentleman from Philadelphia. There is no politics in this. The vote is no criterion as to which bill we shall accept. We want to give them both consideration. That bill will be before this House by Wednesday, if the Election Committee will meet to-morrow and we will have both bills before us. We can then intelligently discuss and consider them. I think that if this House will go into it in a practical manner, in a time-saving manner, and not deadlock ourselves, that is the proper thing to do. The only thing to do is to support this motion.

Mr. WALNUT. Mr. Speaker, in view of what I have heard from the gentleman from Philadelphia, Mr. Speiser, if this bill will be brought to this House by the Elections Committee of the Senate, a meeting of the Elections Committee of the House will be called at once and both bills will be considered.

Mr. ALLEN. Mr. Speaker, as a member of this House, unfortunately I don't know what the Senate is doing. I do know however that they have the happy faculty of reporting things out and acting upon them up to a certain point and reporting them back and recommitting them. Some times, the recommitment lasts for a long, long time. It is stretching faith a great deal to believe or rather to take as a fact the statement of any gentleman on the floor of this House as to what the result of the Senate's action will be to-day, to-morrow or any time in the future,—the near future at least. I fail to see why all the opposition to this bill. I fail to grasp the meaning of working double time when it is argued by the gentleman on the other side that if we wait until the Senate bill comes over, we will have two bills to lay down and compare them by a Committee to act intelligently upon these two bills and refer our one or the other. I can see no opposition that any one can take in relation to this bill that will put it in a clear attitude in relation to the non-partisan ballot law. It is true that we have already passed a Non-Partisan Ballot Law. That has been already expressed in this House. Now we come along with another bill and this other bill says this: If you are to have a primary act that when a voter comes up and asks for his ticket he then and there goes upon record; he is asked what party, if any, he belongs to. If not any, he does not get a ballot. That is all there is to it. I am surprised at the sentiment expressed by those gentlemen on the floor of this House, who have stated that upon the floor of this House, that they have been independents for years and years, and my surprise is based upon the very argument which was used by the gentleman from Crawford, I believe, to wit: "That their party or organization has been raided time and time again by the opposition out of the oppositions own ranks." Why I came within one vote of being nominated by one of the great parties of this Commonwealth in my district, embracing according to the last census of the United States 193,395 people. There were just three votes cast by that great party, I got one, my opponent two, and he received the nomination. He got two and if I had asked two of my friends to vote that particular ticket and

they had voted for me, I would have been the nominee of that great party. The party had been absolutely absorbed, if you please, by the other great party, and why? Because of the fact that the people who belonged to that party were seeking to express their choice as between the candidates of the one great party in that great district. That was why. But now in that district or many of the strong Republican districts of this great Commonwealth, twenty to thirty, to fifty, to a hundred to two hundred if you please, all your warmest and best friends and supporters can be taken away like chattels, can be delivered and then delivered in turn into the ballot box by means of some organization to which they have no right and no title and in which they have no interest and yet through that delivery, if you please, they secure for you the nomination upon a ticket which they never did and never will support. It seems to me, Mr. Speaker, one of the important things that should take place is that not only the regular old line party men should vote for the law proposed by every man who passes or claims to be an independent should sincerely vote for it. For the reason that in his community whether his organization be large or small it cannot be stolen from him. So, Mr. Speaker, I absolutely fail to comprehend the meaning of this attack to send back to the committee for action once again, a bill which on its face is as plain as this bill. I have the utmost confidence, Mr. Speaker, in the intelligence of the members of this House. I believe that there is not a man on the floor of this House but that can squarely vote for or against this bill. I believe that no one need hesitate in voting for this bill who voted for the Non-Partisan Primary Law, because of the fact that the two positions are perfectly in harmony, if you will only stop to think. I am opposed to these dilly-dally methods. It makes no difference to me whether a bill or a measure or some legislation emanated from one source or another, if that legislation be good, to my mind, it will receive my heartiest support. In this case I shall oppose sending this bill back to the committee and shall support the bill.

Mr. BENSON. Mr. Speaker, as a member of the Election Committee, I wish to say a word or two relative to this bill that is before us at this time. I was present at the meeting of the Elections Committee when this bill was reported. I wish to say for the information of the members of the House that it was the understanding of the members of the Elections Committee when they presented that bill that it should be reported out simply for the purpose of securing a place on the calendar, and it was to go back in the committee for the purpose of amendment afterwards, and it has not been back to this committee.

Mr. FLYNN. Mr. Speaker, does the gentleman from McKean, know that there was a subsequent meeting of the Elections Committee at which this bill was considered and at which the amendments which were made to the bill were considered and at which they ordered that the bill should remain on the calendar?

Mr. BENSON. Mr. Speaker, I am aware of no such meeting.

Mr. FLYNN. Mr. Speaker, there was such a meeting and they took that action.

Mr. BENSON. Mr. Speaker, I would like to hear from the Chairman of the Committee on that point.

Mr. WALNUT. Mr. Speaker, there was such a meeting but the committee did't have the bill in its possession and there was no way really of getting it back to the committee and I thought the best way was to permit the bill to remain on the calendar as the sponser of the bill was not in the committee when it was reported out and we didn't feel responsible for the action at the time, when the committee passed on the recommittal of the bill.

Mr. BENSON. Mr. Speaker, I feel that under the circumstances this bill should go back to the Election Committee for full consideration and I shall so vote.

Mr. HUMES. Mr. Speaker, I just want to say a word in reply to what the gentleman from McKean has said. This bill was reported out of the Election Committee and after it was reported out there was a difference of opinion between the different members of the committee as to just what the understanding was. Some contended that the understanding was that it was to be amended so as to exempt it from operation in cast a non-partisan primary law was decided upon. Others, as they remembered it, said that it was to be recommitted for the purpose of that amendments, or for some other purpose. By reason of the fact that I was the one that reported this bill out, and because of the fact that I was involved in the misunderstanding existing between the members of that committee, I asked the Chairman of the Elections Committee to call a meeting of that commitee on, I think, Thursday of last week, for the purpose of considering this bill and determining what the desire of the committe was with reference to recommitting the bill or of leaving it on the calendar as it was, and that meeting was held. The bill was discussed and the motion was made, and I made the motion myself, that it was the sense of that committee that this bill should remain upon the calendar of the House and not be recommitted to the committee. That was discussed at some length. I believe it was the Chairman of the committee or some member of the committee,—he at least acquiesced in it,—said that inasmuch as it was a matter to be met on the floor of the House, he didn't see any need of putting the question, but that the question could be met here when the bill came up for final passage. He never took the vote of the committe to determine what its position was. At the time, I believe there was no question, and I believe the Chairman of that Committee will say on this floor that there is no question in his mind but that, had he put the question, it wold have prevailed in the committee at that meeting. So I say that this bill was considered in committee. It is not necessary that the bill should be recommitted for the purpose of considering what the committee's attitude would be. Why, we talked over the nonpartisan primary law while it was on the calendar in order to save time in that committee, and we went over the corrupt practices act while it was on the calendar so as to save time. We considered those bills while they were pending before the House in order to same time that might have been lost by referring them back to the Elections Committee, and they were amended here, I think, some of them finally on third reading, as a result of the action of the committee; and I say that the commmittee did act on this and that the gentleman from McKean had notice of the meeting at which it was to be considered, because I gave him the notice myself.

Mr. ALWORTH. Mr. Speaker, I don't know what amendments will be considered by this Committee on Elecetions if this bill is recommitted to that committee. There are some features of this bill which I think are absolutely practical and in line with the progressive thought of this House, but there are other features of this bill which I believe would lead to interminable confusion on primary election day, and I refer praticularly to Section 3. In election districts where personal registration of voters is not required, where the registration, gentlemen, is made by the assessor of the districts, it expressly provides that the assessor registering voters shall determine for himelf by request of the voter, if possible, his political affiliations, and if he does not see that particular voter, he shall find out from other sources what his political affiliations are, and he shall so register that particular voter. Now, gentlemen, as applied to counties where personal registration is not required, I believe that this bill is absolutely impracticable, and if it could be amended by the Elections Committee, if it be referred to that Elections Committee, I think it is perfectly practical and perfectly right and in line with the progressive thought of this House to have it referred to that Committee.

Mr. ROCKWELL. Mr. Speaker, theer is one section of this bill that I think is an absolute misfit to the sparsely settled rural districts, and that is Section 3. It provides in lines 3, 4, 5 et cetera, that the registration shall be made by the asessor, and how shall he make it. It says that he shall make it by inquiry of the person to be registered, if practical. If not, by such other means in his power. What does that mean? If I am the assessor and I don't find you at home, I can go to your neighbor. He may be your friend and he may be your enemy, and you may be enrolled improperly, and if you live back ten or fifteen or twenty miles —some electors have to go that far to vote—you do not know how you are registered, and the next election, when you come to vote, you are disqualified and you cannot vote at all. The real purpose of the bill, I think, Mr. Speaker, is proper, but the bill as drawn does not suit me. If this question is put to a vote, I shall vote to recommit. If the motion is lost and the bill comes to a vote on final passage, I shall be compelled to vote against it for this reason.

On the question recurring.

Will the House agree to the motion?

The yeas and nays were required by Mr. FLYNN and Mr. HUMES, and were as follows:

YEAS—65.

Adams,	Gray, Frank,	McClintock,	Semmens,
Alworth,	Heidinger,	McKay,	Shaffer, I. E.,
Ambler,	Hemminger,	Moulthrop,	Smith, L.,
Benson,	Herman,	Neely,	Spangler,
Berntheizel,	Hobbs,	Newton,	Speiser,
Bigger,	Jackson,	Peachey,	Spillinger,
Bittles,	Jones, E. E.,	Pennock,	Steele,
Bleloch,	Kaiser,	Redfield,	Stone,
Brosius,	Kaufman,	Reeser,	Swift,
Carson,	Kennedy,	Rex,	Walnut,
Cheeseman,	Latshaw,	Rockwell,	Walsh,
Currier,	Lenker,	Roney,	Watson,
DeFrees,	Leslie,	Rothenberger,	Whitman,
Ely,	Light,	Runk,	Williams,
Frey,	Lohr,	Scott, J. R. K.,	Wilson, W. H.,
Gibson,	Martin,	Scott, S. D.,	Alter,
Glenn,	Mather,		Speaker.

NAYS—95.

Allen,	Donnally,	Keeport,	Neel,
Arthur,	Down,	Kern,	Newbaker,
Baldwin, R. J.,	Ehrhardt,	Kitts,	North,
Barner,	Eichenberger,	Klepper,	O'Neill,
Bass,	Ewing,	Kuhns, E.G.M.,	Pennegar,
Becker,	Fahey,	Lanius,	Perry, S. J.,
Benninger,	Flynn,	Mannion,	Price,
Blair, W. F.,	Foster, J. D.,	Matt,	Ramsey,
Body,	Gans,	McAllister,	Rhoads,
Brown,	Geiser,	McArdle,	Sassaman,
Burnett,	Good,	McCaig,	Savacool,
Caldwell,	Grabe,	McDermott,	Schaeffer, A. C
Campbell, C.M.,	Gransback,	McNichol,	Schuck,
Campbell, J.J.	Hackett,	Mechling,	Shaffer, C. A.,
Cleary,	Hess,	Mellott,	Snavely,
Cochran	Heyburn,	Metzenbacher,	Strauss,
Collins,	Hibshman,	Miller,	Swartz,
Conner,	Hoffman,	Missimer,	Trach,
Conniff,	Howard, R.,	Mitchell,	Ulman,
Conrade,	Humes,	Moore,	Whitaker,
Cox,	Irwin, G. C.,	Morrow,	Wildman,
Curry,	Irwin, H. H.,	Murphy,	Wiltbank,
Dickinson,	Jones, J. R.,	Musser,	Young, J. H.,
Donahoe,	Keegan,		Zimmerman,

So the question was determined in the negative.

On the question recurring,

Shall the bill pass?

Mr. SPEISER. Mr. Speaker and gentlemen of the House, for the purpose of having the House understand the position of myself and those gentlemen on this side of the House who desire that action on this subject be postponed —I have been corrected and state this for myself—I do not want this House to be under any wrong impression on this bill. We are very much in favor of a bill of this character. It may be there are some deefcts in it, but on the whole the bill before us is a good measure. The purpose of the motion to recommit was to try to get the best bill on the subject we could. I also want to say Mr. Speaker, that it is my purpose and the purpose of some of the members on this side of the House to vote in favor of this bill.

Mr. ALLEN. Mr. Speaker, I think that the sponsor of the bill and we people who expressed our interest in the measure—it is clearly evidenced now and has been supported by the House—it seems to me that it is not the proper thing to force the final passage of this bill upon the House at this time, and without a very thorough understanding of the bill. I therefore move, Mr. Speaker, that further action on this bill be postponed for the present. I would like to see the bill pass and shall support it, even now, or when it is called, but do not feel that now is the time and I make that motion for that reason.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

On the question

Will the House agree to the motion?

Mr. FLYNN. Mr. Speaker, if there is anything in the bill that the members do not understand, if there was anything that would be incomprehensive to the average member, I would very cheerfully postpone the bill, or if there is any good reason which might be offered for the postponement of the bill to a special time, I will agree to that, but just to postpone the bill for the mere purpose of delaying action on it, without any better reason than has been given, I certainly am opposed to that action.

Mr. ALLEN. Mr. Speaker, I really felt by making the motion for postponement for the present, that I would leave the matter entirely in the hands of the sponsor of the bill to call it up at such time as he saw fit. If he desires and will sugest a time for making a special order, I will gladly embody it in my motion.

I understand there is a special order for tomorrow at eleven thirty, is there not?

The SPEAKER. Yes, sir.

HOUSE BILL NO. 984 MADE A SPECIAL ORDER.

Mr. ALLEN. Then, Mr. Speaker, I move you that this bill be made a Special Order tomorrow morning at twelve o'clock.

Mr. W. H. WILSON. Mr. Speaker, I second that motion.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. WALSH. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by Wm. Walsh, Philadelphia, seconded by R. E. Keeport, Berks, that the vote by which House Bill No. 878, file folio No. 3111 No. 16 page 17 of Tuesday's calendar, April 29, was defeated on third reading, be reconsidered.

On the question

Will the House agree to the motion?

The SPEAKER declared the ayes seem to have it,

Whereupon a division was called for, 84 voting in the affirmative and 68 in the negative.

And the question was determined in the affirmative.

On the question recurring,

Shall the bill pass?

Mr. SHERN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. McNICHOL. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, I want to say just a word in relation to this motion. Two years ago I had the honor of being a member upon the floor of this House and this session there is a very small monirity that were members at that time. Two years ago we had identically the same experience with a bill of like character with this as we are having this session. The record will show, Mr. Speaker, that at that time a bill in relation to this same department was defeated. In due time the motion was made to reconsider the action, which was done. We placed the bill upon the calendar and that bill was then put upon a postponed calendar, and from the moment that that bill was placed upon the postponed calendar until it finally passed the House, as every member who is here and who will state the facts in the matter, will verify, from the very moment that that bill was placed upon the calendar of this House, until it came to the final vote, every power that was in existence in this State was used for the purpose of bringing in a sufficient number of votes to force this bill to pass. Now, Mr. Speaker, there are matters that are fair in all things and there are matters that are unjust and unfair to individuals and unfair to the people whom they represent. Upon this matter, Mr. Speaker. from the time almost that this bill, before it came out from the committee, as one of the members who had said a word in opposition to the bill two years ago and whose feelings were well known at that time and for no other reason, perhaps, I was sounded out in relation to this particular bill. At that time I said that I should only raise my voice against the bill, and so I would, Mr. Speaker, if this bill took its regular course, the regular course which bills of like character which have been defeated and are again resurrected and resumed and generally do take, and that is, to be immediately put upon their passage. But when I feel, Mr. Speaker, as I do at this moment, that the same moves are being made now as were made two years ago, I raise my voice in opposition to these moves, Mr. Speaker, not only as a matter of self-protection, but for the protection of those members of this House who are unacquainted with such methods. I am opposed and heartily opposed to this bill being postponed further. If there be sufficient merit in this bill, Mr. Seaker (and you all know that I have said no word against

the bill), if you see sufficient merit in this bill to justify 104 members of this House in registering their vote for this bill, that meat is in this bill now. Then why the postponement? Why the postponement? A few moments ago, Mr. Speaker, I stood at this same place and I made a motion to postpone a bill and I frankly told the House why I made that motion, but there isn't one member upon the floor of the House at this time but knows what the provisions of this bill are and they will be the same to-morrow, the next day or next week, anud if the merit be in this bill that justifies one hundred and four members of this House casting their votes for this bill, let it be done now, when all are free and foot loose; when there has been no steam roller or nothing else to drive, to lead, or to lead or drive, if you please, into line in support of the bill.

I, Mr. Speaker, as one member of this House, without saying one word as to the merits or demerits of this bill, am ready to register my vote, and I believe that every member of this House can register his vote more conscientiously, perhaps, and more in accordance with his individual beliefs that he will be able to do at the end of five legislative days which may be taken advantage of if the bill is put on the postponed calendar.

Mr. PIPER. Mr. Speaker and members of the House, I see no good reason why this bill should be postponed for the present to-night, unless it is for the purpose, as the previous speaker has just stated, of getting the men of this House lined up in its favor. I remember two years ago in this House of Representatives—I served here at that session—that the same tactics in the interests of the State Police of this State were used then as are being tried to be used here to-night. I had representatives of the force in the State come to me in this House and ask me if I would not keep quiet and say nothing in opposition to the State Police Force. Mr. Speaker, I realize that even if this motion now is voted down another method will be made, and that is that they will set a day for the final passage of the bill, a day and an hour. Last week it was when the bill fell short of a constitutional majority. Every member of this House has had ample time to consider as to whether or not this bill is meritorious. They have had ample time in the House of Representatives to find out whether or not there is any need of an increase of 120 men, and an increase in the salary of the Superintendent of that force. I feel that there is no necessity for the increase in the men, nor is there any necessity for the increase in the salary of the Superintendent. I feel that every man here to-night should use his best judgment whether he believes that the State should place 120 more men on that Force, when there has been no need for them in 1912. There have been several hundred less arrests in 1912 than there were in 1911. I see no need for the increase in the force. I am asking those who are members of this House, who can look at matters in a broad-minded way, to vote down the motion to postpone for the present. Let us have this thing threshed out here to-night. I do not believe in lobbyists standing in the back of this House at any particular time trying to intimidate the members of this House and get their votes in favor of this measure. Mr. Speaker, I am asking the members of this House to vote down this motion, and carry the bill through to-night on its merits or demerits.

Mr. GOOD. Mr. Speaker, in the interests of organized labor in the State, and in my district, I am opposed to this motion to postpone, and on the vote I call for the yeas and nays.

Mr. McDERMOTT. Mr. Speaker, I second the call for the yeas and nays.

Mr. AMBLER. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Piper.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. PIPER. Mr. Speaker, I will.

Mr. AMBLER. Mr. Speaker, I would like to ask the gentleman whether the friends of this bill have tried to take any unfair advantage of the opponents of the bill?

Mr. PIPER. Mr. Speaker, I would answer the gentleman by saying no. The friends of this bill, so far as I am concerned, have not approached me as a personal member of the House, but there has been every other means used with other members of the House. Mr. Ambler himself, who is interested in this bill, and is the sponsor of it, has used every means in his power to get men to change their votes to reconsider the vote on this bill.

Mr. AMBLER. Mr. Speaker, I would further like to interrogate the gentleman and ask him whether or not he has not done the same thing on every bill in which he was interested?

Mr. PIPER. Mr. Speaker, any bill in which I was interested, I felt that I had the right to try and show the members of the House the merits in the bill, but I have never attempted to have reconsidered any bill that I have had before the House that has fallen by the wayside.

Mr. AMBLER. Mr. Speaker, the reason we desire to have this bill postponed now is due to the fact that there is a very light House here to-night. I do not wish to take any unfair advantage and I would make a motion that we make a special order of this bill for Wednesday morning, or set such an hour that will suit the gentleman from Philadelphia. I, therefore, move you Mr. Speaker, that this bill be made a special order on next Wednesday morning at eleven o'clock.

Mr. SHERN. Mr. Speaker, I will accept the amendment.

Mr. McNICHOL. Mr. Speaker, the amendment is satisfactory to me.

Mr. John R. K. SCOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. McDERMOTT. Mr. Speaker, there is also a motion before the House made by Mr. Good, and seconded by myself, calling for the yeas and nays on this question.

The question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. GOOD and Mr. McDERMOTT.

Mr. PIPER. Mr. Speaker, I ask that this roll be verified.

This was done as follows:

YEAS—82.

Alworth,	Glenn,	Mechling,	Scott, J. R. K.,
Ambler,	Gransback,	Missimer,	Scott, S. B.,
Arthur,	Gray, Frank,	Mitchell,	Shaffer, C. A.,
Baldwin, R. J.,	Heidinger,	Moore,	Shern,
Bass,	Hess,	Morrow,	Smith, J. W.,
Berntheizel,	Heyburn,	Neel,	Smith, L.,
Bieloch,	Hibshman,	Newbaker,	Spangler,
Body,	Irwin, G. C.,	North,	Speiser,
Brosius,	Jones, E. E.,	Pennegar,	Stone,
Conner,	Jones, J. R.,	Pennock,	Strauss,
Conrade,	Kaufman,	Price,	Swartz,
Cox,	Keeport,	Ramsey,	Ulman,
Curry,	Kennedy,	Redfield,	Walnut,
DeFrees,	Kern,	Reese,	Walsh,
Dickinson,	Leslie,	Reeser,	Whitaker,
Eichenberger,	Light,	Rex,	Whitman,
Ely,	McAllister,	Rhoads,	Wildman,
Ewing,	McArdle,	Rothenberger,	Wilson, W. H.,
Fahey,	McClintock,	Runk,	Wiltbank,
Frey,	McNichol,	Sassaman,	Young, J. H.,
Gans,		Schuck,	Alter,
			Speaker.

NAY.—82.

Adams,	Davis,	Kitts,	Newton,
Allen,	Donahoe,	Klepper,	Peachey,
Barner,	Donnally,	Kuhns, E.G.M.,	Perry, S. J.,
Becker,	Flynn,	Latshaw,	Piper,
Benninger,	Foster, J. D.,	Lenker,	Rockwell,
Benson,	Geiser,	Letzkus,	Roney,
Bigger,	Gibson,	Lohr,	Savacool,
Bittles,	Good,	Mannion,	Schaeffer, A. C
Blair, W. F.,	Grabe,	Martin,	Semmens,
Brown,	Hackett,	Matt,	Shaffer, I. E.,
Burnett,	Hemminger,	McCalg,	Snavely,
Caldwell,	Herman,	McDermott,	Spillinger,
Campbell, C.M.,	Hobbs,	McKay,	Steele,
Campbell, J. J.,	Hoffman,	Mellott,	Swift,
Carson,	Howard, R.,	Metzenbacher,	Thomas,
Cheeseman,	Humes,	Miller,	Trach,
Cleary,	Isler,	Moulthrop,	Watson,
Cochran,	Irwin, H. H.,	Murphy,	Williams,
Collins,	Jackson,	Musser,	Young, G. K.,
Conniff,	Kaiser,	Neely,	Zimmerman,
Currier,	Keegan,		

So the question was determined in the negative and the motion was not agreed to.

Mr. AMBLER. Mr. Speaker, I don't know whether it is too late, but I understand that Mr. Bergey, of Montgomery, desires to be recorded as voting in the negative.

The SPEAKER. The gentleman from Pike, Mr. Peters, is recognized by the Chair.

Mr. PETERS. Mr. Speaker, I desire to be recorded as voting "No."

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ALLEN. Mr. Speaker, the roll has been called; the verification has been made and the vote announced.

The SPEAKER. The point is undoubtedly well taken.

The question recurring,

Shall the bill pass?

Mr. SHERN. Mr. Speaker, I have heard the gentleman from Allegheny speak about "the steam roller" but if there has been any "steam roller" method along the lines of this bill, it has been on the other side of the House. I hold in my hand a letter printed by the Socialist Party in Philadelphia addressed to myself, in which they say:

Philadelphia, Pa., May 2nd, 1913.

Daniel J. Shern, Esq.,
House of Representatives,
Harrisburg, Pa.

Dear Sir:—We are extremely sorry to find your name among those who voted for the Ambler bill, No. 878.

We understand there is to be an attempt to reconsider this most iniquitous measure, but if such steps are taken, either in the remote or near future, it is to be hoped that you will not hesitate to cast your vote against it. Do not even absent yourself from the House.

As you, perhaps, are aware, the Socialist Party has fifty branches in Philadelphia alone, and you may be sure we shall leave no stone unturned to let the workers know who helped to extend the power of the Pennsylvania Cossacks and what such conduct means for them when legitimately demanding an increase in the price of their only commodity —their labor power.

Yours truly,
(Signed) THOS. BIRTWISTLE.
General Secretary.

I ask the gentleman from Philadelphia and I ask the gentleman from Allegheny if they know of any steam roller methods that have been used by the friends of this bill? To my mind this is one of the most meritorious measures that has appeared in this House during this session. I was a member of this Legislature in 1905 when the State Constabulary bill was passed. Since that time, notwithstanding that the population of Pennsylvania has increased over one million, three hundred thousand there has not been an addition of a single man. I realize that there are certain interests in Pennsylvania that are violently opposed to this bill; I realize that that interest is a controlling power and has an influence on some of the members who desire to remain in politics and they fear that influence. But gentlemen we are compelled to preserve order in this State. Prior to the passage of this bill there were in this State what were well known as the Coal and Iron Police and in the event of strikes the Coal and Iron Companies and the Steel Companies could muster men by the thousands and call upon the Governor of this State to commission them and he would commission men whose reputation he knew not and who were simply drafted for the express purpose of outnumbering the rioters. In 1905, the Governor of Pennsylvania, knowing that these conditions existed in the State of Pennsylvania in the past, requested the Legislature to pass a bill to establish a State Police force and through the influence of Governor Pennypacker and the members of that session, this State Constabulary was established and for the last seven years they have not had an addition of a single man, notwithstanding the increase in population. Now, I ask you gentlemen to vote upon this bill intelligently. Has the institution of the State Constabulary been detrimental to the welfare and to the past happiness of the people as a whole, or has it been injurious during the seven years that this police force has been in existence? I wish to give you the figures:

During the seven years the State Police Force has been in existence, its members have patrolled 2,622,063 miles and have made 20,645 arrests; 80 per cent. of which have resulted in convictions. The following list gives an idea of the variety of the causes of arrests:

	Arrests.	Convictions.
Burglary,	316	189
Desertion & Non-suport,	184	139
Forgery & Embezzlement,	50	35
Indecent Exposure,	68	62
Murder,	267	113
Rape,	123	65

The actual cost to the State for the 228 men of the Force, including the Department salaries, has been $263,000 a year.

Now, gentlemen, these figures should speak for themselves in regard to the effective power of this police force as it has been sanctioned by the State. They have been drafted by the district attorneys of the interior counties who have not a sufficient police force or a sufficient detective force or sufficient funds to pay for the prevention of murders and for the arrest of those who violate the laws. In this tabulated statement that has been handed to me it has been noted that out of 123 arrests that have been made, there have been 65 convictions. They have not only done that, but wherever they have gone they have acted with peace and order. I have been informed by representatives of the labor organizations that they are not opposed to this state constabulary as a whole, but that they ought to pass a measure in this session to define their duties. I say if this House would pass such a measure as that, it would lose its effectual force, because we know men of this type must be under severe discipline and there must be controlling them captains, a superintendent of police, who knows his duty, and in the person of John C. Groome we have an intelligent, cultured man who knows well how to perform those duties and control these men. We know that the members of this force are trained men, taken from the army; that they are compelled to undergo a physical and educational test, and wherever they go, I have been reliably informed that they do not act with violence unless it is absolutely necessary for them to do so. Now, my friends, if this police force is not effectual in the State of Pennsylvania, and as the population has increased over 1,500,000 in the last seven years and they are now only working with 300 men, I say you either should abolish the State Constabulary and have disorder and riot and chaos in this State, or else give to this state a constabulary of sufficient number of men who will be able to do their duty effectually during riots and disorder that may occur in the community.

Mr. McDERMOTT. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Shern.

The SPEAKER. Will the gentleman permit imself to be interrogated?

Mr. SHERN. Yes, sir.

Mr. McDERMOTT. Mr. Speaker, I desire to ask the gentleman from Philadelphia what is the business of Mr. Groome in Philadelphia?

Mr. SHERN. Mr. Speaker, I will answer that now and I am very glad the gentleman from Clearfield has requested that information. Mr. Groome conducts a wholesale liquor business at the corner of Camac and Walnut streets, right below Thirteenth, but he only sells to his intimate friends and three or four clubs the highest grades of champagne and the highest grades of wine. And I know whereof I speak, that he has not a saloon upon his books. Superintendent Groome is highly respected in the community. Now, Mr. Speaker, I repeat that if the people of this State, through their representatives in this General Assembly, do not want this State Constabulary, then they should introduce a bill abolishing it absolutely and go back to the old conditions that existed prior to 1905 when they had the notorious coal and iron police, consisting of thousands of men whom the rich corporations enlisted to browbeat labor. And there are men who come from the coal regions of the State in this House who are now going to vote against this bill, who know of those notorious conditions that existed prior to 1905, when thousands of men were enlisted and commissioned indefinitely for the purpose of suppressing riots and strikes, whose character was not known and who would commit murder and other depredations for the purpose of serving their employers. I ask the members of this House whether it is not better to have a regular State police force under the control of an eminent and competent man in the person of John C. Groome at the head of the state police, than go back to the old conditions that existed

prior to 1905. My friends, when you commence to vote upon this bill, vote upon it according to the dictates of your conscience.

Mr. McDERMOTT. Mr. Speaker, I desire to further interrogate the gentleman from Philadelphia, Mr. Shern.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. SHERN. Certainly, Mr. Speaker.

Mr. McDERMOTT. Mr. Speaker, I would like to ask the gentleman, can he tell the House how much of the time of Mr. Groome it takes in Philadelphia and how much he gives to the State's service?

Mr. SHERN. Mr. Speaker, I know that Mr. Groome has been requested by his family and by numerous of his friends to give up this position and attend to his business. I know from my personal knowledge if the gentleman would resign his three-thousand dollar a year position he occupies under the State police, his business profits would be benefited at least $10,000 a year.

Mr. McDERMOTT. Mr. Speaker, the gentleman from Philadelphia did not give me the information I would like to get. I asked him the question, if he would be kind enough to answer, how much of his time he gives to the State?

Mr. SHERN. Mr. Speaker, I do not know. I do know, however, that his business suffers materially by his holding this position.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Shern.

The SPEAKER. Will the gentleman permit himself, to be interrogated?

Mr. SHERN. Yes, sir, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I may have misunderstood the gentleman. If I did, he can correct me. I understood the gentleman to say that since the organization of the State police, there has been no increase, either in numbers or in salaries.

Mr. SHERN. Mr. Speaker, there was in salary, but no increase in numbers.

Mr. ALLEN. Mr. Speaker, I simply wanted him to make the correction. I think that was what he said, and I knew he did not mean that.

Mr. PIPER. Mr. Speaker, the gentleman from Philadelphia was very careful in reading to this House of Representatives a letter that he received from the Socialist Party. I do not know of any other time that the gentleman from Philadelphia was so anxious to make note of the fact that there was such a thing as the Socialist Party in the State of Pennsylvania. Of course, we all realize that it is beneficial to us at times to use every means within our power to try to carry out the point that we are aiming at. I do not know, but probably the gentleman from Philadelphia was probably, not by letter, but asked verbally by those who favor the state constabulary's increase, probably directly from some of those in charge of that body today, to vote and talk in the interests of the state police. The gentleman does not say that in his statement, because it is not advantageous for him to use that sort of argument. He speaks in his statement of the virtue of women. I can recall some few years ago in the City of Philadelphia when there was no need for the state constabulary to come into that city. We had an adequate police force that was well able to handle the affair. I can remember at that particular time when the virtue of women was entirely forgotten by that same body of men that we are trying to increase today. I stood on a corner at half past eleven at night and a woman peacefully going along the street was directly insulted by one of this force who stood there, and he knew he had the power of the law in his hand and he feared no one. I can call to mind the sights that I witnessed on Broad Street in Philadelphia when this same body of men—when a peaceable body of citizens walked along the street annoying no one in a peaceful manner, in a parade to a meeting where they could hear their friends talk—when this body of men rode on the opposite side and trampled down beneath their feet and clubbed the heads of women and children who were in the parade. If you want the virtue of women taken care of up in the State, there is the place to keep the State police. Let them be used for what they were created. They were not created to come into the city of Philadelphia and club down and beat the heads of honest citizens and women and children. I have not heard one word on the floor of this House spoken by any member who was in favor of this increase in the force, showing me why the State of Pennsylvania needs 120 more men added to their force. They will tell us of the good things that they have done. It is true. I do not stand here saying that we should not have a state police force. I have no desire to abolish the state police force of this State, but I do believe that there is no need for the increase in the force at this time. I believe, if I recall rightly, I gave facts and figures to this House when this proposition first came before us. The gentleman does not say anything of the cost to the State of Pennsylvania in maintaining the state police of this State. He does not tell you that it cost in the year of 1912, $330,964.89. He did not tell of those things. He did not tell you that out of the arrests that were made, we have today on an average of five arrests for each man; and if we are going to add an additional 120, probably we will only have one arrest to each man. I believe, if I am informed rightly, that we have times when the State police are sitting in the barracks with nothing to do, waiting for some trouble or some controversy between the manufacturer and the laborer. I believe that he can tell you—if the gentleman from Philadelphia were to tell you everything that he witnessed in the City of Philadelphia, he would have a different side of the statement. He knows just as well as I do what occurred in the city of Philadelphia only a few years ago. There was no call for the state police then. They were there two or three days. In the two or three days they were there, they created such an impression in the minds of the citizens, of the women and the children, that they are still feeling bad towards that body of men today. I have no objections to the state police force as it stands. I have no desire to abolish them as has been said in the statement of the gentleman from Philadelphia, but I do believe that we have an adequate force of state police men in this state and there is no reason why we should increase the cost of maintaining the state police force to over one half million dollars when we have no need for them at this time. I would ask that the members of the House vote against this bill.

Mr. REESE. Mr. Speaker, as the members of this House know, I come from a county in the anthracite region, and there is no place in this state where the worth of that force is felt as it is in those coal counties.

I just call your attention to the March term of Court of Schuylkill County and my conversation with the District Attorney last Saturday. He stated that eight murders had been committed since the March term of Court; four are on trial there this morning. He said to me that during the last four or five weeks he had reason to have sixteen to twenty work on those cases and further stated that it was the only source from which they could get a real benefit and urged me in behalf of Schuylkill County to vote in favor of this bill. I have been importuned by certain organizations to vote against this bill, but I feel it my duty and as a citizen and living in that county, and going back to 1874 and 1875 to trace every strike up to 1906, when the State Police were organized, and invariably every important strike that occurred in Schuylkill County, it became necessary to call out the State Militia at the cost of hundreds of thousand of dollars and since 1906 it has not been necessary. And the prevailing opinion that they are abusive is not correct. We have occasion to meet them day after day in our livelihood and we commend them. I wish to state for the benefit of the members a little incident that happened some twenty-two or twenty-three years ago. In the borough of Shenandoah there was a gentleman known as Doctor Zalooka, who represented himself as a persecuted clergyman, but upon investigation by the ministers and priests of the town they discovered that he was an agent. When they discovered that they drove him out of Shenandoah and he located in Scranton and there established a publication. I want to say that two-thirds of the opposition to this bill is brought about by the individuals or the influence of this so-called Zalooka Gang. In most of the towns in Schuylkill County you will find a Society. They not only violate the law but from their treasuries they appropriate money in the defense of criminals and you will find them scattered all through the anthracite region. These people come from Russia or those countries where they nothing but a uniformed man, and in that direction alone the State Constabulary have done a wonder-

ful lot of good. I wish to say to my fellow members from the coal regions that I feel satisfied that they art not voicing the sentiment of the business people of their county in opposing this bill, but they are voicing the sentiment of organizations who are controlled by the elements—I will not say all the elements—but by the foreign element, in conjunction with the Dr. Zalooka gang that I mentioned.

Mr. McDERMOTT. Mr. Speaker, I desire to interrogate the gentleman from Schuylkill.

The SPEAKER. Will the gentleman from Schuylkill, Mr. Reese, permit himself to be interrogated?

Mr. REESE. Mr. Speaker, with pleasure.

Mr. McDERMOTT. Mr. Speaker, I would like to ask the gentleman to tell how he knows that the members of the mining regions are not carrying out the best wishes of the majority of their constituents?

Mr. REESE. Mr. Speaker, I am basing my statement on my own county. I am not speaking of the soft coal regions. I am speaking of Schuylkill County.

Mr. McDERMOTT. Mr. Speaker, I am not finding fault with the gentleman's intentions, but he said the gentlemen from the mining regions?

Mr. REESE. Mr. Speaker, I am best acquainted with the conditions in Schuylkill county, and that is what I am speaking of. I am not speaking of your region.

I will say that our judges, our county officials, our business people, and I think the City of Pottsville, are heartily in favor of the increase and heartily endorse the State Constabulary and for those reasons I think we should support this measure. If the City of Philadelphia, with 3,500 policemen and one thousand private detectives, which aggregates 4.500 officers, requires that amount to take care of that city, what is 208 members of the force to take care of the balance of the State? I ask the members to kindly consider this, weigh it well, and as I said I can go back to 1874 or 1875 and for the benefit of some of them, when I was only eleven years of age. At that time it was necessary for me with two others who carried the daily newspapers, to be accompanied by two policemen. It is a different condition today. You have got a foreign element who don't know anything of our institutions as a rule and mistake this free country or the freedom they get in this country and usurp it.

Mr. McNICHOL. Mr. Speaker, in answer to my friend from Philadelphia, when he made the assertion that during the labor troubles that we had there that the State Police came to Philadelphia and rode rough shod over the citizens, he misstated conditions and he knows well that the members of the militia were called out to preserve order and the mob that crowded the streets of Philadelphia at that time made game of our citizens soldiery and disarmed them. They cut the buttons off their coats and made them look ridiculous. But he knows that when the State Police came into the confines of Philadelphia they so conducted themselves and so preserved their manliness that without the clubbing referred to by my friend from Philadelphia, they reduced that riotous neighborhood to a neighborhood of quiet, and my statements here tonight can be confirmed by the gentlemen who lived in that section. He further said that there was no voice raised on this floor to say that there was any particular need for the increase asked for in this bill. Last year there was requests to the number of 2 592 from different sources, or an average of over seven a day. Of these, 52 were from sheriffs, 97 from district attorneys, 52 from chiefs of police, 30 from our Game and Fish Wardens, 220 from Justices of the Peace and 1,669 from private citizens. The balance were mostly from county detectives, constables, etc. With the limited force now at command it is impossible to fill the desires of the different counties that require these men and I want to say tonight that if there is an attempt at steam rollering, as has been suggested tonight, it certainly did not come from the friends of this bill. The only direct charge by a speaker on the floor of this House that the steam roller method was in vogue was that made by Mr. Piper when he referred to the sponsor of this bill as having individually asked members to give their support to the measure after they would consider it. Truly that, Mr. Speaker, could not be construed as steam rolling. There is not a member of the Philadelphia delegation—and I refer to that delegation because I can speak the more authoritatively, being a member of that delegation—who voted for this bill when last up for consideration, that did not receive in his mail this morning a letter of the steam rolling character. My friend from Philadelphia received one signed by the Secretary of the Socialistic Society. I received one signed by the Secretary of the Labor Organization, I believe the Central Labor Body of Philadelphia, Mr. Cronin. But as I stated, Mr. Speaker, when last on my feet in behalf of this bill, I for one will not be intimidated, and I believe that when I cast my vote in favor of this bill I confer a favor on united labor, because I feel in voting this way I assure them of protection they could not otherwise get; I assure them of the protection of men trained in police duty, men who answer the calls to protect life and property, go to the various places, disinterested, simply there for the purpose of upholding the majesty of the law and maintaining law and order.

Mr. WATSON. Mr. Speaker, I can carefully endorse what my friends, some of them from Philadelphia, have stated in regard to the State Constabulary that we have at the present time. I can endorse what the gentleman, Mr. Shern, of Philadelphia, has said, in praise of them and join him in praise of the Constabulary that we have at the present time. We have them in the bituminous coal regions. They have been there a representation of them, since their organization. I can only speak highly of their conduct in every particular and they have been useful in all kinds of emergency, and as I take it, Mr. Speaker, while I will say frankly that I will defy any one to express more admiration for them that I would like to express, yet Mr. Speaker, they were created, as I understand the law, for service in time of emergency. They were not created to patrol the agricultural counties of this State. They were not created to patrol the entire State of Pennsylvania but to be located and distributed throughout the State, so that they could reach any point of disturbance in any riot or strike that might take place throughout the State. To my knowledge, I cannot recall that they have ever been needed in two places at one time in this State any particular distance apart. In addition to that, Mr. Speaker, they could be rendevouzed or consolidated at any one point, I would say in twelve hours. Now gentleman, if they have been performing these glorious services, which I believe they have, which I know positively they have in my community, it is only a question shall we increase the number. Now then, if we commence to increase the number of State Constabulary where will it end? I will say frankly that I was not approached one way or the other on my first vote on this bill, but I have made up my mind that there was no necessity for increasing the number. Now gentlemen, some of the members of this House who have lived in communities where the Constabulary have been called upon frequently, as I have, and they believe that they have not been able to control the situation everywhere they went, then we should increase them, or in that control of conditions in Philadelphia, when you had soldiers and your citizens, your policemen, and when they came there that quiet reigned in a short time and that they have absolutely accomplished that in every place that they have gone and that we should have them for that purpose and that they have answered that purpose well. I will say that I have not been approached on the floor when this question was up before the House by my friend who belongs in the bituminous coal region.

I wish to say to those who are opposing this bill from the interests of the laboring class that the State Constabulary is your best friend, and they protect you as much as they do the employer. In my county, we have a State Constabulary that are, I must say, more ornamental than useful. Let them do their duty as laid down by the Court, and we will not need the State Constabulary to control the entire State of Pennsylvania. I leave the question with you, gentlemen. From my standpoint I cannot support this bill, yet I would not take one man away from the present force.

Mr. ALWORTH. Mr. Speaker, in view of the fact that one of the members of this House in discussing this bill brought the name of a person whom I consider a personal friend of mine, Dr. Zalooka, into this argument without any authority or justification, I feel, gentlemen, that I would be recreant to the duty that we all owe to a friend

if I failed to state what I know personally of Dr. Zalooka. He is not only a neighbor and a friend, but also a client of mine. He is a man whom I have known intimately for a number of years, and I know, from personal contact with Dr. Zalooka that he is a man of unimpeachable integrity, absolutely honest, and a close observer of every minute detail in the close observance of the law, and I think it is unfair for any member on this floor to make statements and call in the name of a person who is not here to defend himself. I want it understood, gentlemen, that the reputation that was given to Dr. Zalooka by the member from Schuylkill, is not warranted, is not justified, and it is absolutely unfair.

Mr. REESE. Mr. Speaker, I wish to state to the House that Dr. Zalooka came to our community some twenty-five years ago together with a persecuted priest. That was the report and the ministers investigated him and the report was that Dr. Zalooka was not what he represented himself to be nor was the person with him what he represented himself to be. They formed an organization and after the organization was formed, Dr. Zalooka left Shenandoah and went to Scranton and his offspring is in our county now, and they are atheists.

Mr. SCHUCK. Mr. Speaker, I just want to ask the members of this House if the opposition to this bill is not in a peculiar position. Not one man who has spoken here opposing the increase has done anything but praise this institution and exalt it to the skies. That it is a good institution is admitted even by the gentleman from Philadelphia, Mr. Piper, and by the other gentlemen who have spoken. It comes to a question of supply and demand. As the gentleman from Philadelphia, Mr. Shern, stated, the population of this state has increased wonderfully. It has been caused by the inuux from the foreign countries and by our cosmopolitan conditions and diversified interests. It is a business proposition where there is an increased demand, also why not increase the force when the increase called for is only something like fifty per cent. The best argument is that there were 2,592 requests last year for the state police, and those requests didn't come from indifferent men, but from the local officials who had given up the situation, and who said that it was impossible for them to control the situation, and asked for the state constabulary. There were 2,592 requests. The report will show, if you will make a conscientious examination of the statistics that less than one-half were answered. We have again the business proposition, and our supply is not quite equal to one-half of the demand. The gentleman from Philadelphia, Mr. Piper, referred to the situation in Philadelphia by saying that these men came there uncalled for. That cannot be possible because in the office on the first floor of this building is a telegram or letter for every request. He referred to the local police force. You know, if you remember, that the local police force was disarmed by the strikers, and were made a laughing stock of by them. I wish to say that the people opposing this institution do so from a mere notion or from a whim that this institution is detrimental to the laboring people. The laboring people themselves are not opposed to the State Police, it is the labor leaders, the paid agitators, the men who are sending you letters as a part of their duty to the laboring people. The constabulary preserves law and order and the laboring people are not opposed to law and order. The constabulary does the same thing in laboring troubles as they do in times of peace. They arrest men who throw bricks, or discharge a gun, or create a disorder, and what more would you have them do. They cannot enter upon private property, but can only go to the public line of private property. Their place is on the State highways and on the public streams, and any infringement of the rule is called and the men disciplined. The men are instructed for three months, every day of three months, in the laws of this Commonwealth. We have no local officer in Philadelphia or Allegheny, or any place else, that have this regard for the proper enforcement of the law without favor or fear. I think this statement of mine that they do not interfere in times of strike or disorder any more than in times of peace will be borne out by the statistics issued by this Department. In 1911, there were only 110 arrests for riot out of 5,110 arrests made. They are useful in other crimes, principally in the leading crime, murder, which is one of their specialties. They have caught 87 murderers during the time of their existence in my community. They caught a man in our town who shot another man down in cold blood, a local policeman, our chief of police. The local officials had lost control. We came here with a petition signed by eight hundred and fifty people asking for the constabulary. The Superintendent states that he had not sufficient force to distribute them along the Monongahela Valley. We were given four men but in order to get them, it was necessary to take them from Washington county where they have been requested, so you see it is only a question of supply and demand. This would not increase the force fifty per cent. If you had a business that was doing well, you would not consider it strange to increase the investment fifty per cent. Even the members who oppose this bill have nothing but praise for the institution, and yet they do not want to increase the force. They are listening to the cry of the labor leaders, not the laboring men, because they are the friends of the laboring men and prevent disorder and save lives, and prevent men from committing acts that they would have committed fithout this enforcemene of discipline.

Mr. WATSON. Mr. Speaker, I desire to interrogate the gentleman from Westmoreland County.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. WATSON. Mr. Speaker, I would like to ask the gentleman if he can point to any instance where the State Constabulary could not control the situation when brought there.

Mr. SCHUCK. Mr. Speaker, I think the proposition has borne that out.

Mr. WATSON. Mr. Speaker, I desire to ask the gentleman whether or not at any time it has been impossible to congregate or consolidate enough of them to control the situation?

Mr. SCHUCK. Mr. Speaker, there has always been a shortage in dire and extreme situations.

Mr. WATSON. Mr. Speaker, I desire to ask the gentleman that if upon their arrival there, they have failed to preserve order?

Mr. SCHUCK. Mr. Speaker, never.

Mr. WATSON. Mr. Speaker, if they have always been able to control the situation and have apprehended so many criminals what is the necessity of an increase.

Mr. SCHUCK. Mr. Speaker, no more than fifty per cent. of the legitimate requests have been answered.

Mr. DAVIS. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Bigger, W. A. Blair, Body, James C. Campbell, Donahoe, Fahey, Good, Frank Gray, Kern, Kitts, Kuhns, Letzkus, Moses, Moulthrop, Newbaker, Price, Reeser, Sassaman, Savacool, Ulman, Wildman, Zimmerman, and others.

On the question,

Shall the main question now be put?

It was agreed to.

On the question, recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—86.

Alworth,	Glenn,	Mitchell,	Scott, S. B.,
Ambler,	Gransback,	Moore,	Shaffer, C. A.,
Arthur,	Gray, Frank,	Morrow,	Shern,
Baldwin, R. J.,	Hess,	Moses,	Smith, J. W.,
Bass,	Heyburn,	Neel,	Smith, L.,
Berntheizel,	Hibshman,	Newbaker,	Snyder,
Body,	Irwin, G. C.,	North,	Spangler,
Brosius,	Jackson,	Pennegar,	Speiser,
Brownlee,	Jones, E. E.,	Pennock,	Stone,
Conner,	Jones, J. R.,	Price,	Strauss,
Conrade,	Kaufman,	Ramsey,	Swartz,
Cox,	Keeport,	Redfield,	Ulman,
Curry,	Kennedy,	Reese,	Walnut.
DeFrees,	Kern,	Reeser,	Walsh,
Dickinson,	Kuhns, E.G.M.,	Rex,	Whitaker,
Ehrhardt,	Leslie,	Rhoads,	Whitman,
Eichenberger,	Mather,	Rothenberger,	Wildman,
Ely,	McAllister,	Runk,	Wilson, W. H.,
Ewing,	McArdle,	Sassaman,	Wiltbank,
Fahey,	McClintock,	Schuck,	Young, J. H.,
Frey,	McNichol,	Scott, J. R. K.,	Alter,
Gans,	Missimer,		Speaker.

NAYS—86.

Adams,	Davis,	Kaiser,	Newton,
Allen,	Donahoe,	Keegan,	Perry, S. J.,
Barner,	Donally,	Kitts,	Piper,
Becker,	Dunn, H. B.,	Klepper,	Richards,
Benninger,	Flynn,	Latshaw,	Rockwell,
Benson,	Foster, J. D.,	Lenker,	Roney,
Bigger,	Geary,	Letzkus,	Savacool,
Bittles,	Geiser,	Light,	Schaeffer, A. C
Blair, W. A.,	Gibson,	Lohr,	Semmens,
Blair, W. F.,	Good,	Malie,	Shaffer, I. E.,
Brown,	Goss,	Mannion,	Spillinger,
Caldwell,	Grabe,	Matt,	Steedle,
Campbell, C.M.,	Gray, Joseph,	McCaig,	Steele,
Campbell, J.J.	Hackett,	McDermott,	Stein,
Carson,	Hemminger,	McKay,	Swift,
Cheeseman,	Herman,	Metzenbacher,	Thomas,
Claycomb,	Hobbs,	Miller,	Trach,
Cleary,	Hoffman,	Moulthrop,	Williams,
Cochran,	Howard, R.,	Murphy,	Wilson, J. H.,
Collins,	Humes,	Musser,	Young, G. K.
Conniff,	Isler,	Neely,	Zimmerman,
Currier,	Irwin, H. H.,		

Less than the majority required by the Constitution having voted in the affirmative the question was determined in the negative and the bill falls.

Mr. BLELOCH. Mr. Speaker, I desire to be recorded as voting "Aye."

Mr. PIPER. Mr. Speaker, I object.

The SPEAKER. On what grounds?

Mr. PIPER. Mr. Speaker, on the grounds that he was not in this hall when his name was called.

The SPEAKER. Was the gentleman from Philadelphia, Mr. Bleloch in the Hall when his name was called?

Mr. BLELOCH. Mr. Speaker, I don't know where I was but I didn't hear my name called.

Mr. PIPER. Mr. Speaker, I desire to ask the gentleman was he inside the Hall when his name was called?

The SPEAKER. Does the gentleman state that he was inside this room when his name was called?

Mr. BLELOCH. Mr. Speaker, if I had heard my name called, I would have answered it. I was in the Hall of the House during the calling of the roll.

Mr. PIPER. Mr. Speaker, I ask the gentleman what part of the Hall the gentleman was in when his name was called?

The SPEAKER. Does the gentleman from Philadelphia, Mr. Bleloch, desire to have his vote recorded?

Mr. BLELOCH. Mr. Speaker, if the gentleman from Philadelphia, Mr. Piper, desires to challenge it, he can challenge and I will have my request withdrawn.

Mr. PIPER. Mr. Speaker, I challenge the vote.

Mr. GOSS. Mr. Speaker, I desire to be recorded as voting "No."

Mr. BLELOCH. Mr. Speaker, I challenge that vote.

The SPEAKER. On what grounds?

Mr. BLELOCH. Mr. Speaker, the gentleman was not in the House when his name was called.

Mr. JAMES J. CAMPBELL. Mr. Speaker, the gentleman was in his seat, right here during the entire call of the roll.

Mr. GOSS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GOSS. Mr. Speaker, I wish to say that the gentleman from Philadelphia should go to an oculist and have his eyes examined.

Mr. BLELOCH. Mr. Speaker, under the rules of this House, a member should respond to his name, if he is in the House when his name is called and the gentleman did not answer when his name was called.

The SPEAKER. Did the gentleman hear his name called?

Mr. GOSS. Mr. Speaker, no, sir, I did not.

The SPEAKER. The gentleman's vote will be recorded.

Mr. SAMUEL PERRY. Mr. Speaker, I ask what right the gentleman from Philadelphia, Mr. Bleloch has to question the presence of the gentleman from Fayette in the Hall of the House when he was himself not in his seat during the roll call.

RECONSIDERATION OF VOTE.

Mr. CONRADE. Mr. Speaker, I move that the vote by which House Bill No. 1636, entitled:

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth containing a population of over one million inhabitants to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury

failed on final passage on May 1st be reconsidered.

Mr. HEMMINGER. Mr. Speaker, I second the motion.

Whereupon a division was called for and 64 gentleman having voted in the affirmative and 40 in the negative.

The motion was agreed to.

Mr. RONEY. Mr. Speaker, I move that the vote by which this bill passed on third reading be reconsidered.

Mr. O'NEILL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL RECOMMITTED.

Mr. RONEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary Special.

Mr. O'NEILL. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. KENNEDY. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 11.45 o'clock P. M. the House adjourned to meet tomorrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, MAY 6, 1913. No. 61.

SENATE.

TUESDAY, May 6, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"Like as a father pitieth his children, so the Lord pitieth them that fear Him." "The fear of the Lord is the beginning of wisdom." The Greeks in ancient day came to Jerusalem saying to Philip, "Sir, we would see Jesus;" they went away having seen the man of whom Pilate said "I find no fault in him." So today may our fidelity and integrity be above reproach. The Greeks came to see Jesus, the Teacher, and went away saying, "Never man spake like this man spake." So grant today that the words of our mouth and the meditations of our heart may be acceptable unto Thee, O Lord. The Greeks came and saw Jesus, the miracle worker and went away having beheld the mighty deeds he wrought in the name of God. Grant that when the volume of this day shall have been written, it may record some deeds that we have done in the name of righteousness. "Man looketh upon the outward appearance; God looketh upon the heart." Grant unto us that Thy spirit may so lead us this day that we shall live as in the sight of God. We ask it in our Redeemer's name. Amen.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McIlhenny, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. BUCKMAN, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 891 (House Bill No. 857), entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the Common Pleas to hear and determine all issues in the Court of Common Pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1087 (House Bill No. 1607), entitled:

An Act creating a Building Commisison in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population, prescribing their powers, duties, authority and compensation.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1236 (House Bill No. 1232), entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of a deed of extinguishment by the prothonotary in cases where the owner or owners of said ground rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release or extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto.

Mr. KNAPP, from the Committee on Judiciary General, reported as amended, Senate Bill No. 479 (House Bill No. 635), entitled:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the followings acts of Assembly the act approved the 11th day of June, 1879, entitled "An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the 3d day of June 1885, entitled "An Act to amend an act, entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings" approved 11th day of June, A. D. 1879, and as further amended by an act approved the 12th day of July, 1897, entitled "An Act to amend section one of an act approved the 3d day of June ,A. D. 1885, entitled 'An Act to amend an act, entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the 11th day of June, A. D. 1879, extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the 7th day of June, 1895, entitled "A supplement to an act entitled 'An Act amending section one of article three of an act, entitled 'An Act for the better government of cities of the first class in this Commonwealth,' approved the 1st day of June, A. D. 1885, regulating the construction, maintenance and inspection of buildings' approved the 8th day of June, A. D. 1893, regulating the construction, alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same," also the act approved the 25th day of April, 1903, entitled "An Act to further regulate the construction, maintenance and inspection of buildings and party walls in cities of the first class."

Mr. McILHENNY, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth, at last evening's session, which were laid upon the table.

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 302, entitled:

An Act regulating the sale, prescription and possession of opium, chloral or the salts, derivatives or compounds of them or either of them; or any substance or preparation containing opium, chloral or the salts, derivatives or compounds of them or either of them; and prescribing penalties for violation thereof.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 54, entitled:

An Act declaring the liability of railroad companies for loss or damage by fire, providing a remedy therefor, and relating to evidence thereof.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1227 (House Bill No. 1871), entitled:

An Act to repeal an act approved the 10th day of April, 1869, entitled "An Act relating to hawking and peddling in the County of Lehigh."

Mr. MORGAN, from the Committee on Mines and Mining, re-reported as committed, Senate Bill No. 803 (tHouse Bill No. 570), entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars, providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal, providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act.

Mr. JUDSON, from the Committee on Judiciary General, reported as commited, Senate Bill No. 1254 (House Bill No. 1581), entitled:

An Act relating to bail or surety bond furnished on appeals from courts of record in certain cases.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1182 (House Bill No. 1238), entitled:

A supplement to an act, entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June 24th, 1885, providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country who have left personal estate within this Commonwealth.

Mr. MARTIN, from the Committee on Public Health and Sanitation, reported as amended, Senate Bill No. 725 (House Bill No. 384), entitled:

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violations of this act.

Mr. GYGER, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 736, entitled:

An Act to regulate the catching or taking and sale within this Commonwealth of bullfrogs, tadpoles, terrapin and snapping turtles, and providing a penalty therefore, and repealing all acts inconsistent herewith.

Mr. JONES, from the Committee on Game and Fisheries, reported as amended, Senate Bill No. 1211, entitled:

An Act to provide for the better protection of gray rabbits and hare in this Commonwealth, fixing the open season for such animals and providing penalties for violation of its several provisions.

Mr. HUFFMAN, from the Committee on Judiciary General, re-reported as amended, Senate Bill No. 895 (House Bill No. 195), entitled:

An Act declaring buildings used for the purpose of fornication, lewdness, assignation and prostition to be nuisances, providing a method of abating same establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act.

Mr. McNICHOLS, from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 11, entitled:

An Act defining commodities regulating the sale thereof nd providing penalties for violation hereof.

BILLS INTRODUCED.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 1312, entitled:

An Act for the better protection of human life and other life in this Commonwealth, and prescribing penalties for violation of its several provisions.

Which was committed to the Committee on Law and Order.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1313, entitled:

An Act supplementary to an act approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four, entitled "An Act to provide for the incorporation and regulation of certain corporations," as amended by an act approved May ninth, Anno Domini one thousand eight nundred and eighty-nine, entitled "An Act supplemenetary to an act approved April twenty-ninth, one thousand eight hundred and seventyfour entitled 'An Act to provide for the incorporation and regulation of certain corporations,' amending the eleventh section thereof, as far as the same applies to companies incorporated to supply the public with water, giving and granting authority to the said companies incorporated for the supply of water to the public, to issue capital stock to an amount not exceeding two million dollars," so as to allow the issuance of the shares of stock of any corporation, other than preferred stock, without any nominal or par value.

Which was committed to the Committee on Corporations.

BILL RETURNED FROM HOUSE WITH AMENDMENTS.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 643, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

said bill having been returned by the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

In Section 1, line 5, by inserting after the word "incorporated" the words "for purposes not for profit"; also, in the same line, by striking out the words "the laws" and inserting in lieu thereof the words "any general or special law"; also in line 9, by striking out after the word "yearly" the word "value"; also in the same line by inserting after the word "rental" the word "value"; also in line 10 by striking out the second syllable of the word "anything" and inserting in lieu thereof the word "limitation"; also in the title in line 2, by inserting after the word "Pennsylvania" the words "for purposes not for profit."

On the question,

Will the Senate concur in the same.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Kline,	Morgan,
Beidleman,	Gyger,	Knapp,	Nulty,
Buckman,	Heacock,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Snyder,
Daix,	Huffman,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Moore,	Washers,
Gerberich,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 598, on final passage, entitled:

An Act relating to alcoholic liquors providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale or offering for sale or advertising for sale or having in possession with intent to sell of adulterated or misbranded alcoholic liquors providing penalties for the violation thereof and providing for the enforcement thereof

be recommitted to the Committee on Judiciary Special.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 675 (House Bill No. 465), as follows:

An Act requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way and regulating such licensing and fixing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporation without a license as provided in this act to conduct any businness the whole or greater part of which shall consist of the sale of goods which shall be held forth or represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporations about to go out of business or goods that have been damaged in any way

Providing that nothing in this act shall prohibit the sale of any such goods by any assignee trustee receiver or other officer appointed by any court of this Commonwealth or of the United States acting for the estate of any such bankrupt or other person firm or corporation within the limits of the city borough or township wherein the said person firm or corporation conducted said business or had the goods immediately before the appointment of such assignee trustee receiver or other officer and provided further nothing in this act shall prohibit the sale of any goods damaged in any way if the same are sold within the limits of the city borough incorporated town or township wherein said owner conducted business or had the said goods at the time the said goods become damaged

Section 2 A license to conduct business under this act shall be issued by the treasurer of the proper city borough or township wherein the said business is conducted The fees for cities incorporated towns or boroughs shall be fixed by ordinance of the proper city incorporated town or borough In cities incorporated towns and boroughs the license fee shall not be less than one hundred dollars ($100) nor more than two hundred dollars ($200) for each calendar month or fraction thereof In townships the license fee shall be twenty-five dollars ($25) for each calendar month or fraction thereof and shall be for the use of the school fund of the township The license shall be renewed monthly during the time such person firm or corporation shall conduct such business This license shall be in addition to all license fees and taxes imposed by this Commonwealth and the proper city borough incorporated town or township

Section 3 Any person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shal lbe sentenced to pay for each day such business shall be conducted without a license a fine of not more than two hundred dollars ($200)

Section 4 All acts and parts of acts inconsistent with this act are repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Salus,
Cooper,	Heacock,	Kurtz,	Sensenich,
Crow,	Hilton,	Magee,	Sheatz,
Daix,	Hoke,	Martin,	Snyder,
DeWitt,	Homsher,	McIlhenny,	Sones,
Endsley,	Huffman,	McNichol,	Thompson,
Farley,	Hunter,	McNichols,	Vare,
Fisher,	Jarrett,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. McILHENNY. Mr. President, I ask that Senate Bill No. 723 (House Bill No. 221), on final passage, entitled:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the County Treasury after deduction of expenses which expenses said registers are authorized to incur

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

The PRESIDENT. Senate Bill No. 841 (House Bill No. 701) on final passage, entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town.

has not been received from the printer and will go over in its order.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 861, on final passage entitled:

An Act in relation to hospitals and dispensaries in the State of Pennsylvania providing against the abuse of free treatment and providing means whereby hospitals and dispensaries may in the future establish

be recommitted to the Committee on Public Health and Sanitation.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. ENDSLEY. Mr. President, I ask that Senate Bill No. 1064, on final passage, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State of Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and and fixing salaries of Commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for constructing re-constructing repairing or maintaining certain spurs on branch roads.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1147, as follows:

An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each Post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the respective authorities of the several counties boroughs and incorporated towns of this Commonwealth are hereby authorized to appropriate annually to each camp of the United Spanish War Veterans and of the Army of the Philippines and to each Post of the American Veterans of Foreign Service in the respective counties boroughs or towns a sum not to exceed fifty dollars ($50.00) to aid in defraying the expenses of Memorial Day

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Hall,	Knapp,	Sensenich,
Cooper,	Heacock,	Kurtz,	Sheatz,
Crow,	Hilton,	Magee,	Snyder,
Daix,	Hoke,	Martin,	Sones,
DeWitt,	Homsher,	McNichol,	Thompson,
Endsley,	Huffman,	McNichols,	Vare,
Farley,	Hunter,	Miller,	Wasbers,
Fisher,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. JARRETT. Mr. President, I think that by agreement Senate Bill No. 1160 should be recommitted to the Committee on Elections.

Mr. McNICHOL. Mr. President, that is true and I desire to say also that there will be a meeting of the Elections Committee this afternoon at 2:30 to consider the petition submitted by the sixteen Senators to the Committee on Elections, and I ask that Senate Bill No. 1160 on final passage, entitled:

An Act to repeal sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred ninety-seven so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relates to nomination papers also to repeal sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections approved the tenth day of June Anno Domini one thousand eight hundred ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall apear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred ninety-seven which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections two three four five and six of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. McILHENNY. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 497 (House Bill No. 580), on third reading, postponed for the present, entitled:

A supplement An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violaions thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violaions thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

Mr. HEACOCK. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 497 (House Bill No. 580), entitled:

A supplement An amendment to an Act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violaions thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. McILHENNY. Mr. President, I ask unanimous consent to amend the title, in line 1, by striking out the words "a supplement".

The PRESIDENT. Is there objection. The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gyger,	Kline,	Morgan,
Beidleman,	Heacock,	Knapp,	Nulty,
Buckman,	Hilton,	Kurtz,	Salus,
Catlin,	Hoke,	Magee,	Sensenich,
Cooper,	Homsher,	Martin,	Sheatz,
Crow,	Huffman,	McIlhenny,	Snyder,
Daix,	Hunter,	McNichol,	Sones,
Farley,	Jarrett,	McNichols,	Thompson,
Fisher,	Jones,	Miller,	Vare,
Graff,	Judson,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. McNICHOL. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 1155 (House Bill No. 1139), on final passage postponed for the present, entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April one thousand eight hundred fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred seven by altering the seventh section and by repealing the sixth section thereof

Mr. McNICHOLS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1155 (House No. 1139), entitled:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April one thousand eight hundred fifty-five as amended by the supplement to said act approved the second day of June Anno Domini one thousand eight hundred eighty-seven and further amended by the act approved the first day of May Anno Domini one thousand nine hundred seven by altering hte seventh section and by repealing the sixth section thereof

And the question recurring,

Shall the bill pass finally?

Mr. HOKE. Mr. President, it is with the greatest reluctance that I arise today to oppose the passage of this bill. It is one of those questions that involves, to a certain extent, a religious issue, and we all know that such a question is usually fraught with the greatest bitterness. This is such a question, and it is my purpose, if possible, to eliminate from my discussion of this bill the religious features of it. It is true I am a Protestant and that this bill is here backed up by a large proportion of the Roman Catholic Church, but it is not as a non-Catholic or anti-Catholic that I propose to discuss this bill, but as a citizen of the State of Pennsylvania who believes in her laws and in the supremacy of her laws and in the sanctity of her basic institutions. The array of one sect or cult against another is a relic of bygone ages and he who does it is a bigot or a fanatic. We protestants should remember that the Catholic church antedates ours, and that it was the direct outgrowth of the life and teachings upon earth of Christ and both of us should remember that the Jewish church antedates both of ours, and it is wholly absurd and bigoted to array one religion against the other. Be we Jew, Catholic or Protestant, if we are devout in our belief and earnest in our devotion to our religion and in the active practice of the teachings of our religion, any one of us can go back to our God at any moment with the greatest safety and I want to disclaim any antagonism to any religion here this morning.

We are told that this bill if it becomes a law will affect only the Roman Catholics, but that is not a correct statement, and I wish to state right here that it is not a correct statement that the Roman Catholic Church is united in support of this measure. This Senate last night was full and is full today of earnest and devout Roman Catholics who are here opposed to this bill, and if it were put to a vote today in this chamber of the Roman Catholics here present it wuold be overwhelmingly defeated. There are a hundred thousand and more earnest and sincere Roman Catholics in this State today who are sending to us their earnest appeals and are sending up to God their devout prayer for the defeat of this bill, and it is not true that that church is arrayed solidly in favor of this bill. I have here on my desk several resolutions that have been passed by societies and congregations of the Roman Catholic Church that earnest solicit my vote against the bill and the vote of every member of this Senate, and I will pass them up to the Chair in order that they may be spread upon the Journal of the Senate.

My purpose is to point out to this Senate the broad fundamental single thought in this measure. It is not true, as I have stated, that it affects only one religious denomination. It affects every religious denomination and every citizen of the Commonwealth of Pennsylvania, because it strikes at the root of our institutions and violates the basic principles upon which our government, both national and state, are based, namely, that the church and state shall be entirely separate, and that each shall be confined to its own distinct spheres and field of activity. The special sphere of the church is the regulation of the morals and the religious and spiritual welfare of its subjects. The special field of the State is the regulation of all civil matters and when you join the one to the other and allow one or the other to go or penetrate into the field of the other we are violating the principles of our government. This bill changes the law of 1855, as afterwards amended, so that church property shall no longer be regulated by the laws of the State of Pennsylvania which should be supreme in the matter of the ownership of property, which is a civil matter, and would say that the ownership of church property shall be regulated by the laws and custom and rules of the Church and that the laws of the church in matters of the ownership of church property shall be supreme to the law of our State. This is a civil matter, the ownership of property and I contend and I do not believe it can be successfully controverted that if this bill becomes a law it will allow the church to usurp a part of the field and activities of the State and would subvert one of the basic principles of our government. Suppose this bill becomes a law, millions upon millions of dollars worth of property in this State would be plunged into immediate litigation. The law of 1855, as amended, declares that where a church property is held in trust by any one, in trust for the congregation, that the absolute ownership of that property vested in the lay members of the congregation and not in the bishop or clergy of the church, and repeated cases have gone up to the Supreme Court of Pennsylvania and it has been ruled that the law of the State with respect to the ownership of church property is supreme and that the laws of the church shall bow down before it and that the State shall regulate the ownership of property. If this bill becomes a law it is well known that the Catholic Church properties in this State and everywhere are held in the names of the clergy in trust. As the law now stands that means that it is an absolutely dry trust, that the trustee has no power over it, that he only holds it for the real owners, the lay members of his congregation. If this law is ordained it means that when he holds it as trustee he holds it subject to the rules and laws and regulations of his church and that he might dispose of it to his successors in office, and that the laws of the State should be subservient to the laws of the church. I do not propose to go further or say what that would mean to the lay members of the Roman Catholic Church, but I do assert that hundreds of thousands of them are fearful today that this may become the law of the State and that their own property which has been built and constructed by their own hard earnings and their deprivations, money wrung out of them voluntarily on their part it is true but at a great sacrifice to themselves that this property of theirs which means their bone and sinew and life blood shall be taken away from them and put under the control not of the State of which they are citizens and to which they owe allegiance but under the control and domination of a heirarchy which has its head many thousands of miles away from the State capital of Pennsylvania. I sincerely hope that the members of this body may think long and well before they vote for this measure. I hope that they will not consider that they are bound to vote for this measure because of the passing of any other that has gone through here recently. I am told that a deal was made in the House of Representatives whereby both these measures might pass, but I assert that that man is recreant to his own principles, he is not a loyal citizen of Pennsylvania if he feels himself bound by such an unholy arrangement as that and I sincerely trust that every earnest and devout resident of this Commonwealth who has a chance to vote here today will vote "no" on this measure.

To the Honorable, the Senate of the Commonwealth of Pennsylvania, in General Assembly met:

We, members of the Roman Catholic Church, citizens of this Commonwealth, at a mass meeting held at Nanticoke, Pa., assembled for this purpose respectfully protest against the enactment of the so-called Flynn bill, proposing to change the law with relation to the control of church property and funds for the following reasons:

1. It proposes to change the policy of the law of this Commonwealth as it has existed for nearly sixty years, during which time it has been repeatedly re-enacted and confirmed.

2. It violates the primary principles of a democratic form of government and takes from the control of the people the management of property and funds they themselves contribute and supply

3. It takes from the laity of the Roman Catholic Church the rights and privileges of administration of temporal af-

fairs, which they have almost universally enjoyed in most countres on the continent of Europe, and proposes to fasten an un-American system of control of church property upon them in this land of civil and religious freedom.

4. The bill was framed by the hierarchy of the Roman Catholic Church and the demand for its enactment does not rise from the people

We, therefore, numbering 1,500 respectfully and most earnestly request the Honorable Senate to vote against the bill, as being a step backward and inimical to the perpetuation of our free institutions.

We hereby authorize the chairman and secretary of this mass meeting to affix their signatures in our name, as per our resolution unanimously passed.

Nanticoke, Pa., May the first, 1913.

JOSEF STRYJAK, Chairman.

TADYRTAW WOOVLEWGDN, Secretary.

RESOLUTION.

We, the representatives and members of several groups of the Polish National Alliance, of America, residing in Luzerne County, to the number of five thousand, in meeting assembled, at Falcon's Hall, at Nanticoke, Pa., this fourth day of May, do hereby authorize the President and Secretary of this meeting, in and for the behalf of us, to lodge our protest against the Flynn Bill, known as House Bill No. 1139.

Whereas, This bill proposes to change the law of the Commonwealth so far as the Roman Catholic Church is concerned, so as to conform to the Roman Catholic Canon law, instead of making the church law coincide with the law of the Commonwealth, which has been upon the Statute books for more than half a century, and which embodies the spirit of our institutions.

No Taxation Without Representation

Whereas, The State should remain supreme in matters relating to property rights and as to the control and disposition of property of congregations.

Whereas, This bill attempts to take away from congregations, who have acquired under the laws of the State, as they now exist, vested property rights and transfer them to the bishops of the Roman Catholic Church, under the Canon laws of that Church;

Whereas, In the Roman Catholic Church, the bishops are the only legislators, as the layman has no voice in its law making body;

Therefore, Be and it is hereby resolved, to respectfully beseech the Honorable Senate of the Commonwealth of Pennsylvania, to lend its efforts, to defeat of this measure.

Passed unanimously.

JOSEPH KRAUSER, President.

JOSEPH LENCZEWSICI, Secretary.

Mr. McNICHOL. Mr. President, in reply to the Senator who has just preceded me, I do not propose to state the law as it is contained in this bill, because, not being a lawyer, my interpretation of course, would be of no value to the rest of the Senators. But so far as the point taken by the Senator from Franklin, Mr. Hoke, is concerned in relation to the fact that this bill takes in all of the religious denominations, I only have it from the authority of John G. Johnson, one of the most eminent lawyers of this, or any other State in the Union, and also the legal opinion of George Wharton Pepper, who is also an eminent attorney, and also from a gentleman who is located in Ridgway, Pa, by the name of Eugene H. Baird, a noted Methodist devine, who at length details and dissects the bill, in which he comes to the conclusion just as Mr. Johnson and Mr. Pepper have, that the only purpose of the second section of the proposed act, as I understand, is to restore to the Bishop or other ecclesiastic holding title to the property of a certain congregation the capacity which he had at common law, and to transmit the properties to his successor, and this it seems to me is reasonable and proper, and that I maintain is the legal purpose of this bill. So far as it pertains to the matter or possibility of the connection of Church and State, the Catholic Church does not need any defenders as to the mission that she has set up for years in this Comomnwealth, as every Senator representing his respective district, is familiar with. It was surprising to me to hear the Senator three weeks ago who was making the plea on the theory of the great demand and the great petition that had been sent to his body clamoring for some right and for some justice to a part of the population, to-wit, the right of women to vote. This is a simple plea on the part of two million inhabitants of the State of Pennsylvania, enjoying under the laws of this Commonwealth the right of worship, of not being molested by the laws in worship in their particular way and in their particular form and in compliance with the laws and regulations of their Church. The Catholic Church has undertaken, as has the State of Pennsylvania undertaken in years gone by, to regulate the conditions that have come upon the State by a large influx of foreign population. This influx of population has continued and will continue to grow for years to come, and she has now in her wisdom come to the State of Pennsylvania, to the Legislature and asked that they be given some rights in the premises to have an orderly and a proper and a legal worship of their religion in a proper and legal way. One of the cases, which is only one of the numerous cases that have been occurring for some years past, occurred the other day in Uniontown. That is one of the complications which brought forth the efforts to have such a bill as this enacted into a law, a new departure in the matter of running the congregation, while the collection was being lifted, was instituted at St. Mary's Catholic Church at New Salem, on Sunday, when the constable and Justice of the Peace were stationed at the Church while the money was being collected, just one week ago.

There are two factions of the Church which has been the scene of more than one disturbance since it became divided against itself. A fight developed and a riot was narrowly averted. To avoid a recurrence of such conditions officers were on hand yesterday. The church is divided into factions, and one faction will not contribute to the support of the church while the Trustees are the representatives of the other side and one faction is supporting Rev. Rupley and the other faction will not recognize him as the legal pastor. That has been going on in Pennsylvania for the last eight or ten years. It has been of such a magnitude that the authorities and the officials of the Catholic Church recognized that there must be something which will give them the right to properly protect congregations who desire to worship in their church. If this bill pretened in any way to affect other denominations or other religious bodies, I would be the last man in the world to be here in the Senate asking for its passage. The Church is engaged educating its young and it is engaged in teaching to the elderly and grown persons the morals that are necessary to make citizenship in this State and in this Commonwealth what it should be, and it is also engaged in teaching first and foremost that the rights and duties and the support of each individual of that church is to the government of the State and the government of the nation. This is an appeal of a million and a half or two million people, who are under the laws of the State of Pennsylvania, and under this law of 1885, which has been in operaion over 50 years and under the law the bishops have held the property just as this bill provides and have been holding it in peace and quiet until the influx of this population. We have had our trials and tribulations, as the State has had where conditions arose by the influx of the foreign populaion and have been compelled to provide conditions for peace and order and against violence. The Church does not want any connection with the State so far as to annex itself to the State, because she has had all of that that she wants on the other side. She wants to be an instructor of morals, an instructor of the young, so that when they grow up into citizens that are aboslutely worthy to be called true and correct citizens of this great Commonwealth, and I think that it is our duty as Senators representing this great Comomnwealth to hand out the helping hand of the law whenever it is done with the idea to conserve the morals and the welfare of this Commonwealth.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	Gerberich,	Kline	Nulty,
Beidleman,	Graff,	Kurtz,	Salus,
Buckman,	Hall,	Magee,	Sheatz,
Catlin,	Homsher,	McNichol,	Thompson,
Crow,	Huffman,	McNichols,	Vare,
Daix,	Hunter,	Moore,	Wasbers,
Farley,	Jarrett,	Morgan,	

NAYS—12.

Cooper,	Heacock,	Judson,	Sensenich,
DeWitt,	Hilton,	Knapp,	Snyder,
Fisher,	Hoke,	Miller,	Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

OATH OF OFFICE ADMINISTERED TO AUDITOR GENERAL-ELECT POWELL.

Mr. CROW. I move that a Committee of two be appointed to escort Hon. A. W. Powell to the bar of the Senate to be sworn in as Auditor General.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

The PRESIDENT. The Chair appoints as such Committee the Senator from Fayette, Mr. Crow, and the Senator from Monroe, Mr. Huffman.

The said Committee escorted Auditor General-elect Powell to the bar of the Senate where the oath of office was administered to him by Hon. George Kunkel, President Judge of the Twelfth Judicial District.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 5, as follows:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulerated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm co-partnership limited partnership joint stock company or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to manufacture sell offer for sale expose for sale or have in possession with intent to sell any article of food which is adulterated or misbranded or of foods short in weight or measure within the meaning of this act

Section 2 That the term "food" as used in this act shall include not only every article used for food by man but also every article used for or entering into the composition of or intended for use as an ingredient in the preparation of food for man

That the term "person" as used in this act shall include individuals firms co-partnerships limited partnerships joint stock companies and bodies corporate as well as all officers agents servants employes or others acting for any of the same and shall be taken as applying in the singular or plural as the case may require

Section 3 That for the purpose of this act an article of food shall be deemed to be adulterated

First If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality strength or purity

Second If any substance has been substituted wholly or in part for the article

Third If any valuable constituent of the article has been wholly or in part abstracted

Fourth If it be mixed colored or changed in color coated polished powdered stained or bleached whereby damage or inferiority is concealed or so as to deceive or mislead the purchaser or if by any means it is made to appear better or of greater value than it is

Fifth If it contain any added sulphurous acid sulphur dioxide or sulphate except as hereinafter provided benzoic acid sodium benzoate or other benzoate acetic acid cinnamic acid cinnamic aldehyde essential oils of spices acetic acid extracts of spices boric acid or borate salicylic acid or salicylate formaldehyde hydrofluroic acid or fluoride fluoborate fluosilicate or other fluorine compound dulcin glucin saccarin compound of copper betanapthol hydronapthol abrostol asaprol alum or any compound of aluminum except that alum or an aluminum compound may be used in baking powders and except further that water from a filtration plant where alumn or an aluminum compound is used for purifying may be used as an ingredient of food oxide of nitrogen nitrous acid or nitrate pyroligneous acid all substances whose substance effect is to produce or impart color solely except that one hundred and seven Amaranth fifty-six Ponceau three R five hundred and seventeen Erythrosin eighty-five orange I four naptha yellow S four hundred and thirty-five light green S F yellowish six hundred and ninety-two indigo disulfoacid and harmles vegetable and animal colors shall be permitted in confectionery ice creams icings and deserts preparations when not used for deceptive purposes resinous glaze or other ingredient deleterious to health and in the case of candy if it contains alcoholic liquor or alcohol except in flavoring extracts Provided that nothing in this act shall be construced to prohibit the use of common salt sugar (sucrose) pure corn syrup (glucose) pure corn sugar wine vinegar cider vinegar malt vinegar sugar vinegar distilled vinegar spices or their essential oils except as hereinbefore prohibited edible oils edible fats or wood smoke applied directly as generated Provide further That sulphur dioxide either free or in simple combination may be used in dried fruits or molasses in quantities that shall not be deleterious to health And provided further that when any quantity of sulphur dioxide is used in the preparation of dried fruits or molasses the fact that sulphur dioxide has been used in the preparation thereof shall be plainly stated on each package of such food

Sixth If in the case of manufactured foods it is diseased contaminated filthy or decomposed or contains any diseased contaminated filthy or decomposed substance or is manufactured in whole or in part from a disease contaminated filthy or decomposed substance or if it is made stored transported or kept in a way or manner that may render the article diseased contaminated filthy or unwholesome or if it is a product of a diseased animal or a product of an animal which has died otherwise than by slaughter

Seventh If in the case of non-manufactured foods except nuts in the shell five per centum or more of the units composing the same are manifestly diseased decayed decomposed contaminated or filthy and said objectionable units shall not with reasonable diligence have been sorted out and destroyed by the vendor before said non-manufactured food is offered or exposed for sale or used for food manufacture or if the food is produced stored transported or kept in a way or manner that may render the same diseased contaminated filthy or unwholesome or if in the case of meat poultry game fish or shell-fish it is diseased decayed decomposed contaminated or unwholesome or is part of an animal that has died otherwise than by slaughter

Section 4 That for the purpose of this act an article shall be deemed to be misbranded

First If it be an imitation of or offered for sale under the name of another article

Second If it is labeled or branded so that it may deceive or mislead the purchaser or purport to be a foreign product when not so or if the contents of the package as originally put up shall have been removed in whole or in part and other inferior contents shall have been placed in such package

Third If the package containing it or its label shall bear any statement design or device regarding the substance or ingredients contained therein which statement design or device shall be false or misleading in any particular

Fourth If it be a mixture or compound now or hereafter known as an article of food and be not labeled or branded with a statement that it is a mixture or compound together with a statement of the substance entering into said mixture or compound Provided That nothing in this act shall be construed as requiring or compelling the proprietors manufacturers or sellers of proprietary foods to disclose their trade formulas except in so far as may be necesary under the provisions of this act to avoid adulteration imitation or misbranding

Fifth All labels of packages required by this act shall be placed only on the fronts or backs of each package or container and in type not less than eight point brevier caps in size and in such positions and terms as may be easily read and understood by the purchaser

Section 5 When the Dairy and Food Commissioner or his agent shall obtain an article of food or a sample of portion thereof from any person for the purpose of determining whether the same is adulterated or misbranded within the meaning of this act it shall be found that the said article of food is adulterated or misbranded within the meaning of this act then the Dairy and Food Commissioner shall proceed against the said person from whose store warehouse or other place of business said article sample or portion thereof shall have been obtained for a violation of the provisions of this act

But no prosecution shall be sustained under the provisions of this act against a retail dealer for the selling offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded article of food as defined herein if the retail dealer from whom the said article of food sample or portion thereof was obtained by the Dairy and Food Commissioner or his agent can establish a guaranty signed by the manufacturer or wholesale dealer or jobber or distributor residing in the United States from whom such article of food was purchased or procured to the effect that the same is not adulterated or misbranded within the meaning of this act designating it

Said guaranty to afford protection shall contain the name and address of the mnufaacturer or wholesale dealer or jobber or distributor making the sale of such article of food to such retailer and shall be in the following language

"I or we ———— (name of guarantor) the vendor of the article of food mentioned in the foregoing invoice do hereby guarantee and warrant that none of said articles of food are adulterated or misbranded within the meaning of the act of the General Assembly of Pennsylvania known as the General Food Act of one thousand nine hundred and thirteen"

(Signature ————————)

(Address) ————————

In such case the said manufacturer or wholesale dealer or jobber or distributor so as aforesaid giving such guaranty shall be amendable to the prosecution fines and other penalties which attach in due course to the retailer holding such guaranty under the provisions of this act for a violation hereof and every manufacturer or wholesale dealer or jobber or distributor giving a guaranty under the provisions of this act shall be held responsible and shall be proceeded against for the adulteration or misbranding of any article of food sold under said guaranty and shall be subject to the penalties for the violation of the provisions of this act No such guaranty shall operate as a defense to prosecution for a violation of the provisions of this act if the retailer holding such guaranty shall continue to sell the same article of food after written or printed notice from the Dairy and Food Commissioner or his agent that such article is adulterated or misbranded within the meaning of this act

Whenever it shall appear that any jobber wholesaler or dealer has had or has in his possession with intent to sell any goods which are adulterated or misbranded within the meaning of this act and which goods were manufactured in or shipped from another State into the State of Pennsylvania and sold under a guarantee of the non-resident manufacturer or dealer the Dairy and Food Commissioner shall certify all the facts and findings in such cases to the Secretary of Agriculture at Washington District of Columbia in accordance with the act of Congress

approved June thirty one thousand nine hundred and six It shall be the duty of any person claiming immunity from conviction by reason of a guaranty of any adulterated or misbranded article of food sold offered for sale exposed for sale or had in possession with intent to sell to produce said guaranty for inspection upon being notified that any such article of food is adulterated or misbranded within the meaning of this act and failure or refusal to so produce said guaranty shall subject such person to prosecution and conviction for a violation of the provisions of this act the same as though he had no such guaranty

No guaranty shall avail for the protection of any person who shall violate the provisions of paragraph six section three of this act by having stored or transported or kept any article of food in a way or manner that may render the article diseased contaminated filthy or unwholesome

No guaranty shall avail for the protection of any person who shall violate any of the provisions of paragraph seven section three of this act

Section 6 For the purpose of this act an article shall be deemed to be the same article

First When it shall be of the same brand or have thereon the same label and shall be adulterated or misbranded in the same way

Second When it is not labeled or branded but is sold offered for sale or exposed for sale under the same name and adulterated or misbranded in the same way

Third When although sold offered for sale or exposed for sale under another name or labeled or branded in a different way it shall be found to be the product of the same manufacturer grower or maker and to be adulterated or misbranded in the same way Provided however That an article shall be deemed to be adulterated in the same way if it shall contain the same adulterant substance or substances

Section 7 That any person who shall violate any of the provisions of this act shall e guilty of a misdemeanor and upon conviction thereof for the first offense shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) nor more than one hundred dolars ($100.00) and upon conviction thereof for any violation of this act committed subsequently to the said first offense shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than two hundred dollars ($200.00) or to undergo imprisonment of not more than sixty (60) days or both Provided That the term "first offense" as used in this section shall be held to include all sales of an article of food made in violation of this act before any prosecution for the sale of such article shall have been brought hereunder And provided further That a conviction for the sale of an article of food of one brand shall not be construed to be a "first offense" upon a conviction for the sale of a food of another brand

Section 8 The Dairy and Food Commissioner of the State shall be charged with the enforcement of the provisions of this act and shall make rules and regulations for the proper enforcement thereof and shall cause such rules and regulations to be published in the official bulletins in the issue immediately following the preparation of the same

Section 9 All fines and penalties imposed and recovered for the violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and by the Dairy and Food Commissioner be paid into the State Treasury for the use of the Commonwealth

Section 10 That the act of Assembly entitled "An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" approved the thirteenth day of May Anno Domini one thousand nine hundred and nine be and the same is hereby repealed

Section 11 This act shall be known as the General Food act of one thousand nine hundred and thirteen

Section 12 This act shall take effect on the first day of April Anno Domini one thousand nine hundred and fourteen and until it takes effect all laws or parts of laws which are either expressly or by implication repealed by this act shall remain in full force and effect And all violations of existing laws occurring prior to April first Anno Domini one thousand nine hundred and fourteen may be prosecuted to conviction and final judgment and execution under the provisions of said existing laws notwithstanding the repeal of such laws by this act and notwithstanding such violations may occur after the passage of this act and notwithstanding that such prosecution judgment and execution or any of them may occur after the first day of April Anno Domini one thousand nine hundred and fourteen The repeal of any law or part of a law relating to the subject matter of this act shall be expressly subject to this saving clause

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—18.

Alexander,	Fisher,	Huffman,	Nulty,
Beidleman,	Gerberich,	Jones,	Salus,
Buckman,	Hilton,	McIlhenny,	Sheatz,
Catlin,	Hoke,	McNichol,	Snyder,
Farley,	Homsher,		

NAYS—23.

Cooper,	Hall,	Knapp,	Morgan,
Crow,	Heacock.	Kurtz,	Sensenich,
Daix,	Hunter,	Magee,	Sones,
DeWitt,	Jarrett,	Martin,	Vare,
Endsley,	Judson,	Miller,	Washers,
Graff,	Kline,	Moore.	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 7, as follows:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale or exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Asembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person firm or corporate body by himself herself itself or themselves or by his her its or their agents servants or employes to manufacture sell offer for sale expose for sale or have in possession with intent to sell any article of non-alcoholic drink which is adulterated or misbranded within the meaning of this act

Section 2 That the term "non-alcoholic drink" as used herein shall include carbonated beverages of all flavors sarsaparilla ginger ale soda water of all flavors lemonade orangeade sweet cider root beer grape juice and all other non-intoxicating drinks

Section 3 A non-alcoholic drink shall be deemed to be adulterated within the meaning of this act if it contains any added boric acid or borate Benzoic acid or benzoate salicylic acid or salicylate formaldehyde sulphur dioxide sulphurous acid or sulphite hydrofluoric acid or fluoride fluobrate fluosilicate or other fluorine compound dulcin glucin saccharin betanapthol hydronapthal abrastol asaprol oxides of nitrogen nitrous acid or nitrate compound of copper pyroligneous acid coal tar dye artificial flavor artificial ether artificial ester saponin soapbark extract or other added substances deleterious to health Provided however That fruit syrups as permitted by the act approved April twenty-sixth one thousand nine hundred and five shall be exempt from the provisions of this act

Section 4 The bottles or other containers in which a non-alcoholic drink is packed for retail sale shall be plainly labeled or branded with a statement of the name of the non-alcoholic drink Provided That ginger ale in the preparation of which capsicum or any capsicum product has been used shall be labeled "GINGER ALE WITH CAPSICUM"

Section 5 That for the purpose of this Act a non-alcoholic drink shall be deemed to be misbranded

First If it be an imitation of or offered for sale under the distinctve name of another article or if it is colored or flavored in imitation of the genuine color or flavor of another substance

Second If it be labeled or branded or tagged so as to deceive or mislead the purchaser

Third If the bottle or receptacle containing it or its label shall bear any statement design or device regarding the ingredients or the substances contained therein which statement design or device shall be false or misleading in any particular

Section 6 When the Dairy and Food Commissioner or his agent shall obtain an article of non-alcoholic drink or a sample or portion thereof from any person for the purpose of determining whether the same is adulterated or misbranded within the meaning of this act and it shall be found that the said article of non-alcoholic drink is adulterated or misbranded within the meaning of this act then the Dairy and Food Commissioner shall proceed against the said person from whose store warehouse or other place of business said article sample or portion thereof shall have been obtained for a violation of the provisions of this act

But no prosecution shall be sustained under the provisions of this act against a retail dealer for the selling offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded article of non-alcoholic drink as defined herein if the retail dealer from whom the said article of non-alcoholic drink sample or portion thereof was obtained by the Dairy and Food Commissioner or his agent can establish a guaranty signed by the manufacturer or wholesale dealer or jobber or distributor residing in the United States from whom such article of non-alcoholic drink was purchased or procured to the effect that the same is not adulterated or misbranded within the meaning of this act designating it

Said guaranty to afford protection shall contain the name and address of the manufacturer or wholesale dealer or jobber or distributor making the sale of such article of non-alcoholic drink to such retailer and shall be in the following language

"I (or we) _____ (name of the guarantor) the vendor of the article of non-alcoholic drink mentioned in the foregoing invoice do hereby guarantee and warrant that none of said articles of non-alcoholic drink are adulterated or misbranded within the meaning of the act of the General Assembly of Pennsylvania known as the Non-Alcoholic Drink Act of one thousand nine hundred and thirteen"

(Signature) _____

(Address) _____

in such case the said manufacturer or wholesale dealer or jobber or distributor so as aforesaid giving such guaranty shall be amenable to the prosecution fines and other penalties which would attach in due course to the retailer holding such guaranty under the provisions of this act for violation hereof and every manufacturer or wholesale dealer or jobber or distributor giving a guaranty under the provisions of this act shall be held responsible and shall be proceeded against for the adulteration or misbranding of any article of non-alcoholic drink sold under said guaranty and shall be subject to the penalties for the violation of the provisions of this act No such guaranty shall operate as a defense to prosecution for a violation of the provisions of this act if the retailer holding such guaranty shall continue to sell the same article of non-alcoholic drink after written or printed notice from the Dairy and Food Commissioner or his agent that such article is adulterated or misbranded within the meaning of this act

Whenever it shall appear that any jobber wholesaler or dealer has had or has in his possession with intent to sell any goods which are adulterated or misbranded within the meaning of this act and which goods were manufactured in or shipped from another State into the State of Pennsylvania and sold under a guarantee of the non-resident manufacturer or dealer the Dairy and Food Commissioner shall certify all the facts and findings in such cases to the Secretary of Agriculture at Washington District of Columbia in accordance with the act of Congress approved June thirty one thousand nine hundred and six

It shall be the duty of any person claiming immunity from conviction by reason of a guaranty of any adulterated or misbranded article of non-alcoholic drink sold offered for sale exposed for sale or had in possession with intent to sell to produce said guaranty for inspection upon being notified that any such article of non-alcoholic drink is adulterated or misbranded within the meaning of this act and failure or refusal to so produce said guaranty shall subject such person to prosecution and conviction for a violation of the provisions of this act the same as though he had no such guaranty

Section 7 That any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than twenty-five (25) dollars nor more than one hundred (100) dollars or to undergo an imprisonment of not more than sixty (60) days or both or either at the discretion of the court

Section 8 The Dairy and Food Commissioner shall be charged with the enforcement of the provisions of this act

Section 9 All fines and penalties imposed and recovered for any violation of any of the provisions of this act shall be paid to the Dairy and Food Commissioner or his agent and when so collected and paid shall thereafter be by the Dairy and Food Commissioner paid into the State Treasury for the use of the Commonwealth

Section 10 That the Act of Assembly entitled "An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof" approved the eleventh day of March Anno Domini one thousand nine hundred and nine be and the same is hereby repealed

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20.

Alexander,	Endsley,	Homsher,	Salus,
Beidleman,	Gerberich,	Jones,	Sensenich,
Buckman,	Graff,	Knapp,	Sheatz,
Catlin,	Hall,	McIlhenny,	Snyder,
Cooper,	Hilton,	McNichol,	Thompson,

NAYS—17.

Crow,	Jarrett,	Magee,	Nulty,
DeWitt,	Judson,	Martin,	Sones,
Heacock,	Kline,	Moore,	Vare,
Huffman,	Kurtz,	Morgan,	Wasbers,
Hunter,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL OVER IN ORDER.

Mr McILHENNY. Mr. Pesident, I understand this bill was to be recommitted for the purpose of a hearing and as long as there seems to be some doubt about it, I ask that Senate Bill No. 150 on third reading, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 280, as follows:

An Act for the protection of the public health by providing that persons firms or corporations who are operating or conducting hotels restaurants common carriers and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks waiters kitchen help chamber maids or other house servants any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes pots pans finger bowls linens or other kitchen or dining room utensils shall be used or towels furnished in washrooms maintained in any hotel restaurant common carrier or public eating place except as provided in this act and providing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That no person or persons firms or corporations operating or conducting any hotel restaurant common carrier or other public eating place in this Commonewalth shall employ or keep in their employ any person or persons in the capacity of cook waiter chamber-maid kitchen help or other house servants who are suffering from or who are carriers of any communicable disease

Section 2 That no person or persons firm or corporation operating or conducting any hotel restaurant common carrier or other public eating place shall use any pots kettles or other utensils commonly used in cooking which have not been thoroughly cleansed after each separate use and which are not at all times protected from flies and other insections

Section 3 That no person or persons firm or corporation operating or conducting any hotel restaurant common carrier or other public eating place in this Comonwealth shall furnish to their patrons or customers any dish bowl knife fork spoon finger bowl tumbler cup or other vessel or utensil used in eating or drinking which has not been thoroughly cleansed since it was used by another individual and which is not at all times protected from flies and other insects

Section 4 No person or persons firm or corporation operating or conducting any hotel restaurant common carrier or other public eating place shall use on their dining or eating tables counters any table cloth which is unclean and not in a sanitary condition or any napkin unless such napkin shall be laundered or discarded after each individual use or any towel in any wash room mantained in any such hotel restaurant common carrier or public eating place other than towels laundried or discarded after each individual use

Section 4 Any person or persons firm or corporation who shall violate any of the provisions of this act shall upon conviction thereof in a summary proceeding before any justice of the peace or alderman in the county in which the offense is committed be sentenced to pay a fine of not more than one hundred ($100) dollars to be paid to said county and the costs of prosecution or to be imprisoned in the county jail for a period of not more than thirty (30) days or both at the discretion of the court

Aud said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gerberich,	Judson,	Salus,
Beidleman,	Graff,	Knapp,	Sensenich,
Buckman,	Hall,	Magee,	Sheatz,
Catlin,	Heacock,	Martin,	Snyder,
Cooper,	Hilton,	McIlhenny,	Sones,
Crow,	Hoke,	McNichol,	Thompson,
Daix,	Homsher,	Miller,	Vare,
DeWitt,	Huffman,	Moore,	Wasbers,
Endsley,	Hunter,	Morgan,	

NAYS—1.

Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

RECONSIDERATION OF VOTES ON FINAL PASSAGE.

Mr. CROW. Mr. President, I move to reconsider the vote by which Senate Bill No. 5, entitled:

An Act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods and of foods short in weight or measure prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. CROW. Mr. President, I voted "No."

Mr. KLINE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KLINE. Mr. President, I voted "No."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. CROW. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Mr. CROW. Mr. President, I move to reconsider the vote by which Senate Bill No. 7, entitled:

An Act relating to non-alcoholic drinks defining the same and prohibiting the manufacture sale offering for sale exposing for sale or having in possession with intent to sell of any adulterated or misbranded non-alcoholic drinks and providing penalties for the violation thereof and providing for the enforcement thereof

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. CROW. Mr. President, I voted "No."

Mr. KUNTZ. Mr. PRESIDENT. I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KURTZ. Mr. President, I voted "No."

And the question recurring,

Shall the bill pass finally?

Mr. CROW. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.

Mr. KURTZ. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 441, on third reading, entitled:

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth" approved the second day of July one thousand eight hundred and thirty-nine by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 444, on third reading, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the method of counting the votes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 449, on third reading, entitled:

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 451, on third reading, entitled:

An Act to amend section one of an act approved the sixteenth day of June Anno Domini one thousand eight hundred ninety-nine entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" by enlarging the term of assistant assessors providing for their election every four years and changing the power of filling vacancies from the court of quarters sessions to the county commissioners

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 457, on third reading, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior courts when such office is to be filled at a municipal election

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 458, on third reading, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making such registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 676 (House No. 483), entitled:

An Act to amend an act approved the thirtieth day of April one thousand eighth undred sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred eleven entitled "An Act amending section four of an act entitled 'An Act imposing additonal taxes for State purposes and to abolish the Revenue Board approved the thirtieth day of April Anno Domini one thousand eight hundred sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Kline,	Nulty,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Hilton,	Magee,	Sheatz,
Cooper,	Homsher,	Martin,	Snyder,
Crow,	Huffman,	McIlhenny,	Sones,
Daix,	Hunter,	McNichol,	Thompson,
Endsley,	Jarrett,	Miller,	Vare,
Farley,	Jones,	Moore,	Wasbers,
Gerberich,	Judson,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 693 (House Bill No. 956), entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter houses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing

penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred seven so as to provide that licenses shall be for the calendar year and that licenses continuing in business shall annually apply for new licenses

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gerberich,	Jones,	Miller,
Beidleman,	Graff,	Judson,	Moore,
Buckman,	Gyger,	Kline,	Morgan,
Catlin,	Hall,	Knapp,	Sensenich,
Cooper,	Hilton,	Kurtz,	Sheatz,
Crow,	Hoke,	Magee,	Snyder,
Daix,	Homsher,	Martin,	Sones,
DeWitt,	Huffman,	McIlhenny,	Thompson,
Endsley,	Hunter,	McNichol,	Wasbers,
Farley,	Jarrett,		

NAYS—1.

Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 709, entitled:

An Act to regulate the admission of minors to public dance houses or halls to concert saloons to theatres and to places where theatrical acrobatic or vaudeville performances or moving picture shows are given and providing the punishment for a violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—18.

Alexander,	Daix,	Homsher,	McIlhenny,
Beidleman,	DeWitt,	Judson,	McNichol,
Catlin,	Endsley,	Kline,	Salus,
Cooper,	Graff,	Knapp,	Sheatz,
Crow,	Hall,		

NAYS—12.

Buckman,	Hoke,	Moore,	Sensenich,
Farley,	Magee,	Morgan,	Snyder,
Gyger,	Miller,	Nulty,	Thompson,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

RECONSIDERATION OF VOTE ON FINAL PASSAGE.

Mr. BUCKMAN. Mr. President, I move to reconsider the vote by which Senate Bill No. 958, entitled:

An Act to relieve from the payment of mercantile license taxes corporations joint-stock associations and limited partnerships doing business as wholesale or retail distributors or venders of merchandse who pay to the Commonwealth a tax upon the capital stock

was defeated on final passage at last evening's session.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "No."

Mr. KURTZ. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KURTZ. Mr. President, I voted "No."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.

Mr. KNAPP. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. MOORE. Mr. President, I ask that Senate Bill No. 733, on third reading, entitled:

An Act to repeal an act approved he fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipeline aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto"

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 783, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Heacock,	Kurtz,	Sensenich,
Cooper,	Hilton,	Magee,	Sheatz
Crow,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
Endsley,	Hunter,	Miller,	Thompson,
Farley,	Jarrett,	Moore	Wasbers,

NAYS—1.

Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. JUDSON. Mr. President, I ask that Senate Bill No. 866 (House Bill No. 1054), on third reading, entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor and the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred one by changing the provisions prescribing what property shall be included in tax and municipal claims

go over in its order.

Thee PRESIDENT. Is there objection? The Chair hears none.

RECONSIDERATION OF VOTE ON FINAL PASSAGE.

Mr. SNYDER. Mr. President, I desire to make a statement with regard to Senate Bill No. 709, on page 7 of to-

day's calendar, just voted down a few moments ago. It was my intention to ask that that bill go over for the purpose of amendment. In the last section there is a mistake in printing in regard to the penalty. I also wish to state to the Senate that the United Moving Picture Combination have agreed with the Committee to-night in the Senate to give a moving picture exhibition. In that exhibition, pictures will be exhibited that the public will not see for six months or a year and marked special pictures for this occasion, in order to show to the Senate the purpose and effect of this bill. Now, the moving picture aggregation have agreed to this bill amended as they desired. For that reason I now move to reconsider the vote by which Senate Bill No. 709, entitled:

An Act to regulate the admission of minors to public dance houses or halls to concert saloons to theatres and to places where theatrical acrobatic or vaudeville performances or moving picture shows are given and providing the punishment for a violation thereof

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. SNYDER. Mr. President, I voted "No."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "No."

And the question recurring,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, I move that the question together with further consideration of this bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 883, on third reading, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second class of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 884, on third reading, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 956, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I ask unanimous consent to amend Section 5, line 19, by striking out the words "a native born or naturalized;" also in Section 5, line 19, by striking out the words "and if a naturalized citizen when and where he was naturalized."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER.

Mr. HOMSHER. Mr. President, I ask that Senate Bill No. 1019, on third reading, entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1038 (House Bill No. 1203), entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second-hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefore

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gyger,	Kurtz,	Nulty,
Beidleman,	Heacock,	Magee,	Salus,
Buckman,	Hilton,	Martin,	Sensenich,
Catlin,	Homsher,	Mellhenny,	Sheatz,
Cooper,	Huffman,	McNichol,	Snyder,
Crow,	Hunter,	McNichols,	Sones,
Daix,	Jarrett,	Miller,	Thompson,
DeWitt,	Judson,	Moore,	Vare,
Endsley,	Kline,	Morgan,	Wasbers,
Farley,	Knapp,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. KNAPP. Mr. President, I move that Senate Bill No. 1049, on third reading, entitled:

An Act regulating the salaries of county commissioners when said commissioners are directors of the county poor in counties of more than fifty thousand inhabitants

be recommitted to the Committee on Judiciary General for further consideration.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1062, entitled:

An Act to amend the first section of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and three entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth and providing penalties for violation of its provisions and repealing an act approved the twenty-fourth day of April one thousand nine hundred and one" by making the license fee twenty dollars instead of ten dollars as at the present time

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Hall,	Kurtz,	Nulty,
Buckman,	Heacock,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sensenich,
Crow,	Homsher,	McIlhenny,	Sheatz,
Daix,	Huffman,	McNichol,	Snyder,
DeWitt,	Hunter,	McNichols,	Sones,
Endsley,	Jarrett,	Miller,	Thompson,
Farley,	Judson,	Moore,	Vare,
Graff,	Kline	Morgan,	Wasbers.
Gyger,	Knapp,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. MAGEE. Mr. President, I ask that Senate Bill No. 1067, on third reading, entitled:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for pubic entertainments or amusements on any floor except the first uness such structures are of fireproof construction and have adequate facilities for entrance and exit and providing penalties for the vioation of the same

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1071 (House No. 952), entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Knapp,	Nulty,
Beidleman,	Gyger,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Cooper,	Huffman,	McIlhenny,	Snyder,
Crow,	Hunter,	McNichol,	Sones,
Daix,	Jarrett,	McNichols,	Thompson,
DeWitt,	Jones,	Miller.	Vare,
Endsley,	Judson,	Moore,	Wasbers,
Farley,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1085 (House No. 1437), entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Heacock,	Kurtz,	Nulty,
Beidleman,	Hilton,	Magee,	Salus,
Catlin,	Hoke,	Martin,	Sensenich,
Cooper,	Homsher,	McIlhenny,	Sheatz,
Crow,	Hunter,	McNichol,	Snyder,
Daix,	Jarrett,	McNichols,	Sones,
DeWitt,	Jones,	Miller,	Thompson,
Endsley,	Judson,	Moore,	Vare,
Graff,	Kline,	Morgan,	Wasbers,
Gyger,	Knapp,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1089 (House No. 1660), entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full ompensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Gyger,	Knapp,	Nulty,
Beidleman,	Heacock,	Kurtz,	Salus,
Buckman,	Hilton,	Magee,	Sensenich,
Catlin,	Homsher,	Martin,	Sheatz,
Cooper,	Huffman,	McIlhenny,	Snyder,
Crow,	Hunter,	McNichol,	Sones,
Daix,	Jarrett,	McNichols,	Thompson,
Endsley,	Jones,	Miller,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Graff,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1102 (House No. 1302), entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are of may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred and twenty-two two thousand six hundred and twenty-four two thousand six hundred and twenty-six and two thousand six hundred and twenty-seven thereof and also conferring upon taxpayers similar rights in regard to reports of audiors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon tax payers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Catlin,	Heacock,	Martin,	Sheatz,
Cooper,	Hilton,	McNichols,	Snyder,
Crow,	Homsher,	Miller,	Sones,
Endsley,	Hunter,	Moore,	Thompson,
Farley,	Jones,	Morgan,	Vare,
Graff,	Judson,	Nulty,	Washers,
Gyger,	Kurtz,	Sensenich,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1117, entitled:

An Act to amend an act entitled "An Act to provide for the division of boroughs and the erection of new boroughs" approved the twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-nine so as to extend the provisions of the same to boroughs and cities in this Commonwealth whether situate in one or more counties and to provide for the adjustment of indebtedness

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Beidleman,	Heacock,	Kurtz,	Nulty,
Catlin,	Hilton,	Magee,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McNichol,	Snyder,
Daix,	Hunter,	McNichols,	Sones,
Endsley,	Jarrett,	Miller,	Thompson
Farley,	Judson,	Moore,	Vare,
Graff,	Kline,	Morgan,	Washers.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1122 (House No. 1050), entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to two hundred and eighty thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Judson,	Nulty,
Beidleman,	Graff,	Knapp,	Sensenich,
Buckman,	Gyger,	Kurtz,	Sheatz,
Catlin,	Heacock,	Magee,	Snyder,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McNichols,	Thompson,
Daix,	Homsher,	Miller,	Vare,
DeWitt,	Hunter,	Moore,	Washers,
Endsley,	Jarrett,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1123 (House No. 1053), entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39.

Alexander,	Graff,	Knapp,	Nulty,
Beidleman,	Gyger,	Kurtz,	Salus,
Buckman,	Heacock,	Magee,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Cooper,	Hoke,	McIlhenny,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Hunter,	McNichols,	Thompson,
DeWitt,	Jarrett,	Miller,	Vare,
Endsley,	Judson,	Moore,	Washers,
Farley,	Kline,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1126 (House No. 1132), entitled:

A supplement to an act approved the twenty-third day of April one thousand nine hundred and three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of triennial assessment of proprty and fixing the time for the return thereof" as amended

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Farley,	Kurtz,	Salus,
Beidleman,	Graff,	Magee,	Sensenich,
Buckman,	Hall,	Martin,	Sheatz,
Catlin,	Hilton,	McNichol,	Snyder,
Cooper,	Homsher,	Miller,	Sones,
Crow,	Hunter,	Moore,	Thompson,
Daix,	Judson,	Morgan,	Vare,
Endsley,	Knapp,	Nulty,	Washers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1129 (House No. 1318), entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Heacock,	Magee,	Salus,
Beidleman,	Hilton,	Martin,	Sensenich,
Buckman,	Hoke,	McIlhenny,	Sheatz,
Catlin,	Homsher,	McNichol,	Snyder,
Cooper,	Hunter,	McNichols,	Sones,
Crow,	Jones,	Miller,	Thompson,
Daix,	Judson,	Moore,	Vare,
DeWitt,	Kline,	Morgan,	Wasbers,
Graff,	Kurtz,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1131 (House Bill No. 1357), as follows:

An Act concerning building regulation and inspection in townships of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to prevent the spread of fires and to secure structural and sanitary safety of the buildings within the limits of townships of the first class within this Commonwealth the board of township commissioners of every such township shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins municipal approval of plans and specifications therefor be secured and to provide for inspection of such construction and repair including the appointment and compensation of one or more building inspectors to provide limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations Any building erected reconstructed or removed contrary to the provisions of any such ordinance is declared to be a public nuisance and abatable as such

Section 2 All such building regulation and inspection ordinances hertofore enacted by boards of township commissioners of townships of the first class are hereby validated as being lawfully within their police powers Provided That the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinances

Sectinon 3 Any person aggrieved by action taken by a board of township commissioners under this act may have an appeal therefrom to the Court of Common Pleas of the county which appeal shall be heard summarily in like manner as an application for a special injunction in equity and the court may correct any mistake in law and also any abuse or discretion appearing in the action of the commissioners

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. HEACOCK. Mr. President, I ask unanimous consent to amend the title by adding after the last word the following: "and providing that the provisions thereof shall be inoperative in any such township when a certain percentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1133 (House No. 1534), entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Graff,	Kline,	Nulty,
Beidleman,	Hall,	Knapp,	Salus,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Hilton,	Magee,	Sheatz,
Cooper,	Hoke,	Martin,	Snyder,
Crow,	Homsher,	McIlhenny,	Sones,
Daix,	Hunter,	Miller,	Thompson,
DeWitt,	Jarrett,	Moore,	Vare,
Endsley,	Judson,	Morgan,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1134 (House No. 1550), entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a County Court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Hilton,	Kurtz,	Salus,
Beidleman,	Hoke,	Magee,	Sensenich,
Catlin,	Homsher,	Martin,	Sheatz,
Cooper,	Hunter,	McIlhenny,	Snyder,
Crow,	Jarrett,	Miller,	Sones,
Daix,	Jones,	Moore,	Thompson,
Farley,	Judson,	Morgan,	Vare,
Graff,	Kline,	Nulty,	Wasbers,
Heacock,	Knapp,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1136 (House Bill No. 1712), on third reading, entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of there being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination of which said church was a member as trustees for said church to hold and dispose of the title to the property owner by said church and defining the procedure therein

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1140 (House No. 938), entitled:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-nine

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15.

Catlin,	Graff,	Magee,	McNichols,
Cooper,	Hunter,	McIlhenny,	Snyder,
Crow,	Kline,	McNichol,	Thompson,
Farley,	Kurtz,		

NAYS—18.

Alexander,	Homsher,	Knapp,	Sensenich,
Fisher,	Huffman,	Martin,	Sheatz,
Heacock,	Jarrett,	Miller,	Sones,
Hilton,	Jones,	Nulty,	Wasbers,
Hoke,	Judson,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1162, entitled:

An Act to amend section two of the act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of same

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. KLINE. Mr. President, I ask unanimous consent to amend the title, in line 1, by inserting after the words "of the act" the words "approved the fourteenth day of June one thousand nine hundred and eleven;" also in Section 1, line 4, by inserting after the words "of the act" the words "approved the fourteenth day of June one thousand nine hundred and eleven."

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS OVER IN ORDER.

Mr. SALUS. Mr. President, I ask that Senate Bill No. 1167, on third reading, entitled:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate for the same office by more than one political party to prohibit election officers from receiving counting or returning any such ballot at any election upon which appears the name of any person as a candidate for the same office as the nominee of more than one political party and to declare all such ballots void and excepting from the provisions of the act candidates for judges and associate judges of the supreme superior common pleas and orphans' court and of such other courts of record as are now or hereafter may be stablished under the laws of this Commonwealth

go over in its order.

The PRESIDENT Is there objection? The Chair hears none.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 1179 (House Bill No. 1044), on third reading, entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1185 (House No. 536), entitled:

An Act authorizing the Commisisoners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said township and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commisisoners of said townships before recording the same

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Heacock,	Kurtz,	Salus,
Beidleman,	Hilton,	Magee,	Sensenich,
Buckman,	Hoke,	Martin,	Sheatz,
Catlin,	Jarrett,	McNichols,	Snyder,
Cooper,	Jones,	Miller,	Sones,
Crow,	Judson,	Moore,	Thompson,
Daix,	Kline,	Morgan,	Vare,
Farley,	Knapp,	Nulty,	Wasbers,
Graff,			

NAYS—1.

Homsher,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1186 (House No. 900), entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Graff,	Kline,	Morgan,
Buckman,	Hilton,	Knapp,	Nulty,
Cooper,	Hoke,	Kurtz,	Sheatz,
Crow,	Homsher,	Magee,	Snyder,
Daix,	Huffman,	McIlhenny,	Sones,
DeWitt,	Jarrett,	Miller,	Thompson,
Farley,	Jones,	Moore,	Wasbers,
Fisher,	Judson,		

NAYS—1.

Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1189 (House No. 1695), entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violations of its provisions"

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Farley,	Jones,	Morgan,
Beidleman,	Graff,	Judson,	Nulty,
Catlin,	Heacock,	Knapp,	Sensenich,
Cooper,	Hilton,	Kurtz,	Sheatz,
Crow,	Hoke,	Magee,	Snyder,
Daix,	Huffman,	Martin,	Sones,
DeWitt,	Hunter,	Moore,	Thompson,
Endsley,	Jarrett,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1192 (House No. 415), entitled:

An Act making an appropriation to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as a proprietor of a moving picture place in the State of Pennsylvania

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Salus,
Cooper,	Heacock,	Kurtz,	Sensenich,
Crow,	Hilton,	Magee,	Sheatz,
Daix,	Hoke,	Martin,	Snyder,
DeWitt,	Homsher,	McIlhenny,	Sones,
Endsley,	Huffman,	McNichol,	Thompson,
Farley,	Hunter,	McNichols,	Vare,
Fisher,	Jarrett,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1196 (House No. 1426), entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

And said bill having been read at length the third time, and agreed to.

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Beidleman,	Heacock,	Kurtz,	Nulty,
Buckman,	Hilton,	Magee,	Salus,
Catlin,	Hoke,	Martin,	Sensenich,
Cooper,	Homsher,	McIlhenny,	Sheatz,
Crow,	Jarrett,	McNichol,	Snyder,
Daix,	Jones,	McNichols,	Sones,
Farley,	Judson,	Miller,	Thompson,
Fisher,	Kline,	Moore,	Vare,
Graff,	Knapp,	Morgan,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1203 (House No. 1872), entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

And said bill having been read at length the third time, and agreed to.

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,	Kurtz,	Sensenich,
Cooper,	Heacock,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
Daix,	Hoke,	McIlhenny,	Sones,
DeWitt,	Homsher,	McNichol,	Thompson,
Endsley,	Hunter,	McNichols,	Vare,
Farley,	Jarrett,	Miller,	Wasbers,
Fisher,	Jones,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1205 (House No. 1370), entitled:

An Act to amend section five hundred thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Fisher,	Knapp,	Nulty,
Beidleman,	Graff,	Kurtz,	Salus,
Buckman,	Gyger,	Magee,	Sensenich,
Catlin,	Heacock,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Hunter,	McNichols,	Sones,
Daix,	Jarrett,	Miller,	Thompson,
DeWitt,	Judson,	Moore,	Vare,
Endsley,	Kline,	Morgan,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1207, entitled:

An Act fixing the salaries and providing for the expense of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Graff,	Knapp,	Nulty,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sheatz,
Cooper,	Homsher,	McNichol,	Sones,
Crow,	Hunter,	McNichols,	Thompson,
Daix,	Jarrett,	Moore,	Vare
DeWitt,	Judson,	Morgan,	Wasbers,
Farley,	Kline,		

NAYS—2.

Fisher, Sensenich,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1210, entitled:

A supplement to an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act for the incorporation and government of cities of the third class' authorizing third class cities to manufacture and sell ice

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Beidleman,	Heacock,	Martin,	Salus,
Catlin,	Hoke,	McIlhenny,	Sensenich,
Cooper,	Homsher,	McNichol,	Sheatz,
Crow,	Hunter,	McNichols,	Snyder,
Daix.	Judson,	Miller,	Sones,
DeWitt,	Kline,	Moore,	Thompson,
Farley,	Knapp,	Morgan,	Vare,
Fisher,	Kurtz,	Nulty,	Wasbers,
Graff,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 1213, on third readin, entitled:

An Act making it unlawful for any person to practice law in any county in the State of Pennsylvania unless duly admitted to practice by a court of record in any county of this Commonwealth defining what shall constitute the practice of law and providing a penalty for any violation thereof

re-recommitted to the Committeee on Judiciary Special.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1234 (House No. 1007), entitled:

An Act authorizing the appointment of delegates from Pennsylvania as members of a Commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

And said bill having been read at length the third time, and agreed to.

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—18.

Beidleman,	Daix,	Hilton,	McIlhenny,
Buckman,	Endsley,	Hoke,	Moore,
Catlin,	Farley,	Kline,	Salus,
Cooper,	Fisher,	Martin,	Snyder,
Crow.	Gerberich,		

NAYS—12.

Alexander,	Heacock,	Judson,	Nulty,
DeWitt,	Huffman,	Knapp,	Sensenich,
Graff,	Jarrett,	Miller,	Thompson,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration fo Senate Bill No. 38, as follows:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes prescribing his duties and fixing his compensation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several city treasurers hereafter elected in cities of the third class of this Commonwealth by virtue of their office shall be the collectors of all city county school and poor taxes assessed or levied in their respective cities shall perform the duties and be subject to the hereinafter provisions of this act

Section 2 At the same time the city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of city county school and poor taxes which oath shall be filed with the city clerk of the proper city

Section 3 The several city county school and poor authorities now empowered or which may be hereinafter empowered to levy taxes upon persons and property within the said cities of the third class shall at such time or times as now or hereafter may be provided by law make out and deliver their respective duplicates of taxes assessed to the said city treasurer as the collector of the said several taxes which taxes shall be collected by the said city treasurer by virtue of his office as herein provided and the said duplicates shall at all times be open to the proper inspection of the taxpayers of the proper auditing and examining officers and shall be delivered by the said treasurer at the expiration of his term to his successor in office

Section 4 The said several duplicates shall be accompanied with the warrants of the proper authorities directing and authorizing the said city treasurer as the collector of taxes to collect the same The warrant for the collection of any school tax shall be executed by the president of the board of school directors attested by the secertary thereof the warrant for any tax levied by the councils of any of said cities shall be executed by the mayor and be countersigned by the city controller and in all other cases the warrant shall be executed by the authority making the tax levy

Section 5 The city treasurer as the said collector of taxes shall within thirty days after receiving the duplicates aforesaid properly notify by mail or otherwise through a printed or written notice every taxable on said duplicates such notice to contain the rate of taxation the valuation of the property and occupation assessed and the amount of said taxes for the current year and that the same are due and payable and requesting payment thereof Such notice shall also designate the place and time or times when and where the same may be paid Provided That the expense of postage and printing of such notices shall be paid by the taxing authorities respectively

Section 6 The city treasurer as the said collector of taxes shall have power to appoint as many deputies as shall be necessary to enable him to collect the said taxes or any of them which deputies shall be paid by the said treasurer and the respective authorities levying the tax shall not in any-

wise be liable for their compensation nor for their official conduct The said treasurer as the collector of the said several taxes and his deputies shall have and exercise all the powers vested by law in the several collectors of State and county taxes and in all the remedies for the collection thereof and shall have additional power and authority after five days' notice to seize by levy and distress any property on the premises assessed belonging to tenants purchasers or others without regard to the date of assessment or levy of the tax and to sell the same giving ten days public notice of such sale by written or printed advertisement and to levy upon any personal property of the delinquent that may be found within the county for the collection of said taxes and after notice of sale as aforesaid to sell the same for the payment of said taxes The said several warrants shall be effectual to authorize the said treasurer as collector of taxes to collect the said taxes during three years from the date of each respective warrant

Section 7 The said treasurer as collector of taxes before entering upon his duties shall give bond in the usual form to the respective authority levying the tax in an amount to be by them severally fixed with corporate or at least two sufficient sureties to be by them approved conditioned that the said treasurer as collector of taxes shall well and truly collect and pay over or account for according to law the whole amount of the taxes charged and assessed in the duplicates which shall be delivered to him during his term of office In the case of city taxes the said treasurer shall be required to give but one bond which shall include his duties as city treasurer and as collector of city taxes All bonds given as aforesaid shall cover the full term of office of the said treasurer Provided always that should any of the said authorities levying any tax be of opinion at any time that the bond given as aforesaid is not sufficient the said authority may require the said treasurer as collector to give additional security to be approved in manner as aforesaid but the said collector shall not in any event be required to give bond or bonds aggregating in amount in excess of the tax to be collected by him the bond or bonds hereby required may be paid for by the proper authorities levying the taxes respectively

Section 8 All abatements for prompt payment of any of said taxes shall be allowed and all penalties for failure to pay any of said taxes within a certain limit of time shall be enforced in the manner and at the times now provided by law for each taxing district respectively which penalties shall be added to the taxes by the said treasurer as collector and be collected by him

Section 9 The said treasurer as collector of taxes shall keep his office in the same place occupied by him as City Treasurer which shall be kept open for the receipt of taxes at all times during business hours All printing and stationery supplies shall be furnished by the proper authorities respectively

Section 10 The said treasurer as collector of taxes shall at least once a month pay over to himself as city treasurer or charge himself therewith all the city and poor taxes collected by him Provided the poor taxes so collected are only such as are levied by the proper poor authorities of the respective city and at the same time he shall make a return or report to the city controller verified by affidavit showing by whom and upon what properties the said taxes have been paid He shall also at least once a month pay over to the county treasurer all the county and poor taxes levied by the county authorities that were collected by him and to the school treasurer all the school taxes collected by him and also make a report and return to such officer or representative of the county and school authorities and to such other authority in said city as shall be entitled thereto verified as aforesaid showing by whom and upon what properties the said taxes have been paid

Section 11 Upon the payment to said treasurer as said collector of any taxes levied upon persons or property it shall be his duty to satisfy the taxes thus paid upon the duplicates in his hands He shall finally settle with the proper authorities all duplicates of taxes delivered to him at such time or times as now or hereafter may be provided by law and pay over the amount charged against him except such sums as he may be exonerated from collecting by the proper authorities which exonerations may be made in the manner as heretofore practiced

Section 12 Upon the settlement of the duplicates of city county and school taxes and of any poor taxes which by law are made a lien on real estate it shall be the duty of the said city treasurer as collector of said taxes to make out schedules of said city county school or poor taxes uncollected upon his duplicates with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold in accordance with existing law or laws which may be hereafter enacted Each schedule shall be accompanied by his affidavit thereto setting forth that after the proper efforts he could not find sufficient personal property out of which the said taxes or any part thereof could be made or collected as provided by law Provided however that the failure of the said collector to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof and provided further that in case any such collector shall make any willfully false return he shall be liable therefor to any person or persons injured thereby The schedule of unpaid city taxes hereinabove provided for shall be certified by said treasurer as collector to the city solicitor of the respective city for filing in court with the like force and effect as if certified by the city treasurer under existing laws The schedule of unpaid county school and poor taxes when a lien shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such person is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws

Section 13 The final accounts and monthly returns of the said treasurer as collector of taxes shall be settled by the proper controllers or authorities entitled to examine and audit the same and said collector shall in setting his duplicates state a separate account for each different tax collected by him

Section 14 The compensation to the said treasurer as collector of each particular tax shall be fixed by the respective authority levying the tax Provided however that this compensation shall not in any event be less than one-half of one per centum on all taxes paid him before any penalty has been incurred and five per centum on the first twenty thousand dollars ($20,000) of taxes paid by him on each duplicate after the penalty has been incurred and two and one-half per centum on all delinquent taxes in excess of the said twenty thousand dollars ($20,000) His compensation for collecting city taxes shall be paid by warrant but he shall have the right to retain his compensation from and out of the other taxes collected by him

Section 15 All acts or parts of acts whether general special or local inconsistent herewith or supplied hereby be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 39, as follows:

An Act supplementary to and act entitled "An Act providing for the incorporation and government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine amending certain articles and sections thereof and enlarging changing and modifying certain powers and provisions therein providing for the abolishing of the select and common councils and creating in their stead one legislative body to be known as the Council and prescribing its powers and duties and also providing for the nomination and election of members of said council and all other elective officers of said cities upon a non partisan ballot and for a referendum vote on all franchise ordinances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one (I) of Article four (IV) of an act entitled "An act providing for the incorporation and government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine which reads as follows

"Section 1 The legislative power of every city of the third class shall be vested in the councils thereof which shall consist of two branches the select and the common council No officer of the United States or of the State of Pennsylvania (except notaries public or officers of the militia) nor any municipal or county officer or employe of the city or of any department thereof shall serve as a member of councils during his continuance in such office or employment" be and the same is hereby amended to read as follows

Section 1 The legislative power of each and every city of the third class shall be vested in one body to be known as the Council which shall consist of five members and an addition member for each fifteen thousand inhabitants of the respective city as shown by the last preceding United States decennial census No officer of the United States or of the State of Pennsylvania (except notaries public or officers of the militia) nor any municipal or county officer or employe of the city or of any department thereof shall serve as a member of council during his continuance in such office or employment

Section 2 That Section two (2) of Article four (IV) of said act as the same was amended by section three (3) of an act approved the sixteenth day of May Anno Domini one thousand nine hundred one which reads as follows

"Section 2 No ordinance shall be passed by councils except by bill and no bill shall be so altered or amended on its passage through either branch as to change its original purpose

No bill shall be considered unless referred to a joint or separate committee returned therefrom and printed for the use of the members and

No bills except general appropriation bills shall be passed containing more than one subject which shall be clearly expressed in its title" be and the same is hereby amended to read as follows

Section 2 No ordinance shall be passed by said council except by bill and no bill shall be altered or amended on its passage as to change its original purpose

No bills shall be considered unless referred to a committee returned therefrom and printed for the use of the members and

No bills except general appropriation bills shall be passed containing more than one subject which shall be expressed in its title" provided however that any bill may be referred to said council as a committee of the whole considered and reported therefrom with like effect as if referred to and reported therefrom with like effect as if referred to and reported from a standing or special committee

Section 3 That Section three (3) of Article four (IV) of said act which reads as follows

"Section 3 Every bill shall be read at length in each

branch all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill and no bill shall be passed finally in either branch upon the same day on which it was introduced or reported On its final passage the vote shall be taken by yeas and nays and the names of the persons voting for and against the same be entered on the journal and no bill shall be passed finally unless a majority of the members elected to each branch be recorded thereon as voting in its favor" be and the same is hereby amended to read as follows

Section 3 Every bill shall be read at lenght in the council and all amendments made thereto shall be printed for the use of the members before the final vote is taken on the bill and no bill shall be passed finally upon the same day on which it was introduced or reported On its final passage the vote shall be taken by yeas and nays and the names of the persons voting for and against the same be entered on the journal and no bill shall be passed finally unless a majority of the members elected to the Council be recorded thereon as voting in its favor

Section 4 That Section four (4) of Article four (IV) of said act be and the same is hereby repealed

Section 5 That Section ten (10) of Article four (IV) of said act which reads as follows

"Section 10 A member who has a personal or private interest in any measure or bill proposed or pending before councils shall disclose the fact to the branch of which he is a member and shall not vote thereon nor take part in the discussion of the same If such interested member shall vote without disclosing his interest in such measure or bill and the same be carried by his vote he shall forfeit his office and such measure or bill shall be void" be and the same is hereby amended to read as follows

Section 10 A member who has a personal or private interest in any measure or bill proposing or pending before the council shall disclose that fact to the council and shall not vote thereon nor take part in the discussion of the same If such interested member shall vote without disclosing his interest in such measure or bill and the same be carried by his vote he shall forfeit his office and such measure or bill shall be void

Section 6 That Section sixteen (16) of Article four (IV) of said act as the same was amended by Section three (3) of an act approved the twenty-first day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 16 The terms of members of councils and all other city and ward officers of said cities shall hereafter begin on the first Monday of December of any odd numbered year next succeeding their election and shall continue for the period fixed by law for the duration thereof in each particular case and all elections for officers whose terms will expire on the first Monday of December in any odd numbered year shall be held on the Tuesday following the first Monday of November next preceding thereto" be and the same is hereby amended to read as follows

Section 16 The terms of members of the said Council and all other city and ward officers of said cities for regular terms of service shall hereafter begin on the first Monday of January in the first even numbered year next succeeding their election at the municipal election held on the Tuesday next following the first Monday of November in the odd numbered year

Section 7 That Section seventeen (17) of Article four (IV) of said act as the same was amended by an act approved the twenty-first day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 17 The members of councils of the several cities of the third class shall assemble in their respective places of meeting for the purpose of organization at ten o'clock in the forenoon of the first Monday of December in each odd numbered year and the mayors of said cities shall be inaugurated and take the oath of office at twelve o'clock noon of the same day at the commencement of their respective terms" be and the same is hereby amended to read as follows

"Section 17 The members of councils of the several cities of the third class shall assemble in their respective places of meeting for the purpose of organization at ten o'clock in the forenoon of the first Monday of January of the first even numbered year succeeding their election and the mayors of said cities shall be inaugurated and take the oath of office at ten o'clock in the forenoon of the same day at the commencement of their respective terms The council shall be a continuous body and it shall be lawful for any council to complete any unfinished business or legislation begun by the preceding council

Section 8 That Section eighteen (18) of Article four (IV) of said act as the same was amended by an act approved the twenty-first day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 18 Whenever an election shall be held for city officers for the regular terms of service it shall be the duty of the mayor to procure at the expense of the city from the prothonotary of the Court of Common Pleas of the proper county by which court the returns thereof shall be computed a certified copy under the seal of the court of the vote for all such officers as computed by the court according to law and lay the same before councils on the date and time fixed by law for their biennial organization and the said certificates shall be filed among the city archives and a copy thereof entered upon the journals In case of a special election for a member or members of councils to fill a vacancy or vacancies the mayor shall procure from the prothonotary as aforesaid a certificate of the vote for such member or members as returned into his office by the proper election officers and lay the same before the respective branch at the next regular meeting succeeding such election which council shall enter the same among its proceedings The Court of Quarter Sessions shall appoint the places for holding the municipal and general elections in all of the election districts in each of said cities" be and the same is hereby amended to read as follows

Section 18 Whenever an election shall be held for city officers for the regular terms of service it shall be the duty of the mayor to procure at the expense of the city from the prothonotary of the Court of Common Pleas of the proper county by which court the returns thereof shall be computed a certified copy under the seal of the court of the vote for all such officers as computed by the court according to law and lay the same before the councils on the date and time fixed by law for their biennial organization and the said certificates shall be filed among the city archives and a copy thereof entered upon the council journals in case of a special election for a member or members of councils to fill a vacancy or vacancies the mayor shall procure from the prothonotary as aforesaid a certificate of the vote for such member or members as returned into his office by the proper election officers and lay the same before the council at the next regular meeting succeeding such election which council shall enter the same among its proceedings The Court of Quarter Sessions shall appoint the places for holding the municipal and general elections in all of the election districts in each of said cities

Section 9 That Clause ten (X) of Section three (3) of Article five (V) of said act as the same was amended by an act approved the thirtieth day of March Anno Domini one thousand nine hundred and three which reads as follows

X To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and the same set with curbstone and to provide for the payment of the costs and expenses thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting real estate shall be assessed according to the foot front rule or according to benefits as councils shall by ordinance determine When the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the councils may provide for an equitable reduction from the frontage of lots at all street and other intersections and at places where from the peculiar or the pointed shape of the lots and assessment for the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the Court of Common Pleas as is now or shall hereafter be provided by act of Assembly But no ordinance shall be passed providing for the paving macadamizing grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening extending or vacating thereof except upon the petition of a majority in number or of a majority in interest of the owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interest in any one piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by a vote of three-fourths of all the members of each branch of councils in which case councils may direct the improvement to be made at the cost of the owners without petition Provided however That no such ordinance ordering any street or alley or part thereof to be thus improved without a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities once a week for three consecutive weeks Provided however That the requirements for such publication shall not preclude the amendment of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor shall be conclusive of the fact that a majority in number of the persons owning or holding property on the line of the improvement or that the persons owning a majority of the feet front thereon as the case may be have petitioned therefor Provided That no ordinance for any of the aforesaid purposes petition for shall be passed in any branch of councils until notice of the improvement prayed for with the names of the petitioners shall have been given by publication in one or more newspapers published in the respective city which notice shall be by at least one insertion in said newspaper or newspapers and at least five days previous to the passage of the said ordinance by the branch in which it was first introduced The cost and expense of any improvement done and completed under an ordinance providing for the assessment of the cost and expense thereof under the foot front rule may be assessed according to benefits upon the passage of an ordinance to that effect which assessment according to benefits shall be made in like manner and with like effect as if the original ordinance providing for the improvement had therein provided for such assessment" be and the same is hereby amended to read as follows

X To cause to be graded paved or macadamized any public street lane or alley or part thereof which is now or may hereafter be laid out and opened in any of said cities and the same set with curbstone and to provide for the payment of the cost and expense thereof in whole or in part by the city or by the owners of real estate bounding and abutting thereon which cost and expense upon the abutting

real estate shall be assessed according to the foot front rule or according to benents as the council shall by ordinance determine When the costs and expenses or any part thereof are to be paid for by the foot front rule the city shall assess or cause to be assessed the said cost and expense upon the real estate abounding or abutting on the line of the improvement by an equal assessment on said property in proportion to the number of feet the same fronts on the respective street lane or alley or part thereof to be improved and the council may provide for an equitable reduction from the frontage of lots at all street and other intersections and at other places where from the peculiar or the pointed shape of the lots an assessment for the full frontage would be inequitable and unequal When the costs and expenses of any grading paving macadamizing or other improvement of any street lane or alley or part thereof is to be paid for by the real estate abutting as aforesaid according to benefits the same shall be assessed by viewers appointed by the Court of Common Pleas as is now or shall hereafter be provided by act of Assembly But no ordinance shall be passed providing for the paving macadamizing grading or other improvement of any street avenue lane or alley or part thereof or for the opening widening straightening extending or vacating thereof except upon the petition of a majority in number or of a majority in interest of the owners of property abutting on the line of the proposed improvement to be verified by the affidavit of one or more of the petitioners (a majority in interest of owners of undivided interests in any one piece of property to be deemed and treated as one person for the purpose of said petition) unless the ordinance for such improvement shall have been passed by a pote of three-fourths of all the members of the council in which case the council may direct the improvement to be made at the cost of the owners without petition Provided however That no such ordinance ordering any street or part thereof to be thus improved wihout a petition therefor shall be finally passed in a less period than thirty days from the date of its introduction and in the meantime copies of such ordinance shall be published in the official newspaper or newspapers of said cities once a week for three consecutive weeks Provided however That the requirements for such publication shall not prclude the amendment of any paving ordinance as to the kind of pavement with which any street or alley or part thereof is proposed to be paved The passage of the ordinance providing for any of the aforesaid improvements upon petition therefor shall be conclusive of the fact that a majority in number of the persons owning or holding property on the line of the improvement or that the persons owning a majority of the feet front thereon as the case may be have petitioned therefor Provided that no ordinance for any of the aforesaid purposes petitioned for shall be passed by the council until notice of the improvement prayed for with the names of the petitioners shall have been given by publication in one or more newspapers published in the respective city which notice shall be by at least one insertion in said newspaper or newspapers and at least five days previous to the passeage of the said ordinance The cost and expense of any improvement whether of paving grading or construction of sewers done and completed under an ordinance providing for the assessment of the cost and expense thereof under the foot front rule may be assessed according to benefits upon the passage of an ordinance to that effect within six months after the completion of the respective work which assessment according to benefits shall be made in like manner and with like effect as if the original ordinance providing for the improvement had therein provided for such asessment

Section 10 That clause thirteen (XIII) of section three (3) of Article five (5) of said act as the same was amended by an act approved the ninth day of June Anno Domini one thousand eight hundred ninety-one and again amended by an act approved the sixteenth day of May Anno Domini one thousand nine hundred and one which reads as follows

"XIII To create any office public board or department which they may deem necessary for the good government and interest of the city to prescribe the powers thereof and to regulate and prescribe the terms duties and compensation of all such officers and of all officers who are members of any public board or any department so created But no ordinance shall be passed increasing or diminishing the salary or compensation of any officer or of any member of any public board or department after his or their election or appointment Provided however That in case of the creation of any public board or department the members thereof shall except where otherwise provided by this act be elected or chosen by the select and common councils in joint convention but no two persons from the same ward shall serve on the same board at the same time Provided That the provisions of this section as to the creation of any public board or department and prescribing the duties thereof shall not apply to the creation of any board of commissioners of waterworks of any city wherein the title to the waterworks therein located is in the name of the commissioners of waterworks" be and the same is hereby amended to read as follows

XIII To create any department public board or office which they may deem necessary for the good government interest and welfare of the city and of the inhabitants thereof and to regulate and prescribe the authority powers duties terms and compensation of the head or heads of any such department the members of any public board and of all such officers But no ordinance shall be passed increasing or diminishing the salary or compensation of any officer head of department or member of any public board after his or their election or appointment provided however that where the head or heads of any department or the membership of any public board shall consist of three or more members the said heads or members shall be elected or chosen by the council of each respective city except where the same is otherwise provided by law All such officers when appointed shall serve until their successors are duly appointed and qualified

Section 11 That clause thirty-one (XXXI) of section three (3) of Article five (V) of said act which reads as follows

XXXI To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided by law provided for and regulate the inspection and weighing of hay grain and coal and the measuring of wood and fuel to be used in the city and to designate the place or places of the same and to regulate and prescribe the place or places for exposing for sale hay coal and wood and to demand and receive reasonable fees for inspection weighing and measuring as aforesaid and for the regulation and stamping of weights and measures" be and the same is hereby amended to read as follows

XXXI To regulate the weighing and measuring of every commodity sold in the city in all cases not otherwise provided by law including the measuring of water gas and electric current provide for and regulate the inspection and weighing of hay grain and coal and the measuring of wood and fuel to be used in the city and to designate the place or places of the same and to regulate and prescribe the place or places for exposing for sale hay coal and wood and to demand and receive reasonable fees for inspection weighing and measuring as aforesaid and for the regulation and stamping of weights and measures and the regulation and inspection of water gas electric current and other meters

Section 12 That clause forty-seven (47) of section three (3) of Article five (5) of said act as the same was amended by an act approved the sixteenth day of May Anno Domini one thousand nine hundred and one which reads as follows

"XLVII The councils of each of said cities of the third class shall in joint convention on the second Monday of April or as soon thereafter as practicable elect by the vote of the majority of the members chosen to both branches a competent civil engineer who shall be styled the city engineer and shall serve for a term of three years from the first Monday of May succeeding his election and until his successor shall be duly qualified All vacancies shall be filled by councils in like manner for the unexpired term" be and the same is hereby amended to read as follows

XVLII The council of each of said cities of the third class on the second Monday of April or as soon thereafter as practicable shall elect by the vote of a majority of the members thereof a competent civil engineer who shall be styled the city engineer and shall serve for a term of four years from the first Monday of May succeeding his election and until his successor shall be duly qualified All vacancies shall be filled by council in like manner for the unexpired term.

Section 13 That section one (1) of Article Six (XI) of said act which reads as follows

"Section 1 Members of the select council in cities of the third class shall be at least twenty-five years of age and members of the common council twenty-one years of age They shall have been citizens and inhabitants of the State four years and inhabitants of the districts which they respectively represent one year next before their election and shall reside therein during their terms of service Members of the select council shall be elected for the term of four years and members of the common council for the term of two years Each of the wards of each of said cities shall have one member of the select council and two members of the common council Provided That in cities containing fifteen wards or more the representation in common council shall be one member for each ward and that in cities containing four wards or less there shall be elected one select councilman at large Members of councils shall receive no compensation for their services" be and the same is hereby amended to read as follows

Section 1 Members of the council in each of the cities of the third class shall be at least twenty-five years of age and shall have been citizens and inhabitants of the city for at least three years immediately preceding their election and shall reside therein during their terms of service and serve without compensation .

Section 14 That section two (2) of Article six (VI) of said act as the same was amended by an act approved the twenty-first day of June Anno Domini one thousand nine hundred eleven which reads as follows

"Section 2 From and after the passage of this act all municipal elections in cities of the third class shall be held on the Tuesday next following the first Monday of November in each odd-numbered year commencing in the year one thousand nine hundred and eleven In the year one thousand nine hundred and eleven and every two years thereafter members of councils shall be elected and every four years thereafter mayors city controllers city treasurers shall be elected All members of councils now in office whose terms of office would otherwise expire in the year one thousand nine hundred and eleven shall hold their offices until the first Monday of December of that year All mayors city controllers city treasurers and members of councils now in office whose terms of office would otherwise expire in the year one thousand nine hundred and twelve shall hold their offices until the first Monday of December one thousand nine hundred and eleven and no longer All mayors city controllers and city treasurers elected at the municipal election in the year one thousand nine hundred and ten shall continue to hold their office until the first Monday of December one thousand nine hundred and thirteen All members of select council now in office whose terms of office would otherwise expire in the year one thousand nine hundred and thirteen shall hold their offices until the first Monday of December one thousand nine hundred and eleven and no longer All members of select council elected at the municipal election in one thousand nine hundred and ten shall serve until the first Monday of December one housand nine hundred and

thirteen and no longer" be and the same is hereby amended to read as follows

Section 2 From and after the passage of this act for regular terms of service all municipal elections in cities of the third class shall be held on the Tuesday next following the first Monday of November in odd numbered years Members of council for regular terms shall be elected for four years the term to begin on the first Monday of January in the next even numbered year succeeding their election provided however that at the first election under this act to be held on the Tuesday after the first Monday of November in the year Anno Domini one thousand nine hundred thirteen the members of council to be elected shall be divided into two classes When there is an even number of councilmen to be elected one-half of them shall be elected for two years to serve from the first Monday of December ensuing until the first Monday of January in the year one thousand nine hundred sixteen and their successors shall be elected at the municipal election in the year one thousand nine hundred fifteen for the term of four years And the other half or class shall be elected for the term of four years to serve from the first Monday of December ensuing until the first Monday of January in the year one thousand nine hundred eighteen and their successors shall be elected for the regular term of four years at the municipal election to be held in the year one thousand nine hundred seventeen When the number of councilmen to be elected is an add number the same shall also be divided into two classes as nearly equal as may be the larger or odd numbered class to be elected at the said municipal election to be held in November of the year one thousand nine hundred thirteen to serve from the first Monday of December ensuing until the first Monday of January in the year one thousand nine hundred sixteen and the other or even numbered class to serve from the first Monday of December ensuing until the first Monday of January in the year one thousand nine hundred eighteen and the successors of the last mentioned councilmen to be elected and to serve as hereinabove provided for cities having an even number of members of Councils it being the true intention of this act that one-half of the members of council as nearly as may be shall be elected every two years Members of Council elected in the year one thousand nine hundred thirteen shall organize at ten o'clock forenoon of the first Monday of December of said year but thereafter the said Council shall organize on the first Monday of January in the first even numbered year succeeding the municipal election as is hereinbefore provided The terms of all councilmen now in office shall cease and determine on the first Monday of December in the year one thousand nine hundred thirteen Mayors city treasurers city controllers and other officers in any of the cities of the third class elected at the municipal election held in the year one thousand nine hundred and eleven for the term of four years shall serve until the first Monday of December in the year one thousand nine hundred fifteen and their successors elected in the latter year shall serve from the said first Monday of December until the first Monday of January in the year one thousand nine hundred twenty but their respective successors shall serve only for the term of four years from the first Monday of January in the first even numbered year succeeding their election In cities of the third class where the said officers were not elected in the year one thousand nine hundred eleven and where their terms do not extend until the First Monday of December in the year one thousand nine hundred thirteen the Council shall fill the vacancies in each office up to the first Monday of December in the year one thousand nine hundred thirteen at which time the said officers elected at the municipal election in November of the said year shall enter upon the duties of their office to serve until the first Monday of January in the year one thousand nine hundred eighteen their successors to be elected to serve for the term of four years as is hereinbefore provided

Section 15 That section three (3) of Article six (VI) of said act as amended by an act approved the sixteenth day of May Anno Domini one thousand nine hundred one which reads as follows

"Section 3 Where members of councils are to be chosen at the same election for different terms the ballots shall specify the respective terms and in case of a tie vote between two or more candidates having the highest number of votes for the same office such candidates shall in the presence of the branch determine by lot which of them shall be entitled to hold the same In all cases of vacanices occurring in any other manner than by the expiration of the term the member or members elected to fill the same shall serve for the unexpired term of his or their predecessor or predecessors and in case of vacancies arising by reason of the creation of a new ward the member or members elected for such new ward shall serve for the same length of time as the unexpired terms of councilmen for like numbered wards odd or even as the case may be Special elections to fill vacanies shall be held in the respective wards in the manner provided by law upon such date as shall be fixed by the branch in which the same occur of which at least ten days' previous public notice shall be given by the mayor by proclamation" be and same is amended to read as follows

Section 3 Where members of council are to be chosen at the same election for different terms the ballots shall specify the respective terms and in case of a tie vote between two or more candidates having the highest number of votes for the same office such candidates shall in the presence of the council determine by lot which of them shall be entitled to hold the same In case of vacancies occurring in any other manner than by the expiration of the term the member or members elected to fill the same shall serve for the unexpired term of his or their predecessor or predecessors Special elections to fiill vacancies shall be held in the manner provided by law upon such date as shall be fixed by the council of which at least ten days' previous notice shall be given by the mayor by proclamation

Section 16 That section four (4) of Article six (VI) of said act which reads as follows

"Section 4 Members of councils shall take the oath hereinbefore prescribed for city officers which oath shall be administered to the president-elect of each branch by the mayor or some other person authorized by law to administer oaths and by the president to the members-elect and officers of the respective branch Each branch shall judge of the qualifications or its members and contested elections shall be determined by the courts of law in such manner as shall be directed by law and each branch may determine the rules of its proceedings which shall not be inconsistent with any joint rule adopted by the two branches The sessions of councils shall be public and a majority of each branch shall constitute a quoroum out a less numebr may adjourn from time to time and shall have power to compel the attendance of absent members under such regulations and penalties as may be prescribed by ordinance or rule Each branch shall have power to vacate the seat of any of its members for misbehavior official misconduct or neglect of duty and shall thereupon fill such vacancy in the manner prescribed in the preceding section" be and the same is hereby amended to read as follows

Section 4 Members of Council shall take the oath hereinbefore prescribed for city officers which oath shall be administered to the president-elect of the Council by the mayor or some other person authorized by law to administer oaths and by the president to the members-elect and officers of the Council The Council shall judge of the qualifications of its members and contested elections shall be determined by the courts of law in such manner as shall be directed by law and the Council may determine the rules of its proceedings The sessions of Council shall be public and a majority of the Council shall constitute a quorum but a less number may adjourn from time to time and shall have power to compel the attendance of absent members under such regulations and penalties as may be prescribed by ordinance or rule Council shall have power to vacate the seat of any of its members for misbehavior official misconduct or neglect of duty and shall thereupon fill such vacancy in the manner prescribed in the preceding section

Section 17 That section five (5) of Article six (VI) of said act which reads as follows

Section 5 The select and common Councils of each of said cities shall hold stated meetings at least once in each month at such time as may be fixed by ordinance and either branch may hold special meetings at such other times as the mayor the president or any five members may deem proper to call the same upon twenty-four hours' notice to each member which notice shall state whether such meeting is to be convened for a special or general business' be and the same is hereby amended to read as follows

Section 5 The Council of each of said cities shall hold stated meetings at least once in each month at such time or times as may be fixed by ordinance and may hold special meetings at such other times as the mayor the president or any three members of Council may deem proper to call the same upon twenty-four hours notice to each member which notice shall state whether such meeting is to be convened for special or general business

Section 18 That section six (6) of Article six (VI) of said act which reads as follows

"Section 6 Each branch shall keep a journal of its proceedings which shall be at all times open to public inspection All voting in either council or in joint convention or both councils shall be viva voce and the yeas and nays of the members on any question shall at the request of any two of them be entered on the journal Except where he shall be personally or privately interested no member shall withhold his vote on any measure or question unless he shall state his reasons on the journal" be and the same is hereby amended to read as follows

Section 6 The Council shall keep a journal of its proceedings which shall be at all times open to public inspection All voting in council shall viva voce and the yeas and nays of the members on any question shall at the request or any member be entered on the journal Except where he shall be personally or privately interested no member shall with hold his vote on any measure or question unless he shall state his reasons therefor to the Council which may excuse him and enter the reasons upon the journal

Section 19 That section seven (7) of Article six (VI) or said act which reads as follows

"Section 7 Every legislative act of the counicls shall be by resolution or ordinance and every ordinance or resolution which shall have passed both branches shall be presented duly certified to the mayor for approval If he approves he shall sign the same but if he shall not approve he snall return it with his objections to the branch of councils wherein it originated which shall thereupon proceed to reconsider it If upon such reconsideration two-thirds of the members elected to each branch shall pass the said ordinance or resolution it shall become effective as though the mayor had signed the same In all such cases the vote of councils shall be determined by yeas and nays and the names of the members voting be duly entered upon the journals Every ordinance or resolution which the mayor shall not return within fifteen days rrom the date of its presentation to him as aforesaid shall become a law as fully and effectively as if he had approved the same The mayor may disapprove of any item or items of any bill making appropriations and such item or items shall be void unless repassed according to rules herein prescribed for the passage of bills over the mayor's veto" be and the same is hereby amended to read as follows

Section 7 Every legislative act of the council shall be by resolution or ordinance and every ordinance or resolution which shall have passed the council shall be presented duly certified to the mayor for approval If he approves he shall sign the same but if he shall not approve he shall return it with his

objections to the council which shall thereupon proceed to reconsider it If upon such reconsideration two-thirds of the members elected to the council shall pass the said ordinance or resolution it shall become effective as though the mayor had signed the same In all such cases the vote of the council shall be determined by yeas and nays and the names of the members voting be duly entered upon the journal Every ordinance or resolution which the mayor shall not return to the council within fifteen days from the date of its presentation to him as aforesaid shall become a law as fully and effectively as if he had approved the same The mayor may disapprove of any item or items of any bill making appropriations and such item or items shall be void unless repassed according to the rules herein prescribed for the passage of bills over the Mayor's veto

Section 20 That section eleven (11) of Article six (VI) of said act be and the same is hereby repealed

Section 21 That section four (4) of Article seven (VII) of said act as the same was amended by an act approved the sixteenth day of May Anno Domini one thousand nine hundred one which reads as follows

"Section 4 The councils shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof in accordance with this act and it shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dimissal from office Provided That members of the police force may receive and retain rewards offered for the arrest of persons accused of crimes committed outside of the city in which they hold office The mayor shall nominate and by and with the advice and consent of the select council appoint said policemen and at his pleasure dismiss any of them and in like manner all vacancies shall be filled and the mayor may in his discretion suspend any policeman for a period of not exceeding thirty days without pay In case of the temporary absence of any policeman from duty from sickness or otherwise the mayor may appoint a substitute to serve for such period as he may designate not exceeding ten days for such compensation as may be fixed by the councils He shall designate from the force the chief and other subordinate officers who shall be subject to the direction and control of the mayor and shall serve as such officers until their successors by duly designated and they may be deposed from such offices at any time by the mayor who designated them or by his successor in office and other members of the force designated in their places" be and the same is hereby amended to read as follows

Section 4 The council shall fix by ordinance the number rank and compensation of the members of the city police force and prescribe all necessary rules and regulations for the organization and government thereof and it shall be a misdemeanor in office for any policeman to ask demand or receive any other compensation or reward whatsoever for his official services to be followed by dismissal from office Provided That members of the police force may receive and retain rewards offered for the arrest of persons accused of crimes committed outside of the city in which they hold office The mayor shall nominate and by and with the advice and consent of a majority of all the members elected to the council appoint said policeman and at his pleasure dismiss any or all of them and in like manner all vacancies shall be filled and the mayor may in his discretion suspend any policeman for a period not exceeding thirty days without pay In case of the temporary absence of any policeman from duty from sickness or otherwise the mayor may appoint a substitute to serve for such period as he may designated not exceeding ten days for such compensation as may be fixed by the council He shall designate from the force the chief and other subordinate officers who shall be subject to the direction and control of the mayor and shall serve as such officers until their successors be duly designated and they may be deposed from such offices at any time by the mayor who designated them or by his successor in office and other members of the force designated in their places

Section 22 That section five (5) of Article (VII) of said act as the same was amended by an act approved the sixteenth day of May Anno Domini one thousand nine hundred and one which reads as follows

"Section 5 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or process for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and by him paid into the city treasury monthly as hereinbefore provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before councils whenever required The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon a resolution to that effect by two-thirds of both branches of councils" be and the same is hereby amended to read as follows

Section 5 Policemen shall be ex-officio constables of the city and shall and may without warrant and upon view arrest and commit for hearing any and all persons guilty of breach of the peace vagrancy riotous or disorderly conduct or drunkenness or who may be engaged in the commission of any unlawful act tending to imperil the personal security or endanger the property of the citizens or violating any of the ordinances of said city for the violation of which a fine or penalty is imposed They shall have authority to serve and execute all criminal process or process for the violation of the city ordinances which may be issued by the mayor or any alderman and shall charge the same fees and costs as pertain by law to the constables of the city for similar services but the said fees and costs shall be received and collected by the mayor and be him paid into the city treasury monthly as hereinbefore provided Policemen shall obey the orders of the mayor and make report to him which report shall be laid by him before the council whenever required The mayor shall exercise a constant supervision and control over their conduct and hear and determine all complaints against them in the discharge of their duties and he shall be required to remove from office any member or officer of the police force upon resolution to that effect passed by a vote of two-thirds of the members elected to the council

Section 23 That section six (6) of Article seven (VII) of said act which reads as follows

"Section 6 The mayor shall nominate and by and with the advice and consent of the select council appoint all subordinate officers of the city whose offices are created by ordinance excepting the city clerk and the clerks of the different branches of councils or other departments of the city government which clerks shall be appointed by such branches or departments respectively and such other officers authorized to be otherwise appointed or elected under the provision of this act and he may remove from office any such officer appointed by the mayor for inability official misconduct or neglect of duty and in like manner all vacancies which may occur during the term of such officers shall be filled The mayor shall issue his proclamation to the qualified electors of the city at least ten days before the annual municipal election stating therein the officers to be voted for at such election" be and the same is hereby amended to read as follows

Section 6 The mayor shall nominate and by and with the advice and consent of majority of all the members elected to council appoint all subordinate officers of the city whose offices are created by ordinance excepting the city clerk and any clerk of the said council or of any department of the city government which clerks shall be appointed or elected by such council or departments respectively and such other officers authorized to be otherwise appointed or elected under the provisions of this act and he may remove from office any such officers appointed by the mayor for inability official misconduct or neglect of duty and in like manner all vacancies which may occur during the terms of such officers shall be filled The mayor shall issue his proclamation to the qualified electors of the city at least ten days before the municipay election stating therein the officers to be voted for at such election When the mayor shall send nominations of police officers or of subordinate officers whose offices are created by ordinance as hereinbefore provided in this article and if said nominations are not approved and confirmed it shall be the duty of the mayor to again nominate or designate another person or persons to fill the office position or positions as to which the former nominations have failed of approval until the nominations are made which are approved or confirmed by the council in the manner aforesaid All subordinate officers appointed by the mayor shall be removed by him upon a resolution to that effect passed by two-thirds of all the members of the council except where otherwise provided by law or ordinance

Section 24 That section seven (7) of Article seven (VII) of said act which reads as follows

"Section 7 In case of a vacancy occurring in the office of mayor by death resignation removal or otherwise a successor shall be elected for the unexpired term at the municipal election occurring at least one month after the happening of such vacancy and the election the city councils shall in joint convention by the vote of a majority of all the members elected appoint some qualified according to law In case of the temporary inability of the mayor to act the councils may in the manner aforesaid appoint a person to act in his place until the mayor shall be able to resume the duties of his office" be and the same is hereby amended to read as follows

Section 7 In case of a vacancy occurring in the office of mayor by death resignation removal or otherwise a successor shall be elected for the unexpired term at the municipal election occurring at least one month after the happening of such vacancy and pending the election the city council by the vote of a majority of all the members elected thereto shall appoint some qualified person to serve as mayor until a successor shall be elected and qualified according to law In case of the temporary inability of the mayor to act the council may in the manner aforesaid appoint a person to act in his place until the mayor shall be able to resume the duties of his office

Section 25 That section three (3) of Article eight (VIII) of said act as the same was amended by an act approved the twenty-first day of June Anno Domini one thousand nine hundred eleven which reads as follows

"Section 3 The city treasurer and every other officer of the city receiving or having in his possession any money accounts property or effects belonging to the corporation shall upon the termination of his office deliver over the same to the city or to his duly qualified successor Any vacancy in the office of city treasurer shall be filled by the vote of a majority of the members elected to councils in joint convention and the person so chosen to fill the same shall serve until the first Monday of December succeeding the municipal election occurring at least one month after the happening of such vacancy at which election a successor shall be elected for the unexpired term" be and the same is hereby amended to read as follows

Section 3 The city treasurer and every other officer of the city receiving or having in his possession any money accounts property or effects belonging to the corporation shall upon the termination of his office deliver over the same to the city or to his duly qualified successor Any vacancy in the office of city treasurer shall be filled by the vote of a majority of the members elected to the Council and the person so chosen to fill the same shall serve until the first Monday of January succeeding the municipal election occurring at least

one month after the happening of such vacancy at which election a successor shall be elected for the unexpired term

Section 26 That section seven (7) of Article nine (IX) of said act as the same was amended by an act approved the twenty-first day of June Anno Domini one thousand nine hundred eleven which reads as follows

"Section 7 Any vacancy in the office of city controller shall be filled by a vote of a majority of the members elected to councils in joint convention and the person so chosen to fill the same shall serve until the first Monday of December succeeding the municipal election occurring at least one month after the happening of such vacancy at which election a successor shall be elected for the unexpired term The city controller shall give a lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by councils in such sum as may by ordinance direct conditioned for the faithful discharge of his official duties and shall receive a fixed annual salary to be provided by ordinance" be and the same is hereby amended to read as follows

Section 7 Any vacancy in the office of city controller shall be filled by the vote of a majority of the members elected to council and the person so chosen to fill the same shall serve until the first Monday of January succeeding the municipal election occurring at least one month after the happening of such vacancy at which election a successor shall be elected for the unexpired term The city controller shall give a lawful bond to the city with two or more sufficient sureties or with a surety or other company authorized by law to act as surety to be approved by the council in such sum as they may by ordinance direct conditioned for the faithful discharge of his official duties and shall receive a fixed annual salary to be provided by ordinance

Section 27 That section one (1) of Article ten (X) of said act as the same was amended by an act approved the sixteenth day of May Anno Domini one thousand nine hundred one which reads as follows

"Section 1 The councils of each of said cities of the third class shall in joint convention on the second Monday of April or as soon thereafter as practicable elect by the vote of a majority of the members chosen to both branches one person learned in law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city controller and shall serve for the term of three years from the first Monday of May succeeding his election and until his successor shall be duly qualified Vacancies in said office shall be filled by councils for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties to be approved by councils in such sum as they shall by ordinance direct conditioned for the faithful performance of his official duties as the same are or may be defined by law or ordinance" be and the same is hereby amended to read as follows

Section 1 The council of each of said cities of the third class on the second Monday of April or as soon thereafter as practicable shall elect by the vote of a majority of the members of council one person learned in the law and qualified to practice in the Supreme Court of this Commonwealth who shall be styled the city solicitor and shall serve for the term of four years from the first Monday of May succeeding his election and until his successor shall be duly qualified Vacancies in said office shall be filled by the council in the manner aforesaid for the unexpired term He shall give a lawful bond to the corporation with two or more sufficient sureties or with corporate surety to be approved by council in such sum as they shall by ordinance direct conditioned for the faithful performance of official duties as the same are or may be defined by law or ordinance

Section 28 That section five (5) of article fifteen (XV) of said act as the same was amended by an act approved the twenty-third day of May Anno Domini one thousand eight hundred and ninety-five which reads as follows

"Section 5 The councils of such city in joint convention immediately after the passage of this act and thereafter on or before the first Monday of May in every third year shall elect five resident citizens of such city all or any number of whom may in the discretion of councils be chosen from among the members of select and common councils who shall constitute a board of revision of taxes and appeals and shall serve for three years or until their successors are elected and they shall immediately after their appointment be severally sworn to faithfully perform the duties pertaining to their office Any vacancy occurring in said board by death resignation or otherwise shall be filled by said councils for the unexpired term No member of council shall vote for more than three members of said board of appeals and the five persons receiving the highest number of votes shall be declared elected Said board a majority of whom shall constitute a quorum may in any year other than a triennial year if they shall deem a new assessment necessary on or before the first day of September issue their precept to the city assessors requiring them to make out the return a full just and equal assessment of property within the city or such parts thereof as the said board of revision may deem advisable and they shall take and receive the triennial and yearly assessments as returned by the board of city assessors and shall have power and authority to revise equalize or alter such assessments in any and every year by increasing or reducing the valuations either in individual cases or by wards or parts of wards and to add to the assessment books and to the duplicates thereof in the hands of the city treasurer any subject of taxation omitted therefrom and any real estate in such city which has been exempt from taxation and ceased to be occupied and used for the purpose or purposes which entitle it to such exemption as taxable for the portion of the year commencing at the time when the right to exemption ceases and such real estate shall thereupon become subject to taxation at the tax rate fixed for the year for the proportionate part of the year during which it is not entitled to exemption and it shall be their duty to rectify all errors and when deemed necessary they may require the attendance of the board of assessors and the assistant assessors or any of them or other citizens before them for examination on oath or affirmation either singly or together and they shall hear and determine all appeals by taxpayers from the assessments made by the city assessors at such time and place as they may prescribe at least five days printed or written notice of which shall be given as provided in section two of this act It shall be the further duty of said board to give five days written or printed notice to every taxable inhabitant of the city of any increase or addition to the valuation assessed against him by the board of city assessors together with the time and place of hearing appeals therefrom" be and the same is hereby amended to read as follows

Section 5 The council of each of said cities on or before the first Monday of May in every fourth year shall elect five resident citizens of such city owners of real estate therein of the assessed value of at least five hundred dollars none of whom shall be members of the council who shall constitute a board of revision of taxes and appeals and shall serve for a term of four years or until their successors are elected and they shall immediately after their appointment be severally sworn to faithfully perform the duties pertaining to their office Any vacancy occurring in said board by death resignation or otherwise shall be filled by said council for the unexpired term No member of council shall vote for more than three members of said board of appeals and the five persons receiving the highest number of votes shall be declared elected Said board a majority of whom shall constitute a quorum may in any year other than a triennial year if they shall deem a new assessment necessary on or before the first day of April issue their precept to the city assessors requiring them to make out and return a full just and equal assessment of property within the city or such parts thereof as the said board of revision may deem advisable and they shall take and receive the triennial and yearly assessments as returned by the board of city assessors and shall have power and authority to revise equalize or alter such assessments in any and every year by increasing or reducing the valuations either in individual cases or by wards or parts of wards and to add to the assessment books and to the duplicates thereof in the hands of the city treasurer any subject of taxation omitted therefrom and any real estate in such city which has been exempt from taxation and ceased to be occupied and used for the purpose or purposes which entitled it to such exemptions as taxable for the portion of the year commencing at the time when the right to exemption ceases and such real estate shall thereupon become subject to taxation at the rate fixed for the year for the proportionate part of the year during which it is not entitled to exemption and it shall be their duty to rectify all errors and when deemed necessary they may require the attendance of the board of assessors and the assistant assessors or any of them or other citizens before them for examination on oath or affirmation either singly or together and they shall hear and determine all appeals by taxpayers from the assessments made by the city assessors at such time and place as they may prescribe at least five days' printed or written notice of which shall be given as provided by law It shall be the further duty of said board to give five days' written or printed notice to every taxable inhabitant of the city of any increase or addition to the valuation assessed against him by the board of city assessors together with the time and place of hearing appeals therefrom

Section 29 That Section two (2) of Article eighteen (XVIII) of said act which reads as follows

"Section 2 Whenever by the Constitution and laws of this Commonwealth any city of the third class shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to affect the loan shall be introduced at a stated meeting of the Common Council and the draft thereof published in at least two of the newspapers of the city if so many be published therein once a week for four weeks before the final consideration and passage thereof by the said Common Council and at any stated meeting of the Select Council held at least one week after the final consideration of such ordinance by the Common Council the Select Council may consider and act upon the same but the Select Council shall not originate any ordinance for borrowing money and no loan shall be authorized except by the vote of two-thirds the whole number of members of each council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purposes other than those so stated and the said city shall at or before the time of authorizing the said loan for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within thirty years" be and the same is hereby amended to real as follows

Section 2 Whenever by the Constitution and laws of this Commonwealth any city of the third class shall be authorized to increase its indebtedness by borrowing money on the faith and credit of said city the proposed ordinance to effect the loan shall be introduced at a stated meeting of the council and the draft thereof published in at least two of the newspapers of the city if so many be published therein once a week for three successive weeks the last publication of which shall be not less than five days before the final consideration and passage thereof by the said council and no loan shall be authorized except by the vote of two-thirds of all the members of council The specific purpose or purposes for which the said loan is authorized shall be distinctly set out in the said ordinance and the moneys received for said loan shall not be used for any purposes other than those so stated and the said city shall at or before the time of authorizing the said loan provide for the collection of an annual tax sufficient to pay the interest and also the principal of the said loan within thirty years

Section 30 The select and common councils of each city of the third class shall cease and determine at ten o'clock in the forenoon of the first Monday of December in the year one thousand nine hundred thirteen and the single council provided for and created by this act shall succeed

to have and exercise all the powers and authority and perform all the duties heretofore conferred and imposed upon the said select and common councils and be subject to the same responsibilities and limitations

Section 31 The said council by ordinance shall provide for and regulate the manner of hiring and discharge of all employees and for the fixing of their salary or compensation the purchase of all necessary material and supplies and the performance and doing of any work matter or thing necessary in the proper administration of the affairs of the city

Section 32 The said council shall exercise no powers or authority except such as are legislative and the mayor members of council city treasurer city controller city assessors and all other officers to be elected by the people shall be elected upon a non-partisan ballot

Section 34 The provisions of this act shall also apply to cities of the third class which have received their charters but have held no elections thereunder The officers to be elected in said cities shall be nominated and elected under this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 185 (House Bill No. 44), entitled:

An Act amending an act entitled "An Act roviding a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds ad collect the same from the property benefited in instalments" approved June fifteenth Anno Domini one thousand nine hundred eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. JARRETT. Mr. President, I ask that Senate Bill No. 198, on second reading, entitled:

An Act to provide for the holding of a Constitutional Convention the election of delegates thereto and the submission of the report thereof for the approval of the people

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second readding and consideration of Senate Bill No. 355 (House Bill No. 20), entitled:

An Act further amending section one of an act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred one extending the provisions of said act to all cities of the third class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 620 (House Bill No. 107), on second reading, entitled:

An Act establishing a court for the county of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the county or city of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

be recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second readding and consideration of Senate Bill No. 648, entitled:

An Act to prscribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of article nine section eight of the Constitution as amended and to onfer jurisdiction upon any city of the Court of Common Pleas of the county in which such city is situated to determine the amount of any debt to be so excluded

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the councils of any city of the first class shall by ordinance or resolution determine that it is expedient to increase the public debt of such city in order to promote the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements owned or to be owned by such city and it becomes necessary to ascertain under the provisions of article nine section eight of the Constitution of the Commonwealth of Pennsylvania as amended whether the debt which it is thus proposed to incur may be excluded in computing the total amount of indebtednes which such city may lawfully incur under the limitations of the Constitution the Comptroller or any other public officer of such city shall whenever so requested by the mayor of such city prepare and submit a statement showing in detail the total indebtednes sof such city theretofore incurred with the dates of the maturity of such indebtedness the interest due thereon and the annual installments necessary to be paid into the sinking fund for the cancellation of such indebtedness and if any portion of such indebtedness has theretofore been incurred for any of the specific purposes hereinbefore set forth the comptroller shall in addition to the above data also report the terms of any and all agreements and contracts made by or in behalf of said city with respect to such investments the gross and current net revenue derived therefrom and also such other and further data and information in their possession with respect to such investments as shall be requisite to determine the proportion of the interest and sinking fund installments of such indebtedness which the current net revenue received by the city from such investments is sufficient to meet

On the question,

Will the Senate agree to the section?

Mr. McILHENNY. Mr. President, I move to amend section 1, line 29, by inserting after the word "investments" the words "the gross and current revenut derived therefrom, and also such other and further data and information in their possession with respect to such investments."

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 The mayor of any city of the first class may present to any one of the Courts of Common Pleas of the county in which such city is situated a verified petition which shall set forth the facts information and date furnished to him by the comptroller or other officer as provided for in the preceding section and which shall pray for a determination of the amount of any previous debt of such city which may be excluded in ascertaining its power to become otherwise indebted under the provisions of article nine section eight of the Constitution and also for a determination of the amount of the proposed indebtedness which shall be thus excluded by reason of the the estimated excess of the revenue produced from the subways wharves docks or reclaimed land aforesaid over the interest on the debt thus incurred and of the annual installments necessary for the cancellation of such debt and also that said court shall determine whether or not the proposed increase of the public debt of such city for the purposes aforesaid or any part thereof can lawfully be incurred under the provisions of the aforesaid section of the Constitution and jurisdiction is hereby conferred upon the said Court of Common Pleas to make such determinations

On the question,

Will the Senate agree to the section?

Mr. McILHENNY. Mr. President, I move to amend section 2, line 6, by inserting after the word "section"

the words "and also all contracts or proposed contracts with respect to the operation of the public works upon which the proceeds of the proposed loan are to be expended and all official estimates as to the cost of such public works and other data relating thereto."

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third, fourth and fifth sections of the bill were read as follows and agreed to:

The title of the bill was read as follows:

Section 3 After the filing of the aforesaid petition the mayor shall cause to be published not less than once a week for three weeks in four daily newspapers of general circulation published in said city to be designated by the said Court of Common Pleas a notice that an application will be made to the said Court of Common Pleas on a day therein specified which shall be not less than three nor more than six weeks from the date of the first publication of said notice for the determination prayed for in the petition and in addition to the aforesaid advertisement the petition shall be printed at length in the legal journal in which other legal notices are regularly printed in such city On the return day of such notice all parties in interest including tax payers and owners or holders of bonds or other securities of such city may appear in person or by attorney and file with the Court of Common Pleas a verified answer to the petition aforesaid If upon the filing of any such answer it shall appear to the Court of Common Pleas that there are any material issues of fact to be determined the court shall thereupon by order direct that on a day therein fixed one of the judges of said court sitting without a jury or a duly appointed examiner shall take the evidence thereon which shall forthwith be reported to the court On the return day of the notice aforesaid or if evidence be taken then after the report thereon is filed the Court of Common Pleas shall appoint a time at which it will bear argument at which all parties shall be entitled to be heard and to file briefs as the said court may direct

Section 4 After hearing the allegations and proofs and the arguments thereon of the respective parties or if no evidence be taken on or after the return day of the notice and after argument if desired the court shall render its decision stating separately the facts found and the conclusios of law and the court shall also make a final order determining the amount of indebtednes stheretofore incurred which may be excluded in determining the power of the city to become otherwise indebted under the provision of article nine section eight of the Constitution and determining also whether or not the amount of the indebtedness provided for in the aforesaid ordinance or resolution of councils for the aforesaid public purposes may lawfully be incurred either in whole or in part

Section 5 Upon the making of an order by the court of common pleas determining the whole amount of any indebtedness incurred by such city which shall be excluded in accertaining the power of such city to become otherwise indebted such indebtedness shall thereupon be wholly excluded in ascertaining the power of said city to become otherwise indebted and upon the making of an order by said court determining that a part only of such indebtedness shall be so excluded the amount thus determined shall thereupon be excluded in ascertaining the power of such city to become otherwise indebted and upon the making of an order by the said court determining that either the whole or a part of the proposed indebtedness set forth in the aforesaid ordinances or resolution of city councils can lawfully be incurred for the purposes aforesaid upon the ground that the total limitation of indebtedness imposed by article nine section eight of the Constitution will not be exceeded authority shall thereby be conferred upon the mayor and councils of such city to increase its indebtedness in the manner and to the extent thus authorized but it shall not be lawful to expend any portion of the money thus borrowed by such city for any other purpose than the construction of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city and to be operated leased or otherwise used as provided by law

From the determination of the Court of Common Pleas herein provided for and from all orders made by the said court for the purpose of giving effect thereto an appeal may be taken to the supreme court of the Commonwealth in the manner prescribed for other similar appeals except that such appeal must be taken within one month after the entry of the order complained of but such determination and orders of the Court of Common Pleas shall not be subject to any other appeal or review or to collateral attack of any kind whatsoever but shall with respect to the validity of all municipal loans thus authorized and in all other respects be final and conclusive upon all persons and all public and private corporations whatsoever and the proceeding herein provided for shall be the sole and exclusive method of determining theaforesaid matters relating to increase of indebedness of cities of the first class for the municipal purposes heretofore specified

The title of the bill was read as follows:

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes or for the construcion of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of article nine section eight of the Constitution as amended and to confer jurisdiction upon any of the courts of common pleas of the county in which such city is situated to determine the amount of any debt to be so excluded

On the question,

Will the Senate agree to the title?

Mr. McILHENNY. Mr. President, I move to amend the title by adding at the end thereof the following: "with an appeal to the Supreme Court within one month from the date of such determination."

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 672 (House Bill No. 294), entitled:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. HALL. Mr. President, I move that Senate Bill No. 674 (House Bill No. 408), on second reading, entitled:

An Act regulating the mining out and removing of the coal and other minerals and support underlying and beneath the surface of the several streets avenues thoroughfares courts alleys places and public highways within the limits of the several municipal corporations and authorizing the creation of a Bureau of Mine Inspection and surface support by any municipal corporation and giving such bureau jurisdiction and providing for the filing of certain maps and plans and providing a penalty for violation thereof

be recommitted to the Committee on Mines and Mining.

Mr. MORGAN. Mr. President, I second the motion.

The motion was agreed to.

Mr. HALL. Mr. President, I move that Senate Bill No. 681 (House Bill No. 638), on second reading, entitled:

An Act to provide for the health and safety of persons and for the protection and preservation of property where the coal rock earth or other minerals or materials underlying and beneath the surface of said property has been or is being removed and fixing the time when limitation of actions for damages begin to run and providing a penalty for violation thereof

be recommitted to the Committee on Mines and Mining.

Mr. MORGAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 697, entitled:

An Act regulating the passage of traction engines motor and other vehicles over highways and bridges and providing penalties for the violation of the provisions hereof

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General

Assembly met and it is hereby enacted by authority of the same That no traction engine trailer motor or other vehicle shall be operated upon or over a highway or bridge in this Commonwealth nor shall any object be moved over or upon a highway or bridge upon wheels rollers or otherwise in excess of a total weight of ten tons including the vehicle object or contrivance and load without first obtaining a permit mentioned in section three of this act from the authority or authorities in charge of the maintenance or care of said highway or bridge nor shall any such engine vehicle object or contrivance for moving heavy loads be operated or moved upon or over any highway or bridge the weight of which resting upon the surface of said highway or bridge exceeds eight hundred pounds upon any inch in width of the tire roller wheel or other object supported upon the surface thereof without first obtaining said permit nor shall any vehicle be operated or contrivance moved upon or over said highways or bridges which has any flange ribs clamps or other object attached to its wheels or made a part thereof which will injure cut into or destroy the surface of the highway or bridge The owner driver operator or mover of any such engine vehicle object or contrivance over said highway or bridge shall be responsible for all damages which said highway or bridge may sustain as which has any flange ribs clamps which will injure cut into a result of said action on his part and the amount thereof may be recovered by the authority or authorities in charge of the maintenance or care of said highway or bridge

On the question,

Will the Senate agree to the section?

Mr. HOKE. Mr. President. I hove to amend Section 1, line 3, by inserting after the word "that" the words "from and after the first day of July one thousand nine hundred and fourteen;" also in Section 1, line 8, by striking out the word "ten" and inserting in lieu thereof the word "fourteen;" also in Section 1, lines 21 and 22, by striking out the words "which shall injure cut into or destroy the surface of the highway or bridge," and inserting in lieu thereof the words "of a width less than two inches or a height more than one and one-quarter inches.

Mr. CROW. Mr. President, I second the motion.

On the question.

Will the Senate agree to the amendments?

Mr. McNICHOL. Mr. President, I am very much afraid the amendment will destroy the intent of the bill. As I understand the measure drafted by the Highway Department it is drafted for the purpose of conserving our roads and particularly the improved highways of the Commonwealth. They are very much afraid that the traction engines of a greater weight than ten tons run over the highways without a special permit from the authorities will destroy the highways and they have no come back. This bill as originally drawn permitted engines of greater weight than ten tons, but it held this restriction that before those engines were moved over the public roads and particularly the improved highways they were obliged to procure a permit from the authority and the permit stipulated in the event of any injury to the highway to any extent the owners of those machines were liable for the injuries. Now the intent of this amendment as I understand from the reading increases the weight from ten tons to fourteen tons and it removes this stipulation entirely, the second amendment, as to the responsibility of the owner of the machine as to injury to the improved highways. I offer this as an explanation from the Highway Department.

Mr. HOKE. Mr. President, the Senator has stated that the amendment would remove the liability of the owners of the traction engines. It only increases the weight from ten to fourteen tons. I have offered these amendments at the instance of the manufacturers of traction engines, and back of these amendments are the great number of the rural population of the State which use traction engines, and need them absolutely in their business. We do not object to the restriction of ten tons, except for this fact, that a very great proportion of the traction engines in use to-day are of weight exceeding ten tons, running about twelve, thirteen and fourteen tons, and we do not think it is fair that the users of these useful machines should have to go to some office for a permit which office might refuse a permit and put a machine out of commission entirely in which some private owner has a considerable amount of money invested, and we think that the weight ought to be raised to fourteen tons that these machines could be used on the public highways.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the Section as amended?

It was agreed to.

The second, third, fourth and fifth sections of the bill were read as follows and agreed to:

Section 2 No steam traction engine with or without trailers and no motor truck carrying a weight in excess of four tons including the vehicle shall be operated upon any highway or bridge at a speed greater than fifteen miles an hour and no such vehicle carrying a weight in excess of six tons including the vehicle shall be operated upon any highway or bridge at a speed greater than six miles an hour when such vehicle is equipped with iron or steel tires nor greater than twelve miles an hour when the vehicle is equipped with tires of hard rubber or other similar substance

Section 3 The State Highway Commissioner County Commissioners Municipal Commissioners or Supervisors of streets or highways Township Commissioners or Supervisors Township Roadmasters or other road authorities having charge of the repair and maintenance or supervision of or authority over any highway or bridge in the Commonwealth are hereby authorized upon proper application in writing to grant permits for the moving of heavy vehicles loads objects or structures over said highways and bridges which permits when duly granted shall authorize such movement Said permits may be general or may limit the time and the particular roads and bridges which may be used and may contain any special conditions or provisions which in the opinion of the authorities granting the same are necessary for the protection of said highways or bridges from injury The authorities having charge of any such bridge are hereby authorized to make regulations limiting the speed of any of the vehicles mentioned in this act passing over said bridge to a speed not to exceed six miles an hour provided notice is conspicuously posted at each end of the bridge affected by such regulation

Section 4 Any person violating the provisions of this act or the regulations made or permits granted under authority thereof shall be liable to a fine of not less than ten dollars nor more than five hundred dollars for each and every offense to be collected by a summary conviction before any magistrate or Justice of the Peace as like fines and penalties are now by law collected and said fines shall be paid into the treasury of the Commonwealth for the maintenance of State highways or bridges when State highways or bridges are injured and into the treasury of the city town township or county when any highway or bridge is injured which is under the care of said city town township or county for use on the highways of said city town township or county in addition to any other moneys that may be available for the purpose

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows and agreed to:

An Act regulating the passage of traction engines motor and other vehicles and objects over highways and bridges and providing penalties for the violation of the provisions hereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 774 (House Bill No. 566), entitled:

An Act giving all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for ascertaining damages or benefits for taking using occupying or injuring lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and the right of appeal to the superior court or supreme court after disposal of exception or verdict and final judgment and providing that this act shall apply to all existing and future proceedings

The first, second, third, fourth, fifth and sixth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commowealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the right to damages against cities counties boroughs or townships within this Commonwealth is hereby given to all owners or tenants of lands property or material abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of said roads streets lanes or alleys or the changing of grades or lines thereof by said cities counties boroughs or townships the construction and the vacating by said cities counties boroughs or townships of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the construction of sewers by said cities counties boroughs or townships in over upon along or through said lands property or material

Section 2 That all juries of view appointed or which shall hereafter be appointed under existing laws for assessing dam-

ages or benefits for taking using occupying or injuring lands property or material are hereby directed and it shall be their duty to assess the damages provided for in section one of this act if any against said cities counties boroughs or townships as the case may be and the benefits if any in connection therewith and make report thereof as under existing laws

Section 3 That the right of appeal to the proper Court of Common Pleas from said report and the right of trial by jury in said Court of Common Pleas and the right to find exceptions to said report are hereby given to any party or parties not satisfied with said report in accordance with proceedings under existing laws

Section 4 That after disposal of exceptions or verdict any final judgment any interested party or parties may have an appeal to the Superior Court or Supreme Court as in any other case

Section 5 That the provisions of this act shall apply to all existing and future proceedings

Section 6 That all acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows:

An Act giving to all owners or tenants of lands property or material injured by the laying out opening widening vacating extending or grading of roads streets lanes or alleys or the changing of grades and lines thereof the construction of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the vacating of the same and the construction of sewers the right to damages both direct and consequential or either directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material to assess said damages both direct and consequential or either if any and the benefits if any in connection therewith granting the right of appeal from the report of said juries and the trial by jury and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings

On the question,

Will the Senate agree to the title?

Mr. McILHENNY. Mr. President. I move to amend the title. in line 1, by inserting after the word "material" the words "abutting on or through which pass roads streets lanes or alleys;" also in line 3 by inserting after the word "of" the word "said;" also in line 4 by inserting after the word "thereof" the words "by cities counties boroughs or townships within this Commonwealth;" also in line 4 by inserting after the word "construction" the words "and the vacating by said cities counties boroughs or townships;" also in line 6 by striking out the words "and the vacation of the same" and inserting in lieu thereof the words "which abut on or pass through or along said lands property or material;" also in line 7 by inserting after the word "construction" the words "by said cities counties boroughs or townships;" also in line 7 by inserting after the word "sewers" the words "in over upon along or through said lands property or material;" also in line 7 by inserting after the word "damages" the words "for injuries;" also in line 8 by striking out the words "both direct and consequential or either;" also in line 12 by striking out the words "both direct and consequential or either;" also in line 13 by inserting after the word "any" where it appears the first time the words "against said cities counties boroughs or townships as the case may be;" also in line 14 by inserting after the word "appeal" the words "to the proper court of common pleas;" also in line 17 by inserting after the word "jury" the words "in said court of common pleas."

Mr. HEACOCK. Mr. Speaker. I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 817, as follows:

A Supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Comminwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over the same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring or turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties and townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid Highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State Highway Commissioner is hereby authorized to make and enter into contracts for the reconstruction or improvement of any section of a State Highway for which an application has been or which may hereafter be made by any county township borough or incorporated town or by any county and township county and borough or county and incorporated town asking that such section of State Highway be reconstructed or improved in the same manner as a State-aid Highway and agreeing to pay its or their respective share of the total cost of said reconstruction or improvement as provided for in section twenty-two of the act to which this is a supplement or upon such other terms and conditions as to the sharing of the total cost of said reconstruction or improvement as may be agreed upon between the State Highway Commissioner and any such county township borough or incorporated town or between the State Highway Commissioner and any such county and township county and borough or county and incorporated town but otherwise as provided in section twenty-two of the act to which this is a supplement

Section 2 The several counties townships boroughs or incorporated towns in the Commonewalth that have made or which may hereafter make several or joint applications for the reconstruction of a State Highway or any portion thereof as a State-aid Highway are hereby authorized to incur such indebtedness in the proportions agreed upon as aforesaid and to pay their respective shares of the cost thereof as provided for in the act to which this is a supplement

Section 3 All work authorized under this supplement shall be done under contract as provided for and set forth in the act to which this is a supplement and the section or sections of State Highway so reconstructed or improved shall be and remain a State Highway

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 852 (House Bill No. 1151), entitled:

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township reading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

The first, second, third, fourth, fifth, sixth and seventh sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the board of township commissioners of any township of the first class in this Com-

monwealth and they are hereby authorized and empowered from time to time whenever they may deem it advisable so to do to ordain and establish sidewalks along either one or both sides of any principal street or highway of the said township leading directly to or connecting cities boroughs villages or places of public resort within the lines of the said street or highway for such distance as the said board of township commissioners may deem proper Provided However That in case the said street or highway be a turnpike or other road managed and controlled by a corporation duly incorporated under the laws of this Commonwealth the written consent of the said corporation shall first be obtained thereto

Section 2 The said board of township commissioners is hereby authorized and empowered to charge to the owner or owners of the properties abutting on the said sidewalk according to the respective frontage of each abutting property such part or portion of the expense of the construction of such sidewalk as the said board of township commissioners shall deem reasonable and just not to exceed however in any case fifty per cent of the total cost of the construction of the said sidewalk and to defray the remainder of the expense of the construction of the said sidewalk from the public funds of the said township

Section 3 The ordinance establishing any such sidewalk shall specify the width thereof which however shall not be less than five (5) feet in any case and shall in no case leave a roadway of less than twenty (20) feet in the clear and shall require such grading and filling as shall be deemed necessary The kind and character of the pavement shall be specified in the ordinance and the manner of laying the same may be specified in like manner or provided for by some general ordinance or by the regulation of a committee of the board Provided That it may be lawful for the said township commissioners to provide for the construction of a boardwalk in any case instead of a paved sidewalk

Section 4 In all cases coming under this act if at the time of the passage of the ordinance a sidewalk paved with brick stone or concrete of any sort has already been constructed by a property owner in front of his property the township commissioners may accept such walk as a compliance with the ordinance although it be not constructed according to the specifications thereof Otherwise if such sidewalk be not accepted the township shall bear the expense of reconstructing the same

Section 5 All ordinances for the construction of sidewalks under the provisions of this act shall provide for written notice to be given to the property owners to grade and construct such sidewalk in front of their respective properties within a certain specified period not less than three (3) months from date of the service of such notice Provided however That when such notice is given on or after the first day of September in any year the property owners affected shall not be considered in default for failure to construct the said sidewalk until the first day of June of the following year Service of such notice shall be made by handing the same to the property owner or by leaving the same at his place of residence if he have one in the county or if he do not reside in the county by mailing the same to his address if his address can be obtained and also in all cases a copy of such notice shall be served upon the occupant of the house or any other building on the premises Should any property owner fail to comply with the requirements of the ordinance within the time or times specified in this section it shall be lawful for the board of township commissioners to cause the sidewalk in front of his property to be constructed in accordance with the requirements of the ordinance and to collect the proportion of the expense thereof which under the ordinance authorizing the construction of the same is chargeable upon the property owner including the costs of grading and any other incidental matters together with the penalty of ten per centum by action of assumpsit or by filing a lien against said property in the nature of a municipal lien in the manner prescribed by existing laws

Section 6 When any sidewalk has been constructed by an abutting property owner in front of his property under the provisions of this act the township commissioners upon the presentation to them of a receipted bill for the cost of constructing such sidewalk shall forthwith pay to the property owner the part or portion of the expense of the construction of the said sidewalk which by the terms of the ordinance authorizing the construction of the same is to be defrayed from the public funds of the said township and if the said part or portion of the expense of the construction of the said sidewalk which is to be defrayed from the township funds is not paid forthwith to the property owner by the board of township commissioners the property owner shall be exonerated from the payment of any and all township taxes until he has been fully reimbursed by the taxes so exonerated for the part or portion of the expense of constructing the said sidewalk which should have been paid him by the township commissioners with interest thereon from the date of his payment thereof

Section 7 This act shall not be construed to repeal or in any wise alter or affect any existing act of assembly authorizing or regulating the construction of sidewalks along any public road street or highway or part or portion thereof within townships of the first class in this Commonwealth Provided That the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance

The title of the bill was read as follows:

An Act to authorize the township commisioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township

On the question,

Will the Senate agree to the title?

Mr. HEACOCK. Mr. President, I move to amend the title by striking out all after the words "An act" and inserting in lieu thereof the following: "Authorizing the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities, boroughs, villages or place sof public resort, providing for and regulating the construction of the same and authorizing the township commmssioners to charge a part of the expense of constructing the same including the grading and curbing thereof upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township, and providing that the provisions thereof shall be in-operative in any such township when a certain percentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act."

Mr. McILHENNY. The President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 950, entitled:

An Act regulating the offering or operation of automobile vehicles for hire in cities of the first class providing for the licensing of said vehicles providing for the licensing of operators chauffeurs or solicitors for such vehicles authorizing them to solicit business upon the highways authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after this act becoming effective any person persons association or corporation operating automobiles automobile or power trucks taxicabs and motor vehicles of any kind or description excepting vehicles operated as the rolling stock of street railway or steam or electric railway lines and offering said vehicles or motor vehicles for the carriage of passengers freight or merchandise for hire in any city of the first class shall hereafter pay into the Department of Public Safety of any such city the sum of five dollars for the use of said city for each motor vehicle so operated for hire which shall thereupon entitle the owner or operator of said motor vehicle to a license for the said motor vehicle authorizing the said motor vehicle to be operated for hire in the said city of the first class said license to be issued by the Department of Public Safety of said city upon the payment of the aforesaid sum Which motor vehicle so licensed shall be given a number a record of which shall be kept in the Department of Public Safety which said number shall be placed in a conspicuous place upon said vehicle as the said Department of Public Safety shall direct and said license so granted shall be displayed in or upon the motor vehicle in a conspicuous manner and in such a way as the Department of Public Safety shall direct

Section 2 Each and every person engaged or who snall desire to engage in the operation of any motor vehicle for the purpose of soliciting business for the carriage of passengers freight or merchandise upon the public highway for hire as operator chauffeur or solicitor as aforesaid in any city of the first class excepting in the operation of street railway or railroad vehicles shall hereafter pay into the Department of Public Safety of the said city the sum of five dollars for the use of the said city which shall thereupon entitled such person so desiring to engage in the operation of such motor vehicles for the purpose of soliciting business for the carriage of passengers freight or merchandise upon the public highway for hire as chauffeur operator or solicitor upon or in conjunction with the operation of said motor vehicle to a license authorizing him to operate said vehicle for hire and to solicit business passengers freight or merchandise upon the highway for hire within the said city of the first class subject to such regulations as the Department of Public Safety of the said city shall in its sound discretion formulate for the governing of the operation of said vehicles said license shall be issued by the Department of Public Safety of the said city upon the payment of the aforesaid sum Each operator chauffeur or solocitor so licensed shall be given a number a record of which shall be kept in the Department of Public Safety and which number shall be displayed by the said operator chauffeur or solicitor so licensed upon a metal

badge in plain view as the said Department of Public Safety shall direct Provided however That nothing herein contained shall give said licensed operator or olicitor the right to solicit business in front of any railroad ferry or hotel without the permission of the owner lessees or proprietors thereof first had and obtained and then only upon such terms and conditions as the Department of Public Safety may deem reasonable and proper to make for the solocitation of business at such point

Section 3 Any person or persons association or corporation so licensed either as owner operator chauffeur or solicitor who shall fail to observe any of the requirements of the Department of Public Safety in the said city or any of the ordinances of the said city or any of the laws of the Commonwealth so far as the said requirements ordinances or laws may relate to the operation of motor vehicles he or they shall be forthwith notified by the Department of Public Safety of said city If such person will persist in such breach or breaches after such notice the said Department of Public Safety shall have the right to revoke said license and thereafter the said person so licensed as owner operator chauffeur or solicitor of said motor vehicle shall be deprived of the right to operate said motor vehicle for hire within the said city for a period of one year from the date of said revocation Provided however That if the said person shall within five days after the notice of the order of revocation file a petition in the court of common pleas of the proper county praying for a review of said order by said court said license shall forthwith be reinstated and the whole case shall be heard and determined by the court sitting as a court of equity in the same manner and with the same pleadings and process as those which follow a bill in equity

Section 4 In case any license either to any person persons or corporation as the owner or operator of any motor vehicle or to any person or persons as operator chauffeur or solicitr in conjunction with the operation of a motor vehicle for hire shall be revoked in the manner herein provided the right of any such person persons association or corporation to a subsequent license shall rest on the sound discretion of the Department of Public Safety for a period of one year from the date of the revocation at the expiratios of which time the said person persons association or corporation shall have the absolute right to a license provided he or they have not been convicted in the meantime of the violation of any laws of this Commonwealth relating to the operation of motor vehicles upon payment of the fee herein provided for

Section 5 The license hereinbefore provided and the license fee hereinbefore provided to be paid shall be for a period of one year beginning at the time this act becomes effective and shall be renewed from year to year or for a fraction thereof licenses issued as herein provided for the fractional part of the year shall be charged as for the full year

Section 6 Any person persons association or corporation who shall own and operate any motor vehicle for hire without first obtaining a license so to do or any person or persons who shall act as operator chauffeur or solicitor in conjunction with or in the operation of any such motor vehicle for hire soliciting business upon the public highway without first obtaining a license so to do as hereinbefore provided shall be guilty of a misdemeanor and upon conviction thereof shall be liable to pay a fine of not more than fifty dollars or undergo improsonment of not more than sixty days in the discretion of the court

Section 7 This act shall become effective on the first day of July one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 994, as follows:

An Act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abondoned or that nave not been built upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure

Whereas There are a number of canals in this Commonwealth that have been abondoned and are no longer used for the purpose for which they were intended and

Whereas There are a number of abandoned rights of ways of canals railroads and railways and rights of way of canals railroad and railways that have not been used occupied or built upon which canals railroads and railway rights of way can be used to a great advantage in the relocation construction and improvement of the public highways of the Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the autnority of the same That the State Highway Commissioner be and is hereby authorized to take over in his discretion for the use of the State Highway Department any abandoned canal or any part thereof that is no longer used for the purpose for whic hit was intended except where such abandoned canal is used occupied by a railroad or railway in actual operation or any abandoned right of way of a railroad or railway and rights of way of railroads or railways that have not been used occupied or built upon for a period of not less than ve years for the purpose of relocating public highways constructing them as State Highways when such abandoned canals and rights of way extend in the general direction as that of the State Highway originally projected

Section 2 When it is desired to locate a State Highway on any such abandoned canal or any portion thereof or on any abandoned right of way of a railroad or railway company or on the right of way of a railroad or railway company that has not been used occupied or built upon for a period of five years it shall be the duty of the State Highway Commissioner for and in behalf of the Commonwealth by amicable agreement to purchase said right or rights of way or such part thereof as may be necessary for the locating of said State Highway from the owner or owners thereof and if a fair and reasonable price which shall be approved by the Governor for said right of way or part thereof cannot be agreed upon it shall then be lawful for the State Highway Commissioner to proceed to secure such rigth or rights of way under the mthods of procedure as is provided for in the ninth section of the act of May thirty-one one thousand nine hundred and eleven (Pamphlet laws four hundred and sixty-eight) as amended by the act of Assembly approved April ———— Anno Domini one thousand nine hundred and thirteen to condemn and take over turnjike roads

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1014 (House Bill No. 1047), entitled:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

The first section of the bill was read as follows, and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and four of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred eleven which read as follows

"Section 3 Each of the members of said board of viewers shall be appointed for a term of three years from the date of is appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies shall occur All appointments shall be subject to the powers of the respective courts of common pleas of the respective counties at any time for causes to them satisfactory to remove members of said board before the expiration of their respective terms of office and to appoint successors

In the event of any vacancy in the board of viewers of any county caused by death resignation removal from office by the court removal of the member from the county or by reason of inability neglect or refusal to perform the duties of the office or because of expiration of term or for any other cause the judges of the respective courts of common pleas may in the same manner as provided in the case of making an original appointment appoint a new member or members of said board possessing the qualifications herein required The person thus appointed to fill any vacancy shall hold his office for the term of three years subject as above provided Each member of the board of viewers before entering upon the duties of his office shall take and subscribe to an oath or affirmation to perform faithfully all the duties imposed on him by law

"Section 4 In counties having more than one million inhabitants each member of said board of viewers shall receive an annual salary of five thousand dollars payable quarterly out of the treasury of the proper county

In counties containing less than one million inhabitants each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of not less than two or more than five dollars for each day actually and necessarily spent by him in the performance of the duties of his office as the judge of the proper county may determine The same shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties" be and the same are hereby amended to read as follows

Section 3 Each of the members of the said board of viewers shall be appointed for a term of three years from the date of his appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies shall occur All appointments shall be subject to the powers of the respective courts of common pleas of the respective counties at any time for causes to them satisfactory to remove members of said board before the expiration of their respective terms of office and to appoint successors

In the event of any vacancy in the board of viewers of any county caused by death resignation removal from office by the court removal of the member from the county or by reason of inability neglect or refusal to perform the duties of the office or because of expiration of term or for any other cause the judges of the respective courts of common pleas may in the same manner as provided in the case of making an original appointment appoint a new member or members of said board possessing the quali-

fications herein required The person thus appointed to fill any vacancy shall hold his office for the term of three years subject as above provided Each member of the board of viewers before entering upon the duties of his office shall take and subscribe to an oath or affirmation to perform faithfully all the duties imposed on him by law Any member of any board or viewers under the provisions of this act shall have general power to administer oaths and affirmations to other viewers of the same county to witnesses before them and to other persons pertaining to the business and duties of said board of viewers

Section 4 In counties having more than one million inhabitants each member of said board of viewers shall receive an annual salary of five thousand dollars payable quarterly out of the treasury of the proper county

In counties containing less than one million inhabitants each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office and each member of the law shall receive the sum of five ($5.00) dollars per day the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of five ($5.00) dollars per day for each day actually and necessarily spent by him in the performance of the duties of his office The same shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties

The title of the bill was read as follows:

An Act to amend the fourth section of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county

On the question,

Will the Senate agree to the title?

Mr. JUDSON. Mr. President, I move to amend the title in line 1, by inserting after the word "the" the words "third and;" also, in line 8, by inserting after the word "diem" the word "compensation;" also, by adding at the end of the title the words "and increasing the power of viewers regulating the administration of oaths."

Mr. HEACOCK. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. THOMPSON. Mr. President, I ask that Senate Bill No. 1020 (House Bill No. 1244), on second reading, entitled:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeenth one thousand nine hundred five so as to include gas and water companies

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1058 (House Bill No. 1704), entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1081 (House Bill No. 1658), entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property such improvement the compensation to be paid therefor, and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May, Anno Domini one thousand nine hundred eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 1092 House Bill No. 135), on second reading, entitled:

An Act providing for the further government and regulation of cities of the second and third class by authorizing the initiative and referendum methods of legislation

be recommitted to the Committee on Municipal Affairs.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Mr. JARRETT. Mr. President, this is a bill providing for the Initiative and Referendum in cities of the second and third class, and I feel that the bill at this time is in shape in which it should be passed upon by the Senate. This bill has passed the House of Representatives by a large majority, and as for myself I feel that the bill should remain on the Calendar. I am opposed to the bill being recommitted.

Mr. VARE. Mr. President, at the time the Committee heard this bill it was reported out with the distinct understanding, as some of the members of the Committee could not get there, that it was their wish that the bill be recommitted, and I hope that the members of the Senate will vote in accordance with that arrangement.

The PRESIDENT. The Chair has already decided that this bill was recommitted to the Committee on Municipal Affairs.

Mr. HUFFMAN. Mr. President, I understand the matter is open for discussion.

Mr. CROW. Mr. President, I arise to a point of order.

The PRESIDENT. The Senator from Fayette, Mr. Crow, will state his point of order.

Mr. CROW. Mr. President, my point of order is that the Chair having already ruled that the motion prevailed and that this bill is recommitted, discussion at this time is out of order.

The PRESIDENT. The Chair had decided before any remarks whatever that this bill had been recommitted, and there is nothing now before the Senate with respect to this bill, and the point of order of the Senator from Fayetts, Mr. Crow, is sustained.

Mr. HUFFMAN. Mr. President, I appeal from the decision of the Chair.

The PRESIDENT. The Senator from Monroe, Mr. Huffman, will prepare his appeal.

The ACTING PRSIDEENT PRO TEMPORE (Mr. Charles H. Kline) in the Chair.

APPEAL FROM DECISION OF CHAIR.

We, the undersigned, hereby appeal from the decision of the President on the question decided.

(Signed) HARVEY HUFFMAN,
J. CARTER JUDSON.

On the question,

Shall the decision of the Chair stand as the judgment of the Senate?

Mr. CROW. Mr. President, as I understand the matter, as it now stands, the merits or demerits of the legislation are not before the Senate. A motion was duly made and seconded that this bill be recommitted to the Committee on Municipal Affairs, in accordance with understandng when the bill was reported from committee. The motion was put to the Senate and upon the vote taken the Chair decided that the bill was recommitted. Now, up to the time that the Chair made the decision, no complaint or objection had been made by any member of the Senate, so that the Chair's decision was in accordance with the facts and the vote as it stood at the time the decision was given. There can be no claim of injustice or partiality in the decision of the Chair because at the time the decision was made no objection whatever had been made to the recommitting of the bill, and it seems to me that under these circumstances and no impartiality or unfairness appearing in the ruling of the Chair, the decision should be sustained.

Mr. HUFFMAN. Mr. President, I did not intend to say anything more about this, and I only arise because I want to make a comment about where this bill shou'd go. I want to say that I was as close to the President as the gentleman who just took his seat, and that I paid as much attention to that as was possible for me to pay, and I have not heard any decision the President has made yet on that question. The Senator from Mercer, Mr. Jarrett, was on his feet asking the attention of the Chair, and received it, and after he made his remarks, it was talked upon by the Senator from Philadelphia, Mr. Vare.

I was immediately thereafter recognized and I deny that any decision was made in the hearing of the Senators and I say this without talking upon the merits of this question, that this is a reflection I think upon this Senate that when an attempt is made to talk upon a subject of this character that the Senator be cut off from discussing it. I don't know that I am in favor of an initiative and referendum for third class cities, but I do know one thing that so long as I occupy a seat in this Senate that I shall maintain my rights here and I do not think this Senate would be doing what is right to sustain this decision of the Chair.

The PRESIDENT. The reporter will read the motion and the action thereon.

Which was accordingly done.

And the question recurring,

Shall the decision of the Chair stand as the judgment of the Senate?

Mr. JARRETT. Mr. President, in my legislative experience I have always tried to observe the rules of this Senate and I for one will not joi nin appealing from the decision of the Chair when I think that the decision of the Chair was right. I sat around all morning waiting for this bill to be called for second reading and when the motion was put whether or not this bill should be recommitted I was on my feet and the President of this Senate recognized me and allowed me to make my remarks. There was no objection made on the floor of this Senate as I made my remarks. When I attracted the attention of the Chair it was just when he was ready to say "All in favor say Aye, All opposed" when I attracted his attention. I am not here to deceive any member of the Senate and I hear the members of the Senate talking about upholding Senatorial courtesy, this is one place you should uphold it and I say the appeal made by the Senator from Monroe, Mr. Huffman, should be sustained, that we should vote in favor of the appeal from the decision from the Chair and that the decision of the Chair should not be sustained.

Mr. JUDSON. Mr. President, in seconding this appeal, I do not do it because I want to reflect upon the President, but I did not understand the nays and yeas had been called. I was waiting for this and I didn't hear the yeas and nays called on that motion.

Mr. HOKE. Mr. President, I would like to vote to sustain the Chair in this but it seems to be on the facts that are exhibited by the notes of the stenographer himself that the Senator from Fayette should withdraw his point of order. If that is the correct record of what occurred the Chair did not put the question to the vote of the Senators. It said the motion was put and seconded and immediately said it was agreed to. On the facts that are exhibited by the notes themselves I think this point of order should be withdrawn.

The PRESIDENT. If the Senator will look at the Legislative Journal he will notice that the presiding officers name never appears as putting the question.

And the question recurring,

Shall the decision of the Chair stand as the judgment of the Senate?

The yeas and nays were required by Mr. Huffman and Mr. Judson, and were as follows, viz:

YEAS—23.

Catlin,	Hall,	Magee,	Sheatz,
Crow,	Homsher,	Martin,	Snyder,
Daix,	Hunter,	McNichol,	Sones,
DeWitt,	Jones,	McNichols,	Thompson,
Farley,	Kline,	Morgan,	Vare,
Graff,	Kurtz,	Salus,	

NAYS—15.

Alexander,	Hoke,	Knapp,	Nulty,
Cooper,	Huffman,	McIlhenny,	Sensenich,
Heacock,	Jarrett,	Miller,	Wasbers,
Hilton,	Judson,	Moore,	

So the question was determined in the affirmative and the appeal was not sustained.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

MOTION TO RECONSIDER VOTE BY WHICH BILL WAS RECOMMITTED.

Mr. HEACOCK. Mr. President, I move to reconsider the vote by which Senate Bill No. 1092 (House Bill No. 135) was recommitted to the Committee on Municipal Affairs.

Mr. HOKE. Mr. President, I second the motion.

The yeas and nays were required by Mr. Heacock and Mr. Judson.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The Chair wishes to state, probably it is out of the usual order of things, in justice to himself, that he was not aware of the title of this bill, or the substance if the title of this bill as it was simply called by number. He was not aware of the substance of this bill until after he had made his decision. The Chair has been proceeding with some speed in order to get the calendar completed for the morning and this bill was called just as others and the motion was made to recommit, seconded and without, hastingly, as I have done in every instance, I said the motion was agreed to. As a matter of courtesy I always recognize a Senator who might rise with respect to any bill that has been disposed of, and then it was for the first time that I knew the nature of this bill, but I had rendered my decision and in justice to myself and the Senate I felt that I ought to say so. That is all I have to say in regard to it.

Mr. VARE. Mr. President, there is no reason why this Senate should reconsider the vote by which this bill was recommitted. The bill came out with a distinct understanding of every Senator sitting in the committee room at the time this bill was considered and because of the small attendance at the hearing of the committee, that it should be recommitted. I said as Chairman of that committee that I would report this bill out with the distinct understanding that if the rest of the Senators from that committee are not satisfied the bill will come back, and that was agreed to, and I think this Senate ought to sustain the committee under that arrangement.

Mr. McNICHOLS. Mr. President, I am very much interested in this bill, for the reason that two years ago I voted for a measure just like this, and in order to complete our form of government up in Scranton, we would like to add this to it. However, I agree with the Chairman of the Committee on Municipal Affairs that there was an understanding, as I happen to be a member of this committee and was present at that hearing. I was informed since that that there was no opposition to it. I am a little surprised this

morning to learn that there is opposition, and that it is to go back for a further hearing. I feel assured, however, that the Chairman will give the advocates of this measure a hearing in the very near future, and that we will get it back on the Calendar. As much as I would like to vote for this measure, and for this motion as made, I feel in all justice to the Chairman of this particular committee that I will have to vote "No."

Mr. JARRETT. Mr. President, I know nothing at all about the arrangements that this bill should come out, be placed upon the Calendar and be recommitted on second reading. I regard this measure as a very important one for cities of the second and third classes. I am not going to discuss the merits of the bill. I think there is a sufficient demand for it. Some of the people want it. If the Chairman of the Committee on Municipal Affairs will say simply and assure the Senators that this bill will come out in a reasonable time, I do not want to be discourteous, but I do not want to see the bill go back in committee and there be killed. If we agree that this bill shall come out next Monday or Tuesday or Wednesday, that will be all right, but if there is no arrangement of that kind I will have to vote for reconsideration.

Mr. McNICHOL. Mr. President, I was the gentleman who objected to reporting the bill out, but at the solicitation of Senator Powell, who desired to have the bill reported out and read the first or second time, I consented to it with the distinct understanding, and the rest of the members of the committee thoroughly understood the proposition, that this bill would go back and the idea of undertaking to report a bill out and to act upon it that has been in the Committee on Municipal Affairs, and never heard, I would think it preposterous that even the intelligence of this Senate could consider this bill in a dispassionate form, and I thnk it is due this committee as represented by its Chairman, Mr. Vare, that the understanding had in that committee should be lived up to, and not with the idea that the bill is going to be sent back with the intention of stifling it, but that the members of the committee should be fully familiar with its provisions and what is contained therein, in order to either defend or oppose it intelligently upon the floor of the Senate.

Mr. VARE. Mr. Presdent, in answer to the Senator from Mercer, Mr. Jarrett, I might add a few words. There never has been a time since the convening of this session that the Municipal Affairs Committee did not consider any bill by request, and that will be the case with this bill. It is not fair to stand in this Senate and say that bills are being stifled and the committee will not hear them, when there is not a member sitting on this floor who can say that the Municipal Affairs Committee has refused to give them fair hearings and in many cases, reported bills out when there were only two or three Senators at the hearings. And that is why this bill is to go back. Very many of the Senators did not attend and there was such a small attendance that they sent the bill out with this understanding that if some of the members would not agree to it, after the bill came out, it was to go back again, and I believe this agreement ought to be kept.

Mr. HILTON. Mr. President, after hearing the remarks of the Senators from Philadelphia, Mr. McNichol and Mr. Vare, I would say that I am a member of that committee and that they are right. This bill was reported out with the understanding that the Senator from Allegheny, Mr. Powell, would arrange with the Senator from Fayette, Mr. Crow, otherwise it was not to be reported out, and while I am for the bill I am in favor of reporting it back to committee owing to that agreement.

Mr. JARRETT. Mr. President, as I stated before, I am ignorant of the arrangements that were made at that time, not knowing anything at all about it. If it can be arranged that we can have a hearing on this bill, say this afternoon—Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Vare.

The PRESIDENT. Will the Senator from Philadelphia, Mr. VARE, allow himself to be interrogated?

Mr. VARE. Mr. President, I will.

Mr. JARRETT. Mr. President, I trust that my interrogation will not be considered out of order. Does the Senator from Philadelphia, Mr. Vare, think it will be possible to arrange a meeting of the Muncipal Affairs Committee this afternoon?

Mr. VARE. Mr. President, I do not think so as we have a meeting of the Elections Committee all afternoon.

Mr. JARRETT. Mr. President, could the committee give half an hour this afternoon?

Mr. VARE. Mr. President, maybe a half hour wouldn't suit the committee to pass on the bill.

Mr. JARRETT. Mr. President, the committee could probably hear the arguments of the people that would like to be heard.

Mr. VARE. Mr. President, there isn't any intention to hide this bill, never has been and never will be while I am at the head of this committee, and so far as the Senators are concerned, I want them to vote on this bill the same as a full committee.

And the question recurring,

Will the Senate agree to the motion?

Mr. HEACOCK. Mr. President, with the permission of the seconder to the motion, I withdraw it.

Mr. HUFFMAN. Mr. President, I agree that the motion shall be withdrawn.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1111 (House Bill No. 695), entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1139 (House Bill No. 1419), entitled:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUNTER. Mr. President, I ask that Senate Bill No. 1143, (House Bill No. 1236), on second reading, entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the constructon of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twent-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred one as the same were amended by the act of May fourteenth one thousand nine hundred one by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1151, as follows:

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania

Whereas A joint resolution proposing an amendment to the Constitution of this Commonwealth has been passed at two consecutive sessions of the General Assembly of Pennsylvania a majority of the members elected to each House having agreed thereto namely the sessions of one thousand nine hundred eleven and one thousand nine hundred thirteen which proposed amendment reads as follows

"Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

"That section four of article nine which reads as follows

"Section 4 No debt shall be created on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiency in revenue shall never exceed in the aggregate at any one time one million of dollars" be amended so as to read as follows

"Section 4 No debt shall be created by or on behalf of the State except to supply casual deficiencies of revenue repel invasion suppress insurrection defend the State in war or to pay existing debt and the debt created to supply deficiencies in revenue shall never exceed in the aggregate at any one time one million of dollars Provided however That the General Assembly irrespective of any debt may authorize the State to issue bonds to the amount of fifty millions of dollars for the purpose of improving and rebuilding the highawys of the Commonwealth" and

Whereas It is provided in article eighteen of the Constitution of this Commonwealth that any amendment so agreed upon shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two houses as the General Assembly shall prescribe such submission to be in such manner and form that the people may vote for or against such amendment therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of ascertaining the sense of the people of this Commonwealth in regard to the adoption or rejection of a proposed amendment to section four of article nine of the Constitution of this Commonwealth authorizing the State to issue bonds to the amount of fifty millions of dollars for the improvement of the highways of the Commonewalth the said amendment shall be submitted to the vote of the people of this Commonwealth at the election to be held on the fourth day of November Anno Domini one thousand nine hundred thirteen for the purpose of deciding upon the approval and ratification or the rejection of said amendment Said election shall be opened held and closed upon said election day at the places and within the hours at and within which the said election is directed to be opened held and closed in accordance with the provisions of the laws of Pennsylvania governing elections and amendments thereto Such amendment shall be printed upon the ballots in the form and manner prescribed by the election laws of Pennsylvania and shall in all respects conform to the requirement of such laws

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1153, entitled:

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

The first, second, third and fourth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever to promote sanitation prevent floods improve navigation or for other purposes the Government of the United States by its proper officers or by act of Congress shall authorize the widening straightening or improvement of the main channel of any navigable river or stream under agreement with the owners of any land to be taken for any of the purposes aforesaid and shall permit the abandonment and filling up of other parts of such river or stream which may thereby be no longer useful for the ordinary purposes of navigation the Secretary of Internal Affairs is hereby authorized on behalf of the Commonwealth to survey appraise and patent so much of the bed of such river or stream below low water mark as shall be no longer useful for the ordinary purposes of navigation and shall be so abandoned

Section 2 Any such land shall thereafter upon application be surveyed appraised and patented in the same manner as other vacant or unappropriated land may now by law be surveyed appraised and patented and preference in granting any such patent shall be given to applications of owners of the land abutting the portion of the bed of such river or stream as shall be subject to patent and due allowance shall be made in fixing the price thereof for the value of the land taken from or voluntarily surrendered by the owners for the purpose of widening straightening or improving the main channel of such river or stream as aforesaid

Section 3 In patenting land to abutting land owners as provided in section two of this act the patent or patents may issue in accordance with any agreement entered into by all such land owners providing for an allotment of the land abandoned and subject to patent

Section 4 The evidence that any part of such river or stream has ceased to be useful for the ordinary purposes or navigation and is the subject of warrant survey and patent shall be a certified copy of any act of Congress which may be passed in relation thereto and a copy of any agreement entered into between the United States of America and such owners of the land accompanied by proper plans showing the land to be taken the river or steam as widened straightened or improved and the portion of such river or stream which is to be abandoned which copy of such agreement and which plans shall be certified under the hand and seal of the Secretary of War and filed in the office of the Secretary of Internal Affairs of this Commonwealth

The fifth section of the bill was read as follows:

Section 5 The applicant for any patent shall file with the Secretary of Internal Affairs the application together with an affidavit setting forth the ownership legal or equitable of the land or lands abutting the portion of the river or stream which has ceased to be useful for the ordinary purposes of navigation and is to be abandoned showing as far as possible the legal or equitable title to low water mark together with a short abstract of the title from the Commonwealth unto the applicant Such affidavit shall also se forth that the applicant has served upon the owners of land or lands abutting the portion of the stream which is to be thus abandoned a notice that this application is to be made at a time certain not less than ten days from the service of such notice a copy of which notice shall be attached to such affidavit If the application is made by a corporation it may be made and the affidavit taken by any principal officer thereof duly authorized thereto After hearing of any application the proper officers of the Land Department of the Commonwealth are authorized and empowered to issue a patent including the land underlying the part of the river so to be abandoned to the owner or owners of the land abutting the part of such river so to be abandoned or to the vendees or asignees of such owner of owners as their interest may be whether such owners vendees or assignees are applicants or not if they appear and show proper cause why such patent should be issued to them but if such owners vendees or assignees do not file an application or do not appear and claim that such patent should be granted to them then such patent shall be issued to any other applicant who may be entitled to the same under the provisions of this statute and the laws of this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. THOMPSON. I move to amend section 5, in line 8, by striking out the word "the" where it first occurs and inserting in lieu thereof the word "such"; also in line 8, by striking out after the word "Commonwealth" the words "unto the applicant."

Mr. ENDSLEY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows and agreed to.

Section 6 All acts or parts of acts general local or special in so far as they are inconsistent with this act are repealed

The title of the bill was read as follows and agreed to.

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navegable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1172 (House Bill No. 1300), entitled:

An Act authorizing cities of the second class in this Commonewalth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1174 (House Bill No. 1314), entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1176 (House Bill No. 1541), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1177 (House Bill No. 1547), as follows:

An Act to amend section two of an act entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" approved the twenty-first day of April Anno Domini one thousand nine hundred and three

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of the act approved April twenty-first one thousand nine hundred and three entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonewalth to have the county bridges of their respective counties painted and the bolts of the same tigthened as often as may be necessary" which reads as follows

"Section 2 Said county commissioners shall during the month of March of each year in which it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by section one of this act cause to be published in two newspapers of the proper county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first day of the following May or as soon thereafter as practicable and the contract for material and work upon each bridge shall be given to the lowest and best bidder" be amended so that the same shall read as follows

Section 2 Said county commisioners shall whenever it may be necessary to paint any of the county bridges and tighten the bolts thereof as required by section one of this act cause to be published at least once a week for four successive weeks in two newspapers of the proper county a list of such bridges stating their location and specifying the kind and quantity of paint to be used and asking for sealed bids for furnishing the material and doing the work upon each separate bridge which bids shall be opened on the first Monday following the close of said four weeks or as soon thereafter as practicable and the contract for material and work upon each bridge may be given to the lowest and best bidder

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1178 (House Bill No. 1681), as follows:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth Anno Domini one thousand eight hundred and nienty-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act to amend section three of an act" entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth one thousand eight hundred and ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred and eleven which reads as follows

Section 1 Such policemen whether heretofore or hereafter appointed shall be under the control and direction of the council of the borough in which they shall be appointed as to the time during which and the place where they shall perform their duties They shall when on duty be subject to the direction of the Chief Burgess or Burgess in the enforcement of the ordinances and they shall receive such compensation (to be paid from the borough treasury) as may be agreed upon between them and the council and be subject to removal or discharge at the discretion of the council of such borough be so amended as to read

Section 1 Such policemen shall after the passage of this act be appointed by and shall be under the control and directions of the Chief Burgess or Burgess of the borough in which they shall be appointed as to the time during which the place where and the manner in which they shall perform their duties and they shall receive such compensation (to be paid from the borough treasury) as has been heretofore provided or may hereafter be provided by ordinance or resolution of the borough council and be subject to removal or discharge at the discretion of the Chief Burgess or Burgess

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1187 (House Bill No. 1448), entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its checks in payment of a depositor's check

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1190 (House Bill No. 398), entitled:

An Act to require the reporting by physicians to the State Register of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. HUNTER. Mr. President, I ask that Senate Bill No. 1199 (House Bill No. 1562), on second reading, entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata share of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1204 (House Bill No. 1148), entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete

their assessment and make their return thereof and further providing for the determination of the time actally employed by the said assessors and assistant assessors in the performance of their duties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1209, as follows:

An Act authorizing each city in the Commonwealth to prepare adopt and amend its own charter regulating the preparation adoption and amendment thereof providing penalties for violations of the act and repealing certain laws relating to the government of cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general Assembly met and it is hereby enacted by the authority of the same That the word "charter" when and as used in this act shall be taken to mean "form of local self-government"

Section 2 Each city in this Commonwealth is authorized to prepare and adopt a charter for the government of such city and to amend such charter after adoption Under this charter the city may enact such laws and ordinances as may be deemed necessary in conducting the affairs of the city Such charter of any law or ordinance enacted thereunder shall not contain any provision inconsistent with the provisions of the Federal or State Constitution or of the laws of this Commonwealth

Section 3 The charter shall be prepared by a commission which shall consist of such number of members as shall equal the number of wards of such city The members shall be elected from the city at large Each member shall be of the age of thirty years or upward and shall be a qualified elector of the city

Section 4 Upon their own intiative or whenever ten per centum of the duly qualified electors of the city shall by petition request the corporate authorities thereof to avail themselves of this act such corporate authorities shall by ordinance duly passed approved and published according to law provide for such special election

Section 5 Within thirty days after the election the commission shall meet and organize by choosing one of their number as chairman and one member as secretary The commission shall fix a time and place when and where all meetings shall be held Stated meetings shall be held at least once a week but the commission shall meet at any other time on the call of the chairman On request of one-half of the members the chairman shall issue such call Any member who unless prevented by illness shall fail to attend two consecutive meetings shall cease to be a member of the commission The vacancy thereby caused and any other vacancy caused by death or resignation or permanent removal from city shall be filled by the remaining members of the commission The person selected to fill such vacancy shall possess the same qualifications as an original member A quorum of the commission shall consist of three-fourths of the entire number

Section 6 The commission in preparing the charter shall hold such public hearings as it may deem advisable To aid it in its work the commission may employ persons learned in the law persons skilled in drafting laws and ordinances and such clerical help as it may need in preparing the charter The compensation of those so employed shall be fixed by the commission and shall be paid by the proper city

Section 7 As soon as conveniently may be the commission shall prepare a preliminary draft of the charter and shall publish the same once in each of the daily newspapers published in said city If the commission deem it advisable other preliminary drafts of the whole or of any part of the charter may be prepared and so published The final draft shall be printed in pamphlet form and shall be mailed to the residence address of each elector of the city at least thirty full days before the election herein provided for to adopt or reject such charter

Section 8 The charter shall be submitted to the electorate of the city for adoption or rejection at the next succeeding general or municipal election The election to adopt or reject the charter shall be held at the place time and under the same regulations provided by law for holding municipal elections It shall be the duty of the proper election officers to receive from electors qualified to vote in the proper district separate ballots either written or printed bearing on the outside the words "adoption of charter" and on the inside the words "adopt the charter" or "reject the charter" The ballots so received shall be counted and a return made thereof duly certified to the select council of the city or if there be no select council then to the council of such city If by the return of such election it shall appear that a majority of the electors voting at such election shall have cast their ballots in favor of the adoption of the charter a certificate of such return and canvass shall be filed in the office of the Secretary of the Commonwealth who shall receipt for the same

Section 9 Both elections provided for in this act shall be conducted by the proper election officers of the several election districts of the city and shall in all respects be governed by the laws of this Commonwealth relating to municipal elections so far as the same may be applicable thereto and not inconsistent with this act Any elector otherwise qualified by law shall be entitled to vote at the special election if he shall have been a duly registered elector at the general or municipal election last preceding such special election and shall be otherwise qualified by law

Section 10 At least thirty days' notice of each election herein provided for shall be given by proclamation of the mayor A copy of such proclamation shall be posted at each polling place of the city and shall be published in each daily newspaper of the city once a week for four successive weeks prior to the election

Section 11 The ballots cast at any election provided for herein may be written or printed No ballot shall be counted which shall bear any party emblem or designation of any kind

Section 12 At any election held under the provisions of this act it shall be unlawful for any person other than a candidate for the office of commissioner in any manner directly or indirectly to request solicit ask or commond any person to vote for or against any candidate for the office of commisioner or for or against the adoption of any charter or amendment thereto Any person who shall violate any of the provisions of this section shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five hundred dollars ($500.00) and to undergo an imprisonment in the jail of the proper county for a period not to exceed ninety days This section shall not apply to any newspaper or periodical regularly published at any public meeting or to any printed matter mailed to the residence of any elector

Section 13 Unless otherwise provided in the charter all officials in office at the time of filing the certificate of adoption with the Secretary of the Commonwealth shall continue to hold their respective offices until their successors under the charter shall have been duly qualified The officials and employes of any department abolished or not continued by the charter shall cease to hold office or to remain in such employment upon the adoption of the charter But the charter may provide for a continuance of any or all departments of the city government until the officials to be elected under the charter shall have been elected and qualified

Section 14 The expense of holding the election for commissioners of preparing and printing and mailing the charter and of preparing and distributing ballots at any election hereunder shall be paid by the proper city

Section 15 Provision shall be made in the charter for the amendment thereof No amendment shall be adopted other than by the vote of the electors of the proper city No amendment whether the same or other amendments shall be submitted to the electors oftener than once in two years

Section 16 All acts and parts of acts general local and special relating to the government of cities are repealed This act however shall not be taken to repeal any law affecting any of the rights powers and duties of any branch of the State government nor repeal any portion of any law relating to municipal claims to boundaries of cities to the validation of ordinances heretofore passed by any city to the increase of indebtedness of cities to the validation of elections to the validation of obligations issued by any city or to the annexation of territory to cities

Section 17 Sections one to fifteen inclusive of this act shall go into effect immediately upon its approval Section sixteen of this act shall go into effect in each city as soon as it shall have filed in the office of the Secretary of the Commonwealth the certificate provided for in this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1239 (House Bill No. 1473), entitled:

An Act to amend an act approved the tenth day of May one thousand eigth hundred eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HUNTER. Mr. President, I move that Senate Bill No. 1236, (House Bill No. 1793), on second reading, entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

be recommitted to the Committee on Municipal Affairs.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1274, as follows:

An Act authorizing cities of the first and second class to compensate employees for the time lost while in the employ of

the city as a result of injuries sickness or disablement of any kind sustained while in the performance of their duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the first and second class of this Commonwealth be and are hereby authorized and empowered to pay all persons in their employ during absence from their employment caused by injuries sickness or disablement of any kind whatsoever sustained in the performance of their duties provided that such compensation made by the city shall only be equal to the amount of wages or salary said person would have received during the period of absence from his or her employment and never for a period of time to exceed one year

Section 2 Any act or part of an act inconsistent herewith is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1279, on second reading, entitled:

A supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1280, on second reading, entitled:

An Act providing for the regulation of dams or other structures of obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1281, on second reading, entitled:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1294, as follows:

An Act to amend an act approved the twentieth day of June one thousand nine hundred and one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by eliminating certain provisions relating to school taxes and repealing section eight of said act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the twentieth day of June one thousand nine hundred and one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several city treasurers hereafter elected in cities of the third class of this Commonwealth by virtue of their office shall be the collectors of all the city school and poor taxes assessed or levied in their respective cities and shall perform the duties and be subject to the hereinafter provisions of this act" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several city treasurers hereafter elected in cities of the third class of this Commonwealth by virtue of their office shall be the collectors of all the city and poor taxes assessed or levied in their respective cities and shall perform the duties and be subject to the hereinafter provisions of this act

Section 2 Section two of said act which reads as follows

"Section 2 At the same time the city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of city school and poor taxes which oath shall be filed with the city clerk of te proper city" is hereby amended to read as follows

Section 2 At the same time the city treasurer enters upon his duties he shall take and subscribe his oath of office as collector of city and poor taxes which oath shall be filed with the city clerk of the proper

Section 3 Section three of said act which reads as follows

"Section 3 The several city school and poor authortities now empowered or which may be hereafter empowered to levy taxes upon persons and property within the said cities of the third class on the first day of June in each year make out and deliver their respective duplicates of taxes assessed to the said city treasurer as the collector of the said several taxes which taxes shall be collected by the said city treasurer by virture of his office as herein provided and the said duplicates shall at all times be open to the proper inspection of the tax payers and of the proper auditing and examining officers and shall be delivered by the said treasurer at the expiration of his term to his successor in office" is hereby amended to read as follows

Section 3 The several city and poor authorities now empowered or which may be hereafter empowered to levy taxes upon persons and property within the said cities of the third class shall on the first day of June in each year make out and deliver their respective duplicates of taxes assessed to the city treasurer as the collector of the said several taxes which taxes shall be collected by the said city treasurer by virtue of his office as herein provided and the said duplicates shall at all times be open to the proper inspection of the taxpayers and of the proper auditing and examining officers and shall be delivered by the said treasurer at the expiration of his term to his successor in office

Section 4 Section four of said act which reads as follows

"Section 4 The said several duplicates shall be accompanied with the warrants of the proper authorities directing and authorizing the said city treasurer as the collector of taxes to collect the same The warrant for the collection of any school tax shall be executed by the president of the board of school controllers attested by the secretary thereof the warrant for any tax levied by the councils of any of said cities shall be executed by the mayor and be countersigned by the city controller and in all other cases the warrant shall be executed by the authority making the tax levy" is hereby amended to read as follows

Section 4 The said several duplicates shall be accompanied with the warrants of the proper authorities directing and authorizing the said city treasurer as the collector of taxes to collect the same The warrant for any tax levied by the councils of any of said cities shall be executed by the mayor and be countersigned by the city controller and in all other cases the warrant shall be executed by the authority making the tax levy

Section 5 Section seven of said act which reads as follows

"Section 7 All persons who shall make payment on or before the first day of July in each year of any city school or poor tax levied within the respective city of the third class and charged against the said persons in the proper duplicate shall be entitled to a reduction or abatement of one per centum from the amount thereof Upon all taxes remaining unpaid on the first day of September of each tax year three per centum shall be added thereto and upon the first day of every succeeding month thereafter there shall be added or charged an additional penalty for non-payment of one per centum until such taxes are paid which penalties shall be added to the taxes by the said treasurer as collector and be collected by him" is hereby amended to read as follows

Section 7 All persons who shall make payment on or before the first day of August in each year of any city or poor tax levied within the respective city of the third class and charged against the said persons in the proper duplicate shall be entitled to a reduction or abatement of one per centum from the amount thereof Upon all taxes remaining unpaid on the first day of September of each tax year three per centum shall be added thereto and upon the first day of every succeeding month thereafter there shall added or charged an additional penalty for non-payment of one per centum until such taxes are paid which penalties shall be added to the taxes by the said treasurer as collector and be collected by him

Section 6 Section ten of said act which reads as follows

Section 10 The said treasurer as collector of ttaxes shall at least once a month pay over to himself as city treasurer and school treasurer or charge himself therewith all the city school and poor taxes collected by him at the same time he shall make a return or report to the city controller verified by affidavit showing by whom and upon what properties the real estate city taxes have been paid and also make a report and return to such officer or representative of the board of school controllers and to such other authority in said city as shall be entitled thereto verified as aforesaid showing by whom and upon what properties the real estate school and poor taxes have been paid" is hereby amended to read as follows

Section 10 The said treasurer as collector of taxes shall at least once a month pay over to himself as city treasurer or charge himself therewith all the city and poor taxes collected by him at the same time he shall make a return or report to the city controller verified by affidavit showing by whom and upon what properties the real estate city taxes have been paid and to such other authority in said city as shall be entitled thereto verified as aforesaid showing by whom and upon what properties the real estate and poor taxes have been paid

Section 7 Section twelve of said act which reads as follows "Section 12 Upon the settlement of the duplicates of city and school taxes and of any poor taxes which by law are made a lien on real estate it shall be the duty of the said city treasurer as collector of said taxes to make out schedules of said city school or poor taxes uncollected upon his duplicates with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold in accordance with existing laws or laws which may be hereafter enacted Each schedule shall be accompanied by his affidavit thereto setting forth that after the proper efforts he could not find sufficient personal property out of which the said taxes or any part thereof could be made or collected as provided by law Provided however That the failure of the said collector to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof And provided further That in case any such collector shall make any wilfully false return he shall be liable therefor to any person or persons injured thereby The schedule of unpaid city taxes hereinabove provided for shall be certified by said treasurer as collecter to the city solicitor of the respective city for filing in court with the like force and effect as if certified by the city treasurer under existing laws The schedule of unpaid school and poor taxes when a lien shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such person is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws and the certifying of the said schedules by the said treasurer as a collector shall in all cases have the like effect as if the same had been certified by the city treasurer as aforesaid" is hereby amended to read as follows

Section 12 Upon the settlement of the duplicates of city taxes and of any poor taxes which by law are made a lien on real estate it shall be the duty of the said city treasurer as collector of said taxes to make out schedules on said city or poor taxes uncollected upon his duplicates with a brief description of the properties against which the same are assessed for the purpose of having the same entered for lien or sold in accordance with existing laws or laws which may be hereafter enacted Each schedule shall be accompanied by his affidavit thereto setting forth that after the proper efforts he could not find sufficient personal property out of which the said taxes or any part thereof could be made or collected as provided by law Provided however That the failure of the said collector to collect the said taxes from personal property when the same could have been collected shall not impair the lien thereof or affect any sale made for the collection thereof And Provided further That in case any such collector shall make any wilfully false return he shall be liable therefor to any person or persons injured thereby The schedule of unpaid city taxes hereinabove provided for shall be certified by said treasurer as collector to the city solicitor of the respective city for filing in court with the like force and effect as if certified by the city treasurer under existing laws The schedule of unpaid poor taxes when a lien shall be certified to such officer or person as is now or shall hereafter be designated to receive the same for filing as a lien in court and where no such person is designated the said schedule may be certified to the solicitor of the authority levying the tax who may cause the said taxes to be registered as a lien in court under existing laws and the certifying of the said schedule by the said treasurer as a collector shall in all cases have the like effect as if the same had been certified by the city treasurer as aforesaid

Section 8 Section eight of said act is hereby repealed

And said bill having been read at length the second time agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1193 (House Bill No. 1048), entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1303 (House Bill No. 1107), entitled:

An Act relating to inns and hotels regulating certain rights and liabilities of hotel-keepers and inkeepers and providing penalties for fraud against innkeepers and hotel-keepers

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1310 (House Bill No. 1864), entitled:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING POSTPONED FOR THE PRESENT.

Mr. CROW. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 793 (House Bill No. 3), on second reading postponed for the present, entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the second reading and consideration of Senate Bill No. 793 (House Bill No. 3), entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

REPORTS FROM COMMITTEES.

Mr. CATLIN. I ask unanimous consent to make a report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1298 (House Bill No. 585), entitled:

An Act to amend the first section of an act approved the 25th day of April, 1907, P. L. 103, entitled "A Supplement to the Act of April 3, 1851, entitled 'An Act regulating boroughs providing for the election of a borough solicitor, fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation," so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April 25, 1907, and providing for the furnishing of a bond by a trust or bonding company.

Mr. DIAX. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DIAX, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1149, entitled:

An Act to repeal an act, entitled "An Act in relation to local advertisements in the County of Lycoming," approved April 10th, 1873.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 903, entitled:

An Act to amend section ten of an act entitled "An Act regulating railroad companies" approvel February nineteenth one thousand eight hundred forty-nine broadening the powers of eminent domain of railroad companies.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1251 (House Bill No. 525), entitled:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1287 (House Bill No. 1284), entitled:

An Act fixing the salary of the messenger in the State Library

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1296, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS SIGNED.

The PRESIDENT (Lieutenant Governor John M. Reynolds) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 523, entitled:

A Supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and allays and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damage costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventy-five) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefitted and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

Senate Bill No. 178, entitled:

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

House Bill No. 23, entitled:

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

House Bill No. 1321, entitled:

An Act providing that whenever hereafter in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate the new trial shall be restricted to the question of the damages and the verdict shall stand good in all other respects

House Bill No. 1379, entitled:

An Act authorizing counties to appropriate money for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war and soldiers sailors and marines who served on foreign soil prior to July fourth one thousand nine hundred and two

House Bill No. 1465, entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statements by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

House Bill No. 154, entitled:

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

House Bill No. 285, entitled:

An Act providing for the appointment and qualifications of instructors and demonstrators in agriculture and making an appropriation for the same

House Bill No. 416, entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

House Bill No. 426, entitled:

An Act relating to actions for divorce

House Bill No. 442, entitled:

An Act amending section one thousand four hundred and twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children

House Bill No. 471, entitled:

An Act authorizing the Board of County Commissioners of the several counties of the State to apprpriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

House Bill No. 642, entitled:

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

House Bill No. 774, entitled:

An Act to repeal an act approved the fourth day of March one thousand nine hundred an eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight."

House Bill No. 825, entitled:

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certificate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

House Bill No. 960, entitled:

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one

thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 967, entitled:

An Act amending article six of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

House Bill No. 1022, entitled:

Supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

House Bill No. 1023, entitled:

An Act enlarging the powers of mutual savings fund or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one-half of their loans by a straight bond and mortgage for a fixed term and authorizing such associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money in other like associations under certain conditions and repealing all laws inconsistent with this act

House Bill No. 1025, entitled:

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act by fixing the first of October in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

House Bill No. 1072, entitled:

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

House Bill No. 1073, entitled:

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

House Bill No. 1074, entitled:

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situate wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation.

House Bill No. 1077, entitled:

A supplement to an act entitled "An Act for the government of cities of the second class," approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a Forestry Department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Forestry Board

House Bill No. 1102, entitled:

A further supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the Board of Trustees and repealing the tenth and seventeenth sections thereof approved the twentieth day of June Anno Domini one thousand nine hundred and eleven."

House Bill No. 1153, entitled:

An Act for the prevention of blindness by requiring the reporting of cases of opthalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

House Bill No. 1156, entitled:

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

House Bill No. 1241, entitled:

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam boilers steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

House Bill No. 1264, entitled:

An Act regulating the number of persons required as appraisers in claiming exemptions under the act entitled "An Act relating to the commencement of actions to judgments and decrees for the payment of money to the widows and children of decedents and to partitions in the common pleas relative to penalties on telegraph operators to pleadings in certain actions of debt to ejectments to the protection of fences to partnerships to limitations of writs of entry in manors lands and tenements to the exemption laws to reports of the Supreme Court to appeals relating to ward borough and township officers to the acknowledgments of deeds and sequestrations of life estates" approved April fourteenth one thousand eight hundred fifty-one (Pamphlet Laws six hundred and twelve) and its supplements and under the act entitled "An Act to amend section one of an act entitled 'An Act relating to the descent and distribution of the estates of intestates' passed and approved April eighth one thousand eight hundred thirty-three defining and declaring the interest that shall descend to and rest in the surviving husband or wife of such intestates" approved April first one thousand nine hundred and nine (Pamphlet Laws eighty-seven) and making legal all exemptions thereunder heretofore allowed

House Bill No. 1436, entitled:

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

House Bill No. 1490, entitled:

An Act regulating the appointment confirmation duties salary and expenses of County Detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 6, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

Gentlemen:—

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be notaries public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Karl T. Phelps, Pittsburgh.
Robert L. Swearer, Pittsburgh.

JOHN K. TENER.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. SNYDER.

That Rule 33, which requires nominations made by the Governor be referred to proper committees and those reported from Committee to lie on the table one day, be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations, and those reported from Committee at today's session.

Which was agreed to,

Whereupon,

A motion was made by Mr. SNYDER.

That the Senate do advise and consent to said nominations,

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Gerberich,	Judson,	Morgan,
Beidleman,	Graff,	Kline.	Nulty,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,		Sensenich,
Cooper,	Heacock,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
Daix,	Hoke,	McIlhenny,	Sones,
DeWitt,	Homsher,	McNichol,	Thompson,
Endsley,	Huffman,	McNichols,	Vare,
Farley,	Hunter,	Miller,	Wasbers,
Fisher,	Jones,		

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 790 (Senate Bill No. 1314), entitled:

An Act to fix the salary of county solicitor in counties containing a population of more than two hundred and fifty thousand and less than one million and providing for the payment thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1248 (Senate Bill No. 1315), entitled:

An Act to fix the salaries of the deputies in the offices of clerk of the courts county controller recorder of deeds county treasurer chief deputy sheriff and chief clerk to the county commissioners in counties of this Commonwealth having two hundred and fifty thousand (250,000) and less than five hundred thousand (500,000) inhabitants each

Which was committed to the Committee on Judiciary Special.

House Bill No. 1909 (Senate Bill No. 1316), entitled:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery in so far as refers to the county of Erie

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. HUNTER. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNTER, from the Committee on Law and Order, reported as committed, Senate Bill No. 1312, entitled:

An Act for the better protection of human life and other life in this Commonwealth, and prescribing penalties for violation of its several provisions

ADJOURNMENT.

Mr. SNYDER. Mr. President, I move that the Senate do now adjourn until 10 o'clock tomorrow morning.

Mr. McNICHOL. Mr. President, I second the motion.

The Senate adjourned at 2.23 P. M. until Wednesday morning, May 7th, 1913, at ten o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 6th, 1913.

The House met at 10:00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

Prayer by the Chaplain, the Rev. J. E. Wright.

O God, we pray for the toilers of our great Commonwealth, that vast number of men and of women whose strong and patient hands are doing the work so essential to us and which contributes so largely to our prosperity and welfare. Some of those people are working under very hard conditions, and their lives feel the fret and the strain of the work, and some of them are working under the cruel sense of injustice and wrong. They feel that they have not the opportunity to which they are entitled, and their hearts are stirred to discontent and bitterness. O Lord, Who art the Father of us all, Thou knowest these people, who they are and where they are and what the conditions under which they are working. Wilt Thou correct the wrongs under which they suffer. Wilt Thou give to them compassionate sympathy. Wilt Thou sustain them and cheer them and give them hopefulness. And may we whose business it is to consider the needs of the people and to minister to those needs to what we can to ease the friction under which they work and to make their lives easier. We feel that in doing this we are ministering to Him who when here upon earth was a laboring man, and unto His name shall be the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's session.

The Clerk proceeded to read the Journal of yesterday's proceedings, when, on motion of Mr. Burnett, the further reading was dispensed with, and the Journal was approved.

REPORTS FROM COMMITTEES.

Mr. LIGHT, from the Committee on Fisheries, reported as committed, House Bill No. 1985 (Senate Bill No. 1000), entitled:

An Act to repeal section eight of an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid."

Mr. MOORE, from the Committee on Judiciary Local, reported as committed, House Bill No. 1934 (Senate Bill No. 296), entitled:

An Act granting the consent of the Commonwealth of Pennsylvania to the City of Harrisburg to construct and maintain a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city

Mr. J. A. DUNN, from the Committee on Judiciary Local, reported as committed, House Bill No. 1935 (Senate Bill No. 297), entitled:

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream to purchase acquire enter upon take use and appropriate private property within or without its territorial limits for that purpose and providing the manner in which damages sustained shall be determined and collected

Mr. McCAIG, from the Committee on Judiciary Local, reported as Committed, House Bill No. 1948, entitled:

An Act to repeal an act approved the twentieth day of May one thousand eight hundred and seventy-one entitled "An Act relative to the collection of borough taxes in the Borough of Coatesville in the County of Chester".

Mr. DAVIS, from the Committee on Mines and Mining, reported as committed, House Bill No. 1889 (Senate Bill No. 735), entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

Mr. MANNION, from the Committee on Appropriations, reported as committed, House Bill No. 278, entitled.

An Act making an appropriation to the Department of Mines of this Commonwealth for paying such expenditures as may be incurred to protect property and the public health and to promote the safety of cities of this Commonwealth and others from loss and danger from a "Mine fire" within the limits of the City of Carbondale Lackawanna County providing how such expenditures shall be made how the Commonwealth shall be repaid and authorizing the condemnation destruction and appropriation of property material and compensation therefor to carry into effect the purposes of this act and imposing certain obligations upon the County of Lackawanna

Mr. ALLEN, from the Committee on Appropriations, reported as amended, House Bill No. 1065, entitled:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver rivers in Pennsylvania to Lake Erie at or near the mouth of Indiana Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construcion of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a Canal Board to have charge of said work prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and Treasurer of this Commonwealth authorizing the said Canal Board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

LEAVES OF ABSENCE.

The SPEAKER. The Chair has received a telegram from the gentleman from Westmoreland, Mr. Ulerich, stating that he has been called to Chicago by an urgent wire and asking leave of absence for the week. Will the House give unanimous consent. The Chair hears no objection and leave is granted.

Mr. CARSON asked and obtained indefinite leave of absence for Mr. Post on account of illness.

Mr. MALIE asked and obtained leave of absence for Mr. Wettach for balance of week on account of illness.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 23,

An Act providing for the creation and regulation of municipal liens and the proceedings for the collection thereof in the several boroughs of this State

House Bill No. 1321,

An Act providing that whenever in any civil cause in any court of this Commonwealth the verdict of a jury is set aside and a new trial ordered the reason or reasons for the order of court shall be stated of record and if such reason or reasons be only that the damages awarded by the verdict are excessive or inadequate damages and the verdict shall stand good in all other respects

House Bill No. 1379,

An Act authorizing counties to appropriate moneys for monuments or memorials in memory of the soldiers sailors and marines of the Spanish-American war

House Bill No. 1465,

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relatives to said exhibition and providing for the repayment to the county by the State of the sum so paid" as amended

House Bill No. 154,

An Act to provide and fix fees and compensation to be received by constables in this Commonwealth for visiting places where liquors are sold or kept

House Bill No. 285,

An Act providing for the appointment qualifications and compensations of instructors and demonstrators in agriculture and making an appropriation for the same

House Bill No. 416,

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

House Bill No. 426,

An Act relating to divorce

House Bill No. 442,

An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenues and repealing all laws general special or local or any parts thereof that

are or may be inconsistent therewith" by requiring the free education in the public schools of children who are inmates of institutions for the care of training of orphans or other children

House Bill No. 471,

An Act authorizing the Board of County Commissioners of the several counties of the State to appropriate money for co-operative agricultural extension work for the purpose of improving and developing the agricultural resources of the proper counties

House Bill No. 642.

An Act to authorize the board of commissioners of every township of the first class to establish lights upon State highways and turnpike roads in such townships

House Bill No. 774.

An Act to repeal an act approved the fourth day of March one thousand nine hundred and eleven entitled "An Act to cede jurisdiction to the United States over the Hanover Public Road in the County of Adams leading to the scene of the cavalry fight."

House Bill No. 825,

An Act amending the first paragraph of the first section of the act entitled "An Act defining fraternal beneficial and relief societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members from funds collected by dues and assessments therein providing for their registration in the office of the Insurance Commissioner and requiring that they shall make annual reports to him and exempting them from taxation and from the supervision of the Insurance Commissioner" approved the sixth day of April Anno Domini one thousand eight hundred and ninety-three (Pamphlet Laws page seven) providing that if after the issuance of the original certifiate the member shall become dependent upon an incorporated charitable institution he shall have the privilege with the consent of the society to make such institution his beneficiary

House Bill No. 960.

An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are of may be inconsistent therewith"

House Bill No. 967,

An Act amending article six of an act entitled "An Act for the government of cites of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by the amendatory act approved the first day of April Anno Domini one thousand nine hundred and nine and as affected by an act entitled "An Act providing a uniform rate of assessment and taxation for all real estate in cities of the second class" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by providing for the classification of real estate for purposes of taxation into two classes to wit the buildings on land and the land exclusive of buildings and by providing for the assessment of a less tax upon the buildings than upon the land exclusive of the buildings in cities of the second class

House Bill No. 1022,

Supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one empowering municipalities to locate streets and alleys and to include therein streets and alleys or parts thereof theretofore opened or used for highway purposes

House Bill No. 1023,

An Act enlarging the powers of mutual savings funds or building and loan associations authorizing them to accumulate a reserve fund to pay contingent losses and validating such funds heretofore accumulated to permit members to secure the repayment of one half of their loans by a straight bond and mortgage for a fixed term and authorizing said associations to so secure loans authorizing said associations to make loans in certain cases upon a stipulated premium and further authorizing them to loan money to other like associations under certain conditions and repealing all laws inconsistent with this act

House Bill No. 1025,

An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the appropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed

House Bill No. 1072,

An Act enlarging the powers of cities of this Commonwealth over the public streets and highways therein and authorizing the construction of overhead and underground structures therein for the convenience and comfort of the traveling public

House Bill No. 1073,

An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof

House Bill No. 1074,

An Act authorizing municipalities to purchase the entire capital stock and bonds of bridge companies owning bridges situated wholly or partly within the limits of such municipalities and exempting such stock and bonds owned by municipalities from State taxation

House Bill No. 1077,

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a Forestry Department defining its jurisdiction providing a method for the collection of the cost of planting removing and changing shade trees along the highways from the abutting property or property owners and providing for the acquisition by said cities by purchase or condemnation of lands for certain purposes upon the recommendation of the Foresty Board

House Bill No. 1102,

A further supplement to an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State institution for the feeble minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the Board of Trustees and repealing the tenth and seventeenth sections thereof approved the twentieth day of June Anno Domini one thousand nine hundred and eleven"

House Bill No. 1153,

An Act for the prevention of blindness by requiring the reporting of cases of ophalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others prohibiting mid-wives and persons other than physicians from treating such cases and fixing a penalty for violation thereof

House Bill No. 1156,

An Act empowering cities to enact ordinances relating to repairs and improvements to streets in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violations of such ordinances

House Bill No. 1241,

An Act to amend an act approved the fourth day of April one thousand nine hundred and five entitled "An Act to provide for the better protection of life and property by the examination and licensing of engineers having charge of steam

boilers steam engines and appliances connected therewith in cities of the second and third class of this Commonwealth and providing penalties for violation"

House Bill No. 1264,

An Act regulating the number of persons required as appraisers in claiming exemptions under the act of April fourteenth one thousand eight hundred and fifty-one and its supplements and under the act of April one one thousand nine hundred and nine and making legal all exemptions thereunder heretofore allowed

House Bill No. 1436,

An Act to provide for the oral examination of a judgment debtor for the purpose of discovering whether he has property which may be made subject to execution on the judgment

House Bill No. 1490,

An Act regulating the appointment confirmation duties salary and expenses of County Detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGES.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 82,

An Act authorizing and regulating the employment on public highways of male prisoners in county jails and prisons and fixing penalties for violation of this act

House Bill No. 115,

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred eighty-nine entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs"

House Bill No. 146,

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

House Bill No. 149,

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

House Bill No. 162,

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to amend section nine of an act approved the tweny-fifth day of June one thousand eight hundred and eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

House Bill No. 215,

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

House Bill No. 280,

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

House Bill No. 290,

An Act authorizing Robert Stewart a citizen of Dauphin County Pennsylvania to bring suit in the court of common pleas of Dauphin County against the Commonwealth of Pennsylvania

House Bill No. 357,

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence" and imposing duties on conductors

House Bill No. 431,

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

House Bill No. 464,

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdicion for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domni one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

House Bill No. 466,

An Act to amend the title of the first section the second section and the third section of an act of Assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for he filing of said report in the office of the clerk of quarter sessions and for appeals to the Court of Common Pleas and superior and supreme courts" approved the ninth day of June one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

House Bill No. 540,

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

House Bill No. 624,

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

House Bill No. 791,

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

House Bill No. 835,

An Act relating to the service of notices and summons in landlord and tenant cases

House Bill No. 847,

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents or duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

House Bill No. 1039,

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hun-

dred eleven entitled "An Act supplementary to "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a suppplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

House Bill No. 1090,

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commisisoners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven Pamphlet Laws two hundred and forty-four extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

House Bill No. 1116,

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile school or farm as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

House Bill No. 1137,

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

House Bill No. 1168,

An Act to provide for the payment of costs and charges on writs of execution or attachment and fixing the liability of sheriff in the execution thereof

House Bill No. 1191,

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 1218,

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowance as field batteries for armory rent for rifle practice for clothing and equipment and making said allowance also available for subsistence and additional general military purposes by also providing that the allowance to be received by battalions in the naval force for armory rent for rifle practice in clothing and equipment shall be available for subsistence and additional general military purposes

House Bill No. 1226,

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

House Bill No. 1365,

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Bilanville Bridge Company in Wayne county Pennsylvania

House Bill No. 1464,

An Act regulating to the openings of buildings upon over or under external fire escapes

With information that the Senate has passed the same without amendment.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the Resolution of the House of Representatives as follows:

In the House of Representatives, May 5, 1913

Resolved, (If the Senate concur) That House Bill No. 964, entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited

be recalled from the Governor for the purpose of amendmenf.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate had concurred in the amendments made by the House of Representatives to House Bill numbered and entitled as follows:

House Bill No. 1362:

An Act authorizing H W Brown and D E Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the Court of Common Pleas of Dauphin county against the Commonwealth of Pennsylvania

said bill having been recalled from the Governor for the purpose of amendment.

The SPEAKER. The first bill for consideration will be found on page 22 of today's calendar, bills on third reading postponed for the present, House Bill No. 969, which was called up last night, but not reached through lack of time for its consideration.

BILL ON THIRD READING.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 969, entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—144.

Adams,	Dunn, H. B.,	Kitts,	Rex,
Ambler,	Dunn, J. A.,	Klepper,	Rhoads,
Arthur,	Ehrhardt,	Kuhn, H. P.,	Richards,
Baldwin, G. A.,	Eichenberger,	Kuhns, E.G.M.,	Rockwell,
Baldwin, R. J.,	Ely,	Light,	Rothenberger,
Barner,	Ewing,	Lohr,	Runk,
Bass,	Fahey,	Lowers,	Sassaman,
Bayle,	Foster, J. D.,	Malie,	Shaffer, I. E.,
Becker,	Frey,	Mannion,	Showalter,
Benninger,	Geary,	Martin,	Smith, J. W.,
Benson,	Gibson,	Mather,	Smith, L.,
Bigger,	Glenn,	Matt,	Snavely,
Bittles,	Good,	McAllister,	Snyder,
Blair, W. A.,	Goss,	McArdle,	Spangler,
Blair, W. F.,	Gransback,	McCaig,	Speiser,
Bleloch,	Hackett,	McClintock,	Spillinger,
Body,	Heidinger,	McDermott,	Steele,
Brosius,	Hemminger,	McKay,	Stone,
Brown,	Herman,	Miller,	Strauss,
Brownlee,	Hess,	Missimer,	Swartz,
Burnett,	Heyburn,	Mitchell,	Trach,
Caldwell,	Hibshman,	Moore,	Ulman,
Campbell, C.M.,	Hobbs,	Morrow,	Walnut,
Carson,	Hoffman,	Moses,	Walsh,
Cleeseman,	Howard, J.,	Moulthrop,	Walton,
Claycomb,	Howard, R.,	Musser,	Watson,
Cleary,	Humes,	Newbaker,	Whitaker,
Cochran,	Isler,	Newton,	Whitman,
Collins,	Jackson,	North,	Wildman,
Conner,	Jones, E. E.,	O'Neill,	Williams,
Conrade,	Jones, J. R.,	Peachey,	Wilson, J. H.,
Cox,	Kaufman,	Pennegar,	Wiltbank,
Curry,	Keegan,	Pennock,	Young, G. K.,
Davis,	Keeport,	Ramsey,	Zimmerman,
DeFrees,	Kennedy,	Redfield,	Alter,
Dickinson,	Kern,	Reeser,	Speaker.
Donahoe,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The next bill is House Bill 1086, file folio 5765, on page 24 of today's calendar, bills on final passage postponed for the present.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1086, entitled:

An Act relating to meat and meat food products and providing for the inspection of such meat and meat food products the premises wherein prepared and the animals from which produced and fixing penalties for violation of this act

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—55.

Allen,	Collins,	Glenn,	Morrow,
Alworth,	Conner,	Goss,	Moses,
Bass,	Conrade,	Gray, Frank,	O'Neill,
Becker,	Davis,	Hackett,	Pennegar,
Berntheizel,	Donahoe,	Kennedy,	Richards,
Bigger,	Down,	Kuhn, H. P.,	Runk,
Bittles,	Ehrhardt,	Light,	Shern,
Blair, W. A.,	Eichenberger,	Malie,	Smith, J. W.,
Blair, W. F.,	Ely,	McAllister,	Spillinger,
Campbell, C.M.,	Fahey,	McCaig,	Steeale,
Campbell, J. J.,	Frey,	McDermott,	Stein,
Claycomb,	Gans,	Mechling,	Young, G. K.
Cleary,	Geary,	Miller,	Alter,
Cochran			Speaker.

NAYS—85.

Adams,	Grabe,	Lohr,	Rothenberger,
Ambler,	Gransback,	Lowers,	Sassaman,
Arthur,	Heidinger,	Martin,	Schaeffer, A. C
Baldwin, G. A.,	Hemminger,	Mather,	Shaffer, C. A.,
Baldwin, R. J.,	Hess,	Matt,	Shaffer, I. E.,
Barner,	Heyburn,	McKay,	Smith, L.,
Bayle,	Hobbs,	Mellott,	Snyder,
Benson,	Howard, R.,	Metzenbacher,	Steele,
Body,	Humes,	Mitchell,	Stone,
Brosius,	Isler,	Moulthrop,	Swartz,
Brown,	Irwin, H H.,	Newbaker,	Swift,
Brownlee,	Jackson,	Newton,	Trach,
Burnett,	Jones, E. E.,	North,	Ulman,
Carson,	Jones, J. R.,	Peachey,	Walton,
Curry,	Kaufman,	Pennock,	Watson,
DeFrees,	Keegan,	Peters,	Whitaker,
Dunn, H. B.,	Keeport,	Price,	Whitman,
Dunn, J. A.,	Kern,	Ramsey,	Williams,
Foster, J. D.,	Klepper,	Redfield,	Wilson, J. H.,
Geiser,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
Gibson,	Latshaw,	Roney,	Young, J. H.,
Good,			Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1895(Senate Bill No. 831), entitled:

An Act amending section four and six of an act approved the second day of April one thousand nine hundred three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerk in the Department of Fisheries and repealing certain acts

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. MITCHELL. Mr. Speaker, in order that the House may know that we have nothing up our sleeves, I would like to say, at the outset, that this is a salary raiser. I think it is such a salary raiser as will not be objectionable to any member of this House who appreciates conscientious public service. This bill effects the Fisheries Department. This office has four employees, including the Commissioner, the chief clerk and two stenographers. Major Evans, who is the cheif clerk of that department has been in that service, in the department of Fisheries, ever since it was organized and he receives, as chief clerk, the munificent salary of twelve hundred dollars a year. He is seventy years old, a veteran of the Civil War and one of the most conscientious, careful and consistent workers, I dare say, to be found in any department in the State. His duties are those of chief clerk. His work is not confined to what is involved in his clerical position, but he has other duties: he goes from point to point in different parts of the State, prosecuting violations of the fish laws. He is conversant with all the fish laws and familiar with changes under the new act, and assists in prosecuting violations of laws that have been passed in this respect. His duties will be greatly enlarged. I submit to you if the salary of twelve hundred dollars for the chief clerk of such a department is an extravagant salary. Major Evans seeks under this bill to secure an increase of salary of three hundred dollars per year, making his compensation the princely sum of fifteen hundred dollars. There are to stenographers. in the department—only a total of three employees outside sum of fifteen hundred dollars. There are two stenographers. receive nine hundred dollars per year. It might appear from a casual reading of the bill that their salaries have been jumped six hundred to twelve hundred dollars, but the Act of 1907 made that salary nine hundred dollars, and then added another stenographer. This is an increase of both these stenographers to twelve hundred dollars per year, which is a customary salary of all stenographers, I believe, in all the departments. I don't know of any department in the Commonwealth that does better work or does its work more conscientiously and in a less ostentatious manner than this department. I submit, also, that the bill adds no new help. The only difference is that it raises the combined salaries of the entire department twenty-four hundred dollars.

Mr. HESS in the Chair.

On the question

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Adams,	Ely,	Klepper,	Reeser,
Alworth,	Ewing,	Kuhn, H. P.,	Rex,
Ambler,	Fahey,	Kuhns, E.G.M.,	Rhoads,
Arthur,	Foster, J. D.,	Leslie,	Richards,
Baldwin, R. J.,	Frey,	Letzkus,	Roney,
Bass,	Gans,	Malie,	Rothenberger,
Bayle,	Geary,	Mannion,	Sassaman,
Becker,	Geiser,	Mather,	Schaeffer, A. C
Benninger,	Gibson,	McAllister,	Semmens,
Berntheizel	Glenn,	McArdle,	Shaffer, C. A.,
Bigger,	Gransback,	McCaig,	Shern,
Blair, W. A.,	Gray, Frank,	McClintock,	Showalter,
Blair, W. F.,	Gray, Joseph,	McKay,	Smith, J. W.,
Body,	Hackett,	McNichol,	Smith, L.,
Brown,	Heidinger,	Mechling,	Speiser,
Caldwell,	Hemminger,	Miller,	Spillinger,
Campbell, C.M.,	Herman,	Missimer,	Steedle,
Campbell, J.J.	Hess,	Mitchell,	Steele,
Claycomb,	Heyburn,	Moore,	Stein,
Cleary,	Hibshman,	Morrow,	Stone,
Collins,	Hobbs,	Moses,	Strauss,
Conner,	Hoffman,	Moulthrop,	Swartz,
Conniff,	Howard, J.,	Murphy,	Trach,
Conrade,	Isler,	Neely,	Ulman,
Curry,	Irwin, G. C.,	North,	Whitaker,
Davis,	Irwin, H. H.,	O'Neill,	Whitman,
DeFrees,	Jackson,	Pennegar,	Wildman,
Dickinson,	Jones, E. E.,	Pennock,	Wiltbank,
Donahoe,	Kaufman,	Peters,	Young, G. K.,
Dunn, H. B.,	Keegan,	Price,	Young, J. H.,
Dunn, J. A.,	Keeport,	Redfield,	Zimmerman,
Ehrhardt,	Kitts,	Reese,	Alter,
Eichenberger,			Speaker.

NAYS—29.

Baldwin, G. A.,	Cheeseman,	Light,	Perry, H. L.,
Barner,	Grabe,	Lohr,	Rockwell,
Benson,	Howard, R.,	McDermott,	Scott, S. B.,
Bittles,	Humes,	Musser,	Snavely,
Brosius,	Jones, J. R.,	Neel,	Snyder,
Burnett,	Kern,	Newbaker,	Swift,
Carson,	Latshaw,	Peachey,	Walnut,
			Watson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. JOSIAH HOWARD. Mr. Speaker, I desire to call up House Bill No. 1019, file folio 5439, on page 24 of to-day's calendar, bills on final passage.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1019, entitled:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

On the question,

Shall the bill pass finally?

Mr. JOSIAH HOWARD. Mr. Speaker, this is the bank receivership bill and it amends the present law in this manner: That whenever a bank examiner finds under his supervision an institution that has passed anything illegally in making payment of its obligations, or finds it unsound in any manner, he shall notify the Commissioner of Banking and the Commissioner of Banking shall notify the Attorney General, also the officers of the bank to appear before the Attorney General and answer questions as to whether this bank is unsound or not, or whether it has passed illegally its obligations or its payment of them. After five days, if the Attorney General at the hearing finds that the institution has illegally postponed or passed payment of any of its obligations or is unsound, he shall authorize the Commissioner of Banking to take charge of this institution, and after taking charge of any banking institution, the banking supervision can apply to the court in its own county to re-hear the case as to whether the bank has postponed any of its legal obligations or whether it is unsound in any way. After the court has heard the case, if the court should agree with the Attorney General, then the Banking Commissioner shall have charge of this bank until it is put in sound condition again or until it has liquidated its obligations fully. It is entirely in line with the national banking law. I hope that every member will vote for the bill

Mr. S. B. SCOTT. Mr. Speaker, lawyers are sometimes supposed to be very selfish people, and yet they, like doctors, are continually thinking up things for the public benefit which interfere with their own profits. This House may not realize, but the chief value of this bill, I believe its chief purpose, is to allow insolvent banking corporations to be liquidated by the department of Banking at a minimum expense, instead of going through the ordinary method of receivership, where tremendous fees are paid, not only to receivers but to receivers counsel. There are no pickings which are so fat in the legal business as becoming receiver for an insolvent banking corporation. Thousands and thousands off dollars are the ordinary fees for receivers. The banking departement is thoroughly equipped for the work and can do it at a minimum expense and with absolute reliability. When I first read this bill, I was inclined to beleive that it gave new and dangerous powers to the Banking Department, but upon a more thorough study of it I find that the powers which it gives are not new, but are almost exactly those powers which previous legislation had given the Banking Department, and therefore I am convinced that this is a bill which will do a large public work and which will not cause any danger.

Mr. SPEISER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. S. B. Scott.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. S. B. SCOTT. With pleasure, Mr. Speaker.

Mr. SPEISER. Mr. Speaker, I would like to know whether this bill does not provide that the Banking Commissioner shall appoint attorneys for the purpose of winding up the affairs of the bank.

Mr. HOWARD. Mr. Speaker, I will answer for the gentleman. No, sir it does not.

Mr. BLELOCH. Mr. Speaker, I do not know whether I properly understand this bill or not, but I would like to call your attention and the attention of the members of the House to what appears to me to be a bad feature of this bill. This bill provides that when the Commissioner of Banking shall have reason to conclude that any corporation under his supervision is in an unsafe and unsound condition, or its business or manner of conducting its business is injurious or contrary to the interests of the community, he shall take charge of its affairs. Now, we know men who are doing business to-day, whether it be in a banking business or along mercantile or commercial lines, have their own ideas of conducting their business. In a banking business they do not always coincide with the ideas of the Banking Commissioner, but nevertheless they are safe and sound policies to follow. Further along in the bill it provides that the Banking Commissioner, after giving five days notice to the institution that has won his displeasure, can hail it before the Attorney General for a hearing. Now, to my mind, the Attorney General is not the proper judicial authority or proper court to determine this question. But the bill provides that if, after the hearing, the Attorney General and the Commissioner of Banking are of the opinion that the institution is in an unsafe and unsound condition to do business, or its manner of conducting the same is injurious and contrary to the interests of the people, they can forthwith appoint a receiver to take over the entire assets of that corporation. What redress has the institution under this law? After the assets have been taken away and the receiver has been appointed, then they can go into the common pleas court within ten days and seek to have the work of the Attorney General and Bank Commissioner reviewed. What redress is that to any institution? I say to you gentlemen that under the provisions of this bill, any institution that incurs the displeasure of the Banking Commissioner is in jeopardy. I would call your attention to the magnitude of the funds of this Commonwealth under the supervision of the Banking Commissioner. There are in the building associations of this State under the supervision of the Banking Commissioner, $197,000,000, with annual receipts of $102,000,000. Saving institutions of this State, $220,000,000; State banks, $210,000,000; and trust companies, $754,000,000. And this bill is to constitute the Bank Commissioner an arbirary power to determine whether or not their methods are safe and sound. I say to you that

his reasoning is not always infallible. I recall only a short time ago when the Banking Commissioner sent out his fiat for a certain process and method of conducting the business of building associations, and after having put many building associations to the inconvenience of conducting their business along his lines, and building associations that had adopted his policy and followed his course were obliged to go into the court in our city to defend their action, the courts determined that the policy of the Bank Commissioner was erroneous, and that the policy followed by the building associations on that score was bad and gave judgment against the building associations on that particular. Now, gentlemen, I say that any building association that had refused to adopt the policy of the Bank Commissioner, if this bill had been enacted at that time, would have been shut up; would have had its doors closed; and what would have been the result? After a series of delays, the court would have decided that the building associations method of doing business was the proper one. But what redress would they have? What redress would there have been to any institution which had its doors closed once? Can they ever rehabilitate their business with the public? Mr. Speaker, I am of the opinion that this bill would constitute the Bank Commissioner a czar over the financial institutions of this State and I hope the House will defeat it.

Mr. KITTS. Mr. Speaker, I do not wish to impose on the House a long debate or discussion on this bill, but I think we ought not to go to sleep at the switch on an important measure like this. This measure has been on the postponed calendar for a long time and the sponsor, as I understand, possibly fearing that he might encounter shoals, has let it rest there. Now by some other people interested in the passage of the bill, it has been called up at this time. I would not like to impose an attack on the bill for the reason that it is a pet measure of the Banking Department. For many years in the Legislature, in both Houses, the interests of the administration and of the Banking Department have sought to pass laws of this kind, in order that they might bring mutual building and loan associations under the thumb of the banking commissioner and I want to tell you gentlemen that this is the very pretext on which they are trying to pass this law and write it upon the statute books of the State. Now it might be argued that they are trying to pass this law after the National Banking System or after the State system or any other system, but if you will take the pains to compare the National Banking Act and the State Banking Act, which has stood the test of eighteen years, you will find a great difference. Let me call your attention to this feature. Suppose a National Bank with a capital stock of fifty thousand dollars and a surplus of fifteen thousand should have an unexpected loss of twenty thousand dollars. Now you can readily see that the surplus would be immediately wiped out and that the capital stock would be impaired to the extent of five thousand dollars. What is done? The Controller of the National Currency comes in and gives the institution notice that under the federal law they are given three months to make good that loss. Now let us consider that same institution under the State System and suppose a State Bank having a capital of fifty thousand dollars and a surplus of twenty thousand dollars should have an unexpected loss of fifteen thousand dollars. Their capital would be impaired to the extent of five thousand dollars and the Banking Commissioner would give them notice to make good their loss in sixty days. Now gentlemen what does this bill provide? Suppose any banking institution, a bank or mutual building and loan association or anything codified or classified under the banking laws of the Commonwealth, should have a loss as I have recited, what would be the result? Suppose that banking institution away off in one of the remote counties of the State under the jurisdiction of the court, the Banking Commissioner, whenever he had an inspiration, whenever he had a little inkling or idea that something was wrong in a financial institution, can step in and take it under his charge and have the proceedings in his care and wind up the affairs of the bank or the affairs of the mutual building and loan association. I cannot see, gentlemen, where the friends of this bill have any force or argument or any facts or figures or any data upon which to base an argument and say it will do away with an expensive receivership. I hold that the Banking Commissioner is part of the Executive Department of this State. The Constitution divides our departments into three sets, the Executive, Legislative and Judicial, and when we cross over and impugn upon these constitutional provisions and take something out of the Judicial Department and turn it over to the Executive, gentlemen, we are taking a step backwards. I say to you that every man who goes to that Building and Loan Association with his little pass book, whether a laborer, miner, or machinist, who is desirous of saving his money to buy a home and goes to one of those institutions and deposits his money is a stockholder in that institution. He meets with the other stockholders who are depositors and elects a Board of Directors who run the institution. It is not so in the bank, because they who own stock by purchase are the only ones who have the power to elect the directors and those who run the bank. The argument advanced that this would do away with an expensive receivership, in my estimation, falls flat. Nothing has been quoted to show you how much could be saved or wherein it might be saved. Oftentimes the Banking Commissioner is not learned in the law. I am not attacking the honesty or integrity of the Banking Department of Pennsylvania for a minute, but it has come about and will come about as long as the Commonwealth stands, that the Banking Commissioner, ninety-nine our of a hundred times is not learned in the law. Then imagine in your minds eye of a Banking Department going into a mutual Building and Loan Association and lifting the records and the whole business and winding it up under his jurisdiction. Necessarily he will have to employ an attorney and when you do away with the receivership, tell me whether the attorneys employed by the State Department are more expensive than those little matters run by the local courts and you will readily decide that they will be more expensive.

Another provision of the bill put into it might be the giving out of jobs. I think that if the matter was under the jurisdiction of the local court there would be more confidence in the winding up of the affairs of any banking institution or building and loan association and I hold that this particular bill is aimed against this one class of institutions, the building and loan associations in Pennsylvania. I hope the gentlemen will consider this bill carefully. I have given it some careful consideration and I want again to call your attention to the fact that under the national banking laws they are given three months and under the State laws, which have stood the test for eighteen years, they are given sixty days to make good any loss and this bill puts the whole power into the hands of the Banking department to decide and if he has any inspiration that there is something wrong or that needs investigation, he can go and take charge of the bank or the mutual building and loan association and wind up the whole thing if he sees fit. I hope the gentlemen will stand as a unit in voting down this bill.

Mr. R. J. BALDWIN. Mr. Speaker, I intended to interrogate the gentleman from Philadelphia while the matter was fresh in the minds of the House. He appeared to be very much alarmed over the powers given to the Banking Commissioners. I would like to interrogate the gentleman from Philadelphia, (Mr. Bleloch).

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BLELOCH. Mr. Speaker, yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, did the gentleman from Philadelphia examine the Act of 1895 and find out whether this Act enlarges in any way the powers of the Banking Commissioner to investigate and proceed to place any of these corporations into liquidation or at least declare them insolvent? Does this bill in any way change that?

Mr. BLELOCH. Mr. Speaker, I want to call the attention of the gentleman to the title of this bill, —

Mr. R. J. BALDWIN. Mr. Speaker, I did not want to precipitate a debate—

Mr. BLELOCH, (continuing) which provides as follows:

Providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporation and their business.

Mr. R. J. BALDWIN. Now Mr. Speaker, I doubt very much whether the gentleman took the trouble to go over this bill very carefully to examine how much its powers are extended and perhaps he is as ignorant of these provisions as other members very frequently are on the great mass of propositions presented, as I know I am, but in this particular bill, if you will take the trouble to note what the facts are—and I fear very much that my friend from Erie does

not fully comprehend the situation, or he would not place it before the Legislature in the manner he has. As a matter of fact I hope the House will take notice that since 1895 the Banking Commissioner of this State has had the powers to go and examine these various institutions and under the provisions of this bill over no additional institutions or corporations has he any power to examine other than those he has had since 1895. But under the Act of 1895 he could proceed to appoint a temporary receiver, so that you see that the argument made by my friend from Philadelphia is simply made because he did not happen to know—if he did he had overlooked the fact—that the powers to investigate and the powers to declare the institution insolvent, so far as this bill is concerned, are identical with the law of 1895. It don't change it one iota. This bill does not give any more power to go in and interfere and investigate and place into the hands of a temoprary receiver any of these so-called institutions. Therefore, all the argument made by my friend from Philadelphia and a large part of the argument made by my friend from Erie, absolutely fails. Now this is absolutely the fact and any person who is acquainted with the Act of 1895, or acquainted with this bill, will know that so far as the investigating and so far as the declaring an institution insolvent in this first action there is no change whatever in this bill. Now what does this bill do different from the present law? It is a very simple proposition and easily understood.

Mr. KITTS. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, sure.

Mr. KITTS. Mr. Speaker, I would like to ask the gentleman from Delaware how long the present banking system has stood the test in Pennsylvania.

Mr. R. J. BALDWIN. Mr. Speaker, ever since it was put into operation.

Mr. KITTS. Mr. Speaker, when was that?

Mr. R. J. BALDWIN. Mr. Speaker, I cannot say when it was first put in operation, I do not know; but I know the Act of 1895 is the act they are working under now, in so far as it applies to this particular subject before the House for discussion.

Mr. KITTS. Mr. Speaker, I would like to further interrogate the gentleman and ask him if under the present law the Banking Commissioner recommends the winding up of any banking institution, how long that bank is given to make good any loss that he discovers?

Mr. R. J. BALDWIN. Mr. Speaker, I believe sixty days. Let me answer that question. I believe under the present law sixty days. What has been the result in working it out? The result has been that the Banking institution under our present system cannot go a particle further than to appoint a temporary receiver, and by practice it then goes into the hands of other parties and history shows that it largely goes into the hands of the very people and under the very influences that have resulted in the bad management, but under this Act within five days after the Banking Commissioner discovers or believes that a Banking Institution is being badly managed or is on the verge of insolvency, he can give it notice within five days for them to appear before the Attorney General. After that hearing before the Attorney General he can then declare his temporary receiver. The particular institution under investigation, if not satisfied, feeling that they are not insolvent, have another day fixed for them to appear in court, but in the mean time they cannot check up nor can they touch that institutions money. There is the great safeguard in this bill.

Mr. BLELOCH. Mr. Speaker, I would like to interrogate the gentleman from Delaware.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. KITTS. Mr. Speaker, I wasn't through interrogating the gentleman.

Mr. R. J. BALDWIN. Mr. Speaker, I hope the gentlemen won't interrupt me in the midst of my explanation.

Mr. KITTS. Mr. Speaker, I did not know how long his answer was going to last.

Mr. R. J. BALDWIN. Mr. Speaker, fortunately for me, when I have the floor and unfortunately for the members, I have the right of way. There are two ways of interrogating, one is to try to break in on an argument, therefore I will have to make it plain and go on—

Mr. KITTS. Mr. Speaker, I desired only to ask the gentleman a question and he goes right on arguing the case.

Mr. R. J. BALDWIN. Mr. Speaker, all right; I will satisfy him and accept his interrogation.

Mr. KITTS. Mr. Speaker, I would like the gentleman to tell us if in his interpretation as a legislator, it is not the fact that this bill is aimed especially to bring the building and loan associations under the thumb of the Banking Commissioner.

Mr. R. J. BALDWIN. Now, Mr. Speaker, I stated in the first place and I think the House understood me—perhaps the gentleman from Erie didn't—and for his own special benefit I will repeat again, that this bill does not enlarge the scope of inquiry in so far as the Banking Commissioner of this State is concerned, one iota.

There is not a single institution that this act gives the Banking Commissioner certain control over for examination that the present act does not give. Therefore, that dismisses that entirely from your mind.

Mr. KITTS. Mr. Speaker, I would like to ask the gentleman whether he considers that if a banking institution on any account has unexpectedly sustained a loss, that they should not be given some opportunity of winding up their own business and making good the loss?

Mr. R. J. BALDWIN. Mr. Speaker, most assuredly, and the history of this Department is that this Department has loaned its assistance in many many cases. In the County of Erie, this assistance was loaned by this Department when the attorneys of that association came here and said they were of the opinion that the institution was insolvent, and under the arrangement and advice of this Department that institution is now solvent and doing business. I want to say to the members of this House that there is no member of this House who can point to a single instance in the history of that Department where the power has been used either arbitrarily or unwisely in the affairs of any institution in the liquidating of its affairs, but, on the other hand, after the suggestions by this Department, and if the management was honest, but somewhat inefficient, upon the advice of this Department the depositors were paid dollar for dollar and the institution is now going along in good shape. There is not a member of this House who does not know that many of the building and loan associations scattered over this country must necessarily sometimes have directors who are inefficient who are managing their affairs, and when this Banking Department, and I defy any man to show to the contrary, when this Department has been satisfied, that it was simply caused by inefficiency, it has not closed the doors of that institution, but has kept an eye over it and advised it how to proceed, and in many instances has made financiers of the men who were not such when elected to these positions, and the result has been very satisfactory in a number of instances which I could cite. The only proposition contained in this bill that the House need consider at all is whether it is wise to allow the Banking Department to follow along the identical lines that the National Banking Department does. This bill is not nearly so drastic as the National Banking Law. Under the National Banking Law, when the Examiner steps into a national bank and finds that it is insolvent, he simply closes the doors and proceeds to handle the whole proposition through the great National Banking Department at Washington. Under this bill, recollect, after five days' notice, and the argument is made before the Attorney General upon the evidence of both sides, the temporary receiver is then appointed, and if he finds things satisfactory he does not close the doors of the institution. That is the first step. Under the present law that is where the Banking Commissioner stops. But under the provisions of this act if the parties interested feel that they have been unjustly dealt with they can go into their local court just as they do now under the present law and when the local court decides that the institution does need to be turned over into the hands of other parties, under the present law the court dismisses the temporary receiver appointed by the Banking Commissioner, and appoints some person else as a receiver. Under this statute, if it goes on the books, when the local court declares that the institution should be turned over into other hands for any of the various reasons that arise in the management of these various institutions, it means then that it goes into the hands of the Banking Department to liquidate the affairs and finally close them up. Now, what does the history of our present law show. It shows

all over this State in innumerable cases that these matters have been permitted to go on and on and on and sometimes covering a period of from five to eight years. Dissatisfaction nearly always exists at the time, and the longer the job lasts the more pay for the Receiver, and the more litigation the more pay for those keeping up the litigation. While, under the present system, these institutions will have the same hearings, and the same opportunity to be heard, and there will be none of the expense of a Receiver, and none of those enormous expenses of the attorneys, and if any person will compare the National Banking Law and pit it against the practice here now, he would not hesitate one second how he should vote. That is all there is in this bill. Coming right down to brass tacks, it means this: Should the permanent receiver be appointed by the local courts or by the Banking Department. Under the National Law the Banking Department closes the whole proposition out, and yet in all these years, in the operation of that law, not one word of complaint have I ever heard when a banking institution was closed up by the National Department. It is done so squarely that each man has been dealt with squarely and generally gets dollar for dollar without the fees paid for the Receiver or attorneys. The provision is a small one, and needs no argument, because it is so patent and plain and there is no use to cloud it at all. Let me give you a little evidence of what has happened in this Banking Department.

Two foreign corporations called valid bond and investment companies, the like of which the Legislature is now trying to suppress by the "Blue Sky" bill, were cited by the Commissioner of Banking for a hearing. Many months elapsed before the Commissioner was enabled to have them cited before the Dauphin County Court, and they then refused to appear, having applied for receivership in the United States Court voluntarily to avoid the laws of Pennsylvania. The cases are still pending in court, and the liability of a trust company which was criticized publicly by two judges for certifying to the certificates of one of these bond companies which held therefor assets which were apparently worthless, is still under investigation and a further hearing is awaited. With proper authority, these fraudulent bond companies could have been put out of existence months ago.

Here is something I think is one of the strongest arguments made on the floor of the House. Personally I have a great deal of confidence in the opinion of a man who has had experience, more confidence in him, than in any other class of citizen. Some few years ago, two years ago, this is what occurred:

A certain company went into liquidation. The president of that company, when this bill was before the Legislature two years ago was one of its most persistent opponents. A few days before his death, by his own hand, when he perceived the great expense and tedious proceedings which were about to ensue, expressed his regret in no uncertain way that the law had not been enacted similar to the one now proposed in this bill, to liquidate his corporation.

Well, gentlemen, I am not going to tire the House with reading something to substantiate what I say. I am going to close this argument this way. All experience, where laws of this character have been tried, shows that they have proven much more efficient than the old system. There was just as great a fight made in this House when I was a member in '95 when the Act of '95 was passed. There was a cry made not to pass this bill because it gave certain powers. And now the gentleman from Philadelphia comes back some eighteen years afterwards against the provisions of this act, which in a period of eighteen years, the people of this Commonwealth would not wipe off the statute books, nor have the institutions complained sufficiently to have it wiped off. We cannot please every company or every institution in this Commonwealth, but what the House wants to consider is whether or not the people are benefited. There shou'd not be a vote against this bill, and all experience tells you and has told you, that where we have an investigation of these institutions who take the people's money without anything to show for it except a pass book, the experience of civilized society is that the government must come in and with its strong arm protect the masses. The members from Philadelphia, and the members from Pittsburgh must certainly know that in every city there are certain foreign individuals a little shrewder than their fellow countrymen who go into the banking business and after a time migrate to some other country and leave their poor dupes standing on the corner minus their savings. It was this condition that called for the great National Banking Law and called for the law of 1895. Those conditions have existed for some time and exist at the present time, and it was for that reason that the Banking Commissioner, in the honesty of his heart, having a full knowledge of the conditions, presented this bill to the Legislature. It is not his bill, it is the people's bill. It is for the depositors of these institutions who should have this protection, and this House should not hesitate to give it to them even though there may be some institutions in different parts of the State that feel that it would be an unwarranted scrutiny into their business affairs.

While the banking department has these powers, it is always surrounded by the proposition that under no circumstances shall it divulge any of the information that comes before the Department, and for that reason, a person is unable to come here with any report or set of circumstances to back up an argument on the floor of the House. But certainly you are going to place this bill on the statute books and protect the small depositor who earns his money by the sweat of his brow.

We must conduct that in this great State and this great nation of ours. The number of men who are not handling these things is a very small percent. It is only one of the small per cent that is here today objecting to this proposition. In my county, I expect, there are fifty Building and Loan Associations and there is not a single protest comes from them. Any institution that is well managed or is well conducted, need to have not the slightest fear of placing this power into the hands of the Bank Commissioner. Those who are inefficient, those who don't want the public to know it till the crash comes, they are those who feel that this law should not be placed on the Statute Books of our State. I do believe that if this House understood the question will that they would feel as honestly and as sincerely and as conscientiously as I do about it and vote for the passage of this bill.

Mr. SPEISER. Mr. Speaker, I fear very much that the gentleman from Delaware and Mr. North both rather left the main question undiscussed. I think the issue has been confined to a different scope, and it is not the fact, if it is so asserted, that this bill does not in any way increase the powers of the Bank Commissioner under the Act of 1895, in so far as investigation and the temporary receivership is concerned. Then we must look for the purpose of this bill elsewhere. It is admitted by the gentleman from Delaware that the extension of the powers after the adjudication of the bank which is insolvent, that he has a right to wind up its affars. When I interrogated the gentleman from Philadelphia, Mr. Scott, in order to find out whether or not the Banking Commissioner has any right under this act to engage the service of an attorney, and Mr. Howard took it upon himself to answer that question in the negative. The gentleman from Delaware, Mr. Baldwin, asserted just a few moments ago that the purpose of the act is to wind up the institution that is insolvent without any receivor.

Mr. R. J. BALDWIN. Mr. Speaker, I didn't say that.

Mr. SPEISER. Mr. Speaker, I understood the gentleman to say so.

Mr. R. J. BALDWIN. Mr. Speaker, I said that it gave the Banking Commissioner a temporary receivorship and could have him made the permanent receivor.

Mr. SPEISER. Mr. Speaker, that would leave it to him to wind up the affairs of the bank.

Mr. R. J. BALDWIN. Mr. Speaker, there is no receivor's fees provided for in this bill.

Mr. SPEISER. Mr. Speaker, I desire to refer to section seven in which you will find that under this act a banking Commissioner has the right to appoint one or more deputy; while it is not mentioned deputies in his office who are paid a straight salary but deputies outside of his office who can come and take charge of this institution just as any receivor can and he has the right to appoint one or more attorneys for the conduct of the legal business. Truly, the gentleman from Delaware cannot argue that it does not give scope to have future plums handed to favorites of the Banking Department. Mr. Howard was saying that a Banking Commissioner has a right to wind up the affairs of a bank. Section seven is as follows: With your permission, I will read part of it:

"The Commisisoner of Banking may under his hand and official seal appoint one or more deputies to assist him in the

collection liquidation distribution management and conservation of the assets of such corporation and certificates of said appointment shall be kept in his office and a copy thereof filed in the office of the Prothonotary of the Court of Common Pleas in which proceedings have been had or inventory filed. The Commissioner of Banking may employ such expert legal and other assistants as may be deemed necessary by the said Commissioner of Banking or his deputies in each particular case."

According to this section he has the right to fix their office and their fees and appoint attorneys for the purpose of winding up the affairs in a legal way. He has the right to fix fees and pay their fees. The proposition comes down to this: are we so distrustful with the courts and so trustful of our officials, and as this bill provides as the gentleman from Delaware made me believe, that there is not one item of expense involved to the stockholders and depositors.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman.

Mr. SPEISER. Mr. Speaker, if the gentleman from Delaware stated, as he lead me to believe, and I think that was the impression that circulated through the House, that there would not be an item of expense to the stockholders, but the Commissioner of Banking has the jurisdiction to assume the responsibility of liquidating and distributing what is left I would be heartily in favor of this bill but it is not analogous to the National Banking Law as carried out by the National Government. It is not to be compared to that act. When a commissioner is sent there, there is no attorney fee paid; there is not a single cent paid out by the bank for his services because he is a salaried officer employed under a salary by the National Government. If these men are all to be officials of the National Government, under a regular salary, they would not get one cent which is quite different from what is stated in section seven. This section seven provides for officers to assume the management for the winding up of the affairs of the institutions. It arranges for the employment of outside attorneys to assume the legal management of the liquidation and gives the right to the Bank Commissioner to fix those fees. We have in that section the information that this is subject to the review of the Common Pleas Court. Why, that is just what the sponsor of this bill has in mind. He wants to take away the right of the Court by fixing fees. This bill is not introduced by citizens who are interested in it. It is presented to you by the very department that is going to get the greatest benefit from it and which will have the right to appoint innumerable deputies and innumerable attorneys for the winding up of these institutions. Every lawyer here knows that when an institution is placed into the hands of a temporary receivor the depositors or stockholders by petition come into the Common Pleas Court and say to the court, "we have so much money tied up, we would like the court to consider the appointment of John Jones, Esq. and ask him to become the receivor. We have confidence in him." The court will consider him and invariably the court acts upon such petition and will appoint such person as is recommended by the depositors and stockholders. In other words, if those directly interested in the affairs of the bank and directly effected by the dividend that is paid, petition the court, the court appoints that person. In this act, you ignore ninety-five per cent of the depositors and stockholders when the Commissioner will say "No, I will not appoint your man, but I will appoint that man, because I know him and I have confidence in him." We men know, as members of this Legislature, who are conversant with affairs in general, especially political affairs, that when you endorse the appointment of an official to any head of an executive department, you are more likely to get such appointments as are favored by the head of the department. I don't want to criticize appointments from an individual standpoint. You are liable to get appointments that meet with the political views of the Chief of the department. That I believe is a possible wrong but it is not the question. I don't want to say that this would happen but it is a probability that that is what would happen to any institution that would come within the pervue of this act. We would be placed in the position of having a political favorite handed these plums by the Commissioner. I don't say that this Commissioner, the present Commissioner, but the next one might be able to do it and I don't mean in the present administration, but for the years to come, under this bill will have some men who will be handed political plums. If he appoints those men and they are going to be a great deal more liberal than the court, because the courts action is more liable to be criticized. My feeling is this: I am more trustful of any individual judge than I would have the right to be of a commissioner who would have the right to appoint a receivor. I feel that it would be done with a great deal more satisfaction to put the responsibility on a judge than on one individual as it can be done under this act. I hope that the gentlemen will realize that this is a matter that may involve getting burdensome and expensive on stockholders and depositors and I think it is a very bad measure.

Mr. CLAYCOMB. Mr. Speaker, just a word in reference to section seven of this act. The courts in dealing with insolvent concerns have always been careful in providing bonds. In section seven, the deputies appointed according to this act by the Banking Commissioner are required by the Commissioner to give security for the faithful performance of the duties involved. As the gentleman from Philadelphia said, there are numerous officers and numerous deputies who might take it upon themselves to wind up this concern and by reason of their fiduciary capacity the law might require that these men do give bonds rather than place the power in some one man's hands to determine whether the bond shall be given. I have no reflection to make upon the Banking Commissioner of this State. I think he is a good man but he might not always be as honest and consequently when deputies are given such power, they should be required to make such a provision.

CALL FOR PREVIOUS QUESTION.

Mr. McDERMOTT. Mr. Speaker, I move the previous question.

The motion was seconded by the following members:

Messrs. H. B. Dunn, Light, H. P. Kuhns, Morrow, McCaig, A. C. Schaeffer, Sassaman, Latshaw, Letzkus, Donnally, Currier, Becker, Strauss, Reuben Howard, Down, Kaufman, Ira Shaffer, W. F. Blair, Kitts, Lanius and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question.

Shall the main question be put?

It was agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. JOSIAH HOWARD. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. JOSIAH HOWARD. Mr. Speaker, the gentleman from Philadelphia stated that I misquoted myself in answering his question.

The SPEAKER. There is nothing in order but the calling of the roll.

Mr. JOSIAH HOWARD. Mr. Speaker, I am not arguing the question, but I simply wish to say that I did not misquote the bill when I answered his question.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—84.

Allen,	Dunn, H. B.,	Light,	Schuck,
Alworth,	Dunn, J. A.,	Lowers,	Scott, S. B.,
Ambler,	Eichenberger,	Mannion,	Semmens,
Arthur,	Ely,	Mather,	Shaffer, C. A.,
Baldwin, G. A.,	Ewing,	McArdle,	Shern,
Baldwin, R. J.,	Flynn,	McClintock,	Sherwood,
Barner,	Frey,	Mechling,	Smith, L.,
Bass,	Gans,	Metzenbacher,	Snyder,
Bayle,	Gibson,	Miller,	Steele,
Blair, W. F.,	Hemminger,	Morrow,	Stone
Campbell, C.M.,	Hess,	Moses,	Swartz,
Carson,	Hobbs,	Moulthrop,	Swift,
Cheeseman,	Howard, J.,	Neel,	Ulman,
Cleary,	Jackson,	Neely,	Walnut,
Conrade,	Jones, E. E.,	North,	Whitaker,
Cox,	Jones, J. R.,	Redfield,	Whitman,
Currier,	Keegan,	Reeser,	Williams,
Curry,	Keeport,	Rex,	Young, G. K.,
Davis,	Kennedy,	Rockwell,	Young, J. H.,
DeFrees,	Kuhn, H. P.,	Roney,	Alter,
Dickinson,	Kuhns, E.G.M.,	Savacool,	Speaker.
Donnally,			

NAYS—86.

Adams,	Geary,	Lenker,	Piper,
Becker,	Geiser,	Leslie,	Price,
Benninger,	Glenn,	Letzkus,	Ramsey,
Benson,	Good,	Lohr,	Rhoads,
Berntheizel,	Goss,	Malie,	Richards,

Bigger,	Gransback,	Martin,	Rothenberger,
Blair, W. A.,	Gray, Frank,	Matt,	Sassaman,
Bleloch,	Gray, Joseph,	McAllister,	Schaeffer, A. C
Body,	Heidinger,	McCaig,	Scott, J. R. K.,
Brosius,	Herman,	McDermott,	Shaffer, I. E.,
Brown,	Heyburn,	McKay,	Smith, J. W.
Brownlee,	Hibshman,	Mellott,	Snavely,
Burnett,	Hoffman,	Missimer,	Spangler,
Caldwell,	Howard, R.,	Mitchell,	Speiser,
Campbell, J. J.,	Isler,	Musser,	Spillinger,
Claycomb,	Kaufman,	Newbaker,	Steedle,
Cochran	Kern,	Newton,	Strauss.
Conner,	Kitts,	O'Neill,	Trach,
Donahoe,	Klepper,	Peachey,	Walton,
Down,	Lanius,	Pennegar,	Wilson, J. H.,
Fahey,	Latshaw,	Pennock,	Wilson, W. H.,
Foster, J. D.,		Perry, S. J.,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SPECIAL ORDER.

The SPEAKER. The hour of 11 o'clock having arrived, the special orner for House Bill No. 595, file folio 7687 on second reading, page 1 of today's calendar, will be taken up.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 595, as follows:

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions"

Whereas Under the provisions of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" the Commonwealth agreed to pay to the proper townships of the second class fifty per centum of cash road taxes collected in townships of the second class and

Whereas Owing to lack of a sufficient appropriation the Commonwealth has paid only a small part of such fifty per centum for the road year ending the first Monday of December one thousand nine hundred and twelve whereby a large deficiency has arisen under the provisions of said act therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million ($1,000,000) dollars or so much thereof as may be necessary is hereby specifically appropriated to cover the deficiency that has arisen in carrying out the provisions of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "A Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" for the road year ending the first Monday of December one thousand nine hundred and twelve

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

SPECIAL ORDER

The SPEAKER. The hour of 11:30 o'clock having arrived, the special order for House Bill No. 1886, Senate Bill No. 552, file folio 3255, on page 1 of to-day's calendar, will be taken up.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1886 (Senate Bill No. 552), as follows:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cties boroughs and townshps to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting the acquisition construction operation and use of transit facilities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "transit facilities" as used in this act shall be taken to mean and to include railways and extensions thereof for the transportation of persons and property over under upon through and across any streets highways avenues bridges viaducts rivers waters and public and private lands or partly over under upon through and across all or any of the same They shall also be taken to mean and to include tunnels subways bridges elevated structures tracks poles wires conduits power houses sub-stations lines for the transmission of power car barns shops yards sidings turn-outs switches stations and approaches thereto cars and motive equipment and all works buildings appliances and appurtenances necessary and convenient for the proper construction equipment maintenance and operation of such transit facilities or any one or more of them

Section 2 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase lease locate construct and equip or otherwise acquire transit facilities or any one or more of them and to own maintain use and operate the same within their respective corporate limits and within the limits of adjacent cities boroughs and townships provided such right shall only be exercised by any of said cities within the limits of adjacent cities boroughs and townships subject to the consent and approval of the proper authorities of such adjacent cities boroughs and townships lawfully empowered to regulate or to consent to the construction maintenance and operation of such transit facilities therein and provided further that such right shall not be exercised within the limits of any public park or parks without the consent and approval of the authorities vested with the power to regulate the use of said park or parks

Section 3 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to sell pledge or lease transit facilities or any one or more of them and to grant licenses for the use of transit facilities or any one or more of them or any part thereof to any corporation or corporations duly authorized and empowered under the laws of this Commonwealth to use or operate the same also to enter into agreements for the construction or operation or for both the construction and operation of such transit facilities or any one or more of them by any such corporation or corporations upon such terms and conditions including the prescribing and fixing of rates for transportation as the councils of such cities shall determine provided no such lease license or operating agreement shall be for any period longer than fifty (50) years Providing further that no such agreement for the construction of such transit facilities or any one or more of them or any part thereof shall be made or entered into unless the same provides that work on such construction shall begin within one year from the date of said agreement and be completed within a fixed time designated in said agreement Providing further that no agreement for the leasing licensing using or operating transit facilities or any one or more of them or any part thereof to any individual co-partnership or corporation shall be made or entered into unless said agreement provides that the actual use or operation of such transit facilities or any one or more of them or any part thereof shall begin within a definite fixed and reasonable time

Section 4 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth their assigns lessees and licenses to connect the tracks of railways acquired constructed owned or operated under the rights conferred by this act with the tracks of any railroad or railway company upon such terms and conditions as may be agreed upon and to contract with such company for the use of its tracks or for the interchange of cars whether passenger or freight for continuous movement over any such connecting tracks upon such terms and conditions as the councils of such cities shall determine Such cities their assigns lessees and licensee may use such portions of the tracks of any street passenger railway company surface elevated or underground or motor power company as may be required either to complete a circuit upon any railway constructed owned or operated under the rights conferred by this act or to connect any such railway with another railway upon such terms and conditions as the councils of such cities shall determine Provided compensation for such use shall have been paid or secured

Section 5 Any street passenger railway company surface elevated or underground or motor power company incorporated under the laws of this Commonwealth and authorized to own maintain or operate transit facilities or any of them or any part thereof in any city of the first class of this Commonwealth or within the limits of any city borough or township adjacent thereto is hereby authorized and

empowered to sell or lease transit facilities or any of them or any part thereof to such city to purchase or lease transit facilities or any of them or any part thereof from such city to accept licenses from such city for the use of transit facilities or any of them or any part thereof to enter into agreements with such city for the connection of tracks and the interchange of cars and agreements for the construction or operation or for both the construction and operation of transit facilities or any of them or any part thereof by said company Upon such terms and conditions as the councils of such cities shall determine Any railroad company incorporated under the laws of this Commonwealth is hereby authorized and empowered to enter into agreements and accept licenses from such city for the use by said company of the transit facilities of such city or any of them or any part thereof and for the connection of tracks and the interchange of cars upon such terms and conditions as the councils of such cities shall determine

Section 6 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth to purchase acquire enter upon take appropriate occupy and use such lands rights and interests therein property and franchises within their respective corporate limits and within the corporate limits of adjacent cities boroughs and townships as shall be necessary for the acquisition location construction maintenance use and operation of transit facilities or any one or more of them under the rights conferred by this act including such lands and rights and interests therein as shall be necessary for future additions to and enlargements of such transit facilities or of any one or more of them also such lands and rights and interests therein as shall be necessary for the relocation of any track or tracks of existing railroads or railways or of any pipes sewers subways underground conduits or ways necessary to be removed and relocated in order not to interfere with the location construction maintenance use or operation of such transit facilities or any one or more of them and including also such lands and rights and interests therein as shall be necessary for the purpose of disposing of earth stone and other material excavated in the construction of such transit facilities or any one or more of them Provided however that the right hereby conferred shall not be taken as authorizing the taking or appropriating of any railroad or railway in operation in said cities

Section 7 In cases where the city and the owner or owners of lands rights and interests therein property or franchises to be taken under the powers conferred by this act cannot agree as to the price or damages to be paid or where by reason of the absence or legal incapacity of such owner or owners or where the owner or owners are unknown no agreement as to the price or the damages sustained can be agreed upon the said city may tender its bond in such penal sum as it may deem proper to the party claiming or entitled to said moneys or damages or to the agent of any person absent or to the guardian or committee of any one under legal incapacity the condition of which shall be that the said city will pay or cause to be paid such amount of damages as the party shall be entitled to receive after the same shall have been agreed upon by the parties or assessed in the manner provided by this act Provided however That in case the party claiming damages refuses to or does not accept said bond as tendered the said city shall then give said party a written notice at least five days beforehand of a time when the same will be presented for filing in court and thereafter said city may present said bonds to the proper court of common pleas or to any law judge thereof in vacation and if the said bond is approved it shall be filed in said court for the use of those interested In case the title to the lands rights or interests therein property or franchises to be taken as aforesaid is defective disputed or doubtful or the party owning or interested in the same is absent unknown not of full age of unsound mind or from any cause cannot be bargained with or served with notice or have a bond tendered to him her or them within the county where said lands rights or interests therein property or franchises are taken the court of common pleas of the proper county or any law judge thereof in vacation upon peition of the said city setting forth the necessary facts shall direct the filing of a bond to the Commonwealth of Pennsylvania in an amount to be fixed and approved by the court or a law judge in vacation for the use of those who may be found enitled to the damages for said taking and appropriation the condition whereof shal be the same as is hereinabove provided in bonds to be tendered owners when known Upon the filing and approval of any bond provided for by his section the respective city shall have the right to enter upon take use occupy and appropriate the lands rights or interests therein property or franchises mentioned in the bond aforesaid and the title acquired by virtue of the provisions of this act shall be the fee simple or absolute title

Section 8 In case the damages for the said taking and appropriation have not been agreed upon any court of common pleas of the proper county or any law judge thereof in vacation on application thereto by petition of the city or any person interested shall appoint any three members of the board of viewers of such county and appoint a time not less than twenty nor more than thirty days thereafter when said viewers shall meet upon the premises or lands taken or appropriated or upon which there is property or with respect to which there are rights interests or franchises taken used or appropriated and view the same The said viewers shall give or cause to be given at least ten days' notice of said meeting to the owner or owners of the lands rights or interests therein property or franchises taken if such owner or owners reside within the proper county and can be found and where the owner or owners are minors and have a guardian then said notice shall be given to the guardian if resident within the county and can be found and where the owner or owners are lunatic or of unsound mind and have a guardian or committee such notice shall be served upon said guardian or committee and in all cases where the owner or owners are incapacitated or are unknown notice shall be given in at least two newspapers of general circulation printed and published in the proper city or county and they shall give such other or further notice as the court shall direct having regard to the circumstances of the case Where minors have no guardians and lunatics or persons of unsound or feeble mind have no guardians or committees the said court shall have power to appoint a guardian or committee ad litem and direct that said notice and all other notices required by this act shall be served upon them

Section 9 The said viewers having been duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning the matter to be submitted to them in relation to which they are auhorized to inquire in pursuance of the provisions of this act shall hear the parties interested and their witnesses and shall estimate and determine the value of the lands rights or interests therein property or franchises taken and appropriated and any damages that may have been sustained by reason of said taking and appropriation and to whom the same is payable and having so estimated and determined the value of the property and damages sustained they shall make up their report which shall be signed by them or any two of them and thereupon filed in the court of common pleas from which the order to view issued Upon the filing of said report the said viewers shall give notice thereof by one publication in at least two newspapers printed and published in the proper city or county and in additional papers if so directed by the court

Section 10 Upon said report being filed in court any interested party within thirty days may file exceptions thereto and the court shall have power to confirm modify change or otherwise correct the same or refer the same back to the same or new viewers with like power as to their report And within thirty days from the filing of any such report or disposal or exceptions in court the respective city or any party whose lands rights or interests therein property or franchises have been taken may appeal to the proper court of common pleas and demand a trial by jury according to the course of the common law and said court shall have power to order what notices shall be given in connection with any part of the proceedings and make all such orders as it may deem requisite Upon the entry of final judgment on any issue had upon such appeal either party shall have the right to an appeal to the Superior or Supreme Court as in other cases

Section 11 It shall be lawful for and the right is hereby conferred upon cities of the first class of this Commonwealth o sell any of the lands righs and interests therein property and franchises acquired and owned under the rights conferred by this act or any one or more of them or any part thereof if and when the same shall have become unnecessary for their purposes upon such terms and conditions as the councils of such cities shall determine

Section 12 All acs or parts of acts inconsistent herewith are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Adams,	Dunn, J. A.,	Lohr,	Rothenberger,
Allen,	Ehrhardt,	Lowers,	Runk,
Alworth,	Eichenberger,	Malie,	Sassaman,
Ambler,	Ely,	Mannion,	Savacool,
Arthur,	Fahey,	Matner,	Schaeffer, A. C
Baldwin, G. A.,	Flynn,	Matt,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	McAllister,	Scott, J. R. K.,
Barner,	Gans,	McArdle,	Scott, S. B.,
Bass,	Geary,	McCaig,	Semmens,
Bayle,	Gibson,	McClintock,	Shaffer, C. A.,
Becker,	Good,	McDermott,	Shaffer, I. E.,
Benninger,	Gransback,	McKay,	Shern,
Benson,	Gray, Joseph,	McNichol,	Sherwood,
Berntheizel,	Hackett,	Mechling,	Smith, J. W.,
Bigger,	Heidinger,	Mellott,	Smith, L.,
Bittles,	Hemminger,	Metzenbacher,	Snavely,
Blair, W. A.,	Herman,	Missimer,	Snyder,
Blair, W. F.,	Hess,	Mitchell,	Spangler,
Body,	Heyburn,	Moore,	Speiser,
Broslus,	Hibshman,	Morrow,	Spillinger,
Brown,	Hobbs,	Moses,	Steedle,
Brownlee,	Hoffman,	Moulthrop,	Steele,
Burnett,	Howard, J.,	Musser,	Stein,
Caldwell,	Howard, R.,	Neel,	Stone,
Campbell, C.M.,	Jackson,	Neely,	Strauss,
Campbell, J.J.	Jones, E. E.,	Newbaker,	Swartz,
Carson,	Jones, J. R.,	North,	Swift,
Cheeseman,	Kaiser,	O'Neill,	Thomas,
Claycomb,	Kaufman,	Peachey,	Ulman,
Cleary,	Keegan,	Pennegar,	Walnut,
Collins,	Keeport,	Pennock,	Walsh,
Conner,	Kennedy,	Perry, S. J.,	Walton,
Conniff,	Kern,	Piper,	Watson,
Conrade,	Kitts,	Price,	Whitaker,
Cox,	Klepper,	Ramsey,	Whitman,
Currier,	Kuhn, H. P.,	Redfield,	Wildman,
Curry,	Kuhns, E.G.M.,	Reese,	Williams,
Davis,	Lanius,	Reeser,	Wilson, J. H.,
Dickinson,	Latshaw,	Rex,	Wilson, W. H.,
Donahoe,	Lenker,	Rhoads,	Young, G. K.,
Donnally,	Leslie,	Richards,	Young, J. H.,
Down,	Light	Roney,	Zimmerman,
Dunn, H. B.,			Alter,
			Speaker.

NAYS—1.

Martin,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments in which the concurrence of the Senate is requested.

SPECIAL ORDER.

BILL ON FINAL PASSAGE.

The SPEAKER. The Special order at this hour is House Bill No. 984, entitled:

An Act to provide for the registration and enrollment of the voters of the State acording to their respective party perferences and to prescribe peanlties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or any other than their own proper party ticket

which is on final passage.

On the question,

Shall the bill pass?

Mr. ROCKWELL. Mr. Speaker, it developed last night that there was some misunderstanding and uncertainties about this bill and in order to clarify it from the rural members standpoint I move that the vote by which this bill passed third reading be reconsidered for the purpose of offering a special amendment.

On the question,

Will the House reconsider the vote by which this bill passed third reading?

Mr. FLYNN. Mr. Speaker, I object to this being done at this time for the reason that this matter here was all threshed out last night on the floor of the House and the bill was made a special order of business on final passage. I do not see any reason why that action should be reconsidered. I discussed these amendments with the gentleman from Tioga this morning and I will promise him that I will undertake to see that the amendments are put in before the bill passes through the Senate and so not have any delay now. I ask him to withdraw the amendments and permit the bill to pass. I am sure that we will get together or at least attempt to reach a satisfactory understanding in regard to any little technicalities that may need alterations.

Mr. ROCKWELL. Mr. Speaker, it is true, the gentleman from Elk did talk with me or I talked with him, or I at least proposed an amendment. His suggestion was that the bill go through the House and let the Senate fix it. Now, Mr. Speaker, as was said by one of the other members on the floor, I for one feel that a bill that is to be fixed and fixed right should be fixed here. I object to sending it over to the Senate with a proposition to amend it over there. That does not appeal to me at all.

The purpose of the amendment that I offer is simply to clarify Section 3 in relation to the registering of voters in election districts where there is no personal registration. The bill as now drafted says that the assessor or whoever does the registering shall ascertain by inquiry of the voter, when practicable and by the best other means in his power, the party politics, preferences or affiliations of the voter. Now there is no regulation in that sentence that makes the assessor inquire of you or me or anybody. He could go to our neighbors, or Tom, or Dick or Harry and through that means register us as belonging to a certain party. In the rural districts men live five, six, eight or nine miles from the election poll or place where the assessor sits. They do not know anything about how they are registered, and if this bill goes through in the form it is and they come to the polls to vote at the primary and find they are not properly registered, they are absolutely disqualified from voting at all. The amendment that I offer is simply to say that the assessors shall inquire of the voter personally, and if he cannot find him, then inquire by letter. It simply clarifies that up so that each voter shall have the proper chance to declare his proper party affiliations.

Then in Section 4 there is no means of correcting a misregisteration. The amendment that I offer to that provides if a voter is registered, he can file an affidavit with the assessor, setting forth his proper affiliations, and the assessor shall be made to correct it. Those are the two amendments and the purpose of offering them is to clarify it and make it plain and I believe they should be adopted. As was said by me last night, if the bill comes to final passage in the present form I shall be obliged to vote against it and I know other members on the floor of the House who have said to me the same thing; so that if the gentleman desires to see the bill secure our support this is the time to do it, and I trust the motion will be adpoted.

Mr. FLYNN. Mr. Speaker, I would like to hear all the amendments read for information. I want to be absolutely fair about this matter, and as yet I have heard nothing which would indicate that action on this bill should be postponed or that it should be amended.

The SPEAKER. If there is no objection the Clerk will read the amendments for information. The Chair hears no objection and the amendments will be read.

The amendments were read by the Clerk as follows:

Amtnd Section 3 by sriking out the word "when" in line four and all of line five down to the last word "the," and insert in lieu thereof the words "in person or by letter if the assessor is not able to find the voter personally."

Amend Section 4 by adding at the end of the section, "Provided that in any election district in which personal registration is not required, if any elector is dissatisfied with the registration of his party preference or affiliation he may make and file an affidavit with the assessor of the proper election district seting forth his proper party preference or affiliation and thereupon the assessor shall correct the same in accordance with the affidavit of the elector as filed."

Mr. FLYNN. Mr. Speaker, I wish to state, for the benefit of the House that these amendments mean little or nothing. In the first place, we will consider the first amendment offered which provides that the assessor shall ascertain the party affiliation of the voter either by letter or otherwise, and that could be done under this bill as it now stands. An assessor can go about and when he is making his assessment he ascertains the party affiliation of the voters by the best means possible either by inquiry of the voter or some other person. Then on the two days previous to election the assessor sits at the polling place for the purpose of correcting these lists. At that time the voter can either appear in person or he can write the assessor, or he can indicate that he is not satisfied with the enrollment and thereby have that changed. Therefore, there is nothing in that amendment. That argument, Mr. Speaker, covers both the amendments offered by the gentleman from Tioga, but I say again, that if there is any good reason that such should not be the case, I am satisfied that this bill shall be amended, but why fight the fight of last night over again, in connection with this matter? At that time the House refused to send the bill back to Committee, and why delay it now? Why not pass it on? It was only last week that the gentleman from Tioga stood on the floor of this House and asked that a bill of his be passed on to the Senate and there to be amended.

Mr. HUMES. Mr. Speaker, it strikes me that these two amendments together would aboslutely nullify the purpose aimed at by this bill. In the first amendment the gentleman from Tioga would require that the assessor secure personally from the voter his party affiliation and by his second amendment he would permit that voter on the day of the primary to change his party affiliation in order that he might vote at the primary of some other party and these two amendments taken together—

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. ROCKWELL. Mr. Speaker, is the gentleman familiar with the provisions of this bill in which it says that no change shall be made unless made ten days before the primary?

Mr. HUMES. I am, Mr. Speaker.

Mr. ROCKWELL. I contend, Mr. Speaker, that the amendment would not change that provision.

Mr. HUMES. Mr. Speaker, I am not so sure that the gentleman's interpretation is the correct one. In his amendment he does not say the affidavit shall be made ten days before the primary, and I want to say, Mr. Speaker, that I believe that ten days is even too short a time to permit a man who has personally declared his party affiliations to change them; but taking the two amendments together I cannot understand any reason for them unless it be to absolutely nullify this bill.

I also want to raise the point of order that the motion of the gentleman from Tioga, Mr. Rockwell, is out of order, as a similar motion was defeated yesterday.

Mr. ROCKWELL. Mr. Speaker, as I recall the discussion on this bill last night, there was no motion to reconsider the vote by which this bill passed third reading.

Mr. HUMES. Mr. Speaker, there was a motion to reconsider the vote by which this bill passed third reading and that motion was defeated.

Mr. ROCKWELL. Mr. Speaker, I guess that I am mistaken and the motion was made to reconsider the vote for the purpose of recommitting the bill to the Committee. The gentleman from Elk, Mr. Flynn, stated that the purpose was to kill the bill, but the purpose of the amendment which I am now offering is not to kill the bill.

Mr. FLYNN. Mr. Speaker, after reading the amendment, the effect of the amendment would be to nullify the whole bill. I want to say right now that the opposition to this bill from the ultra-progressive element in this House is not sincere. I have been all through this fight from beginning to end, and have found this opposition all coming from the same source. There has been opposition to it in the reporting of the bill, then the attempt to have it recommitted for the purpose of a hearing and then the question of reconsidering it, and postponing it until some other bill comes from the Senate, and I would like to ask what it all means if it is not an attempt to kill the bill.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Elk.

The SPEAKER. Will the gentleman from Elk permit himself to be interrogated?

Mr. FLYNN. Mr. Speaker, I will.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman from Elk if he has heard any opposition from me on this bill.

Mr. FLYNN. Mr. Speaker, not from Mr. Rockwell, personally, but from the gentlemen with whom he affiliated politically.

Mr. ROCKWELL. Mr. Speaker, I suppose the gentleman means the gentlemen on this side of the hall.

Mr. ROCKWELL. Mr. Speaker, I now renew my motion to reconsider the vote by which this bill passed third reading.

Mr. LENKER. Mr. Speaker, I second the motion.

The motion was not agreed to.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. JOHN R. K. SCOTT. Mr. Speaker, as I stated to the House last evening, that while the purpose of this bill was undoubtedly correct, I would have preferred to have had it referred back to the Elections Committee. That was done sincerely and for the purpose of having all the election bills considered together. I am sorry that the gentleman who is the sponsor of the bill has not allowed the vote by which this bill passed third reading to be reconsidered, and the amendments offered by the gentleman from Tioga fully discussed. I take it that it would be a very great wrong for those of us in the House to vote against the bill which has in substance the merit of this bill. While there are defects in the bill, in substance the bill is correct, and, therefore, I will support this legislation.

On the question recurring,

Shall the bill pass finally?

Areeably to the provisions of the Constitution, the yeas and nays were taken, and were as follows, viz:

YEAS—132.

Adams,	Donnally,	Kennedy,	Peters,
Allen,	Down,	Kern,	Piper,
Alworth,	Dunn, J. A.,	Kitts,	Price,
Arthur,	Ehrhardt,	Klepper,	Ramsey,
Baldwin, R. J.,	Eichenberger,	Kuhn, H. P.,	Redfield,
Barner,	Ely,	Kuhns, E.G.M.,	Reese,
Bass,	Ewing,	Lanius,	Rex,
Bayle,	Fahey,	Lowers,	Rhoads,
Becker,	Flynn,	Malie,	Roney,
Benninger,	Foster, J. D.,	Mannion,	Sassaman,
Benson,	Frey,	Matt,	Savacool,
Berntheizel,	Gans,	McAllister,	Schaeffer, A. C
Bl[illegible]r, W. F.,	Geiser,	McArdle,	Scott, J. R. K
Body,	Gibson,	McDermott,	Shaffer, C. A.,
Brown,	Good,	Mechling,	Sherwood,
Burnett,	Goss,	Mellott,	Smith, J. W.,
Caldwell,	Grabe,	Metzenbacher,	Snavely,
Campbell, C.M.,	Gransback,	Miller,	Spillinger,
Campbell, J.J.	Gray, Frank,	Missimer,	Steedle,
Carson,	Gray, Joseph,	Mitchell,	Strauss,
Claycomb,	Hackett,	Morrow,	Swartz,
Cleary,	Herman,	Moses,	Thomas,
Cochran,	Hess,	Murphy,	Trach,
Collins,	Heyburn,	Musser,	Ulman,
Conner,	Hibshman,	Neel,	Walton,
Conniff,	Howard, R.,	Neely,	Whitaker,
Conrade,	Humes,	Newbaker,	Whitman,
Cox,	Jackson,	North,	Wildman,
Curry,	Jones, E. E.,	O'Neill,	Williams,
Davis,	Jones, J. R.,	Pennegar,	Wilson, J. H.,
DeFrees,	Kaufman,	Pennock,	Wilson, W. H.,
Dickinson,	Keegan,	Perry, H. L.,	Young, G. K.,
Donahoe,	Keeport,	Perry, S. J.,	Zimmerman,

NAYS—48.

Baldwin, G. A.,	Heffman,	Mather,	Shafter, I. E.,
Bigger,	Howard, J.,	McCaig,	Smith, L.,
Bittles,	Isler,	McClintock,	Snyder,
Brosius,	Irwin, G. C.,	McKay,	Spangler,
Brownlee,	Irwin, H. H.,	Moulthrop,	Steele,
Cheeseman,	Latshaw,	Newton,	Stone,
Currier,	Lenker,	Peachey,	Swift,
Dunn, H. B.,	Leslie,	Reeser,	Walnut,
Geary,	Letzkus,	Richards,	Watson,
Heidinger,	Light,	Rockwell,	Wiltbank,
Hemminger,	Lohr,	Rothenberger,	Young, J. H.,
Hobbs,	Martin,	Scott, S. B.,	Alter,

The majority required by the Constitution having voted nthe affrmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of ... R. bill No. 1306, entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes"

On the question,

Will the House agree to the bill on third reading?

Mr. SNYDER. Mr. Speaker, this bill is intended to remedy an omission in the Act of 1909 regulating the booths and operation of machines in booths in moving picture shows. In that bill passed two years ago, the booth was very carefully described and made absolutely fireproof. The omission was that it did not provide specifically that the machine should be operated in the booth. The department found then that they could not sustain prosecutions for that reason. Owing to the great care of the Underwriters, we have, in most of the cases, the booth built as the bill requires for the reason that they would not insure unless the booth was so constructed. But we should have the bill corrected, and for that reason this bill before you has been submitted. It is a very meritorious bill, intended to preserve human life, and to preserve property, and should be passed.

The question recurring,

Will the House agree to the bill on third reading.

It was agreed to.

On the question,

Shall the bill pass finally?

Areeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—170.

Allen,	Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,
Alworth,	Ehrhardt,	Lanius,	Redfield,
Ambler,	Eichenberger,	Latshaw,	Reese,
Arthur,	Ely,	Leslie,	Reeser,
Baldwin, G. A.,	Ewing,	Letzkus,	Rex,
Baldwin, R. J.,	Fahey,	Light,	Rhoads,
Barner,	Flynn,	Lohr,	Richards,
Bass,	Foster, J. D.,	Lowers,	Roney,
Bayle,	Frey,	Malie,	Rothenberger,
Becker,	Gans,	Mannion,	Runk,
Benninger,	Geary,	Martin,	Sassaman,

Benson,	Geiser,	Mather,	Savacool,
Berntheizel,	Goss,	Matt,	Schaeffer, A. C.
Bigger,	Gransback,	McAllister,	Scott, J. R. K.,
Bittles,	Gray, Frank,	McArdle,	Scott, S. B.,
Blair, W. A.,	Gray, Joseph,	McCaig,	Shaffer, C. A.,
Blair, W. F.,	Hackett,	McClintock,	Shern,
Body,	Heidinger,	McDermott,	Sherwood,
Brosius,	Hemminger,	McKay,	Showalter,
Brown,	Herman,	McNichol,	Smith, J. W.,
Brownlee,	Hess,	Mechling,	Smith, L.,
Burnett,	Heyburn,	Mellott,	Snavely,
Caldwell,	Hibshman,	Metzenbacher,	Snyder,
Campbell, C.M.,	Hobbs,	Miller,	Spangler,
Campbell, J.J.	Hoffman,	Missimer,	Speiser,
Carson,	Howard, J.,	Mitchell,	Spillinger,
Cheeseman,	Howard, R.,	Moore,	Steedle,
Claycomb,	Isler,	Morrow,	Steele,
Cleary,	Irwin, G. C.,	Moses,	Stein,
Cochran,	Irwin, H. H.,	Moulthrop,	Stone,
Collins,	Jackson,	Musser,	Strauss,
Conner,	Jones, E. E.,	Neel,	Swartz,
Conniff,	Jones, J. R.,	Newbaker,	Swift,
Conrade,	Kaiser,	North,	Thomas,
Cox,	Kaufman,	O'Neill,	Trach,
Currier,	Keegan,	Peachey,	Walsh,
Curry,	Keeport,	Pennegar,	Walton,
Davis,	Kennedy,	Pennock,	Wildman,
DeFrees,	Kern,	Perry, H. L.,	Wiltbank,
Dickinson,	Kitts,	Perry, S. J.,	Young, G. K.,
Donahoe,	Klepper,	Piper,	Zimmerman,
Donnally,	Kuhn, H. P.,	Price,	Alter,
Down,			Speaker
Dunn, H. B.,			

NAYS—1.

Whitaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1879 (Senate No. 464), entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Allen,	Ely,	Lowers,	Savacool,
Alworth,	Ewing,	Malie,	Schaeffer, A. C.
Ambler,	Fahey,	Mather,	Schuck,
Arthur,	Foster, J. D.,	Matt,	Scott, J. R. K.,
Baldwin, R. J.,	Frey,	McAllister,	Scott, S. B.,
Barner,	Gans,	McArdle,	Semmens,
Bass,	Geary,	McCaig,	Shaffer, C. A.
Bayle,	Geiser	McClintock,	Shaffer, I. E.,
Becker,	Gibson,	McDermott.	Shern,
Benninger,	Good,	McNichol,	Sherwood,
Benson,	Goss,	Mechling,	Showalter,
Berntheizel,	Gransback,	Mellott,	Smith, J. W.,
Bigger,	Gray, Frank,	Metzenbacher.	Smith, L.,
Bittles,	Gray, Joseph,	Miller	Snavely,
Blair, W. A.,	Hackett,	Missimer,	Snyder,
Blair, W. F.,	Heidinger,	Mitchell,	Spangler,
Body,	Hemminger,	Moore,	Speiser,
Brosius,	Herman,	Morrow,	Spillinger,
Brown,	Hess,	Moses,	Steedle,
Brownlee,	Heyburn,	Moulthrop,	Steele,
Burnett,	Hibshman,	Murphy,	Stein,
Caldwell,	Hobbs,	Musser,	Stone,
Campbell, C.M.,	Hoffman,	Neely,	Strauss,
Campbell, J.J.	Howard, J.,	North,	Swartz,
Carson,	Howard, R.,	O'Neill,	Swift,
Claycomb,	Isler,	Peachey,	Thomas,
Cleary,	Irwin, G. C.,	Pennegar,	Trach,
Cochran,	Irwin, H. H.,	Pennock,	Ulman,
Collins,	Jackson,	Perry, H. L.,	Walnut,
Conner,	Jones, E. E.,	Perry, S. J.,	Walsh,
Conniff,	Jones, J. R.,	Piper,	Walton,
Conrade,	Kaufman,	Price,	Watson,
Cox,	Keegan,	Ramsey,	Whitaker
Currier,	Keeport,	Redfield,	Whitman,
Curry,	Kennedy,	Reese,	Wildman,
Davis,	Kitts,	Reeser,	Williams,
DeFrees,	Klepper,	Rex,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Richards,	Wiltbank,
Donnally,	Lanius,	Roney,	Young, G. K.,
Down,			
Dunn, H. B.,	Letzkus,	Rothenberger,	Young, J. H.,
Dunn, J. A.,	Light,	Runk,	Zimmerman,
Ehrhardt,	Lohr,	Sassaman,	Alter,
Eichenberger,			Speaker.

NAYS—2.

Cheeseman, Grabe,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1852 (Senate No. 694), entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Adams,	Down,	Kuhn, H. P.,	Roney,
Allen,	Dunn, J. A.,	Kuhns, E.G.M.,	Rothenberger,
Alworth,	Ehrhardt,	Lanius,	Runk,
Ambler,	Eichenberger,	Latshaw,	Sassaman,
Arthur,	Ely,	Lenker,	Savacool,
Baldwin, R. J.,	Ewing,	Letzkus,	Schaeffer, A. C.
Barner,	Foster, J. D.,	Malie,	Schuck,
Bass,	Frey,	Mannion,	Scott, J. R. K.,
Bayle,	Gans,	Mather,	Semmens,
Becker,	Geary,	Matt,	Shaffer, C. A.,
Benninger,	Geiser,	McAllister,	Shaffer, I. E.,
Benson,	Gibson,	McCaig,	Shern,
Berntheizel,	Glenn,	McDermott,	Showalter,
Bigger,	Goss,	Mechling,	Smith, J. W.,
Bittles,	Gransback,	Mellott,	Smith, L.,
Blair, W. A.,	Gray, Frank,	Metzenbacher,	Snavely,
Blair, W. F.,	Gray, Joseph,	Miller,	Snyder,
Bleloch,	Hackett,	Mitchell,	Steedle,
Body,	Haggerty,	Moore,	Steele,
Brosius,	Heidinger,	Morrow,	Stone,
Brown,	Hemminger,	Moses,	Strauss,
Brownlee,	Herman,	Murphy,	Swartz,
Burnett,	Hess,	Musser,	Swift,
Caldwell,	Heyburn,	Neel,	Thomas,
Campbell, C.M.,	Hibshman,	Newbaker,	Trach,
Campbell, J.J.	Hobbs,	Newton,	Ulman,
Carson,	Hoffman,	North,	Walnut,
Cheeseman,	Howard, J.,	O'Neill,	Walton,
Claycomb,	Howard, R.,	Pennegar,	Watson,
Cleary,	Isler,	Pennock,	Whitaker,
Cochran,	Irwin, H. H.,	Perry, H. L.,	Whitman,
Collins,	Jones, J. R.,	Perry, S. J.,	Wildman,
Conner,	Kaufman,	Post,	Williams,
Conrade,	Keegan,	Price,	Wilson, J. H.,
Cox,	Keeport,	Redfield,	Wilson, W. H.,
Currier,	Kennedy,	Reese,	Wiltbank,
Curry,	Kern,	Reeser,	Young, G. K.,
Davis,	Kitts,	Rex,	Young, J. H.,
DeFrees,	Klepper,	Richards,	Zimmerman,
Dickinson,		Rockwell,	Alter,
Donahoe,			Speaker.
Donnally,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1810 (Senate Bill No. 322), entitled:

An Act to extend the time for commencing and the time for opening and completing of certain railroads and railways in this Commonwealth

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WALNUT. Mr. Speaker, I would like to inquire of some gentleman of the House who may be sponsoring this

bill, I would like to secure an explanation of its purpose. I understand that it increases the length of time for beginning work upon a railroad five years from the date of the bill, extending it for a period of five years from and after the time limit for the commencement of the construction under their original charters, as I understand it, therefore giving a further leeway to the railway company that originally was qualified to begin work in a given length of time, now giving them a further leeway of five years. Without some explanation of the purpose for which it is given, a good reason for it, it seems to me the bill ought to be held up.

BILL POSTPONED.

I therefore move that further consideration of this bill be postponed for the present.

Mr. ROCKWELL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1907, entitled:

An Act regulating the furnishing of certain information by persons in the employ of this Commonwealth and providing a penalty for violation thereof

On the question.

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. KITTS. Mr. Speaker, I desire to interrogate the gentleman sponsoring this bill, in order that the House may have some information as to the meaning of the bill.

The SPEAKER. Will the sponsor of the bill, Mr. Humes, permit himself to be interrogated?

Mr. HUMES. Yes, sir, Mr. Speaker.

Mr. KITTS. Mr. Speaker, I would like to ask the sponsor of this bill what departments of the State of Pennsylvania are now furnishing information to the Federal Government?

Mr. HUMES. Mr. Speaker, I do not know how many departments are furnishing information. I know of one that is furnshing information. I do not know how many more there are that may be furnishing information, either to the United States Government or to some other government.

Mr. KITTS. Mr. Speaker, I would like to ask the gentleman from Crawford what department he knows is furnishing governmental statistics, vital statistics?

Mr. HUMES. Mr. Speaker, the Department of Health, and I might suggest that inasmuch as the gentleman, himself, has suggested vital statistics that he probably knew without interrogating.

Mr. KITTS. Mr. Speaker, I wanted the House to know it. I sincerely dislike to take issue with my friend from Crawford, Mr. Humes, on this bill. I hope I haven't got my war-paint on this morning, and I hope nothing that I may say will be construed as personal or of a political character. Now, I desire to give the House what I know about this bill. If I am wrong, Mr. Speaker, if I misquote any facts, or if I interline my remarks with anything like a personality in the matter, I hope to be corrected; but here is what I understand about the bill. In 1903 the Federal Congress passed a resolution calling upon the different States of the United States to furnish them vital statistics. You know what those statistics mean. The United States Government has set up a department in the Health Bureau for the securing of these statistics from the various States. In 1903 this work was little heard of. None of them was doing very much work. This resolution having been passed, the Pennsylvania State Legislature in 1906 passed our health law setting up this department, over which Dr. Batt has been and is at the present head of the Department. After the resolution and its result, other States began to pass similar department laws, setting up health departments in the States. At present there are twenty-one States in what is called the registration area of the United States. At the time Pennsylvania passed her law there were but ten States. Now, when the State of Pennsylvania put upon the statute books in 1906, I think it was, the State law calling for this department, the Federal Government sent agents to Pennsylvania to look over the department and they went back and made one of the finest reports that was ever reported of any department in any State of the United States or any State of any other nation; and as a result to-day we have twenty-one States in the registration area, and the following States, Mr. Speaker, have modeled their law almost to the strict letter to it except in so far as it might relate to constitutional provisions, and these are the States: Ohio, Kentucky, Missouri, North Carolina, Minnesota, Washington, California, Colorado, Wisconsin, Montana, Utah and partially North Dakota and Virginia, and at the present sessions of these States, Texas and Mississippi, they are also passing a law. Now, the very facts in this case, Mr. Speaker, are these: Dr. Batt, who is at the head of the Health Department, which is furnishing to the Federal Government vital statistics, does it in this way: When he receives from the different boards of health or the different registration depots or bureaus which he has about the State, the vital statistics on printed blanks which he furnishes those different places for that purpose, the vital statistics which come in are taken off and copied and a copy sent to the Federal Government. He receives three cents a copy. That nets him in all about $3,500 a year. The press has gone out about through this State after the introduction of this bill, almost directly charging Dr. Batt with grafting $3,500 on the Federal Government, when on investigation you will find that Dr. Batt pays out nearly every year almost all of the $3,500 for clerical hire and for material which the Government does not furnish in order to set up the department. Now, it might be argued that this money should go into the Treasury, to be paid out as it is needed, but let me call your attention to the fact that out of twenty-one States of the Union which furnish this very kind of statistics to the Federal Government, that Pennsylvania is furnishing, not a single one pays the money into the State Treasury. There has been no demand by any of the States and none by the Health Department of the United States. There has been no intimation against Dr. Batt or against the Health Department of Pennsylvania that there has been anything going on there, that there has been any graft existing in that department, or any other department of the Commonwealth. Mr. Speaker, I would be the first man to raise my voice against it, but I have gone down there and inspected that department. I inspected the tabulating machine; I have had him call his records and I have verified them. I looked them over and I am convinced beyond a reasonable doubt, Mr. Speaker, that Dr. Batt is paying out nearly every cent of the $3,500 that he gets from the Federal Government for employing those clerks who do the work. Now, then, to pass the bill might be false economy, for this reason: Suppose Dr. Batt receives from some registration bureau in the State of Pennsylvania a tabulated sheet of vital statistics, or the statistics of a birth or a death or anything of the kind; and suppose his clerks who examine these sheets which he sends to Washington; in so doing, these clerks which he pays out of his own pocket, out of the money which he receives from the Federal Government; verify them and check them over, and which so far as the Commonwealth of Pennsylvania, at least, is concerned, would require one reading or comparing clerk and maybe two, and which would cost the State of Pennsylvania from $1,000 to $1,200 a year. It is done in this way because when one of these sheets comes in, people make mistakes and they put the information down wrong; they may have the age wrong and they may have the cause of the death of the child wrong. The clerk who gets up the statistics for Washington immediately calls the attention of the department to that mistake and they send it back to be corrected, and this is done almost entirely, Mr. Speaker, by money received from the Federal Government. Now, if twenty-one States are in this area and they all do the same kind of work and they all model their law after the law of Pennsylvania and have gone on so nobly since 1906, I can see no reason why by our vote we should go on record as accusing Dr. Batt of grafting from the Federal Government. If I am wrong, I want the gentleman from Crawford to correct me, but I feel that after the newspapers took this matter up and that Dr. Batt was practically accused broadcast over the State of Pennsylvania, bringing out the intimation that the Doctor was putting this money into his pocket, that intimation has settled solidly in the minds of the people. I believe that we ought to correct that misap-

prehension, because there is not an iota of truth in the whole allegation, and I hope that before the House votes on this bill they will consider it in the way it ought to be considered, and if it is a good bill, pass it, but if it is not, We ought to stand undivided in voting it down. Sometimes I think perhaps the gentleman from Crawford did not thoroughly investigate it before he put it in. Maybe he did not have the source of information, and I have arisen, Mr. Speaker, with no other thought but to correct that gross misapprehension that went out over the Commonwealth, and that this House may know what it is voting on.

Mr. HUMES. Mr. Speaker, I am somewhat surprised to have the gentleman from Erie take this bill so much to heart, and undertake to apply it to some particular case. I think the gentleman can find not one single syllable in this bill that refers to the Department of Health or Dr. Batt or any other department of the State Government. I believe that we have come to the time when we ought to be able to meet a principle and eliminate petty personalities from the consideration of that principle. In this State we have various departments that are accumulating at the expense of the State valuable statistics. The State is put to the expense of gathering those statistics, and those statistics, when they are gathered, are the property of the Commonwealth of Pennsylvania, and if they are to be sold to anyone else, whether it is the United States Government or some one else, I believe that any remuneration that comes from that sale should go to the person that paid for the expense of gathering them. The gentleman is undertaking to apply this bill solely to the one case in the Health Department, and I call your attention to the fact that he admits that the remuneration received is not equal to pay all the expenses incident to furnishing the information. I care not whether every dollar of that money is spent in the Health Department. I care not what the expenses may be. That does not change the principle, either in the Health Department or any other department of the State Government, that when this State gathers valuable statistics and records together at the expense of the public treasury, that any remuneration that they may receive from furnishing that information to others should go to reimburse the State Treasury for the expenses that it has incurred in gathering the records. In the first instance, I would ask you this morning to forget all personalities, forget any individual that may be concerned and consider a great principle, the principle that the property of the State of Pennsylvania belongs to the State of Pennsylvania and the use from any sale or otherwise of that property should go into the public treasury and the public, if there is any incidental expense in connection with the furnishing of that information, should pay that expense. If, as the gentleman cites as an illustration, the case in the Health Department, if the expense of furnishing to the Government those statistics is $1,000 less only than the cost of furnishing it, that $1,000 belongs to the State of Pennsylvania and should go into the public treasury, and under the laws pertaining to that Health Department or other place which authorizes the Health Department to furnish statistics to individuals, the fees are paid into the State Treasury. But the law creating the department providing for the payment of these fees into the State Treasury, was enacted before this condition arose and I presume that accounts for the fact that it is not provided for and I believe that we should vote once for a principle and not for party politics.

Mr. KITTS. Mr. Speaker, I wish to call attention to the fact that the gentleman from Crawford has admitted that there was only one Department, and that is the reason that I mentioned that Department, the only one he knew of.

Mr. HUMES. Mr. Speaker, I beg the gentleman's pardon. I stated that I only had personal knowledge of one Department, and that I did not know how many other Departments might be doing the same thing.

Mr. KITTS. Mr. Speaker, then the only thing before the House is that one Department which the gentleman admits.

There is no profit to the Commonwealth in this matter. It cost Mr. Batt as much as he pays out. Why should we turn something in which we have not got and then burden the Legislature every two years to put out something that is not in there. Now it does not cost the State a single cent and every one of the young men and women that are employed in the Health Department in furnishing statistics to the Federal Government are paid by Dr. Batt, out of the money which the Federal Government gives him, and they have so regulated the matter that they see that there is no profit. They only pay enough to pay the bare expenses of compiling and sending them these statistics and it is charity work on the part of anybody that gives this information out. It is merely charity on the part of Dr. Batt. The information is going out that the gentleman is putting this money in his pocket and we ought to vindicate him.

Mr. WATSON. Mr. Speaker, I am always in favor of any legislaion that will protect the interests of the people of this Commonwealth, and I am always, Mr. Speaker, in favor of fair play and I am always in favor of a bill having a recognized foundation and not a bill that may have been drawn up upon false information which would reflect on any citizen of this Commonwealth. As I understand it to-day, there is not a Department at the Capitol Hill that is putting any money into their pockets from furnishing information to anybody, and his bill grew out of certain information that was presumed to be correct, alleging that one of the most upright, honest and useful employees on this hill had knocked down thirty-five hundred dollars money received for reports of births and deaths to the Federal Government the last year. As a matter of fact that Department was requested to furnish information from 1906, and they furnished it ever since. Dr. Dixon permitted Dr. Batt to make the arrangement with the Federal Government to pay the expenses of it, and it is accredited that we have the best department in the whole United States. Dr. Batt gives all his time to it and he furnished last year 195,000 records, and he received a sum of three cents a report, out of which he pays the salaries of the girls here, and he buys the paper and the ink and everything, and as a fact from some garbled information it was alleged and was so reported in the newspapers that that Department had knocked down that sum of money in the last year, and a bill was introduced to correct it, when as a matter of fact there is not one word of truth in the report. Now is this House, because this bill has a semblance of being right, are the citizens of the Commonwealth going to support a bill that was drafted on that character of information for the purpose of exposing one of the heads of one of the Departments here in this Capitol? I do not think they will do it. If any one can stand up on the floor of the House and show where there was one particle of truth or any foundation for this bill that would make it different. I came here eight years ago with a disposition to be fair to everybody. I have been opposed to any investigation when there is no cause for it, but this was the result of the effort in this session for some reason or other to blacken the name or the character of a party or an individual member of that party, until I am tired of it. You have spent, I think, one-fourth of this session in investigating and resoluting and occupying the time of this House on matters that had some merit and I hope that the members of the House will not support this bill. There is no necessity for it, especially when it is not founded of truth. I do not believe that this House will vote to corroborate the assertion that there was a necessity for it for merely carrying a bill for the purpose of blackening a part of the administration and blackening the character of one of the best heads of Departments in the Commonwealth.

Mr. CHARLES A. SHAFFER. I only wish to add a word to this discussion. There has been a remark made on the clerical help that is required to furnish these reports to the federal government, and I wish to state to the House that the number of clerical help is four, and out of this thirty-five hundred dollars, this clerical help is paid, and what other expense is added in connection. There is scarcely one penny left of the thirty-five hundred dollars when the year's work is up.

Mr. W. A. BLAIR. Mr. Speaker, I would like to interrogate the gentleman from Indiana.

The SPEAKER. Will the gentleman from Indiana permit himself to be interrogated?

Mr. WATSON. Yes, sir, Mr. Speaker.

Mr. W. A. BLAIR. Mr. Speaker, I would like to ask the gentleman if there had been a bill prior to this in existence could this condition exist to-day? Could this impression have been created had there been a bill intro-

duced some time ago before this Department was instituted? It looks to me as if a bill of this kind will safeguard somebody else in the future.

Mr. WATSON. Mr. Speaker, had there been a bill of this character before? Why, no, not that I know of.

Mr. W. A. BLAIR. Mr. Speaker, don't you suppose that it would have safeguarded the man you are trying to protect now. It looks to me as if there is a loop hole for an inference of this kind and a bill of this kind is necessary.

Mr. WATSON. Mr. Speaker, there is no loop hole and I allege not one particle of evidence of that character where any heads of Departments have furnished information to the Federal Government, or in fact anybody, and pocketed the money, who are drawing salaries from the Commonwealth and if this is true, then there is no occasion for this bill.

Mr. HUMES. Mr. Speaker, I would just like for a moment to call the attention of the House to the fact that we are at this session creating a new Department of Labor. The Federal Government during this year created a new Department of Labor, and it is probable that these two Departments will want to work somewhat in conjunction along the same lines as the two Departments of Health have been doing, and I believe we owe to the employees and officials of that Department to enact this law in order that under some regulation the two Departments can work in harmony and in a way that will not subject any one to criticism or complaint from any citizen of the Commonwealth.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—67.

Allen,	Cheeseman,	Humes,	Musser,
Baldwin, G. A.,	Claycomb,	Jones, J. R.,	Newbaker,
Barner,	Cochran	Keegan,	Rex,
Becker,	DeFrees,	Keeport,	Rockwell,
Benninger,	Donahoe,	Kennedy,	Roney,
Benson,	Donnally,	Kern,	Rothenberger,
Bigger,	Ehrhardt,	Kuhns, E.G.M.,	Sassaman,
Bittles,	Fahey,	Lanius,	Savacool,
Blair, W. A.,	Foster, J. D.,	Latshaw,	Scott, S. B.,
Blair, W. F.,	Geiser,	Lohr,	Shaffer, I. E.,
Bleloch,	Glenn,	Martin,	Smith, J. W.,
Body,	Good,	Matt,	Snavely,
Brownlee,	Goss,	McDermott,	Snyder,
Burnett,	Grabe,	Mellott,	Swift,
Caldwell,	Heidinger,	Metzenbacher,	Trach,
Campbell, C.M.,	Hobbs,	Miller,	Ulman,
Campbell, J.J.	Howard, R.,	Moses,	Walnut,
Carson,			

NAYS—56.

Ambler,	Hess,	Mitchell,	Spangler,
Baldwin, R. J.,	Heyburn,	Morrow,	Steed'e
Bass,	Isler,	Newton,	Steele,
Bayle,	Irwin, H. H.,	O'Neill,	Stone,
Brosius,	Kitts,	Perry, S. J.,	Swartz,
Cleary,	Kuhn, H. P.,	Price,	Thomas,
Currier,	Letzkus,	Ramsey,	Walsh
Davis,	Light,	Redfield,	Walton,
Dickinson,	McAllister,	Richards,	Watson,
Eichenberger,	McArdle,	Runk,	Whitaker,
Ely,	McClintock,	Schuck,	Wiltbank,
Frey,	McNichol,	Shaffer, C. A.,	Young, J. H.,
Hackett,	Mechling,	Shern,	Zimmerman,
Hemminger,	Missimer,	Showalter,	Alter,
			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RECESS.

The SPEAKER. The hour of one o'clock having arrived, this House will now take a recess until 3:00 o'clock this afternoon.

AFTER RECESS.

The House reconvened at three o'clock P. M.
The SPEAKER (George E. Alter) in the Chair.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communications from the Governor which was read as follows:

APPROVAL OF HOUSE BILL NO 1526.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 1526, entitled "An Act to amend an act approved the fourteenth day of June one thousand nine hundred and eleven entitled 'An Act to provide for the ordinary expenses of the executive judicial and legislative departments of the Commonwealth interest on the public debt and the support of the public schools for the two fiscal years beginning June first one thousand nine hundred and eleven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and eleven."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO 917.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 917 entitled "An Act to prohibit the killing of foxes by certain methods in Delaware county and fixing a penalty for violation of the act."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1350.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 1350, entitled "An Act to amend an act entitled 'An Act relating to boarding house keepers and authorizing the attachment of wages of persons indebted for boarding' approved the eighth day of May one thousand eight hundred and seventy-six with its amendments and providing for service of notice of attachment upon persons firms associations and corporations"

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1143.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 1143, entitled "An Act to authorize townships of the first class to provide for fire protection."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1009.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 1009, entitled "An Act to repeal an act approved the twenty-fifth day of March Anno Domini one thousand nine hundred and three entitled 'An Act to encourage the repression of tuberculosis of cattle and to provide for the disposition of the carcasses of meat-producing animals that are infected with tuberculosis to a degree that renders their flesh unfit for use as food."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 897.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 897, entitled "An Act to amend section one of an act entitled 'An Act to authorize the appointment of a deputy and one clerk by the prothonotary of the Supreme Court of the Eastern District also the appointment of a deputy by the Supreme Court of the Middle District and fixing their salaries' approved the fourth day of May Anno Domini one thousand nine hundred and five by changing the salary."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 655.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day

approved and signed House Bill No. 655, entitled "An Act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 520.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 520, entitled "An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 236.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 236, entitled "An Act defining mattresses regulating the making remaking and sale thereof prohibiting the use of unsanitary and unhealthy materials therein requiring that the materials used shall be accurately described and prescribing the manner in which mattresses shall be labelled providing for the enforcement of the provisions of this act making certain acts criminal and punishing the same imposing certain duties upon the Commissioner of Health and the Chief Factory Inspector and repealing legislation inconsistent with this act."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 106.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 106, entitled "An Act making an appropriation to pay the judgment obtained against the Commonwealth of Pennsylvania by W. C. Wolfe."

(Signed) JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment, House Bill No. 1152, entitled "An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department of Suburban Metropolitan Planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 1382.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 1382, entitled "An Act regulating the letting of certain contracts for the erection construction and alteration of public buildings."

(Signed) JOHN K. TENER.

APPROVAL OF HOUSE BILL NO. 768.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed House Bill No. 768, entitled "An Act to change and fix the terms of directors of the poor and auditors authorized to audit settle and adjust accounts of said directors of the poor in incorporated poor districts where the number of said directors is eight and said directors are required to be elected in blocks of four each year fixing the time when the terms of such directors and auditors shall expire their successors be elected and assume office.

(Signed) JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION.

Executive Chamber, Harrisburg, Pa., May 6, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amenment House Bill No. 964, entitled 'An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illumniating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefited."

(Signed) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. SWARTZ. Mr. Speaker, I move that the vote by which this bill, House Bill No. 964, passed finally be reconsidered.

Mr. CLEARY. Mr. Speaker, I second the motion.

It was agreed to.

Mr. SWARTZ. Mr. Speaker, I move that the vote by which this bil passed third reading be reconsidered.

Mr. CLEARY. Mr. Speaker, I second the motion.

It was agreed to.

Mr. SWARTZ. Mr. Speaker, I ask unanimous consent of the House to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 2, line 6, by inserting after "property" the following: "to the same extent and with the same effect as other liens for taxes now authorized by law."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

COMMUNICATIONS FROM THE GOVERNOR.

Executive Chamber, Harrisburg, Pa., May 1, 1913.
To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.
Gentlemen:—
I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment, House Bill No. 1152, entitled "An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department of Suburban Metropolitan Planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof."

(Signed) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. AMBLER. Mr. Speaker, I move that the vote by which this bill, House Bill No. 1152, passed finally be reconsidered.

Mr. SNYDER. Mr. Speaker, I second the motion.

It was agreed to.

Mr. AMBLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SNYDER. Mr. Speaker, I second the motion.

It was agreed to.

Mr. AMBLER. Mr. Speaker, I ask unanimous consent to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend House Bill 1152 file folio 6639 at Section 7 line 6 by inserting after the word "authority" the words "provided however that the provisions of this Act shall not abridge or in any way effect the provisions of an act entitled "An Act creating a Department of Health and defining its powers and duties" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and five or the provisions of an act entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

RESOLUTION RECALLING HOUSE BILL NO. 1153 FROM THE GOVERNOR.

Mr. KAUFMAN offered the following concurrent resolution, which was read, considered and agreed to.

Resolved (if the Senate concur) That House Bill No. 1153 file folio 5757 entitled "An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes) of infants by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" be recalled from the Governor for the purpose of amendment

Ordered, That the Clerk present the same to the Senate for concurrence

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communications in writing from His Excellency the Governor of the Commonwealth, which were read as follows:

VETO OF HOUSE BILL NO. 569.

Commonwealth of Pennsylvania,
Executive Chamber Harrisburg, May, 2, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania,

Gentlemen:—I return herewith without my approval House Bill No. 569 entitled:

"An Act to ascertain and fix the fees to be received by the several clerks of the courts of Oyer and Terminer general jail delivery and quarter sessions of the peace of this Commonwealth in counties having a population of over one million"

The increase in certain fees authorized under the provisions of this bill appear to me to be out of proportion to the services rendered. For this reason the bill is not approved.

(Signed) JOHN K. TENER.

Mr. SPEISER. Mr. Speaker, I move that this matter be laid on the table.

Mr. MOORE. Mr. Speaker, I second the motion.

It was agreed to.

Also

PARTIAL APPROVAL OF HOUSE BILL NO. 80.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 2, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania,

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 80, entitled:

"An Act supplementing an act approved the fourteenth day of June one thousand nine hundred and eleven entitled 'An Act providing for the erection by the Commonwealth of Pennsylvania of a statue in memory of General George Gordon Meade in the City of Washington and making an appropriation therefor' and making a further appropriation" except as to the item appropriating two thousand five hundred dollars "for the purpose of preparing printing and publishing a fitting report of the dedication ceremonies of said statue."

I withhold my approval from this item for the reason that in my judgment the five thousand dollars appropriated for the purpose of defraying the necessary expenses of the commission will be sufficient to meet all proper expenses

(Signed) JOHN K. TENER.

The SPEAKER. The question being shall that portion of the bill vetoed become a law, the objection of the Governor to the contrary notwithstanding? Those desiring to sustain the veto of the Governor will vote "no;" those oppose "aye."

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—0.

NAYS—174.

Adams,	Fahey,	Martin,	Savacool,
Allen,	Foster, J. D.,	Mather,	Schaeffer, A. C.
Alworth,	Frey,	Matt,	Scott, J. R. K.,
Ambler,	Gans,	McAllister,	Scott, S. B.,
Arthur,	Geiser,	McArdle,	Semmens,
Baldwin, R. J.,	Gibson,	McCaig,	Shaffer, C. A.,
Barner,	Good,	McClintock,	Shaffer, I. E.,
Bass,	Grabe,	McDermott,	Shern,
Becker,	Gransback,	McKay,	Sherwood,
Benson,	Gray, Frank,	McNichol,	Showalter,
Berntheizel,	Gray, Joseph,	Mechling,	Smith, J. W.,
Bigger,	Hackett,	Mellott,	Smith, L.,
Bittles,	Heidinger,	Metzenbacher,	Snavely,
Blair, W. A.,	Hemminger,	Miller,	Snyder,
Blair, W. F.,	Herman,	Missimer,	Spangler,
Bleloch,	Hess,	Mitchell,	Speiser,
Body,	Heyburn,	Moore,	Spillinger,
Brosius,	Hibshman,	Morrow,	Steedle,
Brown,	Hobbs,	Moses,	Steele,
Burnett,	Hoffman,	Moulthrop,	Stein,
Caldwell,	Howard, J.,	Neel,	Stone,
Campbell, C.M.,	Isler,	Neely,	Strauss,
Campbell, J.J.	Irwin, G. C.,	Newbaker,	Swartz,
Carson,	Irwin, H. H.,	Newton,	Swift,
Cheeseman,	Jackson,	North,	Thomas,
Claycomb,	Jones, J. R.,	O'Neill,	Trach,
Cleary,	Kaiser,	Peachey,	Ulman,
Cochran,	Kaufman,	Pennegar,	Walnut,
Collins,	Keeport,	Pennock,	Walsh,
Conner,	Kennedy,	Perry, H. L.,	Walton,
Conniff,	Kern,	Perry, S. J.,	Watson,
Conrade,	Kitts,	Price,	Wettach,
Cox,	Klepper,	Ramsey,	Whitaker,
Currier,	Kuhns, E.G.M.,	Redfield,	Whitman,
Curry,	Latshaw,	Reese,	Wildman,
Davis,	Lenker,	Reeser,	Williams.
DeFrees,	Leslie,	Rex,	Wilson, J. H.,
Dickinson,	Letzkus,	Rhoads,	Wilson, W. H.,
Dunn, J. A.,	Light,	Rockwell,	Waltbank,
Ehrhardt,	Lohr,	Roney,	Young, G. K.,
Eichenberger,	Lowers,	Rothenberger,	Young, J. H.,
Ely,	Malie,	Runk,	Zimmerman,
Ewing,	Mannion,	Sassaman,	Alter,
			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the veto of the Governor is sustained.

REPORT OF THE CONFERENCE COMMITTEE ON SENATE BILL NO. 157.

The SPEAKER. The Chair lays before the House the report of the Committee on Conference on Senate Bill No. 157, which will be found on the files of the Senate, page 2891. The Clerk will read the Conference report.

The Clerk then read the Conference report as follows:

REPORT OF THE COMMITTEE ON CONFERENCE ON SENATE BILL NO. 157.

To the Members of the Senate and House of Representatives

We, the undersigned Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill number one hundred fifty-seven entitled "An Act to amend an act approved the third day of June one thousand nine hundred and eleven, entitled 'A further supplement to an Act, entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class,' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

J. CARTER JUDSON,
JOSEPH HEACOCK,
FRANCIS S. McILHENNY,
Committee on the part of the Senate.

HORACE B. DUNN,
PLYMOUTH W. SNYDER,
CHARLES A. AMBLER,
Committee on the part of the House of Representatives.

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class'

approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourth section of an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts" which reads as follows

"Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over one hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated" is hereby amended to read as follows

Section 4 That from and after the passage of this act all contracts or purchases made by any township of the first class involving the expenditure of over five hundred dollars shall be in writing and shall not be made except with the lowest and best bidder after due notice by the secretary published once a week for three weeks in one or more newspapers of the county in which such township shall be situated Provided That this section shall not apply to the operation or use by any township of the first class of its own tools implements crushers or other adequate machinery necessary for repairing public highways

The SPEAKER. The question is will the House adopt the Conference report?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Foster, J. D.,	Malle,	Sassaman,
Alworth,	Frey,	Mannion,	Savacool,
Ambler,	Gans,	Martin,	Schuck,
Arthur,	Geary,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Geiser,	Matt,	Semmens,
Baldwin, R. J.,	Gibson,	McAllister,	Shaffer, C. A.,
Barner,	Good,	McArdle,	Shaffer, I. E.,
Bass,	Gransback,	McCaig,	Shern,
Bayle,	Gray, Frank,	McClintock,	Sherwood,
Becker,	Gray, Joseph,	McDermott,	Showalter,
Benninger,	Hackett,	McKay,	Smith, J. W.,
Benson,	Heidinger,	McNichol,	Smith, L.,
Berntheizel,	Hemminger,	Metzenbacher,	Snavely,
Blair, W. A.,	Herman,	Missimer,	Snyder,
Blair, W. F.,	Hess,	Mitchell,	Spangler,
Body,	Heyburn,	Moore,	Speiser,
Brosius,	Hibshman,	Morrow,	Spillinger,
Brownlee,	Hobbs,	Moses,	Steedle,
Burnett,	Hoffman,	Moulthrop,	Steele,
Caldwell,	Howard, R.,	Musser,	Stein,
Campbell, C.M.,	Humes,	Neel,	Strauss,
Campbell, J.J.	Isler,	Neely,	Swartz,
Carson,	Irwin, G. C.,	Newbaker,	Swift,
Claycomb,	Irwin, H. H.,	Newton,	Thomas,
Cleary,	Jackson,	North,	Trach,
Collins,	Jones, E. E.,	O'Neill,	Ulman,
Conner,	Jones, J. R.,	Peachey,	Walsh,
Conrade,	Kaiser,	Pennegar,	Walton,
Cox,	Kaufman,	Pennock,	Watson,
Currier,	Keegan,	Perry, S. J.,	Whitaker,
Curry,	Keeport,	Price,	Whitman,
Davis,	Kennedy,	Ramsey,	Wildman,
DeFrees,	Kern,	Redfield,	Williams,
Dickinson,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Rex,	Wilson, W. H.,
Donnally,	Latshaw,	Rhoads,	Wiltbank,
Down,	Lenker,	Richards,	Young, G. K.,
Dunn, J. A.,	Leslie,	Rockwell,	Young, J. H.,
Ehrhardt,	Letzkus,	Roney,	Zimmerman,
Eichenberger,	Light,	Rothenberger,	Alter,
Ely,	Lohr,	Runk,	Speaker.
Ewing,	Lowers,		
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

SENATE ADOPTS REPORT OF CONFERENCE COMMITTEE ON SENATE BILL NO. 157.

The Clerk of the Senate being introduced informed that the Senate has adopted the report of the Committee of Conference on the subject of the differences existing between the two Houses on bill, numbered and entitled as follows, viz: Senate Bill No. 157.

An Act to amend an act approved the third day of June one thousand nine hundred eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for my in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts

REPORTS FROM COMMITTEES.

Mr. ARTHUR, from the Committee on Public Roads, reported as committed House Bill No. 1227, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at the point of intersection of Route No. 198 with the Fox Chase and Huntingdon turnpike road at Bethayres, thence over said turnpike road to the Welsh road, thence over the said Welsh road through Bustleton to the Bristol road or Frankford avenue in Holmesburg, Philadelphia county

Mr. W. H. WILSON, from the Committee on Municipal Corporations, reported as committed House Bill No. 1972 (Senate Bill No. 572), entitled:

An Act to validate appointments heretofore made of persons to act as patrolmen and firemen of cities of the first class of this Commonwealth

Mr. FREY, from the Committee on Judiciary General, reported as committed House Bill No. 1567, entitled:

An Act to repeal an act approved the twentieth day of June one thousand nine hundred and one entitled "An Act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or partly underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railways shall have been passed upon by a board consisting of the Governor, the Secretary of the Commonwealth and the Attorney General after notice"

Mr. HESS, from the Committee on Municipal Corporations, reported as committed House Bill No. 1533, entitled:

An Act authorizing the Governor to appoint a commission to devise a plan or plans for the government of the cities of the third class of this Commonwealth

Mr. FREY, from the Committee on Public Roads, reported as amended House Bill No. 1467, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at a point on route two hundred twenty at Greely, Pike county and running thence to Lackawaxen in said county connecting with route two hundred fifty-five

Mr. RONEY, from the Committee on Public Health and Sanitation, reported as amended House Bill No. 532, entitled:

An Act regulating the sale, prescription and possession of opium morphine heroin codeine their salts derivatives or compounds or any substance or preparation containing opium morphine heroin codeine their salts derivatives or compounds providing penalties for the violation thereof and providing for the enforcement of said law and providing an appropriation for the enforcement of said law

Mr. BROSIUS, from the Committee on Judiciary Special, reported as committed House Bill No. 1920 (Senate Bill No. 828), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagon or other conveyance and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace"

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed House Bill No. 1918 (Senate Bill No. 762), entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

Mr. McNICHOL, from the Committee on Judiciary Special, reported as committed House Bill No. 1929, entitled:

An Act to amend an act entitled "An Act for the assignment of judges to districts other than their own for the purpose of expediting business with provision for their compensation" approved the twenty-seventh day of April one thousand nine hundred and eleven so as to extend the same to Orphans Court judges and Orphans Court work

Mr. G. A. BALDWIN, from the Committee on Judiciary General, reported as committed House Bill No. 1980 (Senate Bill No. 600), entitled:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth

Mr. SHOWALTER, from the Committee on Judiciary Special, reported as committed House Bill No. 1955, entitled:

An Act providing for the discharge from prison of persons after they have been confined for six months for noncompliance with any order of the court of quarter sessions for the desertion and non-support of their wives or children or both

Mr. WHITMAN, from the Committee on Appropriations, reported as amended House Bill No. 1726, entitled:

An Act making an appropriation to the water supply commission of Pennsylvania for making a study of the condition of Sandy Creek in Crawford Mercer and Venango counties and for improving the channel thereof and of Sandy Lake outlet

Mr. H. P. KUHN, from the Committee on Public Roads reported as amended, House Bill No. 1763, entitled:

An Act relating to electric cars and requiring the operators thereof to turn out the headlight or serachlight when approaching other vehicles, etc., and prescribing the penalties for violations

Mr. BITTLES, from the Committee on Counties and Townships, reported as committed, House Bill No. 1999, entitled:

A supplement to an Act approved the third day of June one thousand eight hundred and ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

Mr. GRABE, from the Committee on Conuties and Townships, reported as committed House Bill No. 2002, entitled:

An Act authorizing the Board of Township Commissioners in townships of the first class to join with the county commissioners in the improving of roads or streets in first class townships and providing for the assessment of a part of the cost upon the abutting property

Mr. GIBSON, from the Committe on Forestry, reported as amended House Bill No. 1844 (Senate Bill No. 417), entitled:

An Act to amend the first, second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred and eleven (Pamphlet Laws page nine hundred twenty-two) extending the provisions thereof in certain cases to other species of trees

Mr. MITCHELL, from the Committee on Judiciary Special, reported as amended House Bill No. 1636, entitled:

An Act making it the duty of recorders of deeds of the various counties of this Commonwealth containing a population of over one million inhabitants to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury

Mr. STEIN, from the Committee on Judiciary General, reported as amended House Bill No. 1070, entitled:

An Act to repeal an act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled "An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings'" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction

Mr. McNICHOL, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 1693, entitled:

An Act prohibiting corporations co-partnerships or companies conducting a cemetery from excluding persons duly authorized by lot holders in said cemetaries to enter said cemeteries to do gardening work and decorations on lots therein and providing a penalty for violation of said act by officers managers agents or employes of said corporations co-partnerships or companies

Mr. GEISER, from the Committee on Judiciary General, re-reported as amended, House Bill No. 1963 (Senate Bill No. 10), entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing penalties for the violation of the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

Mr. W. H. WILSON, from the Committee on Judiciary General, reported with a negative recommendation House Bill No. 263, entitled:

An Act repealing an act entitled "An Act supplementing and amending section two of an act entitled "An Act concerning divorces approved March thirteenth one thousand eight hundred and fifteen regulating the submission of issues of fact to a jury the appointment of masters in proceedings for divorce defining the powers of the court and the practice in relation thereto Repealing an act approved March tenth one thousand eight hundred and ninety-nine approved the twentieth day of April one thousand nine hundred and eleven

Mr. NEWTON, from the Committee on Counties and Townships, reported with a negative recommendation House Bill No. 1115, entitled:

An Act fixing the salaries of county officers their deputies clerks and employes in counties containing a population of less than one hundred and fifty thousand and providing that all fees collected by said officers under existing laws shall be paid into the State or county treasury

Mr. BROWNLEE, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1829 (Senate Bill No. 410), entitled:

An Act to secure and perpetuate liens upon monuments mausoleums markers grave stones copings or other ornamental constructions used in and about cemeteries and grave yards for the contract price thereof or the balance due thereon and for skill labor and material furnished thereon or entering thereon providing for the enforcement and collection thereof and prohibition the removal of said structures after notice of such lien

Mr. REX, from the Committee on Judiciary Special, reported with a negative recommendation House Bill No. 1927 (Senate Bill No. 860), entitled:

An Act to provide for the payment of Commonwealth witnesses in criminal cases and repealing all acts or parts of acts inconsistent therewith

Mr. GEISER, from the Committee on Judiciary General, reported with a negative recommendation House Bill No. 1808 (Senate Bill No. 161), entitled:

An Act regulating appeals from the judgment of aldermen and justices of the peace

BILL RE-REFERRED.

The SPEAKER. The Judiciary Special Committee by its Chairman returns Senate Bill No. 430, entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitute a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

with the request that it be referred to the Committee on Health and Sanitation. Is there any objection? The Chair hears none and the bill will be so referred.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz.:

House Bill, No. 1144.

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendment was read as follows:

Amend Section 1, line 7, by inserting after the word "therein" the following:

Provided that the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance

On the question,

Will the House concur in the amendment of the Senate?

Mr. AMBLER. Mr. Speaker, having discovered that the title needs amending, I move that the House do not concur.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE.

AMENDMENTS TO SENATE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

Senate Bill, No. 643.

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

SENATE MESSAGE.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz.:

House Bill, No. 415.

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded and colleced as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

House Bill, No. 483 .

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled 'An Act imposing additional taxes for State purposes and to abolish the Revenue Board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

House Bill, No. 536.

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessmest and collection of the costs damages and expenses thereof upon and from the property benefitted and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

House Bill, No. 900.

An Act relative to the regulation of plastering in cities of the first and second classes

House Bill, No. 952.

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

House Bill, No. 1050.

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

House Bill, No. 1053.

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property and providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

House Bill, No. 1132.

A Supplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

House Bill, No. 1139.

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

House Bill, No. 1203.

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

House Bill, No. 1302.

A Supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and

prescribing penalties for the violation thereof providing a revenue to esablish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred twenty-two thousand six hundred twenty-four two thousand six hundred twenty-six and two thousand six hundred twenty-seven thereof and also conferring upon taxpayers similar rights in regard to the reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regards to appeals from reports of auditors field subsequently hereto

House Bill, No. 1318.

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

House Bill, No. 1370.

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be prined and indexed

House Bill, No. 1426.

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

House Bill, No. 1437.

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

House Bill, No. 1534.

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

House Bill, No. 1550.

An Act to further amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expense thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

House Bill, No. 1660.

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon the indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county as amended.

House Bill, No. 1695.

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

House Bill, No. 1872.

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon

With information that the Senate had passed the same without amendment.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bills from the Senate numbered and entitled as follows:

House Bill, No. 132.

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe keeping discipline and employment of prisoners and the government and management of said jails or county prisons approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

With information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

Amend section 6, line 9, top of page 5, by striking out "the judges of the court of quarter sessions."

Mr. DAVIS. Mr. Speaker, I move that the House concur in the amendments made by the Senate.

On the question,

Will the House concur in the amendments?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Fahey,	Leslie,	Rothenberger,
Allen,	Foster, J. D.,	Letzkus,	Runk,
Ambler,	Frey,	Light,	Sassaman,
Arthur,	Gans,	Lowers,	Savacool,
Baldwin, G. A.,	Geary,	Malie,	Schuck,
Baldwin, R. J.,	Geiser,	Mannion,	Scott, J. R. K.,
Barner,	Gibson,	Mather,	Scott, S. B.,
Bass,	Glenn,	Matt,	Semmens,
Becker,	Good,	McAllister,	Shaffer, C. A.,
Benson,	Grabe,	McArdle,	Shaffer, I. E.,
Berntheizel,	Gransback,	McCaig,	Shern,
Bigger,	Gray, Frank,	McClintock,	Sherwood,
Blair, W. F.,	Hackett,	McKay,	Smith, J. W.,
Body,	Heidinger,	Mechling,	Smith, L.,
Brosius,	Hemminger,	Metzenbacher,	Snavely,
Brownlee,	Herman,	Miller,	Spangler,
Burnett,	Hess,	Mitchell,	Speiser,
Caldwell,	Heyburn,	Morrow,	Steedle,
Campbell, C.M.,	Hibshman,	Moses,	Steele,
Campbell, J.J.	Hobbs,	Moulthrop,	Stein,
Carson,	Hoffman,	Musser,	Stone,
Claycomb,	Howard, R.,	Neel,	Strauss,
Cleary,	Humes,	Neely,	Swartz,
Collins,	Isler,	Newbaker,	Swift,
Conner,	Irwin, G. C.,	North,	Thomas,
Conniff,	Irwin, H. H.,	O'Neill,	Trach,
Conrade,	Jackson,	Pennegar,	Ulman,
Cox,	Jones, E. E.,	Pennock,	Walsh,
Currier,	Kaufman,	Perry, S. J.,	Walton,
Curry,	Keegan,	Piper,	Whitaker,
Davis,	Keeport,	Price,	Wildman,
DeFrees,	Kennedy,	Ramsey,	Williams,
Dickinson,	Kitts,	Redfield,	Wilson, W. H.,
Dunn, H. S.,	Klepper,	Reese,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Rhoads,	Young, G. K.
Ehrhardt,	Lanius,	Richards,	Young, J. H.,
Eichenberger,	Latshaw,	Rockwell,	Zimmerman,
Ely,	Lenker,	Roney,	Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill, No. 305.

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

Amend the title lines one and two by inserting after the word in "counties, poor districts," and by inserting after the word county, in line three, the word "poor."

Amend section one, by inserting in line 4, after the word "county," the word "poor."

Line 6, insert after the word "such," "county poor district."

Line 11, by inserting after the word "such" "county poor district."

Line 13, by inserting after the word "in," "counties poor districts."

Line 14, by inserting after the word "be," the words "advertised and."

Mr. REESER. Mr. Speaker, I move the House concur in the amendments made by the Senate.

On the question,

Will the House concur in the amendments?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Ewing,	Leslie,	Roney,
Alworth,	Fahey,	Letzkus,	Rothenberger,
Ambler,	Flynn,	Light,	Runk,
Arthur,	Foster, J. D.,	Lowers,	Sassaman,
Baldwin, G. A.,	Frey,	Malie,	Savacool,
Baldwin, R. J.,	Gans,	Mannion,	Schaeffer, A. C.
Barner,	Geary,	Martin,	Schuck,
Bass,	Geiser,	Mather,	Scott, S. B.,
Bayle,	Gibson,	Matt,	Semmens,
Benninger,	Goss,	McAleer,	Shaffer, I. E.,
Benson,	Grabe,	McAllister,	Shern,
Berntheizel,	Gransback,	McArdle,	Showalter,
Bigger,	Gray, Frank,	McClintock,	Smith, J. W.,
Bittles,	Hackett,	McDermott,	Smith, L.,
Blair, W. A.,	Heidinger,	McKay,	Snavely,
Blair, W. F.,	Hemminger,	McNichol,	Spangler,
Bleloch,	Herman,	Mellott,	Speiser,
Body,	Hess,	Metzenbacher,	Steedle,
Brosius,	Heyburn,	Mitchell,	Steele,
Brown,	Hibshman,	Morrow,	Stein,
Brownlee,	Hobbs,	Moulthrop,	Stone,
Caldwell,	Hoffman,	Murphy,	Strauss,
Campbell, C.M.,	Howard, J.,	Neel,	Swartz,
Campbell, J. J.,	Isler,	Neely,	Thomas,
Carson,	Irwin, G. C.,	Newbaker,	Trach,
Claycomb,	Irwin, H. H.,	North,	Ulman,
Collins,	Jackson,	O'Neill,	Walnut,
Conner,	Jones, E. E.,	Peachey,	Walton,
Conniff,	Jones, J. R.,	Pennegar,	Watson,
Conrade,	Kaiser,	Pennock,	Whitaker,
Cox,	Kaufman,	Perry, S. J.,	Wildman,
Currier,	Keegan,	Peters,	Williams,
Curry,	Keeport,	Price,	Wilson, W. H.,
Davis,	Kennedy,	Ramsey,	Wiltbank,
Dickinson,	Kern,	Redfield,	Young, G. K.,
Donnally,	Kitts,	Reeser,	Young, J. H.,
Down,	Kuhn, H. P.,	Rhoads,	Zimmerman.
Dunn, J. A.,	Kuhns, E.G.M.,	Richards,	Alter,
Ehrhardt,	Latshaw,	Rockwell,	Speaker.
Eichenberger,	Lenker,		
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered. That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

Senate No. 523.

A supplement to an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one (Pamphlet Laws seventyfive) by providing that in proceedings to assess damages and benefits arising from improvements under the act to which this is a supplement if property is both benefited and damaged by such improvements the excess of damages over benefits or the excess of benefits over damages or nothing in case the benefits and damages are equal shall be awarded to or assessed against the owners of property and providing that the report thereof made by the board of viewers shall show the net result only

Senate No. 178.

An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act

Senate No. 156.

An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds

Senate No. 328.

A further supplement to an act approved the seventh day of June one thousand eight hundred seventy-nine entitled "An Act to provide revenue by taxation" as variously amended and supplemented

Whereupon,

The Speaker in the presence of the House signed the same.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1773, entitled:

An Act to amend section twenty-seven of an act approved the fourth day of June one thousand nine hundred one entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales"

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR.

Mr. BROWNLEE. Mr. Speaker, I move that this bill be dropped from the Calendar.

Mr. HERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1760, entitled:

An Act to amend section twenty-three of an act entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Dominin one thousand eight hundred and seventy-nine approved June first one thousand eight hundred and eighty-nine

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. W. H. WILSON. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON TIHRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1694, entitled:

An Act to provide revenue by taxation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. RONEY. Mr. Speaker, this is one of the bills suggested by the Joint Tax Commission in its recommendations to this session of the Legislature and is one of the most important tax measures that the Commission could possibly have suggested. It has been the case for many years in Pennsylvania, that the Secretary of a corporation is made the fiscal agent of the Commonwealth in the collection of the four mill tax on outstanding obligations, but it very often happens that the Secretary in making his returns to the Auditor General is unable to give any information as to the whereabouts of the holders of these obligations and the State loses millions and millions of dollars in taxation. Now this bill provides that the responsibility for the four mill tax shall rest with the corporation, so that it is immaterial hereafter as to where or in what part of the State the holder of the obligation lives, as this act places the responsibility or the burden of the tax directly on the debtor or the corporation. As I said, this bill is one of the most important bills suggested by the Joint Tax Commission and is one which is intended to give the Auditor General close tabs on taxable property and will result in a great increase in the State's revenues each year and I ask each member, in the interest of increasing the State's revenues to vote for this bill.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:, viz:

YEAS—171.

Adams,	Eichenberger,	Lowers,	Rothenberger,
Allen,	Ely,	Malie,	Runk,
Alworth,	Ewing,	Mannion,	Sassaman,
Ambler,	Fahey, J. D.,	Martin,	Savacool,
Arthur,	Frey,	Mather,	Schaeffer, A. C.
Baldwin, G. A.,	Gans,	Matt,	Schuck,
Baldwin, R. J.,	Geary,	McAleer,	Scott, J. R. K.,
Barner,	Geiser,	McAllister,	Scott, S. B.,
Bass,	Gibson,	McArdle,	Semmens,
Bayle,	Good,	McCaig,	Shaffer, C. A.,
Becker,	Gransback,	McClintock,	Shaffer, I. E.,
Benninger,	Gray, Frank.	McDermott,	Shern,
Benson,	Gray, Joseph,	McKay,	Sherwood,
Berntheizel,	Hackett,	McNichol,	Smith, J. W.,
Bigger,	Heidinger,	Mellott,	Smith, L.,
Bittles,	Hemminger,	Metzenbacher,	Snyder,
Blair, W. A.,	Herman,	Miller,	Speiser,
Blair, W. F.,	Hess,	Missimer,	Spillinger,
Body,	Heyburn,	Moses,	Steedle,
Brosius,	Hibshman,	Moulthrop,	Steele,
Brown,	Hobbs,	Murphy,	Stein,
Brownlee,	Hoffman,	Neel,	Stone,
Burnett,	Howard, R.,	Neely,	Strauss,
Caldwell,	Isler,	Newbaker,	Swartz,
Campbell, C.M.,	Irwin, G. C.,	Newton,	Swift,
Campbell, J.J.	Jackson,	North,	Thomas,
Carson,	Jones, E. E.,	O'Neill,	Trach,
Claycomb,	Jones, J. R.,	Peachey,	Ulman,
Cleary,	Kaiser,	Pennegar,	Walnut,
Cochran,	Kaufman,	Pennock,	Walsh,
Collins,	Keegan,	Perry, H. L.,	Walton,
Conner,	Keeport,	Perry, S. J.,	Watson,
Conniff,	Kennedy,	Piper,	Whitaker,
Conrade,	Kern,	Price,	Whitman,
Cox,	Kitts,	Ramsey,	Wildman,
Curry,	Kuhn, H. P.,	Redfield,	Williams,
Davis,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
DeFrees,	Lanius,	Reeser,	Wilson, W. H.,
Dickinson,	Lenker,	Rex,	Wiltbank,
Donahoe,	Leslie,	Rhoads,	Young, G. K.,
Donnally,	Letzkus,	Richards,	Young, J. H.,
Down,	Light,	Rockwell,	Alter,
Dunn, H. B.,	Lohr,	Roney,	Speaker.
Dunn, J. A.,			

NAYS—1.

Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 823 (Senate No. 146), entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons whose bodies are unclaimed and are unfit for anatomical purposes"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—184.

Allen,	Ely,	Lenker,	Rockwell,
Alworth,	Ewing,	Leslie,	Roney,
Ambler,	Fahey,	Letzkus,	Rothenberger,
Arthur,	Foster, J. D.,	Light,	Runk,
Baldwin, G. A.,	Foster, J. D.,	Lohr,	Sassaman,
Baldwin, R. J.,	Frey,	Lowers,	Savacool,
Barner,	Gans,	Malie,	Schaeffer, A. C.
Bass,	Geary,	Mannion,	Schuck,
Bayle,	Geiser,	Martin,	Scott, S. B.,
Becker,	Gibson,	Mather,	Semmens,
Benninger,	Glenn,	Matt,	Shaffer, C. A.,
Benson,	Good,	McAleer,	Shaffer, I. E.,
Berntheizel,	Goss,	McAllister,	Shern,
Bigger,	Grabe,	McArdle,	Sherwood,
Bittles,	Gransback,	McClintock,	Showalter,
Blair, W. A.,	Gray, Frank,	McDermott,	Smith, J. W.,
Blair, W. F.,	Gray, Joseph,	McKay,	Smith, L.,
Body,	Hackett,	McNichol,	Snavely,
Brosius,	Haggerty,	Mellott,	Snyder,
Brown,	Heidinger,	Metzenbacher,	Speiser,
Brownlee,	Hemminger,	Miller,	Spillinger,
Burnett,	Herman,	Missimer,	Steedle
Caldwell,	Hess,	Mitchell,	Steele,
Campbell, C.M.,	Heyburn,	Moore,	Stein,
Campbell, J.J.	Hibshman,	Morrow,	Stone,
Carson,	Hobbs,	Moses,	Strauss,
Cheeseman,	Hoffman,	Murphy,	Swartz,
Claycomb,	Howard, J.,	Musser,	Swift,
Cleary,	Howard, R.,	Neel,	Thomas,
Cochran,	Isler,	Neely,	Trach,
Collins,	Irwin, G. C.,	Newbaker,	Ulman,
Conner,	Irwin, H. H.,	Newton,	Walsh,
Conniff,	Jackson,	North,	Walton,
Conrade,	Jones, E. E.,	O'Neill,	Watson,
Cox,	Jones, J. R.,	Pennegar,	Whitaker,
Currier,	Kaufman,	Pennock,	Whitman,
Curry,	Keegan,	Perry, H. L.,	Wildman,
Davis,	Keeport,	Peters,	Williams,
DeFrees,	Kennedy,	Piper,	Wilson, J. H.,
Dickinson,	Kern,	Price,	Wilson, W. H.,
Donahoe,	Kitts,	Redfield,	Wiltbank,
Donnally,	Klepper,	Reese,	Young, G. K.
Down,	Kuhn, H. P.,	Reeser,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Rex,	Zimmerman,
Dunn, J. A.,	Lanius,	Rhoads,	Alter,
Ehrhardt,	Latshaw,	Richards,	Speaker.
Eichenberger,		Robinson,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House of Representatives has passed the same without amendments.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1516, entitled:

An Act to amend section two of an act entitled "A supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending and extending the provisions thereof" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and eighty-nine

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, just a word on this bill. It proposes an eight mill gross receipt tax on transfer companies, and on baggage transfer companies in particular, and I ask the members of the House to support the bill.

The question recurreing,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Allen,	Ely,	Latshaw,	Richards.
Alworth,	Ewing,	Leslie,	Robinson,
Ambler,	Fahey,	Light,	Rockwell,
Arthur,	Flynn,	Lohr,	Roney,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Rothenberger,
Baldwin, R. J.,	Frey,	Malie,	Runk,
Barner,	Gans,		Sassaman,

Bass,	Geiser,	Mannion,	Savacool,
Bayle,	Gibson,	Martin,	Schaeffer, A. C
Becker,	Glenn,	Mather,	Schuck,
Benson.	Good,	Matt,	Scott, S. B.,
Berntheizel,	Goss.	McAleer,	Semmens,
Bigger,	Grabe,	McAllister,	Shaffer, C. A.,
Bittles,	Gransback,	McArdle,	Shaffer, I. E.,
Blair, W. A.,	Gray, Frank,	McCaig,	Shern,
Blair, W. F.,	Gray, Joseph,	McClintock,	Sherwood,
Body,	Hackett,	McDermott,	Showalter,
Brosius,	Heidinger,	McNichol,	Smith, J. W.,
Brown,	Hemminger,	Mechling,	Smith, L.,
Brownlee,	Herman,	Mellott,	Snavely,
Burnett,	Hess.	Metzenbacher,	Snyder,
Caldwell,	Heyburn,	Miller,	Spangler,
Campbell, C.M.,	Hibshman,	Missimer,	Spillinger,
Campbell, J. J.,	Hobbs,	Mitchell,	Steedle,
Carson,	Hoffman,	Moore,	Steele,
Cheeseman,	Howard, R.,	Morrow,	Stein,
Claycomb,	Isler,	Moses,	Stone,
Cleary,	Irwin, G. C.,	Murphy,	Strauss,
Cochran,	Irwin, H. H.,	Musser,	Swartz,
Collins,	Jackson,	Neel,	Swift.
Conner,	Jones, J. R.,	Newbaker,	Thomas,
Conniff,	Kaiser,	Newton,	Trach,
Conrade,	Kaufman,	North,	Ulman,
Cox,	Keegan,	O'Neill,	Walsh,
Currier,	Keeport,	Pennegar,	Watson,
Curry,	Kenna,	Perry, S. J.,	Whitaker,
Davis,	Kennedy,	Peters,	Whitman,
DeFrees,	Kern,	Piper,	Wildman,
Dickinson,	Kitts,	Post,	Williams,
Donahoe,	Klepper,	Price,	Wilson, J. H.,
Donnally,	Kuhn, H. P.,	Ramsey,	Wilson, W. H.,
Down,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Dunn, H. B.,	Lanius,	Reeser,	Young, J. H.,
Dunn, J. A.,		Rex,	Zimmerman,
Eichenberger,		Rhoads,	Alter,
Ely,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 513, entitled:

An Act making an appropriation to the Brelsford Packing and Storage Company and Evans Burtnett Company of Harrisburg in payment for meats and groceries furnished by them at the instance of the Adjutant General of Pennsylvania under directions from the Governor for the relief of the sufferers from the Austin Dam disaster occurring September thirtieth one thousand nine hundred and eleven

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WITAKER. Mr. Speaker, this bill is to make an appropriation for the bills incurred while taking care of the sufferers at the time of the Austin dam disaster. These supplies were furnished through the Auditor General's office, with the approval of the Governor. I have here the itemized bills, which have been approved by the Appropriations Committee.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Ewing,	Light,	Robinson,
Alworth,	Fahey,	Lohr,	Rockwell,
Ambler,	Flynn,	Lowers,	Roney,
Arthur,	Foster, J. D.,	Malie,	Rothenberger,
Baldwin, R. J.,	Frey,	Mannion,	Runk,
Barner,	Gans,	Martin,	Sassaman,
Bayle,	Geiser,	Mather,	Savacool,
Becker,	Gibson,	Matt,	Schaeffer, A. C.
Benson,	Glenn,	McAleer,	Schuck,
Bergey,	Good,	McAllister,	Scott, S. B.,
Berntheizel,	Goss,	McCaig,	Semmens,
Bigger,	Grabe,	McClintock,	Shaffer, C. A.,
Bittles,	Gransback,	McDermott,	Shaffer, I. E.,
Blair, W. A.,	Gray, Frank,	McKay,	Showalter,
Blair, W. F.,	Gray, Joseph,	McNichol,	Smith, J. W.,
Body,	Hackett,	Mechling,	Smith, L.,
Brosius,	Heidinger,	Mellott,	Snavely,
Brown,	Hemminger,	Metzenbacher,	Snyder,
Brownlee,	Herman,	Miller,	Spangler,
Burnett,	Hess,	Missimer,	Spillinger,
Caldwell,	Heyburn,	Mitchell,	Steedle,
Campbell, C.M.,	Hibshman,	Moore,	Steele
Campbell, J.J.	Hobbs,	Morrow,	Stein,
Carson,	Hoffman,	Moses,	Stone,
Cheeseman,	Howard, R.,	Murphy,	Strauss,
Claycomb,	Isler,	Musser,	Swartz,
Cleary,	Irwin, G. C.,	Neel,	Swift,
Cochran,	Irwin, H. H.,	Neely,	Thomas,
Collins,	Jackson,	Newbaker,	Trach,
Conner,	Jones, J. R.,	Newton,	Ulman,
Conniff,	Kaiser,	North,	Walton,
Conrade,	Kaufman,	O'Neill,	Watson,
Cox,	Keegan,	Peachey,	Whitaker,
Currier,	Keeport,	Pennock.	Whitman,
Curry,	Kennedy,	Perry, S. J.,	Wildman,
Davis,	Kern,	Piper,	Williams,
DeFrees,	Kitts,	Post,	Wilson, J. H.,
Dickinson,	Klepper,	Price,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Down,	Lanius,	Reese,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Reeser,	Zimmerman,
Dunn, J. A.,	Lenker,	Rex,	Alter,
Eichenberger,	Leslie,	Rhoads,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R .bill No. 1690, entitled:

An Act to repeal an act entitled "An Act to amend the first section of an act entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollar of its actual value' by relieving and exempting from the provisions thereof savings institutions having no capital stock" approved May first one thousand nine hundred and nine

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. RONEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1689, entitled:

An Act to provide for the assessment and collection of taxes on personal property

And said bill having been read at length for the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—177.

Allen,	Ewing,	Lohr,	Robinson,
Alworth,	Fahey,	Lowers,	Rockwell,
Ambler,	Foster, J. D.,	Malie,	Roney,
Arthur,	Frey,	Mannion,	Rothenberger,
Baldwin, G. A.,	Gans,	Martin,	Runk,
Baldwin, R. J.,	Geiser,	Mather,	Sassaman,
Barner,	Gibson,	Matt,	Savacool,
Bass,	Glenn,	McAllister,	Schaeffer, A. C.
Bayle,	Good,	McArdle,	Schuck,

Becker,	Goss,	McCaig,	Scott, S. B.,
Benninger,	Gramley,	McClintock,	Semmens,
Benson,	Gransback,	McDermott,	Shaffer, C. A.,
Berntheizel,	Gray, Frank,	McKay,	Shaffer, I. E.,
Bigger,	Gray, Joseph,	McNichol,	Sherwood,
Bittles,	Hackett,	Mechling,	Showalter,
Blair, W. A.,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Metzenbacher,	Smith, L.,
Body,	Herman,	Miller,	Snyder,
Brosius,	Hess,	Missimer,	Spillinger,
Brown,	Heyburn,	Mitchell,	Steedle,
Brownlee,	Hibshman,	Moore,	Steele,
Burnett,	Hobbs,	Morrow,	Stein,
Caldwell,	Hoffman,	Moses,	Stone,
Campbell, C.M.,	Howard, R.,	Murphy,	Strauss,
Campbell, J. J.,	Isler,	Musser,	Swartz,
Carson,	Irwin, G. C.,	Neel,	Swift,
Claycomb,	Irwin, H. H.,	Neely,	Thomas,
Cleary,	Jackson,	Newbaker,	Trach,
Cochran,	Jones, E. E.,	Newton,	Ulman,
Collins,	Kaiser,	O'Neill,	Walsh,
Conner,	Kaufman,	Peachey,	Walton,
Conniff,	Keegan,	Pennegar,	Watson,
Conrade,	Keeport,	Pennock,	Whitaker,
Cox,	Kennedy,	Perry, S. J.,	Whitman,
Currier,	Kern,	Peters,	Wildman,
Curry,	Kitts,	Piper,	Williams,
Davis,	Klepper,	Post,	Wilson, J. H.
DeFrees,	Kuhn, H. P.,	Price,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Ramsey,	Wiltbank,
Donahoe,	Lanius,	Redfield,	Young, G. K.,
Donnally,	Latshaw,	Reese,	Young, J. H.,
Down,	Lenker,	Reeser,	Zimmerman,
Dunn, H. B.,	Leslie,	Rex,	Alter,
Dunn, J. A.,	Light,	Rhoads,	Speaker.
Eichenberger,			
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1891, entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania authorizing said commission to issue flood warnings and making an appropriation therefor

On the question,

Will the House agree to the bill on third reading?

Mr. ULMAN. Mr. Speaker, I have endeavored in a practical way to indicate to the Members of the General Assembly, by inserting in the Whereas clauses, the benefit to be accomplished by enacting this bill into law.

It has the approval of the Water Supply Commission of this Commonwealth, as well as the Department at Washington, charged with the supervision and regulation of certain streams in this State. If the Members of the House will read the Whereas clauses in the bill, they can readily see that information twelve hours or so in advance of probable flood conditions at any municipality will tend much to allay anxiety and will result in saving lives and valuable property. The recent flood conditions in this and other States resulting in loss of life, and the destruction of millions of dollars worth of property, emphasizes the absolute necessity for the enactment of this legislation.

I trust it will meet with the unanimous approval of the House of Representatives.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Allen,	Foster, J. D.,	Mather,	Rothenberger,
Alworth,	Frey,	Matt,	Runk,
Ambler,	Gans,	McAleer,	Sassaman,
Arthur,	Geiser,	McAllister,	Savacool,
Baldwin, R. J.,	Gibson,	McArdle,	Schaeffer, A. C
Barner,	Good,	McClintock,	Schuck,
Bass,	Goss,	McDermott,	Scott, S. B.,
Becker,	Gray, Frank,	McKay,	Semmens,
Benninger,	Gray, Joseph,	McNichol,	Shaffer, C. A.,
Benson,	Hackett,	Mechling,	Shaffer, I. E.,
Berntheizel,	Heidinger,	Mellott,	Sherwood,
Bigger,	Hemminger,	Metzenbacher,	Showalter,
Bittles,	Herman,	Miller,	Smith, J. W.,
Blair, W. A.,	Hess,	Missimer,	Smith, L.,
Blair, W. F.,	Heyburn,	Mitchell,	Snyder,
Body,	Hobbs,	Moore,	Speiser,
Brown,	Hoffman,	Morrow,	Spillinger,
Brownlee,	Howard, R.,	Moses,	Steedle,
Burnett,	Isler,	Moulthrop,	Steele,
Caldwell,	Irwin, G. C.,	Murphy,	Stein,
Campbell, C.M.,	Irwin, H. H.,	Musser,	Stone,
Campbell, J.J.	Jackson,	Neel,	Strauss,
Carson,	Kaufman,	Neely,	Swartz,
Claycomb,	Keegan,	Newbaker,	Swift,
Cleary,	Keeport,	Newton,	Thomas,
Collins,	Kennedy,	O'Neill,	Trach,
Conner,	Kern,	Peachey,	Ulman,
Conniff,	Kitts,	Pennegar,	Walsh,
Conrade,	Klepper,	Pennock,	Walton,
Cox,	Kuhn, H. P.,	Perry, H. L.,	Watson,
Currier,	Kuhns, E.G.M.,	Peters,	Whitaker,
Curry,	Lanius,	Piper,	Whitman,
Davis,	Latshaw,	Price,	Wildman,
DeFrees,	Lenker,	Ramsey,	Williams,
Dickinson,	Leslie,	Redfield,	Wilson, J. H.,
Donnally,	Letzkus,	Reese,	Wilson, W. H.,
Down,	Light,	Reeser,	Wiltbank,
Dunn, H. B.,	Lohr,	Rex,	Young, G. K.,
Dunn, J. A.,	Lowers,	Rhoads,	Young, J. H.,
Eichenberger,	Malie,	Richards,	Zimmerman,
Ely,	Mannion,	Robinson,	Alter,
Ewing,	Martin,	Rockwell,	Speaker.
Fahey,		Roney,	

NAYS—3.

Brosius,	Carson,	Glenn,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1560 as follows:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the second section of an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purposes which reads as follows

"Section 2 Every person so appointed and commissioned by the Governor to act as such special officer or policeman may before entering upon the duties of his office file in the offce of the Secretary of the Commonwealth a written acceptance of such offce and shall record his commission in the offce of the recorder of deeds in each county in which it is intended he shall act as such special officer or policeman and every such special officer or policeman so appointed commissioned and qualified shall possess and have the right to exercise full power to arrest any person for the commission of any offense against the laws of this Commonwealth upon warrant drawn by the proper officer in any county in which he may be qualified to act under the provisions of this act and the keepers of jails or lock-ups or station-houses in any county in this Commonwealth are required to received all persons so arrested by any such special officer or policeman to be dealt with according to law" shall be and the same is hereby amended to read as follows

Section 2 Every person so appointed and commissioned by the Governor to act as such special officer or policeman shall before entering upon the duty of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of the county in which said corporation or association as aforesaid is located which oath after being duly recorded by said recorder shall be filed in the office of the Secretary of the Commonwealth and every such special officer or policeman so appointed commissioned and qualified shall possess and have the right to exercise full power to arrest any person for the commission of any offence against the laws of this Commonwealth when such arrest is made in the interest of the society for which such policeman is appointed upon warrant by the proper officer in any county in this Commonwealth and keepers of jails or lock-ups or station-houses or houses of detentions in this Commonwealth are required to receive all persons so arrested by any such special officer or policeman to be dealt with according to law

On the question,

Will the House agree to the bill on third reading?

Mr. LANIUS. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 2, line 28, by inserting words "upon view" after word "arrest" and line 31, by striking out the word "society" and inserting in place thereof the word "association" and inserting words "special officer or" after the word "such" and the word "or" after the word "appointed" and the word "drawn" after the word "warrant."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted according to the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 698, entitled:

An Act defining fraternal benefit societies and their status authorizing them to create subordinate lodges and to pay benefits to members and their beneficiaries from funds collected and regulating such benefits and collections Providing for the organization of such societies and for their supervision regulation and examination by the Insurance Commissioner and for the admission of foreign societies designating tables of mortality and establishing a standard of solvency requiring annual reports and the appointment of the Insurance Commissioner as attorney for services of process Providing penalties for any violations thereof exempting certain societies requiring beneficial association other than fraternal benefit societies to report to the Insurance Commissioner exempting fraternal societies from taxation and repealing existing laws

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, I desire to ask the sponser of this bill what its general purpose is and the necessity for its enactment.

The SPEAKER. The gentleman from Delaware, Mr. R. J. Baldwin.

Mr. R. J. BALDWIN. Mr. Speaker, what is the question?

Mr. S. B. SCOTT. Mr. Speaker, I will repeat my question: What is the purpose of this bill and the necessity for its enactment?

Mr. R. J. BALDWIN. Mr. Speaker, the Insurance Department of the State of Pennsylvania feel that there is a great necessity for this bill. It is very much along the line of the proposition that we had before us this morning. There are a number of organizations in the State of Pennsylvania that under the present law the Insurance Commissioner realizes that he is unable to protect the public by requiring them to show what they do and whether or not they are running a straight and honest business. That, in substance, is the provision of the bill. It brings in a larger class of institutions that will come under supervision of the Insurance Commissioner and give the public the protection they now get under other institutions that come under the Insurance Commissioner's supervision. I think, myself, that the bill is along exactly the right direction. Without going into detail, I desire to say that it effects each and every particular institution of this character. I don't see that it will do anybody any harm and it will do the public a great deal of good.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—96.

Allen,	Cox,	Hibshman,	Perry, S. J.,
Baldwin, R. J.,	Currier,	Hobbs,	Piper,
Barner,	Curry,	Hoffman,	Post,
Bass,	Davis,	Howard, J.,	Roney,
Bayle,	Dickinson,	Isler,	Sassaman,
Becker,	Down,	Jackson,	Schaeffer, A. C
Berntheizel,	Dunn, H. B.,	Jones, E. E.,	Schuck,
Bigger,	Dunn, J. A.,	Kaiser,	Scott, S. B.,
Bittles,	Ehrhardt,	Kaufman,	Shaffer, C. A.,
Blair, W. F.,	Eichenberger,	Keeport,	Shern,
Bleloch,	Ely,	Kennedy,	Sherwood,
Body,	Ewing,	Kitts,	Smith, L.,
Brosius,	Fahey,	Leslie,	Speiser,
Burnett,	Frey,	Lowers,	Spillinger,
Caldwell,	Gans,	Mannion,	Steele,
Campbell, C.M.,	Geiser,	Mather,	Swartz,
Campbell, J.J.	Gibson,	McNichol,	Swift,
Carson,	Glenn,	Missimer,	Ulman,
Claycomb,	Good,	Moore,	Whitaker,
Cleary,	Gransback,	Neel,	Wildman,
Collins,	Hackett,	Neely,	Williams,
Conner,	Hemminger,	Newbaker,	Wilson, J. H.
Conniff,	Hess,	O'Neill,	Wilson, W. H.,
Conrade,	Heyburn,		

NAYS—44.

Blair, W. A.,	Kern,	McKay,	Semmens,
Brown,	Latshaw,	Miller,	Shaffer, I. E.,
Donnally,	Lenker,	Mitchell,	Speiser,
Foster, J. D.,	Letzkus,	Morrow,	Spangler,
Geary,	Malie,	Moses,	Steedle,
Goss,	Martin,	Moulthrop,	Stone,
Gray, Frank,	McAleer,	Murphy,	Trach,
Heidinger,	McAllister,	Newton,	Walsh,
Herman,	McArdle,	Pennock,	Young, J. H.,
Howard, R.,	McClintock,	Ramsey,	Alter,
Keegan,	McDermott,	Savacool,	Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order.

The House proceeded to the consideration on third reading of House Bill No. 1408, as follows:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the reading clerk of the House of Representatives shall receive two thousand five hundred dollars ($2,500) for each regular biennial session including the session of one thousand nine hundred and thirteen and ten dollars ($10.00) per diem for each special or extraordinary session The mileage and salary of the said reading clerk as returning officer shall be as heretofore authorized by law

On the question,

Will the House agree to the bill on third reading?

Mr. ISLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title line one strike out letter "S" from the word Clerks also line one strike out the words "Senate and."

The SPEAKER. Will the House give its unanimous consent to the amendments? Is there any objection? The Chair hears none and the amendments as read will be made in accordance with the instructions of the House.

The bill as amended was then agreed to.

On the question,

Shall the bill pass finally?

Mr. ISLER. Mr. Speaker, the amendment to this bill strikes out the words "Senate and," and the title now reads "An act fixing the compensation of the reading clerk of the House of Representatives."

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Adams,	Fahey,	Malie,	Runk,
Ambler,	Foster, J. D.,	Mannion,	Sassaman,
Arthur,	Frey,	Mather,	Savacool,
Baldwin, R. J.,	Gans,	McAleer,	Schuck,
Bass,	Geary,	McAllister,	Semmens,
Bayle,	Geiser,	McArdle,	Shaffer, I. E.,
Becker,	Gibson,	McCaig,	Shern,
Bigger,	Good,	McDermott,	Sherwood,
Blair, W. A.,	Goss,	McNichol,	Smith, L.,
Body,	Gransback,	Missimer,	Spangler,
Brown,	Gray, Frank,	Moore,	Speiser,
Brownlee,	Hackett,	Morrow,	Spillinger,
Caldwell,	Heidinger,	Moses,	Steedle,
Claycomb,	Herman,	Murphy,	Stein,
Cleary,	Hess,	Musser,	Stone,
Cochran,	Heyburn,	Neel,	Strauss,
Collins,	Hibshman,	Neely,	Thomas,
Conner,	Howard, J.,	Newbaker,	Ulman,
Conniff,	Howard, R.,	Newton,	Walsh,
Conrade,	Isler,	O'Neill,	Watson,
Cox,	Kaiser,	Peachey,	Whitaker,
Curry,	Kaufman,	Pennegar,	Wildman,
Davis,	Keegan,	Pennock,	Wilson, J. H.,
DeFrees,	Keeport,	Perry, S. J.,	Wilson, W. H.,
Dickinson,	Kitts,	Price,	Wiltbank,
Donahoe,			

Down,	Kuhn, H. P.,	Ramsey,	Young, G. K.,
Dunn, J. A.,	Kuhns, E.G.M.,	Reese,	Young, J. H.,
Ehrhardt,	Lanius,	Reeser,	Zimmerman,
Eichenberger,	Leslie,	Rhoads,	Alter,
Ely,	Letzkus,	Roney,	Speaker.
Ewing,	Lowers,	Rothenberger,	

NAYS—14.

Baldwin, G. A.,	Hemminger,	Kern,	Snavely,
Barner,	Hobbs,	Latshaw,	Snyder,
Carson,	Jackson,	Scott, S. B.,	Swift,
Glenn,	Kennedy,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 507, as follows:

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs within the Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no ordinance resolution or other measure except emergency measures ordained and enacted by the legislative authorities of any borough in this Commonwealth shall become a law until the expiration of thirty days after its enactment An emergency measure shall be deemed to include only such measures as are immediately necessary for the temporary preservation of peace or health or for the safety of the community and shall not include more than one subject nor shall it grant or sell a franchise or license to a corporation firm or individual for a longer period than one year nor shall it include a provision for the purchse or sale by the municipality of real estate Each emergency measures shall be expressly stated to be such in the title and body of the measure and the fact creating the necessity shall be stated in one section of the measure and an emergency measure in order to become a law shall receive in its favor a two-thirds vote of all the members elected to such legislative body and in case such legislative body shall consist of more than one branch the emergency measure in order to become a law shall receive a two-thirds vote of all the members elected to each branch taken separately and may be vetoed by the chief executive officer of the municipality in the manner provided by the law for the vetoing of any other measure and the veto may be set aside as provided by the law for setting aside the veto of any other measure and such emergency measure may become a law on neglect of the chiew executive officer to act thereon as is provided by the law for other measures All emergency measures shall become and be in full force and effect upon their enactment unless otherwise provided in such emergency measures Provided that no provision of this act shall extend the powers of boroughs to legislate by referendum petition or by initiative petition or otherwise upon any matter unless at the time the authority be expressly granted to boroughs by general law and provided further that none of the provisions of this act shall be invoked for the purpose of regulating the sale of liquors

Section 2 That during the period of thirty days following the enactment of any ordinance resolution or other measure ten per centum of the voters of the municipality affected calculated upon the total vote cast for all candidates for the office of chief executive of the municipality at the last preceding election for that office may by referendum petition filed with the chief executive officer of the municipality demand that such ordinance resolution or other measure or any part or parts thereof shall be submitted by referendum ballot to the voters of the municipality affected for final decision at the polls in the manner provided by section eighteen of this act and such ordinance resolution or other measure or any part or parts thereof so submitted shall become a law or be effective only in case it receives in its favor a majority of all the votes cast for and against the said measure Otherwise it shall be null and void and of no effect Provided that the portion or portions any measure upon which a referendum vote is not demanded shall become law at the time measure upon which no referendum vote is demanded become laws

Section 3 Fifteen per centum of the voters of any borough calculated upon the total vote cast for all candidates for the office of chief executive of the municipality at the last preceding election for that office may propose to the legislative authorities thereof a peoples measure proposing the enactment of an ordinance resolution or other measure by initiative petition filed with the chief executive officer of the municipality who shall number the same as provided in section fourteen of this act and shall promptly transmit three certified copies of the same to each branch of the legislative body or to the legislative body in case it consists of but one branch of the municipality omiting however the names and addresses of the petitioners Any peopple measure thus proposed by initiative petition to the legislative authorities of any municipality shall have precedence over all over measures except emergency measures and shall be finally acted upon either by its enactment without change or by the said legislative authorities proposing a competing measure not later than within a period of three months from the filing of the said initiative petition with the chief executive officer of the municipality A competing measure competing with a peoples measure if proposed shall be proposed by passing the same in the manner provided by law for the enactment of other measures But no competing measure shall become a law unless it be approved by the electors at the polls in the manner provided for by this act Each of such competing measures shall bear the name "competing measure" and shall otherwise bear the same number and designating words as the corresponding peoples measure proposed by initiative petition

Any peoples measure so proposed by initiative petition unless the same shall have been enacted without change within a period of three months from the filing of such petition with the chief executive officer of the municipality shall as provided in section seven be submitted by the chief executive officer of the municipality by initiative ballot to the voters of the municipality affected together with any competing measure relating entirely to the same subject that may be proposed instead by the legislative authorities of the municipality All such measures shall be submitted in such form that the voters can choose between the peoples measures proposed by initiative petition and the competing measure or reject both by marking a cross (X) in the square to the right of the words indicating their choice

Section 4 If a peoples measure proposed by initiative petition be enacted without change by the legislative authorities of the municipality affected it shall not be submitted to the people for a referendum vote unless demanded by referendum petition in cordance with section two of this act or unless referred to the people by said legislative authorities of the municipality in the manner provided in section twelve of this act

Section 5 When there has been a competing measure proposed by the legislative authorities of such municipality to complete with a peoples measure proposed by initiative petition at the pools the measure receiving in its favor a majority of the votes cast for and against both measures shall become a law

Section 6 Any measure on which a referendum vote of the people is demanded in accordance with section two of this act shall be submitted to the voters of the municipality affected not later than the next succeeding general or municipal election provided the petition for the referendum vote shall have been filed with the chief executive officer at least thirty days before such election and provided that the legality of the petition if contested shall have been decided finally and in favor of the petitions at least three weeks before election day otherwise such measure shall be submitted by referendum ballot to a vote of the electors at the first general or special election held thereafter

Section 7 Any peoples measure proposed by initiative petition in accordance with section three of this act and not enacted without change within three months after the day of filing the petition with the chief executive officer of the municipality shall be submitted by initiative ballot together with any competing measure that may have been proposed by the legislative authorities to the voters of the municipality not later than the next succeeding election provided at least one hundred and thirty days intervenes between the day of filing the petition with the chief executive officer of the municpality and the election day but in case one hundred and thirty days do not intervene between the day of filing the petition and election day then the peoples measure proposed by initiative petition and by competing measure proposed by the legislative authorities shall be submitted by the initiative ballot to a vote of the electors at the next succeeding general or municipal election held thereafter

Section 8 The chief executive officer of any such municipality shall issue a proclamation such as is provided for in section eighteen of this act and shall call a special election for the purpose of voting upon any measure if such special election be demanded by a vote of the majority of the members of each branch of the legislative body or by twenty per centum of the voters of the municipality affected calculated upon the total vote cast for all candidates for the chief executive officer of the municipality at the last preceding election for that office Provided however that no such special election shall be called except by proclamation of the chief executive officer issued and published at least three weeks prior to said election and in accordance with the provisions of section eighteen of this act

Section 9 Ordinances resolutions or other measures or parts thereof in all such municipalities except the emergency measures provided for in section one of this act upon which a referendum vote of the voters is not demanded according to section two of this act shal become and be in full force and effect at the expiration of thirty days after enactment unless the time be extended by the measures

Section 10 All ordinances resolutions or other measures or parts thereof submitted to a vote of the legal voters and approved by a majority of all the votes cast thereon shall become effective or become laws and be in full force and effect from and after the date of the official announcement of the vote unless otherwise provided in such ordinances resolutions or other measures All ordinances resolutions or other measures or parts thereof which have been submitted to a final vote of the electors and not approved by a majority of all the votes cast thereon shall be null and void and of no effect

Section 11 The veto power of the chief executive officer shall not extend to the ordinances resolutions or other measures which have been proposed by the people by initiative petition or by the municipal legislative authorities and approved at the polls by the people in accordance with the provisions of this act

Section 12 The legislative authorities of any such municipality may enact measures expressly conditioned upon the ratification of the same by a majority of the voters voting thereon Such measures shall be submitted as referendum measures are submitted but without requiring referendum petitions to be filed thereon

Any ordinance resolution or other measure passed by the legislative authorities of any such municipality and intended to amend or repeal any ordinance resolution or other measure or part or parts thereof which was formerly approved by the voters at the polls shall be submitted to the vote of the voters acording to the provisions of this act but no referendum petition for the same shall be required and no such measure to amend or repeal such a measure shall be valid unless approved by the voters at the polls in accordance with the provisions of this act

Section 13 Referendum petitions required under section two of this act in case a vote on the whole measure enacted by ordinance or passed by resolution is desired shall set forth the official number of the measure and the full title and full text of the measure In case only a portion of such ordinance resolution or other measure shall be requested to be submitted to a referendum vote of the people under section two of this act the whole portion of such measure to be submitted shall be set forth separately in such petition together with the official number of the measure and the full title and text of the whole measure

Section 14 Initiative petitions immediately upon being filed with the chief executive officer of the municipality shall by him be numbered consecutively each municipality beginning with number one and continuing year after year without duplication of numbers Each peoples measure proposed by initiative petitions shall be designated in the proclamation provided for in section eighteen as "Peoples Measure number (.....)" (giving the number) and by designating words not exceeding one hundred which may be selected by the petitioners and by the full title and text of the measure so proposed and the said peoples measure shall be designated upon the official ballots in exactly the same manner as in the proclamation except that the text of the body of the measure need not be printed upon the ballots Each competing measure proposed by the legislative authorities shall bear the same number and designating words as the corresponding peoples measure both in the proclamation and upon the official ballots except that it shall have a suitable title and be called or named "competing measure" instead of "peoples measure" Each measure or portion thereof upon which a vote of the electors has been requested by referendum petition shall be designated in the said proclamation as a "referendum petition on ordinances (resolutio nor other measure as the case may be or portion thereof as the case may be) number (.....)" (giving the official number of the measure) together with the official title and the full text of the measure and separately the portion thereof to be submitted in case only a portion is to be submitted The delegation of such a measure upon which a referendum vote has been requested shall be exactly the same upon the official ballots as in such proclamation except that the full text of the body of the measure and the argument need not be printed upon the official ballots

Section 15 In order to make it convenient to secure signatures to petitions under the provisions of this act separate copies of petitions may be executed with the same force and effect as if all the signatures to said separate copies were appended to one original petition each petitioner shall add to his signature his place of residence All petitions shall be marked filed by the chief executive officer of the municipality upon the day the same shall have been received

Section 16 If any citizen desires to appear for or against the sufficiency of any such petition the chief executive of the municipality shall immediately proceed to hear testimony and arguments on the same and shall promptly render his decision as to the sufficiency of the same His decision may be appealed from to anl Court of Common Pleas within the same county as the municpality affected and such appeal shall be taken up and decided without delay by said court and shall have precedence over all other business In case the chief executive officer shall decide that the petition is insufficient he shall state in what respect it is insufficient and return the petition upon request to the petitions for correction which corrections may be made and the petition returned to the chief executive officer within five days and when so corrected and returned the petition shall be considered filed as of the date that the original petition was presented for filing No objection of the insufficiency of any petition shall be considered unless the same shal have been made in writing and filed within five days after the filing of the petition

Section 17 Each referendum petition initiative petition and competing measure may be accomanied by arguments prepared by the petitioners or a committee thereof consisting of not more than six hundred words for or against the measure to be voted upon Such arguments shall be included in the proclamation of the chief executive officer issued under section eighteen of this act and shall appear immediately following the respective measures to which it relates

Section 18 When any ordinance resolution or other measure or portion thereof is ready for submission to the voters the chief executive officer shall issue and publish a proclamation stating the date of the election and setting forth any and all referendum measures peoples measures and competing measures and other measures ready for submission to the voters and which are to be voted upon by the electors designating each in the manner provided for in section fourteen of this act Said proclamation shall be published once not less than twenty days nor more than thirty days preceding the election in each daily newspaper in the municipality if there be such otherwise in the weekly newspapers thereof and in case no weekly newspaper be published in the municipality the proclamation shall be posted conspicuously throughout the municipality and copies shall be mailed to each registered voter thereof Said chief executive officer shall file five certified copies of such proclamation with the county commissioners of the county in which the muncipality is situated in order that said county commissioners may prepare the official ballots according to the provisions of this act

Section 19 The county commissioners of any county upon the receipt from the chief executive officer of any such municipality within the county of a certified copy of a proclamation such as is provided for in section eighteen of this act shall cause to be printed on the official ballots and sample ballots which are to be used at the polling places within such municipality substantially the forms required by section twenty-six of this act for the purpose of voting upon measures enumerated in this act and in the manner provided for in this act The said county commissioners shall designate each measure according to the manner required by section fourteen of this act The county commissioners shall as heretofore provide for the placing of suitable returning sheets and of all official ballots and sample ballots at the polling places at and before the opening of the polls on the day of election

Section 20 The compensation to be paid to election officer shall be the same as provided by law and shall be paid by the county commissioners of the proper county but any additional expense incurred by the county commissioners in executing the provisions of this act shall be charged to and paid by the municipality on account of which the said additional expense was incurred All other expenses of any and every kind made necessary in executing the provisions of this act shall be paid by the muncipality elected

Section 21 Elections or voting provided for by this act shall be held at the regular polling places by the regular election officers and in case of the absence of the election officers or the absence of any of them their places shall be filled as provided by law The said elections shall be conducted during the hours by law provided for and in accordance with the general election laws of the Commonwealth and any qualified voter may vote for or against any single measure and any qualified voter may designate his choice of two measures if one be a peoples measure and the other a competing measure or he may express his disapproval of both such measures by a cross mark (X) in a square of sufficient size on the official ballot at the right of the words indicating his choice The returns of election shall be on separate sheets and shall be delivered to the prothonotary of the Court of Common Pleas of the proper county and by him delievered to the judges of the Court or Courts of Common Pleas as provided by laws for computation and the result thereof shall be certified by the proper officer of the said Court of Courts of Common Pleas to the chief executive officer of the municipality who shall cause the same to be entered on the municipal records and the chief executive officer shall forthwith issue and publish a proclamation in brief form giving the results of such election The muncipal officer in charge of the municipal records shall keep a complete record of all measures and petitions filed and a complete record of the proceeding thereon

Section 22 In case a competing measure is submitted to a vote of the electors and neither it or the corresponding peoples measure receives in its favor a majority of all the votes cast for and against both of them the one receiving the larger vote in its favor if they together receive more than one-half of the total vote cast for and against both measures shall be re-submitted by itself at the next succeeding general or municipal election the proceedings to be the same as for a new peoples measure except that no measure competing with it shall be submitted and no additional petition shall be required and it shall be the duty of the chief executive to include the said measure in his proclamation to be issued before the next succeeding general or municipal election under the provisions of this act

Section 23 Any measure or part or parts of any measure rejected by the people at the polls shall not be nor shall any measure containing substantially the same provisions be enacted by the legislative authorities of the municipality within two years after rejection nor shall such a measure be again proposed within two years after such rejectiou at the polls unless it be proposed by an initiative petition signed by twenty per centum of the legal voters of the municipality calculated upon the total vote cast for all candidates for the office of chief executive of the municipality at the last preceding election for that office

Section 24 The following shall be substantially the form of referendum petition for a vote of the electors of such municipality upon any ordinance resolution or other measure or upon any part or parts of any ordinance resolution or other measure enacted by the legislative authorities of the municipality The form of the referendum petition may be varied from so as to clearly indicate the measure or portion of any measure upon which a referendum vote is demanded

"Referendum Petition on:

Ordinance (or style of other measures as the case may be) Number....."

(To be numbered with the official number of the measure)

(Exact copy of the title and text of the measure)

"To the Honorable

Mayor (or Burgess or other chief executive officer as the case may be)

of the (name of the municipality)

"We the undersigned citizens and legal voters of the (name of the municipality) respectfully demand that the foregoing measure (or part of measure as follows namely .....as the case may be) shall be referred to the voters of the (name of the municipality and that a referendum vote be taken thereon in accordance with the provis-

ions of an act of Assembly relating to referendum voting approved (date of the act)

Residence Addresses	Give street and house number (if any)	Signatures	
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Section 25 The following shall be substantially the form of an initiative petition for use in proposing any ordinance resolution or other measure or any amendment to or repeal of any ordinance resolution or other measure which the petitioners may propose for enactment by the legislative authorities of the municipality or failing in such enactment then directly by the electors of the municipality The form of the initiative petition may be varied from so as to enable the petitioners to conveniently and clearly express the purpose of the petition

"Initiative Petition Number ———"

(Numbered by chief executive officer consecutively beginning at number one in the order of filing with the chief executive officer of the municipality)

(Designating words not exceeding one hundred selected by the petitioners)

(Full title and text of the proposed measure)

"To the Honorable

Mayor (or Burgess or other chief executive officer as the case may be)

of the (name of the municipality)"

"We the undersigned citizens and legal voters of the (name of the municipality) respectfully demand that the foregoing peoples measure shall be referred by you to the legislative authorities of the (name of the municipality) for enactment without change or failing in such enactment that the said foregoing peoples measure be referred to the voters of the (name of the municipality) and that an initiative vote of the electors be taken thereon in accordance with the provisions of an act of Assembly relating to initiative voting approved (date of the act)

Residence Addresses	Give street and house number (if any)	Signatures	
.....	.....	.....	.....
.....	.....	.....	.....
.....	.....	.....	.....

Section 26 (Forms of Ballots) the form of the referene dum and initiative part or the lower part of official ballots shall be substantially the same as the following sample forms The proper designating words and number and titles and other features of measures to be voted upon shall be printed in their proper places on the official ballots and sample ballots

"Referendum and initiative part of official ballot"

"To indicate your choice place a cross mark (X) in the square opposite and to the right of the words expressing your choice"

"Peoples measure number (———) "Here insert the proper number"

(Here insert the proper "designating words" not exceeding one hundred)

(Here insert the proper title of the peoples measure)

"Competing measure number (———)" (Here insert the same numbers as that of the foregoing peoples measure"

(Here insert the proper title of the competing measure)

("Make one mark (X) only")

Mark Below

"I vote for Peoples Measure number ( )"

"I vote for Competing Measure number ( )"

"I vote against both measures"

"Referendum Petition on

Here insert the word "Ordinance" or style of other measure as the case may be

Number ———

(Here insert official number of measure)

enacted on ..... day of ....."

(Here insert official title of the measure)

("Make one mark (X) only")

Mark Below

"I vote against

Here insert the word "Ordinance" or style of other measure as the case may be

Number ———

"I vote in favor of

Here insert the word "Ordinance" or style of other measure as the case may be

Number ———

(In case only a part of an ordinance resolution or other measure be submitted for referendum vote then the form shall be substantially as follows)

"Referendum petition on Section Number ——— of Ordinance Number (———) enacted ..... day of ....."

(Here insert official title of ordinance resolution or other measure to be voted on

Mark Below

("Make one mark (X) only")

"I vote against said part of measure"

"I vot in favor of said part of measure"

Section 27 All acts or parts of acts in so far as they are inconsistent herewith are hereby repealed

Section 28 The provisions of this act shall become operative and binding upon any municipality immediately after the legislative authorities of such municipality by resolution or the voters of said municipality by initiative petition and majority vote shall adopt its provisions Provided however that such vote of the voters of such municipality shall be taken in the manner provided in this act for voting upon other initiative petitions and upon said question of the adoption of this act by the voters of any municipality any and all of the provisions of this act shall for this purpose be in full force and effect and shall be available immediately upon the enactment of this act

On the question,

Will the House agree to the bill on third reading?

Mr. LATSHAW. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Section 1, strike out all of lines 36 and 37.

The SPEAKER. Will the House give unanimous consent to the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be made in accordance with the instructions of the House.

On the question,

Will the House agree to the bill as amended?

Mr. ALLEN. Mr. Speaker, in relation to the bill, I desire to call the Chair's attention to the fact that on page 2, line 15, the first word "each" should begin with a capital, a mere typographical error and that correction can be made now. It is the beginning of a new sentence.

The SPEAKER. The correction is made.

The bill as amended was then agreed to.

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, this bill is real progressive legislation. It gives the initiative and referendum for Boroughs of this Commonwealth. The system is so thoroughly and so cleanly defined in the bill, Mr. Speaker, that I feel I need only say a word or two in relation to the process. The Act provides how and in what manner emergency measures may be pased and it defines what emergency measures are. It goes further and provides that any ordinance which may be passed may upon a ten per cent. petition of the voters who voted for the highest office or officers at the last preceding general election or municipal election, the citizens may have the right of the referendum on that question to say whether or not it shall become a law. It provides that 15 per centum of the voters may initiate legislation, during which process by a petition of 15 per centum of the voters they propose a bill to the legislative authorities of the borough and that legislative authority may, if in its wisdom it sees fit, propose a bill covering that matter or a different bill making an entirely different provision, which would then be an opposition bill to the people's measure. The two bills are then submitted to the vote of the people and if a majority of the voters voting at that general or municipal election vote in favor of the people's measure, the people's measure thereby becomes a law; but if, on the other hand, the majority of the voters vote for the measure proposed by the legislative authorities, then and in that event that measure becomes a law. So that, Mr. Speaker, the entire matter is left in the hands of the people.

Now just a word in relation to why this bill above all bills of cities should pass at this time, this providing as it does for boroughs reaches into those communities which are very intimately in touch with the matters proposed and in hand more than in the larger municipalities. In the smaller places people can commune together and reason together and talk together and thereby come togetner either for or against measures which may be proposed by the people or may be proposed by the legislative authorities, and the matter covered by this bill should receive, I feel, at this time a unanimous vote on this subject.

Mr. R. J. BALDWIN. Mr. Speaker, I took the trouble to write to some of the prominent lawyers down in my county and sent them copies of this bill, and took particular pains to write to those who belonged to the progressive element in our county, feeling that, of course, they would advise me to vote for this bill and that the others would probably show me why I should not, while the progressive would show me why I should. I wrote for information. It was a very simple proposition, as the gentleman from Pittsburgh has stated. From two of those very prominent lawyers I received this answer: They said that after careful examination they believed that it was a backward step; that at one time they had thought that it would be a good thing to have the initiative and referendum in larger affairs,

but one of them had been a member of council in one of the boroughs in my county and I felt that he would be able to give me good reasons why I should vote for it. I had felt rather inclined to consider this measure favorably and support it for the reason that if it did not work out all right, the Legislature could repeal it in two years. To my surprise this was the reason that they gave, the very reason that I offered on the floor of this House against State-wide initiative and referendum and the one who had been a member of council stated as one of these reasons that he discovered that the people never attended council; that they never paid any attention to borough affairs of their own town and he stated in addition to that that it is very difficult to even get the members of the council to attend. They have so little interest in the public affairs and as a matter of experience these affairs drifted into the hands of those who took some interest in them and generally they were the best men for the work in the borough. These are the reasons given, carrying out the thought that I believe was the correct one when applied to larger affairs, that the people may be negligent and probably would not give intelligent consideration to the matter.

Now do you realize that this means additional expense to the communities? Wherever a small number of people desire to initiate legislation that it must be advertised and go before the people. Do you realize that you are piling an expense on the community as a result of this and if the people would not be satisfied with what the council does then the council would feel that they were not responsible for the legislation and they would become more or less careless in the handling of it and the consequence would be that the people also would become more or less careless and you would have a worse condition than before and more expense and a more cumbersome method of getting legislation. This is simply an experiment. If in two years it don't work well, you can then repeal it and I think those who have some doubts of supporting the initiative and referendum, they can vote for it; at the same time I intend to vote "No."

Mr. ALLEN. Mr. Speaker, in reply to the gentleman from Delaware, I would say that lawyers sometimes give good advice in case of trouble, but they don't give the best political advice we can get. If you want to get political advice get down into the hearts of the people who look after the matters at home and in their own household. This bill may not and perhaps will not, in fifty per cent. or more of the boroughs of the Commonwealth of Pennsylvania within the next two years, cost one single cent of additional expense and why? I will tell you why. Because of this fact, that if the people of the boroughs have the rights which are delegated and conferred upon them by this bill, then and in that event council will keep their ears to the ground. This does not mean that every time fifteen per cent. of the people want a bit of legislation that it has to be advertised. No, certainly not; but they can compose their measure and file that measure with the legislative authority and if the legislative authority sees fit to give them that measure by their legislative authority, then and in that event it already becomes a law without any additional expense, but you men who live in smaller communities like I do, how many times have you had ordinances passed that you wished were not upon the statute books? If such ordinances, which are a hardship in that community, are passed, then and in that event ten per centum of the voters have the right to go before the people of the entire community, when? At the next municipal or general election and vote pro or con on that measure, thereby either approving the act of the legislative authority or setting it aside and holding it for naught. In such event, necessarily there would be some slight advertising as is provided in this bill and that advertising would consist chiefly in having it placed upon the ballot. The local papers would probably take it up because it would be a public matter and some discussion would be made as is always made in these political matters. There is one thing in this bill that says that the people of a community have to approve everything. They don't have to approve everything. They don't have to disapprove anything. They don't have to propose anything. But if in their wisdom they see fit to oppose anything, or if in their wisdom they see fit to propose anything, that then in that event under the provision of this bill they have the privilege to do so and that privilege alone is extended to them and we have all been taught that it is the will of the people that should prevail and here is a chance to show it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—121.

Adams,	Frey,	Lohr,	Sassaman,
Allen,	Geiser,	Lowers,	Savacool,
Baldwin, G. A.,	Gibson,	Malie,	Scott, S. B.,
Barner,	Glenn,	Mannion,	Semmens,
Benninger,	Good,	Martin,	Shaffer, C. A.,
Benson,	Goss,	Mather,	Showalter,
Bigger,	Gransback,	Matt,	Smith, J. W.,
Bittles,	Gray, Frank,	McAleer,	Smith, L.,
Blair, W. A.,	Gray, Joseph,	McClintock,	Snavely,
Blair, W. F.,	Heidinger,	McDermott,	Snyder,
Body,	Hemminger,	McKay,	Steedle,
Brosius,	Hoffman,	Mechling,	Steele,
Brown,	Howard, R.,	Mellott,	Stein,
Brownlee,	Humes,	Metzenbacher,	Stone,
Burnett,	Isler,	Miller,	Strauss,
Caldwell,	Jackson,	Mitchell,	Swartz,
Campbell, C.M.,	Jones, E. E.,	Moulthrop,	Swift,
Campbell, J. J.,	Jones, J. R.,	Murphy,	Thomas,
Carson,	Kaiser,	Musser,	Ulman,
Cheeseman,	Kaufman,	Neely,	Walnut,
Claycomb,	Keegan,	Newton,	Walton,
Cochran	Keeport,	Peachey,	Watson,
Conniff,	Kennedy,	Pennock,	Whitaker,
Currier,	Kuhn, H. P.,	Perry, H. L.,	Whitman,
Davis,	Kuhns, E.G.M.,	Piper,	Williams,
DeFrees,	Lanius,	Price,	Wilson, W. H.,
Donahoe,	Latshaw,	Redfield,	Young, G. K.,
Down,	Lenker,	Richards,	Zimmerman,
Ehrhardt,	Leslie,	Rockwell,	Alter,
Ely,	Letzkus,	Rothenberger,	Speaker.
Foster, J. D.,			

NAYS—31.

Ambler,	Curry,	Hibshman,	Moore,
Arthur,	Dickinson,	Howard, J.,	Morrow,
Baldwin, R. J.,	Dunn, J. A.,	Irwin, G. C.,	O'Neill,
Bass,	Ewing,	McAllister,	Pennegar,
Bayle,	Fahey,	McArdle,	Ramsey,
Berntheizel,	Gans,	McCaig,	Rhoads,
Conner,	Hackett,	McNichol,	Wildman,
Conrade,	Heyburn,	Missimer,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 292, as follows:

An Act making an appropriation to carry further into effect the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" and to reimburse counties for moneys paid under the provisions of such act

Whereas By the provisions of an act of Assembly approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" counties paying bounties on certain noxious animale were to be reimbursed by the Commonwealth through moneys specifically appropriated for that purpose and

Whereas There were so many noxious animals killed and bounties claimed and paid under the provisions of said act that the appropriation aforesaid was insufficient to reimburse the counties paying said bounties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and fifty thousand dollars ($150,000) or so much thereof as may be necessary is hereby specifically appropriated for the following purposes

To reimburse counties under the provisions of said act for the payment of claims for rewards or bounties for the destruction of noxious animals which have accrued or may accrue prior to the first day of June one thousand nine hundred and thirteen

Mr. PRICE. Mr. Speaker, I ask unanimous consent to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 1: Strike out "carry further into effect," and insert in lieu thereof "reimburse counties for moneys paid under."

Title, lines 10 and 11: Strike out "and to reimburse counties for moneys paid under the provisions of such act."

Section 1, lines 7, 8, 9, 10 and 11: Strike out said lines, and insert in lieu thereof the following: "To reimburse counties for moneys paid under the provisions of an act approved the tenth day of April, one thousand nine hundred seven, entitled 'An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania: providing a method for the payment of the same by the several counties of the Commonwealth, which, in turn, are to be reimbursed by the Commonwealth; making an appropriation for such reimbursement; and providing penalties for violation of its several provisions.'"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1216, as follows:

An Act to amend section twenty-nine of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and fifty-six entitled 'An Act to regulate the sale of intoxicating liquors as amended by increasing the penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-nine of the act of March thirty-first one thousand eight hundred and fifty-six entitled 'An Act to regulate the sale of intoxicating liquors' and which as amended reads as follows

'Section 29 That any person who shall be found intoxicated in any street highway public house public conveyance or public place shall be fined upon the view of or upon the proof made before any mayor alderman or justice of the peace and not exceeding two dollars to be levied with the proper costs upon the goods and chattels of the defendant which shall be paid to the treasurer of the school district where such conviction is had by the magistrate collecting the same' shall be and the same is hereby amended to read as follows

'Section 29 That any person who shall be found intoxicated in any street highway public house or public place shall be fined upon conviction before any alderman police magistrate or justice of the peace in a sum not exceeding ten dollars and in default of the payment thereof be committed to the county jail or workhouse of the proper county for a period not exceeding thirty days'"

On the question,

Will the House agree to the bill on third reading?

Mr. S. B. SCOTT. Mr. Speaker, I desire to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. MALIE. Mr. Speaker, I will.

Mr. S. B. SCOTT. Mr. Speaker, I desire to ask the gentleman what is the objection in taking away the fines for drunkenness from the school districts?

Mr. MALIE. Mr. Speaker, it is not the intention to take the fines away from the school districts. The object of the bill is the increasing of the fine from two dollars to ten.

Mr. S. B. SCOTT. Mr. Speaker, but incidentally the section as amended makes no mention of the disposition of the fine while the former section gave it to the school district.

Mr. MALIE. Mr. Speaker, the fines are paid into the Treasury under the provisions of this bill.

BILL POSTPONED.

Mr. S. B. SCOTT. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MARTIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. MALIE. Mr. Speaker, I will agree to the postponement of this bill.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1800, as follows:

An Act defining Indecent Assault and providing penalty for same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That If any person male or female shall lay hands with lascivious intent upon the private parts of any other person male or female under the age of sixteen years with or without such person's consent or if any person male or female shall lie upon the body or touch the private parts with lascivious intent of any other person under the age of sixteen years with or without such person's consent then such person so offending shall be guilty of misdemeanor and upon conviction thereof be sentenced to undergo an imprisonment not exceeding five years and to pay a fine not exceeding five hundred dollars or either or both in the discretion of the court

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I did not intend to take up any of the time of the House in discussing this bill, except that it has become quite a by-word with this House and some of the members seem to view the bill somewhat n a humorous light. I want to say that I think this is a very important addition to the criminal code. It so happens that members living in the larger cities know full well the force of what I say that in large cities such as Philadelphia and I suppose in Pittsburgh, Wilkes-Barre and Scranton, we find a number of boys and girls about the age of fifteen out late at night and subjected to the preying pervert. It is absolutely no joke or jest and I think that these minors under sixteen years of age should be given all the protection that the law can give them. We have passed bills here in this Legislature protecting minors in certain kinds and classes of work, and this you can see is infinitely more important that we should protect children under the age of sixteen in their morals, and I have introduced this bill that indecent assault upon minors under sixteen years of age may be summarily punished under our law. At present if a boy or girl who associates with an immoral pervert should assent or agree or not disagree to whatever may be suggested by that designing man or woman then the consent negatives the idea of assault and no matter how atrocious or wicked the associations may be, the consent of the minor negatives any idea of assault and the man goes free in Court. I remember one particularly revolting case in Philadelphia which suggested to me the absolute need of this bill, so I say in all sincerity aside from whatever humor may be associated with the bill, I would ask you to disassociate that element and support this bill. because it is very much needed in our criminal code.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Ambler,	Ehrhardt,	Lohr,	Shaffer, C. A.,
Arthur,	Ely,	Malie,	Shaffer, I. E.,
Baldwin, G. A.,	Fahey,	Mannion,	Shern,
Baldwin, R. J.,	Foster, J. D.,	Martin,	Showalter,
Barner,	Frey,	Mather,	Smith, J. W.,
Bass,	Gans,	Matt,	Smith, L.,
Bayle,	Good,	McAleer,	Snyder,
Becker,	Gransback,	McAllister,	Spillinger,
Benninger,	Gray, Frank,	McArdle,	Steedle,
Benson,	Gray, Joseph,	McCaig,	Steele,
Bigger,	Hackett,	McClintock,	Stone,
Blair, W. A.,	Heidinger,	McKay,	Strauss,
Brosius,	Hemminger,	Mellott,	Swartz,
Brown,	Herman,	Metzenbacher,	Swift,
Brownlee,	Hess,	Missimer,	Thomas,
Burnett,	Heyburn,	Mitchell,	Trach,
Campbell, C.M.,	Hibshman,	Moses,	Ulman,
Campbell, J. J.,	Hobbs,	Murphy,	Walnut,
Carson,	Hoffman,	Musser,	Walsh,
Cheeseman,	Howard, J.,	Neel,	Walton,
Claycomb,	Howard, R.,	Neely,	Watson,
Cleary,	Humes,	Newbaker,	Whitaker,
Cochran,	Jackson,	Peachey,	Whitman,
Collins,	Jones, J. R.,	Pennegar,	Wildman,
Conner,	Kaiser,	Pennock,	Williams,
Conniff,	Kennedy,	Ramsey,	Wilson, J. H.,
Conrade,	Kitts,	Rex,	Wilson, W. H.,
Cox,			

Currier,	Klepper,	Rhoads,	Wiltbank,
Curry,	Kuhn, H. P.,	Rockwell,	Young, G. K.,
Davis,	Lanius,	Roney,	Zimmerman,
Dickinson	Lenker,	Sassaman,	Alter,
Donahoe,	Leslie,	Scott, J. R. K.,	Speaker.
Donnally,	Letzkus,	Scott, S. B.,	

NAYS—6.

Allen,	Keegan,	Kuhns, E.G.M.,	McNichol,
	Miller,	Rothenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1517, entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. S. B. SCOTT. Mr. Speaker, this is a restrictive liquor bill which is introduced and advocated by the friends of the liquor traffic. It makes one think of that Tennysonian line in Persian, "Timeo Danaos et dona ferentes," but it will be noticed that the bill restricts two things: first, the "growler," and second, "free lunch." As a matter of fact, however, I may suspect the source from which this bill emanates but viewed in the cold light of science, I believe the bill in itself is a good thing and I want to express this idea so that the House will thoroughly understand that while I have no sympathy whatever with the sources of the emanation of this bill, I think it is a good bill.

Mr. WILTBANK. Mr. Speaker, may I interrogate the sponser of this bill?

The SPEAKER. Will the gentleman from Lebanon, Mr. Kaufman, permit himself to be interrogated?

Mr. KAUFMAN. Mr. Speaker, yes, sir.

Mr. WILTBANK. Mr. Speaker, I would like to ask the gentleman to tell us what the object of this bill is? Are the liquor dealers so corrupt and so immoral that they have to come to us to regulate the sale of their stuff? Don't the Brooks High License Law cover that? Are they so immoral that they cannot take care of their own business?

Mr. KAUFMAN. Mr. Speaker, they are not.

Mr. WILTBANK. Mr. Speaker, I desire to ask the gentleman why does he come to us with such a bill as that?

Mr. KAUFMAN. Mr. Speaker, because it is a good measure.

Mr. WILTBANK. Mr. Speaker, why don't they regulate it themselves or why don't the judges regulate it? You ask for something and ask us to do something that they cannot settle among themselves. Is that not the idea of it?

Mr. KAUFMAN. Mr. Speaker, no, sir. I don't think so.

Mr. WILTBANK. Mr. Speaker, if they cannot settle it among themselves, they are not fit to hold a license. The judges should go to work and revoke their license.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Allen,	Gibson,	Martin,	Scott, S. B.,
Ambler,	Glenn,	Mather,	Semmens,
Baldwin, G. A.,	Grabe,	Matt,	Shaffer, C. A.,
Barner,	Gray, Frank,	McAleer,	Shern,
Benninger,	Heidinger,	McCaig,	Sherwood,
Benson,	Hemminger,	McKay,	Showalter,
Bigger,	Herman,	McNichol,	Smith, J. W.,
Bittles,	Hess,	Mechling,	Smith, L.,
Body,	Hobbs,	Mellott,	Snavely,
Brosius,	Hoffman,	Metzenbacher,	Snyder,
Brownlee,	Howard, J.,	Missimer,	Spillinger,
Burnett,	Howard, R.,	Mitchell,	Steedle,
Campbell, C.M.,	Humes,	Moses,	Steele,
Carson,	Isler,	Musser,	Stein,
Cheeseman,	Irwin, G. C.,	Neel,	Stone,
Claycomb,	Jackson,	Neely,	Strauss,
Cleary,	Jones, J. R.,	Newton,	Swift,
Cochran	Kaiser,	O'Neill,	Thomas,
Conniff,	Kaufman,	Peachey,	Trach,
Conrade,	Kennedy,	Pennegar,	Ulman,
Cox,	Kern,	Pennock,	Walnut,
Currier,	Kitts,	Piper,	Watson,
Donnally,	Klepper,	Price,	Williams,
Down,	Kuhn, H. P.,	Richards,	Wilson, J. H.,
Dunn, H. B.,	Latshaw,	Rockwell,	Wilson, W. H.,
Ehrhardt,	Letzkus,	Roney,	Young, G. K.,
Fahey,	Light,	Rothenberger,	Young, J. H.,
Foster, J. D.,	Lohr,	Runk,	Alter,
Gans,	Malie,	Sassaman,	Speaker.
Geiser,		Savage,	

NAYS—32.

Adams,	Conner,	Hackett,	Murphy,
Baldwin, R. J.,	Curry,	Hibshman,	Newbaker,
Bass,	Davis,	Kuhns, E.G.M.,	Ramsey,
Becker,	DeFrees,	Lenker,	Walton.
Blair, W. A.,	Donahoe,	Mannion,	Whitaker,
Blair, W. F.,	Good,	McAllister,	Wildman,
Caldwell,	Gransback,	McClintock,	Wiltbank,
Campbell, J.J.	Gray, Joseph,	Morrow,	Zimmerman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1633, as follows:

An Act to amend an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" as the same was amended by an act approved the thirtieth day of March one thousand nine hundred and eleven by changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society Conservative Association

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" which as amended reads as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth the Secretary of Internal Affairs Secretary of Public Instruction the Auditor General the president of the Pennsylvania State College and one (1) person appointed by each agricultural society in the State entitled under existing laws to receive an annual bounty from the county and three (3) other persons appointed by the Governor with the consent of the Senate one (1) member appointed by the Pennsylvania State Poultry Association and one (1) member appointed by the Pennsylvania State Bee-Keepers' Association shall constitute the State Board of Agriculture" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth the Secretary of Internal Affairs Secretary of Public Instruction the Auditor General the president of the Pennsylvania State College and one (1) person appointed by each agricultural society in the State entitled under existing laws to receive an annual bounty from the county and three (3) other persons appointed by the Governor with the consent of the Senate one (1) member appointed by the Pennsylvania State Poultry Society one (1) appointed by the Pennsylvania Bee-Keepers' Association one member appointed by the Pennsylvania Conservative Association shall constitute the State Board of Agriculture

On the question,

Will the House agree to the bill on third reading?

Mr. KAUFMAN. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend title, line 5. After the word "by" insert the words providing for representation of the Pennsylvania Conservation Association on the State Board of Agriculture"

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1604, entitled:

An Act further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteen one thousand eight hundred and ninety-five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to serve in said Department

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. BAYLE. Mr. Speaker, this is an agricultural bill. I do not come to you with any story of the poor farmer; I do not come to you with any story of the honest farmer. The farmer of to-day is no poorer, no more honest than any other man, but I come to you with this plea: That agriculture is one of the basic principles of wealth of the great old State of Pennsylvania, and I ask you gentlemen to place the agricultural department up somewhere near an equal basis with the other departments of the State of Pennsylvania. I tell you gentlemen that when you send the Economic Zoologist out, when he comes back from visiting an orchard, that he never has made a visit and come back but what he has helped to bring the apple on your table in the morning hours with fewer worms than the old apple had. He did away with the buckwheat blight; with the wheat smut that destroys the corn. I say to you gentlemen that the oil is going; the timber has gone; and the minerals are being used up. Let us to a man stand for the Department of Agriculture for the great old State of Pennsylvania. It isn't to the farmer that I appeal; I appeal to you men from the cities, the great City of Phi'adelphia and the City of Pittsburgh, that you can reduce the cost of high living by having the agricultural department do their duty to the farmer and do their duty to everyone; that they can come back and give you that production that is right and that production that is fair and that production that is great at a less cost than they could otherwise. The proposition is fair, gentlemen, and I ask you to support the bill.

Mr. E. G. M. KUHNS. Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Bayle.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BAYLE. Certainly, Mr. Speaker.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to ask the gentleman from Erie how many new jobs this creates in the Department of Agriculture.

Mr. BAYLE. Mr. Speaker, it produces no new jobs. I think, sir, it only pays men that hire they are worthy of, sir.

Mr. E. G. M. KUHNS. Mr. Speaker, I should like to interrogate the gentleman further.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. BAYLE. I am willing, Mr. Speaker.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to ask the gentleman what increase of expenses this bill will make.

Mr. BAYLE. Mr. Speaker, a few thousand dollars. That does not mean anything at all to the great State of Pennsylvania.

Mr. E. G. M. KUHNS. Mr. Speaker, I should like to ask the gentleman whether or not this bill in Section 1 increases a single salary up to $1,500.

Mr. BAYLE. Mr. Speaker, it does, and what is $1,500 to our mountains and our valleys?

Mr. E. G. M. KUHNS. Mr. Speaker, I should like to ask the gentleman whether or not in Section 2 it increases the expenses up to $5,800.

Mr. BAYLE. Mr. Speaker, it does, sir, but what is that, sir?

Mr. E. G. M. KUHNS. Mr. Speaker, the gentleman has informed us in the first place that it would increase the salaries but $3,000, and now he states that in Section 1 it increases salaries to $1,500 and in Section 2 it increases it up to $5,800. Now, if you add that together and addition is as it used to be when I was a boy in school, it is not $3,000 but very close to $8,000. Now, the question before us to answer is this: Does the Department of Agriculture, the way it stands to-day in the Commonwealth of Pennsylvania, give us sufficient service, or does it not? Are we getting what we need, or is it necessary to increase the salaries to get less?

QUESTION OF PERSONAL PRIVILEGE.

Mr. BAYLE. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. BAYLE. Mr. Speaker, if the records of this House show that I said that it was $3,000, the records themselves made a mistake. I said a few thousand dollars, and I still maintain that with your $1,500 and your $3,000, and then double it and treble it, and multiply it by four, sir, with our millions and with our cost of high living, and giving to this State along with our three great lines of wealth, namely, agriculture, manufacturing and transportation, you gentlemen must come to the fact that we must develop agriculture on our mountain sides and in our valleys, that we must give to your tables and to my table that which is pure and ripe. I say, sir, that the gentleman at the head of the department serves at a salary ill-becoming his worth; shall the old State of Pennsylvania stand for it? That is my point.

Mr. E. G. M. KUHNS. Mr. Speaker, since the gentleman from Erie refers to the cost of high living by the increase of salary, how does that claim to reduce the cost of high living, gentlemen, to the general public throughout the State? Is that reducing or increasing the cost of high living? Are we here to legislate for a half dozen people in this Commonwealth or are we here to take care of the masses? Ask yourselves that question and be careful when the roll is called how you answer. Ask yourselves, are we here to take care of the few or of the many?

Mr. HOBBS. Mr. Speaker, as a rule I am opposed to the general principle of increasing salaries, but I am in favor of an equitable comparison of the salaries of the different departments. At the present time, the salaries of the officials of the agricultural department are far less than those of other departments which have no more work or business to transact than does the agricultural department. And inasmuch as the gentleman from Erie has stated the great importance of the agricultural department of this Commonwealth, there is no reason why the officials of that department should not receive as high salaries as the officials of any other department which has no more responsible work to accomplish. Therefore, for the principle and for the necessity of increasing the production of the farmers of our Commonwealth and thereby decreasing also the cost of living, I am in favor of this bill and shall vote for it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 126.

Allen,	Flynn,	Lenker,	Rhoads,
Ambler,	Foster, J. D.,	Letzkus,	Richards,
Arthur,	Gans,	Lohr,	Roney,
Baldwin, R. J.,	Geiser,	Lowers,	Rothenberger,
Barner,	Gibson,	Malie,	Runk,
Bass,	Glenn,	Mannion,	Sassaman,
Bayle,	Goss,	Martin,	Schaeffer, A. C
Benninger,	Grabe,	Mather,	Shaffer, C. A.,
Berntheizel,	Gransback,	McAleer,	Sherwood,
Bigger,	Gray, Frank,	McAllister,	Showalter,
Bittles,	Hackett,	McArdle,	Smith, J. W.,
Blair, W. A.,	Heidinger,	McCaig,	Smith, L.,
Blair, W. F.,	Hemminger,	McClintock,	Snyder,
Body,	Herman,	McKay,	Spillinger,
Brown,	Hess,	McNichol,	Steedle,
Caldwell,	Heyburn,	Mechling,	Stone,
Campbell, J.J.	Hibshman,	Missimer,	Strauss,
Carson,	Hobbs,	Mitchell,	Swartz,
Cheeseman,	Hoffman,	Moore,	Thomas,
Claycomb,	Howard, J.,	Morrow,	Trach,
Cleary,	Howard, R.,	Moses,	Ulman,
Conner,	Isler,	Murphy,	Walton,
Conniff,	Irwin, G. C.,	Neel,	Watson,
Conrade,	Jackson,	Neely,	Whitaker,
Cox,	Kaiser,	O'Neill,	Wildman,
Curry,	Keegan,	Peachey,	Wilson, J. H.,
DeFrees,	Keeport,	Pennegar,	Wilson, W. H.,
Dickinson,	Kennedy,	Pennock,	Wiltbank,
Donahoe,			

Down,	Kitts,	Piper,	Young, J. H.,
Ely,	Klepper,	Ramsey,	Zimmerman,
Fahey,	Kuhn, H. P.,	Redfield,	Alter,
		Reeser,	Speaker.

NAYS 29.

Adams,	Humes,	Mellott,	Scott, S. B.,
Baldwin, G. A.,	Jones, J. R.,	Metzenbacher,	Snavely,
Becker,	Keith,	Miller,	Steele,
Brownlee,	Kuhns, E.G.M.,	Musser,	Swift,
Campbell, C.M.,	Lanius,	Newton,	Walnut,
Cochran,	Matt,	Price,	Williams,
Good,	McDermott,	Rockwell,	Young, C. K.,
Gray, Joseph,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 228, as follows:

An Act to improve and regulate the Civil Service of the Commonwealth of Pennsylvania and to regulate the conduct of the employes therein and providing penalties for any violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply to the Civil Service of the Commonwealth of Pennsylvania. This act shall be known and may be cited as "The Civil Service act"

Section 2 The term "Civil Service of the Commonwealth shall include all offices positions and employments in which the officers or employes are paid from the State Treasury and all offices positions or employments in or under institutions departments boards or commissions wherein the Commonwealth either directly or through any commission board official or officials has the right to appoint or select the officials or employes or which are constituted agencies for the performance of a function of this Commonwealth Provided however That this act shall not apply to offices employments or positions in the military or naval service of the Commonwealth

The term "positions" shall include offices and employments unless a contrary meaning clearly appears from the context to be intended

The term "appoint" shall include employ and the term "appointment" shall include employment

The term "Commonwealth" shall mean the Commonwealth of Pennsylvania

The terms "he" and "his" shall include it its she her they and their unless a contrary meaning clearly appears from the context to be intended

The term "oath" shall include affirmation and "swear" shall include affirm

Section 3 The Governor by and with the advice and consent of the Senate shall appoint a State Civil Service Commission consisting of three commissioners The persons appointed commissioners shall be men in full with the purposes of this act Not more than two of the said commissioners shall at any one time be adherents of the same political party It shall be the duty of the Civil Service Commission to enforce the provisions of this act The commissioners shall be appointed as follows On the first day of April one thousand nine hundred and thirteen the Governor shall appoint three commissioners one to serve for a term of five years the second for a term of three years and the third for a term of one year The Governor shall designate one of the commissioners president of the commission At the expiration of each of the terms of the commissioners appointed as aforesaid the Governor shall appoint a commissioner to serve for the full term of five years Thereafter whenever the term of a commissioner expires his successor shall be appointed for a full term of five years The Governor may at any time remove a commissioner after furnishing him a written statement of the specific reasons for such action and giving him a reasonable opportunity to make written answer The statement of the Governor and the answer of the commissioner if any shall be made a part of the public records of the commission The Governor shall fill any vacancy which may occur in said commission by the appointment within two months from the occurrence of the vacancy of a sucessor to serve for the remainder of the unexpired term Whenever any vacancy shall exist in the office of the President of the Commission the Governor shall have the right to designate any one of the three members of the Commission as the President thereof and the person so designated shall serve as President until the expiration of his term The salaries of the commissioners and the expenses of conducting the examination system of keeping the records and of carrying out the provisions of this act shall be paid by the Commonwealth No commissioner shall hold any other office under the United States or under the Commonwealth of Pennsylvania or any county or city thereof (whether or not said county or city has accepted the provisions of this act) nor shall any commissioner take any active part in political affairs or in the management of any political campaign The president of the Civil Service Commission shall receive a salary of five thousand dollars per year and shall devote his entire time to the work of that office Each of the other commissioners shall be paid a salary of three thousand dollars per year The commissioners shall qualify by filing with the Governor an oath reciting that they are in full sympathy with the purposes of this act and that they will perform faithfully the duties of their office Two members shall constitute a quorum of the commission The principal office of the commission shall be in the city of Harrisburg where its general sessions shall be held but whenever the convenience of the public can be promoted or delay or expense thereby be prevented the Commission may hold special sessions in any part of the Commonwealth

Section 4 The Civil Service Commission shall appoint a chief examiner who shall also act as its secretary and such other clerks examiners and employes as it may deem necessary or proper to carry out the purposes of this act The chief examiner shall receive a salary of three thousand dollars a year The clerks examiners and employes shall receive salaries to be fixed by Civil Service Commission All the expenses of the commission including all necessary expenses incurred by members of the commission or their employes under their orders in making any investigation or upon any official business shall be allowed and paid on the presentation of itemized vouchers therefor approved by a member of the commission The commission shall not expend or authorize the expenditure of moneys for any purpose in excess of the sums appropriated therefor by law The chief examiner and all of the clerks examiners and employes of the Civil Service Commission shall be included in the competitive class of the classified civil service of the Commonwealth

Section 5 No person board or commission having the power of appointment to positions in the civil service of the Commonwealth after the thirtieth day of June one thousand nine hundred and thirteen appoint any person or make any other change in the status of any person in any position in the classified civil service of the Commonwealth except in accordance with the provisions of this act and the rules and regulations prescribed thereunder No person shall be appointed to any position in the classified civil service of the Commonwealth unless he has been selected in the manner hereinafter provided from the appropriate eligible list of those who have passed competitive examinations for such position or for one which in the judgment of the Civil Service Commission is substantially similar or unless he is shown to be exempted from such examination by the provisions of this act and the rules and regulations made pursuant therto Provided however that among those persons possessing equal qualifications and certified for appointment preference in appointment shall be given to honorably discharged soldiers and sailors who served in the army or navy of the United States during the War of the Rebellion Provided further however that if the preference hereby provided for be for any reason invalid all the other provisions of this act shall remain in force with like effect as if said preference had not been contained herein If in violation of this act or of the rules and regulations established thereunder any person appoints promotes or reinstates or attempts to appoint promote or reinstate any person in any position in the classified civil service of the Commonwealth person making or attempting to make such appointment promotion or reinstatement shal from his individual resources pay the person illegally appointed promoted or reinstated or attempted to be appointed promoted or reinstated the same compensation for any services performed by him under such appointment promotion or reinstatement or attempted appointment promotion or reinstatement which he would have been entitled to receive from the Commonwealth if his appointment promotion or reinstatement had been legal and shall further pay to such person any costs and other reasonable expenses incurred by him in enforcing this liability No person who has been forced to pay compensation to another person because of the foregoing provisions shall be reimbursed by the Commonwealth or by any county or city shall thereof for any sums so paid for any expenses occurred in connection therewith

Section 6 It shall be the duty of the proper officials of the Commonwealth and of each county and city to cause suitable and convenient rooms and accommodations to be provided and to be furnished heated and lighted for carrying on the work and examinations of the Civil Service Commission The Civil Service Commission may order from the proper authorities of the Commonwealth the necessary stationery printing and other supplies for its official use It shall be the duty of the officers of the Commonwealth and of every county and city to aid the said Civil Service Commission in all proper ways in carrying out the provisions of this Act and to allow the use of public buildings and to heat and light the same for holding examinations and investigations and in all proper ways to facilitate the work of the commission

The Civil Service Commission Shall

Section 7 1 Prescribe amend and enforce such rules as may from time to time be necessary or desirable in its judgment for carrying into effect the provisions of this act The commission shall not adopt amend or rescind any rule except after a public hearing held in the manner provided in section twenty-eight of this act The commission may however without a public hearing adopt regulations with reference to the conduct of its office minor details connected with examinations and other matters of minor importance Immediately upon the adoption or amendment of any rule or regulation the commission shall post a copy thereof on a suitable bulletin board at its office and shall cause copies to be printed for public distribution

2 Keep minutes of its own proceedings and records of its examination and of all other official actions All minutes of the commission except as hereinafter specially provided as well as all recommendations and correspondence relating to applicants for office or employment received

by the said commission or by any person having authority to make appointments shall be preserved and shall subject to reasonable regulations as to the time and manner of examination be open to public inspection Provided however That statements of former employers of applicants for office or employment shall be considered strictly confidential and not open to inspection by any person not employed by the commission

3 Make investigations either sitting as a body or through a single commissioner concerning all matters touching the operation and results of the provisions of this act and the rules and regulations prescribed thereunder and concerning the efficiency of all officers and employes and of all groups of officers and employes in the classified service and make reports to each officer board or other authority in charge of any institution office or department of the State government its findings and recommendations relative to increasing efficiency and economy therein In case the recommendations made by the commission are not carried into effect within a reasonable time or in case of a difference of opinion with reference to such findings or recommendations between the commissioner and the officers board or other authority in charge of an institution office or department concerned in any such finding or recommendation the report accompanied by a note of the relevant facts shall be transmitted to the Governor by the commission and each commissioner and the chief examiner shall have power to administer oaths and to take testimony in connection with any investigation or other business of the commission

4 Have power to require by subpoena the attendance from any place in the Commonwealth and to control testimony under oath of witnesses and the production of all books documents memoranda or other papers relating to any matter under investigation by the commission Any of the courts of common pleas of the Commonwealth within the jurisdiction of which such inquiry is carried on shall on complaint of the commission or of any party appearing before it in case of contumacy or refusal of any person to obey a subpoena of the commission issue an order requiring such person to appear before the commission and to produce books and papers if so ordered and to give evidence touching the matter in question Any failure to obey such order of the court may be punished by such court as a contempt thereof No person shall be excused from attending and testifying or from producing books and papers before the commission or in any court in any cause or proceeding criminal or otherwise based upon or growing out of any alleged violation of this act on the ground or for the reason that the testimony or evidence documentary or otherwise required of him may tend to incriminate him or subject him to a penalty or forfeiture but no person shall be prosecuted or liable to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he may have been compelled to testify or produce evidence under oath documentary or otherwise before said commission or in any court in any such caus Provided That no person in so testifying shall be exempt from prosecution or for perjury in so testifying

The fees of witnesses for attendance and travel shall be the same as for witnesses before the Courts of Common Pleas and if the witnesses are subpoenaed on behalf of the Commission or if the Commission shall deem that justice requires it shall be paid from the appropriation to the Commission All officers in the public service and their deputies clerks subordinates and employes shall attend and testify when required to do so by said Commission without being entitled to receive any witness fees

5 Have power to recommend the impeachment or removal of officials or employes of the Commonwealth in the unclassified service who shall be deemed guilty by a majority of the Commissioners after a full hearing of charges that they have coerced or attempted to coerce their subordinates in the performance or non-performance of a political or other service having no proper relation to the duties of a public employe or in the payment of a contribution for any political purpose

6 Make an annual report to the Governor showing its own actions the rules and regulations and all the exceptions thereto in force and any proposed legislation or other suggestions it may approve for the more effectual accomplishment of the purposes of this act At least one thousand copies of the annual report shall be printed for public distribution

Section 8 The Civil Service of the Commonwealth shall be divided into the unclassified and the classified service

The unclassified service shall comprise

All officers elected by the people

All heads of departments or members of boards or commissions whose appointment is subject to confirmation by the Senate

All persons engaged directly in the service of either branch of the Legislature and appointed by any officer or committee thereof

All persons holding positions in the judicial service and receive a salary of more than one thousand dollars per year

All persons holding positions under any school district

Registrars and clerks of election

The classified service shall comprise all persons in the Civil Service of the Commonwealth not specifically included in the unclassified service by the foregoing provisions

Section 9 The Civil Service Commission shall make suitable rules and regulations providing for examinatons for all positions in the competitive non-competitive and labor classes of the classified service of the Commonwealth and of every county and city and for the manner of making appointments to and promotions and other changes in all positions in the entire classified service thereof and for such other matters as are necessary to carry out the purposes of this act

The Civil Service Commission shall supervise and control all examinations and may conduct its examinations through its regular subordinates or it may designate a suitable person or persons either in or not in the official service of the State or of any county or city to be the examiners in a particular examination and it shall be the duty of such examiners and if in the official service it shall be part of their official duty without extra compensation to conduct such examinations subject to the directions of the said Commission and to make return or report thereof to said commission and the said commission may at any time substitute any other person whether or not in such service in the place of any one so selected and the commissioners may themselves at any time act as such examiners and without appointing examiners Such examinations shall be held in such locality or localities as will most readily provide reasonable opportunity for participation therein for all citizens of the said Commonwealth with reference to positions in the service of the Commonwealth or to the citizens of any county or city with reference to positions in the service of the said county or city The commission shall have authority at its discretion to provide separate eligible lists for positions in the service of the Commonwealth in the various counties and cities

Section 10 All original appointments to the competitive and non-competitive classes of the classified service shall be for a probationary period of four months Provided however that at any time during the probationary period the appointee may be dismissed in the manner provided in section twenty If at the close of this probationary term the conduct or capacity of the probationer has not been satisfactory to the appointing officer the probationer shall be notified in writing that he will not receive absolute appointment whereupon his employment shall cease otherwise his retention in the service shall be equivalent to his final appointment

Section 11 All examinations for positions in the classified service shall be practical in their character and relate to such matters and include such inquiries as will fairly and fully test the comparative capacity and fitness of the applicants to discharge the duties of the office or employment sought by them All examinations shall be open to all applicants who have fulfilled the preliminary requirements stated in section twelve All applicants for any position in the classified service may subject to the regulations adopted by the Civil Service Commission be required to submit to a physical examination before being admitted to the regular examinations held by the commission Adequate public notice of the time and place of every examination held under the provisions of this act together with information as to the kind of position or place to be filled shall be given at least two weeks prior to such examinations except in the case of examinations held to permit emergency or provisional appointments as provided in section seventeen hereof in which case no public notice shall be necessary The said commission shall adopt reasonable regulations for permitting the presence of representatives of the press at all such examinations

Section 12 The Civil Service Commission shall require persons applying for admission to any examination provided for under this act or under the rules and regulations of the sad commission to file in its office within a reasonable time prior to the proposed examination a formal application in which the applicant shall state under oath

1—His full name residence and postoffice address

2—His citizenship age and the place and date of his birth

3—His health and his physical capacity for public service

4—His business and employments and residences for at least the three previous years

5—Such other information as may reasonably be required touching the applicant's qualifications and fitness for the public service

Blank forms for such applicantions shall be furnished by the Commission without charge to all persons requesting the same The Commission may require in connection with such applications such certificates of citizens physicians or others having knowledge of the applicant as the good of the service may require The Commission may refuse to examine an applicant or after examination to certify an eligible who is found to lack any of the established preliminary requirements for the examination or position for which he applies or who is physically so disabled as to be rendered unfit for the performance of the duties of the position to which he seeks appointment or who is addicted to the habitual use of intoxicating liquors or drugs or who has been guilty of any crime or of infamous or notoriuosly disgraceful conduct or who has been dismissed from any public service for delinquency or misconduct or who has within one year twice failed to attain a passing mark in an examination for the same position or who has made a false statement of any material fact or practiced or attempted to practice any deception or fraud in any application in any examination or in securing any appointment If any applicant feels himself aggrieved by the action of the Commission in so refusing to examine him or after an examination to certify him as an eligible as provided in this section the Commission shall at the request of such applicant appoint a time and place for a public hearing at which time such applicant may appear by himself or by counsel or both and the Commission shall then revew ts refusal to make such examination or certification and testimony shall be taken The Commission shall subpoena at the expense of the applicant any competent witness requested by him After said review the Commission shall file the testimony taken in its records and shall again make a decision which shall be final When any position to be filled involves fiduciary responsibility the appointing officer may require the appointee to furnish a bond or other surety and shall notify the Commission of the amount and other details thereof Provided however That any surety company the bonds of which are accepted

by a judge of any court of record within the county wherein the office is located shall be sufficient surety on any such bond

Section 13 The positions in the classified service of the Commonwealth and of every county and city shall be arranged by the Civil Service Commission according to the provisions of this act in four classes to be designated as the exempt class the competitive class the non-competitive class and the labor class The Commission shall have the power from time to time to make such reclassifications of the positions in the classified service as it may deem necessary

No position shall be classified in any other than the competitive class except after a public hearing by the said Commission held in the manner provided in section twenty-eight A list of all positions that it may classify in any other than the competitive class shall be publicly announced and shall be posted on a suitable bulletin board at its office All positions not classified by the said Commission in the exempt non-competitive or labor class shall be in the competitive class

Upon the petition of any appointing officer or of any ten citizens of the Commonwealth asking for a change in any classification and setting forth the reasons for such change the said Commission shall hold a public hearing in the manner provided in section twenty-eight and after a careful investigation shall determine whether or not such change shall be made The petition or a copy thereof shall be posted on a suitable bulletin board at the office of the Commission at least one week prior to the date of the public hearing thereon and the petition shall thereafter become part of the public records of the Commission

The exempt class shall include

Section 14 (1) One secretary and one confidential clerk to the Governor and to the head of each department of the Commonwealth

(2) Such positions except laborers for the filling of which the Civil Service Commission shall have found competitive or non-competitive examinations to be impracticable No position shall be deemed to be in the exempt class unless and until the Civil Service Commission after a careful investigation and after a public hearing held in the manner provided in section twenty-eight has determined that it is unable to obtain by competitive or non-competitive examinations persons possessing the usual and requisite qualifications for filling such office or position and has classified such office or position in the exempt class and the reasons for every such exemption shall be stated separately and at length in the annual reports of the Commission Not more than one appointment shall be made to or under the title of any such office or position unless a different number is specifically authorized by the said Commission The Commission may at is discretion limit the time during which any position shall remain in the exempt class Appointments in the exempt class may be made without examination

Section 15 The competitive class shall include all positions now existing or hereafter created of whatever functions designations or compensation in each and every branch of the classified service of the Commonwealth (including those in the Civil Service Commission) and of every county and city except such positions as have been placed by the specific provisions of this act or by definite action of the Civil Service Commission in the exempt class the non-competitive class or the labor class No position shall be classified in any other than the competitive class unless the Commission has determined that persons possessing the requisite qualifications for filling that position cannot be obtained through competitive examinations Appointments shall be made to all positions in the competitive class that are not filled by promotion reinstatement transfer or reduction under the provisions of this act and the rules made in pursuance thereof by appointment from among those certified to the appointing officer in accordance with the provisions of Section sixteen The term validity of each eligible list shall be fixed by the Civil Service Commission at not less than one nor more than three years The Commission shall have the power to cancel any eligible list for fraud or for any other definite cause connected with the examination through which such list was procured Provided that the Commission has determined after a public hearing held in accordance with the provisions of Section twenty-eight of this act that such cancellation is necessary in order to promote the purposes of this act The Commission shall enter upon its public records the exact cause for the cancellation of any eligible list The names of those persons eligible for appointment shall always be listed and certified in the order of their gradings beginning with the highest Appointments shall be made from the eligible list most nearly appropriate to the duties of the position to be filled and a new and separate list shall be created only when there is no appropriate list existing from which appointments may be made No person shall be appointed under any title not appropriate to the duties to be performed No person in the Civil Service of the Commonwealth or of any county or city shall be assigned to or directed to perform any duties other than those properly pertaining to the position which he legally holds Provided however that if his main duties are those properly pertaining to his position he may with the written permission of the Civil Service Commission be assigned to the performance of other additional duties not higher in grade or salary than those of his own position

Section 16 Every position in the competitive class unless filled by promotion transfer reinstatement or reduction shall be filled only in the following manner The appointing officer shall notify the Civil Service Commission of any vacancy in the service which he deems it necessary to fill and shall request the certification of eligibles The Commission shall forthwith certify from the appropriate eligible list the names of the three persons thereon who received the highest averages at examinations held under the provisions of this act If no appropriate eligible list containing three or more eligible names exists the Commission shall proceed at once to hold an examination and to secure an eligible list as promptly as possible The appointing officer shall upon the receipt of the eligible list from the Commission and with sole reference to the relative merit and fitness of the candidates make an appointment from the three names so certified Provided however that should he make objection to the Civil Service Commission as to one or more of these persons for any of the reasons stated in Section twelve of this act and should such objection be sustained by the Commission the Commission shall thereupon strike the name of such person from the eligible list and certify the next highest name for each person stricken off

As each subsequent vacancy occurs in the same or a similar position precisely the same procedure shall be followed Provided however that after any name has been three times rejected by any one appointing officer for the same or a similar position in favor of other name or names on the eligible list the said name shall not again be certified to that appointing officer When there are a number of positions of the same kind to be filled at the same time each appointment must nevertheless be made separately and in accordance with the foregoing provisions

When an appointment is made under the provisions of this section it shall be in the first instance for the probationary period fixed by the rules as provided in Section ten

The provisions of this Section (16) shall not apply in making appointments to competitive positions which are specially excepted from competitive examinations under the authority conferred in Section seventeen

The Commission shall post in a public place in its office the eligible list containing the names and grades of those who have passed examinations for positions in the competitive class and shall promptly indicate thereon such appointments as may be made from said lists

Section 17 Positions in the competitive class may be filled without competition only as follows

1 Whenever there are urgent reasons for filling a vacancy in any position in the competitive class and there is no list of persons containing one or more names eligible for appointment after a competitive examination the appointing officer may nominate a person to the Civil Service Commission for non-competitive examination and if such nominee shall after appropriate non-competitive examination be certified by the said Civil Service Commission as qualified he may be appointed provisionally to fill such vacancy until a selection and appointment can be made after competitive examination If however there is an existing eligible list containing one or two names the appointing officer if he is unwilling to make a regular appointment and if he desires to make a provisional appointment must make such a provisional appointment from such list No provisional appointment shall continue for a longer period than four months and successive provisional appointments shall not be made to the same position nor shall the term of any provisional appointment be extended for any cause whatever A provisional appointee who has been appointed from among the three highest names on an existing eligible list may however be permanently appointed at any time within the four months unless a new eligible list has in the meantime been furnished the appointing officer When an eligible list has been furnished by the said Commission to the appointing officer any provisional appointment made as provided in this section must be terminated within two weeks from the date on which such list was furnished The occupancy of a provisional appointment shall not be referred to by any applicant in any competitive examination held while he is occupying his provisional appointment or within six months from the termination of his provisional appointment nor shall it be given a rating under experience or otherwise in any examination

2 When the services to be rendered are of a temporary character and will last for a limited period not to exceed six months the appointing officer may advise the Commission stating the duration of such period the rate of compensation and other conditions of employment and may thereupon select for such temporary employment one of the first three persons on the appropriate eligible list who has expressed a willingness to accept a temporary appointment Successive temporary appointments shall not be made under this clause nor shall any person be eligible to temporary appointment if he has served under either a temporary or a provisional appointment in the same office or department within the previous six months

The acceptance or refusal by an eligible of a provisional or temporary appointment shall not affect his standing on the register for permanent employment nor shall the period of temporary service be counted as a part of the probationary service in case of subsequent appointment from an eligible list The acceptance of a provisional or temporary appointment shall not confer upon the eligible any of the rights of promotion transfer or reinstatement

Section 18 Vacancies in a position in the competitive class shall be filled so far as practicable by promotion from among persons holding positions in a lower grade in the department office or institution in which the vacancy exists Promotions shall be based upon merit to be ascertained by competitive examination and upon the superior qualifications of the person promoted as shown by his previous service and experience From such tests eligible lists shall be prepared by the Commission from which appointments shall be made in the manner hereinbefore provided in the case of original appointments All positions so far as practicable shall be arranged by the Commission in grades based upon the compensation paid For the purposes of this section an increase in compensation of

any person holding a position in the competitive class beyond the limit fixed for the grade in which such position is classified shall be deemed a promotion No promotion shall be made to a position in the competitive class from a position in another class except after such competitive examination and certification as is provided for original entrance to the competitive class No person except as above provided shall be promoted to a position for original entrance to which there is required by this Act or the rules adopted pursuant thereto an examination involving essential tests or quaifications different from or higher than those required for original entrance to the position held by such person

Section 19 No transfer shall be made from a position in one class to a position in another class unless the same be specifically authorized by the Civil Service Commission nor shall a person be transferred to a position for the original entrance to which there is required by this Act or the rules adopted pursuant thereto an examination involving essential tests or qualifications different from or higher than those required for original entrance to the position held by such person If any position in the non-competitive class or exempt classes is later classified as being in the competitive class the person holding such a position must pass an examination equivalent to that required for such or a similar position in the competitive class or if he fails to pass he must be removed from such position

Section 20 The non-competitive class shall include only those positions which are not in the exempt class or the labor class and for which the Civil Service Commission has determined after a careful investigation and a public hearing held in the manner provided in Section twenty-eight of this act that suitable persons possessing the requisite qualifications cannot be obtained by means of competitive examinations Appointments to positions in the non-competitive class shall be made after such non-competitive examination as is prescribed by the regulations of the Civil Service Commission and may be made from among those who have successfully passed the examination without reference to their relative standing The said Commission shall state in its annual report the number of persons in the Civil Service of the Commonwealth and in the service of each county and city who come within this class and the character of their services and the reasons for placing their positions in the said class

Section 21 The labor class shall include ordinary unskilled laborers Vacancies in the labor class shall be filled in the same general manner prescribed in Section sixteen by appointment from the highest three names on the eligible list of applicants in their respective localities established by the Civil Service Commission Priority in standing upon such lists shall be made to depend as far as practicable upon the relative capacity ability and fitness of the applicants and shall be determined in a manner be prescribed in the rules adopted by the Civil Service Commission The said Commission shall require an applicant for the labor service before he can be placed upon an eligible list to furnish such evidence or to pass such examinations as they deem proper with respect to his age residence physical condition capacity for labor sobriety industry and experience in the kind of work for which he applies The said Commission may establish separate labor lists for various localities institutions and departments Where the labor service of any institution or department extends to separate localities the said Commission may provide separate eligible lists for each district or locality

Section 22 No officer clerk or employe in the competitive class or in the non-competitive class of the classified Civil Service of the Commonwealth of Pennsylvania or of any county or city who shall have been appointed under the provisions of this act except those appointed without competitive examination temporarily or provisionally in the manner provided in Section seventeen shall be removed discharged or reduced in pay or position except for a just cause Further no other officer clerk or employe shall be removed discharged or reduced except as provided in Section ten of this act until he shall have been furnished with a written statement furnishing such specific reasons as if true would constitute a just cause for such action and until he shall have been allowed a reasonable time in which to give the removing officer such written answer as the person sought to be removed or reduced may desire Upon the receipt and consideration of such answer the removing officer shall finally determine his action in the case and if he has followed the procedure required by this section no appeal to the Civil Service Commission shall lie from his decision unless it is alleged with an offer of proof supported by affidavit that the real reason for the removal was religious or political provided that nothing herein contained shall be construed to prevent removal or discharge for the reasons herein after set forth in Section twenty-three If such allegations are made the Commission may investigate the removal and if in its judgment the allegations are true it may order the reinstatement of the person removed No appeal to any Court shall lie from any decision of the said Commission in such cases In every case of removal or reduction a copy of the statement of reasons therefor and of the written answer thereto shall be furnished to the Civil Service Commission and entered upon its records Provided however that upon the written request of the person so removed or reduced the cause of such removal or reduction shall not be made public by the said Commission Nothing in this act shall limit the power of any officer to suspend a subordinate for a reasonable period not exceeding thirty days Provided however that successive suspensions shall not be allowed except in special cases where the permission of the Commission has first been obtained and for reasons of public policy which shall appear upon its records If any or all of the provisions of this section are for any reason invalid all the other provisions of this act shall nevertheless remain in full force and effect as if this section had not been inserted

Section 23 No officer clerk or employee in the classified service of the Commonwealth of Pennsylvania shall be a member of or delegate or alternate to any political convention nor shall be present at any convention except in the performance of his official duty No such officer clerk or employee shall serve as a member of or attend the meetings of any committee of any political party or take any active part in political management or in political campaigns or use his office to influence political movements or influence the political action of any other such officer clerk or employe a violation of the provisions of this section shall be cause for dismissal and any officer clerk or employee guilty of such violation shall be immediately dismissed by the officer vested with authority to make such dismissal Furthermore the Civil Service Commission shall upon the filing of charges with it of such violation give a public hearing upon such charges and if the facts are found by said Commission shall constitute a violation of the provisions of this section the said commission shall have authority to direct the dismissal of such officer clerk or employee provided however that if this section or any of the provisions thereof be for any reason invalid all the other provisions of this act shall remain in force with like effect as if said section or said invalid provisions had not been contained therein

Section 24 Any person who has held a position by appointment under the Civil Service rules and who has been separated from the Service without any delinquency or misconduct on his part may with the express consent of the Civil Service Commission first had and obtained be reinstated within one year from the date of such separation to the same or similar position in the department Provided that for original entrance to the position to be filled by such reinstatement there is not required in the opinion of the Civil Service Commission an examination involving essential tsts or qualifications different from or higher than essential tests or qualifications different from or higher than the position formerly held by the person proposed to be reinstated

Section 25 It shall be the duty of each appointing officer upon appointing any person in the classified Civil Service of the Commonwealth or of any county or city therein to report to the Civil Service Commission forthwith the name of such appointee the title of his position the date of commencement of service by virtue thereof and the salary or compensation thereof and to further report the separation of a person from the service or other change therein and to furnish from time to time such other information as the Civil Service Commission may require The Civil Service Commission shall keep in its office or in a suitable office in the appropriate county or city official rosters of the classified Civil Service of the Commonwealth of Pennsylvania and of each county and city and shall enter thereon the name of each and every person who has been legally appointed promoted reduced or reinstated in any position These rosters shall be open to public inspection at all reasonable hours The rosters shall show in connection with each name the grading the date and manner of appointment promotion reduction or reinstatement the compensation of the position the title of the position and the date and cause of any termination of such appointment

Section 26 The Civil Service Commission shall also enter upon the aforesaid rosters full information with regard to every person who is at the date on which this act becomes effective in the employ of the Commonwealth or of any county or city and it shall be the duty of all public officials to aid the said Commission in preparing said rosters by furnishing such information as it may require All persons in the Civil Service of the Commonwealth or of any county or city who were legally holding the same position at least four months prior to the date at which this act becomes effective as to such position and who are legally holding such positions on the said date shall be construed to have been appointed under the provisions of this act and shall hold their positions in accordance therewith Provided such persons within six months of the date at which this act becomes effective as to the positions held by them pass such non-competitive examinations as the Commission may deem necessary to demonstrate their capacity to fill the positions occupied by them No other person shall be allowed to remain in his position more than six months from the date at which this act becomes effective as to such position unless within that time he is appointed in the usual manner from an eligible list established after competitive examination and his place shall be vacated at any time within the said period of four months when any other person has been regularly appointed thereto from such an eligible list unless he himself has been appointed meanwhile from such a list

Section 27 It shall be unlawful for the auditor or other fiscal officer of the Commonwealth or of any county or of any city therein to draw sign or issue or to authorize the drawing signing or issuing of any warrant on the treasurer or other disbursing officer of the Commonwealth or of any county or of any city thereof for the payment of or for the treasurer or other disbursing officer of the Commonwealth or of any county or of any city therein to pay any salary or compensation in any form whatever to any person in the classified service of the Commonwealth or of any county or of any city thereof unless the pay-roll or account for such salary or compensation shall bear the certificate of the Civil Service Commission that the persons named in such pay-roll or account have been appointed promoted transferred to reinstated in or reduced to their several positions in accordance with this Act and the rules and regulations of the Civil Service Commission and that

during the time their services were purported to have been rendered they were legally occupying their several positions and were performing the duties thereof Any person entitled to be certified by said Commission to the controller or other fiscal or disbursing officer and refused such certificate may maintain a proceeding by mandamus to compel the Commission to issue such certificate Any sums paid contrary to the provisions of this section may be recovered from any person making such appointment in contravention of the provisions of law or of the rules in pursuance of law or from any person signing or countersigning or authorizing the signing or countersigning of any warrant for the payment of the same or from the sureties on the official bond of any said persons in an action brought to the use of the Commonwealth or of the proper county or city in the Court of Common Pleas of any county within the State maintained by a citizen resident therein who is assessed for and liable to pay or within one year before the commencement of the action has paid a state county or city tax within the Commonwealth All moneys recovered in any action brought under this section must when collected be paid into the treasury of the Commonwealth or the proper county or city except that the plaintiff in any such action shall be entitled to receive for his own use the taable costs of such action including an attorney's fee of five per cent. of the amount recovered

Section 28 No question in any form of application or in any examination shall be so framed as to elicit information concerning the political or religious opinions or affiliations of any applicant nor shall any inquiry be made concerning such opinions or affiliations and all disclosures thereof shall be discountenanced No discrimination shall be exercised threatened or promised by any person in the Civil Service against or in favor of an applicant or an eligible or a person in the classified service of the Commonwealth or of any county or city because of his political or religious opinions or affiliations No persons shall appoint promote remove discharge reduce or in any manner discriminate against or in favor of any person in the classified Civil Service of the Commonwealth or of any county or city because he has made or given or refused or neglected to make or to give any contribution assessment or payment for or in connection with any political campaign or political party or organization

Section 29 At any public hearing or session of the Commission any citizen of the Commonwealth or of any county or city shall have the right to be present in person or by counsel and subject to reasonable regulations of the Commission to interrogate any witness and to produce evidence and arguments either in favor of or against any proposed classification rule or other action Public notice of every proposed public hearing shall be given at least one week in advance thereof and shall state clearly the purpose of the hearing and the matters to be there and then considered A copy of every such notice shall be posted on a suitable public bulletin board at the office of the Commission

Section 30 Whoever makes an appointment to any position contrary to the provisions of this act or of the rules made pursuant thereto or wilfully refuses or neglects to comply with or to conform to the provisions of this act or violates any of its provisions shall be deemed guilty of a misdeameanor

Section 31 Any person who shall willfully by himself or in co-operation with one or more persons defeat deceive or obstruct any person in respect of his or her right of examination appointment or employment according to this act or to any rules or regulations prescribed pursuant thereto or who shall wilfully or corruptly fasely mark grade estimate or report upon the examination or proper standing of any person examined registered or certified pursuant to the provisions of this act or aid in so doing or who shall willfully make any false representations concerning the same or concerning the person examined or who shal willfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so examined registered or certified or to be examined registered or certified or who shall personate any other person or permit or aid in any manner any other person to personate him in connection with any examination or registration or appointment or application or request to be examined or registered or appointed or who shall furnish any false information about himself or about any other person in connection with any examination or registration or appointment or application or request to be examined or registered or appointed shall for each offense be deemed guilty of a misdeamanor.

Section 32 Misdemeanor under the provisions of this act shall be punishable by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment for a term not exceeding one year or both by fine or imprisonment in the discretion of the court

Section 33 Any false statement made under oath either in any application or other paper filed with the Commission or in any proceeding before the Commission or in any proceeding arising under this act shall be a perjury and punishable as such

Section 34 All acts and parts of acts of Assembly of this Commonwealth general special or local in relation to the Civil Service of the Commonwealth of Pennsylvania inconsistent with this act are hereby repealed It is intended by this act to furnish a complete comprehensive and exclusive system for the appointment promotion reduction transfer removal and reinstatement of all officers clerks and employes in the Civil Service of the Commonwealth

On the question,

Will the house agree to the bill on third reading.

HOUSE BILL NO. 228 MADE A SPECIAL ORDER.

Mr. WILLIAMS. Mr. Speaker, I move that the consideration of this bill be made a Special Order for to-morrow morning at 11:30 o'clock.

Mr. HEYBURN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 556, entitled:

An Act providing for the compensation by the proper county of licensed physicians for certain reports and certificates required to be furnished to the State Department of Health and fixing the duties of the respective county treasurers and of the Commissioner of Health

Whereas, The laws of the Commonwealth of Pennsylvania and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania require licensed practitioners of medicine to report in writing to the Health officers of the local health districts each case of a disease designated by law or by the rules and regulations of the State Department of Health as contagious or reportable and

Whereas, The licensed physicians of the Commonwealth of Pennsylvania are required by law or the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania to furnish to the proper authorities certificates of health birth and death and

Whereas, The furnishing of such reports and certificates aids very materially in the protection of the health and lives of the citizens of the Commonwealth of Pennsylvania in general and in the local health districts in particular therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the date of the passage of this act the county treasurer of each county in this Commonwealth shall pay out of the funds of the county upon proper warrant as hereinafter provided twenty-five cents for each certificate of death and certificate of birth to the physician executing and signing and furnishing to the proper health authorities such certificate

Section 2 The Commissioner of Health of the Commonwealth of Pennsylvania shall after the date of the passage of this act on or before the tenth day of January April July and October of each year send to each licensed physician in the Commonwealth of Pennsylvania who has furnished one or more death certificates or birth certificates a statement or voucher addressed to the county treasurer of the county in which such death or birth occurred setting forth the name and address of the licensed physician who furnished certificates of same to the proper health authorities and the number of death certificates and the number of birth certificates as required by law or the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania furnished by said licensed physician during the three calendar months last preceding and the Commissioner of Health of the Commonwealth of Pennsylvania shall in issuing the above statement or voucher use the form as hereinafter provided in section three of this act

Section 3 The form to be used by the Commissioner of Health of the Commonwealth of Pennsylvania in carrying out the provisions of section two of this act shall be as follows

To the county treasurer of (name of county) county Pennsylvania greeting

'I (name of Commissioner of Health of the Commonwealth of Pennsylvania) Commissioner of Health of the Commonwealth of Pennsylvania hereby certify that doctor (name of licensed physician furnishing certificates) of (address of said licensed physician) has furnished to the proper health authorities as required by law and the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania during the months (name of three calendar months last preceding) (year) certificates as follows

Death certificates to the number of (number furnished)

Birth certificates to the number of (number furnished)

Certificates required by law or by the rules and regulations of the Department of Health of the Commonwealth of Pennsylvania (number furnished) occurring in your county of (name of county) under the professional care of the above named licensed physician and you are therefore hereby commanded as required by law to pay on presentation of this voucher to doctor (name of licensed physician furnishing certificates) above named the sum of (amount due) dollars ( ) cents this being at the legal rate of twenty-five cents per certificate or report and this shall be sufficient warrant to you for such payment

(Signature of the Commissioner of Health of the Commonwealth of Pennsylvania)
Commissioner of Health of the
Commonwealth of Pennsylvania

This voucher shall bear the seal of the Department of Health of the Commonwealth of Pennsylvania

Section 4 The county treasurer of each county of the Commonwealth of Pennsylvania shall upon demand pay out of the funds of the county to the licensed physician named in such voucher as set forth in section three of this act the sum set forth in the voucher as being due said licensed physician provided said voucher bears the signature of the Commissioner of Health of the Commonwealth of Pennsylvania and bears the seal of the Department of Health of the Commonwealth of Pennsylvania

Section 5 All other acts or parts of acts general special or local pertaining to this subject matter covered by this act and inconsistent herewith be and the same are hereby repealed

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass?

Mr. HUMES. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Allegheny, Mr. Richards, permit himself to be interrogated?

Mr. RICHARDS. Mr. Speaker, Yes, sir.

Mr. HUMES. Mr. Speaker, I would like to inquire how this bill changes the provisions of the existing law with reference to the payment of physicians?

Mr. RICHARDS. Mr. Speaker, under the present law the physicians get nothing for reporting the contagious diseases, neither do they get anything for reporting or making out the certificates of birth and death. This bill allows the physicians twenty-five cents for each certificate of birth and for each certificate of death, given to the local Board of Health. The local Board of Health—I will continue to explain as best I can—the local Board of Health then reports as they do now, to the State Board of Health Under the provisions of this bill then, Mr. Speaker, every three months the Commissioner of Health reports to the treasurers of the different counties the number of birth certificates and the number of death certificates reported by that particular physician and at the end of three months the County Treasurer issues a warrant for that amount of money due the physician or twenty-five cents for each record of birth and each certificate of death. Under the present law, Mr. Speaker, the physician gets nothing for that work.

Mr. HUMES. Mr. Speaker, I would like to further interrogate the gentleman and say that as I understand it under this law each county would be paying the expenses of the State Board of Health in gathering together the statistics provided for by this Act?

Mr. RICHARDS. Mr. Speaker, I would not consider it in that way. The State Board of Health now receives the statistics from our local Boards of Health. The physicians are now compelled by law to report contagious diseases as well as make reports of births and deaths and submit them to the local registrars; then in turn at the present time they send them into the Commissioner of Health, here at Harrisburg, receiving nothing for that. This bill allows the physician the small amount of twenty-five cents for each certificate of birth and death and nothing for reporting the contagious diseases. They are compelled to do that now.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman if he has any way of ascertaining how much expense that will entail in the State, to be divided among separate counties, how many such certificates are issued in a year?

Mr. RICHARDS. Mr. Speaker, I really could not say how many certificates of birth there are issued in the State of Pennsylvania, but this will not mean one cent of expense to the State. The counties pay that entirely.

Mr. HUMES. Mr. Speaker, that is just the point I am getting at. Under this bill the counties are going to be imposed upon to the extent of paying for certificates that are furnished to the State Board of Health, and while I recognize that physicians should have some compensation possibly for making out that certificate, and I am not objecting to that feature of the bill, yet it does not seem fair that the counties of this States are going to have the requisition made upon them—for it is that in effect—from the Commissioner of Health every three months for the payment of hundreds of dollars for these physicians, when it is information that the State Department of Health should gather within the apropriation that is made to it and should pay the bills themselves, and it looks to me like an imposition upon these counties. As I have figured it out, I believe it will entail an expense of a good many hundreds of dollars to the average counties of the State. To a county of average size, something like Delaware, or Crawford, this will amount to something like seven or eight hundred dollars. If that is true it will be an enormous expenditure in the bigger counties and it strikes me that it is absolutely unfair.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. R. J. BALDWIN. No doubt the gentleman can give the House some correct information on this point as to the number of births or deaths in Crawford county in a year.

Mr. HUMES. Mr. Speaker, I have not been able to ascertain this.

Mr. R. J. BALDWIN. Mr. Speaker, wouldn't it be a good idea if the gentleman is interested in knowing this if he had gone to the Department, then he could have informed the House correctly.

Mr. HUMES. Mr. Speaker, I suppose that the gentleman would be worrying himself about his own county and not interesting himself about the county that I represent, as to what my attitude should be on this bill, and I didn't find it necessary to go further into details.

Mr. R. J. BALDWIN. Mr. Speaker, I merely want to say in answer to the gentleman from Crawford that the people of Delaware are very much opposed to having their doctors working without pay and the people of Delaware County appreciate, I know, the importance of vital statistics. They fully appreciate that the State has got a burden to carry, the various interests and have so much interested in the vital statistics that they are entirely willing to pay their physicians for the service they render, and I am sure they would be glad to pay the legal profession for any services they might render in proportion.

Mr. HUMES. Mr. Speaker, I agree with the gentleman from Delaware that the doctors should be paid for what they do, but when a doctor is taking care of my case, I do not think the gentleman from Delaware ought to be compelled to pay for it. When the doctor is looking after the interests of Pennsylvania and the Health Department, I do not think the counties ought to be compelled to pay the bill.

Mr. RICHARDS. Mr. Speaker, I really do not believe that the gentleman from Crawford thoroughly understands the bill yet. He seems to feel that the State Department of Health would be put to some expense if this bill becomes a law. That is not true. All of the statistics are now furnished the Department of Health by our local registrars, given them by the local physicians, and all this bill seeks to do is to pay the local physician for his time in making out the certificates of birth and death and not contagious diseases.

Mr. Speaker, I have the honor to represent in part one of the lardgest counties in the State and I feel sure that the people of Allegheny county are only too willing that their local physicians be paid this twenty-five cents for each birth and death certificate made out by them. It would amount to a very few hundred dollars even in the County of Allegheny, and I am sure it would amount to much less in the County of Crawford or some of the smaller counties.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to further interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman permit himself to be further interrogated?

Mr. HUMES. Mr. Speaker, Yes, sir.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to know if the gentleman from Crawford would think it would be proper to pay the legal profession for rendering the services they were compelled to render like this, whether he would not consider it very unfair to put the legal profession to rendering such services without being paid.

Mr. HUMES. Mr. Speaker, I think it would be very unfair if the legal profession were compelled to render services to the Commonwealth of Pennsylvania, to subject the gentleman from Delaware, or rather the people from Delaware County or Crawford County to pay him for the services he was rendering for the State of Pennsylvania.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to remind the gentleman that Delaware is a part of the State of Pennsylvania and the people of the County of Delaware are perfectly satisfied to pay their medical authorities as well as professional, because we have to pay the legal authorities a great deal more, larger prices than are asked by the medical profession in our County.

Mr. McALEER. Mr. Speaker, it seems to be rather small on the part of the medical profession to ask this House to pay them twenty-five cents. There is no sense at all in asking the counties to finish up their work for them. When they take a patient and the patient dies, they know

that under the law they must furnish a death certificate. They must remember that in the first place that doctors as well as lawyers doing business in our cities without paying any county tax, and the little store keeper must pay a mercantile tax, while the doctor and other professional men do not. I think it looks rather picayune like for the doctors to ask twenty-five cents for the little certificate where they only insert a few words in a printed form. I think the patients of the doctors are paying enough without having to pay twenty-five cents or have the county pay twenty-five cents if they should be unfortunate enough to die. If the doctor needed twenty-five cents he might even hurry them off.

Mr. W. A. BLAIR. Mr. Speaker, I would like to inform the gentleman that the medical profession are not asking for this. This is not a medical profession bill at all, but some one has been interested enough in the profession to feel that they ought to be recompensed in some way for this clerical work. The fact of the matter is this: When you attend a confinement case, nine times out of ten you cannot get the data that is required. A great many times you have to make an extra trip to get that data. If it is out in the country you have to telephone out there at your own expense to get that information. This Legislature has seen fit to pass a law compelling the physician to make out these papers for the Department of Health. Now, the medical profession are not asking for this at all, but somebody has evidently taken enough interest to think that they ought to have some means of paying for this clerical work.

Mr. McALEER. Mr. Speaker, the reason I have opposed this was because in Philadelphia we are suffering from a lack of money for revenue purposes and one of the plans that we tried to get into force to get more money is to find some way of taxing the doctors. Now, the thing that strikes me in this bill is that this will let the doctors get at the city instead of the city getting at the doctors. the city is the county there. I do not think this bill should pass.

Mr. NEWBAKER. Mr. Speaker, since the Department of Health has been organized the physicians of Pennsylvania have been making out these certificates of birth and death without any charge, as well as those for contagious diseases. It requires a great deal of time and trouble to do so, and for the amount of work involved a lawyer would want a dollar or two, or two and one-half for doing the same work. It seems the people are asking the medical profession to work for nothing. As for the statement that this would cost Crawford County eight hundred dollars. that would require that there would be thirty-two hundred deaths and births in that county in three months at that rate and of course the State would be re-populated in the course of a few years. Now, this bill was not brought in by the medical profession, but certain persons thought that they would be entitled to a slight compensation, at least recognition to the extent of twenty-five cents for writing out a certificate of birth or death and I do not think it is more than fair.

Mr. CHARLES A. SHAFFER Mr. Speaker, I would like to explain this a little further. In cities of the first and second class, the registrars do not get their pay from their counties. For instance in Philadelphia, fifteen cents is paid to registrars by the State of Pennsylvania and not by the County of Philadelphia. Outside of the first and second class cities, the counties of the State pay their own registrars for deaths and births.

In answer to a question asked the gentleman of Crawford, I would say that on an estimate of 62,000 people in his county, the number of deaths is about nine hundred. I am of the opinion that the physicians are entitled to the twenty-five cents for each certificate. I do not see how this can double the expense to the conuty. The members can now know and understand this legislation when they come to vote on it. I believe that physicians should be paid for their services.

Mr. R. J. BALDWIN. Mr. Speaker, in all probability in thirty-three per cent. of the cases the physicians attending them get nothing at all, and I thing that many of the phyhicians have a greater percentage of cases for which they do not get paid. You want them to do this work, and then you do not want to give them a measly quarter for it.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 86.

Arthur,	Good,	Letzkus,	Runk,
Baldwin, R. J.,	Grabe,	Lowers,	Sassaman,
Berntheizel,	Gransback,	Mannion,	Scott, S. B.,
Bigger,	Heidinger,	McAllister,	Semmens,
Bittles,	Hemminger,	McArdle,	Shaffer, C. A.,
Blair, W. A.,	Heyburn,	McCaig,	Sherwood,
Blair, W. F.,	Hibshman,	McDermott,	Showalter,
Body,	Hoffman,	McNichol,	Steedle,
Cleary,	Howard, J.,	Mechling,	Stone,
Conniff,	Isler,	Miller,	Strauss,
Currier,	Irwin, G. C.,	Missimer,	Swartz,
Curry,	Jackson,	Morrow,	Thomas,
Davis,	Jones, J. R.,	Moses,	Watson,
Dickinson,	Kaiser,	Moulthrop,	Whitaker,
Donahoe,	Kaufman,	Neely,	Whitman,
Down,	Keeport,	Newbaker,	Wildman,
Dunn, J. A.,	Kennedy,	O'Neill,	Williams,
Ely,	Kern,	Perry, H. L.,	Wilson, W. H.,
Ewing,	Kitts,	Ramsey,	Wiltbank,
Flynn,	Klepper,	Reeser,	Young, J. H.,
Foster, J. D.,	Kuhn, H. P.,	Richards,	Alter,
Gans,		Rockwell,	Speaker.

NAYS 50.

Adams,	Dunn, H. B.,	McAleer,	Piper,
Baldwin, G. A.,	Ehrhardt,	McClintock,	Redfield,
Barner,	Gibson	McKay,	Rhoads,
Becker,	Glenn,	Mellott,	Rothenberger,
Benson,	Gray, Joseph,	Metzenbacher,	Savacool,
	Hess,	Mitchell,	Shaffer, I. E.,
Brosius,	Hobbs,	Murphy,	Smith, J. W.,
Brownlee,	Humes,	Musser,	Snavely,
Burnett,	Keegan,	Newton,	Spillinger,
Carson,	Kuhns, E.G.M.,	Peachey,	Trach,
Cheeseman,	Latshaw,	Pennegar,	Wilson, J. H.,
DeFrees,	Lenker,	Pennock,	Zimmerman,
Donnally,	Mather.		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

RESOLUTION RECALLING HOUSE BILL NO. 645 FROM THE GOVERNOR.

Mr. ALLEN offered the following concurrent resolution, which was twice read, considered and agreed to.

Resolved (if the Senate concur), That House Bill No. 645, file folio No. 7465, printer's No. 1261, enttled, An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restructing the scope of certain acts of assembly and providing penalties for violation of this act

be recalled from the Governor for the purpose of amendment..

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

Mr. ALLEN. Mr. Speaker, I move that this House do now take a recess until eight o'clock this evening.

Mr. J. H. YOUNG. Mr. Speaker, I second the motion.

The motion was agreed to, and at 6:15, the House took a recess until eight o'clock this evening.

AFTER RECESS

The House re-convened at 8:00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

REPORTS FROM COMMITTEES.

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1622, entitled:

An Act prohibiting the holding by any person or two or more positions of profit under this Commonwealth prohibiting appointments contrary to this act and providing penalties

Mr. HUMES, from the Committee on Judiciary General, reported as committed, House Bill No. 1952 (Senate Bill 753), entitled:

An Act authorizing notaries public to take affidavits to libels in divorce and validating certain affidavits heretofore made

Mr. KLEPPER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1946 (Senate No. 879), entitled:

An Act to provide for the filing docketing and indexing of judgments and decrees of the district and circuit courts of the United States

Mr. GANS, from the Committee on Public Health and Sanitation, re-reported as committed, House Bill No. 1813, (Senate Bill No. 430), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of ostepaths in his State and to provide penalties for the violation of this Act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registrations of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability or osteopathic schools and colleges and the right to determine reciprocal relations between States"

SENATE MESSAGES.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate, being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 143,

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class"

with information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. Mr. R. J. BALDWIN, the sponsor of this bill, states that the amendment consists of a correction of a typographical error in line 17, section one, correcting the word "member."

On the question,

Will the House concur in the amendment of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Adams,	Cox,	Kennedy,	Price,
Allen,	Curry,	Kitts,	Ramsey,
Ambler,	DeFrees,	Kuhns, E.G.M.,	Redfield,
Arthur,	Dickinson,	Latshaw,	Reese,
Baldwin, G. A.,	Donahoe,	Lenker,	Rhoads,
Baldwin, R. J.,	Donnally,	Leslie,	Rockwell,
Barner,	Down,	Letzkus,	Roney,
Bass,	Ehrhardt,	Lohr,	Sassaman,
Becker,	Eichenberger,	Malie,	Savacool,
Benson,	Ely,	Mannion,	Schuck,
Berntheizel,	Ewing,	Martin,	Shaffer, C. A.,
Bigger,	Fahey,	Mather,	Shewalter,
Blair, W. A.,	Forster, I. G.,	McAleer,	Smith, J. W.,
Blair, W. F.,	Foster, J. D.,	McAllister,	Smith, L.,
Body,	Frey,	McKay,	Spangler,
Brown,	Gans,	McNichol,	Strauss,
Brownlee,	Goss,	Mellott,	Swartz,
Burnett,	Gransback,	Metzenbacher,	Swift,
Caldwell,	Hackett,	Missimer,	Thomas,
Campbell, C.M.,	Heidinger,	Morrow,	Ulman,
Campbell, J.J.	Hemminger,	Moses,	Walsh,
Carson,	Hoshurn,	Murphy,	Whitaker,
Claycomb,	Hobbs,	Musser,	Wilson, J. H.,
Cleary,	Humes,	Newbaker,	Wiltbank,
Cochran,	Isler,	O'Neill,	Young, J. H.,
Conner,	Irwin, G. C.,	Peachey,	Zimmerman,
Conniff,	Jackson,	Perry, S. J.,	Alter,
Conrade,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 956,

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that licensees continuing in business shall annually apply for new licenses

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendments were read as follows:

Section 1. Strike out all of lines 39, 40, 41, 42 and 43 as follows:

All licensees who intend to continue in such licensed business after the expiration of their current licenses shall apply in writing to the Bureau of Health between the first day of October and the twenty-first day of December of each year for a new license for the ensuing year

On the question,

Will the House concur in the amendment made by the Senate?

The SPEAKER. The Chair is advised that the amendments made by the Senate are satisfactory to the sponsor of the bill.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—112.

Adams,	Donahoe,	Lohr,	Rockwell,
Allen,	Donnally,	Malie,	Rothenberger,
Ambler,	Down,	Mannion,	Runk,
Baldwin, G. A.,	Ehrhardt,	Martin,	Sassaman,
Baldwin, R. J.,	Eichenberger,	Mather,	Savacool,
Barner,	Ely,	McAleer,	Schaeffer, A. C.
Bass,	Forster, I. G.,	McAllister,	Schuck,
Becker,	Gans,	McCaig,	Semmens,
Benson,	Gransback,	McClintock,	Shaffer, C. A.,
Berntheizel,	Hackett,	McKay,	Shaffer, I. E.,
Bigger,	Heidinger,	McNichol,	Showalter,
Blair, W. A.,	Hemminger,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Hess,	Miller,	Snyder,
Bleloch,	Hibshman,	Mitchell,	Strauss,
Body,	Hobbs,	Morrow,	Swartz,
Brownlee,	Howard, R.,	Moses,	Swift,
Burnett,	Humes,	Musser,	Thomas,
Caldwell,	Isler,	Neely,	Ulman,
Campbell, C.M.,	Irwin, G. C.,	Newbaker,	Walsh,
Carson,	Jackson,	O'Neill,	Walton,
Cheeseman,	Kern,	Peachey,	Whitaker,
Claycomb,	Kuhn, H. P.,	Pennegar,	Williams,
Cleary,	Kuhns, E.G.M.,	Pennock,	Wilson, W. H.,
Cochran	Latshaw,	Peters,	Wiltbank,
Conniff,	Lenker,	Ramsey,	Young, J. H.,
Conrade,	Leslie,	Redfield,	Zimmerman,
Curry,	Letzkus,	Reeser,	Alter,
Davis,	Light,	Rhoads,	Speaker.
Dickinson,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 953,

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure hall be

collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsistent acts

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendment was read as follows:

Section 1, line 7, strike out the words "or swine" after the word "goats."

On the question,

Will the House concur in the amendment made by the Senate?

The SPEAKER. The Chair is advised that the amendment is satisfactory to the sponsor of the bill.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Adams,	Dickinson,	Donahoe,	Richards,
Allen,	Donnally,	Letzkus,	Rockwell,
Alworth,	Down,	Light,	Roney,
Ambler,	Dunn, J. A.,	Lohr,	Rothenberger,
Arthur,	Ehrhardt,	Malie,	Runk,
Baldwin, G. A.,	Eichenberger,	Mannion,	Sassaman,
Baldwin, R. J.,	Ely,	Martin,	Savacool,
Barner,	Fahey,	Mather,	Schaeffer, A. C.,
Bass,	Gans,	Matt,	Schuck,
Becker,	Geiser,	McAleer,	Scott, S. B.,
Benson,	Good,	McAllister,	Semmens,
Berntheizel,	Gransback,	McCalg,	Shaffer, I. E.,
Bigger,	Hackett,	McDermott,	Showalter,
Blair, W. A.,	Heidinger,	McKay,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Mechling,	Smith, L.,
Bleloch,	Hess,	Metzenbacher,	Snyder,
Body,	Heyburn,	Miller,	Strauss,
Brosius,	Hibshman,	Missimer,	Swartz,
Brown,	Hobbs,	Mitchell,	Swift,
Brownlee,	Hoffman,	Morrow,	Thomas,
Burnett,	Humes,	Moses,	Trach,
Caldwell,	Isler,	Moulthrop,	Ulman,
Campbell, C.M.,	Irwin, G. C.,	Murphy,	Walsh,
Campbell, J.J.	Jackson,	Neely,	Walton,
Cheeseman,	Jones, J. R.,	Newbaker,	Whitaker,
Claycomb,	Kaufman,	O'Neill,	Whitman,
Cleary,	Kern,	Peachey,	Williams,
Cochran,	Kitts,	Pennegar,	Wilson, J. H.,
Collins,	Klepper,	Peters,	Wilson, W. H.,
Conner,	Kuhn, H. P.,	Price,	Wiltbank,
Conniff,	Kuhns, E.G.M.,	Ramsey,	Young, G. K.,
Conrade,	Latshaw,	Redfield,	Young, J. H.,
Curry,	Lenker,	Reese,	Zimmerman,
Davis,	Leslie,	Reeser,	Alter,
DeFrees,		Rhoads,	Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 465,

Requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or of a person firm or corporation about to go out of business or goods to have been damaged in any way and regulating such licensing and fixing a penalty for violation of this act

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives in requested.

The amendments were read as follows:

Amend the title, line 1, after the word "conducting" strike out the words "certain kinds of business" and insert in lieu thereof the following: "any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way and."

On the question,

Will the House concur in the amendments made by the Senate?

The SPEAKER. The amendments consist merely in the necessary amendment to the title.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Adams,	Dunn, J. A.,	Letzkus,	Rothenberger,
Allen,	Ehrhardt,	Lohr,	Runk,
Alworth,	Eichenberger,	Malie,	Sassaman,
Ambler,	Ely,	Mannion,	Savacool,
Arthur,	Fahey,	Martin,	Schaeffer, A. C.
Baldwin, G. A.,	Flynn,	McAleer,	Schuck,
Baldwin, R. J.,	Forster, I. G.,	McAllister,	Scott, S. B.,
Barner,	Foster, J. D.,	McArdle,	Semmens,
Bass,	Frey,	McCaig,	Shern,
Becker,	Gans,	McClintock,	Sherwood,
Benninger,	Good,	McDermott,	Showalter,
Berntheizel,	Grabe,	McKay,	Smith, L.,
Bigger,	Gransback,	Mechling,	Snyder,
Blair, W. A.,	Hackett,	Mellott,	Stein,
Blair, W. F.,	Heidinger,	Metzenbacher,	Strauss,
Bleloch,	Hemminger,	Missimer,	Swartz,
Body,	Hess,	Morrow,	Swift,
Brosius,	Heyburn,	Moses,	Thomas,
Brown,	Hibshman,	Murphy,	Trach,
Brownlee,	Hobbs,	Neel,	Ulman,
Burnett,	Hoffman,	Newbaker,	Walsh,
Caldwell,	Humes,	Newton,	Walton,
Campbell, C.M.,	Isler,	North,	Watson,
Campbell, J.J.	Irwin, G. C.,	O'Neill,	Whitaker,
Carson,	Jackson,	Peachey,	Whitman,
Cheeseman,	Jones, J. R.,	Pennock,	Wildman,
Cleary,	Kaufman,	Perry, S. J.,	Williams,
Collins,	Keeport,	Peters,	Wilson, J. H.,
Conniff,	Kennedy,	Ramsey,	Wilson, W. H.,
Conrade,	Kern,	Redfield,	Wiltbank,
Currier,	Kitts,	Reese,	Young, G. K.,
Curry,	Kuhn, H. P.,	Reeser,	Young, J. H.,
DeFrees,	Kuhns, E.G.M.,	Rhoads,	Zimmerman,
Dickinson,	Landis,	Rockwell,	Alter,
Donahoe,	Latshaw,	Roney,	Speaker.
Down,	Leslie,		
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL INTRODUCED.

Mr. KEEPORT asked and obtained unanimous consent to introduce a local bill, the title of which was first read for the information of the House.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 961, as follows:

An Act to amend the twenty-eighth section of an act entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" approved the thirty-first day of March one thousand eight hundred and sixty Pamphlet Laws page four hundred thirty-seven so as to include all acts of embezzlement committed within statutory period

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the twenty-eighth one thousand eight proved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" which reads as follows

"Section 8 It shall be lawful in cases of embezzlement by clerks servants or other persons in the employ of another to charge in the indictment and proceed against an offender for any distinct acts of embezzlement not exceeding three which may have been committed by him against the same master or employer within the space of six calendar months from the first to the last of such acts and in every such indictment except where the offence shall relate to a chattel it shall be sufficient to allege the embezzlement to be of money without specifying any particular coin or valuable security and such allegation so far as regards the description of the property shall be sustained if the offender shall be proved to have embezzled any amount although the particular species of coin or valuable security of which such amount was composed shall not be proved or if he shall be proved to have embezzled any piece of coin or valuable security or any portion of the value thereof although such piece of coin or valuable security may have been delivered to him in order that some part of the value thereof **should be returned to the party delivering the same** and **such part shall have been returned accordingly" is** hereby amended to read as follows

Section 28 It shall be lawful in cases of embezzlement by clerks servants or other persons in the employ of another to charge in the indictment and proceed against an offender for any distinct acts of embezzlement and in every such indictment except where the offense shall relate to a chattel it shall be sufficient to allege the embezzlement to be of money without specifying any particular coin or valuable security and such allegation so far as regards the description of the property shall be sustained if the offender shall be proved to have embezzled any amount although the particular species of coin or valuable security of which such amount was composed shall not be proved or if he shall be proved to have embezzled any piece of coin or valuable security or any portion of the value thereof although such piece of coin or valuable security may have been delivered to him in order that some part of the value thereof should be returned to the party delivering the same and such part shall have been returned accordingly

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. BERNTHEISEL. Mr. Speaker, this bill is an amendment to the embezzlement section of the criminal code. As the act now stands it provides that an embezzler can be indicted for but three acts of embezzlement and that three acts must have occurred within the period of six months. In other words, if the embezzler, under the present statute, is careful to spread out his embezzlements over a period the Commonwealth is obliged to select three offenses and therefore the defendant is not punished in full for his crimes. The amendment simply removes that obstruction. It provides merely that the defendant shall be indicted for each and every act of embezzlement that occurs within the statutory period. In other words, it simply puts the man who steals money on the same par with the man who steals horses or chickens and punishes him in full for his crime.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Adams,	Dickinson,	Kitts,	Reese,
Allen,	Donahoe,	Kuhn, H. P.,	Reeser,
Alworth,	Donnally,	Kuhns, E.G.M.,	Rhoads,
Ambler,	Down,	Latshaw,	Richards,
Arthur,	Dunn, H. B.,	Lenker,	Roney,
Baldwin, G. A.,	Dunn, J. A.,	Leslie,	Rothenberger,
Baldwin, R. J.,	Ehrhardt,	Letzkus,	Runk,
Barner,	Eichenberger,	Light,	Sassaman,
Bass,	Ely,	Lohr,	Savacool,
Bayle,	Fahey,	Malie,	Schuck,
Becker,	Flynn,	Mannion,	Scott, S. B.,
Benninger,	Forster, I. G.,	Martin,	Semmens,
Benson,	Foster, J. D.,	Mather,	Shaffer, I. E.,
Berntheizel,	Frey,	McAleer,	Sherwood,
Bigger,	Gans,	McCaig,	Showalter,
Blair, W. A.,	Gibson,	McClintock,	Smith, J. W.,
Blair, W. F.,	Good,	McKay,	Smith, L.,
Bieloch,	Grabe,	McNichol,	Snyder,
Body,	Gransback,	Mechling,	Stein,
Brosius,	Hackett,	Mellott,	Stone
Brown,	Heidinger,	Metzenbacher,	Strauss.
Brownlee,	Hemminger,	Missimer,	Swartz,
Burnett,	Hess,	Moore,	Swift,
Caldwell,	Heyburn,	Moses,	Thomas,
Campbell, C.M.,	Hibshman,	Moulthrop,	Trach,
Campbell, J. J.,	Hobbs.	Neel,	Ulman,
Carson,	Hoffman,	Neely,	Walsh,
Cheeseman,	Howard, R.,	Newbaker,	Walton,
Claycomb,	Humes,	Newton,	Watson,
Cleary,	Isler,	North,	Whitaker,
Cochran,	Irwin, G. C.,	O'Neill,	Whitman,
Collins,	Jackson,	Pennegar,	Wildman.
Conner,	Jones, E. E.,	Pennock,	Wilson, J. H.,
Conniff,	Jones, J. R.,	Perry, S. J.,	Wiltbank,
Conrade,	Kaiser,	Peters,	Young, J. H.,
Cox,	Keeport,	Piper,	Zimmerman,
Currier,	Kennedy,	Ramsey,	Alter,
Curry,	Kern,	Redfield.	Speaker.
Davis,			

NAYS—1.

Shaffer, C. A.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 321, entitled:

An Act making an appropriation to reimburse Mrs. Rose S. Zacharies for money erroneously paid into the State Treasury for purchase money of vacant land

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—147.

Adams,	Down,	Letzkus,	Reeser,
Allen,	Dunn, H. B.,	Light,	Richards,
Alworth,	Ehrhardt,	Lohr,	Rockwell,
Ambler,	Eichenberger,	Lowers,	Roney,
Arthur,	Ely,	Malie,	Rothenberger,
Baldwin, G. A.,	Ewing,	Mannion,	Runk,
Baldwin, R. J.,	Flynn,	Martin,	Sassaman,
Barner,	Forster, I. G.,	Mather,	Schaeffer, A. C.
Bass,	Gans,	Matt,	Schuck,
Bayle,	Good,	McAleer,	Scott, S. B.,
Becker,	Grabe,	McAllister,	Shaffer, C. A.,
Benson,	Gransback,	McArdle,	Shaffer, I. E.,
Berntheizel,	Hackett,	McCaig,	Shern,
Bigger,	Heidinger,	McClintock,	Sherwood,
Blair, W. A.,	Hemminger,	McDermott,	Showalter,
Blair, W. F.,	Hess,	McNichol,	Smith, J. W.,
Bieloch,	Herman,	Mechling,	Smith, L.,
Body,	Hibshman,	Metzenbacher,	Snyder,
Brosius,	Hobbs,	Missimer,	Strauss,
Brown,	Hoffman,	Morrow,	Swartz,
Brownlee,	Howard, R.,	Moses,	Swift,
Burnett,	Humes,	Moulthrop,	Thomas,
Caldwell,	Isler,	Murphy,	Trach,
Campbell, C.M.,	Irwin, G. C.,	Neely,	Ulman,
Campbell, J. J.,	Jackson,	Newbaker,	Walsh,
Carson,	Jones, E. E.,	Newton,	Walnut,
Cheeseman,	Jones, J. R.,	O'Neill,	Watson,
Claycomb,	Kaiser,	Peachey,	Whitaker,
Cleary,	Kaufman,	Pennegar,	Whitman,
Collins,	Keegan,	Perry, H. L.,	Williams,
Conniff,	Keeport,	Perry, S. J.,	Wilson, J. H.,
Conrade,	Kennedy,	Peters,	Wiltbank,
Cox,	Kitts,	Piper,	Young, J. H.,
Currier,	Kuhn, H. P.,	Price,	Zimmerman,
Curry,	Kuhns, E.G.M.,	Ramsey,	Alter,
Davis,	Latshaw,	Redfield,	Speaker.
DeFrees,	Leslie,	Reese,	
Dickinson,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1847 (Senate Bill No. 524), entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Adams,	Donnally,	Lenker,	Runk,
Allen,	Down,	Letzkus,	Sassaman,
Alworth,	Dunn, H. B.,	Lohr,	Savacool,
Ambler,	Ehrhardt,	Lowers,	Schuck,
Arthur,	Eichenberger,	Malie,	Semmens,
Baldwin, G. A.,	Ely,	Mannion,	Shaffer, C. A.,
Baldwin, R. J.,	Ewing,	Martin,	Shaffer, I. E.,
Barner,	Fahey,	Mather,	Shern,
Bass,	Flynn,	McAllister,	Sherwood,
Bayle,	Foster, J. D.,	McClintock,	Showalter,
Becker,	Gans,	McDermott,	Smith, J. W.,
Benson,	Gibson,	McNichol,	Smith, L.,
Berntheizel,	Goss,	Mellott,	Spangler,
Bigger,	Gransback,	Metzenbacher,	Stein,
Blair, W. A.,	Hackett,	Missimer,	Strauss,
Blair, W. F.,		Moses,	Swartz,

Bieloch,	Heidinger,	Moulthrop,	Swift,
Body,	Hemminger,	Murphy,	Thomas,
Brosius,	Hess,	Neely,	Trach,
Brown,	Heyburn,	Newbaker,	Ulerich,
Brownlee,	Hibshman,	Newton,	Ulman,
Burnett,	Hobbs,	O'Neill,	Walsh,
Caldwell,	Humes,	Peachey,	Walton,
Campbell, C.M.,	Isler,	Pennock,	Watson,
Carson,	Irwin, G. C.,	Perry, S. J.,	Whitaker,
Claycomb,	Jackson,	Peters,	Whitman,
Cochran,	Jones, J. R.,	Price,	Wildman,
Collins,	Kaufman,	Ramsey,	Williams,
Conniff,	Keeport,	Redfield,	Wilson, W. H.,
Conrade,	Kern,	Reeser,	Wiltbank,
Cox,	Kitts,	Rhoads,	Young, G. K.,
Currier,	Kuhn, H. P.,	Richards,	Young, J. H.,
Curry,	Kuhns, E.G.M.,	Rockwell,	Zimmerman,
DeFrees,	Latshaw,	Roney,	Alter,
Donahoe,		Rothenberger,	Speaker.

NAYS—2.

Cheeseman, Grabe,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1389 (Senate Bill No. 124), entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred ninety-three entitled "An Act relating to sale of the real estate of decedents"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Adams,	Ehrhardt,	Letzkus,	Richards,
Allen,	Eichenberger,	Light,	Rockwell,
Alworth,	Ely,	Lohr,	Roney,
Ambler,	Ewing,	Lowers,	Rothenberger,
Arthur,	Fahey,	Malie,	Runk,
Baldwin, G. A.,	Flynn,	Mannion,	Sassaman,
Baldwin, R. J.,	Forster, I. G.,	Martin,	Savacool,
Barner,	Foster, J. D.,	Mather,	Schaeffer, A. C.
Bass,	Frey,	Matt,	Schuck,
Bayle,	Gibson,	McAleer,	Scott, S. B.,
Becker,	Good,	McAllister,	Semmens,
Benson,	Grabe,	McCaig,	Shaffer, C. A.,
Berntheizel,	Gransback,	McClintock,	Shaffer, I. E.,
Bigger,	Hackett,	McKay,	Shern,
Blair, W. A.,	Heidinger,	McNichol,	Sherwood,
Blair, W. F.,	Hemminger,	Mellott,	Showalter,
Body,	Hess,	Metzenbacher,	Smith, J. W.,
Brosius,	Heyburn,	Miller,	Smith, L.,
Brown,	Hibshman,	Mitchell,	Snyder,
Brownlee,	Hobbs,	Moore,	Steele,
Burnett,	Hoffman,	Moses,	Stein,
Caldwell,	Howard, R.,	Moulthrop,	Stone,
Campbell, C.M.,	Humes,	Murphy,	Strauss,
Campbell, J. J.,	Isler,	Neel,	Swartz,
Carson,	Irwin, G. C.,	Neely,	Swift,
Cheeseman,	Jackson,	Newbaker,	Thomas,
Claycomb,	Jones, E. E.,	Newton,	Trach,
Cleary,	Jones, J. R.,	O'Neill,	Ulman,
Conner,	Kaiser,	Peachey,	Walnut,
Conniff,	Kaufman,	Pennock,	Walsh,
Conrade,	Keeport,	Perry, S. J.,	Walton,
Cox,	Kern,	Peters,	Watson,
Currier,	Kitts,	Piper,	Whitaker,
Curry,	Kuhn, H. P.,	Price,	Wildman,
Davis,	Kuhns, E.G.M.,	Ramsey,	Wilson, J. H.,
Dickinson,	Lanius,	Redfield,	Wiltbank,
Donahoe,	Latshaw,	Reese,	Young, J. H.,
Donnally,	Lenker,	Rex,	Zimmerman,
Down,	Leslie,	Rhoads,	Alter,
Dunn, J. A.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1874 (Senate No. 658), entitled:

An Act authorizing the Commissioner of Banking to appoint an additional clerk and one additional stenographer and fixing the compensation of each

On the question,

Will the House agree to the bill on third reading?

Mr. E. G. M. KUHNS. Mr. Speaker, as this is a bill creating new offices, and as the gentleman from Delaware seems to know so much about the Banking Department, perhaps he can explain the bill to the House.

Mr. R. J. BALDWIN. Mr. Speaker, I would suggest that the gentleman see Senator Buckman, who introduced the bill, and he will give all the explanation that is necessary.

Mr. E. G. M. KUHNS. Mr. Speaker, as there is no one here to explain the bill, I guess we will have to vote no on it.

BILL POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, as this is a Senate bill, I move that the further consideration of it be postponed for the present.

Mr. E. G. M. KUHNS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1875 (Senate No. 659), entitled:

An Act enabling the board consisting of the State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Adams,	Grabe,	McArdle,	Shaffer, C. A.,
Allen,	Gransback,	McClintock,	Shaffer, I. E.,
Alworth,	Hackett,	McKay,	Shern,
Ambler,	Heidinger,	Miller,	Sherwood,
Arthur,	Hess,	Missimer,	Showalter,
Baldwin, R. J.,	Heyburn,	Mitchell,	Smith, J. W.,
Bass,	Hibshman,	Moore,	Smith, L.,
Berntheizel,	Hobbs,	Morrow,	Spillinger,
Bittles,	Hoffman,	Moses,	Stone,
Blair, W. F.,	Howard, R.,	Moulthrop,	Strauss,
Brosius,	Humes,	Neel,	Swartz,
Brown,	Isler,	Newton,	Swift,
Brownlee,	Jackson,	O'Neill,	Thomas,
Campbell, C.M.,	Jones, J. R.,	Pennegar,	Trach,
Campbell, J. J.,	Kaiser,	Pennock,	Ulman,
Carson,	Kaufman,	Piper,	Walnut,
Cleary,	Keeport,	Price,	Walsh,
Conner,	Kern,	Ramsey,	Walton,
Conrade,	Kitts,	Redfield,	Watson,
Cox,	Kuhn, H. P.,	Reese,	Whitaker,
Currier,	Kuhns, E.G.M.,	Reeser,	Whitman,
Curry,	Lenker,	Rhoads,	Wildman,
DeFrees,	Letzkus,	Rockwell,	Williams,
Dickinson,	Light,	Roney,	Wilson, J. H.,
Dunn, H. B.,	Lohr,	Rothenberger,	Wilson, W. H.,
Dunn, J. A.,	Malie,	Runk,	Wiltbank,
Ehrhardt,	Mannion,	Sassaman,	Young, G. K.,
Eichenberger,	Martin,	Savacool,	Young, J. H.,
Fahey,	Mather,	Schaeffer, A. C.	Zimmerman,
Gans,	McAleer,	Schuck,	Alter,
Glenn,	McAllister,	Semmens,	Speaker.
Good,			

NAYS—12.

Baldwin, G. A.,	Bigger,	Cheeseman,	McDermott,
Barner,	Body,	Claycomb,	Metzenbacher,
Benson,	Burnett,	Matt,	Snavely,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1336 (Senate No. 121), entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the Court of Common Pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Eichenberger,	Lowers,	Sassaman,
Allen,	Ely,	Malie,	Savacool,
Alworth,	Ewing,	Mannion,	Schaeffer, A. C.
Ambler,	Fahey,	Martin,	Schuck,
Arthur,	Flynn,	Mather,	Scott, S. B.,
Baldwin, G. A.,	Forster, I. G.,	Matt,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	McAleer,	Shaffer, C. A.,
Barner,	Gans,	McAllister,	Shaffer, I. E.,
Bass,	Glenn,	McArdle,	Shern,
Bayle,	Good,	McDermott,	Sherwood,
Becker,	Grabe,	McKay,	Showalter,
Benson,	Gransback,	McNichol,	Smith, J. W.,
Berntheizel,	Hackett,	Mellott,	Smith, L.,
Bigger,	Heidinger,	Metzenbacher,	Snavely,
Bittles,	Hemminger,	Miller,	Snyder,
Blair, W. A.,	Hess,	Missimer,	Spillinger,
Blair, W. F.,	Heyburn,	Mitchell,	Steele,
Body,	Hibshman,	Moses,	Stein,
Brosius,	Hobbs,	Moulthrop,	Stone,
Brown,	Hoffman,	Murphy,	Strauss,
Brownlee,	Howard, J.,	Musser,	Swartz,
Burnett,	Humes,	Neel,	Swift,
Caldwell,	Isler,	Neely,	Thomas,
Campbell, C.M.,	Irwin, G. C.,	Newbaker,	Trach,
Campbell, J. J.,	Jackson,	O'Neill,	Ulman,
Carson,	Jones, E. E.,	Peachey,	Walnut,
Cheeseman,	Jones, J. R.,	Pennegar,	Walsh,
Claycomb,	Kaiser,	Pennock,	Walton,
Cleary,	Keegan,	Peters,	Watson,
Cochran,	Keeport,	Piper,	Whitaker,
Collins,	Kern,	Price,	Whitman,
Conner,	Kitts,	Ramsey,	Wildman,
Conniff,	Klepper,	Redfield,	Williams,
Conrade,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Cox,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Currier,	Latshaw,	Rhoads,	Wiltbank,
Curry,	Lenker,	Richards,	Young, G. K.,
Dickinson,	Leslie,	Rockwell,	Young, J. H.,
Donahoe,	Letzkus,	Roney,	Zimmerman,
Down,	Light,	Rothenberger,	Alter,
Dunn, H. B.,	Lohr,	Runk,	Speaker.
Dunn, J. A.,			
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1002 (Senate No. 2), entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Adams,	Dunn, J. A.,	Mannion,	Runk,
Allen,	Ehrhardt,	Mather,	Sassaman,
Alworth,	Eichenberger,	Matt,	Savacool,
Ambler,	Ely,	McAleer,	Schaeffer, A. C.
Arthur,	Fahey,	McAllister,	Schuck,
Baldwin, G. A.,	Flynn,	McArdle,	Scott, S. B.,
Baldwin, R. J.,	Forster, I. G.,	McCaig,	Semmens,
Barner,	Gans,	McClintock,	Shaffer, I. E.,
Bass,	Geary,	McDermott,	Shern,
Bayle,	Geiser,	McKay,	Sherwood,
Becker,	Glenn,	Mechling,	Showalter,
Benson,	Good,	Metzenbacher,	Smith, J. W.,
Berntheizel,	Grabe,	Miller,	Smith, L.,
Bigger,	Gransback,	Missimer,	Snavely,
Bittles,	Hackett,	Moore,	Snyder,
Blair, W. A.,	Heidinger,	Morrow,	Spillinger,
Blair, W. F.,	Hemminger,	Moses,	Stein,
Body,	Hess,	Moulthrop,	Stone,
Brosius,	Heyburn,	Murphy,	Strauss,
Brown,	Hibshman,	Neel,	Swartz,
Brownlee,	Hobbs,	Neely,	Swift,
Burnett,	Hoffman,	Newbaker,	Thomas,
Caldwell,	Howard, R.,	Newton,	Trach,
Campbell, C.M.,	Isler,	O'Neill,	Ulman,
Campbell, J.J.	Irwin, G. C.,	Peachey,	Walnut,
Carson,	Irwin, H. H.,	Pennegar,	Walsh,
Claycomb,	Jones, J. R.,	Pennock,	Walton,
Cleary,	Kaufman,	Perry, S. J.,	Watson,
Cochran,	Keegan,	Peters,	Whitaker,
Collins,	Keeport,	Piper,	Whitman,
Conner,	Kern,	Price,	Wildman,
Conniff,	Kitts,	Ramsey,	Williams,
Conrade,	Klepper,	Reese,	Wilson, J. H.,
Cox,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Currier,	Lanius,	Rhoads,	Wiltbank,
Curry,	Latshaw,	Richards,	Young, G. K.
DeFrees,	Leslie,	Robinson,	Young, J. H.,
Dickinson,	Letzkus,	Rockwell,	Zimmerman,
Donnally,	Lohr,	Roney,	Alter,
Down,	Malie,	Rothenberger,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1873 (Senate No. 574), entitled:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania" entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. ALLEN. Mr. Speaker, I haven't had an opportunity to go into this bill. Perhaps there is some member on the floor of the House that can tell us just what it means.

Mr. S. B. SCOTT. Mr. Speaker, originally, when a bank or trust company failed, the depositors were in the same position as far as preference is concerned as any other

creditors. A few years ago, a bill was passed by which depositors were made preferred creditors and that bill was correct, principally but there were a few cases in active practice which it did not cover. You will notice that this bill covers time clauses and also the holders of certified checks where the bank certificate is issued and the check is collected before the bank fails and the holder of the certified check is in the same position as the depositor, but under that act he was not treated as a preferred creditor, and this act simply fills up the want.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—142.

Adams,	Dunn, J. A.,	Latshaw,	Rockwell,
Alworth,	Ehrhardt,	Leslie,	Rothenberger,
Arthur,	Eichenberger,	Letzkus,	Runk,
Baldwin, G. A.,	Ely,	Malie,	Sassaman,
Baldwin, R. J.,	Ewing,	Martin,	Savacool,
Barner,	Fahey,	Mather,	Schaeffer, A. C.
Bass,	Flynn,	McAleer,	Scott, S. B.,
Bayle,	Forster, I. G.,	McAllister,	Shaffer, C. A.,
Becker,	Foster, J. D.,	McCaig,	Sherwood,
Benson,	Gans,	McClintock,	Showalter,
Berntheizel,	Glenn,	McDermott,	Smith, J. W.,
Bigger,	Good,	McNichol,	Smith, L.,
Bittles,	Goss,	Mechling,	Snyder,
Blair, W. A.,	Grabe,	Missimer,	Spillinger,
Body,	Hackett,	Mitchell,	Stone,
Brosius,	Heidinger,	Moore,	Strauss,
Brown,	Hemminger,	Morrow,	Swartz,
Brownlee,	Herman,	Moses,	Swift,
Caldwell,	Hess,	Moulthrop,	Thomas,
Campbell, C.M.,	Heyburn,	Murphy,	Trach,
Campbell, J. J.,	Hibshman,	Neel,	Ulman,
Cheeseman,	Hobbs,	Neely,	Walnut,
Claycomb,	Hoffman,	Newbaker,	Walsh,
Cleary,	Irwin, G. C.,	Newton,	Watson,
Collins,	Irwin, H. H.,	O'Neill,	Whitaker,
Conner,	Jones, E. E.,	Pennock,	Whitman,
Conniff,	Jones, J. R.,	Perry, H. L.,	Wildman,
Conrade,	Kaiser,	Peters,	Williams,
Cox,	Keegan,	Piper,	Wilson, J. H.,
Currier,	Keeport,	Price,	Wiltbank,
Curry,	Kennedy,	Redfield,	Young, G. K.,
DeFrees,	Kern,	Reese,	Young, J. H.,
Dickinson,	Kitts,	Reeser	Zimmerman,
Donahoe,	Kuhn, H. P.,	Rhoads,	Alter,
Donnally,	Kuhns, E.G.M.,	Robinson,	Speaker.
Down,			
Dunn, H. B.,			

NAYS—11.

Allen,	Carson,	Mannion,	Miller,
Blair, W. F.,	Cochran,	Matt,	Snavely,
Burnett,	Geiser,	Mellott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1276, as follows:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioner chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highaways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State Highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" extending certain provisions thereof so as to include cities

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Comissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employees defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by the State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of costs of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act which reads as follows

"Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of this Commonwealth Provided That where any road street or highway within the limits of any borough or in any incorporated town shall form a part or section of any State Highway as herein described and the same or any part thereof is not already improved or reconstructed according to the standards of the State Highway Department or in a manner equal to said standards by the borough or incorporated town the State Highway Commissioner by and with the consent of the borough or town councils may improve or reconstruct such unimproved section or sections of such road street or highway at the expense of the Commonwealth Provided further That where the councils of any borough or incorporated town shall for any valid reason object to the taking over and appropriation of any road street or highway or of any part or parts thereof as a State Highway they shall file such objections in writing with the State Highway Department within sixty days after the State Highway Commissioner shall have notified in writing the proper authorities of said borough or incorporated town of his intention to take over any such road street or highway or any part thereof under the provisions of this act And provided further That any such road street or highway or any part or parts thereof forming a State Highway within the limits of any borough or incorporated town shall only be taken over at the discretion of the State Highway Commissioner for reconstruction and maintenance by the State Highway Department when the failure to so take over such road street or highway would leave an unimproved gap in a continuous improved State Highway

"The maintenance of any road street or highway or of any part or parts thereof improved or reconstructed as a State Highway in any borough or incorporated town or the maintenance of any State-aid road heretofore improved or reconstructed and which road forms a part of a State Highway in any borough or incorporated town shall be done by the State Highway Department and fifty per centum of the cost and expense of said maintenance shall be paid by the respective borough or incorporated town in

which said work is done as is provided for in the case of the maintenance of State-aid roads Provided That where any road street or highway or any part or parts thereof in any borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or material other than a telford water-bound macadam road or which may hereafter be reconstructed as a State Highway with brick or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the borough or incorporated town wholly at the cost and expense of the borough or incorporated town in which said road street or highway may lie Provided further That if any borough or incorporated town shall neglect or refused to maintain any such brick-paved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said borough or incorporated town after giving thirty days' prior notice to the councils of any such borough or incorporated town of the intention to do said work of maintenance and repair Provided further That upon the neglect or refusal of any borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs the State Highway Commissioner shall take such action as is necessary to collect the same from the said borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of the same character as that done in townships" is hereby amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway within the limits of any city borough or in any incorporated town shall form a part or section of any State Highway as herein described and the same or any part thereof is not already improved or reconstructed according to the standards of the State Highway Department or in a manner equal to said standards by the city borough or incorporated town the State Highway Commissioner by and with the consent of the city borough or town councils may improve or reconstruct such unimproved section or sections of such road streets or highways at the expense of the Commonwealth Provided furth. That where the councils of any city borough or incorporated town shall for any valid reason object to the takin gover and appropriation of any road street or highway or of any part or parts thereof as a State Highway they shall file such objection in writing with the State Highway Department within sixty days after the State Highway Commissioner shall have notified in writing the proper authorities of said city borough or incorporated town of his intention to take over any such road street or highway or any part or parts thereof under the provisions of this act And provided further That any such road street or highway or any part or parts thereof forming a State Highway within the limits of any city borough or incorporated town shall onyl be taken over at the discretion of the State Highway Commissioner for reconstruction and maintenance by the State Highway Department when the failure to so take over such road street or highway would leave an unimproved gap in a continuous improved State Highway

The maintenance of any road street or highway or any part or parts thereof improved or reconstructed as a State Highway in any city borough or incorporated town or the maintenance of any State-aid road heretofore improved or reconstructed and which road forms a part of a State Highway in any city borough or incorporated town shall be done by the State Highway Department and fifty per centum of the cost and expense of said maintenance shall be paid by the respective city borough or incorporated town in which said work is done as is provided for in the case of the maintenance of State-aid roads Provided That where any road street or highway or any part or parts thereof in any city borough or incorporated town has been heretofore reconstructed as a State-aid road with bricks or material other than a telford water-bound macadam road or which may hereafter be reconstructed as a State Highway with bricks or other permanent paving material the said brick or paved road street or highway shall be maintained according to the standards of the State Highway Department by the city borough or incorporated town wholly at the cost and expense of the city borough or incorporated town in which said road street or highway may lie Provided if any city borough or incorporated town shall neglect or refuse to maintain any such brick paved road street or highway forming a part of a State Highway according to the standards aforesaid the State Highway Commissioner is hereby authorized and empowered to maintain and repair said road street or highway at the cost and expense of said city borough or incorporated town after giving thirty days' prior notice to the councils of any such city borough or incorporated town of the intention to do said work of maintenance and repair Provided further That upon the neglect or refusal of any city borough or incorporated town to pay such cost and expenses within sixty days after the completion of such maintenance or repairs the State Highway Commissioner shall take such action as is necessary to collect the same from the said city borough or incorporated town refusing to make the required payment And provided further That all improvement reconstruction and maintenance of any road street or highway in cities boroughs or incorporated towns shall be of the same character as that done in townships

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I might call the attention of the House to what the provisions of this bill are. It is to extend the provisions of the Highway Department so as to assist in building roads in cities of the first class. If I am wrong, I would like the author of the bill to correct me.

Mr. JAMES A. DUNN. Mr. Speaker, the Highway Act at the present time don't include the County of Philadelphia. It includes every county in the State excepting Philadelphia and every county in the States receives some portion of the highway money except that particular county of Philadelphia. They have spent now up to the present time between six and seven million dollars in the State Highways and at this present session, we have audited money that has been appropriated amounting to one million eight hundred thousand dollars for the State highways. We have also made allowances for the present fees that have been accumulated from year to year which at the present time, for this year alone, was over five hundred thousand dollars. The act presented by the gentleman from Butler county creating a special tax for good roads for counties and townships will bring an additional sum of nearly one million dollars. Furthermore, we have passed a constitutional amendment to permit a vote on a fifty million dollar bond issue for good roads. I live in the country district of Philadelphia County . We have in my district alone over two hundred miles of country roads. The country roads are unimproved and, unfortunately, there are two townships in my district and unfortunately at the time of the consolidation of the city in that district, these townships were then admitted as a part of the city and that deprives them of any right or any power to get any money from the State Highway appropriations. The result is that they are in the city and the county from which probably over one-half or two-thirds of the revenue comes to the State and especially to the Highway Department for good roads, from a county which receives no part of this revenue. I believe that the farmers of that district are entitled to some portions of it and I say that it is necessary to amend the Sproul act to cover the city of Philadelphia because the City of Philadelphia is co-extensive with Philadelphia county and it deprives our farmers of any Highway funds appropriated by the State. I only ask you for your fair judgment on this appropriation. You must remember that there is a fifty million dollar bond issue that must be voted on at the coming election. You must, in order to carry this bond on at the coming election, receive the vote of Philadelphia county; you must have that vote. If you don't allow that county or that part of Philadelphia to get relief for the farmer in my district, some portion of the State Highway appropriation, how do you expect to receive the vote of the farmers or the people who live in my district of Philadelphia county in order to pass this fifty million dollar bond issue? When you don't expect to get a penny of it under the existing law. We are only asking for an amount from the Highway appropriation so as to get a fair amount for the farmers in my district some portion of what they are helping to pay for. As I have said before, there are two hundred miles of roads in my district and it is only fair and honest that we should have some portion from the State Highway department; from the funds that are appropriated for that purpose. I have here from the Civic Association which includes in my county, and taking in Olney, Crescentville, Lawndale, Fox Chase, Cheltenham and they all cry out, "Give us some help in order to relieve the farmers in our districts." I have another letter from the Bustleton Improvement Association praying "Give us some assistance to remedy the evils in our particular district." I have another resolution from the Grane Association consisting of one thousand members in that district who appeal to the members of this House and say that those farmers ought to have and should have better highways and better roads to reach the city in order that they may take their products to the markets and be able to get through comfortably and conveniently. I don't think any man in this House would be selfish enough, when his county is receiving thousands of dollars for good roads in his county, to deprive the farmers of my county of a little help to relieve them. I hope that every member of this House will vote for this bill and I ask the members of this House to give me a little help on it so that the balance of the county may get the benefit of the appropriation that the State makes to the Highway

Department. The balance of the county don't ask for anything. They are representatives of that part of the county which is the built up portion of the city and I am only asking you to give me a little assistance for the twenty thousand farmers who are depending on the farmers and who are farmers themselves who are all wanting good roads and would like to have help from the Highway Department which they are helping to carry and I hope the vote will be unanimous on it.

Mr. R. J. BALDWIN. Mr. Speaker, in passing the State Highway Act, the farmers of that act had in mind the conditions they were dealing with. They had in mind that the rural population of this State could not possibly derive from its public highways any revenue to realize; that the cities did derive great revenues from their highways. Each and every trolley car that travels over the streets of Philadelphia pay a $50 license into the city of Philadelphia. In addition to that they receive directly $500,000, or one half million dollars annually from their highways for the privilege of traveling over them, so that you see the highways of your city naturally have their trolleys running over them and that they derive a great deal of revenue to assist in maintaining them. Now, the rural population of this State cannot derive a single cent, but in the city of Philadelphia, every single foot of property will average $50 per foot front. Wherever a property has a front foot of property value, the value is $50. Why, the highway expense is but a bagatelle, even though it be paved from curb to curb. The highways of the State upon which the city men like to come out and have kept in elegant condition, if they were put in condition, as I have heard men from the city say in the Ways and Means Committee, "Why, you country people don't understand the great benefits of these splendid highways;" and then when he asks you to tell him why we don't have them, we tell him that if we were to build the highways that they ask us to build, we would have to sell all the property in the whole township and then we could not build the highways that they demand. And thus, in the different portions of our State we are met with different conditions, and by simply stating that it is unfair to take his money from the State and send none of it back for this particular purpose is not correctly stating the whole proposition. The proposition is whether it is fair that these great big municipalities, which draw their life blood from those more sparsely settled communities should get the greater share of our revenues and taxation. You realize they are not dealt with exactly alike, and they are dealt with, in my mind, no more liberally than the rural districts. Now, I am not prepared at this time to tell you, but I will be prepared when another bill comes, to show you the great demand that the City of Philadelphia makes upon the State Treasury for her various needs, running into millions and millions of dollars. I believe that the cities of the State have been fairly treated by the Legislature of this State, and if there is any complaint coming from any one of the cities, it has at least had as much aid as the rural part of the State. Here this bill claims to take out of the State revenue to make highways in the city and share the $50,000,000 of the State's revenues. I do not believe the people of Philadelphia want it as a unit, but if they would consider it in its broad light, they would ask every member from Philadelphia to vote against this bill. I do not think the bill should pass, and those are some reasons amongst many others that I will not tire you to tell you about.

Mr. WILTBANK. Mr. Speaker, the gentleman from Delaware is very much mistaken when he says that the trolley company pays $50 a year. Now, they pay nothing. The trolley company of Philadelphia pays for running through the county of Philadelphia $500,000 into the City Treasury, and in consideration of that the city is to keep the streets in repair and allow them to run the cars and their tracks free of taxes. Now, there is no taxation on a trolley car in the City of Philadelphia. There has not been for two years.

Mr. R. J. BALDWIN. Mr. Speaker, before I made that statement, I took the trouble to inquire of one of the best informed lawyers of the City of Philadelphia in this House. I asked him that question. If I have made a mistake by making that statement to this House, it is the mistake of the gentleman, who is an eminent lawyer of Philadelphia. My understanding was that they paid this $500,000 for their franchise rights, and that in addition they paid for each and every car that they ran over the streets of Philadelphia a license. If I am mistaken, I want to state to the House that I do not think that I am—but even were that true, it would not change the question as to how you should vote on this bill.

Mr. WILTBANK. Mr. Speaker, the lawyer that he has reference to is one of the back numbers to-day—I do not know who he is—but I am telling you that the cars pay no licenst whatever. They pay $500,000 for the right of franchise to the City of Philadelphia. Formerly, they had to keep their tracks in repair, but in the last two years they do not keep their tracks in repair.

Mr. BLELOCH. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Baldwin.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. R. J. BALDWIN. Yes, sir, Mr. Speaker.

Mr. BLELOCH. Mr. Speaker, I would like to know if the Sproul Act does not apply to unimproved roads.

Mr. R. J. BALDWIN. Mr. Speaker, the Sproul Act applies, as I understand the word "Sproul"—I do not know exactly what it stands for—but if he has reference to the Sproul Act, or the State Highway Act, that this House passed two years ago—

Mr. BLELOCH. Mr. Speaker, he knows as well as every other member in the House what the Sproul Act means. We won't quibble over that.

Mr. R. J. BALDWIN. Mr. Speaker, if the gentleman knows what I know, why I don't see any need of his interrogating the gentleman from Delaware. If the gentleman from Philadelphia will indicate just what act he refers to—there have been a number of bills come here with the Sproul name. The Legislature of 1911 passed an act known as the "Sproul" Act, and is known so generally throughout the State of Pennsylvania. That was the State Highways Act. Then there was another one passed, as I understand it, known as the "Dirt Road Act." That was the Jones Act.

Mr. BLELOCH. Mr. Speaker, for the information of the gentleman from Delaware, I will say to the members of the House that in speaking of the Sproul Act, I refer to that which is universally known throughout the State of Pennsylvania as the State Highway Act. The other road act is universally known, as I understand it, throughout the rural districts, as the Jones Dirt Road Act.

Mr. R. J. BALDWIN. Mr. Speaker, what is the Sproul Act known as?

Mr. BLELOCH. Mr. Speaker, it is know as the Sproul Act.

Mr. R. J. BALDWIN. Mr Speaker, what is the State Aid Act known as?

Mr. BLELOCH. Mr. Speaker, it is known as the State Aid Act.

Mr. R. J. BALDWIN. That is right.

Mr. BLELOCH. Now, Mr. Speaker, I would like to ask the gentleman from Delaware, since he has signified his willingness to be interrogated, to answer my question.

Mr. R. J. BALDWIN. I thought I did answer it. Please state your question.

Mr. BLELOCH. Mr. Speaker, I asked the gentleman from Delaware, through you, Mr. Speaker, if the so-called "Sproul Act" or the State Highway Act, as the gentleman from Delaware sees fit to term it, did not apply only to unimproved roads.

Mr. R. J. BALDWIN. Well, Mr. Speaker, for the gentleman's benefit I will state that in 1911 the Legislature of the State of Pennsylvania saw fit to pass an act known as the State Highway Act to which was attached the name of Senator Sproul. That State Highway Act was for the purpose of building 8,000 and some odd miles of improved state highway, to be known as state highway, at the expense of the State. They were to be built and maintained at the expense of the State.

Mr. BLELOCH. Mr. Speaker, I still insist that the gentleman answer my question. If the State Highway Act of 1911 did not apply to unimproved State roads to be improved?

Mr. R. J. BALDWIN. Why, Mr. Speaker, the gentleman certainly knows that in these 8,000 miles, part of those 8,000 miles were improved and some of them were unimproved. Sometimes they would pass over stone toll roads; sometimes they would pass over deserted turnpike roads; and sometimes over state-aid roads. Sometimes

they passed over poor, unimproved dirt roads as we call them.

Mr. BLELOCH. Mr. Speaker, I think it is the general sense of the members of this Legislature and of the Legislature of 1911, that the Sproul Act applies to what is commonly known as unimproved roads. By that, any road that was unimproved under the various state-aid acts could be improved. In Philadelphia we have a few rural roads, roads that are practically unimproved, dirt roads, as you call them. These roads are very far between, but never theless they have some which are connecting links with the main highways of this State. I think that any reasonable member of this House will admit that as long as that condition exists in Philadelphia, there is no reason why we should not participate in the appropriation for the improved highways of this State. Mr. Speaker, the $500,000 which he has mentioned to this House is not paid by the Rapid Transit Company of Philadelphia to the City of Philadelphia for its francise rights. Under the old regime the transit company of Philadelphia maintained in repair the streets over which they ran their tracks, which had been paved previously, either by the City of Philadelphia or by the property owners adjoining and abutting thereon. Under the contract between the transit company and the City of Philadelphia in 1907, the city released the transit company from its obligations to maintain these streets in repair and required it to pay into the city treasury a lump sum of $500,000, which is to be used for that purpose. Five hundred thousand dollars is used only to go as far as it will towards maintaining the streets over which the Rapid Transit Company runs its tracks.

M.r HUMES. Mr. Speaker, it strikes me that we are overlooking one important feature of this bill. We seem to be confining the effect of it to the City of Phiadelphia. As I understand the Sproul bill, it has prescribed a given number of roads as state highways and has designated them as particular routes between given points. Now, this bill does not provide for additional routes or additional state highways. If it did, and the particular route in the County of Philadelphia that was made a route was a proper route to connect up with other routes, I could see some considerable merit in this bill, but this bill makes no additional route, but allows the connecting up through cities with any other routes that are prescribed by the Sproul bill. Now, that makes a possibility of an increase in the State Highway mileage of the State, which is equal to the length and breadth of practically every city in the State. I believe that in my county, the City of Meadville has no right to ask the State Highway Department to pave the street or improve a foot through that populated community to connect up outlying districts, and I believe that the same argument applies to the City of Philadelphia. I do not believe it is possible for the State Highway Department to undertake to pave or macadamize or improve the streets of any city in this Commonwealth, and if this bill was only confined in its purpose to laying out some particular route in the City of Philadelphia, or the County of Philadelphia. I would say that possibly it would be a very proper measure and would be glad to support it, but when this door is opened to every city in the State of Pennsylvania, to ask the State Highway Department to pave the streets in those cities when all of the political power and the personal influence of the different cities of the State of Pennsylvania are going to be exerted on this State Highway Department to get them to pave the city streets, I say you are going too far, and we ought to look at this bill in its application to the whole state and not confine it to this particular application in the City of Philadelphia.

Mr. KUHNS. Mr. Speaker, I wish to call especial attention of the representation from the City of Philadelphia and if I make any mistake in my statement I am ready to be corrected. Mr. Speaker, isn't it a fact that the City and County of Philadelphia are co-extensive, the only one county in the State of Pennsylvania? Why is it that we have laws like that on our statute? Is it not a fact that the government of the City of Philadelphia is seeking control of the entire county? Should any section be built up, is it not a fact that the City of Philadelphia wants to control that built-up highway? Is that not one of the reasons why the City and County of Philadelphia are co-extensive? On the other hand, Mr. Speaker, if this here bill passes and the State of Pennsylvania will build one of these roads in the outlying districts as they are to-day, will it not be a hitch for the Philadelphia council? Will they not lose a part of their control and isn't it a fact that until one of these routes can be improved as such that along that road the city would build up, property would increase in value, houses would be put up, people would ask for improvements and would it not be a stake in the way of the Councils of the City of Philadelphia? Is it not a fact that under the Sproul bill, if such were the case, that one of these roads were improved, that you could not lay a water main without the consent of the State Highway Department? Can it be possible that the City of Philadelphia wants the State to improve any part of this highway in that outlying district to-day? Now that is the question in my mind that was thoroughly threshed out two years ago in the session of 1911 and the government of the City of Philadelphia is seeking to have control of the entire county so that in case of development they could improve the streets according to their own notions? I should like to have one of the gentlemen from the City of Philadelphia express himself on this point.

Mr. JAMES A. DUNN. Mr. Speaker, one of the gentlemen made a statement that if it could be proven to him that if this act was for the purpose of extending the highway out into this particular district he would vote for it. I want to say to the gentleman from Crawford, Mr. Speaker, that this is only the enabling act to permit a state highway to come into the County of Philadelphia. I have already had reported to this House an extending of a route that comes to the county line in Montgomery County, to extend that route over one of the oldest roads in the City of Philadelphia, known as the Welsh Road and which would go right through this farming district into the city proper. Remember, gentlemen, this particular district is seventeen miles out of the center of Philadelphia county and if this act is passed it will enable me to extend the three roads ending right at the beginning of my district on the outside county and if this enabling act is passed, the bill that has been presented here this afternoon, reported favorably from the Committee on Roads, it extends one of these roads through this particular district to give the farmers an outlet. This is only fair and justice, from the gentleman from Delaware, and I know that probably he thinks that my county is probably not deserving of any money from the State Highwayq Department. Probably the gentleman from Delaware wants a little more to expend on the highways in his own county. I only noticed in the Sunday papers where two roads are going to start and extend routes into Delaware, two extra routes, to extend these routes, and probably he fears that this would take a little more from the State appropriation and that would stop the extension of those routes in his county. That is the gentleman from Delaware's objection, but I want to say to you gentlemen that if you want the fifty million dollar bond issue for Good Roads you must expect the vote of Philadelphia County. It is only fair and justice then, if you want to receive the support of Philadelphia County in passing this fifty million dollar bond issue, it is only far and just that you will permit me—

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JAMES A. DUNN. Mr. Speaker, wait until I get through.

Extend that route to give Philadelphia County the proper opportunity to vote for the fifty million dollar bond issue. Why? Because she knows probably she might not get any of it. We are only asking in that whole county the extending of one route to get these farmers who are seventeen miles from the center of the city out on the highways of the city that she has improved already.

I have a letter where a property was recently sold in this particular district and I want the farmers to pay particular attention, because they think that the farming land in Philadelphia County is so valuable because the city is co-extensive with the county. This property contained about 20 acres and sold for only twenty-eight hundred dollars and was assessed for over three thousand dollars. It had an eight roomed house, a barn, corn crib, chicken coop, etc. The only thing against the property was the bad roads, it being impossible to bring more than half a load at the most to the market, and yet it was under the city limits. This is an excellent farming section and the farmers will ap-

preciate anything you can do for them in regard to good roads. That is all we ask, and I think I have convinced my good friend from Crawford County, who said in his remarks that if this was the extending of a highway route, the purpose of it, that he would vote for the act, and I believe I have convinced my good friend from Crawford County that such is the case. I cannot get a State highway route except by means of an enabling act and the bill reported out from the Roads Committee this afternoon is for the purpose of extending the road in that particular district.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to ask the gentleman where he gets his information that it is now proposed to bring additional roads into Delaware County.

Mr. JAMES A. DUNN. Mr. Speaker, out of the Philadelphia Inquirer.

Mr. R. J. BALDWIN. Mr. Speaker, I want to say that the Philadelphia Inquirer is absolutely mistaken or else the gentleman from Philadelphia is. There is no such proposition, but along that line, I want to say that there is no county in the State of Pennsylvania that has as much improved road—I mean purely country districts—as there is in the County of Delaware. I think a few days ago my friend from Allegheny said their county had the most improved roads, but I am satisfied that Delaware has the largest amount and as to the so-called State aid on State highways, when they passed through Delaware County, you can take the mileage and almost one-half that was improved and went into the State roads.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. J. A. Dunn.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. JAMES A. DUNN. Yes, sir, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, do I understand that the remarks the gentleman made in relation to the House's position on this bill—is it correct that if the House does not pass this bill, that we cannot look for any vote in Philadelphia County favoring the bond issue of fifty million dollars?

Mr. JAMES A. DUNN. No, I don't think that—that is not what I stated exactly, but I say you want to encourage Philadelphia County—

Mr. ALLEN. Well, that is boiling it down. Mr. Speaker, that is boiling it down. Is that what it means?

Mr. JAMES A. DUNN. Mr. Speaker, no, it don't mean that, because we are more reasonable down there than in some other counties.

Mr. ALLEN. Mr. Speaker, I ask the gentleman whether or not the vote which was cast on April 7th, 1913, and recorded on page 1525 of the Legislative Journal in passing the Good Roads measure on second reading rather than referring it back to the Roads Committee, was indicative of the feeling of the Philadelphia delegation and their constituents in this matter?

Mr. JAMES A. DUNN. Mr. Speaker, sometimes the Philadelphia delegation don't control the constituents in voting power.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether the delegation controls the constituents or not then?

Mr. JAMES A. DUNN. No, Mr. Speaker, the constituents control the delegation.

On the question recurring,

Will the House agree to the bill on third reading?

The Chair declared the nays seem to have it,

Whereupon, a division was called for, 44 voting in the affirmative and 63 in the negative and the bill was not agreed to on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1905 (Senate Bill No. 859), entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—148.

Allen,	Donahoe,	Kern,	Rhoads,
Alworth,	Donnally,	Kitts,	Rockwell,
Ambler,	Down,	Kuhn, H. P.,	Rothenberger,
Arthur,	Ehrhardt,	Latshaw,	Runk,
Baldwin, R. J.,	Eichenberger,	Lenker,	Sassaman,
Barner,	Ely,	Leslie,	Savacool,
Bass,	Ewing,	Lohr,	Schaeffer, A. C.
Bayle,	Fahey,	Malie,	Schuck,
Becker,	Flynn,	Mannion,	Scott, S. B.,
Benninger,	Forster, I. G.,	Martin,	Semmens,
Benson,	Foster, J. D.,	Mather,	Shaffer, J. E.,
Berntheizel,	Gans,	Matt,	Showalter,
Bigger,	Geiser,	McAleer,	Smith, J. W.,
Bittles,	Glenn,	McAllister,	Smith, L.,
Blair, W. A.,	Good,	McClintock,	Snavely,
Blair, W. F.,	Grabe,	McDermott,	Snyder,
Body,	Gransback,	McKay,	Spillinger,
Brosius,	Gray, Frank,	McNichol,	Stone,
Brown,	Hackett,	Mellott,	Strauss,
Brownlee,	Heidinger,	Metzenbacher,	Swartz,
Burnett	Hemminger,	Miller,	Swift,
Caldwell,	Herman,	Mitchell,	Thomas,
Campbell, C.M.,	Hess,	Moore,	Trach,
Campbell, J. J.,	Heyburn,	Morrow,	Ulman,
Carson,	Hibshman,	Moses,	Walnut,
Cheeseman,	Hobbs,	Musser,	Walsh,
Claycomb,	Hoffman,	Neely,	Watson,
Cleary,	Humes,	Newbaker,	Whitaker,
Cochran,	Isler,	O'Neill,	Whitman,
Collins,	Irwin, G. C.,	Peachey,	Williams,
Conner,	Irwin, H. H.,	Pennegar,	Wilson, J. H.,
Conniff,	Jackson,	Pennock,	Wiltbank,
Conrade,	Jones, E. E.,	Piper,	Young, G. K.,
Cox,	Jones, J. R.,	Price,	Young, J. H.,
Currier,	Kaiser,	Ramsey,	Zimmerman,
Curry,	Keegan,	Reese,	Alter,
Davis,	Kennedy,	Reeser,	Speaker.
DeFrees,			

NAYS—1.

Kuhns, E.G.M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1340 (Senate No. 276), entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto as amended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	DeFrees,	Kern,	Reeser,
Allen,	Down,	Kitts,	Rockwell,
Ambler,	Ehrhardt,	Kuhns, E.G.M.,	Rothenberger,
Arthur,	Eichenberger,	Latshaw,	Runk,
Baldwin, R. J.,	Ely,	Light,	Sassaman,
Barner,	Ewing,	Lohr,	Savacool,
Bayle,	Fahey,	Malie,	Scott, S. B.,
Becker,	Flynn,	Mannion,	Semmens,
Benninger,	Forster, I. G.,	Mather,	Showalter,
Benson,	Foster, J. D.,	Matt,	Smith, J. W.,
Berntheizel,	Gans,	McAleer,	Smith, L.,
Bigger,	Geiser,	McAllister,	Snyder,
Bittles,	Glenn,	McArdle,	Spillinger,
Blair, W. A.,	Good,	McClintock,	Stone,
Blair, W. F.,	Grabe,	McDermott,	Strauss,
Body,	Gransback,	McKay,	Swartz,
Brosius,	Gray, Frank,	McNichol,	Swift,
Brown,	Hackett,	Mechling,	Trach,
Brownlee,	Heidinger,	Mellott,	Ulman,
Burnett,	Hemminger,	Miller,	Walnut,
Caldwell,	Herman,	Missimer,	Walsh,
Campbell, C.M.,	Heyburn,	Mitchell,	Watson,
Campbell, J.J.	Hibshman,	Morrow,	Whitaker,

Carson,	Hobbs,	Neel,	Whitman,
Cleary,	Howard, R.,	Newbaker,	Wildman,
Cochran,	Humes,	Newton,	Williams,
Conner,	Isler,	O'Neill,	Wilson, J. H.,
Conniff,	Irwin, G. C.,	Peachey,	Young, G. K.,
Conrade,	Jackson,	Pennegar,	Young, J. H.,
Currier,	Jones, E. E.,	Pennock,	Zimmerman,
Curry,	Jones, J. R.,	Redfield,	Alter,
Davis,	Kennedy,	Reese,	Speaker.

NAYS—1.

Cheeseman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1568, entitled:

An Act to provide for an additional law judge of the several courts of the eleventh judicial district

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STEIN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. McNICHOL. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1483, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment

On the question,

Will the House agree to the bill on third reading.

BILL POSTPONED.

Mr. MILLER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present for the purpose of preparing amendments.

Mr. ISLER. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1608, entitled:

An Act to protect attorneys and counsellors-at-law in their fees for legal services and providing for a lien thereof and the manner of enforcing the same

On the question,

Will the House agree to the bill on third reading?

Mr. McKAY. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. ADAMS. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. ROCKWELL. Mr. Speaker, this is practically the same bill that was defeated by the House a few weeks ago, and it seems to me that there is really no need for it. I have been a practicing lawyer for twenty years, and I have never had any trouble in collecting my fees if I earned them.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—27.

Adams,	Claycomb,	Martin,	Smith, L.,
Baldwin, G. A.,	Cleary,	McAleer,	Stein,
Bigger,	Conniff,	Moses,	Strauss,
Bleloch,	Geiser,	Neel,	Williams,
Brosius,	Glenn,	Peachey,	Wilson, J. H.,
Brown,	Good,	Schuck,	Young, G. K.,
Brownlee,	Hobbs,	Scott, S. B.,	

NAYS—92.

Allen,	Ely,	McArdle,	Sassaman,
Baldwin, R. J.,	Foster, J. D.,	McClintock,	Savacool,
Barner,	Geary,	McDermott,	Schaeffer, A. C.
Becker,	Goss,	McKay,	Semmens,
Benninger,	Gransback,	McNichol,	Shaffer, I. E.,
Benson,	Hackett,	Meilott,	Sherwood,
Bittles,	Henominger,	Metzenbacher,	Smith, J. W.,
Blair, W. A.,	Hibshman,	Miller,	Snavely,
Blair, W. F.,	Humes,	Musser,	Snyder,
Body,	Jackson,	Mitchell,	Spillinger,
Burnett,	Jones, E. E.,	Morrow,	Stone,
Caldwell,	Jones, J. R.,	Moulthrop,	Swift,
Campbell, C.M.,	Keegan,	Pennegar,	Trach,
Carson,	Kern,	Pennock,	Ulman,
Cheeseman,	Kitts,	Peters,	Walnut,
Cochran,	Kuhn, H. P.,	Piper,	Walsh,
Conner,	Kuhns, E.G.M.,	Price,	Watson,
Conrade,	Letzkus,	Redfield,	Whitaker,
Currier,	Light,	Reese,	Wilson, W. H.,
Curry,	Lohr,	Reeser,	Wiltbank,
Davis,	Mannion,	Rockwell,	Young, J. H.,
DeFrees,	Matt,	Rothenberger,	Alter,
Down,	McAllister,	Runk,	Speaker.
Ehrhardt,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1417, as follows:

An Act requiring the heads of the Executive Department to issue quarterly reports and transmit the same to the Governor members of the General Assembly and others

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be the duty of the head or chief officer of each executive department of the Commonwealth to issue quarterly a full report to cover the preceding three months period of his official acts and the work and operation of his department together with a detailed statement of all receipts and expenditures of his department for such period

Section 2 Immediately after the publication of such a report the head or chief officer of the department issuing the same shal transmit one copy thereof to the Governor of the Commonwealth one to each member of the General Assembly

Section 3 Nothing in this act contained shall be construed to exempt or release any executive department or its head or chief officer from making any reports annual or otherwise which are now required by law

Section 4 This act shall take effect two months after the enactment thereof

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. CLAYCOMB. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. FOSTER. Mr. Speaker, I second the motion.

The motion was not agreed to.

Mr. R. J. BALDWIN. Mr. Speaker, the only think that is the matter with this bill is that the title is not correct. It should read "The Place Hunter's Bonanza."

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—52.

Adams,	Forster, I. G.,	Matt,	Savacool,
Baldwin, G. A.,	Foster, J. D.,	McDermott,	Scott, S. B.,
Becker,	Geary,	McNichol,	Shaffer, C. A.,
Benson,	Good,	Metzenbacher,	Shaffer, I. E.,
Body,	Grabe,	Miller,	Showalter,
Burnett,	Herman,	Musser,	Smith, J. W.,
Caldwell,	Hibshman,	Neely,	Smith, L.,
Carson,	Howard, J.,	Pennock,	Snyder,
Claycomb,	Humes,	Peters,	Stone,
Collins,	Jones, J. R.,	Reeser,	Strauss,
Conniff,	Keegan,	Rothenberger,	Trach,
DeFrees,	Kern,	Runk,	Ulman,
Flynn,	Kitts,	Sassaman,	Wilson, J. H.,

NAYS—58.

Allen,	Davis,	Mannion,	Price,
Baldwin, R. J.,	Down,	Martin,	Redfield,
Barner,	Ehrhardt,	Mather,	Reese,
Benninger,	Ely,	McAleer,	Rockwell,
Bigger,	Geiser,	McAllister,	Spillinger,
Blair, W. A.,	Gransback,	McClintock,	Swift,
Brown,	Hackett,	Missimer,	Walsh,
Brownlee,	Hemminger,	Mitchell,	Whitaker,
Cheeseman,	Hobbs,	Morrow,	Williams,
Cleary,	Isler,	Moses,	Wilson, W. H.,
Cochran,	Jackson,	Moulthrop,	Wiltbank,
Conner,	Kuhn, H. P.,	Neel,	Zimmerman,
Conrade,	Kuhns, E.G.M.,	O'Neill,	Alter,
Currier,	Letzkus,	Peachey,	Speaker.
Curry,	Light,	Pennegar,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 996, entitled:

An Act to amend article six of an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth employed the first day of June Anno Domini one thousand eight hundred eighty-five so as to permit the heads of departments to each appoint one deputy to sign warrants drawn in accordance with payrolls and salary lists approved by the head of the department providing for the manner of appointing deputies and the filing of payrolls and salary lists so approved by the controller

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—138.

Adams,	Flynn,	Mannion,	Rockwell,
Allen,	Forster, I. G.,	Martin,	Rothenberger,
Arthur,	Foster J. D.,	Mather,	Runk,
Baldwin, G. A.,	Geiser,	Matt,	Sassaman,
Baldwin, R. J.,	Gibson,	McAleer,	Savacool,
Barner,	Glenn,	McAllister,	Schaeffer, A. C
Becker,	Good,	McCaig,	Scott, S. B.,
Benninger,	Goss,	McClintock,	Semmens,
Benson,	Grabe,	McDermott,	Shaffer, I. E.,
Bigger,	Gransback,	McKay,	Sherwood,
Bittles,	Hackett,	McNichol,	Showalter,
Blair, W. A.,	Heidinger,	Mellott,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Metzenbacher,	Smith, L.,
Bleloch,	Herman,	Miller,	Snavely,
Bodv,	Hibshman,	Missimer,	Snyder,
Brownlee,	Hobbs,	Mitchell,	Spillinger,
Burnett,	Humes,	Morrow,	Stein,
Caldwell,	Isler,	Moses,	Stone,
Campbell, C.M.,	Irwin, G. C.,	Moulthrop,	Strauss,
Campbell, J. J.,	Jackson,	Murphy,	Swartz,
Carson,	Jones, E. E.,	Musser,	Swift,
Cheeseman,	Jones, J. R.,	Neel,	Trach,
Claycomb,	Kaiser,	Neely,	Ulman,
Cleary,	Keegan,	Newton,	Walnut,
Cochran,	Keeport,	O'Neill,	Whitaker,
Conner,	Kern,	Peachey,	Whitman,
Conniff,	Kitts,	Pennegar,	Wildman,
Conrade,	Klepper,	Pennock,	Williams,
Currier,	Kuhn, H. P.,	Piper,	Wilson, J. H.,
Curry,	Kuhns, E.G.M.,	Price,	Wiltbank,
Davis,	Latshaw,	Redfield,	Young, G. K.,
DeFrees,	Lenker,	Reese,	Young, J. H.,
Donahoe,	Leslie,	Reeser,	Zimmerman,
Down,	Letzkus,	Rhoads,	Alter,
Ehrhardt,	Lohr,		Speaker.
Ely,			

NAYS—1.

Walsh,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1351, entitled:

An Act permitting boards of school directors to reimburse certain teachers taking a special course of instruction during the annual vacation

On the question,

Will the House agree to the bill on third reading?

Mr. MARTIN. Mr. Speaker, this is a meritorious bill in every way. I have been in touch with the most prominent educators of this State before I introduced this bill. There is absolutely nothing compulsory or mandatory about it, and I know that every member who is a true friend of the teacher can vote for this bill without any trouble whatever. I ask your support. The House is light tonight.

Mr. E. G. M. KUHNS. Mr. Speaker, this bill is, as the sponsor says, meritorious in a way, but is it not class legislation? Is it possible that all the teachers will attend school in the summer, or will it be that only some will take advantage and register in some school and spend the month, possibly at Atlantic City, and have a good time. Now, Mr. Speaker, and gentlemen, I am in favor of having the very best men in the school room and I am in favor of paying them. Change the bill and increase the pay and let those that feel like improving their education for school work go to school the whole summer. Let us pay them for the work they do and not try to give a certain class an additional month's pay at the expense of all the rest.

Mr. ALLEN. Mr. Speaker, I call the gentleman's attention to the bill as t reads in lines 4 and 5. Section 2 in line 4 there is clearly a misprint. In line 4 with the part that has been stricken out and the part that has been injected, it certainly does not express what is intended to be expressed in the bill. "By a majority vote of its directors to agree to reimburse such teacher to and amount", should be "an amount"; "equal to the average monthly salary paid the teacher of the district in which said teacher is employed." I presume that they may mean a difference between the summer salary and the winter salary, and the average for the year is what is intended. But clearly in line 4 there is a misprint.

Mr. MARTIN. Mr. Speaker, I thank the gentleman for the information. I had looked the bill over and it escaped my notice.

BILL POSTPONED.

I therefore move that further consideration of this bill be postponed for the present.

Mr. ALLEN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1449, as follows:

An Act supplementing and amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the boards of school visitors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven be and the same is hereby amended by adding thereto at the end thereof the following paragraph

Section 2825 The board of public education of school districts of the first class shall consider any and all recommendations made by any board of school visitors at the next regular meeting of the said board of education following the submission of such recommendation or recommendations and if at that meeting the board of education shall not favor the recommendation they shall immediately after said meeting notify the board of visitors making the recommendation of the action of the board and fix a time and place when and where the board of school visitors making such recommendation shall be fully heard by the said board of education at a regular meeting of said board of education not more than two months after the submission of said recommendation to the board of education by the said board of school visitors

Section 2 All acts and all parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS 124.

Adams,	Dunn, J. A.,	Mannion,	Runk,
Allen,	Ehrhardt,	Martin,	Sassaman,
Alworth,	Ely,	Matt,	Savacool,
Baldwin, G. A.,	Flynn,	McAleer,	Schaeffer, A. C.
Baldwin, R. J.,	Gans,	McAllister,	Scott, S. B.,
Barner,	Geiser,	McClintock,	Semmens,
Becker,	Gibson,	McDermott,	Shaffer, I. E.,
Benninger,	Good,	McKay,	Sherwood,
Benson,	Grabe,	McNichol,	Showalter,
Bigger,	Gransback,	Mellott,	Smith, J. W.,
Bittles,	Hackett,	Miller,	Smith, L.,
Blair, W. A.,	Heidinger,	Missimer,	Snavely,
Body,	Hemminger,	Moore,	Snyder,
Brosius,	Herman.	Morrow,	Spillinger,
Brownlee,	Heyburn,	Moulthrop,	Stein,
Burnett,	Hibshman,	Murphy,	Stone,
Caldwell,	Hobbs,	Musser,	Strauss,
Campbell, C.M.,	Howard, J.,	Neel,	Swartz,
Campbell, J.J.	Humes,	Neely,	Swift,
Carson.	Isler,	Newbaker,	Thomas,
Cheeseman,	Irwin, G. C.,	Newton,	Trach.
Collins,	Jones, E. E.,	Peachey,	Ulman,
Conner,	Jones, J. R.,	Pennegar,	Watson,
Conniff,	Kaiser,	Pennock,	Whitman,
Conrade,	Kern,	Peters,	Wildman,
Currier,	Kitts,	Piper,	Williams,
Curry,	Klepper,	Redfield,	Young, J. H.
Davis,	Kuhn, H. P.,	Reese,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Donahoe,	Lenker,	Rockwell,	Zimmerman,
Donnally,	Letzkus,	Rothenberger,	Alter,
			Speaker.

NAYS 7.

Blair, W. F.,	Keeport,	Moses,	Walsh,
Jackson,	Mitchell,	Walnut,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1931, entitled:

An Act to repeal the present dog tax law regulating the taxing of dogs in the county of Delaware

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken as follows, viz:

YEAS 149.

Adams,	Foster, J. D.,	Letzkus,	Rhoads,
Allen,	Gans,	Light,	Rockwell,
Alworth,	Geiser,	Lohr,	Rothenberger,
Baldwin, G. A.,	Gibson,	Mannion,	Runk,
Baldwin, R. J.,	Glenn,	Martin,	Sassaman,
Barner,	Good,	Mather,	Savacool,
Becker,	Goss,	Matt,	Scott, S. B.,
Benninger,	Grabe,	McAleer,	Semmens,
Benson,	Gransback,	McAllister,	Shaffer, I. E.,
Bigger,	Hackett,	McCaig,	Sherwood,
Bittles,	Heidinger,	McClintock,	Showalter,
Blair, W. A.,	Hemminger,	McDermott,	Smith, J. W.,
Blair, W. F.,	Herman,	McKay,	Smith, L.,
Body,	Heyburn,	McNichol,	Snavely,
Brosius,	Hibshman,	Mellott.	Snyder,
Brownlee,	Hobbs,	Metzenbacher,	Spillinger,
Burnett,	Howard, J.,	Miller,	Stein,
Caldwell,	Howard, R.,	Missimer.	Stone
Campbell, C.M.,	Humes,	Mitchell,	Strauss,
Campbell, J.J.	Isler,	Morrow,	Swartz,
Cheeseman,	Irwin, G. C.,	Moses,	Swift,
Claycomb,	Irwin, H. H.,	Moulthrop,	Thomas,
Cleary,	Jackson,	Musser,	Trach,
Cochran	Jones, E. E.,	Neel,	Ulman,
Conner,	Jones, J. R.,	Neely,	Walnut,
Conniff,	Kaiser,	Newbaker,	Walsh,
Conrade,	Keegan,	Newton,	Watson,
Currier,	Keeport,	O'Neill,	Whitaker,
Curry,	Kennedy,	Pennegar,	Whitman.
Davis,	Kern,	Perry, H. L.,	Wildman,
DeFrees,	Kitts,	Piper,	Williams,
Down,	Klepper,	Post,	Wilson, J. H.,
Dunn, H. B.,	Kuhn, H. P.,	Price,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Ramsey,	Young, G. K.,
Ehrhardt,	Latshaw,	Redfield,	Young, J. H.,
Ely,	Lenker,	Reese,	Zimmerman,
Flynn,	Leslie,	Reeser.	Alter,
Forster, I. G.,			Speaker.

NAYS—1.

Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 375, entitled:

An Act to restrain and regulate the use of billiard tables pool tables and bagatelle boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first class in this Commonwealth Providing for the granting of licenses and providing for punishments for the violations of the provisions of this act

On the question,

Will the House agree to the bill on third reading?

Mr. WALNUT. Mr. Speaker, in the absenc of the sponsor of this bill I move that further consideration of the bill be postponed for the present.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. ALLEN. Mr. Speaker, I might be wrong in my interpretation of this bill, but it seems to me that it is going a long ways—it takes a long stretch of imagination on my part to see why this Legislature as a legislative body of the Great Comomnwealth of Pennsylvania should do by act what should be done by ordinance in any city. If the power were given to a city to legislate in relation to this matter, it could legislate by ordinance in such way as it saw fit and would meet the approval of that city. To go into detail with a bill of as little importance as this, which would simply regulate one little business in a great city, it seems to me to be absurd. I am perfectly willing at any time, Mr. Speaker, to delegate legislative authority in cities of the first, second and third class, and boroughs over such matters as appear to me ought to be controlled by those legislative authorities and in cities of the first, second and third class and boroughs, I would say that the regulation of places of this kind is one of the things over which the local legislative authorities should have the right to legislate. I believe that an enabling act which would cover the purpose intended to be covered by this bill might appeal to the members of this House, but as one of the members of this House I would dislike very much, from the western end of the State and from the rural districts of that western end, to say how a billiard hall should be run in the City of Philadelphia. It is a matter that ought to be left to the legislative authorities of that city, guided by the best information that might be at hand from the Public Safety Department or such other Department as would have charge and direct supervision over a business of this character. I think for the members of this House to go on record and say how any business—I care not what it be—in the City of Philadelphia, should be regulated, is absurd. This would class pool rooms really as a greater evil than the saloon. The management of the saloon is left to the discretion of the license court, which lays down the rules in the various counties as to how they shall be regulated. Many other things are regulated in our own cities by ordinance or by act of council, and I feel that this bill ought not to pass in the form it is. I feel that it is not our province to legislate in these matters.

Mr. LORENZO SMITH. Mr. Speaker, this bill practically repeals Section seven of an act passed a couple years ago. It is an Act to give the Director of Public Safety

of Philadelphia control over pool rooms. A great majority of them are nothing but rendezvous for thieves and other disreputable characters, I know this myself from a personal investigation. It is a great source of harm as they are now conducted. There are some respectable pool rooms and bagatelle rooms, but the majority of them are rendezvous for gangs of thieves and those of disreputable character, and it is the purpose of the Director of Public Safety to have supervision over them and see who gets the license and that the right people and respectable people get them. I know myself there are boys who play truant from the schools and are enticed into these pool rooms by the keepers thereof. It is simply to give the Department of Public Safety control over the morals of the pool room.

Mr. WALNUT. Mr. Speaker, the regulation provided in this bill places merely the control of the situation in the hands of the Department of Public Safety. There is no attempt to regulate, so far as the details and conduct of the business is concerned at all. It merely provides for the issuance of a license to provide that the Director of Public Safety can cancel licenses and can close up pool rooms, and I know I have heard from the Director of Public Safety myself that these pool rooms offer one of the greatest sources of evil and menaces to the public that exists in the City of Philadelphia, and I see no objection to giving him the right as this bill does, to issue licenses and to revoke licenses.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—82.

Adams,	Glenn,	McClintock,	Smith, J. W.,
Alworth,	Good,	McKay,	Smith, L.,
Baldwin, G. A.,	Grabe,	Mitchell,	Snyder,
Barner,	Heidinger,	Moses,	Spillinger,
Baldwin, R. J.,	Hemminger,	Moulthrop,	Steele,
Benson,	Herman,	Musser,	Stein,
Bigger,	Hobbs,	Neel,	Stone,
Bittles,	Howard, J.,	Neely,	Swift,
Blair, W. A.,	Jackson,	Newton,	Thomas,
Brownlee,	Jones, E. E.,	O'Neill,	Walnut,
Burnett,	Jones, J. R.,	Peachey,	Watson,
Campbell, C.M.,	Kitts,	Pennegar,	Whitaker,
Carson,	Kuhn, H. P.,	Pennock,	Wildman,
Cheeseman,	Kuhns, E.G.M.,	Peters,	Williams,
Cox,	Latshaw,	Reeser,	Wilson, J. H.,
Davis,	Lenker,	Rhoads,	Wiltbank,
DeFrees,	Light,	Rockwell,	Young, G. K.,
Dickinson,	Martin,	Runk,	Zimmerman,
Down,	Mather,	Scott, S. B.,	Alter,
Ely,	Matt,	Shaffer, I. E.,	Speaker.
Gibson,	McAleer,	Sherwood,	

NAYS—47.

Allen,	Curry,	Leslie,	Morrow,
Barner,	Donahoe,	Letzkus,	Murphy,
Benninger,	Donnally,	Malie,	Newbaker,
Blair, W. F.,	Foster, J. D.,	Mannion,	Piper,
Body,	Gans,	McAllister,	Rothenberger,
Caldwell,	Gransback,	McCaig,	Sassaman,
Campbell, J. J.,	Hackett,	McDermott,	Savacool,
Claycomb,	Hibshman,	McNichol,	Snavely,
Cochran,	Hoffman,	Mellott,	Strauss,
Collins,	Keegan,	Metzenbacher,	Trach,
Conner,	Keeport,	Miller,	Young, J. H.,
Conrade,	Kern,	Missimer,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SENATE MESSAGE.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 580.

An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a department of wharves docks and ferries (for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes) approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better goverment of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a department of wharves docks and ferries (for the improvement regulations and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and) providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of the jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

With information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The amendments were read by the Clerk as follows:

Strike out the words "A supplement" at beginning of title.

Section 1, page 4, line 47, after the word "withheld" insert "Provided that necessary repairs costing one hundred dollars or less and not affecting the stability or strength of the structure may be made without first procuring a license or permit"

Section 3, page 9, line 103, after the word "cities" insert "In the event that the property condemned appropriated and taken under the provisions of this section shall constitute a part of a plant used as an entirety the damage to the owner or tenant shall be assessed by taking the difference in market value of such plant as a whole including the buildings machinery fixtures other equipment installed and used in said plant before and after such condemnation appropriation and taking and notwithstanding that parts of the said plant may be separated by a street or public highway"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. RONEY. Mr. Speaker, I move that the House nonconcur in the amendments made by the Senate, because I think the title as amended by the Senate is in rather poor shape.

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. LETZKUS. I move that the House do now adjourn.

The motion was agreed to and (at 10:45 P. M.) the House adjourned until to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, MAY 7, 1913. No. 62.

SENATE.

WEDNESDAY, May 7, 1913.

The Senate met at 10 o'clock A. M.

The PRESIDENT (Lieutenant Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"What is man, that Thou art mindful of him, or the son of man that Thou visitest him." We come together at this time, O Lord, invoking Thy richest blessing. Be Thou our guide throughout this day, and as we read in Thy Word, Thou art our keeper, even the keeper of Israel, so protect and guide us throughout another day of labor. Be Thou a shade upon our right hand, so that the sun shall not smight us by day or the moon by night. "The Lord shall preserve thee from all evil, He shall preserve thy soul; the Lord shall preserve thy going out and thy coming in, from this time forth and even forever more." Hear us in this our morning prayer, we ask it in our Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McILHENNY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. DAIX presented petitions of Greble Council, No. 1, D. of L., Malta Council, No. 36, D. of L., and Silver Crescent Council, No. 3, D. of L., favoring the passage of a bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. DAIX presented petitions of Greble Council, No. 1, D. of L., Malta Council, No. 36, D. of L., Silver Crescent Council, No. 3, D. of L., and Bellevue Council, No. 148, D. of L., favoring the passage of bill providing for the erection of a memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. MAGEE, from the Committee on Agriculture, reported as committed, Senate Bill No. 1100 (House Bill No. 1038), entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

Also, from the Committee on Agriculture, reported as committed, Senate Bill No. 1268, entitled:

An Act to amend section three of an act approved the eighteenth day of April one thousand nine hundred and five entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" extending the time for registration of persons who had assumed the title of veterinary surgeon or analogous title prior to the passage of the acts of Assembly approved the eleventh day of April one thousand eight hundred and eighty-nine and the twenty-ninth day of April one thousand eight hundred and ninety-one but who failed to register within the time provided by the said acts

Also, from the Committee on Agriculture, re-reported as committed, Senate Bill No. 682 (House Bill No. 650), entitled:

An Act fixing a closed season for quail and providing a penalty for violation of this act

Mr. BEIDLEMAN, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 919 (House Bill No. 1105), entitled:

An Act to amend the first section and the second section of an act entitled "An Act constituting County Commissioners County Controller and County Treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositors shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositors and by authorizing the County Commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

Mr. DAIX, from the Committee on Judiciary General, reported as committed, Senate Bill No. 880, entitled:

An Act to amend paragraph three of section five of "An Act regulating boroughs" approved April third one thousand eight hundred and fifty one enlarging the jurisdiction of the chief burgess by conferring upon him the powers of a committing magistrate

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1028 (House Bill No. 1697), entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable petition of lands held in common

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1119 (House Bill No. 869), entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1120 (House Bill No. 872), entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by exending the application of said section to dependent neglected and incorrigible children

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1107 (House Bill No. 1523), entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 802 (House Bill No. 519), entitled:

An Act to change and fix the terms of Managers of the Poor and Auditors authorized to audit settle and adjust accounts of said Managers of the Poor in incorporated poor districts where the number of said Managers and Auditors respectively is nine and said Managers and Auditors are required to be elected in blocks of three fixing the times when the terms of present Managers and Auditors shall expire their successors be elected and assume office

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1103 (House Bill No. 1304), entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred and thirty-four entitled "An Act relating to executors and administrators"

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1121 (House Bill No. 937), entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons

Mr. KNAPP, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1022 (House Bill No. 1316), entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

Mr. McNICHOLS, from the Committee on Public Roads and Highways, reported as committed, Senate Bill No. 1295, entitled:

An Act prohibiting the running at large of horses and mules on public highways providing and regulating penalties for violation of the act and imposing certain duties on constables township supervisors roadmasters and the State Police Force

Mr. HOKE, from the Committee on Judiciary General, reported as amended, Senate Bill No. 1069, entitled:

An Act to provide for the execution of orders of the Court of Quarter Sessions for support and maintenance of a wife or children or both and for the execution of judgments entered upon contracts for such support and maintenance by subjecting estates owned by the husband and wife by entireties and the rents issues and profits thereof to such executions

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1084 (House Bill No. 1250), entitled:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts and to the rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question

Mr. WASBERS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 794 (House Bill No. 50), entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage to become the owner of such sewers culverts conduits asd pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and appliances owned by individuals and unincorporated associations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

Mr. SONES, from the Committee on Banks and Building and Loan Associations, reported as committed, Senate Bill No. 1224 (House Bill No. 1190), entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

Mr. HEACOCK, from the Committee on Agriculture, reported as committed, Senate Bill No. 1259, enutitled:

An Act to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any county city borough township or other corporate authority in the State of Pennsylvania

Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1235 (House Bill No. 1110), entitled:

An Act to amend sections two three and four of an act enitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

Mr. MILLER, from the Committee on Public Health and Sanitation, reported as committed. Senate Bill No. 737, entitled:

A supplemen to an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State, as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth,' approved June third one thousand eight hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties" approved May first one thousand nine hundred and five (Pamphlet Laws three hundred and thirty) authorizing the statistics required to be contained and preserved by the tenth section of an act entitled "An Act creating a Department of Health defining its powers and duties" approved April twenty-seventh one thousand nine hundred and five (Pamphlet Daws three hundred and twelve) or by any subsequent law or laws to be obtained collected compiled and preserved by and in said Central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 52.

Mr. McNICHOL, from the Committee of Conference to consider the difference existing between the two Houses in relation to Senate Bill No. 52, presented the following report of said Committee of Conference, which was laid upon the table:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL NO. 52.

To the members of the Senate and House of Representatives:

We, the undersigned Committee of Conference, on the part of the Senate and House of Representatives, for the purpose of considering Senate bill number fifty-two, entitled "An Act amending an act approved the fifth day of May, Anno Domini eighteen hundred and thirty-two, entitled 'An Act regulating lateral railroads,' extending the length thereof to ten miles and including lessees as well as owners of fire clay and min-

erals and changing number of viewers," beg leave to submit the following amended bill as our report

JAS. P. McNICHOL,
EDWIN H. VARE,
J. K. P. HALL,
Committee on the part of the Senate.

MILES B. KITTS,
JOHN M. FLYNN,
Committee on the part of the House of Representatives.

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act Regulating Lateral Railroads" extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the first section of an act of Assembly entitled "An Act regulating lateral railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land that he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the court of common pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by he opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said court of common pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by he said railroad when marking up the report or forming their verdict" be and the same is hereby amended to read as follows namely

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That if any owner or owners lessee or lessees of land mills quarries coal mines lime kilns fire clay minerals or oher real estae in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the court of common pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances hereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by he opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said court of common pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 723 (House Bill No. 221), as follows:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury after deduction of expenses which expenses said registers are authorized to incur

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter the salary of registers of wills in every county within which is or may be located a city of the first class of this Commonwealth shall be ten thousand ($10,000) dollars a year

Section 2 The register of wills in said counties shall pay into the county treasury all fees or commissions of any kind earned by them for services performed either for the county or for the State or otherwise after deducting therefrom counsel fees and other legal expenses incurred in the collection of the same the said registers being authorized and empowered to employ an attorney or attorneys to aid them in the collection in the orphans' court and other courts and otherwise of inheritance taxes

Section 3 This act shall not affect the compensation of any register of wills elected prior to the enactment hereof during the term for which he shall have been elected

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Gerberich,	Judson,	Miller,
Beidleman,	Graff,	Kline,	Moore,
Buckman,	Gyger,	Knapp,	Morgan,
Catlin,	Heacock,	Kurtz,	Nulty,
Crow,	Hoke,	Magee,	Sensenich,
Daix,	Homsher,	Martin,	Thompson,
Endsley,	Huffman,	McIlhenny,	Vare,
Farley,	Hunter,	McNichol,	Wasbers,
Fisher,	Jarrett,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. GERBERICH. Mr. President, I ask that Senate Bill No. 841 (House Bill No. 701), on final passage, entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

The PRESIDENT. Senate Bill No. 956, on final passage, entitled:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

has not been received from the printer and will go over in its order.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1064, as follows:

A Supplement to an act approved the thirty-first day of May one thousand mine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief darughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioners decides that the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways any kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for constructing re-constructing repairing or maintaining certain spurs or branch roads

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in constructing reconstructing repairing or maintaining any public highway taken over by the State as a State Highway between county seats it shall be lawful to construct reconstruct repair and maintain a spur or branch road to such State Highway in order to reaech points named in the route of such State Highway as taken over under the act to which this is a supplement

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Farley,	Hunter,	Morgan,
Beidleman,	Gerberich,	Jarrett,	Nulty,
Buckman,	Graff,	Judson,	Salus,
Catlin,	Gyger,	Kline,	Sensenich,
Cooper,	Hall,	Knapp,	Sheatz,
Crow,	Hilton,	Kurtz,	Sones,
Daix,	Hoke,	Magee,	Vare,
DeWitt,	Homsher,	Martin,	Wasbers,
Endsley,	Huffman,	Miller,	

NAYS—2.

McIlhenny, Moore,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1131 (House Bill No. 357), on final passage, entitled:

An Act concerning building regulation and inspection in townships of the first class and providing that the provisions thereof shall be inoperative in any such township when a certain percentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act

has not been received from the printer and will go over in its order.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1160, as follows:

An Act to repeal sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident therto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred and ninety-one so far as the said sections relate to nomination of candidates for public office by nomination papers and so far as the same relate to nomination papers also to repeal sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as said sections relate to nomination papers and also to repeal section one of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred and ninety-seven which said section one relates to how the names adopted by political bodies may be protected and to the nomination of candidates for public office by nomination papers and also to repeal sections two three four five and six of the last recited act in so far as the said sections relate to nomination of candidates for public office by nomination papers and in so far as they relate to nomination papers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three four five six nine twelve and fourteen of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and certain other expenses to be paid by the Commonwealth and punishing certain offenses in regard to such elections" approved the nineteenth day of June Anno Domini one thousand eight hundred and ninety-one so far as said sections relate to nominations of candidates for public office by nomination papers and so far as the said sections relate to nomination papers be and the same are hereby repealed

Section 2 That sections three four five six nine eleven and twelve of an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three in so far as the said sections relate to nominations of candidates for public office by nomination papers and in so far as the said sections relate to nomination papers be and the same are hereby repealed

Section 3 That section one of an act entitlel "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections' approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth' " approved the ninth day of July Anno Domini one thousand eight hundred and ninety-seven which said section one relates to how the names adopted by political bodies may be protected and the nomination of candidates for public office by nomination papers be and the same is hereby repealed

Section 4 That sections two three four five and six of an act entitled "An Act to amend sections three four five six nine and fourteen of an act entitled 'An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by specifying how the names adopted by political bodies may be protected fixing the time for filing certificates of nominations and nomination papers limiting the number of times the names of candidates shall appear on the official ballot and prescribing how the same shall be certified by the Secretary of the Commonwealth" approved the ninth day of July Anno Domini one thousand eight hundred and nienty-seven in so far

as said sections relate to nomination of candidates for public office by nomination papers and in so far as said sections relate to nomination papers be and the same are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—18.

Beidleman,	DeWitt,	Hunter,	McNichols,
Buckman,	Endsley,	Kline,	Sones,
Catlin,	Gerberich,	Kurtz,	Thompson,
Crow,	Gyger,	Martin,	Vare,
Daix,	Homsher,		

NAYS—20.

Alexander,	Hilton,	Knapp,	Nulty,
Farley,	Hoke,	McIlhenny,	Salus,
Fisher,	Huffman,	McNichol,	Sensenich,
Graff,	Jarrett,	Miller,	Sheatz,
Heacock,	Judson,	Moore,	Washers,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1162, on final passage, entitled:

An Act to amend section two of the act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expeditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of same

has not been received from the printer and will go over in its order.

BILL OVER IN ORDER.

Mr. BEIDLEMAN. Mr. President, at the request of the Senator from Blair, Mr. Jones, who is interested in this bill as well as myself, I ask that Senate Bill No. 38, on third reading, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealth providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes prescribing his duties and fixing his compensation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 39, entitled:

An Act supplementary to an act entitled "An Act for the incorporation and government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine amending certain articles and sections thereof and enlarging changing and modifying certain powers and provisions therein providing for the abolishing of the select and common councils and creating in their stead one legislative body to be known as the council and prescribing its powers and duties and also providing for the nomination and election of members of said council and all other elective officers of said cities upon a non-partisan ballot and for a referendum vote on all franchise ordinances

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Fisher,	Hoke,	McNichol,
Buckman,	Gerberich,	Huffman,	Salus,
Catlin.	Graff,	Hunter,	Sheatz,
Cooper,	Gyger,	Judson,	Sones,
Crow,	Hall,	Kline,	Thompson,
Daix,	Heacock,	Martin,	Vare,
Farley,	Hilton,	McIlhenny,	

NAYS—8.

Alexander,	Knapp,	Miller,	Nulty,
Jarrett,	Kurtz,	Morgan,	Washers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 150, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 185 (House No. 44), entitled:

An Act amending an act entitled "An Act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in installments" approved June fifteenth Anno Domini one thousand nine hundred eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Gerberich,	Hunter,	Moore,
Beidleman,	Graff,	Jarrett,	Morgan,
Buckman,	Hall,	Judson,	Nulty,
Catlin,	Heacock,	Kline,	Sensenich,
Cooper,	Hilton,	Knapp,	Sheatz,
Daix,	Hoke,	Kurtz,	Sones,
DeWitt,	Homsher,	Martin,	Thompson,
Farley,	Huffman,	Miller,	Washers,

NAYS—1.

Fisher,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 355 (House No. 20), entitled:

An Act further amending section one of an act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred one extending the provisions of said act to all cities of the third class

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Gerberich,	Jarrett,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hilton,	Knapp,	Sensenich,
Cooper,	Hoke,	Kurtz,	Sheatz,
Daix,	Homsher,	Magee,	Sones,
Endsley,	Huffman,	McIlhenny,	Vare,
Fisher,	Hunter,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 441, entitled:

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth" approved the second day of July one thousand eight hundred and thirty-nine by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Gerberich,	Kline,	Morgan,
Buckman,	Graff,	Knapp,	Nulty,
Catlin,	Hall,	Kurtz,	Salus,
Cooper,	Hilton,	Magee,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	Miller,	Vare,
Farley,	Jarrett,	Moore,	Wasbers,
Fisher,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF HOUSE BILL NO. 938.

Mr. VARE. Mr. President, I move that the vote by which Senate Bill No. 1140 (House Bill No. 938), entitled:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

was defeated on final passage be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. VARE. Mr. President, I voted "no."

Mr. CATLIN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. CATLIN. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. VARE. Mr. President, I move that the question, together with the further consideration of the bill, be postponed for the present.

Mr. CATLIN. Mr. President. I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 444, entitled:

An Act to amend an act entitled "An Act to regulate the nomination and election of public officers requiring certain expenses incident thereto to be paid by the several counties and punishing certain offenses in regard to such elections" approved the tenth day of June Anno Domini one thousand eight hundred and ninety-three by changing the form of the ballot the method of distributing the ballots to the electors the method of voting and the method of couning the votes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. McNICHOL. Mr. President, I would like to call the attention of the Senate to the fact that this is one of the bills which has been considered for the last four years by a commission appointed by the Governor for the purpose of codifying and suggesting election laws and amendments thereto, and it is, I think, due to those gentlemen who represent not only Republicans but Democrats and Independents with the idea that whatever was reported from that commission would be matters that would be fair and just to all political parties, I think it is due to their integrity and honesty in the preparation of these bills that this Senate at least should give consideration to those bills as reported. Those bills have been in the House for over three months, and it was reported at a meeting yesterday have not, except in one particular instance, received any consideration whatever at the hands of the Elections Committee of the House. But, instead, they have sent over here bills prepared by individuals for the purpose of codifying and correcting election laws. I think when we get an intelligent expression from the gentlemen who constituted that commission, that it behooves the gentlemen of this Senate to give the same careful consideration to these election bills, and I trust that the Senate will pass these bills.

Mr. JARRETT. Mr. President, this is a bill which provides for the envelope system of voting. I do not wish to stand before the Senate here to-day to say anything disrespectful of the commission who drafted this bill. The commission who drafted this bill are all able men, but in my estimation they have brought a bill here which I cannot support. I do not favor the bill as it is drawn up, for the reason as stated that it provides for the envelope system of voting, and there are other provisions of the bill I do not favor. Therefore, I am opposed to the bill.

Mr. HUFFMAN. Mr. President, I just want to say a word about this bill. This is only one of the bills which this same commission has sent in to the Senate, and notwithstanding the remarks of the Senator from Philadelphia, Mr. McNichol, I do not believe that commission reflects the sentiment of the Democratic party or of the Independent party. They were both represented on the commission, but they were both in the minority, and neither do I believe that the report of the commission represents the sentiment of the people of Pennsylvania. I think that this is going backward about three decades in elections of Pennsylvania, and turns from a system which is not any too good to the system of the so-called vest-pocket voting. This bill would permit a voter to go to the polls or voting place and take out a ballot and go to his home or elsewhere to mark it and come back to the voting place and deposit his ballot. I do not know anything that is so retrogressive as this bill, and I do not think this Senate should give much consideration, with all due respect to the commission, to this kind of legislation.

Mr. McILHENNY. Mr. President, every time that we have passed a vital change to the ballot laws, it has taken the people a good long while to get accustomed to them, because they are complicated at their best. It seems to me that the right way to get at proper legislation is not by making violent changes, even though it is better, but gradually improving our present system. I think every time we find a weakness, or something that is not perfectly fair or simple as it could be made, it should be corrected, and we should accustom the people gradually to small changes, so that in time we may have a perfect system. These commissioners are very fine men and I am sure that they brought

in a bill which they thought was the very best, but in my judgment, having been interested in elections for a good while and having been at the polls a good many years, I have found it difficult, particularly to independent voters, that when they have to learn a new system, and if they are discouraged by the difficulties of it, it has a tendency to keep them away from the polls, and my reason for opposing this bill is not because it is not a good measure, but because it is too much to expect of the people that they should learn a new system of voting every few years. And if we are going to make any changes, let us make them gradually.

Mr. McNICHOL. Mr. President, I agree with the remarks of the Senator from Philadelphia, Mr. McIlhenny, as to the constant interference in the changing of the election laws, but there has been so much said in the past four years as to the rights of certain classes of citizens to assistance at the polls, and this matter has been so thoroughly discussed notwithstanding what the Senator from Monroe has stated as to this being a step backward, I think that these bills are entitled to consideration at the hands of this Senate. So far as the ballot law is concerned I agree with the Senator that the people will accustom themselves to conditions, but there are certain elements in this Commonwealth that will require, no matter what the ballot law is, aid and assistance at elections. Now for the purpose of overcoming that condition I think that a man could be permitted to take his ballot home and I do not believe that citizens of Pennsylvania are in such a condition mentally that they are going to be molested or cajoled into permitting their ballots to be interfered with and taken around by other people, but if they are permitted to take their ballots to their own homes, even though they are not able to dissect that ballot for the purpose of voting, they have children, most of them, and children that are attending our schools that we are so amply providing for, to give them assistance in their own homestead, and I think it is a step in the direction of taking care of the people who do require assistance. In my own judgment I think the present method of voting will largely be subscribed to by the population, and there will only be a small unit of the voting people that will adapt themselves to this new condition, and I think, in view of the time consumed by these gentlemen, because they are men of reputation in the State, and as to minority reports there has been one filed by Mr. Freeman, that we as the gentlemen who gave them the commisison to furnish us with intelligent information, should at least recognize that information by passing that bill.

Mr. SALUS. Mr. President, I simply want to add one more word. This Senate Bill 444, if it should pass will do away with Section 26 of the Baker Ballot Law, which is the clause in the Baker Ballot Law whereby voters are allowed to receive assitsance. If this bill should pass, this much talked about assistance clause will be disposed of. There are in addition to this particular bill a number of other election bills which the Election Committee has reported out of Committee. Some of these bills, in many places, I am not in accord with, and I am of the opinion that they are probably not the best kind of laws for the present time, but yet I feel that if the Senate would pass these bills as presented here and they were sent over to the House that the Election Committee of the Senate and Election Committee of the House could then get together and possibly frame a set of laws that would be satisfactory to all the people or all the parties in interest. We have now over here many of the bills and still more coming from the House, and are now in the Election Committee of the Senate. If our bills could be passed here, some of them and go over to the Election Committee of the House, and then the two Committees get together, I feel that we could get some sort of laws passed that might meet with the approval of nearly all the people, and so far as one or two of these bills are concerned, I want to say here, one or two of our Senate bills, I am not in accord with them, but I should like to see some of these bills pass, and to see if the Committees could not get together and frame some kind of Election laws that would meet with the approval of the people.

Mr. KNAPP. Mr. President, with all due deference to the able gentlemen on this commission, who have presented these bills to us, I believe that this is a step backward. It has been only a few years since we had the open ballot and every one could take his ballot and go and fix it up and vote it. We have been trying to get away from that and I am utterly opposed to any system whatever that will allow the voter to take the ballot away from the polls. I gives the greatest privilege and greatest opportunity to the boss of a section or a factory to get his men to go and get their ballots, bring them to him and he can mark them and the men can take them back and put them in the envelope and vote them. That is the greatest objection and with all due respect to the gentlemen, I hope that it will be defeated by this Senate. We are certainly entitled to have an expression of what we think of them, and I hope that expression will be the defeat of this bill, for it is certainly a step backward and not forward.

Mr. SALUS. Mr. President, I just want to say one more word. In this particular bill, the ballot taken home is not the official ballot. After taking the ballot home and bringing it back, he gets his envelope and the envelope the official envelope. The ballot he gets can only be used after he gets the envelope at the polls.

Mr. HUFFMAN. Mr. President, I don't think there ought to be any misapprehension about what this bill is. He does receive the official ballot. I do not think, speaking to the members who may not have read this bill, that we ought to be indispute about that. He takes that ballot out and it is the same ballot that he afterwards deposits in the box. It does not matter whether he takes out the envelopes or not. He does receive that after he comes back, but the ballot is the same ballot which he first received from the election board. Furthermore, I do not think it is a proper way to get together to have this Senate this great, dignified, courteous body of Pennsylvania, to pass these bills out of courtesy to a Commission when we feel that they would not be propery representing us, or that they are not proper bills to send over to the House, or to a conference committee. I do not think that is a proper way to do it, and let us vote it down.

Mr. McNICHOL. Mr. President, we are passing bills here at every session of the Legislature, and I have been present for the last eight years, just on the recommendation of commissions of a similar nature on matters that pertained to legislation affecting the industries of this Commonwealth. In reply to the Senator from Warren, Mr. Knapp, in regard to the question of the boss of the employer taking the ballot and compelling the man to submit to his dictation, I want to say to him, as far as the knowledge we have in Philadelphia is concerned, and I think throughout the State of Pennsylvania as represented at the last November election, the man who is the employee, the working-man, is the man who takes his ballot and votes as he pleases, and I do not think there is a county of this State that can bring cases of where the employee has been subjected to the dictation of the employer. If that is the case, it is something we have not been able to find out.

Mr. SHEATZ. Mr. President, these bills were drafted by this election commission, all well-known men, respected in the various communities of the Commonwealth of Pennsylvania. I had the honor of introducing all of these bills into the Senate, and I want to say at this time that I believe in most of them but not in all of them. The bill under consideration at this time is one of those I do not feel I can reconcile myself in voting for. Some of the other bills I believe are the bills which should be enacted at this session of the Legislature, but in order that these bills may have full consideration, I move that the bill be recommitted to the Committee on Elections for further consideration.

Mr. HOKE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McNICHOL. Mr. President, I just want to say as the Chairman of the Committee on Elections that we have been threshing these bills out for the past two or three months, and it would almost be a physical impossibility for the Elections Committee to add to or to detract from this bill as it is now upon the Calendar, and I think that the Senate should pass favorably upon the bill or reject it, because it would only be a waste of time and an absolute impossibility upon the part of the Committee. I do not know how the other members of the Committee feel, but I think that it would be absolutely useless for us to consume any more time upon this bill, unless the Senator

from Philadelphia has a suggestion that he thinks will be of some importance or an improvement to the bill.

Mr. KNAPP. Mr. President, I am thoroughly in accord with the Senator from Philadelphia, Mr. McNichol, on this point. I think this matter ought to be settled now.

Mr. SHEATZ. Mr. President, I withdraw the motion.

Mr. HOKE. Mr. President, I agree to the withdrawal of the motion.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16.

Beidleman,	Endsley,	Jones,	McNichols,
Buckman,	Hall,	Kline,	Salus,
Catlin,	Homsher,	Martin,	Sones,
Crow,	Hunter,	McNichol,	Vare,

NAYS—22.

Alexander,	Hilton,	Kurtz,	Nulty,
DeWitt,	Hoke,	McIlhenny,	Sensenich,
Farley,	Huffman,	Miller,	Sheatz,
Fisher,	Jarrett,	Moore,	Thompson,
Gyger,	Judson,	Morgan,	Wasbers,
Heacock,	Knapp,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 449, entitled:

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Hilton,	Kline,	Nulty,
Catlin,	Hoke,	Knapp,	Salus,
Crow,	Homsher,	Martin,	Sheatz,
Daix,	Huffman,	McIlhenny,	Sones,
Endsley,	Hunter,	McNichol,	Thompson,
Farley,	Jarrett,	McNichols,	Vare,
Fisher,	Jones,	Miller,	Wasbers,

NAYS—4.

Gyger,	Heacock,	Kurtz,	Moore,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 451, entitled:

An Act to amend section one of an act approved the sixteenth day of June Anno Domini one thousand eight hundred ninety-nine entitled "An Act to authorize the election of assistant assessor for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" by enlarging the term of assistant assessors providing for the election every four years and changing the power of filling vacancies from the court of quarter sessions to the county co[illegible]

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Salus,
Crow,	Hilton,	Kurtz,	Sensenich,
Daix,	Hoke,	Martin,	Sheatz,
DeWitt,	Homsher,	McIlhenny,	Sones,
Endsley,	Huffman,	McNichol,	Thompson,
Farley,	Hunter,	McNichols,	Vare,
Fisher,	Jarrett,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 457, entitled:

An Act to provide for the election at fall primaries of delegates to State conventions for the purpose of nominating candidates for the office of Judge of the Supreme and Superior courts when such office is to be filed at a municipal election

And said bill having been read at length the third time.

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 458, entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences fixing the compensation of registry assessors for making said registration and enrollment and prescribing penalties for false registration or enrollment and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own party ticket

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. KURTZ. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 648, on third reading, entitled:

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of article nine section eight of the Constitution as amended and to confer jurisdiction upon any city of the court of common pleas of the county in which such city is situated to determine the amount of any debt to be so excluded

has not been received from the printer and will go over in its order.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 672 (House Bill No. 294), entitled:

An Act to amend an act approved the tenth day of May one thousand nine hundred nine entitled "An Act authorizing the release on probation of certain convicts instead of imposing sentences the appointment of probation and parole officers and the payment of their salaries and expenses regulating the manner of sentencing convicts in certain cases and providing for their release on parole"

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 697, on third reading, entitled:

An Act regulating the passage of traction engines motor and other vehicles over highways and bridges and providing penalties for the violation of the provisions hereof

has not been received from the printer and will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 733, entitled:

An Act to repeal an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto"

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	DeWitt,	Hoke,	Moore,
Beidleman,	Endsley,	Hunter,	Salus,
Buckman,	Farley,	Jarrett,	Sensenich,
Catlin,	Fisher,	Jones,	Sheatz,
Cooper,	Graff,	Knapp,	Thompson,
Crow,	Gyger,	McNichol,	Vare,
Daix,	Hilton,		

NAYS—8.

Gerberich,	Homsher,	McIlhenny,	Sones,
Heacock,	Judson,	Nulty,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

CONCURRENT RESOLUTION AUTHORIZING THE SECRETARY OF THE COMMONWEALTH TO CORRECT THE SPELLING OF THE NAME OF WILLIAM J. LEAHY, WHO WAS COMMISSIONED SECOND LIEUTENANT IN AN ORGANIZATION KNOWN AS INDEPENDENT COMPANY SHARPSHOOTERS, AND WHICH WAS SUBSEQUENTLY MADE COMPANY C SECOND REGIMENT UNITED STATES SHARPSHOOTERS.

Mr. ALEXANDER. Mr. President, I ask unanimous consent to offer a concurrent resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ALEXANDER offered a concurrent resolution, which was twice read as follows:

Whereas, On the fifteenth day of August, one thousand eight hundred sixty-two a commission as Second Lieutenant of Independent Company Pennsylvania Sharpshooters (Berdean's Company C) was issued to William J. Leahy; and

Whereas, Through a clerical error in the wording of the commission the name was spelled "William J. Sealy;" and

Whereas, It is eminently proper and a matter of justice that the name should be corrected to conform to the real facts; therefore

Be it Resolved (if the House of Representatives concur) That the Secretary of the Commonwealth is hereby authorized and directed upon the submission to him of proofs showing the above facts to correct upon the records in his office the mistake made in issuing a commission to William J. Leahy, wherein said commission was issued to "William J. Sealy," as Second Lieutenant of Independent Company Pennsylvania Sharpshooters (Berdean's Company C), under date of August fifteenth, one thousand eight hundred sixty-two which said organization subsequently became Company C Second Regiment United States Sharpshooters

Mr. ALEXANDER. Mr. President, I move that Rule 39 be suspended and that the Senate proceed to the consideration of the resolution just read.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. KNAPP. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 838 (House Bill No. 409), on third reading postponed for the present, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 838 (House No. 409), entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Graff,	Jones,	Moore,
Beidleman,	Gyger,	Judson,	Morgan,
Buckman,	Hall,	Kline,	Salus,
Catlin,	Heacock,	Knapp,	Sheatz,
Cooper,	Hilton,	Kurtz,	Sones,
Crow,	Hoke,	Martin,	Thompson,
Daix,	Homsher,	McIlhenny,	Vare,
Endsley,	Huffman,	McNichol,	Wasbers,
Gerberich,	Hunter,	Miller,	

NAYS—4.

Farley,	Fisher,	Jarrett,	Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Representatives with information that the Senate has passed the same without amendment.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 774 (House Bill No. 566), as follows:

An Act giving to all owners or tenants of lands property or material abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of said roads streets lanes or alleys or the changing of grades and lines thereof by cities counties boroughs or townships within this Commonwealth the construction and the vacating by said cities counties boroughs or townships of bridges and the piers abutments approaches embankments slopes or cause-ways therefor or leading thereto which abut or pass through or along said lands property or material and the construction by said cities counties boroughs or townships of sewers in over upon along or through said lands property or material the right to damages for said injuries directing all juries of view appointed or that shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injurying lands property or material to assess said damages if any against said cities counties boroughs or townships as the case may be and the benefits if any in connection therewith granting the right of appeal to the proper court of common pleas from the report of said juries and the trial by jury in said court of common pleas and the right to file exceptions to said report and the right of appeal to the Superior Court or Supreme Court after disposal of exceptions or verdict and final judgment and providing that this act shall apply to all existing and future proceedings

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the right to damages against cities counties boroughs of townships within this Commonwealth is hereby given to all owners or tenants of lands property or material abutting on or through which pass roads streets lanes or alleys injured by the laying out opening widening vacating extending or grading of said roads streets lanes or alleys or the changing of grades or lines thereof by said cities counties boroughs or townships the construction and the vacating by said cities counties boroughs or townships of bridges and the piers abutments approaches embankments slopes or causeways therefor or leading thereto and the construction of sewers by said cities counties boroughs or townships in over upon along or through said lands property or material

Section 2 That all juries of view appointed or which shall hereafter be appointed under existing laws for assessing damages or benefits for taking using occupying or injuring lands property or material are hereby directed and it shall be their duty to assess the damages provided for in section one of this act if any against said cities counties boroughs or townships as the case may be and the benefits if any in connection therewith and make report thereof as under existing laws

Section 3 That the right of appeal to the proper Court of Common Pleas from said report and the right of trial by jury in said Court of Common Pleas and the right to file exceptions to said report are hereby given to any party or parties not satisfied with said report in accordance with proceedings under existing laws

Section 4 That after disposal of exceptions or verdict and final judgment any interested party or parties may have an appeal to the Superior Court or Supreme Court as in any other cases

Section 5 That the provisions of this act shall apply to all existing and future proceedings

Section 6 That all acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Graff,	Judson,	Moore,
Beidleman,	Gyger,	Kline,	Morgan,
Buckman,	Hall,	Knapp,	Nulty,
Catlin,	Heacock,	Kurtz,	Salus,
Crow,	Hilton,	Magee,	Sensenich,
Daix,	Homsher,	Martin,	Sheatz,
DeWitt,	Huffman,	McIlhenny,	Sones,
Endsley,	Hunter,	McNichol,	Thompson,
Farley,	Jarrett,	McNichols,	Vare,
Gerberich,	Jones,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendment in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. McNICHOL. Mr. President, I move that Senate Bill No. 793 (House Bill No. 3), on third reading, entitled:

An Act providing for the return to the various counties of the State of a part of personal property tax levied and collected by existing laws and abolishing certain claims

which relates to the personal property tax be recommitted to the Committee on Judiciary Special for the purpose of having the matter properly adjusted when the Senate bill comes over which is being concurred in.

Mr. McILHENNY. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 817, entitled:

A supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Graff,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Hall,	Knapp,	Salus,
Catlin,	Hilton,	Kurtz,	Sensenich,
Crow,	Hoke,	Martin,	Sheatz,
Daix,	Huffman,	McNichol,	Sones,
Endsley,	Hunter,	McNichols,	Thompson,
Farley,	Jarrett,	Miller,	Vare,
Gerberich,	Jones,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 852 (House Bill No. 1151), on third reading, entitled:

An Act authorizing the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort providing for and regulating the construction of the same and authorizing the township commissioners to charge a part of the expense of constructing the same including the grading and curbing thereof upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township and providing that the provisions thereof shall be inoperative in any such township when a certain precentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act

has not been received from the printer and will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 866 (House No. 1054), entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor and the methods for preserving such liens and enforceing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred one by changing the provisions prescribing what property shall be included in tax and municipal claims

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	Endsley,	Huffman,	Miller,
Beidleman,	Farley,	Hunter,	Moore,
Buckman,	Gerberich,	Jarrett,	Morgan,
Catlin,	Graff,	Jones,	Salus,
Crow,	Gyger,	Kline,	Sheatz,
Daix,	Hilton,	Knapp,	Wasbers,
DeWitt,	Hoke,	Martin,	

NAYS—1.

Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 876, entitled:

An Act to provide a method for the nomination and election of candidates for the office of United States Senator and the filling of vacancies in the terms of such officers

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SALUS. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 883, entitled:

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second class of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party a condition of the right to vote at primaries in said cities and providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Beidleman,	Fisher,	Judson,	Salus,
Buckman,	Gerberich,	Kurtz,	Sheatz,
Catlin,	Graff,	Martin,	Sones,
Crow,	Homsher,	McNichol,	Thompson,
Daix,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Moore,	Wasbers,
Farley,	Jones,	Morgan,	

NAYS—4.

Alexander,	Jarrett,	Knapp,	Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 884, entitled:

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Gerberich,	Judson,	Nulty,
Beidleman,	Graff,	Knapp,	Salus,
Buckman,	Heacock,	Kurtz,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McNichol,	Sones,
Endsley,	Homsher,	Miller,	Thompson,
Farley,	Huffman,	Moore,	Vare,
Fisher,	Jarrett,	Morgan,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. VARE. Mr. President, I ask that Senate Bill No. 950, on third reading, entitled:

An Act regulating the offering or operation of autom vehicles for hire in cities of the first class providing the licensing of said vehicles providing for the licensing o. operators chauffeurs or solicitors for said vehicles authorizing them to solicit business upon the highway authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 994, entitled:

An Act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abandoned or that have not been built upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gerberich,	Jarrett,	Moore,
Beidleman,	Graff,	Jones,	Morgan,
Buckman,	Gyger,	Judson,	Nulty,
Catlin,	Hall,	Kline,	Salus,
Crow,	Heacock,	Knapp,	Sensenich,
Daix,	Hilton,	Kurtz,	Sones,
DeWitt,	Hoke,	Martin,	Thompson,
Endsley,	Homsher,	McNichol,	Vare,
Farley,	Huffman,	Miller,	Wasbers,
Fisher,	Hunter,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1014 (House Bill No. 1047) on third reading, entitled:

An Act to amend the third and fourth sections of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for the appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred eleven fixing the per diem and mileage of the said board of viewers and providing for the payment thereof by the proper county and the payment by the petitioner of a part of the costs

has not been received from the printer and will go over in its order.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1019 (House Bill No. 1242), entitled:

An Act requiring burial ground and cemetery companies or associations to record certain information relating to the burial of every person therein and providing a penalty

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. HOMSHER. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 1058 (House Bill No. 1704), on third reading, entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1067, entitled:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of buildigs and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fire-proof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Fisher,	Hunter,	McNichol,
Beidleman,	Gerberich,	Jarrett,	McNichols,
Buckman,	Graff,	Jones,	Miller,
Catlin,	Gyger,	Judson,	Morgan,
Crow,	Hall,	Kline,	Nulty,
Daix,	Hilton,	Knapp,	Sones,
DeWitt,	Hoke,	Kurtz,	Thompson,
Endsley,	Homsher,	Magee,	Vare,
Farley,	Huffman,	Martin,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1081 (House No. 1658), entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvemtnt the compensation to be paid therefor and the payment of damages resulting for such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May, Anno Domini one thousand nine hundred eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Beidleman,	Gyger,	Judson,	Nulty,
Buckman,	Heacock,	Knapp,	Salus,
Catlin,	Hilton,	Kurtz,	Sensenich,
Cooper,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Huffman,	McNichols,	Thompson,
Endsley,	Hunter,	Miller,	Vare,
Gerberich,	Jones,	Morgan,	Wasbers,
Graff,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1111 (House No. 695), entitled:

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Beidleman,	Fisher,	Hunter,	McNichols,
Buckman,	Gerberich,	Jones,	Miller,
Catlin,	Graff,	Judson,	Moore,
Clark,	Gyger,	Knapp,	Nulty,
Crow,	Hilton,	Kurtz,	Sones,
Daix,	Hoke,	Martin,	Thompson,
Endsley,	Huffman,	McNichol,	Wasbers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 1136 (House Bill No. 1712), on third reading, entitled:

An Act to authorize the Courts of Common Pleas of any county when any individual church within the county has become inactive or extinct by reason of their being no resident or active trustees representing it or otherwise and the property of the church is liable to be wasted or destroyed to appoint the trustees of the State body or organization representative of the denomination or which said church was a member as trustees for said church to hold and dispose of the title to the property owned by said church and defining the procedure therein

be recommitted to the Committee on Judiciary Special.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1139 (House Bill No. 1419), entitled:

An Act to provide for the erection of public comfort stations in certain cities and boroughs of this Commonwealth and empowering the Commissioner of Health of the Commonwealth in certain cases to let contracts for the erection of such stations at the cost of such cities and boroughs

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BEIDLEMAN. Mr. President, this Act by its terms provides that every municipality of the Commonwealth having a population in excess of twelve thousand people must build public comfort stations. During the earlier part of the session, I introduced and there was passed by the Senate a bill authorizing boroughs and cities of the third class to build public comfort stations. It seems to me, in the light of the times we are now in, when every municipality is overburdened by reason of being taxed up to its borrowing capacity that we should not make any mandatory provisions upon the several municipalities to build public comfort stations. It seems to me that we have gone far enough to give the various municipalities the authority if they want to exercise it. I think for this reason the Senate should vote down this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—6.

Farley,	Hunter,	Sensenich,	Wasbers,
Fisher,	Judson,		

NAYS—29.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Gyger,	Magee,	Morgan,
Buckman,	Hall,	Martin,	Nulty,
Catlin,	Heacock,	McIlhenny,	Salus,
Crow,	Hilton,	McNichol,	Sones,
Daix,	Hoke,	McNichols,	Thompson,
DeWitt,	Homsher,	Miller,	Vare,
Endsley,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. VARE. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 1140 (House Bill No. 938), on final passage postponed for the present, entitled:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1140 (House Bill No. 938), entitled:

To amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

And the question recurring,

Shall the bill pass finally?

Mr. VARE. Mr. President, from the title of this bill it would seem that the bill provides for a change in the liquor laws—the Brooks high license law. That is not the case. This just changes the route which the money will take. It takes three per cent. of the license fees which go to the Treasurer of Philadelphia, and turns it over to the Police Pension Fund, for the benefit of their widows and orphans. It does not affect the high license law in any other way.

It just takes three per cent. and turns it over to the Police Pension Fund for beneficial results. In the boroughs it goes to the maintenance and upkeep of the roads.

Mr. HEACOCK. Mr. President, my understanding is that it does change the amount of the license fee.

Mr. VARE. Mr. President, no change in the license, no change in the liquor laws.

Mr. HEACOCK. Mr. President, it does in townships.

Mr. McNICHOL. Mr. President, if the country members have discovered that there is any change in the amount of license fees, I do not think that it is the purpose of the Senator from Philadelphia that any such considition shall exist and if it shall be so pointed out that the law has been changed in that respect, I do not think he would insist on the bill being considered at this time.

Mr. HUFFMAN. Mr. President, the only objection I have about this bill is the fact that it does make a reduction of twenty-five dollars in the licenses in townships.

And the question recurring,

Shall the bill pass finally?

Mr. HEACOCK. Mr. President, I ask this bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1151, entitled:

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I would like to state that this bill simply provides for the holding of the election on the fifty million dollar bond issue at the next general election. That is the amendment spoken of in this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Graff,	Knapp,	Morgan,
Beidleman,	Gyger,	Kurtz,	Nulty,
Buckman,	Heacock,	Magee,	Salus,
Catlin,	Hilton,	Martin,	Sensenich,
Crow,	Hoke,	McIlhenny,	Sheatz,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Hunter,	McNichols,	Thompson,
Farley,	Jones,	Miller,	
Gerberich,	Kline,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1153, on third reading, entitled:

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

has not been received from the printer and will go over in its order.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1167, entitled:

An Act to prohibit any person from being a candidate for the same office as the nominee of more than one political party on the official ballot at any election to prohibit the county commissioners of any county from printing or causing to be printed the name of any such person as a candidate for the same office by more than one political party to prohibit election officers from receiving counting or returning any such ballot at any election upon which appears the name of any person as a candidate for the same office as the nominee of more than one political party and to declare all such ballots void and excepting from the provisions of the act candidates for judges and associate judges of the supreme superior common pleas and orphans court of such other courts of record as are now or hereafter may be established under the laws of this Commonwealth

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1172 (House No. 1300, entitled:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Graff,	Kline,	Morgan,
Beidleman,	Gyger,	Knapp,	Nulty,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Crow,	Hilton,	Martin,	Sheatz,
Daix,	Hoke.	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Thompson,
Endsley,	Jones,	Miller,	Vare,
Farley,	Judson,	Moore,	Wasbers,
Gerberich,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amenddments.

BILL OVER IN ORDER.

Mr. BEIDLEMAN. Mr. President, I ask that Senate Bill No. 1174 (House Bill No. 1314), on third reading, entitled:

An Act regulating the granting of preliminary injunctions and cautionary orders in equity proceedings

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1176 (House No. 1541), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Gerberich,	Jones,	Moore,
Beidleman,	Graff,	Judson,	Morgan,
Buckman,	Gyger,	Knapp,	Nulty,
Catlin,	Hall,	Kurtz,	Sensenich,
Crow,	Heacock,	Magee,	Sheatz,
Daix,	Hilton,	Martin,	Sones,
DeWitt,	Hoke,	McNichol,	Thompson,
Endsley,	Homsher,	McNichols,	Vare,
Farley,	Hunter,	Miller,	Wasbers,
Fisher,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1177 (House Bill No. 1547), entitled:

An Act to amend section two of an act entitled "An Act authorizing and requiring county commissioners of the several counties of this Commonwealth to have the county bridges of their respective counties painted and the bolts of the same tightened as often as may be necessary" approved the twenty-first day of April Anno Domini one thousand nine hundred three

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—40.

Alexander,	Fisher,	Jarrett,	Moore,
Beidleman,	Graff,	Jones,	Morgan,
Buckman,	Gyger,	Judson,	Nulty,
Catlin,	Hall,	Kline,	Sensenich,
Cooper,	Heacock,	Knapp,	Sheatz,
Crow,	Hilton,	Kurtz,	Sones,
Daix,	Hoke,	Magee,	Thompson,
DeWitt,	Homsher,	Martin,	Vare,
Endsley,	Huffman,	McNichol,	Wasbers,
Farley,	Hunter,	Miller,	Gerberich,
			Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 1178 (House Bill No. 1681), on third reading, entitled:

An Act to amend section one of an act entitled "An Act to amend section three of an act entitled "An Act authorizing the appointment of policemen in the boroughs of this Commonwealth defining their powers and duties and providing for their compensation and discharge" approved June sixth Anno Domini one thousand eight hundred ninety-three by regulating the control of policemen when on duty approved June eighth one thousand nine hundred eleven

be recommitted to the Committee on Judiciary Special.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. KLINE. Mr. President, I ask that Senate Bill No. 1179 (House Bill No. 1044), on third reading, entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof' approved the tenth day of March Annno Domini one thousand nine hundred and three

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1187 (House No. 1448), entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its checks in payment of a depositor's check

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Alexander,	Gyger,	Kurtz,	Salus,
Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Hilton,	Martin,	Sheatz,
Catlin,	Hoke,	McNichol,	Sones,
Crow,	Homsher,	McNichols,	Thompson,
Daix,	Hunter,	Miller,	Vare,
Endsley,	Jones,	Moore,	Wasbers,
Farley,	Judson,	Morgan,	Gerberich,
Fisher,	Kline,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1190 (House No. 398), entitled:

An Act to require the reporting by physicians to the State Register of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Heacock,	Kurtz,	Salus,
Beidleman,	Hilton,	Magee,	Sensenich,
Buckman,	Hoke,	Martin,	Sheatz,
Catlin,	Homsher,	McNichol,	Sones,
Crow,	Huffman,	McNichols,	Thompson,
Daix,	Hunter,	Miller,	Vare,
DeWitt,	Jones,	Moore,	Wasbers,
Endsley,	Judson,	Morgan,	Gerberich,
Farley,	Kline,	Nulty,	Pres. pro tem.
Gyger,	Knapp,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with informataion that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1193 (House No. 1048), entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Graff,	Kline,	Nulty,
Beidleman,	Gyger,	Knapp,	Salus,
Buckman,	Hall,	Kurtz,	Sensenich,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Huffman,	McNichols,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jones,	Moore,	Pres. pro tem.
Fisher,	Judson,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1204 (House No. 1148), entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties

And said bill having been read at length the third time, and agreed to,

On the qlestion,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Graff,	Kline,	Morgan,
Beidleman,	Gyger,	Knapp,	Nulty,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Sones,
Crow,	Hoke,	McIlhenny,	Thompson,
Daix,	Homsher,	McNichol,	Vare,
DeWitt,	Huffman,	McNichols,	Wasbers,
Endsley,	Hunter,	Miller,	Gerberich,
Farley,	Jones,	Moore,	Pres. pro tem.
Fisher,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER.

Mr. BUCKMAN. Mr. President, I ask that Senate Bill No. 1209, on third reading, entitled:

An Act authorizing each city in the Commonwealth to prepare adopt and amend its own charter regulating the proparation adoption and amendment thereof providing penalties for violations of the act and repealing certain laws relating to the government of cities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1239 (House No. 1473), entitled:

An Act to amend an act approved the tenth day of May one thousasd eight hundred eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent hmself to be of full age for the purpose of obtaining intoxicating liquors"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Beidleman,	Gyger,	Knapp,	Nulty,
Buckman,	Hall,	Kurtz,	Salus,
Catlin,	Hilton,	Magee,	Sheatz,
Crow,	Huffman,	Martin,	Sones,
Daix,	Hunter,	McIlhenny,	Vare,
DeWitt,	Jones,	Miller,	Wasbers,
Endsley,	Judson,	Moore,	Gerberich,
Farley,	Kline,	Morgan,	Pres. pro tem.

NAYS—1.

Hoke,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1274, entitled:

An Act authorizing cities of the first and second class to compensate employees for time lost while in the employ of the city as a result of injuries sickness or disablement of any kind sustained while in the performance of their duties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Heacock,	Kurtz,	Salus,
Buckman,	Hilton,	Magee,	Sensenich,
Catlin,	Hoke,	Martin,	Sheatz,
Crow,	Homsher,	McIlhenny,	Sones,
Daix,	Huffman,	McNichol,	Thompson,
DeWitt,	Hunter,	McNichols,	Vare,
Endsley,	Jones,	Miller,	Wasbers,
Farley,	Judson,	Moore,	Gerberich,
Gyger,	Kline,	Morgan,	Pres. pro tem.
Hall,	Knapp,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1294, entitled:

An Act to amend an act approved the twentieth day of June one thousand nine hundred one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by eliminating certain provisions relating to school taxes and repealing section eight of said act

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Beidleman,	Hilton,	Magee,	Sheatz,
Buckman,	Huffman,	Martin,	Sones,
Catlin,	Hunter,	McNichol,	Thompson,
Crow,	Jones,	McNichols,	Vare,
Daix,	Judson,	Moore,	Gerberich,
Endsley,	Kline,	Salus,	Pres. pro tem.
Farley,	Kurtz,	Sensenich,	

NAYS—4.

Knapp,	Miller,	Nulty,	Wasbers,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1303 (House No. 1107), entitled:

An Act relating to inns and hotels regulating certain rights and liabilities of hotel-keepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

And said bill having been read at length the third time, and agreed to

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Hilton,	Martin,	Sheatz,
Catlin,	Hunter,	McIlhenny,	Sones,
Crow,	Jones,	McNichol,	Vare,
Daix,	Judson,	McNichols,	Wasbers,
DeWitt,	Kline,	Moore,	Gerberich,
Farley,	Knapp,	Morgan,	Pres. pro tem.
Gyger,	Kurtz,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1310 (House No. 1864), entitled:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Beidleman,	Heacock,	Magee,	Sensenich,
Buckman,	Hilton,	Martin,	Sheatz,
Catlin,	Hunter,	McIlhenny,	Sones,
Crow,	Jones,	McNichol,	Thompson,
Daix,	Judson,	Miller,	Vare,
Endsley,	Kline,	Moore,	Wasbers,
Farley,	Knapp,	Morgan,	Gerberich,
Gyger,	Kurtz,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

RECONSIDERATION OF SENATE BILL NO. 1067.

Mr. BEIDLEMAN. Mr. President, I move that the vote by which Senate Bill No. 1067, entitled:

A supplement to an act entitled "An Act regulating the construction maintenance alteration and inspection of building and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five prohibiting the construction of buildings hereafter erected or the alteration of existing buildings to be used as places for public entertainments or amusements on any floor except the first unless such structures are of fire-proof construction and have adequate facilities for entrance and exit and providing penalties for the violation of the same

passed finally be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. BEIDLEMAN. Mr. President, I voted "aye."

Mr. DAIX. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. DAIX. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. BEIDLEMAN. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILL INTRODUCED.

Mr. KLINE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1317, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania; to provide for the establishment of a State Board of Optometric Examiners; to define the powers and duties of said Board of Optometric Examiners; to provide for the examining and licensing of optometrists in this State, and to provide penalties for the violation of this act.

Which was committed to the Commitee on Public Health and Sanitation.

REPORT FROM COMMITTEE.

Mr. KLINE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE, from the Committee on Appropriations, reported as amended, Senate Bill No. 1223 (House Bill No. 1040), entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the city treasurer of Philadelphia for an auctioneer's license and paid by said city treasurer into the State Treasury

NOMINATIONS BY THE GOVERNOR.

The Private Secretary of the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Judiciary General.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May, 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Irwin H. Sandt, of the City of Reading, County of Berks, to be Notary Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of his confirmation.

JOHN K. TENER.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May, 7, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation:

ALLEGHENY COUNTY.

Israel A. Simon, McKeesport.

LACKAWANNA COUNTY.

John Dano, Scranton.
Michael A. Stone, Scranton.

JOHN K. TENER.

HOUSE CONCURS IN SENATE BILL NO. 294.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 294, entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the Common Pleas Court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the Common Pleas Court to take such appeal and prescribing the practice in such cases

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 764.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 764, entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to ap-

propriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State aid highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State highway or State aid highway

with the information that the House has passed the same without amendment.

SENATE BILL NO. 717 RETURNED WITH AMENDMENTS.

He also laid before the Senate Communications from the House of Representatives, returning to the Senate, Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over under the rules.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 305.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 305, entitled:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for county borough town or township taxes respectively and providing for the sale of such lands for taxes

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 132.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 132, entitled:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1144.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 1144, entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. BUCKMAN. Mr. President, I move that the Senate insists upon its amendments to the foregoing bill non-concurred in by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Buckman, Jones and Thompson be such committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 645 RECALLED FROM THE GOVERNOR.

He also laid before the Senate resolution from the House of Representatives as follows, which was twice read, considered and agreed to.

Resolved (if the Senate concur) That House Bill No. 645, entitled:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 1153 RECALLED FROM THE GOVERNOR.

He also laid before the Senate resolution from the House of Representatives as follows, which was twice read, considered and agreed to.

Resolved (if the Senate concur) That House Bill No. 1153, entitled:

An Act for the prevention of blindness by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordinly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 157.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has adopted the report of the Committee of Conference on Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act etitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

SENATE BILL NO. 552 RETURNED WITH AMENDMENTS.

He also laid before the Senate communications from the House of Representatives, returning to the Senate, Senate Bill No. 552, entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in conection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter to distribute and dispose of power for lighting and other purposes and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to construct with said cities respecting the acquisition construction operation and use of transit facilities

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Ordered, That the same be laid over one day under the rules.

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 953.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 953, entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be col-

lected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsistent acts

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 143.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 143, entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 956.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 956, entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughterhouses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide for that licenses shall be for the calendar year and that license continuing in business shall annually apply for new licenses

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO. 465.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House has concurred in the amendments made by the Senate to House Bill No. 465, entitled:

An Act requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporationabout to go out of business or goods to have been damaged in any way and regulating such license and fixing a penalty for violation of this act

HOUSE CONCURS IN SENATE BILL NO. 124.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 124, entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act relating to sale of the real estate of decedents"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 464.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 464, entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats to those occupied by ten or more persons

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 524.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 524, entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 146.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 146, entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons, whose bodies are unclaimed and are unfit for anatomical purposes

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 831.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the second day of April one thousand nine hundred and three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries and repealing certain acts

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 694.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 694, entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 659.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 659, entitled:

An Act enabling the board consisting of State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteen one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 121.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 121, entitled:

An Act authorizing D. L. Saul and Flora W. Saul his wife residents of the city of Harrisburg Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the court of common pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 574.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 574, entitled:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania" entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini one thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three and seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

with the information that the House has passed the same without amendment.

SENATE BILL NO. 2 RETURNED WITH AMENDMENTS.

He also laid before the Senate communications from the House of Representatives, returning to the Senate, Senate Bill No. 2, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the pubilc highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

with the information that the House has passed the same with amendments in which the concurrence of te Senate is requested.

Ordered, That the same be laid over one day under the rules.

HOUSE CONCURS IN SENATE BILL NO. 276.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 276, entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line acqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto as amended

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 859.

He also laid before the Senate communication from the House of Representatives returning to the Senate, Senate Bill No. 859, entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An Act authorizing banks chartered under the laws of Pennsylavnia to pay interest upon demand deposits" by authorizing interest on time deposits

with the information that the House has passed the same without amendment.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 580.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 580, entitled:

A supplement An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three' approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

RECONSIDERATION OF HOUSE BILL NO. 580.

Mr. VARE. Mr. President, I move to reconsider the vote by which House Bill No. 580, entitled:

A supplement An amendment to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eighth undred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and reguatlions and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

passed finally.

The PRESIDENT. How did the Senator vote?
Mr. VARE. Mr. President, I voted "aye."
Mr. SALUS. Mr. President, I second the motion.
The PRESIDENT. How did the Senator vote?
Mr. SALUS. Mr. President, I voted "aye."
The motion was agreed to.
And the question recurring,
Shall the bill pass finally?
Mr. VARE. Mr. President, I move to reconsider the vote by which this bill passed third reading.
Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. VARE. Mr. President, I ask unanimous consent to amend the bill as follows: By striking out in the beginning of the title the words "A supplement and amendment to an act," and inserting in lieu thereof the words "An act entitled an act to amend an act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 956.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has reconsidered the vote by which the House of Representatives has concurred in the amendments made by the Senate to House Bill No. 956, and that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 956, entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shellfish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that license continuing in business shall annually apply for new licenses

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. McNICHOL. Mr. President, I move that the Senate insists upon its amendments to the foregoing bill nonconcurred in by the House of Representatives and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

Mr. HUNTER. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Salus Daix and Nulty be such committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 953.

He also laid before the Senate communication from the House of Representatives informing the Senate that the House of Representatives has reconsidered the vote by which the House of Representatives concurred in the amendments made by the Senate to House Bill No. 953, and that the House of Representatives has non-concurred in the amendments made by the Senate to House Bill No. 953, entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsistent acts

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. McNICHOL. Mr. President, I move that the Senate insists upon its amendments to the foregoing bill non-concurred in by the House of Representatives and that a Committee of Conference be appointed to confer with a similar commttee of the House (if the House snall appoint such committee) to consider the difference existing between the two Houses in relation to said bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. McNichol, Daix and Nulty, be such committee on the part of the Senate and that the Clerk inform the House of Representatives accordingly.

BILL SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bill had passed both houses of the General Assembly and te same being correct, the title was publicly read as follows:

Senate Bill No. 643, entitled:

An Act empowering all corporations incorporated under the laws of the State of Pennsylvania for purposes not for profit to acquire hold use and enjoy real estate of the clear yearly rental value or income of fifty thousand dollars

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. McILHENY. Mr. President, I move that this bill ate do now resume the consideration of Senate Bill No. 549 (House Bill No. 813), on third reading postponed for the present, entitled:

An Act to regulate the manufacture and sale and to prevent the adulteration and misbranding of disinfectants deodorants antiseptics and germicides for external use to regulate the labeling of such preparations to provide for the standardization of such disinfectants deodorants antiseptics and germcides and providing penalties for the violation of this act

Mr. HOMSHER. Mr. President, I second the motion.

The motion wa sagreed to.

And on the question recurring,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

Mr. DAIX. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF HOUSE BILL NO. 1007.

Mr. THOMPSON. Mr. President, I move that the vote by which Senate Bill No. 1234 (House Bill No. 1007), on page 15 of yesterday's calendar, entitled:

An Act authorizing the appointment of two delegates from Pennsylvania as members of a commission to investigate European systems of rural credits and report thereon and making an appropriation therefor

was defeated on final passage be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON. Mr. President, I voted "no."

Mr. SENSENICH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SENSENICH. Mr. President, I voted "no."

The motion was agreed to.

And on the question recurring,

Shall the bill pass finally?

Mr. THOMPSON. Mr. President, I move that the question together with the further consideration of the bill be postoponed for the present.

Mr. SENSENICH. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE.

Mr. THOMPSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection- The Chair hears none.

Mr. THOMPSON, from the Committee on Public Health and Sanitation, reported as committed Senate Bill No. 591 (House Bill No. 644), entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical

Educations and Licensure of the State of Pennsylvania shall enforce the provisions of this act, making an appropriation therefor and providing certain penalties for the violation of the provisions thereof and repealing all acts and parts of acts incompatible herewith.

Also, from the Committee on Public Health and Sanitation, reported as commtited, Senate Bill No. 1240 (House Bill No. 1521), entitled:

A supplement to an act, entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May 24 A. D. 1887.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be cosidered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 11, as follows:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "commodity" as used in this act shall be taken to mean any tangible personal property sold or offered for sale

The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton cask crate firkin hogshead jar jig jug keg stopper vessel wrapper or any similar or analogous utensil receptacle band or wrapper in which any commodity may be sold or offered for sale and which shall be delivered or intended to be delivered with the commodity when sold

The word "marked" as used in this act shall be taken to mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words or figures may be indicated in or on a container or on any label or covering attached thereto

Section 2 All liquid commodities shall be sold by weight or liquid measure All dry commodities shall be sold by weight dry measure or numerical count No dry commodities shall be sold by liquid measure dry commodities in car load lots may be sold by weight

Section 3 It shall be unlawful to use a measure without a bottom in selling any commodity

Section 4 It shall be unlawful to use a measure without use any measure unless the same shall have thereon marked in distinct letters and figures the capacity thereof If such measure be of the capacity of one-half bushel or less or of one-half gallon or less it shall be marked in terms of a quart dry or liquid measure respectively If the measure be of the capacity of over one-half bushel or one-half gallon it shall be marked in terms of a bushel or gallon respectively

Section 5 It shall be unlawful to sell or offer for sale any berries or other small fruit in boxes baskets or other analogous receptacle holding one quart or less unless such boxes baskets or receptacles shall be of the capacity of one quart one pint or one-half pint dry measure and so mark

Section 6 It shall be unlawful for any person firm or corporation with intent to defraud

(1) To sell or offer for sale any commodity on the container of which is marked any false statement respecting the kind number quantity weight or measure of such commodity or of any part thereof or respecting the place or county where such commodity was manufactured or produced or respecting the quality or grade of such commodity

(2) To sell or offer for sale any commodity in bulk to which no name nor trade mark shall be attached and orally or otherwise represent that such commodity is the manufacture or production of some other than the actual manufacturer or producer Provided That nothing in this act is to be construed as applying to drugs medicines chemicals or pharmaceutical or proprietary preparations used as medicines nor to toilet preparation

Section 7 Whenever any commodity named in this section shall be sold by the bushel the bushel of such commodity shall consist of the respective number of pounds herein set forth namely

Alfalfa seed sixty pounds
Apples fifty pounds
Apples dried twenty-five pounds
Barley forty-seven pounds
Beans dried sixty pounds
Beans castor shelled forty-six pounds
Beets sixty pounds
Blue-Grass seed fourteen pounds
Bran twenty pounds
Broom-Corn seed fifty pounds
Buckwheat 48 pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear husked seventy pounds
Corn meal fifty pounds
Cranberries forty pounds
Cucumbers fifty pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty eight pounds
Hair (plastering) eight pounds
Hemp seed forty-four pounds
Herd's grass forty-five pounds
Hickory nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime seventy pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Milet fifty pounds
Oats thirty-wo pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
peaches dried peeled thirty-eight pounds
Peaches dried unpeeled thirty-three pounds
Peanuts twenty-two pounds
Pears dried fifty pounds
Peas (green unshelled) fifty-six pounds
Peas sixty pounds
Plums sixty-four pounds
Popcorn (unshelled) fifty-six pounds
Potatoes sixty pounds
Potatoes (sweet) fifty-four pounds
Quinces forty-eight pounds
Rape seed fifty pounds
Raspberries forty-eight pounds
Red top grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye meal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum seed fifty pounds
Spelt forty pounds
Strawberries forty-eight pounds
Timothy grass seed forty-five pounds
Tomatoes sixty pounds
Turnips sixty pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Section 8 Every commodity or article of food packed for sale and retailed in containers of any description shall bear upon the container a plainly legible statement of the net weight measure or numerical count of its contents or of the net volume thereof and of the name and address of the manufacturer producer or distributor thereof Provided however that reasonable variations and tolerances shall be permitted said variations and tolerances to be established by the Chief of the Bureau of Standards Such marking shall not apply to bags or similar receptacles used solely in delivering commodities after sale If any commodity be wholly or in part of cotton wool linen or silk the length thereof in yards shall be so marked on the container thereof

Section 9 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county shall for the first offense be fined not less than twenty-five nor more than one hundred dollars For the second and each subsequent offence such person firm or corporation shall on conviction be fined not less than one hundred dollars nor more than five hundred dollars and in addition such person and each of the members of such firm and each of the directors of such corporation as the case may be with knowledge of the said violation shall be sentenced to undergo imprisonment in the jail of the proper county for a period not to exceed thirty days

Section 10 It shall be the duty of the property city and county inspectors of weights and measures to enforce the provisions of this act

Section 11 This act shall go into effect the first day of January one thousand nine hundred fourteen Provided however that no penalty or fine imprisonment or confiscation shall be enforced for any violation of its provisions as to domestic products prepared or foreign products imported prior to eighteen months after its passage

Section 12 All acts and parts of an act general local or special inconsistent with any of the provisions of this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 198, as follows:

An Act to provide for the holding of a Constituional Convention the election of delegates thereto and the submission of the report thereof for the approval of the people

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That at the fall primary election to be held at the time fixed by law for the nomination of candidates to be voted for at the municipal election in November one thousand nine hundred and thirteen the question of holding a convention to revise the Constitution of this Commonwealth shall be submitted to the electors of this Commonwealth which question shall be stated on the official ballots in the following form "Shall a Constitutional Convention be called" followed by the words "Yes" "No" the one above the other with instructions printed thereon that the voter will if he favors a Constitutional Convention place a cross-mark (X) after the word "Yes" if opposed to a Constitutional Convention he will place a cross-mark (X) after the word "No."

Separate ballots for this purpose shall be used at the said election and marked "Official Constitutional Convention Ballots" and one of which shall be given to each elector to whom a ballot is given for voting at the said primary

It shall be the duty of the commissioners of the respective counties to prepare and have printed the said ballots in the manner now provided for the furnishing of ballots for the said primary election

Section 2 The election on the question of holding the said Constitutional Convention shall be conducted by the regular election boards and shall be governed by the laws regulating the conduct of general and municipal elections in so far as the same are not modified by the provisions of this act or are inconsistent with its terms provided that the result of the said election shall be separately counted returned computed canvassed tabulated and certified by the proper officers

Section 3 The Secretary of the Commonwealth as soon as he shall have received and tabulated the complete returns of said election upon the question of holding a Constitutional Convention and not later than the tenth day of October succeeding the holding of said election shall certify the result thereof to the Governor who shall forthwith issue a proclamation declaring the result of the said election

Section 4 In addition to the ballots provided for in this act the county commissioners shall for the conduct of the said election provide such lists of voters forms blanks return sheets blank books and other supplies as they are by law required to furnish to election officers for the use at general or municipal elections Such supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the said electon

Secton 5 The Secretary of the Commonwealth as soon as may be after the approval of this act shall give notice of the holding of the said election by publication in not more than two newspapers in each county of the State for one month prior to the holding of the said election and shall transmit the said notice to the sheriffs of the said counties and the commissioners who shall give notice of the holding of the said election as now provided by law for the giving of notice of the holding of primary general and municipal elections

Section 6 The expenses of holding the said election shall be paid as the expenses of holding municipal and general elections are now payable by law

Section 7 The qualification of electors entitled to vote at the said election shall be the same as the qualification of electors entitled to vote at the said primary election to be held on the said day Each elector shall prove his qualifications and his identity in the same manner as now required by law to entitled him to vote at the said primary

Section 8 If the result of the said election be in favor of holding the Consttutional Convention as above provided delegates thereto shall be elected at the succeeding municipal election to be held in November one thousand nine hundred and thirteen The Convention shall be composed of one hundred and sixty-five delegates three to be elected from each of the fifty Senatorial Districts of this Commonwealth and fifteen delegates to be elected from the Commonwealth at large

In choosing such delegates each elector shall be entitled to vote for one district delegate and five delegates-at-large and the candidates highest in votes shall be declared elected

Section 9 Nominations for delegates to the Convention shall be in all cases be made by petition

Nominating petitions for district delegates shall be signed by at least two hundred and fifty qualified electors of the proper district and shall set forth that the signers thereof are qualified electors of the district in which the candidate resides and from which he desires to be elected and that they will support the candidate whose petition they are signing No elector shall sign more than one nominating petition and in case of his signing two or more his signature shall be counted on the one first signed Nominating petitions for delegates-at-large shall be signed by at least five hundred qualified electors not more than one hundred of whom shall be residents of any one county Such petitioners shall set forth that the signers thereof are qualified electors of the Commonwealth and that they will support the candidates whose petition they are signing No elector shall sign more than five nominating petitions for delegates-at-large In case of his signing six or more his signature shall be counted on the five first signed by him

Every signer of a nominating petition shall add his occupation and residence giving city borough village or township with street and number if any and the date of signing the petition No petition for nomination shall be circulated prior to the first day of October one thousand nine hundred and thirteen and no signature thereto shall be counted unless it shall have been affixed to such petition and bear date not earlier than October first aforesaid

Nominating petitions shall be filed with the Secretary of the Commonwealth at least ten days prior to the election at which delegates are to be chosen

The Secretary of Commonwealth immediately after the last day for the filing of such petitions with him shall furnish to the county commissioners of each county a correct list of the candidates to be voted for in the respective counties for delegates as contained in such petitions

The qualifications of delegates to the Constitutional Convention shall be the same as is by law prescribed for Senators in the General Assembly of this Commonwealth

Section 10 The names of the candidates for delegates to the said Convention shall be printed on the official ballot to be used at the said election under the words "Delegates-at-Large to Constitutional Convention Vote for Five" and under the names shall be left five blank spaces in which the elector may write the names of any persons for whom he desires to vote and the candidates for district delegate in a separate column under the words "District Delegate to Constitutional Convention Vote for one" under which shall be left one blank space in which an elector may write the name of the person for whom he desires to vote

The ballots in each county shall be printed in as many different series as there are candidates for district delegates In the first series the names of the candidates shall be arranged alphabetically In the second series the candidate first named in the first series shall be last and so on throughout the various series so that each candidate's name occupies a different position in each series When the ballots are bound together the first shall be taken from the first series the next from the second and so on so that the one ballot from one series is immediately followed one from the next

In the first series the candidates for delegates-at-large shall be arranged alphabetically in the second the first shall be last and so on making the first in each preceding series the last in the next

Section 11 Returns of the election of district delegates shall be made as now provided by law in the case of the election of State Senators and of the delegates-at-large as provided by law in case of judges of the Superior Court and the election of the said delegates shall be conducted in all respects as now provided by law for the election of other public officers

Section 12 The delegates so elected shall meet in the hall of the House of Representatives at the State Capitol in Harrisburg at twelve o'clock noon on the first Tuesday in January in the year one thousand nine hundred and fourteen with general powers of adjournment as to time

It shall be the duty of the Secretary of the Commonwealth to call the convention to order at the time of its assembling and to present to the delegates there assembled the several returns of the elections of the members thereto whereupon the roll of those appearing upon the face of the returns to have been elected shall be called The oath of office prescribed by the constitution for Senators in the General Assembly shall be administered to the delegates present by the Secretary of the Commonwealth and thereupon the delegates shall elect one of their number as president and such other officers and employes as they shall determine and proceed with the transaction of business

The president of the convention is hereby authorized and empowered to administer the oath of office herein required to be taken by delegates to said convention and to the officers and employes elected thereby

A majority of the whole number of delegates shall be necessary to constitute a quorum

The convention shall judge of the election and qualifications of its own members

Section 13 In case of vacancies in the membership of the convention occurring prior or subsequent to its organization delegates shall be elected to fill the same by the members of the convention Provided That any delegate elected to fill a vacancy in the representation of any Senatorial District shall be a resident of such Senatorial District

Section 14 Said convention shall have power to propose to the qualified electors of this Commonwealth for their approval or rejection a new constitution or specific and particular amendments or additions to the present constitution as they may determine by a majority vote

Section 15 The new constitution or amendments or additions proposed by the convention shall be engrossed and signed by the president and chief clerk of the convention and delivered to the Secretary of the Commonwealth who shall enter it on the record in his office and shall publish the same in convenient form and send a copy thereof by mail to every elector in the Commonwealth

For the purpose of carrying into effect the provisions of this section the County Commissioners of each county in the Commonwealth are hereby required to furnish to the Secretary of the Commonwealth on or before the first day of May one thousand nine hundred and fourteen a list of every qualified elector in their respective counties as shown by the voting or registry lists used at the election at which delegates were elected to said convention together with the post office address of each of said voters

Section 16 The constitution proposed by the convention shall be submitted to the qualified electors of this Commonwealth for their approval or rejection at an election to be held at such time as the convention shall prescribe Such election shall be conducted in the manner in which general and municipal elections are by law conducted The constitution shall be submitted to the electors in such manner as the convention shall direct Provided That any section in the proposed constitution relating to female suffrage the

initiative the referendum the recall either of officers or judicial decisions and any other sections which one-third of the members of the convention shall direct shall be separately submitted to the electors for their approval or rejection

The majority vote of the electors voting thereon shall be necessary to the adoption of the constitution proposed by the convention or any part thereof separately submitted

Section 17 The entitre compensation and allowance to each delegate to the convention shall be as follows For salary fifteen hundred dollars ($1,500) for mileage ten cents per mile circular not to be allowed at more than two sessions for postage stationery and contingencies one hundred dollars ($100)

The clerks and other officers shall be allowed such compensation as the convention shall direct

Warrants for compensation of members and officers and for all proper expenses of the convention shall be drawn upon the State Treasurer by the president and countersigned by the chief clerk of the convention and shall be paid when audited by the Auditor General out of moneys specifically appropriated for the purpose

The sum of four hundred and fifty thousand dollars ($450,000) or so much thereof as may be necessary is hereby specifically appropriated to carry out the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 803 (House Bill No. 570), entitled:

An Act requiring any individual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. WASBERS. Mr. President, I move that Senate Bill No.803 (House Bill No. 570), on second reading, the bill just read, be recommitted to the Committee on Mines and Mining.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 891 (House Bill No. 857), as follows:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in addition to the powers now possessed and exercised by the judges of the separate orphans' court of this Commonwealth said judges shall when called upon by the president judge of any court of common pleas as hereinafter provided have power to hear and determine all pleas actions causes civil or criminal issues in courts of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the court of common pleas sitting in said courts

Section 2 Nothing in this act shall be construed to make it compulsory upon the judges of said orphans' courts to render the services aforesaid but whenever the proper dispatch of business requires it and an arrangement can be made with a judge of such orphans' court for such service the president judge of the court of common pleas of the proper county may certify all matters or issues to be heard and determined by such orphans' court judge specially presiding as aforesaid

Section 3 In districts having one or more additional law judges whenever the president judge shall be absent from the district or disabled by sickness and occasion should occur it shall be competent for the additional law judge and in districts having more than an additional law judge for the one oldest in commission being then in the district to arrange for the service herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by the said president judge

Section 4 No additional compensation shall be received by the said orphans' court judges for any service rendered in pursuance hereof but they shall be entitled to be paid such mileage and other actual expenses as provded by law for judges of this Commonwealth when holding court outside of the district for which they shall have been commissioned

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. MAGEE. Mr. President, I move that Senate Bill No. 895 (House Bill No. 195), on second reading, entitled:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating same establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violation of this act

be recommitted to the Committee on Judiciary Special.

Mr. SALUS. Mr. President, I second the motion .

On the question,

Will the Senate agree to the motion?

Mr. McNICHOL. Mr. President, I am somewhat interested in this bill, having been given in my charge by the introducer, and the bill was reported from one committee and at the invitation and suggestion of numerous members of this Senate I consented that it be referred to the Committee on Judiciary General. The Committee on Judiciary General had this bill in charge for a period of two weeks and went over it very carefully and eliminated what they considered was objectionable in the bill and put it out in the calendar. Now I do not see the necessity for sending the bill back to the Committee on Judiciary Special, neither do I see the necessity of referring the bill to any committee. If the members of the Senate feel that they cannot support it, vote against it. but I do not believe it will do any good to refer it to committee, therefore I hope the Senate will not vote for this motion.

Mr. MAGEE. Mr. President. I thought that this bill had been committed to the Committee on Judiciary Special. Now I move to amend my motion and refer it to the Committee on Judiciary General where it had been before, because I have been asked to say that certain parties desire a hearing. That is my only purpose in making the motion.

Mr. SALUS. Mr. President, I second the amendment.

On the question,

Will the Senate agree to the amendment?

Mr. McNICHOL. Mr. President, in answer to the request for a hearing, we have given ample notice to all parties we thought would be concerned in the bill, for it or against it. Now it is a bill which has been before this body several times and everybody had ample opportunity to look into the merits of the measure and I think this is a late day now to ask for another hearing.

And the question recurring,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the motion as amended?

It was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 903, as follows:

An Act to amend section ten of an act entitled "An Act regulating railroad companies" approved February nineteeth one thousand eight hundred and forty-nine broadening the powers of eminent domain of railroad companies

Section 1 Be it enacted by the Senate and House of Rep-

resentatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of an act entitled "An Act regulating railroad companies" approved February nineteenth one thousand eight hundred and forty-nine" which reas as follows

Section 10 That the president and directors of such company shall have power and authority by themselves their engineers superintendents agents artisans and workmen to survey ascertain locate fix mark and determine such route for a railroad as they may deem expedient not however passing through any burying ground or place of public worship or any dwelling house in the occupancy of the owner or owners thereof without his her or their consent and not except in the neighborhood of deep cuttings or high embankments or places selected for sidings turnouts depots engine or water stations to exceed sixty feet in width and thereon to lay down erect construct and establish a railroad with one or more tracks with such branches or lateral roads as may be specifically authorized and with such bridges viaducts turnouts sidelings or other devices as they may deem necessary or useful between the points named in the special act incorporating such company commencing at or within and extending to or into any town city or village named as the place of beginning or terminus of such road and in like manner by themselves or other persons by them appointed or employed as aforesaid to enter upon and into and occupy all land on which the said railroad or depots warehouses offices toll houses engines and water stations other buildings or apurtenances hereinbefore mentioned may be located or which may be necessary or convenient for the erection of the same or for any purpose necessary or useful in the construction maintenance or repairs of said railroad and therein and thereon to dig excavate and embank make grade and lay down and construct the same and it shall in like manner be lawful for such company their officers agents engineers contractors or workmen with their implements and beasts of draught or burden to enter upon any lands adjoining or in the neighborhood of their railroad so to be constructed and to quarry dig cut take and carry away therefrom any stone gravel clay sand earth wood or other suitable material necessary or proper for the construction of any bridges viaducts or other buildings which may be required for the use maintenance or repairs of said railroad Provided That before such company shall enter upon or take possession of any such lands or materials they shall make ample compensation to the owner or owners thereof or tender adequate security therefor Provided further That the timber used in the construction or repair of said railroad shall be obtained from the owner thereof only by agreement or purchase And provided further That whenever any company shall locate its road in and upon any street or alley in any city or borough ample compensation shall be made to the owners of lots fronting upon such street or alley for any damages they may sustain by reason of any excavation or embankment made in the construction of such road to be ascertained as other damages are authorized to be ascertained by this act" be and the same is hereby amended to read as follows

"Section 10 That the president and directors of such company shall have power and authority by themselves their engineers superintendents agents artisans and workmen to survey ascertain locate fix mark and determine such route for a railroad as they may deem expedient not however passing through that part of any burying ground in which bodies are buried or place of public workship or any dwelling house in the occupancy of the owner or owners thereof without his her or their consent and not exceeding sixty feet in width at grade of railroad but with the additional land necessary for the slopes of cuttings embankments and ditches to maintain a railroad sixty feet wide at grade and additional land in places selected for sidings turnouts depots engine or water stations and for change of public roads to prevent grade or other crossings and for change of brooks creeks or streams where deemed necessary by the railroad company in the construction of its line of railroad Provided however That in the change of said road the same shall be at the expense of the railroad relocated and opened of equal width upon as favorable or better location in the change of brooks creeks or streams the same shall be relocated and opened in such manner as not to make the coarse more devious or to reduce the cross section of such book creek or stream and thereon to lay down erect construct and establish a railroad with one or more tracks with such branches or lateral roads as may be specifically authorized and with such bridges viaducts turnouts sidings or other devices as they may deem necessary or useful between the points named in the special act incorporating such company commencing at or within and extending to or into any town city or village named as the place of beginning or terminus of such road in like manner by themselves or other persons by them appointed or employed as aforesaid to enter upon and into and occupy all land on which the said railroad or depots warehouses offices toll houses engines and water stations other buildings or appurtenances hereinbefore mentioned may be located or which may be necessary or convenient for the erection of the same or for any purpose necessary or useful in the construction maintenance or repairs of said railroad and therein and thereon to dig excavate and embank make grae and lay down and construct the same and it shall in like manner be lawful for such company their officers agents engineers contractors or workmen with their implements and beasts of draught or burden to enter upon any lands adjoining or in the neighborhood of their railroad so to be constructed and to quarry dig cut take and carry away therefrom any stone gravel clay sand earth wood or other suitable material necessary or proper for the construction of any bridges viaduct or other buildings which may be required for the use maintenance or repairs of said railroad Provided That before such company shall enter upon or take possession of any such lands or materials they shall make ample compensation to the owner or owners thereof or tender adequate security therefor Provided further That the timber used in the construction or repair of said railroad shall be obtained from the owner thereof only by agreement or purchase And provided further That whenever any company shall locate its road in and upon any street or alley in any city or borough ample compensation shall be made to the owners of lots fronting upon such street or alley for any damages they may sustain by reason of any excavation or embankment made in the construction of such road to be ascertained as other damages are authorized to be ascertained by this act"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bils to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1020 (House Bill No. 1244), entitled:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the court of common pleas of the proper county of all disputes as to reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeenth one thousand nine hundred five so as to include gas and water companies

The first section of the bill was read as folows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by petition to the court of common pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said peition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity"

"Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits or cables of the said telegraph telephone light or power company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation"

"Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light or power company to properly erect or construct and maintain its poles wire conduits and cables or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence" be amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or

other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone light power gas or water company occupying the highways of said municipality with its poles wires conduits cables pipes or mains as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of said poles wires conduits cables pipes or mains under its police powers is or is not reasonable either party may apply by petition to the court of common pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the question thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity

Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits cables pipes or mains of the said telegraph telephone light power gas or water company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation

Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light power gas or water company to properly erect or construct and maintain its poles wires conduits cables pipes or mains or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, at the request of the Senator from Beaver, Mr. Thompson, I move to amend section 1, line 69, by inserting after the word "power" the words "Street passenger railway, motor traction;" also, in line 101, by inserting after the word "power" the words "street passenger railway, motor traction;" also, in line 107, by inserting after the word "power" the words "street passenger railway, motor traction."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Wil the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five so as to include gas and water companies"

On the question,

Will the Senate agree to the title?

Mr. BUCKMAN. Mr. President, I move to amend the title by striking out in the last line the words "so as to include gas and water companies" and inserting in lieu thereof the words "extending the provisions therof to street passenger railway companies, motor traction companies, gas companies and water companies."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER.

Mr. HUNTER. Mr. President, I ask that Senate Bill No. 1143 (House Bill No. 1236), on second reading, entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty-two twenty-four twenty-six twenty-eight thirty-three thrity-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one enttiled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred one as the same were amended by the act of May fourteenth one thousand nine hundred one by further providing for the examination licensure and registration of persons firm or coroporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNTER. Mr. President, I ask that Senate Bill No. 1199 (House Bill No. 1562), on second reading, entitled:

An Act to amend section nine of an act enttiled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata share of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1251 (House Bill No. 525), entitled:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred eleven

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

BILLS OVER IN ORDER.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1279, on second reading, entitled:

A supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvaia defining its duties fixing the scope of its authority and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1280, on second reading, entitled:

An Act providing for the regulation of dams or other structure or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the

Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1281, on second reading, entitled:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1287 (House Bill No. 1284), entitled:

An Act fixing the salary of the messenger in the State Library

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER.

Mr. McNICHOLS. Mr. President, I ask that Senate Bill No. 1296, on second reading, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 54, entitled:

An Act declaring the liability of railroad companies for loss or damages by fire providing a remedy therefor and relating to evidence thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 302, entitled:

An Act regulating the sale prescription and possession of opium chloral or the salts derivatives or compounds of them or either of them or any sustance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them and prescribing penalties for violation thereof

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 479 (House Bill No. 635), entitled:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred and eighty-five entitled "An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as further amended by an act approved the twelfth day of July one thousand eight hundred and ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred and ninety-five entitled "A supplement to an act entitled 'An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred and three entitled "An Act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 725 (House Bill No. 384), entitled:

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposng penaltes for violations of ths act

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 736, entitled:

An Act to regulate the catching or taking and sale within this Commonwealth of bullfrogs tadpoles terrapin and snapping turtles and providing a penalty therefor and repealing all acts inconsistent herewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1087 (House Bill No. 1607), entitled:

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population prescribing their powers duties authority and compensation

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1149, entitled:

An Act to repeal an act entitled "An Act in relation to local advertisements in the county of Lycoming" approved April tenth one thousand eight hundred and seventy-three

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1182 (House Bill No. 1238), entitled:

A supplement to an act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estate of persons presumed to be dead by reason of long absence from their former domicile in any other State Territory or foreign country who have left personal estate within this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1211, entitled:

An Act to provide for the better protection of gray rabbits and hare in this Commonwealth fixing the open season for such animals and providing penalties for vioaltion of its several provisions

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1227 (House Bill No. 1871), entitled:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entiled "An Act relating to hawking and peddling in the county of Lehigh"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1236 (House Bill No. 1232), entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of a deed of extinguishment by the prothonotary in cases where the owner or owners of said ground rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release of extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the same or to comply with any requirement necessary to grant a clear title thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1254 (House Bill No. 1581), entitled:

An Act relating to bail or surety bond furnished on appeals from courts of record in certain cases

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1298 (House Bill No. 585), entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and three) entitled "A supplement to the act of April third one thousand eight hundred and fifty-one entitled 'An Act regulating boroughs providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth one thousand nine hundred and seven and providing for the furnishing of a bond by a trust or bonding company

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1312, entitled:

An Act for the better protection of human life and other life in this Commonwealth and prescribing penalties for violation of its several provisions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

RECESS.

Mr. KURTZ. Mr. President, I move that the Senate do now take a recess for ten minutes.
Mr. McILHENNY. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 321 (Senate Bill No. 1318), entitled:

An Act making appropriation to reimburse Mrs. Rose S. Zacharias for money erroneously paid into the State Treasury for purchase money of vacant land

Which was committed to the Committee on Appropriations.

House Bill No. 961 (Senate Bill No. 1319), entitled:

An Act to amend the twenty-eighth section of an act entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" approved the thirty-first day of March one thousand eight hundred and sixty Pamphlet Laws page four hundred thirty-seven so as to include all acts of embezzlement committed within statutory period

Which was committed to the Committe on Judiciary General.

House Bill No. 996 (Senate Bill No. 1320), entitled:

An Act to amend article six of an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June Anno Domini one thousand eight hundred eighty-five so as to permit the heads of departments to each appoint one deputy to sign warrants drawn in accordance with payrolls and salary lists approved by the head of the department providing for the manner of appoining deputies and the filing of payrolls and salary lists so approved with the controller

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1449 (Senate Bill No. 1321), entitled:

An Act supplementing and amending an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may not be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing when and how boards of school directors in districts of the first class shall act upon reports and recommendations of the boards of school visitors

Which was committed to the Committee on Education.

House Bill No. 1604 (Senate Bill No. 1322), entitled:

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteen one thousand eight hundred and ninety-five as amended by the acts of April fourteen one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to serve in said Department

Which was committed to the Committee on Agriculture.

House Bill No. 507 (Senate Bill No. 1323), entitled:

An Act providing for an initiative and referendum system of legislation under certain conditions in all boroughs within the Commonwealth of Pennsylvania

Which was committed to the Committee on Municipal Affairs.

House Bill No. 513 (Senate Bill No. 1324), entitled:

An Act making an appropriation to the Brelsford Packing and Storage Company and Evans Burnett Company of Harrisburg in payment for meats and groceries furnished by them at the instance of the Adjutant General of Pennsylvania under directions from the Governor for the relief of the sufferers from the Austin Dam disaster occurring September thirtieth one thousand nine hundred and eleven

Which was committed to the Committee on Appropriations.

House Bill No. 969 (Senate Bill No. 1325), entitled:

An Act relative to commissioners of townships of the first class and regulating their term and election

Which was committed to the Committee on Municipal Affairs.

House Bill No. 984 (Senate Bill No. 1326), entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

Which was committed to the Committee on Elections.

House Bill No. 1306 (Senate Bill No. 1327), entitled:

An Act to amend an act approved the first day of May one thousand nine hundred and nine entitled "An Act regulating and requiring and defining certain general specifications for the use and construction of permanent booths or enclosures for operating therein moving-picture machines regulating requiring and defining certain general specifications for the use and construction of portable booths or enclosures for operating therein moving picture machines and providing for the supervision and inspection of the same by the Department of Factory Inspection of the Commonwealth of Pennsylvania and providing penalties for the violation of the provisions thereof and providing that the provisions thereof shall not apply to cities of the first and second classes"

Which was committed to the Committee on Law and Order.

House Bill No. 1408 (Senate Bill No. 1328), entitled:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

Which was committed to the Committee on Judiciary Special.

House Bill No. 1516 (Senate Bill No. 1329), entitled:

An Act to amend section two of an act entitled "A supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending and extending the provisions thereof" approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine

Which was committed to the Committee on Finance.

House Bill No. 1517 (Senate Bill No. 1330), entitled:

A supplement to an act approved the thirteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors or any admixture thereof

Which was committed to the Committee on Law and Order.

House Bill No. 1689 (Senate Bill No. 1331), entitled:

An Act to provide for the assessment and collection of taxes on personal property

Which was committed to the Committee on Finance.

House Bill No. 1694 (Senate Bill No. 1332), entitled:

An Act to provide revenue by taxation

Which was committed to the Committee on Finance.

House Bill No. 1800 (Senate Bill No. 1333), entitled:

An Act defining indecent assault and providing penalty for same

Which was committed to the Committe on Judiciary General.

House Bill No. 1891 (Senate Bill No. 1334), entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gaging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor

Which was committed to the Committee on Appropriations.

House Bill No. 595 (Senate Bill No. 1335), entitled:

An Act making an appropriation to cover a deficiency caused by insufficient appropriation to carry out the purposes of an act approved the fourteeth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation o carry out its provisions"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1095 (Senate Bill No. 1336), entitled:

A jont resolution providing for a commission to investigate and report on the dependents of this Commonwealth and making an appropiation therefor

Which was committed to the Committee on Appropriations.

House Bill No. 1197 (Senate Bill No. 1337), entitled:

An Act to prohibit the use of firearms of any description upon lands set apart to hospitals or sanatoriums or park or resort uses whereon human beings congregate in the open in quest of health recreation or pleasure in this Commonwealth and providing penalties for violation of its several provisions

Which was committed to the Committee on Judiciary Special.

House Bill No. 1931 (Senate Bill No. 1338), entitled:

An Act to reepal the present dog tax law regulating the taxing of dogs in the county of Delaware

Which was committed to the Committee on Judiciary Special.

House Bill No. 1932 (Senate Bill No. 1339), entitled:

A joint resolution providing for a commission to investigate the traffic in women and girls in Pennsylvania for immoral purposes prescribing the powers and duties of the commission and making an appropriation therefor

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEES.

Mr. MILLER. Mr. President, for the Senator from Philadelphia, Mr. Vare, I ask unanimous consent to make reports from Committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER, for Mr. Vare, from the Committee on Appropriations, reported as amended, Senate Bill No. 1334 (House Bill No. 1891), entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania, authorizing said Commission to issue flood warnings and making an appropriation therefor.

Also, for Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1325 (House Bill No. 969), entitled:

An Act relating to commissioners of townships of the first class and regulating their term and election.

ADJOURNMENT.

Mr. NULTY. Mr. President, I move the Senate do now adjourn until next Monday evening at 9 o'clock.

Mr. MORGAN. I second the motion.

The motion was agreed to.

The Senate adjourned at 1.55 o'clock P. M. until Monday evening, May 12th, 1913 at nine o'clock.

ERRATUM.

In proceedings of April 30th, page 2439, column 2, "Mr. VARE from the Committee on Municipal Affairs reported as committed Senate Bill No. 39 entitled" should read "Mr. VARE from the Committee on Municipal Affairs reported as amended Senate Bill No. 39, entitled."

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 7th, 1913.

The House met at 10.00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, we thank Thee on this fresh, invigorating morn-

ing, that the withering heat of the past few days has ceased to oppress us, so that we are in condition to do our work. Our hearts go out to Thee in loving adoration and grateful praise. We have lain down to sleep and have walked because Thou hast sustained us. Now we enter upon this new day in the enjoyment of that vigor and healthfulness which we owe to the same kind Providence which has guarded us during our sleep. We render to Thee our thanks, and we ask that we may not be content with this verbal expression of our heart's gratitude, but that we may try to utter it throughout the whole day in earnest living and in faithful service. We may not do large things for Thee, but let us faithfully do the little things; let us at least smile and be cheerful; let us speak the kindly word and offer the helping hand as opportunity occurs. Let us remember Him who went about doing good, and so let it be our desire to live that we shall approve ourselves unto Thee and accomplish something in the way of making this world better, and Thy name shall have the praise of it forever. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. Aron, the further reading was dispensed with and the Journal was approved.

PETITIONS.

FAVORING MONUMENT TO THE PUBLIC SCHOOLS AND FOUNDERS THEREOF.

Mr. ADAMS prsented the petitions of Council No. 134 and Council No. 201 Daughters of Liberty, Luzerne County, praying for the passage of a bill to erect a monument to the public schools and founders thereof.

Which were referred to the Committee on Education.

Mr. CALDWELL presented the petition of Council No. 133, Daughters of L. Northumberland County praying for the passage of a bill to erect a monument to the Public Schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. BARNER presented the petition of Council No. 63, Daughters of Liberty Cumberland County praying for the passage of a bill to erect a monument to the public schools and the founders thereof.

Which was referred to the Committee on Education.

Mr. FOSTER presented the petition of Council No. 50, Daughters of Liberty, Bucks County praying for the passage of a bill to erect a monument to the Public schools and the founders thereof.

Which was referred to the Committee on Education.

FAVORING THE READING OF THE HOLY BIBLE IN THE PUBLIC SCHOOLS.

Mr. CALDWELL presented the petition of citizens of Northumberland County praying for the passage of a bill regulating the reading of the Holy Bible in the public schools.

Which was referred to the Committee on Education.

FAVORING PASSAGE OF HOUSE BILLS NOS. 1294, 195, 365, 1103, 138.

The SPEAKER presented the petition of citizens of Chester County praying for the passage of House Bills Nos. 1294, 195, 365, 1103 and 138.

Which was referred to the Committee on Law and Order.

PROTESTING AGAINST HOUSE BILLS NOS. 1447, 1295 AND 731.

Mr. SWARTZ presented the petition of citizens of Snyder County protesting against the passage of House Bills Nos. 1447, 1295 and 731.

Which was referred to the Committee on Insurance.

PROTESTING AGAINST THE OPERATIONS OF THE CHESTNUT TREE BLIGHT COMMISSION.

Mr. LOHR presented the petition of citizens of Somerset County protesting against the operations of the Chestnut Tree Blight Commission.

Chestnut Tree Blight Commission.

Which was referred to the Committee on Forestry.

FAVORLNG ERECTION OF A MONUMENT TO MOLLIE PITCHER.

Mr. CALDWELL presented the petition of Council No. 133, D. of L., Northumberland County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. MURPHY presented the petition of Camp No. 245 P. O. S. of A., Luzerne County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. BARNER presented the petition of Council No. 63, D. of L., Cumberland County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. CALDWELL presented the petition of Council No. 133 D. of L., Northumberland County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. FOSTER presented the petition of Council No. 50, D. of L., Bucks County praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING MIDDLETOWN BRIDGE.

The SPEAKER presented the petition of citizens of Dauphin County favoring the erection of a bridge across the Susquehanna river at Middletown.

Which was referred to the Committee on Appropriations.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1197, entitled:

An Act to prohibit the use of firearms of any description upon lands set apart to hospitals or sanatoriums or park or resort uses whereon human beings congregate in the open in quest of health recreation of pleasure in this Commonwealth and providing penalties for violation of its several provisions

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Allen,	Dunn, H. B.,	Latshaw,	Reeser,
Alworth,	Dunn, J. A.,	Lenker,	Rockwell,
Aron,	Eichenberger,	Leslie,	Rothenberger,
Arthur,	Ely,	Light,	Savacool,
Baldwin, G. A.,	Ewing,	Lohr,	Schaeffer, A. C.
Baldwin, R. J.,	Fahey,	Malie,	Scott, S. B.,
Barner,	Flynn,	Mannion,	Semmens,
Becker,	Gibson,	Martin,	Shaffer, I. E.,
Benson,	Good,	Mather,	Showalter,
Bigger,	Gransback,	McAleer,	Smith, L.,
Blair, W. A.,	Gray, Frank,	McAllister,	Steele,
Blair, W. F.,	Hemminger,	McCalg,	Stein,
Body,	Herman,	McDermott,	Stone,
Brosius,	Heyburn,	McKay,	Strauss,
Brown,	Hibshman,	Metzenbacher,	Swartz,
Brownlee,	Hobbs,	Missimer,	Swift,
Caldwell,	Howard, R.,	Morrow,	Thomas,
Campbell, J.J.	Humes,	Murphy,	Trach,
Carson,	Irwin, H. H.,	Neely,	Ulman,
Cheeseman,	Jackson,	Newbaker,	Williams,
Claycomb,	Jones, E. E.,	Newton,	Wilson, J. H.,
Cochran,	Jones, J. R.,	O'Neill,	Wiltbank,
Collins,	Kaufman,	Peachey,	Young, J. H.,
Conniff,	Kern,	Pennock,	Zimmerman,
Conrade,	Kitts,	Perry, H. L.,	Alter,
Currier,	Kuhn, H. P.,	Price,	Speaker.
Curry,	Kuhns, E.G.M.,	Reese,	
Donahoe,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 303, as follows:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor and locomotive engineman by railroad companies and fixing a penalty for violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any railroad company its officers or agents to appoint any person to the position of conductor in the service of such company unless such person shall have had actual experience as brakeman or switchman at least eighteen months

Section 2 It shall be unlawful for any railroad company its officers or agents to appoint any person to the position of locomotive engineman in the service of such company unless such person shall have had actual experience as **fireman or engineman at least eighteen months** upon any railroad or as fireman at least three months immediately preceding such appointment as engineman upon the railroad on which he is to be appointed

Section 3 Any railroad company its officers or agents violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall pay a fine of not more than one hundred ($100) dollars or less than fifty ($50) dollars For each and every day's retention and employment of any person in violation of this act shall constitute a separate violation of this act

Section 4 It shall be the duty of the State Railroad Commission to enforce the provisions of this act

BILL POSTPONED.

Mr. ALLEN. Mr. Speaker, in the absence of the sponsor of this bill on account of being confined to his room by sickness, I move that further consideration of this bill be postponed for the present.

Mr. EWING. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1095, entitled:

A joint resolution providing for a commission to investigate and report on the dependents of this Commonwealth and making an appropriation therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	Donnally,	Klepper,	Redfield,
Alworth,	Dunn, H. B.,	Kuhn, H. P.,	Reeser,
Ambler,	Ehrhardt,	Kuhns, E.G.M.,	Rockwell,
Aron,	Eichenberger,	Lanius,	Rothenberger,
Arthur,	Ely,	Lenker,	Sassaman,
Baldwin, G. A.,	Ewing,	Light,	Savacool,
Baldwin, R. J.,	Fahey,	Lohr,	Schaeffer, A. C
Barner,	Flynn,	Malie,	Scott, S. B.,
Bass,	Foster, J. D.,	Mannion,	Semmens,
Beeker,	Gans,	Martin,	Shaffer, I. E.,
Benson,	Geary,	Mather,	Showalter,
Bigger,	Gibson,	Matt,	Smith, J. W.,
Blair, W. A.,	Glenn,	McAleer,	Smith, L.,
Blair, W. F.,	Good,	McAllister,	Snavely,
Body,	Gransback,	McClintock,	Snyder,
Brosius,	Gray, Joseph,	McDermott,	Steele,
Brown,	Gray, Frank,	McKay,	Stein,
Brownlee,	Heidinger,	Mechling,	Stone,
Burnett,	Hemminger,	Missimer,	Strauss,
Caldwell,	Herman,	Moore,	Swartz,
Campbell, C.M.,	Hess,	Morrow,	Swift,
Campbell, J. J.,	Heyburn,	Moses,	Thomas,
Claycomb,	Hobbs,	Moulthrop,	Trach,
Cleary,	Howard, J.,	Murphy,	Walton,
Collins,	Howard, R.,	Musser,	Watson,
Conner,	Humes,	Neely.	Whitaker,
Conniff,	Isler,	Newbaker,	Wildman,
Conrade,	Irwin, G. C.,	O'Neill,	Williams,
Cox,	Jackson,	Peachey,	Wiltbank,
Currier,	Jones, E. E.,	Pennegar,	Young, G. K.
Curry,	Jones. J. R.,	Pennock,	Alter,
Davis.	Kaiser,	Ramsey,	Speaker.
Dickinson,	Kaufman,		
Donahoe,			

NAYS—10.

Allen,	Cochran,	Latshaw,	Ulman,
Carson,	Grabe,	Newton,	Wilson, J. H.,
Cheeseman,	Kern,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1919 (Senate Bill No. 764), entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State Highway or State-aid Highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State Highway or State-aid Highway

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Dunn, J. A.,	Lanius,	Redfield,
Allen,	Ehrhardt,	Latshaw,	Reese,
Alworth,	Eichenberger,	Lenker,	Reeser,
Ambler,	Ely,	Leslie,	Rhoads,
Aron,	Ewing,	Letzkus,	Richards,
Arthur,	Fahey,	Light,	Rockwell,
Baldwin, G. A.,	Flynn,	Lohr,	Rothenberger,
Baldwin, R. J.,	Forster, I. G.,	Lowers,	Sassaman,
Barner,	Foster, J. D.,	Malie,	Savacool,
Bass,	Gans,	Mannion,	Schaeffer, A. C.
Becker,	Geary,	Martin,	Scott, S. B.,
Benninger,	Geiser,	Mather,	Semmens,
Benson,	Gibson,	Matt,	Shaffer, C. A.,
Bigger,	Glenn,	McAleer,	Shaffer, I. E.,
Bittles,	Good,	McAllister,	Sherwood,
Blair, W. A.,	Grabe,	McArdle,	Showalter,
Body,	Gransback,	McCalg,	Smith, J. W.,
Brosius,	Gray, Frank,	McClintock,	Smith, L.,
Brown,	Hackett,	McDermott,	Snavely,
Brownlee,	Heidinger,	McKay,	Steedle,
Burnett,	Hemminger,	McNichol,	Steele,
Caldwell,	Herman,	Metzenbacher,	Stein,
Campbell, C.M.,	Hess,	Miller,	Stone,
Campbell, J.J.	Heyburn,	Missimer,	Strauss.
Carson,	Hobbs,	Mitchell,	Swartz,
Cheeseman,	Howard, J.,	Moore,	Swift,
Claycomb,	Howard, R.,	Morrow,	Thomas,
Cleary,	Humes,	Moses,	Trach,
Cochran	Isler,	Moulthrop,	Ulman,
Collins,	Irwin, G. C.,	Murphy,	Walnut,
Conner,	Irwin, H. H.,	Musser,	Walsh,
Conniff,	Jackson,	Neely,	Walton,
Conrade,	Jones, E. E.,	Newbaker,	Watson,
Cox,	Jones, J. R.,	Newton,	Whitaker,
Currier,	Kaiser,	O'Neill,	Whitman,
Curry,	Kaufman,	Peachey,	Williams,
Davis,	Kennedy,	Pennegar,	Wilson, J. H.,
DeFrees,	Kern,	Pennock,	Wiltbank,
Dickinson,	Kitts,	Price,	Young, J. H.,
Donahoe,	Kuhn, H. P.,	Ramsey,	Zimmerman,
Donnally,	Kuhns, E.G.M.		Alter,
Dunn, H. B.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and considering of H. R. bill No. 1605, entitled:

An Act relating to townships of the second class

On the question,

Will the House agree to the bill on third reading?

Mr. MATT. Mr. Speaker, I would like the sponsor of this bill to give some explanation of the need of it.

Mr. REESER. Mr. Speaker, this is intended to remedy a wrong which has existed in counties and townships of the second class for a long time. Under existing laws the public highway must lead from one highway and intersect

with another. Under conditions in Pennsylvania, on account of our hills and mountains, it is almost impossible to lay highways from one highway to intersect with another without injuring a great many people. Now, even though a road runs from one to five miles back towards a mountain these are considered private roads, and the people who live along them will have to maintain them under our present laws, and have always done it. They have to maintain them themselves and still pay their road tax to be used on other public highways. Now, this is an act which will allow or permit the supervisors to maintain those highways or partly maintain them. The people petitioning for those roads are to keep up at their own expense the bridges and culverts. The bill reads that they may, on petition of twelve electors and tax payers, make these said roads public highways. I think it is no more than fair. A man who owns one hundred acres of well improved land must improve his own roads and then pay his road tax to help maintain the other public highways. I think it is nothing more than fair.

Mr. E. G. M. KUHNS. Mr. Speaker, the sponsor of this bill, I really think, has a want in his section of the Commonwealth for some roads, but this bill asks for the township to improve private roads, and we must not forget we are opening a large gate. There are miles and miles of private roads in the Commonwealth that do not connect with public highways on both ends, but he says supervisors may, on the petition of twelve citizens, improve these private roads. Now, the bill does not specify who these twelve may be. They may be some parties that drive along my private road to my farm. They may petition to have the road improved. I do not want it improved, nothing of the kind. There may be twelve citizens petitioning because some butcher driving along the road may want it and the township may come in and improve my private road, when I don't want it improved at all. I may change it; it is on my own property, and I do not want it. Now, that is one side of this matter. On the other hand, some fellow has a private road and he may want it for some industrial reason, and he may have twelve friends to petition to the supervisors, as they will not have to raise their own capital to improve their road for a business purpose. Now, if there are roads in the mountainous districts, as the sponsor of the bill says, as the law today is, public highways must meet, the two ends must reach some public highway. In the maintains the roads cannot intersect at both ends. Why not have the bill read, and change the public highway act, that a public highway may be established with but one terminus on the public highway. But if we pass this bill we open a large gate. I am going to vote against this bill, and if the members of the House will consider the bill carefully, we will not be putting on the statute books legislation of this kind.

Mr. McDERMOTT. Mr. Speaker, there are many reasons that could be explained before this House why this bill should not pass. The present law gives power to establish roads that I believe should not be changed by this House at this time. The law provides at the present time for a petition to go before the court and the court to appoint viewers to overlook the respective places where roads are asked for. Now if you pass this law that Mr. Reeser asks you to pass it will open up rural districts probably in some cases where there is a house away back a mile or two or three or four miles—a man may live back there and may not have more than three or four acres of land. It will cost hundreds of dollars to build a road to that particular place and supervisors are like other men, they are always the right men in the right place, and they may lean towards this particular man or place and involve the township in an expense of hundreds of dollars—I may say thousands of dollars, in a few years. I hope the House will look at this bill as a dangerous proposition and vote it down.

Mr. HERMAN. Mr. Speaker, I would like to interrogate the gentleman from Clearfield (Mr. McDermott.)

The SPEAKER. Will the gentleman from Clearfield permit himself to be interrogated

Mr. McDERMOTT. Certainly, Mr. Speaker.

Mr. HERMAN. Mr. Speaker, I would like to ask the gentleman from Clearfield if he thinks it is fair for farmers who live on these side or private roads to pay taxes equal to the men on the State Highway and still have to maintain their own roads

Mr. McDERMOTT. Mr. Speaker, I think the gentleman ought to be in his seat when he interrogates.

Mr. HERMAN. Mr. Speaker, the gentleman does not have to answer my question if he does not want to.

Mr. McDERMOTT. Mr. Speaker, what is the question.

Mr. HERMAN. Mr. Speaker, I asked the gentleman if he thought it was fair for the people who live on these side roads to pay their taxes to the township and then after doing that, have to work their own roads?

Mr. McDERMOTT. Mr. Speaker, we cannot all live in one place.

Mr. HERMAN. Mr. Speaker, we ought to have equal rights and be treated alike any way.

Mr. McDERMOTT. Mr. Speaker, we might be born equal, but that is the only time I think we are equal.

Mr. MARTIN. Mr. Speaker, I do not intend to discuss this question. I want simply to call attention to one particular part of this bill and that is that twelve men can bring about this change. That number is entirely too small. If the number were larger I think I could conscientiously support this bill, but I cannot because it calls for but twelve men who could bring about such a change as this, and I trust the House will vote against it for that reason.

Mr. REESER. Mr. Speaker, this bill asks only that these roads be improved where there are at least 20 acres of improved land, with houses barns and other outbuildings.

In answer to the gentleman that just spoke, I want to say that these petitioners shall be residents of this township and tax payers and electors. Now do you believe that twelve tax payers and electors, in a certain township, and especially a township of the second class, would be foolish enough to improve a road that would be no benefit to any one, and not only that, but is it fair for instance, where roads that have been traveled for a number of years and people settled in away from the public highway—it was not their fault they settled there on those side roads—and are paying heavy taxes to maintain the other main roads. They cannot get out of that and still have to maintain their own private roads out of their own pocket. It is not a fair shake. There are hundreds of miles of that kind of road in the State and they are only in small pieces of one, two or three miles. We do not expect to improve lanes, etc. It is not the intention of the bill. They only need to do it —the Act says they may. That makes fifteen, three supervisors and twelve petitioners, who are asking for this, and I think that you would get fifteen men of good judgment in townships of the second class and I hope this bill will be supported because it is a fair square deal.

Mr. HOBBS. Mr. Speaker, it appears to me that there is considerable merit in this bill for the reason that farmers located away from the public highways, which were established perhaps many years ago, are deprived of the privilege of travelng from their home out to the public way on roads constructed by public expense; and these roads leading into this property are not absolutely private roads because the public many times—travelers who have business travel over these roads in going to these places on business. Therefore they are not exclusively used by the individual who owns the property but largely used by people who are not owners of the property and inasmuch as they are to be laid out and constructed by the individual and that culverts and bridges are excepted, I see no reason why, upon the petition of twelve electors who must be taxpayers in order to be electors, that the road supervisors of this State may not help keep these roads in repair.

On the question recurring,

Will the House agree to the bill on third reading?

It was not agreed to.

Agreeably to order,

The House proceeded to the third reading and considerating of House Bill No. 1932, entitled:

A Joint Resolution providing for a Commission to investigate the traffic in women and girls in Pennsylvania for immoral purposes prescribing the powers and duties of the Commission and making an appropriation therefor

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Ely,	Lenker,	Roney,
Allen,	Ewing,	Leslie,	Runk,
Alworth,	Fahey,	Letzkus,	Sassaman,
Ambler,	Flynn	Light,	Savacool,
Aron,	Forster, I. G.,	Lohr,	Schaeffer, A. C
Arthur,	Foster, J. D.,	Malie,	Scott, J. R. K.,
Baldwin, G. A.,	Frey,	Mannion,	Scott, S. B.,
Baldwin, R. J.,	Geary,	Martin,	Semmens,
Barner,	Geiser,	Mather,	Shaffer, C. A.,
Bass,	Gibson,	Matt,	Shaffer, I. E.,
Becker,	Glenn,	McAleer,	Shern,
Benninger,	Good,	McAllister,	Sherwood,
Benson,	Goss,	McArdle,	Showalter,
Bigger,	Gransback,	McCaig,	Smith, J. W.,
Bittles,	Gray, Frank,	McClintock,	Smith, L.,
Blair, W. A.,	Hackett,	McDermott,	Snavely,
Body,	Heidinger,	McKay,	Snyder,
Brosius,	Hemminger,	Metzenbacher,	Spillinger,
Brown,	Herman,	Missimer,	Steele,
Brownlee,	Hess,	Mitchell,	Stein,
Burnett,	Heyburn,	Moore,	Stone,
Caldwell,	Hibshman,	Moses,	Strauss,
Campbell, C.M.,	Hobbs,	Moulthrop,	Swartz,
Campbell, J. J.,	Howard, J.,	Murphy,	Swift,
Claycomb,	Howard, R.,	Musser,	Thomas,
Cleary,	Humes,	Neel,	Trach,
Cochran,	Isler,	Neely,	Walnut,
Collins,	Irwin, G. C.,	Newbaker,	Walsh,
Conner,	Irwin, H. H.,	Newton,	Walton,
Conniff,	Jackson,	North,	Watson,
Conrade,	Jones, E. E.,	O'Neill,	Whitaker,
Cox,	Jones, J. R.,	Peachey,	Whitman,
Currier,	Kaiser,	Pennegar,	Wildman,
Curry,	Kaufman,	Pennock,	Williams,
Davis,	Keeport,	Piper,	Wilson, J. H.,
DeFrees,	Kennedy,	Price,	Wilson, W. H.,
Dickinson,	Kern,	Ramsey,	Wiltbank,
Donahoe,	Kitts,	Redfield,	Young, G. K.,
Donnally,	Kuhn, H. P.,	Reese,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	Zimmerman,
Dunn, J. A.,	Latshaw,	Richards,	Alter,
Ehrhardt,		Rockwell,	Speaker.
Eichenberger,			

NAYS—5.

Carson,	Cheeseman, Ulman,	Miller,	Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. CONNER. Mr. Speaker, I move that the vote by which the House concurred in the amendments made by the Senate to House Bill No. 953, file folio 7371, entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept for the collecting storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribing penalties therefor and repealing inconsist acts

be reconsidered.

Mr. ALLEN. Mr. Speaker, I second the motion.

Mr. J. R. K. SCOTT. Mr. Speaker, I move that the House non-concur in the amendments of the Senate?

Mr. CONNER. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE.

Mr. CONNER. Mr. Speaker, I move that the vote by which the House concurred in the amendments of the Senate to House Bill No. 956, entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shellfish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that licensees continuing in business shall annua v apply for new licenses

be reconsidered.

Mr. WILTBANK. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate to this bill.

The motion was agreed to.

Mr. CONNER. Mr. Speaker, I second the motion.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1915, entitled:

An Act to repeal an act approved the twenty-eighth day of March one thousand eight hundred seventy entitled "An Act extending to Crawford county an act to enlarge the jurisdiction of justices of the peace in the county of Erie

On the question,

Will the House agree to the bill on third reading.

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GODD. Mr. Speaker, I second the motion.

The motion was agreed to.

MOTION TO RECONSIDER VOTE.

Mr. McALLISTER. Mr. Speaker, I move that the vote by which House Bill No. 375, file folio 6619, entitled:

An Act to restrain and regulate the use of billiard tables pool tables and bagatelle boards or tables kept and maintained for the use of the general public for hire or reward in cities of the first clas in this Commonwealth Providing for the granting of licenses and providing for punishments for the violations of the provisions of this act

was defeated on final passage be reconsidered.

Mr. STRAUSS. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, for the same reason that last night I raised my voice against this legislature taking action on this bill, I now raise my voice against the reconsideration of that vote, and that reason was simply this: that this is a bill which relates solely to Philadelphia and can be regulated by that city, to wit, by the councils of Philadelphia, and has no place in the consideration of this body. It ought not to take up the time, or be considered by the body. Having been defeated once I think it ought to remain defeated.

Mr. LORENZO SMITH. Mr. Speaker, this bill is to give the Public Safety Department of Philadelphia control over the pool tables and billiard tables and such other amusements. We have several thousand of these rooms in Philadelphia, and two-thirds of them are of a disreputable nature, especially the tables. One came under my notice since the House has been in session this last winter where I saw women, colored and white, and white and colored men, playing pool and saw them dancing in a pool room. Also boys twelve and thirteen years of age are enticed into these places to play pool in opposition to the law. The Department of Public Safety has no jurisdiction over them whatever, and the idea is to give the Police Department the supervision to the extent that they may detrmine through an investigation of the moral character and conditions surrounding the place, who may have licenses to conduct these places. This does not interfere with the conducting of the places. Under this bill, every man who has a pool room which is run in a respectable manner can conduct it according to his own ideas, but he must have a license, which is not now provided for. This is simply to give the Department of Public Safety control over the pool rooms where there is no such a delinquency.

On the question recurring,

Will the House agree to the motion?

The Chair declared that the "noes" seemed to have it.

Whereupon,

A division was called for, and fifty-three gentlemen voting in the affirmative and sixty-seven in the negative, the question was determined in the negative and the motion was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1785, entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

On the question,

Will the House agree to the bill on third reading?

Mr. DAVIS. Mr. Speaker, I ask unanimous consent to offer amendments to this bill.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Title, line 4, after "therewith' insert "defining the liability of owners and operators in certain cases and providing penalties for violation of this act."

Article 2, section 1, line 20, strike out "slopes" insert "slope"

Article 2, section 1, line 34, strike out "imediate" insert "immediate."

Article 3, section 3, line 5, strike aut "clear" insert "clean"

Article 3, section 10, on line 2, after the word 'shafts" add "Slopes."

Article 3, section 11, on line 2, after the word "a" strike out "saft' and insert 'shaft.'

Article 2, section 16, line 24, strike out "Evary" and insert "Every"

Article 4, section 3, line 1, strike out "generating" insert "liberating"

Article 4, section 7, line 8, strike out "eveery" insert "every;" line 15, after "secure" insert "provided that this section shall not apply to places that are worked full."

Article 5, section 4, line 6, after "see" strike out "that no" and insert "if any."

Article 6, section 2, line 36, strike out "which" insert "and."

Article 6, section 2, line 38, after "mark" insert "such land."

Article 6, section 2, line 39, strike out "adopt" insert "acquire."

Article 6, section 2, line 40, strike out "as" insert "and."

Article 6, section 2, line 48-49, strike out "in relation to lateral railroads."

Article 6, section 2, line 50, after "thirty-two" insert "entitled 'An Act regulating lateral railroads.' "

Article 7, section 7, line 4, strike out "generating" insert "liberating."

Article 8, section 1, line 9, strike out "therein" insert "in."

Article 9, section 1, line 4, strike out "like" and insert "likely;" after the word "unless" line 8, strike out the rest of the section and insert "the operator has a sufficient quantity of air circulating throughout the entire mine which will dilute, render harmless and sweep away all noxious, explosive and dangerous gases liberated therein; provided, however, that the mine inspector of the district shall have authority to require a mine to be worked with locked safety lamps, if in his judgment open lights are a menace to life or property."

Article 9, section 17, add to the end of the section "and no frozen dynamite shall be sold to any employe."

Article 9, section 27, line 2, strike out "canstant" insert "constant."

Article 9, page 39, strike out first "section 43" insert "section 42."

Article 9, section 42, line 2, strike out "generating" insert "liberating."

Article 9, section 43, line 1, strike out "generating" insert "liberating."

Article 12, section 4, line 2, after the word "mines" insert "or."

Article 12, section 7, line 2, after "sections" strike out "of" insert "or."

Article 13, section 3, line 4, strike out "guilty of."

Article 14, section 1, line 3, strike out "unlawful" insert "lawful."

Article 14, section 1, line 4, strike out "prohibited" insert "permitted."

Article 14, section 1, line 4, after "act" insert "as."

Article 14, section 1, line 7, after "act" strike out "and are citizens of the United States of America" and insert "or are equally competent with the holders of such certificates."

Article 14, section 7, line 7, after "is" insert "so."

Article 14, section 8, line 5, after "that" insert "such."

Article 14, section 9, line 6, after "produce" strike out "or."

Article 15, section 3, line 11, strike out "or" insert "of."

Article 15, section 3, line 16, after the word "the" strike out "appointment" insert "appointing."

Article 15, section 5, line 9, after "answered" insert "correctly."

Article 15, section 5, line 10, after "questions" insert "asked."

Article 15, section 9, line 15, strike out "intentions" insert "provisions."

Article 15, section 18, line 3, before "who" insert "or."

Article 15, section 18, line 3, strike out "pecuniary" and insert "pecuniarily."

Article 15, section 19, line 8, strike out the word "at" and insert "having been given."

Article 16, section 1, line 6, after "any" insert "other."

Article 18, section 1, line 23, after "provided" insert "and."

Article 20, line 17, after the word "mines" strike out "but all acts inconsistent herewith are hereby repealed" and add "or the Act of June fifteenth, Anno Domini one thousand nine hundred and eleven, entitled 'An Act to safe guard life in the coal mines of the Commonwealth of Pennsylvania, and to protect and preserve the property connected therewith, by providing that all inside buildings shall be constructed of incombustible material; and providing penalties for failure to comply with the terms of this act, and making a violation thereof by mine superintendents a misdemeanor" or the act of the fifteenth day of June Anno Domini one thousand nine hundred and eleven, entitled "An Act to amend sections one, three and five of an act, entitled 'An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers, by regulating the age at which said minors may be employed, their hours of employment and to prescribe rules for the obtaining of employment certificates, and providing penalties for violation of the provisions thereof,' approved the first day of May Anno Domini one thousand nine hundred and nine by further regulating the ages at which minors may be employed inside coal mines or in the outside workings thereof, or in coal breakers or washeries, and by providing for the filing of proof of age by the employers of miners apparently under sixteen years of age, employed in such establishment" but all act inconsistent herewith be and the same are hereby repealed.

Strike out the index.

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

Ordered. That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 411, entitled:

An Act relating to the time of payment of wages or salaries to officers and employers in counties co-extensive with cities

On the question,

Will the House agree to the bill on third reading?

BILL DROPPED FROM CALENDAR.

Mr. HACKETT. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. ELY. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1826 (Senate No. 294), entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the Common Pleas Court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the Common Pleas Court to take such appeal and prescribing the practice in such cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Eichenberger,	Leslie,	Richards,
Allen,	Ely,	Light,	Rockwell,
Alworth,	Ewing,	Lohr,	Rothenberger,
Ambler,	Fahey,	Lowers,	Runk,
Aron,	Flynn,	Malie,	Sassaman,
Arthur,	Foster, J. D.,	Mannion,	Savacool,
Baldwin, G. A.,	Frey,	Mather,	Schaeffer, A. C.
Baldwin, R. J.,	Geiser,	Matt,	Schuck,
Barner,	Gibson,	McAleer,	Scott, J. R. K.,
Bass,	Glenn,	McAllister,	Scott, S. B.,

Becker,	Good,	McCaig,	Semmens,
Benninger,	Goss,	McClintock,	Shaffer, C. A.,
Benson,	Grabe,	McDermott,	Sherwood,
Berntheizel,	Gransback,	McKay,	Showalter,
Bigger,	Gray, Frank,	Mechling,	Smith, J. W.,
Bittles,	Gray, Joseph,	Mellott,	Smith, L.,
Blair, W. A.,	Hackett,	Metzenbacher,	Snyder,
Blair, W. F.,	Heidinger,	Miller,	Spillinger,
Bleloch,	Hemminger,	Missimer,	Steele,
Body,	Herman,	Mitchell,	Stein,
Brosius,	Hess,	Moore,	Stone,
Brown,	Heyburn,	Morrow,	Strauss,
Brownlee,	Hibshman,	Moses,	Swartz,
Burnett,	Hobbs,	Moulthrop,	Swift,
Caldwell,	Hoffman,	Murphy,	Thomas,
Campbell, C.M.,	Howard, R.,	Musser,	Trach,
Carson,	Humes,	Newbaker,	Ulman,
Cleary,	Isler,	Newton,	Walnut,
Cochran	Irwin, G. C.,	North,	Walton.
Collins,	Jackson,	O'Neill,	Watson,
Conner,	Jones, E. E.,	Peachey,	Whitaker,
Conniff,	Jones, J. R.,	Pennegar,	Whitman,
Conrade,	Kaiser,	Pennock.	Wildman,
Cox,	Kaufman,	Perry, H. L.,	Wilson, J. H.,
Currier,	Keegan,	Perry, S. J.,	Wilson, W. H.,
Curry,	Keeport,	Peters,	Wiltbank.
Davis,	Kennedy,	Post,	Young, G. K.,
DeFrees,	Kern,	Price,	Young, J. H.,
Dickinson,	Kitts,	Redfield,	Zimmerman,
Donahoe,	Kuhns, E.G.M.	Reese,	Alter,
Down,	Latshaw,	Reeser,	Speaker.
Dunn, H. B.,	Lenker,		
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

SPECIAL ORDER.

The SPEAKER. The hour of eleven o'clock having arrived, the Chair lays before the House as a secial order at this time, House Bill No. 595, file folio 7687, on Third Reading, page two of yesterday's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 595, entitled:

An Act making an appropriation to cover a deficiency caused by insufficient apropriation to carry out the purposes of an act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—173.

Adams,	Ewing,	Kuhns, E.G.M.,	Richards,
Allen,	Fahey,	Latshaw,	Rockwell,
Alworth,	Flynn,	Lenker,	Rothenberger,
Ambler,	Forster, I. G.,	Letzkus,	Runk,
Aron,	Foster, J. D.,	Light,	Sassaman,
Arthur,	Frey,	Lohr,	Savacool,
Baldwin, G. A.,	Gans,	Lowers,	Schaeffer, A.
Baldwin, R. J.,	Geiser,	Malie,	Schuck,
Barner,	Gibson,	Mannion,	Scott, J. R. K.,
Becker,	Glenn,	Mather,	Scott, S. B.,
Benninger,	Good,	Matt,	Semmens,
Benson,	Goss,	McAleer,	Shaffer, C. A.,
Bigger,	Grabe,	McAllister,	Shaffer, I. E.,
Bittles,	Gransback,	McCaig,	Showalter,
Blair, W. A.,	Gray, Frank,	McClintock,	Smith, J. W.,
Body,	Gray, Joseph,	McDermott,	Smith, L.,
Brosius,	Hackett,	McKay,	Snavely,
Brown,	Heidinger,	McNichol,	Snyder,
Brownlee,	Hemminger,	Mellott,	Spillinger,
Burnett,	Herman,	Metzenbacher,	Steedle,
Caldwell,	Hess,	Miller,	Steele,
Campbell, C.M.,	Heyburn,	Missimer,	Stein,
Campbell, J. J.,	Hibshman,	Mitchell,	Stone,
Carson,	Hobbs,	Moore,	Strauss,
Cheeseman,	Hoffman,	Morrow,	Swartz,
Claycomb,	Howard, J.,	Moses,	Swift,
Cleary,	Howard, R.,	Moulthrop,	Thomas,
Cochran,	Humes,	Murphy,	Trach,
Collins,	Isler,	Musser,	Ulman,
Conner,	Irwin, G. C.,	Neely,	Walnut,
Conniff,	Irwin, H. H.,	Newbaker,	Walton,
Conrade,	Jackson,	Newton,	Watson,
Cox,	Jones, E. E.,	North,	Whitaker,
Currier,	Jones, J. R.,	O'Neill,	Whitman,
Curry,	Kaiser,	Peachey,	Wildman,
Davis,	Kaufman,	Pennegar,	Williams,
DeFrees,	Keegan,	Pennock,	Wilson, J. H.,
Dickinson,	Keeport,	Perry, H. L.,	Wilson, W. H.,
Donahoe,	Kennedy,	Price,	Wiltbank,
Donnally,	Kern,	Ramsey,	Young, G. K.,
Down,	Kitts,	Redfield,	Young, J. H.,
Dunn, H. B.,	Klepper,	Reese,	Zimmerman,
Dunn, J. A.,	Kuhn, H. P.,	Reeser,	Alter,
Eichenberger,		Rhoads,	Speaker.
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House pjroceeded to the third reading and consideration of House Bill No. 1853 (Senate No. 717), as follows:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all corporations heretofore or hereafter incorporated under any special or general law of this Commonwealth may at any time or times declare dividends of so much of their net profits as shall appear advisable to the directors such dividends to be paid to the stockholders or their legal representatives at such time after their declaration as the directors may fix but such dividends shall in no case exceed the amount of the net profits actually acquired by the company so that the capital stock shall never be impaired thereby

Section 2 That anything contained in any general or special law inconsistent with this act be and the same is hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—124.

Adams,	Donahoe,	Keegan,	Reeser,
Allen,	Dunn, H. B.,	Keeport,	Rhoads,
Alworth,	Dunn, J. A.,	Kennedy,	Richards,
Ambler,	Ehrhardt,	Kern,	Rockwell,
Aron,	Eichenberger,	Kitts,	Rothenberger,
Arthur,	Ely,	Klepper,	Sassaman,
Baldwin, G. A.,	Ewing,	Kuhn, H. P.,	Schaeffer, A. C
Baldwin, R. J.,	Fahey,	Kuhns, E.G.M.,	Schuck,
Barner,	Flynn,	Light,	Scott, S. B.,
Becker,	Forster, I. G.,	Lohr,	Semmens,
Benninger,	Foster, J. D.,	Malie,	Shaffer, C. A.,
Benson,	Frey,	Mannion,	Shaffer, I. E.,
Bigger,	Gans,	Mather,	Showalter,
Bittles,	Gibson,	Matt,	Smith, L.,
Blair, W. A.,	Goss,	McAleer,	Snavely,
Body,	Gransback,	McCaig,	Snyder,
Brown,	Gray, Frank,	McClintock,	Spangler,
Brownlee,	Gray, Joseph,	McNichol,	Speiser,
Burnett,	Hackett,	Mechling,	Spillinger,
Caldwell,	Heidinger,	Mellott,	Steedle,
Campbell, C.M.,	Heyburn,	Missimer,	Steele,
Claycomb,	Hibshman,	Moore,	Stein,
Cleary,	Hobbs,	Morrow,	Stone,
Cochran,	Hoffman,	Moses,	Strauss,
Collins,	Howard, J.,	Murphy,	Swartz,
Conner,	Howard, R.,	Neely,	Thomas,
Conniff,	Humes,	North,	Ulman,
Conrade,	Isler,	O'Neill,	Whitaker,
Cox,	Irwin, G. C.,	Peters,	Wildman,
Currier,	Irwin, H. H.,	Price,	Williams.
Curry,	Jackson,	Ramsey,	Wilson, J. H.,
Davis,	Jones, E. E.,	Redfield,	Wiltbank,
DeFrees,	Kaiser,	Reese,	Zimmerman,
Dickinson,			

NAYS—19.

Blair, W. F.,	Hemminger,	McAllister,	Pennock,
Brosius,	Herman,	McDermott,	Runk,
Carson,	Jones, J. R.,	McKay,	Savacool
Donnally,	Kaufman,	Miller,	Smith, J. W.,
Down,	Lanius,	Mitchell,	Walnut,
Geiser,	Latshaw,	Musser,	Young, J. H.,
Glenn,	Lenker,	Newbaker,	Alter,
Good,	Lowers,	Newton,	Speaker.
Grabe,	Martin,	Pennegar,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same witr amendments in which the concurrence of the Senate is requested.

RECONSIDERATION OF VOTE.

Mr. ADAMS. Mr. Speaker, I move that the vote by which House Bill No. 1085, filie folio 5007, was defeated on third reading on Wednesday, April 30th, be reconsidered.

Mr. FRANK GRAY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

A division was called for 93 voting in the affirmative and 53 in the negative.

And the motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1085, entitled:

An Act to amend sections three four six and seven and to repeal section five of an act entitled "An Act to protect the public health by providing for the prevention of the preparation and sale of meat and food products which are unsound unhealthful unwholesome and otherwise unfit for human food defining what shall be regarded as meat and meat food products authorizing the appointment and compensation of local meat inspectors authorizing the State Livestock Sanitary Board to enforce the provisions of this act to make rules and regulations for its enforcement and to provide penalties for the violation or perversion hereof" approved the twenty-fifth day of May one thousand nine hundred and seven

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—90.

Adams,	Dunn, J. A.,	Kuhn, H. P.,	Savacool.
Allen,	Eichenberger,	Lenker,	Schaeffer, A. C
Ambler,	Ely,	Lowers,	Schuck,
Aron,	Ewing,	Malie,	Scott, S. B.,
Baldwin, R. J.,	Fahey,	Mannion,	Semmens,
Becker,	Forster, I. G.,	Mather,	Shaffer, C. A.,
Bigger,	Foster, J. D.,	McAleer,	Smith, J. W.,
Bittles,	Frey,	McAllister,	Smith, L.,
Blair, W. F.,	Gans,	McClintock,	Spangler,
Brownlee,	Gibson,	Missimer,	Spillinger,
Campbell, C.M.,	Glenn.	Moore,	Steedle,
Campbell, J.J.	Gransback,	Morrow,	Steele,
Claycomb,	Gray, Frank,	Murphy,	Stone,
Cleary,	Hackett,	Neel,	Thomas,
Collins,	Heidinger,	Neely,	Walnut,
Conner,	Heyburn,	North,	Watson,
Conniff,	Jones, E. E.	O'Neill,	Whitaker,
Conrade,	Jones, J. R.,	Ramsey,	Williams,
Cox,	Kaiser,	Reese,	Wilson, J. H.,
Currier,	Keeport,	Richards,	Wilson, W. H.,
Curry,	Kennedy,	Rockwell,	Wiltbank,
DeFrees,	Kern,	Runk,	Alter,
Dickinson,	Kitts,		Speaker.
Donahoe,			

NAYS—50.

Alworth,	Herman,	McKay,	Price,
Arthur,	Hobbs,	Mellott,	Rothenberger,
Baldwin, G. A.,	Hoffman,	Mitchell,	Sassaman,
Barner,	Howard, R.,	Moses,	Snavely,
Benson,	Jackson,	Moulthrop,	Snyder,
Blair, W. A.,	Kaufman,	Musser,	Strauss,
Body,	Kuhns, E.G.M.,	Newbaker,	Swift,
Brosius,	Lanius,	Newton,	Trach,
Carson,	Latshaw,	Peachey,	Ulman,
Cheeseman,	Lohr,	Pennegar,	Whitman,
Donnally,	Martin,	Pennock,	Young, J. H.,
Grabe,	McDermott,	Perry, H. L.,	Zimmerman,
Hemminger,		Peters,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

SPECIAL ORDER.

The SPEAKER. The hour of eleven thirty having arrived, the Chair lays before the House the Special Order which was fixed yesterday for House Bill No. 228, file folio 7125.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 228, entitled:

An Act to improve and regulate the Civil Service of the Commonwealth of Pennsylvania and to regulate the conduct of the employes therein and providing penalties for any violation thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. WILLIAMS. Mr. Speaker, this bill is intended to create a new system in our state government and necessarily is of some length. Boiled down it means the substitution of the merit for the spoils system. What is known as civil service or the merit system as now in force in our Federal and many State and city governments is too well understood by you all for me to go into any lengthy explanation of its workings, so I will confine myself in my remarks to a discussion of the question only in a general way. I take this opportunity to congratulate the members of the opposite side of the chamber in representing as they do a party that had the courage to declare for civil service in its state platform one year ago, and to express my regret over the failure of the Republican and Washington parties to make a similar declaration in their state platforms. Several times during this session I have with pleasure listened to the eloquent words of the gentleman from Beaver, Mr. Swift and the gentleman from Philadelphia, Mr. John R. K. Scott, in their appeals for support to measures which to their minds embodied real progressive ideas representative of the sentiment of the day on political and moral questions and I appeal to them to raise their voices at this time in favor of this the one real progressive measure of the session. One year ago we were assured by our party leaders, both from the platform and through the press, and repeated many times since that the day of political bosses and party machines in Pennsylvania was ended. If those who were predicting this change in the affairs of our State government from a rule by party machines to a rule by the people were sincere in their declarations then their influence to that end should be manifest in the vote on the measure now under consideration, for such a condition, even though so much to be desired, can be brought about in but one way and that by eliminating patronage the one asset on which political machines are built, which this bill is intended to do. The legislature as you well know creates the subordinate positions, fixes the salaries and can say how they are to be filled; they belong to the people and are to be administered in their interest and not in the interest of the party in power, and this can be done only by removing all political consideration in filling them. In this day when the sentiment is so strong for popular government, when the demand for the elimination of party machines and bosses is unlimited, there should be no hesitation on the part of this legislature to pass a law of the character of the one now under consideration. The introduction of the merit system places the department positions within the reach of ambitious young men, making it an incentive to fit themselves by education and training for public offices. With such a law on our statute books they would understand that individual merit and not political pull opened the way for them to thus serve the people. Free public competition and practical examinations are among the thoughts of this bill.

No legislation of this session is to be compared to this measure in its importance to the people of our state, that is to those to whom political activity on the part of government employes is offensive. I firmly believe that every department and bureau head in our State government would welcome a law that would relieve them of the annoyance of distributing the patronage or spoils of office. Just as certain as the shades of evening are to come over us this day just so certain is the day drawing near when the merit system will prevail not only in the affairs of our national government but in every state and local government of our

country. If you are of the belief that a person appointed to office through your personal influence is your political servant and not the servant of the people, for no man can serve two masters, then vote against this bill, but if you believe in releasing them from political bondage that they may be free to be their own political masters and free to give their whole time to their public duties then vote for it.

The only sentiment for the repeal of the civil service laws in the States having the merit system, Ohio, Illinois. Massachusetts, New York and others comes from those who desire to have teh employes more active in pushing along the interests not of the people, but of party machines. Words of commendation have come to me from every part of our State for this measure in urging its passage. Look at your city and rural mail carriers, your postoffice and postal clerks and other Federal employes who are under civil service. Would you have them taken from the merit system and again made a part of the spoils system as in former years? If so, then you are not progressive but reactionary in your political views. No party in any State with a civil service law or in the country at large would dare to place a plank in its platform calling for its repeal.

Members of this body and the press of the State are daily charging first one and then another of our State departments as being run in the interest of certain political leaders and machines, and these charges will continue to be repeated without correcting these conditions unless a civil service law is first enacted, for it is a fact, and you can't get away from it, that the party in power in Pennsylvania, be it the Washington, Democratic or Republican party, if it has the patronage of the State at its disposal, will continue to give us machine rule. I have no criticism to make of the members who believe that the o'd Jacksonian doctrine, to the victor belongs the spoils, should be the party doctrine of to-day, and who believes that parties exist solely because of the patronage at their disposal, if they vote against this measure, but for the members who are constantly advocating better political conditions in our State to vote "no" will cause the public to doubt the sincerity of their declarations on the subject.

Political machines are not perpetuated alone by the personal magnetism of a leader or the issues he advocates, but rather by the patronage or spoils of office at his disposal and which alone creates party machines and makes party bosses. You will recall that a former President of the United States appointed an uplift commission to investigate the conditions of the people of this country with a view of recommendng laws that would be helpful to them. We are in need of an uplift commission in Pennsylvania at this time of which every patriotic citizen should be a member that we may through their united efforts elevate our citizenship and politics to a higher standard, and no one thing would contribute as much to that end as the introduction of the merit system into our State government.

In this, the year 1913, when the fiftieth anniversary of the battle of Gettysburg is to be celebrated, the battle that determined the downfall of the Confederacy and insured the emancipation of the slaves by the immortal Lincoln, is a fitting time for the Legislature of Pennsylvania to wipe out its system of political slavery resulting from the spoils system and to the end that we may emancipate the employes of our State departments from such serfdom, I urge the passage of this, the most progressive measure of this memorable session. There is no chance for you to evade the question this bill raises. It is either the spoils or merit system, a rule by party machines or the people. If you believe in the former, vote against the bill; but if in the latter, vote for it. Be brave and register by your vote your convictions on the measure that it may be announced to your constituents through the press of tomorrow.

Mr. WATSON. Mr. Speaker, I crave the time of the House just for a few moments to endorse what the gentleman from Tioga County has so plainly illustrated and explained to this House. I rise just to add my approval to the very clear description and clear elucidation of the situation before the people of Pennsylvania to-day. I know the personal reputation and political reputation of the gentleman from Tioga, and I know that he has risen here from any political motive that he has nor risen here as one seeking political preferment, but rather as one whose position has been thrust upon him, and I wi'l say to the members of this House that after the admonitions we have had in our State, the representatives of this Commonwealth sitting here to-day should pause and give serious thought to this situation. We well know, gentlemen, what has been the condition in our State for the last twenty-five years or more. We well know what result that spoils system has brought unto the Commonwealth. We well know that through the political spoils system we have elevated representatives of the people to this House and Senate and to the different departments of the State, that brought about a disgrace to the name of the fair old Commonwealth of Pennsylvania. Why, gentlemen of the House, I have blushed when I was in other States when I was introduced and said that I was from Pennsylvania. The first thing I usually heard was that it was one of the most corrupt States in the Union. And, gentlemen, the spoils system was the cause of the condition of affairs in the Commonwealth of Pennsylvania, and answerable for our Capitol steal and misrepresentation both in the House and Senate of this State and in the Congress of the United States. There has been a great deal of talk in regard to reformatory measures, and a great many of the members of this House have sincere'y advocated them, but I am sorry to say that some of them are simply in their probationary State in their reference to bring about a better condition of affairs in our Commonwealth. The results of the spoils system, I can say, in my end of the State, and in my own county, have been to place men in positions that they could not have filled for one week, by reason of their ability as hustlers at the polls, and usually for a good round consideration. They have been given positions in which they had to have a deputy to take charge of their office. Gentlemen, of all the progressive measures that have been offered in this House, there is not one which is of so much importance. It is the secret and the very original way by which we can bring about a better condition of affairs. If you are going to elevate men by reason of their political pull, regardless of ability or fitness for the office and regardless of their integrity, it is not any wonder that we have had the admonition from the people of this Commonwealth that we have had. I represent a county that gave a majority for Fremont in 1856. It was the only Republican County in all the surroundings. Every county surrounding it and touching or bordering on my county gave a Democratic majority of from 400 to 2,500, but Indiana has stood a Republican county all these years, and has never fai'ed to give a majority in all the great upheavals that we have had. What was the result at the last Presidential election? We have been in the habit of stumping our county in the Presidential campaigns and in fact in all of the campaigns. At the last election we had only two political meetings in our county, one a Progressive meeting and one a Democratic meeting, and as a result of what we may call the spoils system in my county, as a result of the unlimited use of money, and as a result of unfairness in elections, Indiana County give six hundred votes more than they gave to Wilson and Taft combined. Now that was the objective result of the very things that my friend from Tioga has explained to you so clearly. Now, I have been an independent for the last fifteen or twenty years, and it amuses me sometimes to come in here as a representative of two or three different parties, because I had no opposition at this time, and listen to some of the doctrines that I have listened to in this House. I have become impatient with the resolutions and the time that has been occupied by this House in measures and in the supporpt of bills regulating the individual conduct of people, and regulating the heads of departments, and regulating everything. This bill means more than all the resolutions and all the good bills that have been offered in this House because it starts right at the root of the evil, and I hope that you will give this bill your unanimous support. It will demonstrate to the people at home that we are honestly in favor of striking out the evil and be really Progressive.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, I will.

Mr. R. J. BALDWIN. Mr. Speaker, I may be misinformed as to this bill, but I am under the impression that when it first came in it included the county officers. Am I correct in that?

Mr. WILLIAMS. Mr. Speaker, the gentleman is correct.

Mr. R. J. BALDWIN. Mr. Speaker, I am going to vote against this bill, and I will tell the House why. The bill will probably pass, and I don't want people to be mistaken about my reasons for voting against it, and my reasons will show on the record, and can be examined. I am a believer in Civil Service in so far that as a matter of practice it shows that it is an improvement. In our National Government, we are all in favor of Civil Service because the scope is so large and the duties are so various that it would be a backward step to take it away from those great departments where it requires a great training for one business and management to intedlock with another. But I am perfectly frank to say to the House that I do not believe that we are in any better condition than we wou'd be if we had continued the old appointing power. I want to tell the House what occurred under my observation. When the great administration of this Government was turned over after the first election of Grover Cleveland as President of the United States. In the City of Philadelphia a man by the name of Harrity was appointed as Postmaster of Philadelphia. There was no Civil Service regulating the Postal Department, and he being a man who had been only a professional man in life, and not knowing the importance of having employes skilled in their work, naturally concluded that the proper thing to do was to put all these men out and put in Democrats. He started in to do this, and inside of thirty days, when he had removed less than one-half, the City of Philadelphia was up in arms. Why? Because it disturbed a great piece of machinery that meant inefficiency and the public were not getting their mail, and the business houses were from five to six days late. Mr. Harrity never made a change afterwards, proving conclusively that the men whom the people have entrusted with these powers, when they see that a removal means an interference with the working of the Department have not followed the so-called spoils system. In other words, I believe that the men who are entrusted with the political positions in the State of Pennsylvania and in this great Government of ours, would have as well safeguarded the public if no Civil Service law were ever passed. The Civil Service law means this: A man going into office will go in for life, and we will have to use the pension system to get rid of him. Where is the necessity? It is all right to talk about the evil practice of the old so-called spoils system by picking out here and there as you can in every large business some inefficient men, but there is a very small per cent. of them. I have seen the man who went up and down the State of Pennsylvania talking about the employes being held when they were efficient, and talking about how he stood for that system. I saw him elected State Treasurer of the State of Pennsylvania, and I saw every single employe in the State Treasurer's Department put out of office. This is not a nice thing to talk about, but I mentioned it merely to show what the man did. He did that and has the State of Pennsylvania suffered over it. I have heard no cry over it. The reason I asked my friend who introduced this bill—and towards whom I have the highest regard—the question why the counties were cut out of this bill, was because if we had civil service throughout the State offices, why were not the boroughs placed in the bill, and the townships, and the smallest sub-divisions of this political structure?

Why? Because it was not necessary. It was a matter that would be so apparent to anybody in this House that it was not necessary to even debate the bill. But when he presented to us a question as a State proposition, it takes a wider range. We are not all thoroughly acquainted with how the different departments of the State are managed by those performing the duties of those departments. One man may draw heavily upon his imagination and think it is very inefficient; and another man will draw upon his imagination just as hard and think that it is far better than any that has ever existed, and may draw further upon his imagination to such an extent that he will think it is perfection. My personal acquaintance with the employes in going around the different departments of this Capitol building, and I believe the gentleman who introduced this bill will corroborate me in my observation, is that the class of men that are performing the duties at present are as efficient as any that would be appointed under Civil Service, in the different departments of this State, I say I can see no chance or opportunity for complaint. I hear no man say that he thinks that the work in the different departments is not done efficiently. I hear no charge from the different departments, that the employes are not doing their work as well as can be expected. That is the real question for each member of this House . The subject is whether the various departments of the State would be better administered under different rules or the question is, or the charge may be made that they are not well administered by the various officials in this State and if that is the charge and it is verified, then of course I shou'd vote for this bill, because there would be an evil, if that did exist, it should be corrected. After the experience in the long years that have passed we can still point to the various departments and say that the work is being done by capable men who are now filling these positions. Has any one made an investigation to see whether there is a necessity for this act or has this bill been suggested without deep thought? In dealing with the question from a practical standpoint, has the sponsor of this bill simply allowed his mind to carry him away with the theory so that he himself will have to admit that it is impractical? When you bring it down to a minor position, the idea that the public men have an interest as a rule, on this point, is a mistaken idea. Public men don't want to perform these particular duties. They, in other words, would rather escape the responsibility, but when I have in my community a man who has labored for me, some of them have certainly done so because he thinks I am worthy of the position I aspire to, and is it not proper that I should in turn do something for them when they come to me and ask for a position? Why, if there is anything in manhood that is admired, it is gratitude and a desire to pay back to those who have labored for you at least some compensation. As the result of that in the State of Pennsylvania and as the result of it in the various departments, being manned by a set of men who are performing those duties who are incompetent. I don't think a man on the floor of this House will get up and say that I am not right. See how small the number practically is and then stop to think what we are going to do? We are going to e'ect a Governor; we have confidence in him and we place in his hands power to appoint three men who, are to fill all the positions in this State. Why should we forfeit that power? Is not the power of that character safer in the hands of the Senate and the House of Representatives, and why should the various public officials of this State be taken from the established appointing power? Is it not safer in the hands of those who now handle it than in the hands of three men and if it is not, then our form of government is wrong. The proposition to fill different positions in the Capitol of our State is a simple one and has worked out so well that there is no real demand for a change. I want to tell you that to my mind I really think that outside of its application, which is made on what we call civil service, in small or large affairs, after all it don't accomplish anything but what has been and can be accomplished otherwise. It has not accomplished anything but what would have been accomplished in the regular way. What man of you will admit that he will go to a department and point out a man that is absolutely incompetent? If there is a single man here who would ask for the appointing of such a man; if there is one man who believes that he would do a thing like that; if there is a single one, I will vote for this bill. If the whole two hundred and seven men in this House having the full knowledge of the individual would ask for the appointment of a man whom they think is not competent. It is a simple proposition. What advantage can any civil service commission have over the knowledge that you have? It is a sort of a civil service examination proposition with questions which a boy fresh from school, from college, can best answer. That is what is meant by a civil service examination. To my mind that stands about fourth in the necessary qualifications to fill a position. I have seen men who have followed their trade for a lifetime and they are very poor mechanics, and I have seen men who learned a trade and who would be much more competent in a very short time, who might not be able to answer these questions.

Mr. WALNUT. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, yes, sir.

Mr. WALNUT. Mr. Speaker, I would like to ask the gentleman from Delaware, whether he ever saw a civil service examination or was present at a civil service examination and whether he ever went over any of the questions asked in a civil service examination and whether he does not know that as high as seventy-five per cent. of those who take that examination pass them, and if he does not know these things, why should he express his opinion on the matter of civil service examinations as he does?

Mr. R. J. BALDWIN. Mr. Speaker, the civil service commission sits and takes evidence. Now I know the men who come forward to testify and a man that is examined will very quickly see what he has to contend with. He will say "I was in this business ten years." Then you bring the man before the civil service commission and if it does not consider him very efficent, he will bring the man in and ask him questions, then he will bring another man and he says to him, "I know you are a good man and you are with me," and there is your prejudiced jury. But when I come up here and recommend to any one of the members here any of my friends or come up here and recommend a man who no doubt has influence, personal or politcial—yes, sure I will not recommend a man who does not belong to my political party, until all the positions are filled and there are no more requests. I want to say to the gentleman who represents that side of this proposition, it has not been long since I saw how certain individuals sent letters up and down this State and they wanted the Legislature to come here and pledge themselves in a body not to go into a caucus in a star chamber meeting and immediately the Legislature took up with a Committee on Committees a sort of a civil service and the main object was to keep the Legislature untrammeled, with nobody to meet down town in a hotel or anywhere else, but let them come each one, unbiased, and I was one of the gentlemen who didn't go into a caucus and I really thought that they meant what they said, but I discovered on the very day that this Legislature met that I was up against stacked cards and all the members of this House know it. All the members of this House know that in a certain hotel somewhere along between twelve and three o'clock in the morning, there was a regular star chamber arrangement and we came into the House and discovered that there was a thorough understanding; I discovered it with the rest. Of course, this is entirely out of order. I only want to illustrate the insincerity of some men that go out and talk so much about these matters. I don't want to take any more of the time of the House. There is no necessity for this bill so far as the employes of the Capitol of the State of Pennsylvania are concerned. There is no necessity for it in the various county appointments. There is no necessity for it in the various boroughs and the various township affairs. Results show that there is no necessity for it and I am not in favor of giving life tenure to any one in office. Not long ago a friend of mine was in England and he was talking to an Englishman and, "By the way," said the American to the Englishman, "you have that splendid civil service method in England?" "Yes," he said. "But, strange to say, nobody but rich men's sons are able to pass this civil service examination." That is what you find to-day in the civil service examinations as it is applied, for some reason or other, all the cousins and aunts and uncles and relatives of the commission somehow or other pass high, and in England to-day hold all the offices.

Mr. McCLINTOCK. Mr. Speaker, I would like to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga, Mr. Williams, permit himself to be interrogated?

Mr. WILLIAMS. Mr. Speaker, yes, sir.

Mr. McCLINTOCK. Mr. Speaker, I would like to ask the gentleman is it not a fact that the appointments of a civil service commission are as a rule subject to a point of law?

Mr. WILLIAMS. Mr. Speaker, in what respect?

Mr. McCLINTOCK. Mr. Speaker, in respect to their duties.

Mr. HUMES in the Chair.

Mr. WILLIAMS. Mr. Speaker, I assume any three men appointed on the Civil Service Commission in the State of Pennsylvania would be holding under the laws of the State, and would have no more than the appointing power.

Mr. McCLINTOCK. Mr. Speaker, I would like to further interrogate the gentleman and ask him, whether under the civil service plan there is anything to prevent appointments being made in the interest of the party in power?

Mr. WILLIAMS. Mr. Speaker, I certainly would say that merit counts. The percentage gained by the men in the examination governs their every appointment. What we are trying to do is to get away from political pull and adopt the merit system.

Mr. McCLINTOCK. Mr. Speaker, under the civil service plan, as it is worked out in the City of Philadelphia, and in other states throughout our nation, we find, as a rule, that the civil service commission are subject to the appointing power and as it amounts to the same practice as the plan of appointing now under our old conditions in the State, when that commission is servile to the appointing power. For that reason, I cannot see any advantage for the change of method at this time and I am opposed to this civil service bill.

Mr. JOHN R. K. SCOTT. Mr. Speaker, this bill ought to prevail. The whole trend of legislation of not only this but of previous sessions, although not in as great a degree has been to clean up party politics. In 1906, the Legislature in extra session passed the civil service commission bill of Philadelphia County, and at the same time passed the bill known as the Shern bill, which prevented those holding office from taking an active part in politics. That legislation is of great importance and benefit to parties. Under the old system, Mr. Speaker, it would be impossible for the Republican Party to hold, as it does to-day, its power in Philadelphia. Under the old system of patronage prior to 1906, the election of an adverse administration would mean the overthrow of the party that had been in power, and the giving of the power to the party represented by the administration. The present administration in Philadelphia is a reform administration, and the present political power in Philadelphia is the Republican Party. It would be impossible for that party to remain in power was it not that the present administration is held in check by a rigid civil service and a rigid enforcement of the Shern Law. Why, with the great number of office holders in power, the administration could turn that great force and crush down any party. Mr. Speaker, in 1905, we had a demonstration of it. We, as a party were then in control, under the leadership of as astute a politician as ever stood at the head of a party, Israel W. Durham, and when the administration turned away from his leadership and drove its horde of office-holders against the political power, within a few months we went down, in November 1905, from a party of great power to defeat. And then, when in 1906 the civil service and the Shern Bill were passed that same party, came back to power. Mr. Speaker, this is one of the best party measures that we could possibly vote for in this House. They speak, Mr. Speaker, of patronage as being a benefit to a party. When I listened to the gentleman from Delaware speaking of twenty years ago, I thought that he had not come abreast of the times. He forgets that while patronage in one phase is a help to the party leader, that patronage becomes a very great burden in another aspect of it. We in party politics in the past depended upon patronage entirely, and we found it to be a weak basis to stand upon, and we have been coming step by step from the old principle of "To the victor belongs the spoils" to a stronger and more powerful basis by not depending alone upon the skeleton work of the party machine, but by rather bringing the whole party in and making them part in all party affairs. Mr. Speaker, this is only a part of the legislation that this present legislation is passing for the purpose of cleaning up politics. If the legislation that has been advocated this session becomes law, we will go from this building at the end of this session to a position in our party that we can consider to be a great credit. We will eliminate to a very great extent the fraud in politics. We will eliminate to a very great extent corporation influences in politics. We have already by the vote of this Legislature and other legislatures throughout this country eliminated one of the greatest evils of legislatures, the election of the United States Senators by the vote of the two bodies of the Legislature. That will to a great extent eliminate an influence from the Legislature that ought to be eliminated. The passing of the strict corrupt practices act will to a great extent remove from this Legislature the influence of the corporations. Now, let us then pass some bills, one of which is this bill, for the purpose of eliminating improper influences from party mat-

ters and instead, Mr. Speaker, of our catering to a few party workers let us make the whole membership of our party part of our working machine, and then we do indeed become a powerful party in this Commonwealth. Mr. Speaker, if this bill prevails, it means this: That there will be eliminated from state offies the patronage system, which means that the Governor of the State and his various chiefs of cabinet and those who are heads of different bureaus and department beneath them will be freed from the influences. They will be freed from the influence that holds them in check. They will have the right to allow their own minds to prevail, and that is what ought to be. If we pass this bill and at the same time, before this session is over, pass a bill that takes from the Legislatures and the Governor the power of fixing appropriations for various charities, we will allow the next Governor who comes to Pennsylvania to be freed from every baneful political influence and allow him to prevail before the people as a strong, individual power, and that is what ought to be.

Mr. Speaker, any member of this House who claims affiliations to a party, especially who claims affiliations to the Republican Party, and stands on the floor and fights this bill as being an enemy to his party, does a great harm. He is fighting a bill that will give his party great strength.

Mr. J. A. DUNN. Mr. Speaker, I do not expect to make much of an impression upon your minds after the able argument offered by my learned friend from Philadelphia in favor of this bill as he sees it. This bill is a very important bill, because it proposes a State-wide civil service in the State of Pennsylvania. It covers every institution that this State is interested in, and therefore, my friends, it is a very imporant bill to every memebr of this House. I am hoping that by the resolution which passed this House by a unanimous vote some weeks ago, we would have the pleasure of investigating the workings of this law in the City of Philadelphia first and bringing that investigation to the members of this House so that they might study it and compare the workings of this law as it is done at the present time, and then you could vote inteligently on this bill in a manner that would satisfy every body, but unfortunately the resolution lies over in the "dead-house" and probably we will never see it resurrected. But, Mr. Speaker, the intent of the Civil Service laws are to establish a system whereby a person might qualify by practical, fair and honestly conducted examinations for any position in the municipal government in cities of the first class. That is, they are to be conducted so that every applicant to be examined would be so examined in the various questions, reasonable and practical, that would give all classes an equal chance. The commissioners now appointed to carry out the provisions of this act in the City of Philadelphia have prepared various questions for examination, but they have prepared them with the thought that theoretical questions, are more important in the examination than practical questins, and thus it prevents practical men from passing and permits theoretical men to occupy positions, to which practical men are unable to pass. A young man graduating from a high school, I will agree, can pass almost any theoretical examination, which a practical man, perhaps with ten years' experience, cannot pass. But when a man is wanted by any man for working where practical experience is needed, a business man would not put a theoretical man on the work when he could obtain a man with fifteen or twenty years of practical experience.

Professor. G. W. Caldwell, in the Popular Monthly,—you have had attorneys to speak to you on this bill and you paid strict attention to them. I am trying to offer an argument for the common people. Certainly, in the position that I stand, I am unable to meet an argument prepared by a learned attorney-at-law. All that we ask is a fair chance by giving us a little attention. Professor G. W. Caldwell, in the Popular Science Monthly, a short time ago, said this: "For twelve years approximately but twelve per cent. of the inrollment of the High Schools has been graduated, regardless of the increases in facilities and of an increase in the number of pupils and of an assumed increase in the relative efficiency of this teaching force, and regardless of the increased public belief in secondary education there has been no increase in twenty years in the percentage of high school pupils that take a full high school course. The fact that they begin the work indicates clearly that some one in control regards it as worth while, for some reason, for these pupils to engage upon the work of the secondary schools, through they may at the outset expect to do but one or a few years of the work. But the fact that approximately 88 per cent. do not complete a course indicates that most of these who thought it worth while to enter the High School, for some or many reasons, do not find it possible or perhaps not worth while to follow out the course, even if at the outset they intend doing so."

What does this mean? It means that 88 per cent. of the school children are compelled to leave school before they reach the graduating class of the High School. Why? For various reasons, but the majority because their parents cannot afford to send their children to school after they reach the age of fourteen or sixteen years and are often compelled to put them to work to help to support the family, and thus the civil service law, as it is worked under the present commissioners, deprives 88 per cent. of our children from accepting the opportunities offered under said law, by preparing the questions for the examinations so that only graduates of the high schools and universities can successfully pass. Further, the intent of the Civil Service law, as we all supposed, was to protect a faithful, honest and capable employee from being removed, and if after long years of service he had proven himself worthy of promotion, the opportunity being offered according to the merit system, he would be the one to receive the reward.

But even under the working of the present commissioner this impression of working of the law as we see it is fulfilled. Employees who have worked for years in the various departments have been discharged and men of no experience have taken their place. Employees who have sought promotion after years of practical experience has been turned down and even demoted and graduates of High Schools or Universities have been appointed to take charge over men, when they did not have the least practical experience about the work and therefore the purpose of the laws as intended in regards to protection to an employee, a promotion under the merit system and a fair and impartial examination or in other words a square deal, to all has not been fulfilled and under such condition the working of the laws, I believe, should be investigated so as to inform us whether it needs improving, extending or repealing.

Let me illustrate to you some of the cases that happened in Philadelphia under the present civil service law. I live in the district where the great filtration beds are located and where hundreds of city employees are employed. Every one of these gentlemen have passed the civil service examination and have been passed on the list and were promoted.

Harry Blessing, appointed September 23, 1901. He took several examinations for Assistant Chief Engineer and passed the last one second or third on the list and with over eleven years of practical experience he was not appointed and a graduate from the University of Pennsylvania was appointed to the position without any practical experience whatever.

Jack Gakeler, appointed a laborer August 21, 1896, took an examination as oiler, passed No. 2. Twelve oilers were appointed off the list and Mr. Gakeler was left out.

Samuel Logan, appointed April, 1907, a per diem man, acting clerk or timekeeper, at $2.50 per day. He was discharged for no cause whatever, always done what he was told to do, not a complaint against him, but a young graduate who passed the civil service examination was appointed as a clerk to take his place, at $3.00 per day, served fifteen days and the time sheet was so mixed up that he was discharged and as his place, not being filled, it was necessary to obtain a temporary clerk and a coal passer was requested to take the position temporarily and after three days the coal passer had straightened out the middled time books and for the past six weeks there has not been a complaint while the coal passer has been acting clerk.

About 150 laborers, firemen and mechanics who passed the civil service have been removed from the Ladner pumping station alone; all honest working men, some have been employed in the department for over eighteen years and for no other reason than political activity, which happened before the present administration went into office.

In the early part of January of last year 150 men were removed from the beds, cutting down the force at least one third. They had all passed the civil service examination for laborer. Then there was about 100 that had passed and they came up there with white shirts and neckties, clerks, thinking they would get a good political job. The work

that they were to do was to go down into the beds and scrape off the refuse and up to their heads wade in the water and remove the dirty sand and muck and pump it out and put in clean and they were getting two dollars a day. When the clerks looked down into the beds and saw what was to be their work, they took the first train away and then they had to get a contractor with 200 or more Italian laborers to do the work and the contractor paid the laborers $1.50 a day when he was drawing $2.00 a day from the City. I do not complain that this reduction was for the purpose of cutting down expenses. No, I do not complain for the present administration that this was the purpose; but listen to this when these poor laboring men were deliberately removed from their positions, one-third of them, they made the other two-thirds do all the work and what did they do then? Listen to the increase of salaries after that. We have here the mayor's private secretary. Previous to this he was getting $3,000.00 a year and he thought he had a good job. When the new man was appointed and the old man removed they increased the salary out of the money taken from these poor laborers and they increased it to $6,000.00 a year, double the salary in the reform administration. I want to give you furthermore the other increases and new jobs that were made after laboring men were removed who were doing good hard honest work, and that money was saved by cutting down the force of laboring men and increasing these offices by the reform administration inside of six months, and these men removed were all civil service employees. Here is the list of new positions and increases:

ART JURY

Assistant Secretary, new	$2,000.00
Stenographer, new	900.00
Total	2,900.00

CIVIL SERVICE

Two assistant examiners, new	$3,600.00
Medical Examiners, new	1,600.00
Assistant Medical Examiner, new	900.00
Investigator, new	1,200.00
Five clerks, new	4,160.00
Total	11,460.00

DEPARTMENT OF SAFETY

Police Bureau—Secretary, increase	
Clerk, increase	$500.00
Electrical Bureau—Stenographer, increase	300.00
Total	1,100.00

DEPARTMENT OF WORKS

Directors Office—Telephone operator, new	$ 480.00
Blue printer, new	600.00
Highways—Two engineers, new	7,200.00
Paymaster, new	1,800.00
Three electrical draw operators, new	3,120.00
Four watchmen, new	3,050.00
Total	15,740.00

DEPARTMENT OF HEALTH

Chief Sanitary Inspector, new	$3,000.00

DEPARTMENT OF SUPPLIES.

Confidential Clerk, new	$1,200.00
Bookkeeper, new	1,000.00
Four inspectors, new	4,800.00
Two inspectors, increase	400.00
Total	7,400.00

The Bullitt Bill provides as follows:

"No person shall hold more than one office of profit in any city department and no person shall hold any office of profit under the city or any department thereof while holding any other official or representative position of profit in or under the Government of the United States of this Commonwealth or such city except in the militia service of this Commonwealth"

The Board of Examination has in its employ as teachers the following persons who are also employed as extra examiners by the Civil Service Commission, in violation of the above provision of the Bullitt Bill:

Thomas Moore, James H. Moffett and Emery B. Zeigler. Moffett lives in Armore, Ziegler in Conshohocken.

They have been employed by the Civil Service Commission for a year or more.

There are fewer applicants now than in the same period during the year 1911, when the Commission had but fourteen persons in its clerical and examining force. They now have about thirty.

Now my friends when we want practical men they exempt them. When they find that the theoretical men that they get to pass the examination fail to do the practical work then they want the practical men exempted. When the Director of the Public Wharves Norris wants practical men he asks the Civil Service Commission to exempt a certain class, that is in regard to getting men on the dreges in the Delaware river. That is manual labor, practical work and you cannot get a college graduate to take a job like that and the men who are doing the work were unable to pass the examination and the Director therefore asked the Civil Service Commissioner that these men be exempted.

Furthermore, only recently in the case of Mr. William F. Gleason, Secretary of the Comprehensive Plans Committee, the point was brought out that there was a vast difference between the various marking of Doctor Brumbaugh and Kelsey, the latter in a number of cases being known to have given better grades than Doctor Brumbaugh. Important points were brought out. One is that where an applicant makes an average of 69-5-10, the commission gives that person the benefit of the doubt and makes it 70. It was also brought out that the Civil Service Commissioners had conferred with Director Cooke on the requirement for the position of a Secretary. Mr. Gleason's contention was that instead of being marked 70 he should have had an average of 88—4-10.

Furthermore, I want to submit the case of another man by the name of John S. Macauley, 5237 Catharine street. This man passed twenty examinations under the Civil Service Commission of Philadelphia and six or seven of them were number one and every one of them was above the average of seventy, required and that man has not received one consideration from the Civil Service Commission of Philadelphia. Note the injustice of the case. I have a list of the cards here with the examination averages on them and anybody who doubts my word in regard to them can come here and I will show them the cards. One time he received a card to come down to the City Hall where he was referred to a Mr. Carlin and he was asked whether he was a stenographer and a typewriter and he said he was and they put him to a desk and he wrote five or six letters in eight minutes. I don't know whether that is a good record. The result was, that was all he heard about it. Think of the injustice of the Civil Service, where a man passes twenty examinations for a clerkship, typewriter, bookkeeper and all kinds of examinations and receives an average over ninety-nine, five or six of number one on the list and not one opportunity did he have to accept a position. That is the test in regard to that part of it.

Here is a test of a laboring man: While I was in the City Hall a few weeks ago a laboring man came down stairs and he said, "My God I wouldn't go through that examination under any consideration." He was asked what was the matter and he said they asked him whether he wanted a laborer's position and when he said he did they told him to go into a room and take off his clothes where there were two or three others where he was compelled to go through a medical examination and they bent him into all kinds of shapes and they laid him down and stretched every muscle. The laboring men get $1.50 per day and they make them take a bag of sand, weighing a hundred pounds or more and make them carry it back and forward. Think of a man forty or fifty years of age being put through such a test.

Many a man who applied for a dollar and a half laboring position, was compelled to take a bag of sand weighing about a hundred pounds, and the man sometimes would be from forty-five to fifty years of age, and he would have to put it on his shoulder and walk up and down the room, while the commission examined every muscle in his body. Not only that, I have here the impression of his finger print. I do not know whether they expected him to steal the shovel, when he was working for a dollar and a half or two dollars a day, but I show you here his finger prints, although I don't know why they were taken. After he had passed the examination they said to him, "Now you have passed this examination, what kind of a position do you want?" He said, "Any kind of a laboring job." They said,

"Will you go down into the meadows in the lower end of the city and dig ditches?" Think of a man of his age digging ditches after passing this examination, and after the commissioners had examined his muscles. Think of having to pass that examination to dig ditches. And this was supposed to be a political job. We can get all the foreigners for a dollar and a half a day to do that work, and the majority of them even refuse to do it. That is the conduct of the Civil Service Commission in Philadelphia. Not only that,—His Honor Rudolph Blankenburg,—and I have the highest regard for him and I don't want you to think that I am opposing the administration, in the course of what I am saying. I paid the highest price I ever paid, and more than I could afford to pay—five dollars, to go to a banquet not long after he was elected, and heard him say that no man would be removed from service, who conducted his work properly, and that he would not take the bread and butter away from any man's wife and family; he said no man would be removed while he was in office. Further than that he said that no old soldier, a veteran of the Civil War would be removed from office, and if such should be the case that he hoped his right arm would drop off. I have a list here of over fifty old soldiers who have been removed. I say to you gentlemen, I have here a list of fifty who have been removed since the present administration went into power. That is the injustice of the Civil Service law in the City of Philadelphia, and it might be extended to the State of Pennsylvania. In rememberance of these old soldiers, I ask you gentlemen, notwithstanding the arguments of our learned friend as to the provisions of this bill, I ask you in the name of these veterans not to extend the law to the State of Pennsylvania and have the same conditions exist as exist in the City of Philadelphia. Some of our learned brothers will tell you that Mayor Blankenburg did not know that these soldiers were removed. He did. I have a letter here, and I want you to listen to this letter. It reads as follows:

Philadelphia, July 12th, 1912.

Hon. Rudolph Blankenburg,
Mayor of Philadelphia,
City Hall.

Dear Sir:—I feel it my duty to direct your attention to the work injustice and favoritism recently practiced by the Civil Service Commission in the examination for Office Manager and Chief Clerk, whereby Mr. William J. Cooley was defrauded of his standing as Number 1 on the eligible list, and another person, not a resident of Philadelphia, was given the position.

The schedule which announced this examination stated that "applicants must be residents of Philadelphia," and the Commission set back the date which had been tentatively agreed upon in order to allow Mr. Herbert N. Mitchell, who resides in Riverton, N. J., a chance to establish a "bluff" residence in this City.

Mr. Mitchell was then employed by the U. S. Civil Service Commission. The local commission engaged Mr. Doyle of the U. S. Civil Service Commission, mind you one of Mitchell's employers, you might say, to prepare the questions and conduct the examination.

The examination covered four branches, viz:

Experience.
Knowledge of C. S. A.
Practical Questions.
(Business Ability)
Oral Test.

The oral test held on a Tuesday before a Board consisting of Mr. Doyle of the U. S. C. S. Commission, Mr. Hanson, of the Board, and Mr. Godwin, of the U. S. C. S. Reform Association.

All the applicants who had successfully passed the first part of the examination were required to appear on this day. But Mr. Mitchell came in the Saturday previous, and the Commissioners informed me that he was to be given his oral test on this Saturday, before one of the members of the examination board, because he could not come in on the day set for the other applicants. When he came in the following Tuesday before the full Board of Examiners, primed and ready for the questions which they would propound, as he had already heard them the previous Saturday. Mitchell was given 92 for the Oral Test; Mr. Cooley received but 84.

I do not mean to insinuate that all of the members of this examining board were corrupted, but one of them surely was.

When the result of the combined examination was made known to the Commission, Mr. Cooley stood No. 1 in spite of fact that Mr. Mitchell had been given much higher marks than he for business experience and for the Oral Test, the two branches entirely at the discretion of the examining board.

The Commission then deliberatly rubbed out the mark given Mitchell for experience, 94.8 and changed it to 95, in order to put him ahead of Cooley, and thus have some sort of excuse for appointing a non-resident, because he had apparently demonstrated his superior fitness.

I would not bother you at this time, were it not for the fact that Mr. Mitchell's period of probation will expire on the 24th inst. and he can be quietly dropped at this time, and thus a public scandal, involving the Commission, will be avoided, as I feel so strongly on this subject that I will certainly bring legal proceedings if something is not done.

Yours respectfully,

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ALLEN. My point of order is this: that I believe the gentleman is not in order as to his remarks; that the remarks to which he has confined himself applies solely to the City of Philadelphia, and are solely a propose to the conditions in the City of Philadelphia.

The SPEAKER. The Chair rules that the point of order of the gentleman from Allegheny is not well taken, and the gentleman from Philadelphia will proceed.

Mr. JAMES A. DUNN. Mr. Speaker, my purpose is to show the workings of the law. I have been trying to get this information by resolution and am trying to give it to you now so that you may vote intelligently on the law whether you vote for it or against it. This letter was sent to the Mayor complaining of the charges and the violation and the fixing of the examination papers but no reply whatever was received, and say His Honor, the Mayor, knew these things and conditions, and knew of the violations when they held back the examinations to enable a non-resident of Philadelphia to take the examinations for a position, and be given the position, instead of a resident of that town. Not only that, my friends, but a reform Councilman, in the City of Philadelphia, when a bill was represented asking for an additional $4500.00 for clerk hire, for the Civil Service Commission, the Reform Councilman of that city opposed the increases for the payment of school teachers who were members of the Examining Board of the Civil Service, and who also received a salary from the City of Philadelphia. The reform Councilman at that time opposed this measure and the bill was knocked out. I want to show you the Civil Service Appropriation under the so-called "Gang Rule" or Republican rule. In 1910 for salaries and official expenses the appropriation was $32,390.00 and for supplies, $1500.00. In 1911—

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. JAMES A. DUNN. Mr. Speaker, when I get through I will answer all questions.

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I again rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. ALLEN. Mr. Speaker, my point of order is this; that there is nothing before this House to indicate that the same plan of Civil Service is in operation in the City of Philadelphia as is provided for in this bill. If the plans be distinctive plans, then the gentleman's remarks are out of order because they simply apply to the City of Philadelphia. If, however, the plans are similar, the remarks are in order, and I ask for a ruling on my point of order.

The SPEAKER. The gentleman from Philadelphia will confine himself to the bill.

Mr. ALLEN. Mr. Speaker, I insist upon a ruling upon my point of order.

The SPEAKER. The Chair rules that the point of order of the gentleman from Allegheny is well taken, as the bill in question does describe a similar system as that of Philadelphia. The gentleman from Philadelphia will confine himself to the bill.

Mr. JAMES A. DUNN. Mr. Speaker, my only purpose was to try and enlighten the members. This system that is now in use in Philadelphia might be extended throughout the State. We have in Philadelphia other departments not under Civil Service, and there is no complaint about them. In the State Departments they are running at the present time, and have been for years without civil service, and I have failed to find any fault with any employee of the State whereby he is doing wrong, or not a man qualified to do the work simply because he has not passed the Civil Ser-

vice Examination. Recently, in the Auditor General's Report,—and there is not civil service in that office, and yet, in the yeas that he has been in that office, he has collected for the State over $25,000,000.00 more than his predecessors, and yet there has been no complaint. Why should we then change the present system, when there is no fault found. Why should we extend this law over the State of Pennsylvania today when there is no fault found with any employees in any of the State Departments. Shall we change the law for the purpose of pleasing some few people who form the Civil Service Commission and who advance this measure? They are not so big as they seem. The Civil Service Association is composed only of a President and a Secretary and Treasurer, and they have letterheads with a heading printed on it , "Civil Service Reform Association," but there are only three of them. The impression has been created that this is a very powerful organization. The only purpose of the law is to attack some good honest law, and put a good honest servant out of office because he has failed to pass this examination. Mr. Speaker, I have just been advised that the State of Illinois is repealing the Civil Service Law now in existence in that State, because they considered it a failure. I ask the members of this House not to put on the books a law that will prohibit the poor man and the laboring class and the men not able to hold these positions that they have to pass the examinations, that will compel them to pass these examinations. I trust, gentlemen, that you will defeat this bill.

Mr. WILTBANK. Mr. Speaker, I move the previous question.

The motion was seconded by the following gentlemen: Messrs. O'Neil, Ramsey, Heyburn, Conner, Conrade, Lowers, Moses, Moulthrop, Matt, Cochran, William Blair, Fahey, Herman, George A. Baldwin, McCaig, Frank Gray, Frey, Horace B. Dunn, Swift, Stone, Bass, Murphy, and others.

On the question,

Shall the main question now be put?

It was agreed to.

Mr. WILLIAMS. Mr. Speaker, I ask for a verification of the roll.

The SPEAKER. The roll will be verified.

Mr. WHITAKER. Mr. Speaker, I desire to be recorded as voting "Aye."

Mr. O'NEILL. Mr. Speaker, I object. The gentleman was out of the Hall.

The SPEAKER. Was the gentleman in the Hall when the roll was called?

Mr. WHITAKER. Mr. Speaker; no, sir.

The SPEAKER. The objection is sustained.

Mr. WILTBANK. Mr. Speaker, Mr. Alworth is recorded as voting—he was not in the room.

Mr. ALWORTH. Mr. Speaker, I was in the room and voted.

On the question recurring,

Shal the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken,

The roll was verified as follows:

YEAS—104.

Adams,	Dunn, H. B.,	Klepper,	Sassaman,
Allen,	Flynn,	Kuhns, E.G.M.,	Savacool,
Alworth,	Foster, J. D.,	Lanius,	Scott, J. R. K.,
Baldwin, G. A.,	Frey,	Latshaw,	Scott, S. B.,
Barner,	Geiser,	Lohr,	Semmens,
Becker,	Gibson,	Mannion,	Shaffer, C. A.,
Benninger,	Glenn,	Martin,	Shaffer, I. E.,
Benson,	Good,	Mather,	Showalter,
Bigger,	Goss,	Matt,	Smith, J. W.,
Bittles,	Grabe.	McAleer,	Smith, L.,
Blair, W. A.,	Gramley,	McDermott,	Snavely,
Blair, W. F.,	Gray, Frank,	McKay,	Snyder,
Bleloch,	Heidinger,	Mellott,	Spangler,
Body,	Hemminger,	Metzenbacher,	Steedle,
Brosius,	Herman,	Miller,	Steele,
Brownlee,	Hobbs,	Mitchell,	Stone,
Burnett,	Howard, R.,	Moses,	Swift,
Campbell, C.M.,	Humes,	Moulthrop,	Trach,
Campbell, J. J.,	Irwin, H. H.,	Musser,	Ulman,
Carson,	Jackson,	Neel,	Walnut,
Cheeseman,	Jones, E. E.,	Newbaker,	Watson,
Claycomb,	Jones, J. R.,	Peachey,	Whitman,
Cochran	Kaufman,	Price,	Williams,
Collins,	Keegan,	Redfield.	Wilson, W. H.,
DeFrees,	Kennedy,	Richards.	Alter,
Donahoe,	Kern,	Rockwell,	Speaker.
Donnally,			

NAYS—58:

Ambler,	Ely,	Kuhn, H. P.,	Reese,
Aron,	Ewing,	Leslie,	Reeser,
Arthur,	Fahey,	Lowers,	Rhoads,
Baldwin, R. J.,	Forster, I. G.,	McAllister,	Rothenberger,
Bass,	Gans,	McCaig,	Schaeffer, A. C
Cleary,	Gransback,	McClintock,	Schuck,
Conner,	Hackett,	McNichol,	Sherwood,
Conrade,	Heyburn,	Missimer,	Speiser,
Cox,	Hibshman,	Moore,	Spillinger,
Currier,	Hoffman,	Morrow,	Swartz,
Curry,	Howard, J.,	Neely,	Walsh,
Dickinson,	Irwin, G. C.,	O'Neill,	Walton,
Dunn, J. A.,	Kaiser,	Pennegar,	Wiltbank,
Ehrhardt,	Keeport,	Pennock,	Young, G. K.,
Eichenberger,		Ramsey,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. McNICHOL. Mr. Speaker, I have been informed that Mr. Keegan and Mr. Goss, who are recorded as voting in the affirmative were not in the room when the roll was called.

Mr. KEEGAN. Mr. Speaker, I was in the room and answered to my name.

Mr. ALLEN. Mr. Speaker, the gentleman responded to his name.

Mr. ALLEN. Mr. Speaker, the gentleman responded to his name.

Mr. LANIUS. Mr. Speaker, Mr. Goss was at his desk: I heard him.

Mr. McNICHOL. Mr. Speaker, the gentlemen may have heard some one but he didn't see him, and I challenge Mr. Goss's vote.

Mr. ALLEN. Mr. Speaker, the gentleman responded.

Mr. McNICHOL. Mr. Speaker, I challenge that vote. There is no proof positive that Mr. Goss was on the floor.

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. ALLEN. Mr. Speaker, any gentleman seeking to challenge a vote has his method by which to do it.

The SPEAKER. The point of order is well taken.

Mr. McNICHOL. Mr. Speaker, when a challenge is made as to the voting of a member, evidence must be produced in the affirmative, proving that the member was here and that the member voted in his proper name.

POINT OF ORDER.

Mr. J. R. K. SCOTT. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. J. R. K. SCOTT. Mr. Speaker, the roll has been verified, and the challenge should have been made when the name was anounced. The challenge is too late.

Mr. McNICHOL. Mr. Speaker, I challenged that vote before the anuoncement of the result.

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. ALLEN. Mr. Speaker, the challenge is not in order for the reason that the challenge should be made at the time the name was announced as having voted either for or against.

Mr. McNICHOL. Mr. Speaker, insofar as the challenge made by me affects the result, I think it should receive respectful attention.

Mr. R. J. SCOTT. Mr. Speaker, I ask you to rule on my point of order. The Chair has announced the decision. There must be something of finality in parliamentary procedure. I therefore ask for a decision on my point of order.

Mr. McNICHOL. Mr. Speaker, I insist on the position that I am taking.

The SPEAKER. Rule 65 provides as follows:

"After the completion of a roll call, any member of the House may demand a verification of the roll, by the Clerk, and if the vote or votes of members recorded as voting shall be challenged, in writing, by any member, and the votes so challenged would change the result, the announce-

ment of the vote shall be postponed until the Speaker shall have investigated the allegations made, when the roll call shall be corrected, if necessary, and the true result shall be announced by the Speaker."

Under that rule the Chair withdraws its decisions as to the final passage of the bill, to give an opportunity for the gentleman to put his challenge in writing, if the gentleman so desires.

The challenge having been made that the gentleman from Fayette, Mr. Goss, was not in the House when the vote was taken the announcement of the result will be withheld until the challenge is investigated.

RECESS.

The SPEAKER. The hour of 1 o'clock having arrived, the House will take a recess until 3 o'clock P. M.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.

Mr. HUMES in the Chair.

The SPEAKER. In compliance with rule 65 the Chair has investigated the challenge filed against the vote of the gentleman from Fayette, Mr. Goss, on House Bill No. 228, and finds that the gentleman was present and voting and voted in the affirmative. The Challenge is therefore not sustained. On the final passage of the bill the yeas are 104 and the nays 58.

Mr. McNICHOL. Mr. Speaker, I think the House is sufficiently interested in this bill to have the gentleman come before the House and make that statement.

The SPEAKER. For the information of the gentleman from Philadelphia, Mr. McNichol, and the House, the Chair would state that he has had a personal interview with the gentleman from Fayette, Mr. Goss, and Mr. Goss declares that he was present and voted in the affirmative and three members of the House who were present with the gentleman from Fayette, Mr. Goss, at the time, have verified the statement as made by the gentleman from Fayette, Mr. Goss. The gentleman was leaving when he was interviewed by the Chair with reference to this matter and he is not in the City at this moment.

Mr. McNICHOL. Mr. Speaker, while my disposition is not to quesion the statement that you make, yet I feel that the question is of sufficient importance to have an investigation made in a regular way, and I believe that the Chair will agree with me that his information did not come in the regular manner, and for that resason I think that my position maintained here is the proper one, that the gentleman should come before the body proper and make the statement, not in some foreign place.

The SPEAKER. Under the rule referred to the Chair has made the investigation called for by the rule. The rule directs that the investigation be made by the Chair. The Chair has made that investigation in accordance with the directions of the rules of this House. and the investigation having been made and the result of the investigation reported to the House, there nothing remains but to complete the action upon the bill.

Mr. McNICHOL. Mr. Speaker, I submit that if you made an investigation it should have been made in the proper way before this House, and I submit if the people interested in this bill want to pass it in a questionable manner, I have no objection, but in order to prove clearly the truth of the assertion made by me or its falsity, I think it is necessary to have the gentleman appear before the House as we are the people before whom the investigation should have been made. As I understand it you meet hi min some out of the way place and when you spoke to him in reference to the matter he did not know whether you were in jest or earnest. Is that not the fact?

The SPEAKER. If the gentleman desires to interrogate the Chair, he will leave the Chair and take the floor for that purpose.

Mr. REUBEN HOWARD. Mr. Speaker, I sit over by the side of Mr. Goss and I heard him vote "aye."

Mr. McNICHOL. Mr. Speaker, why should we want to surround this question with doubt, when you refuse to allow the gentleman to come before the House and make that statement.

The SPEAKER. There is no doubt in the mind of the Chair. The investigation has been made in accordance with the rules of the House and the Chair is willing to take the responsibility for the investigation that has been made.

The result of the vote is yeas 104, nays 58. The majority required by the constitution having voted in the affirmative the bill passes and the Clerk will present the same to the Senate for concurrence.

SENATE MESSAGE.

RESOLUTION FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, May 7, 1913.

CONCURRENT RESOLUTION AUTHORIZING THE SECRETARY OF THE COMMONWEALTH TO CORRECT THE SPELLING OF THE NAME OF WILLIAM J. LEAHY, WHO WAS COMMISSIONED SECOND LIEUTENANT IN AN ORGANIZATION KNOWN AS INDEPENDENT COMPANY SHARPSHOOTERS, AND WHICH WAS SUBSEQUENTLY MADE COMPANY C SECOND REGIMENT UNITED STATES SHARPSHOOTERS.

Whereas, On the fifteenth day of August, one thousand eight hundred sixty-two a commission as Second Lieutenant of Independent Company Pennsylvania Sharpshooters (Berdean's Company C) was issued to William J. Leahy; and

Whereas, Through a clerical error in the wording of the commission the name was spelled "William J. Sealy"; and

Whereas, It is eminently proper and a matter of justice that the name should be corrected to conform to the real facts; therefore

Be it resolved (if the House of Representatives concur) That the Secretary of the Commonwealth is hereby authorized and directed, upon the submission to him of proofs showing the above facts, to correct upon the records in his office the mistake made in issuing a commission to William J. Leahy, wherein said commission was issued to "William J. Sealy," as Second Lieutenant of Independent Company Pennsylvania Sharpshooters (Berdean's Company C) under date of August fifteenth, one thousand eight hundred sixty-two which said organization subsequently become Company C Second Regiment United States Sharpshooters.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The House having dispensed with the rule requiring the printing of resolutions before being considered, the resolution was considered and concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORTS FROM COMMITTEES.

Mr. O'NEIL, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 1652, entitled:

An Act to amend section twelve of an act entitled "An Act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth," approved the eighteenth day of June Anno Domini one thousand eight hundred and ninety-five providing that all principals or other persons in charge of schools are hereby required to refuse admission of any child to the school or schools under their charge or supervision except upon a certificate signed by a physician legally qualified to practice medicine setting forth that such child has been successfully vaccinated or that it has previously had smallpox whenever and for a period of twenty-one days after the health authorities of the city, borough, township or municipality within which such school or schools are located or the State Commissioner of Health shall have given written or printed notice to the said principals or other persons in charge of schools as aforesaid that smallpox (variola or varioloid) exists within dangerous proximity to such school or schools said notice to contain the name and location of the person or persons afflicted with the disease and said notice to be renewable so long as smallpox (variola or varioloid) continues to exist within dangerous proximity to such school or schools.

Mr. GIBSON, from the Committee on Agriculture, reported as committed, House Bill No. 952 (Senate Bill No. 1992, entitled:

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said

exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven.

Mr. PEACHEY, from the Committee on Agriculture, reported as committed, House Bill No. 1994 (Senate Bill No. 993, entitled:

An Act regulating the sale or exchange of defective or diseased horses and mules and providing a penalty for violation of this act.

Mr. STEEDLE, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 667, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred one, entitled "An Act to prohibit the manufacture and sale of oleomargarine, butterine, and other similar products, when colored in imitation of yellow butter; to provide for license fees to be paid by manufacturers, wholesale and retail dealers, and by proprietors of hotels, restaurants, dining-rooms and boarding houses; for the manufacture or sale of oleomargarine, butterine, or other similar products, not colored in imitation of yellow butter; and prevent and punish fraud and deception in such manufacture and sale as an imitation butter; and to prescribe penalties and punishment for violations of this act, and the means and the method of procedure for its enforcement, and regulate certain matters of evidence in such procedure."

Mr. J. H. WILSON, from the Committee on Agriculture, reported as committed, House Bill No. 1977 (Senate Bill No. 1063), entitled:

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December twentieth in each year.

Mr. MITCHELL, from the Committee on Judiciary Special, reported as amended, House Bill No. 1892 (Senate Bill No. 13), entitled:

An Act providing for the incorporation regulation and government of cities of the third class, regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto.

Mr. FREY, from the Committee on Public Roads, reported as amended, House Bill No. 1146, entitled:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Mr. PETERS, from the Committee on Game, re-reported with a negative recommendation, House Bill No. 1263, entitled:

An Act to provide that fines and forfeitures levied and collected for violations of the game laws of the Commonwealth shall be paid to the Game Commission for the purpose of acquiring and maintaining game preserves and for acquiring propagating and distributing game

Mr. BROSIUS, from the Committee on Game, reported with a negative recommendation, House Bill No. 672, entitled:

An Act regulating the killing, wounding or capturing of rabbits, squirrels and pheasants during the open season, and providing a penalty.

The SPEAKER (George E. Alter) in the Chair.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1911, as follows:

An Act relating to petroleum and natural gas wells drilled through coal measures within the Commonwealth of Pennsylvania and providing penalties for the violation thereof

ARTICLE I

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of this act the terms and definitions contained therein shall be as follows

Well A bore hole heretofore or hereafter drilled for the purpose of developing petroleum or natural gas or a bore hole producing petroleum or natural gas

Well Operator Any person firm partnership company or corporation drilling operating or abandoning or purposing to drill operate or abandon such well as hereinbefore defined

Well perator Any person firm partnership company or corporation owning leasing or operating coal mines or coal properties excluding coal stripping operations

Plat A map drawing or print made in accordance with the provisions of this act as hereinafter contained on the scale of one hundred feet to the inch

Casing The pipe commonly used within wells drilled for petroleum and natural gas The size of casing refers to nominal commercial dimensions

Cement Mortar Cement mortar shall consist of one part of Portland cement and two parts of clean sand mixed with sufficient water

Coal Bed A workable bed of coal that may be mined during the reasonable life of a well purposed to be drilled through it

Chief of the Department of Mines The person appointed by the Governor and charged with the supervision of the mining laws of this Commonwealth

Inspector One of the several persons commissioned by the Governor to have supervision of coal mines

ARTICLE II

Location of Wells

Section 1 No well hereafter drilled shall belocated within three hundred feet of a hoisting shaft air shaft slope or drift into an artificially ventilated coal mine not definitely abandoned or sealed nor within three hundred feet of a boiler house engine house power house mine fan or mine tipple unless such structure has been abandoned No well shall be drilled within fifteen feet of any underground haulage-way entry or airway in use

Section 2 When a location is hereafter made for a well which will pass through a coal bed or within three hundred feet of a coal bed it shall be the duty of the well operator to give written notice in duplicate to the inspector of the district of the intention to drill such well and to send therewith a description and plat in duplicate of the proposed location one copy of which notice description and plat shall be sent forthwith by said inspector to the Department of Mines of this Commonwealth

The location shall be determined by a survey and the description and plat shall show the courses and distances from two permanent points on the boundaries of the tract of land upon which the proposed well is located together with the name of the tract names of adjoining tracts township and county It shall also be the duty of the well operator to send to the coal operator through whose coal bed the well

is to be drilled if such coal operator is known a copy of the description and plat filed with the district inspector It shall be the duty of the coal operator within four days after the receipt of the plat to plot the well location upon his map and send to the well operator a plat and to the inspector a plat in duplicate showing the present and proposed mine workings under the tract of land upon which the proposed well is located Within five days after the receipt of said notice and plats from the well operator by the inspector he shall examine the same and if he deems it necessary shall personally examine the premises and if said location is not in violation of the provisions of section one of article two of this act he shall give the well operator written permission in duplicate to drill said well Provided however that no permit issued under the provisions of this act shall be valid unless countersigned by the Chief of the Department of Mines If however the inspector shall find that said location is in violation of any of the provisions of section one of article two of this act it shall be his duty to confer with the coal operator and the well operator and designate within five days from the date of said conference a suitable location for the well or if no location can be made on the premises without violating the provisions of section one of article two of this act he shall refuse to give such permission If the well is relocated a re-survey shall be made by the well operator and a description and plat shall be sent to the inspector as previously required and a copy of the corrected description and plat shall also be sent to the coal operator

Section 2 It shall be the duty of all coal operators to show on their maps furnished semi-annually to the inspector of the district the location of all known wells The coal operator shall also furnish annually if requested to do so to any well operator a plat of the mine under the leases owned or operated by the said well operator

Section 4 It shall be the duty of the well operator to display at the location one copy of the permission provided for in section two of this article properly protected from injury and in such place and manner that it may be easily seen

Section 5 Permission given to drill a well shall expire at the end of one year from the date of issue unless drilling operations are actually in progress

Section 6 When the location of a well is such that it passes through a mine or near a mine the well operator may appoint as his representative a mining engineer or other competent person experienced in mining operations who shall have the right to enter such mine for the purpose of examining and inspecting the workings thereof provided such entry shall be made at such times as to cause the least interference with the operation of the mine the said representative shall be subject to the provisions of the mining law of Pennnsylvania and shall be accompanied by a mine foreman or a fire boss whose time shall be paid for by the well owner

ARTICLE III

Drilling Casing and Protecting of Wells

Section 1 Each well passing through a workable bed of coal shall be drilled cased and protected in the following manner

(a) Where the coal is in place

A hole of a diameter six inches greater than the inside diameter of the outside casing to be put through the coal shall be drilled at least thirty feet below the bottom of the coal bed Within this hole shall be placed the casing and the space between the outside of the casing and the wall of the hole shall be filled with cement mortar to a height of at least thirty feet above the top of the coal bed for the purpose of excluding water from the coal bed

(b) Where the coal is removed and the mine excavation is inaccessible

A hole of a diameter sufficiently large to permit the setting in of a liner four inches larger in diameter than the inside diameter of the casing to be put through the coal shall be drilled at thirty feet below the bottom of the coal bed Within this hole shall be placed a liner four inches larger than the inside diameter of the casing and extending from the bottom of the hole to at least thirty feet above the top of coal bed A string of casing centrally guided by shoes or winged guides shall be placed within the liner and the space between the lines and the casing shall be filled with cement mortar to the top of the liner

To exclude water the space between the casing and the wall of the hole and immediately above the top of the liner shall be filled a distance of at least ten feet with cement mortar

(c) Where the coal is removed and the mine excavation is accessible

The method shall be the same as that provided in the case of inaccessible mine excavations or as that provided where the coal is in place Provided that if the latter method is chosen the well operator shall at his own expense provide a suitable retaining wall laid in cement mortar to retain the cement mortar about the casin This wall shall extend from two feet below the mine floor to the roof of the mine and be of such size as to retain at least six inches of cement mortar about the casing

Section 2 Under any of the above provisions the work of casing and protecting from gas and water through the coal seam shall be completed before the well is drilled to a greater depth and in the event of any well being productive of petroleum or gas the space between the said outside casing and the next string of such other casing as may be left in shall remain open at the surface for proper ventilation the top being provided with a suitable device to permit such ventilation and at the same time to prevent dirt or debris from falling in or being thrown in or the ventilating opening from being readily closed

Section 3 The well operator shall upon completion of the work of casing through a coal bed make an affidavit in duplicate signed by two men having at least three years' experience in casing wells as to the method of casing and protecting the well said affidavit to be filed with the inspector

ARTICLE IV

Abandonment of Wells

Section 1 It shall be the duty of any well operator upon determining to abandon a well to send a written notice in duplicate to the inspector of the district of his intention to do so and the work of plugging the hole or pulling the casing shall not proceed until the inspector or his authorized agent is present to see that the plugging is done as prescribed b ythis act In case the inspector fails to be present within three days from receipt of notice the work may proceed provided that two men having experience of at least three years in the plugging of wells be present The said two men shall make affidavit in duplicate that the work was done in accordance with the provisions of this act said affidavit to be filed with the inspector

The well operator shall send to the inspector with the notice of abandonment a copy of the permission given to drill the well provided the well was drilled under the provisions of this act if the well was drilled prior to the passage of this act the well operator shall send to the inspector with the notice of abandonment a bed in duplicate showing the location as provided for in section two article two of this act

Section 2 When the work of plugging and filling from bottom to top has been completed the well operator or his authorized agent shall make a report in duplicate to the inspector upon forms to be furnished by the inspector showing the date of completion of the work the depth of the coal bed or beds and the total depth of well If the well previous to abandonment was productive of petroleum or gas shall state in the report the name and depth of the productive sand measures He shall also report the location and the kind of all plugs used and the method followed in placing them also the material used and the method followed in filling well

If the inspector or his authorized agent has been present during the performance of this work he shall also sign the report

Section 3 Every well drilled through a coal bed or within three hundred feet of a coal bed upon abandonment must be plugged and filled solidly and tightly from the bottom to the top as follows The hole must be filled with rock sediment sand clay or other suitable material from the bottom of the well to a hard and firm stratum below the last string of casing set in above the producing petroleum or gas sands When the inspector declares that it is impracticable to fill the cavity in the lowest producing sand then he shall permit the well operator to place plugs at the top of the lowest producing sand and fill as hereafter specified In this firm hard stratum three seasoned wood plugs of a diameter equal to the diameter of the hole and each of a length of at least three feet shall be driven into place Above the third plug ten feet of clay must be placed and thoroughly tamped down for the purpose of preventing the passage of petroleum gas or water

Immediately below the seat of each and every string of casing there shall be driven a seasoned wood plug as described and all spaces between wood plugs shall be filled solidly and tightly with rock sediment clay sand or other suitable material as the casing is withdrawn length by length All plugs shall be driven in place with proper drilling tools

In the case of a well in which the outside casing has been cemented as hereinbefore provided said outer casing may be cut off at a point not less than fifty feet above the coal bed and removed but in any event the hole shall be filled to the surface

The locations of the plugs herein provided for are made with reference to the relative positions of the workable coal beds and the gas and petroleum sands for the purpose of preventing the passage of petroleum or gas into the workable coal beds and of water into the petroleum and gas sands and if any well presents a variation in such relative positions of the said strata such additional wood plugs as the inspector may deem necessary shall be driven into place by the well operator

In case of failure or neglect of the well operator to plug an abandoned well in accordance with the provisions of this act it shall be the duty of the inspector to have the work done by contract approved by the Chief of the Department of Mines the cost to be assessed against the well operator and collected as other debts are collected by law

Section 4 When the coal is removed from around a casing or liner the coal operator shall protect the same from corroison and mechanical injury by a wall of brick or stone laid in cement mortar and of sufficient thickness to retain six inches of cement mortar between the said wall and the said casing or liner This protection shall extend from two feet below the mine floor to the roof of the mine except in the case of an abandoned well that has been plugged and filled as prescribed in this act

Section 5 Every well not drilled through a coal bed nor within three hundred feet of the coal bed upon abandonment shall be plugged in the same manner as provided for in section three of article four except that such well must be filled solidly as provided in said section for a distance of only fifty feet above the upper plug

Section 6 Before any well operator shall be granted permission to drill any well or wells he shall furnish to the Commonwealth with the approval of the Chief of the Department of Mines a bond in such amount as will protect the State against any failure on his part to carry out the provisions of this act

ARTICLE V.

Section 1 The inspector shall carry out all the provisions of this act pertaining to him and shall make a complete record of the wells drilled through coal beds in his district together with their location date of completion depth character of product date of abandonment name of owner and transmit same together with any other information required of him to the Chief of the Department of Mines and shall include said data in his annual report to the Chief of the Department of Mines

The inspector shall receive and investigate all complaints as to injury present or impending due to lack of precaution on the part of any well operator or coal operator If he finds the complaints to be well founded he shall submit the facts to the Chief of the Department of Mines for decision

If the inspector discovers any well being drilled operated or plugged contrary to the requirements of this act he shall order the workmen engaged upon such well to cease work at once and he shall not permit the work to be resumed until he is satisfied that the law is being complied with

The inspector shall have the right at all times to approach and examine any well in his district and upon the discovery of any violation of this act or upon being informed of such violation he shall institute proceedings against the person or persons at fault as provided for in section one article six of this act

He shall determine the sufficiency of plats for the purpose of accurately locating wells and shall cause a new survey of the location in case the available plat and descriptions are unsatisfactory The cost of this survey shall be recoverable from the well operator as other debts are recoverable by law unless it is shown that the original plat was correct in which case the expense incurred in making the survey shall be paid by the State Treasurer upon warrant of the Auditor General issued upon the presentation of vouchers approved by the Chief of the Department of Mines

It shall be the duty of the inspector to transmit to the Chief of the Department of Mines the duplicate of plats descriptions applications and reports sent to him by well operators to be retained in the Department as official records

Section 2 For the purpose of carrying out the provisions of this act the Chief of the Department of Mines is hereby empowered to employ whenever necessary persons with technical and practical knowledge of the drilling casing and plugging of petroleum and gas wells The expense thus incurred together with the expense of necessary clerical service and the traveling and other necessary expenses of the Chief of the Department of Mines shall be paid out of the State Treasury on warrant of the Auditor General issued upon the presentation of vouchers approved by the Chief of the Department of Mines

ARTICLE VI.

Section 1 Any coal operator or well operator or any other person who neglects or refuses to comply with the provisions of this act or who violates any of the provisions or requirements thereof shall be deemed guilty of a misdemeanor and shall upon conviction thereof in the court of the county in which the misdemeanor was committed be punished by a fine of not less than five hundred dollars nor more than five thousand dollars or by imprisonment for not less than one nor more than six months either or both at the discretion of the court

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. McALEER. Mr. Speaker, this bill has been drafted in accordance with the recommendations which emanated from a discussion held in Washington in the Department of Interior, Bureau of Mines. The pamphlet which I hold in my hand contains the recommendations which came from that Committee or Commission, that sat there for over a month, and the only change in this bill from the recommendation of Commission is that in place of starting a separate department to be known as the "Department of Oil and Gas-Well Inspector," the laws and regulations for the control of the drilling of oil and gas wells through coal veins, reasonable ones, have been compiled here and they are to be put under the direction of the Department of Mines in this State. It involves no additional expense to the State nor does it create any new jobs, but simply provides some regulation for the drilling of oil and gas wells through coal veins. The bill as drawn and presented to the House has been rafted by all of those interested, and the gas and oil and coal people, not less than two weeks ago held meetings here in Harrisburg, and the bill as now drafted represents the general opinion of all of the interests involved and is drawn to meet their requirements. Some regulation should be had, and there are no reasonable regulations at the present time. This is a law that involves no additional expense to the State.

Mr. WHITMAN. Mr. Speaker, the gentleman from Philadelphia is mistaken when he says that all of the interests in this State have been consulted. I have here a letter from an attorney who represents some of these interests and it contains seven reasons why the bill should not pass. First, there is no demand for this law. The people interested have never asked for any law regulating the drilling. The second reason is, that the operators are already sufficiently protected. They are already responsible for any damage that would occur from their drilling, and for that reason it is unnecessary. Third, the provisions are burdensome, harsh and unnecessary. Under this law we would be unable to drill a little well without getting permission from Harrisburg, and furnishing the Department with a map of the territory. Fourth, it hampers and impedes oil drilling, and it would be entirely without benefit to the people. Fifth, the requirements are expensive. Sixth, it only seems to benefit the Department of Mines, and that is the only place that any reason for his bill has originated Seventh, the penalties are too great. You will find them so, if you read the bill. There is a maximum and minimum penalty provided, and any one who drills a well without getting permission from the Department of Mines, would be liable to a fine of one hundred dollars. The title does not agree with the bill and the bill does not agree with the title. The title speaks of wells drilled through coal veins. and the body of the bill mentions, "Any well" whether through a coal vein or not. I think that in the interest of gas and oil well drilling, that this bill should be defeated.

Mr. CHEESEMAN. Mr. Speaker, there are many bills that come before this House upon which I have to vote that do not in any way affect me or my constituents, and I am compelled to rely upon the testimony offered by those whom it does affect as to whether it is a benefit or otherwise. This bill does affect my county. It affects it in the way of the coal operators, and of oil and gas operators also and our County of Butler is one of many in the western part of the State that is affected in the same way by this bill. In the coal mining done in our county, the vein is a very shallow one, being about three feet deep, usually. There is no danger in these mines from an accumulation of gas, and the explosions such as exist in the larger mines never occur there. Therefore, there is no necessity for his bill for that protection in that section. While the provisions of this act may be necessary in some coal regions, it is not necessary in regions such as ours, and we should be relieved from the annoyance and cost and inconvenience and hardship, which this would impose upon us, when it is not necessary. If you were to go over this bill as I did. and read wherein it would require unnecessary hardship. you would be surprised as I was when I read the bill. It is full of repetitions. There is no demand for it in our country, either from the coal operators or gas and oil operators. There is no demand whatever for its enactment, at least I never heard of any. There is no damage resulting from any mine being flooded by the oil wells in our country, as that is guarded against by the law as it now is. It is required by law that a well must be plugged when it is abandoned, and the operator who fails to do so is severely punished.

He is required to protect the strata by plugging the well and here is one of the provisions which it calls for which is only one of a good many that I would bring out that are unnecessary and this is one of the unnecessary things. I desire to read from the bill section three,

The well operator shall upon completion of the work of casing through a coal bed make an affidavit in duplicate signed by two men having at least three years' experience in casing wells as to the method of casing and protecting the well said affidavit to be filed with the inspector

If you want to take into consideration what is announced in the country where they are drilling for oil or gas, you would see the foolishness of it. You would see that this bill is full of such things that are unnecessary and uncalled for in our country. If it is necessary in some sections, let them have it but our section should be relieved from it. I will have to vote against it as long as it brings its enforcement upon our country. It provides for five hundred dollars fine for the violation of this act. Think of an operator going out to drill for oil or gas, without being thoroughly informed of this act, and if he fails to comply with the provisions of this act being subject to a fine of five hundred dollars. I call upon the members of this House to vote it down.

BILL DROPPED FROM CALENDAR.

Mr. WHITMAN. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. DOWN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1076, as follows:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws relating to cities of the second-class shall apply to cities both of the second and third class as herein provided

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classifications thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into three classes

Those containing a population of one million or over shall constitute the first class

Those containing a population of one hundred thousand and under one million shall constitute the second class

Those containing a population under one hundred thousand shall constitute the third class" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purpose of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into four classes

Those containing a population of one million or more shall constitute the first class

Those containing a population of five hundred thousand or more and under one million shall constitute the second class

Those containing a population of one hundred thousand or more and under five hundred thousand shall constitute the third class

Those containing a population under one hundred thousand shall constitute the fourth class

All laws now in force applying to cities of the second class shall apply to both cities of the second and third class herein provided

All laws now in force applying to cities of the third class shall apply to cities of the fourth class herein provided

Section 2 This act shall take effect the first day of January Anno Domini one thousand nine hundred fourteen

On the question,

Will the House agree to the bill on third reading?

Mr. KAISER. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend title, line 7, after "laws" insert "now."

Line 9, after "class" insert "and the laws now relating to cities of the thrid class shall apply to cities of the fourth class."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1182, as follows:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any sub-district public elementary school was for any reason abandoned or closed in any school district prior to the eighteenth day of May one thousand nine hundred eleven it shall be the duty of the board of school directors of such district to furnish at the expense of the proper district to pupils residing one mile and a half or more from the nearest public elementary school located and held in any district transportation to and from any school to which such pupil shall by law be entitled or permitted to attend and whether or not such pupil at any time attended such school so abandoned or closed

On the question,

Will the House agree to the bill on third reading?

Mr. STONE. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Title, heading, strike out the words "An Act" and insert the words "A Supplement"

Title, line 1, strike out the word "amend"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 531, as follows:

An Act fixing the time of organization of the commissioners of the first class townships

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" which reads as follows

"Section 6 The persons elected township commissioners shall meet on the first Monday in March succeeding their election and until otherwise designated by ordinance the place of meeting shall be the oldest polling place in the township Each member shall take and subscribe on oath or affirmation to be administered by a justice of the peace or notary public to support the Constitution of the United State and of this Commonwealth and to perform the duties of his office with fidelity Certificates of such oaths and affirmations shall be filed with the township auditor

If a majority of the commissioners shall not attend at a meeting on the first Monday of March those present shall have power to adjourn the meeting from day to day until a majority attend

The board shall organize by the election of one of their number as president He shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

The board shall meet at least once a month at such time and place as may be designated by ordinance A majority of the members of the board shall constitute a quorum" shall be and the same is hereby amended so as to read as follows

Section 6 The persons elected township commissioners shall organize on the first Monday of January following their election assembling for such purpose at their respective places of meeting at seven thirty o'clock in the afternoon and until otherwise designated by ordinance the place of meeting shall be the oldest polling place in the township Each member shall take and subscribe an oath or affirmation to be administered by a justice of the peace or notary public to support the Constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity Certificates of such oaths and affirmations shall be filed with the township auditor

If a majority of the commissioners shall not attend at the meeting on the first Monday of January those present shall have power to adjourn the meeting from day to day until a majority attend

The board shall organize by the election of one of their number as president He shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

The board shall meet at least once a month at such time and place as may be designated by ordinance A majority of the members of the board shall constitute a quorum

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask for unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Strike out title and insert the following: "An Act amending the sixth section of an act approved the twenty-eighth day of April, eighteen hundred and ninety-nine, entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class."

Section 1, lines 36 and 37, strike out the word "organie" and insert the word "organize"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments?. Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1122, entitled:

An Act amending section nine of an act entitled "An Act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" approved the sixteenth day of May Anno Domini one thousand eight hundred and ninety-one as the same was amended by an act approved the twenty-second day of May Anno Domini one thousand eight hundred and ninety-five and as the same was again amended by an act approved the nineteenth day of May Anno Domini one thousand nine hundred and three by changing the requirements in respect to the publication of ordinances introduced and providing for the laying out opening widening straightening extending and vacating streets or alleys or parts thereof where there is no petition of the property owners

And said bill having been read at length the third time. considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—102.

Adams,	Ehrhardt,	Light,	Rex,
Arthur,	**Eichenberger,**	Mather,	Roney,
Baldwin, G. A.,	Ely,	McAllister,	Rothenberger,
Baldwin, R. J.,	Ewing,	McCaig,	Runk,
Bayle,	Fahey,	McClintock,	Schuck,
Becker,	**Flynn,**	McKay,	Shaffer, I E.,
Benson,	**Forster, I. G.,**	Mechling,	Shern,
Berntheizel,	**Foster, J. D.,**	Miller,	Sherwood,
Bigger,	**Frey,**	**Missimer,**	**Showalter,**
Bittles,	Geary,	Moore,	Smith, J. W.,
Blair, W. A.,	**Good,**	Morrow,	Spangler,
Brownlee,	Gramley,	Moses,	**Speiser,**
Carson,	**Gransback,**	Moulthrop,	Stein,
Cheeseman,	Hackett,	Murphy,	Stone,
Claycomb,	Hemminger,	Neel,	Strauss,
Cleary,	Herman,	Neely,	**Swartz,**
Cochran,	**Hess,**	Newbaker,	Thomas,
Collins,	Heyburn,	Newton,	Trach,
Conniff,	**Hibshman,**	O'Neill,	**Walnut,**
Conrade,	Howard, J.,	Pennegar,	**Walsh,**
Cox.	**Humes,**	Pennock,	Walton,
Curry,	Irwin, H. H.,	Perry, H. L.,	Whitaker,
DeFrees,	**Keegan,**	Price,	Whitman,
Dickinson,	Klepper,	Redfield,	Wilson, W. H.,
Donahoe,	**Letzkus,**	Reeser,	Zimmerman,
Dunn, H. B.,			

NAYS—60.

Allen,	Hobbs,	Martin,	**Shaffer, C. A.,**
Alworth,	Howard, R.,	McDermott,	Smith, L.,
Aron,	Jones, J. R.,	McNichol,	Snavely,
Barner,	Kaufman,	Metzenbacher,	Spillinger,
Body,	Keeport,	Musser,	Steele,
Brosius,	**Kennedy,**	Peachey,	Ulman,
Burnett,	**Kuhn, H. P.,**	Perry, S. J.,	Watson,
Conner,	**Kuhns, E.G.M.,**	Peters,	**Wildman,**
Davis,	Lanius,	Piper,	Williams,
Donahoe,	Lee,	Ramsey,	Wilson, J. H.,
Dunn, J. A.,	Leslie,	Reese,	Wiltbank,
Gibson,	Lohr,	Richards,	**Young, G. K.**
Grabe,	Lowers,	Sassaman,	Young, J. H.,
Gray, Frank,	Mannion,	Savacool,	Alter,
Gray, Joseph,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1123, as follows:

An Act amending a portion of section one of article fifteen of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one so as to change the requirements as to official advertising

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section one of article fifteen of an act entitled "An Act for the government of cities of the second class approved the seventh day of March Anno Domini one thousand nine hundred and one (Pamphlet Laws twenty) which reads as follows

"At the expiration of the present contract and every three years thereafter the city recorder of each of the cities of the second class shall contract for the term of three years with not less than three nor more than five daily newspapers one of which shall be a daily newspaper printed in the German language published within the county in which such city of the second class is situated for the publication of all official advertising the cost o fwhich is payable out of the municipal treasury which said official advertising shall include all ordinances of councils city recorder's proclamations all official reports of the city officers all notices for opening widening straightening grading paving and curbing and vacation of streets lanes and alleys and the construction of seweers including all viewers' reports and proposals for public work and supplies such contracts to be let to the lowest bidder agate measure per line for each thousand of circulation the basis of circulation to be the average daily sales (exclusive of Sunday weekly semi-weekly and tri-weekly issues and also exclusive of all credits for returned or unsold newspapers and newspapers distributed free of charge) of such newspaper for the six months next preceding the month in which such advertising may be published" shall be and the same is hereby amended to read as follows

At the expiration of the present contracts and every three years thereafter the mayor of each of the cities of the second class shall contract for a term of three years with two daily newspapers one of which shall be a daily newspaper printed in the German language published within the county in which such city is situated for the publication of all official advertising the cost of which is payable out of the municipal treasury such contract to be let to the lowest bidder agate measure per line for each thousand of circulation the basis of the ciruculation to be the average daily sales (exclusive of Sunday weekly semi-weekly and tri-weekly issues and also exclusive of all credits for returned or unsold newspapers and newspapers distributed free of charge) of such newspaper for the six months next preceding the month in which such advertising may be published

On the question,

Will the House agree to the bill on third reading?

MOTION TO DROP BILL FROM CALENDAR.

Mr. LOWERS. Mr. Speaker, I move that this bill be dropped from the calendar.

Mr. KENNEDY. Mr. Speaker, I second the motion.

On the question,

Wil the House agree to the motion?

Mr. NEELY. Mr. Speaker, this bill is a bill to reduce the number of newspapers in which official advertising is done of ordinances, proclamations of the mayor and reports of the different departments of cities of the second class. During the last year it cost the city of Pittsburgh over $67,000 to publish ordinances, contracts and other matters which probably only one person out of a thousand would read. The object of this bill is to reduce that cost about one-third. Now, of course, the newspaper men have lobbied agaiast this pretty strong. I don't blame them from their standpoint, but from the standpoint of the taxpayers

of the cities of the second class, I believe this is a very good bill. The advertising cost is such an enormous item and acomplishes so little good that I think it ought to be cut down. Under the present law the ordinances are advertised in three papers, two of which are printed in English and one in German. This simply reduces the advertising to one English paper and one German paper. I believe the bill has real merit in it, and I don't think it should be dropped from the Calendar.

On the question recurring,

Will the House agree to the motion?

Mr. NEELY. Mr. Speaker, if that motion is to be put I demand the yeas and nays on it.

Mr. COCHRAN. Mr. Speaker, I second the call.

Mr. LOWERS. Mr. Speaker, the motion was made for the purpose of saving time, so I withdraw the motion.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—44.

Adams,	Donahoe,	Light,	Rockwell,
Allen,	Dunn, H. B.,	McAllister,	Roney,
Baldwin, G. A.,	Ehrhardt,	Miller,	Scott, S. B.,
Becker,	Ely,	Morrow,	Showalter,
Benson,	Geary,	Neel,	Smith, L.,
Bigger,	Gray, Frank,	Neely,	Spillinger,
Bieloon,	Gray, Joseph,	Newton,	Steedle,
Brown,	Hemminger,	Peachey,	Stein,
Brownlee,	Herman,	Pennock,	Walnut,
Cleary,	Hobbs,	Perry, S. J.,	Whitman,
Cochran,	Kaiser,	Piper,	Young, G. K.,
DeFrees,	Kuhn, H. P.,		

NAYS—87.

Alworth,	Flynn,	Lenker,	Schaeffer, A. C
Aron,	Foster, J. D.,	Leslie,	Schuck,
Arthur,	Gans,	Lohr,	Semmens,
Baldwin, R. J.,	Gibson,	Lowers,	Shaffer, C. A.,
Barner,	Good,	Martin,	Sherwood,
Bass,	Grabe,	Mather,	Smith, J. W.,
Berntheizel,	Gramley,	McCaig,	Snavely,
Bittles,	Gransback,	McDermott,	Snyder,
Blair, W. A.,	Hackett,	McKay,	Speiser,
Body,	Heidinger,	McNichol,	Steele,
Brosius,	Heyburn,	Missimer,	Stone,
Burnett,	Howard, R.,	Moore,	Strauss,
Carson,	Humes,	Moses,	Swartz,
Cheeseman,	Irwin, G. C.,	Newbaker,	Swift,
Claycomb,	Irwin, H. H.,	O'Neill,	Trach,
Collins,	Jones, J. R.,	Perry, H. L.,	Ulman,
Conner,	Keegan,	Peters,	Walsh,
Conrade,	Keeport,	Ramsey,	Walton,
Currier,	Kennedy,	Richards,	Watson,
Curry,	Klepper,	Rothenberger,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Sassaman,	Williams,
Down,	Latshaw,	Savacool,	Alter,
Fahey,			Speaker.

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1121, entitled:

An Act to repeal an act entitled "An Act in relation to the official newspaper advertising of cities of the second class" approved the twenty-first day of May Anno Domini one thousand eight hundred and ninety-five

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. NEELY. Mr. Speaker, this bill is a repealer of the Act of May 21, 1895. The Act of May 21, 1895, provided for five newspapers. In 1901, the Ripper Bill, for Pittsburgh and Scranton, was passed and provided for three newspapers. but there is no express repealer in that act. The courts in our county have held that the Act of 1901 by implication repealed the Act of 1895, and this act is simply put in as an express repealer of the Act of 1895.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:

YEAS—44.

Allen,	DeFrees,	Isler,	Piper,
Baldwin, G. A.,	Dunn, H. B.,	Latshaw,	Roney,
Becker,	Eichenberger,	Light,	Runk,
Bergey,	Fahey,	Lohr,	Scott, J. R. K.,
Bittles,	Geary,	Mannion,	Scott, S. B.,
Brosius,	Geiser,	McAllister,	Showalter,
Brownlee,	Gray, Frank,	McClintock,	Smith, J. W.,
Carson,	Gray, Joseph,	Miller,	Smith, L.,
Conner,	Heidinger,	Moses,	Steedle,
Conniff,	Hemminger,	Newton,	Swift,
Conrade,	Herman,		Young, G. K.,

NAYS—73.

Alworth,	Gramley,	Lowers,	Richards,
Aron,	Hackett,	Mather,	Sassaman,
Arthur,	Heyburn,	McDermott,	Savacool,
Baldwin, R. J.,	Hibshman,	McKay,	Schaeffer, A. C
Barner,	Hobbs,	Missimer,	Sherwood,
Bass,	Hoffman,	Mitchell,	Snavely,
Bayle,	Howard, R.,	Moulthrop,	Steele,
Blair, W. A.,	Irwin, H. H.,	Musser,	Stone,
Body,	Jones, J. R.,	Neel,	Swartz,
Burnett,	Kaiser,	Newbaker,	Thomas,
Cheeseman,	Keegan,	Peachey,	Trach,
Claycomb,	Keeport,	Pennegar,	Ulman,
Curry,	Kennedy,	Pennock,	Walsh,
Dickinson,	Klepper,	Perry, H. L.,	Walton,
Down,	Kuhn, H. P.,	Perry, S. J.,	Wildman,
Flynn,	Lanius,	Peters,	Wilson, J. H.,
Foster, J. D.,	Lenker,	Ramsey,	Alter,
Gibson,	Leslie,	Reese,	Speaker.
Good,			
Grabe,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1488, entitled:

An Act providing for the licensing of stock brokers as herein defined and for the regulation of the sale pledge or negotiation for sale of certain stocks bonds and other securities by such stock brokers or their agents within this Commonwealth providing for the winding up of the business of stock brokers licensed thereunder and conferring certain powers and duties on the Commissioner of Banking for the enforcement of the provisions of this act and imposing penalties for the violation thereof

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendment as follows:

Page 2. Amend section 3 by inserting after the word "unlawful" in line 2, the words "except as hereinafter provided"

Page 17. after section 18, line 50, insert two new sections, Nos. 19 and 20, as follows:

Section 19 Upon notice to the Commissioner of Banking of the stock broker's intention to rely upon the provisions of this section and except as hereinafter provided the provisions of this act shall not apply to a stock broker or his agents or representatives who in good faith and not for the purpose of avoiding the provisions of this act shall purchase for his own account for cash or its equivalent or shall execute a certain contract for the purchase of any and all specific stocks bonds or other securities at not less than ninety per centum of the price at which each of such stocks bonds or other securities is thereafter sold or otherwise disposed of within the Commonwealth of Pennsylvania Provided however that such stock broker shall keep full and complete books of account or records of all transactions which shall clearly and definitely show the price actually paid for such stocks bonds or other securities and the price for which the same are thereafter sold pledged or otherwise disposed of and provided further that the Commissioner of Banking may at any time examine all such or other books of account or records or other papers or documents whatsoever to ascertain whether such stock broker is within the exception specified in this section or may demand from such stock broker the production of any evidence of proof establishing such fact

The aforesaid notice of the Commissioner of Banking of the stock broker's intention to rely upon the provisions of this section shall be accomplished by a joint and several bond to the Commonwealth of Pennsylvania executed by said stock broker and by a surety or sureties approved by said Commissioner of Banking conditions for the payment in full of all losses and damages to any person or persons to whom stocks bonds or other securities aforesaid

may be sold or pledged sustained by such person or persons by reason of any false or fraudulent literature advertising matter printed or in writing letters or other false or fraudulet representation printed written or oral issued or made by such stock broker and upon the fault of or on reliance upon which said stocks bonds or other securities may have been purchased The penalty of such bond shall be a sum fixed by the Commissioner of Banking which shall not be more than one hundred thousand dollars ($100,000) nor less than ten thousand dollars ($10,000)

In lieu of the aforesaid bond the stock broker may deposit and the Commissioner of Banking shall receive moneys or securities consisting of bonds of the United States or of this Commonwealth or of any municipality thereof or other securities approved by the Commissioner of Banking If the securities be deposited in lieu of the aforesaid bond the Commissioner of Banking shall require the stock broker to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such securities have been deposited

The Commissioner of Banking shall from time to time pay over to such broker all moneys received by him as interest or income upon any moneys or securities deposited in accordance with the provisions of this act All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned in to the State treasury and receipted for by the State Treasurer to the depositor and be subject to withdrawal only upon warrant of the Commissioner of Banking or upon order of a court of competent jurisdiction All interest coupons of any securities deposited with the State Treasurer shall be surrendered when due to the depositor of said securities upon his request.

Section 20 Any stock broker who shall elect to rely upon the provisions of section nineteen and who shall thereafter fail to comply with any demand of the Commissioner of Banking therein provided for or who shall fail to conduct his business within the provisions of such section shall be guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) or to undergo imprisonment for a period not exceeding one year both or either in the discretion of the court and shall thereupon and thereafter be subject to all the provisions of this act

Page 17. Amed section 19, line 1, by striking out the figures "19" and inserting in lieu thereof "21."

Page 17. Amend section 20, line 1, by striking out the figures "20" and inserting in lieu thereof "22."

Page 18. Amend section 21, line 1, by striking out the figures "21" and inserting in lieu thereof "23."

Page 18. Amend section 22, line 1, by striking out the figures "22" and inserting in lieu thereof "24."

Page 18. Amend section 23, line 1, by striking out the figures "23" and inserting in lieu thereof "25."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 1916, entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-our entitled "An Act relative to the organization of the courts of justice"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. FREY. Mr. Speaker, I simply want to explain to the House that this bill takes the place of House Bill No. 168, which was passed at the present session by an almost unanimous vote of the House, but was vetoed by the Governor for the reason that it inadvertently repealed several bills passed in 1834. The present bill remedies these defects and I ask the House to vote for the bill.

Mr. CHEESEMAN. Mr. Speaker, I would like the sponsor of the bill to tell us what the bill provides for. What is the purpose of the bill?

Mr. FREY. Mr. Speaker, I think the members of the House who gave consideration to House Bill No. 168 would be acquainted with its provisions. This bill simply gives the right to appoint a court crier. In counties where there are two judges, under the law at present where they have only one Court of Common Pleas, they can only appoint one court crier, which makes it extremely inconvenient.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Allen,	Foster, J. D.,	Letzkus,	Semmens,
Arthur,	Frey,	Light,	Shaffer, C. A.,
Baldwin, G. A.,	Gans,	Lohr,	Shaffer, I. E.,
Barner,	Geary,	Lowers,	Shern,
Bayle,	Gibson,	Malie,	Sherwood,
Berntheizel,	Glenn,	Mannion,	Showalter,
Bigger,	Good,	Martin,	Smith, J. W.,
Bittles,	Grabe,	Mather,	Smith, L.,
Blair, W. A.,	Gramley,	McAllister,	Snavely,
Blair, W. F.,	Gransback,	McClintock,	Snyder,
Body,	Gray, Frank,	Missimer,	Spillinger,
Brosius,	Gray, Joseph,	Moses,	Steedle,
Brown,	Hackett,	Neel,	Steele,
Brownlee,	Heidinger,	Newbaker,	Stein,
Burnett,	Hemminger,	Newton,	Stone
Campbell, C.M.,	Herman,	O'Neill,	Strauss,
Carson,	Hess,	Peachey,	Swartz,
Cleary,	Heyburn,	Pennegar,	Swift,
Collins,	Hibshman,	Pennock,	Trach,
Conner,	Hoffman,	Perry, H. L.,	Ulman,
Conniff,	Howard, J.,	Perry, S. J.,	Walnut,
Conrade,	Howard, R.,	Piper,	Walsh,
Cox,	Humes,	Ramsey,	Walton,
Currier,	Irwin, H. H.,	Redfield,	Watson,
Curry,	Jones, J. R.,	Reese,	Whitaker,
Davis,	Kaiser,	Rhoads,	Whitman,
DeFrees,	Keegan,	Richards,	Wildman,
Dickinson,	Keeport,	Rockwell,	Williams,
Donahoe,	Kitts,	Roney,	Wilson, W. H.,
Down,	Kuhn, H. P.,	Runk,	Wiltbank,
Ehrhardt,	Kuhns, E.G.M.	Sassaman,	Young, G. K.,
Eichenberger,	Lanius.	Savacool,	Young, J. H.,
Ely,	Latshaw,	Schaeffer, A. C.	Zimmerman,
Ewing,	Leslie,	Schuck,	Alter,
Flynn,		Scott, S. B.,	Speaker.

NAYS—7.

Alworth,	Hobbs,	McDermott,	Miller.
Cheeseman,	McCaig,	McNichol,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1462, entitled:

An Act relating to appointment of deputy constables

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas any nays were taken an were as follows, viz:

YEAS—131.

Allen,	Ewing,	Leslie,	Richards,
Alworth,	Fahey,	Letzkus,	Rockwell,
Ambler,	Flynn,	Light,	Roney,
Aron,	Forster, I. G.,	Lowers,	Rothenberger,
Arthur,	Gans,	Malie,	Runk,
Baldwin, G. A.,	Geary,	Mannion,	Sassaman,
Baldwin, R. J.,	Geiser,	McAleer,	Savacool,
Barner,	Gibson,	McAllister,	Schaeffer, A. C.
Bass,	Good,	McCaig,	Scott, S. B.,
Bayle,	Gransback,	McClintock,	Semmens,
Becker,	Gray, Frank,	McKay,	Shaffer, C. A.,
Benson,	Hackett,	McNichol	Shaffer, I. E.,
Berntheizel,	Heidinger,	Metzenbacher,	Sherwood,
Bigger,	Hemminger,	Miller,	Showalter,
Bittles,	Herman,	Missimer,	Smith, J. W.,
Blair, W. A.,	Hess,	Mitchell,	Smith, L.,
Body,	Heyburn,	Moore,	Snavely,
Brosius,	Hibshman,	Morrow,	Snyder,
Brownlee,	Hoffman,	Moses,	Spillinger,
Burnett,	Howard, J.,	Murphy,	Steedle,
Campbell, C.M.,	Howard, R.,	Neel,	Steele,
Conner,	Humes,	Newbaker,	Stein,
Conniff,	Jones, J. R.,	Newton,	Strauss,
Conrade,	Kaiser,	O'Neill,	Trach,
Cox,	Kaufman,	Peachey,	Ulman,
Currier,	Keegan,	Pennegar,	Walsh,
Curry,	Keeport,	Pennock,	Wildman,
DeFrees,	Kennedy,	Price,	Williams,
Dickinson,	Kitts,	Ramsey,	Wiltbank,
Donahoe,	Klepper,	Redfield,	Young, G. K.,
Down,	Kuhn, H. P.,	Reese,	Zimmerman,
Ehrhardt,	Lenker,	Rhoads,	Alter,
Eichenberger,			Speaker.
Ely,			

NAYS—17.

Carson,	Grabe,	Martin,	Perry, H. L.,
Cheeseman,	Gramley,	Mather,	Peters,
Claycomb,	Hobbs,	McDermott,	Stone,
Foster, J. D.,	Kuhns, E.G.M.,	Musser,	Swift,
			Walton,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1459, as follows:

An Act fixing the number compensation mileage and duties of the officers and employes of the General Assembly and providing for their election or appointment and manner of filling vacancies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the officers and employes of the House of Representatives shall be as follows namely

In the House of Representatives there shall be in addition to the Speaker as provided for by the Constitution one chief clerk one resident clerk one journal clerk one assistant journal clerk one reading clerk one assistant resident clerk one assistant clerk ten clerks one typewriter nine stenographers one chief sergeant-at-arms one chief assistant sergeant-at-arms twenty sergeants-at-arms one postmaster one assistant postmaster three messengers one paster and folder six assistant pasters and folders one Speaker's clerk one stenographer to the Speaker one stenographer to the Chief Clerk one chaplain one day watchman one night watchman two porters for wash and coat room one elevator operator one assistant elevator operator one Speaker's page one chief page and twenty pages The clerk and stenographer to the Speaker shall be appointed by the Speaker the stenographer to the Chief Clerk and the porters of wash and coat rooms shall be appointed by the Chief Clerk and the assistant resident clerk shall be appointed by the resident clerk but all other officers and employes shall be elected by the House of Representatives

Section 2 The compensation of the officers and employes of the House of Representatives hereinbefore provided for shall be as follows namely The Speaker of the House of Representatives in addition to his salary as a member of the Legislature shall receive one dollar per diem for each regular biennial special or extraordinary session The chief clerk shall receive three thousand dollars for regular biennial sessions and one hundred fifty dollars per month for the interim between regular biennial sessions the resident clerk shall receive two thousand five hundred dollars per annum the assistant clerk and journal and assistant journal clerks shall each receive one thousand five hundred dollars for each regular biennial session and ten dollars per diem for each special or extraordinary session the assistant resident clerk shall receive one thousand five hundred dollars for each regular biennial session and one hundred twenty-five dollars per month during the interim between regular biennial sessions the clerk and typewriter shall each receive six dollars per diem and the stenographers ten dollars per diem for each regular biennial special or extraordinary session the reading clerk shall receive two thousand five hundred dollars for each regular biennial session and twelve dollars per diem for each special or extraordinary session the Chief-Sergeant-at-Arms shall receive eight dollars per diem and the chief assistant sergeant-at-arms and postmaster and the speaker's clerk seven dollars per diem the assistant postmaster messengers assistant sergeant-at-arms pasters and folders and assistant pasters folders stenographers to the speaker and chief clerk and chaplain six dollars per diem for each regular biennial special or extraordinary session the watchman elevator operator and assistant elevator operator shall each receive five dollars per diem for each regular biennial special or extraordinary session and the speaker's page chief page and porters shall each receive three dollars per diem and the pages two dollars per diem for each regular biennial special or extraordinary session provided however that the watchmen and chief elevator operator shall receive the sum of three dollars per diem during the interim between legislative sessions

Section 3 All the officers and employes provided for in this act shall return as such to the next regular biennial session of the Legislature following that for which they were elected or appointed and shall be allowed their regular per diem compensation except the assistant clerk journal clerk assistant journal clerk reading clerk who shall each receive eight dollars per diem for ten days or until their successors are duly elected or appointed and qualified

Section 4 That each of the officers and employes authorized by this act shall be entitled to mileage for each regular biennial special or extraordinary session of the Legislature and as returning officers at the rate of five cents per mile to and from their homes to be computed by the ordinary mail route between their homes and the State Capital

Section 5 The officers and employes or the House of Representatives shall be severally sworn before entering upon their duties and shall be under the direction and control of the Speaker who may through the Chief Clerk and the Chief Sergeant-at-arms assign them to such duties as the business of the House may requir No extra compensation shall be allowed to any officer be cause of such assignment of duty

Section 6 All vacancies that may occur by death resignation or otherwise of any of the officers or employes of the House of Representatives during the session of the Legislature shall be filed by election or appointment as provided for in this act If any vacancies shall occur during the recess of the Legislature in the office of Speaker of the House of Representatives the duties of said offices shall be performed by the chairman of the Committee on Judiciary General of the House of Representatives all other vacancies that may occur during the recess in any of the elective offices of the Legislature shall be filled in the House of Representatives by appointment by the Speaker of the House of Representatives vacancies occurring at any time in appointive offices shall be filled by the respective officers authorized to appoint said officers or employes

Section 7 That per diem pay of each such employees shall commence from the day such employe was sworn and actually entered upon the duties of his employment

Section 8 All laws or parts of laws providing for any officer or officers employe or employes for the House of Representatives of the Commonwealth of Pennsylvania or fixing the number of compensation of such officers or employes be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. HUMES. Mr. Speaker, I have just discovered that there are some typographical errors in this bill that will have to be corrected. They were not discovered until too late to prepare the proper amendments and I, therefore, moved the further consideration of this bill be postponed for the present.

Mr. GRABE. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The Speaker announced that the noes would seem to have it

Mr. HUMES. Mr. Speaker, in order that the gentlemen may understand this motion, if I did not speak loud enough in the first instance for them to hear, I would say that there are some typographical errors in the bill which were not discovered until just now, and I have had no time to prepare the amendments. For that reason I ask to have it postponed until I can prepare them, and will call the bill up again this afternoon if possible.

The SPEAKER. The noes seem to have it.

Whereupon,

A division was called for, and seventy-one gentlemen having voted in the affiramtive and thirty-six in the negative, the question was determined in the affirmative, and the motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1450, entitled:

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania togetner with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school visitors in school districts of the first class shall remove janitors of grammar and elementary schools in their district for cause

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand two hundred and eight (2208) of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith approved the eighteenth day of May one thousand nine hundred and eleven which reads as follows

"Section 2208 The board of school visitors in each ward district shall at least once every three months visit all the public elementary schools therein and inspect the same They shall without delay call the attention of the board of school directors of the district or its appropriate executive officer to every matter requiring official action They shall

make at least once every three months a written report to the board of public education of the district respecting the condition of the schools and the needs of the ward district especially in regard to the number kind equipment and efficiency of the school buildings be and the same is hereby amended to read as follows

Section 2208 The board of school visitors in each ward district shall at least once every three months visit all the public elementary schools therein and inspect the same They shall without delay call the attention of the board of school directors of the district or its appropriate executive officer to every matter requiring official action They shall make at least once every three months a written report to the board of public education of the district respecting the condition of the schools and the needs of the ward district especially in regard to the number kind equipment and efficiency of the schools and school buildings They shall have the appointment of all janitors for the grammar and elementary schools in their district subject to the rules of the board of education The board of school visitors shall dismiss such janitors at any time for incompetency negligence drunkenness or immorality

Section 2 All acts and parts of acts inconsistent herewitn be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. E. G. KUHNS. Mr. Speaker, this seems to be a Philadelphia bill. As we are having some trouble in voting on bills under a misapprehension on bills referring to these big cities, I would ask the sponsor of this bill to explain to us country members how we should vote on this bill.

Mr. HACKETT. Mr. Speaker, this is a bill merely giving the so-called school visitors of Philadelphia a little more power. Under the present School Code the School Visitors have the power to elect the janitor, but have no power to dismiss him for a failure to perform his duties for drunkenness or for any other reason. This bill provides that the school visitors shall have the power to dismiss the janitor for cause. Another thing in the bill, is that it provides that the school visitors shall visit the schools once every three months and file a report with the Board of Education. I trust the gentlemen of this House will support me in this bill.

And said bill having been read at length the third time, considered and agreed to,

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 168.

Adams,	Fahey,	Lenker,	Richards,
Allen,	Flynn,	Leslie,	Rockwell,
Alworth,	Forster, I. G.,	Light,	Roney,
Ambler,	Foster, J. D.,	Lohr,	Rothenberger,
Aron,	Frey,	Lowers,	Runk,
Arthur,	Gans,	Malie,	Sassaman,
Baldwin, G. A.,	Geary,	Mannion,	Savacool,
Baldwin, R. J.,	Geiser,	Martin,	Schaeffer, A. C.
Barner,	Gibson,	Mather,	Schuck,
Bass,	Good,	McAleer,	Scott, J. R. K.,
Bayle,	Gramley,	McAllister,	Semmens,
Becker,	Gransback,	McArdle,	Shaffer, I. E.,
Berntheizel,	Gray, Frank,	McCaig,	Sherwood,
Bigger,	Gray, Joseph,	McClintock,	Showalter,
Bittles,	Hackett,	McDermott,	Smith, J. W.,
Bleloch,	Heidinger,	McKay,	Smith, L.,
Body,	Hemminger,	McNichol,	Snyder,
Brosius,	Herman,	Mechling,	Spangler,
Brown,	Hess,	Metzenbacher,	Speiser,
Brownlee,	Heyburn,	Miller,	Spillinger,
Burnett,	Hibshman,	Missimer,	Steedle,
Campbell, C.M.,	Hobbs,	Mitchell,	Steele,
Carson,	Hoffman,	Morrow,	Stein,
Cheeseman,	Howard, J.,	Moses,	Stone,
Claycomb,	Howard, R.,	Murphy,	Strauss,
Cleary,	Humes,	Neel,	Swartz,
Collins,	Irwin, G. C.,	Neely,	Swift,
Conner,	Jackson,	Newbaker,	Thomas,
Conrade,	Jones, J. R.,	O'Neill,	Trach,
Cox,	Kaiser,	Peachey,	Ulman,
Currier	Kaufman,	Pennegar,	Walsh,
Curry,	Keegan,	Pennock,	Walton,
Davis,	Keeport,	Perry, H. L.,	Whitaker,
DeFrees,	Kennedy,	Perry, S. J.,	Whitman,
Dickinson,	Kern,	Peters,	Wildman,
Donahoe,	Kitts,	Piper,	Williams,
Down,	Klepper,	Price,	Wilson, W. H.,
Dunn, H. B.,	Kuhn, H. P.,	Ramsey,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Redfield,	Young, G. K.,
Ehrhardt,	Lanius,	Reese,	Young, J. H.,
Eichenberger,	Latshaw,	Reeser,	Zimmerman,
Ely,		Rhoads,	Alter,
Ewing,			Speaker.

NAYS 3.

Blair, W. A., Scott, S. B., Walnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1945 (Senate Bill No. 875), entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth' " as amended

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. CHEESEMAN. Mr. Speaker, this bill is somewhat lengthy and I for one do not know anything about its provisions. If there is any one in the House who can give us, in a few words, the gist of this bill, I would like to hear it.

Mr. McNICHOL. Mr. Speaker, the purpose of this bill is to change the law of 1829, which provides that the Warden of the Penitentiaries should visit each prisoner at least once a day. Conditions from that time up to the present have so changed that it makes the carrying out of the law of 1829 physically impossible. That is one of the changes that this bill will provide for. The Act of 1829 also provides that the Inspector shall make a weekly visit to the penitentiary and this bill changes that, to make it incumbent upon the inspector to visit the penitentiaries at least once a month. The Act of 1829 provides for the appointment of the warden for the penitentiary for only six months and you see, gentleman that in order to get the proper character and kind of men to serve in a position of a responsible character, such as a warden of a penitentiary, the inducement to serve for six months is wrong. Therefore, the bill changes the term from six months to four years. It makes a provision, also, for the election of a chaplain of the institution who, heretofore, has been elected for six months. It increases his term to four years, giving him an oportunity to familiarize himself with the work he is called upon to perform. It also provides that the Prison Inspectors may appoint if, in their judgment it is necessary, a secretary for their board. As it is now, one of the inspectors has to perform the duties of secretary, and he is often prevented from participating in the deliberation of the Board of Inspectors. Those are the principal changes in this measure and I believe that the changes on the Act of 1829 are necessary and that the gentlemen of the House will recognize the necessity for all the bill provides for. I can see no objection on the part of any of the members voting Aye.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 176.

Adams,	Ehrhardt,	Leslie,	Sassaman,
Allen,	Eichenberger,	Light,	Savacool,
Alworth,	Ely,	Lohr,	Schaeffer, A. C.
Ambler,	Ewing,	Lowers,	Schuck,
Aron,	Fahey,	Malie,	Scott, J. R. K.,
Arthur,	Flynn,	Mannion,	Scott, S. B.,
Baldwin, G. A.,	Forster, I. G.,	Martin,	Semmens,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Shaffer, C. A.,
Barner,	Frey,	McAllister,	Shaffer, I. E.,
Bass,	Gans,	McCaig,	Shern,
Bayle,	Gibson,	McClintock,	Sherwood,
Becker,	Good,	McDermott,	Showalter,
Benninger,	Gramley,	McKay,	Smith, J. W.,
Benson,	Gransback,	McNichol	Smith, L.,
Berntheizel,	Gray, Frank,	Mechling,	Snavely,
Bigger,	Gray, Joseph,	Mellott,	Snyder,
Bittles,	Hackett,	Metzenbacher,	Spangler,
Blair, W. A.,	Heidinger,	Miller,	Speiser,
Bleloch,	Hemminger,	Missimer,	Spillinger,
Body,	Herman,	Mitchell,	Steedle,
Brosius,	Hess,	Moore,	Steele,
Brown,	Heyburn,	Morrow,	Stein,
Brownlee,	Hibshman,	Moses,	Stone,

Burnett,	Hobbs,	Murphy,	Strauss.
Caldwell,	Hoffman,	Neel,	Swartz,
Campbell, C.M.,	Howard, J.,	Newbaker,	Swift,
Carson,	Howard, R.,	O'Neill,	Thomas,
Carter,	Humes,	Peachey,	Trach,
Cheeseman,	Isler,	Pennegar,	Ulman,
Claycomb,	Irwin, G. C.,	Pennock,	Walnut,
Cleary,	Irwin, H. H.,	Perry, H. L.,	Walsh,
Cochran,	Jones, J. R.,	Perry, S. J.,	Walton,
Collins,	Kaiser,	Peters,	Watson,
Conner,	Kaufman,	Piper,	Whitaker,
Conniff,	Keegan,	Price,	Whitman,
Conrade,	Keeport,	Ramsey,	Wildman,
Cox,	Kennedy,	Redfield,	Williams,
Currier,	Kitts,	Reese,	Wilson, W. H.,
Curry,	Klepper,	Reeser,	Wiltbank,
Davis,	Kuhn, H. P.,	Rhoads,	Young, G. K.,
DeFrees,	Kuhns, E.G.M.,	Richards,	Young, J. H.,
Dickinson,	Lanius,	Rockwell,	Zimmerman,
Down,	Latshaw,	Roney,	Alter,
Dunn, H. B.,	Lenker,	Rothenberger,	Speaker.
Dunn, J. A.,		Runk,	

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 302, entitled:

An Act to amend section two of an act entitled "An Act to amend section two of an act entitled 'An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed approved the thirteenth day of April Anno Domini one thousand eight hundred and ninety-seven by extending the power to incur and increase indebtedness to townships of the second class

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. E. G. M. KUHNS. Mr. Speaker, this is a bill that I do not fully see the necessity of. The only change I can see in the section is that it includes townships of the second class. Now, I was born and raised and lived forty-two years in a township of the second class, and we never had any occasion to have this change. I should like to have the sponsor of the bill explain the whys and wherefores.

Mr. R. J. BALDWIN. Mr. Speaker, this is one of the most important bills in the House. Prior to the act of 1897, and also prior to the Act of 1874, there was no such municipality as a township of the second class, but when in the wisdom of the Legislature they saw fit to classify townships and create a municipality to be known as a township of the second class, there arose doubts in the minds of attorneys in some parts of the state, and especially in my mind as to whether the power to loan to the limit of two per cent. provided for all other municipalities would not be invalidated. For the purpose of clearing that up, the bill was amended to include townships of the second class.

Mr. E. G. M. KUHNS. Mr. Speaker, the gentleman from Delaware is correct in stating that before the passage of that act there were no townships of the second class, but let me tell you, Mr. Speaker, that that act did not change the conditions in those townships. They are to-day the very same townships as they were before that time, and when that act passed classifying the townships, giving them certain privileges of first-class townships, we people in the second class townships did not object thereto at that time. But, now when this here act is to be amended, giving a few officers of the townships of the second class authority to issue bonds, we do object, and I hope the House will not pass the bill.

Mr. R. J. BALDWIN. Mr. Speaker, I really did not know that the gentleman was serious in the matter. He certainly does not understand the provisions of the bill or he would not say anything about it. You all realize that the laws of the State of Pennsylvania have given to the various municipalities the right to make temporary loans, as they are generally known,—in other words, municipal authorities have the right to go out and borrow money to the extent of two per cent. They are limited to the borrowing only of two per cent. of the assessed value of the propery. Now, that exists and has always existed since 1874 in townships. That includes townships that are now first and second class, but when the Legislature changed, and threw in another name for a municipality, namely, townships of the second class, the attorneys thought the old law did not carry that provision with it, that there were doubts. And thus to clear up that doubt and to place townships of the second class in the same position with them that they have been in since 1874, we have simply taken the old act and inserted in it townships of the second class. Now, my friend from Lehigh is unduly disturbed. He has been living all this time under a law similar to the one proposed here, but lawyers being very technical and money loaners very careful, there arose some doubt when we created townships of the second class that their loans were not well protected. Thus to secure the right that my friend's township always has had and will always desire, we simply placed in the old act the words "townships of the second class." We have lived under those conditions all these years. It is simply an enabling act.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS 154.

Adams,	Dunn, H. B.,	Klepper,	Robinson,
Alworth,	Dunn, J. A.,	Kuhn, H. P.,	Rockwell,
Ambler,	Ely,	Lenker,	Roney,
Aron,	Ewing,	Leslie,	Runk,
Arthur,	Flynn,	Lohr,	Sassaman,
Baldwin, G. A.,	Forster, I. G.,	Lowers,	Savacool,
Baldwin, R. J.,	Foster, J. D.,	Malie,	Schaeffer, A. C.,
Barner,	Frey,	Mannion,	Schuck,
Bass,	Gans,	Martin,	Scott, S. B.,
Bayle,	Geary,	Mather,	Semmens,
Becker,	Geiser,	Matt,	Shaffer, I. E.,
Bigger,	Gibson,	McAleer,	Showalter,
Bittles,	Good,	McAllister,	Smith, J. W.,
Blair, W. A.,	Grabe,	McCaig,	Smith, L.,
Blair, W. F.,	Gransback,	McClintock,	Snyder,
Bleloch,	Gray, Frank,	McKay,	Spangler,
Body,	Gray, Joseph,	McNichol,	Spillinger,
Brosius,	Hackett,	Mechling,	Steedle,
Brownlee,	Heidinger,	Metzenbacher,	Steele,
Burnett,	Hemminger,	Miller,	Stone,
Campbell, C.M.,	Herman,	Missimer,	Strauss,
Campbell, J. J.,	Heyburn,	Moore,	Swift
Carson,	Hibshman,	Morrow,	Thomas,
Carter,	Hobbs,	Moses,	Trach,
Claycomb,	Hoffman,	Murphy,	Ulman,
Cleary,	Howard, J.,	Musser,	Walnut,
Cochran,	Howard, R.,	Neel,	Walsh,
Collins,	Humes,	Newbaker,	Watson,
Conner,	Isler,	Newton,	Whitaker,
Conniff,	Irwin, G. C.,	O'Neill,	Whitman,
Conrade,	Irwin, H. H.,	Peachey,	Wildman,
Cox,	Jackson,	Pennegar,	Williams,
Currier,	Jones, J. R.,	Pennock,	Wilson, J. H.,
Curry,	Kaiser,	Price,	Wilson, W. H.,
Davis,	Keegan,	Ramsey,	Wiltbank,
DeFrees,	Keeport,	Reese,	Young, G. K.,
Dickinson,	Kennedy,	Reeser,	Zimmerman,
Donahoe,	Kern,	Rex,	Alter,
Donnally,	Kitts,	Richards,	Speaker.
Down,			

NAYS—5.

Kuhns, E.G.M.,	Light,	McDermott,	Rothenberger,
	Snavely,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. METZENBACHER asked and obtained unanimous consent to call up House Bill No. 731, file folio 7201, on page 17 of to-day's calendar, bills on final passage postponed.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 731, entitled:

An Act relating to mutual fire insurance companies providing for assessments upon members or policy holders of such companies and fixing penalties for violation of this act

On the question,

Shall the bill pass finally?

Mr. METZENBACHER. Mr. Speaker, this bill is not a department measure in the sense that the department took the iniative in preparing this bill, but this bill was prepared with the assistance and with the approval of the insurance department. The object of the bill is to regulate mutual fire insurance companies for the benefit and the protection of their policy holders. The bill provides that mutual fire insurance companies shall levy an assessment during the month of October of each year sufficiently high to liquidate all lossess and expenses and other indebtedness during that particular year, so that when the policy holders have paid their assessments, they may know that their companies are in good standing up to that time and that they are not carrying their indebtedness from year to year without the knowledge of the policy holder. Now, this bill does not seek in any way to impose any hardship on the mutual companies, and in fact it does not, but it does seek to give some measure of protection to the very large number of mutual policy holders all over this State.

Mr. LENKER. Mr. Speaker, I hold a letter here received from one of my constituents. The letter, I believe, speaks for itself and is as follows:

"I have found on my desk on my return to day from a six days trip on business, a copy of the Amended Metzenbacher Bill No. 731, and have digested it, and find the whole scheme is something we do not need, and have not asked for. We levy our assessments on the last saturday in December, and this Bill asks to change to October, which disarranges our present plan of business.

The Bill contemplates that the Mutual Companies shall keep no cash (reserve fund) on hand to meet emergencies, thus letting the cat out of the bag, that the Stock Companies are behind the scheme to keep the Mutual Fire Insurance Companies always on the verge of bankruptcy, so that the happening of some heavy losses shall send them into the hands of a Receiver, and wind them up—giving the Stock Companies full play to raise their rates, and grind the public for more money than they need—to make larger dividends to their Stockholders. It means that, although not so stated, and we can plainly see the "snake in the grass." No money is to be left over, or on hand for any emergency. This is a very dangerous part of the scheme, although colored with another color, by the alluring bait that they need not assess that year, if the losses do not exceed one-tenth of one per centum of the amount of insurance in force.

Section 2 requires that no debt or loss shall be carried over the year, without making an assessment, or without the consent of the Insurance Commissioner. We have a loss on which we are sued, but the party was arrested for arson, but acquitted by the jury two of them having since been held as having allowed themselves to be tampered with, besides two County Commissioners, and the suspected arsonite was allowed to go scot free; but it looks as if he feared the same witnesses would be brought before another jury which might convict him. But this Bill (Section 2) would compel us to settle the case, (guilty or not guilty), unless the Insurance Commissioner would consent to allow the case to go unsettled.

There is no just reason why the Bill should not be amended by striking out this 2nd section, or making it read that it shall not be operative on supposed arson cases lying unfinished in court.

Section 3, proposes to place a penalty of $500 or not more than $1,000 on a Company, or its officers for violating any of the foregoing provisions of said Bill, as if the Company, or officers thereof were criminals.

This penalty is outrageous, and should be wiped out altogether or so amended as to make the penalty not less than $100 nor more than $200.

The jail sentence shows the villany of the whole scheme, and the animosity of some one behind it, and should be stricken out altogether.

In the last three sessions of the Legislature, the Mutual Fire Insurance policyholders and officials of those Companies have caused the defeat of every measure aimed at their destruction or hamering in their business, which has caused much expense to the Companies, and I had hoped these schemes would stop; but it seems they never weary in their desparate attempts to break down the Mutual Fire Insurance system, until the people are aroused to even a higher pitch of opposition to the determination of the Stock Companies, and their friends in the Legislature to stop this eternal" welfare.

Mr. Speaker, if this is correct the bill should not pass this House.

Mr. METZENBACHER. Mr. Speaker, in answer to the letter that the gentleman just read, I wish to state that this bill does not do the things that he has stated. Now, in the first place the month of October has been selected, as the month in which to make the assessments, because the Insurance Department found that most of the assessments were made at that time, and by taking the month of October it would inconvenience the fewest number of companies. Now, some have misinterpreted the second section of the bill. Now, this bill provides that insurance companies must make their assessments some time during the month of October, but they must not delay longer than the first November and after the assessments have been made, they have their own time to collect those assessments as they have now. Now, this bill does not mean that the assessments must be made the first October and collected by the first of November, but the assessments are simply made during the month of October for the year ending the first of October, then they can have sixty days or whatever length of time they choose to collect these assessments. Some opposition has been made to this bill because of that fact, because they have misinterpreted the meaning of the second section. This matter was taken up with the insurance department and, as I said, they have given their approval to this bill; and further they have stated that this is a piece of legislation that we should have had long before this time, as the records in the Insurance Department of many mutual insurance companies will show.

Mr. MILLER. Mr. Speaker, the whole trouble with this bill, as I see it, is section 2. Section 2 makes it unlawful for any mutual fire insurance company to carry over any loss after the first of November. It reads as follows:

Section 2 It shall be unlawful for any such mutual fire insurance company without the consent of the Insurance Company to carry over after the first day of November in any year and debt of any nature including losses if any without making an assessment as required in section one of this act

Now how are you going to make assessments as required in section one of the act unless you wait until the very end of the month of October? How can you assess all the losses that are going to occur during the month of October? You are told in section one that you make the assessment as of October first, but in section two you say that it is unlawful to carry over any loss which may have occurred during the month of October. I agree with the gentleman from Dauphin that the second section should be stricken out, because you certainly make it unlawful and make the insurance companies responsible for something they cannot guard against under the provisions of this act.

Mr. R. J. BALDWIN. Mr. Speaker, I think it would be well to postpone the bill for I agree with the gentleman from Dauphin that the language of Section two is not quite fair. It was unintentional, of course, but this bill is intended to do something that is much needed, and the thought of the friend of his who wrote him is very much mistaken, I think. The trouble is as we all know, that sometimes companies, whether they are the standard or mutual—of course the standards are now carefully supervised and they must carry a reserve and must comply with the law. They are investigated and must make annual reports. Mutual companies do not. Frequently some of these mutual companies get back badly and people later on find that they have a heavy assessment laid upon them. The intention of the bill is that at the end of each year the assessment should be laid to cover whatver deficiency exists. It is not intended to work a hardship, which perhaps it will as the section now reads, because it is true a loss might occur only a few days prior to the 31st of October and then under the strict interpretation of the bill—perhaps you could not call it an offense and I don't think anybody would enforce the law under that condition, yet I believe that ought to be remedied. I also realize that in this State, as many of you know, some mutual concerns have allowed themselves to drift along and have accumulated a debt and afterwards the insured wakens up to the fact that he is compelled to pay a heavy assessment. This should not happen. If this bill is corrected in that particular and put on the statute books it would prevent such conditions arising. I suggest that the bill be postponed for the present and amended in that respect.

Mr. HUMES. Mr. Speaker, I want to call the attention of the gentleman from Delaware and the House, to what I think is a misunderstanding that he has with reference to that provision and if I do not convince him I want to conclude what I have to say with a motion to postpone the matter. I think, however, that I can convince him.

Section one provides that the assessment shall cover all losses incurred up to October 1st and Section two provides that the indebtedness shall not be carried after November 1st without having made an assessment as required by Section one. So far as I understand this the assessments are for the year up to October 1st and they must be made before November 1st. Now if I am not correct in that, I want to join with the gentleman from Delaware in postponing this bill.

Mr. R. J. BALDWIN. Mr. Speaker, I want to withdraw my suggestion for a postponement. The bill is all right in the shape it is in, and I thank the gentleman for the explanation.

Mr. HUMES. Mr. Speaker, we have had in this State experience with the Susquehanna Mutual Fire Insurance Company and with the Iron City Mutual that we all remember, because they were state-wide in their operations. In our county at the present time we have another company that is imposing very seriously upon the people who were insured even thirty-five years ago and other localities are having the same experience. The practice with some mutual fire insurance companies has been this: That one year they have a rather heavy loss and they feel that they do not want to let their policy holders realize how big the loss was, so instead of making an assessment sufficient to pay that loss they make an assessment to pay fifty to seventy-five per cent. of it, carrying the balance over into the next year in the hope that there will be no losses the next year and that a moderate assessment might get them out of it. The next year they have as heavy losses as the preceding year and that indebtedness keeps accumulating, and in our county today we are having an experience with a mutual fire insurance company, a small one it is true, with fifteen thousand dollars of libailities, where the costs of the receivership have already been nine thousand dollars and the assessments are being made on policies clear back to 1878. Men have had policies in that company and have had in other companies and they have cancelled their policies and paid all the assessments made and thought their indebtedness was liquidated and five, ten or thirty years afterwards that company goes into the hands of a receivor and then the receiver makes assessments on policies that were issued thirty years ago, just because there was an insufficient assessment made to pay the losses when they occurred. In a mutual insurance company every policy holder is a partner and under the law he is bound to pay his share of any losses that are incurred and it makes no difference to him whether he pays that loss this year or in five years in so far as it may affect him financially; but when that accumulates and a failure occurs, there is added to that one hundred per cent penalty in the way of costs and expenses and then his losses are doubled up and any one knows the burden to be called upon to pay for something that should have been paid long ago and would gladly have been paid at the time the loss occurred.

I believe this is the longest step forward we can take in order to protect the policy holders in mutual insurance companies and to protect the companies themselves, and it has that dual purpose.

As to the point made by the gentleman from Lehigh (Mr. Miller) when he suggested the second section of the bill be stricken out, I think he will find, just as the gentleman from Delaware has discovered, that he was in error and that the only thing necessary is that the assessment shall be made during that month. The assessment for the year, up to the first of October must be made before the first of November.

The gentleman from Dauphin refers to the amount of cash on hand. There is nothing in this bill that will prevent them from having a cash balance. This law fixes a minimum assessment. It requires that they shall assess at least an amount sufficient to pay the indebtedness and they can assess an mount in excess of that so as to carry a cash balance on hand all the time, if they want to, and I trust that the House will join in support of this bill in order to protect not only the policy holders, but the companies themselves.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—73.

Alworth,	Cochran	Hobbs,	Reeser,
Ambler,	Collins,	Howard, J.,	Richards,
Baldwin, R. J.,	Conner,	Howard, R.,	Rockwell,
Bayle,	Conniff,	Humes,	Roney,
Benson,	Conrade,	Jones, J. R.,	Scott, S. B.,
Berntheizel,	Curry,	Keegan,	Semmens,
Bigger,	DeFrees,	Keeport,	Shaffer, C. A.,
Bittles,	Dunn, H. B.,	Kennedy,	Smith, L.,
Blair, W. A.,	Dunn, J. A.,	Latshaw,	Snavely,
Bleloch,	Foster, J. D.,	Lohr,	Steele,
Brownlee,	Good,	Mannion,	Walnut,
Burnett,	Grabe,	McClintock,	Whitaker,
Caldwell,	Gransback,	McDermott,	Wildman,
Campbell, C.M.,	Gray, Frank,	Metzenbacher,	Williams,
Campbell, J.J.	Gray, Joseph,	Mitchell,	Wiltbank,
Carson,	Heidinger,	Moses,	Young, G. K.
Cheeseman,	Hemminger,	Musser,	Alter,
Claycomb,	Heyburn,	Newton,	Speaker.
Cleary,	Hibshman,	Redfield,	

NAYS—59.

Adams,	Geiser,	McKay,	Runk,
Arthur,	Gibson,	McNichol,	Sassaman,
Baldwin, G. A.,	Gramley,	Miller,	Savacool,
Bass,	Herman,	Missimer,	Schaeffer, A. C
Becker,	Irwin, G. C.,	Moore,	Sherwood,
Body,	Irwin, H. H.,	Morrow,	Smith, J. W.,
Brosius,	Klepper,	Newbaker,	Snyder,
Carter,	Kuhns, E.G.M.,	O'Neill,	Spangler,
Currier,	Lanius,	Peachey,	Steedle,
Ely,	Lenker,	Pennegar,	Stone.
Ewing,	Light,	Pennock,	Strauss,
Fahey,	Martin,	Peters,	Swift,
Flynn,	Mather,	Ramsey,	Trach,
Forster, I. G.,	McAleer,	Rhoads,	Wilson, W. H.,
Geary,	McAllister,	Rothenberger,	

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1842 (Senate No. 359), entitled:

An Act authorizing fraternal beneficial associations organized under the laws of this Commonwealth to provide in their constitution and by-laws for the payment of funeral expenses of its members from the amount due on the beneficial certificates of the deceased member

On the question,

Will the House agree to the bill on third reading?

Mr. CHEESEMAN. Mr. Speaker, this bill provides that benefits from Mutual societies shall be distributed in part by the society, or in other words, when a person is insured in a Mutual beneficial society, the society has the right to take a part of the benefits going to the estate of the insured and conduct the funeral and pay the expenses of the funeral, out of the money which should go to the family of the deceased. I think that when anyone insures in an insurance company he expects the benefits to go to his family, and if the society is to conduct the funeral, they should provide for it in some other way. I ask the members of this House to vote against the bill.

On the question recurring,

Will the House agree to the bill on third reading?

It was agree to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—25.

Alworth,	Conrade,	Good,	Rockwell,
Arthur,	Dunn, H. B.,	Hibshman,	Roney,
Baldwin, R. J.,	Ewing,	Musser,	Semmens,
Bass,	Flynn,	Perry, H. L.,	Shaffer, C. A.,
Berntheizel,	Geiser,	Piper,	Steele,
Carter,	Gibson,	Rhoads,	Stone,
			Ulman,

NAYS—89.

Adams,	Foster, J. D.,	Lowers,	Runk,
Aron,	Grabe,	Mannion,	Sassaman,
Baldwin, G. A.,	Gray, Frank,	Martin,	Savacool,
Barner,	Gray, Joseph,	McAleer,	Schaeffer, A. C
Benson,	Heidinger,	McAllister,	Scott, S. B.,
Bigger,	Hemminger,	McClintock,	Sherwood,
Bittles,	Herman,	McDermott,	Showalter,
Bleloch,	Heyburn,	McKay,	Smith, J. W.,
Body,	Hobbs,	Mellott,	Smith, L.,
Brosius,	Humes,	Metzenbacher,	Snavely,
Brown,	Irwin, G. C.,	Mitchell,	Snyder,
Brownlee,	Jones, J. R.,	Newbaker,	Steedle,

Campbell, C.M.,	Kaiser,	Newton,	Swift,
Carson,	Keegan,	O'Neill,	Trach,
Cheeseman,	Keeport.	Peachey,	Wildman,
Claycomb,	Kennedy,	Pennegar,	Williams,
Currier,	Kuhn, H. P.,	Pennock,	Wilson, J. H.,
Curry,	Kuhns, E.G.M.,	Ramsey,	Wilson, W. H.,
DeFrees,	Lanius,	Redfield,	Wiltbank,
Down,	Latshaw,	Reese,	Young, G. K.,
Ely,	Lenker,	Reeser,	Alter,
Fahey,	Lohr,	Rothenberger,	Speaker.
Forster, I. G.,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1068, entitled:

An Act prohibiting persons partnerships and corporations operating railroads from allowing certain things except material for the immediate repair thereof to remain on the right of way and fixing penalties for violation hereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Forster, I. G.,	Letzkus,	Savacool,
Aron,	Frey,	Light,	Schaeffer, A. C
Arthur,	Gans,	Lohr,	Schuck,
Baldwin, G. A.,	Geary,	Lowers,	Scott, S. B.,
Baldwin, R. J.,	Gibson,	Malie,	Semmens,
Barner,	Good,	Mannion,	Shaffer, C. A.,
Bass,	Grabe,	Martin,	Shaffer, I. E.,
Bayle,	Gramley,	McClintock,	Sherwood,
Bentheizel,	Gransback,	McDermott,	Showalter,
Bigger,	Gray, Frank,	McKay,	Smith, J. W.,
Bittles,	Hackett,	McNichol,	Smith, L.,
Blair, W. A.,	Heidinger,	Metzenbacher,	Snyder,
Body,	Hemminger,	Miller,	Spangler,
Brosius,	Herman,	Missimer,	Spillinger,
Brown,	Hess,	Mitchell,	Steedle,
Brownlee,	Heyburn,	Moore,	Steele,
Burnett,	Hibshman,	Morrow,	Stein,
Campbell, C.M.,	Hobbs,	Musser,	Strauss
Carson,	Hoffman,	Newbaker,	Swartz,
Carter,	Howard, J.,	Newton,	Swift,
Cheeseman,	Howard, R.,	North,	Thomas,
Claycomb,	Humes,	O'Neill,	Trach,
Cochran,	Isler,	Peachey,	Ulman,
Collins,	Irwin, G. C.,	Pennegar,	Walsh,
Conner,	Irwin, H. H.,	Pennock,	Walton,
Conniff,	Jones, J. R.,	Perry, S. J.,	Watson,
Conrade,	Kaiser,	Piper,	Whitaker,
Cox,	Kaufman,	Price,	Whitman,
Currier,	Keegan,	Ramsey,	Wildman,
Curry,	Keeport,	Reese,	Williams,
DeFrees,	Kennedy,	Rhoads,	Wilson, J. H.,
Dickinson,	Kitts,	Richards,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Rockwell,	Wiltbank,
Dunn, J. A.,	Kuhns, E.G.M.,	Roney,	Young, G. K.,
Ehrhardt,	Lanius,	Rothenberger,	Young, J. H.,
Eichenberger,	Latshaw,	Runk,	Alter,
Ely,	Lenker,	Sassaman,	Speaker.
Ewing,	Leslie,		
Fahey,			

NAYS—7.

McAleer,	Mellott,	Redfield,	Snavely
McAllister,	Peters,	Reeser,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1599, as follows:

A supplement to an act entitled "An Act providing for the incorporation government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said Department

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That an additional executive department in the government of cities of the third class is hereby created to be known as the Department of City Planning which shall be in charge of a City Planning Commission consisting of five persons to be appointed by the mayor and councils In the first intance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth They shall serve without compensation and make annually to the mayor and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils

Section 2 The clerks of councils shall upon introduction furnish to the City Planning Commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public building of the city and to the location extension widening narrowing enlargement ornamentaion and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the city plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to councils in writing within ten days from the introduction of said ordinances and shall operate with the same force and effect as a veto by the mayor under existing laws

Section 3 The City Planning Commission may make or cause to be made and lay before councils and at its discretion cause to be published maps of the city or any portion thereof including territory extending five miles beyond the city limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public buildings civic centre street parkway park playground or an other public ground or public improvement or an widening extension or relocation of the same or any change in the city plan by it deemed advisable and it may make recommendations to councils from time to time concerning any such matters and things aforesaid for action by councils thereto and in so doing have regard for the present conditions and future needs and growth of the city and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 4 The City Planning Commission may make recommendations to any public authorities or any corporations or individuals in said cities with reference to the location of any buildings structures or works to be erected or constructed by them

Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of five miles outside thereof shall be submitted to the City Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the City Planning Commission The disapproval of any such plan by the City Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have been made actual appropriation of the same by entry use or improvement No sewer water or gas main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved Where the jurisdictional limit of five miles outside of the city limits as provided in this section may conflict with the zone of similar character connected with another municipality the jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality

Section 6 It shall be proper for said cities to provide by ordinance for the exercise of all rights and powers herein conferred upon the City Planning Commission by a Park Commission or kindred municipal Bureau or Commission authorized under existing laws And no person holding office under the government of any of said cities except the mayor members of councils or Commissioners shall be ineligible to serve as a member of a City Planning Commission

Section 7 All acts and parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

Mr. MITCHELL. Mr. Speaker, I ask unanimous consent to insert amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend section 5, line 6, by striking out the word "five" and inserting the word "three."
Also by striking out the word "five" same section, line 25, and inserting the word "three."
Also same section by striking out word "municipality" line 27 and 28 and inserting therefor the words "city of the third class."
Title, line 10, after the word "Department" insert the words "and authorizing the exercise of the powers herein provided by a Park or other Municipal Commission"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments? Is there any objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 396, entitled:

An Act to promote the public health by providing for one day of rest in seven for employes in certain employments and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. HEIDINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor and Industries.

Mr. HEMMINGER. Mr. Speaker, I second the motion.

It was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1787, entitled:

An Act relating to indebtedness incurred by cities of the first class of this Commonwealth to provide for the construction and improvement of subways tunnels railways elevated railways and other transit facilities of wharves and docks and for the reclamation of land to be used in the construction of wharves and docks providing that interest during the period of construction on expenditures for such construction improvement and reclamation shall be included in the cost thereof and that bonds may be issued to provide therefor

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. W. H. WILSON. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Walnut.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Walnut, permit himself to be interrogated?

Mr. WALNUT. Mr. Speaker, yes, sir.

Mr. W. H. WILSON. Mr. Speaker, I would like to have the gentleman from Philadelphia explain to the members of the House what provision there is in this bill with regard to the taking care of the sinking fund charge.

Mr. WALNUT. Mr. Speaker, there is a provision in this bill that the sinking fund charges shall be taken care of out of the bonds issued for that purpose, to be paid out of the principal.

Mr. W. H. WILSON. Mr. Speaker, the passage of this bill provides that interest on the bonds would be paid out of the principal is that it?.

Mr. WALNUT. Mr. Speaker, yes, sir.

POINT OF ORDER.

Mr. W. H. WILSON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. W. H. WILSON. Mr. Speaker, my point of order is that the bill is unconstitutional. It violates section eight, article nine of the Constitution of Pennsylvania which provides as follows:

Section 8 The debt of any county, city, borough, township, school district, or other municipality or incorporated district, except as herein provided, shall never exceed seven per centum upon the assessed value of the taxable property therein, nor shall any such municipality or district incur any new debt, or increase its indebtedness to an amount exceeding two per centum upon such assessed valuation of property, without the assent of the electors thereof at a public election in such manner as shall be provided by law; but any city, the debt of which now exceeds seven per centum of such assessed valuation, may be authorized by law to increase the same three per centum, in the aggregate, at any one time, upon such valuation, except that any debt or debts hereinafter incurred by the city and county of Philadelphia for the construction and development of subways for transit purposes, or for the construction of wharves and docks, or the reclamation of land to be used in the construction of a system of wharves and docks, as public improvements, owned or to be owned by said city and county of Philadelphia, and which shall yield to the city and county of Philadelphia current net revenue in excess of the interest on said debt or debts and of the annua linstallments necessary for the cancellation of said debt or debts, may be excluded in ascertaining the power of the city and county of Philadelphia to become otherwise indebted: Provided, That a sinking fund for their cancellation shall be established and maintained.

Mr. Speaker, I contend that this act is unconstitutional because it permits the payment of the interest in carrying charges of the bonds authorized by the act to be paid out of the principal; the provisions in the act with regard to earnings of the subways of whatever improvements are designated in the act. It has not provided for the payment of interest out of the earnings nor is there any provision in the act which provides for a sinking fund to meet these additional charges. I therefore contend that it is in direct violation of that portion of the constitution.

The SPEAKER. What does the gentleman from Philadelphia, Mr. Walnut, have to suggest in regard to the point of order that has been raised?

Mr. WALNUT. Mr. Speaker, my contention is that the act is not unconstitutional. The amendment to the Constitution passed in 1911 provided, as read by Mr. Wilson. When we needed in Philadelphia a subway, elevated railroad, wharves and docks and improvements that will make returns on the money invested it was decided to be proper to permit the city to exceed its seven per cent. limitation by providing as was stated in this amendment that when the improvements pay a return equal to the sinking fund charges and the interest upon the funds that then the city could exceed, for the purpose of completing these improvements its seven per cent. constitutional limitation. Immediately after the adoption of this amendment the question was presented in connection with the making of certain improvements and the point was at once raised that there was no possibility of determining or providing for the interest upon the bonds that would be issued upon this amendment until after the work was completed. The act I have here introduced is presented upon the possibility that this particular portion of the constitutional amendment may be provided for and that the interest of the bonds during the process of construction of the improvements shall be paid out the principal. That is the only purpose and it provides as intended that the requirements of the Constitution shall be taken care of out of the principal during the times that the improvements are under course of construction. After the improvement is completed and the improvement itself takes care of the interest and the sinking fund the charges upon the bonds issued for that purpose will cover that point. I see no reason at all why these bonds would not be valid under the Constitution. Under the very worst the court need not decide that this action in itself is unconstitutional and I would hold that it would not so decide because if the court would decide that this act did not be constitutional, I think the act itself has no connection whatever on the face of the act with this particular constitutional provision

My point, Mr. Speaker—I believe I can probably make it more clear—is this: That under this bill there is no reference whatever to the constitutional amendment. It merely provides in broad terms that when a municipality issues bonds for this particular purpose, that the interest and sinking fund charges upon those bonds may be paid out of the principal.

The SPEAKER. May the Chair inquire whether this act relates exclusively to all bonds issued over the seven per cent. limit?

Mr. WALNUT. Mr. Speaker, it does not.

Mr. RONEY. Mr. Speaker, I was about to say that the constitutional amendment of 1911 which provided that and which applied to the City of Philadelphia has been found unworkable because there can be no income derived from the utility or the improvement until it is constructed, and consequently the work would have to be undertaken within the seven per cent. limit. Now, the constitutional amendment of 1911, which provided for the borrowing of unlimited sums of money, has been found unworkable in Philadelphia because there is no way of meeting the necessary charges on those bonds that are issued for the construction of this public utility and which, of course, could not return any income sufficient to meet the charges on the bonds until the subway was actually in operation. Now, it seems to me, Mr. Speaker, that the section of the Constitution which has direct application to this point before the House is Section 10 of Article 9, which says that "Any county, township, school district or other municipality incurring any indebtedness shall, at or before the time of so doing, provide for the collection of an annual tax sufficient to pay the interest and also the principal thereof within thirty years." I think that constitutional provision absolutely prohibits the payment of the necessary charges on the bonds out of the capital funds, because, as I read that constitutional provision, at the time of the issuance of the bonds, there must be contemporaneously established a sinking fund in order to pay the actual charges on those bonds, and I therefore think that this bill, which was in a sense an enabling act to carry out the deficiencies of the constitutional amendment of 1911, is in itself unconstitutional as violating Section 10 of Article 9. It is very regrettable, because in Philadelphia we are all a unit that something be done in the way of improving our transportation facilities, but I think this bill,—and I make the point for the information of the Chair and the House—I think this bill unfortunately is in conflict with Section 10.

Mr. WALNUT. Mr. Speaker, in answer to the gentleman from Philadelphia on this particular point, I would like to call the Chair's attention to the wording of Section 10 and also Section 8. Section 8 being a later section of the Constitution. Section 8 provides that "The debt of any county, city, borough, township, school district, or other municipality or incorporated district"; Section 10 expressly excludes the word "city" from the classification of governmental units covered by the section. It provides for "any county, township, school district or other municipality." I therefore argue that the term "other municipality" would refer to governmental agencies of the same class as those immediately preceding, and further, what I think is this: That there is nothing in Section 10 which provides for the collection of an annual tax sufficient to pay the interest and also the principal thereof, referring to an indebtedness of these governmental agencies within thirty years. There is nothing in this act, whatever, which would indicate that such a tax was not to be levied. There is a provision in here which, so far as it appears from the act, is a mere matter of bookkeeping which will have to be taken care of by the municipality. If the municipality is under the obligation to levy a tax to take care of the bonds issued under this constitutional amendment, there is nothing in this act which would indicate that they are not called upon to levy that tax. We are not arguing as a matter of legislation that the municipalities shall not levy a tax. We merely provide as a matter of bookkeeping the manner in which the interest upon those bonds can be paid.

BILLS POSTPONED.

Mr. J. H. WILSON. Mr. Speaker, this is an important act, so far as Philadelphia is concerned, and I do not think we ought to decide this question haphazardly. I am perfectly willing that further consideration of this bill be postponed and be made a special order for Tuesday next at 11 o'clock, at which time the question can be thoroughly considered, and I make that motion.

HOUSE BILL NO. 1787 MADE A SPECIAL ORDER.

Mr. WALNUT. Mr. Speaker, I am agreeable to that, provided we make it Monday evening at 9.30.

Mr. J. H. WILSON. Mr. Speaker, I have no objections to Monday.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. Bill No. 1606, as follows:

An Act to prevent misrepresentation or misleading estimates to induce the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse or forfeiture of policies of insurance prescribing penalties for violations of this act making provisions for compelling the production and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no insurance company association or society or any officer director agent or broker or solicitor thereof shall issue circulate or use or cause or permit to be issued circulated or used any written or oral statement or circular misrepresenting the terms of any policy issued or to be issued by such company or make an estimate with intent to deceive of the future dividends payable under any such policy

Section 2 No insurance company association or society officer director agent solicitor or broker or any person firm association or corporation shall make any misrepresentation or incomplete comparison of policies oral written or otherwise to any person insured in any company for the purpose of inducing or tending to induce a policy holder in any company to lapse forfeit or surrender his insurance therein and to take out a policy insurance in another company insuring against similar risks

Section 3 Upon satisfactory evidence of the violation of the first or second section of this act by any insurance company association or society its officers solicitors or agents or any insurance broker the Insurance Commissioner shall revoke the certificate of authority of such offending company association or society its solicitors or agents or any insurance broker and he shall have the right in his discretion to refuse for a period of not to exceed one year thereafter to issue a new license to such offending company association or society agent solicitor or broker when a certificate shall be refused or suspended or revoked the party aggrieved may appeal to the court of common pleas of Dauphin County Any insurance company association or society agent solicitor or broker or any person firm association or corporation violating the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars ($500.00) for each and every violation or at the discretion of the court to imprisonment in the county jail of the county in which the offense is committed for a period of not more than six months or both

Section 4 No person shall be excused from testifying or from producing any books papers contracts agreements or documents at the trial or hearing of any person or company association or society charged with violating any of the provisions of this act on the ground that such testimony or evidence may tend to incriminate himself but no person shall be prosecuted for any act concerning which he shall be compelled so to testify or produce evidence documentary or otherwise except for perjury committed in so testifying

Section 5 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—163.

Adams,	Good,	McAllister,	Schaeffer, A. C
Aron,	Gramley,	McArdle,	Schuck,
Baldwin, G. A.,	Gransback,	McCaig,	Scott, J. R. K.,
Barner,	Gray, Frank,	McCaig,	Scott, S. B.,
Bayle,	Gray, Joseph,	McClintock,	Semmens,
Becker,	Hackett,	McDermott,	Shaffer, C. A.,
Berntheizel,	Heidinger,	McKay,	Shaffer, I. E.,
Bigger,	Hemminger,	McNichol,	Shern,
Bittles,	Herman,	Mechling,	Sherwood,
Blair, W. A.,	Hess,	Mellott,	Showalter,
Bleloch,	Heyburn,	Metzenbacher,	Smith, J. W.,
Body,	Hibshman,	Miller,	Smith, L.,
Brownlee,	Hobbs,	Missimer,	Snavely,
Burnett,	Hoffman,	Mitchell,	Snyder,
Campbell, C.M.,	Howard, R.,	Morrow,	Spangler,
Campbell, J.J.	Humes,	Moses,	Speiser,

Carson,	Isler,	Musser,	Steedle,
Carter,	Irwin, G. C.,	Neel,	Steele,
Cheeseman,	Irwin, H. H.,	Newbaker,	Stein,
Cochran,	Jackson,	Newton,	Stone,
Collins,	Jones, J. R.,	North,	Strauss,
Conner,	Kaiser,	O'Neill,	Swartz,
Conniff,	Keegan,	Peachey,	Swift,
Conrade,	Kennedy,	Pennegar,	Thomas,
Cox,	Kitts,	Pennock,	Trach,
Currier,	Klepper,	Perry, H. L.,	Ulman,
Curry,	Kuhn, H. P.,	Perry, S. J.,	Walnut,
Davis,	Kuhns, E.G.M.,	Peters,	Walsh,
DeFrees,	Lanius,	Piper,	Walton,
Dickinson,	Latshaw,	Price,	Watson,
Donahoe,	Lenker,	Ramsey,	Whitaker,
Dunn, H. B.,	Leslie,	Redfield,	Whitman,
Dunn, J. A.,	Letzkus,	Reese,	Wildman,
Eichenberger,	Light,	Rhoads,	Williams,
Ely,	Lohr,	Richards,	Wilson, J. H.,
Fahey,	Lowers,	Rockwell,	Wilson, W. H.,
Flynn,	Malie,	Roney,	Wiltbank,
Forster, I. G.,	Mannion,	Rothenberger,	Young, G. K.,
Frey,	Martin,	Runk,	Young, J. H.,
Gans,	Mather,	Sassaman,	Zimmerman,
Gibson,	McAleer,	Savacool,	Alter,
			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Stnate for concurrence.

QUESTION ON PERSONAL PRIVILEGE.

Mr. GOSS. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question.

Mr. GOSS. Mr. Speaker, I understand that on House Bill No. 228, the Civil Service Bill, my vote was challenged by my worthy colleague, Mr. McNichol. I would like to interrogate the gentleman from Philadelphia, Mr. McNichol.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. McNICHOL. Yes, sir, Mr. Speaker.

Mr. GOSS. On what grounds did you challenge my vote?

Mr. McNICHOL. Mr. Speaker, as I stated, upon information received to the effect that the gentleman was not present when his name was called.

Mr. GOSS. Mr. Speaker, may I ask where he got the information.

Mr. McNICHOL. Mr. Speaker, as I stated to the Chair, from gentlemen who stood in the back of the House, supplemented by a further statement that he was met leaving the House at the time the roll was in progress.

Mr. GOSS. Mr. Speaker, I wish to state that I was within the rails of this House when my name was called, and I answered very distinctly, and if my worthy friend, Mr. McNichol, doubts my word, I can prove it by my colleague, Mr. James J. Campbell, that I was on the floor of the House, and if that is not sufficient, I will produce an affidavit to satisfy him.

Mr. McNICHOL. Mr. Speaker, I stated publicly that I would be perfectly satisfied if the gentleman whose vote was in question would come forth stating that he was within the hall of the House, that I would accept his word. That was my statement made to the Chair and to the House. Now that he has made that statement, there can be no further objection on my part.

Mr. GOSS. Mr. Speaker, the explanation is satisfactory.

The SPEAKER. It has been suggested, in view of the fact that the full committee on Judiciary General will have to spend the whole evening and considerable of the night in considering a bill of great importance, the public utilities bill, which we desire to have reported out in the morning, that we continue our session until about 6.30 and then adjourn until morning.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1928, entitled:

An Act repealing an act entitled "An Act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naphtha" approved the second day of March one thousand eight hundred and sixty-five and a supplement thereto entitled "A Supplement to an act for the better security of the city of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naphtha approved March second one thousand eight hundred and sixty-five" approved the twenty-fourth day of March one thousand eight hundred and sixty-five and a further supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the city of Philadelphia approved March twenty-fourth one thousand eight hundred and sixty-five and to extend the boundaries of the same" approved the twenty-third day of May one thousand eight hundred and seventy-one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. LORENZO SMITH. Mr. Speaker, the law governing the present use of gasoline or naphtha was enacted in 1865 at a time when gasoline or naphtha was not so commonly employed as at present. The law referred to permits not more than one barrel, 55 gallons, on any premises in Philadelphia at one time, no matter what precaution may be exercised in its safe storage and handling.

Appreciating the inadequacy of this old law and the hardship to many citizens through its enforcement, this bill, if passed will free Philadelphia to reasonably regulate the storage and handling of gasoline to meet present day requirements.

By repealing this section the councils will have the power to properly regulate this storage, by ordinance.

There are many places storing gasoline in a haphazard way, greatly endangering the neighborhoods adjacent thereto. The passage of this bill will correct this, and will allow the city to acquire effective control over the situation.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Ewing,	Letzkus,	Roney,
Aron,	Fahey,	Lohr,	Rothenberger,
Baldwin, G. A.,	Flynn,	Lowers,	Sassaman,
Baldwin, R. J.,	Forster, I. G.,	Malie,	Savacool,
Barner,	Foster, J. D.,	Mannion,	Schaeffer, A. C.
Bass,	Gans,	Martin,	Scott, J. R. K.,
Becker,	Geary,	Mather,	Scott, S. B.,
Benninger,	Geiser,	McAleer,	Semmens,
Benson,	Gibson,	McAllister,	Shaffer, C. A.,
Berntheizel,	Good,	McClintock,	Shaffer, I. E.,
Bigger,	Goss,	McDermott,	Sherwood,
Bittles,	Grabe,	McKay,	Showalter,
Blair, W. F.,	Gramley,	McNichol,	Smith, J. W.,
Bleloch,	Gransback,	Mechling,	Smith, L.,
Body,	Gray, Frank,	Metzenbacher,	Snyder,
Brosius,	Gray, Joseph,	Miller,	Spillinger,
Brownlee,	Heidinger,	Missimer,	Steedle,
Burnett,	Hemminger,	Moore,	Stone,
Campbell, C.M.,	Heyburn,	Morrow,	Swartz,
Campbell, J. J.,	Hibshman,	Moses,	Swift,
Carson,	Hobbs,	Murphy,	Thomas,
Carter,	Hoffman,	Neel,	Trach,
Cheeseman,	Howard, J.,	Newbaker,	Ulman,
Cleary,	Howard, R.,	Newton,	Walnut,
Cochran,	Humes,	O'Neill,	Walton,
Conner,	Irwin, G. C.,	Peachey,	Watson,
Conniff,	Irwin, G. C.,	Pennegar,	Whitaker,
Conrade,	Jones, J. R.,	Pennock,	Whitman,
Cox,	Kaiser,	Peters,	Wildman,
Currier,	Keegan,	Piper,	Williams,
Curry,	Keeport,	Ramsey,	Wilson, J. H.,
Davis,	Kennedy,	Redfield,	Wilson, W. H.,
DeFrees,	Kuhns, E.G.M.,	Reese,	Wiltbank,
Dickinson,	Lanius,	Reeser,	Young, G. K.
Donahoe,	Latshaw,	Rhoads,	Zimmerman,
Dunn, H. B.,	Lenker,	Richards,	Alter,
Dunn, J. A.,	Leslie,	Rockwell,	Speaker.
Ehrhardt,			
Ely,			

NAYS—1.

Herman.

The majority requirtd by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 612, (Senate Bill No. 84), entitled:

An Act to amend section six of an act entitled "An Act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at a general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a Board of Managers and that certain judges of the common pleas court and the county commissioners shall be ex-officio members of the Board of Managers prescribing the powers and duties of the Board of Managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the county of Allegheny

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—136.

Adams,	Ewing,	Lowers,	Rothenberger,
Aron,	Flynn,	Mannion,	Sassaman,
Baldwin, G. A.,	Forster, I. G.,	Martin,	Schaeffer, A. C.,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Scott, S. B.,
Barner,	Gans,	McAleer,	Semmens,
Becker,	Geiser,	McAllister,	Shaffer, C. A.,
Benninger,	Gibson,	McClintock,	Showalter,
Benson,	Good,	McDermott,	Smith, J. W.,
Berntheizel,	Goss,	McKay,	Smith, L.,
Bigger,	Grabe,	McNichol,	Snyder,
Bittles,	Gramley,	Miller,	Spillinger,
Blair, W. A.,	Gransback,	Missimer,	Steedle,
Bleloch,	Gray, Frank,	Mitchell,	Steele,
Body,	Gray, Joseph,	Moore,	Stein,
Brosius,	Heidinger,	Morrow,	Stone,
Brownlee,	Hemminger,	Moses,	Strauss,
Burnett,	Herman,	Neel,	Swartz,
Campbell, C.M.,	Heyburn,	Neely,	Swift,
Campbell, J.J.	Hibshman,	Newbaker,	Thomas,
Carson,	Hobbs,	Newton,	Trach,
Claycomb,	Hoffman,	North,	Ulman,
Cleary,	Humes,	O'Neill,	Walnut,
Collins,	Jones, J. R.,	Peachey,	Walton,
Conner,	Kaufman,	Pennegar,	Watson,
Conniff,	Keegan,	Pennock,	Whitaker,
Conrade,	Keeport,	Peters,	Whitman,
Currier,	Kennedy,	Piper,	Wildman,
Curry,	Klepper,	Ramsey,	Williams,
Davis,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
DeFrees,	Latshaw,	Reese,	Wilson, W. H.,
Dickinson,	Lenker,	Reeser,	Wiltbank,
Donahoe,	Leslie,	Rhoads,	Young, G. K.
Dunn, H. B.,	Letzkus,	Richards,	Alter,
Ehrhardt,	Lohr,	Rockwell,	Speaker.
Ely,			

NAYS—0.

The majority requirtd by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GEARY. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GEARY. Mr. Speaker, I was absent when the vote was taken on House Bill No. 612 (Senate No. 84), and I desire to state that I would have voted Aye, if I would have been present and ask that it be noted on the record.

The SPEAKER. If there is no objection the Clerk will be directed to enter the gentleman from Allegheny, Mr. Geary's statement, in the Journal immediately following the roll call, on House Bill No. 612 (Senate 84).

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1627, entitled:

An Act relating to the issuing of policies of insurance prohibiting the giving or offering or receiving of rebates or inducements of any kind not specified in the policy with certain exceptions prescribing penalties for violations of this act and making provision for compelling the production of evidence and repealing existing laws

On the question,

Will the House agree to the bill on third reading?

Mr. McALEER. Mr. Speaker, I would like the author of this bill to give us a slight explanation, if he can do so in a few words, as to the necessity for this bill. I understand from the provisions of the earlier part of the bill that it provides against rebating, and there is already a law on the books against rebating and the latter part of the bill simply goes on repealing the law already in force; now what is the necessity for this change?

Mr. KEEPORT. Mr. Speaker, this bill comes from the Department. They have found in several cases that when they were trying to enforce the law there was irregularities crept in there and they have prepared this bill in order to overcome those weak points. That is the object of the bill. It comes directly from the Department itself.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—140.

Adams,	Ely,	Letzkus,	Rothenberger,
Aron,	Fahey,	Lohr,	Runk,
Arthur,	Flynn,	Mannion,	Sassaman,
Baldwin, G. A.,	Forster, I. G.,	Martin,	Savacool,
Baldwin, R. J.,	Foster, J. D.,	Mather,	Schaeffer, A. C.
Barner,	Gans,	McAleer,	Scott, J. R. K.,
Becker,	Geary,	McClintock,	Scott, S. B.,
Benninger,	Geiser,	McDermott,	Semmens,
Benson,	Gibson,	McKay,	Shaffer, C. A.,
Berntheizel,	Goss,	McNichol,	Sherwood,
Bigger,	Grabe,	Mechling,	Showalter,
Bittles,	Gramley,	Mellott,	Smith, J. W.,
Blair, W. A.,	Gransback,	Metzenbacher,	Smith, L.,
Bleloch,	Gray, Frank,	Miller,	Snyder,
Body,	Gray, Joseph,	Mitchell,	Spangler,
Brosius,	Heidinger,	Moore,	Spillinger,
Brownlee,	Hemminger,	Moses,	Steele,
Burnett,	Herman,	Neel,	Stone,
Campbell, J.J.	Heyburn,	Neely,	Strauss,
Carson,	Hibshman,	Newbaker,	Swift,
Carter,	Hobbs,	Newton,	Trach,
Cheeseman,	Hoffman,	O'Neill,	Ulman,
Claycomb,	Howard, R.,	Peachey,	Walnut,
Collins,	Irwin, H. H.,	Pennegar,	Walton,
Conner,	Jones, J. R.,	Pennock,	Watson,
Conniff,	Kaufman,	Piper,	Whitaker,
Conrade,	Keegan,	Ramsey,	Whitman,
Currier,	Keeport,	Redfield,	Wildman,
Curry,	Kennedy,	Reese,	Williams,
Davis,	Klepper,	Reeser,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Rhoads,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Richards,	Wiltbank,
Donahoe,	Latshaw,	Robinson,	Young, G. K.,
Dunn, H. B.,	Lenker,	Rockwell,	Alter,
Dunn, J. A.,	Leslie,	Roney,	Speaker.
Ehrhardt,			

NAYS—1.

Good,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1900 (Senate No. 582), entitled:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Adams,	Flynn,	Malie,	Sassaman,
Aron,	Forster, I. G.,	Martin,	Savacool,
Arthur,	Foster, J. D.,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Gans,	McAleer,	Scott, S. B.,
Baldwin, R. J.,	Geiser,	McAllister,	Semmens,
Barner,	Gibson,	McClintock,	Shaffer, C. A.,
Becker,	Good,	McDermott,	Sherwood,
Benninger,	Goss,	McKay,	Showalter,
Benson,	Grabe,	McNichol,	Smith, J. W.,
Berntheizel,	Gramley,	Mechling,	Smith, L.,
Bigger,	Gransback,	Metzenbacher,	Snyder,
Bittles,	Gray, Frank,	Miller,	Spillinger,
Blair, W. F.,	Gray, Joseph,	Mitchell,	Steedle,
Bleloch,	Heidinger,	Moore,	Steele,
Body,	Hemminger,	Moses,	Stone,
Brosius,	Herman,	Neel,	Strauss,
Brownlee,	Heyburn,	Neely,	Swartz,
Burnett,	Hibshman,	Newbaker,	Swift,
Campbell, C.M.,	Hobbs,	Newton,	Thomas,
Carson,	Hoffman,	O'Neill,	Trach,
Carter,	Irwin, H. H.,	Peachey,	Ulman,
Claycomb,	Jones, J. R.,	Pennegar,	Walnut,
Cleary,	Kaiser,	Pennock,	Walton,
Conner,	Keegan,	Peters,	Watson,
Conniff,	Keeport,	Piper,	Whitaker,
Conrade,	Klepper,	Ramsey,	Wildman,
Curry,	Kuhn, H. P.,	Redfield,	Williams,
Davis,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
DeFrees,	Lanius,	Reeser,	Wilson, W. H.,
Dickinson,	Latshaw,	Rhoads,	Wiltbank,
Donahoe,	Lenker,	Richards,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rockwell,	Alter,
Dunn, J. A.,	Letzkus,	Roney,	Speaker.
Ehrhardt,	Lohr,	Rothenberger,	
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1655, entitled:

An Act prohibiting the conversion or embezzlement of premium or return premiums under policies of insurance by agents solicitors or brokers providing that violations of this act shall constitute the crime of embezzlement and shall be punishable as embezzlements by agents and brokers are now by low punishable and repealing existing acts

On the question,

Will the House agree to the bill on third reading?

Mr. R. J. BALDWIN. Mr. Speaker, I would like the gentleman who introduced this bill to explain to the House whether or not it is not a step backward to the old imprisonment for debt law.

Mr. KEEPORT. Mr. Speaker, I do not look at it in that way. This is another of the bills in which the Department is interested and asked to have introduced in this form. I did it at their request.

Mr. R. J. BALDWIN. Mr. Speaker, I do not often disagree with many of the Departments but I certainly disagree with them if they are advocating this bill. The truth of the matter is that every man who wants to do business, either an insurance company or any other line of business, and desires to send out his agents to work for him, the laws of this State give him ample protection. They appoint their agents to secure their money for them, and he can demand a bond from them if he doubts their integrity. Those who are in the insurance business and have agents collecting money for them sometimes do the same as I do. Some times I have as much as $1,500.00 advanced which I must pay to the insurance company every month because they demand monthly settlements, though in reality I am selling insurance myself. In this way there is a lot of money standing out with the agents, and perhaps in this State sometimes, some agent may make some unfortunate investment at the time that he owes the insurance company some money. The insurance company under this act can prosecute him for embezzlement and put him in prison. In my judgment I do not believe that the Legislature wants to do that, but that is practically what this says.

The question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—44.

Adams,	Carson,	Hobbs,	Roney,
Arthur,	Claycomb,	Keegan,	Rothenberger,
Baldwin, G. A.,	Conner,	Keeport,	Shaffer, C. A.,
Barner,	DeFrees,	Latshaw,	Sherwood,
Becker,	Eichenberger,	Lowers,	Smith, J. W.,
Berntheizel,	Frey,	McNichol,	Steele,
Bigger,	Gans,	Miller,	Ulman,
Bittles,	Grabe,	Moore,	Wilson, J. H.,
Brownlee,	Gramley,	O'Neill,	Wilson, W. H.,
Burnett,	Gray, Joseph,	Rockwell,	Wiltbank,
Campbell, J. J.,	Hemminger,		

NAYS—68.

Aron,	Howard, J.,	Missimer,	Schaeffer, A. C
Blair, W. A.,	Jones, J. R.,	Mitchell,	Scott, S. B.,
Body,	Kaiser,	Moses,	Semmens,
Brosius,	Kaufman,	Neel,	Shaffer, I. E.,
Campbell, C.M.,	Klepper,	Neely,	Smith, L.,
Carter,	Kuhns, E.G.M.,	Newbaker,	Snyder,
Cheeseman,	[illegible]nker	Newton,	Spangler,
Collins,	Letzkus,	Peachey,	Steedle,
Curry,	Lohr,	Pennegar,	Strauss,
Donahoe,	Mannion,	Pennock,	Swift,
Foster, J. D.,	Martin,	Peters,	Trach,
Geary,	Mather,	Price,	Walnut,
Geiser,	McAleer,	Ramsey,	Whitaker,
Good,	McClintock,	Redfield,	Williams,
Gransback,	McDermott,	Rhoads,	Young, G. K.,
Heidinger,	McKay,	Richards,	Alter,
Heyburn,	Mellott,	Sassaman,	Speaker.
Hoffman,			

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

The SPEAKER. The Chair gives notice that he will partly clear the desk.

SENATE MESSAGES.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate had concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 6, 1913.

Resolved (if the Senate concur) That House Bill No. 645, file folio 7465, entitled,

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

be recalled from the Governor for the purpose of amendment.

RESOLUTION CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 6, 1913.

Resolved (if the Senate concur) that House Bill No. 1153, entitled,

An Act for the prevention of blindness by requiring the reporting of cases of ohthalmia neonatorum (inflamation of the eyes of infants by physicians mid-wives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof

be recalled from the Governor for the purpose of amendment.

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 20, entitled:

An Act further amending section one of an act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to all cities of the third class

Also House Bill No. 44, entitled:

An Act creating an act entitled "An Act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in installments" approved June fifteen Anno Domini one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems

Also House Bill No. 398, entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

Also House Bill No. 409.

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commission of Health incurred in administering health laws in any borough or township of the first class shall be paid

Also House Bill No. 695,

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

Whereas In making the appropriation to the State Highway Department the General Assembly in the session of one thousand nine hundred and eleven did not anticipate the great increase over the previous two years in the number of automobile licenses issued by the Automobile Division of said Department which said increase entailed expenditures for additional license plates for delivery of such plates and for additional clerical help rendered necessary by such increase and thus made inadequate provision for the payment of the salaries and other necessary expenses of said Automobile Division during the two fiscal years beginning June first one thousand nine hundred and eleven whereby a deficiency has arisen therefore

Also House Bill No. 1048.

An Act to preserve the purity of the waters of the State for the protection of the public health and property

Also House Bill 1054.

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

Also House Bill No. 1107,

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

Also House Bill No. 1148,

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assisstant assessors in the performance of their duties

Also House Bill No. 1300,

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

Also House Bill No. 1448,

An Act to give status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check

Also House Bill No. 1473,

An Act to amend an act approved the tenth day of May one thousand eighth undred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors"

Also House Bill No. 1541,

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

Also House Bill No. 1658,

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

Also House Bill No. 1864,

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor

With information that the Senate has passed the same without amendment.

ADJOURNMENT.

Mr. WILTBANK. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 6.35 o'clock P. M. the House adjourned to meet to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., THURSDAY, MAY 8, 1913. No. 63.

HOUSE OF REPRESENTATIVES.

THURSDAY, May 8th, 1913.

The House met at 10 o'clock A. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain (Rev. J. E. Wright) offered the following prayer:

O God, we pray for that class of men throughout our Commonwealth to whom Thou has entrusted great riches, with all the responsibilities which wealth entails. The men who occupy large places and control vast interests and exert wide influence. It is so easy for such to forget the obligations which wealth entails, to lose sight of that Scripture, that unto whom much is given, of them much will be required, to drift away from sympathy with their fellowmen, to become absorbed in indulgence and pleasure and selfish interests. May it not be so with this class of men in this Commonwealth. May they remember that riches and honor come of thee; that wealth is a trust, a sacred trust. May they not forget that a man's life consisteth, not in the abundance of the things which he possesseth. May they do justly and love mercy and walk humbly with their God. May they consecrate their wealth to beneficent purposes. May they be sympathetic and brotherly and anxious to serve. And whilst we thus pray we would not forget ourselves. We would ask that whatever gifts any of us have received, whether they be larger or lesser, we may consecrate those gifts to be devoted to Thy service. And we ask all this in the name of Him Who taught us to say: Our Father Who art in Heaven, hallowed be Thy Name; Thy kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread, and forgive us our debts as we forgive our debtors; and lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen.

The SPEAKER. The Clerk will read the Journal of the proceedings of yesterday.

The Clerk proceeded to read the Journal of the proceedings of yesterday, May 7th, when on motion of Mr. Matt the further reading was dispensed with, and the Journal approved.

REPORTS FROM COMMITTEES.

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed House Bill No. 1899 (Senate Bill No. 550), entitled:

An Act regulating the use of motor boats and providing a penalty.

Mr. FREY, from the Committee on Appropriations, reported as committed House Bill No. 467, entitled:

An Act making an appropriation for the payment of the expense of publication of amendments to the Constitution in the year one thousand nine hundred and twelve.

Mr. JOSIAH HOWARD, from the Committee on Banks and Banking, as committed, House Bill No. 1957 (Senate Bill No. 636), entitled:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages, notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one Pamphlet Laws six hundred and thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate.

Mr. E. G. M. KUHNS, from the Committee on Counties and Townships, reported as amended, House Bill No. 1973 (Senate No. 826), entitled:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven.

Mr. SASSAMAN, from the Committee on Appropriations, reported as committed House Bill No. 1968, entitled:

An Act making an appropriation to an association known as City Light, Heat and Power Company of Reading, or its successors or assigns for monies erroneously paid into the State Treasury.

Mr. MITCHELL, from the Committee on Corporations, reported as amended House Bill No. 1902 (Senate Bill No. 815), entitled:

An Act providing for the making valid of the charters of certain corporations heretofore incorporated for the purpose of supplying heat light and power by means of electricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth.

Mr. ROCKWELL, from the Committee on Judiciary General, re-reported as amended, House Bill No. 183, entitled:

An Act defining public service companies prescribing the duties and liabilities of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies creating the establishing a public service commission for the supervision and regulation of public service companies prescribing and defining the powers and duties of such commission and its officers and providing for the salaries an compensation of the members of the commission its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin county and giving such court exclusixe jurisdiction of such appeals and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal of the commission and to restrain such orders subject to an appeal from all decrees of said Court to the Supreme Court prescribing penalties fines and imprisonment for the violation of such orders or of the provisions of this act and repealing the act approved May thirty-first one thousand nine hundred and seven which provided for the appointment of a Railroad Commission and all other legislation inconsistent with this act and making it the duty of the Public Service Commission to enforce the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains."

Mr. KERN, from the Committee on Appropriations, re-reported as amended House Bill No. 1476, entitled:

An Act creating a rebuilding and Insurance Fund under the control of the Board of Commissioners of Public Grounds and Buildings for the restoration and repairing of any structure building or equipment owner by the Commonwealth and accidentally destroyed or damaged and for the payment of premiums of insurance upon such property and making an appropriation to carry out the provisions of this act.

LEAVE OF ABSENCE.

Mr. HOBBS. I ask leave of absence for myself after two o'clock to-day for the balance of the week.

The SPEAKER. The Chair hears objections; what are the gentleman's reasons?

Mr. HOBBS. Mr. Speaker, I would like to explain briefly why. In the first place, I would like to state to the members of the House that I have not been absent from one day's session or from a period of any day's session of this Legislature without leave of absence, and then only for the reason of ill health. While I am not pleading ill health at the present time, I state that my health is not first class at the present time, and I feel that if I was permitted to return to my home this afternoon and remain there during Friday, Saturday and Sunday that I will be better able to go on with the work of next week's sessions.

The SPEAKER. The objections appear to be withdrawn.

Mr. ALLEN. Mr. Speaker, does the gentleman anticipate going fishing?

Mr. HOBBS. Mr. Speaker, no sir.

The SPEAKER. The House gives unanimous consent.

SENATE RESOLUTION NO. 41.

Mr. LESLIE. Mr. Speaker, I desire to call up Senate Resolution No. 41.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was read by the Clerk as follows:

CONCURRENT RESOLUTION NO. 41.

Requesting Congress to enact such legislation as will be necessary for the construction of a system of paved public highways connecting the Capitols of the several States of the Union with the National Capitol and with each other and also with the principal National Parks

Whereas A uniform system of National Public Highways or roads connecting the Capitols of the several States of the Union with the Nationals Capitols at Washington and with each other and also with the principal National Parks will vastly promote commerce between the several States and reduce the cost of transportation thereof facilitate and cheaped travel and social intercourse between the people discouraging sectionalism and render the entire people more cosmopolitan intellectually morally and politically aid the farmer in marketing his produce and make farm ife more agreeable attractive and profitable induce Americans to see and know America beautify all parts of the Union intensify industrial activities encourage good road building throughout the continent and bring the entire people countless blessings conveiences and joys known only to a highly developed country and

Whereas To secure uniformity thoroughness and economy In the construction fitness and adaptability of grades and avoidance of such local controversies in the selection of routes as would probably delay if not defeat the entire enterprise the cost of such a system of highways being beyond the probable financial resources of the several States it would be necessary that it would be constructed at the expense and under the supervision of the General Government now therefore be it

Resolved (if the House of Representatives concur) That the Honorable Congress of the United States is respectfully urged to enact suitable legislation for the location and construction under the supervision and by the General Government of a system of National Highways or roads which shall connect the capitols of the several States of the Union with the National Capitol at Washington and with each other and also with the principal National Parks that such National Highways be construed on firm concrete bases with hard surfaces and as nearly dustless as possible that they be located solely with regard to the greatest public good and feasibility of route and grades and be it further

Resolved That Congress is earnestly urged to provide in such legislation means of raising the necessary money for the location and construction of such National Highway by the restoration of the internal revenue tax of one thousand eight hundred seventy-nine on tobacco or in some other manner as to it shall seem meet and proper and that the location and construction of such a system of highways be commenced as means can be provided throughout the country generally without giving priority to any section or locations and it is further

Resolved That a copy of this memorial be forwarded by the Secretary of the Commonwealth of Pennsylvania to the Senate and to the House of Representatives of the United States and be it further

Resolved That copies thereof be transmitted by the Secretary of the Commonwealth of Pennnsylvania to the Senators and Representatives in Congress from the State of Pennsylvania with the request that they use every effort within their power to bring about a speedy action for the accomplishment of the ends and purposes herein indicated

On the question,

Will the House concur in the resolution?

Mr. GIBSON. Mr. Speaker, I was in the anti-room and did not hear all of this read, but it is a big proposition and I do not think the House should act hastily on this matter. The matter of national road construction is a pretty big proposition and the last Congress appointed a commission to investigate the matter and that commission has been investigating the matter between the sessions and I read in the paper just a few days ago that Senator Bourne had made a report and they recommended some scheme of highway improvement based on a number of facts and this resolution puts the Legislature of Pennsylvania on record as petitioning our representatives and Senators to a definite system; whereas it would be better, in my estimation, to trust to their judgment to consider the information given them as a result of this investigation and then act according to their best judgment. I do not like to take the position of opposing this resolution, but if it be in order.

RESOLUTION POSTPONED.

Mr. SPEAKER, I move that further consideration of this resolution be postponed for the present.

Mr. MARTIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. LESLIE. Mr. Speaker, the American Congress of Roads that met in Washington passed a resolution similar to this and have asked every State to adopt this policy of simply a memorial to Congress. It creates no jobs, no increase of salary in it and no appropriations, nothing in it only a simple memorial to Congress that the great State of Pennsylvania is in favor of good roads. That is all the bill means.

Mr. GIBSON. Mr. Speaker, if that were the entire purpose of the resolution I would not raise my voice against it. But I think it is to permit the National Government to insert a definite system of highways to connect the capitols. As I understand the recommendation of this Commission from the National Congress, they have in mind several systems that are feasible. It would be distributed among the States in a practicable and definite way, and it is for that reason that I make this motion, and I think it would be the wiser plan to adopt the motion and postpone action for the present.

On the question recurring?

Will the House agree to the motion?

The SPEAKER announced that the yeas seemed to have it.

Whereupon,

A division was called for, and fifty-eight gentlemen having voted in the affirmative and forty-six in the negative, the question was determined in the affirmative, and the motion was agreed to.

The SPEAKER. Will the House dispense with the Committee of the Whole on all bills to be considered? Is there any objections? The Chair hears none, and the Committee of the Whole on all bills is dispensed with.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1291, entitled:

An Act defining milk and milk products and regulating the production storage transportation and sale thereof providing for a milk hygiene service under the direction of the State Livestock Sanitary Board providing for the examination of milk and milk food products and premises and equipment where and whereby milk and milk products are produced prepared stored transported or sold authorizing boards of health in cities boroughs towns and townships of the first class to appoint local milk hygiene agents and providing penalty for violation of this act

Sections 1, 2, 3, 4, 5, 6, 7 and 8 were then separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "milk and milk food products"

wherever used in this act shall include and apply to cream whole milk skim milk butter milk butter cheese and food products made from milk or cream

The word "vessel" wherever used in this act shall be construed to include any jar bottle milk can cream can milk bucket measure or any other vessel used as a container for milk or milk food products

Section 2 Milk that is obtained from animals that are fed on distillery waste usually called "swill" or upon any substance in a state of putrification or upon any substance of an unwholesome nature milk or milk food products that have been exposed to the emanations discharges or exhalations from persons or animals having any disease by which the health or life of any person may be endangered or milk from cows with open tuberculosis or or cows suffering from any febrile disease or milk or milk food products which have been placed in unclean vessels or exposed to unsanitary conditions and all other milk or milk food products which in the opinion of the State Livestock Sanitary Board are unfit for human food are declared to be unwholesome

Section 3 The State Livestock Sanitary Board is authorized and empowered to organize and administer in accordance with the provisions of this act a milk hygiene service for the purpose of protecting the consumer from milk and milk food products which are unwholesome or otherwise unfit for human food The State Livestock Sanitary Board is authorized to formulate and promulgate such rules and regulations as may be necessary to carry out the provisions of this act and to prevent the contamination of milk and milk products and so far as is consistent with this act the regulations and methods of the milk hygiene service of the United States Department of Agriculture shall constitute the standard to be adopted and followed

Section 4 The State Livestock Sanitary Board shall not duplicate the work of the milk hygiene service of the United States Department of Agriculture unless in the opinion of said State Livestock Sanitary Board such duplication is deemed necessary

Section 5 It shall be the duty of the State Livestock Sanitary Board or its agents to examine the sanitary condition and construction of stables establishments vehicles cars and other places where milk or milk food products are produced prepared stored transported or sold and if the same be found in such condition as to affect the wholesomeness of any milk or milk food products it shall be the duty of the State Livestock Sanitary Board or any agent thereof to notify the owner thereof or his agent as to the nature of the particular defects found and order the same remedied or removed If said defects are not remedied or removed within a reasonable time to be designated by the State Veterinarian the establishment or place may be closed and the owner or any of his agents or employes shall be forbidden to use the same for the production preparation storage transportation or sale of milk or milk food products until such defect is remedied or removed in a way that is approved by the State Veterinarian

Section 6 To carry out the provisions of section five of this act officers and agents of the State Livestock Sanitary Board are authorized at any time to enter any stables establishments vehicles cars and other places where milk and milk food products are produced prepared stored transported or sold

Section 7 Upon request of any person firm or corporation agents may be appointed by the State Livestock Sanitary Board to oversee any establishment operated by any such person firm or corporation and examine the milk or milk food products therein produced prepared or manufactured The salaries of such agents shall be paid by the person firm or corporation making such request Before any agent shall be assigned to any such establishment the owner thereof shall enter into a bond to the Commonwealth to be approved by the State Livestock Sanitary Board conditioned for the payment of the salary of such agent Employes of the United States Department of Agriculture engaged in the inspection of animals milk and milk food products may be appointed agents of the State Livestock Sanitary Board and be clothed with the powers of such agents Provided however that such employes shall receive no compensation for such services as agents of the State Livestock Sanitary Board

Section 8 The State Veterinarian with the approval of the State Livestock Sanitary Board may appoint local agents to examine animals and milk and milk food products Any milk or milk food products which are found to be unwholesome or otherwise unfit for human food shall be condemned and disposed of in the presence of an agent of the State Livestock Sanitary Board so that the same can not be used for human food

The ninth section was read as follows:

Section 9 Milk hygiene agents of cities boroughs towns or townships of the first class shall not duplicate the work of the Milk Hygiene Service of the State Livestock Sanitary Board unless in the opinion of the Departments of Health of said cities boroughs towns or townships of the first class such duplication is deemed necessary In case of any controversy arising between the producer or dealer of milk and milk food products and the Departments of Health of said cities boroughs towns or townships of the first class the State Veterinarian shall be the sole arbitrator Any milk or milk food products excluded from said cities boroughs towns or townships of the first class by their milk hygiene agents because of unsanitary conditions or failure to live up to the rules and regulations of the State Livestock Sanitary Board notice of such exclusion shall be furnished within a reasonable time to the State Veterinarian

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer amendments to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows

Amend section 9, line 1, line 3, line 4, and line 19, by striking out the brackets.

Amend section 9, line 6, by inserting after the word "borough" the word "town."

Amend section 9, line 19, by striking out all after the word "void."

Amend section 9, by striking out the lines 20 to 34, inclusive.

On the question,

Will the House agree to the amendments?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections 10, 11, 12, 13, 14, 15, 16 and 17 were separately read and agreed to as follows:

Section 10 The State Veterinarian shall make arrangements for co-operation between the laboratory of the board and those engaged in the examination of milk and milk food products so that unusal or difficut diseases and conditions may be scientifically studied and accurately diagnosed for the benefit of the milk hygiene service

Section 11 All vessels used as containers of milk or milk food products shall oe thoroughly cleansed of all foreign matter by sterilization or by washing with boiling water or by exposing to live steam previous to the time of filling or refilling such containers with milk or milk food porducts that are to be used as human food and it shall be unlawful for any person to use such vessels unless the same have been cleansed in accordance with the provisions of this section

Section 12 All vessels used as containers of milk and all machinery utensils and equipment used in handling storing or manufacturing milk or milk food products which are rusted worn or broken or in any such condition as may render milk food products unwholesome and unfit for human food shall be condemned by the State Livestock Sanitary Board or any agent thereof and it shall be unlawful for any person to use the same for the purpose of handling storing or manufacturing of milk or milk food products

Section 13 It shall be unlawful for any person firm or corporation or agent representative member officer or director of such person firm or corporation to sell or offer for sale for use as human food any milk or milk food products that are unwholesome or otherwise unfit for human food

Section 14 It shall be unlawful for any person firm or corporation to keep or permit any establishment stable vehicle car or other place where milk or milk food products are produced prepared stored transported or sold in an unsanitary condition after notice from the State Livestock Sanitary Board to remedy or remove such condition

Section 15 It shall be unlawful for any person to use any vessel used as a container of milk or milk food products for any purpose whatsoever except as a container for milk or milk food products

Section 16 It shall be unlawful for any person firm or corporation their representative or agent to advertise sell or offer for sale "certified milk" unless such certification was done under authority of a duly organized medical milk commission recognized by the American Association of Medical Milk Commissions

Section 17 Any person firm or corporation or any agent representative member officer or director of such person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or such person or the members of such firm or the officers and directors of such firm or the officers and directors of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo imprisonment not exceeding one year or both at the discretion of the court

The eighteenth section was read as follows:

Section 18 All acts or parts of acts inconsistent with this act are repealed

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 18, by inserting after the word "repealed" the following: provided that nothing contained in this act

shall repeal, affect or modify any of the provisions of, or the powers or authorities conferred by the act approved the twenty-seventh day of April, one thousand nine hundred and nine, entitled "An Act regulating the sale of milk or its fluid derivatives in cities of the first class; providing for the licensing of those engaged in that business, and providing penalties for the violation thereof" or of any amendments thereof.

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to the section as amended?
It was agreed to.
The title was read and agreed to as follows:

An Act defining milk and milk food products and regulating the production storage transportation and sale thereof providing for a milk hygiene service under the direction of the State Livestock Sanitary Board providing for the examination of milk and milk food products and premises and equipment where and whereby milk and milk food products are produced prepared stored tranported or sold authorizing boards of health in cities boroughs towns and townships of the first class to appoint local milk hygiene agents and providing penalty for violation of this act

And said bill having been read at length the second time and agreed to, as amended.
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1768, as follows:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one" approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act entitled "An Act to amend an act entitled 'An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters' approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one" approved the twenty-third day of May Anno Domini nineteen hundred and seven which reads as follows

Section 1 That all corporations for mining manufacturing or trading purposes whether created by general or special acts of Assembly whose charters may have expired or may hereafter expire or which may have been dissolved or may hereafter be dissolved by any judicial decree may bring suits and maintain and defend suits already brought for the protection and possession of their property and the collection of debts and obligations owing to or by them and sell convey and dispose of their property and make title therefor as fully and effectually as if their charters had not expired or such decree had not been made and the officers last elected or the survivors of them shall be officers to represent said corporations for such purposes and if no officers survive the stockholders may elect officers under their by-laws Provided That this act shall be constructed only as to enable said corporations to realize and divide their assets and wind up their affairs and not to transact new business" be and the same is hereby amended so as to read as follows

Section 1 That all corporations for mining manufacturing or trading purposes or for the purchase and sale of real estate and construction companies whether created by general or special acts of Assembly whose charters may have expired or may hereafter expire or which may have been dissolved or may hereafter be dissolved by any judicial decree may bring suits and maintain and defend suits already brought for the protection and possession of their property and the collection of debts and obligations owing to or by them and sell convey and dispose of their property and make title therefor as fully and effectually as if their charters had not expired or such decree had not been made and the officers last elected or the survivors of them shall be officers to represent said corporations for such purposes and if no officers survive the stockholders may elect officers under their by-laws Provided That this act shall be construed only so as to enable said corporations to realize and divide their assets and wind up their affairs and not to transact new business

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1908, as follows:

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester relative to elections in West Philadelphia and to assessors in Millerstown Perry county approved the eleventh day of March one thousand eight hundred and fifty so far as provides for the taxing of dogs in the township of Londonderry in the county of Chester"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act levying a tax on dogs in certain townships in the county of Chester relative to elections in certain townships in West Philadelphia and to assessors in Millerstown Perry County approved the eleventh of March one thousand eight hundred and fifty so far as provides for the taxing of dogs in the township of Londonderry in the county of Chester" is hereby repealed

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 970, entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education and enlarging the authority and powers and extending the duties of the State Pharmaceutical Examining Board

Section 1, 2, 3, 4 and 5 were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven as amended in the act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennnsylvania" which was approved the twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-seven requiring that on and after January first one thousand nine hundred and six all persons applying for certificates of registration as competent pharmacists under the provisions of section five of said act shall be graduates of a reputable college of pharmacy" which reads as follows

"Section 5 That it shall be the duty of said board to meet at least once every three months in the city of Harrisburg or at such other place as they may deem expedient and examine all persons who shall desire to carry on the business of a retail apothecary or that of retailing drugs chemicals or poisons or of compounding physicians' prescriptions touching their competency and qualification and they the said board or a majority of them shall grant to such persons as may be qualified certificates of competency or qualifications which shall entitle the holder thereof either to conduct or carry on the business or to act as a qualified assistant therein as may be expressed upon the said certificate and such certificate together with its renewals shall be good and sufficient evidence of registration under this act

All persons applying for examination for certificates to entitle them to conduct and carry on the retail drug or apothecary business must produce satisfactory evidence of having had not less than four years' practical experience in the business of retailing compounding for dispensing of drugs chemicals and poisons and of compounding physicians' prescriptions and of being a graduate of some reputable and properly chartered college of pharmacy And those applying for examination for certificates as qualified assistants therein must produce evidence of having not less than two years' experience in and business be and the same is hereby amended so that the same shall read as follows

Section 5 That it shall be the duty of the said board to meet at least once every three months in the city of Harrisburg or at such other places as they may deem expedient and examine all persons who shall desire to carry on the business of a retail apothecary or that of retailing drugs chemicals or poisons or of compounding physicians' prescriptions touching their competency and qualifications and they the said board or a majority of them shall grant to

such persons as may be qualified certificates of competency or qualifications which shall entitle the holder thereof either to conduct or carry on the said business or to act as a qualified assistant therein as may be expressed upon the said certificate and such certificate together with its renewals shall be good and sufficient evidence of registration under this act

Each person applying for examination for certificate to entitle him or her to conduct and carry on the retail drug or apothecary business must produce satisfactory evidence of having had not less than four years' practical experience in the business of retailing compounding or dispensing drugs chemicals and poisons and of compounding of physicians' prescriptions and of possessing a proper preliminary general education and of being a graduate of some properly chartered college of pharmacy which is recognized as complying with the requirements of the State Pharmaceutical Examining Board and each person applying for examination for certificate as a qualified assistant therein must produce evidence of having not less than two years experience in the retail drug and apothecary business and a proper preliminary general education

Section 2 From and after the passage of this act the State Pharmaceutical Examining Board shall have the power and it shall be its duties by rules and regulations adopted by it to establish a course or grade of preliminary education which shall be required of each applicant for a certificate to entitle him or her to conduct and carry on the retail drug or apothecary business and of applicants for a certificate as qualified assistant therein

Section 3 The State Pharmaceutical Examining Board shall also have the power and it shall be its duty by rules and regulations adopted by it to establish a course of study or grade of preliminary education which shall be required before admission of each student applying for admission in any college or school of Pharmacy to a course of instruction leading up to a degree in pharmacy and no certificate diploma or degree conferred by any college or school or pharmacy failing to comply with such requirements shall be accepted by the board provided that the preliminary educational requirement shall be not less than a completed first year standard high school course or its equivalent Said board shall also have power and authority to ascertain and determine which colleges and schools of pharmacy giving or purporting to give instruction in pharmacy are properly chartered and equipped for the purpose and maintain a curriculum complying with the standards and requirements established by the said State Pharmaceutical Examining Board and to determine the standing and credit which shall be given to the graduates of each such college and school of pharmacy towards admission to the examination for licensed pharmacists The said State Pharmaceutical Examining Board shall also so far as it may consistently with the standards adopted by it co-operate with other boards commissions colleges schools or associations in other States of the United States in establishing by interstate or national agreement uniformity to the standards for the preliminary and the professional education required for the granting of licenses to practice pharmacy and with respect to such other matters as graduation licensing degrees and titles and said board may in any such agreement agree to grant licenses to practice pharmacy within the State of Pennsylvania to licensees of similar boards or bodies having power to grant licenses to practice pharmacy in other States either without condition or upon such terms and conditions as may be agreed upon Said board shall also have power and it shall be its duty so far as the same can be done consistently with the standards adopted by it to establish uniformity in the preliminary educational requirements and in the professional courses of pharmaceutical education by agreements with departments of education schools and colleges of pharmacy and pharmaceutical examining and licensing boards of other states and counties and to formulate rules and regulations by which there may be accomplished the mutual recognition and deciprocal acceptance of the certificate of license issued by the State Pharmaceutical Examining Board and those issued by the Pharmaceutical Licensing Boards of other States provided that such other States have equivalent standards for registration and provided further that the said States grant to pharmacits registered in accordance with the laws of Pennsylvania the same privileges and by such agreements or otherwise to protect so far as may be the properly accredited colleges and schools of pharmacy chartered and established in Pennsylvania from unfair rivalry and competition and their graduates from unfair or unjust discrimination by other Pharmaceutical Examining and Licensing Boards Said boards shall have power to adopt all such rules and regulations as shall be necessary or proper to enforce the powers and duties conferred and imposed by this act

Section 4 The sum of fifteen thousand dollars or as much thereof as may be necessary be and hereby is appropriated for carrying out the provisions of this act

Section 5 Nothing in this act contained shall in any wise impair or abridge the rights powers and duties now vested in said State Pharmaceutical Examining Board under existing laws but the powers and duties hereby conferred shall be in addition to all rights powers and duties now vested in said Board

The title was read as follows:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education and enlarging the authority and powers and extending the duties of the State Pharmaceutical Examining Board

On the question,

Will the House agree to the section?

Mr. GANS. Mr. Speaker, I desire to offer amendment to the title.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend by striking out the title and inserting in lieu thereof the following:

"A supplement to an act entitled, 'An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania,' approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March, Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education, and extending the powers and the duties of the State Pharmaceutical Examining Board and empowering the said Board to make rules and regulations to enforce the provisions of this Act and providing an appropriation therefore."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And the said bill having been read the second time and and agreed to as amended.

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 453. as follows:

An Act to promote the public health by providing for one day of rest in seven for employes in continuous industries and making a violation of its provisions to be a misdemeanor and providing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall apply only to continuous industries The term "employer" when used in this act shall mean and include every person partnership limited partnership firm or corporation association municipal corporation and other governmental subdivision employing labor within this Commonwealth The term "day of rest" as used in this act shall mean any period of twenty-four consecutive hours of rest The term "continuous industry" as used in this act shall mean and include all industries and mechanical processes which by reason of technical requirements are kept in continuous operation day and night for either six or seven days a week

Section 2 From and after the first day of January one thousand nine hundred and fourteen every employer in this Commonwealth shall grant to each employe at least one day of rest in every seven consecutive days Provided however that nothing in this act shall authorize any work on Sunday not now authorized by law

Section 3 Every employer shall post and keep posted in a conspiciuous place where such continuous industry is carried on a schedule containing a list of all employes and designating the day of rest for each and shall file a copy of such schedule with the Department of Factory Inspection The employer shall promptly file with the said Department of Factory Inspection a copy of every change in such schedule

Section 4 No employer shall require or allow any employe to work in his employ on the day of rest designated for such employe in accordance with section three

Section 5 Any person who whether by himself or for another or through an agent servant or foreman shall violate the provisions of this act or any of them shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced for a third offence to pay a fine of not less than ten ($10) dollars or more than fifty ($50) dollars for a second or subsequent offence by a fine of not less than twenty-five ($25) dollars or more than two hundred ($200) dollars at the discretion of the court The employment of each individual employe contrary to the provisions of this act shall be considered a separate violation of the act

BILL RECOMMITTED.

Mr. HEIDINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor and Industry.

Mr. GRAMLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1716, entitled:

An Act exempting certain buildings from the provisions of the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred and ninety-nine as amended by an act approved the fifth day of June one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" so that the same shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and part walls in cities of the first class" approved the fifth day of May one thousand eight hundred and ninety-nine as amended by act approved the fifth day of June one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred and ninety-nine" shall be held not to apply to places of amusement buildings tents or enclosures which have been erected constructed and altered and now in actual use as moving picture places where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee to erect alter or construct the said place of amusement building tent or enclosure as a "theatre" if the same has been built altered or constructed in accordance with the laws and ordinance regulating the erection construction or alteration thereof as a "moving picture place" and the same are exempted from the provisions of said act and the supplement thereto

On the question,

Will the House agree to the section?

Mr. HEIDINGER. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Section 1, line 4, by striking out the word "entitled" and substituting in lieu thereof the following "of June 8th Anno Domini one thousand eight hundred and ninety-three entitled an act amending section 1 of article 3 of an act entitled An Act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction, maintenance and inspection of buildings and the act entitled"

On line 14, crossing out the words "be held" and after the word "not" on the same line crossing out the word "to."

On line 16, insert after the word "and" and before the word "now" the word "are."

On line 17, after the word "as" adding the words "theatre or as a" and on the same line after the word "picture" striking out the word "places" and substituting in lieu thereof the word "place."

Line 19 adding after the word "thereto" the words "or as a place of amusement."

On line 24 adding after the word "a" the words "theatre or as a" and adding after the word "place" on the same line the words "or as a place of amusement" and on line 25 after the words "and" the word "that."

Line 25 after the word "said" striking out the word "act" and substituting in place thereof the word "acts."

Line 26 after the word "the" striking out the word "supplement" and substituting in lieu thereof the words "supplements and amendments."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question.

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 The act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and amendment or supplement thereto of June fifth one thousand nine hundred and one to be and remain the same in all other respects

On the question,

Will the House agree to the section?

Mr. HEIDINGER. Mr. Speaker, I desire to offer amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Section 2, line 1, adding after the figure "2" and before the word "the" "the act of June eighth one thousand eight hundred and ninety-three entitled an act amending section 1 of article 3 of an act entitled an act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty five regulating the construction, maintenance and inspection of buildings and"

Line 6 adding after the word "one" "entitled an act supplemental to an act entitled an act to create a bureau of building inspection and to regulate the construction, maintenance and inspection of buildings and party walls of cities of the first class approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act exempting certain buildings from the provisions of the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred ninety-nine as amended by an act approved the fifth day of June one thousand nine hundred and one entitled an act supplemental to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred ninety-nine" so that the same shall not be held to apply to places of amusement buildings tents or enclosures now used for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibitied in addition thereto

On the question,

Will the House agree to the title?

Mr. HEIDINGER. Mr. Speaker, I desire to offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

On the first line by adding after the word "buildings" the words "and places of amusement" and after the word "act" on the same line adding the words "entitled an act amending section 2 of article three of an act entitled an act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three and the act"

On line 14 after the word "used" the words "as a theatre or"

On line 17, after the word "thereto" the words or as a "place of amusement."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was agreed to.

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1075, as follows:

An Act repealing an act entitled "An Act relating to the assessment of damage for the appropriation of land for public use" approved fifteenth day of June Anno Domini one thousand eight hundred seventy-one

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act of Assembly entitled "An Act relating to the assessment of damage for the appropriation of land for public use" approved the fifteenth day of June Anno Domini one thousand eight hundred seventy-one (Pamphlet Laws three hundred ninety-one)" be and the same is hereby repealed

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 527, entitled:

An Act to regulate the practice of pharmacy and sale of poisons and drugs of all kinds and providing penalties for the violation thereof defining the word "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples or drugs for determining their quality strength and purity

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That definitions (a) That the term pharmacy when not otherwise limited shall for all the purposes of this act of Assembly be taken to mean a retail drug store or any place other than a licensed store as hereinafter defined where drugs medicines or poisons are compounded dispensed prepared or sold at retail

(b) A licensed store shall for all the purposes of this act of Assembly be deemed to mean A store other than a pharmacy licensed under the provisions of this act of Assembly at a place three miles or more from a pharmacy for the sale of drugs and poisons for medical use in compliance with the provisions of the statutes of this Commonwealth applying to the sale of poisons adulterated misbranded habit-forming or narcotic drugs and when sold in original packages put up or under the supervisions of a pharmacist

(c) A licensed pharmaceutical laboratory for all the purposes of this act of Assembly shall be taken to mean a place other than a pharmacy or licensed store where drugs are compounded

And provided also That each package is properly labeled with dose and directions

(d) That the term "drug" as used in this act of Assembly shall include all medicines and preparations recognized in the United States Pharmacopia the National Formulary of the American Homeopathic Pharmacopia for internal or external use and any other substance or mixture of substances intended to be used for the cure mitigation or prevention of disease of either man or other animals

(e) That the term "pharmacist" shall for all the purposes of this act of Assembly be deemed to mean a person who is properly registered and licensed in accordance with this act of Assembly to act as a pharmacist and to compound sell furnish or dispense drugs chemicals and poisons in a pharmacy or licensed pharmaceutical laboratory

(f) That the term "assistant pharmacist" shall for all the purposes of this act of Assembly be deepened to mean a person who is properly registered and licensed in accordance with this act of Assembly to act as an assistant pharmacist and to compound sell furnish or dispense drugs chemicals and poisons in a pharmacy or a licensed pharmaceutical pharmacy conducted under the supervision of a pharmacist

The certificate of a registered assistant pharmacist shall entitle such person to all the privileges of a registered pharmacist during the temporary absence of the registered pharmacist in charge but shall not entitle such assistant pharmacist to engage in business on his or her own account or as manager to conduct a pharmacy or drug store

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 1, line 3, strike out the word "That"

Section 1, line 17, after the word "pharmacist" insert the words "provided that each package is properly labeled with dose and direction"

Section 1, line 21, strike out line 21.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The second section was read and agreed to as follows:

Section 2 That there shall be established in the State of Pennsylvania a board to be known as "The Pennsylvania Board of Pharmacy" to consist of five persons three of whom shall constitute a quorum who shall be appointed for the term of five years by the Governor from among the most skillful pharmacists in Pennsylvania who are not teachers or instructors in any educational institution teaching pharmacy each appointee must have been registered as a pharmacist in Pennsylvania or at least ten years previous to his appointment and he must be actually engaged in conducting a pharmacy at the time of his appointment provided whereas a State Pharmaceutical Examining Board has heretofore been created in this Commonwealth and is now instituted and organized as provided in this act of Assembly The members of the said board heretofore created shall constitute and henceforth be deemed and taken to be the Pennsylvania Board of Pharmacy established by this act of Assembly That the appointed members of said board heretofore created shall respectively continue to hold office as members of the board established by this act of Assembly until the expiration of the terms for which they were originally appointed The members of said board shall be paid ten ($10) dollars per diem and their necessary expenses when actually engaged in the performance of the duties of the board The offices of said board shall be a president vice president and treasurer elected from their number They shall also elect a secretary who must be a pharmacist and who may be a member of the board and who shall discharge such duties as are hereinafter specified and such additional duties specified by the board as may be necessary for the proper enforcement of the provisions of this act of Assembly and the salary of the said secretary shall be a reasonable amount to be determined by the Pennsylvania Board of Pharmacy not to exceed the sum of three thousand ($3,000) dollars per annum provided however that per diem shall not be paid to a member of the board who is also its secretary and the members of said board shall within ten days after their appointment take and subscribe an oath or affirmation before a properly qualified officer of the county in which they reside that they will faithfully and impartially perform the duties of their office which oath or affirmation shall be filed with the Secretary of the Commonwealth And the said board shall have the right from time to time to employ chemists assistant chemists attorneys agents and clerks for the purpose of carrying out the terms and conditions prescribed by this act of Assembly Any vacancy occuring in the said board shall be filled by the Governor of the State of Pennsylvania from among such only as are eligible for appointment under this act of Assembly provided however if the office of a member shall become vacant before the expiration of the term for which said member was appointed the vacancy shall be filled by an appointment by the Governor for the unexpired term only

The third section was read as follows:

Section 3 That all persons firms or corporations now owning or conducting or who shall hereafter own or conduct a pharmacy or in Pennsylvania shall procure a license from the Pennsylvania Board of Pharmacy and renewal thereof each year thereafter The applicant for this license and for each renewal shall state in the application the location of the pharmacy or the name or names of the person firm or corporation owning or conducting it and the names of all persons and employes engaged in the conduct or carrying on of the same who are registered as pharmacists or assistant pharmacists with the number and date of their certificates of competency and qualifications This license shall entitled the holder thereof to own or conduct a pharmacy or in accordance with the provisions of this act of Assembly at the place only for which it is issued A fee of one dollar shall be paid to the Pennsylvania State Board of Pharmacy for this license and for each renewal provided that upon application any unexpired license shall be transferred as to the location of the place and in the name of the holder thereof without the payment of an additional fee

That all persons firms or corporations who shall hereafter own or conduct a licensed store as defined by this act of Assembly shall procure a license from the Pennsylvania Board of Pharmacy This license shall entitle the holder thereof to conduct a licensed store within the meaning of this act of Assembly for a period not exceeding one year and shall be issued only for the store and place for which it is issued A fee of one dollar shall be paid to the Pennsylvania Board of Pharmacy for this license The Pennsylvania Board of Pharmacy shall grant said licenses under **the** terms and conditions of this act of Assembly and the rules and regulations of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly

That all persons firms or corporations who shall hereafter own or conduct a licensed pharmaceutical laboratory as defined by this act of Assembly shall procure a license from the Pennsylvania Board of Pharmacy This license shall entitle the holder thereof to conduct a licensed pharmaceutical laboratory within the meaning of this act of Assembly for a period not exceeding one year and shall be used only for the laboratory and place for which it is issued A fee of one dollar shall be paid to the Pennsylvania Board of Pharmacy for this license The Pennsylvania Board of Pharmacy shall grant said licenses under the terms and conditions of this act of Assembly and the rules and regulations of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 3, line 3, after the word "or" insert pharmaceutical labarotory

Section 3, line 6, after the word "or" insert pharmaceutical laboratory."

Section 3, line 12, after the word "or" insert "pharmaceutical laboratory."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The fourth, fifth and sixth sections were separately read and agreed to as follows:

Section 4 That the Pennsylvania Board of Pharmacy shall meet at least four times a year in the city of Harrisburg or such other place in Pennsylvania as they may deem expedient and examine all persons in the science of pharmacy and its allied branches who shall make application for registration as pharamcists or assistant pharmacists and that the said Pennsylvania Board of Pharmacy or a majority of them shall grant to such persons as may be qualified registration and certificates of competency and qualification which shall entitle the holder thereof to act as a pharmacist as assistant pharmacist when duly licensed under the provisions of this act of Assembly

Section 5 That every person applying to the Pennsylvania Board of Pharmacy for examination and registration as a pharmacist shall be not less than twenty-one years of age and of good moral character and must produce satisfactory evidence of preliminary certificate of State Bureau qualifications for licensure to practice pharmacy issued by the Bureau of professional Education of Pennsylvanaia and of having had not less than four years' practical experience in a pharmacy where physicians' prescriptions are compounded and dispensed under the personal supervision of a registered pharmacist two years of which experience must have been in such pharmacy within the United States also of being a graduate o fa properly chartered college of pharmacy recognized by the Pennsylvania Board of Pharmacy

Each applicant for examination shall pay to the Pennsylvania Board of Pharmacy an examination fee of three ($3.00) dollars If the said applicant passes a satisfactory examination and complies with the rules and regulations of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly and with the terms and conditions of this act of Assembly then the said board shalll grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twelve ($12.00) dollars provided said fee shall be paid to said board within thirty (30) days af the time that the said applicant is notified that a satisfactory examination has been passed

Section 6 That every person applying for examination and registration as an assistant pharmacist shall not be less than eighteen years of age and of good moral character and must produce satifactory evidence of having a certificate of preliminary education qualifications for licensure to practice pharmacy issued by the Board of Professional Education of Pennsylvania and of having had not less than two (2) years experience in a pharmacy where physicians' prescriptions are compounded and dispensed under the personal supervision of a registered pharmacist Each applicant for examination must pay a fee of three ($3.00) dollars to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulations of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly and with the terms and conditions of this act of Assembly the said board shall grant to said applicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of five ($5.00) dollars provided that said fee shall be paid to the said board within thirty (30) days of the time that the said applicant is notified that a satisfactory examination has been passed

The seventh section was read as follows:

Section 7 The Pennsylvania Board of Pharmacy shall grant registration under the provisions of this act of Assembly without an examination and without fee to all persons registered as pharmacists or assistant pharmacists by the State Pharmaceutical Examining Board of Pennnsylvania under the act of May twenty-fourth one thousand eight hundred and eighty-seven and various supplements and amendments entitled "An act to regulate the practice of pharmacy and the sale of poisons etc" as pharmacists or assistant pharmacists respectively and when so registered they shall be eligible to apply for a license to act as a pharmacist or assistant pharmacist as herein provided

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 7, line 8, strike out "etc." and insert the words "and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

The eighth section was read as follows:

Section 8 That the Pennsylvania Board of Pharmacy shall issue to all applicants who are properly registered under the provisions of this act of Assembly a license to act as a pharmacists or assistant pharmacists upon application duly made in conformity with the rules and regulations of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly These license shall entitle the holders thereof to act as a pharmacist or assistant pharmacist respectively in a pharmacy licensed as provided in this act of Assembly The board shall not charge any fee for this license

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk.

Section 8, line 7, strike out the word "license" and insert the word "licenses."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was agreed to.

Sections 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23 and 24 were separately read and agreed to as follows:

Section 9 That any license to act issued by the Pennsylvania Board of Pharmacy by reason of the authority of this act of Assembly may be refused suspended or revoked by the Pennsylvania Board of Pharmacy for any of the following reasons

First When the applicant is not of good moral character

Second When the registration is shown to have been obtained by fraudulent means

Third When the applicant or holder is shown to be addicted to the use of narcotic drugs or stimulants to such an extent as to unfit the applicant or holder of the license for the proper performance at all times of the duties of a pharmacist or assistant pharmacist

Fourth When afflicted by mental disease of such character as to render the applicant or holder of the license a menace to the interests of the public if allowed to act as a pharmacist or assistant pharmacist

Fifth When the applicant or holder has been convicted twice of a willful violation of this or any other statute relating to the practice of pharmacy or has been convicted of a crime involving moral turpitude

And providing that any person who is an applicant for a license to act under this act of Assembly or who is licensed to act against whom are preferred any of the foregoing charges for causing the revocation suspension or refusal of the right to act shall be furnished by the Pennsylvania Board of Pharmacy with a copy of the charges and shall be given a hearing before the board and shall be allowed the privilege of attorney and witness If it shall appear from the evidence that the license to act of the accused should be revoked suspended or refused then the Pennsylvania Board of Pharmacy shall act accordingly

When a license to act has been revoked or suspended it shall be delivered to the secretary of the board on formal notice Any person who shall refuse to deliver to the secretary the license that has been revoked or suspended by the board shall be guilty of a misdemeanor and upon conviction shall pay a fine of not less than one hundred ($100.00) dollars

For the purposes of enforcing this section of this act of Assembly the Board of Pharmacy shall have the power to administer oaths and compel the attendance of witnesses

Section 10 That all licenses to conduct a pharmacy or a licensed store or licensed pharmaceutical laboratory issued under this act of Assembly shall expire on the thirty-first day of December of each year The first of these licenses issued under this act of Assembly shall bear date of January first one thousand nine hundred and fourteen Application for the renewal of the same shall be made on or before the first day of December of the preceding year

Section 11 That every pharmacy licensed under this act of Assembly shall at all times keep in the pharmacy a copy of the latest revision of the United States Pharmacopoeia and the latest edition of the National Formulary and if homeopathic remedies are compounded and dispensed a copy of the latest revision of the Aemican Homeopathic Pharmacopoeia or the Homeopathic Pharmacopoeia of the United States Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of ten ($10.00) dollars and the costs of prosecution

Section 12 That all certificates of competency and qualification as a pharmacist or assistant pharmacist issued under authority of the Commonwealth of Pennsylvania and all

licenses and certificates issued under this act of Assembly shall at all times be conspicuously exhibited in the place of business licensed or where the licensed pharmacists or assistant pharmacist is employed Any pharmacist violating this section of this act of Assembly as to the display of his own or his employees certificates shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of ten ($10.00) dollars and the costs of prosecution

Section 13 That when a license is issued by the Pennnsylvania Board of Pharmacy it shall be used only by the person to whom it is issued and no license shall be used to conduct more than one pharmacy or one licensed store and any person who shall violate this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall have his license revoked and shall be punished by a fine of not less than one hundred ($100.00) dollars or by imprisonment in the county prison for a term of six months either or both in the discretion of the court

Section 14 That the Pennsylvania Board of Pharmacy shall have the right to accept the certificates of the pharmacy boards of other states in lieu of examination for registration as pharmacists Provided however That such other states have equivalent standards for registration And provided further That the said states shall grant to pharmacists registered in accordance with the laws of Pennsylvania the same privileges subject to such rules and regulations as may be made from time to time by the said Pennsylvania Boar dof Pharmacy for the enforcement of this act of Assembly A fee of twenty-five ($25.00) dollars shall be paid for such registration

Section 15 That it shall be unlawful for any person to impersonate an applicant before the Pennsylvania Board of Pharmacy who shall be applying either for a license or a certificate under the provisions of this act of Assembly Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred ($100.00) dollars or to undergo an imprisonment of six (6) months in the county prison or either or both in the discretion of the court

Section 16 That the Pennsylvania Board of Pharmacy shall from time to time make uniform rules and regulations subject to the approval of the Attorney General for the enforcement of this act of Assembly and such rules and regulations shall be complied with by all pharmacists or assistant pharmacists in Pennsylvania and all pharmacies and licensed stores and licensed pharmaceutical laboratories shall be managed in accordance with the said rules and regulations

Section 17 That the Pennsylvania Board of Pharmacy shall make an annual report to the Governor of Pennsylvania of the work performed by the board during the year together with a complete financial statement of all moneys paid out Two thousand (2,000) copies of this report shall be printed by the State Printer of Pennsylvania and two (2) copies of each sent to each member of the Legislature the remaining copies to be distributed upon application by the Pennsylvania Board of Pharmacy All papers and records together with the minutes of the board shall be filed in the office of the board

Section 18 That hereafter it shall be unlawful to sell drugs medicines or poisons at retail or to compound physicians' prescriptions or to conduct a pharmacy or licensed store or licensed pharmaceutical laboratory within the meaning of this act of Assembly or to act as a pharmacist or assistant pharmacist except in compliance with the provisions of this act of Assembly provided however that nothing in this act of Assembly shall be so construed as to interfere with students of pharmacy or licensed pharmaceutical laboratory or other employes in a pharmacy or licensed pharmaceutical laboratory from performing such duties as may be assigned to them and under the supervision of a pharmacist or assistant pharmacist provided that the compounding of physicians' prescriptions or the dispensing and selling of poisons at retail shall not be permitted except under the strict supervision and in the presence of a pharmacist or assistant pharmacist

Nothing in this act of Assembly shall be construed so as to prevent an authorized practitioner of medicine from administering or dispensing such drugs to bona fide patients as he or she shall deem necessary provided however that drugs so administered or dispensed shall conform to the standards of strength quality and purity as fixed by the laws of this Commonwealth nor to prevent the sale of proprietary medicines Any person violating the provisions of this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than fifty ($50.00) dollars nor more than five hundred ($500.00) dollars or imprisonment for not more than one year or either or both in the discretion of the court

Section 19 That it shall be lawful for any person firm or corporation to use the title of pharmacist of assistant pharmacist except when so licensed under this act of Assembly or that of pharmacy or licensed store or licensed pharmaceutical laboratory except when holding a license issued under this act of Assembly to conduct the same respectively It shall further be unlawful to use the title drug store licensed pharmacy licensed drug store for a place where drugs are sold except in compliance with the provisions of this act of Assembly Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of fifty ($50.00) dollars and costs of prosecution

Section 20 That the members of the Pennsylvania Board of Pharmacy or any of their authorized agents shall have the right to enter any place where drugs are compounded dispensed or sold for the purpose of purchasing samples and shall have the right to purchase samples in order that tests can be made to determine whether such drugs conform to the standards of strength quality or purity as fixed by the laws of this Commonwealth Any person who intentionally prevents or knowingly refuses to permit any authorized person to enter any place where drugs are compounded dispensed or sold for the purpose of purchasing samples or refuses to sell a sample or samples of drugs for the purpose of examination shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of ten ($10.00) dollars and costs of prosection

Section 21 That all drugs sold or offered for sale in Pennsylvania must be labeled so as to show plainly on the package or bottle the name of the article or preparation therein contained provided that this section shall not apply to physicians' prescriptions Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of ten ($10.00) dollars and the costs of prosecution

Section 22 Poisons That a poison in the meaning of this act of Assembly shall be any drug chemical or preparation which according to standard works on medicine toxicology or materia medica is liable to be destructive to adult human life in quantities of sixty (60) grains or less or any mixture compounded or preparation containing in sixty (60) grains or less a sufficient quantity of any such drug chemical or preparation as to mae the same liable to be destructive to adult human life if sixty (60) grains or less were to be taken

No person shall sell at retail or dispense any poisons except as herein provided without affixing to the bottle box vessel or package containing the same a label printed or plainly written containing the name of the article the word "poison" and the name and place of business of the seller nor shall he deliver poison to any person without satisfying himself that the purchaser understands the poisonous nature of the article and that such poison is to be used for legitimate purposes

It shall be the further duty of anyone selling at retail or dispensing poisons which according to standard works on medicine toxicology or materia medica are liable to be destructive by adult human life in quantities of five (5) grains or less before delivering them to enter in a book kept for this purpose the name of the seller and the name and residence of the buyer the name of the article the quantity sold or disposed of and the purpose for which it is said to be intended which book of registry shall be preserved for at least two years from last date of entry and shall at all times be open to inspection of the corner police authorities or the agents of the Pennsylvania Board of Pharmacy Provided however that the provisions of this section shall not apply to the dispensing of physicians prescriptions specifying poisonous articles nor to the sale of mixed paints of all kinds white lead and colors ground in oil and all lead products for technical purposes Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars

Section 23 This act shall not apply to the sale of poisons for technical use and not sold or offered for sale as a drug within the meaning of this act of Assembly Provided however The article is labeled to show plainly it is for technical use and not for medical use and is sold in compliance with section twenty-two of this act of Assembly

Section 24 That all physicians' prescriptions compounded and dispensed shall be filled by the pharmacists and kept for a period of at least five years and during that time they shall be open to the inspection of police authorities upon presentation of an order from the court or to the members of the Pennsylvania Board of Pharmacy

The twenty-fifth section was read as follows:

Section 25 When a physician indicates in writing that a prescription is not to be renewed it shall be unlawful for a pharmacist to renew or furnish a copy of same Any person violating this section of this act of Assembly shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than ten ($10.00) dollars

On the question,
Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 25, strike out section 25 and re-number the following sections of the bill accordingly.

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was agreed to.
The twenty-sixth section was read as follows:

Section 26 That the following acts of Assembly are hereby repealed

An Act entitled "An Act to regulate the practice of pharmacy and sale of poisons" et cetera approved May the twenty-fourth one thousand eight hundred and eighty-seven

An Act entitled "An Act to amend an act entitled an act to regulate the practice of pharmacy and sale of poisons" et cetera approved the sixteenth day of June one thousand eight hundred and ninety-one

An Act entitled "An Act to amend section four of an act entitled an act to regulate the practice of pharmacy and sale of poisons' et cetera approved June the twenty-fifth one thousand eight hundred and ninety-five

An Act entitled "An Act to amend section two of an act entitled an act to regulate the practice of pharmacy and sale of poisons" et cetera approved June the twenty-fifth one thousand eight hundred and ninety-five

An Act entitled "A supplement to the act entitled an act to regulate the practice of pharmacy and sale of poisons" et cetera approved the twenty-fifth day of June one thousand eight hundred and ninety-five

An Act entitled "An Act to prevent the adulteration alteration and substitution of drugs and medicinal preparations" et cetera approved the twenty-fifth day of May one thousand eight hundred and ninety-seven

An Act entitled "An Act amending the act prescribing the fees to be paid by applicants for examination by the State Pharmaceutical Examining Board and regulating the exhibition of certificates" approved the twenty-fourth day of April Anno Domini one thousand nine hundred and one

An Act entitled "An Act to amend section five of an act entitled An Act to regulate the practice of pharmacy and sale of poisons" et cetera approved the twenty-fourth day of March one thousand nine hundred and five

That all acts and parts of acts so far as they may be in conflict with this are hereby declared void and of no effect Providing however That if any action or prosecution now pending for violations of any of the acts of Assembly hereby repealed occurring prior to the passage of this act of Assembly shall not be affected by this act of Assembly and provided further that the duties and powers of the State Pharmaceutical Examining Board under any act of the General Assembly in force and effect on and after January first one thousand nine hundred and fourteen shall be taken to be the duties and powers of the Pennsylvania Board of Pharmacy created by this act of Assembly

This Act shall be in force and effect on and after January first one thousand nine hundred and fourteen

On the question,

Will the House agree to the section?

Mr. RICHARDS. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk.

Section 26, line 4, strike out quotation marks after the word "poisons" and strike out "et cetera" and insert the words "and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania."

Section 26, lines 7 and 8, strike out quotation marks after the word "poisons" and strike out "et cetera" and insert the words "and to prevent adulterations in drugs and medicinal preparations in the State of Pennnsylvania" approved the twenty-fourth day of May, one thousand eight hundred and eighty-seven

Section 26, line 12, strike out quotation marks after the word "poisons" and strike out "et cetera," and insert the words "and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven revising the fees for examination and registration and for renewal of registration"

Section 26, line 16, strike out quotation marks after the word "poisons" and strike out "et cetera" and insert the words "and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, authorizing the State Pharmaceutical Examining Board to fix the compensation of its secretary."

Section 26, line 19, strike out quotation marks after the word ":poisons" and strike out "et cetera," and insert the words "and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania," approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, requiring persons holding certificates of registrations or renewal certificates under the provisions of this act to keep said certificates and renewal certificates in some conspicuous place in their retail drug stores or pharmacies and Licensed Pharmaceutical Laboratories and providing a penalty for the violation thereof."

Section 26, lines 23 and 24, after the word "preparations" strike out the quotation marks and "et cetera", and insert the words "and providing penalties for violation thereof"

Section 26, line 28, after the word "of" insert the word "their"

Section 26, line 33, after "poisons" strike out quotation marks and "et cetera" and insert the words "and to prevent adulteration in drugs and medicinal preparations in the State of Pennsylvania," which was approved the twenty-fourth day of May, Anno Domini one thousand eight hundred and eighty-seven, requiring that on and after January first, one thousand nine hundred and six, all persons applying for certificates of registration as competent pharmacists under the provisions of section five of said act shall be graduates of a reputable college of pharmacy."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title was read and agreed to as follows:

An Act to regulate the practice of pharmacy and sale of poisons and drugs of all kinds and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity

And said bill having been read at length the second time and agreed to, as amended.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. RICHARDS. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sanitation.

Mr. GANS. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 26, entitled:

An Act providing for the licensing and bonding of persons firms and corporations engaged in selling agricultural products on commission providing for action on such bonds and fixing penalties for violation of this act

The first, second and third sections were read separately and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be unlawful for any person fir mor corporation to engage in the business of selling agricultural products or commission until a license therefor shall have been obtained from the Secretary of Agriculture

Section 2 All applications for said license shall set forth the name of said applicant and the place where said business it to be conducted Each application shall be accompanied by a bond to the Commonwealth in the sum of twenty-five hundred dollars ($2,500) The surety on such bond shall be a company authorized to act as surety in this Commonwealth or shall be two good and sufficient sureties to be approved by the Secretary of Agriculture This bond shall be conditioned for the payment of all sums owing or to be paid to all persons who shall have consigned agricultural products to such licensee All licenses shall be valid only during a period of one year from the date of issue No such license shall be issued until such applicant shall have paid to said Secretary for the use of the Commonwealth a fee of ten dolllars ($10) All moneys received from such license fees shall be paid by said Secretary into the State Treasury

Section 3 The said Secretary shall prescribe and cause to be prepared all necessary blanks and forms and shall make all such reasonable regulations as to him shall seem proper for carrying out the purposes of this act and he is hereby directed to enforce the provisions of this act

The fourth section was read as follows:

Section 4 Every commission merchant shall upon the receipt of farm produce and as he handles and disposes of the same make a record thereof upon a form or forms to be approved by the Secretary of Agriculture specifying therein the nature grade and amount of the goods sold and the amount received in payment therefor and other essential facts shall within forty-eight hours of making such sale mail to the consignor of the produce sold a duplicate copy of such record and in case of disagreement as to any material facts in regard to the sale of said products by the commission merchant he shall furnish to the consignor the name or names and address of the party or parties to whom said goods were sold

On the question,

Will the House agree to the section?

Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

In line 1 after the word "every' strike out the word "Commission merchant" and insert in place thereof the words "person firm or corporation selling agricultural products on a commission."

In line 2 after the word as strike out the words "he handles and disposes of the same" and insert in place thereof the words "it is handled and disposed of."

In line 6 after the word "facts" insert the word "and."

In lin 10 after the word products strike out the words "by the commission merchant the" and insert in place thereof the words "the said person firm or corporation."

On the question,

Will the House agreed to the amendments?

They were agreed to.

The section as amended was then agreed to.

The fifth section was read as follows:

Section 5 When any person shall have consigned agricultural products to any such licensee and payment therefor shall not have been made thirty days after the receipt of same by such license or shall not have been made within

such time as shall be stipulated in a contract between such person and such licensee such person so consigning shall be authorized to enter suit in the bond of such licensee in any court of competent jurisdiction for the recovery of such sum or sums as shall as aforesaid be due and owing A certified copy of such bond shall be furnished by said Secretary to such person or persons on request and shall in any such action be competent evidence in lieu of the original bond

On the question,
Will the House agree to the section?
Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendments:
The amendments were read by the Clerk.

Section 5 in line 4 after the word "such" strike out the word "license" and insert in place thereof the word "licensee"
In line 8 after the word "jurisdiction" insert the words "in the county in which is situated the place of business of the licensee"
In line 11 after the word "action" strike out the word "be"

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The sixth section was read as follows:

Section 6 Any person firm or corporation that shall sell agricultural producest on commission without first having produced a license as herein required or who being a commission merchant in farm produce shall impose false charges for handling or services in connection with food products or fails to account for such food products promptly and properly and to make settlements therefor with intent to defraud or shall make false or misleading statement or statements as to market conditions with intent to deceive or enter into any combination to fix prices directly or indirectly purchase for his or its own account goods received by him upon consignment without prior authority therefor from the consignor or shall fail to promptly notify the consignor of such purchase on his own account and any person handling food products who shall make false statements as to grade condition quality or quantity of goods shipped received or held for sale on commission with intent to deceive shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars

On tht question,
Will the House agree to the section?
Mr. WILLIAMS. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Section 6 Strike out all of this section and insert in place thereof "Any person firm or corporation that shall sell agricultural products on commission without first having procured a license as herein required or who shall impose false charges for handling or for services in connection with the sale of such products or fails to promptly and properly account for the same and make settlement therefor with intent to defraud or shall make false or misleading statement or statements as to the market conditions with intent to deceive or enter into any combination to fix prices or directly or indirectly purchase for his their or its own account goods received by him them or it upon consignment without prior authority therefor from the consignor or shall fail to promptly notify the consignor of such purchase on his their or its own account and any person firm or corporation handling agricultural products who shall make false statements as to the grade condition quality or quantity of goods shipped received or held for sale on commission with intent to deceive or violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine of not more than five hundred dollars."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The seventh and eighth sections and the title were separately read and agreed to as follows:

Section 7 This act shall become operative the first day of September one thousand nine hundred and thirteen
Section 8 All acts or parts of acts inconsistent with this act or any part thereof are hereby repealed
An Act providing for the licensing and bonding of persons firms and corporations engaged in selling agricultural products on commission providing for action on such bonds and fixing penalties for violation of this act

And said bill having been read at length the second time and agreed to, as amended.
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1060, entitled:

An Act to prevent fire insurance companies entering into or maintaining pools trusts conspiracies or agreements to control rates of insurance and prescribing penalties et cetera

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any corporation or organization existing under the laws of this or an other State country transacting or conducting a fire insurance business or any partnership or individual or other association of persons whatsoever who shall maintain create entertain to become a member of or party to any pool trust agreement condition confederation or misunderstanding with any other corporation partnership individual or any other person or association of persons to regulate or fix the price to be paid for insuring property against loss or damages by fire lightning shall be deemed guilty of a conspiracy to defraud and be subject to the penalties as provided in this act such company violating the provisions of this act either by itself its agents or by any board committee or other body shall be deemed to have forfeited its rights to do business in this State and become liable to all penalties herein provided and for the forfeiture of its charter

On the question,
Will the House agree to the section??
Mr. McARDLE. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Section 1, line 5, after "State" insert "or."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The second section was read as follows:

Section 2 It shall be the duty of the Insurance Commissioner of Insurance to on or about the first day of July of each year address to each fire insurance corporation or association doing business in this State a letter inquiring as to whether such corporation company or association is interested in any trust pool conspiracy agreement combination of rates condition or has any understanding with any person partnership association society or any other corporation and to require an answer under oath on or before the following thirtieth day of September signed by the president and secretary or the acting secretary of such corporation or association

On the question,
Will the House agree to the section?
Mr. McARDLE. Mr. Speaker, I desire to offer the following amendment.
The amendment was read by the Clerk.

Section 2, line 2. After "Commissioner" strike out "of Insurance."

On the question,
Will the House agree to the amendment?
It was agreed to.
The SPEAKER. Will the House agree to the section as amended?
Mr. KEEPORT. Mr. Speaker, I desire to offer a further amendment to this section.
Mr. McARDLE. Mr. Speaker, I object to that amendment.
The SPEAKER. This seems to be a new bill. The question is will the House agree to the second section as amended? The gentleman from Philadelphia, Mr. McArdle, has offered an amendment which has been agreed to. The gentleman from Berks, Mr. Keeport, offers a further amendment to the second section.
Mr. KEEPORT. Mr. Speaker, I will withdraw the amendment.
On the question,
Will the House agree to the second section as amended?
It was agreed to.
The third, fourth, fifth and sixth sections and the title were separately read and agreed to as follows:

Section 3 Any company corporation or association doing a fire insurance business or any officer agent or representative thereof guilty of a violation of this act shall be deemed guilty of a misdemeanor and upon conviction shall be liable to a fine of not less than five hundred dollars and not more than one thousand dollars or imprisonment for one year or both for each and every offense
Section 4 It shall be the duty of the Commissioner of In-

surance to proceed against any corporation company or association violating section one of this act to annul its charter
Section 5 This act shall take effect immediately
Section 6 All acts or parts of acts inconsistent are hereby repealed
An Act to prevent fire insurance companies entering into or maintaining pools trusts conspiracies or agreements to control rates of insurance and prescribing penalty et cetera

On the question,
Will the House agree to the bill on second reading?

Mr. WILTBANK. Mr. Speaker, I object to this bill. It is something like that Missouri bill. It is one of the most vicious bills that ever was presented to this Legislature. If you will simply read it, you will see what the bill is. It has simply one specific purpose and I move that we disapprove of the bill.

Mr. McARDLE. Mr. Speaker, the object of this bill is to prevent an agreement of a corporation or a trust company; they have a minimum rate but they have no maximum rate. The object is to make them come down and stop this pooling business.

BILL STRICKEN FROM THE CALENDAR.

Mr. ALLEN. Mr. Speaker, the intention of the Public Utilities Bill is to cover just such things as this bill is aimed at. Whether or not it is all embodied in the bill, I am not able to say but I am convinced it is and it was the intention so to do. This bill as it is drawn is one that, if passed, within two years would absolutely prevent any one in the State of Pennsylvania from obtaining insurance because of the restrictions which are placed upon the Insurance companies. I don't speak as the representative of an insurance company or any combination of insurance companies but I do know that the dancer pays the fiddler and that the rates will be so raised under the restrictions provided in this bill that no one can afford to carry insurance. You will find that the insurance companies which stand upon a fairly staple business foundation will absolutely refuse to do business in the State of Pennsylvania under this bill for the reason that the field for insurance is too open to allow them even to knock at the door when the doors are not only closed but barred. This bill should be stricken from the calendar and I move, therefore, that this bill be stricken from the calendar.

Mr. WILTBANK. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The bill is not agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 419, as follows:

An Act relating to the advertising of proposed amendments to the Constitution of this Commonwealth
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter in advertising proposed amendments to the Constitution of this Commonwealth the Secretary of the Commonwealth shall cause the same to be advertised in not more than two newspapers in each county
Section 2 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1926 (Senate Bill No. 772), entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spiritous malt or brewed liquors of any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

The first section was read as folows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an act act to amend the third section of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof" approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven which section reads as follows to wit

"Section 3 Such licenses may be granted only by the court of quarter sesions of the proper county and shall be for one year from a date fixed by rule or standing order of said court The said court shall fix by rule or by standing order a time at which application for said licenses shall be heard at which time all persons applying or making objections to applications for license smay be heard by evidence petition remonstrance or counsel provided That licenses under previous laws shall not be granted later than June thirtieth of this yea" be and the same is hereby amended so as to read as follows to wit

Section 3 Such licenses may be granted only by the court of quarter sessions of the proper county and shall be for one year from a date fixed by rule or standing order of said court The said court shall fix by rule or by standing order a time at which application for said licenses shall be heard at which time all persons apply or making objections to applications for licenses may be heard by evidence petition remonstrance or counsel Provided That the said court shall find the facts upon which a refusal of an applicant who has been granted license for the two years immediately preceding the third or subsequent application of such applicant and file the same of record and specially find whether or not such applicant has willfully and intentionally sold vinous spirituous malt or brewed liquors to minors Intentional sale to minors by such applicant shall be legal ground for refusing said third or subsequent application of said applicant Such applicant shall have the right of appeal to the superior court from an order refusing such third or subsequent application and on such appeal the testimony and evidence for and against such application shall be part of the record

On the question,
Will the House agree to the section?

Mr. SHOWALTER. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk.

Amend section one, as follows:
page 2, line 28, strike out "a refusal" and insert instead thereof, "it grants or refuses the application."
Page 2, line 22, strike out "willfully and intentionally."
Page 2, line 35, after "such applicant" insert "for or remonstrants against."
Page 2, line 37, after "refusing" insert "or granting."

On the question.
Will the House agree to the amendments?

Mr. SHOWALTER. Mr. Speaker, it is only fair to the sponsor of this bill to give you the reason for the amendments. This simply grants the right of remonstrance to appeal to a higher court the same as an applicant for licenses and for that reason I offer this amendment.

Mr. ALLEN. Mr. Speaker, I request a second reading of the amendment.

The SPEAKER. The amendments will be read again.

(The amendments were again read by the Clerk).

Mr. ALLEN. Mr. speaker, speaking for the sponsor of this bill I want to say in all fairness concerning the proposed amendment which has been offered by the gentleman from Union, Mr. Showalter: I want to tell you the purpose of this bill, so that the House may clearly understand what it is. It is simply this: Under the present rules the license court regulating licenses has a right to grant or to refuse any application for any license without giving any cause whatsoever. Under the provisions of this bill a man who has had a license for two years and has a hearing in court and if that license or application be refused, the court shall state the cause and that is for this reason: Upon the causes shown by the record he has his right of appeal to a higher court to say whether or not the causes for the refusal have been sufficient to warrant the court in the action that it has taken. Now, there is one man who is injured and only one in the refusal of an application for a license and that is the man who is the applicant. We all know that it is a matter of fact that many men who go into the liquor business go into it at great expense. They fix up their places elegently and spend thousands of dollars, perhaps, for the purpose of beautifying and making the surroundings inviting to the people who go there. This involves the fixing up of cafes and dining rooms, all equipped in keeping with the standing of the place, if it is first class, and consequently he will spend thousands of dollars in so doing.

At the end of the first year, he gets a second license or a renewal of his license for one more year. At the end of the third year, improving his surroundings, he succeeds perhaps in obtaining a third license. Under the present law, at the end of the third year, or upon application for

renewal for the third time or a fourth year, the court without any cause whatever say, "no," the license is refused and he is down and out of all the money that he has spent because of this act. We know that a place that is equipped for a saloon is for a saloon only, and the equipments which go with a saloon do not go with a grocery store or dry good store or millinery store or jewelry store or anything else. It is a saloon. Now, under the provisions of this bill, that applicant would be taken care of in this way, as suggested in the amendments, and all the court would have to show in a record would be to show that the cause of refusal was sufficient to warrant the court in so doing upon the facts presented in the case. Now, as to these amendments. These amendments, if you please, Mr. Speaker, go to this fact, that not only as I read it—and I want to be strictly honest in this matter—as I read it the amendments go to this fact and to my mind it is clearly their intent absolutely to kill the purposes of this bill. If an applicant be granted a license, if I be one of those people in the community and am interested and have entered myself on record in his particular case by remonstrance, petition or otherwise, if I be interested to that extent and that applicant be granted a license, then I in turn have a right to appeal to a higher court to show why the license should not have been refused. Now, that I say is unjust. I say it is unjust for this reason. I say that in any community, I do not care where it is; you can take it in the lower wards of Pittsburgh where there are very little said against the liquor interests, or you can take it in the lower wards of Philadelphia, where there is very little sentiment against the liquor interests, you can take it in any of the large cities where there is very little sentiment against the liquor interests; then, in that event, Mr. Speaker, there will always be some busy-body who seeks to establish a reputation for doing great things who will appear in every license case that may be filled in any of the courts, appear on record, if you please, and if he be not satisfied with the granting or the issuance of the license, and he would not be if he were that narrow; if he be not satisfied with the issuance of the license which that court hands down, then, and in that event, under the provisions of the amendments in this case, he files his appeal with a higher court and closes the doors of the place up until the appeal is finally determined. Now, I care not whether you favor or whether you do not favor the liquor interests, and whether you are vitally opposed to the liquor interests. I ask you whether or not that is fair. The court, mark you in issuing any license says that that place is a necessity under the law. And yet some individual seeking to take advantage of those provisions which are handed over by these proposed amendments, ties up and will tie up every applicant that they may see fit in any county throughout the entire State. These amendments, Mr. Speaker, and I am not speaking of the general merits of the bill at this time, but these amendments in the matter of fairness, in the face of fairness to the interests at stake, in the face of fairness to yourselves as members of this House, these amendments should not be injected into this bill. They should not be allowed to stand, and I ask the House to support my position.

Mr. SHOWALTER. Mr. Speaker, it is a plain state of affairs that while a license is pending in the license court, there are two interested parties, namely the applicant for license, as well as the remonstrant; while just as soon as a case has been decided in the quarter sessions court granting a liquor license, there is only one interested party. Now, why is it just as soon as a case is carried to a higher court, that the one party is dropped. I say it is not fair; they have rights and ought to be protected in the higher as well as in the lower courts, and I ask this House to sustain the amendments.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Union, Mr. Showalter.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. SHOWALTER. I will, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I ask the gentleman in all fairness whether or not the people who oppose a license on an appeal by the applicant for this license which has been refused, whether or not under the provisions of this bill or any other law that is upon the statutes of the State of Pennsylvania today loses his place in the higher court?

Mr. SHOWALTER. Mr. Speaker, I didn't get the gentleman's question.

Mr. ALLEN. Mr. Speaker, if under this bill an applicant has been refused and carries his case to a higher court, does he thereby close the doors on the people who have opposed his license so far as court procedure is concerned?

Mr. SHOWALTER. Mr. Speaker, it certainly does not give the right of appeal to the remonstrant, and that is what I do not like. This bill simply provides that the applicant for license can appeal. Now, I desire to give the remonstrant a chance to appeal as well as the applicant.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman further. I wish to ask the gentleman, Mr. Speaker, if under the provisions of the amendment which he seeks to inject, any man could not appeal from the issuance of any license by the court and thereby close up that place of business until the higher court had passed upon that license.

Mr. SHOWALTER. Mr. Speaker, as the law stands at the present time, I suppose he could.

Mr. ALLEN. Mr. Speaker, as the law is proposed by the amendment is my question.

Mr. SHOWALTER. Mr. Speaker, I would say, as the law stands at the present time, he cannot, but at this session of the Legislature the gentleman from Pittsburgh, Mr. Stein, introduced a bill providing that a person who was the holder of a license could hold his place of business open during the time the application for the license was pending. If that bill is passed, it most certainly would not close up the place of business while this remonstrance was in the higher courts.

Mr. ALLEN. Mr. Speaker, the gentleman has actually dodged my question, which is very clear, and I consider very fair. I asked him the question whether or not, under the provisions of the amendments which he seeks to inject into this bill, if, when the court has handed down a decision, some individual who had appeared in one of those cases as a remonstrant attempted to appeal that case to a higher court, whether or not the applicant against whom he was making the appeal would not be closed until the higher court had handed down its decision?

Mr. SHOWALTER. Mr. Speaker, there is absolutely nothing said in this bill concerning the closing of any hotel or licensed place during the time the application is pending in the lower court, or even if the case is taken up on appeal there is nothing whatever said.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman further. Is the gentleman an attorney?

Mr. SHOWALTER. Mr. Speaker, I am.

Mr. ALLEN. Mr. Speaker, then, does not the gentleman know that a license is issued but for one year and at the end of that year it either has to be renewed or the place has to be closed. Does he as an attorney know that?

Mr. SHOWALTER. Mr. Speaker, I was trying to explain to the gentleman a while ago that as the law stands they must close their place of business during the time an application is pending, but I qualified my statement by saying, that under the Stein bill he would not be compelled to close his place of business.

Mr. ALLEN. Mr. Speaker, the gentleman is talking about an entirely different condition. This bill is in relation to the hearings which are held in license court annually. The Stein bill has already passed and I believe has been signed by His Excellency, the Governor, which makes the law universal instead of a court rule throughout the State, allowing a place in case of a transfer to stay open until the transfer is made. Now that condition, Mr. Speaker, prevailed because there was no law against it. That condition prevailed in many sections of the State, while in other sections, Mr. Speaker, the court required the placed to be closed during the pendency of the transfer. Now, that is entirely wiped out. But this, Mr. Speaker, relates to the entire list of hearings, the annual hearings, and that is always held, as the Speaker knows and as those members who know anything about the running of our courts know, that our annual hearing is always held near the close of the license period, the time covered by the license. In the city of Pittsburgh, we get through along about the first day of May, or rather the last day of April. A man's privileges under his original license expires. Now, I will try to get a direct answer, if you please, out of the gentleman. Under such conditions, if the hearings of the licenses to be handed down held before the middle of the

month preceding the time at which the new license is to take effect, if under such conditions some remonstrant appeals to a higher court because a license has been granted, what becomes of the place? Is it closed up or does it stay open?

Mr. G. A. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Allen.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ALLEN. Most certainly, Mr. Speaker.

Mr. G. A. BALDWIN. Mr. Speaker, does the gentleman from Allegheny understand that the taking of an appeal by the remonstrant would prevent the applicant from keeping his hotel open pending the appeal to the superior court?

Mr. ALLEN. Mr. Speaker, I said a moment ago that I thought that it did, and I was asking the gentleman from Union, but failed to elicit an answer, for his judgment in the matter. I think that it would be closed.

Mr. GEORGE A. BALDWIN. Mr. Speaker, I understand then that the gentleman from Allegheny maintains as a proposition of law that the taking of an appeal by one of the remonstants would act as a supersedeas and prevent the vesting of a license in the applicant?

Mr. ALLEN. I say I think it would.

Mr. GEORGE A. BALDWIN. I have to differ, Mr. Speaker, with the gentleman from Allegheny and I say as a proposition of law that the taking of such an appeal would not act as a supersedeas unless the Superior Court would so order. The result would be that when the court below granted the license the hotel keeper could open his place of business and keep it open until the appeal was disposed of in the Superior Court. There is absolutely nothing in the law as it now stands, and there would be nothing in the law if these amendments were adopted, to prevent the hotel keeper from keeping his place of business open while the appeal was being disposed of, and I challenge the gentleman from Allegheny to produce any authority to sustain him in his position.

Mr. ALLEN. Mr. Speaker, I care not what the position may be in relation to the matter. I am not convinced that I am wrong I may be wrong, but the Lord knows we are not always right. But Mr. Speaker I do know this, that if these amendments are injected into the bill that every man who has been issued a license by any court can be hounded and hounded by a single hound dog in any community he sees fit to take his appeals in the various cases, where he may appear for remonstrance; and I do know better, Mr. Speaker, if you please, that the people who take advantage of this, many of them are paid people who go out simply for the purpose of blackmailing under the present system, and if you open the doors much wider to the system of blackmail we would be taken advantage of under the provisions of this act whereby any one could go in and make an appeal and there isn't a man who would have a license issued to him in the State of Pennsylvania, if he runs his place as clean as the law provides and then cleaner and then have it laundered to make it that much cleaner, that he would not be safe from the attack of such scoundrels. I know that, Mr. Speaker, and any reasonable man on the floor of this House that is honest with himself knows the same thing.

Mr. SHOWALTER. Mr. Speaker, I would say in my experience as a lawyer I have never known fellows so anxious to take an appeal simply for the fun of the thing because in taking an appeal you must give a bond and if you fail in your appeal you will be liable to suffer loss and I don't think any person will take an appeal in the case of a liquor remonstrance unless there is some good reason for it.

Mr. ALLEN. Mr. Speaker, I would like to interrogate the gentleman from Union further and ask him is there anything in this bill that provides what kind of a bond or that any bond should be given on an appeal?

Mr. SHOWALTER. Mr. Speaker, there is nothing said concerning a bond in this case, but it is the usual practice that when an appeal is taken the bond is filed.

Mr. ALLEN. Mr. Speaker, I would like to ask the gentleman further what the bond would cover in a case of this kind.

Mr. SHOWALTER. Mr. Speaker, I would say it would be for the discretion of the court what amount should be fixed, and I would also say that if the remonstrants should take an appeal it is my opinion that the licenses would not have to be granted during the pending of an appeal and the bond would cover the damage that might be suffered.

Mr. ALLEN. Mr. Speaker, I ask the gentleman whether or not there is any provision in this bill that says the court shall fix the amount of the bond?

Mr. SHOWALTER. Mr. Speaker, I do not think there is. I know there is not, but it is in the discretion of the court to fix the amount of the bond.

Mr. ROCKWELL. Mr. Speaker, we have heard a great deal in this session in the discussions on the liquor problem about the Brooks' High License Law. It has been lauded to the skies by the gentlemen in favor of the liquor element. Now here comes along a proposition to amend the Brooks' High License Law, and what is the purpose of the amendment? It proposes that when the court refuses a license, even though he gives the statutory cause or reason, that the applicant for the license can appeal to the higher court and the Supreme or Superior Court can grant a license over the head of the lower court. Now it seems to me that the gentlemen who have so lauded the Brooks' High License law are backing water or getting into reverse gear and it is a proposition that we should not adopt and I for one am in favor of fighting this out right now.

I therefore move, Mr. Speaker, that this bill be dropped from the calendar.

Mr. MARTIN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, I call for the yeas and nays.

Mr. ROCKWELL. Mr. Speaker, I second the call.

Mr. R. J. BALDWIN. Mr. Speaker, I do not fuly agree with the position in which the gentleman from Tioga presents this question to the House. The proposition as I understand—it is true under the Brooks' High License Law that the licensee has to come before the court every year to know whether he can continue in business. He has large interests at stake and under the present Brooks' High License Law—I don't know that the gentleman can call attention to anybody particularly lauding the Brooks' High License Law—they have simply compared it with the other propositions that come before the House and many of us feel that the proposition that the gentleman supports is not an improvement—not that we feel the Brooks' High License Law is perfect, because I do not think so or never said so, but I do think that when I have a property interest at stake and I do think the gentleman from Tioga, if he had a large property interest at stake—and it is the property interest that is at stake here,—it is not a question of local option, or not a temperance question at all. The question is a property right question and it is nothing else, and it means this: That under the present system the court without giving any reason, can dismiss an applicant and the gentlemen know that there are factional feelings and conditions that sometimes cloud the real issue and the gentleman knows the judges are not immune to certain influences. I do not mean any corrupt influences, but I mean by bias. They are only human and I would like the gentleman to tell the House whether he would like to be deprived of the right of appeal to the higher court when he had a property interest at stake. I know he would not. I know no member of this House would like to have that right taken away and I think it is a right of theirs that is in our law and in our fundamental law. It is the question at stake. It is not a question of temperance or intemperance. It is a question of property rights. And also the court may make a mistake in this case and he should state his reasons, in my judgment, why he forms certain conclusions. I do not know why a man should have the power to arbitrarily take my property and give no reasons for taking it. He may have been mistaken and after setting forth his reasons and a review taken it may be pointed out and he may reverse himself and that is the reason the other courts are established in our State. I think that where property rights are at stake, to bar men from taking an appeal is a mistake. I do not think that right should be taken away from those who have that property and who desire to have the right of appeal. They are doing a lawful business in this State at the present time where they are permitting to do business and they thus get property.

Mr. ROCKWELL. Mr. Speaker, the trouble is that many of the gentlemen of this House are taking a wrong position in relation to the license business. A license is not granted simply for the purpose of selling liquor. It is not a property right. No man has a right to a license in this State to sell liquor unless he has a hotel and then he is granted a license incidental to that hotel to accommodate the travel-

ing public and entertain strangers and the public. There is no property right attached to it and the courts have so held, and when you take away a license you are simply doing it in nine cases out of ten because the man has violated the law. You don't take his hotel away. It may take his profit from the liquor selling point of view, but that is not the purpose of this bill. The purpose is to take away the discretion from the lower court and vest it in the higher court and I claim we should not go that far.

Mr. KUHNS. Mr. Speaker, this here is a question rather heavy for the farmer, because the lawyers are digging into it and digging into it further. The gentleman from Tioga has stated this fact that the license is not granted simply to sell liquor and let me tell you that I have had a little experience in this line, just fifteen years. As the gentleman has told you, the license is not granted simply to sell liquor. He is perfectly right when he says that. When the license is applied for the fact is stated that there is a public necessity for a public place and for the accommodation of the public. Some of the judges of our courts refused to grant the licenses and here you stand without any recourse. Now the gentleman from Tioga says it is not granted for selling liquor only. The other facts are set forth when the license is granted and when some persons come along as was the case in Lehigh when some gentlemen from the upper counties came along the pike and got a lot of our hotel men introuble and it was only through the good action of our officers that they were found out and our hotel men say it was crooked from one end to the other. Let me tell you that these gentlemen appeared at my place on a Sunday afternoon. They tried in every way to get drink. Why? Why? You all know why. I don't need to answer. They finaly got a little something at some other place and the fellows got into trouble and as I told you just on account of the good action of our officials it was found that it was all fraud and the other parties served the term which was exactly right for them. I do not care who was back of it but whoever invested the money to send them men, it served them right, because they were after something illegal. Here comes this bill to protect a man who has invested his money in the property and where he has set forth the facts that there is a necessity for public accommodations and the judge refuses to grant the license and then that man must sit down without any means of redress and I say pass this bill and pass it lawfully and do what is right.

Mr. ALLEN. Mr. Speaker, I do not want to tire the House in relation to this measure, but I do want to present the facts in the bill which I think merit the earnest and sincere consideration of the House. This bill provides, gentlemen, as you will see, not that a new applicant has the right of appeal to the higher court for review on facts, but it establishes and gives the right to the man who has had a license for two years. Now, as a basic principle, Mr. Speaker, we know that the courts are very loath to reverse themselves; that when they have passed upon a matter once we usually find them following in the same rut. Now let us be fair with each other and be fair to the merits of this bill. Under the provisions of this bill the gentleman applies to a court for a license. That court goes into the matter of public necessity. Is it necessary that a place be established for the accommodation of the traveling public? And the court finds affirmatively on the facts. That then secures his license for one year.

At the end of the second year he applies, and the court for no reason whatever, refuses the license. There is nothing now whereby any action may be reached. But a more successful man had succeeded in showing one year before that his place was a necessity for the traveling public, and the second year rolls around and the same facts are established before the same court or another court and the second license was issued. Then the second year rolls on, and the end of that time he applies again for a license. For two successive years the man who is getting the license has succeeded in establishing the fact that the place is a necessity for the accommodation of the traveling public. At the end of two years he comes before a court that does not see things as broadly perhaps as somebody else. There is that one variety of courts, and they exist, and that court, for no reason whatever, says "refused." Now what? Under the provisions of this bill the court cannot say refused without making out the record which justifies the fact of the refusal, and the primary thing that had to follow between the granting of the license the year before and the present day, would be that there was no necessity for the place for the accommodation of the traveling public. Is that fair? Is this bill fair? It certainly is, and there can be no man on the floor of this House who is honest with himself, and I care not whether he is in favor of the liquor proposition or against it, who cannot but say when property rights are involved, that it is a fair bill. When the court has already twice said that the man has a right to have the license and that his place is something that the public requirements need, it is not more than right that the court should give some reason why the conditions have changed, especially when property rights are to be wiped out. Further than that, it places no restrictions or rather it wipes away none of the restrictions in regard to running a place according to the law. All those things are embodied in the provisions of this bill. It seems to me that any man on the floor of this House, that every man on the floor of this House, has some confidence in the courts, and I must take issue with the gentleman from Tioga. I have heard no one on this side of the question lauding the provisions thrown around this interest by the Brooks' High License Law. I can go further in relation to matters of this kind, and say why these things should be done. The gentleman from Tioga asks why, and I will tell you. I can take you into a county of this State, if you please, where the court refused practically every one of them in a certain end of that county. It granted two in a sparsely settled end of the county and away from the public highways, but in the other end of the county, where the court said there was no necessity for a retail license for the accommodation of the traveling public, that court saw fit to say that there was a necessity and reasons why wholesale licenses should be granted. Wholesalers to do what? To furnish retail places with liquor, and yet there were no retail places in that community. Is that logical? Is that reasonable? If there were no retail places there, what in the name of high heaven was the use of the wholesale places? That was not due to the fact that there were no applications for retail places there, but the court, in its wisdom (with a big question mark after the word "wisdom") found no necessity for retail places but a crying need for wholesale places. There can be no such conditions under the provisions of this bill. All those retailers that were refused could have appealed to the high court, and that court would have had to say whether under the existing conditions there was a necessity for those retail places. There is another point in relation to these matters. Is it possible that the members of this House have such a high opinion of the local courts, which act in matters of issuing liquor licenses, as to say that the lower court is right and the higher court to which these very matters, that these particular people should not have the right of appeal?

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. ALLEN. Mr. Speaker, I will.

Mr. ROCKWELL. Mr. Speaker, I would like to ask the gentleman whether or not he does not know that if the matter is a question of fact it is not appealable to the higher court?

Mr. ALLEN. Oh yes, there are some things I know, Mr. Speaker.

Mr. ROCKWELL. Mr. Speaker, I would also like to ask the gentleman if he does not know that the question of necessity in a certain locality is not a question of fact?

Mr. ALLEN. Mr. Speaker, it may be a question of fact or a question of law. When the law fixes the fact it becomes a question of law.

Mr. ROCKWELL. Mr. Speaker, how can it be a question of law?

Mr. ALLEN. Mr. Speaker, if under the provisions of the Brooks High License Law the matter is left solely to the discretion of the court, I do not know but that it may be a question of law whether it was sufficiently established to allow the court to do that one thing and make that correspond to the law.

Mr. ROCKWELL. Mr. Speaker, I am sure I cannot see the distinction

Mr. ALLEN. Mr. Speaker, there is a distinction.

Mr. R. J. BALDWIN. Mr. Speaker, if a court now refuses a license, it just says refused. Then there can be no appeal to the Superior Court. If a reason is given there can be an appeal, but when the court just simply says not granted, arbitrarily, without reason, then you cannot ap-

peal, and this bill is simply intended, when the court arbitrarily and without reasons says, "No, you cannot have a license," to this man who has all this property invested, involving many thousands of dollars, and the question as to whether or not that man should have a license is rested in the arbitrary action of one individual, to give the party injured the right to carry the matter up to the higher court, and the reason for such refusal must be furnished by the lower court, and that the lower court must not simply say "refused." It is to correct that arbitrary proposition that this Legislature is asked. I do not see how any member on the floor of this House can refuse to grand that privilege to the man who has lost his license. It will produce a better condition, and will lift the suspicion from the lower courts. Of course I cannot say why I feel that way about the lower courts, but I think it would be good policy for the lower courts to give reasons for refusals. But where the lower court says arbitrarily "refused" there is no right of appeal.

On the question recurring,

Shal the bill be dropped from the calendar?

The yeas and nays were required by Mr. ROCKWELL and Mr. MARTIN, and were as follows:

YEAS—65.

Baldwin, G. A.,	Grabe,	Leslie,	Pennock,
Barner,	Gramley,	Light,	Rhoads
Benson,	Gray, Frank,	Lonr.	Rockwell,
Bergey,	Hemminger,	Martin,	Shaffer, C. A.,
Bittles,	Herman,	Mather,	Showalter,
Bleloch,	Hobbs,	Matt,	Smith, L.,
Brosius,	Howard, J.,	McKay,	Snavely,
Brownlee,	Howard, R.,	Metzenbacher,	Snyder,
Burnett,	Jackson,	Miller,	Steele,
Campbell, C.M.,	Jones, E. E.,	Morrow,	Stone,
Carson,	Jones, J. R.,	Moses,	Swartz,
Cheeseman,	Keeport,	Moulthrop,	Swift,
Claycomb,	Kennedy,	Neel,	Walnut,
Currier,	Klepper,	Newton,	Williams,
DeFrees,	Latshaw,	Peachey,	Wilson, J. H.,
Dunn, H. B.,	Lenker,	Pennegar,	Alter,
Gibson,			Speaker.

NAYS—97.

Adams,	Dunn, J. A.,	Kern,	Richards,
Allen,	Ehrhardt,	Kitts,	Roney,
Aron,	Eichenberger,	Kuhn, H. P.,	Rothenberger,
Arthur,	Ely,	Kuhns, E.G.M.,	Sassaman,
Baldwin, R. J.,	Ewing,	Lanius,	Savacool,
Bass,	Fahey,	Letzkus,	Schaeffer, A. C
Bayle,	Flynn,	Malie,	Schuck,
Becker,	Forster I. G.,	McAllister,	Shern,
Bigger,	Foster, J. D.,	McArdle,	Sherwood,
Blair, W. F.,	Frey,	McCaig,	Smith, J. W.,
Body,	Gans,	McClintock,	Spangler,
Brown,	Geary,	McDermott,	Spillinger,
Caldwell,	Geiser,	McNichol,	Steedie,
Campbell, J. J.,	Good,	Missimer,	Stein,
Carter,	Gransback,	Mitchell,	Strauss,
Cleary,	Gray, Joseph,	Moore,	Trach,
Cochran	Hackett,	Neely,	Ulman,
Conner,	Haggerty,	Newbaker,	Walton,
Conniff,	Heyburn,	O'Neill,	Watson,
Conrade,	Hibshman,	Perry, S. J.,	Wildman,
Cox,	Isler,	Piper,	Wilson, W. H.,
Curry,	Irwin, H. H.,	Price,	Wiltbank,
Dickinson,	Kaiser,	Ramsey,	Young, G. K.
Donahoe,	Keegan,	Reeser,	Zimmerman,

So the question was determined in the negatve and the motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the first section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Amend Section 1 by adding after the word "miners" in line 33 the following: "or has violated any law of the Commonwealth in relation to the sale of spirituous, vinous, malt or brewed liquors."

Strike out the words "intentional sale" in line 33 and the words "to minors" in line 34, and insert in lieu thereof the words "any violation of the liquor laws."

On the question,

Will the House agree to the amendments?

POINT OF ORDER.

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point.

Mr. ALLEN. Mr. Speaker, I understood the Chair to announce the first section as agreed to.

The SPEAKER. The Chair said "Will the House agree to the first section."

Mr. ROCKWELL. Mr. Speaker, I want to take the gentleman from Allegheny at his word. He has been the principal spokesman for this bill and he says he wants to be fair. Now, in this bill, it undertakes to provide in line 33 that the sale to minors shall be sufficient reason to refuse the license. Under the present law any violation of a liquor license or any violation of law by the liquor licensee is sufficient cause to refuse a license. The amendment that I offer simply includes that a sale to a minor shall be sufficient cause to refuse the license, or any violation of the liquor law shall be sufficient cause. Now, if the gentleman wants to be fair and those who are voting with him, they can do nothing else to my mind, but support this amendment.

Mr. ALLEN. Mr. Speaker, that is perfectly in harmony with the present law, and as one of the representatives of the sponsor of the bill on this side of the House, I gladly accept the amendments.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1962 (Senate No. 1002), entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1898 (Senate No. 521), entitled:

An Act to amend the second and fifth section of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and three miles beyond the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to reports of the city Planning Commission on certain ordinances and bills and relating to plans and plots submitted to said Planning Commission for approval

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RESOLUTION EXTENDING BEST WISHES OF THE HOUSE TO THE SPEAKER, HON. GEORGE E. ALTER.

Mr. BLELOCH asked and obtained unanimous consent to offer a resolution, which was read as follows:

Whereas, this 8th day of May is the 45th anniversary of the birth of the Honorable George E. Alter, the Speaker of the House,

Now Therefore Be It Resolved, that the best wishes of the members of this House be and they are hereby extended our Speaker the Honorable George E. Alter, on this his 45th birthday and that we all wish that he may have many future anni-

versaries of his natal day, and that on each recurring birthday he may look back with pride, pleasure and satisfaction to this anniversary of his birth and to this year in which he has served this House as its Speaker, impartially and with universal fairness to all of its members.

Mr. WILTBANK. Mr. Speaker, I move that we approve of the resolution by a rising vote.

The resolution was unanimously agreed to.

The SPEAKER. The Chair sincerely thanks the House. and only hopes that the occasion may be made still more memorable by our completing our calendar before we adjourn to-day.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1921 (Senate No. 877), entitled:

An Act authorizing the council of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1913, as follows:

An Act to amend an act approved the sixth day of June one thousand eight hundred ninety-three entitled "An Act to provide for the consolidation of boroughs and the government and regulation thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause one of section two of an act approved the sixth day of June one thousand eight hundred and ninety-three entitled "An Act to provide for the consolidation of boroughs and the government and regulation thereof" which as heretofore amended reads as follows

"First The town council of each borough may enter into a joint agreement under the corporate seals of each borough for the consolidation thereof into one borough which joint agreement shall set forth the name of the new corporation the number of wards into which such consolidated borough shall be divided and the territorial boundaries thereof" is hereby further amended to read as follows

First The town council of each borough may of their own initiative or shall within sixty days after being requested in writing by a least one hundred qualified electors of the borough enter into a joint agreement under the corporate seals of each borough for the consolidation thereof into one borough which joint agreement shall set forth the name of the new corporation the number of wards into which such consolidated borough shall be divided and the territorial boundaries thereof Such consolidation shall not be effected until it shall have been ratified by a majority of the votes cast by the electors of each borough at every municipal or special election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1682, as follows:

An Act to amend section five of an act approved the tenth day of April one thousand eight hundred and sixty-seven entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of an act approved the tenth day of April one thousand eight hundred and sixty-seven entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth" which reads as follows

"Section 5 Each of said jury commissioners shall be allowed and paid out of the respective county treasury two dollars and fifty cents per day and four cents per mile circular from the residence of the commissioners to the court house" is hereby amended to read as follows

Section 5 Each of said jury commissioners shall be allowed and paid out of the respective county treasury four dollars per day and four cents per mile circular from the residence of the commissioners to the court house

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1391 (Senate No. 140), entitled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the averments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree except in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1894 (Senate No. 507), entitled:

An Act to amend sections three and seven of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred one providng for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the City Treasurer the Board of Water Assessors and Collector of Delinquent Taxes and repealing certain acts relating to certain matters herein provided for approved May twelfth one thousand nine hundred and eleven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1833 (Senate No. 558), entitled:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleven one thousand eight hundred and sixty-two in relation to the county of Berks" approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1675, entitled:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five which reads as follows

"Section 13 So much of all general acts heretofore passed as consistent herewith is hereby repealed but this act shall not apply to any taxes the collection of which is regulated by a local law" is hereby amended to read as follows

Section 13 All acts and parts of acts general local and special inconsistent with this act are repealed

On the question,

Will the House agree to the section?

Mr. WATSON. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 1, line 12, strike out the word "and."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The title of the bill was read and agreed to as follows:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approvel the twenty-fifth day of June one thousand eight hundred and eighty-five

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1947 (Senate No. 882), entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1953 (Senate No. 832), entitled:

An Act regulating the number and election of members of borough councils

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1026, as follows:

An Act to provide for the licensing of firemen operating steam stationary boiler or boilers in the first and second class cities of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any fireman to operate steam stationary boilers in the State of Pennsylvania unless the fireman or firemen so operating such boiler or boilers are duly licensed as hereinafter provided Such fireman or firemen to be under the supervision and direction of a duly licensed engineer or engineers

Section 2 Should any boiler or boilers be found at any time operated by any person who is not a duly licensed fireman (or engineer) as provided by this act the owner or lessee thereof shall be notified and if after one week from such notification the same boiler or boilers are again found to be operated by a person or persons not duly licensed under this act it shall be deemed prima facie evidence of a violation of this act

Section 3 Any person desiring to act as a fireman shall make application for a license to so act to the steam boiler bureau of the police department as now exists for licensing engineers who shall furnish to each applicant blank forms of application which application when filled out shall be signed by a licensed engineer engaged in working as an engineer in the State who shall therein certify that the applicant is of good character and has been employed as oiler coal passer or general assistant under the instructions of a licensed engineer on a building or buildings in the State or on any steamboat steamship or locomotive for a period of not less than two years The applicant shall be given a practical examination by the board of examiners detailed as such by the police commission and if found competent as to his ability to operate a steam boiler or steam boilers as specified in section one of this act shall upon payment of a license fee of three dollars receive within six days after such examination a license as provided by this act Such license may be revoked or suspended at any time by the police commissioner upon the proof of deficiency Every license issued under this act shall continue in force for one year from the date of issue unless sooner revoked as above provided Every license issued under this act unless revoked as herein provided shall at the end of the year from date of issue thereof be renewed by the board of examiners upon payment of a fee of one dollar and upon application and without further examination Every application for renewal of license must be made within ten days of the expiration of such license

With every license granted under this act there shall be issued to every person obtaining such license a certificate certified by the officers in charge of the boiler inspection bureau Such certificate shall be placed in the boiler room of the plant operated by the holder of such license so as to be easily read

Section 4 All persons operating boilers in use upon locomotives or in government buildings and those used for heating purposes carrying a pressure not exceeding ten pounds to the square inch shall be exempt from the provisions of this act Such license will not permit any person other than a duly licensed engineer to take charge of any boiler or boilers in the State of Pennsylvania

Section 5 This act shall take effect immediately

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. PIPER. Mr. Speaker, I move that this bill be recommitted to the Committee on Labor and Industry for the purpose of amendment.

Mr. COX. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1903 (Senate No. 833), as follows:

An Act to consolidate the five courts of common pleas of Philadelphia county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all of the jurisdiction and powers now vested in the five courts of common pleas of Philadelphia county shall be and hereby are vested in one court of common pleas which shall be called the court of common pleas of Philadelphia county and shall be composed of all of the judges of the said five courts during the terms of their several existing commissions and their successors elected or appointed in the manner provided by law Such jurisdiction and powers shall extend to all proceedings at law or in equity which have been instituted or transferred to the said five courts or any of them subject to such changes and change of venue as may be provided by law

Section 2 The president judge of the said court shall be the one of the judges who is the oldest in continuous commission and shall be commission as such president judge for the remainder of his term When the president judge is re-elected he shall be commissioned again as president judge and when the president judge shall go out of office the judge of the said court who shall be the oldest in continuous commission shall be commissioned as and be the president judge If there are two or more judges of the said courts whose terms of continuous service commenced at the same time they shall cast lots for priority of commission within thirty days after the approval of this act and shall certify the result to the Governor and f at any time there are two or more judges of the said court as consolidated by this act whose terms of office will commence at the same time they shall cast lots for priority of commission and certify the result to the Governor within thirty days after the date of their election

Section 3 This act shall go into effect on the first Monday in January in the year of our Lord one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1914, as follows:

An Act prohibiting the placing fixing or inserting of certain things in or on or to newspapers magazines periodicals or books without the consent of the owner or publisher and providing a penalty

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any person shall be guilty of a misdemeanor who shall place or affix or insert or cause to be placed or affixed or inserted any advertisement notice circular phamphlet card handbill book booklet or other printed notice of any kind on or in or to any newspaper magazine periodical or book where such newspaper magazine periodical or book is in the possession of the owner or publisher thereof or in the possession of any newsdealer distributor or carrier or of any agent or servant of such owner or publisher and is so placed affixed or inserted in such newspaper magazine periodical or book without the consent of the owner or publisher of such newspaper magazine periodical or book

Section 2 Any person who shall be convicted of a violation of any of the provisions of section one of this act shall be sentenced to pay a fine of not more than one hundred dollars ($100) for each offense with costs of prosecution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1901 (Senate No. 773), as follows:

A Supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fireworks and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for the appeals from and reviews of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor and providing that the courts of common pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers heretofore granted to cities of the second class as provided for in an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one and the supplements thereto every city of the second class in its corporate capacity in order to decrease and prevent fire the spread of fire and fire waste loss of life from fire and loss of life or damage to property from unsafe or improper construction or design of buildings is authorized and empowered by ordinance

a To provide for the inspection of the inside and outside of all buidlings and premises at any time

b To provide and require that the owner or occupant of any building shall alter repair or remove any buildings or structures or part thereof or shall remove any combustible or explosives matter or inflammable conditions upon order of the Director of the Department of Public Safety to safeguard life or property and to provide for penalties for disobedience of such orders and to provide that the said Department may close the buildings or premises pending such repairs and if the owner or occupant fails to obey such order may have the necessary work done at the expense of the city said expense to be recovered as hereinafter provided in section three

c To require the installation and maintenance in such buildings as shall be designated of portable fire apparatus sucn as axes pikes poles hose reels ladders chemical extinguishers portable pumps and other similar appliances

d To require the installation and maitnenance in such buildings as shall be designated of standpipes sprinkling systems nose lines and other similar appliances

e To provide for the keeping of all halls doors stairways passageways aisles fire escapes and exits in such repair and so free from obstruction as to provide in case of fire full free safe and adequate means of escape for those people who use frequent or are employed in such buildings

f To provide for the purpose of preventing fires the spread of fire waste danger to life in case of fire and loss of life or damage to property from unsafe or improper construction or design of buildings regulations and specifications for the construction equipment arangement maintenance alteration and inspection heating cooling and lighting stairways doorways elevators firetowers fire escapes exits aisles passageways floor levels seats fire alarms and all other means of providing safe escape in case of fire of all buildings which may hereafter be constructed for use as stores manufacturing establishments churches theaters dance halls lodging houses tenements dwellings stables storage houses office buildigns hospitals asylums hotels colleges schools dry cleaning establishments garages and all other buildings where a large number of people have homes congregate or are employed

g To provide regulations and specificaltons for the construction and arrangements maintenance alteration and inspection of proper adequate and safe means and appliances to prevent the spread of fires and to enable the occupants to escape safely in case of fire in and all existing buildings used for the purposes set forth in paragraph f of this section

h To provide regulations and specifications for the construction of all chimneys stacks flues smoke pipes and ventilators

i To provide regulations for the manufacture transportation storage sale and use of all fireworks gunpowder dynamite and other explosives including gas under pressure all inflammable substances volatile inflammable liquids and all other inflammables and their products drugs chemicals and generally all substances which may be dangerous or likely to cause fire or injury to life or property in case of fire

j To prohibit the manufacture of explosives and fireworks

k To prohibit the transportation storage sale or use of nitro-glycerine

l To proivde for the preparation and distribution by the Department of Public Safety of rules and regulations to minimize the danger of fire and lessen fire waste

Section 2 The Director of the Department of Public Safety shall execute and carry out the provisions of this act and of the ordinances enacted pursuant thereto shall make an annual report to the council with recommendations for means of further preventing fires fire waste and loss of life and shall when he deems it desirable make investigation of any or all fires and keep reports thereof

Section 3 Any owner agent or occupant interested who may feel himself aggrieved by an order of the said Department which requires a substantial alteration or repair or the removal of any substantial portion or portions of any building may within thirty days after the service of the order as hereinafter provided present his petition to the Court of Common Pleas of the county wherein the city is situated having first notified the said department of his intention so to do and the court shall then fix a time for a hearing within five days thereafter and may suspend such order pending hearing and thereafter at the time fixed for the hearing a judge of said court shall hear and determine the said appeal and make such order as right and justice may require

In case any owner agent or occupant does not remove or remedy a building or structure or part thereof or remove or remedy dangerous conditions as ordered by the said department and does not appeal to the court of common pleas in such cases as appeals are provided for the said department may remove or remedy or cause to be removed or remedied the building or structure or part thereof or the dangerous condition at the expense of the city the cost thereof to be recovered by the city from said owner or occupant in an action of law in the court of common pleas and when such suit with statement of claim with description of the premises is filed by the city the Prothonotary shall index it upon the judgment docket and the city shall have a lien for the amount of said claim against the said premises

All orders herein provided or issued by the Department of Public Safety and directed to the owner shall be served by pasting a copy or copies in a conspicuous place on the building referred to in such order and by prepaid mailing of a copy thereof on the same day to the owner or owners whose address is known or ascertained by the said department If after a reasonably diligent search the address or addresses of the owner or owners cannot be ascertained said orders shall in addition to posting be served upon the agent or the tenant or tenants or other responsible occupant of said building if any All orders directed to the occupant shall be served in the manner above provided and in addition thereto by handing a copy thereof to the occupant of the premises

Section 4 The director of the said department shall have the power to summon and compel witnesses to attend and testify before him as to the cause origin and circumstances of any fire and may require the production of any books papers or documents deemed pertinent or necessary to said inquiry and shall have the power to administer oaths and affirmations to any person appearing as witnesses such inquiry to be public

Any witnesses who refuse to obey a summons of the Director of said department or who refuses to be sworn or testify or who disobeys any lawful order of the said director in relation to any such inquiry or who fails or refuses to produce any books papers or documents touching any matter under investigation or who is guilty of any contempt after being summoned to appear before him to give testimony in relation to any such inquiry as aforesaid may be punished for contempt of court and for this purpose application may be made to the Court of Common Pleas within whose jurisdiction the contempt took place for which purpose the Courts of Common Pleas are given jurisdiction

Section 5 The following acts and parts of acts of Assembly of this Commonwealth namely

Sections four five six seven eight ten eleven twelve thirteen fourteen fifteen sixteen seventeen eighteen nineteen twenty twenty-one twenty-two twenty-three twenty-four twenty-five twenty-six twenty-seven twenty-eight twenty-nine thirty thirty-one thirty-two thirty-three thiry-four thirty-five thirty-six thirty-seven thirty-eight thirty-nine forty-one forty-two and forty-three of "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws one hundred and thirty-five)

Section one of "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other building' approved the eleventh day of June Anno Domini one thousand eight hundred seventy-nine" approved the twelfth day of July Anno Domini one thousand eight hundred ninety-seven (Pamphlet Laws two hundred fifty-nine)

Sections two and three of an act entitled "An Act to amend an act entitled 'An Act to provide for the better security of life and lamb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved the third day of June Anno Domini one thousand eight hundred eighty-five (Pamphlet Laws sixty-eight)

Section one of "An Act to further amend an act entitled 'A supplement to an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred seventy-nine providing additional means of escape' approved the first day of June Anno Domini one thousand eight hundred eighty-three as amended to an act to amend the same approved the third day of June Anno Domini one thousand eight hundred eighty-five" approved the ninth day of May Anno Domini one thousand eight hundred eighty-nine (Pamphlet Laws one hundred sixty-nine)

Section two of "An Act to amend an act entitled 'A supplement to an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one

thousand eight hundred seventy-nine providing additional means of escape' approved the first day of June Anno Domini one thousand eight hundred eighty-three" approved the third day of June Anno Domini one thousand eight hundred eighty-five (Pamphlet Laws sixty-five)

Section nine of "A supplement to an act entitled 'An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class' approved the seventh day of June Anno Domini one thousand eight hundred ninety-five" approved the thirtieth day of March Anno Domini one thousand nine hundred and three (Pamphlet Laws one hundred ten)

Section thirteen of "An Act to regulate the employment and provide for the health and safety of men women and children in manufacturing establishments mercantile industries laundries renovating works or printing offices and provide for the safety of men women and children in hotels school buildings seminaries colleges academies hospitals storehouses public halls and places of amusement by requiring proper fire-escapes and to provide for the appointment of inspectors office clerks and others to enforce the same" approved May twenty-ninth one thousand nine hundred and one (Pamphlet Laws three hundred twenty-two)

Be and the same are hereby repealed

Section 6 This act shall not go into force or take effect until the first day of January Anno Domini one thousand nine hundred and fourteen

And said bill having been read at length the second time and agreed to as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1723, entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same

Section 1 Section fourteen hundred and six of said act which reads as follows

"Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better gradation and classification or for economical or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That in any district of the fourth class pupils who belong to any such school and reside one and a half miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the school to which they are assigned" is hereby amended to read as follows

Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better gradation and classification or for economical or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That in any district of the fourth class pupils who belong to any such school and reside one and a quarter miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the school to which they are assigned And provided further That where under the provision of this section a school has been discontinued for any cause the word shall shall be construed to mean must

On the question,

Will the House agree to the section?

Mr. GRAMLEY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 3, after the word "same" insert the following: "That section fourteen hundred and six of an act, approved the eighteenth day of May, one thousand nine hundred and eleven, entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof, providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local or any parts thereof that are, or may be inconsistent therewith," which reads as follows."

Section 1, lines 1, 2, page 2, strike out "Section (2) 1. Section fourteen hundred and six of said act which reads as follows"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section and title were then read and agreed to as follows:

Section 2 But no Board of School Directors shall convey or cause to be conveyed from their homes to any school any children who are not of compulsory school age Provided however that nothing in this act shall be so construed as to prohibit any Board of School Directors from conveying said children if the Board of School Directors so elect

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1896 (Senate No. 752), entitled:

A supplement to an act entitled "An Act to incorporate an academy or public school in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or other successors to sell and convey in fee simple certain lands

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 904, entitled:

An Act fixing the pay of assessors in the several counties

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the pay of assesors in each county of this Commonwealth shall be five dollars ($5.00) per day for each day actually spent in the performance of their duties

On the question,

Will the House agree to the section?

Mr. H. B. DUNN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend section one by inserting after the word "Commonwealth" on line 4 the following words: "having a population of one hundred and fifty thousand or over."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second section was then read and agreed to as follows:

Section 2 All acts and parts of acts inconsistent with this act are repealed

The title was read as follows:

An Act fixing the pay of assessors in the several counties

On the question,

Will the House agree to the title?

Mr. H. B. DUNN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the title by adding thereto the following words:
"Having a population of one hundred and fifty thousand and over."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1498, entitled:

An Act to amend the eleventh fifteenth and thirty-fourth sections of an act approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act regulating the consruction maintenance alteration and inspection of buildings and party walls in cities of the second class"

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of an act approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class which reads as follows

"Section 11 All foundation walls and cellars shall be built of stone or brick laid in cement or lime mortar If constructed of stone they shall be at least six inches thicker than the wall next above them to the depth of twelve feet below said wall and shall be increased six inches in thickness for every additional ten feet in depth below the said twelve feet and if of brick they shall be of at least four inches thicker than the wall next above them to a depth of twelve feet below the said wall and shall be increased four inches in thickness for every additional ten feet below said twelve feet If there are cellars or excavations foundation walls shall start at least twelve inches below cellar bottom and those of all dwelling houses shall be at least six inches below cellar bottom

Minimum thickness of brick enclosing and division wall for business buildings shall be as follows

Enclosing division and party walls for business buildings shall be not less than the following dimensions namely

For buildings seventy-five to one hundred and fifty feet by thirty foot span or less

	1st story	2nd story	3rd story	4th story	5th story	6th story	7th story	8th story
One-story building,	13	..	..	..	..	..	..	..
Two-story building,	13	13	..	..	..	..	..	..
Three-story building,	13	13	13	..	..	..	..	..
Four-story building,	18	18	13	13	..	..	..	..
Five-story building,	22	18	18	13	13	..	..	..
Six-story building,	22	22	18	18	13	13	..	..
Seven-story building,	27	22	22	18	18	13	13	..
Eight-story building,	27	27	22	22	18	18	18	13

Walls built of small piers shall be increased at least four inches wider than the above table Where trusses or girders are used pilasters shall be added of sufficient area to support load For every addition of twenty-five feet or part thereof to the length of the truss over thirty feet the amount of the materials specified may be used either in piers or buttresses in outside and division or party walls Provided That the amount of the materials shall in no case be less than is specified in the aforesaid tables Provided That the superintendent of the bureau may if in his judgment occasion demands it require the walls increased to a greater thickness than above specified And provided further That in case of buildings constructed of a frame work of iron and steel carrying the structure and where the walls are simply used to enclose the building and do not carry its weight the superintendent of the bureau of building inspection shall have authority to fix the proper thickness of walls required in any particular case and may designate the thickness at pilasters and between pilasters as in his judgment may seem proper And provided further That nothing in this section shall prevent the erection of light walls constructed of a frame-work of iron or steel filled in with glass" be and the same is hereby amended so as to read as follows

Section 11 All foundation walls and cellars shall be built of stone or brick laid in cement mortar If constructed of stone they shall be at least six inches thicker than the wall next above them to the depth of twelve feet below said wall and shall be increased six inches in thickness for every additional ten feet in depth below the said twelve feet and if of brick they shall be at least four inches thicker than the wall next above them to a depth of twelve feet below the said wall and shall be increased four inches in thickness for every additional ten feet below said twelve feet. If there are cellars or excavations foundation walls shall start at least twelve inches below cellar bottom and those of all dwelling houses shall be at least six inches below cellar bottom

All foundation walls for dwellings shall be supported in footing courses of concrete or stone If footing course is constructed of concrete the concrete shall be composed of at least one part Portland cement two and one half parts clean sand and fire parts clean gravel or broken stone mixed in batch each time by careful measurement with the proper amount of clear water and be deposited and tamped in trenches Where the earth forming sides of trenches is loose plank forms firmly held in place must be used If footing course is constructed of stone large flat stones must be used each stone being wide enough to extend the entire width of footing course and all stones shall be bedded and slushed with Portland cement mortar

All concrete and stone footing courses shall be at least six inches thick and be at least ten inches wider than the foundation walls they support However before footing courses are laid or constructed the condition of the soil shall be inspected by the Bureau of Building Inspection and if additional width and depth of footing is found necessary by reason of loose or soft soil the Inspector of the Bureau of Building Inspection is hereby empowered to increase the width and depth of footings as in his judgment is necessary to properly carry and distribute the weight of the foundation walls and footings

All foundation walls for dwellings with sixteen feet front or less being not more than two stories high and having a floor area of first story not exceeding eight hundred square feet exclusive of porches may be constructed of stone or brick or of concrete If foundation walls are constructed of stone they shall not be less than eighteen inches thick and shall comply with the requirements above stated in this section for foundation walls of stone If foundation walls are constructed of brick they shall be built of hard burned brick laid in Portland cement mortar and shall not be less than twelve inches thick except for frame dwelling where nine inch foundation walls must be reinforced with brick pilasters not less than twelve inches wide and eight inches thick and spaced not more than ten feet from center to center of pilasters or foundation walls Where brick foundation walls exceed eight feet in height they shall be increased four inches in thickness for every additional five feet in height If foundation walls are constructed of concrete the concrete shall be composed of not less than one part Portland cement two and one-half parts clean sand and five parts of clean gravel or broken stone mixed in batch each time by careful measurement with the proper amount of clean water and be deposited and tamped in forms constructed of boards or planks or other material approved by the Bureau of Building Inspection All forms shall be firmly built and securely braced and held in place and shall not be removed until four days after concrete has been poured Concrete foundation walls shall not be less than twelve inches thick to the depth of nine feet and shall be increased four inches in thickness for every additional five feet in height

Minimum thickness of brick enclosing and division wall for business buildings shall be as follows

Enclosing division and party walls for business buildings shall be not less than the following dimensions namely

For buildings seventy-five to one hundred and fifty feet by thirty foot span or less

	1st story	2nd story	3rd story	4th story	5th story	6th story	7th story	8th story
One-story building,	13	..	..	..	..	..	..	..
Two-story building,	13	13	..	..	..	..	..	..
Three-story building,	13	13	13	..	..	..	..	..
Four-story building,	18	18	13	13	..	..	..	..
Five-story building,	22	18	18	13	13	..	..	..
Six-story building,	22	22	18	18	13	13	..	..
Seven-story building,	27	22	22	18	18	13	13	..
Eight-story building,	27	27	22	22	18	18	18	13

Walls built of small piers shall be increased at least four inches wider than the above table Where trusses or girders are used pilasters shall be added of sufficient area to support load For every addition of twenty-five feet or part thereof to the length of the truss over thirty feet the amount of the materials specified may be used either in piers or buttresses in outside and division or party walls Provided That the amount of the materials shall in no case be less than is specified in the aforesaid tables Provided That the superintendent of the bureau may if in his udgment occasion demands it require the walls increased to a greater thickness than above specified And provided further That in case of buildings constructed of a frame work of iron and steel carrying the structure and where the walls are simply used to enclose the building and do not carry its weight the superintendent of the bureau of building inspection shall have authority to fix the proper thickness of walls required in any particular case and may designate the thickness of walls at pilasters and between pilasters as in his judgment may seem proper And provided further That nothing in this section shall prevent the erection of light walls constructed of a frame work of iron or steel filled in with glass

On the question,

Will the House agree to the section?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 1, line 8, after the word "class" insert quotation marks.

Section 1, line 174, strike out the word "spucified" and insert the word "specified."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The second section was read as follows:

Section 2 That section fifteen of the aforesaid act which now reads as follows

"Section 15 In all dwellings hereafter to be erected with a front of sixteen feet or less provided they do not exceed sixty feet in length and thirty-five feet in height the cellar or foundation wall shall not be less than eighteen inches in thickness the front and rear walls not less than nine inches and the party walls not less than nine inches Walls binding on the street lane or alley shall not be less than thirteen inches to the top of the first floor joist In all dwellings over sixteen and not over twenty feet front nor more than forty-five feet high the foundation walls shall not be less than eighteen inches in thickness the front walls shall not be less than thirteen inches the party walls not less than thirteen inches and for all dwellings over twenty feet front the party walls shall not be less than thirteen inches and the front and rear walls shall not be less than thirteen inches to entire height If there be a stone ashler used three inches thick or less it shall not be included in the thickness of any wall herein specified Where two or more dwelling houses of brick adjoin each other all floor joists on a level shall be disconnected on the party of division walls and filled with mortar and brick at the end of the joists No party wall where built of stone shall be less than sixteen inches in thickness Provided That when an application is made for a permit to erect an additional story upon a one or two story building used or to be used for a dwelling and the party walls of the said building are but nine inches thick the bureau of building inspection may in its judgment issue such permit without requiring any additional thickness for the party wall Provided further in all dwellings hereafter erected the cellars shall extend underneath the whole house and be ventilated from both ends and in low damp or made ground the bottom of all cellars shall be covered with brick concrete or asphalt at least three inches thick of such material as may be approved by the bureau of building inspection Every new dwelling house shall have at least fourteen feet front Provided however that this limitation shall not apply to lots of less than fourteen feet in width which are bounded on each side by ground belonging to other owners at the time of approval of this act and every such new dwelling house have an open space attached to it in the rear or at the side equal to at least one hundred and forty-four square feet clear space unobstructed by any overhanging structure" be and the same is hereby amended so as to read as follows

Section 15 In all dwellings hereafter to be erected with a front of sixteen feet or less provided they do not exceed sixty feet in length and thirty-five feet in height the cellar or foundation wall shall not be less than eighteen inches in thickness the front and rear walls not less than nine inches and the party walls not less than nine inches Walls binding on the street lane or alley shall not be less than thirteen inches to the top of the first floor joist

For dwellings with a front not exceeding sixteen feet being not more than two stories high and having a floor area not exceeding eight hundred square feet on each floor exclusive of porches the cellar shall not be less than six feet high the basement not less than eight high and the first and second story not be less than eight feet six inches high for each story and shall not be more than ten feet high for each story The exterior walls and the division or party walls may be built of brick frame or hollow title Exterior walls of brick or hollow title may start on foundation at grade line but no portions of these exterior walls shall be below the grade line Division or party walls of brick or hollow title may start on footing course of basement or cellar floors Exterior division or party walls constructed of brick shall be built of hard burned brick laid in Portland cement or lime mortar and shall not be less than nine inches thick Where exterior party or division walls of brick extend below the first floor line to a depth below that specified for foundation walls in Section eleven of this act then these exterior party or division walls shall be increased in thickness as called for under Section eleven for brick foundation walls

Exterior party or division walls constructed of hollow title shall meet the requirements and be constructed as herein provided

All hollow tile shall be hollow terra cotta well manufactured and free from checks and cracks each piece or block to be modeled square and true and to be hard burned so as to have a good clear ring when struck and not to absorb more than twelve per centum of its own weight in moisture Each of said blocks should develop an ultimate crushing strength of not less than three thousand pounds per square inch of avaible section or web area and shall not be loaded when in the wall more than eighty pounds per square inch of effective bearing area

Tiles shall have outer shells or walls not less than three-fourth inch thick and shall be additionally reinforced by continuous interior walls or webs which shall not be less than one-half inch thick and so arranged that no void shall exceed four inches in cross section at any point

It is further provided that the Superintendent of Building Inspection may require a test to be made of such blocks before allowing the same to be placed in the wall if in his judgment there be any doubt as to whether such blocks proposed to be used meet the requirements above specified

No foundation wall of any building shall be constructed of hollow blocks or terra cotta tiles and no hollow tiles or terra cotta wall or partition shall be supported in part or entirely by any wooden or other combustible beam girder or post

Hollow tile exterior party or division walls shall not be less than eight inches thick and where these walls extend below the first floor line on a two-story dwelling they shall not be less than twelve inches thick

No bearing wall or exterior wall shall be built of a single unit less than eight inches thick or more than twelve inches high when the voids are placed vertically And all such exterior walls shall be plastered on the outside three-fourth inch thick with Portland mortar

All openings over three feet in width in hollow tile walls shall have lintels composed of steel reinforced concrete or reinforced of sufficient strength to carry the load imposed

When the floor or roof load is applied to said bearing or exterior walls in concentration of two tons or more at one place a solid pier of brick reinforced concrete or concrete filled tile shall be used under each concentration Each of said piers to be not less than twice the thickness of the wall of which it is a part and no pier shall be loaded in excess of eighty pounds per square inch of its area

Whenever floor slabs or joists rest on a hollow terra cotta wall composed of tile with voids set vertically or wherever a change in thickness of wall occurs the course upon which the joists or slabs rest or upon which the tinner wall rests shall have the voids in the tiles or blocks in the course so bearing the load completely filled with Portland cement concrete so construced that no joists timber or other material whatsoever shall bear or transmit a load to the wall without having an iron first quality of hard brick or terra cotta bearing plate or concrete filled or solid block under the same at the point where the load is transmitted

And further provided that in no case shall the area of the block to which the load is transmitted be less than double the area of the beam or timber or other material transmitting the load

All walls hereinbefore referred to in the preceding section of this ordinance shall be constructed in the following manner The blocks will be set only in Portland cement mortar composed of not less than one part Portland cement to three parts clean sharp river sand This mortar may be tempered with one part lime paste to eight parts of mortar Tile blocks shall be thoroughly bonded one to another both vertically and longitudinally and all joints filled with mortar and when tiles are set in the wall the vertical web of one shall occur as nearly as practicable directly over the vertical web of the adjacent tile below The blocks may be built with voids horizontally and with mortar joints between all blocks or they may be built with voids vertical provided all horizontal bearings or joints are reinforced with metal fabric of from one-eighth to one-half inch mesh capable of holding the mortar This fabric shall be one-half inch less in width than the width of the wall of the course upon which it is applied and shall be double lapped at all corners Such web shall be spread on each horizontal course of tile before the mortar is put on and shall be completely covered with and imbedded in Portland cement mortar as the course of blocks upon it is being laid No cutting of blocks will be allowed to admit pipes in bearing walls The metal fabric hereinbefore specified may be omitted in non-bearing or curtain walls or where the tile is laid in bearing walls with the voids horizontal

Further that in all parts of the city within the fire limits no interior joist or wood work shall be within four inches of the outside of the exterior of the wall

In all dwellings over sixteen and not over twenty feet front nor more than forty-five feet high the foundation walls shall not be less than eighteen inches in tickness the front walls shall not be les sthan thirteen inches the party walls not less than thirteen inches and for all dwellings over twenty feet from the party walls shall not be less than thirteen inches and the front and rear walls shall not be less than thirteen inches to entire height If there be a stone ashler used three inches thick or less it shall not be included in the thickness of any wall herein specified Where two or more dwelling houses of brick adjoin each other all floor joists on a level shall be disconnected on the party or division walls and filled with mortar and brick at the end of the joists No party wall where built of stone shall be less than sixteen inches in thickness provided that when an application is made for a permit to erect an additional story upon a one or two story building used or to be used for a dwelling and the party walls of the said building are but nine inches thick the Bureau of Building Inspection may in its judgment issue such permit without requiring any additional thickness for the party wall Provided further in all dwellings hereafter erected there shall be a cellar underneath the whole house or a cellar and a basement underneath the whole house Where basements are provided and occupy a portion of the space underneath the dwelling the finished floor of basement must not be below the outside grade line at outside entrance to basement Cellars shall be ventilated from both ends and in low damp or made ground the bottom of all cellars shall be covered with brick concrete or asphalt at least three inches thick of such material as may be approved by the Bureau of Building Inspection Every new dwelling house shall have at least fourteen feet front Provided however that this limitation shall not apply to lots of less than fourteen feet in width which are bounded on each side by ground belonging to other owners at the time of approval of this act and every such new dwelling house shall have an open space attached to it in the rear or at the side equal to at least one hundred and forty-four square feet clear space unobstructed by any overhanging structure"

On the question,

Will the House agree to the section?

Mr. NEELY. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 2, line 39, after the word "width" insert the words "on which buildings are now erected nor to lots less than fourteen feet."

Section 2, line 146, strike out the word "aborb" and insert the word "absorb"

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The third and fourth sections and title were then separately read and agreed to as follows:

Section 3 That section thirty-four of the aforesaid act which reads as follows

"Section 34 In no building shall any wooden girders joists or timbers be placed nearer than four inches of the outside of any smoke hot-air or other flue and all joists or other timbers in the party walls of any building hereafter erected whether built of stone brick or iron shall be separated from the joists or timbers entering into the opposite side of the wall by at least four inches of solid mason work Every trimmer over four feet long except in a dwelling shall be hung in wrought or malleable iron stirrups of suitable dimensions and no timber shall be used in any wall of any building where stone brick or iron is commonly used except bond timbers and lintels as hereinbefore provided or as may be approved by the inspector and no exposed bond timber in any wall shall in width and thickness exceed that of a course of brick Where stud partitions are parallel with the joists the joists supporting them are to be doubled also all stairways and other floor openings to be double and in addition the size of the joists to be used in dwelling houses twenty feet front or less shall be for the first floor not less than two by ten inches shall be for the first floor not less than two by ten inches and shall be no more than sixteen inches from center to center and for upper floor they shall not be less than two by nine inches and shall be placed not more than sixteen inches from center to center and must be properly bridged and all joists that are used must be sound and well seasoned No floor joists shall be blocked up or leveled on more than one dry course of brick" be and the same is hereby amended so as to read as follows

Section 34 In no building shall any wooden girders joists or timbers be placed nearer than four inches of the outside of any smoke hot-air or other flue and all joists or other timbers in the party walls of any building hereafter erected whether built of stone brick or iron shall be separated from the joists or timbers entering into the opposite side of the wall by at least four inches of solid mason work Every trimmer over four feet long except in a dwelling shall be hung in wrought or malleable iron stirrups of suitable dimensions and no timber shall be used in any wall of any building where stone brick or iron is commonly used except bond timbers and lintels as hereinbefore provided or as may be approved by the inspector and no exposed bond timber in any wall shall in width and thickness exceed that of a course of brick Where stud partitions are parallel with the joists the joists supporting them are to be doubled also all stairways and other floor openings to be double and in addition the size of the joists to be used in dwellings twenty feet front or less shall be for the first floor not less than two by ten inches and shall be no more than sixteen inches from center to center and for upper floors they shall not be less than two by nine inches and shall be placed not more than sixteen inches from center to center and must be properly bridged and all joists that are used must be sound and well seasoned No floor joists shall be blocked up or leveled on more than one dry course of brick For dwellings with a front of sixteen feet or less being not more than two stories high and having a floor area of first story not exceeding eight hundred square feet the floor joists shall be not less than two by eight inches in depth placed sixteen inches from center to center

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

An Act to amend the eleventh fifteenth and thirty-fourth sections of an act approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class"

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1904 (Senate No. 855), entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1851 (Senate No. 633), entitled:

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for the service in said regiment providing for said regiment a regimental band

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1950 (Senate No. 585), entitled:

An Act making an appropriation for the restoration of the brig Niagara Commodore Perry's flag ship at the battle of Lake Erie for its participation in the events of this centennial celebration year its care and for the erection of a permanent marker arch or memorial at Erie Pennsylvania

The first section and preamble were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sum of seventy-five thousand dollars be and the same is hereby appropriated from any money in the State treasury not otherwse appropriated to the Commssioners appointed by the Governor of Pennsylvania to co-operate with the Commissioners from other States in the celebration of the centennial anniversary of the battle of Lake Erie for the purpose of restoring the aforesaid Brig Niagara to the condition she was in at the time said battle of Lake Erie was fought as nearly as said Commissioners can with the exercise of reasonable diligence restore it to its original conditon including rigging armory and equipment of every kind and for paying the expenses incident to the proper participation of said Brig in the events of this centennial year and the proper care therefor until further provided for by the Legislature and any balance of said sum hereby appropriated remaining after such restoration and equipment of said Brig and after paying the expenses incident to its particpation in said centennial events and providing for care of same as aforesaid is to be paid and expended by said Commission toward the erection of a permanent marker arch or memorial at the City of Erie Pennsylvania commemorating the building of the fleet at that place as well as the splendid manner in which in the hands of the brave Commodore Perry and the gallant men who fought with him it performed its errand at the battle that followed its construction said balance to be expended in conjunction with moneys contributed by the citizens of Erie and others for the purpose of erecting said permanent marker arch or memorial and all of the money hereby appropriated to be paid on the warrant of the Auditor General upon requisition of the President of said Commission and itemized vouchers for all expenditures to be filed with the Auditor General within a reasonable time thereafter

Whereas, The States of Pennsylvania New York Ohio Illinois Michigan Wisconsin Minnesota Rhode Island and Kentucky have through commissioners duly appointed for that purpose formed an association and proceeded to erect a memorial at Put-in-Bay, Ohio, to Commodore Oliver Hazard Perry and his brave men who fought with him at the Battle of Lake Erie and are proposing to hold a centennial celebration during the present year in commemoration of the one hundredth anniversary of that great victory; and

Whereas, The Brig Niagara to which Commodore Perry transferred his flag from the disabled Lawrence during the battle, and which for nearly one hundred years has lain at the bottom of Misery Bay an arm of Presque Isle Bay at Erie has been raised by the Commissioners appointed by the Governor of Pennsylvania to co-operate with the Commissioners of other States in the celebration of the centennial anniversary of the Battle of Lake Erie and is now the property of the State of Pennsylvania; and

Whereas, The larger cities upon the Great Lakes from Buffalo to Duluth are proposing to hold celebrations beginning at Erie on July sixth on this the centennial anniversary of that great battle and all of the States participating are very desirous that Commodore Perry's Flagship, the Niagara, may be one of the features of the celebrations and the people of the whole United States are deeply interested in and concerned about the disposition the State of Pennsylvania is to make of this old Flagship and the part it will take in the events of this centennial year; and

Whereas, Six of the nine ships constituting Commodore Perry's fleet were built at Erie to wit: The Niagara, Lawrence, Ariel, Scorpion, Porcupine and Tigress, bearing fifty of the fifty-five guns carried by the whole fleet and for the single purpose of fighting this battle and after winning it the fleet returned to Pennsylvania waters at Erie bringing with it all of the enemy's ships, it is fitting that a permanent marker arch or memorial be erected at Erie to commemorate not only the bravery of Commodore Perry and his gallant men but the

part taken by Pennsylvanians in building the fleet and in fighting the battle including the conspicuous services of Captain Daniel Dobbins of Erie, who was instrumental in inducing the Government to build the fleet and was in charge of its construction when Perry arrived in March, one thousand eight hundred and thirteen.

The title of the bill was read as follows:

An Act making an appropriation for the restoration of the Brig Niagara, Commodore Perry's Flagship, at the Battle of Lake Erie, for its participation in the events of this Centennial Celebration year, its care and for the erection of a permanent marker, arch or memorial at Erie, Pennsylvania.

On the question,
Will the House agree to the title?
Mr. BAYLE. Mr. Speaker, I desire to offer the following amendment:
The amendment was read by the Clerk as follows:

Amend the title by striking out all after the word "act" and inserting in lieu thereof the following:
Making an appropriation for the commemoration of the building of the fleet at Erie with which the Battle of Lake Erie was won, by the restoration of the Brig Niagara, Commodore Perry's flagship, in that battle; providing for its participation in the events of the celebration of the one hundredth anniversary thereof, its care, and aiding in the erection of a permanent marker, arch or memorial at Erie

On the question,
Will the House agree to the amendment?
It was agreed to.
The title as amended was then agreed to.
And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1893 (Senate No. 212), entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1721, entitled:

An Act to repeal an act entitled "An Act to provide for the better collection of money and taxes due the Commonwealth and property belonging to or liable to escheat to the same" approved the fifteenth day of June one thousand nine hundred and eleven

BILL RECOMMITTED.

Mr. RONEY. Mr. Speaker, I move this bill (H. R. 1721) be recommitted to the Committee on Ways and Means.
Mr. W. H. WILSON. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 800, as follows:

An Act making an appropriation for the purchase for the Pennsylvania State Museum of a collection of photograph negatives showing the history of the oil industry of this Commonwealth from the earliest discoveries to the present

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen hundred dollars ($1,500) or so much thereof as may be necessary is hereby **specifically appropriated for the purchase for the Pennsylvania State Museum of a collection of photographic negatives made and now owned by John A. Mather of Titusville Pennsylvania showing photographically the history of the oil industry of this Commonwealth from the beginning** of such industry to the present times Payment of the moneys hereby appropriated shall be made under such regulations as may be prescribed by the Auditor General

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1331 (Senate No. 69), entitled:

An joint resolution proposing an amendment to section one of article nine of the Constitution of Pennsylvania relating to taxation

And said bill having been read at length the second time and agreed to,
Ordered, to be transcribed for a third reading.

Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1949, entitled:

An Act to provide revenue for State and County purposes and in cities co-extensive with counties for Municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or association limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons co-partnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-at-fact or in any other capacity for the use benefit or advantage of any other person persons co-partnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities co-extensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used for transportating passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxa-

tion to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agreed to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life insurance corporation having no capital stock secret and beneficial societies labor unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall return and pay the tax imposed by this section upon such securities so held by them as in the case of individuals and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That none of the classes of property made taxable by this section for county purposes and in cities co-extensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealtn

On the question,

Will the House agree to the section?

Mr. SHERN. Mr. Speaker. I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Section 1, lines 77 to 86. Strike out the proviso beginning in line 78 and ending with line 86 and insert the same after the word "unions" in line 90.

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections were then separately read and agreed to as follows:

The title of the bill was read as follows:

Section 2 That the board of revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assesors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person co-partnership unincorporated association joint-stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person co-partnership unincorporated association company limited partnership joint-stock association and corporation shall respectively make return annually of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person co-partnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons co-partnership unincorporated association company limited partnership joint-stock association or corporation which return shall be made and sworn or affirmed to by such taxable person and in the case of co-partnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing busines sin more than one county shal be liable to make such return only in the county in which its principle office within this Commonwealth is situated

Section 3 That the affidavit required to be made by the last preceding section shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall willfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of willful and corrupt perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter or controversy

Section 4 That the several assessors are hereby authorized to administer the oath or affirmation to any person or officer taking of which oath or affirmation no charge shall be made by the assessor Any assessor who shall accept such return from any person or officer required to make the same without requiring the oath or affirmation of such person or offiycer as herein provided or who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine not exceeding five hundred dollars

Section 5 That upon the refusal or failure of any taxable person co-partnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person co-partnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eighth sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person co-partnership unincorporated association joint-stock association limited partnership or corportaion with the amounts of all such liens with interest thereon and add theerto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct according to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or co-partnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assesors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that returned by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred

Section 6 That if any assessor and any taxable person or members of any co-partnership unincorporated association or company officer or stockholder or member of any limited partnership joint-stock association or corporation shall agree or enter into any arrangement or understanding that upon the failure of such taxable person co-partnership unincorporated association company limited partnership joint-stock association or corporation to make the return required by the second section of this act to be made such assessor shall return a less amount of property made taxable by the first section of this act than should have been returned by such taxable person co-partnership unincorporated association company limited partnership joint-stock association or corporation the persons entering into such agreement arrangement or understanding shall be guilty of conspiracy and upon the conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and undergo an imprisonment either at labor by separate or solitary confinement or to simple imprisonment not exceeding three years at the discretion of the court

Section 7 That from and after the passage of this act it shall be the duty of the recorder of deeds mortgages and other instruments of writing in each and every county in this Commonwealth to keep a daily record separate and apart from and other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which said record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mortgage or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record and for the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement It shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the said mortgage assignment or agreement has attached thereto and made part of said mortgage assignment or agreement a certificate signed by said mortgagee assignee or person entitled to interest or his her or their duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest said certificate to be recorded with said mortgage assignment or agreement and it shall be the further duty of the recorder on the first Monday of each month to file the aforesaid daily record in the commissioners' office or with the board of revision of taxes of the proper county or city and one certificate appended thereto shall be all that shall be required

Section 8 That it shall be the duty of the prothonotary or clerk of the Court of Common Pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all

other records of every single bill bond judgment or other instrument securing a debt entered of record in his office which daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied and it shall be the further duty of the prothonotary or clerk of the Court of Commn Pleas to file the aforesaid daily record of bills and so forth in the commissioner's office or with the board of revision of taxes of the proper county or city on the first Monday of each month and one certificate appended thereto shall be all that shall be required

Section 9 That it shall be the further duty of the county commissioners or board of revision of taxes upon obtaining record of the existence within any county or city co-extensive with a county of said mortgages and other obligations that shall be owned by a person co-partnership association limited partnership joint-stock association or corporation resident or doing business within this Commonwealth and not a resident or doing business within this Commonwealth and not a resident of said county or city or in the case of a corporation limited partnership or company not having its principal office within said county or city to transmit a certified statement of said record to the county commissioners or board of revision of taxes of the proper county or city wherein said person is domiciled or wherein said co-partnership association limited partnership joint-stock association or corporation does business or maintains its principal office and also to further transmit to said commissioners or board of revision of taxes a certified statement whenever it shall appear from the record that said mortgages and other obligations are satisfied which upon its receipt shall be filed of record by the county commissioners or board of revision of taxes

Section 10 That it shall be the further duty of the county commissions or the board of revision of taxes of the proper county or city upon the receipt of the daily records from the offices of the recorder or prothonotary or clerk to file the same in their office and on or before the time of making the annual or triennial assessment in any year to prepare from the said records a statement or statements showing so far as practicable the number and amount of said mortgages and all other obligations and names of the parties thereto in each borough township district or ward in such county or city which said statement shall be delivered to the assessor or assessors of each borough township district or ward respectively before said officers shall enter upon the discharge of their proper duties

Section 11 That it shall be the duty of the assessor or assessors in making up their valuations of money at interest in their respective boroughs township districts or wards to compare the return made by each person co-partnership association limited partnership joint-stock association or corporation with the statement furnished them by the county commissioners or board of revision of taxes and if the amount of said mortgages or other obligations as contained in said statement shall exceed the amount set forth in the return of any person co-partnership association limited partnership joint-stock association or corporation to note the fact and make return of the same to the commissioners or board of revision of taxes of the proper county or city

Section 12 That it shall be the further duty of the county commissioners or board of revision of taxes upon the returns made to them by the assessors of the several boroughs townships districts and wards in all cases where it shall appear on proving the record that any person co-partnership association limited partnership joint-stock association or corporation has returned a less amount of money at interest than appears from the records in possession of the commissioners or board of revision of taxes thereupon to raise the valuation of the property of said person co-partnership association or limited partnership joint-stock association or corporation to the amount set forth in said records and forthwith to notify the persons co-partnerships associations limited partnerships joint-stock associations or corporations interested of the said increase of valuation and that the same is subject to be appealed from at the same time and the same manner as the original assessment

Section 13 That any willful failure on the part of the county commissioners board of revision of taxes borough township district and ward assessors recorders of deeds prothonotaries and clerks of courts to carry out the duties imposed upon them by the several sections of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to a fine not exceeding five hundred dollars and imprisonment not exceeding one year

Section 14 That recorders of deeds and prothonotaries shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the county commissioners or board of revision of taxes as required by law which fees shall be paid by the respective county treasurer on the presentation of proper vouchers and shall be applied in like manner as other fees received by such recorders and prothonotaries Provided however That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such report And provided further That the amount allowed any prothontary or recorder of deeds under this act shall not exceed the sum of six hundred dollars per annum

Section 15 That it shall be unlawful for any person or persons co-partnership unincorporated association limited partnership joint-stock association or corporation whatsoever in loaning money at interest to any person or persons whether such loans be secured by bond and mortgage or otherwise to require the person or persons borrowing the same to pay the tax imposed thereon by the first section of this act and in all cases where such tax shall have been paid by the borower or borrowers the same shall be deemed and considered usury and be subject to the laws governing the same

Section 16 That the tax upon personal property imposed by the first section of this act shall be collected by distraint or otherwise as other taxes for county purposes or in cities co-extensive with counties for city and county purposes are collected under the laws of this Commonwealth Provided however That no tax by said first section imposed shall be collectible or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation

Section 17 That all scrip bonds or certificates of indebtedness isued by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds or certificates of indebtedness issued by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and fourteen and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief asociations life insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

Section 18 It shall be unlawful in cities co-extensive with counties to use or appropriate any moneys realized from the sale of any bonds isued by any cities co-extensive with counties for city and county purposes based upon the value of property made taxable by the provisions of this act for any other purpose than the purchasing leasing locating constructing and equipping transit facilities or any one or more of them and the use and operation of the same within their limits of adjacent cities boroughs and townships or for other permanent improvements

Section 19 That the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the collection of the State tax upon such obligations shall remain unaffected by the present act

Section 20 That (1) the act entitled "An Act fixing the compensation of prothonotaries and recorders for duties imposed upon them by law in certifying to the county commissioners and board of revision of taxes judgments mortgages et cetera and assignments and satisfactions thereof and providing for the payment of the same" approved May twenty-four one thousand eight hundred and eighty-seven (2) sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen and eighteen of an act entitled "An Act further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June one one thousand eight hundred and eighty-nine (3) sections one two and three of an act entitled "An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the

seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on he first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value" approved June eighth one thousand eight hundred and ninety-one (4) the act entitled "An Act amending the fifth seventh and eighth sections of a further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine which further supplement was approved on the first day of June one thousand eight hundred and eighty-nine authorizing and requiring the Auditor General of the Commonwealth to make a return for personal property taxes for defaulting persons co-partnerships unincorporated associations limited partnerships joint-stock associations or corporations wherein there has been a failure or refusal of the aforesaid to make returns properly verified and upon the failure or refusal of the assessors and board of revision of taxes or county commissioners to make a proper return for said personal property taxes also authorizing and requiring the Auditor General of the Commonwealth to collect the taxes in accordance with the returns made by him and requiring the recorder of deeds and prothonotaries of the various counties to file daily records in the Auditor General's office as they are required to file in the commissioners' office or with the board of revision of taxes also requiring the county commissioners or board of revision of taxes to file with the Auditor General copies of all returns made for personal property taxes and requiring the record of the county commissioners or board of revision of taxes to be opened to the inspection and use of the Auditor General" approved April seventeen Anno Domini nineteen hundred and five (5) the act entitled "An Act to amend the first section of an act entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine 'approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value' by relieving and exempting from the provision thereof savings institutions having no capital stock" approved the first day of May Anno Domini one thousand nine hundred and nine (6) the act entitled "An Act amending and supplementing section one of an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine as the same was amended by the enactment of 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June Anno Domini one thousand eight hundred and eighty-nine as further amended and supplemented by 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollars of its actual value' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven and all other sections and parts of the said acts which are inconsistet herewith or which are hereby substantially re-enacted be and the same are hereby repealed saving reserving and excepting unto the Commonwealth the right to collect any tax taxes interest penalty or penalties due or owing or accured under the said acts or parts of acts or any of them prior to the date when this act goes into effect and further saving reserving and excepting unto the Commonwealth the right to assess and collect all taxes in and for the year one thousand nine hundred and thirteen under existing legislation

The title of the bill was read as follows:

An Act to provide revenue for State and county purposes and in cities co-extensive with counties for municipal purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same

On the question,

Will the House agree to the title?

Mr. SHERN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend the title after the word "for" in the second line by striking out the word "municipal" and inserting the words "city and county" also after the word "same" in the fourtn line of the title add the words "providing for the duties and compensation of Prothonataries and Recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes and providing for the appropriation and use of money realized therefrom, making a violation of its provisions a misdemeanor and providing a penalty for the violation thereof."

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered. To be transcribed for a third reading.

HOUSE BILL NO. 1949 MADE A SPECIAL ORDER.

Mr. RONEY. Mr. Speaker, I move that this bill be made a special order for third reading and final passage on next Monday evening at 9 o'clock.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1706, as follows:

An Act conferring jurisdiction upon courts of quarter sessions in cases of nuisance against townships cities boroughs and other municipal corporations to hear and determine the same without trial by jury and regulating procedure fine and costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any township borough city or other municipal corporation charged with the maintenance of any public highway or bridge shall be returned to the court of quarter sessions of the proper county for failure to maintain such public highway or bridge in a passable condition or for permitting a nuisance of any character to exist thereon and an indictment shall be found thereon the district attorney of the proper county shall set a date for hearing thereon not more than sixty days thereafter and shall serve a notice in writing upon the proper officers of such township borough city or other municipal corporation of the fact that such indictment has been found and of the date fixed for hearing thereon which notice shall be accompanied by a certified copy of the indictment and a demand for the entry of plea to the same within fifteen days from the date of service thereof and all of which shall be served upon the proper officers of such municipality not less than fifteen days prior to the date of hearing thereon fixed

Section 2 That if a plea of guilty be entered to said indictment the court or any law judge thereof shall thereupon make such order concerning said nuisance as may be effectual to abate the same and impose upon the defendant the costs of prosecution and a fine not exceeding one hundred dollars or either or both at the discretion of the court

Section 3 That if after notice to plead as aforesaid said defendant shall not enter a plea the court or any law judge thereof shall direct the entry of a plea of not guilty and shall there upon proceed to hear and determine the case without trial by jury and if such nuisance be found to exist shall enter such decree and order as shall be effectual to abate the same and impose a fine and costs or either or both as provided for in preceding section

Section 4 That in all cases the court shall make such disposition of the costs as may in its discretion be deemed equitable

Section 5 That the officers upon whom service shall be made of any notice or process required in the prosecution of the case shall be such as are now designated by existing law for the service of summons upon such townships boroughs cities or other municipalities

Section 6 That the service of such notices or other processes as may be required to secure the attendance of witnesses and the costs and fees of witnesses shall constitute a part of the costs of the case and shall be taxable as such

Section 7 That nothing herein contained shall be so construed as to prevent or impair the finding and prosecution of indictments against municipal officers for such neglect or for the maintenance of nuisance on public highways and bridges but

the said municipal officers may be proceeded against by indictment and prosecution as under existing law

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 668, as follows:

An Act to provide for the return by the State Treasurer to the several counties from which the same are received for their own use of three-fourths of certain taxes received or collected by county treasurers or other officers and paid into the State treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the first day of January one thousand nine hundred and fourteen and annually thereafter three-fourths of the net amount of the mercantile license tax upon vendors or of dealers in goods wares or merchandise at retail at wholesale and at any exchange or board of trade three-fourths of the net amount of the mercantile license tax upon restaurants eating houses cafes and quick-lunch business three-fourths of the net amount of the license tax upon auctioners and three-fourths of the net amount of the license tax upon brokers factors commission merchants agents and pawnbrokers paid by the persons firms limited partnerships or corporations engaged in any of the aforesaid occupations or businesses and received or collected by county treasurers or other officers and transmitted to the State Treasurer and paid into the State Treasury shall be returned by the State Treasurer to the counties from which the same are received for their own use Warrants for this purpose shall be drawn by the Auditor General payable to the treasurer of the several counties in accordance with this act Provided That in consideration of the return to the counties as aforesaid of three-fourths of the taxes so collected and paid into the State Treasury no claim shall be made upon or allowed by the Commonwealth for county treasurers or mercantile appraisers for commissions or fees or mileage

Section 2 All acts or parts of acts general special or local inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribe for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1823 (Senate No. 147), entitled:

An Act regulating appeals from tax and other public accounts settlements of the fiscal officers of the Commonwealth

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That in every appeal now authorized by law from a tax or other public accounts settlement of the fiscal officers of the Commonwealth an affidavit of the party appellant or if a corporation limited partnership or joint-stock association then of one of its chief officers shall be filed with said appeal stating the specifications of objections to the said settlement that said appeal is not taken for the purpose of delay but because appellant believes injustice has been done by the settlement appealed from and that the facts set forth therein are true to the best of affiant's knowledge and belief

On the question,

Will the House agree to the section?

BILL DROPPED FROM CALENDAR.

Mr. FREY. Mr. Speaker, I call the attention of the House to this bill. It is just the same as House Bill No. 1166, which has already passed the House and been approved by the Governor. I therefore move this bill be dropped from the Calendar.

Mr. W. H. WILSON. Mr. Speaker, I second the motion

Mr. DAVIS. Mr. Speaker, I would like to interrogate the gentleman from York.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. FREY. Mr. Speaker, I will.

Mr. DAVIS. Mr. Speaker, I would like to ask the gentleman if he has spoken to Senator McNichols about this.

Mr. FREY. Mr. Speaker, I have not, but I have compared it and it is just exactly the same as the one that has been passed and approved.

Mr. DAVIS. Mr. Speaker, it seems to me that out of courtesy to the Senator he should have been spoken to.

On the question recurring,

Shall the bill be dropped from the Calendar?

It was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1349, as follows:

An Act to regulate the temperature of milk and cream intended to be shipped sold or offered for sale

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all milk intended to be used as human food or drink in its fluid state and to be shipped sold or offered for sale which has been cooled to a temperature of sixty degrees Fahrenheit within one hour after being drawn from the cow and not allowed to again rise above that temperature before delivery to consumer except milk or cream to be separated pasteurized sterilized or manufactured into cheese butter or milk to be condensed and not having become unfit for human consumption by pollution or contamination can be lawfully offered for sale and be sold in the Commonwealth of Pennsylvania All responsibility for temperature and purity shall cease upon the part of the producer or shipper when the same has been delivered to the carrier or dealer

Section 2 Whenever any municipality through or by the health authorities of this Commonwealth or the health authorities of any municipalities within this Commonwealth shall require that all milk and cream offered for sale must be reduced to the temperature of six degrees Fahrenheit and such milk or cream is to be transported the carrier shall furnish adequate facilities and shall be responsible for delivering same at or below that temperature

Section 3 All acts or parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribe for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1958 (Senate Bill No. 873), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties if the surety or sureties have paid the taxes to collect taxes for the payment of which they have become personally liable without having collected same by the expiration of the authority of their respective bonds or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from hte passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribe for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1854 (Senate Bill No. 221), entitled:

An Act to continue the existence of commissioners for the promotion of uniformity of legislation in the United States provided for in the act of the General Assembly of the Commonwealth of Pennsylvania approved the twenty-third day of May Anno Domini one thousand nine hundred and one

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1337 (Senate Bill No. 169), entitled:

An Act relating to the competency as evidence of certain findings in proceedings in lunacy

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1333 (Senate Bill No. 75), entitled:

An Act regulating reports for the purposes of taxation by corporations joint-stock associations and limited partnerships any part of the capital stock or indebtedness of which is not taxable under the laws of this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1725, as follows:

An Act to repeal an act entitled "An Act to amend the third fifth seventh twenty-fourth and twenty-seventh sections of an act approved the second day of May Anno Domini one thousand eight hundred and eighty-nine entitled 'An Act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same' so as to provide for the escheat of property held in trust or resulting from the investment of trust funds which property is or shall be without a lawful owner fixing the jurisdiction of the courts of this Commonwealth in cases of such escheat reducing the amount to be paid to informers and increasing the percentage to be paid to escheators" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the act entitled "An Act to amend the third fifth seventh twenty-fourth and twenty-seventh sections of an act approved the second day of May Anno Domini one thousand eight hundred and eighty-nine entitled 'An Act defining and regulating escheats in cases where property is without a lawful owner and providing for more convenient proceedings relative to the same so as to provide for the escheat of property held in trust or resulting from the investment of trust funds which property is or shall be without a lawful owner fixing the jurisdiction of the courts of this Commonwealth in cases of such escheat reducing the amount to be paid to informers and increasing tht percentage to be paid to escheators" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven be and the samt is hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. RONEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Ways and Means.

Mr. GANS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 355, entitled:

An Act prohibiting any officer clerk or employee of any county city borugh town township school district or poor district from taking any active part in politics political movements or elections or from interfering with elections or from using his office to influence politics political movements or elections and providing penalties for violation thereof

The first, second and third sections were separately read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That no officer or clerk or employe of any county containing a population of one million five hundred thousand and over shall be a member of or delegate or alternate to any political convention nor shall he be present at any such convention except on the performance of his official duty No such officer clerk or employee shall serve as a member of or attend the meetings of any committee of any political party or take any active part in political management or in political campaigns or use his office to influence political movements or influence the political action of any other such officer clerk or employee No such officer clerk or employee shall in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the vote or returning the ballot boxes books and papers to the place provided by law for that purpose save only for the purpose of marking and depositing his ballot as speedily as it reasonably can be done or be within any polling place or within fifty feet thereof except for purposes of ordinary travel or residence during the period of time beginning with one hour preceding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the ballot boxes and papers in the place provided by law for that purpose excepting only police officers of the particular county who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each such case only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

Section 2 Any such officer clerk or employee who shall violate any of the provisions of this act shall bt guilty of a misdemeanor and upon conviction thereof srall be sentenced to pay a fine of not less than one hundred dollars nor more than one thousand dollars and to undergo an imprisonment in the jail of the proper county of not less than three months nor more than twelve months The court shall not suspend sentence in any case In addition to the fine and imprisonment such officer clerk or employee shall forfeit his office or position and shall during a period of five years thereafter be disqualified from holding any position of honor or trust or profit within the limits of this Commonwealth

Section 3 All acts and parts of acts inconsistent with the provisions of this act are repealed

The title of the bill was read as follows:

An Act prohibiting any officer clerk or employee of any county city borough town township school district or poor district from taking any active part in politics political movements or elections or from interfering with elections or from using his office to influence politics political movements or elections and providing penalties for violation thereof

On the question,

Will the House agree to the title?

Mr. GEORGE K. YOUNG. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend title, lines 1-2. Strike out the words "city, borough, town, township, school district or poor district" and insert the words containing a population of one million five hundred thousand and over"

On the question,

Will the House agree to the amendment?

It was agreed to.

The title as amended was then agreed to.

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1963 (Senate No. 10), entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by restricting the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

The first and second sections of the bill were read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayors of the several cities of the Commonwealth may and are hereby authorized to appoint such numbers of competent persons as inspectors of weights and measures as they may deem proper to protect the public from the use of false weights and measures and whose duties it shall be to faithfully enforce and execute the laws of the Commonwealth now in existence or which may be hereafter enacted with reference to weights and measures Provided That the county inspectors of weights and measures shall have no authority to inspect weights and measures in cities or to execute the laws of the Commonwealth in regard to the same or the ordinances of municipalities as they apply to cities within limits of their respective counties Neither shall the city inspectors have any jurisdiction outside of their respective cities

The compensation and expenses of such county inspectors shall be fixed by the respective boards of county commissioners and paid by appropriations directly from the proper county treasuries and the compensation of city inspectors shall be fixed by ordinance such compensation and allowances for expenses shall be paid by appropriations made from the respective city treasuries" is amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several boards of county commissioners and the mayors of cities of the second and third class shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city In addition to the salary provided by law the said county and city inspectors shall be entitled to have and receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the boards of county commisisoners of their respective counties on bills itemized and properly sworn to Provided however that nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commisisoners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority jurisdiction and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointing power of suc hcounty or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts

Section 2 That section two of said act which reads as follows

"Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbefore referred to to be put in force by said Secretary of Internal Alairs and approved by the Governor of the Commonwealth

The inspector shall take charge of and safely keep the standard Where not otherwise provided by law the inspectors shall have the power within their respective jurisdictions to inspect test try and ascertain if they are correct all weights scales beams measures of every kind instruments or mechanical devices for measurment and the tools appliances or accessories connected with any or all such instruments or measurments used or employed within the city by any proprietor agent lessee or employe in determining the size quantity extent area or measurement of quantity things produce articles for distribution or consumption offered or submitted by any person or persons for sale for hire or award He may for the purpose above mentioned and in the general performance of his duty enter or go into or upon and without formal warrant any stand place building or premises or may stop any vendor peddler junk-dealer coal wagon ice-wagon or any dealer whatsoever for the purposes of making proper tests Whenever the sealer finds a violation of the statute relating to weights and measures he may seize without warrant such weights measures or balances as may be necessary to be used as evidence in case of violation of the law relative to the sealing of weights and measures and they shall be held until otherwise directed by the court" is amended to read as follows

Section 2 That all county and city inspectors so appointed shall be supplied at the expense of their respective counties and cities with standard tests of weights and measures in conformity with those established by the Government of the United States or the Bureau of Standards of the State and the laws of this Commonwealth and to ensure the accuracy of these tests they shall be compared with the standard tests to be purchased by the Secretary of Internal Affairs and when so compared and their correctness established they shall be so stamped or marked in such manner as may be established by the rules and regulations hereinbore referred to be put in force by said Secretary of Internal Affairs and approved by the Governor of the Commonwealth

Each inspector shall report in writing at least once every month to the Chief of the State Bureau of Standards upon blanks furnished by the Chief Such report shall contain (1) The number of tests made since the last preceding report (2) The number of weights measures and balances found by such tests to be correct (3) The number of weights measures and balances found by such tests to be false (4) The number of prosecutions instituted by such inspector since the last preceding report together with the name of the accused the title of the court where prosecution was instituted and the result of such prosecution (5) Such other matters as the Chief may from time to time prescribe

The inspectors shall take charge of and safely keep the proper standards They shall be furnished by the Chief of the Bureau of Standards of this Commonwealth with full specifications of tolerances and allowances to be used by them in the performance of their duties Each inspector shall have power within his respective jurisdiction to test all instruments and devices used in weighing or measuring anything sold or to be sold and seal the same if found to be correct Such test shall include all appliances connected or used with such intsruments or devices For the purpose of making such test each inspector at any reasonable time and without formal warrant may enter upon any premises and may on any public highway stop any vendor or dealer or the agent or servant of such vendor or dealer or stop any vehicle used in delivering any commodity which is weighed or measured as delivered He may condemn and mark as condemned or may seize any false or illegal instrument or device used or intended to be used in weighing or measuring If he shall seize any such instrument or device he shall retain possession thereof until it shall have been used as evidence in any prosecution under the laws of this Commonwealth relating to weights and measures or to the sale of commodities After the determination of such prosecution the false or illegal instrument or device shall be destroyed unless otherwise directed by the proper court

The third section of the bill was read as follows:

Section 3 That section three of said act which reads as follows

"Section 3 Whoever himself or by his servant or agent or as the servant or agent of another person is guilty of giving false or insufficient weight or measure shall for the first offense be punished by a fine of not more than fifty dollars for a second offense by a fine of two hundred dollars and for a subsequent offense by a fine of one hundred dollars and by imprisonment for not less than thirty nor more than ninety days at the discretion of the court

It shall be unlawful for any inspectir to use and tsts on standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon a conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court" is amended to read as follows

Section 3 Each person who shall directly or indirectly or by his servant or agent or as the servant or agent of another violate any of the provisions of this act or give or offer to give any false weight or measure or use any weighing device after it shall have been condemned and before it shall have been adjusted and sealed or obstruct or attempt to obstruct any inspector in the performance of his duty shall be guilty of a misdemeanor Upon conviction thereof such person shall for the first offense be sentenced to pay a fine not to exceed one hundred dollars for the second and each subsequent offense such person shall be sentenced to pay a fine of not more than five hundred dollars and to undergo an imprisonment in the proper county jail for not less than thirty nor more than ninety days In default of the payment of any fine as aforesaid the person convicted shall be sentenced to serve one day in jail of the proper county for each dollar of the fine and costs

It shall be unlawful for any inspector to use any tests or standards or to attempt to use the same in ascertaining the correctness or accuracy of weights and measures until such comparisons are made and their accuracy established and so stamped or marked and any inspector violating the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be fined not exceeding one thousand ($1,000) dollars or undergo imprisonment for a period not exceeding one year or both or either at the discretion of the court

On the question,

Will the House agree to the section?

Mr. GANS. Mr. Speaker, I desire to offer the following amendments:

The amendments were read by the Clerk as follows:

Section 3, line 12: Strike out "stanadrds" and insert "standards."
Section 3, line 29: Strike out "one hundred" and insert "twenty-five."
Section 3, line 33: Strike out "loss" and insert "more."
Section 3, line 33: Strike out "nor more than ninety days" and insert in lieu thereof "days or both in the discretion of the court."

On the question,
Will the House agree to the amendments?
They were agreed to.
The section as amended was then agreed to.
The fourth section and the title of the bill were separately read and agreed to as follows:

Section 4 All acts or parts of acts general local or special inconsistent with any of the provisions of this act are nereby repealed
An Act to amend an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by restricting the provisions thereof to counties and cities of the second and third classes regulating the appointment and compensation of the inspectors extending their powers and duties and changing the penalties for violation of the said act

And said bill having been read at length the second time and agreed to.
Ordered, To be transcribed for a third reading.
Agreeably to order,
The rule requiring bills to be considered in committee of the whole being in this case dispensed with,
The House proceeded to the second reading and consideration of House Bill No. 1744, as follows:

A Supplement to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commoswealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the directors of the Department of Wharves Docks and Ferries in any city of the first class shall have authority after the appropriation by councils of said city or by the Commonwealth of Pensylvania of the money required therefor to erect and construction retaining structures adjoining the banks of navigable streams located within its corporate limits for the purpose of protecting the channel of such streams and when any such retaining structure shall have been erected or constructed the cost thereof per foot shall be filed in the office of said director and no riparian owner lessee or licensee shall use any such retaining structure for the purpose of constructing extending altering improving or repairing any wharf or other building in the nature of a wharf or other harbor structure or for other wharf purposes without having previously paid to the said director of the city in which such retaining structure is erected or constructed the cost of erecting so much of said retaining structure as is so used and any such person who shall use any such retaining structure as aforesaid before the cost thereof has been paid to the said director as aforesaid shall pay to the said city a penalty of twenty-five dollars per day for every day on which such retaining structure shall be so used to be collected as debts of a similar nature are now collected All money paid to the director under the provisions of this act shall be paid by him into the city treasury to be used by the said city only for the purpose of developing extending and improving the wharves owned by the said city

And said bill having been read at length the second time and agreed to,
Ordered, To be transcribed for a third reading.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 1147, as follows:

An Act providing for the publishing of legal advertisements in certain newspapers in counties not exceeding fifty thousand inhabitants
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That all legal advertisements now required by law to be published in newspapers in counties not exceeding one hundred and fifty thousand inhabitants shall be inserted in the newspapers having by the sworn statement of the owner or publisher the largest circulation within such county
Section 2 All acts or parts of acts general special or local inconsistent with this act are repealed

On the question,
Shall the bill pass finally?

RECONSIDERATION OF VOTE.

Mr. MATT. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.
Mr. SAVACOOL. Mr. Speaker, I second the motion.
The motion was agreed to.
On the question,
Will the House agree to the bill on third reading?
Mr. MATT. Mr. Speaker, I ask unanimous consent to offer amendments at this time.
The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Section one, line 5, strike out "One hundred and fifty thousand" and insert in lieu thereof "Two hundred and fifty thousand."
Amend title by striking out "fifty thousand" and insert in lieu thereof "two hundred and fifty thousand."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.
The bill as amended was then agreed to.
Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 45, as follows:

An Act fixing the penalty for murder of the first degree regulating the procedure incident thereto prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary in Centre county making an appropriation therefor repealing certain acts and parts of acts and exempting from the operation of the act certain persons
Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person his aiders abettors and counsellors hereafter convicted of the crime of murder of the first degree shall be sentenced to suffer death in the manner herein provided and not otherwise Such punishment in every case must be inflicted by causing to pass through the body of the convict a current of electricity of intensity sufficient to cause death and the application of such current must be continued until such convict is dead The said punishment shall be inflicted by the warden or deputy warden of the Western Penitentiary or by such person as the warden shall designate and shall be inflicted in a building to be erected on the land owned by the Commonwealth in Centre county whereon the buildings of the new Western Penitentiary are to be built
Section 2 Whenever any person shall have been convicted and sentenced to death the clerk of the court where such conviction shall have taken place shall transmit to the Governor of the Commonwealth a full and complete transcript of the record of such trial and conviction within thirty days after sentence or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal
Section 3 After the receipt of the said record the Governor of the Commonwealth shall issue his warrant directed to the warden of the Western Penitentiary commanding said warden to cause such convict to be executed in said penitentiary within the week to be named in said warrant and in the manner prescribed by law
Section 4 Upon the receipt of such warrant the said warden shall duly notify the officer having the custody of such convict to deliver such convict to the custody of such warden and it shall be the duty of such officer to forthwith cause such delivery to be made Thereupon and until the penalty of death shall be inflicted or until lawfully discharged fro msuch custody said convict shall be kept in solitary confinement in said penitentiary During such confinement no person except the officers of such penitentiary the counsel of such convict or a spiritual adviser selected by such convict or the members of the immediate family of such convict shall be allowed access to such convict without an order of said court or a judge thereof

Section 5 No person except the following shall witness any execution under the provisions of this act the warden of the penitentiary where such execution takes place a qualified physician six reputable adult citizens selected by such warden one spiritual adviser when requested and selected by the convict not more than six duly accredited representatives of the daily newspapers and such officers of said penitentiary as may be selected by said warden

Section 6 After any such execution the warden of the Western Penitentiary shall certify in writing under oatn or affirmation to the court of oyer and terminer of the county wherein such convict has been sentenced to deatn that such convict was duly executed at the place and in the manner prescribed in this act and at the time designated in the death warrant of the Governor Such certificate shall be filed in the office of the clerk of such court

Section 7 Immediately after execution a post mortem examination of the body of the convict shall be made by the physician present at the execution and his report in writing stating the nature of the examination so made by him shall be annexed to the certificate hereinbefore named and filed therewith After such post mortem examination the body unless claimed by some relative or relatives of the person so executed shall be delivered to the duly authorized agent of the State Anatomical Board

Section 8 The cost and expense incident to any such execution and such post mortem examination shall be paid from the contingent fund of the Western Penitentiary

Section 9 The board of inspectors of the Western Penitentiary shall immediately after the passage of this act cause to be erected an appropriate building located at such place on the grounds of the new western Penitentiary in Centre county as shall be agreed upon by the said board and shall also cause to be constructed in said building such electrical apparatus machinery and appliances as may be suitable and sufficient to execute condemned criminals in the manner prescribed by this act

Section 10 For the purpose of commencing and if possible completing the erection of such building and purchasing such apparatus machinery and appliances and installing the same on the grounds of said penitentiary the sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby specifically appropriated

Section 11 The provisions of this act shall not apply to any person now under sentence of death but in such cases siad death sentence shall be executed in accordance with the seventy-fifth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" and the seventy-sixth section of an act approved the thirty-first day of March one thousand eight hundred and sixty entitled "An Act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" and other existing laws which said recited sections as well as all other acts or parts of acts inconsistent with any of the provisions of this act are hereby repealed said repeal to take effect when all persons now under sentence of death thereunder and all persons sentenced to death the date of whose execution as fixed by the Governor of this Commonwealth shall be prior to the completion of the building and the installation of the appliances provided for in this act shall have suffered death by hanging by the neck or their sentences shall have been commuted or otherwise disposed of according to existing laws

Section 12 This act is intended to furnish a comprehensive method of inflicting the death penalty If any portion of this act shall be declared invalid or unconstitutional by the Supreme Court of Pennsylvania the entire act shall thereupon be null and void

On the question,

Shall the bill pass finally

Mr. HESS. Mr. Speaker, this bill provides for the substitution of electrocution instead of hanging for criminals who have been convicted of murder in the first degree. I received my inspiration for the introduction of this bill on an almost perfect June day almost a year ago. Standing with a small group of men in the western part of the lawn surrounding the prison in my own county, we were all gazing at a small door in the western wall of the Lancaster County prison, which never springs open except to close forever the door of hope upon the misguided life and soul of the person under sentence of death. We saw the procession start from the death cell just inside of that door. There was nothing unusual about that procession. Preceded by his spiritual advisers, who were garbed in their saintly garb, the victim followed shackled to two officers of the law. A hush fell over the small audience as that procession, with measured tread, approached the steps and ascended to the scaffold. There was nothing unusual in what proceeded there. When the proper moment arrived, the sheriff retired to the rear of the scaffold, waved his white handkerchief and the assistants on the ground below pulled the drop and the body of the victim dropped through the opening of the scaffold and onto the ground beneath. And as the sheriff stepped to the edge of the platform, he gazed down under the scaffold and discovered the form of the man lying on the ground. The rope had broken. Immediately the sheriff and his assistants hurried to the side of the man and attempted to unfasten the noose, but it would no yield for a moment. They struggled with it but it would not yield. Knives were procured and an attempt was made to sever that cord that was strangling the man on the ground. But that cord was almost as hard as a steel cable and it was almost impossible to cut it. But finally a larger knife was secured, and the sheriff by using force and strength finally severed the rope. And the moment that rope was severed, it was six minutes from the time the drop fell. A plank that had been provided for such occasions was quickly seized and placed in position and the man was laid upon it and strapped down and taken back to the scaffold the second time. He was thus carried up the steps of the platform and the plank was set on end until they could adjust another rope and the black cap be adjusted the second time, That man, in tones loud enough to be audible to the entire audience, repeated the confession of faith after his saintly advisers, and every one in the audience heard it. It was no bungling job, that rope was insured and tested the day before, and it was twenty-two minutes from the time the first drop fell until the second drop fell. Then it was twenty-two minutes more before the physicians pronounced that man dead,—forty-four minutes of strangulation to enable the officers of the law to uphold the sanctity of the law and inflict the penalty of the law that the victim should be hanged by his neck until dead. Gentlemen, this procedure is a relic of barbarity. No later than Thursday, April 24th, and this is still fresh in all your minds, a similar incident accurred in Uniontown, Pa., in the County of Fayette. When John Harris was being hanged, the rope stretched or was too long. There is a difference of opinion on that point. It does not make any difference what the reason was, because when the drop fell the man was thrown to the ground and was found on his knees. The officers of the law hastened to the scaffold and grasping the rope lifted him clear of his feet and for eighteen minutes he swung there suspended in the air and struggled and gradually strangled to death. I wish to read to you gentlemen an editorial from the Philadelphia Inquirer. I will not read the whole thing, but will only read the closing paragraph.

"We do not know what effect this latest hanging bee will have upon the Legislature, but we know what effect it ought to have. It ought to determine every member to put a stop to a relic of barbarity and substitute the electric chair for the scaffold."

I trust that every one of you gentlemen will lend your support in passing this bill.

Mr. GRAMLEY. Mr. Speaker, I merely want to say to you that I had an experience similar to the gentleman from Lancaster County. I have seen the rope break and have seen the culprit fall to the ground, when the sheriff of Centre County deputized me as one of two parties to carry that apparently lifeless body back up on the scaffold, and then they repeated the experiement. It was a sad thing to behold and a sadder thing to have as a result of our execution law. Let us put away the system of barbarism and become more humane in inflicting the penalty upon our criminals.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Adams,	Ewing,	Lowers,	Sassaman,
Allen,	Fahey,	Martin,	Savacool,
Arthur,	Flynn,	Mather,	Schaeffer, A. C
Baldwin, G. A.,	Forster, I. G.,	Matt,	Schuck,
Baldwin, R. J.,	Frey,	McAllister,	Shaffer, C. A.,
Barner,	Gans,	McArdle,	Shaffer, I. E.,
Bass,	Geiser,	McClintock,	Shern,
Benson,	Gibson,	McDermott,	Sherwood,
Bergey,	Good,	McKay,	Showalter,
Berntheizel,	Goss,	McNichol,	Smith, J. W.,
Bigger,	Gramley,	Mellott,	Smith, L.,
Bittles,	Gransback,	Metzenbacher,	Snavely,
Blair, W. A.,	Gray, Frank,	Miller,	Snyder,
Blair, W. F.,	Hackett,	Missimer,	Spangler,
Bleloch,	Haggerty,	Mitchell,	Speiser,
Body,	Heidinger,	Moore,	Spillinger,
Brosius,	Hemminger,	Morrow,	Steedle,
Brownlee,	Herman,	Moses,	Steele,
Burnett,	Hess,	Moulthrop,	Stone,
Caldwell,			

Campbell, C.M.,	Heyburn,	Musser,	Strauss,
Carson,	Hibshman,	Neel,	Swartz,
Carter,	Hobbs,	Neely,	Swift,
Cheeseman,	Howard, J.,	Newbaker,	Thomas,
Claycomb,	Howard, R.,	Newton,	Trach,
Cleary,	Humes,	North,	Ulman,
Cochran,	Jackson,	O'Neill,	Walnut,
Conner,	Jones, E. E.,	Pennegar,	Walsh,
Conniff,	Jones, J. R.,	Pennock,	Walton,
Cox,	Keeport,	Perry, S. J.,	Watson,
Currier,	Kennedy,	Peters,	Whitaker,
Curry,	Kern,	Piper,	Whitman,
Davis,	Kitts,	Price,	Wildman,
DeFrees,	Klepper,	Ramsey,	Williams,
Dickinson,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Donahoe,	Lanius,	Rhoads,	Wilson, W. H.,
Donnally,	Latshaw,	Richards,	Wiltbank,
Down,	Lenker,	Rockwell,	Young, G. K.,
Dunn, H. B.,	Light,	Roney,	Zimmerman,
Ehrhardt,	Lohr,	Rothenberger,	Alter,
Ely,			Speaker.

NAYS—2.

Becker, Kuhns, E.G.M.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

REASONS FOR NOT VOTING ON HOUSE BILL NO. 45.

Mr. FOSTER. Mr. Speaker, my reason for not voting upon this question of changing the form of capital punishment from hanging to electrocution is because of the fact that I do not believe in any form of capital punishment whatever and therefore cannot consistently vote upon the question.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House procedeed to the consideration on final passage of House Bill No. 1429, as follows:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than fifteen hours in any twenty-four hour period nor more than ninety hours in any one week in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than fifteen hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of duly incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than fifteen hours in any twenty-four hour period nor more than ninety hours in any one week in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or walking any animal a less period than fifteen hours when so doing shall in any way violate the laws against cruelty to animals

Section 2 Any person found guilty before any magistrate or alderman of violating the provisions of this act shall be fined in a sum not less than ten nor more than fifty dollars or by imprisonment for not more than six months said fine to be paid to any regularly incorporated society or association for the prevention of cruelty to animals which shall have jurisdiction in the county wherein suit is brought

Section 3 Any policeman or constable of any city of the first or second class or any agent of any regularly incorporated society or association for the prevention of cruelty to animals shall upon his own view of any such offence make arrest and bring before any magistrate or alderman offenders found violating the provisions of this act and any policeman or constable or any agent of any society as aforesaid shall also make arrests of such offenders on warrants duly issued according to law when such offence is not committed in view of said policeman constable or agent

On the question,

Shall the bill pass finally?

Mr. McCLINTOCK. Mr. Speaker, this bill was introduced in this House by me at the request of the Pennsylvania Society for the Prevention of Cruelty to Animals, and has been amended. A number of objections were raised to the first bill as presented, but now, in its amended form, I think all the objections have been overcome. The object is to prevent the abuse of the horse and working a horse twenty hours out of twenty-four. It covers cities of the first and second class, fixing the hours that a horse may be worked at fifteen hours a day or ninety hours a week. and that will give the horse one day's rest—his Sunday. The Secretary of the S. P. C. A. has informed me that it is quite common in cities of the first and second class for those people who hire out horses, that horses are in the habit of being used at night and also during the day and working them consequently as many as twenty hours out of the twenty-four. We have gone, at great length, into the regulating of the hours of labor for women and children, and justly so, and I think we should do something for our dumb animals, especially the horse. I hope the members of the House will support this measure as it don't interfere with the use of horses when they are used in a legitimate way and I don't think any right thinking man wishes to work his horse anywhere near fifteen hours a day every day in the week.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Adams,	Down,	Lanius,	Reeser,
Allen,	Dunn, H. B.,	Latshaw,	Rhoads,
Arthur,	Ehrhardt,	Lenker,	Richards,
Baldwin, G. A.,	Eichenberger,	Leslie,	Roney,
Baldwin, R. J.,	Ely,	Lohr,	Savacool,
Barner,	[illegible]ing,	Lowers,	Schaeffer, A. C.,
Bass,	Fahey,	Malie,	Shaffer, C. A.,
Bayle,	Forster, L. G.,	Martin,	Shaffer, I. E.,
Becker,	Foster, J. D.,	Mather,	Shern,
Benson,	Frey,	Matt,	Sherwood,
Bergey,	Gans,	McAllister,	Showalter,
Berntheizel,	Geary,	McArdle,	Smith, J. W.,
Bigger,	Gibson,	McDermott,	Smith, L.,
Bittles,	Goss,	McKay,	Snavely,
Blair, W. A.,	Gramley,	McNichol,	Spangler,
Blair, W. F.,	Gransback,	Miller,	Spillinger,
Bleloch,	Gray, Frank,	Mitchell,	Steele,
Brosius,	Hackett,	Moore,	Stone,
Brownlee,	Haggerty	Morrow,	Swartz,
Burnett,	Heidinger,	Moses,	Swift,
Campbell, C.M.,	Hess,	Moulthrop,	Thomas,
Campbell, J. J.,	Heyburn,	Neel,	Ulman,
Carter,	Hibshman,	Newton,	Walnut,
Cheeseman,	Hobbs,	O'Neill,	Walton,
Claycomb,	Humes,	Peachey,	Watson,
Cleary,	Isler,	Pennegar,	Whitaker,
Conner,	Jackson,	Pennock,	Wildman,
Conrade,	Jones, E. E.,	Perry, H. L.,	Williams,
Cox,	Jones, J. R.,	Perry, S. J.,	Wilson, J. H.,
Currier,	Keegan,	Piper,	Wilson, W. H.,
Curry,	Keeport,	Ramsey,	Wiltbank,
Davis,	Kennedy,	Redfield,	Young, G. K.,
DeFrees,	Kern,	Reese,	Zimmerman,
Dickinson,	Kuhns, E.G.M.,		Alter,
Donnally,			Speaker.

NAYS—19.

Benninger,	Donahoe,	Herman,	Newbaker,
Body,	Geiser,	Howard, R.,	Rothenberger,
Caldwell,	Good,	Kuhn, H. P.,	Sassaman,
Carson,	Grabe,	McCaig,	Trach,
Cochran,	Gray, Joseph,	Mellott,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. that the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 867 (Senate Bill No. 125), as follows:

An Act regulating the payment of certain deposits made with any bank trust company or savings institution in the name of two persons

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That whenever any deposit not exceeding one thousand dolars has heretofore been made or shall hereafter be made in any bank trust company or savings institution within this Commonwealth in the names of two persons and such deposit shall at the time of making the same be made payable to either depositor or to the survivor the whole or any part of such deposit together with any interest or dividends due thereon shall be paid by such depository to either of such persons drawing upon the same and in case of the death of either of such persons the whole of such deposit or any part

thereof together with all accumulated interest or dividends due thereon shall be paid on demand to such surviving person

On the question,

Shall the bill pass finally?

Mr. GIBSON. Mr. Speaker, I want to say a word in explanation of the provisions of this bill. There has been, I think, some misunderstanding as to its provisions. It simply legalizes deposits and state bankers are very anxious to have it passed. It has been amended to limit the size of the acounts to meet the objections of those who formally voted against it.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitutions, the yeas and nays were taken and were as follows, viz:

YEAS—74.

Bass,	[illegible],	Martin,	Rockwell,
Bayle,	Flynn,	McAllister,	Roney,
Benson,	Foster, J. D.,	McArdle,	Savacool.
Berntheizel,	Gans,	McClintock,	Shaffer, I. E.,
Bigger,	Gibson,	McKay,	Shern.
Body,	Gransback,	McNichol,	Sherwood,
Brosius,	Heidinger,	Missimer,	Smith, L.,
Brownlee,	Hemminger,	Morrow,	Snyder,
Burnett,	Hess,	Moses,	Spangler,
Caldwell,	Heyburn,	Newbaker,	Spillinger,
Cheeseman,	Hobbs,	Pennegar,	Strauss,
Cleary,	Howard, J.,	Pennock,	Swartz,
Conner,	Howard, R.,	[illegible]ry, S. J.,	Walnut,
Conniff,	Humes,	Peters,	Walton,
Conrade,	Jones, E. E.,	Piper,	Whitaker,
Cox,	Jones, J. R.,	Ramsey,	Wildman,
Currier,	Kuhns, E.G.M.,	Reese,	Zimmerman,
Curry,	Light,	Reeser,	Alter,
DeFrees,			Speaker.
Down,			

NAYS—48.

Allen,	Geiser,	Lenker,	Peachey,
Baldwin, G. A.,	Gramley,	Lohr,	Richards,
Barner,	Gray, Frank,	Lowers,	Rothenberger,
Becker,	Gray, Joseph,	Mather,	Sassaman,
Benninger,	Herman,	McCaig,	Shaffer, C. A.,
Bittles,	Jackson,	McDermott,	Smith, J. W.,
Blair, W. A.,	Keeport,	Mellott,	Snavely,
Campbell, J. J.,	Kennedy,	Metzenbacher,	Stone,
Carson,	Klepper,	Mitchell,	Swift,
Carter,	Kuhn, H. P.,	Moulthrop,	Trach,
Davis,	Lanius,	Musser,	Wilson, J. H.,
Donnally,	Latshaw,	Newton,	Wiltbank,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1560, as follows:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the second section of an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" which reads as follows

"Section 2 Every person so appointed and commissioned by the Governor to act as such special officer or policeman may before entering upon the duties of his office file in the office of the Secretary of the Commonwealth a written acceptance of such office and shall record his commission in the office of the recorder of deeds in each county in which it is intended he shall act as such special officer or policeman and every such special officer or policeman so appointed commissioned and qualified shall possess and have the right to exercise full power to arrest any person for the commission of any offense against the laws of this Commonwealth upon warrant drawn by the proper officer in any county in which he may be qualified to act under the provisions of this act and the keepers of jails or lock-ups or station-houses in any county in this Commonwealth are required to receive all persons so arrested by any such special officer or policeman to be dealt with according to law" shall be and the same is hereby amended to read as follows

Section 2 Every person so appointed and commissioned by the Governor to act as such special officer or policeman shall before entering upon the duty of his office take and subscribe the oath required by the seventh article of the Constitution before the recorder of the county in which said corporation or association as aforesaid is located which oath after being duly recorded by said recorder shall be filed in the office of the Secretary of the Commonwealth and every such special officer or policeman so appointed commissioned and qualified shall possess and have the right to exercise full power to arrest upon view any person for the commission of any offence against the laws of this Commonwealth when such arrest is made in the interest of the association for which such special officer policeman is appointed or upon warrant drawn by the proper officer in any county in this Commonwealth and keepers of jails or lockups or station-houses or houses of detention in any county in this Commonwealth are required to receive all persons so arrested by any such special officer or policeman to be dealt with according to law

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—141.

Allen,	Ewing,	Kuhns, E.G.M.,	Rockwell,
Arthur,	Flynn,	Lanius,	Roney,
Baldwin, G. A.,	Forster, I. G.,	Latshaw,	Rothenberger,
Baldwin, R. J.,	Foster, J. D.,	Lenker,	Sassaman,
Bass,	Gans,	Leslie,	Savacool,
Bayle,	Geary,	Light,	Schaeffer, A. C.
Benson,	Geiser,	Lohr,	Schuck,
Bigger,	Glenn,	Lowers,	Shaffer, C. A.,
Bittles,	Good,	Martin,	Shaffer, I. E.,
Blair, W. A.,	Gransback,	Mather,	Shern,
Bleloch,	Gray, Frank,	Matt,	Sherwood,
Body,	Gray, Joseph,	McClintock,	Showalter,
Brosius,	Hackett,	McDermott,	Smith, J. W.,
Brown,	Heidinger,	McKay,	Smith, L.,
Brownlee,	Hemminger,	Mellott,	Snavely,
Burnett,	Herman,	Metzenbacher,	Spangler,
Caldwell,	Hess,	Miller,	Spillinger,
Campbell, C.M.,	Heyburn,	Missimer,	Stone,
Campbell, J. J.,	Hibshman,	Mitchell,	Swartz,
Carson,	Hobbs,	Moses,	Swift,
Cheeseman,	Howard, J.,	Moulthrop,	Thomas,
Cleary,	Howard, R.,	Musser,	Trach,
Conner,	Humes,	Newbaker,	Ulman,
Conniff,	Isler,	Newton,	Walsh,
Conrade,	Irwin, G. C.,	O'Neill,	Walton,
Cox,	Jackson,	Peachey	Whitaker,
Currier,	Jones, E. E.,	Pennegar,	Whitman,
Curry,	Jones, J. R.,	Pennock,	Wildman,
Davis,	Kaiser,	Perry, S. J.,	Williams,
DeFrees,	Kaufman,	Piper,	Wilson, J. H.,
Dickinson,	Keeport	Ramsey,	Wilson, W. H.,
Donnally,	Kennedy,	Reese,	Wiltbank,
Down,	Kitts,	Reeser,	Young, G. K.,
Ehrhardt,	Klepper,	Rhoads,	Zimmerman,
Eichenberger,	Kuhn, H. P.,	Richards,	Alter,
Ely,			Speaker.

NAYS—1.

Barner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECESS.

The SPEAKER. The hour of 1 o'clock having arrived, the House will take a recess until 3 o'clock.

AFTER RECESS.

The House reconvened at 3:00 o'clock P. M.
The SPEAKER (George S. Alter) in the Chair.

PETITIONS.

FAVORING ERECTION OF MONUMENT TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. JOHN ROBERT JONES presented the petition of Keystone Council No. 107, D. of L. Schuylkill County, praying for the passage of a bill to erect a monument to the Public Schools and the Founders thereof.

Which was referred to the Committee on Education.

FAVORING ERECTION OF A MONUMENT TO MOLLY PITCHER.

Mr. JOHN ROBERT JONES presented the petition of Keystone Council No. 107, D. of L. Schuylkill County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. STEELE presented the petition of McKeesport Council No. 109, Jr. O. U. A. M., Allegheny County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

Mr. JOHN ROBERT JONES presented the petition of Pottsville Council No. 159, D. of L. Schuylkill County, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

REPORT FROM COMMITTEE.

Mr. STRAUSS, from the Committee on Judiciary General, reported as amened, House Bill No. 1305, entitled:

An Act providing for the making and recording of duplicate maps or plans or tracts of land laid out and subdivided into lots where the owner of any such tract of land has died without recording the same and the engineer making such map or plan is still alive and providing for the collection of the costs of such proceeding from such decedent's estate

BILL INTRODUCED AND REFERRED.

By Mr. A. E. KEEPORT. House Bill No. 2018.

An Act making an appropriation to refund to the George F. Lance Company a corporation of Reading Pennsylvania for moneys erroneously paid into the State Treasury

Referred to the Committee on Appropriations.

BILLS SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the folowing bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read, as follows:

House Bill No. 82:

An Act authorizing and regulating the employment on public highways of male prisoners in county jails and prisons and fixing penalties for violation of this act

House Bill No. 115:

An Act to repeal the tenth section of an act passed the twelve day of March one thousand seven hundred eighty-nine entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs"

House Bill No. 146:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

House Bill No. 149:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

House Bill No. 162:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to amend section nine of an act approved tht twenty-fifth day of June one thousand eight hundred and eighty-five entitled "An Act, regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

House Bill No. 215:

A joint resolution extending the time for the making of the report by the commision appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

House Bill No. 280:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

House Bill No. 290:

An Act authorizing Robert Stewart a citizen of Dauphin County Pennsylvania to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

House Bill No. 357:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence" and imposing duties on conductors

House Bill No. 421:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

House Bill No. 464:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats occupied by ten or more persons

House Bill No. 466:

An Act to amend the title the first section the second section and the third section of an act of Assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of boroughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and superior and supreme courts" approved the ninth day of June one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

House Bill No. 540:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the costs and expenses thereof

House Bill No. 624:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure of obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

House Bill No. 791:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

House Bill No. 835:

An Act relating to the service of notices and summons in landlord and tenant cases

House Bill No. 847:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the

prevention of cruelty to animals to carry out the provisions of the act

House Bill No. 1039:

An Act to amend the first and third sections of an act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act supplementary to "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisons of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

House Bill No. 1090:

A supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven Pamphlet Laws two hundred and forty-four extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

House Bill No. 1116:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile school or farm as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousan dollars ($10,000) at any one time

House Bill No. 1137:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may be authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

House Bill No. 1168:

An Act to provide for the payment of costs and charges on writs of execution or attachment and fixing the liability of sheriff in the execution thereof

House Bill No. 1191:

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 1218:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowances as field batteries for armory rent for rifle practice for clothing and equipment and making said allowances also available for subsistence and additional general military purposes by also providing that the allowances to be received by battalions in the naval force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

House Bill No. 1226:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

House Bill No. 1362:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria County Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

House Bill No. 1365:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania

House Bill No. 1464:

An Act regulating to the openings of buildings upon over or under external fire escapes

House Bill No. 132:

An Act to amend an act entitled "An Act providing for the better management of the jail or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand inhabitants each by erecting in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safekeeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

House Bill No. 305:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for county borough town or township taxes respectively and providing for the sale of such lands for taxes

House Bill No. 415:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded and collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

House Bill No. 483:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

House Bill No. 536:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefitted and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

House Bill No. 900:

An Act relative to the regulation of plastering in cities of the first and second classes

House Bill No. 952:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

House Bill No. 1050:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousands to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

House Bill No. 1053:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property and providing penalties for the breach thereof and limiting the amount to be expended for the purpose aforesaid

House Bill No. 1132:

A supplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

House Bill No. 1139:

An Act to amend an act entitled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

House Bill No. 1203:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second hand store or junk shop to conceal from any constable or sheriff entrusted with the execution from any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

House Bill No. 1318:

An Act to amend section four of act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

House Bill No. 1370:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

House Bill No. 1426:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton wollen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

House Bill No. 1437:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

House Bill No. 1534:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

House Bill No. 1550:

An Act to further amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirementss of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

House Bill No. 1660:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointment of assistant district attorneys in said counties and for the compensation of the same and providing that the fees heretofore allowed the district attorneys upon the indictments shall remain in amount as heretofore but shall hereafer be as part of the costs for the use and benefit of the proper county as amended

House Bill No. 1695:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities fo the first and second classes of this Commonwealth to make such regulation a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

House Bill No. 143:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class

House Bill No. 465:

An Act requiring a license for conducting certain kinds of business regulating such licensing and fixing a penalty for violation of this act

House Bill No. 1302:

A supplement to an act entitled "An Act to establishs a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred twenty-two thousand six hundred twenty- four two thousand six hundred twenty-six and two thousand six hundred twenty-seven thereof and also conferring upon tax payers similar rights in regard to the reports of auditors of school disticts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon taxpayers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

House Bill No. 1872:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

Whereupon,

The SPEAKER in the presence of the House signed the same.

SENATE MESSAGE.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate Bill No. 597 (House Bill No. 2004).

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitiation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitiation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitiation butter and to prescribe penalties and punishments for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

Referred to the Committee on Agriculture.

Also Senate Bill No. 699 (House Bill No. 2005).

An Act regulating parades of associations of veteran soldiers

Referred to the Committee on Law and Order.

Also Senate Bill No. 747 (House Bill No. 2006).

An Act creating a board of managers to have control of the institutions for the care and treatment of the insane and the house of employment and support of the poor in certain counties prescribing their powers and duties and abolishing the office of directors of the poor in said counties

Referred to the Committee on Judiciary Local .

Also Senate Bill No. 986 (House Bill No. 2007).

An Act authorizing corporations owning or operating distilleries producing only denatured alcohol for industrial purposes and not for use as a beverage of for medicinal purposes to operate such distillery without a license and regulating the taxation of such corporations

Referred to the Committee on Manufactures.

Also Senate Bill No. 987 (House Bill No. 2008).

An Act making a chief burgess of a borough eligible to the office for the next succeeding term

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 992 (House Bill No. 2009).

An Act providing for the rechartering of building and loan associations or companies after expiration of their chater and for the taking over of all of the property and assets by the re-chartered corporation

Referred to the Committee on Banks and Banking.

Also Senate Bill No. 1145 (House Bill No. 2010).

An Act dividing the counties of this Commonwealth into classes for the purpose of providing a more suitable and equitable government therefor

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 280 (House Bill No. 2011).

An Act for the protection of the public health by providing that persons firm or corporations who are operating or conducting hotels restaurants common carriers and other public eating places in this Commonwealth shall not employ or keep in their employ as cooks waiters kitchen help chamber maids and other house servants any person or persons who are suffering from or who are carriers of a communicable disease and further providing that no dishes, pots pans finger bowls linens or other kitchen or dining room utensils shall be used except as provided in this act and providing a penalty for violation thereof

Referred to the Committee on Public Health and Sanitation.

Also Senate Bill No. 783 (House Bill No. 2012).

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Referred to the Committee on Education.

Also Senate Bill No. 1062 (House Bill No. 2013).

An Act to amend the first section of an act approved the fourteenth day of April Anno Domini one thousand nine hundred and three entitled "An Act requiring non-resident hunters to procure a license before hunting in this Commonwealth and providing penalties for violation of its provisions and repealing an act approved the twenty-fourth day of April one thousand nine hundred and one" by making the licensing fee twenty dollars instead of ten dollars as at the present time

Referred to Committee on Game.

Also Senate Bill No. 1117 (House Bill No. 2014).

An Act to amend an act entitled "An Act to provide for the division of boroughs and the erection of new boroughs" approved the twenty-ninth day of May Anno Domini eighteen hundred and eighty-nine so as to extend the provisions of the same to boroughs and cities in this Commonwealth whether situate in one or more counties and to provide for the adjustment of indebtedness

Referred to Committee on Municipal Corporations.

Also Senate Bill No. 1147 (House Bill No. 2015).

An Act authorizing the several counties incorporated towns and boroughs to appropriate annually sums of money to each camp of the United Spanish War Veterans and of the Army of the Phillippines and to each Post of the American Veterans of Foreign Service in the respective counties boroughs and towns to aid in defraying the expenses of Memorial Day

Referred to the Committee on Judiciary General.

Also Senate Bill No. 1207 (House Bill No. 2016).

An Act fixing the salaries and providing for the expenses of county solicitors in counties of this Commonwealth over one hundred and fifty thousand population and less than two hundred and fifty thousand population

Referred to the Committee on Counties and Townships.

Also Senate Bill No. 1210 (House Bill No. 2017).

A supplement to an act approved the twenty-third day of May one thousand eight hundred and eighty-nine entitled "An Act for the incorporation and government of cities of the third class" authorizing third class cities to manufacture and sell ice

Referred to the Committee on Municipal Corporations.

REPORT OF THE RAILROAD COMMISSION.

The SPEAKER. The Chair lays before the House the report of the State Railroad Commission in accordance with the resolution of the House of April 16th.

The report was read by the Clerk as follows:

Pennsylvania State Railroad Commission,
Harrisburg, Pa., May 8th, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—In accordance with the resolution passed by your Honorable body on April 16, 1913, to wit: "That the State Railroad Commission be instructed to confer with the telephone companies and bring about reduced rates along the lines recommended in their respective schedules," the Commission has the honor to report that the matter of the revision of the telephone rates now in effect throughout the State of Pennsylvania is receiving the careful attention of the Commission and will be disposed of without unnecessary delay. Respectfully,

(Signed,) NATH'L. EWING,
Chairman.
MILTON J. BRECHT,
SAMUEL W. PENNYPACKER.

The SPEAKER. The report will be noted on the House Journal and printed in the Legislative Journal.

BILL INTRODUCED.

Mr. GRAMLEY asked and obtained unanimous consent to introduce a bill, the title of which was first read for information of the House.

HOUSE BILL NO. 183 MADE A SPECIAL ORDER.

Mr. ROCKWELL. Mr. Speaker, I offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

Moved by the gentleman from Tioga, Mr. Rockwell, and seconded by the gentleman from Blair, Mr. Claycomb, that

House Bill No. 183, be made a special order for second reading for Tuesday, May 13th, at 11.00 o'clock A. M., and for third reading and final passage on Wednesday, May 14th, at 4.00 o'clock P. M.

On the question,
Will the House agree to the motion?
It was agreed to.

BILL INTRODUCED.

Mr. CONNIFF asked and obtained consent to introduce a bill repealing a local act.

BILLS ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 292, as follows:

An Act making an appropriation to reimburse counties for moneys paid under the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions"

Whereas, By the provisions of an act of Assembly approved the tenth day of April, one thousand nine hundred and seven, entitled, "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions" counties paying bounties on certain noxious animals were to be reimbursed by the Commonwealth through moneys specifically appropriated for that purpose; and

Whereas, There were so many noxious animals killed and bounties claims and paid under the provisions of said act that the appropriation aforesaid was insufficient to reimburse the counties paying said bounties; therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sum of one hundred and fifty thousand dollars ($150,000) or so much thereof as may be necessary is hereby specifically appropriated for the following purposes

To reimubrse counties for moneys paid under the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions"

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—110.

Allen,	Cox,	Keegan,	Pennock,
Baldwin, G. A.,	Currier,	Keeport,	Price,
Barner,	Davis,	Kennedy.	Ramsey,
Becker,	DeFrees,	Kitts,	Reese,
Bass,	Donahoe,	Klepper,	Rhoads,
Bayle,	Down,	Kuhn, H. P.,	Rockwell,
Becker,	Dunn, J. A.,	Latshaw,	Rothenberger,
Benninger,	Ely,	Light,	Sassaman,
Benson,	Foster, J. D.,	Lohr,	Savacool,
Bergey,	Geary,	Lowers,	Schaeffer, A. C
Berntheizel,	Geiser,	Martin,	Scott, S. B.,
Bigger,	Gibson,	Mather,	Shaffer, C. A.,
Blair, W. F.,	Good,	Matt,	Shaffer, I. E.,
Body,	Goss,	McAllister,	Showalter,
Brosius,	Grabe,	McDermott,	Smith, J. W.,
Brownlee,	Gramley,	Mellott,	Snavely,
Burnett,	Gray, Frank,	Miller,	Snyder,
Caldwell,	Haggerty,	Mitchell,	Stone,
Campbell, C.M.,	Heidinger,	Morrow,	Strauss,
Campbell, J.J.	Hemminger,	Moses,	Swartz,
Carson,	Herman,	Moulthrop,	Swift,
Carter,	Heyburn,	Musser,	Thomas,
Cheeseman,	Hibshman,	Neel,	Ulman,
Claycomb,	Humes,	Newbaker,	Walnut,
Cleary,	Irwin, G. C.,	Newton,	Walton,
Cochran	Jackson,	North,	Whitaker,
Conner,	Jones, E. E.,	O'Neill,	Wiltbank,
Conniff.	Jones, J. R.,	Peachey,	Zimmerman,
			Alter,
			Speaker.

NAYS—4.

Baldwin, R. J.,	Dickinson,	Howard, R.,	Pennegar,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the consideration on final passage of H. R. bill No. 1633, as follows:

An Act to amend an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" as the same was amended by an act approved the thirtieth day of March one thousand nine hundred and eleven by providing for representation of the Pennsylvania Conservation Association on the State Board of Agriculture changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society Conservative Association

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" which as amended reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth the Secretary of Internal Affairs Secretary of Public Instruction the Auditor General the president of the Pennsylvania State College and one (1) person appointed by each agricultural society in the State entitled under existing laws to receive an annual bounty from the county and three (3) other persons appointed by the Governor with the consent of the Senate one (1) member appointed by the Pennsylvania State Poultry Association and one (1) member appointed by the Pennsylvania State Bee-Keepers' Association shall constitute the State Board of Agriculture" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the Commonwealth the Secretary of Internal Affairs Secretary of Public Instruction the Auditor General the president of the Pennsylvania State College and one (1) person appointed by each agricultural society in the State entitled under existing laws to receive an annual bounty from the county and three (3) other persons appointed by the Governor with the consent of the Senate one (1) member appointed by the Pennsylvania State Poultry Society and one (1) member appointed by the Pennsylvania Bee-Keepers' Association one member appointed by the Pennsylvania Conservation Association shall constitute the State Board of Agriculture

On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—145.

Allen,	Dickinson,	Keeport,	Rhoads,
Arthur,	Donahoe,	Kennedy,	Richards,
Baldwin, G. A.,	Donnally,	Kitts,	Rockwell,
Baldwin, R. J.,	Down,	Klepper,	Roney,
Barner,	Dunn, H. B.,	Kuhn, H. P.,	Rothenberger,
Bass,	Dunn, J. A.,	Latshaw,	Sassaman,
Bayle,	Ehrhardt,	Light,	Savacool,
Becker,	Ely,	Lohr,	Schaeffer, A. C.
Benninger,	Ewing,	Lowers,	Shaffer, C. A.,
Benson,	Fahey,	Martin,	Shaffer, I. E.,
Bergey,	Flynn,	Mather,	Sherwood,
Berntheizel,	Forster, I. G.,	Matt,	Showalter,
Bigger,	Foster, J. D.,	McAllister,	Smith, J. W.,
Bittles,	Frey,	McArdle,	Smith, L.,
Blair, W. F.,	Gibson,	McClintock,	Snavely,
Bleloch,	Good,	McDermott,	Snyder,
Body,		McKay,	Spangler,
Brosius,	Grabe,	Mellott,	Spillinger,
Brown,	Gramley,	Miller,	Strauss,
Brownlee,	Gray, Frank,	Mitchell,	Swartz,
Burnett,	Haggerty,	Moore,	Swift,
Caldwell,	Heidinger,	Morrow,	Thomas,
Campbell, C.M.,	Hemminger,	Moses,	Trach,
Campbell, J. J.,	Herman,	Moulthrop,	Ulman,
Carson,	Hess,	Neel,	Walnut,
Carter,	Heyburn,	Newbaker,	Walsh,
Cheeseman,	Hibshman,	Newton,	Walton,
Claycomb,	Howard, J.,	North,	Watson,
Cleary,	Howard, R.,	O'Neill,	Whitaker,
Cochran,	Humes,	Peachey,	Wildman,
Conner,	Irwin, G. C.,	Pennegar,	Williams,
Conniff,	Irwin, H. H.,	Pennock,	Wilson, J. H.,
Cox,	Jackson,	Price,	Wiltbank,
Currier,	Jones, E. E.,	Ramsey,	Young, G. K.,
Curry,	Jones, J. R.,	Redfield,	Zimmerman,
Davis,	Keegan,	Reese,	Alter,
DeFrees,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1785, as follows:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith defining the liabilities of owners and operators in certain cases and providing penalties for violation of this act

ARTICLE 1

Application of Act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of this act shall apply to every anthracite coal mine or colliery in this Commonwealth

ARTICLE II

Definition of Terms

Section 1 For the purposes of this act the definitions of terms contained herein shall be as follows

Colliery The term "colliery" means the inside workings of a mine or mines and the outside works connected therewith

Mine The term "mine" means the shafts slopes drifts tunnels incline planes and the excavations connected therewith penetrating coal stratum or strata which are ventilated by one general air current or divisions thereof and connect by one general system of mine railroads over which coal is delivered to one or more common point out side the mine when such is operated by one operator together with all roads appliances machinery and materials below the surface

Shaft The term "shaft" means a vertical opening through that strata that is or may be used for the purpose of ventilation or drainage or for hoisting men or material or both in connection with the mining of coal

Slope The term "slope" means an incline opening used for the same purpose as a shaft

Workings The term "workings" means all the excavated parts of a mine those abandoned as well as those being worked

Breaker The term "breaker" means the structure containing the machinery used for the preparation of coal

Approved Safety Lamp The term "approved safety lamp" means any safety lamp approved by the Chief of the Department of Mines

Operator The term "operator" means any firm corporation or individual operating any colliery mine or other part thereof as owner occupier or lessee

Superintendent The term "superintendent" means the person who shall have immediate supervision of one or more mines or collieries on behalf of the operator

Mine Foreman The term "mine foreman" means the person who is in charge of the inside workings of a mine or mines and of the persons employed therein in so far as it is necessary for him to comply with his duties under this act

Outside Foreman The term "outside foreman" means the person in charge of all the outside operations of a colliery and the persons employed thereat

Miner The term "miner" means the person who blasts coal or rock or has charge of a working place also any person engaged at general work in a mine who has the qualifications of a miner as herein prescribed

Chief The term "chief" means the Chief of the Department of Mines who is charged with the supervision of the execution of the mining laws of this Commonwealth

Inspector The term "inspector" means the person elected by the qualified electors in the inspection district in which he resides and who is charged with the supervision of the execution of the mining laws of this Commonwealth in the mines and collieries assigned to him by the Chief of the Department of Mines

Working Place The term "working place" means the gangway airway breast chamber pillar or other working face where coal is being mined

ARTICLE III

Duties of mine owner operator or superintendent

Section 1 The mine owner operator or superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not and he shall place the underground workings thereof and all that is related to the same under the charge and daily supervision of a competent person who shall be called mine foreman and who shall perform such duties and only such duties as are prescribed for said mine foreman in this act

Section 2 Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall employ a sufficient number of competent and qualified persons to act as his assistants who shall be subject to his orders

Section 3 Whenever safety lamps are required in any mine they shall be the property of the owner of said mine and a competent person who shall be appointed for the purpose shall examine every safety lamp immediately before it is taken into the workings for use and ascertain if it is clean safe and securely locked and safety lamps shall not be used until they have been examined and found safe clean and securely locked unless permission be first given by the mine inspector of the district to have the lamps used unlocked

Section 4 Whenever a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed twelve feet in width and there shall be constantly kept at a distance of not less than twenty feet in advance at least one (1) bore hole near the center of the working and sufficient flank bore holes on each side

Section 5 The superintendent shall employe a competent person as engineer and place him in charge of an engine whereby persons are hoisted or lowered in any mine who shall be sober and competent and not less than twenty-one years of age which engineer shall have charge of but one engine and be constantly in attendance at the same during the time that workmen are in the mine

Section 6 A competent person to be termed headman and a competent person to be termed footman shall be employed by the superintendent and shall be in constant attendance at the head and foot of each shaft or slope where men are hoisted or lowered while workmen are in the mine who shall see that the provisions of this act so far as they relate to them or either of them are obeyed

Section 7 A suitable quantity of all props ties rails timbers cap-pieces and all other material and supplies necessary for the health and safety of the employes shall be kept on hand at all times at a mine or colliery All props ties rails timbers and cap-pieces of suitable sizes as ordered by the miner shall be delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge If from any cause the materials and supplies cap-pieces timbers rails ties and props mentioned aforesaid cannot be furnished as required by this act the workmen shall be withdrawn from the mine or part of the mine affected by reason of the non-furnishing of the aforesaid articles as required above

Section 8 Every passageway used by persons in any mine and also used for the transportation of coal or other material shall be made of sufficient width to permit persons to pass moving cars with safety the distance from the body of the car to the side of the passageway shall not be less than three feet which distance shall be maintained continuously on one side of said passageway the same shall be kept well drained and free from obstruction

Section 9 Safety holes shall be made at the bottom of all shafts slopes and planes and be kept free from obstruction to enable the footman to escape readily in case of danger

Section 10 Waiting rooms of proper dimensions and properly secured shall be constructed at the foot of all shafts and intermediate lifts thereof for workmen to wait therein prior to ascending the shaft

Section 11 Safety blocks or some other device for the purpose of preventing cars from falling into a shaft or running away on a slope or plane shall be placed at or near the head of every shaft slope plane or intermediate lift thereof and said safety blocks or other device must be maintained in good working order

Section 12 No mine cars shall be used in any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other

Section 13 Breakers shall be properly heated and kept sufficiently clear of dust to maintain a healthful atmosphere therein

Section 14 Ample means to produce and maintain a constant and adequate supply of pure air for the workmen and animals in every mine shall be provided and the air shall be circulated through the main entries cross entries working places and abandoned workings to such an extent that it will dillute carry off and render harmless the smoke and noxious or dangerous gases generated in the mines affording not less than two hundred (200) cubic feet of air per minute for each and every person employed therein

Section 15 All shafts slopes planes traveling ways tunnels and haulage ways shall be maintained in a safe condition for persons and animals to travel therein

Section 16 The following safety devices shall be provided installed and maintained in good working order in and about every coal mine and colliery

(a) The top of each shaft and also of each slope if dangerous or any intermediate lift thereof shall be securely fenced off by railing or by vertical or flat gates

(b) Every abandoned slope shaft air hole drift and cave hole shall be properly fenced around or across its entrance

(c) Suitable appliances through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope or any intermediate lift thereof shall be installed in every mine and maintained in good working order and also an efficient means of signaling from the bottom of such shaft or slope and any intermediate lift thereof to the engineer in charge of the hoisting engine which shall be maintained in good working order

(d) Guard rails which will prevent persons from falling into the shaft and efficient safety catches shall be attached to and a sufficient cover over head shall be provided on every cage used for lowering or hoisting persons in any shaft the safety catches shall be tested monthly and the report of said test stating the distance said cage dropped shall be sent to the mine inspector the test shall be made by detaching the rope from the cage and allow the cage to descend by gravity Every cage or gunboat used for lowering or hoisting persons in any slope shall be provided with a proper protector so constructed that persons while on such cage or gun boat

shall not be struck by anything which may fall or roll down said slope

(e) The main link of the chain connecting the rope to the cage gun boat or car in any shaft or slope shall be made of the best quality of iron Bridle chains made of the same quality of iron shall be attached to the main link rope or rope socket from the cross-head of the cage or gun boat when persons are being lowered or hoisted thereon

(f) An efficient brake shall be attached to every drum that is used for lowering or raising persons or materials in any mine Flanges or horns of sufficient dimensions to prevent the rope from slipping off the drum shall be provided and properly attached to the drum and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage car or gun boat in the shaft or slope An overwind safety device shall be attached to each engine used to hoist or lower any persons in any shaft to prevent the cage from going to the sheave

(g) Over all shafts which are being sunk or shall hereafter be sunk a safe and substantial structure shall be erected to sustain the sheaves or pulleys at a height of not less than twenty (20) feet above the tipping place and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied

(h) All rock and coal from shafts as they are being sunk shall not be raised except in a bucket or on a cage and such bucket or cage must be connected to the rope or chain by a safety hook clevice or other safe attachment Such shafts shall be provided with guides and guide attachments applied in such manner as to prevent the bucket from swinging while descending or ascending therein and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of such shaft until its sinking shall have been completed but this sentence shall not apply to shafts one hundred (100) feet or less in depth

(i) Whenever the strata are not safe every shaft shall be securely cased lined or otherwise made secure

(j) All boilers used for generating steam in and about mines or collieries shall be kept in good order and the same shall be examined and inspected by a qualified person as often as once in six months and oftener if needed All air receivers used in or about a mine shall be kept in good order and shall be examined once every six months and oftener if needed The results of such examination under oath shall be certified in writing to the inspector of the district within thirty (30) days after said examination

(k) Every nest of boilers shall be provided with a steam gauge properly connected which will indicate the steam pressure in the boilers and another steam gauge shall be attached to the steam pipe in the engine house and placed in such position that the engineer or fireman can readily examine them and see what pressure is carried Such steam gauges shall be kept in good order and inspected as often as once every six months and their condition reported to the inspector of the district in the same manner as the report of boiler inspector

(l) Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape in case the pressure should arise above that set by the boiler inspector and with weights or springs properly adjusted The said weights or springs shall be locked after the same are adjusted and no person except the superintendent shall have a key to the same

(m) All machinery used in or about the mines and collieries and especially in breakers such as engines rollers wheels screens shafting belting and conveyor lines shall be protected by covering or railing which will prevent persons from inadvertently walking against falling upon or into the same The sides of the stairs trestles and plank walks in and around the colliery shall be provided with hand and guard rails which will prevent persons from falling over their sides This section shall not forbid the temporary removal of a fence guard rail or covering for the purpose of making repairs if proper precautions are used and the fence guard rails or covering is replaced immediately thereafter

(n) It shall not be lawful to place any boiler or boilers for the purpose of generating steam under or nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal provided that this section shall not apply to boilers or breakers already erected

(o) There shall be provided installed and properly maintained a sufficient number of telephones speaking tubes barometers thermometers and anemometers in and about every coal mine or colliery as provided in sections forty-one forty-two and forty-four of general rules Article nine of this act

(p) Whenever batteries are used in any mine for the purpose of exploding blasts they shall be the property of the owner and he shall furnish and maintain in good condition a sufficient quantity of electric batteries to amply supply all workmen who will use the same

Section 17 Any owner operator or superintendent who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE IV

Duties of Mine Foreman and Assistant Mine Foreman

Section 1 The mine foreman shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction and any owner operator or superintendent who shall cause the mine foreman to disregard the provisions of this act shall be amendable in the same manner as the mine foreman

Section 2 All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his asistants at least once a week and all danger found existing therein shall be immediately removed A report of said examination shall be recorded with ink in a book kept at the colliery for that purpose and signed by the person making the same a copy of the record thus made shall be mailed to the superintendent of the colliery and also to the mine inspector of the district on the day the examination is made

Section 3 In mines liberating explosive gases the mine foreman or his assistants shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall be made with a safety lamp within three (3) hours at most before time for commencing work at the breaker and the workmen shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe Every report shall be recorded without delay with ink in a book which shall be kept at the colliery for that purpose and shall be signed by the persons making the examination

Section 4 The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place and all other places examined

Section 5 A station or stations shall be established at the entrance to each mine or different parts of each mine as the case may require and a workman shall not pass beyond such station until the mine or part of the mine beyond the same has been inspected and reported to be safe It shall be the duty of the mine foreman or assistant mine foreman to remain at the danger station until relieved by some persons authorized by the mine foreman or assistant mine foreman who shall stand guard until said mine or part of said mine shall be reported safe by the person in authority and he shall not permit any person to pass without permission from the mine foreman or assistant mine foreman

Section 6 If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious or explosive gases prevailing in such mine or such part thereof or of any cause whatever the mine or the said part is dangerous every precaution shall be used to insure the safety of the workmen and every workman except such persons as may be required to remove the danger shall be withdrawn from the mine or such part thereof as is so found dangerous until the said mine or said part thereof is examined by a competent and qualified person and reported by him to be safe

Section 7 The mine foreman or assistant mine foreman shall visit and examine every working place in the mine in addition to the examination required by section three of this article at least twice a day while the men of such place are or should be at work the first of said examinations shall take place in the forenoon and the second in the afternoon while the men are at work The person who makes these examinations shall see that each and every working place is properly secured by props and timber and that safety in all respects is assured by having all loose coal or rock pulled down or secured and that a sufficient quantity of air is circulating in the face of each working place to dilute render harmless and sweep all smoke noxious and explosive gases and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure Provided that this section shall not apply to places that are worked full

Section 8 The mine foreman or the assistant mine foreman shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering and see that they are in a safe and efficient working condition A report of said examination shall be made with ink in a book kept at the colliery for that purpose and signed by the person making the examiation a copy of said report shall be sent to the superintendent and inspector of the district at the close of each working day together with a report of the number of working places and where situated in which gas had been found on that day

Section 9 Any mine foreman or assistant mine foreman who fails to comply with the provisions of this atricle shall be deemed guilty of an offense against this act

ARTICLE V

Duties of Miner

Section 1 No miner shall fire a blast in any mine or in any portion of a mine where locked safety lamps are used except by permission of the mine foreman or assistant mine foreman and before such blast is fired and person giving the permission shall examine the place and satisfy himself that it is safe to fire the same

Section 2 No miner while charging holes for blasting coal slate or rock shall use an iron or steel pointed needle or tamping bar unless the end is tipped with at least six inches of copper or other soft material nor shall he force a tight cartridge into any hole

Section 3 A miner who is about to fire a blast shall be careful to notify all persons who may be in danger therefrom and give sufficient alarm to warn all persons approaching of the danger

Section 4 A miner who ignites a feeder of gas by blast or otherwise if he discovers the same shall make a reasonable effort to extinguish it If he is unable to do so he shall notify the mine foreman or assistant mine foreman of the location where the feeder is burning Before leaving his working place he shall see that no gas blowers are left burning

Section 5 No miner shall withdraw a charge of any explosive from a hole that has misfired nor shall he reopen the same

Section 6 Any miner having charge of a working place shall keep the roof and sides thereof properly secured by timber or otherwise so as to prevent such roof and sides

from falling and he shall not do any work nor permit any work to be done under loose or dangerous material except for the purpose of securing the same

He shall order props cap-pieces and timbers necessary at least one day in advance of needing them as provided for in the rules of the mine If he fails to receive the same and finds his place becoming unsafe he shall vacate it until the necessary timbers are supplied

Section 7 A miner working a breast or any other place shall before commencing work and also after firing every blast enter said breast or place to examine and ascertain its condition and his laborer or assistant shall not go to the face of said breast or ploce until the miner has examined it and found it to be safe

Section 8 No miner shall cut out any props or timbers that are supporting the roof or sides When it becomes necessary to remove such props ortimbers it shall be done by blasing or by placing a chain or rope around such props or timbers that the pressure necessary to remove the same can be exerted at a point of safety

Section 9 Any miner who has gun powder or other explosive shall keep it in a wooden or metallic box securely locked said box shall be placed at a safe distance from the working face and tracks in the entry

Section 10 A miner when opening a box containing explosives or when handling the same shall first place his lamp at a distance of not less than five feet therefrom and in such position that the air current cannot convey sparks to the explosives and he shall not approach with a lighted lamp pipe or any other thing containing fire nearer than five feet to any open box containing the same

Section 11 Any person who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE VI

Shafts Slopes Openings and Outlets

Section 1 It shall not be lawful for the owner operator or superintendent of any mine to employe any person or persons in such mine or permit any person or persons to be in such mine for the purpose of working therein unless they are in connection with every seam or stratum of coal and from every lift thereof worked in such mine not less than two openings or outlets separated by a startum of not less than sixty (60) feet in breadth underground and one hundred and fifty (150) feet in breadth at the surface at which openings or outlets safe and distinct means of ingress and egress are at all times available for the person or persons employed in the said mine but it shall not be necessary for the said two openings to belong to the same mine if the persons employed therein have safe ready and available means of ingress and egress by not less than two openings This section shall not apply to opening a new mine or to opening any new lift of a mine while being worked for the purpose of making communication between said two outlets so long as not more than twenty persons are employed at any one time in such mine or new lift of a mine neither shall it apply to any mine or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment so long as not more than twenty persons are employed therein at any one time The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet

Section 2 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petiton the Court of Common Pleas in and for the county in which said mine is situated which said court is hereby empowered to act in the premises setting forth that in consequence of intervening lands between the working of his mine and the most practicable point or the only practicable point as the case may be at which to make or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlets in accordance with the requirements of this act the court may make an order of reference and appoint three disinterested persons residents of the county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn to a faithful discharge of their duties shall view and examine the premises and determine as to whether the owner should have the privilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an aditional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be bound to comply with the provisions of this act in the same manner as if this section had not been enacted In case the said owner operator or superintendent desires to and claims that he ought to make additional opening under through or upon any adjoining on intervening lands to meet the requirements of this act for the ingress and egress of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper to adopt for such additional outlet doing as little damage as possible to the property explored and the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening construcing and using of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two entitled "An Act regulating lateral railroads and the supplements thereto so far as the provisions of the same are applicable hereto and the notice to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of the fifth day of May Anno Domini one thousand eight hundred and thirty-two and the supplements thereto

Section 3 The escapements shafts or slopes shall be fitted with safe and available appliances by which the persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets

Section 4 In slopes where the angle of inclination is fifteen degrees or less there must be provided a sparate traveling way which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases

Section 5 No inflammable structure other than a frame to sustain pulleys or sheaves shall be erected over the entrance of any opening connecting the surface with the underground workings of any mine and no "breaker" or other inflammable structure for the preparation or storage of coal shall be erected nearer than two hundred (200) feet to any such opening but this act shall not be construed to prohibit the erection of a fan drift for the purpose of ventilation or of a trestle for the transportation of cars from any slope to such breaker or structure neither shall it apply to any shaft or slope until the work of development and shipment of coal has commenced Provided That this section shall not apply to breakers that are now erected

Section 6 Every abandoned slope shaft air-hole and drift shall be properly fenced around or across its entrance by the owner operator or superintendent

Section 7 Fences shall be placed around or across all underground entrances to any place not in actual course of working by the owner operator or superintendent which will prevent persons from inadvertently entering the same

Section 8 The following rules shall be observed in every shaft to which this act applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are envolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever persons are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed

Fifth While shafts are being sunk all blasts therein must be exploded by an electric battery

Sixth Any person firm or corporation who fails to comply with or who violates the provisions of this article shall be guilty of an offense against this act

ARTICLE VII

Ventilation

Section 1 The owner operator or superintendent of every mine shall provide and maintain a constant and adequate supply of pure air for the same as hereinafter provided and see that the same is circulated therein as required in this article

Section 2 It shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated

Section 3 The minimum quantity of air thus produced shall not be less than two hundred (200) cubic feet per minute for each and every person employed in any mine and as much more as the circumstances may require

Section 4 The ventilating current shall be conducted and circulated to and along the face sides and roof of each and every working place throughout the entire mine in sufficient quantities to dilute render harmless and sweep away smoke and noxious or dangerous gases to such an extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein

Section 5 All worked out or abandoned parts of a mine in operation shall be kept free of dangerous bodies of gas or water or fenced off by sufficient walls which will prevent any gas or water from any abandoned mine or portion thereof from entering any mine or portion thereof where men are employed therein

Section 6 Every mine employing more than seventy-five (75) persons must be divided into two (2) or more districts Each district must be provided with a separate spilt or pure air and the ventilation shall be so arranged that not more than seventy-five (75) persons shall be employed at the same time in any one current or split of air The inlet and return air passages for any particular district must be separated by a pillar of coal stone or cement except where it is necessary to cut through said dividing pillar for the purposes of ventilation traffic or drainage

Section 7 All air passages be of sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air pressure per minute for every person working therein and in no case in mines literating explosive gases shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air currents pass if gauze safety lamps are used except in the main inlet or outlets air ways

Section 8 All cross-cuts connecting the main inlet and outlet air pasages of every district when it becomes necessary to close them permanently shall be substantially closed with brick or other suitable building material laid in mortar or cement but in no case shall said air stoppings be constructed of plank except for temporary purposes

Section 9 All doors used in assisting or in any way affecing the ventilation shall be so hung and adjusted that they will close automatically

Section 10 All main doors shall have an attendant whose constant duty it shall be to open them for transportation and travel and prevent them from standing open longer than is necessary for persons or cars to pass through

Section 11 All main doors shall be so placed that when the door is open another which has the same effect upon the same current shall be and remain closed and thus prevent any temporary stoppage of the air current

Section 12 An extra main door shall be so placed and kept standing open as to be out of reach of accidents and so fixed that it can be at once closed in the event of an accident to the doors in use

Section 13 The frame work of such main doors shall be substantially secured in stone or brick laid in mortar or cement unless so otherwise permitted in writing by the inspector

Section 14 All permanent air bridges shall be substantially built of such material and such strength as the circumstances may require

Section 15 The quantities of air in circulation shall be ascertained with an anemometer or other efficient instrument such measurements shall be made by the inside foreman or his assistants once a week at the inlet and outlet airways also at or near the face of each gangway and at the nearest cross-heading to the face of each gangway and at the nearest cross-heading to the face of the inside and outside chamber or breast where men are employed and the heading shall not be driven more than sixty (60) feet from the face of each chamber or breast and shall be entered in the colliery report book

Section 16 A report of these air measurements shall be sent to the inspector before the twelfth day of each month for the preceding month together with a statement of the number of persons employed in each district

Section 17 All ventilators used in mines shall be provided with recording instruments by which the speed of the ventilators or the ventilating pressure shall be registered for each hour and such data shall be preservevd at the colliery for future reference for a period of three (3) months

Section 18 Any person or persons who shall neglect or refuse or fail to comply with the provisions of this article or who shall make any false report in regard to air measurements shall be guilty of an offense against this act

ARTICLE VIII

Maps and Plans

Section 1 The owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the workings or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the workings or excavations in each and every seam of coal and the tunnels and passages connecting with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and of any other point in the mine or on the surface where such elevation shall be deemed necessary by the inspector The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings it shall also show section of the seam on each gangway together with the coal thickness It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and in case any mine contains any water dammed up in any part thereof it shall be the duty of the owner operator or superintendent to cause the true location of the said dam to be accurately marked on said map or plan together with the tidal elevation inclination of strata and area of said workings containing water and whenever any workings or excavations are approaching the workings where such dam or water is contained or situated the owner operator or superintendent shall notify the inspector of the same without delay

A true copy of which map or plan the said owner operator or superintendent shall deposit with the inspector of mines for the district in which the said coal mine or colliery is situated showing the workings of each seam if so desired by the inspector on a separate sheet of tracing muslin One copy of the said map or plan shall be kept at the colliery

Section 2 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said inspector's map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the preceding six months The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey

Section 3 When any coal mine or colliery is worked out preparatory to being abandoned or when any lift thereof is about to be abandoned the owner operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all excavations as far as practicable and such portions thereof as have been worked to the boundary lines of adjoining properties or any part or parts of the workings of which it is intended to be allowed to fill with water must be surveyed in duplicate and such surveys must practically agree and certified copies be filed with the inspector of the district in which the mines are situated

Section 4 Whenever the owner operator or superintendent of any coal mine or colliery shall neglect or refuse or from any cause not satisfactory to the inspector shall fail for a period of three months to furnish to the inspector the map or plan of said colliery or of the extensions thereof as provided for in this act the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof which cost shall be recoverable from said owner as other debts are by law recoverable

Section 5 If the inspector finds or has reason to believe that any map or plan of any coal mine or colliery furnished under the provisions of this act is materially inaccurate it shall be his duty to make application to the Court of Common Pleas of the county in which such colliery is situated for an order to have an accurate map or plan of said colliery prepared and if such survey shall prove that the map furnished was materially inaccurate or imperfect such owner operator or superintendent shall be liable for the expense incurred in making the same

Section 6 If it shall be found that the map or plan furnished by the owner operator or superintendent was not materially inaccurate or imperfect the Commonwealth shall be held liable for the expense incurred in making said test survey

Section 7 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when furnished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeeding five hundred dollars or imprisonment not exceeding three months at the discretion of the court

Section 8 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the Commonwealth and shall remain in the care of the inspector of the district in which the said collieries are situated to be transferred by him to his successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 9 The inspector's map or plan of any particular colliery shall be open for inspection in the presence of the inspector to any miner or miners of that colliery whenever said miner or miners shall have cause to fear his or their working place or places are becoming dangerous by reason of the proximity to other workings which may be supposed to contain water or dangerous gases or for any other reason map shall also be open to the inspection and examination of any citizen interested during business hours

Section 10 It shall be obligatory on the owners of adjoining coal properties to leave or cause to be left a pillar of coal in each seam or vein of coal worked by them along the line of adjoining property of such width that taken in connection with the pillar to be left by the adjoining property owner will be a sufficient barrier for the safety of the employees of either mine in case the other should be abandoned and allowed to fill with water such width of pillar to be determined by the engineer of the adjoining property owners together with the inspector of the district in which the mine is situated and the surveys of the face of the workings along such pillars shall be made in duplicate and must practically agree A copy of such duplicate surveys certified to must be filed with the owners of the adjoining properties and with the inspector of the district in which the mine or property is situated

Section 11 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE IX

General Rules

Section 1 In every working approaching any place where there is likely to be an accumulation of explosive gas or where workings are required to be examined by safety lamps before the men enter the mine as required in section three article four of this act no light or fire other than a locked safety lamp shall be allowed or used unless the operator has a sufficient quantity of air circulating throughout the entire mine which will dilute render harmless and sweep away all noxious explosive and dangerous gases liberated therein provided however that the mine inspector of the district shall have authority to require a mine to be worked with locked safety lamps if in his judgment open lights are a menace to life or property

Section 2 No one except a duly authorized person shall have in his possession a key of any other contrivance for the purpose of unlocking any safety lamp in any mine where locked safety lamps are used No Lucifer matches or any other apparatus for striking light shall be taken into such mine or parts thereof

Section 3 Every workman in want of props ties cappieces rails or timbers shall notify the mine foreman or his assistant of the fact at least one day in advance giving the length of the props or timber required and in case of danger from loose roof or sides he shall not continue to cut or load coal until the said props and timber have been properly furnished and the place made secure A failure to furnish articles above mentioned to the miner or workman ordering the same on the part of the owner operator superintendent or mine foreman shall be deemed an offense against this act and shall be taken to be negligence per se on the part of the owner operator superintendent or mine foreman as the case may be of such mine in any action for the recovery of damages for accidents resulting from insufficient propping of such mine through failure to furnish the necessary props or timbers

Section 4 No blast shall be fired in any mine where locked safety lamps are used except by permission of the

mine foreman or assistant mine foreman and before a blast is fired the person in charge must examine the place and adjoining places and satisfy himself that it is safe to fire such blast before such permission is given

Section 5 The doors of any carriage cage bucket or gun boat shall not face downwards while persons are being hoisted or lowered in any shaft slope or plane

Section 6 No person shall ride upon or against any loaded car cage or gun boat in any shaft slope or plane in or about a mine or colliery

Section 7 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five (5) persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1,000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at one time on slopes where two (2) or more loaded cars are regularly hoisted Provided that not less than thirty (30) workmen working therein make such request in writing to the inspector of the district and after inspection by him he finds the hoisting appliances in every respect are of sufficient strength he may comply with the request of the workmen Provided that in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Section 8 Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope and no one shall interfere with or intimidate him while in the discharge of his duties

Section 9 An engineer who has charge of the hoisting machinery by which persons are lowered or hoisted in the mine shall be in constant attendance for that purpose during the whole time any person or persons are below ground and he shall not allow any person or persons except such as may be deputed by the owner operator or superintendent to handle or meddle with the engine under his charge or any part of its machinery

Section 10 No person engaged as hoisting engineer at or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal from the said mines shall be engaged for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Section 11 The engineer shall operate his engine with great care and in such manner that the cage carriage or gun boat shall not exceed a speed of one thousand (1000) feet per minute in shafts and five hundred (500) feet per minute in slopes when any person is being lowered or hoisted in a shaft or slope and no person shall interfere with him while in the discharge of his duties

Section 12 In any shaft or slope where the engine has been standing idle for one-half hour or more an empty trip shall be hoisted as a precautionary measure before any person shall be permitted to ride on the cage carriage or gun boat

Section 13 No person except those who have permission from the superintendent shall enter the engine house while the engineer is on duty and no person shall engage in conversation with the engineer while his engine is in motion Telephone or speaking tubes installed to engine houses shall not be used by any person except to communicate with the engineer and then only on matters pertaining to the engineer's duties under this act

Section 14 When any person is about to descend or ascend a shaft or slope the headman or footman as the case may be shall inform the engineer by signal or otherwise of the fact and the engineer shall return a signal before moving or starting the engine In the absence of a headman or footman the person or persons about to descend or ascend shall give or receive the signals in the same manner

Section 15 Any miner or other workman who shall discover any thing wrong with the ventilating current or with the condition of the roof side timber or road way or with any part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediately report the same to the mine foreman or other person for the time being in charge of the portion of the mine

Section 16 Any person or persons who shall knowingly or willfully damage or without proper authority remove or render useless any fencing means of signalling apparatus instrument or machine or shall throw open or obstruct any airway or open a ventilating door and not have the same closed or enter a place in or about a mine against caution or carry fire open lights or matches in places where safety lamps are used or handle without proper authority or disturb any machinery or cars or do any other act or thing whereby the lives or health of persons or the security of property in or about a mine or colliery are in danger shall be guilty of an offense against this act

Section 17 Gun powder or any other explosive shall not be stored in a mine and the workmen shall not have at any time in any one place more than one keg or box containing twenty-five (25) pounds unless more is necessary for a person to accomplish one day's work and no frozen dynamite shall be sold to any employe

Section 18 Any person who has gun powder or other explosive in a mine shall keep it in a wooden or metallic box securely locked and said box shall be located at a place of safety

Section 19 Whenever a workman shall open a box containing explosives or while in any manner handling the same he shall first place his lamp not less than five (5) feet from such explosive and in such a position that the air current cannot convey sparks to it and a workman shall not approach nearer than five (5) feet to an open box containing powder with a lamp lighted pipe or any other thing containing fire

Section 20 When high explosives other than gun powder are used in any mine the manner of storing keeping moving charging and firing or in any manner using such explosives shall be in accordance with special rules as furnished by the manufacturers of the same The rules shall be endorsed with his or their official signature and shall be approved by the owner operator or superintendent of the mine in which such explosives are used

Section 21 In charging holes for blasting coal slate or rock in any mine no iron or steel pointed neeedles shall be used and a tight cartridge shall not be rammed into a hole in coal slate or rock with an iron or steel tamping bar unless the end of the tamping bar is tipped with at least six (6) inches of copper or other soft material

Section 22 A charge of powder or any other explosive in coal slate or rock which has missed fire shall not be withdrawn or the hole reopened

Section 23 When a workman is about to fire a blast he shall be careful and notify all persons who may be in danger therefrom and give sufficient alarm to warn any person or persons who might be aproaching

Section 24 No person shall be employed to blast coal or rock unless he is competent and qualified to do so and has successfully passed an examination before a miners' examining board and received a certificate of qualification from said board

Section 25 An accumulation of gas in miners shall not be removed by brushing where it is possible to remove it by brattice

Section 26 When gas is ignited by blast or otherwise the person igniting the same if he discovers it shall make a reasonable effort to extinguish it and if the the same is not extinguished by him he shall notify the mine foreman or assistant mine foreman of the fact

Section 27 Every fireman in charge of a boiler or boilers for the generation of steam shall keep a constant watch of the same and be in constant attendance in the boiler house while on duty He shall see that the steam pressure does not at any time exceed the limit allowed by the superintendent He shall frequently try the safety valve and shall not increase the weight on the same he shall maintain a proper depth of water in each boiler and if anything should happen to prevent this he shall report the same without delay to the superintendent or other person for the time being in charge and take such other action as may under these circumstances be necessary for the protection of life and the preservation of property

Section 28 At every shaft or slope in which provision is made in this act for lowering or hoisting persons a headman and footman shall be designated by the superintendent to be at their proper places from the time that persons begin to descend until all the persons who may be at the bottom of said shaft or slope or any intermediate lift thereof when quitting work shall be hoisted Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts or slopes shall be complied with

Section 29 No person except the man giving the signal shall jump or a car cage or gun boat after the signal to start has been given and if any person should enter a car cage or gun boat in excess of the lawful number the headman or footman shall notify him of the fact and request him to get off which request must be immediately complied with Any violation of this rule must be reported promptly to the mine foreman

Section 30 When motors or engines are used in any mine their speed shall not exceed six (6) miles per hour and an efficient alarm shall be provided and attached to the front end of the trip in the direction in which it is moving

Section 31 No person shall couple or uncouple loaded or empty cars while the same are in motion Provided however that this shall not apply to the top or bottom men of slopes planes or shafts or any intermediate lift thereof

Section 32 Whenever cars are run on gravity roads by brakes or sprags the runner shall only ride on the rear end of the last car and a space of not less than three (3) feet from the body of the car to the side of the gravity road shall be made continuously on one side of said road and a space of not less three (3) feet from the body of the car to the side of the gravity road shall be left on both sides of said gravity road wherever it may be necessary for the runner to pass along the side of the moving car or cars and said space or passageway shall always be kept free from obstructions

Section 33 No miner shall run cars out of any breast or chamber or on any gravity road unless he is a suitable person employed by the superintendent for that particular work

Section 34 No person shall travel on any gravity slope or plane while cars are being hoisted or lowered thereon Whenever five (5) persons arrive at the bottom or top of such slope or plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said slope or plane

Section 35 It shall not be lawful for any owner operator or superintendent of any mine or colliery to employe any person who is not competent to understand the regulations of any mine evolving explosive gases Provided that this rule will not apply to a section of a mine free from the said explosive gases

Section 36 No person or persons working in any coal mine or colliery shall cut out any props or timbers while the same are in position to support the roof or sides When it becomes necessary to remove any of said props or timbers it must be done by blasting or by placing a chain or rope around said props or timbers of sufficient length that the pressure necessary to remove the props or timbers can be exerted at a point of safety

Section 37 All records furnished the mine inspector of the district as provided in Article four section two and section eight shall be preserved by said inspector in his office and be the property of the Commonwealth The inspector shall allow any person or persons their relatives or legal representatives who might be interested in what such report contains to see the same and take information therefrom

Section 38 The employees of any mine at their own expense may appoint two of their number who are practical miners with not less than five (5) years' experience to inspect the mine and the persons so appointed shall be allowed to go with any person acting as legal adviser of the employee together with a mining or electrical engineer in any part of the mine where an accident has occurred to investigate the cause of such accident Every facility shall be afforded by the owner operator or superintendent for the purpose of said inspection

Section 39 No motor propelled by steam gasoline oil or any engine using fire to generate its power shall be allowed in any mine

Section 40 If the mine owner operator or superintendent shall assign any duties to the mine foreman or assistant mine foreman other than those provided for the mine foreman or assistant mine foreman by this act or if the mine foreman or assistant mine foreman perform any duties for the mine owner operator or superintendent other than those imposed on the mine foreman or assistant mine foreman by this act which the mine owner operator or superintendent knows or ought to know by the exercise of ordinary prudence the mine foreman or assistant mine foreman who performed such other duties shall be deemed the party in charge on behalf of the owner for all purposes under this act

Section 41 The main office at the colliery shall be connected by telephone with the foot of every shaft and slope and every intermediate lift thereof and also at the head and foot of all inside slopes and planes and also within a half mile of the face of each gangway in sections where persons are employed And the telephones stationed within a half mile of the face of gangways where persons are employed shall have an attendant who shall always be within hearing distance of the telephone while at work

Section 42 A telephone shall be installed at each fan house in mines liberating explosives gases in order that communication can be had with the section of the mine ventilated by the fan

Section 43 In mines liberating explosive gases an engineer shall be stationed at each fan house whose duty it shall be to remain at the engine during the time that workmen are in the mines Provided however that one fan engineer may attend to two fan engines if the distance between the same is not more than two hundred (200) feet

Section 44 Barometers shall be installed in the main office at every colliery and every change indicated by the barometer of the atmospheric pressure which will affect the condition of the mine must be reported immediately to the mine foreman

Section 45 The mine foreman assistant mine foreman outside foreman or any and all persons having charge of the works or any portion thereof shall be deemed the agent of the operator and shall be under the direction and supervision of the owner operator or superintendent

Section 46 In all seams having a pitch of twenty-five (25) degrees or more no less than two (2) men shall be employed in the robbing of pillars and the persons so employed must not do any work in the robbing of pillars unless in company with the other workman employed for that purpose

Section 47 No person firm or corporation shall place any miner in charge of more than one breast chamber or other working place as a miner and no person shall accept and have charge of as a miner any more than one breast chamber or other working face at one and the same time

Section 48 No fuse or caps shall be used in or about any mine for the purpose of blasting except those approved by the chief of the Department of Mines provided however that all powders fuse caps and explosives listed as permissible by the Bureau of Mines of the United States Government can be used in blasting in any mines

Section 49 The report to be furnished to the mine inspector as required by section two and section eight of article four of this act shall be upon blanks approved by the chief of the Department of Mines

Section 50 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE X

Electricity

Section 1 When elecricity is generated on the surface at any mine and the current is to be conducted by wires or cable into the mine for the purpose of power there in no such wires or cables shall be strung in shafts or slopes where men are hoisted or lowered

Section 2 No wire to conduct electricity in a mine containing a voltage sufficient to cause death or serious injury to persons employed therein shall be strung in any place or places where workmen can inadvertently come in contact with the same

Section 3 Trolley wires used to carry the voltage for electric hauling motors shall not contain a pressure of over two hundred and fifty (250) volts and the same shall be placed in the mine or any part thereof in such manner that workmen cannot inadvertently come in contact with the same

Section 4 Stationary motors used in a mine or any part thereof shall be enclosed in flame proof castings which when completely filled with a mixture of methane and air are capable of either confining the product of such explosion or of so discharging them from the casting that they cannot ignite a mixture of methane and air combined its proportions most sensitive to ignition and entirely surrounding the points of discharge and in most intimate proximity therewith

Section 5 Any person firm or corporation who fails to comply with the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XI

Wash Houses

Section 1 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for that use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom which must be constructed within eight weeks from the receipt of said petition The said building shall be maintained in good sanitary condition and order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for supplying light heat or water therein or doing any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

ARTICLE XII

Ambulances and Stretchers

Section 1 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery an ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2 The said ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the side or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be placed on roller frames together with sufficient covering and protection and convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed of such material and in such manner as to afford the greatest ease and comfort in the carriage of the injured person

Section 3 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed to his or their place of abode or to a hospital as the case may require

Section 4 It is provided however that where two or more mines or collieries are located within one mile of each other or the ambulance is located within one mile of each colliery but one ambulance as aforesaid shall be required if the said mines or colliery shall have ready and quick means of communication one with the other by telegraph or telephone

Section 5 An ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 6 In case of the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to a hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comforts of the injured person must be provided for

Section 7 Any person firm or corporation who fails to comply with any of the foregoing sections or any of the provisions of this article shall be guilty of an offense against this act

ARTICLE XIII

Emergency Hospital

Section 1 After the passage of this act it shall be unlawful to operate any mine where twenty or more persons are employed inside unless said mine is provided with a sufficient quantity of linseed or olive oil bandages splints and woolen and water-proof blankets Said articles shall be stored in a room to be known as the Emergency Hospital erected at a convenient place in the mine and on the surface which shall not be less than eight by twelve feet and sufficiently furnished lighted kept clean and properly ventilated so that medical treatment may be given therein promptly to injured employes

There shall also be provided small handboxes in which shall be kept a quantity of oils bandages and splints which shall be stored in each lift of the mine and the same shall be taken to the scene of accident and the injured cared for preparatory to being taken to the emergency hospital

Section 2 It shall be the duty of the mine foreman or an assistant mine foreman in case of a serious personal injury to an employe from any cause to at once visit the scene of the accident see that the injured is properly cared for wrapped in woolen blankets and removed to the emergency hospital in the mine or on the surface and then so

treated as will add to the comfort and ease of the patient Immediately thereafter the injured person shall be wrapped up and sent to the surface and taken to his home or to a hospital The mine foreman shall keep a book showing the required articles on hand name of the person injured nature of the injury treatment and by whom treated at the time of accident

Section 3 The neglect or refusal to perform the duties required by this article by any person required to perform them or the violation of any requirement hereof shall be deemed an offense against this act

ARTICLE XIV

Certified Mine Foreman

Section 1 It shall not be unlawful neither shall it be prohibited for any person or persons to act as mine foreman or assistant mine foreman in any coal mine or colliery unless they are registered as a holder of a certificate of qualification under act or are equally competent with the holders of such certificates

Section 2 Certificates of qualification to mine foreman and assistant mine foreman shall be granted by the Chief of the Department of Mines to every applicant who may be reported by the examiners as hereinafter provided as having passed a satisfactory examination and as having given satisfactory evidence of at least five years practical experience as a miner and of good conduct capability and sobriety

The certificate shall be in manner and form as shall be prescribed by the Chief of the Department of Mines and a record of all certificates issued shall be kept in his department

Section 3 For the purpose of examination of candidates for such certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said board shall consist of the District Inspector of Mines two (2) practical miners and one owner operator or superintendent of a mine The said inspector shall act ex-officio and the said engineer and owner operator or superintendent shall be appointed in like manner and at the time as the board of examiners for candidates for mine inspectorship under this act are now appointed The said board shall act as such for the period of one year from the date of their appointment Meetings of the board may be held at any time and they may make such rules and conduct such examinations as in their judgment may seem proper for the purpose of such examinations The said board shall report their action to the Chief of the Department of Mines and at least three (3) of the members thereof shall certify to the qualification of such candidate who has passed a successful examination The traveling expenses of the members of such board to and from their place of meeting together with the sum of six dollars per day each to the said two (2) practical miners owner operator or superintendent members of each board for each day they are actually engaged therein not exceeding twelve (12) days in all during the year shall be paid by the Commonwealth on an order of the Auditor General drawn on the State Treasurer upon the certificate of the mine inspector member of such board

Section 4 The said board shall be permitted to engage the services of a clerk who shall be paid in like manner as the miner superintendent or owner member of the board

Section 5 Certificates of qualification to mine foreman and assistant mine foreman shall be granted by the Chief of the Department of Mines to every applicant who may be reported by the exanimers as heretofore provided as having passed a satisfactory examination and as having given satisfactory evidence of at least five (5) years practical experience as a miner Certificates of qualification shall contain the full name age and place of birth of the applicant as also the length and nature of his previous service in or about the mines

Section 6 Before certificates as aforesaid shall be granted applicants for same shall pay to the Chief of the Department of Mines the following fee namely

For examination one dollar for registration of certificate one dollar for certificate one dollar All fees so received shall be pall into the treasury of the Commonwealth

Section 7 No mine shall be operated for a longer period than thirty days without the supervision of a mine foreman In case any mine is worked a longer period than thirty (30) days without the supervision of a mine foreman the owner operator or superintendent thereof shall be subject to a penalty of twenty dollars per day for each day over the said thirty (30) days during which the said mine is operated

Section 8 In case of the loss or destruction of a certificate the Chief of the Department of Mines may supply a copy thereof to the person losing the same upon the payment of the sum of fifty (50c) cents Provided it shall be shown to the satisfaction of the Chief of the Department of Mines that such loss has actually occurred

Section 9 If any person or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under this act or in any official copy of the same or shall urge others to do so or shall utter or use any such forged or false certificate or unofficial copy thereof or shall make give utter produce or make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he or they shall be guilty of a misdemeanor and upon conviction thereof shall be fined two hundred dollars or imprisonment for a term not exceeding one (1) year or either or both at the discretion of the court trying the case

Section 10 In addition to the fines and penalties provided in sections seven and nine of this article any person firm or corporation violating any of the provisions of this article shall be guilty of an offense against this act

ARTICLE XV

Inspectors and Inspection Districts

Section 1 The counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin shall be divided into eight inspection districts as follows

Section 2 First district-county of Luzerne
Second district—county of Lackawanna
Third district—county of Carbon
Fourth district—county of Schuylkill
Fifth district—county of Northumberland
Sixth district—county of Columbia
Seventh district—county of Dauphin
Eighth district—counties of Susquehanna Wayne and Sullivan

Section 3 In order to fill any vacancy that may occur in the office of inspector of mines by reason of the expiration of term resignation removal for cause or the creation of a new district or from any other reason whatever the judges of the court or Lackawanna county shall appoint an examining board for the county of Lackawanna and the judges of the court of Luzerne county shall appoint an examining board for the counties of Carbon and Luzerne and the judges of Schuylkill county shall appoint an examining board for the counties of Schuylkill Northumberland Columbia and Dauphin and the judge of the court of Susquehanna county shall appoint an examining board for the counties of Susquehanna Wayne and Sullivan Whenever owing to the creation of a new district or for any other reason an inspection district shall be without a board of examiners the judge or judges of that court in which is vested the appointing power for that district shall appoint a board of examiners for said district as soon as such a vacancy arises The members of said board or boards shall hold their positions until the first term of said court of the following year when the successors shall be named as provided by law

Section 4 The said board of examiners shall be composed of three reputable coal miners in actual practice and two reputable mining engineers all of whom shall be appointed at the first term of court in each year to hold their places during the year Any vacancies that may occur in the board of examiners shall be filled by the court as they occur The said board of examiners shall be permitted to engage the services of a clerk and they together with the clerk shall each receive the sum of six ($6.00) dollars per day for every day they are actually engaged in the discharge of their duties under this appointment and mileage at the rate of six cents per mile from their home to the place of meeting and return by the nearest practicable railway route

Section 5 Whenever candidates for the office of inspector are to be examined the said examiners shall give public notice of the fact in not more than five newspapers published in the inspection district and at least two weeks before the meeting specifying the time and place where such meeting shall be held The said examiners shall be sworn to a faithful discharge of their duties and at least four of them shall sign a certificate setting forth the fact of the applicants having passed a successful examination and who have answered ninety per cent of the question the names of the applicants the questions asked and answers thereto shall be sent to the Chief of the Department of Mines and published in at least two papers daily or weekly and shall give such certificates to only such applicants as have passed the required examination

Section 6 The said Board of Examiners shall hold at least one such examination during each year at least six months before the date of the general election in the month of November of each year

Section 7 The qualified electors of the several inspection districts mentioned in this act shall elect respectively the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First inspection district six inspectors
Second inspection district five inspectors
Third inspection district one inspector
Fourth inspection district four inspectors
Fifth inspection district two inspectors
Sixth inspection district one inspector
Seventh inspection district one inspector
Eighth inspection district one inspector

Said inspectors elected under this act shall be under the direction of the Chief of the Department of Mines who shall assign districts to the several inspectors in the respective counties in which they are elected but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Chief of the Department of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

And provided further That whenever owing to the erection of a new district or for any other reason the inspection district shall be without a duly qualified inspector residing and serving in said district the judge or judges in whom is vested the power of appointing a Board of Examiners for that district shall appoint a duly qualified person as inspector of said district who shall serve as such until his successor is duly elected and qualified Said appointee shall be one of the persons who shall have filed with the commissioners of that county in the judge or judges of whose court is vested the appointing power for that district a certificate from the Board of Examiners of said district showing that he has passed a successful examination before said board or is the holder of a properly issued mine foreman's certificate and is qualified for the position of inspector

Section 8 Candidates for the office of mine inspector shall file with the county commissioners a certificate from the

mine inspectors' examining board as above set forth before their names shall be allowed to go upon the ballot as provided by the county commissioners for the general election and the name of no person shall be placed upon the official ballot except such as has filed the certificate as herein required and no person shall be qualified to act as such mine inspector unless such certificate has been previously filed with the county commissioners of his county Provided however that all persons holding mine foremans' certificates shall be eligible to run for the office of mine inspector and if any person holding a mine foreman certificate desires to run for the office of mine inspector he shall file his mine foreman certificate with the county commissioners in the county in which he resides after the filing of such certificate with the county commissioners his name shall be placed on the official ballot

Section 9 The person so elected must be a citizen of Pennsylvania and shall have attained the age of thirty years He must have a knowledge of the different systems of work in coal mines and he must produce satisfactory evidence to the Board of Examiners of having had at least five years' practical experinence in anthracite coal mines of Pennsylvania He must have had experience in coal mines where noxious and explosive gases are evolved

Before entering upon the duties of his office he shall take an oath or affirmation before an officer properly qualified to administer the same that he will perform his duties with fidelity and impartiality which oath or affrmation shall be filed in the office of the prothonotary of the county He shall provide himself with the most modern instruments and appliances for carrying out the provisions of this act

Section 10 The salary of each of the said inspectors shall be three thousand dollars per annum which salary together with the expenses incurred in carrying into effect the provisions of this act shall be paid by the State Treasurer out of the Treasury of the Commonwealth upon the warrant of the Auditor General

Section 11 Each of the said inspectors shall hold said office for the term of four years from the first Monday of January immediately succeeding his election to said office and until his successor is duly elected and qualified

Section 12 It shall be the duty of the Chief of the Department of Mines to direct one or more of the inspectors who shall be elected under this act and it shall be the duty of said inspector to obey said orders of the said Chief of the Department of Mines to inspect such collieries as come under this act in such manner and at such times as is required by law and the inspectors inspecting said collieries shall make and include in their return a due report of said inspection

Section 13 In case of death resignation removal from office or other vacancies in the office of mine inspector before the expiration of said term of office the judges of the court of common pleas of the county in which said vacancy occurs shall appoint a duly qualified person to fill said vacancy for the unexpired term Said appointee to be one of the persons having passed the examination before the board to examine mine inspectors or a person who is the holder of a properly issued mine foreman certificate and is duly qualified as hereinbefore and hereafter mentioned

Section 14 In case the inspector becomes incapacitated to perform the duties of his office for a longer period than two weeks it shall be the duty of the judges of the court of common pleas of the county from which said inspector was elected to deputize some competent person recommended by the board of examiners or the holder of a properly issued mine foreman certificate to fill the office of inspector until the said inspector shall be able to fulfill the duties of his office and the person so appointed shall be paid in the same manner as provided for the inspector of mines

Section 15 Each of the said inspectors shall reside in the district for which he is elected and shall give his whole time and attention to the duties of his office He shall examine all the collieries in his district at least once every three months and as often in addition thereto as the necessities of the case or the condition of the miners require He shall see that every necessary precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and he shall personally visit each working face and see that the air current is carried to the working faces and is of sufficient quantity or volume to thoroughly ventilate the place He shall every three months make a report of the condition of each working face in each colliery on a form to be furnished to the inspector by the Chief of the Department of Mines designating the gangway in which the working is situated and the breast number of said working and their condition shall be designated by the words good fair or bad as the circumstances may warrant and the said report or duplicate shall be placed in a weather and dust-proof case with a glass front said case to be furnished by the operator and placed in a conspicuous place at each mine opening shaft slope or drift so that the workmen have easy access thereto He shall certify in said report that the employes are hoisted to the surface of the ground or given access thereto according to law he shall attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in his district he shall visit the scene of the accident for the purpose of making an examination into the particulars of the same wherever loss of life or serious personal injury occurs as elsewhere herein provided for and make an annual report of his proceedings to the Chief of the Department of Mines at the close of every year enumerating all the accidents in and about the collieries in his district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and the results generally shall be fully set forth and each other duties as now are or hereafter may be required by law

Section 16 The nomination and election of said mine inspector shall be under the general election laws of this Commonwealth

Section 17 The mine inspector shall have the right and it is hereby made his duty to enter inspect and examine any mine or colliery in the territory allotted to him and the workings and machinery belonging thereto at all reasonable times either by day or by night but not so as to obstruct or impede the working of the colliery and shall have power to take one or more of his fellow inspectors into or around any mine or colliery in the territory allotted to him for the purpose of consultation or examination

He shall also have the right and it is hereby made his duty to make inquiry into the condition of such mines or colliery workings machinery ventilation drainage method of lighting or using lights and into all matters and things connected with or relating to as well as to make suggestions providing for the health and safety of persons employed in or about the same and especially to make inquiry whether the provisions of this act have been complied with

The owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination inquiry and exit

The inspector shall make a record of the visit noting the time and material circumstances of the inspection

Section 18 No person who shall act or practice as a land agent or as a manager or agent of any coal mine or colliery who is pecuniarily interested in operatinga ny coal mine or colliery shall at the time hold the office of inspector of mines under this act

Section 19 Whenever a petition signed by fifteen or more reputable coal miners or by fifteen or more reputable coal operators or either or both setting forth that any inspector of mines neglects his duties or is incompetent or is guilty of malfeasance in office it shall be the duty of the court of common pleas from which said inspector was elected to issue a citation in the name of the Commonwealth to the said inspector to appear having been given not less than five days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If the court finds that the said inspector is neglectful of his duties or is incompetent to perform the duties of his office for any cause that existed previous to his election or that has arisen since his election or that he is guilty of malfesance in office the court shall declare the said inspector removed from office and proceed to fill the vacancy The cost of said investigation shall be borne by the removed inspector but if the allegations in the petition are not sustained the cost shall be paid by the Treasurer of this Commonwealth upon warrant of the Auditor General or by the petitioners in case the court finds that there was no probable ground for said charge

Section 20 The maps and plans of the miners and the records thereof together with all the papers relating thereto shall be kept by the inspector properly arranged and preserved in a convenient place in the district to which the inspector has been elected and shall be transferred by him with any other property of the Commonwealth that may be in his possession to his successor in office

Section 21 Any person firm or corporation who violates any of the provisions of this article shall be deemed guilty of an offense against this act

ARTICLE XVI

Injunctions

Section 1 Upon application of the inspector of mines of the proper districts acting in behalf of the Commonwealth any of the courts of law or equity having jurisdiction where the mine or colliery proceeded against is situated whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the workings of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in the matter of the injunction or other proceedings as the court may think just but this section shall be without prejudice to any other remedy permitted by law to enforce the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not less than twenty-four (24) hours before the application is made

ARTICLE XVII

Arbitration

Section 1 Whenever an inspector finds any mine or colliery or part thereof or any matter thing or practice connected with such mine which in any respect thereof is not covered by or provided against by any provision of this act or by any rule to be dangerous or defective or in his judgment tends to bodily injury to a person he shall give notice thereof in writing to the owner operator or superintendent of such mine or colliery stating in such notice the particular matter or defect requiring remedy and may demand that the same be remedied but the owner operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand be made And the party against whom the award is given shall pay all costs attending the case The said board of arbitration shall be composed of three (3) persons one of whom shall be chosen by the inspector one by the owner operator or superintendent and a third by the two thus selected and the decision of a majority of such board shall be final and binding in the matter

ARTICLE XVIII

Penalties

Section 1 Any judge of the court of quarter sessions of the peace of the county in which the mine or colliery at which the offense act or omission as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery or any mine inspector has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident has resulted or might have resulted to any person or persons employed in such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars or an imprisonment in the county jail for a period not exceeding three (3) months or either or both at the discretion of the court Provided that any defendant may waive trial before a judge as herein provided at any time at or before the time of such trial demand a trial by a jury in the court of quarter sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next court of quarter sessions to answer the charges against him and abide the orders of the court in the premises meanwhile to be of good behavior and keep the peace or in default of such recognizance to be committed to the county jail to await such trial Provided further that nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided

Section 2 If any person shall feel himself aggrieved by such conviction and sentence before a judge or a judge and jury he may appeal therefrom to the Supreme or Superior court which appeal shall be upon the same terms conditions and restrictions as appeals in criminal cases are now regulated by existing laws

Section 3 All offenses under this act are declared to be misdemeanors and in default of payment of any fine penalty or cost by the party or parties sentenced to pay the same he or they may be imprisoned for a period not exceeding three (3) months and not less than thirty (30) days

Section 4 All fines imposed under this act shall be paid into the county treasury for the use of the county

Section 5 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe in any mine or colliery

Section 6 That for any injury to person or property occasioned by any violation of this act or any failure to comply with its provisions by any owner operator superintendent outside foreman mine foreman or assistant mine foreman or of any person in charge of any coal mine or colliery or any part thereof a right of action shall accure to the party injured against said owner or operator for any direct damages he may have sustained thereby and in case of loss of life by reason of such neglect or failure as aforesaid a right of action shall survive to the parties entitled to prosecute like actions under existing laws

ARTICLE XIX

Inquests

Section 1 Whenever loss of life to a miner or other employe occurs in or about a mine or colliery notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the mine foreman or outside foreman or other person having immediate charge of the work at the time of the accident and when death results from personal injury such notice shall be given promptly after the knowledge of death comes to the said foreman or person in charge

Section 2 Whenever loss of life occurs or whenever the lives of persons employed in a mine or at a colliery are in danger from any accident the inspector of mines shall visit the scene of the accident as soon as possible thereafter and offer such suggestions as in his judgment shall be necessary to protect the lives and secure the safety of the persons employed In case of death from such accident and after exaxination he finds it necessary that a coroner's inquest shall be held he shall notify the coroner to hold such inquest without delay and if no such inquest be held by the coroner within twenty-four (24) hours after such notice the inspector shall institute a further and fuller examination of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat The inspector shall make a record of all such investigations and accidents which record shall be preserved in his office The cost of such investigation shall be paid by the county in which the accident occurred in like manner as costs of inquests held by coroners or justices of the peace are now paid

Section 3 An inquest held by the coroner upon the body of a person killed by explosion or other accident shall be adjourned by the coroner if the inspector of mines be not present to watch the proceedings and the coroner in such case shall notify the inspector in writing of such adjourned inquest and the time and place of holding the same at least three (3) days previous thereto

Section 4 Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector and at any such inquest the inspector shall have the right to examine witnesses

Section 5 If at any inquest held over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery the inspector be not present and it is shown by the evidence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery which in the judgment of the jury required a remedy the coroner shall send notice in writing to said inspector of such neglect or default

Section 6 No person who is interested personally nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident shall be qualified to serve on a jury empaneled on the inquest and a constable or other officer shall not summon such a person so disqualified as juror but the coroner shall empanel a majority of the jury from miners who are qualified to judge of the nature of the accident every person who fails to comply with the provisions of this article shall be guilty of an offense against this act

ARTICLE XX

Repealing Clause

Section 1 This act shall not be construed to repeal or in any way alter or amend the act of July fifteenth Anno Domini one thousand eight hundred and ninety-seven Pamphlet Laws two hundred and eighty-seven entitled "An Act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mines of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in the anthracite coal mines and providing penalties for a violation of the same" or the act of May ninth Anno Domini one thousand eight hundred and eighty-nine Pamphlet Laws one hundred and fifty-four entitled "An Act to provide for the recovery of the bodies of workmen enclosed buried or entomb in coal mines" or the act of June fifteenth Anno Domini one thousand nine hundred and eleven entitled "An Act to safeguard life in the coal mines of the Commonwealth of Pennsylvania and to protect and preserve the property connected therewith by providing that all inside buildings shall be constructed of incombustible material and providing penalties for failure to comply with the terms of this act and making a violation thereof by mine superintendents a misdemeanor" or the act of the fifteenth day of June Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections one three and five of an act entitled 'An Act to provide for the health and safety of minors in bituminous coal mines and anthracite collieries or breakers by regulating the age at which said minors may be employed their hours of employment and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof' approved the first day of May Anno Domini one thousand nine hundred and nine by further regulating the ages at which minors may be employed inside coal mines or in the outside workings thereof or in coal breakers or washeries and by providing for the filing of proof of age by the employers of minors apparently under sixteen years of age employed in such establishment" but all acts inconsistent herewith be and the same are hereby repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Allen,	DeFrees,	Kennedy,	Rhoads,
	Dickinson,	Kitts,	Rockwell,
Baldwin, R. J.,	Donahoe,	Klepper,	Roney,
Bass,	Donnally,	Kuhn, H. P.,	Rothenberger,
Bayle,	Down,	Kuhns, E.G.M.,	Sassaman,
Becker,	Dunn, J. A.,	Latshaw,	Savacool,
Benninger,	Ehrhardt,	Light,	Schaeffer, A. C.
Benson,	Ely,	Lohr,	Shaffer, C. A.,
Bergey,	Foster, J. D.,	Lowers,	Shaffer, I. E.,
Berntheizel,	Gans,	Martin,	Shern,
Bigger,	Geiser,	Mather,	Sherwood,
Bittles,	Gibson,	Matt,	Showalter,
Blair, W. F.,	Good,	McAllister,	Smith, J. W.,
Bleloch,	Goss,	McKay,	Snavely,
Body,	Grabe,	Mellott,	Snyder,
Brosius,	Gramley,	Miller,	Spillinger,
Brown,	Gransback,	Mitchell,	Stone,
Brownlee,	Gray, Frank,	Morrow,	Strauss,
Burnett,	Haggerty,	Moses,	Swartz,
Caldwell,	Heidinger,	Moulthrop,	Swift,
Campbell, C.M.,	Hemminger,	Newbaker,	Thomas,
Campbell, J.J.	Herman,	Newton,	Trach,
Carson,	Hess,	North,	Ulman,
Carter,	Heyburn,	O'Neill,	Walnut,
Cheeseman,	Hibshman,	Peachey,	Whitaker,
Claycomb,	Howard, R.,	Pennegar,	Wildman,
Cleary,	Humes,	Pennock,	Williams,
Cochran,	Irwin, G. C.,	Peters,	Wilson, J. H.,
Conner,	Irwin, H. H.,	Price,	Wiltbank,
Conniff,	Jackson,	Ramsey,	Young, G. K.,
Cox,	Jones, J. R.,	Redfield,	Zimmerman,
Currier,	Keegan,	Reese,	Alter,
Curry,	Keeport,		Speaker.
Davis,			

NAYS—1.

Jones, E. E.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. GIBSON. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. GIBSON. Mr. Speaker, when Bill No. 1785 was voted on and I voted "no" I did so under a misapprehension with the idea that I was voting on the following bill. If it is possible, I would like to have my vote changed from "aye" to "no." If not, that I would like to have the statement appear on the record.

The SPEAKER. If there is no objection, the statement will be recorded in the Journal immediately following the record of the vote.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1076, as follows:

An Act amending section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred ninety-five by dividing cities of the State into four classes with respect to their population and providing that the laws now relating to cities of the second class shall apply to cities both of the second and third class and the laws now relating to cities of the third class shall apply to cities of the fourth class as herein provided

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That section one of an act entitled "An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classifications thereof in accordance therewith" approved June twenty-fifth one thousand eight hundred and ninety-five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into three classes

Those containing a population of one million or over shall constitute the first class

Those containing a population of one hundred thousand and under one million shall constitute the second class

Those containing a poulation under one hundred thousand shall constitute the third class" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That for the purposes of legislation regulating their municipal affairs the exercise of certain corporate powers and having respect to the number character powers and duties of certain officers thereof the cities now in existence and those hereafter created in this Commonwealth shall be divided into four classes

Those containing a population of one million or more shall constitute the first class

Those containing a poulation of five hundred thousand or more and under one million shall constitute the second class

Those containing a population of one hundred thousand or more and under five hundred thousand shall constitute the third class

Those containing a population under one hundred thousand shall constitute the fourth class

All laws now in force applying to cities of the second class shall apply to both cities of the second and third class herein provided

All laws now in force applying to cities of the third class shall apply to cities of the fourth class herein provided

Section 2 This act shall take effect the first day of January Anno Domoni one thousand nine hundred fourteen

On the question,

Shall the bill pass finally?

Mr. RAMSEY. Mr. Speaker, I wish the sponsor of this bill would make some explanation of it to the House.

The SPEAKER. The sponsor of the bill, Mr. Kaiser, is not in the House at the present time.

BILL POSTPONED.

Mr. WILTBANK. Mr. Speaker, I then move that the further consideration of this bill be postponed for the present.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1182. as follows:

A supplement to an act approved the eighteenth day of May one thousand nine hundred an eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any sub-district public elementary school was for any reason abandoned or closed in any school district prior to the eighteenth day of May one thousand nine hundred eleven it shall be the duty of the board of school directors of such district to furnish at the expense of the proper district to pupils residing one mile and a half or more from the nearest public elementary school located and held in any district transportation to and from any school to which such pupil shall by law be entitled or permitted to attend and whether or not such pupil at any time attended such school so abandoned or closed

On the question,

Shall the bill pass finally?

Mr. STONE. Mr. Speaker, this bill is intended to cover omissions in the Act of 1911. In my county as well as in Tioga County and Centre County and one other county the school directors did not have the right to provide for transportation where schools had been closed for want of attendance prior to the Act of 1911. In the four counties the courts have passed upon this question, and have decided that the school code of 1911 does not provide for transportation for children that had lived in sub-districts that had been closed prior to this act. This act is simply to provide for that contingency which is not in the school code. It is amended so as to cover the question, and to wipe away all objections formerly raised, and I hope that every member will vote for this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—118.

Allen,	Dickinson,	Kuhn, H. P.,	Rhoads,
Baldwin, G. A.,	Donnally,	Light,	Richards,
Baldwin, R. J.,	Down,	Lohr,	Rockwell,
Barner,	Dunn, J. A.,	Lowers,	Roney,
Bass,	Eichenberger,	Martin,	Rothenberger,
Bayle,	Ewing,	Mather,	Sassaman,
Becker,	Fahey,	Matt,	Savacool,
Benson,	Foster, J. D.,	McAllister,	Shaffer, C. A.,
Berntheizel,	Gans,	McDermott,	Shern,
Bigger,	Geiser,	McKay,	Sherwood,
Bittles,	Gibson,	Mellott,	Smith, J. W.,
Blair, W. F.,	Good,	Miller,	Snavely,
Bleloch,	Goss,	Mitchell,	Snyder,
Body,	Gramley,	Morrow,	Stone,
Brown,	Gransback,	Moses,	Strauss,
Brownlee,	Gray, Frank,	Moulthrop,	Swartz,
Burnett,	Hackett,	Newbaker,	Swift,
Caldwell,	Heidinger,	Newton,	Thomas,
Campbell, C.M.,	Herman,	North,	Trach,
Carson,	Heyburn,	O'Neill,	Ulman,
Carter,	Hibshman,	Peachey,	Walton,
Cheeseman,	Howard, R.,	Pennegar,	Whitaker,
Claycomb,	Irwin, G. C.,	Pennock,	Williams,
Cleary,	Jackson,	Peters,	Wilson, J. H.,
Cochran,	Jones, J. R.,	Piper,	Wilson, W. H.,
Conner,	Keegan,	Price,	Wiltbank,
Conniff,	Keeport,	Ramsey,	Young, G. K.
Conrade,	Kennedy,	Reese,	Zimmerman,
Currier,	Kitts,	Reeser,	Alter,
Curry,			Speaker.
Davis,			

NAYS—2.

Benninger, Brosius,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REQUEST FOR RECORDING VOTE.

Mr. BROSIUS. Mr. Speaker, I desire to be recorded as voting on the bill just passed. No. 1182, as voting "Aye" if it can be done.

The SPEAKER. If there is no objection, the request will be noted in the Journal following the recording of the vote.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 531, as follows:

An Act amending the sixth section of an act approved the twenty-eighth day of April eighteen hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for township of each class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classifict-tion of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class" which reads as follows

"Section 6 The persons elected township commissioners shall meet on the first Monday in March succeeding their election and until otherwise designated by ordinance the place of meeting shall be the oldest polling lace in the township Each member shall take and subscribe an oath or affirmation to be administered by a justice of the peace or notary public to support the Constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity Certificates of such oaths and affirmations shall be filed with the township auditor

If a majority of the commisisoners shall not attend at a meeting on the first Monday of March those present shall have power to adjourn the meeting from day to day until a majority attend

The board shall organize by the election of one of their number as president He shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

The board shall meet at least once a month at such time and place as may be designated by ordinance A majority of the members of the board shall constitute a quorum shall be and the same is hereby amended so as to read as follows

Section 6 The persons elected township commissioners shall organize on the first Monday of January following their election assembling for such purpose at their respective places of meeting at seven thirty o'clock in the afternoon and until otherwise designated by ordinance the place of meeting shall be the oldest polling place in the township Each member shall take and subscribe an oath or affirmation to be administered by a justice of the peace or notary public to support the Constitution of the United States and of this Commonwealth and to perform the duties of his office with fidelity Certificates of such oaths and affirmations shall be filed with the township auditor

If a majority of the commissioners shall not attend at the meeting on the first Monday of January those present shall have power to adjourn the meeting from day to day until a majority attend

The board shall organize by the election of one of their number as president He shall preside at all meetings of the board and perform such other duties as are specified in this act or which may be prescribed by ordinance

The board shall meet at least once a month at such time and place as may be designated by ordinance A majority of the members of the board shall constitute a quorum

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, fearing that some one may misunderstand the purpose of this bill, I will simply say that it is drawn to fix the time at which commissioners shall organize so as to conform to the present constitutional provision and law made thereunder. It is a very meritorious measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—123.

Allen,	Donahoe,	Kern,	Ramsey,
Arthur,	Donnally,	Kitts,	Reese,
Baldwin, G. A.,	Down,	Kuhns, E.G.M.,	Rhoads
Baldwin, R. J.,	Dunn, J. A.,	Leslie,	Richards,
Barner,	Ely,	Lohr,	Rockwell,
Bass,	Fahey,	Lowers,	Roney,
Bayle,	Forster, I. G.,	Martin,	Rothenberger,
Becker,	Foster, J. D.,	Mather,	Sassaman,
Benson,	Gans,	Matt,	Savacool,
Bergey,	Geiser,	McAllister,	Shaffer, C. A.,
Berntneizel,	Gibson,	McCaig,	Shaffer, I. E.,
Bigger,	Good,	McDermott,	Shern,
Bittles,	Grabe,	McKay,	Sherwood,
Blair, W. F.,	Gramley,	Mellott,	Smith, J. W.,
Bleloch,	Gransback,	Metzenbacher,	Snavely,
Body,	Gray, Frank,	Miller,	Spillinger,
Brosius,	Hackett,	Mitchell,	Strauss,
Brownlee,	Haggerty,	Morrow,	Swartz,
Burnett,	Heidinger,	Moulthrop,	Thomas,
Caldwell,	Hemminger,	Neely,	Trach,
Campbell, C.M.,	Hess,	Newbaker,	Ulman,
Campbell, J. J.,	Heyburn,	Newton,	Walnut,
Carson,	Howard, J.,	North,	Watson,
Carter,	Humes,	O'Neill,	Whitman,
Cleary,	Irwin, G. C.,	Peachey,	Williams,
Cochran,	Jackson,	Pennegar,	Wilson, W. H.,
Conniff,	Jones, E. E.,	Pennock,	Wiltbank,
Conrade,	Jones, J. R.,	Peters,	Young, G. K.
Cox,	Keegan,	Piper,	Zimmerman,
Currier,	Keeport,	Price,	Alter,
Curry,	Kennedy,		Speaker.
DeFrees,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1599, as follows:

A supplement to an act entitled "An Act providing for the incorporation government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said Department and authorizing the exercise of the powers herein provided by a Park or other Municipal Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That an additional executive department in the government of cities of the third class is hereby created to be known as the Department of City Planning which shall be in charge of a City Planning Commission consisting of five persons to be appointed by the mayor and councils In the first intance one member of said commission shall be appointed for one year one member for two years one member for three years one member for four years and one member for five years and annually thereafter a member of said commission shall be appointed for a term of five years An appointment to fill a casual vacancy shall be only for the unexpired portion of the term All members of the said commission shall reside within the zone of jurisdiction of said commission as hereinafter defined They may make and alter rules and regulations for their own organization and procedure consistent with the ordinances of the city and the laws of the Commonwealth They shall serve without compensation and make annually to the mayor and councils a report of their transactions They may employ engineers and other persons whose salaries and wages and other necessary expenses of the commission shall be provided for through proper appropriation by councils

Section 2 The clerks of councils shall upon introduction furnish to the City Planning Commission for its consideration a copy of all ordinances and bills and all amendments thereto relating to the location of any public building of the city and to the location extension widening narrowing enlargement ornamentaion and parking of any street boulevard parkway park playground or other public ground and to the relocation vacation curtailment changes of use or any other alteration of the city plan with relation to any of the same and to the location of any bridge tunnel and subway or any surface underground or elevated railway The said commission shall have the power to disapprove any of the said ordinances bills or amendments which disapproval however must be communicated to councils in writing within ten days from the introduction of said ordinances and shall operate with the same force and effect as a veto by the mayor under existing laws

Section 3 The City Planning Commission may make or cause to be made and lay before councils and at its discretion cause to be published maps of the city or any portion thereof including territory extending five miles beyond the city limits showing the streets and highways and other natural and artificial features and also locations proposed by it for any new public buildings civic centre street parkway park playground or an other public ground or public improvement or an widening extension or relocation of the same or any change in the city plan by it deemed advisable and it may make recommendations to councils from time to time concerning any such matters and things aforesaid for action by councils thereto and in so doing have regard for the present conditions and future needs and growth of the city and the distribution and relative location of all

the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use

Section 4 The City Planning Commission may make recommendations to any public authorities or any corporations or individuals in said cities with reference to the location of any buildings structures or works to be erected or constructed by them

Section 5 All plans plots or re-plots of lands laid out in building lots and the streets alleys or other portions of the same intended to be dedicated to public use or for the use of purchasers or owners of lots fronting thereon or adjacent thereto and located within the city limits or for a distance of three miles outside thereof shall be submitted to the City Planning Commission and approved by it before it shall be recorded And it shall be unlawful to receive or record such plan in any public office unless the same shall bear thereon by endorsement or otherwise the approval of the City Planning Commission The disapproval of any such plan by the City Planning Commission shall be deemed a refusal of the proposed dedication shown thereon The approval of the commission shall be deemed an acceptance of the proposed dedication but shall not impose any duty upon the city concerning the maintenance or improvement of any such dedicated parts until the proper authorities of the city shall have been made actual appropriation of the same by entry use or improvement No sewer water or gas main or pipes or other improvement shall be voted or made within the area under the jurisdiction of said commission for the use of any such purchasers or owners nor shall any permit for connection with or other use of any such improvement existing or for any other reason made be given to any such purchasers or owners until such plan is so approved Where the jurisdictional limit of three miles outside of the city limits as provided in this section may conflict with the zone of similar character connected with another city of the third class the jurisdiction of said commission shall extend only to the point equidistant between the city limits and the limits of said municipality

Section 6 It shall be proper for said cities to provide by ordinance for the exercise of all rights and powers herein conferred upon the City Planning Commission by a Park Commission or kindred municipal Bureau or Commission authorized under existing laws And no person holding office under the government of any of said cities except the mayor members of councils or Commissioners shall be ineligible to serve as a member of a City Planning Commission

Section 6 It shall be proper for said cities to provide by ordinance for the exercise of all rights and powers herein conferred upon the City Planning Commission by a Park Commission or kindred municipal Bureau or Commission authorized under existing laws And no person holding office under the government of any of said cities except the mayor members of councils or Commissioners shall be ineligible to serve as a member of a City Planning Commission

Section 7 All acts and parts of acts inconsistent with this this act are repealed

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—117.

Allen,	Curry,	Jones, J. R.,	Reese,
Baldwin, G. A.,	Davis,	Keeport,	Reeser,
Baldwin, R. J.,	DeFrees,	Kennedy,	Rockwell,
Barner,	Dickinson,	Kitts,	Roney,
Bayle,	Down,	Klepper,	Rothenberger,
Becker,	Dunn, H. B.,	Kuhn, H. P.,	Sassaman,
Benninger,	Dunn, J. A.,	Light,	Schaeffer, A. C.
Benson,	Ely,	Lohr,	Shaffer, C. A.,
Bergey,	Fahey,	Lowers,	Shern,
Berntheizel,	Flynn,	Martin,	Sherwood,
Bigger,	Gans,	Mather,	Showalter,
Bittles,	Gibson,	Matt,	Smith, J. W.,
Blair, W. F.,	Grabe,	McAllister,	Snavely,
Bleloch,	Gramley,	McDermott,	Snyder,
Body,	Gray, Frank,	McKay,	Stone,
Brosius,	Hackett,	Mellott,	Strauss,
Brown,	Haggerty,	Mitchell,	Swartz,
Brownlee,	Heidinger,	Morrow,	Swift,
Burnett,	Hemminger,	Moulthrop,	Thomas,
Caldwell,	Herman,	Neel,	Ulman,
Campbell, C.M.,	Hess,	Newbaker,	Walnut,
Campbell, J. J.,	Heyburn,	Newton,	Walton,
Carson,	Howard, J.,	North,	Whitaker,
Carter,	Howard, R.,	O'Neill,	Whitman,
Cheeseman,	Humes,	Peachey,	Wildman,
Cleary,	Irwin, G. C.,	Pennegar,	Williams,
Conner,	Irwin, H. H.,	Pennock,	Wilson, J. H.,
Conniff,	Jackson,	Peters,	Wiltbank,
Cox,	Jones, E. E.,	Ramsey,	Young, G. K.,
Currier,			Zimmerman,

NAYS—2.

Keegan,	Alter,	Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1551, as follows:

An Act providing that taxes assessed against property used exclusively for public hospital purposes and which have not been paid shall be remitted by the municipal authority levying the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore taxes have been assessed against any property used exclusively for public hospital purposes including the ground upon which any hospital building has been erected and so much additional ground as may be or may have been neccessary for such public hospital purposes and said taxes have not been paid the taxes so assessed and unpaid shall be remitted by the municipal authority levying the same

On the question,

Will the House agree to the bill on third reading?

It was not agreed to and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1736, entitled:

An Act limiting the time within which to begin actions in trespass for malicious prosecutions conspiracy and false imprisonment to one year after the injury complained of

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. HUMES. Mr. Speaker, I understand that the sponsor of this bill is going to ask for postponement.

The SPEAKER. The gentleman from Indiana, Mr. Watson.

Mr. WATSON. Mr. Speaker, it is changing the limitation of action for malicious prosecution, conspiracy and false imprisonment to one year instead of two. The bill does not need any explanation.

Mr. HUMES. Mr. Speaker, in conversation with the sponsor of this bill this morning with reference to an amendment that I proposed to offer, he said he would postpone this bill until we had an opportunity to consider it, and if he is not going to do that, I desire to offer an amendment.

BILL POSTPONED.

Mr. SHERN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

The motion was agreed to.

RECONSIDERATION OF VOTE.

Mr. RONEY. Mr. Speaker, I move that the vote by which House Bill No. 1551, file folio 7721, entitled:

An Act providing that taxes assessed against property used exclusively for public hospital purposes and which have not been paid shall be remitted by the municipal authority levying the same

on page 17 of to-day's calendar, failed on third reading, be reconsidered.

Mr. JOHN ROBERT JONES. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, what is the purpose of the bill?

Mr. WILTBANK. Mr. Speaker, this bill is to remit taxes by the City of Philadelphia that they assessed against the Jefferson Hospital. You passed this bill in 1911. The Governor vetoed it on account of the unconstitutionality of the bill at that time. Now, that condition is corrected.

The City Councils of Philadelphia has remitted this, but the city solicitor says that the councils have no right to, and they had to come into the Legislature to get permission from the Legislature. Now, I think, under the statutes hospitals and churches are exempt from taxation. This is a piece of property that was presented by the Baldwin Locomotive Works to the Jefferson Hospital, and they neglected to have it certified to release these taxes. This is strictly a public charity.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Allen,	Currier,	Keegan,	Rothenberger,
Arthur,	Curry,	Kennedy,	Sassaman,
Baldwin, G. A.,	Davis,	Kitts,	Schaeffer, A. C
Baldwin, R. J.,	DeFrees,	Lohr,	Schuck,
Barner,	Dickinson,	Martin,	Scott, S. B.,
Bass,	Donahoe,	Mather,	Shaffer, C. A.,
Bayle,	Down,	Matt,	Shern,
Becker,	Dunn, H. B.,	McAllister,	Smith, J. W.,
Benninger,	Dunn, J. A.,	McClintock,	Snavely,
Benson,	Ely,	McDermott,	Spillinger,
Bergey,	Flynn,	McKay,	Stone,
Berntheizel,	Foster, J. D.,	McNichol,	Strauss,
Bigger,	Geary,	Mitchell,	Swartz,
Bittles,	Geiser,	Moore,	Swift,
Bleloch,	Goss,	Morrow,	Thomas,
Body,	Gramley,	Moses,	Trach,
Brosius,	Gray, Frank,	Musser,	Ulman,
Brown,	Hackett,	Neel,	Walton,
Brownlee,	Haggerty,	Newbaker,	Whitaker,
Burnett,	Heidinger,	North,	Whitman,
Caldwell,	Hemminger,	O'Neill,	Wildman,
Campbell, J.J.	Herman,	Peachey,	Williams,
Carter,	Hess,	Pennegar,	Wilson, J. H.,
Cheeseman,	Heyburn,	Pennock,	Wilson, W. H.,
Claycomb,	Hibshman,	Ramsey,	Wiltbank,
Cleary,	Irwin, G. C.,	Reese,	Young, G. K.,
Conner,	Irwin, H. H.,	Rhoads,	Zimmerman,
Conniff,	Jones, E. E.,	Rockwell,	Alter,
Cox,	Jones, J. R.,	Roney,	Speaker.

NAYS—7.

Campbell, C.M.,	Donnally,	Jackson,	Mellott,
Carson,	Humes,	Lowers,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of H. R. bill No. 1656, as follows:

An Act providing for the annulment of charters of boroughs incorporated by decree of the court of quarter sessions and prescribing the manner and procedure necessary to secure such decree of annulment and providing for the reversion to the original township of the property within such borough

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the several courts of quarter sessions within this Commonwealth shall have power upon petition of seventy-five per centum of the qualified electors of any borough heretofore incorporated to decree the annulment of the charter of such borough

Section 2 That upon presentation of such application for annulment as aforesaid to the court it shall be filed with the clerk and notice thereof shall be given in at least one newspaper of the proper county for a period of not less than thirty (30) days immediately preceeding the date of such hearing and during which time exceptions may be filed to such application by any person interested and at such hearing the court shall make a full investigation of the case and if it shall find that the conditions prescribed by law have been complied with and shall believe that it is expedient to grant the prayer of the applicants shall grant the same and make a decree accordingly and said application and decree shall be recorded in the recorder's office of the proper county

Section 3 That upon the entry and recording of such decree the lands embraced within the limits of such borough shall revert to and become a part of the township from which it was originally taken and be under and subject to its government and control provided however that any indebtedness of such borough shall be paid from the taxes assessed and collected from that portion of said township as formerly included within the limits of said borough

Section 4 All costs and expenses incident to the preceding for the annulment of the charter as aforesaid shall be paid by the petitioners

Section 5 All laws general and special inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Baldwin, G. A.,	Down,	Light,	Savacool,
Baldwin, R. J.,	Dunn, H. B.,	Lohr,	Schaeffer, A. C.,
Barner,	Dunn, J. A.,	Lowers,	Schuck,
Becker,	Ely,	Malie,	Scott, S. B.,
Benninger,	Flynn,	Mannion,	Shaffer, C. A.,
Benson,	Foster, J. D.,	Mather,	Shaffer, I. E.,
Bergey,	Geary,	Matt,	Shern,
Berntheizel,	Geiser,	McAllister,	Sherwood,
Bigger,	Gibson,	McDermott,	Smith, J. W.,
Bittles,	Good,	McKay,	Snavely,
Blair, W. F.,	Goss,	Mitchell,	Snyder,
Bleloch,	Grabe,	Morrow,	Spangler,
Body,	Gramley,	Moses,	Stone,
Brosius,	Gray, Frank,	Moulthrop,	Strauss,
Brown,	Haggerty,	Musser,	Swartz,
Brownlee,	Heidinger,	Neel,	Swift,
Burnett,	Hemminger,	Newbaker,	Thomas,
Caldwell,	Herman,	Newton,	Trach,
Campbell, C.M.,	Hess,	North,	Ulman,
Campbell, J. J.,	Heyburn,	O'Neill,	Walnut,
Carson,	Hibshman,	Peachey,	Walton,
Carter,	Irwin, G. C.,	Pennegar,	Watson,
Cheeseman,	Jackson,	Pennock,	Whitaker,
Claycomb,	Jones, E. E.,	Peters,	Whitman,
Cleary,	Jones, J. R.,	Piper,	Wildman,
Conner,	Keeport,	Ramsey,	Williams,
Conniff,	Kennedy,	Reese,	Wilson, J. H.,
Cox,	Kitts,	Reeser,	Wilson, W. H.,
Currier,	Klepper,	Rhoads,	Wiltbank,
Curry,	Kuhn, H. P.,	Rockwell,	Young, G. K.,
Davis,	Lenker,	Rothenberger,	Zimmerman,
DeFrees,	Leslie,	Sassaman,	Alter,
Dickinson,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1393 (Senate Bill No. 190), entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. FLYNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1394 (Senate Bill No. 191), entitled: titled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and timber harvested and the collection distribution and use of the taxes collected therefrom

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. FLYNN. Mr. Speaker, I second the motion.
The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on third reading of H. R. bill No. 1395 (Senate Bill No. 192), entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.
Mr. FLYNN. Mr. Speaker, I second the motion.
The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 46, as follows:

An Act requiring hospitals receiving appropriations from the Commonwealth to maintain free rooms for certain patients regulating the use of said rooms and regulating the care and treatment of such patients

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every hospital which shall receive from this Commonwealth any appropriation shall at all times maintain a private room to be known as the "Commonwealth Room" This room shall be for the preferential use of any of the following persons who may apply to such hospital for care and treatment in any serious illness or for a surgical operation of any kind

1 Any honorably discharged soldier sailor or marine who served in the army or navy of the United States during the Civil War or any preceding war and who was at the time of his enlistment and at the time of his application for admission to said hospital a resident of this Commonwealth

2 Any resident of this Commonwealth being the wife or widow of any honorably discharged soldier sailor or marine who shall have served as aforesaid

Such care and treatment and any necessary surgical operation shall be given and performed without any cost to such patient during the continuance of such illness if he or she is unable to pay the cost of the same

Section 2 Should any such person make application as aforesaid when said room is already occupied and the Commonwealth room of other hospitals in the same locality is also occupied by such persons then the proper hospital shall at once set apart another such room for the applicant and treat and care for such patient or patients as herein required Provided however That if all the rooms of said hospital are occupied then the said applicant shall be entitled to occupy any such room as shall first become vacant

Section 3 Before any appropriation to any hospital shall be available the proper hospital authorities shall certify to the Auditor General under the seal of such institution that such room has been reserved and that all applicants qualified as hereinbefore set forth will be cared for and treated as required by this act

Section 4 Should at any time any such hospital cease to maintain a room as aforesaid or refuse or neglect to care for and treat applicants qualified as aforesaid or fail or neglect to extend to such applicants all proper care and treatment the Auditor General shall upon due proof thereof refuse to authorize any further payment of money from this Commonwealth to such hospital

Section 5 All acts or parts of acts inconsistent with this act are repealed

On the question,
Will the House agree to the bill on third reading?

Mr. J. A. DUNN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend Section 2, line 6: Strike out after word "required" provided however," also strike out line 7, 8, 9.

The SPEAKER. Will the House give unanimous consent to the amendment as read? Is there any objection? The Chair hears none and the amendments will be made in accordance with the instructions of the House.

The bill as amended was then agreed to.

The SPEAKER. The amendments consisting merely of striking out, the bill will now be put upon final passage.
On the question,
Shall the bill pass?

Mr. CHEESEMAN. Mr. Speaker, I would like the sponsor of the bill to state to the House what classification is provided for in this bill.

Mr. J. A. DUNN. Mr. Speaker, the purpose of this bill is to give to the old soldiers who are unable to pay, free treatment in any hospital in the State. We all know that these veterans have only a short time to remain here and if there is any one of them who is unale to pay for hospital treatment he should be given free treatment. This great Commonwealth is spending twenty million dollars for hospital and charity work and the old soldier should be the first one to be given free treatment. I struck out, for the benefit of our country members who thought it might be a burdent on those particular hospitals, the proviso in section 2, which I think is now satisfactory to them and I think all of us as Pennsylvanians should give this right to the old soldier.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Allen,	Dickinson,	Lenker,	Sassaman,
Arthur,	Donnally,	Lohr,	Savacool,
Baldwin, G. A.,	Dunn, H. B.,	Lowers,	Schaeffer, A. C.,
Baldwin, R. J.,	Dunn, J. A.,	Martin,	Schuck,
Barner,	Eichenberger,	Mather,	Scott, S. B.,
Bass,	Ely,	Matt,	Shaffer, C. A.,
Becker,	Fahey,	McDermott,	Shaffer, I. E.,
Benninger,	Flynn,	McKay,	Shern,
Benson,	Foster, J. D.,	Miller,	Sherwood,
Bergey,	Gans,	Missimer,	Showalter,
Berntheizel,	Geary,	Mitchell,	Smith, J. W.,
Bigger,	Good,	Moore,	Snavely,
Bittles,	Grabe,	Morrow,	Snyder,
Blair, W. F.,	Gramley,	Moses,	Spillinger,
Bleloch,	Gransback,	Moulthrop,	Stone,
Body,	Gray, Frank,	Musser,	Strauss,
Brosius,	Hackett,	Neel,	Swartz,
Brownlee,	Haggerty,	Newbaker,	Swift,
Burnett,	Heidinger,	Newton,	Thomas,
Caldwell,	Hemminger,	North,	Trach,
Campbell, C.M.,	Herman,	O'Neill,	Ulman,
Campbell, J.J.	Hess,	Peachey,	Walnut,
Carson,	Heyburn,	Pennegar,	Walsh,
Carter,	Hibshman,	Pennock,	Walton,
Cheeseman,	Howard, R.,	Perry, S. J.,	Watson,
Claycomb,	Irwin, G. C.,	Piper,	Whitaker,
Cleary,	Irwin, H. H.,	Price,	Whitman,
Cochran	Jackson,	Ramsey,	Williams,
Conner,	Jones, E. E.,	Redfield,	Wilson, J. H.,
Conniff,	Keegan,	Reese,	Wilson, W. H.,
Conrade,	Keeport,	Rhoads,	Wiltbank,
Cox,	Kennedy,	Rockwell,	Young, G. K.,
Curry,	Kitts,	Roney,	Zimmerman.
Davis,	Kuhn, H. P.,	Rothenberger,	Alter,
DeFrees,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,
The House proceeded to the third reading and consideration of House Bill No. 1363, entitled:

An Act to give the owner of a stallion or jack a lien on certain property for service rendered and providing a method for enforcing such lien

On the question,
Will the House agree to the bill on third reading?

Mr. H. B. DUNN. Mr. Speaker, I would like the sponsor of the bill, the gentleman from Lebanon, Mr. Snavely, to explain the bill, so that the members may vote intelligently upon it.

Mr. SNAVELY. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MATT. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring,
Will the House agree to the bill on third reading?

The SPEAKER declared the ayes seem to have it.

Whereupon a division was called for, 113, or more than a majority of the whole House voting in the affirmative and the bill was agreed to on third reading.

On the question,

Shall the bill pass?

Mr. WILTBANK. Mr. Speaker, I would like to interrogate the sponsor of this bill.

The SPEAKER. Will the gentleman from Lebanon permit himself to be interrogated?

Mr. SNAVELY. Mr. Speaker, Yes, sir.

Mr. WILTBANK. Mr. Speaker, I would like to ask the gentleman how old does the jack have to be?

Mr. SNAVELY. Mr. Speaker, there is no limit to the age of the Jack.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—114.

Allen,	Down,	Lohr,	Schuck,
Arthur,	Dunn, H. B.,	Lowers,	Shaffer, C. A.,
Baldwin, G. A.,	Dunn, J. A.,	Mather,	Shern,
Barner,	Ely,	Matt,	Sherwood,
Benninger,	Foster, J. D.,	McAllister,	Showalter,
Benson,	Geiser,	McDermott,	Smith, J. W.,
Bergey,	Gibson,	Mellott,	Snavely,
Bigger,	Good,	Metzenbacher,	Snyder,
Bittles,	Goss,	Miller,	Spangler,
Blair, W. F.,	Grabe,	Moses,	Stone,
Bleloch,	Gray, Frank,	Moulthrop,	Strauss,
Brosius,	Haggerty,	Musser,	Swartz,
Brown,	Herman,	Newbaker,	Swift,
Brownlee,	Hibshman,	Newton,	Thomas,
Burnett,	Howard, J.,	North,	Trach,
Caldwell,	Howard, R.,	O'Neill,	Ulman,
Campbell, C.M.,	Humes,	Peachey,	Walnut,
Campbell, J.J.	Irwin, G. C.,	Pennegar,	Walsh,
Carson,	Irwin, H. H.,	Pennock,	Walton,
Carter,	Jackson,	Perry, H. L.,	Watson,
Claycomb,	Keegan,	Peters,	Whitaker,
Cleary,	Keeport,	Piper,	Whitman,
Cochran,	Kennedy,	Reeser,	Wildman,
Conniff,	Kitts,	Rhoads,	Williams,
Cox,	Klepper,	Roney,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Rothenberger,	Wilson, W. H
DeFrees,	Latshaw,	Sassaman,	Wiltbank,
Donahoe,	Lenker	Savacool,	Zimmerman,
Donnally,	Light,	Schaeffer, A. C	Alter,
			Speaker.

NAYS—16.

Baldwin, R. J.,	Dickinson,	Hemminger,	Mitchell,
Cheeseman,	Geary,	Heyburn,	Ramsey,
Conner,	Gramley,	Jones, E. E.,	Rockwell,
Currier,	Heidinger,	McKay,	Scott, S. D.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1457, as follows:

An Act to amend the fourteenth section of an act entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred and eleven and providing for the incorporation of casualty companies for the insurance of glass against breakage upon the mutual plan

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the fourteenth section of an act entitled "An Act to provide for the incorporation of casualty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred and eleven which reads as follows

"Section 14 Companies organized under this act for any one of the purposes of insurance mentioned in the first section of this act must have a capital of not less than one hundred thousand dollars except companies organized for the purpose of credit insurance must have a paid-up capital of not less than two hundred thousand dollars and companies organized to guarantee the fidelity of persons and contracts of suretyship must have a capital of at least two hundred and fifty thousand dollars" be and the same is hereby amended to read as follows

"Section 14 Companies organized this act for any one of the purposes of insurance mentioned in the first section of this act must have a capital of not less than one hundred thousand dollars except companies organized for the purpose of credit insurance must have a paid-up capital of not less than two hundred thousand dollars and companies organized to guarantee the fidelity of persons and contracts of suretyship must have a capital of at least two hundred and fifty thousand dollars Provided however That companies may be organized under this act for the purpose of insuring glass against breakage upon the mutual plan As soon as applications be made for insurance in said companies to the amount of twenty-five thousand dollars the Insurance Commissioner being notified thereof shall issue a certificate empowering said companies to issue policies and otherwise to do business for which they were organized in the same manner as certificates are issued to fire insurance companies doing business upon a mutual plan"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Allen,	Down,	Lohr,	Reeser,
Arthur,	Dunn, H. B.,	Lowers,	Rhoads
Baldwin, G. A.,	Dunn, J. A.,	Malie,	Richards,
Barner,	Ely,	Mannion,	Rockwell,
Becker,	Fahey,	Martin,	Roney,
Benninger,	Flynn,	Mather,	Rothenberger,
Benson,	Forster, I. G.,	Matt,	Sassaman,
Bergey,	Foster, J. D.,	McAllister,	Savacool,
Berntheizel,	Gans,	McArdle,	Schuck,
Bigger,	Gibson,	McDermott,	Scott, S. B.,
Bittles,	Good,	McKay,	Shaffer, C. A.,
Blair, W. F.,	Goss,	Mellott,	Shaffer, I. E.,
Bleloch,	Grabe,	Metzenbacher,	Shern,
Body,	Gramley,	Miller,	Showalter,
Brosius,	Gransback,	Missimer,	Smith, J. W.,
Brownlee,	Haggerty,	Mitchell,	Snyder,
Burnett,	Hemminger,	Morrow,	Swartz,
Caldwell,	Herman,	Moses,	Swift,
Campbell, C.M.,	Hess,	Moulthrop,	Thomas,
Campbell, J.J.	Heyburn,	Musser,	Trach,
Carson,	Hibshman,	Neel,	Ulman,
Carter,	Howard, J.,	Newbaker,	Walnut,
Cheeseman,	Irwin, G. C.,	Newton,	Walton,
Claycomb,	Irwin, H. H.,	North,	Watson,
Cleary,	Jackson,	O'Neill,	Whitaker,
Cochran,	Keegan,	Peachey,	Whitman,
Conniff,	Keeport,	Pennegar,	Wildman,
Conrade,	Kennedy,	Pennock,	Williams,
Cox,	Kitts,	Perry, H. L.,	Wilson, J. H.,
Currier,	Klepper,	Perry, S. J.,	Wilson, W. H.,
Curry,	Kuhn, H. P.,	Piper,	Wiltbank,
Davis,	Latshaw,	Price,	Young, G. K.,
DeFrees,	Lenker,	Ramsey,	Zimmerman,
Dickinson,	Light,	Reese,	Alter,
Donnally,			Speaker.

NAYS—1.

Heidinger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1548, entitled:

An Act to amend sections fourteen and seventeen of an act approved June first one thousand nine hundred and eleven entitled "An Act to establish an Insurance Department authorizing the appointment of an Insurance Commissioner and prescribing his powers and duties also providing for the licensing examination regulation and dissolution of insurance and surety companies and associations and for the licensing and regulation of insurance agents and insurance brokers also providing for the collection of fees and prescribing penalties for the violation of any of the provisions of this act and repealing all existing acts'

On the question,

Will the House agree to the bill on third reading?

Mr. KEEPORT. Mr. Speaker.

This is a department bill the only change from the old law is in section 1, lines 63 to 67.

The principal change is in relieving the companies from paying a fee for licensing the firm or corporation as required under the present law. This is a double taxation and while it only produces about $1,200 additional revenue annually, it costs our own companies under retaliatory laws of other states from $12,000 to $15,000, which they are required to pay to those states. This change is to relieve our companies from that burden.

Mr. HUMES. Mr. Speaker, I desire to interrogate the gentleman.

Th SPEAKER. Will the gentleman from Berks permit himself to be interrogated?

Mr. KEEPORT. Mr. Speaker, I will.

Mr. HUMES. Mr. Speaker, I would like to know the occasion for inserting the word "real estate" in the sentence starting in line 60, as follows:

No license shall be issued to a corporation unless by its charter it is authorized to engage in the insurrance or real estate business

Mr. KEEPORT. Mr. Speaker, that is in the present law.

Mr. HUMES. Mr. Speaker, I am unable to find it in the present law.

Mr. KEEPORT. Mr. Speaker, Attorney General Bell is the gentleman who drew up this bill and asked to have it introduced.

Mr. HUMES. Mr. Speaker, I do not find it in the original act.

Mr. KEEPORT. Mr. Speaker, I think it is in the original act.

At least, I understood it that way.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—79.

Allen,	Currier,	Keeport,	Scott, J. R. K.
Arthur,	Davis,	Kennedy,	Scott, S. B.,
Baldwin, R. J.,	Dickinson,	Kitts,	Shaffer, C. A.,
Barner,	Down,	Kuhn, H. P.,	Shaffer, I. E.,
Bass,	Dunn, H. B.,	Lowers,	Shern,
Becker,	Ewing,	Martin,	Sherwood,
Bigger,	Fahey,	McAllister,	Snyder,
Bittles,	Flynn,	McClintock,	Swartz,
Blair, W. F.,	Gans,	Mitchell,	Thomas,
Bleloch,	Gibson,	Musser,	Ulman,
Body,	Gramley,	Newbaker,	Walnut,
Brownlee,	Gransback,	O'Neill,	Walsh,
Caldwell,	Hackett,	Pennegar,	Walton,
Campbell, C.M.,	Haggerty,	Reeser,	Whitaker,
Carson,	Hemminger,	Rockwell,	Wildman,
Carter,	Heyburn,	Roney,	Wilson, J. H.,
Cheeseman,	Hibshman,	Rothenberger,	Wiltbank,
Conniff,	Irwin, G. C.,	Sassaman,	Zimmerman,
Conrade,	Jackson,	Schuck,	Alter,
Cox,			Speaker.

NAYS—31.

Benson,	Geiser,	Lenker,	Peachey,
Bergey,	Good,	Mather,	Pennock,
Berntheizel,	Goss,	Matt,	Ramsey,
Burnett,	Herman,	McDermott,	Rhoads,
DeFrees,	Howard, R.,	McKay,	Savacool,
Donnally,	Humes,	Mellott,	Smith, J. W.,
Ely,	Jones, J. R.,	Moulthrop,	Spangler,
Foster, J. D.,	Latshaw,	Newton,	Stone,
			Swift,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 451, as follows:

An Act creating a reward or bounty for the destruction of certain noxious animals and birds killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed and providing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act a reward or bounty shall be paid by this Commonwealth for the killing within the Commonwealth only of the following noxious animals and birds as follows For each wildcat the sum of four dollars for each gray fox the sum of two dollars for each weasel the sum of two dollars for each hen hawk duck hawk or goshawk or pigeon hawk the sum of fifty cents for each great horned owl the sum of fifty cents and for each porcupine fifty cents

Section 2 It shall be the duty of any person who having killed one of these animals or birds within the Commonwealth and being desirous of securing the reward or bounty named in section one of this act to produce such slain animal or bird or the entire pelt of such animal before any person authorized to administer oaths in the county in which said animal or bird was killed and to make affidavit that he or some member of his family killed the same stating clearly the time of such killing and that the place at which such animal or bird was killed (naming it) was within the Commonwealth of Pennsylvania Upon the production of such animal or pelt or of such bird and the making of such affidavit the said official shall in the presence of the party making such affidavit and at least one elector of the county in which the claim is made cut off the ears from such animal or pelt or the head of such bird and burn the same and split the skin of the face of the animal from between the eyes through the end of the nose

Section 3 Upon the destruction of such ears or head and the splitting of the skin of the face of such animal the said official shall give to the party making such affidavit a certificate directed to the commissioners of the county in which he has jurisdiction setting forth clearly the fact that the provisions of this act have been complied with naming the kind of animal or bird killed the name of the person killing it the time it was killed and the name of the place within the Commonwealth where it was thus killed Upon the presentation of such certificate in proper form the commissioners of the county shall give an order for the amount named in such certificate to the person presenting the same drawn upon the county treasurer directing the payment of the reward or bounty as provided for in this act and the County Treasurer shall at once upon presentation of said order pay the same from the funds in his hands belonging to said county

Section 4 The county commissioners of the several counties of this Commonwealth shall keep an accurate account of all applications made to them for bounty under the provisions of this act and shall on or about the first of January and the first day of June of each year prepare and forward to the Auditor General of the Commonwealth at Harrisburg an itemized statement to be prepared upon a form supplied by the Auditor General at the cost of the Commonwealth of all the several amounts directed by them to be paid between the aforesaid dates and under the provisions of this act making affidavit thereto and accompanying the same by a sworn statement of the county treasurer setting forth the fact that the several amounts were actually paid by him in compliance with said orders and the Auditor General shall if he finds the before named return in proper form draw a warrant in favor of such county upon the State Treasurer for the amount so claimed and approved which said warrant upon presentation to the State Treasurer shall be paid out of the appropriation hereafter provided

Section 5 No person shall at any time be paid a bounty for the killing of any animal named in this act the skin of which has had the ears cut off or the front of the face split or of any bird which has had the head cut off before presentation to the person authorized to take affidavit under the provisions of this act and no person shall at any time collect or attempt to collect a second bounty for the killing of any animal or bird under the provisions of this act or shall attempt to collect such bounty through the presentation of the skin or head or any part thereof of an animal or bird not named in this act or through deception of any character and it shall be unlawful for any person in this Commonwealth to present for the purpose of securing the bounty provided for by this act the skin or head or any part thereof of an animal or bird that has been reared in captivity or the skin or head or any part thereof of any animal or bird killed or captured outside of this Commonwealth Each and every person who shall willfully or fraudulently collect or attempt to collect any reward or bounty provided for by this act to which he or they are not legally entitled under the provisions of this act or shall aid or abet or assist in any capacity official or otherwise in an attempt to defraud the State through the collection or payment of any reward or bounty provided for by this act shall be guilty of a misdemeanor and upon conviction thereof shall in addition to the penalty that may be imposed for perjury where a false affidavit is made be sentenced to pay to the Commonwealth of Pennsylvania a fine of not less than one hundred dollars or more than five hundred dollars or suffer an imprisonment in the common jail of the county for a period of one day in jail for each dollars of fine imposed

Section 6 That the sum of one hundred thousand dollars or so much thereof as may be necessary be and the same is hereby specifically appropriated for the purpose of carrying into effect the provisions of this act during the two fiscal years beginning with June first one thousand nine hundred and thirteen but no bounty shall be paid on any animal or bird killed prior to the passage of this act It being specifically understood that this entire amount thus appropriated for this purpose shall be returned to the State Treasury for the use of the Commonwealth by putting into the general funds of the Commonwealth fifty per centum of the amount obtained through collections made under the provisions of the act requiring resident hunters to secure a license before hunting in this Commonwealth until one hundred thousand dollars have been so returned

Section 7 All acts or parts of acts inconsistent with this act are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, this carries an appropriation of one hundred thousand dollars and I think it should be recommitted to the Committee on Appropriations. I therefore move that this bill be recommitted to the Committee on Appropriations.

Mr. GRAMLEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. GIBSON. Mr. Speaker, while this bill carries an appropriation of one hundred thousand dollars, it is money to be provided by the Hunters' License Act and I don't think that the Appropriation Committee necessarily cares to pass on it. I don't think the House is being opposed upon by allowing it to be postponed for the present.

Mr. BLELOCH. Mr. Speaker, if it is satisfactory to the gentleman from Sullivan, I will withdraw my motion to recommit and agree to postpone it.

BILL POSTPONED.

Mr. RESSER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JOSIAH HOWARD. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1906 (Senate No. 872), entitled:

A supplement to an act approved the twenty-fifth day of February one thousand nine hundred and one entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of Forestry reservations by the Department of Forestry

On the question,

Will the House agree to the bill on third reading?

Mr. GEORGE A. BALDWIN. Mr. Speaker, this bill aurorizes the State to pay ten dollars an acre for Forest Reserve Land. I understand the present price is three dollars an acre. There certainly should be some reason for this increase. If any one can explain any reason for that increase, I should like to have them do it.

BILL POSTPONED.

Mr. ALLEN. Mr. Speaker, the member from Allegheny, Mr. Semmens, was requested by Senator Kline to look after the bill on this side of the House. He, however, is not here and I ask that further action on this bill be postponed for the present.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1850 (Senate No. 630), entitled:

An Act fixing the salary of the second assistant State Librarian

On the question,

Will the House agree to the bill on third reading?

Mr. SHOWALTER. Mr. Speaker, I am consistently opposed to any salary raising measures but I believe that a man who works is worthy of recompense for what he does. I understand that the second assistant State Librarian is paid fifteen hundred dollars a year at the present time. That is scarcely a living wage in this city and scarcely sufficient compensation for the work he does. I am informed that he is worth a great deal more, measured by his duties to the State, than two thousand dollars that this bill provides for. I hope you will see fit to approve this measure and that you will give this man compensation for what he is doing. He would not be overpaid at twenty-five hundred dollars a year.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Allen,	Dunn, J. A.,	Lanius,	Savacool,
Arthur,	Ely,	Latshaw,	Schaeffer, A. C
Baldwin, G. A.,	Ewing,	Lenker,	Schuck,
Baldwin, R. J.,	Fahey,	Lohr,	Scott, J. R. K.,
Barner,	Flynn,	Lowers,	Scott, S. B.,
Bass,	Foster, J. D.,	Martin,	Shaffer, C. A.,
Bayle,	Geary,	Mather,	Shaffer, I. E.,
Bergey,	Geiser,	Matt,	Shern,
Berntheizel,	Gibson,	McAllister,	Sherwood,
Bigger,	Good,	McClintock,	Showalter,
Blair, W. F.,	Goss,	McDermott,	Smith, J. W.,
Bleloch,	Grabe,	McKay,	Snavely,
Body,	Gramley,	Mechling,	Snyder,
Brosius	Haggerty,	Mellott,	Stone.
Brownlee,	Heidinger,	Missimer,	Strauss,
Caldwell,	Hemminger,	Mitchell,	Swartz,
Campbell, C.M.,	Herman,	Moore,	Thomas,
Campbell, J.J.	Heyburn,	Moses,	Trach,
Carter,	Hibshman,	Musser,	Ulman,
Cheeseman,	Howard, J.,	Newbaker,	Walnut,
Claycomb,	Howard, R.,	Newton,	Walton,
Cleary,	Humes,	O'Neill,	Watson,
Cochran,	Irwin, G. C.,	Peachey,	Whitaker,
Conner,	Irwin, H. H.,	Pennegar,	Whitman,
Conniff,	Jackson,	Pennock,	Wildman,
Conrade,	Jones, J. R.,	Piper,	Williams,
Cox,	Keegan,	Ramsey,	Wilson, J. H.,
Currier,	Keeport,	Reeser,	Wilson, W. H.,
Davis,	Kennedy,	Rhoads,	Wiltbank,
DeFrees,	Kitts,	Roney,	Young, G. K.,
Dickinson,	Klepper,	Rothenberger,	Zimmerman,
Donnally,	Kuhn, H. P.,	Sassaman,	Alter,
Down,			Speaker.
Dunn, H. B.,			

NAYS—3.

Benson,	Burnett,	Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration on third reading of House Bill No. 1614, as follows:

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act whenever a judgment is obtained in any court of record or before an alderman magistrate or justice of the peace upon a contract for furnishing the necessaries of life and the defendant is a laborer or person engaged in public or private employment the wages of such laborer or the salary of such person shall be subject to attachment in the hands of the employer

Section 2 When an attachment execution is issued upon such judgment and wages or salary are attached in the hands of the employer if the amount in the hands of the employer shall be less than the amount of exemption allowed the defendant by law the debtor shall be entitled in his claim for an exemption to a sum amounting to ninety per centum and no more of the money so attached No deduction from the fund attached shall be permitted for said costs shall be paid by the attaching creditor

Section 3 No attachment shall issue or be levied under this act unless and until the debtor has been given thirty (30) days previous notice by registered mail at his last known address of the intention to issue such writ and shall have failed within said period of thirty days to adjust such judgment to the satisfaction of his creditor

Section 4 The provisions of this act shall only apply to judgments secured upon contracts for the necessaries of life furnished after the passage of this act

Section 5 All acts or parts of acts supplied hereby or inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. MITCHELL. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. MOULTHROP. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration on third reading of House Bill No. 1739, as follows:

An Act extending and defining the liability of owners or operators of electric wires or electric current conductors and declaring what shall constitute negligence in actions where death or injury to property has resulted on public highways and declaring on whom the burden of proof shall be and defining who shall be considered an owner under this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all actions to recover from any owner

for injuries sustained from any wire or electric current conductor charged with electric current breaking or becoming unfastened or falling or hanging down or over any street or public highway for any reason or from any cause other than the act of God or the public enemy within the Commonwealth of Pennsylvania the fact that said wire or electric current conductor had been inspected at frequent intervals by employes of the owner shall not be a defense in proving that there was no negligence on the part of the owner of such electric wire or electric current conductor and the fact that such wire or electric conductor breaking or becoming unfastened or falling or hanging down shall be deemed evidence of negligence on the part of the owner and the burden of disproving negligence shall be on the owner

Section 2 The word "owner" as used in the first section of this act shall include all individuals firms co-partnerships associations and corporations who may be either the owner of electric wires or electric conductors or the lessee or those otherwise in control

Section 3 All laws or parts of laws inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. CARTER. Mr. Speaker, I move that the further consideration of this bill be postponed for the present, on account of the absence of the sponsor.

Mr. CLEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1440, as follows:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of this act

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STATE BOARD OF VOTING MACHINE EXAMINERS

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor the Secretary of the Commonwealth and the Attorney General and their successors in office are hereby created and constituted the State Board of Voting Machine Examiners It shall be the duty of said Board to examine all makes of voting machines submitted to it and determine whether such machines comply with the requirements of this act and can safely be used by voters at elections under the provisions of this act Any person or corporation owning or being interested in a voting machine may submit same to said board for examination and said board shall thereupon publicly examine and report upon such machine pursuant to the provisions of this act For the purpose of assistance in examining such machine the said board may employ not more than three expert machinists at a cost of not more than ten dollars each for each day employed the compensation of said machinists shall be paid by the person or corporation submitting the machine Within thirty days after completing the examination of any voting machine the board shall make and file with the Secretary of the Commonwealth its report on such machine together with such written or printed description and such drawings and photographs as shall clearly identify such machine and the mechanical operation thereof and within ten days after receiving such report the Secretary of the Commonwealth shall send a copy thereof to the county commissioners of each county within the State Any voting machine that shall receive the approval of a majority of said board may be used for conducting any or all elections subject to the provisions of this act Any machine that shall not receive said approval shall not be adopted for or used at any election After a voting machine has been approved by said board any change or improvement therein that does not impair its accuracy efficiency or capacity shall not render necessary a re-examination or re-approval thereof

DEFINITION OF TERMS EMPLOYED IN THIS ACT

Section 2 The list of officers and candidates and the statements of questions on the voting machine shall be deemed an official ballot and the words "ballot labels" as used in this act shall mean the cards paper or other material containing the name of officers and candidates and statements of questions to be voted on The word "diagram" shall mean an illustration of the official ballot when placed upon the machine showing the names of the parties officers and candidates and statements of the questions in their proper places together with the voting devices therefor and shall be considered a sample ballot The word "question" shall mean a statement of such constitutional amendment or other proposition as shall be submitted to a popuar vote at any election The words "irregular ballot" shall mean the paper or other material on which a vote is cast for persons whose names do not appear on the ballot labels The words "vote indicator" shall mean those devices with which votes are indicated for candidates or for or against questions The words "candidate counters" and "question counters" shall mean the counters on which are registered the votes cast for candidates and on questions respectively The words "public counter" shall mean a counter or other device which shall at all times publicly indicate how many times the machine has been voted on at an election The words "protective counter" shall mean a counter or "protective device" or devices that will register each time the machine is operated and shall be constructed and so connected that it cannot be reset altered or operated except by operating the machine The words "voting machine booth" shall mean the enclosure occupied by the voter when voting The word "model" shall mean a mechanically operating model of a portion of the face of machine illustrating the manner of voting The word "custodian" shall mean the person charged with the duty of testing and preparing the voting machine for the election The words "statement of canvas" shall mean a statement and return in book form of the votes cast at an election together with suitable certifications of its correctness

REQUIREMENTS OF VOTING MACHINES

Section 3 No voting machine shall be approved by the State Board of Voting Machine Examiners unless it be so constructed as to fulfill the following requirements It shall secure to the voter secrecy in the act of voting It shall provide facilities for voting for the candidates of as many political parties or organizations as may make nominations and for or against as many questions as may be submitted It shall be of a type or style that will permit the arrangement of names of candidates or questions to be submitted to electors in the manner prescribed by law for the arrangement of such names or questions upon a ballot It shall permit the voter to vote for any person for any nominations or any office that he shall have the right to vote for but none other. It shall permit the voter to vote for all the candidates of one party or except at primary elections in part for the candidates of one party and in part for the candidates of one or more other parties It shall permit the voter to vote for as many persons for an office as he is lawfully entitled to vote for but no more It shall prevent the voter from voting for the same person more than once for the same office It shall permit the voter to vote for or against any question he may have a right vote on but none other It shall correctly register or record all votes cast for any and all persons and for or against any and all questions It shall be provided with a lock or locks by which all operation of the registering mechanism can be prevented as soon as the polls of the election are closed It shall be provided with a "protective counter" or "protective device" whereby any operating or tampering with the machine before or after the election will be detected It shall be provided with a counter which shall show at all times during an election how many persons have voted It shall be provided with a mechanical model illustrating the manner of voting on the machine suitable for the instruction of voters It may also be provided with one device for each party for voting for all the presidential electors of that party by one operation and a ballot label therefor containing only the words "Presidential electors" preceded by the name of that party and followed by the names of the candidates thereof for the offices of President and Vice-President and a registering device therefor which shall register the vote cast for said electors when thus voted for collectively provided however that means shall be furnished whereby the voter can cast a vote in part for the candidates for Presidential electors of one party and in part for those of one or more other parties or in part in whole for persons not nominated by any party

VOTING MACHINE MAY BE ADOPTED PROCURED AND USED

Section 4 The county commissioners of each county may adopt and purchase for each election district of the county and require the use therein one or more voting machines of a style or type approved by the State Board of Voting Machines Examiners Thereafter such machines shall be used at all elections authorized by law and for receiving registering and counting the votes cast at such elections After the adoption of voting machines in any county voting by ballot in such county shall be abolished

PAYING FOR VOTING MACHINES

Section 5 The county commissioners may purchase the machines required by this act for cash or by the issue of negotiable obligations which shall be a charge on the proper county The obligations may be made payable at such time or times as may be fixed by the commissioners subject to the limitations imposed by the constitution and laws of this Commonwealth

PRINTED MATTER AND SUPPLIES

Not later than forty days before each election at which voting machines are to be used the Secretary of the Commonwealth shall prepare samples of the printed mater and supplies named in this section and shall furnish one of each thereof to the county commissioners of each county in which the machines are to be used such samples to meet the requirements of the election to be held and to suit the construction of the machine to be used

The county commissioners shall provide for each voting machine for each election the following printed matter and supplies suitable printed or written directions to the custodian for testing and preparing the voting machine for the election one certificate on which the custodian can certify that he has properly tested and prepared the voting machine for the election one certificate on which some other person other than the custodian can certify that the voting machine has been examined and found to have been properly prepared for the election one certificate on which the party representatives can certify that they have witnessed the testing and preparation of the machines one certificate on which the deliverer of the machines can certify that he has delivered the machines to the polling places in good order one card stating the penalty for tampering with or injuring a voting machine two seals for sealing the voting machine one envelope in which the keys to the voting machine can be sealed and delivered to the election officers said envelope to have printed or written thereon the designation and location of the election district in which the machine is to be used the number of the machine the number shown on the protective counter thereof after the machine has been prepared for the election and the number or other designation on each seal as the machine is sealed with said envelope to have attached to it a detachable receipt for the delivery of the keys of the voting machine to the judge of election one envelope in which the keys to the voting machine can be returned by the election officers after the election one card stating the name and telephone address of the custodian on the day of election two statements of canvass on which the election officers can report the canvass of the votes as shown on the voting machine together with other necessary information relating to the election said statements of canvass to take the place of all tally papers statements and returns as provided heretofore three complete sets of ballot labels two diagrams five suitable printed instructions to judges and inspectors of election three notices to judges and inspectors of election to attend the instruction meeting three certificates that the judges and inspectors of election have attended the instruction meeting have received the necessary instruction and are qualified to conduct the election with the machine The ballot labels shall be printed in black ink on clear white material of such size and arrangement as to suit the construction of the machine provided however the ballot labels for questions may contain a condensed statement of each question to be voted on accompanied by the words "Yes" and "No" the titles of the officers on the ballot labels shall be printed in type as large as the space for such office will reasonably permit and where more than one candidate can be voted for any office there shall be printed below the office title the words "vote for any two" or such number as the voter is lawfully entitled to vote for out of the whole number of candidates nominated

If the election be one at which all the candidates for the office of Presendential elector are to be voted for with one device the county commisisoners shall furnish for each machine twenty-five ballots for each political party each ballot containing the names of the candidates for the office of Presenditial electors of such party and a suitable space for writing in names so that the voter can vote thereon for part of the candidates for the office of Presidential electors of one party and part of the candidates therefor of one or more other parties or for persons for that office not nominated by any party For election districts in which voting machines are to be used no paper ballots shall be furnished for any offices to be voted for on the machine

INSTRUCTION TO VOTERS BEFORE ELECTION

Section 7 Before each election at which voting machines are to be used the custodian shall place on public exhibition a suitable number of machines for the proper instruction of voters Such machines shall be so arranged and so equipped with ballot labels as to best illustrate the method of voting at that election and so far as practicable shall contain the names of the offices to be filled the names of the candidates to be voted for together with their proper party designations and statements of the questions to be voted on Not more than ten or less than three days before each election at which voting machines are to be used the board or officials charged with the duty of providing ballots shall publish in newspapers representing at least two political parties a diagram of reduced size showing the face of the voting machine after the official ballot labels are arranged thereon together with illustrated instructions how to vote and a statement of the locations of such voting machines as shall be on public exhibition

INSTRUCTION OF JUDGES AND INSPECTORS OF ELECTION

Section 8 Where more than one machine is to be used in an election district one additional inspector shall be appointed for each additional machine Before each election at which voting machines are to be used the custodian shall instruct all judges and inspectors of election that are to serve thereat in the use of the machine and their duties in connection therewith and he shall give to each judge and inspector that has received such instruction and is fully qualified to conduct the election with the machine a certificate to that effect For the purpose of giving such instruction the custodian shall call such meeting or meetings of the judges and inspecotrs as shall be necessary Each judge and inspector shall attend such meeting or meetings and receive such instructions as shall be necessary for the proper conduct of the elections with the machine and as compensation for the time spent in receiving such instruction each judge and inspector that shall qualify for and serve in the election shall receive the sum of one dollar to be paid to him at the same time and in the same manner as compensation is paid to him for his services on election day No judge or inspector of election shall serve in any election at which a voting machine is used unless he shall have received such instruction and is fully qualified to perform his duties in connection with the machine and has received a certificate to that effect from the custodian of the machines provided however that this shall not prevent the appointment of a judge or inspector of election to fill a vacancy in an emergency

TESTING AND PREPARING VOTING MACHINES FOR ELECTION.

Section 9 The county commissioners shall cause the machines to be properly prepared prior to any election whereat the same are to be used and for that purpose shall employ competent persons who shall be known as voting machine custodians who shall be sworn to perform their duties faithfully according to law and who shall receive each the sum of five dollars per day out of the county funds for each day actually employed under the provisions of this act One custodian shall be employed for each twenty machines One-half of the custodians shall be selected as nearly as may be from the party casting the largest vote at the election preceding the appointment The remainder shall be selected from the party casting the next highest vote All appointments to fill vacancies shall be made in like manner The custodians shall be appointed for the term of two years

In preparing a voting machine for an election the custodian shall according to the written or printed directions furnished by the county commissioners arrange the machine and the ballot labels therefor so that they will in every particular meet the requirements for voting and counting at such election The custodian shall thereupon test the machine and certify accordingly to the county commissioners The names of candidates shall be arranged on the machine in the manner prescribed by law for their arrangement upon ballots

Before preparing the voting machine for any election the custodian shall give written notice to at least three of the principal political parties stating the time and place where machines will be prepared at which time one representative appointed by the county chairman of each of such political parties shall be afforded an opportunity to see that the machines are in proper condition for use in the election Such representatives shall be sworn to failthfully perform their duties and shall be regarded as election officials but shall not interfere with the custodians or assume any of their duties When a machine has been so examined by such representatives it shall be sealed with a numbered metal seal and such representatives shall certify to the number of the machine that the public counter and all the candidate and question counters register 000 the number registered on the protective counter and the number or other designating mark on the seal After being prepared for the election each machine shall be examined by some person other than the custodian preparing it and a certificate thereof filed with the county commissioners The custodian shall cause all voting machines to be delivered to the polling places in charge of an authorized official who shall certify to their delivery in good order on the certificate furnished therefor After such delivery the county commissioners shall provide proper protection therefor The county commissioners shall provide a light for every machine which shall be in good order and give sufficient to enable voters while in the booth to read the ballot labels and suitable for use by the election officers in examining the counters

DELIVERY OF ELECTION SUPPLIES AND KEYS.

Section 10 The county commissioners shall cause to be delivered to the judge of election not later than the day before the election the keys for the voting machine which shall be delivered in a sealed envelope on which shall be written the designation and location of the election district the number of the voting machine the number or other designating mark on the seal and the number registered on the protective counter as reported by the custodian for which a receipt shall be taken on the blank attached thereto two diagrams one extra set of ballot labels one envelope containing seal for sealing the machine after the polls are closed one envelope for the return of the keys two statements of canvass and all other supplies necessary for conducting the election

OPENING THE POLLS

Section 11 The election officers of each election district in which a voting machine is to be used shall meet at the polling place therof at least forty-five minutes before the time

set for opening the polls and before unlocking the machine for voting shall proceed as follows They shall see that the voting machine is placed where it can be conveniently attended by the election officers and conveniently operated by the voters and where unless its construction requires otherwise the ballot labels thereon can be plainly seen by the election officers and the public when not being voted on They shall see that the model is placed where each voter can conveniently operate it and receive instructions thereon as to the manner of voting before entering the machine They shall post one diagram inside the polling room and one outside in places where the voters can conveniently examine them They shall see that the lantern or other means provided for giving light is in such condition that the voting machine is sufficently lighted to enable voters to readily read the names on the ballot labels They shall see that the ballot labels are in their proper places on the machine They shall see if the number or other designated mark on the seal setting the machine also the numbers registered on the protective counter agree with the number written on the envelope containing the keys and if same do not agree they shall at once notify the custodian and delay unlocking the machine and opening the polls until he shall have re-examined the machine If such numbers or marks do so agree the election officers shall then proceed to see if the public counter and all the candidate and question counters register 000 if any of such counters shall be found to register some number other than 000 the judge of election shall at once notify the custodian who shall set such number at 000 After performing their duties as provided in this section the election officers shall certify thereto in the appropriate places on the statement of canvass as provided thereon When the polls are declared open the judge or an inspector of election shall break the seal and unlock the machine for voting

CONDUCTING THE ELECTION

Section 12 Before each voter enters the voting machine each clerk shall insert in his list of voters opposite the voter's name the letter V and the number of his vote The election officers shall so far as possible inform him how to operate the machine and illustrate same upon the model and call his attention to the diagram No voter shall remain within the voting machine booth longer than one minute and if he shall refuse to leave at the end of that time he shall be removed by the election officers provided however that they may grant him a longer time if other voters are not waiting to vote Whenever a voter who has the right to vote only on certain offices and certain questions shall enter the machine the election officer shall so adjust same that he can vote on such offices and questions but no others If any voter shall in the presence of the election officers declare that he is unable to read or write the English language or by reason of physical disability he is unable to register or record his vote upon the machine two election officers of opposite political parties shall enter the voting machine with him and indicate and register his vote for such candidates and for or against such questions as he shall designate If any voter shall after entering the voting machine ask for information regarding its operation the election officers shall give him such necessary information Any election officer who shall deceive any voter in registering or recording his vote under this section or who shall register or record such vote in any other way than as designated by such voter or who shall give information to any person as to what candidates or for or against what questions such voter voted or who shall seek to suggest or persuade any voter to vote for any party or for any candidate or for or against any question shall be guilty of a felony and shall be sentenced to pay a fine of not more than five hundred dollars or to undergo an imprisonment by separate or solitary confinement at labor for a period not to exceed two years Except as herein provided for in cases of physically disabled voters and voters unable to read the English language the operation of voting shall be secret The election officers shall occasionally examine the face of the machine and the ballot labels to determine if same have been injured or tampered with No voter shall be permitted to enter the machine or move the operating lever more than once

CANVASSING THE VOTE

Section 13 At the hour for closing the polls the judge of election shall declare the polls of the election closed and shall not permit any further operation of the machine except provided as follows namely that such voters as shall at the hour of closing be within the polling room and awaiting their turn to vote shall be considered as having begun the act of voting and shall be permitted to cast their votes upon the machine As soon as such voters have voted the election officers shall lock and seal the machine unlock and open the doors of the county compartment and canvass the votes registered on the counters therein and the votes recorded on or in the device or devices for voting for persons not nominated and shall make two statements of canvass thereof in the following manner One election officer shall call the designating number and letter of each candidate's counter in the order given on the statements of canvass and another election officer under the scrutiny of one of a different political party shall repeat such number and letter as it is read and announce the vote registered on such counter and shall thereupon be entered in ink on each of the statements of canvass The canvass of each office shall be completed before proceeding to the next The vote on each question shall be canvassed in the same manner The votes cast on the irregular ballots shall then be canvassed All votes for persons whose names do not appear on the ballot labels must be cast in the proper places on or in the device for irregular ballots and all votes for persons whose names do appear upon the ballot labels must be cast on the counters therefor and any votes not so cast shall not be counted provided however that at all elections at which presidential electors are voted for with one device the voter may vote on or in the device for irregular ballots in part for the presidential electors of one part and in part for those of one or more other parties or in part or in whole for persons not nominated by any part After completing and writing down the canvass of the votes cast the election officers shall verify same by comparing the figures on the statements of canvass with the figures on the counters in the machine and the names recorded on or in the device for voting for persons not nominated and shall then certify in the appropriate place on each of the statements of canvass as the number of voters that voted at the election as shown by the poll list and by the number registered on the public counter the number registered on the protective counter and the number or other designating mark on the seal with which the machine has been sealed

After completing and certifying to the statements of canvass the judge or an inspector shall read therefrom in a distinct voice the name of each candidate the designating number and letter of his counter as stated thereon and the vote entered for each also the vote for and against each question During the canvassing and announcing of the vote the counter compartment shall remain open and opportunity shall be given to any person lawfully present to examine the counters to determine the correctness of the vote as announced The counter compartment shall then be locked and all the keys of the machine shall be delivered in a sealed envelope to the county commissioners the statement of canvass shall be delivered forthwith as provided by law for the delivery of election returns

PRESERVING THE RECORD OF THE MACHINE

Section 14 The registering mechanism of each voting machine used in an election shall remain locked and sealed against operation until required for the next succeeding election unless released by order of court

PENALTY FOR INJURING OR TAMPERING WITH A VOTING MACHINE

Section 15 Any person who shall tamper with or injure or attempt to injure any voting machine to be used or being used in an election or who shall prevent or attempt to prevent the correct operation of such machine or any unauthorized person who shall make or have in his possession a key to a voting machine to be used or being used in an election shall be guilty of a felony and shall be punished by a fine of not less than one hundred dollars or more than five hundred dollars or imprisonment in the State prison for not less than one year or more than five years or both such fine and imprisonment

DEFINITION OF THE WORDS "ELECTION" AND "ELECTIONS"

Section 16 That the words "election" and "elections" whenever used in this act shall be held to include and mean all elections and primary elections

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—82.

Allen,	Dunn, H. B.,	Kennedy,	Savacool,
Baldwin, G. A.,	Ehrhardt,	Kuhn, H. P.,	Scott, S. B.,
Baldwin, R. J.,	Ewing,	Lanius,	Shaffer, I. E.,
Benson,	Geiser,	Latshaw,	Shern,
Bergey,	Gibson,	Lenker,	Sherwood,
Berntheizel,	Glenn,	Lowers,	Showalter,
Bigger,	Good,	Martin,	Smith, J. W.,
Bittles,	Grabe,	McAllister,	Snyder,
Blair, W. F.,	Gramley,	McClintock,	Spangler,
Brosius,	Hackett,	McDermott,	Stone,
Brownlee,	Haggerty	Mellott,	Swartz,
Campbell, C.M.,	Heidinger,	Mitchell,	Swift,
Campbell, J. J.,	Hemminger,	Moore,	Thomas,
Carson,	Herman,	Moses,	Walnut,
Carter,	Howard, J.,	Moulthrop,	Watson,
Claycomb,	Howard, R.,	Musser,	Whitaker,
Cleary,	Humes,	Newton,	Wildman,
Cochran,	Irwin, G. C.,	O'Neill,	Williams,
Conner,	Irwin, H. H.,	Peachey,	Wilson, W. H.,
Conniff,	Jackson,	Pennock,	Wiltbank,
Davis,	Jones, J. R.,	Reeser,	Young, G. K.
Dickinson,	Keegan,	Rhoads,	Alter,
Donnally,	Keeport,	Roney.	Speaker.
Down,			

NAYS—22.

Barner,	Foster, J. D.,	Neel,	Scott, J. R. K.,
Body,	Geary,	Newbaker,	Strauss,
Burnett,	Goss,	Ramsey,	Trach,
Caldwell,	Heyburn,	Rothenberger,	Ulman,
Cheeseman,	Lohr,	Sassaman,	Zimmerman,
Cox,	Mather,		

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. WALNUT. Mr. Speaker, I would like to make a statement in reference to the bill just voted on. The bill was amended in committee by substituting a bill that changed every section of the bill. I reported the bill out myself from the committee and attached to the bill the substitute bill. The printer, however, did not print the bill as reported out, did not insert the amendments from the substitute bill. The file folio, therefore, of the bill, as it appeared upon our calendar several times, will not show the bill in the shape in which it has passed to day. I want to make that statement in order that no question can afterwards arise as to the manner in which this bill arrived upon our calendar. I might state, Mr. Speaker, that the bill in its present form on our calendars is the bill as it was reported out from the Committee on Elections as amended, and the amendments as they appear here are the amendments adopted by the Committee on Elections.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1125, as follows:

An Act to provide revenue by taxation for the improvement of the public roads in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State authorities levying and collecting taxes shall as provided under existing laws levy and collect an additional special tax of one mill for road purposes on personal property capital stock and bonds of corporations joint stock associations companies limited partnerships gross earnings of corpoartions bankers brokers and foreign insurance companies which are now taxed for State purposes including the capital stock and bonds of companies limited co-partnerships and corporations engaged in manufacturing and brewing Provided The provisions of this act shall not apply to mortgages and judgments given in the purchase of real estate

Section 2 The road taxes collected under the provisions of this act shall be held by the State as a separate road fund to be distributed under the direction of the State Highway Commissioner among the several boroughs and townships of the State in proportion to the number of miles of public streets and roads in each borough and township for permanent street and road improvements the provisions of this act as to assessment and collection of taxes shall go into effect on the first day of December one thousand nine hundred and thirteen and the distribution of the road fund so collected shall be made on the first day of April in each year beginning in the year one thousand nine hundred and fifteen

On the question,

Will the House agree to the bill on third reading?

Mr. BROSIUS. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title as follows: after the word "public" insert the words "street and";

After the word "roads" insert the words "in the boroughs and townships."

Amend Section 1 as follows: In line 6, after the word "for" insert the words "street and."

Amend Section 2 as follows: In line 1, after the first word "the" insert the words "street and";

In line 2, after the word "separate" insert the words "street and."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendments as read will be inserted in accordance with the instructions of the House.

Mr. ROCKWELL. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend House Bill 1125, section 1, strike out the words "given in the purchase of real estate" in lines 13 and 14.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

HOUSE BILL NO. 1125 MADE A SPECIAL ORDER.

Mr. HUMES. Mr. Speaker, before passing to the next order of business, I would like to make a motion to make the bill which was just passed (House Bill No. 1125), a special order for final passage on Tuesday next at 12.00 o'clock noon.

Mr. HERMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1813 (Senate No. 430), entitled:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven" entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitute a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine mine reciprocal relations between States"

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. GOOD. Mr. Speaker, in the absence of Mr. Flynn, I move the further consideration of this bill be postponed for the present.

Mr. SASSAMAN. I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. CARTER. Mr. Speaker, I would like to call up House Bill No. 303, entitled:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor and locomotive engineman by railroad companies and fixing a penalty for violation thereof

on page 23 of to-day's calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 303, entitled:

An Act to promote the safety of the traveling public and employes on railroads by regulating the appointment of persons to the positions of conductor and locomotive engineman by railroad companies and fixing a penalty for violation thereof

On the question,

Will the House agree to the bill on third reading?

BILL STRICKEN FROM CALENDAR.

Mr. CARTER. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. GOSS. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1065, as follows:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indiana Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or water-way and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a canal board to have charge of said work prescribing and defining the powers and duties of said board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said canal board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania shall locate construct maintain and operate a canal or waterway having a navigable depth of not less than twelve feet from the junction of the Ohio and Beaver Rivers in Pennsylvania thence by way of the Beaver and Mahoning Rivers in the State of Pennsylvania and the Mahoning River in the State of Ohio to a point at or near Niles Ohio thence northwardly through the State of Ohio to a terminal on Lake Erie at or near the mouth of Indian Creek in the State of Ohio together with all such locks dams tunnels aqueducts feeders to supply water from any lakes rivers streams or water courses docks harbors reservoir for the supply of water for the canal or its feeders basins piers quays bridges viaducts sidings offices lock houses telegraph and telephone lines power-plants and all other structures appliances or devices of any and all kinds which may be necessary or convenient for the proper construction maintenance and operation of said canal and the development and utilization of the water power that may be created in the construction and operation thereof

Whenever the words "canal or waterway and appurtenances" are hereafter used in this act they shall unless otherwise explained by the context be deemed to refer to and include the canal or waterway and all the works described in this section The cost of constructing completing and installing the aforesaid canal or waterway and appurtenances including salaries and all other expenses incurred by the board hereinafter mentioned in accordance with the provisions of this act while doing said work shall be paid out of funds provided in the manner hereinafter set forth

Section 2 The location construction maintenance management and operation of the said canal or waterway and appurtenances shall be in charge and under the control of a board to be known as "The Lake Erie and Ohio River Canal Board of Pennsylvania" which shall have the powers and duties specified in this act and all powers necessary or proper to enable it to carry out the purposes hereof

The board shall consist of five members to be appointed by the Governor by and with the advice and consent of the Senate two of whom may be non-residents of the Commonwealth of Pennsylvania The Governor shall designate one of the members of said board as president who when present shall preside at all meetings of the board The members of the board first appointed shall continue in office for the term of four five and six years respectively as designated by the Governor in making said appointments from the date of their appointment and until their successors shall have been appointed and shall have qualified The successors of the members first appointed time to time as afaoresaid shall be appointed and serve for a term of six years and until their successors shall have been appointed and shall have qualified except in cases of appointment to fill vacancies occurring otherwise than by lapse of time When a vacancy shall occur in the said board a member shall be appointed in the manner aforesaid for the unexpired term of the member in whose place the new member shall be appointed

If the Senate shall not be in session when this act is approved or when a vacancy occurs or a term of office of any member expires the Govenor shall make his appointment subject to the approval of the Senate when convened

No vacancy in the board shall impair the right of the remaining members of the board to exercise all the powers of the board

Section 3 Each member of the board shall before entering upon the duties of his office take and subscribe the oath of office prescribed by article seven of the Constitution of this Commonwealth

Each member of the board shall also before entering upon the duties of his office give an official bond payable to the Commonwealth of Pennsylvania in the sum of twenty-five thousand ($25,000.00) dollars with sufficient surety or sureties to be approved by the Governor and the Attorney General conditioned for the faithful discharge of his office and the faithful accounting of all moneys entrusted to him as such member whenever and as often as he shall be lawfully required Said oath and bond shall be filed in the office of the Secretary of the Commonwealth

No member of the board shall be interested directly or indirectly in any contract for work to be done for or supplies to be sold to the board or have any interest whatever in any hydraulic works or any company dependent upon the canal or waterway for a supply of water or in any line of boats regularly navigating the said canal Nor shall any member of the board hold any other office or position or be engaged in any business employment or vocation the duties of which are incompatible with or interfere with the performance of the duties of his office as such member of the board

Section 4 The Governor shall remove from office any member of the board for inefficiency neglect of duty or misconduct in office or who shall violate the provisions of section three of this act The Governor shall furnish to any such member of the board a copy of the charges against him and afford him an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days notice If after hearing such member shall be removed the Governor shall file in the office of the Secretary of the Commonwealth a complete statement of all charges made against such member and his findings thereon together with a complete record of the proceedings and there shall be no right to review the same in any court

Section 5 The board shall have authority to make all rules and regulations consistent with the laws of this Commonwealth that it may deem necessary in the conduct of its business and the exercise of its powers

All business of said Board shall be transacted at meetings held in accordance with its rules A majority of the members of the Board shall constitute a quorum for the transaction of any business or the exercise of any power of the Board The affirmative vote of a majority of the members of the Board shall in all cases be necessary to authorize the making of any contract or the appropriation or expenditure of money

Section 6 The Board shall elect a secretary a treasurer a chief engineer and such officers engineers draughtsmen attorneys experts clerks and employes as it may deem necessary all of whom shall hold office during the pleasure of the Board and shall receive such compensation and perform such duties as may be prescribed by the Board

The Attorney General ex officio shall be the general counsel of the Board.

Section 7 It shall be the duty of the secretary to keep a full and true record of all the proceedings of the Board in a book or books to be kept for that purpose which shall contain a record of the votes of the several members of the Board upon all resolutions authorizing the making of contracts or the expenditure or appropriation of moneys He shall be the custodian of all the records documents and papers of the Board and shall be responsible to the Board for the same

The treasurer before entering upon the duties of his office shall give bond conditioned for the faithful performance of his duties with such sureties and in such amount as may be required by the Board He shall keep full and true accounts in detail of all moneys received from all sources by the Board and the disposition made thereof He shall make all disbursements and sign all vouchers for the payment of money by the Board shall keep on file specifically itemized vouchers in such form as may be required by the Auditor General accounting for all moneys disbursed and shall perform such other duties as may be prescribed by the Board or by law

Section 8 During the time required for the preparation of the survey and the estimates provided for in section twelve of this act the President of the Board shall receive a salary at the rate of five thousand dollars per annum and each of the other members of the Board shall receive a salary at the rate of four thousand dollars per annum. They shall then serve without compensation until such time as the construction of said canal or waterway and appurtenances may be proceeded with under the terms and provisions of this act whereupon the President of the Board shall thereafter receive an annual salary of twelve thousand dollars and each of the other members of the Board an annual salary of ten thousand dollars

Each member of the Board its secretary treasurer chief engineer attorneys and other officers agents employees and appointees shall be paid in addition to their stipulated or agreed salary or compensation all traveling expenses necessarily incurred by each of them in the performance of their official duties

All salaries and compensation payable under this act shall be payable at such times as may be determined and fixed by the Board

Except as hereinafter provided all salaries and compensation and all other expenses and liabilities of every kind incurred by the Board including those for work done under contract for materials supplies machinery and property and rights acquired by purchase or condemnation when properly certified upon voucher by the treasurer and countersigned by the President of the Board shall be audited by the Auditor General and when audited and allowed shall be paid out of moneys herein specifically appropriated for this purpose by warrants drawn therefor by the Auditor General upon the State Treasurer

All expenses of the Board of such a nature as to make it impracticable for the Board to file with the Auditor General itemized receipts or vouchers prior to the advance by the accounting officers of funds sufficient to meet such expenses shall be paid out of moneys specifically appropriated for the purpose in the manner provided by an act entitled "An Act prescribing a method for disbursing and accounting for certain appropriations to departments bureaus commissions and other branches of the State Government" approved the twenty-third day of April Anno Domini one thousand nine hundred and nine

Section 9 The principal office of the Board shall be in the city of Harrisburg in rooms designated by the Board of Commissioners of Public Grounds and Buildings Branch offices may be established in the city of Pittsburgh or elsewhere as the Board may deem necessary

The Board of Commissioners of Public Grounds and Buildings shall upon requisition of the Secretary of the Board furnish the Board with all necessary books office furniture stationery and supplies

The printing and binding necessary for the proper performance of the duties of the Board shall be done by the State Printer upon the order of the Superintendent of Public Printing and Binding upon requisition of the Secretary of the Board

Section 10 The Board shall on or before the second Monday of January in each year make a full report to the Governor of the Commonwealth of all its operations during the year including a detailed statement of all expenditures contracts entered into cost and character of the work done and such other information as may be proper or required

Section 11 All contracts, instruments and writings may be executed and suits prosecuted by the Board in the name of "The Lake Erie and Ohio River Canal Board of Pennsylvania" The Board may also sue and be sued in said name in any court of competent jurisdiction of the States of Pennsylvania or Ohio on any cause of action arising within the respective States in the same manner and to the same extent as a corporation organized under general laws of said respective States for the construction operation and maintenance of such canal or waterway and appurtenances could be sued Service of process issuing out of either the courts of this State or the State of Ohio may be made upon the Board at its principal office in the city of Harriburg or at its office in the city of Pittsburgh Pennsylvania The Board may also adopt an official seal to be furnished by the Secretary of the Commonwealth and may authenticate all its official acts with the same

Section 12 The Board so soon as there shall have been appropriated to its use sufficient funds shall prepare or cause to be prepared a survey for the said canal or waterway and appurtenances together with estimates of the cost of constructing completing and installing the same exclusive however of the cost of constructing a harbor on Lake Erie

The work of construction of said canal or waterway and appurtenances herein provided for shall not be proceeded with nor any contracts entered into nor any liability incurred therefor until there shall have been rendered available to the Treasurer of this Comonwealth by the various counties in the States of Pennsylvania Ohio and West Virginia or any of them in aid of the construction of said canal or waterway and appurtenances appropriations of money or bonds of said counties duly authorized to be issued for the purpose and until appropriations shall have been made and rendered available to the said Treasurer by this Commonwealth the State of Ohio and West Virginia the Federal Government or any of them or by any other public authority in such sums that the total amounts of the said appropriations and the said bonds shall in the aggregate be not less than the cost of constructing completing and installing the said canal or waterway and appurtenances as estimated by the Board

Section 13 The Treasurer of the Commonwealth shall from time to time notify the county commissioners of the various counties in said States which have authorized bonds to be issued in aid of said canal or waterway as aforesaid to issue and sell so many of said bonds of their respective counties as may in the opinion of said Treasurer be rendered necessary by the progress of the work each of said counties however to be required to issue and sell from time to time only its proportionate share of said bonds When so notified by the said Treasurer the county commissioners of the said counties shall issue and sell the bonds so required to be issued and sold and shall upon the sale thereof forthwith pay the proceeds derived therefrom to the said Treasurer

The proceeds of said bonds together with the other funds appropriated by the various public authorities as aforesaid shall be kept by the said Treasurer in the same manner as other funds received by him for the use of the Commonwealth except that he shall keep the same in a sparate fund and the moneys in said separate fund are hereby specifically appropriated for the purpose of defraying the cost of constructing completing and installing the said canal or waterway and appurtenances including salaries and all other expenses incurred by the Board in accordance with the provisions of this act while doing said work and the said fund shall be disbursed by the said Treasurer without further act of apporpriation in the manner provided in section eight of this act

Section 14 The Board shall have authority to enter into such proper arrangements and agreements subject to the approval of the Auditor General and Treasurer of the Commonwealth with the respective county commissioners of the various counties of the States of Pennsylvania Ohio and West iVrrginia appropriating money or authorizing bonds to be issued in aid of said canal or waterway as to said parties may seem necessary for the purposes of co-operation safe-guarding the interests of said contributing counties with respect to their said contributions and effectively carrying into operation the provisions of this act

Section 15 Subject to the limitations specified in section twelve of this act the Board is hereby authorized empowered and directed to do or cause to be done all things necessary or proper for the construction completion and installation of the said canal or waterway and appurtenances and in the exercise of its said authority the Board may enter into all such contracts and agreements acquire all such property and rights of any and all kinds receive releases of damages and do all other acts and things which to it may seem necessary or desirable

Section 16 The Board shall have power and authority to enter upon any land for the purpose of making an examination and survey for said canal or waterway and appurtenances and shall have power and authority to enter upon take use and occupy and appropriate any lands rights rights of way rivers creeks lakes streams water-courses ponds swamps reservoirs bridges building structures or other property or rights of property whether devoted to a public or private use which in the opinion of the Board are necessary for the proper construction operation maintenance or repair of the said canal or waterway and its appurtenances and the Board shall also have power and authority to enter upon any lands adjoining or in the neighborhood of the said canal or waterway and appurtenances and to quarry dig cut take and carry away therefrom any stone gravel clay sand earth wood or other material which may be necessary or proper for the construction operation maintenance or repair of said canal or waterway and its appurtenances Provided however That before the Board shall enter upon take possession of or appropriate any such land rights rights of way rivers creeks lakes streams water-courses ponds swamps reservoirs bridges buildings structures materials or other property appropriated under the authority herein given it shall make compensation to the owner or owners thereof at such prices as may be agreed upon by the Board and said owners or file an adequate bond therefor in the court of Common Pleas of the proper county to be approved by the court Written notice shall be given by the Board to the said owner or owners or to the attorney or agent of any such person absent or to guardian or committee of any person under legal incapacity of the time and place when and where said bond shall be filed and approved And the court having jurisdiction of the matter shall have the power at any time during vacation or when such court shall not be in session to approve said bond and direct the same to be filed in court for the benefit of the parties entitled In case no agreement can be made with the said owner or owners by reason of their absence or legal incapacity or for any other reason for the compensation to be paid to him or them for the damage done or likely to be done to or sustained by said owner or owners by reason of the appropriation of said lands streams water-courses material or other property under the authority herein given the court of Common Pleas of the proper county on application thereto by petition either of said owner or owners or any one in their behalf or of said Board shall appoint seven discreet and disinterested freeholders of said county none of whom shall be residents or owners of property upon or adjoining the line of such canal or waterway and appoint a time not less than twenty nor more than thirty days thereafter for said viewers to meet at or upon the premises where the damages are alleged to be sustained of which time and place ten days' notice shall be given by the petitioner to the said viewers and the other party or parties or to their authorized agents or representatives and the said viewers or any five of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report make concerning all matters and things to be submitted to them in relation to which they are authorized to inquire in pursuance of the provisions of this act and having viewed the premises they shall estimate and determine the quantity quality and value of such lands and property so taken or used or to be taken or occupied or the material so used or taken away as the case may be having due regard to and making just allowance for the advantages which may have resulted or which may seem likely to result to the owner or owners of said land or materials in consequence of the making or opening of said canal and of the construction of embankments locks dams buildings works and other devices connected therewith After having made a fair and just comparison of said advantages and disadvantages they shall remit and determine whether any and if any what amount of damages has been or may be sustained and to whom payable and make report thereof to the said court and if any damages be awarded and the report be confirmed by the said court judgment shall be entered thereon which said judgment together with the costs of the proceedings shall be paid in the same manner as other expenses incurred by the Board are paid by it Each of said viewers shall be entitled to five dollars per day for every day necessarily employed in the performance of the duties herein prescribed to be paid by the said Board

Section 17 In any case when it shall be made known to the court of common pleas of the proper county by petition affidavit or otherwise that there is a disputed doubtful or defective title or that any party interested in any lands streams water-courses material or other property appropriated under the authority herein given is absent unknown or under legal incapacity or for any reason cannot be bargained with or served with notice within the county where the lands streams water-courses material or other property are situate the court which shall have jurisdiction of the appointment of viewers and assessment of damages in such case shall on application of the canal Board direct the filing of a proper bond for the use of the person or persons who may be found to be entitled to the damage done or likely to be done or sustained by the taking and appropriation of such lands streams water-courses material or other property and when such bond shall be so approved and filed and when upon the petition of said Board viewers to assess the said damages shall be appointed the said court shall direct notices of the approval and filing of said bond and of the appointment and time and place of meeting of said viewers respectively to be published in two newspapers published in the county where the lands streams water-courses material or other property are situate if two are published twice a week for two weeks after the bond is filed and before the day appointed for the meeting of the viewers and the bond so filed and the notice or notices so published shall have the like effect as if written notice of the time and place of filing and approval of said bond had been given to the parties entitled and as if personal notice had been served on the party or parties owning or claiming such lands streams water-courses material or other property Provided however That when the residences of any such parties shall be known to such board a copy of such published notices shall be sent to them by mail or otherwise

It shall be the duty of the court having jurisdiction of the appointment of viewers and assessment of damages at the time

of the application of the Board for the appointment of viewers to appoint a guardian ad litem or trustee as the circumstances of the case shall require for such interested party who is absent unknown or under legal incapacity or from any cause cannot be bargained with or served with notice and such guardian ad litem or trustee shall represent the interests of the person of whom he is guardian ad litem or trustee in all the subsequent proceedings

Section 18 The viewers provided for in this act may be appointed before or after the entry for constructing said work or taking materials therefor and after filing of the bond as hereinbefore provided for and upon the report of the said viewers or any four of them being filed in said court either party within thirty days thereafter may file his her their or its appeal from said report to said court after such appeal either party may put the case at issue in the form directed by said court and the same shall then be tried by said court and a jury and after final judgment either party may have an appeal therefor from the Supreme or Superior Court in the manner prescribed in other cases The said court shall have power to order what notices shall be given in connection with any part of the proceedings and may make all such orders connected with the same as may be deemed requisite. If any exceptions be filed with any appeal to the proceedings they shall be speedily disposed of and if allowed a new view shall be ordered and if disallowed the appeal shall proceed as before provided

Section 19 In case the said canal or waterway and appurtenances shall be located or constructed over or upon a property situate in two or more counties the board and the owners of the property or their authorized agents or representatives may by agreement submit the matter of the approval of the damage bond and the assessment of damages to the court of common pleas of either one of the counties in which the land lies Where such agreement cannot be made the court of common pleas of the county in which the principal mansion house of such property shall be situate or if there shall be no mansion house thereon then the court of common pleas of the county wherein the principal part in area of such property is situate shall have the jurisdiction of all questions of security for and assessment of damages aforesaid

Section 20 If the board shall deem it necessary in the construction of said canal or waterway and its appurtenances to change the site or location or to otherwise alter any highway public or private road bridge railroad dam water-power works waterways pipes pipe lines conduits or other avenue of transportation either public or private telegraph or telephone lines sewers drains culverts tunnels buildings or other works public or private it shall cause the same to be changed altered and reconstructed forthwith at its own proper cost and expense on the most favorable location The damages incurred in making the change and alterations herein provided for shall be ascertained and paid by the board in the manner provided for in sections sixteen seventeen eighteen and nineteen of this act

Section 21. The board in the construction of said canal shall have authority to enter upon and cross any public highway or railroad but in such places where said canal shall pass or cross any existing public highway or railroad which at the time of construction of the canal shall be opened and used as such the board shall build and keep in good repair suitable and convenient bridges over the said canal

Section 22 All contracts for work to be done under authority of this act exceding in amount the sum of five hundred dollars shall be let to the lowest responsible bidder The board shall have power to reject any or all bids not satisfactory to it and readvertise until it shall receive satisfactory bids Every person firm or corporation before being awarded any contract by the board shall furnish a bond with sufficient surety or sureties acceptable to the board in a sum equal to fifty per centum of the contract price of the work conditioned for the faithful and complete performance of his or its contract Advertisements for proposals shall be made by the board at least three weeks before the contract is awarded by notices inserted once a week in at least two newspapers of general circulation to be selected by the board Said advertisements shall designate where the plans and specifications may be had and the time and place of the reception of the bids and the letting of the contract

All contracts shall be executed in the name of the board and signed by the president and secretary

Section 23 Upon the completion of the canal or waterway and appurtenances the board shall maintain and operate the same and shall prescribe such rules and regulations for the use administration and navigation thereof as in the judgment of the board may seem expedient including the fixing and determining of the size and form of boats crafts and other vessels that shall be used for the purpose of navigating such canal the time and manner of passing the locks and the speed of vessels in passing through such canal Provided however That the same shall not be in conflict with the Constitution or laws of the Commonwealth of Pennsylvania Commonwealth of Ohio or of the United States

Such rules and regulations shall be posted in conspicuous and appropriate places for the information of the public and every person who shall violate any of such rules and regulations shall be deemed guilty of a misdemeanor and on conviction thereof in the proper court of the county within whose territorial jurisdiction such offense may have been committed shall be punished by a fine not exceeding five hundred ($500.00) dollars or by imprisonment not exceeding six months in the discretion of the court

Section 24 The board shall have full power and authority to fix the rate of toll to be charged the vessels boats and other craft using the said canal subject however to the approval and regulation of the Interstate Commerce Commission in cases of vessels, boats or other craft engaged in interstate commerce

Section 25 The board shall have authority from time to time to lease any water power developed or created in connection with any part of the canal of waterway and appurtenances herein authorized subject however to the following conditions

No lease shall be made of any water power until the machinery and appliances for making the same available shall have been constructed and substantially competed Before any such lease shall be made at least thirty (30) days' public notice thereof shall be given by publication in such newspapers of general circulation and by such other notices as the board may deem best The board shall have power to require the bids to be accompanied by security and may reject all bids not satisfactory to it and re-advertise until it receives satisfactory bids

No lease shall be for a period exceeding ten years, but the said board may provide for the extension of any lease from time to time not exceeding ten years at any one time at a rent to be fixed by an appraisal to be made by three disinterested appraisers to be selected or appointed in such manner as shall be provided in the lease

The board shall also have the right from time to time to sell any surplus water not needed for the operation of the canal or waterway and its appurtenances at such rates and prices as it may deem proper All agreements for sale of such surplus water shall provide that they may be terminated in whole or in part whenever the board shall deem the whole or any part of such surplus waters desirable for the purposes of the canal and its appurtenances

Section 26 All rents toll rates charges and all other income received by the said board shall be in charge of the Treasurer thereof who shall deposit the same monthly with the State Treasurer The moneys so paid to the said State Treasurer shall be kept by him in the same manner as other funds received by him for the use of the Commonwealth except that he shall keep the same in a separate fund The moneys in said fund shall be used for the purpose of paying the most or maintenance the State Treasurer in the same manner as other expenditures herein provided for are paid by him without further act of appropriation

Section 27 That out of the surplus of rents tolls rates charges and other income accuring from the operation of said canal or waterway or the sale of water or water power remaining after the payment of the cost of operation maintenance and improvement as hereinbefore provided the State Treasurer shall from time to time set aside such sums as the board may recommend and deem consistent with the proper maintenance operation and management of the canal and its appurtenances and make prorata distribution thereof among the contributing counties until the said contributing counties have been repaid the amount of their contributions principal and interest each county to receive such proportionate part as its contribution bears to the total sum contributed by the various counties in aid of the construction of said canal of waterway and appurtenances

Section 28 The sum of one hundred and fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated for the purpose of defraying the expenses of the board in making the survey and preparing the estimates provided for in section twelve of this act said expenses to be paid in the manner provided in section eight of this act

On the question,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I want to say just a word in relation to this bill. The bill, as its number indicates, was introduced early in the session and was properly referred to the Appropriations Committee. The committee gave most careful consideration to the bill and it is only following out a line of action and operation which was started two years ago in this Legislature and that is to make a great waterway between Lake Erie and the Ohio River. Three States are involved in this great movement, Mr. Speaker, the States of West Virginia, Ohio and Pennsylvania. The Legislature of Ohio, at its session which has just closed, passed the enabling acts which are necessary to put in operation the construction of this waterway and the Governor, James Coxe, signed these bills and so reported to Mayor Magee at the dinner given in his honor in the City of Pittsburgh on last Saturday evening. These bills have already been passed in Ohio. The bills have been passed in West Virginia and I had hoped that at this time—but on account of the brevity of the time which has expired since the Governor signed the bills, it has been impossible for me to produce to the House the original bills or copies of the original bills passed in Ohio. I had hoped to do that to-day, or when this bill was reached.

This bill, Mr. Speaker, means to the western end of the State exactly what the improvement of harbor conditions and all those changes that are needed in the eastern end of the State at Philadelphia mean to the entire State. In the western end of the State, on account of the deposit of iron ore in the Northwest, which comes by water way down through Lake Erie to the shores of the Lake where the railroads have to take charge, the freight rates are increased fearfully from that point to the delivery point at the mills in the western end of the State. By this waterway system a complete line of waterway will be

given and transportation will be given for the ores into our mills. The mills instead of seeking new places will remain where they are. The fact that they have been discriminated against in the rates made for conveying the iron ore for the short distance has, Mr. Speaker, as statistics will show, cause many of those institutions to move out of this State and thereby the State's revenues were lost. We want this bill not only locally, not only in the entire western end of the State, not only for the State of Pennsylvania, but for this little bunch of States comprised of Pennsylvania, West Virginia and Ohio, which will be most benefited. Further than that, Mr. Speaker, by the connection being made by this canal between Lake Erie and the Ohio River you can see how far the waterway system will be extended down to the Gulf and thereby to the Ocean; and by the Panama Canal which will probably be completed by that time, you can see the extent and the scope and the necessity of this bill.

The bill carries an appropriation of one hundred and fifty thousand dollars, which is for the purpose of making all the necessary surveys and making all the estimates and making a return to this House in 1915, or so soon as those things can be accomplished and make a return to show what the completion of the enterprise will take and how much of a benefit it will be to the State. There ought not to be, Mr. Speaker, a single vote on the floor of the House cast in opposition to this bill. It is the largest enterprise that the State of Pennsylvania has before it today.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—132.

Allen,	Dunn, J. A.,	Malie,	Savacool,
Arthur,	Ehrhardt,	Martin,	Schuck,
Baldwin, G. A.,	Ely	Mather,	Scott, S. B.,
Baldwin, R. J.,	Ewing,	Matt,	Shaffer, C. A.,
Benson,	Foster, J. D.,	McAllister,	Shaffer, I. E.,
Bergey,	Geary,	McClintock,	Shern,
Berntheizel,	Geiser,	McDermott,	Sherwood,
Bigger,	Gibson,	McKay,	Showalter,
Bitties,	Good,	Mechling,	Smith, J. W.,
Bleloch,	Gramley,	Mellott,	Snavely,
Body,	Haggerty,	Metzenbacher,	Snyder,
Brosius,	Heidinger,	Missimer,	Spangler,
Brownlee,	Hemminger,	Mitchell,	Stone,
Burnett,	Herman,	Moses,	Strauss,
Caldwell,	Hess,	Moulthrop,	Swartz,
Campbell, C.M.,	Heyburn,	Musser,	Swift,
Campbell, J. J.,	Hibshman,	Neel,	Thomas,
Carson,	Howard, J.,	Newbaker,	Trach,
Carter,	Howard, R.,	Newton,	Ulman,
Cheeseman,	Humes,	O'Neill,	Walnut,
Claycomb,	Irwin, G. C.,	Peachey,	Walsh,
Cleary,	Jackson,	Pennegar,	Watson,
Cochran,	Jones, J. R.,	Pennock,	Whitaker,
Conner,	Kaiser,	Peters,	Whitman,
Conniff,	Keegan,	Price,	Wildman,
Conrade,	Keeport,	Ramsey,	Williams,
Cox,	Kennedy,	Redfield,	Wilson, J. H.,
Currier,	Kitts,	Reese,	Wilson, W. H.,
Davis,	Kuhn, H. P.,	Rhoads,	Wiltbank,
DeFrees,	Lanius,	Rockwell,	Young, G. K.,
Dickinson,	Latshaw,	Roney,	Zimmerman,
Donnally,	Lehr,	Rothenberger,	Alter,
Down,	Lowers,	Sassaman,	Speaker.
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1844 (Senate No. 417), as follows:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteenth one thousand nine hundred eleven (Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the first section of an act entitled "An Act to provide efficient and practical means fo rthe prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved the fourteenth day of June Anno Domini one thousand nine hundred eleven (Pamphlet Laws page nine hundred twenty-two) which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That a commission to consist of five members to be appointed by the Governor for a period of three years from the date of the approval of this act and to be called 'The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania' is hereby created with power to ascertain determine upon and adopt the most efficient and practical means for the prevention cotnrol and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introduction continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and method of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employ such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That a Commission to consist of five members to be appointed and commissioned by the Governor for a period of five years from the date of their appointment and to continue thereafter for such period as in the judgment of the Governor may be necessary to enable them to complete the work to be done under this act and to be called "The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania" is hereby created with power to ascertain determine upon and adopt the most efficient and practical means for the prevention control and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introduction continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and methods of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employe such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act Provided further That if the fungus causing the aforesaid disease be found to attack other species of trees such trees shall be deemed to come within the purview of this act

On the question,

Will the House agree to the bill on third reading?

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to insert an amendment in this bill.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend the title to the bill by striking out from the first line the words "second and third sections" and insert in place thereof the word "section."

Amendment to Senate Bill No. 417: Section 1, line 50, strike out word "eradiction" and substitute "eradication."

The SPEAKER. Will the House give unanimous consnt to the insertion of the amendment? Is there any objections? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1636, as follows:

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth containing a population of over one million inhabitants to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision, and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits hereunder shall be guilty of perjury.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the recorders of deeds of all counties of this Commonwealth having a population of over one million five hundred thousand inhabitants before admitting to the records any deed or other instrument of conveyance of real estate to require of the grantee or grantees in such deed or other instrument to furnish to such recorder his or their affidavit or the affidavit of some other person who is conversant with the facts that the consideration mentioned in the said deed or other instrument is the actual and true consideration therefor and that there is no other or further consideration for such conveyance or if the consideration stated in the deed or other instrument be not the true and actual consideration then such affidavit shall set forth what is true and actual consideration for the same The affidavits furnished as aforesaid shall be sent by such recorders of deeds to the authorities in their respective counties charged with the duty of the revision and equalization of taxes upon real estate therein and shall be certified by such recorders of deeds to the officials of their respective counties who may be charged with the duty of revising the assessments of real estate

Section 2 Any person who shall make or furnish a false affidavit in pursuance of the provisions of this act shall be deemed guilty of perjury and on conviction thereof shall be punishable as other persons comitting perjury are by law punishable

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. RONEY. Mr. Speaker, I ask unanimous consent to insert an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Title, line 3, After the word "million" insert the words "five hundred thousand."

The SPEAKER. Will the House give unanimous consent to the insertion of the Amendments? Is there any objections? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to on third reading.

Ordered. That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1070, as follows:

An Act to repeal an act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings" approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of an act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings" which as amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' " approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire-proof construction" reads as follows

"Section 1 That all the following described buildings within this Commonwealth to wit Every building used as a seminary college academy hospital asylum or hotel for the accommodation of the public every storehouse factory manufactory or workshop of any kind in which employes or operatives are usually employed at work in the third or any higher story every tenement house or other building in which rooms or floors are usually let to lodgers or families every public hall or place of amusement every parochial or public school building and every building used in whole or in part for offices when any of such buildings are three or more stories in height except buildings used in whole or in part for offices which are of fire-proof construction shall be provided with a permanent safe external means of escape therefrom in case of fire independent of all internal stairways the number and location of such escapes to be governed by the size of the building and the number of its inmates and arranged in such a way as to make them readily accessible safe and adequate for the escape of said inmates Such escapes to consist of outside open iron stairway of not more than forty-five degrees slant with steps not less than six inches in width and twenty-four inches in length And all of said buildings capable of accommodating from one hundred to five hundred or more persons as operatives guests or inmates shall be provided with two such stairways and more than two stairways if such be necessary to secure the speedy and safe escape of said inmates in case the internal stairways are cut off by fire or smoke And it shall be the duty of the owner or owners in fee for life of every such building and of the trustee or trustees of every estate association society college seminary academy hospital or asylum owning or using any such building and of the board of education or board of school directors having charge of any such school building to provide and cause to be securely affixed outside of every such building such permanent external unenclosed fire escape Provided That nothing herein contained shall prohibit any person whose duty it is under this act to erect fire escapes from selecting and erecting any other and different device design or instrument being a permanent safe external means of escape subject to the inspection and approval of the constituted authorities for that purpose" is further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following described buildings within this Commonweatlh to wit Every building used as a seminary college academy hospital asylum or hotel for the accommodation of the public every storehouse factory manufactory or workshop of any kind in which employes or operatives are usually employed at work in the third or any higher story every tenement house or other building in which rooms or floors are usually let to lodgers or families every public hall or place of amusement every parochial or public school building and every building used in whole or in part for offices when any of such buildings are three or more stories in height shall be provided with a permanent safe external means of escape therefrom in case of fire independent of all internal stairways the number and location of such escapes to be governed by the size of the number of its inmates and arranged in such a way as to make them readily accessible safe and adequate for the escape of said inmates Such escapes to consist of outside open iron stairway of not more than forty-five degrees slant with steps not less than six inches in width and twenty-four inches in length And all of said buildings capable of accommodating from one hundred to five hundred or more persons as operatives guests or inmates shall be provided with two such stairways and more than two stairways if such be necessary to secure the speedy and safe escape of said inmates in case the internal stairways are cut off by fire or smoke And it shall be the duty of the owner or owners in fee or for life of every such building and of the trustee or trustees of every estate association society college seminary academy hospital or asylum owning or using any such building and of the board of education or board of school directors having charge of any such school building to provide and cause to be securely affixed outside of every such building such permanent external unenclosed fire escape Provided That nothing herein contained shall prohibit any person whose duty it is under this act to erect fire escapes from selecting and erecting any other and different device design or instrument being a permanent safe external means of escape subject to the inspection and approval of the constituted authorities for that purpose

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Allen,	Ehrhardt,	Lowers,	Schuck,
Arthur,	Eichenberger,	Malie,	Scott, J. R. K.
Baldwin, G. A.,	Ely,	Mannion,	Scott, S. B.,
Baldwin, R. J.,	Ewing,	Martin,	Shaffer, C. A.,
Barner,	Fahey,	Mather,	Shaffer, I. E.,
Bass,	Forster, I. G.,	Matt,	Shern,
Bayle,	Geary,	McAllister,	Sherwood,
Benson,	Geiser,	McKay,	Showalter,
Bergey,	Good,	Mechling,	Smith, J. W.,
Berntheizel,	Grabe,	Metzenbacher,	Snavely,
Bigger,	Gramley,	Moses,	Snyder,
Bittles,	Haggerty,	Moulthrop,	Stone,
Blair, W. F.,	Heidinger,	Musser,	Strauss,
Body,	Hemminger,	Neel,	Swartz,
Brosius,	Herman,	Newbaker,	Swift,
Brownlee,	Hess,	Newton,	Thomas,
Caldwell,	Heyburn,	O'Neill,	Trach,
Campbell, C.M.,	Hibshman,	Peachey,	Ulman,

Campbell, J. J.,	Howard, J.,	Pennegar,	Walnut,
Carson,	Howard, R.,	Perry, S. J.,	Walsh,
Carter,	Humes,	Piper,	Walton,
Claycomb,	Irwin, G. C.,	Price,	Watson,
Cleary,	Irwin, H. H.,	Ramsey,	Whitaker,
Cochran,	Jackson,	Reese,	Whitman,
Conniff,	Jones, J. R.,	Reeser,	Wildman,
Conrade,	Kaiser,	Rhoads,	Williams,
Cox,	Keeport,	Rockwell,	Wilson, J. H.,
Currier,	Kennedy,	Roney,	Wilson, W. H.,
Curry,	Kitts,	Rothenberger,	Wiltbank,
Dickinson,	Kuhn, H. P.,	Sassaman,	Young, G. K.,
Donnally,	Lanius,	Savacool,	Zimmerman,
Down,	Light,	Schaeffer, A. C	Alter,
Dunn, H. B.,			Speaker.
Dunn, J. A.,			

NAYS—1.

McDermott,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered. That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The bills of the following calendar numbers, 8, 10, 11, 12, 13, 16, 19, 20, 22, 23 and 31 are not upon the files.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 879 entitled:

An Act making an appropriation to further carry into effect the provisions of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1985 (Senate No. 1000), entitled:

An Act to repeal section eight of an act approved the first day of May one thousand nine hundred and nine entitled "An Act to classify the fish in the waters within this Commonwealth declaring which are game fish which are food fish and which are bait fish and to regulate the catching and sale and encourage the propagation of the same to protect the waters within this Commonwealth from unfair improper wasteful and destructive fishing and to protect the fish from being destroyed or injured by destructive means to provide for the appointment of fish-wardens and to declare their official powers and duties to encourage and regulate the propagation of fish within this Commonwealth and to regulate the free distribution of the same by the Department of Fisheries in the waters within the same to define powers and duties of the Department of Fisheries to regulate the sale and shipment of fish artificially propagated for profit to forbid the sale of unlawful devices for catching fish and to provide penalties and punishments for the violation of the provisions of this act and providing how and by whom the costs shall be paid"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1934 (Senate No. 296), entitled:

An Act granting the consent of the Commonwealth of Pennsylvania to the city of Harrisburg to construct and maintain a dam in the Susquehanna river for the general improvement of the sanitary conditions of said city

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1935 (Senate No. 297), entitled

An Act authorizing any city that has been or shall be granted the consent of the Commonwealth of Pennsylvania to construct and maintain a dam in any navigable river or stream to purchase acquire enter upon take use and appropriate private property within or without its territorial limits for that purpose and providing the manner in which damages sustained shall be determined and collected

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1948, entitled:

An Act to repeal an act approved the twentieth day of May one thousand eight hundred and seventy-one entitled "An Act relative to the collection of borough taxes in the borough of Coatesville in the county of Chester"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1889 (Senate No. 735), entitled:

An Act authorizing and empowering cities and boroughs in their corporate capacity to enact ordinances prescribing such reasonable regulations for the mining of anthracite coal beneath said cities and boroughs as may tend to prevent the settling or caving in of the surface

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 278, entitled:

An Act making an appropriation to the Department of Mines of this Commonwealth for paying such expenditures as may be incurred to protect property and the public health and to promote the safety of citizens of this Commonwealth and others from loss and danger from a "mine fire" within the limits of the city of Carbondale Lackawanna county providing how such expenditures shall be made how the Commonwealth shall be repaid and authorizing the condemnation destruction and appropriation of property material and compensation therefor to carry into effect the purposes of this act and imposing certain obligations upon the county of Lackawanna

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1972 (Senate No. 572), entitled:

An Act to validate appointments heretofore made of persons to act as patrolmen and firemen of cities of the first class of this Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1920 (Senate No. 828), entitled:

An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide in cities of the first class for delivery tickets in the sale of anthracite coal and to authorize the designation of weighing scales and for the proper inspection thereof for weighing coal delivered to purchasers who receive the same by cart wagons or other conveyances and to compel the seller thereof to allow said coal to be weighed to provide for certificates of weight and the effect thereof as evidence to the weight of coal passing such scales and to punish for refusal of seller to allow coal weighed and to punish fraudulent weighing at such scales and to provide for the keeping of docket records thereof by magistrates or justices of the peace"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1918 (Senate No. 762), entitled:

An Act relating to the competency of experts and to the rules of evidence in questions of simulated altered or disputed handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1980 (Senate No. 600), entitled:

An Act regulating the discharge of prisoners on parole from the penal institutions of the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1955 (Senate No. 155), entitled:

An Act providing for the discharge from prisons of persons after they have been confined for six months for non-compliance with any order of the court of quarter sessions for the desertion and non-support of their wives or children or both

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1999 (Senate No. 1166), entitled:

A supplement to an act approved the third day of June one thousand eight hundred and ninety-five entitled "An Act authorizing the Commonwealth of Pennsylvania to rebuild county bridges over navigable rivers and other streams which have been declared public highways by act of Assembly where such bridges have been destroyed by flood fire or other casualty providing for the appointment of viewers and inspectors and the payment of the cost of rebuilding such bridges"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1952 (Senate No. 753), entitled:

An Act authorizing notaries public to take affidavits to libels in divorce and validating certain affidavits heretofore made

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1946 (Senate No. 879), entitled:

An Act to provide for the filing docketing and indexing of judgments and decrees of the district and circuit courts of the United States

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1652, entitled:

An Act to amend section twelve of an act entitled "An Act to provide for the more effectual protection of the public health in the several municipalities of this Commonwealth" approved the eighteenth day of June Anno Domini one thousand eight hundred and ninety-five providing that all principals or other persons in charge of schools are hereby required to refuse admission of any child to the school or schools under their charge or supervision except upon a certificate signed by a physician legally qualified to practice medicine setting forth that such child has been successfully vaccinated or that it has previously had smallpox whenever and for a period of twenty-one days after the health authorities of the city borough township or municipality within which such school or schools are located or the State Commissioner of Health shall have given written or printed notice to the said principals or other persons in charge of schools as aforesaid that smallpox (variola or varioloid) exists within dangerous proximity to such school or schools said notice to contain the name and location of the person or persons afflicted with the disease and said notice to be renewable so long as smallpox (variola or varioloid) continues to exist within dangerous proximately to such school or schools

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 852 (Senate No. 1992), entitled:

An Act to amend an act entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" approved the thirteenth day of June Anno Domini one thousand nine hundred and seven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1994 (Senate No. 993), entitled:

An Act regulating the sale or exchange of defective or diseased horses and mules and providing a penalty for violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 667, entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and the method of procedure for its enforcement and regulate certain matters of evidence in such procedure"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1977 (Senate No. 1063), entitled:

An Act amending the second section of an act approved the thirteenth day of June Anno Domini one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by the State of the sum so paid" by changing the date for filing by the association with the county commissioners the statement required from November fifteenth to December tenth in each year

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE BILL NO. 1125 MADE A SPECIAL ORDER.

Mr. HUMES. Mr. Speaker, in view of the fact that the special order for House Bill No. 1125, which was fixed a few minutes ago might conflict with another special order, I move that the hour of four o'clock Tuesday afternoon, instead of twelve, be fixed as the time for the special order of this bill.

Mr. MELLOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS SIGNED BY THE SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both Houses of the General Assembly, and the same being correct, the titles were publicly read as follows:

House Bill No. 20:

An Act further amending section one of an act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and

forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to all cities of the third class

House Bill No. 44:

An Act amending an act entitled "An Act providing a system whereby boroughs may build sewers grade sub-grade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefited in installments" approved June fifteen Anno Domni one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems

House Bill No. 398:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

House Bill No. 409:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administering health laws in any borough or township of the first class shall be paid

House Bill No. 695:

An Act making an appropriation to the State Highway Department to cover a deficiency in the Automobile Division

House Bill No. 1048:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

House Bill No. 1054:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

House Bill No. 1107:

An Act relating to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

House Bill No. 1148:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessment and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties

House Bill No. 1300:

An Act authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

House Bill No. 1448:

An Act to give the status of a depositor as to preference over other creditors to persons firms or corporations accepting from a bank or trust company its check in payment of a depositor's check

House Bill No. 1473:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors"

House Bill 1541:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

House Bill No. 1658:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing the cost of maintenance of such street on the borough

House Bill No. 1864:

An Act directing the Legislative Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the assistant director and making an appropriation therefor

Whereupon,

The Speaker in the presence of the House, signed the same.

SENATE MESSAGES.

APPOINTMENT OF CONEFRFNCE COMMITTEE.

The Clerk of the Senate being introduced informed that the Senate insists upon its amendments non-concurred in by the House of Representatives to House Bill No. 953, entitled:

An Act authorizing the Bureau of Health in cities of the first class to make and promulgate rules and regulations for the sanitary keeping of stables and other places in such cities where horses mules cows sheep goats or swine are kept and for the collecting storing and transporting of manure from such animals providing that no manure shall be collected or stored in any stable manure pit or other place without a permit or transported in violation of said rules and regulations making a violation of the act or of said rules and regulations a misdemeanor prescribng penalties therefor and repealing inconsistent acts

And has appointed Messrs. McNichol, Daix and Nutly a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. KENNEDY. Mr. Speaker, I move that the House adhere to its non-concurrence in the amendments made by the Senate, and that a conference committee be appointed.

Mr. BIGGER. Mr. Speaker, I second the motion.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Clerk of the Senate being introduced informed that the Senate insists upon its amendments non-concurred in by the House of Representatives to House Bill No. 956, entitled:

An Act to amend an act entitled "An Act to provide for the licensing and regulating of slaughter-houses shops wagons and places where meats poultry fish game and shell-fish are prepared for use as food or stored or exposed for sale in cities of the first class in this Commonwealth and providing penalties for any violation of any regulation governing the same" approved the twenty-sixth day of April Anno Domini one thousand nine hundred and seven so as to provide that licenses shall be for the calendar year and that licencees continuing in business shall annually apply for new licenses

And has appointed Messrs. Salus, Daix and Nulty to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. GEARY. Mr. Speaker, I move that the House adhere to its non-concurrence to the amendments made by the Senate, and that a Conference Committee be appointed.

Mr. CLEARY. Mr. Speaker, I second the motion.

The motion was agreed to.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 221:

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury after deduction of expenses which expenses said registers are authorized to incur

with the information that the Senate had passed the same with amendments in which the concurrence of the House is requested.

The SPEAKER. If there is no objection this bill will lie upon the table.

ADJOURNMENT.

Mr. KITTS. Mr. Speaker, I move that this House do now adourn.

The motion was agreed to, and at 5.30 P. M. the House adjourned until next Monday evening at eight o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., MONDAY, MAY 12, 1913. No. 64.

SENATE.

MONDAY, MAY 12, 1913.

The Senate met at 9 o'clock P. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

Our Father, which art in Heaven, hallowed be Thy name. In Thy Word, O Lord, Thou hast said unto us "Obey my voice and I will be your God." "Many are the afflictions of the righteous, but the Lord delivereth him out of them all." We are weak, but Thou art mighty; guide us with Thy powerful hand. We are mortal, but Thou art eternal; we are finite, but Thou art infinite. But a new day shall dawn for each one of us, wherein this mortal shall put on immortality and this corruption shall put on incorruption. We have entered, O Lord, upon a new week of labor. Thou art the Master Workman. Teach us how to work. We know not how soon our tenure of life shall expire. Help us, then as we have opportunity to do good to all men. And now may the grace of our Lord and Saviour, Jesus Christ, the love of God, and the fellowship of the Holy Ghost abide with us all evermore. Amen.

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. MCILHENNY, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE PASSAGE OF HOUSE BILL NO. 1110.

Mr. CLARK presented three petitions of citizens of Erie County favoring the passage of House Bill No. 1110.

Which were referred to the Committee on Municipal Affairs.

Mr. VARE presented petition of citizens of Philadelphia County favoring the passage of House Bill No. 1110.

Which was referred to the Committee on Municipal Affairs.

Mr. NULTY presented three petitions of citizens of Philadelphia County favoring the passage of House Bill No. 1110.

Which were referred to the Committee on Municipal Affairs.

FAVORING MONUMENT TO MOLLY PITCHER.

Mr. VARE presented petitions of Federal Council No. 19, D. of L., and Philadelphia Council, No. 10, D. of L., favoring the passage of a bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

Mr. NULTY presented two petitions of citizens of Philadelphia County, favoring the passage of a bill to erect a monument to Molly Pitcher.

Which were referred to the Committee on Appropriations.

FAVORING THE ERECTION OF MEMORIAL TO THE PUBLIC SCHOOLS AND THE FOUNDERS THEREOF.

Mr. VARE presented petitions of Federal Council No. 19, D. of L., and Philadelphia Council No. 10, D. of L., favoring the passage of bill providing for the erection of a memorial to the public schools and the founders thereof.

Which were referred to the Committee on Appropriations.

Mr. NULTY presented petition of Frankford Council No. 123, D. of L., favoring the passage of bill providing for the erection of a memorial to the public schools and the founders thereof.

Which was referred to the Committee on Appropriations.

FAVORING PASSAGE OF HOUSE BILL NO. 195.

Mr. DEWITT presented petition of citizens of Luzerne County, favoring the passage of House Bill No. 195.

Which was referred to the Committee on Judiciary Special.

LEAVE OF ABSENCE.

The Chair asked and obtained leave of absence for the Senator from Beaver, Mr. Thompson, on account of illness in his family.

REPORTS FROM COMMITTEES.

Mr. KNAPP from the Committee on Appropriations, reported as committed Senate Bill No. 1267, entitled:

An Act making a special appropriation for the purpose of continuing the work of the Economic Zoologist, as provided for in the act, entitled "An Act to provide for the protection of trees, shrubs, vines and plants against destructive insects and diseases; providing for the enforcement of this act, and the expenses connected therewith, and fixing penalties for its violation," approved the 31st day of March, A. D. 1905.

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1328 (House Bill No. 1408), entitled:

An Act fixing the compensation of the reading clerk of the House of Representatives.

BILLS INTRODUCED.

Mr. HILTON read in his place and presented to the Chair Senate Bill No. 1340, entitled:

An Act to further amend an act, entitled "An Act to regulate the nomination and election of public officers, requiring certain expenses incident thereto to be paid by the several counties, and punishing certain offenses in regard to such elections," approved the 10th day of June, 1893, by changing the form of the ballot and regulating the method of marking the same.

Which was committed to the Committee on Elections.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1341, entitled:

An Act relating to the sale or transfer of domestic animals for slaughtering purposes, the flesh of which is intended to be used for human food.

Which was committed to the Committee on Public Health and Sanitation.

Also read in his place and presented to the Chair Senate Bill No. 1342, entitled:

An Act to amend an act approved the 1st day of May, 1909, entitled "An Act to classify the fish in the waters within this Commonwealth; declaring which are game fish, which are food

fish, and which are bait fish, and to regulate the catching and sale and encourage the propagation of the same, to protect the waters within this Commonwealth from unfair, improper, wasteful and destructive fishing, and to protect fish from being destroyed or injured by destructive means; to provide for the appointment of fish-wardens, and to declare their official powers and duties; to encourage and regulate the propagation of fish within this Commonwealth, and regulate the free distribution of the same by the Department of Fisheries, in the waters within the same; to define powers and duties of the Department of Fisheries; to regulate the sale and shipment of fish artificially propagated for profit; to forbid the sale of unlawful devices for catching fish; and to provide penalties and punishments for the violation of the provisions of this act, and providing how and by whom the costs shall be paid."

Which was committed to the Committee on Game and Fisheries.

Mr. SENSENICH read in his place and presented to the Chair Senate Bill No. 1343, entitled:

An Act relating to the setting aside or reversal of judgments, orders and decrees in civil and criminal cases.

Which was committed to the Committee on Judiciary General.

CONCURRENT RESOLUTION INVITING HON. WILLIAM JENNINGS BRYAN OF NEBRASKA TO ADDRESS BOTH HOUSES OF LEGISLATURE IN THE HALL OF THE HOUSE OF REPRESENTATIVES ON TUESDAY, MAY 13TH, 1913.

Mr. NULTY offered the following resolution, which was twice read, as follows:

In the Senate, May 12, 1913.

Whereas, the Hon. William Jennings Bryan, of Nebraska, now the Secretary of State, will pay a visit to the City of Harrisburg on Tuesday, May 13, 1913.

Be it resolved (if the House of Representatives concur) That Hon. William Jennings Bryan be invited to address both Houses of the Legislature in the Hall of the House of Representatives on that date, and

Be it further resolved, That the hour of the address be designated by the House of Representatives.

Mr. NULTY. Mr. President, I ask unanimous consent that Rule 39 be suspended in order that the resolution just read may be considered at this time.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATIONS FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, filed with the Chief Clerk during the interim, which were read as follows:

APPROVAL OF SENATE BILL NO. 50.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 50, entitled "An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith by providing for the education of certain blind children under eight years of age."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 386.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 386, entitled "An Act providing for an association of township supervisors and commissioners in the several counties of the State and providing for the expenses of such associations."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 644.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 644, entitled "An Act to amend the second section of an act approved the eighteenth day of April Anno Domini one thousand eight hundred and ninety-nine entitled 'An Act authorizing the county commissioners of the several counties in this Commonwealth to appoint a clerk fix his compensation and prescribe the term and duties of the clerk except in counties where the clerk to the county commissioners is elected by the people."

JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION REQUESTING UNITED STATES SENATORS AND CONGRESSM TO SUPPORT UNITED STATES SENATE RESOLUTION NO. 25.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recommending that the United States Senators and members of Congress from Pennsylvania lend their votes and influence to the end that Senate Resolution No. 25 be passed for the protection of migratory birds; also to support the work of the Biological Survey in every proper and consistent manner.

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 259.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 259, entitled "An Act to amend an act approved the first day of June one thousand nine hundred and eleven entitled 'An Act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing sections one hundred forty-two and one hundred forty-three of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An Act to consolidate devise and amend the penal laws of this Commonwealth' and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An Act defining the offense of the taking of human life through the willful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth.' "

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 661.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 661, entitled "An Act making an appropriaton to the American Oncologic Hospital at Philadelphia."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 556.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 556, entitled "An Act to permit of the re-location of certain portions of the track of Street Passenger Railway Companies with the consent of the local authorities."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 553.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 553, entitled "A Supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of City Transit to have charge control and management of the transit facilities of cities of the first class."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 490.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 490, entitled "An Act requiring the prothonotary in each of the counties of this Commonwealth to keep a docket cost prescribing the use of said cost docket and providing for the payment to his successor in office of all costs collected or received by him and not paid to the parties entitled to the same."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 178.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 178, entitled "An Act prohibiting the furnishing by gift sale or otherwise of cigarettes or cigarette paper to minors requiring minors to divulge where and from whom cigarettes or cigarette paper have been obtained and providing penalties for violation of this act."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 66.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 65, entitled "A Supplement to an act entitled 'An Act to establish a board of commissioners of navigation for the river Delaware and its navigable tributaries regulating their jurisdiction over ships vessels and boats and wharves piers bulkheads docks slips and basins and exempting cities of the first class from certain of its provisions and making an appropriation therefor' approved the eighth day of June Anno Domini one thousand nine hundred and seven giving to the board of commissioners of navigation jurisdiction to make rules for regulating the speed of vessels navigating the Delaware river and its navigable tributaries and fixing certain penalties for the violation thereof."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 65.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 65, entitled "An Act to amend an act entitled 'A further supplement to an act entitled 'An Act to establish a Board of Wardens for the Port of Philadelphia and for the regulation of pilots and pilotage and for other purposes' approved the twenty-ninth day of March one thousand eight hundred and three and for the regulating the rates of pilotage and number of pilots' approved the eleventh day of May one thousand eight hundred and eighty-nine and further providing for the number of pilots and apprentices."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 588.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 588, entitled "An Act fixing the compensation of the Assistant Librarian of the Senate and the Assistant Resident Clerk of the House of Representatives."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 583.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 583, entitled "An Act providing for an examination of the Pennsylvana Oral School for the Deaf at Scranton Lackawanna County Pennsylvania providing for the transfer under certain conditions of the said Oral School for the Deaf to the Commonwealth regulating said school in the event of such transfer and making an appropration to carry out the purposes of this act."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 416.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 416, entitled "An Act granting to the Delaware and Hudson Company its successors and assigns the right to operate and maintain a line of telegraph poles and wires and also the right to take water from a certain spring and convey the same by pipes all of said rights to be exercised upon certain lands conveyed by the Delaware and Hudson Company to the Commonwealth of Pennsylvania by deed dated the nineteenth day of February one thousand nine hundred and seven and being situated partly in the township of Canaan and partly in the borough of Waymart in the county of Wayne."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 308.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 308, entitled "An Act authorizing the warden superintendent or person in charge of any penitentiary jail reformatory workhouse or other penal institution to lodge female prisoners temporarily outside such institution at the time when such prisoners may become mothers and providing for the collection of expenses thereby incurred."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 284.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bil No. 284, entitled "An Act granting to the Delaware and Hudson Company its successors and assigns for railroad and depot purposes a parcel of land containing about one acre situated in the township of Canaan county of Wayne being a portion of the tract of land purchased for the use of the State hospital for criminal insane."

JOHN K. TENER.

APPROVAL OF SENATE BILL NO. 274.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Senate Bill No. 274, entitled "An Act amending the third section of an act approved the thirty-first day of May one thousand nine hundred and seven entitled "An Act to provide for the appointment of a Superintendent of Public Grounds and Buildings and subordinate officers defining their powers and duties and fixing their compensation and abolishing the office of the Superintendent of Public Grounds and Buildings created under the provisions of the act of General Assembly approved the twenty-eighth day of March Anno Domini one thousand eight hundred and ninety-five' "

JOHN K. TENER.

APPROVAL OF CONCURRENT RESOLUTION RECALLING SENATE BILL NO. 77 FROM THE GOVERNOR FOR THE PURPOSE OF AMENDMENT.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 1, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment Senate Bill No. 77, entitled "An Act to exempt from the payment of inheritance taxes, bequests and devises to institutions of purely public charity."

JOHN K. TENER.

VETO OF SENATE BILL NO. 22.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 10, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, Senate Bill No. 22, entitled "An Act to avoid delay in the administration of justice by fixing a time within which decisions in certain questions and matters shall be rendered by judges and requiring certain certificates from judges before their salaries shall be paid."

This bill seems to be an unjustifiable attempt to control the discretion, and to interfere with the independence, essential to the proper admnistration of the judicial branch of our State Government.

For this reason the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. SENSENICH. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 156.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, Senate Bil No. 156, entitled "An Act relating to the satisfaction of mortgages under power of attorney directed to the recorder of deeds."

The existing laws provide for the satisfaction of mortgages and are generally understood. Under the present rule of law death ends a power of attorney.

I see no good reason for making an exception to that rule with reference to the satisfaction of mortgages.

For this reason the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. JARRETT. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. SENSENICH. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 366.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith, without my approval, Senate Bill No. 366, entitled "An Act providing that waste paper and ashes shall not be hauled upon the streets or alleys in the built up portions of cities of the third class unless covered wagons or vehicles be used and providing penalty for violation thereof"

By this bill it is proposed to regulate the manner in which waste paper and ashes shall be hauled upon the streets or alleys in the built up portions of cities of the third class, and a penalty is provided for its violation.

In my judgment the regulation of matters of this kind should be left to the proper municipal authorities, who can, by ordinance, regulate and control the same, in accordance with the requirements of the various municipalities of the Commonwealth.

For this reason the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. BUCKMAN. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. SENSENICH. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 328.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, Senate Bill No. 328, entitled "A further supplement to an act approved the seventh day of June one thousand eight hundred and seventy-nine entitled 'An Act to provide revenue by taxation' as variously amended and supplemented."

I see no reason why a corporation incorporated to conduct a laundry, should be relieved of taxation under the guise of being a manufacturing company, when in fact it manufactures nothing.

This would open the door on any class of corporations being declared manufacturing corporations, for the purpose of being relieved from taxation.

For this reason the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. McNICHOL. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

VETO OF SENATE BILL NO. 394.

Commonwealth of Pennsylvania.
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—I return herewith without my approval, Senate Bill No. 394, entitled An Act to give additional protection to the fish in the waters within the Commonwealth of Pennsylvania prohibiting the fishing for or capture or killing of such fish by unnaturalized foreign-born residents and prescribing penalties for violation of its provisions

I am not persuaded that the legislation proposed by this bill is advisable or necessary. In my judgment the proper enforcement against all persons of the provisions of our present fish laws will furnish adequate protection to our fisheries.

For this reason the bill is not approved.

JOHN K. TENER.

On the question,

Shall the bill pass, the objections of the Governor to the contrary notwithstanding?

Mr. BUCKMAN. Mr. President, I move that the question, together with the further consideration of this bill, be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF BILLS RECALLED FROM THE GOVERNOR.

Mr. CROW. Mr. President. I move that the vote by which Senate Bill No. 77, recalled from the Governor for amendment, entitled:

An Act to exempt from the payment of inheritance taxes bequests and devises to institutions of purely public charity

passed finally be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. CROW. Mr. President, I voted "aye."

Mr. VARE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. VARE. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. CROW. Mr. President, I move that the vote by which the bill passed third reading be reconsidered.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, I move that the bill be recommitted to the Committee on Finance for amendment.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Mr. CROW. Mr. President, in the absence of the Senator from Bradford, Mr. Mills, in order that the bill may be amended in accordance with the suggestions, I move that the vote by which Senate Bill No. 120, recalled from the Governor for amendment, entitled:

An Act regulating pay of election officers and clerks at certain elections hereafter held within this Commonwealth

passed finally be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. CROW. Mr. President. I voted "aye."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. BUCKMAN. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. CROW. Mr. President, I move that the vote by which this bill passed third reading be reconsidered.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. CROW. Mr. President, I move that the bill be recommitted to the Committee on Elections for further consideration.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED.

The PRESIDENT (Lieutenant-Governor John M. Reynolds), announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 121, entitled:

An Act authorizing D. L. Saul and Flora W. Saul, his wife, residents of the city of Harrisburg, Dauphin county Pennsylvania to bring suit or suits against and to recover from the Commonwealth of Pennsylvania jointly or severally either in law or equity in the court of common pleas of Dauphin county any sum or sums of money legally or justly due them by reason of the injuries suffered by the said Flora W. Saul by falling or being thrown from an elevator in the Capitol building at Harrisburg Dauphin county Pennsylvania

Senate Bill No. 124, entitled:

An Act to amend the act approved the twelfth day of June Anno Domini one thousand eight hundred and ninety-three entitled "An Act relating to sale of the real estate of decedents"

Senate Bill No. 146, entitled:

An Act to amend an act approved the twentieth day of April one thousand nine hundred and eleven entitled "An Act providing for the burial of indigent persons, whose bodies are unclaimed and are unfit for anatomical purposes

Senate Bill No. 157, entitled:

An Act to amend an act approved the third day of June one thousand nine hundred and eleven entitled "A further supplement to an act entitled 'An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class' approved the twenty-eighth day of April Anno Domini one thousand eight hundred and ninety-nine as to townships of the first class providing for certain duties of the secretary of the board of commissioners invalidating contracts hirings purchases or orders not provided for by or in excess of appropriations providing for inspection of the records and documents by taxpayers and the method of making contracts"

Senate Bill No. 276, entitled:

An Act to amend an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe line aqueduct reservoir viaduct telegraph telephone railway or railroad line canal mill-race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto as amended

Senate Bill No. 294, entitled:

An Act amending and supplementing section nine of an act entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven by requiring the appellant in appeals to pay the costs in the county court and give bail for compliance with the final judgment and fixing the final liability for costs in appeals in certain cases providing for an appeal in forma pauperis prescribing under what circumstances appeals shall operate as a supersedeas requiring notice to the opposite party when appeals are allowed by the Common Pleas Court and requiring the appellant in cases where the appeal is from judgment on a verdict to first obtain leave of the Common Pleas Court to take such appeal and prescribing the practice in such cases.

Senate Bill No. 464, entitled:

An Act to amend section one of an act entitled "An Act to ascertain and appoint the fees to be received by the several prothonotaries of the courts of common pleas of the Commonwealth in counties having a population of over two hundred thousand and under one million and to provide the time of paying the same" approved the twelfth day of May one thousand nine hundred and eleven by changing the minimum population of counties to which the said act shall apply from two hundred thousand to one hundred fifty thousand

Senate Bill No. 524, entitled:

A supplement to an act entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) limiting the time within which the power to incur indebtedness based upon the assent of the electors shall be exercised

Senate Bill No. 574, entitled:

An Act to amend section one of an act entitled "A supplement to an act of Assembly of the Commonwealth of Pennsylvania entitled 'An Act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April Anno Domini one thousand eight hundred and seventy-four as the same has been supplemented by acts of Assembly of said Commonwealth approved the following dates namely sixteenth day of February Anno Domini one thousand eight hundred and seventy-four twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-one twenty-ninth day of May Anno Domini on thousand eight hundred and eighty-five twenty-fifth day of June Anno Domini on thousand eight hundred and eighty-five ninth day of May Anno Domini one thousand eight hundred and eighty-nine twenty-ninth day of May Anno Domini one thousand eight hundred and ninety-five twenty-sixth day of June Anno Domini one thousand eight hundred and ninety-five twenty-seventh day of June Anno Domini one thousand eight hundred and ninety-five second day of May Anno Domini one thousand nine hundred and one fourth day of June Anno Domini one thousand nine hundred and one twenty-first day of April Anno Domini one thousand nine hundred and three ad seventeenth day of April Anno Domini one thousand nine hundred and five inter alia providing for the establishment and regulation of trust companies" approved the eighth day of May Anno Domini one thousand nine hundred and seven by enlarging and extending the preference given to depositors so as to include deposits payable only after specified notice or at the expiration of a fixed period and defining and including as depositors bona fide holders for value of certified checks on or of certificates of deposit issued by trust company or of checks or drafts given in exchange for or in payment of checks or drafts of depositors of a trust company drawn thereon

Senate Bill No. 659, entitled:

An Act enabling the board consisting of State Treasurer Secretary of the Commonwealth and Commissioner of Banking to authorize on behalf of the Commonwealth the satisfaction of record of any mortgage judgment or lien which has been or may hereafter be accepted by the said board under the provisions of the act of June nineteen one thousand nine hundred eleven entitled "An Act to provide for licensing and regulating private banking in the Commonwealth of Pennsylvania and providing penalties for the violation thereof

Senate Bill No. 694, entitled:

An Act to amend section one of an act entitled "An Act permitting the release on parole of persons acquitted on the grounds of insanity and regulating such releasing" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven

Senate Bill No. 764, entitled:

An Act permitting counties cities and boroughs singly or jointly of the Commonwealth of Pennsylvania to appropriate and expend moneys for the improvement of highways outside the limits of such cities or boroughs for the purpose of connecting improved streets of such cities or boroughs with a State highway or State aid highway when the highway outside of the limits of such cities or boroughs is less than one mile in length and will connect such cities or boroughs with the State highway or State aid highway

Senate Bill No. 831, entitled:

An Act amending sections four and six of an act approved the second day of April one thousand nine hundred and three entitled "An Act to establish a Department of Fisheries to provide for its proper administration and to provide for the protection and propagation of fish by the Department of Fisheries" by fixing the salaries of the Commissioner and the clerks in the Department of Fisheries and repealing certain acts

Senate Bill No. 859, entitled:

An Act to amend an act approved the tenth day of June one thousand eight hundred and ninety-seven entitled "An act authorizing banks chartered under the laws of Pennsylvania to pay interest upon demand deposits" by authorizing interest on time deposits

House Bill 132, entitled:

An Act to amend an act entitled "An Act providing for the better management of the jails or county prisons in the several counties of this Commonwealth having over one hundred and fifty thousand and less than two hundred and fifty thousand inhabitants each by creating in such counties a board to be known by the name and style of Inspectors of the Jail or County Prison with authority to appoint a warden of such prison and by vesting in said board and the officers appointed by it the safe-keeping discipline and employment of prisoners and the government and management of said jails or county prisons" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and nine

House Bill No. 305, entitled:

An Act providing for the return of taxes on seated lands in boroughs incorporated towns and townships for county borough town or township taxes respectively and providing for the sale of such lands for taxes

House Bill No. 415, entitled:

An Act authorizing and directing the State Treasurer to refund to the Amber Amusement Company the amount illegally demanded an collected as a State license fee from it as proprietor of a moving picture place in the State of Pennsylvania

House Bill No. 483, entitled:

An Act to amend an act approved the thirtieth day of April one thousand eight hundred and sixty-four entitled "An Act imposing additional taxes for State purposes and to abolish the Revenue Board" as amended by an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act amending section four of an act entitled "An Act imposing additional taxes for State purposes an dto abolish the Revenue Board' approved the thirtieth day of April Anno Domini one thousand eight hundred and sixty-four by requiring the treasurer of each school district and chief officer of each incorporated district to make report under oath to the Auditor General of the amount of scrip bonds or certificates of indebtedness outstanding in their respective districts"

House Bill No. 536, entitled:

An Act authorizing the Commissioners of any township of the first class of this Commonwealth to grade pave curb macadamize or otherwise improve any street lane or alley or part thereof in the said townships and to construct sewers and providing for the ascertainment levy assessment and collection of the costs damages and expenses thereof upon and from the property benefited and requiring maps or plots of streets or alleys in townships of the first class to be approved by the commissioners of said townships before recording the same

House Bill 900, entitled:

An Act relative to the regulation of plastering in cities of the first and second classes

House Bill No. 952, entitled:

An Act prohibiting the use of night soil on ground whereon vegetables are grown which are eaten uncooked for human food and providing penalties for the violation thereof

House Bill No. 1050, entitled:

An Act authorizing county controllers in counties containing a population of from two hundred and sixty thousand to eight hundred thousand to designate and appoint a solicitor prescribing the duties of the said solicitor and fixing his term of office and salary to be paid by the proper county

House Bill No. 1053, entitled:

An Act authorizing counties having a population of not less than eight hundred thousand and not more than one million four hundred thousand to purchase land when adjacent or contiguous to county roads for park purposes or for public comfort stations providing for the improvement and maintenance thereof authorizing the adoption of rules relating to the management and control of such property and providing penalties for the breach thereof and limiting the amount to be expended for the purposes aforesaid

House Bill No. 1132, entitled:

A supplement to an act approved the twenty-third day of April one thousand nine hundred three entitled "An Act to designate a uniform date when the commissioners of the several counties shall issue their precepts to assessors to make the triennial assessments and the reassessments between the periods of the triennial assessment of property and fixing the time for the return thereof" as amended

House Bill No. 1139, entitled:

An Act to amend an act entiled "An Act relating to corporations and estates held for corporate religious and charitable uses" approved the twenty-sixth day of April Anno Domini eighteen hundred and fifty-five as amended by the supplement to said act approved the second day of June Anno Domini eighteen hundred and eighty-seven and further amended by the act approved the first day of May Anno Domini nineteen hundred and seven by altering the seventh section and by repealing the sixth section thereof

House Bill No. 1203, entitled:

An Act making it a misdemeanor for the keeper owner proprietor or any person in charge of any storage or warehouse pawn shop second hand store or junk shop to conceal from any constable or sheriff entrusted with the execution of any writ the whereabouts of goods and chattels in their possession belonging to another defining what shall be evidence of such concealment and providing a penalty therefor

House Bill No. 1318, entitled:

An Act to amend section four of an act approved the nineteenth day of June one thousand nine hundred eleven entitled "An Act providing for the election of councilmen in the several boroughs of this Commonwealth and fixing the time and manner of the organization of the town councils therein"

House Bill No. 1307, entitled:

An Act to amend section five hundred and thirty-nine of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven so as to define what a properly certified duplicate therein required to be furnished to each school district of the second class at the expense of the city shall consist of and the form in which the same shall be printed and indexed

House Bill No. 1426, entitled:

An Act amending section one of an act entitled "An Act concerning liens of manufacturers and throwsters of cotton woolen and silk goods" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven by extending the provisions thereof to include dyers of cotton wool or silk yarns

House Bill No. 1437, entitled:

An Act regulating certain contracts for the maintenance of inmates in county poor houses and hospitals for the insane in counties containing less than one hundred and fifty thousand inhabitants

House Bill No. 1534, entitled:

An Act providing for notification of taxables by township treasurers in townships of the first class prescribing the contents of such notices and providing for the payment of the expenses thereof and further providing a penalty for non-compliance therewith

House Bill No. 1550, entitled:

An Act to further amend section two of an act entitled "An Act to establish a county court for the county of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" approved the fifth day of May one thousand nine hundred and eleven as amended by an act entitled "An Act to amend section two of an act entitled 'An Act to establish a county court for the county of Allegheny and prescribing its powers ad duties regulatinf 'the rpocedure therein and providing for the expenses therefo' approved the fifth day of May one thousand nine hundred and eleven and changing the election of the judges therein mentioned from the general election to the municipal election as now provided by law in accordance with the requirements of the Constitution of Pennsylvania" approved the sixth day of June one thousand nine hundred and eleven by increasing the salaries of the judges of said court

House Bill No. 1660, entitled:

An Act to amend section two of an act approved the seventeenth day of April one thousand nine hundred and five entitled "An Act providing that the district attorneys in all counties whose population does not exceed one hundred and fifty thousand shall be paid a salary and fixing the same which shall be in lieu of all fees and in full compensation for their services and providing for the appointmnt of assistant district attorneys in said counties and for the compensation of the same and providing

that the fees heretofore allowed the district attorneys upon the indictments shall remain in amount as heretofore but shall hereafter be as part of the costs for the use and benefit of the proper county as amended

House Bill No. 1695, entitled:

A further supplement to an act approved the seventeenth day of February one thousand nine hundred six entitled "An Act to provide for the personal registration of electors in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and to provide penalties for violation of its provisions"

House Bill No. 1872, entitled:

An Act to repeal an act approved the eighth day of April one thousand eight hundred and sixty-seven entitled "An Act for the protection of wild turkeys and squirrels and for other purposes in the county of Huntingdon"

House Bill No. 143, entitled:

An Act to amend section eighteen of an act approved the twenty-eighth day of April one thousand eight hundred ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class

House Bill No. 465, entitled:

An Act requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth representing or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way and regulating such license and fixing a penalty for violation of this act.

House Bill No. 1302, entitled:

A supplement to an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing a revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven amending sections two thousand six hundred twenty-two two thousand six hundred and twenty-four two thousand six hundred and twenty six and two thousand six hundred and twenty-seven thereof and also conferring upon tax payers similar rights in regard to the reports of auditors of school districts of the second third and fourth classes filed prior to the passage of this act as are hereby conferred by the above enumerated amending sections upon tax payers in regard to such reports of auditors hereafter filed and providing a similar method of disposition of appeals from such reports of auditors filed prior to the passage of this act as is provided hereby in regard to appeals from reports of auditors filed subsequently hereto

House Bill No. 82, entitled:

An Act authorizing and regulating the employment on highways or poor farms of male prisoners in county jails and prisons and fixing penalties for violation of this act

House Bill No. 115, entitled:

An Act to repeal the tenth section of an act passed the twelfth day of March one thousand seven hundred eighty-nine entitled "A supplement to an act entitled 'An Act more effectually to prevent unfair practices in the packing of beef and pork for exportation and to regulate the exportation of flaxseed butter and biscuit in kegs' "

House Bill No. 146, entitled:

An Act to amend the tenth section of an act entitled "A supplement to the law relating to defaulting public officers" approved the twenty-first day of April one thousand eight hundred and forty-six by fixing the compensation of the auditor appointed by the court to settle the accounts of public officers in each county

House Bill No. 149, entitled:

An Act relating to extortion and attempted extortion by threats and fixing a penalty therefor

House Bill No. 162, entitled:

An Act to amend an act approved the twenty-fifth day of June one thousand eight hundred eighty-five entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" as amended by an act approved the second day of June one thousand eight hundred and ninety-one entitled "An Act to amend section nine of an act approved the twenty-fifth day of June one thousand eight hundred and eighty-five entitled 'An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth' by providing the time in which tax collectors shall pay over tax and make settlements"

House Bill No. 215, entitled:

A joint resolution extending the time for the making of the report by the commission appointed for the purpose of investigating and reporting upon a proper and safe construction of buildings within this Commonwealth

House Bill No. 280, entitled:

An Act regulating the reading of the Holy Bible in the public schools of this Commonwealth

House Bill No. 290, entitled:

An Act authorizing Robert Stewart a citizen of Dauphin county Pennsylvania to bring suit in the court of common pleas of Dauphin county against the Commonwealth of Pennsylvania

House Bill No. 357, entitled:

An Act to amend section one of an act approved the twenty-first day of May one thousand nine hundred and one entitled "An Act creating and defining the offence of disorderly conduct by persons on railroad and railway cars public or private parks and picnic grounds kept for the amusement of the public in this Commonwealth and fixing the penalties for the commission of such offence" and imposing duties on conductors

House Bill No. 421, entitled:

An Act to amend the thirteenth section of an act approved the twenty-ninth day of March Anno Domini one thousand eight hundred and five and making the sum of four dollars taxed as costs for every verdict taken in any civil action payable to the prothonotary instead of to the sheriff

House Bill No. 464, entitled:

An Act amending section one of an act entitled "An Act for the safety of persons from fire or panic in certain buildings not in cities of the first and second classes by providing proper exits fire-escapes fire-extinguishers and other preventives of fire by vesting jurisdiction for the enforcement of this act in the Department of Factory Inspection and by providing proper penalties for any violation of the same" approved the third day of May Anno Domini one thousand nine hundred and nine by limiting the application of the act to tenement houses apartments and flats to those occupied by ten or more persons

House Bill No. 466, entitled:

An Act to amend the title the first section the second section and the third section of an act of Assembly entitled "An Act relating to the settlement and audit of the accounts of all officers elected or appointed of borughs townships poor districts and school districts prescribing the time for such settlement and audits for the matters to be contained in the report of settlement and audit for the filing of said report in the office of the clerk of quarter sessions and for appeals to the court of common pleas and superior and supreme courts" approved the ninth day of June one thousand nine hundred and eleven by repealing so much thereof as applies to school districts

House Bill No. 540, entitled:

An Act authorizing townships of the first class to lay sewers in and under county and State highways and providing for the ascertainment levy and collection of the cost and expenses thereof

House Bill No. 624, entitled:

An Act to amend section one of an act approved the third day of May Anno Domini one thousand nine hundred and nine entitled "An Act authorizing townships of the first class and boroughs of this Commonwealth to acquire by taking and appropriating under right of eminent domain and by gift devise purchase lease and otherwise private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds requiring consent of the qualified electors to such acquiring in certain cases and providing the procedure for obtaining such consent authorizing the said townships and boroughs to improve maintain and regulate such parks parkways and playgrounds and providing for the manner of securing ascertaining determining awarding and paying compensation and damages where property is taken used and appropriated for the said purposes" by changing the limitation of the amount of money which such township or borough in the exercise of the authority granted by said act shall within any period of three years obligate itself to pay without the consent of a majority of the qualified electors

House Bill No. 791, entitled:

An Act providing for and regulating appeals when county auditors have surcharged a county officer and such surcharge has not been allowed by the court

House Bill No. 835, entitled:

An Act relating to the service of notices and summons in landlord and tenant cases

House Bill No. [illegible], entitled:

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

House Bill No. 1039, entitled:

An Act to amend the first and third sections of a act approved the fifteenth day of June one thousand nine hundred eleven entitled "An Act supplementary to "An Act for the taxation of dogs and the protection of sheep" approved the twenty-fifth day of May Anno Domini one thousand eight hundred and ninety-three requiring all dogs to wear a collar to be provided by the owner together with a tag to be attached thereto showing payment of tax said tag to be provided by the county commissioners imposing certain duties upon constables tax collectors and county commissioners and providing for the killing of dogs whose owners fail to comply with this act and the act to which this is a supplement and providing penalties for failure to comply with the provisions of this act" by making its provisions apply to all dogs of four months old and upwards and to provide that the payment of the proper tax and the giving of a tag by the collector shall be sufficient assessment for all purposes

House Bill No. 1090, entitled:

A Supplement to an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways county roads authorizing the relocation straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the county commisioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expense thereof prescribing a method of improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini nineteen hundred and eleven Pamphlet Laws two hundred and forty-four extending the provisions of said act to provide for the location and construction of such public roads or highways by adjoining counties of this Commonwealth where such roads extend along and adjacent to county lines and from one adjoining county into another and defining the procedure and jurisdiction in such cases

House Bill No. 1116, entitled:

An Act authorizing and empowering county commissioners in all counties of this Commonwealth having a population of not less than seven hundred fifty thousand nor more than twelve hundred thousand inhabitants to turn over to the board of managers of juvenile school or farm as heretofore established by the act of Assembly approved the first day of May one thousand nine hundred and nine entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" and the various supplements thereto upon their written request from time to time sums of money from the amounts appropriated and the taxes collected thereunder from time to time for the maintenance equipment and construction thereof not less than ten thousand dollars ($10,000) at any one time

House Bill No. 1137, entitled:

An Act amending section four of an act entitled "An Act requiring counties now or hereafter containing a population of not less than seven hundred and fifty thousand and not more than one million two hundred thousand inhabitants to establish and maintain schools for the care and education of male children under the jurisdiction of the juvenile courts and conferring the powers and regulating the proceedings for the establishment maintenance and management thereof" approved the first day of May one thousand nine hundred and nine so that the same may authorize and provide the manner and conditions whereunder boys may be discharged upon parole from such schools

House Bill No. 1168, entitled:

An Act to provide for the payment of costs and charges on writs of execution or attachment and fixing the liability of sheriff in the execution thereof

House Bill No. 1191, entitled:

An Act to amend sections five hundred forty and five hundred forty-one of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisioins by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

House Bill No. 1218, entitled:

An Act to amend the ninth section of an act entitled "An Act for the establishment and government of a State Naval Militia approved the fifteenth day of May Anna Domini one thousand eight hundred and ninety-three by repealing the provision that the divisions in each battalion in the naval force shall be considered the equivalents of companies of the National Guard and by providing that the divisions of the naval force shall be considered the equivalents of field batteries in the National Guard and shall receive the same allowance as field batteries for armory rent for rifle practice for clothing and equipment and making said allowance also available for subsistance ad additional general military purposes by also providing that the allowance to be received by battalions in the naval force for armory rent for rifle practice for clothing and equipment shall be available for subsistence and additional general military purposes

House Bill No. 1226, entitled:

An Act providing a method whereby highways the center line of which constitutes a dividing line between a city or borough and a township in the same county may be altered or improved and the cost thereof apportioned

House Bill No. 1362, entitled:

An Act authorizing H. W. Brown and D. E. Brown citizens of Cambria county Pennsylvania doing business as the Woodman Lumber Company to bring suit in the court of common pleas of Cambria county against the Commonwealth of Pennsylvania

House Bill No. 1365, entitled:

An Act to amend an act approved the eighth day of May one thousand nine hundred and one entitled "An Act to incorporate the Milanville Bridge Company in Wayne county Pennsylvania

House Bill No. 1464, entitled:

An Act regulating the openings of buildings upon over or under external fire escapes

House Bill No. 20, entitled:

An Act further amending section one of an act entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the busines or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" approved the seventh day of June Anno Domini one thousand nine hundred and one extending the provisions of said act to all cities of the third class

House Bill No. 44, entitled:

An Act amending an act entitled "An Act providing a system whereby boroughs may build sewers grade subgrade and pave streets and alleys pay the costs thereof by the issue of bonds and collect the same from the property benefitted in installments" approved June fifteen Anno Domini one thousand nine hundred and eleven by extending the provisions thereof so as to include the acquisition by boroughs and incorporated towns of existing sewers and sewer systems

House Bill No. 398, entitled:

An Act to require the reporting by physicians to the State Registrar of Vital Statistics of certain occupational diseases and making a violation of its provisions a misdemeanor and providing penalties for violations thereof

House Bill No. 409, entitled:

An Act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class and defining their powers and duties providing for the appointment of members of such boards of health

by the borough councils or by the chairman of the board of commissioners of such townships providing for the election of a secretary and a health officer providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class when conditions therein in his opinion constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health and providing the manner in which the expenses of boards of health or of the Commissioner of Health incurred in administrating health laws in any borough or township of the first class shall be paid

House Bill No. 695, entitled:

An act making an appropriation to the State Highway Department to cover a deficiency in the automobile division

House Bill No. 1048, entitled:

An Act to preserve the purity of the waters of the State for the protection of the public health and property

House Bill No. 1054, entitled:

An Act amending section twelve of an act entitled "An Act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements and for the removal of nuisances the procedure upon claim filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened and the manner of distributing the proceeds of such sales" approved the fourth day of June Anno Domini one thousand nine hundred and one by changing the provisions prescribing what property shall be included in tax and municipal claims

House Bill No. 1107, entitled:

An Act relative to inns and hotels regulating certain rights and liabilities of hotelkeepers and innkeepers and providing penalties for fraud against innkeepers and hotelkeepers

House Bill No. 1148, entitled:

An Act relating to assessments for taxes in townships of the first class in this Commonwealth fixing the compensation of assessors and assistant assessors in such townships extending the time within which the said assessors are required to complete their assessments and make their return thereof and further providing for the determination of the time actually employed by the said assessors and assistant assessors in the performance of their duties

House Bill No. 1300, entitled:

Authorizing cities of the second class in this Commonwealth to issue notes in anticipation of the sale of the corporate bonds duly authorized at the time such notes are issued

House Bill No. 1448, entitled:

An Act to give the status of a depositor as to preference over other creditors to persons firms of corporations accepting from a bank or trust company its check in payment of a depositor's check

House Bill No. 1473, entitled:

An Act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled "An Act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors

House Bill No. 1541, entitled:

Supplement to an Act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one changing the fiscal year in cities of the second class and providing that appropriations shall be made and taxes and water rents shall be levied for such fiscal year

House Bill No. 1658, entitled:

An Act to amend section eighteen of an act entitled "An Act providing for the original location laying out and construction of public roads or highways in the several counties of this Commonwealth and for the permanent improvement of certain public roads or highways therein making such originally constructed or improved roads and highways country roads authorizing the relocation opening straightening widening extension and alteration of the same and the vacation of so much of any road as may thereby become unnecessary providing that the County Commissioners of any county may prescribe rules regulating the use of roads constructed or maintained by the various counties and prescribing penalties for the violation thereof providing for the taking of property for such improvement the compensation to be paid therefor and the payment of damages resulting from such taking and the manner in which such damages may be determined providing for the payment of the costs and expenses of such construction or improvement and in thereafter repairing and maintaining said roads authorizing the levy of a tax or the issuing of bonds to provide a fund for the expenses thereof prescribing a method for improving a county road lying within or traversing a borough and apportioning the cost of such improvement and authorizing the vacation of any county road" approved the eleventh day of May Anno Domini one thousands nine hundred and eleven by authorizing counties to contract with boroughs in the improvement of a borough street connecting with a county road providing for the cost thereof prescribing the method by which the contract for such improvement shall be made and imposing cost of maintenance of such street on the borough

House Bill No. 1802, entitled:

An Act directing the Legislature Reference Bureau to prepare compilations or codes by topics of the existing general laws of this Commonwealth for adoption or rejection by the General Assembly fixing the powers and duties of the bureau therein fixing the compensation of the Assistant Director and making an appropriation therefor

Whereupon,

The PRESIDENT (Lieutenant Governor John M. Reynolds), in the presence of the Senate signed the same.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 52.

Ageeably to order.

The Senate proceeded to the consideration of the report of the Committee of Conference on Senate Bill No. 52, as follows:

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL NO. 52.

To the members of the Senate and House of Representatives:

We, the undersigned Committee on Conference, on the part of the Senate and House of Representatives, for the purpose of considering Senate bill number fifty-two, entitled "An Act amending an act approved the fifth day of May, Anno Domini eighteen hundred and thirty-two, entitled 'An Act regulating lateral railroads' extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers" beg leave to submit the following amended bill as our report:

JAMES P. M'NICHOL,
EDWIN H. VARE,
J. K. P. HALL,
Committee on the part of the Senate.

MILES B. KITTS,
JOHN M. FLYNN,
Committee on the part of the House of Representatives.

An Act amending an act approved the fifth day of May Anno Domini eight hundred and thirty-two entitled "An Act regulating Lateral Railroads" extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act of Assembly entitled "An Act regulating lateral railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the court of common pleas of the country in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whreupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said in-

tervening land by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said court of common pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment therein shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by the said railroad when making up their report or forming their verdict thereon" be and the same is hereby amended to read as follows namely

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if any owner or owners lessee or lessees of land mills quarries coal mines lime kilns fire clay minerals or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the court of common pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in the said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening lands by the opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said court of common pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

On the question,

Will the Senate agree to the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Jones,	Moore,
Beidleman,	Gerberich,	Judson,	Morgan,
Buckman,	Gyger,	Kline	Nulty,
Catlin,	Hall,	Knapp,	Salus,
Clark,	Heacock,	Kurtz,	Sensenich,
Cooper,	Hilton,	Magee,	Sheatz,
Crow,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	McNichols,	Vare,
Farley,	Jarrett,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS RETURNED FROM HOUSE WITH AMENDMENTS.

Agreeably to order,

The Senate resumed the consideration of Senate Ball No. 2, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

Said bill having been returned from the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

On section 1, line 22, by striking out after the figure 21 the words "The revenue derived from the registration of motor vehicles and from licensing operators thereof under the provisions of this act shall be paid by the State Highway Department into the State Treasury to be used for the purpose of maintenance repair and construction of the State highways described in the act establishing the State Highway department approved the thirty-first day of May one thousand nine hundred and eleven and for the payment of the State's share of the maintenance and repair of the State aid highway heretofore constructed or constructed or improved under the provisions of the said act Such moneys may be paid out on warrant of the Auditor General upon requisition of the State Highway Commissioner" and inserting in lieu thereof the words "The moneys derived from the registration of motor vehicles and from licensing operators thereof under the provisions of this act shall be paid into the State Treasury and all such moneys hereafter paid into the State Treasury are hereby specifically appropriated to the State Highway Department for the purpose of the construction maintenance improvement and repair of State highways and State aid highways as described in the act creating the State Highway Department approved the thirty-first day of May Anno Domini one thousand nine hundred and eleven The Auditor General shall upon requisition from time to time of the State Highway Commissioner draw his warrant upon the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44.

Alexander,	Fisher,	Jones,	Moore.
Beidleman,	Gerberich,	Judson,	Morgan,
Buckman,	Gyger	Kline,	Nulty,
Catlin,	Hall,	Knapp,	Salus,
Clark,	Heacock.	Kurtz,	Sensenich,
Cooper,	Hilton,	Magee,	Sheatz,
Crow,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	McIlhenny,	Sones,
DeWitt,	Huffman,	McNichol,	Thompson,
Endsley,	Hunter,	McNichols,	Vare,
Farley,	Jarrett,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 552, entitled:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facilities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter to distribute and dispose of power for lighting and other purposes and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to construct with said cities respecting the acquisition construction operation and use of transit facilities

said bill having been returned from the House of Representatives with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

On section 3, line 14, by inserting after the word "years" the words "Providing further that no such agreement for the construction of such transit facilities or any one or more of them or any part thereof shall be made or entered into unless the same provides that work on such construction shall begin within one year from the date of said agreement and be completed within a fixed time designated in said agreement Providing further that no agreement for leasing licensing using or operating transit facilities or any one or more of them or any part thereof to any individual copartnership or corporation shall be made or entered into unless said agreement provides that the actual use or operation of such transit facilities or any one or more of them or any part thereof shall begin within a definite fixed and reasonable time

Also in Section 4, line 16, by inserting after the word "railway" the words "upon such terms and conditions as the councils of such cities shall determine;" also, in Section 5, line 16, by striking out the word "and" and inserting in lieu thereof the words "Upon such terms and conditions as the councils of such cities shall determine;" also, in line 23 by inserting after the word "cars" the words "upon such terms and conditions as the councils of such cities shall determine"; also, in section 8, line 5, by inserting after the word "appoint" the word "any"; also, in the same line by striking out the words "discreet and disinterested freeholders as viewers' and inserting in lieu thereof the words "members of the board of viewers of such county"; also, in section 10, line 5, by striking out the second word "or" and inserting in lieu thereof the word "and"; also, in line 6, by striking out after the word "within" the word "said"; also, in line 6, by inserting after the word "report" the words "or disposal of exceptions"; also, in section 11, line 7, by inserting after the word "purposes" the words "upon such terms and conditions as the councils of such cities shall determine"

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—0.

NAYS—38.

Alexander,	Gerberich,	Knapp,	Nulty,
Beidleman,	Gyger,	Magee,	Salus,
Buckman,	Hall,	Martin,	Sensenich,
Catlin,	Homsher,	McIlhenny,	Sheatz,
Clark,	Huffman,	McNichol,	Snyder,
Cooper,	Hunter,	McNichols,	Sones,
Crow,	Jarrett,	Miller,	Thompson,
Daix,	Jones,	Moore,	Vare,
Endsley,	Judson,	Morgan,	Wasbers,
Farley,	Kline,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Ageeably to order.

The Senate resumed the consideration of Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

said bill having been returned from the House of Representatives with amendment in which the concurrence of the Senate is requested.

Said amendment was twice read as follows:

In Section 1, line 7, by striking out "dividends" and inserting in lieu thereof the word "dividends."

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Judson,	Morgan,
Beidleman,	Gerberich,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,	Kurtz,	Sensenich,
Clark,	Heacock,	Magee,	Sheatz,
Cooper,	Hoke,	Martin,	Snyder,
Crow,	Homsher,	McIlhenny,	Sones,
Daix,	Huffman,	McNichol,	Thompson,
DeWitt,	Hunter,	McNichols,	Vare,
Endsley,	Jarrett,	Miller,	Wasbers,
Farley,	Jones,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON FINAL PASSAGE.

Ageeably to order.

The Senate resumed the consideration of Senate Bill No. 497, (House Bill No. 580), as follows:

An Act entitled an act to amend an act entitled "A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the said act which now reads as follows

"Section 10 Whenever any person or persons shall desire to construct extend or alter any wharf or other building in the the nature of a wharf or to erect extend alter or improve any other harbor structure within the limits of said cities such person or persons shall make application to the said director stating in writing the nature and extent of such intended wharf other building aforesaid or harbor structure improvement alteration or addition thereto and file in the office of the director the plans and specifications showing fully the proposed erection construction extension alteration or improvement and produce their deed or deeds or other evidences of title to the property to be so occupied altered or improved whereupon the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the city within which such application is made and by posting such notice upon the premises referred to in such application and if the director upon said hearing shall approve the plans and specifications offered and such application he shall give his assent and issue a license for the erection construction extension alteration or improvement for which application shall have been made and cause the same to be recorded in the office of the said director in a book to be kept by him for that purpose and such license shall not be unreasonably withheld" be amended so as to read as follows

Section 10 Whenever any person or persons shall desire to construct extend alter improve or repair any wharf or other building in the nature of a wharf or other harbor structure situate wihin any city of the first class such person or persons shall make application to the director stating in writing the nature and extent of such proposed structure extension alteration improvement or repair and file in the office of the director the plans and specification showing fully the proposed structure extension alteration improvement or repair and produce his or their deed or deeds or other evidence of title to the premises on which such proposed structure extension alteration improvement or repair is to be erected or made whereupon if such proposed structure extension alteration improvement or repair will encroach upon the water way the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the said city and by posting notice upon the said premises and if the director upon such hearing or without such hearing where such hearing is not required by the provisions hereof shall approve such proposed structure extension alteration improvement or repair and the plans and specifications submitted therefor he shall give his assent to and issue a license or permit for the erection and making thereof and cause the fact of the issue of such license or permit to be recorded in his office in a book to be kept by him for that purpose and such license or permit shall not be unreasonably withheld Provided that necessary repairs costing one hundred dollars or less and not affecting the stability or strength of the structure may be made without first procuring a license or permit

Whenever any person or persons shall desire to construct extend alter improve or repair any structure to be erected or already erected on ground supported by bulkheads and to be used or already used for the purposes of loading or unloading passengers or freight on or from vessels or any structure to be physically connected or already physically connected or to be used or already used as appurtenant to any wharf or structure hereinbefore described situte within any city of the first class and for such purpose he or they shall have applied for a permit from the Bureau of Building Inspection in said city the said Bureau of Building Inspection shall notify the director of the Department of Wharves Docks and Ferries of such application and shall thereafter grant the permit applied for only when the application shall have received the approval of the said director which he is hereby empowered to grant

The cities of the first class may by ordinance regulate and determine the license fees for the license and approval required by the provisions of this act

Section 2 That section twelve of the said act which now reads as follows

"Section 12 Whenever the owner or owners or lessee or lessees of any private wharf pier or bulkhead within the limits of said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said directors upon default for thirty days after the service of notice on such owner or owners lessee as lessees to clean or cause said dock or docks to be cleaned and freed from obstructions and to apportion the expenses thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws" be amended so as to read as follows ,

Section 12 Whenever the owner or owners or lessee or lessees of any wharf pier or bulkhead within the limits or said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said director upon default for thirty days after the service of notice on such owner or owners lessee or lessees to clean or cause said dock or docks to be cleaned and free from obstruction and to apportion the expense thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws

Section 3 That section fifteen of the said act which now reads as follows

"Section fifteen Whenever the director shall deem it expedient to erect construct extend alter or improve any public wharf or bulkhead in said cities and for the erection construction alteration or improvement of such wharf pier or bulkhead and the securing of sufficient dock-room for the convenient use thereof it shall become necessary to acquire lands leaseholds easements and other property right adjoining such wharf pier or bulkhead for which no price can be agreed upon between the said director and the owner or owners thereof then it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property adjoining such wharf pier or bulkhead so to be erected constructed extended altered or improved as may be required for the erection construction extension alteration or improvement and use of the same and whenever the director shall deem it expedient to acquire any wharf or bulkhead that shall not have been in regular and continuous operation for the purpose of shipping commerce navigation for twelve consecutive months and for which no price can be agreed upon between the director and owner or owners thereof it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property and pending the proceedings hereinafter provided for the bond of such cities shall be deemed and taken as security for all damage done and suffered or which shall occur to the owner or owners of lands and property rights hereinbefore described by reason of taking of the same for the use of said cities for the purpose aforesaid And it shall and may be lawful for the Court of Common Pleas of the proper county on application thereto by petition of the said director or of the owner or owners of said lands and property rights or any of them to appoint a jury for assessing damages consisting of three citizens of the said county and appoint a time not less than twenty or more than thirty days thereafter for said jurors to view said lands or other property rights aforesaid of which time and place of view ten days' notice shall be given by the petitioner to the said jurors and parties interested and the said jurors or a majority of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and having viewed the premises they shall establish and determine the quantity and value of the lands or other property rights aforesaid so taken to be used for the purpose aforesaid and after having made a fair and just computation of the advantages and disadvantages they shall estimate and determine whether any and if any what amount of damage has been or may be suffered and to whom payable and make report thereof to said court and if damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and the amount thereon and the amount of said judment shall be paid by said cities to the persons entitled thereto Each juror shall be entitled to the same pay per day for every day necessarily employed in the performance of the duties herein described as is paid to road jurors in said cities Any party in interest shall have the right to appeal" be amended so as to read as follows

Section 15. Whenever the director of the Department of Wharves Docks and Ferries in cities of the first class shall deem it necessary or advisable to acquire for said cities property of any kind for use as a public wharf pier or bulkhead to be owned by such cities with the necessary dock room or for the extension of or addition to any then existing public wharf pier or bulkhead owned by such cities or the improvement or enlargement of the dock or docks appurtenant thereto the said director shall have the power and he is hereby authorized by himself his deputy engineers surveyors or workmen to make all necessary or proper surveys for the location of such public wharf pier bulkhead or dock or extension enlargement or addition thereto and for that purpose if necessary to enter upon such property The provisions of this act shall apply to property held used or owned either for private or for public purposes including that held used or owned as a public wharf The said director may communicate the result of his said survey togetner with his recommendation in the premises to the councils or to the mayor of such cities or to both

The councils of said cities of the first class shall have the power and they are hereby authorized either in pursuance of such recommendation or otherwise to take condemn and appropriate by ordinance any such property for the uses and purposes hereinabove set forth or any of them Upon the passage and approval of any such ordinance in addition to the advertisement thereof required by law notice of such condemnation appropriation and taking shall be given to the registered owner or owners of such property which notice shall be accompanied by a copy of such ordinance and shall be served by delivering such notice and copy to him or them or by leaving the same upon the premises with the person in charge thereof or by mailing such notice and copy to such owner or owners by registered letter directed to his or their last known place of residence or by posting the same on a conspicuous part of the premises appropriated and condemned If the owner or owners of such property and the said director shall agree upon the price or compensation to be paid for the taking of such property upon payment of the price so agreed upon the said cities may enter upon and take exclusive possession thereof If within three (3) months of the date of giving notice as aforesaid they shall not so agree security for the damages so accruing may be entered by said cities in the manner provided by law in the case of the taking of property in the opening of streets and thereupon the said cities may in like manner enter upon and take exclusive possesion of such property Either party may before or after such entry upon and taking possession thereof present a petition to the court of quarter sessions of the county in which such property may be situated or to any judge thereof in vacation asking for the appointment of a board of view to assess the damages so accruing and the subsequent proceedings thereon shall be the same and with like effect as upon other petitions for the appointment of boards of view for the assessment of damages occasioned by the opening of streets by such cities In the event that the property condemned appropriated and taken under the provisions of this section shall constitute a part of a plant used as an entirety the damage to the owner or tenant shall be assessed by taking the difference in market value of such plant as a whole including the buildings machinery fixtures other equipment installed and used in said plant before and after such condemnation appropriation and taking and notwithstanding that parts of the said plant may be separated by a street or public highway

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gerberich,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Hall,	Knapp,	Sensenich,
Clark,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Dalx,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER.

Mr. SNYDER. Mr. President, I move that Senate Bill No. 841 (House Bill No. 701), on final passage, entitled:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 956, as follows:

An Act providing a uniform method of electing certain party officers and delegates to the State and National conventions and of making nominations for certain public offices providing for the payment of the expenses of the same making certain violations thereof misdemeanors and prescribing penalties for the violation of its provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Uniform Primaries Act"

Section 2 Form and after the passage of this act one primary shall be held each year in every election district of this Commonwealth in which nominations are to be made or delegates or party officers elected as herein provided The said primaries shall be held on the last Tuesday in September in all odd-numbered years and on the second Tuesday in April in all even-numbered years The primary held on the last Tuesday in September shall be known as the Fall primary and the primary held on the second Tuesday in April shall be known as the Spring primary

Delegates to State and National conventions except delegates-at-large to National conventions who shall be elected by the State conventions shall be elected at the Spring primary throughout this Commonwealth by any party or body of electors one of whose candidates at either the general or municipal election preceding polled two per centum of the largest entire vote cast in the State for any candidate at the last general election and also by any party or body of electors who shall have pre-empted throughout the entire Commonwealth the right to the use of a party name or appellation as provided by this act

Candidates for all offices to be filled at the general election with the exception of those nominated by the State or National conventions shall be nominated at the Spring primary Candidates for all offices to be filled at the municipal election shall be nominated at the Fall primary and such party officers as are provided for by the rules of the several political parties to be elected by the votes of the party electors shall be elected at the Spring primary by any political party or body of electors one of whose candidates at either the general or municipal election preceding such primary polled two per centum of the largest entire vote cast in the political district or division in which nominations are to be made or candidates elected for any candidate at the last general election and by such body of electors as may have filed pre-emptions for political appellation and complied with the provisions of section five of this act

No delegates to State or National conventions or officers of parties shall be elected or candidates for public offices herein specified be nominated in any other manner than as set forth in this act Provided that nothing herein contained shall prevent the nomination of candidates for borough or township offices or other offices not herein specifically enumerated in the manner provided by existing laws

This act shall not apply to nomination of candidates for Presidential electors or the nomination of candidates to be voted for at special elections to fill vacancies and it shall not be construed to prevent the nomination of Presidential electors at primaries if the rules of the respective parties so provide

Section 3 On or before the ninth Tuesday preceding the primary the Secretary of the Commonwealth shall send to the county commisisoners in each county a written notice setting forth the number of Congressmen and officers of the Commonwealth not nominated by State conventions to be elected or voted for therein at the next succeeding election

On or before the same date in even-numbered years the chairman of the State committee of each party shall send to the county commissioners a written notice setting forth the number of delegates to be elected in such county to the National convention of such party

On or before the ninth Tuesday preceding the Spring primary the chairman of the county committee of each party shall send to the county commisisoners of such county a written notice setting forth the names of all party offices to be filled by election at the ensuing primary

On or before the ninth Tuesday preceding the Fall primary the chairman of the county committee of each party shall send to the county commissioners of such county a written notice setting forth the names of all county and State offices to be filled by election at the ensuing primary

Upon the receipt of such notices and beginning with one week thereafter such county commissioners shall publish the number of delegates to be elected to the State and National conventions of each party together with the names of all offices for which nominations are to be made or candidates for party offices to be elected within the county at the ensuing primary at least once a week for three successive weeks in two newspapers of general circulation published within the county wherever such course is possible such newspapers so far as practicable shall be representative of different poliitcal parties

Section 4 Official primary ballots for each party shall be prepared by the county commissioners of each county These ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance The ballot of each party shall be in the following form

.....PRIMARY BALLOT
(Name of Party)
..... District..... Ward City of .....
County of ..... State of Pennsylvania
Primary held on the ..... day of ..... 19....

Make a cross (X) in the square to the right of each candidate for whom you wish to vote If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

DELEGATES TO STATE CONVENTION
(Vote for .....)
John Doe .....
Richard Doe .....
John Stiles .....

MEMBER OF CONGRESS .... DISTRICT
(Vote for .....)
John Doe .....
Richard Doe .....
John Stiles .....

STATE SENATOR .... DISTRICT
(Vote for one)
John Doe .....
Richard Doe .....
John Stiles .....

DISTRICT ATTORNEY
(Vote for one)
John Doe .....
Richard Doe .....
John Stiles .....

PARTY COMMITTEEMEN
(Vote for .....)
John Doe .....
Richard Doe .....
John Stiles .....

(And on the back of such ballot shall also be printed in prominent type the name of the party)

The ballot shall very in form only as the names of offices or candidates may require The names of the candidates shall appear in alphabetical order under the respective offices The voter may designate his choice as is indicated by the instructions shown on the form of ballot above set forth

Section 5 Any body of electors who otherwise under this act would not be entitled to an official ballot at the primary may not later than the fifteenth day of January in even-numbered years and not later than the fifteenth day of June in odd-numbered years obtain the exclusive use of a party name for the next ensuing primary by filing a petition in the Court of Common Pleas of Dauphin county seting forth the name or appellation which they desire to adopt and the election district or division in which they desire to use such name as well as the primary at which they desire to use such name Such petition shall be signed by qualified electors of the election district or division in which it is desired to use such name to the number of at least three per centum of the largest entire vote cast in such election district or division for any office at the last preceding election at which any officer was voted for by the electors at large in such political district or division Opposite the name of each person so signing shall be set forth his residence his occupation his age when where and to whom he paid his last State or county tax also whether he be citizen Such petition shall be vouched for by the affidavit of not less than three of such signers who shall make affidavit attached to said petition that the averments contained in said petition are true that they and each of them saw all of said signers affix their signatures to said petition and that said signers are all qualified electors of such political district or division No elector shall sign more than one of said petitions for adoption of political appellation or name to be used at the ensuing primary

Upon the filing of said petition for the exclusive right to use said party name at an ensuing primary the Court of Common Pleas of Dauphin county shall after such notice by advertisement or otherwise as the said court may direct set a date for a hearing on said petition which date shall not be more than fifteen days after the filing of said petition at least one of the affiants must appear before the

said court in person at the time set for the hearing and vouch for the truth of all the averments contained in said petition Should none of the affiants appear to vouch for the truth of the averments contained in said petition or if said affiants appear but do not show that the averments contained in the said petition are true or if any cause be shown why the said body of electors should not have the exclusive right to the use of said party name then the said court shall dismiss said petition and place the costs of the proceeding upon the said three affiants if however the said court should find that the averments contained in said petition are true then said court shall enter an order granting to the said body of electors the exclusive right to the use of said name or political appellation for the ensuing primary in such election district or division at which the nomination or nominations are to be made

No right shall be given to any body of electors pre-empting a party name as above to use the name or part of the name or a name similar to that of any other party which shall be entitled to an official ballot at the ensuing primary

In the event of two petitions for the same party name being filed the court shall allow only that petition which is in due accordance with the provisions of this act and which is the first filed In no event shall any body of electors be granted the right to the use of the name or part of the name or a name similar to that already granted to any other body of electors for use at the ensuing primary

When the Court of Common Pleas of Dauphin county has entered its order allowing a body of electors the exclusive right to the use of a party name or political appellation for the ensuing primary the said party shall be entitled to an official party ballot at said primary and the names of delegates and candidates or party offices for said party shall be printed on the official ballot of said party in the same manner and by same means as the names of delegates candidates and party officers are placed upon the official ballots of other parties participating in said primary

As soon as convenient after the court of common pleas of Dauphin county has entered its order allowing the exclusive use of a party name to any body of electors the members of said party shall organize and elect a State chairman and such county chairmen as may be necessary for the purpose of sending the notices required in section three of this act to the Secretary of the Commonwealth or the county commissioners as the case may be

Section 6 The names of candidates shall be printed upon the official ballot of the designated party upon the filing of petitions signed by qualified electors of the political district or division in which the nomination or election is to be made setting forth that the signers thereof are members of the party designated and are duly registered and enrolled as members of such party The said petitions in the case of candidates for Congress or for State offices shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth and in all other cases said petitions shall be filed at least three weeks prior to the primary with the county commissioners of the respective counties

The number of signers on such petitions shall be as follows

For the nomination of candidates for the office of member of Congress and judges of the various courts and for offices to be voted for by the entire county five hundred (500) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

For the nomination of candidates for State Senator and for members of the State House of Representatives three hundred (300) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

For the nominations of candidates as delegates to the State and National conventions one hundred (100) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

For the nomination of candidates for all other offices and for party offices ten (10) qualified electors who are lawfully registered and enrolled as members of the party for which they file their said petition

Provided that in no event shall any person's name be printed upon the official ballot of any party as a delegate candidate or party officer unless he is registered and enrolled as a member of said party and unless on the petition to place his name on the ballot of said party he has signed a certificate that he consents to be such delegate candidate or party officer and acknowledge the same in the manner that deeds are acknowledged Should such a petition be filed to place the name of any person on the official ballot of any party no petition shall be filed to place his name upon the ballot of any other party

Section 7 The Secretary of the Commonwealth shall immediately upon the filing of said petitions with him forward to the county commissioners of each county a correct list of the candidates of each party for the various offices as contained in said petitions The county commissioners shall have on file in their offices at least one week preceding the primary open to public inspection forms of balots with the names printed thereon which are to be used in each election district or division within said county

Section 8 The county commissioners shall prepare and furnish to election officers for use at the primary as many official ballots of each party as are equal to double the total number of persons enrolled as members of said party within the election district or division Provided that the county commissioners shall furnish such additional number of ballots in any election district or division as may be requested in writing by the chairman of the county committee of any party Such requests must be filed with the county commissioners two weeks before the primaries The county commissioners shall also furnish one-fourth (1-4) as many specimens ballots as the whole number of official ballots to be printed upon colored paper and to be of the same size and form as the official ballots for the use of the electors at the polls The official ballots shall be bound in books of one hundred (100) each in the same manner as ballots at elections and shall be delivered to the officers of election as ballots are or may be hereafter required by law to be delivered to officers of election for use at elections The county commissioners shall prepare and furnish to the election officers at primaries such ballot boxes properly numbered for each election district list of voters forms blanks return sheets blank books and other supplies as they are or hereafter may be required to furnish by law to said officers for use at elections and shall deliver them in the same manner as at elections Said supplies shall have printed upon them appropriate instructions and shall be in appropriate form for use at the primaries The county commissioner shall also provide for the opening of polling places and for the compensation of the owners thereof shall see that they are in proper order and provided with voting booths as at elections

Section 9 The primaries shall be conducted by the regular election board duly elected under existing laws who shall receive one-half the compensation for their services that they receive at elections Inspectors of election shall have the right to appoint clerks to assist them as at elections who shall receive one-half the compensation that clerks receive at elections for such services at elections Vacancies in the election board shall be filled in the manner now provided or hereafter to be provided by law Before entering upon their duties the election officers and clerks shall be sworn as is now required by law The polls shall be open between the hours of two o'clock post meridian and eight o'clock post meridian provided that all persons licensed to sell liquors either at retail or wholesale or as bottlers shall be compelled to keep their places of business closed on the days for holding the primaries only between the hours of one o'clock post meridian and nine o'clock post meridian Primaries shall be conducted in conformity with the laws governing the conduct of general elections in so far as the same are not modified by the provisions of this act or are not inconsistent with its terms Provided that no elector shall be permitted to mark the ballot of any other elector unless the elector so assisted shall first make affidavit that he cannot read the names on the ballot or that by reason of physical disability he is unable to mark his ballot

Section 10 The county commissioners shall keep an accurate account of the entire expense of holding such primary including the preparation and delivery of supplies voting material et cetera and the total amount thereof shall be paid in the first instance by the county treasurer upon the order of the county commissioners As soon as convenient thereafter the county commissioners shall prepare an itemized statement of the amount so paid verified by oath and send the same accompanied by the receipted vouchers to the Auditor General who if he find the same correct shall draw a warrant on the State Treasurer for the proper county for the amount so approved which shall be paid by the State Treasurer out of the moneys in the State Treasury not otherwise appropriated

Section 11 The qualifications of electors entitled to vote at primaries shall be the same as the qualifications of electors entitled to vote at elections within the election district or division where the primary is held Provided that no elector may vote at any primary unless he has been enrolled as a member of some political party and then he shall be permitted to vote only the official ballot of the party in which he is thus enrolled as a member Each elector shall prove his qualifications and his identity in the same manner in which electors in the election district or division in which he offers to vote are or hereafter may be required to prove his qualifications or identity on election day Each elector shall have the right to receive the ballot of the party in which he has been duly enrolled as a member Provided that if he is challenged he shall be required to make oath or affirmation that at the last preceding November election at which he voted he voted for a majority of the candidates of the party for whose ballot he asks Upon executing such affidavit the voter shall be entitled to receive the ballot of the party in which he has been enrolled and to cast his vote according to law

Section 12 The ballot boxes lists of voters (one of which shall be posted outside of the polling-place) and other records shall be delivered into the custody of the officers who are or hereafter may be required by law to keep similar records of election

Upon the closing of the polls at such primary election the election officers shall forthwith proceed to open the ballot boxes and take therefrom the ballots and first count the number cast for each party and make a record thereof and then count the vote cast for the dicerent persons named upon said party ballots and when said count is finally completed they shall certify in due and proper form to the number of voters cast for each person upon the respective party tickets They shall then replace the ballots counted and canvassed in the boxes and lock the same They shall then replace the returns of voters and the register of voters aforesaid for each party in separate envelopes and seal the same which said envelopes shall on or before noon of the Wednesday following be deposited by the judge of election in person or by registered mail with the county commissioners who shall on the succeeding day at noon publicly commence the computation and canvassing of the returns and continue the same from day to day until completed and for that purpose to have the right to petition the court of common pleas for the use of its processes to enforce the provisions of this act in relation to the returns of the election officers

Upon the sworn petition of five qualified electors of any election precinct division or district that any specific act of fraud which upon information which they consider reliable they believe has been committed in any election precinct di-

vision or district of the county the court of common pleas of said county shall order the county commissioners to open the balot box of such election precinct division or district and recount the votes such recount to be conducted in such manner and under such conditions as the court shall prescribe Any person aggrieved by any decision of the county commissioners relative to the counting of the votes may appeal therefrom to the court of common pleas of the proper county whose duty it shall be to hear the said appeal and to make such decree as right and justice shall require Provided however That in case of a contest of delegates to a State convention such contests shall be determined by the State convention according to the rules of their respective parties Contests of primaries shall be originated and conducted as in the case of elections

The county commissioners shall make the proper certification of returns of voters cast for the candidates for nomination for members of Congress or for State offices to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the county commissioners the result of the computation of the vote for such offices at least forty (40) days prior to the election

Section 13 Candidates for offices of the Commonwealth to be voted for by electors of the State at large shall be nominated by the State conventions for which delegates are elected in accordance with the terms of this act The delegates who receive a plurality of the votes of the party electors at the Spring primary shall be the duly elected delegates to the respective State and National conventions

Candidates for nomination as provided herein who receive a plurality of votes of any party at a primary shall be the candidates of that party and it shall be the duty of the proper officers to print their names upon the official ballots for use at the election as is now or hereafter may be required by law

Candidates for party offices who receive a plurality of the votes cast for such candidates shall be the party officers of such party

In case of a tie the candidates receiving the tie vote shall cast lots before the county commissioners or the Secretary of the Commonwealth as the case may be and the one to whom the lot shall fall shall be entitled to the nomination or election

No person elected or nominated as a delegate or candidate for public office at a primary shall be permitted to withdraw later than fifteen days before any election and in case of such withdrawal the said delegate or candidate shall file his affidavit of withdrawal duly signed and acknowledged by him in the manner that deeds are acknowledged and filed before said time in the office in which the petition to nominate the said delegate or candidate was filed The said withdrawal in order to be valid and effective shall be accompanied by a certificate duly signed by the officers of the political committee of the party of which he is a nominee certifying that two-thirds of the members of said committee have voted their consent to said withdrawal at a special meeting of said committee called for the purpose of considering the withdrawal of said candidate or delegate The political committee shall be the committee which under the rules of the said party have the right to fill vacancies existing or happening after the date of the primaries And in the event of the person desiring to withdraw as a delegate or candidate having been the nominee of a party which before the primary secured the right to the exclusive use of a party name before the said primary by the order of the court of common pleas of Dauphin county the said withdrawal of the said delegate or candidate to be valid and effective shall be accompanied by a certificate duly signed by two-thirds of the signers of the petition for the exclusive use of the said party name theretofore filed in the court of common pleas of Dauphin county and sworn to by three of the signers thereof that the signatures to said certificate are the proper signatures of the person who signed the said petition for the pre-emption of said party name

Vacancies existing or happening after the date of the primary shall be filed under the party rules Provided that when the vacancy existing or happening after the date of the primaries is of a delegate or a candidate elected or nominated at the primary by a party which before the said primary secured the exclusive right to use a party name by order of the court of common pleas of Dauphin county No delegate or candidate shall be elected or nominated to fill said vacancy except by a certificate duly signed by two-thirds of the signers of the petition for the exclusive right to use said party name theretofore filed in the court of common pleas of Dauphin county which certificate shall be sworn to by three of the signers thereto that all of the signatures attached thereto are the signatures of the persons who signed the petition for the pre-emption of the said party name and that the delegate or candidate named to fill said vacancy is the choice of the said party for said office

Section 14 Each candidate shall be entitled to have two watchers at the primaries as at elections only one of whom shall be entitled to be within the polling-room at one time Their rights duties and methods of appointment shall be as at elections Each party or candidate may at any time before the primary present a petition to the court of common pleas of the proper county setting forth the fact that it or he has reason to believe that in a certain district or districts fraud or unfair methods may be attempted and if upon a consideration of the facts presented in said petition the court shall be of opinion that said application is made in good faith the said court shall appoint an overseer for said petitioner or petitioners who shall be entitled to remain within the polling-place during the casting and the counting of the ballots

Section 15 Any person who votes or attempts to vote at a primary knowing that he does not possess the qualifications of a voter at such primary or who shall vote or attempt to vote more than once at a primary or who shall have unlawfully in his possession an official ballot outside the polling-place shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not exceeding two years or both in the discretion of the court No police officer in commission whether in uniform or in citizen's clothes shall be within one hundred feet of a polling-place during the conduct of a primary election unless in the exercise of his provilege of voting or for the purpose of the serving of warrants or the preserving of the peace [illegible]

Any election officer who permits a person to vote at any primary with the knowledge that such person is not so entitled to vote or refuses to permit any lawfully entitled elector to vote at such primary with the knowledge that such person is so entitled to vote or who refuses to permit him to receive the party ballot for which he asks after having executed the affidavit herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo an imprisonment not excedeing five years or both in the discretion of the court

Any election officer or clerk who shall be guilty of any wilful fraud in the conduct of his duties at a primary or who shall make a false return of the votes cast at such primary or who shall deposit fraudulent ballots in the ballot box or who shall certify as correct a return of ballots in the ballot box which he knows to have been fraudulently deposited therein or who shall write false names in the list of voters for the purpose of concealing the deposit of such fraudulent ballots or of aiding in the perpetration of such fraud or who shall conspire with others to commit any of the offenses herein mentioned shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or to undergo imprisonment not exceeding five years or both in the discretion of the court

Except as modified by the terms of this act election officers shall be subject to the same pains and penalties for violations or neglect of their duties at a primary as they are or hereafter may be subject to for violation or neglect of such duties at elections In all other respects officers officiating at primaries shall be subject to the pains and penalties provided by law for offenses committed at primaries The existing laws relating to bribery at primaries shall continue in force and shall apply to bribery at primaries as provided by this act

Section 16 All laws or parts of laws inconsistest herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1131 (House Bill No. 1357), as follows:

An Act concerning building regulation and inspection in townships of the first class and providing that the provisions thereof shall be inoperative in any such township when a certain percentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That to prevent the spread of fires and to secure structural and sanitary safety of the buildings within the limits of townships of the first class within this Commonwealth the board of township commissioners of every such township shall have power by ordinance to establish general regulations for the construction of new buildings and the repair of old ones and to require that before work begins municipal approval of plans and specifications therefor be secured and to provide for inspection of such construction and repair including the appointment and compensation of one or more building inspectors to provide limits wherein none but buildings of incombustible materials and fireproof roofs shall be erected or substantially reconstructed or removed thereinto and to provide penalties for violation of such ordinance and building regulations. Any building erected reconstructed or removed contrary to the provisions of any such ordinance is declared to be a public nuisance and abatable as such

Section 2 All such building regulation and inspection ordinances heretofore enacted by boards of townships commissioners of townships of the first class are hereby validated as being lawfully within their police powers Provided that the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance

Section 3 Any person aggrieved by action taken by a board of township commissioners under this act may have an appeal

therefrom to the court of common pleas of the county which appeal shall be heard summarily in like manner as an application for a special injunction in equity and the court may correct any mistake in law and also any abuse of discretion appearing in the action of the commissioners

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the proivsions of the Constitution, and were as follows, viz:

YEAS—43.

Alexander,	Fisher,	Jones,	Morgan,
Beidleman,	Gerberich,	Judson,	Nulty,
Buckman,	Gyger,	Kline,	Salus,
Catlin,	Hall,	Knapp,	Sensenich,
Clark,	Heacock,	Magee,	Sheatz,
Cooper,	Hilton,	Martin,	Snyder,
Crow,	Hoke,	McIlhenny,	Sones,
Daix,	Homsher,	McNichol,	Thompson,
DeWitt,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers,
Farley,	Jarrett,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. HOKE. Mr. President, I ask that Senate Bill No. 1162, on final passage, entitled:

An Act to amend section two of the act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of courts fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of same

go over in its order as the file folio is not printed on the Calendar.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 11, on third reading, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 38, entitled:

An Act relating to the collection of city county school and poor taxes in the several cities of the third class in this Commonwealtn providing that the city treasurer of each of said cities by virtue of his office shall be the collector of said several taxes prescribing his duties and fixing his compensation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15.

Beidleman,	Daix,	Hilton,	McNichol,
Buckman,	DeWitt,	Hoke,	Moore,
Catlin,	Endsley,	Hunter,	Snyder,
Crow,	Gerberich,	Martin,	

NAYS—18.

Clark,	Hall.	Judson,	Nulty,
Cooper,	Heacock,	Knapp,	Sensenich,
Farley,	Huffman,	Miller.	Sones,
Fisher,	Jarrett,	Morgan,	Wasbers,
Gyger,	Jones,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL RECOMMITTED.

Mr. HALL. Mr. President, I move that Senate Bill No. 198, on third reading, entitled:

An Act to provide for the holding of a Constitutional Convention the election of delegates thereto and the submission of the report thereof for the approval of the people

be recommitted to the Committee on Judiciary Special for the purpose of a hearing.

Mr. CROW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. HUFFMAN. Mr. President, speaking for myself on this question, I would oppose it going back to the committee unless there is an understanding here that we have a chance to vote on the bill. There has been a hearing had on this bill, and unless there is some special reason for it going back, I think we ought to have an understanding on the floor that this bill will be reported out from the committee. It seems to me that would only be fair at this time.

Mr. HALL. Mr. President, there was one hearing; we want to have another hearing.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 648, as follows:

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of article nine section eight of the Constitution as amended and to confer jurisdiction upon any of the Courts of Common Pleas of the county in which such city is situated to determine the amount of any debt to be so excluded with an appeal to the Supreme Court within one month from the date of such determination

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever the councils of any city of the first class shall by ordinance or resolution determine that it is expedient to increase the public debt of such city in order to promote the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements owned or to be owned by such city and it becomes necessary to ascertain under the provisions of article nine section eight of the Constitution of the Commonwealth of Pennsylvania as amended whether the debt which it is thus proposed to incur may be excluded in computing the total amount of indebtednes which such city may lawfully incur under the limitations of the Constitution the Comptroller or any other public officer of such city shall whenever so requested by the mayor of such city prepare and submit a statement showing in detail the total indebtedness of such city theretofore incurred with the dates of the maturity of such indebtedness the interest due thereon and the annual installments necessary to be paid into the sinking fund for the cancellation of such indebtedness and if any portion of such indebtedness has theretofore been incurred for any of the specific purposes hereinbefore set forth the comptroller shall in addition to the above data also report the terms of any and all agreements and contracts made by or in behalf of said city with respect to such investments the gross and current net revenue derived therefrom and also such other and further data and information in their possession with respect to such investments the gross and current net revenue derived therefrom and also such other and further data and information in their possession with respect to such investments as shall be requisite to determine the proportion of the interest and sinking fund install-

ments of such indebtedness which the current net revenue received by the city from such investments is sufficient to meet

Section 2 The mayor of any city of the first class may present to any one of the Courts of Common Pleas of the county in which such city is situated a verified petition which shall set forth the facts information and date furnished to him by the comptroller or other officer as provided for in the preceding section and also all constracts or proposed contracts with respect to the operation of the public works upon which the proceeds of the proposed loan are to be expended and all official estimates as to the cost of such public works and other data relating thereto and which shall pray for a determination of the amount of any previous debt of such city which may be excluded in ascertaining its power to become otherwise indebted under the provisions of article nine section eight of the Constitution and also for a determination of the amount of the proposed indebtedness which shall be thus excluded by reason of the estimated excess of the revenue produced from the subways wharves docks or reclaimed land aforesaid over the interest on the debt thus incurred and of the annual installments necessary for the cancellation of such debt and also that said court shall determine whether or not the proposed increase of the public debt of such city for the purposes aforesaid or any part thereof can lawfully be incurred under the provisions of the aforesaid section of the Constitution and jurisdiction is hereby conferred upon the said Court of Common Pleas to make such determinations

Section 3 After the filing of the aforesaid petition the mayor shall cause to be published not less than once a week for three weeks in four daily newspapers of general circulation published in said city to be designated by the said Court of Common Pleas a notice that an application will be made to the said Court of Common Pleas on a day therein specified which shall be not less than three nor more than six weeks from the date of the first publication of said notice for the determination prayed for in the petition and in addition to the aforesaid advertisement the petition shall be printed at length in the legal journal in which other legal notices are regularly printed in such city On the return day of such notice all parties in interest including tax payers and owners or holders of bonds or other securities of such city may appear in person or by attorney and file with the Court of Common Pleas a verified answer to the petition aforesaid If upon the filing of any such answer it shall appear to the Court of Common Pleas that there are any material issues of fact to be determined the court shall thereupon by order direct that on a day therein fixed one of the judges of said court sitting without a jury or a duly appointed examiner shall take the evidence thereon which shall forthwith be reported to the court On the return day of the notice aforesaid or if evidence be taken then after the report thereon is filed the Court of Common Pleas shall appoint a time at which it will bear argument at which all parties shall be entitled to be heard and to file briefs as the said court may direct

Section 4 After hearing the allegations and proofs and the arguments thereon of the respective parties or if no evidence be taken on or after the return day of the notice and after argument if desired the court shall render its decision stating separately the facts found and the conclusios of law and the court shall also make a final order determining the amount of indebtednes stheretofore incurred which may be excluded in determining the power of the city to become otherwise indebted under the provision of article nine section eight of the Constitution and determining also whether or not the amount of the indebtedness provided for in the aforesaid ordinance or resolution of councils for the aforesaid public purposes may lawfully be incurred either in whole or in part

Section 5 Upon the making of an order by the court of common pleas determining the whole amount of any indebtedness incurred by such city which shall be excluded in accertaining the power of such city to become otherwise indebted such indebtedness shall thereupon be wholly excluded in ascertaining the power of said city to become otherwise indebted and upon the making of an order by said court determining that a part only of such indebtedness shall be so excluded the amount thus determined shall thereupon be excluded in ascertaining the power of such city to become otherwise indebted and upon the making of an order by the said court determining that either the whole or a part of the proposed indebtedness set forth in the aforesaid ordinances or resolution of city councils can lawfully be incurred for the purposes aforesaid upon the ground that the total limitation of indebtedness imposed by article nine section eight of the Constitution will not be exceeded authority shall thereby be conferred upon the mayor and councils of such city to increase its indebtedness in the manner and to the extent thus authorized but it shall not be lawful to expend any portion of the money thus borrowed by such city for any other purpose than the construction of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city and to be operated leased or otherwise used as provided by law

From the determination of the Court of Common Pleas herein provided for and from all orders made by the said court for the purpose of giving effect thereto an appeal may be taken to the supreme court of the Commonwealth in the manner prescribed for other similar appeals except that such appeal must be taken within one month after the entry of the order complained of but such determination and orders of the Court of Common Pleas shall not be subject to any other appeal or review or to collateral attack of any kind whatsoever but shall with respect to the validity of all municipal loans thus authorized and in all other respects be final and conclusive upon all persons and all public and private corporations whatsoever and the proceeding herein provided for shall be the sole and exclusive method of determining theaforesaid matters relating to increase of indebedness of cities of the first class for the municipal purposes heretofore specified

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Gyger,	Judson,	Nulty,
Buckman,	Hall,	Knapp,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Cooper,	Hilton,	Martin,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Moore,	Wasbers,
Farley,			

NAYS—1.

Clark.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 697, on third reading, entitled:

An Act regulating the passage of traction engines motor and other vehicles over highways and bridges and providing penalties for the violation of the provisions hereof

be recommitted to the Committee on Public Roads and Highways.

Mr. ALEXANDER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Mr. McNICHOL. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 11, on third reading, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

Mr. BEIDLEMAN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 11, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McNICHOL. Mr. President, I ask unanimous consent to amend section 2 by striking out the entire section and inserting in lieu thereof the following:

Section 2. All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure. All dry commodities when sold in bulk or from bulk shall be sold by weight, dry measure or numerical count. No dry commodities shall be sold by liquid measure; dry commodities in carload lots may be sold by weight.

also in section 4 by striking out the entire section and inserting in lieu thereof the following:

Section 4. It shall be unlawful in selling any commodity to use any measure unless the same shall have thereupon marked in distinct letters and figures the capacity thereof. If such measure be of the capacity of one-half bushel or less or of one-half gallon or less it shall be marked in terms of a quart dry or liquid measure respectively. If the measure be of the capacity of over one-half bushel or one-half gallon it shall be marked in terms of a bushel or gallon respectively.

also in section 6, line 9, by striking out the words "(2) To sell or offer for sale any commodity in bulk to which no name nor trade mark shall be attached and orally or otherwise represent that such commodity is the manufacture or production of some other than the actual manufacturer or producer, Provided, That nothing in this act is to be construed as applying to drugs medicines, chemicals or pharmaceutical or proprietary preparations use as medicines nor to toilet preparations," and inserting in lieu thereof the following:

(2) To orally or otherwise represent that any commodity offered for sale in bulk to which no name or trade mark shall be attached is the manufacture or production of some other than the actual manufacturer or producer. Provided, That nothing in this act is to be construed as applying to drugs, medicines, chemicals or pharmaceutical or proprietary preparations use as medicines nor to toilet preparations

also in section 7, line 60, by striking out the word "dried;" also in section 7, line 62, by inserting after the word "peas" the word "dried;" also in section 8, by striking out the entire section and inserting in lieu thereof the following:

Section 8. Every commodity or article of food packed for sale and retailed in containers of any description shall bear upon the container a plainly legible statement of the net weight, measure or numerical count of its contents or of the net volume thereof and of the name and address of the manufacturer, producer or distributor thereof; Provided, however, that reasonable variations and tolerances shall be permitted and also exemptions as to small packages shall be established said variations and tolerances and exemptions to be established by the Chief of the Bureau of Standards. Such marking shall not apply to bags or similar receptacles used solely in delivering commodities after sale. If any commodity be wholly or in part of cotton, wool, linen or silk the length thereof in yards shall be so marked on the container thereof.

also in section 9, by striking out the entire section and inserting in lieu thereof the following:

Section 9. Each person, firm or corporation that shall violate any of the provisions of this act, shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county for the first offense shall be fined not more than twenty-five dollars; upon conviction for the second offense, such person, firm or corporation shall be fined not less than twenty-five dollars nor more than one hundred dollars; and upon conviction for the third and each subsequent offense, such person, firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars.

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 852 (House Bill No. 1151), as follows:

An Act authorizing the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort providing for and regulating the construction of the same and authorizing the township commissioners to charge a part of the expense of constructing the same including the grading and curbing thereof upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township and providing that the provisions thereof shall be inoperative in any such township when a certain percentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be lawful for the board of township commissioners of any township of the first class in this Commonwealth and they are hereby authorized and empowered from time to time whenever they may deem it advisable so to do to ordain and establish sidewalks along either one or both sides of any principal street or highway of the said township leading directly to or connecting cities boroughs villages or places of public resort within the lines of the said street or highway for such distance as the said board of township commissioners may deem proper Provided However That in case the said street or highway be a turnpike or other road managed and controlled by a corporation duly incorporated under the laws of this Commonwealth the written consent of the said corporation shall first be obtained thereto

Section 2 The said board of township commissioners is hereby authorized and empowered to charge to the owner or owners of the properties abutting on the said sidewalk according to the respective frontage of each abutting property such part or portion of the expense of the construction of such sidewalk as the said board of township commissioners shall deem reasonable and just not to exceed however in any case fifty per cent of the total cost of the construction of the said sidewalk and to defray the remainder of the expense of the construction of the said sidewalk from the public funds of the said township

Section 3 The ordinance establishing any such sidewalk shall specify the width thereof which however shall not be less than five (5) feet in any case and shall in no case leave a roadway of less than twenty (20) feet in the clear and shall require such grading and filling as shall be deemed necessary The kind and character of the pavement shall be specified in the ordinance and the manner of laying the same may be specified in like manner or provided for by some general ordinance or by the regulation of a committee of the board Provided That it may be lawful for the said township commissioners to provide for the construction of a boardwalk in any case instead of a paved sidewalk

Section 4 In all cases coming under this act if at the time of the passage of the ordinance a sidewalk paved with brick stone or concrete of any sort has already been constructed by a property owner in front of his property the township commissioners may accept such walk as a compliance with the ordinance although it be not constructed according to the specifications thereof Otherwise if such sidewalk be not accepted the township shall bear the expense of reconstructing the same

Section 5 All ordinances for the construction of sidewalks under the provisions of this act shall provide for written notice to be given to the property owners to grade and construct such sidewalk in front of their respective properties within a certain specified period not less than three (3) months from date of the service of such notice Provided however That when such notice is given on or after the first day of September in any year the property owners affected shall not be considered in default for failure to construct the said sidewalk until the first day of June of the following year Service of such notice shall be made by handing the same to the property owner or by leaving the same at his place of residence if he have one in the county or if he do not reside in the county by mailing the same to his address if his address can be obtained and also in all cases a copy of such notice shall be served upon the occupant of the house or any other building on the premises Should any property owner fail to comply with the requirements of the ordinance within the time or times specified in this section it shall be lawful for the board of township commissioners to cause the sidewalk in front of his property to be constructed in accordance with the requirements of the ordinance and to collect the proportion of the expense thereof which under the ordinance authorizing the construction of the same is chargeable upon the property owner including the costs of grading and any other incidental matters together with the penalty of ten per centum by action of assumpsit or by filing a lien against said property in the nature of a municipal lien in the manner prescribed by existing laws

Section 6 When any sidewalk has been constructed by an abutting property owner in front of his property under the provisions of this act the township commissioners upon the presentation to them of a receipted bill for the cost of constructing such sidewalk shall forthwith pay to the property owner the part or portion of the expense of the construction of the said sidewalk which by the terms of the ordinance authorizing the construction of the same is to be defrayed from the public funds of the said township and if the said part or portion of the expense of the construction of the said sidewalk which is to be defrayed from the township funds is not paid forthwith to the property owner by the board of township commissioners the property owner shall be exonerated from the payment of any and all township taxes until he has been fully reimbursed by the taxes so exonerated for the part or portion of the expense of constructing the said sidewalk which should have been paid him by the township commissioners with interest thereon from the date of his payment thereof

Section 7 This act shall not be construed to repeal or in any wise alter or affect any existing act of assembly authorizing or regulating the construction of sidewalks along any public road street or highway or part or portion thereof within townships of the first class in this Commonwealth Provided That the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance

And said bill having been read at length the third time, nd agreed to,

And the amendments made thereto having been printed s required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Farley,	Judson,	Morgan,
Beidleman,	Gyger,	Kline,	Nulty,
Buckman,	Heacock,	Knapp,	Sensenich,
Catlin,	Hilton,	Martin,	Sheatz,
Clark,	Hoke,	McNichol,	Sones,
Cooper,	Homsher,	McNichols,	Vare,
Daix,	Jarrett,	Miller,	Washers,
Endsley,	Jones,	Moore,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. DEWITT. Mr. President, I ask that Senate Bill No. 891 (House Bill No. 857), on third reading, entitled:

An Act to authorize the judges of separate orphans' court at the request of the judges of the common pleas to hear and determine all issues and other matters in the court of common pleas courts of oyer and terminer and general jail delivery and the courts of quarter sessions of the peace

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HOKE. Mr. President, I ask that Senate Bill No. 903, on third reading, entitled:

An Act to amend section ten of an act entitled "An Act regulating railroad companies" approved February nineteenth one thousand eight hundred forty-nine broadening the powers of eminent domain of railroad companies

go over in its order. There is some misunderstanding about this bill.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUNTER. Mr. President, in order that the Senators may be clear about Senate Bill No. 903, which has gone over in its order, I will state that the file folio was correct as to the original, but is not correct on the Calendar tonight.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 950, entitled:

An Act regulating the offering or operations of automobile vehicles for hire in cities of the first class providing for the licensing of said vehicles providing for the licensing of operators chauffeurs or solicitors for said vehicles authorizing them to solicit business upon the highway authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41.

Alexander,	Fisher,	Jarrett,	Moore,
Beidleman,	Gerberich,	Jones,	Morgan,
Buckman,	Gyger,	Judson,	Nulty,
Catlin,	Hall,	Kline,	Salus,
Clark,	Heacock,	Knapp,	Sensenich,
Cooper,	Hilton,	Magee,	Sheatz,
Crow,	Hoke,	Martin,	Snyder,
Daix,	Homsher,	McNichol,	Sones,
DeWitt,	Huffman,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Washers,
Farley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representtives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1014 (House Bill No. 1047) as follows:

An Act to amend the third and fourth sections of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Dmini one thousand nine hundred eleven fixing the per diem compensation and mileage of the said board of viewers and providing for the payment thereof by the proper county and increasing powers of viewers regarding the administration of oaths

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three and four of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred eleven which read as follows

"Section 3 Each of the members of said board of viewers shall be appointed for a term of three years from the date of is appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies shall occur All appointments shall be subject to the powers of the respective courts of common pleas of the respective counties at any time for causes to them satisfactory to remove members of said board before the expiration of their respective terms of office and to appoint successors

In the event of any vacancy in the board of viewers of any county caused by death resignation removal from office by the court removal of the member from the county or by reason of inability neglect or refusal to perform the duties of the office or because of expiration of term or for any other cause the judges of the respective courts of common pleas may in the same manner as provided in the case of making an original appointment appoint a new member or members of said board possessing the qualifications herein required The person thus appointed to fill any vacancy shall hold his office for the term of three years subject as above provided Each member of the board of viewers before entering upon the duties of his office shall take and subscribe to an oath or affirmation to perform faithfully all the duties imposed on him by law

"Section 4 In counties having more than one million inhabitants each member of said board of viewers shall receive an annual salary of five thousand dollars payable quarterly out of the treasury of the proper county

In counties containing less than one million inhabitants each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of not less than two or more than five dollars for each day actually and necessarily spent by him in the performance of the duties of his office as the judge of the proper county may determine The same shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties" be and the same are hereby amended to read as follows

Section 3 Each of the members of the said board of viewers shall be appointed for a term of three years from the date of his appointment whether such appointment be to fill an original or partly expired term Members may be reappointed from time to time when vacancies shall occur All appointments shall be subject to the powers of the respective courts of common pleas of the respective counties at any time for causes to them satisfactory to remove members of said board before the expiration of their respective terms of office and to appoint successors

In the event of any vacancy in the board of viewers of any county caused by death resignation removal from office by the court removal of the member from the county or by reason of inability neglect or refusal to perform the duties of the office or because of expiration of term or for any other cause the judges of the respective courts of common pleas may in the same manner as provided in the case of making an original appointment appoint a new member or members of said board possessing the qualifications herein required The person thus appointed to fill any vacancy shall hold his office for the term of three years subject as above provided Each member of the board of viewers before entering upon the duties of his office shall take and subscribe to an oath or affirmation to perform faithfully all the duties imposed on him by law Any member of any board of viewers under the provisions of this act shall have general power to administer oaths and affirmations to other viewers of the same county to witnesses before them and to other persons pertaining to the business and duties of said board of viewers

Section 4 In counties having more than one million inhabitants each member of said board of viewers shall receive an annual salary of five thousand dollars payable quarterly out of the treasury of the proper county

In counties containing less than one million inhabitants each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of five (5) cents per mile for each mile actually and necessarily traveled by him in the performance of the duties of his office and each member of the said board of viewers shall receive and be paid out of the treasury of the proper county the sum of five ($5.00) dollars per day for each day actually

and necessarily spent by him in the performance of the duties of his office The same shall be paid monthly under such conditions as to verification of time of employment as may be prescribed by the rules and regulations which shall be made in that behalf by the courts of the respective counties

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40.

Alexander,	Farley,	Jarrett,	Moore,
Beidleman,	Fisher,	Jones,	Morgan,
Buckman,	Gerberich,	Judson,	Nulty,
Catlin,	Gyger,	Kline,	Salus,
Clark,	Hall,	Knapp,	Sensenich,
Cooper,	Heacock,	Magee,	Sheatz,
Crow,	Hilton,	Martin,	Snyder,
Daix,	Hoke,	McNichol,	Sones,
DeWitt,	Homsher,	McNichols,	Vare,
Endsley,	Hunter,	Miller,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1020 (House Bill No. 1244) as follows:

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five extending the provisions thereof to street passenger railway companies motor traction companies gas companies and water companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone or light or power company occupying the highways of said municipality with its poles wires conduits or cables as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of the said poles wires conduits or cables under its police powers is or is not reasonable either party may apply by petition to the court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity"

"Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits or cables of the said telegraph telephone light or power company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation"

"Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light or power company to properly erect or construct and maintain its poles wires conduits and cables or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence" be amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter any dispute shall arise between any township city borough or other municipal corporation of this State having authority under the law to charge a license fee against any telegraph telephone light power street passenger railway motor traction gas or water company occupying the highways of said municipality with its poles wires conduits cables pipes or mains as to whether or not the amount of license fee named in any ordinance of said municipal corporation for the inspection and regulation of said poles wires conduits cables pipes or mains under its police powers is or is not reasonable either party may apply by petition to the court of Common Pleas of the county where said municipal corporation is situated to determine the said dispute Upon the filing of said petition setting forth the nature and character of the dispute and the facts bearing upon the questions thus raised the said court shall issue a citation to the respondent commanding it to appear and answer the said petition at a time named and to abide by and obey the order of the court Said citation and a copy of said petition shall be served upon the respondent not less than fifteen days before the time fixed for answering To said petition the respondent shall make answer within the time fixed or such extension thereof as the court shall allow specifically answering the facts set forth in said petition and averring such other or further facts as it shall deem necessary for the proper determination of the said dispute At any time after the return day fixed in the said citation the said court shall upon application of either party fix a date for the hearing of the issue raised by said petition and answer and thereupon shall take the evidence and decide the said dispute in the way and manner provided by law for the hearing of cases in equity

Section 3 The said court in its decision of said dispute shall determine the amount of annual license fees which should be paid to the said municipal corporation in order to properly compensate it for the necessary cost of the services performed or to be performed by it for the inspection and regulation of the poles wires conduits cables pipes or mains of the said telegraph telephone light power street pasenger railway motor traction gas or water company and the amount thus determined shall be the maximum sum which the said municipal corporation shall be authorized to charge as license fees against such petitioning corporation

Section 6 Nothing in this act contained shall be so construed as to alter or affect the duty of said telegraph telephone light power street passenger railway motor traction gas or water company to properly erect or construct and maintain its poles wires conduits cables pipes or mains or to relieve it from liability for negligence in regard thereto either primarily to the person injured or secondarily to the municipal corporation if judgment be recovered against it by the person injured by reason of such negligence

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Alexander,	Fisher,	Judson,	Morgan,
Beidleman,	Gerberich,	Kline,	Nulty,
Buckman,	Gyger,	Knapp,	Salus,
Catlin,	Hall,	Magee,	Sensenich,
Clark,	Heacock,	Martin,	Sheatz,
Cooper,	Hilton,	McIlhenny,	Snyder,
Crow,	Hoke,	McNichol,	Sones,
Daix,	Homsher,	McNichols,	Thompson,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Moore,	Wasbers,
Farley,	Jones,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 1058, (House Bill 1704), on third reading, entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred seven entitled "An Act

regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN. Mr. President. I ask that Senate Bill No. 1153, on third reading, entitled:

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1174 (House No. 1314) entitled:

An Act regulating and granting of preliminary injunctions and cautionary orders in equity proceedings

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. BEIDLEMAN. Mr. President, in order to obtain a preliminary injunction, under the law as it now stands, in addition to the bill in equity, it is necessary for the complainant to file injunction affidavits and also a bond in such sum as may be fixed by the Court granting the preliminary injunction. This bill is intended to extend the requirements in order to obtain an injunction, by serving notice upon the party agaist whom the injunction is asked. It seems to me that where you are obliged to file the affidavit setting forth all the facts and also to give bond in such an amount as to compensate the person against whom the injunction is granted in case the Court sees fit to grant the preliminary injunction, it is going too far to require that the party must first serve notice, because there are many instances where if this bill were put into effect, it would be impossible to obtain that preliminary injunction until after the damage would be done, and I think that this bill should be defeated by the Senate.

Mr. SNYDER. Mr. President, I am sorry to differ with the Senator from Dauphin, for once, but the way I look at it, this is a bill that should pass for this reason. I happen to be an attorney for a street railway company and two weeks ago the Courts of our county permitted a preliminary injunction to be issued without notice to the counsel or the manager, before six o'clock at night, and because the cars of the electric railway company were not stopped running from six o'clock to twelve o'clock at night, the Court fined the General Manager and the General Superintendent fifty dollars for contempt. Now, I submit that if in that case there had been notice given to counsel on the General Manager as this bill requires, no preliminary injunction would have been needed, because the Court would have been persuaded that the injunction was wrong, and for that reason I submit to this Senate that whenever an injunction is asked for, it is certainly proper that the General Manager or the General Superintendent or somebody in charge of the company or corporation or whoever the injunction may be issued against, or supposed to be issued against, should have notice, so that you could at least appear before the Court and produce reasons why it should not be granted, where is could not be done in this case.

And the question recurring,

Will the Senate agree to the bill?

Mr. KLINE. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1179 (House Bill No. 1044), entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

And said bill having been read at length the third time, and agreed to,

On the question,

Will the Senate agree to the bill?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—9.

Beidleman,	Farley,	Martin,	Gerberich,
Catlin,	Hunter,	Moore,	Pres. pro tem.
Clark,	Jones,		

NAYS—17.

Alexander,	Heacock,	Jarrett,	Nulty,
Buckman,	Hilton,	Judson,	Sensenich,
Cooper,	Hoke,	Miller,	Sones,
DeWitt,	Homsher,	Morgan,	Wasbers,
Hall,			

Less than a majority of all the Senators having voted "aye" the question was dtermined in the negative.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 1209 on third reading, entitled:

An Act authorizing each city in the Commonwealth to prepare adopt and amend its own charter regulating the preparation adoption and amendment thereof providing penaltes for violations of the act and repealing certain laws relating to the government of cities

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FFINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1251 (House Bill No. 525), entitled:

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Farley,	Hunter,	Nulty,
Catlin,	Fisher,	Jones,	Salus,
Clark,	Gyger,	Judson,	Sensenich,
Cooper,	Hall,	Magee,	Sones,
Dalx,	Heacock,	Martin,	Vare,
DeWitt,	Hilton,	Miller,	Wasbers,
Endsley,	Hoke,	Moore,	Gerberich,
		Morgan,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1287 (House Bill No. 1284), entitled:

An act fixing the salary of the messenger in the State Library

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Beidleman,	Fisher,	Judson,	Nulty,
Buckman,	Gyger,	Kline	Salus,
Catlin,	Hall,	Magee,	Sensenich,
Clark,	Heacock,	Martin,	Snyder.
Cooper,	Hilton,	McIlhenny,	Sones,
Crow,	Hoke,	McNichol,	Vare,
Daix,	Homsher,	McNichols,	Wasbers.
DeWitt,	Hunter,	Miller,	Gerberich,
Endsley,	Jarrett,	Moore,	Pres. pro tem.
Farley,	Jones,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS INTRODUCED.

Mr. SNYDER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER read in his place and presented to the Chair Senate Bill No. 1344, entitled:

An Act to safeguard certain civil rights regardless of race creed color or descent and to impose penalties for violation of this act

Which was committed to the Committee on Judiciary Special.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1345, entitled:

A supplement to an act to amend section one of an act entitled "An Act relating to the descent and distribution of the estates of intestates passed and approved April eighth, one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife ofsuch intestae" approved April firs, Anno Domini one thousand nine hundred and nine

Which was committed to the Committee on Judiciary Special.

Mr. KLINE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KLINE read in his place and presented to the Chair Senate Bill No. 1346, entitled:

An Act providing for the reimbursement for loss or damage sustained by the breaking of a dam near Austin Poter county and making an appropriation therefor

Which was committed to the Committee on Appropriations.

REPORTS FROM COMMITTEE.

Mr. COOPER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. COOPER, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 1317, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State Board of Optometric Examiners to define the powers and duties of said board of optometric examiners to provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act

Mr. McNICHOLS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS, from the Committee on Judiciay Special, reported as committed, Senate Bill No. 1216 (House Bill No. 1194), entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth prescribing the qualifications powers and duties thereof and abolishing the office of borough auditors in said boroughs

Mr. SALUS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SALUS, from the Committee on Municipal Affairs. reported as committed, Senate Bill No. 1266 (House Bill No. 1793), entitled:

An Act to amend section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Also, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 1026 (House Bill No. 1507), entitled:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred and seven

Mr. CROW. Mr. President, I ask unanimous consent to make report from Committe at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW. from the Committee on Corporations, reported as committed, Senate Bill No. 1313, entitled:

An Act supplementary to an act approved April twenty-ninth, Anno Domini one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" as amended by an act approved May ninth Anno Domini one thousand eight hundred and eighty-nine entitled "An Act supplementary to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' amending the eleventh section thereof as far as the same applies to companies incorporated to supply the public with water giving and granting authority to the said companies incorporated for the supply of water to the public to issue capital stock to an amount not exceeding two million dollars" so as to allow the issuance of the shares of stock of any corporation other than preferred stock without any nominal or par value

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as amended, Senate Bill No. 977 (House Bill No. 557) entitled:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Also, from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 916 (House Bill No. 562), entitled:

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 978 (House Bill No. 558), entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1292 (House Bill No. 1424), entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions, Societies and Associations caring for dependent neglected or delinquent children" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwalth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment of the Boards of Visitation

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1297, entitled:

An Act to authorize the sale and conveyance of portions of the land belonging tothe Commonwealth of Pnnnsylvania in theCounty of Erie now occupied by the Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 830, entitled:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prscribe rules for the violation of obtaining of employment certificates and providing penalties for violation of th provisions thereof" as amendd

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 979 (House Bill No. 559), entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1245 (House Bill No. 1708), entitled:

An Act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1344, entitled:

An Act to safeguard certain civil rights regardless of race creed color or descent and to impose penalties for violation of this act

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1345, entitled:

A supplement to an act to amend section one of an act entitled "An Act relating to the descent and distribution of the estates of intestates passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate" approved April first Anno Domin one thousand nine hundred and nine

BILL INTRODUCED.

Mr. HUFFMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN (by request), read in his place and presented to the Chair Senate Bill No. 1347, entitled:

An Act to repeal sections one to eight inclusive of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An Act creating a County Sinking Fund Commission in the several counties of the Commonwealth of Pennsylvania and prescribing its powers and duties

Which was committed to the Committee on Judiciary Special.

Mr. MILLER. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MILLER read in his place and presented to the Chair Senate Bill No. 1348, entitled:

An Act authorizing counties within this Commonwealth requiring a water supply for their almshouses, hospitals or jails to condemn property and rights, inside and outside of their limits, for the purpose of obtaining such water supply

Which was committed to the Committee on Judiciary Special.

Mr. MAGEE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 1349, entitled:

An Act to amend the seventh paragraph of Article 3 of an act entitled "An Act for the government of cities of the second class," approved the seventh day of March, A. D., 1901, as amended, by adding thereto the words "and the families of such as may be injured or killed in the service."

Which was committed to the Committee on Municipal Affairs.

RECONSIDERATION OF BILL ON FINAL PASSAGE.

Mr. McILHENNY. Mr. President, I move that the vote by which Senate Bill No. 497 (House Bill No. 580), on third reading, entitled:

An Act An act entitled an act to amend an act entitled "A supplement to an act entitled 'An Act to provide for the better governmen of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thonsand nine hundred and seven entitled 'An supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eigthy-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

passed finally be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. McILHENNY. Mr. President, I voted "aye."

Mr. VARE. Mr. President, I secon dthe motion.

The PRESIDENT. How did the Senator vote?

Mr. VARE. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. McILHENNY. Mr. President, I move that the vote by which this bill passed third reading be reconsidered.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. McILHENNY. Mr. President, I ask unanimous consent to amend the title by striking out the words "An act entitled an act."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered. That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE.

Mr. SNYDER. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1316 (House Bill No. 1909), entitled:

An Act to repeal an act approved the sixteenth day of March one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike, Schuylkill, Luzerne, Erie and Montgomery," in so far as the same refers to the county of Erie

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 54, entitled:

An Act declaring the liability of railroad companies for loss or damages by fire providing a remedy therefor and relating to evidence thereof

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any railroad company operating a railroad or any portion of a railroad wholly or partially within the State of Pennsylvania shall be liable for all loss or damage by fire originating upon the land or right of way belonging to such railroad company caused by operating such railroad Such railroad company shall be further liable for all loss or damage by fire originating on land adjacent to such land or right of way of said railroad company caused in whole or in part by sparks from an engine passing over the tracks of such railroad to be recovered in an action of trespass in the county wherein the lands on which such loss or damage may occur are situated

Section 2 The existence of fire upon the land or right of way of any railroad company as described in the first section of this act shall be prima facie evidence that such fire was caused by operating such railroad

Section 3 In all actions against any railroad company for the recovery of damages on account of injury to any property real or personal occassioned by fire communicated by any locomotive engine while upon or passing along any railroad the fact that such fire was so communicated shall be taken and deemed as prima facie evidence to charge with negligence the railroad company which shall at such time have the care and management of such engine and it shall not in any sense be considered as contributory negligence on the part of the owner or occupant of the property injured that such owner or occupant had used the same in the manner or permitted the same to be used or to remain as if said railroad did not exist except in cases of injury to personal property which shall be at the time upon the land or right of way of said railroad company

Mr. HILTON. Mr. President, I move to amend by adding a new section to be known as Section 4, to read as follows: "Section 4. Every company engaged in the maintenance and operation of a railway and which operates said railway by locomotive power may have an insurable interest in that property for which it may be held responsible under the provisions of this act, but such insurable interest shall only apply where the said railway shall have upon its own account procured insurance thereon in its own behalf without cost or expense to the owner of said property."

Mr. FISHER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act declaring the liability of railroad companies for loss or damages by fire providing a remedy therefor and relating to evidence thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 302, entitled:

An Act regulating the sale prescription and possession of opium chloral or the salts derivatives or compounds of them or either of them or any substances or preparation containing opium chloral or the salts derivative or compounds of them or either of them and prescribing penalties for violation thereof

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall sell furnish or give away opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them except upon the prescription of a duly registered practicing physician or of a dentist or of a veterinarian which prescription shall be filled but once and of which no copy shall be taken by any one and which shall be retained and kept on file by the dispenser thereof for a period of at least five years nor shall any physician dentist or veterinarian prescribe sell or give away any opium chloral or the salts derivaties or compounds of them or either of them to any person known to such physician dentists or veterinarian to be an habitual user of those drugs

Provided That the provisions of this act shall not apply to persons engaged in the wholesale drug trade regularly selling opium chloral or the salts derivatives or compounds of them or either of them to persons engaged in the retail drug trade under the following conditions That the wholesale dealer shall affix or cause to be affixed to the bottle box vessel or package containing the article sold and upon the outside wrapper of the package as originally put up a label distinctly displaying the name and quantity of opium or chloral or the salts of them or either of them sold and the word "poison" with the name and place of business of the seller all printed in red ink and provided also That the wholesale dealer shall before delivering any of the articles make or cause to be made in a book kept for the purpose an entry of the sale thereof stating the date of sale the quantity name and form in which sold the name and address of the purchaser and the name of the person by whom the entry is made and the same book shall be always open for inspection by the proper authorities and shall be preserved for at least five years after the date of the last entry made therein And provided also That any manufacturer may sell to another manufacturer of the same article or to a wholesale dealer in drugs or a wholesale dealer in drugs may sell to a manufacturer of the same article or to another wholesale dealer in drugs opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them in their original package Such package shall be labelled as herein provided and shall be securely sealed Each manufacturer and each wholesale dealer in drugs shall before the delivery or at the time of the receipt as the case may be of any such drug enter or cause to be entered in a book to be kept by them respectively for that purpose a record of the purchase and sale of such drug stating the date of purchase and the name and address of the person to whom sold the quantity name and form in which sold and a description of the package or container in which sold and how sealed and there shall also be entered in such book at the place of such record a statement that such drug was sold or purchased as the case may be in the original package that the seals thereon were undamaged and unbroken and the labels were attached thereto as herein provided and were not in any manner defaced or damaged which statement shall be signed by the person selling such drug in the book herein required to be kept by him Each manufacturer and each wholesale dealer shall also file as a part of this record all orders for opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them

And further it shall be the duty of all wholesale dealers to make quarterly reports of their sales to other dealers wholesalers or retailers of opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them to the State Pharmaceutical Examining Board upon blanks to be provided for this purpose by the said Board

Section 2 Any person violating any of the provisions of this act shall be sentenced to pay a fine of not more than five hunderd dollars and undergo an imprisonment of not more than two years or both or either at the discretion of the court

Section 3 That if any person not being a practicing physician dentist or veterinarian or manufacturer or wholesale or retail dealer in drugs shall have in his or her possession any opium chloral or the salts derivatives or compounds of them or either of them or any patent or proprietary remedies containing the same except by reason of a prescription of a practicing physician dentist or veterinarian he shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not more than one hundred dollars and undergo an imprisonment of not more than six months or both or either at the discretion of the court

The fourth section of the bill was read as follows:

Section 4 That the enforcement of this act shall be entrusted to the State Pharmaceutical Examining Board appointed under the act of May twenty-fourth one thousand eight hundred and eighty-seven who shall appoint to carry out the provisions of this act an executive secretary and

shall also have power to employ such agents chemists and assistants as may be necessary for this purpose

On the question,

Will the Senate agree to the section?

Mr. GYGER. Mr. President, I move to amend Section 4, line 4, by inserting after the word "eighty-seven" the words "entitled 'an act to regulate the practice of pharmacy and sale of poisons and to prevent adulteration in drugs and additional preparations in the State of Pennsylvania.'"

Mr. MOORE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the qffuestion,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth and sixth sections of the bill were read as follows and agreed to:

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 6 Be it further enacted that this act shall be in force and effect at once

The title of the bill was read as follows and agreed to:

An Act regulating the sale prescription and possession of opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them and prescribing penalties for violation thereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 479 (House Bill No. 635), as follows:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred seventy-nine entitled "An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings" approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine and as further amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled "An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled 'An act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred ninety-five entitled "A supplement to an act entitled 'An act amending section one of article three of an act entitled 'An act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred three entitled "An act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any building having less than four stories and used as a lodging house boarding house apartment or tenement house the third story of which shall contain not more than five rooms and a bath room and the third story of which is not to be occupied by more than ten persons and having at least one stairway therefrom and equipped with such wire and chain fire escapes as the Department of Health and Charities shall order and direct shall hereafter be exempt from the provisions of the following acts of Assembly requiring fire towers outside fire escapes that is to say

The act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An act to provide for the better security of life and limb in case of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred eighty-five entitled "An act to amend an act entitled 'An act to provide for the better security of life and limb in case of fire in hotels and other buildings' approved eleventh day of June Anno Domini one thousand eight hundred and seventy-nine" and as furthr amended by an act approved the twelfth day of July one thousand eight hundred ninety-seven entitled 'An act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An act to amend an act entitled "An act to provide for the better security of life and limb in case of fire in hotels and other buildings" ' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine extending the provisions thereof to buildings used in whole or in part for office not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred ninety-five entitled 'A supplement to an act entitled 'An act amending section one of article three of an act entitled 'An act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safety of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April regulate the construction maintenance and inspection of buildone thousand nine hundred three entitled "An act to further ings and party walls in cities of the first class'

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 682 (House Bill No. 650), as follows:

An Act fixing a closed season for quail and providing a penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to kill wound or capture any quail during a period of two years beginning the first day of November one thousand nine hundred and thirteen

Section 2 Each and every person violating any of the provisions of this act shall be liable to a penalty of twenty-five dollars for each quail killed wounded or had in possession contrary to the provisions of this act or shall offer suffer an imprisonment in the common jail of the proper county for one day for each dollar of penalty imposed and unpaid Each and every magistrate alderman and justice of the peace of this Commonwealth shall have the right and power of summary conviction regarding any violation of this act and all violations of any of the provisions of this act shall be prosecuted under the forms prescribed by section thirty-one of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game birds and song and insectivorous and other wild birds and prescribing penalties for violations of its several provisions" and all penalties collected through or because of such violations shall be applied as therein provided

Section 3 All acts or parts of acts inconsistent with the provisions of this act are herewith repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 725 (House Bill No. 384), as follows:

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violations of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person to practice medicine or surgery who is an habitual drunkard or who is an habitual user of drugs

Section 2 Any person who shall violate any of the provisions of the first section of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred nor more than one thousand dollars. For a subsequent offense such person in addition to paying such fine shall forfeit the right to practice medicine or surgery in this Commonwealth until such time as the State bureau of Medical Education and Licensure shall judge that he has fully recovered from his impairment

Section 3 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the third time, time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 736, entitled:

An Act to regulate the catching or taking and sale within this Commonwealth of bullfrogs tadpoles terrapin and snapping turtles and providing a penalty therefor and repealing all acts inconsistent herewith

The first, second, third, fourth, fifth, sixth, and seventh sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful to catch take or kill any bullfrogs except from the first day of July to the first day of October both dates inclusive in each year excepting leopard and pickerel frogs which may be caught at any time

Section 2 That it shall be unlawful to catch take or kill any terrapin except from the first day of November to the fourteenth day of March next ensuing both dates inclusive nor any snapping turtle except from the first day of September to the thirteenth day of June next ensuing both dates inclusive

Section 3 That it shall be unlawful to catch take or kill any bullfrogs by the use of a light at night

Section 4 That it shall be unlawful to catch take or kill more than twenty-five tadpoles in any one day or have more than twenty-five tadpoles in possession at any one time

Section 5 That it shall be unlawful to purchase sell or offer for sale or have in possession any bullfrogs terrapin or snapping turtles whether caught within or without this Commonwealth except during the lawful period for catching the same in this Commonwealth and the space of thirty days after such period has expired

Section 6 Any person or persons violating any of the provisions of this act shall be liable to a fine of twenty dollars for each and every offense in accordance with sections seven and eight of this act

Section 7 That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint made to him by affidavit of one or more persons charging any person or persons with having violated the provisions of this act is hereby authorized and required to issue his warrant under his hand and seal directed to any constable peace officer or warden and cause such person or persons to be arrested and brought before such justice alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted upon such charge shall be sentenced by said justice alderman or magistrate severally to pay the fine or fines penalty or penalties provided in this act for such violations together with the costs of suits the whole of said fine shall be paid over forthwith to the treasurer of the county in which the prosecution was brought and said county treasurer shall pay over the same forthwith to the Commissioner of Fisheries for the benefit of the Commonwealth Provided That in case the defendant or defendants shall neglect to pay at once the fine or fines so imposed said defendant or defendants shall forthwith be sentenced to undergo imprisonment in the county jail of the county where such conviction takes place for the period of one day for each dollar of fine so imposed and unpaid unless the defendant or defendants upon conviction shall give notice of intention to appeal when such defendant or defendants shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal is not taken by them or on the final determination of such appeal if it be not sustained for execution of sentence Provided also That all actions for any violation of any of the provisions of this act must be taken within one year from the time the offense was committed and when necessary to properly conduct any case before any alderman justice of the peace magistrate or any court the Commissioner of Fisheries is authorized to employ legal counsel

The eighth section of the bill was read as follows:

Section 8 That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating the provisions of this act and take such person or persons before any justice of the peace alderman or magistrate and thereupon make charge of such violation of this act and the justice of the peace alderman magistrate shall forthwith hear and determine the charge as provided in section seven of this act and in case any Fish Commissioner firsh warden or any officer named above fails to prove his case and the defendant or defendants are discharged or in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of fine or fines penalty or penalties the county in which the case is heard shall pay the costs such arrests may also be made on Sunday in which case the person or persons so arrested for safe keeping may be committed to the jail or lock-up for that day but shall be taken before the proper magistrate and proceeded against on a week day following the arrest

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 8, line 12, by striking out "firsh" and inserting in lieu thereof the word "fish."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The ninth section of the bill was read as follows:

Section 9 The following act of Assembly is intended to be supplied by this act and the same is hereby repealed

1 An act to regulate the catching or taking within this Commonwealth of bullfrogs and terrapin and providing a penalty therefor Approved the sixth day of April Anno Domini one thousand nine hundred and three

And in addition to the above all acts or parts of acts inconsistent with the provisions of this act are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. BUCKMAN. Mr. President, I move to amend section 9, line 3, by inserting before the word "an" double quotation marks; also in line 5, by inserting after the word "therefor" double quotation marks.

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to regulate the catching or taking and sale within this Commonwealth of bullfrogs tadpoles terrapin and snapping turtles and providing a penalty therefor and repealing all acts inconsistent herewith

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE.

Mr. VARE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE, from the Committee on Municipal Affairs, reported as committed Senate Bill No. 929, entitled:

An Act prohibiting the keeping of live pigs in cities of the first class without an annual license from the Bureau of Health in such cities authorizing the Board of Health to make alter and amend rules and regulations therefor and granting the Board of Health power to revoke such licenses fixing the fee for such licenses prescribing penalties for violation of this act or of such rules and regulations and repealing all acts and parts of acts inconsistent therewith

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1087 (House Bill No. 1607), entitled:

An Act creating a building commission in counties of this Commonwealth of one hundred and fifty thousand to two hundred and fifty thousand population prescribing their powers duties authority and compensation

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 1087 (House Bill No. 1607), on second reading, the bill just read, be recommitted to the Committee on Judiciary General.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Mr. HUNTER. Mr. President, I move that Senate Bill No. 1256), on second reading, entitled:

An Act to amnd sections three ten twelve fourteen seventeen twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred one as the same were amended by the act of May fourteeth one thousand nine hundred one by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

be recommitted to the Committee on Judiciary Special.

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1149, entitled:

An Act to repeal an act entitled "An Act in relation to local advertisements in the county of Lycoming" approved April tenth one thousand eight hundred and seventy-three

The first section of the bill was read as follows:

Section 1 Be it enacted by the Seante and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the act of Assembly entitled "An Act in relation to local advertisements in the county of Lycoming" approved April tenth one thousand eight hundred and seventy-three (Pamphlet Laws six hundred) be and the same is hereby repealed

On the question,

Will the Senate agree to the section?

Mr. JONES. Mr. President, I move to amend section 1. in line 4, by striking out the word "local" and inserting in lieu thereof the word "legal."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to repeal an act entitled "An Act in relation to local advertisements in the county of Lycoming" approved April tenth one thousand eight hundred and seventy-three

On the question,

Will the Senate agree to the title?

Mr. JONES. Mr. President, I move to amend the title in line 1, by striking out the word "local" and inserting in lieu thereof the word "legal."

Mr. KLINE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1182 (House Bill No. 1238), entitled:

A Supplement to an act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estate of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country who have left personal estate within this Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr HUNTER. Mr. President, I move that Senate Bill No. 1199 (House Bill No. 1562), on second reading, entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part of lands of adjoining owner and collect a pro rata shares of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

be recommitted to the Committee on Judiciary Special.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER.

Mr. HOMSHER. Mr. President, I ask that Senate Bill No. 1211, on second reading, entitled:

An Act to provide for the better protection of gray rabbits and hare in this Commonwealth fixing the open season for such animals and providing penalties for violation of its several provisions

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1227 (House Bill No. 1871), entitled:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entitled "An Act relating to hawking and peddling in the County of Lehigh"

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. SALUS. Mr. President, I move that Senate Bill No. 1236 (House Bill No. 1232), on second reading, entitled:

An Act authorizing the payment of the redemption money of a redeemable ground rent into court and the execution of a deed of extinguishment by the prothonotary in cases where the owner or owners of said ground rent cannot be definitely ascertained or where the owner or owners of said rent neglect or refuse to release or extinguish the same or to procure the execution of a release of extinguishment or where the owner or owners of said rent neglect or refuse to remove encumbrances against the title to the some or to comply with any requirement necessary to grant a clear title thereto

be recommitted to the Committee on Judiciary Special.

Mr. JONES. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1254 (House Bill No. 1581), entitled:

An Act relating to bail or surety bond furnished on appeals from courts of record in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1279, entitled:

A Supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

The first, second, third and fourth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Water Supply Commission of Pennsylvania is hereby authorized to prepare and publish rules and regulations defining the procedure to be followed in all matters pertaining to or coming within its powers or authority All hearings shall be public and the Commission may at its discretion require that notice of any application presented to it shall be published by the applicants in at least one newspaper of general circulation in the propor county two weeks prior to the hearing Said notice shall include the purpose of the application names of the applicants location of the proposed work and the date of the hearing Sufficient proof of the publication thereof shall be filed with the Commission prior to the hearing The Commission is hereby empowered to subpoena witnesses to appear before it at any time and to require under subpoena the production of books papers and records on any matter coming within its powers or authority Witnesses may be required to testify under oath or affirmation which may be administered by any member of the Commission and any person wilfully swearing falsely in any proceeding before the Commission shall be guilty of perjury

Section 2 Any person who shall appear at any hearing or investigation held by the Commission who shall refuse to be sworn or being sworn shall refuse to give testimony or produce any documentary evidence in his possession or custody at such hearing or investigation shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars or undergo an imprisonment in the county jail not exceeding one year or both at the discretion of the court

Section 3 In the exercise of the powers or in the performance of the duties now or hereafter conferred or imposed by law on the said Commission the said Commission or any of the members thereof its engineers employes or any other agent or person appointed by it shall have the right to enter and re-enter upon any land or premises and have free access to the works structures buildings or grounds of any person or persons partnership association municipality township or corporation within this Commonwealth and to make any survey or measurement and collect any data or information which the Commission may deem necessary

Any person who shall prevent or obseruct or attempt to prevent or obstruct the exercise of the right of entry access or examination aforesaid shall be guilty of a violation of the provisions of this act and upon conviction thereof in a summary proceeding before any magistrate or justice of the peace of the proper county shall be sentenced to pay a fine of not less than fifty dollars nor more than one hundred dollars or to undergo an imprisonment in the jail of such county for a period not exceeding thirty days

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

The title of the bill was read as follows:

A Supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

On the question,

Will the Senate agree to the title?

Mr. McNICHOLS. Mr. President, I move to amend the title in line three by inserting after the word "authority" the words "and powers."

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1280, as follows:

An Act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "water obstruction" as used in this act includes any dam wall wing-wall wharf embankment abutment projection or similar or analogous structure or any other obstruction whatsoever in along across or prjecting into ony stream or body of water wholly or partly within or forming part of the boundary of this Commonwealth

The word "construct" shall be taken to mean construct erect build place or deposit

Section 2 From and after the pasage of this act it shall be unlawful for any person or persons partnership association corporation county city borough town or township to construct any dam or other water obstruction or to make or construct or permit to be made or constructed any change therein or addition thereto or to make or permit to be made any change in or addition to any existing water obstruction or in any manner to change or diminish the course current or cross-section of any stream or body of water wholly or partly within or forming a part of the boundary of this Commonwealth without the consent or permit of the Water Supply Commission of Pennsylvania in writing previously obtained upon written application to said Commission therefor

Section 3 Each application for the consent or permit required by the second section f this act shall be accompanied by complete maps plans profiles and specifications of such water obstruction or of the said changes or additions proposed to be made and such other data and information as the Commission may require

Section 4 The Commission shall have power to grant or withhold such consent or permit or may incorporate in and make a part of said consent or permit such conditions regulations and restrictions as may be deemed by it advisable It shall be unlawful to construct or begin the construction of any such water obstruction or to make or begin any change or addition aforesaid except in accordance with the terms conditions regulations and restrictions of such consent or permit and such rules and regulations with regard to said constructions changes or additions as may be prescribed by the Commission

Section 5 Upon complaint or upon its own initiative the Commission shall have power to cause an investigation or examination to be made of any dam or ther water obstruction now existing or hereafter constructed If the Commission shall determine that such dam or water obstruction is unsafe or needs repair or should be removed as being unsafe and not susceptible of repair the Commission shall in writing notify the owner or owners thereof to repair or remove the same as the exigencies of the case may require such work to be commenced and proceeded with to completion within such reasonable time as may be prescribed in such notice by the Commission And it shall thereupon be and become the duty of such owner or owners to comply with provisions of such notice

If said owner or owners notified as aforesaid shall neglect or refuse to make such repairs or to cause such removal or if said owner or owners cannot be found or determined then upon the request of the Commission in writing it shall be and become the duty of the commissioners of the county wherein such water obstruction is situate to make such repairs or cause such removal In the event that such repairs or removal be not commenced or completed within the reasonable time which may be prescribed in such notice or request to the commissioners of the said county then the Commission may cause said repairs to be made or such removal at the expense of the county wherein such water obstruction is situate and may thereafter recover in the name of the Commonewalth from said county the said cost or expense in the same manner as debts are now by law recoverable Any county aforesaid that shall cause said repairs to be made or such removal may recover the cost or expense thereof with ten per centum of the amount of such cost or expense added thereto from the owner or owners of the water obstruction in the same manner as debts are now by law recoverable

Section 6 If such stream or body of water in which any water obstruction may exist be situate in part within two or more counties the commissioners of all such counties shall be notified as aforesaid to make such repairs or cause such removal in the event of the neglect or refusal of the owner or owners of such water obstruction to make such

repairs or cause such removal And in the event of the failure or refusal of said commissioners as aforesaid to make such repairs or cause such removal the same shall be done by the Commission and the cost thereof recovered as aforesaid from said counties in such proportions as the Commission may determine and the amount of such cost and expense recovered from each of said counties may in like manner be recovered by each of said counties from the owner or owners of such water obstruction

Section 7 If the condition of any dam or other water obstruction be so dangerous to the public safety as not to permit of the giving of the notice hereinabove provided to the owner or owners of such obstruction to remove such dangerous condition the Commission shall have power to remedy such condition by repair or otherwise and may recover the cost and expense thereof from the owner or owners as debts are now by law recoverable

Section 8 Any person or persons partnership association or corporation county city borough town or township that shall do or cause to be done or that shall fail neglect or refuse to do or cause to be done any act or thing contrary to the provisions of this act or that shall violate or fail to comply with any order of the Commission of which due notice shall be given or that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars or in the discretion of the court such person or persons or the members of such partnership or association or the officers and directors of such corporation or the officers of such county city borough tow nor township as the case may be may be sentenced to undergo an imprisonment in the county jail for a period not exceeding one year either or both in the discretion of the court

Section 9 Upon application of the Commission verified by oath or affirmation the Court of Common Pleas of any county sitting in equity may by injunction enforce the compliance with or restrain the violation of any order or notice of the commission made pursuant to the provisions of this act or restrain the violation or attempted violation of any of the provisions of this act

Section 10 The provisions of this act shall not prohibit the placing in any purely private stream having a drainage area of less than one-half square mile of any dam or obstruction that cannot in any way imperil life or property located below or above such dam or obstruction nor shall the provisions of this act prohibit the making of necessary temporary repairs to any water obstruction

Section 11 All acts and parts of acts inconsistent herewith are hereby repealed but nothing in this act contained shall be constructed to repeal in any way or in any way alter or abridge the provisions of the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" or of an act approved the twenty-seventh day of April one thousand nine hundred and five entitled "An Act creating a Department of Health and defining its powers and duties" or of an act approved the thirteenth day of April one thousand nine hundred and five entitled "An Act providing that the right of eminent domain as respects the appropriation of streams rivers or waters or the land covered thereby shall not be exercised by water companies incorporated by law" and nothing in this act contained shall confer upon any municipality township or corporation whatsoever the power to take or use by eminent domain any of the water resources of the Commonwealth or any of the land covered thereby

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1281, entitled:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "water resources" as used in this act includes all rivers streams and underground waters and all bodies of surface water either in whole or in part within this State

Section 2 It shall be the duty of the Water Supply Commission of Pennsylvania to make a complete inventory of all the water resources of the Commonwealth and collect all pertinent data facts and information in connection therewith and to classify tabuate record and preserve the same and upon the basis thereof to determine the points at which reservoirs may be constructed for the purpose of minimizing floods of storing and conserving water for power and other utilization and distribution of water and water-power of increasing the low water flow of rivers and streams for the purpose of navigation and generally to devise all possible ways and means to conserve and develope the water supply and water resources of the Commonwealth for the use of the people thereof To the end and object aforesaid the said commission shall study consider and determine upon a public policy with regard to the marketing and equitable distribution of the water to be derived from the water resources of the Commonwealth to the restoration development and improvement of transportation by water to the supply of water for domestic and industrial use and to the conservation of water resources by the aid of forestation The Commission shall present a report in writing to the next session of the General Assembly setting forth the result of such invantory together with such recommendations and suggestions for legislation upon the basis thereof as to it may seem expedient and advisable The said Commission is hereby authorized and directed to publish and have printed for general distribution five thousand copies of such report

Section 3 The Water Supply Commission of Pennsylvania shall employ such persons expert or otherwise as may be needed for the purpose of making the said inventory and report as aforesaid and for the purpose of carrying on any and all of its work heretofore authorized or that may be hereafter authorized and at such compensation as may be fixed by the said Commission

The fourth section of the bill was read as follows:

Section 4 The Water Supply Commission of Pennsylvania is hereby authorized and empowered to purchase such supplies and material of any and every kind as may be incidental to or necessary in the prosecution of its work and if in its judgment it is necessary in order to expedite and more efficiently carry on its said work

On the question,

Will the Senate agree to the section?

Mr. McNICHOLS. Mr. President, I move to amend section four in line four by striking out after the word "work" the word "and"; also in line six by striking out after the word "its" the word "said."

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended??

It was agreed to.

The fifth, sixth and seventh sections of the bill were read as follows and agreed to:

Section 5 In the performance of the work hereby authorized the members of the Water Supply Commission and any agent or employee thereof are authorized to enter and re-enter upon any land or premises and may make any survey or measurement or collect any data deemed necessary Any person who shall prevent or attempt to prevent any such entry or re-entry or any such work aforesaid or who shall destroy or deface or disturb any mark stake device or apparatus used or intended to be used in carrying on said work shall upon conviction thereof in a summary proceeding before any alderman magistrate or justice of the peace of the county be sentenced to pay a fine of not more than twenty-five dollars with costs of prosecution or in default thereof shall be sentenced to undergo an imprisonment in the jail of the county for a period not exceeding ten days

Section 6 The sum of one hundred fifty thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Water Supply Commission of Pennsylvania for the purpose of carrying out the provisions of this act

Section 7 All acts and parts of acts inconsistent with this act are repealed

The preamble of the bill was read as follows and agreed to:

Whereas, Governor Tener in his message to the General Assembly has called attention to the expediency of taking an inventory of the water resources of the Commonwealth in order that legislation may be enacted to provide for their conservation and utilization under proper State control in a manner which will best promote the interests of all of the people of the State therefore

The title of the bill was read as follows and agreed to:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1296, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

The first section of the bill was read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any municipality or township or any corporation formed for the supply of water to the public or for the supply storage or transportation of water or water power for commercial or manufacturing purposes or any other water or water power company or any other corporation of any kind or character whatsoever heretofore or hereafter incorporated which may desire to acquire a new or additional source of supply of water or water power shall first make application therefor by filing in the office of the Secretary of the Commonwealth a certified copy of a resolution of its stockholders under the seal of the said corporation and filing a duplicate thereof in the office of the Water Supply Commission of Pennsylvania setting forth the necessity for such new or additional source of supply and the specific water resources and as near as may be the point or points on said water resources at which it is desired to take or use water or water power and the quantity of water or water power desired to be used or generated If after a full investigation and hearing thereof the said application shall be approved by a majority of the members of the Water Supply Commission it shall then be presented to the Governor for his approval or disapproval If he shall approve of the same the Secretary of the Commonwealth shall issue a certificate that such new or additional source of supply has been duly authorized and the said certificate shall then be recorded in the office of the Secretary of the Commonwealth and in the office of the Water Supply Commission and placed on record in the office of the recorder of deeds in the county or counties in which said water resources be situated In the case of a corporation such certificate shall forthwith be taken to be a part of the charter under which said corporation was formed to all intents and purposes as if the same had originally been a part thereof Provided however That nothing in this act shall be construed to repeal in any way or in any way alter or abridge the provisions of the act approved the twenty-second day of April one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" or of an act approved the twenty-seventh day of April one thousand nine hundred and five entitled "An Act creating a Department of Health and defining its powers and duties" or of an act approved the thirteenth day of April one thousand nine hundred and five entitled "An Act providing that the right of eminent domain as respects the appropriation of streams rivers or waters or the land covered thereby shall not be exercised by water companies incorporated by law" and nothing in this act contained shall confer upon any municipality township or corporation whatsoever the power to take or use by eminent domain any of the water resources of the Commonwealth or any of the land covered thereby

The second section of the bill was read as follows:

Section 2 Any municipality township or any corporation as aforesaid that shall acquire any new or additional water supply in violation of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars or the officers of any such municipality or township or the officers and directors of any corporation who shall knowingly permit such violation shall be guilty of a misdemeanor and upon conviction thereof each be sentenced to imprisonment in the jail of the proper county for a period of not less than one ninety days nor more than one year or both such fine and imprisonment in the discretion of the court

On the question,

Will the Senate agree to the section?

Mr. McNICHOLS. Mr. President, I move to amend section two in line eleven by striking out after the word "than" the word "one."

Mr. SNYDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment??

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows and agreed to:

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1298 (House Bill No. 585), entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and three) entitled "A supplement to an act of April third one thousand eight hundred and fifty-one entitled 'An Act regulating boroughs providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth one thousand nine hundred and seven and providing for the furnishing of a bond by a trust or bonding company

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1312, as follows:

An Act for the better protection of human life and other life in this Commonwealth and prescribing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful for any person in this Commonwealth save upon grounds properly prepared for target practice and duly safeguarded to fire or shoot at any object either animate or inanimate a rifle bullet or ball of any substance or combination of substances excepting soft lead

Section 2 Each and every person violating the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a penalty of twenty dollars for each bullet or ball fired contrary to the provisions of this act or in default of payments thereof to undergo an imprisonment in the county jail of the county in which the offense is committed of one day for each dollars of penalty imposed and unpaid

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 591 (House Bill No. 644), entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act making an appropriation therefor and providing certain penalties for the violation of the provisions thereof and repealing all acts and parts of acts incompatible herewith

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 737, entitled:

A supplement to an act entitled "An Act to provide for the immediate registration of all births and deaths through-

out the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth' approved June third one thousand eight hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties' approved May first one thousand nine hundred and five Pamphlet Laws three hundred and thirty authorizing the statistics required to be obtained and preserved by the tenth section of an act entitled "An Act creating a Department of Health defining its powers and duties" approved April twenty-seventh one thousand nine hundred and five Pamphlet Laws three hundred and twelve or by any subsequent law or laws to be obtained collected compiled and preserved by and in said Central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 794 (House Bill No. 50), entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessity inlets and appliances owned by individuals and unincorporated associations and the property so acquired upon the properties benefited thereby or upon the proper municipality

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 802 (House Bill 519), entitled:

An Act to change and fix the terms of managers of the poor and auditors authorized to audit settle and adjust accounts of said managers of the poor in incorporated poor districts where the number of said managers and auditors respectfully is nine and said managers and auditors are required to be elected in blocks of three fixing the times when the terms of present managers and auditors shal expire their successors be elected and assume office

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 880, entitled:

An Act to amend paragraph three of section five of "An Act regulating boroughs" approved April three one thousand eight hundred and fifty-one enlarging the jurisdiction of the chief burgess by conferring upon him the powers of a committing magistrate

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 919 (House Bill No. 1105), entitled:

An Act to amend the first section and second section of an act entitled "An Act constituting county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1022 (House Bill No. 1316), entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1028 (House Bill No. 1697), entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable petition of lands held in common

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1069, entitled:

An Act to provide for the execution of orders of the court of quarter sessions for support and maintenance of a wife or children or both and for the execution of judgments entered upon contracts for such support and maintenance by subjecting estates owned by the husband and wife by entireties and the rents issues and profits thereof to such executions

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1084 (House Bill No. 1250), entitled:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts and to rules of evidence in questions of simulated (or altered) handwriting in declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1100 (House Bill No. 1038), entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1103 (House Bill No. 1304), entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred and thirty-four entitled "An Act relating to executors and administrators"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1107 (House Bill No. 1523), entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,

The Senate proceeded to the first reading and considera-

tion of Senate Bill No. 1119 (House Bill No. 869), entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial for the care and maintenance of such children while detained

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1120 (House Bill No. 872), entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1121 (House Bill No. 939), entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1223 (House Bill No. 1040), entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the city treasurer of Philadelphia for an auctioneer's license and paid by said city treasurer into the State Treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1224 (House Bill No. 1190), entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1235 (House Bill No. 1110), entitled:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1240 (House Bill No. 1521), entitled:

A Supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1259, entitled:

An Act to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any county city borough township or other corporate authority in the State of Pennsylvania

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1268, entitled:

An Act to amend section three of an act approved the eighteenth day of April one thousand nine hundred and five entitled "An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" extending the time for registration of persons who had assumed the title of veterinary surgeon or analogous title prior to the passage of the acts of Assembly approved the eleventh day of April one thousand eight hundred and eighty-nine and the twenty-ninth day of April one thousand eight hundred and ninety-one but who failed to register within the time provided by the said acts

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1295, entitled:

An Act prohibiting the running at large of horses and mules on public highways providing and regulating penalties for violation of the act and imposing certain duties on constables township supervisors roadmasters and the State Police Force

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1325 (House Bill No. 969), entitled:

An Act relating to commissioners of townships of the first class and regulating their term and election

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 1325 (House Bill No. 969), the bill just read, be recommitted to the Committee on Judiciary Special.

Mr. JONES. Mr. President, I second the motion.

BILL ON FIRST READING.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1334 (House Bill No. 1891), entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

CONCURRENT RESOLUTION INVITING HON. WILLIAM JENNINGS BRYAN, OF NEBRASKA, TO ADDRESS BOTH HOUSES OF LEGISLATURE IN THE HALL OF THE HOUSE OF REPRESENTATIVES ON TUESDAY, MAY 13TH, 1913.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate, Senate resolution as follows:

CNCURRENT RESOLUTION

In the Senate, May 12, 1913.

Whereas, The Hon. William Jennings Bryan, of Nebraska, now the Secretary of State, will pay a visit to the City of Harrisburg, on Tuesday, May 13, 1913.

Be it Resolved (if the House of Representatives concur That Hon. William Jennings Bryan be invited to address both Houses of the Legislature in the Hall of the House of Representatives on that date, and

Be it further resolved, That the hour for the address be designated by the House of Representatives

with the information that the House passed the same with amendments in which the concurrence of the Senate is requested.

Said amendments were twice read as follows:

By striking out the entire resolution and inserting in lieu thereof the following:

Whereas the members of the House of Representatives have invited the Honorable William Jennings Bryan, Secretary of State to address them on Tuesday May 13, 1913 and have designated a committee to deliver the invitation, therefore be it

Resolved (if the Senate concur,) That the Senate join with the members of the House of Representatives in extending said invitation and assemble in the hall of the House with the representatives to listen to Mr. Bryan's address at an hour to be fixed by the committee after conference with Mr. Bryan.

On the question,

Will the Senate concur in the same?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 465 RECALLED FROM THE GOVERNOR.

He also laid before the Senate concurrent resolution from the House of Representatives as follows, which was twice read, considered and agreed to:

Resolved (if the Senate concur), That House Bill No. 465, entitled:

An Act requiring a license for enducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way and regulating such license and fixing a penalty for violation of this act

be recalled from the Governor for the purpose of amendment.

Ordered. That the Clerk inform the House of Representatives accordingly.

CONCURRENT RESOLUTION AUTHORIZING THE SECRETARY OF THE COMMONWEALTH TO CORRECT THE SPELLING OF THE NAME OF WILLIAM J. LEAHY, WHO WAS COMMISSIONED SECOND LIEUTENANT IN AN ORGANIZATION KNOWN AS INDEPENDENT COMPANY SHARPSHOOTERS, AND WHICH WAS SUBSEQUENTLY MADE COMPANY C, SECOND REGIMENT, UNITED STATES SHARPSHOOTERS.

He also laid before the Senate communication from the House of Representatives returning to the Senate concurrent resolution as follows:

In the Senate, May 7, 1913.

Whereas, On the fifteenth day of August, one thousand eight hundred sixty-two a commission as Second Lieutenant of Independent Company Pennsylvania Sharpshooters (Berdean's Company C) was issued to William J. Leahy; and

Whereas, Through a clerical error in the wording of the commission the name was spelled "William J. Sealy;" and

Whereas, It is eminently proper and a matter of justice that the name should be corrected to conform to the real facts therefore

Be it resolved (if the House of Representatives concur) That the Secretary of the Commonwealth is hereby authorized and directed, upon the submission to him of proofs showing the above facts, to correct upon the records in his office the mistake made in issuing a commission to William J. Leahy, wherein said commission was issued to "William J. Sealy," as Second Lieutenant of Independent Company Pennsylvania Sharpshooters (Berdean's Company C), under date of August fifteenth, one thousand eight hundred sixty-two which said organization subsequently became Company C Second Regiment United States Sharpshooters.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 84.

He also returned to the Senate Senate Bill No. 84, entitled:

An Act to amend section six of an act entitled "An Act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commisisoners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter sessions and a majority vote of the qualified voters of said county at the general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a board of managers and that certain judges of the Common Pleas Court and the county commissioners shall be ex-officio members of the board of managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the county of Allegheny

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 582.

He also returned to the Senate Senate Bill No. 582, entitled:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies"

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 630.

He also returned to the Senate Senate Bill No. 630, entitled:

An Act fixing the salary of the second assistant State librarian

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 875.

He also returned to the Senate Senate Bill No. 875, entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

with the information that the House has passed the same without amendment.

RECONSIDERATION OF VOTE BY WHICH SENATE BILL NO 1143 WAS RECOMMITTED.

Mr. MAGEE. Mr. President, I move to reconsider the vote by which Senate Bill No. 1143 (House Bill No. 1236) was recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF VOTE BY WHICH SENATE BILL NO. 1199 WAS RECOMMITTED.

Mr. MAGEE. Mr. President, I move to reconsider the vote by which Senate Bill No. 1199 (House Bill No. 1562) was recommitted to the Committee on Judiciary Special.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Mr. MAGEE. Mr. President, I move that the Senate do now proceed to the second reading and consideration of Senate Bill No. 1143 (House Bill No. 1236), entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three fory-five fory-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or enganging in the business or work of plumbing or house drainage and prescribing certain rules and regu'ations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred one as the same were amended by the act of May fourteenth one thousand nine hundred one by further providing for the examination licensure and registration of persons firms or corporations engaged or enganging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1143 (House Bill No. 1236), entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business or work of plumbing or house drainage and prescribnig certain rules regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred one as the same were amended by the act of May fourteenth one thousand nine hundred one by further providing for the examination licensure and registration of persons firms or corporations engaged or enganging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the construction or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. MAGEE. Mr. President, I move that the Senate do now proceed to the second reading and consideration of Senate Bill No.1199 (House Bill No 1562), entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata shares of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1199 (House Bill No. 1562), entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata shares of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. MAGEE. Mr. President, my colleague from Allegheny moved that these bills be recommitted to the Committee on Judiciary Special. If he desires a hearing on these bills, and I think he does, then I will make a motion to recommit them to the Committe on Municipal Affairs where they belong.

RECESS.

Mr. McNICHOL. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 45 (Senate Bill No. 1350), entitled:

An Act fixing the penalty for murder of the first degree regulating the procedure incident thereto prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary in Centre County making an appropriation therefor repealing certain acts and parts of acts and exempting from the operation of the act persons now under sentence of death

Which was committed to the Committee on Judiciary General.

House Bill No. 46 (Senate Bill No. 1351), entitled:

An Act requiring hospitals receiving appropriations from the Commonwealth to maintain a free room for certain patients regulating the use of said rooms and regulating the care and treatment of such patients

Which was committed to the Committee on Appropriations.

House Bill No. 292 (Senate Bill No. 1352), entitled:

An Act making an appropriation to reimburse counties for moneys paid under the provisions of an act approved the tenth day of April one thousand nine hundred and seven entitled "An Act creating a reward or bounty for the destruction of certain noxious animals killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions"

Which was committed to the Committee on Appropriations.

House Bill No. 531 (Senate Bill No. 1353), entitled:

An Act amending the sixth section of an act approved the twenty-eighth day of April eighteen hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class

Which was committed to the Committee on Judiciary Special.

House Bill No. 1065 (Senate Bill No. 1354), entitled:

An Act providing for the location construction operation and maintenance by the Commonwealth of Pennsylvania of a canal or waterway from the junction of the Ohio and Beaver Rivers in Pennsylvania to Lake Erie at or near the mouth of Indian Creek in the State of Ohio with all appurtenances necessary or convenient for the purpose and for the utilization of the water-power developed or created in the construction and operation thereof providing for the payment of the cost of construction of said canal or waterway and appurtenances out of funds to be contributed by certain counties in the States of Pennsylvania Ohio and West Virginia or any of them and by the Commonwealth of Pennsylvania and other public authorities providing for the creation of a Canal Board to have charge of said work prescribing and defining the powers and duties of said Board and the conditions under which the said work shall be carried on providing for the payment of damages sustained by reason of the appropriation of property and rights in the exercise of the right of eminent domain herein conferred providing for the reimbursement in the manner provided in this act of said counties contributing to the payment of the cost of constructing said canal or waterway and appurtenances imposing certain duties upon the Auditor General and State Treasurer authorizing the said Canal Board to make certain rules and regulations for the use of said canal and making violations thereof misdemeanors and providing penalties therefor and making an appropriation for carrying out certain provisions of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1070 (Senate Bill No. 1355), entitled:

An Act to repeal an act of Assembly approved the twelfth day of July Anno Domini one thousand eight hundred and ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine' extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction"

Which was committed to the Committee on Corporations.

House Bill No. 1182 (Senate Bill No. 1356), entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the transportation of certain pupils at the expense of the proper school district

Which was committed to the Committee on Education.

House Bill No. 1363 (Senate Bill No. 1357), entitled:

An Act to give the owner of a stallion or jack a lien on certain property for service rendered and providing a method for enforcing such lien

Which was committed to the Committee on Agriculture.

House Bill No. 1429 (Senate Bill No. 1358), entitled:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than fifteen hours in any twenty-four hour period nor more than ninety hours in any one week in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any persons leading driving riding or working any animal a less period than fifteen hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of fully incorporated societies or associations for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

Which was committed to the Committee on Agriculture.

House Bill No. 1551 (Senate Bill No. 1359), entitled:

An Act providing that taxes assessed against property used exclusively for public hospital purposes and which have not been paid shall be remitted by the municipal authority levying the same

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1457 (Senate Bill No. 1360), entitled:

An Act to amend the fourteenth section of an act entitled "An Act to provide for the incorporation of causalty insurance companies and for the regulation of home and foreign casualty insurance companies and providing penalties for the violation of any of the provisions of this act" approved the first day of June Anno Domini one thousand nine hundred eleven and providing for the incorporation of casualty companies for the insurance of glass against breakage upon the mutual plan

Which was committed to the Committee on Insurance.

House Bill No. 1560 (Senate Bill No. 1361), entitled:

An Act to amend the second section of an act entitled "An Act empowering the Governor of this Commonwealth to appoint special officers or policemen for incorporated or unincorporated associations heretofore or hereafter organized for any charitable purpose" approved the twenty-fifth day of June Anno Domini one thousand eight hundred and eighty-five

Which was committed to the Committee on Judiciary Special.

House Bill No. 1599 (Senate Bill No. 1362), entitled:

A Supplement to an act entitled "An Act providing for the incorporation and the government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine creating a City Planning Department defining its jurisdiction and extending the same so as to regulate the laying out and recording of plans of lots within the limits of the city and for five miles beyond the city limits and to regulate the making and use of certain public improvements until said plans are approved by said department and authorizing the exercise of the powers herein provided by a park or other municipal commission

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1633 (Senate Bill No. 1363), entitled:

An Act to amend an act approved the eighth day of May one thousand eight hundred and seventy-six entitled "An Act to establish a State Board of Agriculture" as the same was amended by an act approved the thirtieth day of March one thousand nine hundred and eleven by providing for representation of the Pennsylvania Conservation Associoation on the State Board of Agriculture changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society and by adding one (1) Representative of the Pennsylvania Conservation Association

Which was committed to the Committee on Agriculture.

House Bill No. 1656 (Senate Bill No. 1364), entitled:

An Act providing for the annulment of charters of boroughs incorporated by decree of the court of quarter sessions and prescribing the manner and procedure necessary to secure such decree of annulment and providing for the reversion to the original township of the property embraced within such borough

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1785 (Senate Bill No. 1365), entitled:

An Act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith

Which was committed to the Committee on Mines and Mining.

House Bill No. 228 (Senate Bill No. 1366), entitled:

An Act to improve and regulate the Civil Service of the Commonwealth of Pennsylvania and to regulate the conduct of the employes therein and providing penalties for any violation thereof

Which was committed to the Committee on Municipal Affairs.

House Bill No. 302 (Senate Bill No. 1367), entitled:

An Act to amend section two of an act entitled "An Act to amend section two of an act entitled 'An Act to regulae the manner of increasing the indebtedness of mu-

nicipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" approved the twentieth day of April Anno Domini one thousand eight hundred and seventy-four abolishing the restriction that the tax levied to pay municipal indebtedness shall be equal to eight per centum of the amount of such increased debt providing for the method of assessing and levying a tax for the payment of the principal and interest when the bonds become due and the form of statement to be filed approved the thirteenth day of April Anno Domini one thousand eight hundred and ninety-seven by extending the power to incur and increase indebtedness to townships of the second class

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1068 (Senate Bill No. 1368), entitled:

An Act prohibiting persons partnerships and corporations operating railroads from allowing certain things except material for the immediate repair thereof to remain on the right of way and fixing penalties for violation hereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1450 (Senate Bill No. 1369), entitled:

An Act supplementing and amending section two thousand two hundred and eight (2208) of article twenty-two of an act entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" approved the eighteenth day of May one thousand nine hundred and eleven by providing that boards of school visitors in school districts of the first class shall remove janitors of grammar and elementary schools in their district for cause

Which was committed to the Committee on Judiciary Special.

House Bill No. 1462 (Senate Bill No. 1370), entitled:

An Act relating to appointment of deputy constables

Which was committed to the Committee on Judiciary General.

House Bill No. 1606 (Senate Bill No. 1371), entitled:

An Act to prevent misrepresentation or misleading estimates intended in induce the taking of a policy of insurance or misrepresentations or incomplete comparisons of policies intended to induce the lapse of forfeiture of policies of insurance prescribing penalties for violations of this act making provision for compelling the production of evidence and repealing existing laws

Which was committed to the Committee on Insurance.

House Bill No. 1627 (Senate Bill No. 1372), entitled:

An Act relating to the issuing of policies of insurance prohibiting the giving or offering or receiving of rebates or inducements of any kind not specified in the policy with certain exceptions prescribing penalties for violation of this act and making provision for compelling the production of evidence and repealing existing laws

Which was committed to the Committee on Insurance.

House Bill No. 1916 (Senate Bill No. 1373), entitled:

An Act to amend an act approved the fourteenth day of April one thousand eight hundred and thirty-four entitled "An Act relatives to the organization of the courts of justice"

Which was committed to the Committee on Judiciary General.

House Bill No. 1928 (Senate Bill No. 1374), entitled:

An Act repealing an act entitled "An Act for the better security of the City of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naptha" approved the second day of March one thousand eight hundred and sixty-five and a supplement thereto entitled "A Supplement to an act for the better security of the City of Philadelphia from dangers incident to the refining or improper and negligent storage of petroleum benzine benzole or naptha approved March second one thousand eight hundred and sixty-five" approved the twenty-fourth day of March one thousand eight hundred and sixty-five and a further supplement thereto entitled "An Act supplementary to an act relative to the manufacture and storage of petroleum in the City of Philadelphia approved March twenty-fourth one thousand eight hundred and sixty-five and to extend the boundaries of the same" approved the twenty-third day of May one thousand eight hundred and seventy-one

Which was committed to the Committee on Municipal Affairs.

BILL ON FIRST READING.

Mr. CLARK. Mr. President, I move that the Senate do now proceed to the first reading and consideration of Senate Bill No. 1316, (House Bill No. 1909), entitled:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the Counties of Pike Schuylkill Luzerne Erie and Montgomery in so far as refers to the County of Erie

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first read and consideration of Senate Bill No. 1316 (House Bill No. 1909), entitled:

An Act to repeal an act approved the sixteenth day of May one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the Counties of Pike Schuylkill Luzerne Erie and Montgomery in so far as refers to the County of Erie

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED.

Mr. CROW. Mr. President, I move that Senate Bill No. 1235 (House Bill No. 1110), entitled:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

be recommitted to the Committee on Judiciary General for a hearing.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate now adjourn until tomorrow morning at 11 o'clock.

Mr. KLINE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:45 o'clock P. M. until Tuesday morning, May 13, 1913, at 11 o'clock.

ERRATA.

In proceedings of May 6, page 2654, column 2, "Mr. HOKE. Mr. President, I second the motion" should read "Mr. HUFFMAN. Mr. President, I second the motion."

In proceedings of April 28, page 2316, column 1, "Mr. ENDSLEY. Mr. President, I ask unanimous consent to

amend the title by adding thereto the words 'Providing for constructing, reconstructing or maintaining certain spurs or branch roads' " should read, "Mr. ENDSLEY. Mr. President, I ask unanimous consent to amend the title by adding thereto the words 'Providing for constructing, reconstructing, repairing or maintaining certain spurs or branch roads.' "

HOUSE OF REPRESENTATIVES.

MONDAY, May 12th, 1913.

The House met at 8:00 o'clock P. M.
The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, from Whom proceed all holy desires and right motives; all wise counsels and just decisions and actions, we commend to Thee Thy servants again assembled for the work of this week. May they honor Thee with that uprighteousness and integrity of character and conduct; with that unselfishness and generosity of spirit which will give both beauty and dignity to the work which they do. Give to them the clear eye that they may see the path of duty, and the brave heart that they may follow it fearlessly. Let no motive of self interest tempt them to swerve from the true path. Let no apprehension, no dread of consequences cause their hands to falter in the doing of the thing which is right. May they be brave and faithful; undiscouraged and hopeful, doing with their might whatsoever their hands find to do, and wilt Thou especially bless Thy servant, the Speaker of this Assembly. Give to him that firmness, with conciliation; that integrity of character, with forbearance and charity, with judgment and tact which will ennoble and dignify the office he fills and facilitate the work of this Assembly. We ask all this together with whatever else is needful for us, in the name and for the sake of Jesus Christ, our Lord. Amen.

The SPEAKER. The Clerk will read the Journal of Thursday's proceedings.

The Clerk proceeded to read the Journal of Thursday's proceedings, when on motion of Mr. Moses, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE.

Mr. RONEY asked and obtained leave of absence for Mr. J J. Campbell, on account of death in his family.

Mr. GRAMLEY asked and obtained leave of absence for Mr. KLEPPER, on account of illness in his family.

The SPEAKER asked and obtained leave of absence for Mr. Frank Gray, on account of being called away on business.

RESOLUTION EXTENDING INVITATION TO HON. WILLIAM J. BRYAN TO ADDRESS THE HOUSE.

Mr. KEEGAN offered the following resolution, which was twice read, considered and agreed to:

Whereas the Honorable William Jennings Bryan, Secretary of State and a noted American citizen, is to visit Harrisburg, tomorrow, Tuesday, May 13th, therefore be it

Resolved that the members of the House of Representatives do hereby extend to the Honorable William Jennings Bryan an invitation to address them at his convenience tomorrow afternoon, Tuesday May 12th, and be it

Further Resolved, that the Speaker be and is hereby instructed to appoint a committee of three members of the House of Representatives to convey this invitation to Mr. Bryan and escort him to the capitol.

RESOLUTION EMPOWERING THE SPEAKER TO REQUEST THE ATTENDANCE OF ANY OFFICER OF THE STATE GOVERNMENT FOR THE PURPOSE OF FURNISHING ANY NEEDED INFORMATION.

Mr. KEEPORT offered the following resolution, which was twice read as follows:

In the House of Representatives, May 8, 1913

Resolved That whenever hereafter this House shall have under consideration on second or third reading any measure affecting or relating to any Department or other branch of the State Government, the Speaker shall have the power to request the attendance of any officer or employee of such Department or branch for the purpose of furnishing to this House any information needed in such consideration, and he may grant to such officer or employee, in the name of this House, the temporary privilege of addressing the House on such measure, or may permit him to be interrogated by the members of the House thereon.

Ordered, That the resolution lie over under the rules for printing.

BILL PLACED ON CALENDAR.

Mr. GEORGE C. IRVIN. Mr. Speaker, I move that House Bill No. 1115, entitled:

An Act fixing the salaries of county officers their deputies clerks and employes in counties containing a population of less than one hundred fifty thousand and providing that all fees collected by said officers under existing laws be paid into the State of county treasury

be placed upon the calendar, notwithstanding the negative recommendation of the committee.

Mr. MECHLING. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. GEORGE C. IRVIN. Mr. Speaker, this is a bill which provides for salaries for county officials in certain counties of the State and does away with the fee system. At previous sessions of the Legislature, bills of this character have been introduced and have always died in the committee. The opposition came largely from politicians and office holders throughout the State. I do not know the reason the committee had for making a negative report on this bill, but the circumstances in Blair county convince me that we have to come to the Legislature to get relief. We have four or five county officials in Blair county, with a population of 108,000, which draw under the fee system in the neighborhood of $10,000. I believe this bill is very meritorious and should be placed upon the calendar notwithstanding the negative recommendation of the committee in order that we may secure the consideration of the entire House, and I ask the members to support this motion.

Seventy-seven gentlemen, or more than the number required by the rules, having voted in the affirmative,

The bill will be placed upon the calendar.

RECONSIDERATION OF VOTE.

Mr. GOSS. Mr. Speaker, I move that the vote by which House Bill No. 1440, file folio 7933, entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and definings its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

was defeated on final passage, be reconsidered.

Mr. ULMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. DAVIS. Mr. Speaker, this bill provides that counties may abopt voting machines. There is nothing compulsory about the bill. There is no expense attached to the bill, and it fell on Thursday afternoon when there was a House of only about 114 members. I trust that the House will reconsider the vote and pass the bill finally.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—134.

Adams,	Gans,	Lesher,	Rockwell,
Allen,	Geary,	Leslie,	Roney,
Alworth,	Geiser,	Letzkus,	Rothenberger,
Ambler,	Gibson,	Lowers,	Schaeffer, A. C
Bass,	Good,	Mannion,	Shaffer, I. E.,
Becker,	Goss,	Martin,	Shern,
Benninger,	Grabe,	Mather,	Sherwood,
Benson,	Gramley,	McAllister,	Showalter,
Bergey,	Gransback,	McArdle,	Smith, J. W.,
Berntheizel,	Haggerty,	McClintock,	Snyder,

Bigger,	Heidinger,	McDermott,	Spangler,
Bittles,	Hemminger,	McKay,	Speiser,
Brosius,	Herman,	Metzenbacher,	Spillinger,
Brown,	Hibshman,	Miller,	Steedle,
Caldwell,	Hobbs,	Missimer,	Steele,
Campbell, C.M.,	Howard, J.,	Mitchell,	Stone,
Carson,	Howard, R.,	Moses,	Strauss
Carter,	Humes,	Moulthrop,	Swartz,
Cleary,	Isler,	Murphy,	Swift,
Cochran,	Irwin, G. C.,	Musser,	Trach,
Conniff,	Irwin, H. H.,	Neel,	Ulerich,
Cox,	Jackson,	Neely,	Ulman
Currier,	Jones, J. R.,	Newton,	Walnut,
Davis,	Kaiser,	Peachey,	Watson,
DeFrees,	Kaufman,	Pennock,	Whitaker,
Donahoe,	Keegan,	Perry, H. L.,	Whitman,
Donnally,	Keeport,	Peters,	Williams,
Down,	Kern,	Post,	Wilson, J. H.,
Dunn, J. A.,	Kitts,	Price,	Wilson, W. H.,
Ehrhardt,	Kuhn, H. P.,	Redfield,	Wiltbank,
Ely,	Kuhns, E.G.M.,	Reeser,	Young, G. K.,
Fahey,	Lanius,	Rex,	Young, J. H.,
Frey,	Latshaw,	Rhoads,	Alter,
		Robinson,	Speaker.

NAYS—33.

Aron,	Hackett,	Morrow,	Savacool,
Arthur,	Heyburn,	Newbaker,	Scott, J. R. K.,
Barner,	Kenna,	North,	Scott, S. B.,
Body,	Klepper,	O'Neill,	Shaffer, C. A.,
Burnett,	Light,	Pennegar,	Smith, L.,
Curry,	Lohr,	Ramsey,	Snavely,
Eichenberger,	Matt,	Runk,	Walton,
Foster, J. D.,	McAleer,		Zimmerman,
Glenn,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORT.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I ask unanimous consent at this time to present the report of the Special Committee appointed to investigate the charges against the Honorable Henry A. Fuller, President Judge of the Eleventh Judicial District of Pennsylvania, and move that the report be printed in the Legislative Journal and further action postponed until it so appears.

Mr. GRAMLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

The SPEAKER. The report will also be noted in the Journal of the House.

The report is as folows:

REPORT OF THE SPECIAL COMMITTEE APPOINTED TO CONSIDER CHARGES AGAINST THE HONORABLE HENRY A. FULLER.

To the House of Representatives of the Commonwealth of Pennsylvania.

Your special committee appointed under the resolution of February sixth, Anno Domini one thousand nine hundred and thirteen, to consider the charges preferred against the Honorable Henry A. Fuller, President Judge of the Eleventh Judicial District of Pennsylvania, and report, together with the testimony taken, its findings, and if its findings require, to formulate and present to the House articles of impeachment, respectfully reports as follows:

In pursuance of said resolution, your committee has diligently inquired into the matter, by holding public meetings, both at Harrisburg and Wilkes-Barre, by compelling the attendance through subpoena of all witnesses who were suggested to the committee as persons likely to have information in the premises, by inviting the testimony of all who cared to appear before the committee and by considering everything that was furnished the committee in the way of argument on the facts or law.

We find that there exist no grounds whatsoever for impeachment, and recommend that no further steps be taken by the House. The petition, together with the testimony taken are appended hereto.

We would not have considered any more extended report than the above called for, were it not for the fact that the charges have been given such wide circulation and the fact that charges of this nature are often believed when not accompanied by the facts.

The committee thinks it proper to outline its conception of its own duties and explain its mode of procedure.

The petition of complainant was for the purpose of moving the House to impeach Honorable Henry A. Fuller. The power of the House to impeach a Judge, and of the Senate to try, is unquestioned (Constitution, Article Six, Sections one, two and three), but the machinery of impeachment cannot be set in motion as a matter of right, and it lies entirely in the discretion of the House itself, having in mind its duty on the one side—to rid the State of unfaithful public servants, and on the other, not to allow its important functions to be disturbed by attending to frivolous requests or its powers perverted to serve partisan or personal spite.

To prepare itself properly for the decision whether to bring charges of impeachment or not, the House must be in possession of all pertinent information and it must seek this, as in other matters, through its accustomed organ, a committee. We are then, the eye and ear of the House, seeking to absorb everything that could aid a conscientious legislator in arriving at a just decision upon the question of the propriety of preferring charges of impeachment before the Senate.

This being so, our functions bear no exact analogy with any other institutions of civil government. We are not a court, for we render no judgment, nor could we enforce one, we are not a grand jury, for we are free to hear defense, nor could our findings if adverse, have, necessarily any such effect in setting the wheels of prosecution in motion, as would an indictment. Not being a court, we are not bound by the rules of evidence as applied in judicial proceeings, except so far as such rules assist in bringing out the actual facts. A great body of restrictive rules of evidence which are necessary in a complete system of general jurisprudence, can be dispensed with by a casual body of men seeking to inform themselves about specific charges.

With this conception of our powers and duties, we announced a public meeting of our committee at Harrisburg, and were there attended by both complainant and respondent, the complainant, a member of the bar, acting as his own counsel, and the respondent being represented by counsel. Explanatory statements were taken at that time, and testimony begun. The committee then adjourned to Wilkes-Barre, where two days were entirely devoted to hearing testimony. Counsel for both sides have furnished the committee with briefs of law and fact.

In the light of the information gained from the above mentioned channels, we offer the following discussion of the charges.

The petition charges generally "misdemeanors in office" and in support of such charges adds sixteen specifications. None of these specifications charge the commission of a crime, but confine themselves to matters bearing upon the propriety of Judge Fuller's official conduct, more particularly in matters requiring the exercise of judicial discretion.

One of the specifications, that denominated "N.," is instantly rejected by the mind as ground for impeachment. It sets out that the special act creating the office held by Judge Fuller had been repealed by a subsequent general act passed at the same session of the Legislature. We are not informed whether this matter has ever been tested, but certainly the way is open to test it at any time, and there can be no misdemeanor in holding an office, to which one is elected by the people, merely because someone may allege that the statute creating the office had been repealed by implication.

Specifications D., E., F. cover cases where defendants were tried for misdemeanors and convicted in their absence. As the legal proposition that misdemeanors as distinguished from felonies, may be tried in the absence of the defendant, where his conduct is such as to waive his right to be present, is undenied and undeniable, no criticism could be urged against Judge Fuller in these matters unless it could be shown that he abused his discretion in the management of causes willfully and wickedly for the purpose of doing injustice to the defendants. The sitting Judge is charged with the dispatch of public business and it is the duty of defendants to be present to answer to the indictment. When not present, in cases of misdemeanors, the Court has the option of continuing the case, forfeiting the bail, issuing a bench warrant for the prisoner, or trying the case in his absence. The proper course of proceedings is peculiarly within the discretion of the Court, and unless some wrong motive or abuse of discretion can be pointed out, there is no fault, and hence there can be no ground for impeachment. The subsequent history of these cases shows clearly that there was no desire to oppress in Judge Fuller's mind. In each case sentence was suspended or a new trial granted.

Specification G. covers a matter similar to those just discussed. Here defendant was present, and the complaint is that he was tried before counsel just assigned could prepare a defense. The testimony of John J. O'Connell, the counsel assigned, (Page 58) disposes of the complaint. "The jury was selected on the first day, I think possibly about three o'clock in the afternoon. The Court was adjourned and I was given as much time as I needed. The defendant had no friends, had no one in this county interested in his behalf. I had very little testimony I could offer, and he could point out to me no one I could go to to get testimony in his behalf, so that on Tuesday morning when the case was called I was able to go on with his case as well as if I had had a week or a month's time." Defendant was convicted of murder in the first degree and a new trial granted. Afterwards he was convicted of a less degree. We see no evidence of here of abuse of discretion.

Specification B. charges that Judge Fuller had knowledge that the parties to the case violated the spirit of Section 10, Act of 31st of March, 1860, (Pamphlet Laws 387), relating to compounding crimes. The evidence shows that the defendant was convicted of larceny as bailee, and sentence was suspended on condition that restitution be made. Defendant was in bad health at the time and died not long after. Whether she was guilty of a crime or merely of failure to pay a debt, was a narrow question. The Court had the undoubted right to suspend sentence. No criticism can attach to Judge Fuller for his action in this matter.

In Specification C. the gravamen of the charge is that Judge Fuller, in violation of the law, deprived the defend-

ant of his liberty. The evidence showed that the defendant had been arrested on a charge of adultery preferred by his wife. Counsel for defendant had him brought before Judge Fuller apparently without the formality of a writ of habeas corpus, and the point was raised that he could not be held on a charge of this nature where the wife was the prosecutrix. The testimony clearly showed that defendant had committed adultery in New Jersey, and raised a suspicion that he had also committed the same crime in Pennsylvania. Judge Fuller remanded prisoner for a further hearing, by the request of the District Attorney, who claimed a desire to make further investigation, through the detective of his office, as to whether or not the adultery had also taken place in the jurisdiction of the Court of Luzerne County. It was testified that there was testimony before Judge Fuller at this hearing that the defendant had deserted his wife and was in unlawful relation with another woman. The question was whether or not those relations had existed within the jurisdiction of the Court. The fact, however, stands out clearly that Judge Fuller had a proved criminal before him. The prisoner was before the Judge irregularly, no writ of habeas corpus having been issued, and the Judge's actions were not improper in allowing the prisoner to remain in the custody of the jailer until a thorough investigation could be made. To have discharged the prisoner without the proper process of law would have been an error. Subsequently, after the District Attorney had made his investigation, counsel for the prisoner regularly issued a writ of habeas corpus, and, there being no testimony as to the commission of the crime within the jurisdiction of the Court, the prisoner was discharged. The counsel for the prisoner, Mr. Conniff, a present member of the Legislature, testified that there was no complaint upon his part or upon the part of his client that any injustice had been done.

As to this specification the Committee finds no ground of complaint against the conduct of Judge Fuller.

Specification H. charges that Judge Fuller and his colleagues failed, neglected and refused to make appointments of three general assessors under the Act of 24th of March, 1905, and delayed such appointments for political affect to advance the interests of two of his colleagues on the bench, who were then candidates for re-election and who were defeated at the polls. Absolutely no evidence was presented that the delay was due to political motives. Had the appointments been made immediately before the election, malice might as easily have charged that the appointments were made for political effect. On the other side we have the testimony of Judge Fuller, and of Judges Ferris, Strauss and Jones that the appointments were delayed to save the County the unnecessary payments of salaries which would accrue before the assessors would have any work to do.

The charge in Specification I. is that Judge Fuller, and the other members of the bench, did not make an appointment to the office of poor director for the Central Poor District under the provisions of the Act of June 10, 1911, (Pamphlet Laws 878). The reply is that the Judges considered the act unconstitutional, hence, giving them no power to act. They went so far in their care to act advisedly that they secured an option from Ex-Judge Ferris upon the constitutionality of the Act, which opinion was adverse. To have made the appointment while holding this view of the law would not have been proper.

The facts as brought out in the testimony under Specification J. show that Ralph Kahler was a youth of about sixteen who preferred living away from home and earning money for himself rather than remaining with his father. His father needed the assistance of his son for his support. A writ of habeas corpus was sued out against the employer of his son. At the hearing it was shown that the employer laid no claim to the right of possession of the boy, and the boy made it clear that if sent home he would simply run away. Judge Fuller used his best offices for the establishment of a reasonable modus vivendi for all concerned, and an agreement was reached whereby the boy was to pay a certain regular sum to his father. This was agreed to by the father, the boy and the boy's employer. When payments were not made the father employed Mr. Shea, the complainant, who was not the original counsel. Mr. Shea filed a petition asking for the decision of the habeas corpus case. Soon afterwards Judge Fuller met Mr. Shea causally and explained the case to him. Mr. Shea seemed satisfied and took no further steps in the matter. Mr. Loveland, a member of the bar, came into the case for the father, not as counsel however, but as a friend, and payments continued to be made to him. Throughout Judge Fuller acted as a patient and conscientious Judge seeking to do the wisest thing .

The complaint in Specification K. is delay in rendering decision. The specification is plainly incorrect in its allegation of facts. It alleges that verdict was rendered on the 22nd day of June, 1912. There was, however, a second trial held in the middle of September, and then an argument for a new trial occurred in October. As these impeachment proceedings were begun in January, 1913, there was not the elapse of such a time as would of itself show negligence on the part of Judge Fuller, as there was not a breath of suspicion raised that he had any ulterior reason for delaying sentence.

Specification M.-2. This was a case where Judge Fuller suspended sentence upon a man who plead guilty of embezzlement. The suspension of sentence was undoubtedly within the power of the Judge, was satisfactory to all parties, and the after career of the defendant has proved it wise. The specification seems to amount to nothing except that the record did not show the entry of the suspension of sentence. Failure to show suspended sentence appears by the testimony to show laxity of practice common to the whole county, and while we would recommend a general improvement in the whole matter of record familiy, we cannot see that Judge Fuller should be singled out for attack in this respect.

The allegations in Specification O. seems to have been made in complete ignorance of the facts. The complaint is that the matter was not decided. The evidence shows that the petitioner upon which action was asked was withdrawn by the petitioners.

We have reserved Specifications A., L. and M. to the last as special emphasis seems to have been laid upon them.

Specification A. This is the case of the North Mountain Water Supply Company vs. Troxell, No. 22, October Term, 1908, in Equity, Common Pleas Luzerne County. The specification cites the decree, interprets it as virtually wresting from the defendant his property and the use and enjoyment of a very valuable asset, without legal right, and even though the plaintiff itself never asked for such relief, and then insinuates that the Judge's decision was rendered because his relatives were stockholders in the Plaintiff Company.

The facts put a different face on the story. Defendant Troxell had a prescriptive right to maintain a dam at the outlet of Harvey's Lake. In June and July of 1908 defendant opened the gates of the dam and allowed a very large quantity of water to escape. He then closed them and impounded the water which normally produced Harvey's Creek. Agents or officers of the Plaintiff Company, or subsidiary companies of the Plaintiff Company, obtained an option for the purchase of the said dam from Troxell for the sum of $150,000. This option was not exercised by the Plaintiff Company. Later a severe drought ensued and the water company, which used Harvey's Creek as its source of supply, was unable to get water, and the town of Nanticoke faced a water famine but five days distant. The company, as a lower riparian owner, claimed the right to receive the flow, as it needed the water imperatively and instantly, it sought the aid of the prompt powers of chancery to gain relief. An injunction was granted requiring a limited and stated amount of water to be allowed to pass over the dam. Bond of $5,000 was filed to protect the dam owner against damage, and the action simply meant that the consumer would have the water at once, and the parties could fight out their respective rights at leisure.

The hearing upon this application for preliminary injunction was had in the office of Judge Fuller, whose office was part of a suite of offices occupied by himself and counsel for the Water Company, Mr. George A. Bedford. This fact was explained by Judge Fuller, who testified that having but renectly been appointed to the bench, he was still retaining the offices in the same suite as Mr. Bedford, and in which he had practiced law for many years, because Chambers were not yet provided for him in the new Court House that was just then being completed in construction.

Troxell at once appealed from the preliminary injunction. His appeal was dismissed because not taken from a final decree. When the matter came on to be finally heard in the lower Court, the emergency had passed and the injunction might easily have been dismissed, but the defendants found themselves of the embarrassing position of not having been able to get a judicial decision from the supreme court of whether or not such a preliminary injunction could of right issue. Therefore, at the instance, not of the water company, among whose stockholders were Judge Fuller's relatives, but at the instance of Troxell's attorneys, a broad final decree was entered ordering the injunction to stand in force to give similar relief whenever a similar emergency should arise. The supreme court reversed this decree, because the original bill had not asked for so broad a decree. We cannot see anything impeachable in the decision that when a water famine is impending over a population of 20,000, and an upper riparian owner is holding back water, an injunction may be granted at the instance of a lower riparian owner after filing bond to protect the upper owner against all damage, compelling the release of a stated and limited amount of water.

Judge Fuller testified that he did not know at the time of the decision that his relatives, one of whom was Mr. Bedford, counsel for the complainant, and the bank of which he was a director, were owners of stock in plaintiff company. Had the evidence shown any abuse of judicial power on the part of the Judge in the interest of the water company, it would be pertient to extend the inquiry to ascertain from other sources whether or not knowledge of this ownership had been brought to him, but in view of the circumstances as they appear from the evidence, we deem any further inquiry along these lines unnecessary.

Specification L. The matter of the revocation of the detective license of Michael J. Mulvey was one of the two matters upon which the complainant, Mr. Shea, testified of his own knowledge, and was the matter upon which he appeared to lay greatest emphasis. The gist of the complainant in this matter is that Judge Fuller delayed rendering a decision until the license had expired. The facts, briefly, are these. The proceeding was a rule to show cause why the license should not be revoked. Rule was granted March 22nd, 1909. An enormous amount of testimony was taken, covering about 850 closely written pages. This was filed August 10th, 1910, and the rule was argued about the middle of September. On the 12th of December, 1910, Mr. Shea presented to Judge Fuller a petition, containing language which seems to us disrespectful, praying for an early decision. On the 20th day of April, 1911, Mr. Shea presented a petition addressed to all the judges, couched in language, which to us, seems still more disrespectful. This petition was endorsed "F. H. by C. B." This is a legal abbreviation which was new to the committee, but which means, as was testified, "Pigeon-holed by the Court in banc." On the 14th of May, 1911, the license expired. No decision has since been rendered.

Stated thus boldly, the accusation is that Judge Fuller delayed deciding a case from the middle of September till the middle of May following, when Mulvey's license expired. Owing to the great amount of testimony, and the mass of other work which the evidence showed was occupying his time, much could have been said in support of the reply to the charge, that the matter of a private detective's license had been compelled to yield to other matters of greater importance, but Judge Fuller frankly stated that he did not put his action on that ground.

In order to understand the matter fully we have gone at length into this case, and although we are not charged with deciding the application for the revocation of the license, we have found the task such as to delay materially the presentation of this report. A study of the testimony is very revealing. It was taken before a commissioner, an officer who has no power to exclude irrelevant testimony or prevent leading questions, and Mr. Shea, the complainant in this case, and counsel for the petitioner in the Mulvey case, abused the latitude of this method of taking testimony. A large part of the testimony consists of insinuating leading questions, the insinuations of which would be denied by the witness. But when the questions had been repeated over and over again in different guises and to different witnesses, an impression is unavoidably made on the mind that something had been established. It would require a minute analysis of the testimony to sift out what had been testified to from what had been suggested by counsel. Almost all the testimony taken by Mr. Shea was really cross examination of his own witnesses.

As one proceeds with reading the testimony, one is more and more convinced that the case was being pushed for motives ulterior to the protection of the public by revoking the license of a private detective. Witness after witness was called whose knowledge of the case was most remote, and who was put on the stand and grilled on cross examination by the attorney who had called him as a witness, as if the attorney were a specially appointed inquest to inquire into the conduct of every one in general. For instance, Mayor Kniffen was called. His testimony takes up ten pages, and has no relevancy to Mulvey at all.

What Mr. Shea takes to be the important part of this testimony is shown by his pencil underscoring, which as he testified, he made for the purpose of assisting Judge Fuller to find the salient points of the testimony. On page 490 of complainant's testimony in the record of the Mulvey case appears the following: (The testimony had been about one of the swindlers whose history had been brought out in previous testimony.)

"Q. How did you happen to meet him?

A. He was brought into my office three or four times before he was able to be introduced to me.

Q. Who brought him in?

A. I refuse to answer.

Q. Abram Salsburg, the District Attorney of Luzerne County, brought him in to your office, didnt he?

A. Yes."

Again on Page 491, a reiteration of this testimony is underscored, and there is no more underscoring in the ten pages of Mayor Kniffen's testimony. Again on Page 580, when Mr. Salsburg is on the stand, a statement to the same effect is underscored. In the 32 pages of Mr. Salsburg's testimony, only one other passage was pencil marked for special reference, and this is a question of thirty-one lines asked by Mr. Shea, and the answer of Mr. Salsburg that he would do his duty.

A portion of the record, due mostly to the questions of Mr. Shea, when Mr. Salsburg was testifying, is of such a nature that we do not care to give it any further publicity, but as illustrating our view that the Mulvey case was prosecuted for ulterior motives, we feel it necessary to quote a few of the less objectionable passages, while begging the House to remember that we are quoting from testimony actually taken before a deputy of the court.

Pp. 574-575. "Q. Did you prosecute the keepers of the houses of prostitution? Did you shake the owners down?

A. I never resort to tactics familiar to yourself.

Q. What tactics are familiar to me? Do you wish to draw the inference you accuse me to be a shaker down?

A. I have answered that.

Q. You are afraid to answer.

A. No, not a bit.

Q. You are playing the baby?

A. No.

Q. Why don't you frankly, candidly and honestly answer the question?

A. I have always been honest.

Q. You are known as honest Abe, you parade in the newspapers as honest Abe, you want us to believe you are the honest Abe referred to?

A. I dont know.

Q. You don't know whether you are honest or not? etc. etc."

Pge 595. "Q. Are you the sneaking coward your answers would insuate?

A. No sir.

Q. The slimy, dirty coward whose answers convey insinuations?

A. No, don't compare me with yourself.

Pp. 600-601. "Q. Is that the talk of a honorable and courageous man to make a statement of that kind and refuse to follow it up by telling what he means, or the talk of a dirty, low, slimy, sneaking cur?

A. You would be in the latter class if you were classed right."

Remembering that Mr. Salsburg was a candidate for re-election, that much of the testimony in this case was during the campaign, and that he was defeated by Mr. Williams, the following question in the examination of Mr. Williams reveals clearly the motive of much of the Mulvey prosecution. Page 637. "Q. Did you, or Mr. Hefferman state in your presence that you did not want to show up Mulvey, that he was of no consequence, you wanted to connect up Salsburg, he was the one you were after?

A. No sir.

Q. Didn't you tell Mr. McGuigan to go the limit that you would see the expenses put up?

A. No sir

And much more to the same intent.

From the above excerpt and description of the method of taking testimony it is easy to see why Judge Fuller thought it advisable to have the argument in Chambers, on the ground that the case was being made an exhibition, and it is easy to see why he was puzzled over the case. Being familiar with the actors, he could see more of the ulterior in the matter than we, as strangers could.

Judge Fuller, as shown by the evidence, had made a substantial beginning on preparing his decision, when the uncalled for and insulting petition was filed by Mr. Shea. The latitude Mr. Shea had allowed himself in the examination surpassing all bounds, and the imposition upon the Judge of going through an enormous mass of testimony that violated continually the rules of evidence and could never have been taken in open Court, coupled with the filing of the petition, and its language, taken together created a state of affairs calling for some action by the Court, to maintain its dignity. Judge Fuller was frank to state that it might have been better for him to have dealt with Mr. Shea personally, and apart from the case. What he did do was to refrain from deciding. Then came the second and more disrespectful petition to the whole Court, which was officially pigeon-holed by the Court in banc. And, sometime thereafter, the licenses expired. Is there anything impeachable in all this? We think not. The Supreme Court has on more than one occasion suppressed paper books not conforming to their rules and dismissed the appeal. In this case the action of Judge Fuller was somewhat analogous. He had before him a case not brought in good faith by an attorney, and disrespectfully presented, a case regarding a license soon to expire. He decided that on the whole justice would be best subserved by allowing it to expire, and in this he was supported by the Court in banc.

As to the charge that Mulvey was subsequently appointed without the proper qualifications as to residence, to the position of constable by the Court, of which Judge Fuller was a member, the testimony before the Committee was that this appointment was made by the entire Court, and against the dissent of Judge Fuller, and that while Judge Fuller's name was signed to the petition making the appointment, it was signed by him as President Judge, and not as an individual Judge. The testimony showed that the President Judge signs all orders, and the testimony of Judge Fuller and his colleagues was that Judge Fuller did not sanction the appointment of Mulvey.

A review of all these specific charges leads us to the conclusion, as stated in the beginning of this report, that there are no grounds for the presentment of charges of impeachment against Honorable Henry A. Fuller, President Judge of the Eleventh Judicial District, County of Luzerne, and the House of Representatives of the Commonwealth of Pennsylvania should proceed no farther.

Respectfully submitted

JOHN R. K. SCOTT,
Chairman.
SAMUEL B. SCOTT,
I. GORDON FORSTER,
CHARLES J. RONEY, Jr.

RESOLUTION RECALLING HOUSE BILL NO. 465 FROM THE GOVERNOR.

Mr. NORTH offered the following resolution, which was twice read, considered and agreed to.

Resolved (if the Senate concur), That House Bill No. 465, file folio No. 7775, entitled "An Act requiring a license for conducting certain kinds of business, regulating such licensing, and fixing a penalty for violation of this act," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF PERSONAL PRIVILEGE.

Mr. McCLINTOCK. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. McCLINTOCK. Mr. Speaker, on last Thursday, on House Bill No. 1429, entitled:

An Act prohibiting any person to lead drive ride or work or cause or permit any other person to lead drive ride or work any horse mare mule ox or any other animal whether belonging to himself or in his possession or control for more than fifteen hours in any twenty-four hour period nor more than ninety hours in any one week in any city of the first or second class Provided that nothing in this act contained shall be construed to warrant any person's leading driving riding or working any animal a less period than fifteen hours when so doing shall in any way violate the laws against cruelty to animals providing a penalty for the violation of this act and authorizing policemen constables or agents of duly incorporated societies or associa-

tions for the prevention of cruelty to animals in this Commonwealth to make arrests on view or by warrants of offenders of this act

I am not recorded as voting in the Legislative Journal. Being the author of this bill and not being recorded as voting for it. I would like to have it to be noted that I was in favor of it at least. I vouched for it and voted for it.

The SPEAKER. The gentleman's statement will be noted in the Journal.

RECONSIDERATION OF VOTE.

Mr. RAMSEY. Mr. Speaker, I desire to offer the following motion.

The SPEAKER. The motion will be read by the Clerk.

The motion was read by the Clerk as follows:

It it moved by the gentleman from Delaware, Mr. Ramsey, seconded by the gentleman from Delaware, Mr. Hayburn, that the vote by which House Bill 1019, file folio 3271, was defeated on final passage on Tuesday last, be reconsidered.

On the question,

Will the House agree to the motion?

Mr. BLELOCH. Mr. Speaker, I would like to ask the maker of the motion and the gentleman who seconded it, whether they voted in the negative last Tuesday.

The SPEAKER. Both gentlemen voted in the negative.

On the question,

The SPEAKER declared the ayes appear to have it.

Whereupon, a division was called for, 87 voting in the affirmative and 33 in the negative,

And the motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. BLELOCH. Mr. Speaker, this bill is to provide a method by which the Banking Commissioner can dissolve financial institutions under his supervision. So far as that particular of the bill is concerned, the bill has a great deal of merit, but I would like to call to the attention of the House what I consider a very improper and unmeritorious phase of this measure. This bill provides that whenever the Banking Commissioner shall have reason to conclude that any institution under his supervision is doing business in an unsound and unsafe manner, or contrary to the interests of the public, he shall have the right, on five days' notice, to close up that institution, appoint a receiver, and take over the assets of that particular institution.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to interrogate the gentlemtn from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BLELOCH. When I get through, Mr. Speaker, I will. You will recall the argument on this bill last week. At this time the gentleman from Delaware said on the floor of this House that this bill did not extend the scope of the Banking Commissioner in any particular. He argued that the bill as presented to this House, and in whose support he wished the House to vote, was practically in accord with the Banking Act of 1895 with the exception of that part relating to receivers. His argument was that many institutions and many people opposed the adoption of the Act of 1895 because they did not fully understand and comprehend its features, and he suggested that it was only the institutions that had something to fear that were oppposing this present bill. For the benefit of the members of this House, I will read to you that particular phase of the Act of 1895, which is found on page 8 of the Pamphlet Laws of 1895: When the Commissioner shall have reason to believe that the capital of any such corporation is reduced by impairments or otherwise below the amount required by law, or the articles of incorporation, or below the amount certified in the articles of the incorporation," that then he may provide that the officers and directors of that institution shall make good that deficit or within sixty days be dissolved. Mr. Speaker, to my mind that is going too far to place within the hands and the control of the Banking Commissioner the right to insist, the right to close up any institution of this State upon five days' notice without proper hearing in a common pleas court, if he has reason to conclude that their method of doing business is unsafe. Mr. Speaker I cited an instance to this House last week where the Banking Commissioner issued a rule or regulation governing associations and insisted upon a compliance with that rule, only afterwards to have the courts of Philadelphia County declare that the Banking Commissioners was wrong and that the institutions, or building associations, that followed his suggestions were wrong and obliged to pay the costs of the suit and to proceed as the law directed. Now, Mr. Speaker, to my mind if the Banking Commissioner can be mistaken in one case, and no man is infallible, he may be mistaken as to what he considers to be safe and sound business policy. I submit, Mr. Speaker, that no two men can agree on every detail as to what is safe and sound business policy. If a Banking Commissioner would see fit to order an institution under his supervision to call a particular loan, because in his judgment, the security was not good, that institution would be obliged to call that loan, or be placed in the hands of a receiver. Mr. Speaker, that authority, that power is too arbitrary to be placed in the hands of any executive. I contend that no institution, particularly a financial institution, should be subjected to such control. Mr. Speaker, I believe when you come to consider that this bill places in jeopardy the assets of every financial institution of this State, you ought to go slow. If this present bill confined the authority, or the scope of the Banking Commissioner within the limitation of the Act of 1895, so far as to his jurisdiction is concerned in closing the institution up, many of the objectionable features would be removed, but when you place such unlimited authority in the Banking Commissioner, I contend that he is constituted the tanamount czar of all the financial institutions of this State, and their assets, their work and their wealth are absolutely at his control. Mr. Speaker, if the Banking Commissioner would close up any institution, and after the doors of that institution were closed, the bill provides that the aggrieved party may then have redress by appealing to the courts of common pleas. If the institution that has been thrown into insolvency takes an appeal to the court of common pleas and sustains its position, and the courts declare that the Banking Commissioner was wrong in closing up that bank of trust company, what redress has that institution? Will it ever be possible for that institution to rehabilitate itself in the community; would anything be possible to restore the lost confidence of the public in that institution? No. The entire assets of the stockholders of that corporation would be wiped out. And what penalty is there upon the Banking Commissioner if he makes a mistake? None whatever. There is absolutely no redress to an institution that has been wrongfully dealt with. Mr. Speaker, I think that unless this bill is amended to eliminate the unreasonable features, then this bill should not pass.

Mr. ALLEN. Mr. Speaker, I desire to say a few words in regard to this bill. It seems to me that it is one of the best bills that has ever been before this House. It was before the House two years ago. I heard some objections the other day in relation to the bill when it was on the calendar, in relation to building and loan associations. Now I happen to be connected with some little building and loan association work, and have been for a good many years, and under the provisions of this bill, Mr. Speaker, no building and loan association, or any financial institution that may come under the provisions of this bill, if it is doing business according to law, has any grounds for complaint. In point of fact, every institution which is on a sound financial basis, and which does business according to law, ought to favor a bill of this kind. Every depositor in any institution which comes under or would come under the provisions of this law, ought to favor this bill because of the fact that if this bill were in operation he could sit, he could go to his bed at night, and feel assured that his money, his deposits, were safe. Now, briefly, Mr. Speaker, under the provisions of this bill, the matter of closing defunct institutions passes from same appointment made by the Dauphin County Court, to the Banking Department of this State, a living institution. Further than that any institution which is running and which as not running according to law, or which is insolvent, may be inquired into. It was suggested the other day when this bill was before the House that the provisions of this bill were such that one man could close any institution in the State. I want to disabuse the minds of any who may have been led astray by such a suggestion, and that suggestion was openly made. The provisions of this bill is that if the Banking Commissioner has reason to believe that the institution is insolvent,

or is not being conducted according to law, he may, we may say, cite the directors of that institution to appear before the Attorney General, and there a sort of a preliminary hearing is had, and if after that hearing the Attorney General says to the Banking Commissioner, the effect of soliciting him is sufficient to justify him in saying either that the institution is insolvent or is not run according to law. Then in that event the Banking Commissioner steps in, but not until then. Now after he steps in, what is done? After he steps in a careful inventory is made. The institution is closed. Not like a National Bank, if you please, on the say of any inspector, but after preliminary hearing is had, then the institution is closed. It is closed and an inventory is made and notice is given by publication from the Banking Department to creditors and debtors alike. Now, it proceeds to wind up the concern and at the end of six months, as provided in this bill, he files an account, and he does not file it away off where somebody cannot see it; he files an account, one in the Banking Department and the other in the prothonotary's office of the court in the county where the institution is situated. Now let me deviate for just a moment. At the end of six months, every depositor or every creditor and every debtor in this institution has access to what is in the hands of the Banking Commissioner or the Banking Department and this is at the end of six months and showing, if you please, what the conditions of that institution are. How different, Mr. Speaker, from our present system. There are on the floor of this House some twenty-four members from the County of Allegheny. Every one will bear me out in this: Almost four years ago, simultaneously, a number of institutions in the City of Pittsburgh closed their doors. The courts of Dauphin County appointed receivers which were so interlocked in their business affairs that one could not move without affecting the other. I say to you that the first receiver of one of the institutions received several visits from me in relation to the conditions of that institution. I never could get one word of information from that receiver. I have never been able to get one word from that receiver of that institution up to this time. The statute of limitations has run. There was not any intent at anything criminal in the disposal of the funds of this institution, but I at least can say that the statute of limitation has absolutely run and there is no telling to-day what the condition of that institution is. You cannot tell whether they will pay one cent on a dollar or ten cents ,or fifty cents or one hundred cents on a dollar. Now, then, had the Banking Department been authorized, as it is authorized by this bill to do, had the Banking Department taken charge of this institution, how would it have been settled then? Within six months after the closing of the doors, every depositor could have gone into the court in that place or gone to the prothonotary's office and there examined the account of that institution and he could have seen whether there was anything there or whether there had been anything for him and if there was anything there he would have been within the statute of limitations and could have inqured why he should not secure the benefit of what his share might be. Is there anything bad in that feature? Certainly not. It is only a safeguard to depositors; it is only a safeguard to those who trust somebody else with their all. Perhaps there is not a bad feature up to this time. Now what else? After the six months is over, three months is given to the creditors to accept any claims that may be made because under this bill the controller or Banking Commissioner has the right to act upon any claim that may be made against the institution. But at the end of that time he files an account and gives notice of the filing and gives notice of the exceptions that are taken and unless further exceptions be taken to his account, then within thirty days after the expiration of that time, the court closes the account finally. That is it. It makes that accounting a partial accounting and a distribution is made and so it leaves open these cases that have been excepted and when these are finally determined, the last notice is given and the Banking Department makes its final distribution. Now, he said that it is dangerous to allow the Banking Department the authority to appoint somebody to help audit any assets. Why it is done every day. It is done by the receivers under the courts Why are not you fair about this. You know that it is. You say that it is dangerous for the Banking Commissioners to appoint local counsel. Why don't the receiver under the appointment of the court have the right to select his counsel to represent him? Why, certainly, he does and why are not you fair and say so? Under the provisions of this bill every depositor who has his money in an institution, I care not whether it is a Building and Loan Association or a State Banking Institution or what not, has the same safeguards around it as it ever had and that is more than you can say about it under the present conditions. More than that, if they be so unfortunate as to be in an institution which is run contrary to law or which by its financial tranactions becomes insolvent, he has the same right that will protect him to say where the money went and that within the time that the statute of limitation may run. He ges a return at least during his actual life time and that is something more than he does under the present condition. It seems to me that this bill ought to pass without a dissenting vote.

Mr. MARTIN. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. R. J. Baldwin.

The SPEAKER. Will the gentleman from Delaware, Mr. R. J. Baldwin, permit himself to be interrogated?

Mr. R. J. BALDWIN. Mr. Speaker, yes, sir.

Mr. MARTIN. Mr. Speaker, I would like to ask the gentleman from Delaware whether or not this bill provides that the Bank Commissioner hereafter shall have the power that is now vested in the court?

Mr. R. J. BALDWIN. Mr. Speaker, the bill provides that when the temporary receiver is appointed after a hearing before the Attorney General, it is identical with the law which we have now. Then the case can begin to be heard before the local court and this bill comes only into play in the way of a change when it goes to appointing a permanent receiver and in every other respect it is almost identical with the present law. Under the old law, they have sixty days and under this act, they have sixty days to determine and under an insolvency, they close in one day and under this they close in five days. It is more liberal than the old one. so far as impairment is concerned, and there is no change in the law. In other words, by impairment, I mean if the Banking Commissioner after examining the institution finds that the capital is somewhat impaired and if its holdings and security has been considered safe, it gives sixty days to correct that impairment. That is what they have now under the present law.

Mr. MARTIN. Mr. Speaker, I would like to further interrogate the gentleman. I would like to ask the gentleman whether the Commissioner has not the power to appoint an unlimited number of deputies and attorneys and fix their salaries as to places or as to what they shall be in the future?

Mr. R. J. BALDWIN. Mr. Speaker, to make a statute that will fix the exact number of deputies and clerical force necessary would be practically handicapping the Banking Department and, therefore, knowing that sometimes, perhaps there might be two or even three or under certain conditions such as those brought about by financial crisis or disaster or depression it might be decided that four or five institutions might be thrown into bankruptcy, and no person would have to look further than 1893 or 1894 to find that a multitude of our banking institutions went into the hands of receivers all at once. It would be very foolish; it would be, in fact, improper to fix an exact number of employees that the Banking Commissioner would have to employ in case of having two or three or four institutions on his hands at one time. But the answer comes back, in seventeen years that this department had exactly this same power in that respect and this bill makes no change in it. I want to inform my friend, in so far as employing clerical assistance according to the law of 1895, it gives the same absolute power that this bill does and makes no changes whatever. But, however, seventeen years shows that such an abuse as my friend mentions has never taken place and it is really almost foolish to suspect that the Banking Commissioner of the great State of Pennsylvania would deliberately go out and employ a whole mass of clerks to perform this work that can be done by two or three men. I want to impress that point upon the House because that statement was made a few days ago when the bill was under consideration. I want to impress upon the House that insofar as the appointment of clerical assistants is concerned, this bill in no way changes the present law. So

that that suggestion on the part of those who oppose the bill falls absolutely and is wothout foundation. I hope no member will rise again on the floor of the House to make that statement because the bill does not do it. There is but one purpose of this bill and that is all the argument that is necessary. This bill is intended to protect and benefit small depositors in these various institutions. It has no other purpose in it. It will not work any danger or do harm in any way at all. If the members of this House want to vote for a bill that will be in line with assisting the poor and unfortunate. not only that but I know that every Building Association in this State would stand for it, if they understood the bill thoroughly. I want to state to the House that a number of Building Associations have written to me in regard to this bill and after I had explained it to them, they, every one of them, withdrew their opposition. My two colleagues last Tuesday voted against this bill because their Building and Loan Associations and certain individuals together with an attorney connected with that association advised against it. But they have gone home and made an inquiry and they found out that this bill is absolutely in the interest of the public and of the Building Associations and I think both of them will stand upon their feet and say they will support this bill. If this House wants to support a measure in the interest of the small depositor they can support this bill and I do hope the House will consider this measure and vote in favor of it.

Mr. MARTIN. Mr. Speaker, just one more question which I desire to have the gentleman answer briefly. Is this a partial repealer of certain sections of the act which has been in operation for the past seventeen or eighteen years successfully?

Mr. R. J. BALDWIN. Mr. Speaker, I know, as well as the gentleman knows, and every member in this House, that in framing a bill to make it fit and adjust itself into another law in operation, certain language has to be changed, but the bill does precisely what I say to the House it does, and it does nothing more. To say just how it may affect certain sections of the act of 1895 would be difficult, but what the House wants to know is what is the purpose and effect of this bill, whether it may, in some little detail, change certain sections of the act of 1895 is not essential to the House, but it works out as I stated to the House, most positively.

Mr. MARTIN. Mr. Speaker, does the gentleman say again this is a partial repealer?

Mr. R. J. BALDWIN. Mr. Speaker, I did not carefully examine the act of 1895, to find just what changes take place in detail, but in effect those changes are as I cited to the House. What the House wants to know is this: You understand the old law, I presume. The old law provided that the bank examiner of our State should go out and keep in touch with these various institutions. He had the power to go in and demand the papers and find out what condition the institution was in. If he found an impairment of the capital, he had to give sixty days' time for the correction of that impairment. This law does not change that. If he finds upon examination that the institution is insolvent, he can immediately bring the directors of that institution before the Attorney General with one day's notice. Under the present act he has five days, which of course changes the language to some extent. But after the five days hearing, if the Attorney General decides that the institution is insolvent, then the parties aggrieved can go to the lower court just as they do now, and there after a hearing in the lower court, and the lower court decides that the concern is not insolvent, dismisses the case. If the finding is in accordance with the Attorney General's and Bank Commissioner's decision, the receiver continues, and then the bank examiner, just as my friend from Pittsburgh so lucidly explained to this House, takes charge of the institution and it is closed up within a reasonable time; while, under the present law, the fact that local receivers are appointed, going out from under the jurisdiction of the banking department, they are dragged and dragged along six, eight and ten years, and every year that they are dragged along, that receiver is pocketing the money that belongs to the poor depositor. Now, this is a fact, and every member of this House ought to vote for this bill.

Mr. FAHEY. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Hackett, Letzkus, Keeport, Alworth, Conrade, Cox, Sherwood, Bass, Ely, Schuck, Walnut, Martin, Walton, Whittaker, North, Donahoe, Becker, E. G. M. Kuhns, Sassaman, John H. Young, Moulthrop, H. P. Kuhn, Morrow, Miller and others.

On the question,

Shall the previous question now be put?

104 gentlemen, or a majority of the House, having voted in the affirmative,

The motion was agreed to.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:, viz:

YEAS—123.

Adams,	Foster, J. D.,	McAleer,	Sassaman,
Allen,	Frey,	McAllister,	Savacool,
Alworth,	Gans,	McClintock,	Schaeffer, A. C.,
Ambler,	Geiser,	McKay,	Schuck,
Arthur,	Gibson,	McNichol,	Scott, S. B.,
Baldwin, R. J.,	Goss,	Miller,	Semmens,
Bass,	Gramley,	Missimer,	Shaffer, C. A.,
Benninger,	Haggerty,	Morrow,	Shern,
Bergey,	Hemminger,	Moses,	Showalter,
Bigger,	Herman,	Moulthrop,	Smith, L.,
Body,		Murphy,	Spangler,
Brown,	Hibshman,	Neel,	Steele,
Campbell, C.M.,	Hobbs,	Neely,	Stone,
Carson,	Howard, J.,	Newbaker,	Strauss,
Carter,	Howard, R.,	Newton,	Swartz,
Cheeseman,	Humes,	North,	Swift,
Cleary,	Irwin, H. H.,	O'Neill,	Thomas,
Conner,	Jackson,	Perry, H. L.,	Trach
Conrade,	Jones, J. R.,	Peters,	Ulerich,
Cox,	Keegan,	Post,	Ulman,
Currier,	Keeport,	Price.	Walnut,
Curry.	Kern,	Ramsey.	Walton,
Davis,	Kuhn, H. P.,	Redfield,	Watson,
DeFrees,	Kuhns, E.G.M.,	Reese,	Whitaker,
Donahoe,	Leslie,	Reeser,	Whitman,
Donnally,	Letzkus,	Rhoads.	Williams,
Down,	Lohr,	Richards,	Wilson, J. H.,
Ehrhardt,	Lowers.	Rockwell,	Wiltbank,
Eichenberger,	Mannion,	Roney,	Young, J. H.,
Ely,	Mather,	Rothenberger,	Alter,
Fahey,		Runk,	Speaker.
Flynn,			

NAYS—46.

Barner,	Good,	Martin,	Rex,
Becker,	Grabe,	Matt,	Scott, J. R. K.
Benson,	Gransback.	McArdle,	Shaffer, I. E.,
Bittles,	Hackett,	McCaig,	Sherwood,
Bleloch,	Heidinger,	McDermott,	Smith, J. W.,
Brosius.	Kaiser,	Mitchell,	Snavely,
Caldwell,	Kaufman,	Moore,	Snyder,
Cochran	Kenna,	Musser,	Speiser,
Conniff,	Kitts,	Peachey,	Steedle,
Ewing,	Lanius.	Pennegar,	Wilson, W. H.,
Geary,	Latshaw,	Pennock,	Zimmerman,
Glenn,	Light,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER.

The SPEAKER. The hour of nine o'clock having arrived, the Chair lays before the House as the special order for this hour House Bill No. 1949, file folio 8185, on third reading.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1949, as follows:

An Act to provide revenue for State and County purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes and providing for the appropriation and use of money realized therefrom making a violation of its provisions a misdemeanor and providing a penalty for the violaton thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all personal property of the classes hereinafter enumerated owned held or possessed by any person persons co-partnership or unincorporated association or company resident located or liable to taxation within this Commonwealth or by any joint-stock company or associa-

tion limited partnership bank or corporation whatsoever formed erected or incorporated by under or in pursuance of any law of this Commonwealth or of the United States or of any other State or government and liable to taxation within this Commonwealth whether such personal property be owned held or possessed by such person or persons co-partnership unincorporated association company joint-stock company or association limited partnership bank or corporation in his her their or its own right or as active trustee agent attorney-at-fact or in any other capacity for the use benefit or advantage of any other person persons co-partnership unincorporated association company joint-stock company or association limited partnership bank or corporation is hereby made taxable annually for county purposes and in cities co-extensive with counties for city and county purposes at the rate of four mills on each dollar of the value thereof and no failure to assess or return the same shall discharge such owner or holder thereof from liability therefor that is to say

All mortgages all moneys owing by solvent debtors whether by promissory note or penal or single bill bond or judgment all articles of agreement and accounts bearing interest all public loans whatsoever except those issued by this Commonwealth or the United States and those made taxable for State purposes by section seventeen hereof all loans issued by any corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government including car trust securities and loans secured by bonds or any other form of certificate or evidence of indebtedness whether the interest be included in the principal of the obligation or payable by the terms except such loans as are made taxable for State purposes by section seventeen hereof all shares of stock in any bank corporation association company or limited partnership created or formed under the laws of this Commonwealth or of the United States or of any other State or government except shares of stock in any bank corporation or limited partnership that may be liable to a tax on its shares or its capital stock for State purposes under the laws of this Commonwealth or relieved from the payment of tax on its shares or capital stock for State purposes by the laws of the Commonwealth all moneys loaned or invested in other States Territories the District of Columbia or foreign countries all other moneyed capital in the hands of individual citizens of the State all stages omnibuses hacks cabs and other vehicles used for transportating passengers for hire except steam and street passenger railway cars owned used or possessed within this Commonwealth by any person or persons or by any corporate body or bodies all annuities yielding annually over two hundred dollars Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agreed to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief associations life insurance corporation having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations socities or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to make any report or pay any further tax under this section on the mortgages bonds and other securities owned by them in their own rght but corporations limited partnerships joint-stock associations holding such securities as trustees executors administrators or guardians in any other manner shall return and pay the tax imposed by this section upon such securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for county purposes and in cities co-extensive with counties for city and county purposes shall be taxed or taxable for any other local purpose or for State purposes under the laws of this Commonwealth

Section 2 That the board of revision of taxes or the commissioners of every county in this Commonwealth shall annually furnish the assesors of the several townships boroughs and cities of the respective counties with blanks to be prepared by them and it shall be the duty of each of said assessors to furnish a copy of the same to every taxable person co-partnership unincorporated association joint-stock association and company limited partnership and corporation in his respective ward district borough or township or to any officer agent or employe found at the place of business of any such limited partnership or corporation in his ward district borough or township upon which blank each taxable person co-partnership unincorporated association company limited partnership joint-stock association and corporation shall respectively make return annually of the aggregate amount of all the different classes of personal property made taxable by the first section of this act held owned or possessed by said person co-partnership unincorporated association company limited partnership joint-stock association or corporation either in his her or its own right or as trustee agent attorney-in-fact or in any other capacity for the use benefit or advantage of any other person persons co-partnership unincorporated association company limited partnership joint-stock association or corporation which return shall be made and sworn or affirmed to by such taxable person and in the case of co-partnerships unincorporated associations and joint-stock associations and companies by some member thereof and in the case of limited partnerships and corporations by the president chairman or treasurer thereof Provided That any corporation joint-stock association or limited partnership doing busines sin more than one county shal be liable to make such return only in the county in which its principle office within this Commonwealth is situated

Section 3 That the affidavit required to be made by the last preceding section shall be made before the proper assessor or other person authorized to administer oaths and shall set forth that the return is full true and correct to the best of his or her knowledge and belief and any person or officer who shall willfully and corruptly make a false and fraudulent return as aforesaid shall be guilty of willful and corrupt perjury and upon his or her conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars and undergo an imprisonment by separate and solitary confinement at labor not exceeding seven years and thereupon be forever disqualified from being a witness in any matter or controversy

Section 4 That the several assessors are hereby authorized to administer the oath or affirmation to any person or officer taking of which oath or affirmation no charge shall be made by the assessor Any assessor who shall accept such return from any person or officer required to make the same without requiring the oath or affirmation of such person or offivcer as herein provided or who shall make any charge for administering such oath or affirmation shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to a fine not exceeding five hundred dollars

Section 5 That upon the refusal or failure of any taxable person co-partnership unincorporated association limited partnership joint-stock association or corporation to make a return properly verified by oath or affirmation as required by this act within ten days after being notified so to do it shall be the duty of the assessor to make a return for such taxable person co-partnership unincorporated association joint-stock association limited partnership or corporation from the best information he can obtain he shall examine the records and lists of judgments and mortgages returned by the prothonotary and the recorder of deeds and mortgages under the seventh and eighth sections of this act in the commissioners' office or office of the board of revision of taxes or remaining in their respective offices and assess such defaulting person co-partnership unincorporated association joint-stock association limited partnership or corportaion with the amounts of all such liens with interest thereon and add theerto the amount of all taxable property obtained from all other sources of information which return the proper county commissioners or board of revision of taxes shall have power and it shall be their duty to revise and correct according to the best information they can command from the records in their office or other sources and it shall be their duty to send for a person persons and papers and to administer an oath or affirmation to him or them in such form as shall be prescribed to which revised and corrected estimated return the proper county commissioners or board of revision of taxes shall add fifty per centum and the aggregate amount so obtained shall be the basis for taxation Provided That if such taxable person or co-partnership or unincorporated association or company limited partnership joint-stock association or corporation on or before the day fixed for appeals from assessments shall present reasons supported by oath or affirmation satisfactory to the proper county commissioners or board of revision of taxes excusing a failure to make a return such as should be made to the assesors and shall then make such return the proper county commissioners or board of revision of taxes may substitute such return for that returned by the assessor and corrected as aforesaid to have like effect as if no failure to return had occurred

Section 6 That if any assessor and any taxable person or members of any co-partnership unincorporated association or company officer or stockholder or member of any limited partnership joint-stock association or corporation shall agree or enter into any arrangement or understanding that upon the failure of such taxable person co-partnership unincorporated association company limited partnership joint-stock association or corporation to make the return required by the second section of this act to be made such assessor shall return a less amount of property. made taxable by the first section of this act than should have been returned by such taxable person co-partnership unincorporated association company limited partnership joint-stock association or corporation the persons entering into such agreement arrangement or understanding shall be guilty of conspiracy and upon the conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars and undergo an imprisonment either at labor by separate or solitary confinement or to simple imprisonment not exceeding three years at the discretion of the court

Section 7 That from and after the passage of this act it shall be the duty of the recorder of deeds mortgages and other instruments of writing in each and every county in this Commonwealth to keep a daily record separate and apart from and other records of every mortgage or article of agreement given to secure the payment of money entered in his office for recording which said record shall set forth the following information to wit The date of the mortgage or agreement the names of the parties thereto the just sum of money secured the precise residence of the mort-

gage or person to whom interest is payable a brief description of the real estate upon which such mortgage is secured and the date or several dates when the said sum or portion of the said sum shall become due and payable and a like daily record of every assignment of a mortgage or an article of agreement given to secure the payment of money and also the number of mortgages and agreements together with the amount of same and the names of the parties thereto which shall have been that day satisfied of record and for the purpose of obtaining with accuracy the precise residence of all mortgagees assignees and persons to whom interest is payable on articles of agreement It shall be the duty of the recorder of deeds in each county whenever a mortgage assignment or agreement given to secure the payment of money shall be presented to him for record to refuse the same unless the said mortgage assignment or agreement has attached thereto and made part of said mortgage assignment or agreement a certificate signed by said mortgagee assignee or person entitled to interest or his her or their duly authorized attorney or agent setting forth the precise residence of such mortgagee assignee or person entitled to interest said certificate to be recorded with said mortgage assignment or agreement and it shall be the further duty of the recorder on the first Monday of each month to file the aforesaid daily record in the commissioners' office or with the board of revision of taxes of the proper county or city and one certificate appended thereto shall be all that shall be required

Section 8 That it shall be the duty of the prothonotary or clerk of the Court of Common Pleas in each and every county in this Commonwealth forthwith upon the passage of this act to keep a daily record separate and apart from all other records of every single bill bond judgment or other instrument securing a debt entered of record in his office which daily record shall set forth the following information to wit The date of the instrument the names of the plaintiff and defendant together with the precise residence of the plaintiff or person to whose use such bill bond judgment or other obligation to pay money is marked whenever such residence can be ascertained the just sum secured and the date or several dates when the said sum or portion of the same shall become due and payable with the further information whether any of said bonds or judgments are accompanied with mortgages and also the number of every single bill bond judgment or other instrument securing a debt together with the amount of same and the names of the plaintiff and defendant thereto which shall have been that day satisfied and it shall be the further duty of the prothonotary or clerk of the Court of Commn Pleas to file the aforesaid daily record of bills and so forth in the commissioner's office or with the board of revision of taxes of the proper county or city on the first Monday of each month and one certificate appended thereto shall be all that shall be required

Section 9 That it shall be the further duty of the county commissioners or board of revision of taxes upon obtaining record of the existence within any county or city co-extensive with a county of said mortgages and other obligations that shall be owned by a person co-partnership association limited partnership joint-stock association or corporation resident or doing business within this Commonwealth and not a resident or doing business within this Commonwealth and not a resident of said county or city or in the case of a corporation limited partnership or company not having its principal office within said county or city to transmit a certified statement of said record to the county commissioners or board of revision of taxes of the proper county or city wherein said person is domiciled or wherein said co-partnership association limited partnership joint-stock association or corporation does business or maintains its principal office and also to further transmit to said commissioners or board of revision of taxes a certified statement whenever it shall appear from the record that said mortgages and other obligations are satisfied which upon its receipt shall be filed of record by the county commissioners or board of revision of taxes

Section 10 That it shall be the further duty of the county commissioners or the board of revision of taxes of the proper county or city upon the receipt of the daily records from the offices of the recorder or prothonotary or clerk to file the same in their office and on or before the time of making the annual or triennial assessment in any year to prepare from the said records a statement or statements showing so far as practicable the number and amount of said mortgages and all other obligations and names of the parties thereto in each borough township district or ward in such county or city which said statement shall be delivered to the assessor or assessors of each borough township district or ward respectively before said officers shall enter upon the discharge of their proper duties

Section 11 That it shall be the duty of the assessor or assessors in making up their valuations of money at interest in their respective boroughs township districts or wards to compare the return made by each person co-partnership association limited partnership joint-stock association or corporation with the statement furnished them by the county commissioners or board of revision of taxes and if the amount of said mortgages or other obligations as contained in said statement shall exceed the amount set forth in the return of any person co-partnership association limited partnership joint-stock association or corporation to note the fact and make return of the same to the commissioners or board of revision of taxes of the proper county or city

Section 12 That it shall be the further duty of the county commissioners or board of revision of taxes upon the returns made to them by the assessors of the several boroughs townships districts and wards in all cases where it shall appear on proving the record that any person co-partnership association limited partnership joint-stock association or corporation has returned a less amount of money at interest than appears from the records in possession of the commissioners or board of revision of taxes thereupon to raise the valuation of the property of said person co-partnership association or limited partnership joint-stock association or corporation to the amount set forth in said records and forthwith to notify the persons co-partnerships associations limited partnerships joint-stock associations or corporations interested of the said increase of valuation and that the same is subject to be appealed from at the same time and the same manner as the original assessment

Section 13 That any willful failure on the part of the county commissioners board of revision of taxes borough township district and ward assessors recorders of deeds prothonotaries and clerks of courts to carry out the duties imposed upon them by the several sections of this act shall be deemed a misdemeanor and upon conviction thereof the person or persons so failing to comply shall be sentenced to a fine not exceeding five hundred dollars and imprisonment not exceeding one year

Section 14 That recorders of deeds and prothonotaries shall be entitled to receive ten cents for each and every mortgage judgment or lien assignment or satisfaction thereof reported to the county commissioners or board of revision of taxes as required by law which fees shall be paid by the respective county treasurer on the presentation of proper vouchers and shall be applied in like manner as other fees received by such recorders and prothonotaries Provided however That no fee shall be allowed in any case where the residence of any plaintiff mortgagee or assignee is omitted in such report And provided further That the amount allowed any prothontary or recorder of deeds under this act shall not exceed the sum of six hundred dollars per annum

Section 15 That it shall be unlawful for any person or persons co-partnership unincorporated association limited partnership joint-stock association or corporation whatsoever in loaning money at interest to any person or persons whether such loans be secured by bond and mortgage or otherwise to require the person or persons borrowing the same to pay the tax imposed thereon by the first section of this act and in all cases where such tax shall have been paid by the borower or borrowers the same shall be deemed and considered usury and be subject to the laws governing the same

Section 16 That the tax upon personal property imposed by the first section of this act shall be collected by distraint or otherwise as other taxes for county purposes or in cities co-extensive with counties for city and county purposes are collected under the laws of this Commonwealth Provided however That no tax by said first section imposed shall be collectible or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation

Section 17 That all scrip bonds or certificates of indebtedness isued by any and every private corporation incorporated or created under the laws of this Commonwealth or the laws of any other State or of the United States and doing business in this Commonwealth and all scrip bonds or certificates of indebtedness issued by any county city borough township school district or incorporated district of this Commonwealth are hereby made taxable in the year one thousand nine hundred and fourteen and annually thereafter for State purposes at the rate of four mills on each dollar of the nominal value thereof Provided That this section shall not apply to bank notes or notes discounted or negotiated by any bank or banking institution savings institution or trust company And provided That the provisions of this act shall not apply to building and loan associations or to savings institutions having no capital stock but nothing herein contained shall be construed to relieve or exempt individual depositors in savings institutions having no capital stock from any taxation to which such depositors may be subject and if at any time either now or hereafter any persons individuals or bodies corporate have agreed or shall hereafter agree to issue his their or its securities bonds or other evidences of indebtedness clear of and free from the said four mills tax herein provided for or have agreed or shall hereafter agree to pay the same nothing herein contained shall be so construed as to relieve or exempt him it or them from paying the said four mills tax on any of the said such securities bonds or other evidences of indebtedness as may be be held owned by or owing to the said saving institution having no capital stock And provided further That the provisions of this act shall not apply to fire companies firemen's relief asociations life insurance corporations having no capital stock secret and beneficial societies labor unions and labor union relief associations and all beneficial organizations paying sick or death benefits or either or both from funds received from voluntary contributions or assessments upon members of such associations societies or unions And provided further That corporations limited partnerships and joint-stock associations liable to tax on capital stock for State purposes shall not be required to pay any further tax under this section on the mortgages bonds and other securities owned by them in their own right but corporations limited partnerships and joint-stock associations holding such securities as trustees executors administrators guardians or in any other manner shall be liable for the tax imposed by this section upon all securities so held by them as in the case of individuals And provided further That none of the classes of property made taxable by this section for State purposes shall be taxed or taxable for county school or other local purposes

Section 18 It shall be unlawful in cities co-extensive with counties to use or appropriate any moneys realized from the sale of any bonds isued by any cities co-extensive with counties for city and county purposes based upon the value of property made taxable by the provisions of this act for

any other purpose than the purchasing leasing locating constructing and equipping transit facilities or any one or more of them and the use and operation of the same within their limits of adjacent cities boroughs and townships or for other permanent improvements

Section 19 That the tax for State purposes imposed upon obligations of private and public corporations by section seventeen of this act shall be collected in the same manner as the tax heretofore imposed for State purposes upon such obligations it being the true intent and meaning of this act that the provisions of the law in force at the time of the passage of this act relating to the collection of the State tax upon such obligations shall remain unaffected by the present act

Section 20 That (1) the act entitled "An Act fixing the compensation of prothonotaries and recorders for duties imposed upon them by law in certifying to the county commissioners and board of revision of taxes judgments mortgages et cetera and assignments and satisfactions thereof and providing for the payment of the same" approved May twenty-four one thousand eight hundred and eighty-seven (2) sections one two three four five six seven eight nine ten eleven twelve thirteen fourteen fifteen sixteen seventeen and eighteen of an act entitled "An Act further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" approved June one one thousand eight hundred and eighty-nine (3) sections one two and three of an act entitled "An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on he first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value" approved June eighth one thousand eight hundred and ninety-one (4) the act entitled "An Act amending the fifth seventh and eighth sections of a further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine which further supplement was approved on the first day of June one thousand eight hundred and eighty-nine authorizing and requiring the Auditor General of the Commonwealth to make a return for personal property taxes for defaulting persons co-partnerships unincorporated associations limited partnerships joint-stock associations or corporations wherein there has been a failure or refusal of the aforesaid to make returns properly verified and upon the failure or refusal of the assessors and board of revision of taxes or county commissioners to make a proper return for said personal property taxes also authorizing and requiring the Auditor General of the Commonwealth to collect the taxes in accordance with the returns made by him and requiring the recorder of deeds and prothonotaries of the various counties to file daily records in the Auditor General's office as they are required to file in the commissioners' office or with the board of revision of taxes also requiring the county commissioners or board of revision of taxes to file with the Auditor General copies of all returns made for personal property taxes and requiring the record of the county commissioners or board of revision of taxes to be opened to the inspection and use of the Auditor General" approved April seventeen Anno Domini nineteen hundred and five (5) the act entitled "An Act to amend the first section of an act entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine 'approved the first day of June one thousand eight hundred and eighty-nine as amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollar of its actual value' by relieving and exempting from the provision thereof savings institutions having no capital stock" approved the first day of May Anno Domini one thousand nine hundred and nine (6) the act entitled "An Act amending and supplementing section one of an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine as the same was amended by the enactment of 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' approved the first day of June Anno Domini one thousand eight hundred and eighty-nine as further amended and supplemented by 'An Act to provide increased revenues for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint-stock associations having capital stock at the rate of five mills on each dollars of its actual value' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one" approved the eleventh day of May Anno Domini one thousand nine hundred and eleven and all other sections and parts of the said acts which are inconsistet herewith or which are hereby substantially re-enacted be and the same are hereby repealed saving reserving and excepting unto the Commonwealth the right to collect any tax taxes interest penalty or penalties due or owing or accured under the said acts or parts of acts or any of them prior to the date when this act goes into effect and further saving reserving and excepting unto the Commonwealth the right to assess and collect all taxes in and for the year one thousand nine hundred and thirteen under existing legislation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SHERN. Mr. Speaker, this bill that has been made a special order for this hour, provides that the personal property tax that is now paid into the State shall go to the counties. It shall be made a county tax instead of a State tax and shall be made the basis of each county borrowing up to the constitutional limit of seven per cent.

As regards the City of Philadelphia, it will be a great benefit to that particular city, and I know that all we Pennsylvanians are very much interested in teh third largest city in the Union. We have been handicapped for a great many years in the City of Philadelphia for lack of transit facilities, and you members of this House of the Session of 1913 have been good enough to pass enabling legislation providing for a Department of Transit, providing for the relocation of tracks, and providing for the building of subways, and if you will vote for this bill, you will give the one million six hundred thousand people of Philadelphia, and especially those that have to come to the centre of the city from the great outlying sections of the city, the Northeast, the Northwest, the Southeast and the Southwest, improved transit facilities. It will also give forty million dollars of actual cash for the improvement of our rapid transit facilities. We also have provided in this bill that the money shall not be expended for any other purpose except that for which the people of Philadelphia believe it shall be spent for, and we have so inserted in this bill an amendment providing that the money derived from the sale of bonds from his personal propery tax shall be restricted to the improvement of the subways and transit facilities.

I sincerely trust that you will give this bill unanimous support.

Mr. ROCKWELL. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Shern.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. SHERN. Mr. Speaker, yes, sir.

Mr. ROCKWELL. Mr. Speaker, I would like to ask how much, if he can inform the House, this would reduce the State revenues?

Mr. SHERN. Mr. Speaker, I understand it will reduce the State revenues a little over two million three hundred thousand dollars.

Mr. ROCKWELL. Mr. Speaker, in one year or two years?

Mr. SHERN. Mr. Speaker, in two years.

Mr. ROCKWELL. Mr. Speaker, that would be the twenty-five per cent. which is taken out for State tax?

Mr. SHERN. Mr. Speaker, this House has already passed a ninety-five per cent. bill.

Mr. S. B. SCOTT. Mr. Speaker, I think it ought to be called to the attention of the House that the effect of this bill is almost exactly the same as the effect of the bill which the House already has passed, introduced by the gentleman from Lancaster, Mr. Hess, except that that bill returned ninety-five per cent. of the personal property tax

to the County, practically allow five per cent. of that for the expenses of the administration in bring the tax from the counties to the State and back again to the counties. This bill has the effect of returning the one hundred per cent. and makes an actual saving of five per cent.

But so far as the State revenues are concerned, this bill only does that which we have already decided ought to be done.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—109.

Alworth,	Ewing,	Lowers,	Rothenberger,
Ambler,	Flynn,	Mannion,	Sassaman,
Aron,	Foster, J. D.,	Martin,	Savacool,
Arthur,	Gans,	Matt,	Schaeffer, A. C.
Baldwin, R. J.,	Gibson,	McAleer,	Scott, J. R. K.,
Bass,	Good,	McArdle,	Scott, S. B.,
Becker,	Gransback,	McCaig,	Semmens,
Bergey,	Hackett,	McClintock,	Shaffer, I. E.,
Berntheizel,	Haggerty,	McNichol,	Shern,
Bigger,	Heidinger,	Missimer,	Sherwood,
Bleloch,	Heyburn,	Moore,	Smith, L.,
Brown,	Hibshman,	Moses,	Snavely,
Caldwell,	Hobbs,	Moulthrop,	Snyder,
Campbell, C.M.,	Hoffman,	Newbaker,	Speiser,
Claycomb,	Howard, J.,	North,	Spillinger,
Cleary,	Isler,	O'Neill,	Steedle,
Conner,	Irwin, G. C.,	Pennegar,	Steele,
Conrade,	Jones, J. R.,	Pennock.	Strauss,
Cox,	Kaiser,	Perry. S. J.,	Swartz,
Currier,	Keegan,	Peters,	Ulerich,
Curry,	Keeport,	Price,	Walnut,
Davis,	Kern,	Ramsey,	Walsh,
DeFrees,	Kitts,	Reese,	Watson,
Donahoe,	Kuhn, H. P.,	Reeser,	Whitaker,
Down,	Lanius,	Rex,	Wilson, W. H.,
Dunn, J. A.,	Leslie,	Rhoads,	Wiltbank,
Ehrhardt,	Letzkus,	Roney,	Young, G. K.,
Eichenberger,			Young, J. H.,

NAYS—61.

Adams,	Geiser,	Lohr,	Redfield,
Allen,	Glenn,	Mather,	Robinson,
Barner,	Goss,	McAllister,	Rockwell,
Benninger,	Grabe,	McDermott,	Runk,
Benson,	Gramley,	McKay,	Showalter,
Bittles,	Hemminger,	Metzenbacher,	Smith, J. W.,
Body,	Herman,	Miller,	Stone,
Brosius,	Howard, R.,	Mitchell,	Swift,
Burnett,	Humes,	Morrow,	Trach,
Carson,	Irwin, H. H.,	Murphy,	Ulman,
Cheeseman,	Jackson,	Musser,	Whitman,
Collins,	Kaufman,	Newton,	Williams,
Conniff,	Kuhns, E.G.M.,	Peachey.	Wilson, J. H.,
Donnally,	Latshaw,	Perry, H. L.,	Zimmerman,
Ely,	Light.	Post,	Alter,
Frey,			Speaker.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The SPEAKER. The hour of nine-thirty having arrived, the Chair lays before the House the special order at this hour, House Bill No. 1787, file folio 7031, on third reading.

When this bill was last before the House there was under consideration a point of order raised by the gentleman from Philadelphia, Mr. W. H. Wilson. Does the gentleman insist upon that point of order

POINT OF ORDER AND BILL POSTPONED.

Mr. WALNUT. Mr. Speaker, I move the the further consideration of the point of order, as well as the further consideration of the bill, be postponed for the present.

Mr. W. H. WILSON. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1227, entitled:

An Act to establish as a State Highway a certain section of public road beginning at the point of intersection of Route Number one hundred and ninety-eight with the Fox Chase and Huntingdon Turnpike Road at Bethayres thence over said turnpike road to the Welsh Road thence over the said Welsh Road through Bustleton to the Bristol Road or Frankford Avenue in Holmsburg Philadlephia county

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1567, entitled:

An Act to repeal an act approved the twentieth day of June one thousand nine hundred and one entitled "An Act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or partly underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railways shall have been passed upon by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after notice."

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1533, entitled:

An Act authorizing the Governor to appoint a commission to devise a plan or plans for the government of the cities of the third class of this Commonwealth

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1467, entitled:

An Act to establish as a "State Highway" a certain section of public road beginning at a point on route two hundred twenty at Greely Pike county and running thence to Lackawaxaa in said county connecting with route two hundred fifty-five

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 532, entitled:

An Act regulating the sale prescription and possession of opium morphine hereoin codeine their salts derivatives or compounds or any substance or preparation containing opium morphine heroin codeine their salts derivatives or compounds providing penalties for the violation thereof and providing for the enforcement of said law and providing an appropriation for the enforcement of said law

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1929, entitled:

An Act to amend an act entitled "An Act for the assignment of judges to districts other than their own for the purpose of expediting business with provision for their compensation" approved the twenty-seventh day of April one thousand nine hundred and eleven so as to extend the same to Orphans' Court judges and Orphans' Court work

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1793, entitled:

An Act making an appropriation to the Water Supply Commission of Pennsylvania for making a study of the condition of Sandy Creek in Crawford Mercer and Venango counties and for improving the channel thereof and of Sandy Lake outlet

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1763, entitled:

An Act relating to electric cars and requiring the operators thereof to turn out the head-light or search-light when approaching other vehicles et cetera and prescribing the penalties for violations

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2002, entitled:

An Act authorizing the board of township commissioners in townships of the first class to join with the county commissioners in the improving of roads or streets in first class townships and providing for the assessment of a part of the cost upon the abutting property

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1622, entitled:

An Act prohibiting the holding by any person of two or more positions of profit under this Commonwealth prohibiting appointments contrary to this act and providing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1892 (Senate No. 13), entitled:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1899 (Senate No. 550), entitled:

An Act regulating the use of motor boats and providing a penalty

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 467, entitled:

An Act making an appropriation for the payment of the expense of publication of amendments to the Constitution in the year one thousand nine hundred and twelve

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1957, (Senate No. 636), entitled:

An Act to amend the first section of an act entitled "An Act authorizing banks chartered under the laws of the Commonwealth of Pennsylvania to loan money on the security of bonds and mortgages on real estate and to invest their funds in bonds mortgages notes and other interest bearing securities and obligations" approved the tenth day of July Anno Domini one thousand nine hundred and one Pamphlet Laws six hundred and thirty-nine by defining more definitely the amount of money banks may loan on the security of bonds and mortgages on real estate

And said bill having been read at length the first time,
Ordered, To be laid aside for second rea
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1973 (Senate No. 826), entitled:

An Act to amend section twelve of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June one thousand nine hundred and eleven

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1968, entitled:

An Act making an appropriation to an association known as City Light Heat and Power Company of Reading or its successors or assigns for monies erroneously paid into the State Treasury

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1902 (Senate No. 815) entitled:

An Act providing for the making valid of the charters of certain corporation heretofore incorporated for the purpose of supplying heat light and power by means of elecricity to the public upon the filing of certain certificates with the Secretary of the Commonwealth

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 1305, entitled:

An Act providing for the making and recording of duplicate maps or plans or tracts of land laid out and sub-divided into lots where the owner of any such tract of land has died without recording the same and the engineer making such map or plan is still alive and providing for the collection of the costs of such proceeding from such decedent" estate

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILLS ON FINAL PASSAGE.

Agreeably to order,
The House proceded to the consideration on final passage of H. R. bill No. 964, as follows:

An Act authorizing and empowering township supervisors in totwnships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of proprty in the district benefited

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the township supervisors of any township of the second class in this Commonwealth are hereby authorized and empowered on the petition of the owners of a majority of the lineal feet frontage along any highway or portion thereof in any village within said township to enter into contract with electric gas or other lighting companies to light and illuminate the streets highways and other public places in said villages with electric light gas light or other illuminant

Section 2 The township supervisor shall levy for the maintenance of said lights an annual tax upon the property abutting upon the said streets highways and other public places in the district benefited thereby based upon the assessment for county purposes Such tax shall become a lien against such property to the same extent and with the same effect as other liens for taxes now authorized by law and shall be collected in the same manner as other taxes the collector of taxes to receive the same commission as on the road tax Provided That no tax as herein provided shall be levied against any farm land nor shall any property be assessed hereunder or included in the provisions hereof unless the residence thereon shall be within five hundred feet of such highway

Section 3 The township treasurer shall receive all taxes collected for lighting the highways shall keep the same in a separate account and pay out the same only on orders signed by the chairman of the township supervisors attested to by the secretary and shall make a report to the auditors of the township anually

Section 4 All acts and parts of acts inconsistent with this act are repealed

And the amendments made thereto having been printed as required by the Constitution.
On the question,
Shall the bill pass finally?
Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—153.

Allen,	Frey,	Martin,	Rockwell,
Alworth,	Gans,	Mather,	Roney,
Ambler,	Geary,	McAleer,	Runk,
Aron,	Gibson,	McAllister,	Sassaman,
Arthur,	Good,	McCaig,	Savacool
Baldwin, R. J.,	Goss,	McClintock,	Schaeffer, A. C
Barner,	Grabe,	McDermott,	Schuck,
Bass,	Gramley,	McKay,	Scott, J. R. K.,
Benson,	Gransback,	McNichol,	Scott, S. B.,
Berntheizel,	Hackett,	Metzenbacher,	Semmens,
Bigger,	Haggerty,	Miller,	Shaffer, I. E.,
Bittles,	Heidinger,	Missimer,	Shern,
Blair, W. A.,	Hemminger,	Mitchell,	Sherwood,
Body,	Heyburn,	Morrow,	Showalter,
Brosius,	Hibshman,	Moses,	Snyder,
Brown,	Hobbs,	Moulthrop,	Spangler,
Burnett,	Howard, J.,	Murphy,	Speiser,
Caldwell,	Howard, R.,	Musser,	Spillinger,
Campbell, C.M.,	Isler,	Neel,	Steedle,
Carson,	Irwin, G. C.,	Neely,	Steele,
Claycomb,	Irwin, H. H.,	Newbaker,	Stein,
Cleary,	Jackson,	Newton,	Strauss,
Conner,	Jones, J. R.,	North,	Swartz,
Conniff,			

Conrade,	Kaiser,	O'Neill,	Swift,
Cox,	Keegan,	Peachey,	Ulman,
Currie,	Keeport,	Pennegar,	Walnut,
Curry,	Kenna,	Pennock,	Walsh,
Davis,	Kennedy,	Perry, H. L.,	Watson,
DeFrees,	Kern,	Perry, S. J.,	Whitaker,
Dickinson,	Kitts,	Peters,	Wildman,
Donahoe,	Klepper,	Post,	Williams,
Donnally,	Kuhn, H. P.,	Price,	Wilson, J. H.,
Down,	Leslie,	Ramsey,	Wilson, W. H.,
Dunn, J. A.,	Letzkus,	Redfield,	Wiltbank,
Ehrhardt,	Light,	Reese,	Young, G. K.
Eichenberger,	Lohr,	Reeser,	Zimmerman,
Ely,	Lowers,	Rhoads,	Alter,
Fahey,	Mannion.	Robinson,	Speaker.
Foster, J. D.,			

NAYS—3.

Bergey, Kuhns, E.G.M., Rothenberger,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1152, as follows:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department of Suburban Metropolitan Planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

Whereas, The establishment of Suburban Metropolitan Planning Commissions having jurisdiction over territory adjacent to cities of the first class is desirable in order to provide for its proper development by the co-operation of the various local governmental units in matters pertaining to their common welfare, and

Whereas, It is desirable that there should be co-ordination of effort with Urban Metropolitan Planning Commissions relating to cities of the first class themselves wherever the same may exist

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to secure co-ordinated comprehensive plans of highways and roads parks and parkways and all other means of inter-communication water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation and health playgrounds civic centers and other public improvements as hereinafter provided for the districts surrounding and within twenty-five miles of the limits of cities of the first class whether in one or more counties and in order to prevent waste by unnecessary duplication the areas included within twenty-five miles of the limits of cities of the first class shall be denominated the Suburban Metropolitan Districts of cities of the first class of Pennsylvania When any city borough or township is partly within and partly without the twenty-five mile limit the whole of such city borough or township shall be regarded as within the Suburban Metropolitan District

Section 2 There shall be an Executive Department created for every Suburban Metropolitan District to be known as the Department of Suburban Metropolitan Planning which shall be in charge of a Suburban Metropolitan Planning Commission

Section 3 The Suburban Metropolitan Planning Commission shall be appointed by the Governor of the State of Pennsylvania and shall consist of fifteen members who may or may not hold other public office whether for profit or otherwise of whom twelve shall be residents of the district involved and three shall be residents of the said city of the first class five members to be appointed to serve for one year five for two years five for three years then thereafter each appointment to be for three years

An appointment to fill a casual vacancy shall be for the unexpired portion of the term Nine shall constitute a quorum

The Suburban Metropolitan Planning Commission shall make and alter rules and regulations for its own organization and procedure consistent with the laws of the Commonwealth From its own members it shall choose a Chairman and vice-chairman Each member shall serve without compensation On or before January tenth of each and every year the Commission shall make to the Mayor of each city to councils of each borough to the commissioners of each first class township and to the supervisors of each second class township within the Suburban Metropolitan District to the Mayor of the said city of the first class and to the Governor of the State of Pennsylvania a report of its transactions and recommendations The Commission may employ a secretary engineers and other experts and persons whose salaries and wages as well as all the other necessary expenses of the Commission and members thereof shall be provided for as hereinafter set forth

Section 4 The Suburban Metropolitan Planning Commission shall make or cause to be made and laid before the respective governmental authorities of the district and in its discretion caused to be published a map or maps of the entire district or any portion or portions thereof showing any or all systems of transportation highways and roads parks parkways water supply sewerage and sewage disposal collection and disposal of garbage housing sanitation playgrounds and civic centers or of other natural physical features of the district and it shall prepare plans for any new or enlarged facilities for intercommunication parks parkways water supply systems sewers sewage disposal garbage disposal land plottings and housing arrangements playgrounds and civic centers or any other public improvement that will affect the character of the District as a whole or more than one politcal unit within the District or any widening extension or relocation of the same or any change in the existing township or borough or city plans by it deemed advisable And it shall make recommendations to the respective governmental authorities from time to time concerning any such matters or things aforesaid for action by the respective legislative administrative or governmental bodies thereon and in so doing have regard for the present conditions and future needs and growth of the district and the distribution and relative location of all the principal and other streets and railways waterways and all other means of public travel and business communications as well as the distribution and relative location of all public buildings public grounds and open spaces devoted to public use and the planning sub-division and laying out for urban uses of private grounds brought into the market from time to time

Section 5 Any city borough or township within any Suburban Metropolitan District may request the Surburban Metropolitan Planning Commission of that district to prepare plans concerning any of the subjects set forth in Section four of this act whereupon it shall be the duty of the Commission to prepare such plans with dispatch

Section 6 The Suburban Metropolitan Planning Commission may make recommendations to any public authorities or any corporation or individual in said districts with reference to the location of any buildings and structures to be constructed by them

Section 7 The plans so made and laid before the respective governmental authorities by the Surburban Metropolitan District Planning Commission according to Sections four five and six shall be considered by such respective authorities and followed by them in so far as shall be determined by each authority Provided however that the provisions of this act shall not abridge or in any way affect the provisions of an act entitled "An Act creating a Department of Health and defining its powers and duties" approved twenty-seventh day of April Anno Domini one thousand nine hundred and five or the provisions of an act entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" approved the twenty-second day of April one thousand nine hundred and five

Section 8 On or before January tenth of each and every year the Commission shall prepare an estimate of its expenses for the ensuing year setting forth with as much detail as is practicable the items of which such estimate is composed and shall cause the amount of its expenses so estimated after deducting the cash on hand and the unpaid assssments to be assessed against the cities boroughs and townships within the district in proportion to their respective tax duplicates The itemized estimate of expenses and a statement of the rate of assessment shall be spread upon the minutes of the Commission which shall be kept open at all times for public inspection Each and every assessment when certified by the chairman and secretary of the Commission shall constitute a charge on the treasury of the respective city borough and township and its immediate payment shall be at once provided for The commission shall have power to secure payment of the assessments by suits of mandamus or otherwise

Provided that the rate of assessment shall not exceed one-tenth of one mill

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Adams,	Ely,	Lowers,	Schuck,
Allen,	Ewing,	Mannion,	Scott, J. R. K.,
Alworth,	Fahey,	Martin,	Scott, S. B.,
Ambler,	Flynn,	Mather,	Semmens,
Aron,	Forster, I. G.,	Matt,	Shaffer, C. A.,
Arthur,	Foster, J. D.,	McAleer,	Shaffer, I. E.,
Baldwin, G. A.,	Frey,	McAllister,	Shern,
Baldwin, R. J.,	Gans,	McArdle,	Sherwood,
Barner,	Geiser,	McCaig,	Showalter,
Bass,	Gibson,	McClintock,	Smith, J. W.,
Becker,	Good,	McNichol,	Smith, L.,
Benninger,	Goss,	Metzenbacher,	Snyder,
Benson,	Grabe,	Miller,	Spangler,
Bergey,	Gramley,	Missimer,	Speiser,
Berntheizel,	Gransback,	Mitchell,	Spillinger,
Bigger,	Hackett,	Moore,	Steedle,
Bittles,	Haggerty,	Morrow,	Steele,
Blair, W. A.,	Heidinger,	Moses,	Stein,
Blair, W. F.,	Hemminger,	Moulthrop,	Stone,
Body,	Herman,	Neel,	Strauss,
Brosius,	Hibshman,	Neely,	Swartz,
Brown,	Hobbs,	Newbaker,	Swift,
Brownlee,	Hoffman,	North,	Thomas,
Campbell, C.M.,	Howard, J.,	O'Neill,	Ulerich,
Carson,	Irwin, G. C.,	Peachey,	Ulman,
Cheeseman,	Jackson,	Pennegar,	Walnut,
Claycomb,	Jones, J. R.,	Pennock,	Walsh,
Cleary,	Kaiser,	Post,	Walton,
Collins,	Kaufman,	Price,	Watson,
Conner,	Keeport,	Ramsey,	Whitaker,

Conrade,	Kenna,	Reese,	Whitman,
Currier,	Kennedy,	Reeser,	Wildman,
Curry,	Kuhn, H. P.,	Rex,	Williams,
Davis,	Kuhns, E.G.M.,	Rhoads,	Wilson, J. H.,
DeFrees,	Lanius,	Robinson,	Wilson, W. H.,
Dickinson,	Latshaw,	Roney,	Wiltbank,
Donahoe,	Lenker,	Rothenberger,	Young, G. K.,
Down,	Leslie,	Runk,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Sassaman,	Alter,
Ehrhardt.	Lohr,	Schaeffer, A. C	Speaker.
Eichenberger,			

NAYS—14.

Conniff,	Humes,	McKay,	Peters,
Dunn, H. B.,	Irwin, H. H.,	Murphy,	Savacool,
Heyburn,	Kern,	Perry, H. L.,	Snavely,
Howard, R.,	McDermott,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. FLYNN. Mr. Speaker, I move that the vote by which House Bill No. 1276, file folio 7095, entitled:

An Act to amend section ten of an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioner chief engineer chief draughtsman superintendent of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highaways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalties for injuring or destroying State Highways making appropriations to carry out the provisions of this act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" extending certain provisions thereof so as to include cities

was defeated on third reading, be reconsidered.

Mr. ZIMMERMAN. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER announced that the yeas appeared to have it.

Whereupon,

A division was called for, and 83 gentlemen voting in the affirmative, and 53 in the negative, the question was determined in the affirmative, and the motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FLYNN. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. JAMES A. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1147, as follows:

An Act providing for the publishing of legal advertisements in certain newspapers in two counties not exceeding two hundred and fifty thousand inhabitants

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all legal advertisements now required by law to be published in newspapers in counties not exceeding two hundred and fifty thousand inhabitants shall be inserted in the newspapers having by the sworn statement of the owner or publisher the largest circulation within such county Provided however that such paper shall not collect for such legal advertisement a rate is excess of the regular rate charged by it for other advertisement set in the same type and printed the same number of times

Section 2 All acts or parts of acts general special or local inconsistent with this act are repealed

On the question,

Shall the bill pass?

BILL STRICKEN FROM THE CALENDAR.

Mr. MATT. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. MELLOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 1488, as follows:

An Act providing for the licensing of stock brokers as therein defined and for the regulation of the sale pledge negotiation for sale of certain stocks bonds and other securities by such stock brokers or their agents within this Commonwealth providing for the winding up of the business of stock brokers licensed thereunder and conferring certain powers and duties on the Commissioner of Banking for the enforcement of the provisions of this act and imposing penalties for the violation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "stock broker" as used in this act includes every corporation joint stock company partnership association person or persons whether now or hereafter incorporated under the laws of this Commonwealth or under laws other than those of this Commonwealth or whether unincorporated which or who shall as principal or agent or solicitor in this Commonwealth engage in the business or offering for sale pledge or negotiating for the sale or pledge of or selling or pledging except to other such stock-broker bank or trust companies exclusively of any stock bond or other securities of any kind or character of any foreign or domestic corporation other than the bonds of the United States and other than State or municipal bonds stocks of National banks or of State banks or trust companies building and loan associations or corporations not for profit and other than the stocks bonds or other securities of public service corporations or public service companies the issue sale or pledging of which may now or hereafter be regulated by any act of Assembly of this Commonwealth Provided however that by the terms "stocks bonds or other securities" as used in this definition is meant only stocks bonds or other securities which are not issued by the stock engaged in the business of offering for sale negotiating for the sale of or selling the same but issued by some other foreign or domestic corporation or unincorporated association

Section 2 The term "agent" as used in this act shall include any person who shall act for any stock broker in offering for sale negotiating for the sale of or selling any securities for any stock broker either as an employee on a salary basis or for a commission

Section 3 From and after the passage of this act it shall be unlawful except as hereinafter provided for any stock broker to offer for sale or pledge negotiable for the sale or pledge of or to sell or pledge in any manner whatsoever any stocks bonds or other securities of any kind or character other than these exempted from the provisions of this act by the definitions contained in section one hereof without a license from the Commissioner of Banking obtained as hereinafter provided

Section 4 As conditions precedent to the granting of such license it shall be necessary for each and every stock broker to file in the office of the Commissioner of Banking along with a filing fee of fifteen dollars ($15.00) an application for such license which application shall set forth with accuracy (if the applicant be a corporation) the name location and principal office of the applicant and if the applicant be a corporation the application shall also set forth the names and addresses of the officers directors or managers thereof and if the applicant be unincorporated the application shall also set forth the name location and principal office of the partnership or unincorporated asso-

ciation and the names and addresses of all partners or members thereof and whether the applicant be incorporated or unincorporated the application shall also set forth in full detail an itemized statement of the financial condition assets property and liabilities of such applicant and the nature character and plan of the business which it is proposed to transact within this Commonwealth

There shall be attached to and made a part of said application

(1) If the applicant shall be an incorporated company a copy of its charter or certificate of incorporation and all amendments thereto if any and if incorporated under laws other than those of this Commonwealth also a copy of the laws under which it is incorporated or exists

(2) If a corporation or unincorporated association a copy of its constitution or by-laws if any of its articles or incorporation or association and all other papers pertaining to the organization of such corporation or unincorporated association

(3) If the applicant be a corporation or unincorporated association or an individual a copy of all applicants for and forms of all contracts of guaranty or suretyship or other contracts which such applicant proposes to make or enter into with any person or persons including in whole or in part the purchase of or in connection with or in any manner affecting or relating to any stocks bonds or other securities as aforesaid proposed to be offered for sale or pledge negotiated for sale or pledge or sold or pledged to any person or persons or to the public generally

(4) If the applicant be a corporation unincorporated association or individual sample copies of all literature advertisements or advertising matter printed or written used or to be used by such applicant inducing in whole or in part the purchase of or in connection with or in any manner relating to any stocks bonds or other securities as aforesaid proposed to be offered for sale or pledge or sold or pledged to any person or persons or to the public generally

Section 5 All statements and representatives as to the assets property and liabilities contained in any such application or in the papers attached thereto and made a part thereof as above provided shall be verified by the oath of the president and treasurer of the applicant if it be a corporation and by the applicant himself if an individual or by a member of the partnership or unincorporated association applying for such license

Section 6 Together with said application there shall be presented to and filed with the Commissioner of Banking a joint and several bond to the Commonwealth of Pennsylvania executed by the applicant and by a surety or sureties approved by said Commissioner conditioned for the payment in full of all losses and damages to any person to whom stocks bonds or other securities aforesaid may be sold or pledged sustained by such person or persons by reason of any false or fraudulent literature advertisement advertising matter printed or in writing letters or other false or fraudulent representation printed written or oral issued or made by such stock broker and upon the faith of or on reliance upon which said stocks bonds or other securities may have been purchased and further conditioned in the event of the insolvency of such applicant for the payment of the full amount recoverable under the conditions of said bond to the receiver that may be appointed by the court under the provisions hereinafter contained in this act for the distribution by said receiver under the order or decree of said court made pursuant to said provisions hereinafter contained The penalty of said bond shall be a sum fixed by the Commissioner of Banking which shall not be more than one hundred thousand dollars ($100,000) nor less than ten thousand dollars ($10,000)

In lieu of the aforesaid bond the applicant may deposit and the Commissioner of Banking shall receive money and securities consisting of bonds of the United States or of this Commonwealth or any municipality thereof or other securities approved by him and of a value equal to the amount fixed as the penalty of the bond aforesaid The money and securities provided in the bond as hereinabove specified If the securities be deposited in lieu of the aforesaid bond and shall be accepted as hereinafter provided the Commissioner of Banking shall require the applicant to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such money and securities may be so deposited Such bond or such money and securities shall be released or discharged by the Commissioner of Banking in writing under his official seal only if and when such license shall have ceased doing business in this State and shall have furnished to the Commissioner of Banking satisfactory evidence that all outstanding debts and liabilities of such licensee in this Commonwealth shall have been discharged

Section 7 If the applicant or applicants for such license be a corporation incorporated under laws other than those of the Commonwealth of Pennsylvania or be an unincorporated association or an individual having their or his principal office outside the Commonwealth of Pennsylvania such applicant or applicants shall as a condition precedent to the granting of said license together with said application file in the office of the Commissioner of Banking a duly executed power of attorney or instrument in writing constituting and appointing the Commissioner of Banking its his or their true and lawful attorney and authorized agent upon whom all lawful rules or orders in any action or proceeding against it them or him may be served and therein shall agree that all such processes rules or orders against it them or him which may be served upon the Commissioner of Banking as such attorney or authorized agent shall be of the same force and validity as if served on the applicant or applicants to whom a license may be granted and that the authority of such power of attorney or instrument so required shall continue in force irrevocable so long as any debt or liability of such applicant or applicants to whom a license may be granted remains outstanding against said applicant or applicants in this Commonwealth

The service of such process rule or order shall be made by leaving the same in duplicate in the office of the Commissioner of Banking One copy certified by the Commissioner of Banking as having been served upon him shall be deemed sufficient evidence thereof and service upon such attorney shall be deemed valid service upon such corporation individual or unincorporated association of individuals as the case may be

The Commissioner of Banking shall upon process being served upon him as attorney or authorized agent as aforesaid forthwith forward one of the duplicate copies of the process so served to the secretary of such foreign corporation or to such individual or to any member of such unincorporated association of individuals or in the case of a corporation or company of a foreign country to its resident manager in the United States As a condition of valid and effective service of the duty of the Commissioner of Banking in the premises the plaintiff in each such action or roceeding in which such process shall be issued shall pay to the Commissioner of Banking at the time of service thereof the sum of two dollars ($2.00) which the said plaintiff shall recover as taxable costs in the case if he prevail in the suit The Commissioner of Banking shall keep a record of all such processes rules or orders which shall show the day and hour of service

Section 8 Upon the receipt of such application the Commissioner of Banking shall cause an examination to be made of the moral character of the applicant or applicants if such applicant or applicants be an individual or unincorporated association of individuals and of the officers and directors or managers of the corporation if such applicant be a corporation and as to whether the statements contained in such application or in the papers or documents attached to and made a part thereof as hereinaoove provided are true and satisfactory and to this end the applicationtion shall be advertised by the Commissioner of Banking at the expense of the applicant or applicants once a week for at least three weeks in two newspapers of general circulation and in a legal periodical if any in the couty where the applicant proposes to do business and if there be not two newspapers of general circulation in the county where the applicant proposes to do business then in two newspapers having general circulation in the nearest county thereto and said Commissioner of Banking shall also if he deem it advisable make or have made a detailed examination audit and investigation of such applicant or applicants Provided that such applicant or applicants may at its his or their option in writing refuse to have such investigation made in which event said Commissioner of Banking shall reject the application If he finds that such applicant or applicants is or are of good moral character and solvent and that the articles of co-partnership or association constitution and by-laws if any the nature character and plan of the proposed business the literature advertisements advertising matter printed or written letters and the proposed contracts as required to be set forth in said application as aforesaid and proposed to be issued or used in connection with the sale offering for sale or negatiating for the sale of any stocks or other securities aforesaid are satisfactory lawful and not calculated to deceive or mislead any prospective purchasers of such stocks bonds or other securities or the general public the said Commissioner of Banking shall approve said application and accept said bond money or securities above specified deposited with him in lieu thereof and hold it or them for the purpose hereinabove set forth and shall issue a license evidenced by a certificate under his official seal authorizing said applicant or applicants either to sell negotiate for the sale of or offer to sell such stocks bonds or other securities in the Commonwealth of Pennsylvania Such certificate shall not be transferred or assigned by the licensee and it shall further recite that such licensee has complied with the above specified licensing requirements of this act that detailed information in regard to the licensee is on file in the office of the Commissioner of Banking at Harrisburg and that the licensee permitted to do business in this Commonwealth but such license certificate shall further state however in bold type that the Commissioner of Banking in no wise recommends the stocks bonds or other securities aforesaid that may be offered or negotiated for sale or pledge or sold or pledged by such licensee

Immediately upon the receipt of the license certificate issued by the Commissioner of Banking the license named therein shall cause said license certificate to be posted and at all times conspicuously displayed in the principal place of business of said licensee within this Commonwealth so that all persons visiting such places may readily see the same

The Commissioner of Banking may refuse to issue the license aforesaid in any case wherein the above described conditions precedent to the granting of the same have not in his reasonable judgment been satisfied and complied with Such license aforesaid may also be revoked as hereinafter provided

Section 9 The moneys and securities deposited with the Commissioner of Banking as hereinabove provided and the money which in case of default shall be paid on the aforesaid bond by any applicant or the surety or surities thereon shall constitute a trust fund to be applied in accordance with the condition contained in the bond above specified and the beneficiaries thereof shall be entitled to an aboslute preference as to such money moneys or securities over all the general creditors of the licensee Such money moneys and securities shall in the event of the insolvency of the license be delivered by the Commissioner of Banking on the order of a

court of competent jurisdiction to the receiver of the license that may be appointed under the provisions hereinafter contained in this act The Commissioner of Banking shall from time to time pay over to each such licensee all moneys received by him as interest or income upon any moneys or securities deposited in accordance with the provisions of this act All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned into the State treasuery and receipted for by the State Treasurer to the depositor and be subject to withdrawal only upon warrant of the Commissioner of Banking and all interest coupons of any securities deposited with the State treasurer shall be surrendered when due to the owners of said securities upon their request

Section 10 Any stock broker licensed under the provisions of this act may appoint one or more agents but no such agent shall do or transact any business in this Commonwealth for or on behalf of such licensee until the agent and said stock broker appointing or employing such agent shall not register the name and address of such agent with the Commissioner of Banking and for each of such registrations there shall be paid to the Commissioner of Banking the sum of one dollar ($1.00)

Section 11 Every stock broker licensed under the provisions of this act shall when required by the Commissioner of Banking file a statement or report under oath as herein provided in section five setting forth a complete and detailed list or schedule of the stocks bonds or other securities covered by this act offered or negotiated for sale or pledge or sold or pledged during the period required by the Commissioner of Banking to be covered by such statement or report and setting forth in such form itemization and detail as may be prescribed by the Commissioner of Banking the financial condition assets property and liabilities of such licensed stock broker together with such other information concerning such licensee as the Commissioner of Banking may require Each such statement or report shall be accompanied by a filing fee of five dollars ($5.00) In the event that any licensee fail to file any statement or report within thirty (30) days fro mthe date fixed by the Commissioner of Banking for the filing of the same the license of such licensee to do business in this Commonwealth may be revoked as hereinafter provided

Section 12 Every stock broker licensed under the provisions of this act shall keep such books of account and records as may be prescribed or approved by the Commissioner of Banking and in the manner and form prescribed or approved by such Commissioner of Banking and which shall show full and complete records of all business transacted and a full and complete statement in detail of the assets and liabilities of such stock broker and a complete enumeration and specification of the stocks bonds or other securities sold pledged proffered or negotiated for sale or pledge by such licensee and the names and addresses of the persons or corporations to whom sold or pledged Such licensee shall at the close of business each month make a trial balance of such accounts which shall be recorded in a books kept for that purpose All such books of account trial balances and all other books papers documents and sample copies of all pamphlets circulars letters literature advertisements advertising matter or other printed or written matte ras well as sample copies of all stocks bonds or other securities offered for sale or pledge negotiated for sale or pledge or sold or pledged by such stock broker together with copies of all contracts made by such broker shall be kept on file in the principal office of such stock broker in the Commonwealth of Pennsylvania and shall not be removed therefrom without the consent in writing of the Commissioner of Banking first and obtained and shall at all times be open to the inspection of the Commissioner of Banking his deputies or examiners And sample copies of such advertising matter circulars letters et cetera or other printed or written matter aforesaid and sample copies of all stocks bonds or other securities offered for sale or pledge negotiated for sale or pledge or sold or pledged by such stock in connection with the sale offering for sale or negotiating for sale of such stocks bonds or other securities shall be filed in the office of the Commissioner of Banking unless the license be relieved from such pledge in the office of the Commissioner of Banking upon application in writing first made to and approved by said Commissioner

Section 13 The Commissioner of Banking shall have general supervision and control over any and all stock brokers domestic or foreign licensed or required to be licensed under the provisions of this act and all such stock brokers shall be subject to examination by the Commissioner of Banking or his duly authorized deputies or examiners at any time when the Commissioner of Banking may deem it advisable to make such examination The rights powers and privileges of the Commissioner of Banking in connection with such examination or examinations shall include all those now provided by existing laws in the case of the examinations of State banks and such stock broker shall pay a fee for each of such examinations not exceeding ten dollars for each day or fraction thereof spent therein plus the actual traveling and hotel expenses of said Commissioner of Banking or deputies or examiners incident to such examinations In the event that any such stock broker shall refuse to permit the examination aforesaid to be made by said Commissioner of Banking his deputies or examiners or shall fail or refuse to make payment of the fees and expenses of such examinations upo demand of the Commissioner of Banking or deputy or examiner while making such examination or shall fai lto file any of the papers and documents whatsoever which are or may be required to be filed under any of the provisions of this act the license held by such stock broker may be revoked as hereinafter provided

Section 14 The Commissioner of Banking may in his discretion withhold any information relating to the affairs of any stock broker which in his judgment is not required for the best interests of the purchasers or pledgees of the stocks bonds or other securities covered by this act or the public welfare

Section 15 Any person who shall knowingly or wilfully subscribe to or make or cause to be made any false statement or statements or false entry or entries in any book of accounts or account of said stock broker or exhibit any false paper or writing or printed matter whatsoever with the intention of deceiving the Commissioner of Banking or any of his deputies or examiners or any person authorized to examine into the books papers or affairs of said stock broker or who shall make or publish or cause to be make or published any false statement of the financial condition of such stock broker or of the stocks bonds or other securities offered for sale or pledge negotiated for sale or pledge or sold or pledged by such stock broker shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than five thousand dollars ($5,000) or undergo an imprisonment for not less than six months nor more than five years either or both at the discretion of the court

Section 16 Any person who shall knowingly or willfully swear falsely to any statement or representation of assets property or liabilities or other matter of fact contained in any application for a license or contained in any papers attached to and made a part of such application or contained in any report required or which may be required to be made under the provisions of this act shall be deemed guilty of perjury

Section 17 Any stock broker as defined in this act who without having the license hereinabove provided shall within this Comomnwealth offer for sale or pledge or negotiate for the sale or pledge of or sell or pledge or attempt to sell or pledge any stocks bonds or other securities covered by this act or any agent as defined in this act who without being registered as such agent in the office of the Commissioner of Banking shall offer for sale or pledge or negotiate for the sale or pledge of or sell or pledge or attempt to sell or pledge any stocks bonds or other securities covered by this act or any stock agent or other person or person or persons who shall violate any other provision or provisions of this act except as otherwise hereinabove provided in sections fifteen and sixteen of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) for each and every such offense or to undergo imprisonment for a period not exceeding one year both or either in the discretion of the court

Section 18 Whenever any stock broker licensed under the provisions of this act shall refuse to file any reports or documents required or which may be required under the provisions of this act or shall refuse to permit any examination to be made by the Commissioner of Banking his deputies or examiners under the provisions of this act or shall fail to make payment of the fees and expenses for examination payable by such stock broker under the provisions of this act or whenever it shall appear to the Commissioner of Banking from any such reports or documents which may be filed or as the result of any such examination that may be made or from information received by the Commissioner of Banking that such license has violated any of the provisions of this act or that the assets and property do not equal the liabilities of such licensee or that such licensee is in an unsound and unsafe condition to do business or that the stocks bonds or other securities offered for sale or pledge or negotiated for sale or pledge ros old or pledged by such licensee or the contracts made by such licensees with the purchaser of such stocks bonds or other securities are in the judgment of the Commissioner of Banking of a worthless fraudulent or misleading character or that the pamphlets circulars letters advertisements or other written matter used by such licensee are in the judgment of the Commissioner of Banking of a fraudulent or misleading character or of a character calculated or teding to deceive the purchasers or prospective purchasers of such stocks bonds or other securities or the public generally or that the business of such licensee or the manner of conducting the same is fraudulent illegal injurious or contrary to the interests of the purchaser's pledgees or prospective purchasers or pledgees of such stocks bonds or other securities or injurious or contrary to the interests of the public then and in any and every such event the said Commissioner of Banking may after hearing of which at least three day's notice of the time and place shall be given the licensee by written notice left at the last place of business of such licensee revoke the license theretofore granted to said licensee and thereupon if he deem it advisable the Commissioner of Banking shall forthwith communicate the facts and information moving him to revoke said license to the Attorney General who shall forthwith make application to the Court of Common Pleas of Dauphin County or the court of comon pleas of any county in which the principal office of such licensee is located or is doing business or to a law judge of any said courts for the appointment of a receiver to take charge of and wind up the business of such licensee and if the fact or facts above specified appearing to the Commissioner of Banking shall appear to said court or law judge thereof the same shall be sufficient to authorize the appointment of a receiver and the winding up of the business of such licensee and dissolution of such licensee if a corporation and the making of all and every such orders and decrees in such cases as equity may require

Section 19 Upon notice to the Commissioner of Banking of the stock broker's intention to rely upon the provisions of this section and except as hereinafter provided the provisions of this act shall not apply to a stock broker or his agents or repre-

sentatives who in good faith and not for the purpose of avoiding the provisions of this act shall purchase for his own account for cash or its equivalent or shall execute a certain contract for the purchase of any and all specific stocks bonds or other securities at not less than ninety per centum of the price at which each of such stocks bonds or other securities is thereafter sold or otherwise disposed of within the Commonwealth of Pennsylvania Provided however that such stock broker shall keep full and complete books of account or records of all transactions which shall clearly and definitely show the price actually paid for such stocks bonds or other securities and the price for which the same are thereafter sold pledged or otherwise disposed of and provided further that the Commissioner of Banking may at any time examine all such or other books of account or records or other papers or documents whatsoever to ascertain whether such stock broker is within the exception specified in this section or may demand from such stock broker the production of any evidence or proof establishing such fact.

The aforesaid notice to the Commissioner of Banking of the stock broker's intention to rely upon the provisions of this section shall be accompanied by a joint and several bond to the Commonwealth of Pennsylvania executed by said stock broker and by a surety or sureties approved by said Commissioner of Banking conditioned for the payment in full of all losses and damages to any person or persons to whom stocks bonds or other securities aforesaid may be sold or pledged sustained by such person or persons by reasons of any false or fraudulent literature advertising matter printed or in writing letters or other false or fraudulent representation printed written or oral issued or made by such stock broker and upon the fault of or on reliance upon which said stocks bonds or other securities may have been purchased The penalty of such bond shall be a sum fixed by the Commissioner of Banking which shall not be more than one hundred thousand dollars ($100,000) nor less than ten thousand dollars ($10,000)

In lieu of the aforesaid bond the stock broker may deposit and the Commissioner of Bankng shall receive moneys or securities consisting of bonds of the United States or of this Commonwealth or of any municipality thereof or other securities approved by the Commissioner of Banking If the securities be deposited in lieu of the aforesaid bond the Commissioner of Banking shall require the stock broker to maintain such deposit at a value equal to the amount fixed as the penalty of the bond in lieu of which such securities have been deposited

The Commissioner of Banking shall from time to time pay over to such stock broker all moneys received by him as interest or income upon any moneys or securities deposited in accordance with the provisions of this act All moneys or securities deposited with the Commissioner of Banking hereunder shall be turned into the State Treasury and receipted for by the State Treasurer to the depositor and be subject to withdrawal only upon warrant of the Commissioner of Banking or upon order of a court of competent jurisdiction All interest coupons of any securities deposited with the State Treasurer shall be surrendered when due to the depositor of said securities upon his request

Section 20 Any stock broker who shall elect to rely upon the provisions of section nineteen and who shall thereafter fail to comply with any demand of the Commissioner of Banking therein provided for or who shall fail to conduct his business within the provisions of such section shall be guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine of not less than one hundred dollars ($100) nor more than five thousand dollars ($5,000) or to undergo imprisonment for a period not exceeding one year both or either in the discretion of the court and shall thereupon and thereafter be subject to all the provisions of this act

Secton 21 All fees herein provided for shall be collected by the Commissioner of Banking and by him paid into the State Treasury

Section 22 The Commissioner of Banking is hereby authorized to appoint such deputies examiners and clerks as may be necessary to carry this act into full force and effect

Section 23 It shall be the duty of the Commissioner of Banking to enforce the provisions of this act

Section 22 It is hereby declared that the provisions of this act are severable one from another and that each provision thereof is severable as to the subject matters dealt with thereby and if for any reason one or more of such provisions shall in whole or in part be judicially held to be unconstitutional such holding shall not affect the validity of any other provision of said act or the validity of the other part or parts of the same provision

Section 25 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—160.

Adams,	Ewing,	Light,	Savacool,
Alworth,	Fahey,	Lohr,	Schuck,
Ambler,	Flynn,	Lowers,	Scott, S. B.,
Aron,	Forster, I. G.,	Mannion,	Semmens,
Arthur,	Foster, J. D.,	Martin,	Shaffer, C. A.,
Baldwin, G. A.,	Frey,	McAleer,	Shaffer, I. E.,
Baldwin, R. J.,	Gans,	McAllister,	Shern,
Barner,	Geary,	McArdle,	Sherwood,
Bass,	Geiser,	McClintock,	Showalter,
Becker,	Gibson,	McDermott,	Smith, L.,
Benninger,	Good,	McKay,	Snavely,
Benson,	Goss,	McNichol,	Snyder,
Bergey,	Gramley,	Mellott,	Spangler,
Berntheizel,	Gransback,	Miller,	Spillinger,
Bigger,	Haggerty	Missimer,	Steele,
Body,	Hemminger,	Mitchell,	Stein,
Brown,	Herman,	Moore,	Stone,
Brownlee,	Heyburn,	Morrow,	Strauss,
Burnett,	Hibshman,	Moses,	Swartz,
Caldwell,	Hobbs,	Moulthrop,	Swift,
Carson,	Howard, J.,	Murphy,	Thomas,
Carter,	Humes,	Musser,	Trach,
Cheeseman,	Isler,	Neely,	Ulerich,
Claycomb,	Irwin, G. C.,	Newbaker,	Ulman,
Cleary,	Irwin, H. H.,	North,	Walnut,
Collins,	Jackson,	Peachey,	Walsh,
Conner,	Jones, J. R.,	Perry, H. L.,	Walton,
Conniff,	Kaiser,	Perry, S. J.,	Watson,
Conrade,	Kaufman,	Peters,	Wettach,
Cox,	Keeport,	Ramsey,	Whitaker,
Currier,	Kenna,	Reese,	Whitman,
Curry,	Kennedy,	Reeser,	Wildman,
Davis,	Kern,	Rex,	Williams,
DeFrees,	Kitts,	Rhoads,	Wilson, J. H.,
Dickinson,	Kuhn, H. P.,	Robinson,	Wilson, W. H.,
Donahoe,	Kuhns, E.G.M.,	Rockwell,	Wiltbank,
Donnally,	Lanius,	Roney,	Young, G. K.,
Down,	Lenker,	Rothenberger,	Young, J. H.,
Ehrhardt,	Leslie,	Runk,	Zimmerman,
Eichenberger,	Letzkus,	Sassaman,	Alter,
Ely,			Speaker.

NAYS—3.

Latshaw,	Mather,	Post,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1844 (Senate No. 417), as folows:

An Act to amend the first section of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteenth one thousand nine hundred eleven (Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the first section of an act entitled "An Act to provide efficient and practical means fo rthe prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved the fourteenth day of June Anno Domini one thousand nine hundred eleven (Pamphlet Laws page nine hundred twenty-two) which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That a commission to consist of five members to be appointed by the Governor for a period of three years from the date of the approval of this act and to be called 'The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania' is hereby created with power to ascertain determine upon and adopt the most efficient and practical means for the prevention cotnrol and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes of such disease and the means of preventing its introduction continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and method of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employ such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act" be and the same is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That a Commission to consist of five members to be appointed and commissioned by the Governor for a period of five years from the date of their appointment and to continue thereafter for such period as in the judgment of the Governor may be necessary to enable them to complete the work to be done under this act and to be called "The Commission for the Investigation and Control of the Chestnut-Tree Blight Disease in Pennsylvania" is hereby created with power to ascertain determine upon and adopt the most efficient and practical means for the prevention control and eradication of a disease of the chestnut-tree commonly known as the chestnut-tree blight disease and for this purpose in collaboration with the Department of Forestry or otherwise to conduct scientific investigations into the nature and causes

of such disease and the means of preventing its introduction continuance and spread to establish regulate maintain and enforce quarantine against the introduction and spread of such disease and from time to time to adopt and prescribe such regulations and methods of procedure as to it may seem necessary and proper for carrying into effect the purpose of this act and exercising the powers and authority hereby conferred Provided That in the work of collaboration by the commission with the Department of Forestry said department may employe such means and make detail of such men and do such other things as may seem to be necessary or expedient to accomplish the purpose of this act Provided further That if the fungus causing the aforesaid disease be found to attack other species of trees such trees shall be deemed to come within the purview of this act

On the question,
Shall the bill pass?

BILL POSTPONED.

Mr. SHOWALTER. Mr. Speaker, I am somewhat in doubt of the existence of chestnut blight. It looks to me as though we are treading on certain unknown ground and I think we should have a few days time to investigate this proposition. Mr. Speaker, I move that we postpone action on this bill for the present.

Mr. GRAMLEY. Mr. Speaker, I second the motion.

Whereupon, a division was called for and eighty-five gentlemen having voted in the affirmative and thirty in the negative the motion was agreed to.

BILL ON FINAL PASSAGE.

Agreeably to order,
The House proceeded to the consideraion on final passage of H. R. bill No. 1636, as follows:

An Act making it the duty of the recorders of deeds of the various counties of this Commonwealth containing a population of over one million five hundred thousand inhabitants to require the furnishing of affidavits that the consideration mentioned in deeds or other instruments of conveyance of real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavits shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits hereunder shall be guilty of perjury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the recorders of deeds of all counties of this Commonwealth having a population of over one million five hundred thousand inhabitants before admitting to the records any deed or other instrument of conveyance of real estate to require of the grantee or grantees in such deed or other instrument to furnish to such recorder his or their affidavit or the affidavit of some other person who is conversant with the facts that the consideration mentioned in the said deed or other instrument is the actual and true consideration therefor and that there is no other or further consideration for such conveyance or if the consideration stated in the deed or other instrument be not the true and actual consideration then such affidavit shall set forth what is true and actual consideration for the same The affidavits furnished as aforesaid shall be sent by such recorders of deeds to the authorities in their respective counties charged with the duty of the revision and equalization of taxes upon real estate therein and shall be certified by such recorders of deeds to the officials of their respective counties who may be charged with the duty of revising the assessments of real estate

Section 2 Any person who shall make or furnish a false affidavit in pursuance of the provisions of this act shall be deemed guilty of perjury and on conviction thereof shall be punishable as other persons committing perjury are by law punishable

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

On the question,
Shall the bill pass finally?

Mr. RONEY. Mr. Speaker, this bill has been amended since the last time it appeared on the calendar and now applies only to Philadelphia county. A conference of the members from Philadelphia county was had on this bill and it is the concensus of the majority of the members from Philadelphia that it is a practical help to the board on revision of taxes. It is just the kind of bill they need, and I would therefore ask the House to support this measure.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Ehrhardt,	Lanius,	Rockwell,
Allen,	Eichenberger,	Leslie,	Roney,
Alworth,	Ely,	Letzkus,	Rothenberger,
Ambler,	Ewing,	Lohr,	Runk,
Aron,	Fahey,	Lowers,	Sassaman,
Arthur,	Flynn,	Mannion,	Savacool,
Baldwin, G. A.,	[illegible], J. D.,	Matt,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	McAleer,	Schuck,
Barner,	Gans,	McAllister,	Scott, J. R. K.,
Bass,	Geary,	McArdle,	Semmens,
Becker,	Geiser,	McCaig,	Shaner, I. E.,
Benninger,	Gibson,	McClintock,	Shern,
Benson,	Glenn,	McNichol,	Sherwood,
Bergey,	Good,	Mellott,	Smith, J. W.,
Berntheizel,	Goss,	Metzenbacher,	Snavely,
Bigger,	Gramley,	Miller,	Snyder,
Bittles,	Gransback,	Missimer,	Spangler,
Blair, W. A.,	Gray, Joseph,	Moore,	Speiser,
Blair, W. F.,	Hackett,	Morrow,	Spillinger,
Body,	Haggerty,	Moses,	Steedle,
Brown,	Heidinger,	Moulthrop,	Steele,
Brownlee,	Hemminger,	Murphy,	Strauss,
Burnett,	Herman,	Neel,	Swartz,
Caldwell,	Heyburn,	Neely,	Swift,
Campbell, C.M.,	Hibshman,	Newbaker,	Thomas,
Carter,	Hobbs,	Newton,	Trach,
Claycomb,	Howard, J.,	North,	Ulerich,
Cleary,	Howard, R.,	O'Neill,	Ulman,
Cochran,	Humes,	Peachey,	Walnut,
Collins,	Isler,	Pennegar,	Walsh,
Conner,	Irwin, G. C.,	Pennock,	Walton,
Conniff,	Irwin, H. H.,	Perry, H. L.,	Watson,
Conrade,	Jackson,	Perry, S. J.,	Whitaker,
Cox,	Kaiser,	Peters,	Whitman,
Currier,	Kaufman,	Post,	Wildman,
Curry,	Keegan,	Price,	Williams,
Davis,	Keeport,	Ramsey,	Wilson, J. H.,
DeFrees,	Kenna,	Redfield,	Wilson, W. H.,
Dickinson,	Kennedy,	Reese,	Wiltbank,
Donahoe,	Kern,	Rex,	Young, G. K.,
Donnally,	Kitts,	Rhoads,	Young, J. H.,
Down,	Kuhn, H. P.,	Richards,	Zimmerman,
Dunn, H. B.,	Kuhns, E.G.M.,	Robinson,	Alter,
Dunn, J. A.,			Speaker

NAYS—8.

Bleloch,	Carson,	Jones, J. R.,	Scott, S. B.,
Brosius,	Cheeseman,	Lenker,	Smith, L.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

APPOINTMENT OF COMMITTEE TO EXTEND INVITATION TO THE SECRETARY OF STATE.

The SPEAKER. In pursuance of the resolution passed this evening, the Chair appoints Messrs. Keegan, Swift and Williams as a committee to extend the invitation of the House to the Secretary of State.

MOTION TO RECONSIDER VOTE.

Mr. WALSH. Mr. Speaker, I move that the vote by which House Bill No. 698, file folio 5555, entitled:

An Act defining fraternal benefit societies and their status authorizing them to create subordinate lodges and to pay benefits upon the sickness disability or death of their members to members and their beneficiaries from funds collected and regulating such benefits and collections Providing for the organization of such societies and for their licensing supervison regulation and examination by the Insurance Commissioner and for the admission of foreign socieites designating tables of mortality and establishing a standard of solvency requiring annual reports and the appointment of the Insurance Commissioner as attorney for services of process Providing penalties for any violations thereof exempting certain societies requiring beneficial associations other than fraternal benefit societies to report to the Insurance Commissioner exempting fraternal societies from taxation and repealing existing laws

was defeated on final passage on Tuesday, May 6th, be reconsidered.

Mr. McARDLE. Mr. Speaker, I second the motion.

The motion was not agreed to.

BILL ON THIRD READING.

Agreeably to order,
The House proceeded to the consideration on third reading of H. R. bill No. 1146, as folows:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An

Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highwavs and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporate town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the apointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highway of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligations and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highway making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" which reads as follows

Route Forty-eight From Bedford to the Maryland State Line Commencing in Bedford and running by way of Cruse and Evitts to the Maryland State line

Route One Hundred and Fifty-seven From Reading to Allentown Commencing at a point on the boundary line of the city of Reading and running by way of Temple Kirbyville Kutztown and Maxatawney to a point on the dividing line between Berks and Lehigh counties thence by way of Breinigsville Trexlertown and Cetronia to a point on the boundary line of the city of Allentown Lehigh county

Route One Hundred and Eighty-nine From Kittanning to Clearfield Commencing in Kittanning and running by way of Rural Valley to a point on the dividing line between Armstrong and Indiana counties thence by way of Rossmoyne Georgeville and Trade City to Covode thence over route sixty-three to Punxsutawney thence by way of Big Run to a point on the dividing line between Jefferson and Clearfield counties thence by way of Troutville to Luthersburg thence over route fifty-nine into Clearfield Clearfield county

Route One Hundred and Ninety From Harrisburg to the Maryland State line Commencing in Wormleysburg Cumberland County opposite the city of Harrisburg and running over route one hundred and twenty-four to Wellsville York county thence by way of Hall to a point on the dividing line between York and Adams counties thence by way of East Berlin to a point on the dividing line between Adams and York counties thence by way of Hanover to the Maryland state line

Route Two Hundred and Seven From Meadville to Franklin Commencing at a point on the boundary line of the city of Meadville and running by way of Cochranton to a point one the dividing line between Crawford and Mercer counties thence by way of Carlton to a point on the dividing line between Mercer and Venango counties thence to Wyattsville thence over route ninety to a point on the boundary line of the city of Franklin Venango County

Route Two Hundred and Twenty-seven From Honesdale to the New York state line Commencing in Honesdale and running over route six to Prompton thence by way of Allenville Creamton Wayne Fish Hatchery and Belmont to a point on the dividing line between Wayne and Susquehanna counties thence by way of Herrick Center Ararat and Jackson to Susquehanna thence over route ten to Great Bend thence to the New York state line

Route Two Hundred and Forty-four from Reading to Lancaster Commencing at a point on the boundary line of the city of Reading and running over route one hundred and forty-seven to Birdsboro thence my way of Scarlet's Mills to Joanna Furnace thence over route Two Hundred and Seventy-four to Morgantown thence to a point on the dividing line between Berks and Lancaster counties thence by way of Churcthown Blue Ball and New Holland to Mechanicsburg thence over route One Hundred and Forty-eight to a point on the boundary line of the city of Lancaster Lancaster county

Route Two Hundred and Seventy-four From Reading to the Maryland state line Commencing at a point on the boundary line of the city of Reading and running by way of Freeman Beckersville Plowville Joanna and Morgantown to the dividing line between Berks and Chester counties thence by way of Honey Brook Sadsburyville Parkesburg Cochranville and Russelville to Oxford thence over route one hundred and thirty-one to the Maryland state line

Route Two Hundred and Eighty-six From Hollidaysburg to the Maryland State line Commencing in Hollidaysburg and running in part over route forty-seven thence by way of McKee Gap Roaring Spring Martinsburg and Curryville to a point on the dividing line between Blair and Bedford counties thence by way of Woodbury Waterside Loysburg and Foreman to Hartley Brick School House thence over route thirty-nine to Everett thence by way of Clearville Pineycreek and Silver Mills to a point on the Maryland State line

Route Two Hundred and Ninety-one From Laporte to Williamsport Commencing in Laporte and running by way of Forksville and Hillsgrove to a point on the dividing line between Sullivan and Lycoming counties thence by way of Barbour and Loyalsock to Montoursville thence over route eighteen to a point on the boundary line of the city of Williamsport Lycoming county" is hereby amended to read as follows

Route Forty-eight From Bedford to the Maryland State line Commencing in Bedford and running by way of Bedford Springs the Penner School House Strominger's Gap the Arnold School House the White Chapel Methodist Episcopal Church Burning Bush McFerren School House Patience the Bortz Memorial Church the Smith School House the town of Centerville the Londonderry School House the Hite School House the Bethel Church and the Anderson School House to the Maryland State line

Route One Hundred and Fifty-seven From Reading to Allentown Commencing at a point on the boundary line of the city of Reading and running by way of Temple Kirbyville Kutztown and Maxatawney to a point on the dividing line between Berks and Lehigh counties thence by way of Breinigsville Trexlertown and Dorneyville to a point on the boundary line of the city of Allentown Lehigh county

Route One Hundred and Eighty-nine From Kittanning to Clearfield Commencing in Kittanning and running by way of Rural Valley to a point on the dividing line between Armstrong and Indiana counties thence by way of Rossmoyne Georgeville and Trade City to Corode thence over route sixty-three to Punxsutawney thence to Big Run and thence by way of Sykesville to a point on the dividing line dividing Jefferson and Clearfield counties and thence through the C and M Junction to a point on route number fifty-nine thence over route number fifty-nine into Clearfield Clearfield county

Route One Hundred and Ninety From Harrisburg to the Maryland State line Commencing in Wormleysburg Cumberland county opposite the city of Harrisburg and running over route one hundred and twenty-three to Dillsburg York county thence by way of Franklintown York county to a point on the dividing line between York and Adams counties by way of East Berlin to a point on the dividing line between Adams and York counties thence by way of Hanover to the Maryland State line

Route two hundred and eleven from Meadville to Franklin Commencing at a point on the boundary line of the city of Meadville and running over the creek road to Cochranton thence over Franklin street and the creek road to Roberts Corners thence to Heaths Corners the same being a point on the Meadville and Franklin Pike thence south along said Meadville and Franklin Pike to Hannaville thence to Wyattville along said pike to the intersection of route number ninety thence over route number ninety to a point on the boundary line of the city of Franklin Venango county county

Route Two Hundred and Twenty-seven From Honesdale to the New York State line Commencing in Honesdale and running over route six to Prompton thence by way of Allenville Creamton Wayne Fish Hatchery and Belmont to a point on the dividing line between Wayne and Susquehanna counties thence by way of Herrick Center and Jackson to Susquehanna thence over route ten to Great Bend thence to the New York State line

Route Two Hundred and Forty-Four from Reading to Lancaster Commencing on a boundary line of the city of Reading and running over route one hundred and forty-seven to Birdsboro thence by way of Scarlet's Mills and Geigertown to a point on the divding line between Berks and Chester counties thence by way of Elverson to a point on the dividing line between Chester and Berks countes thence to Morgantown thence to a point on the dividing line between Berks and Lancaster counties thence by way of Churchtown Blue Ball and New Holland to Mechanicsburg thence over route One Hundred and Forty-eight to a point on the boundary line of the city of Lancaster Lancaster county

Route Two Hundred and Seventy-six From Reading to the Maryland State line Commencing at a point on the boundary line of the city of Reading and running by way of Freeman Beckersville Plowville Joanna and Morgantown to the dividing line between Berks and Chester counties thence to Honeybrook thence over route one hundred and thirty-seven to Brandywine Manor thence to the borough of Coatesville thence over route One Hundred and Forty-two to Sadsburyville thence by way of Parkesburg Cochranville and Russellville to Oxford thence over route One Hundred and Thirty-one to the Maryland State line

Route Two Hundred and Eighty-six From Hollidaysburg to the Maryland State line Commencing in Hollidaysburg and running in part over route forty-seven thence by way of McKee Gap Roaring Spring Martinsburg and Curryville to a point on the dividing line between Blair and Bedford counties thence by way of Woodbury Waterside Loysburg by way of Old Order Brethren Church Foreman near Armstrong School House Church of the Brethren Richey or Gochenour School House Hoover School House Valley Mill to route number thirty-nine near the Hartley farm thence over route number thirty-nine to Everett thence by way of Clearfield going by way of a public watering trough near Hanks by Weimer School House Morris Store Chapmans Run Postoffice by five forks of road Fletcher School House Zion Lutheran Church Kinzer's Store Conrod's School House Simon Jay's Store Piney Creek and Silver Mills to a point on the Maryland State line

Route Two Hundred and Ninety-one From Laporte to Williamsport Commencing in Laporte and running by way of Forksville Estella Lincoln Falls to mouth of Elk Creek and Hillsgrove to a point on the dividing line between Sullivan and Lycoming counties thence by way of Barber and Loyalsock to Montoursville thence over route eighteen to a point on the boundary line of the city of Williamsport Lycoming county Pennsylvania

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. W. F. BLAIR. Mr. Speaker, I would like to have somebody explain this bill.

Mr. MOULTHROP. Mr. Speaker, this bill simply amends the Sproul road act of 1911 by shortening quite a few roads in different parts of the State. It does not extend any mileage, but shortens the mileage in some places and gives better grades.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—181.

Adams,	Gans,	Malie,	Runk,
Allen,	Geary,	Mannion,	Sassaman,
Alworth,	Geiser,	Martin,	Savacool,
Aron,	Gibson,	Mather,	Schaeffer, A. C.
Arthur,	Glenn,	Matt,	Schuck,
Baldwin, G. A.,	Good,	McAleer,	Scott, S. B.,
Barner,	Goss,	McAllister,	Semmens,
Becker,	Grabe,	McArdle,	Shaffer, C. A.,
Benninger,	Gramley,	McCaig,	Shaffer, I. E.,
Benson,	Gray, Joseph,	McClintock,	Shern,
Bergey,	Hackett,	McDermott,	Sherwood,
Berntheizel,	Haggerty,	McKay,	Smith, J. W.,
Bigger,	Heidinger,	McNichol,	Smith, L.,
Blair, W. A.,	Hemminger,	Mellott,	Snavely,
Blair, W. F.,	Herman,	Metzenbacher,	Snyder,
Body,	Heyburn,	Miller,	Spangler,
Brosius,	Hibshman,	Missimer,	Speiser,
Brownlee,	Hobbs,	Mitchell,	Spillinger,
Burnett,	Hoffman,	Morrow,	Steedle,
Caldwell,	Howard, J.,	Moses,	Steele,
Campbell, C.M.,	Howard, R.,	Moulthrop,	Stein,
Carter,	Humes,	Murphy,	Stone,
Cheeseman,	Isler,	Musser,	Strauss,
Claycomb,	Irwin, G. C.,	Neel,	Swartz,
Cleary,	Irwin, H. H.,	Neely,	Swift,
Collins,	Jackson,	Newbaker,	Thomas,
Conner,	Jones, J. R.,	Newton,	Trach,
Conniff,	Kaiser,	North,	Ulerich,
Conrade,	Kaufman,	O'Neill,	Ulman,
Cox,	Keegan,	Peachey,	Walnut,
Currier,	Keeport,	Pennegar,	Walsh,
Curry,	Kenna,	Pennock,	Walton,
Davis,	Kennedy,	Perry, H. L.,	Watson,
DeFrees,	Kern,	Peters,	Wettach,
Dickinson,	Kitts,	Post,	Whitaker,
Donahoe,	Kuhn, H. P.,	Price,	Wildman,
Donnally,	Kuhns, E.G.M.,	Ramsey,	Williams,
Down,	Lanius,	Redfield,	Wilson, J. H.,
Dunn, H. B.,	Latshaw,	Reese,	Wilson, J. H.,
Dunn, J. A.,	Lenker,	Reeser,	Wiltbank,
Ehrhardt,	Leslie,	Rex,	Young, G. K.,
Eichenberger,	Letzkus,	Rhoads,	Young, J. H.,
Ely,	Light,	Richards,	Zimmerman,
Ewing,	Lohr,	Robinson,	Alter,
Foster, J. D.,	Lowers,		Speaker.
Frey,			

NAYS—1.

Whitman.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. S. B. SCOTT in the Chair.

SENATE MESSAGES.

RESOLUTION FOR CONCURRENCE.

Clerk of the Senate being introduced presented the following extract from the Journal of the Senate, which was read as follows, viz:

In the Senate, May 12, 1913.

Whereas, The Hon. William Jennings Bryan, of Nebraska, now the Secretary of State, will pay a visit to the City of Harrisburg on Tuesday May 13, 1913,

Be it Resolved (if the House of Representatives concur), That Hon. William Jennings Bryan be invited to address both Houses of the Legislature in the Hall of the House of Representatives on that rate, and

Be it further resolved, That the hour for the address be designated by the House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution?

Mr. KEEGAN. Mr. Speaker, I offer the following amendment:

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend the resolution as follows:

Whreas the Members of the House of Representatives have invited the Honorable William Jennings Bryan, Secretary of State, to adress them on Tuesday, May 13, 1913, and have designated a committee to deliver the invitation, therefore be it

Resolved, (if the House concur), That the Senate join with the members of the House of Representatives in extending said invitation and assemble in the hall of the House with the Representatives to listen to Mr. Bryan's address at an hour to be fixed by the committee after conference with Mr. Bryan.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the resolution as amended?

It was agreed to.

Ordered, That the Clerk return the same to the Senate with information that the House passed the same with amendments in which the concurrence of the Senate is requested.

Mr. JOSIAH HOWARD. Mr. Speaker, I call up for consideration at this time Senate Bill No. 658, on page twenty of today's calendar, bills on third reading postponed for the present.

BILLS ON THIRD READING.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1874 (Senate Bill No. 658), entitled:

An Act authorizing the Commissioner of Banking to apponit one additional clerk and one additional stenographer and fixing the compensation of each

On the question,

Will the House agree to the bill on third reading?

Mr. JOSIAH HOWARD. Mr. Speaker, this is not a salary raiser. It is simply creating an additional clerk and stenographer to take care of the work that is being done now in the Banking Department, where the clerks are working overtime and being paid for overtime. This simply is to provide for the work occasioned by the new Banking Act and by the filing of director's oaths, and I trust the House will support the bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—143.

Adams,	Fahey,	Mather,	Sassaman,
Allen,	Flynn,	McAleer,	Schaeffer, A. C
Alworth,	Foster, J. D.,	McAllister,	Schuck,
Aron,	Frey,	McArdle,	Scott, S. B.,
Arthur,	Gans,	McCalg,	Shaffer, I. E.,
Baldwin, G. A.,	Geiser,	McClintock,	Shern,
Baldwin, R. J.,	Gibson,	McKay,	Sherwood,
Bass,	Gransback,	McNichol,	Showalter,
Becker,	Hackett,	Mechling,	Smith, J. W.,
Bergey,	Haggerty,	Miller,	Smith, L.,
Bernthelzel,	Heidinger,	Missimer,	Snyder,
Bigger,	Hemminger,	Mitchell,	Speiser,
Body,	Herman,	Moore,	Spillinger,
Brosius,	Heyburn,	Moses,	Steele,
Brownlee,	Hobbs,	Moulthrop,	Stein,
Burnett,	Hoffman,	Neel,	Stone,
Caldwell,	Howard, J.,	Neely,	Swartz,
Campbell, C.M.,	Howard, R.,	Newbaker,	Swift,
Carson,	Isler,	Newton,	Thomas,
Carter,	Irwin, G. C.,	North,	Trach,
Cheeseman,	Irwin, H. H.,	O'Neill,	Ulerich,
Cleary,	Jackson,	Peachey,	Ulman,
Collins,	Jones, J. R.,	Pennegar,	Walnut,
Conner,	Kaiser,	Pennock,	Walsh,
Conrade,	Kaufman,	Perry, H. L.,	Walton,
Cox,	Keeport,	Perry, S. J.,	Watson,
Currier,	Kenna,	Peters,	Wettach,
Curry,	Kennedy,	Price,	Whitaker,
Davis,	Kitts,	Ramsey,	Whitman,
DeFrees,	Kuhn, H. P.,	Redfield,	Wildman,
Dickinson,	Kuhns, E.G.M.,	Reese,	Williams,
Donahoe,	Latshaw,	Reeser,	Wilson, J. H.,
Donnally,	Leslie,	Rhoads,	Wilson, W. H.,
Down,	Letzkus,	Richards,	Wiltbank,
Dunn, J. A.,	Lowers,	Robinson,	Young, G. K.,
Ehrhardt,	Malie,	Rockwell,	Zimmerman,
Eichenberger,	Mannion,	Roney,	Alter,
Ely,	Martin,	Runk,	Speaker.
Ewing,			

NAYS—10.

Claycomb,	Gray, Joseph,	McDermott,	Post,
Conniff,	Humes,	Musser,	Rothenberger,
Good,	Kern,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Mr. ISLER. Mr. Speaker, I call up at this time House Bill No. 1739, file folio 7743, bills on third reading postponed for the present, page twenty-one of today's calendar.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1739, entitled:

An Act extending and defining the liability of owners or operators of electric wires or electric current conductors and declaring what shall constitute negligence in actions where death or injury to property has resulted on public highways and declaring on whom the burden of proof shall be and defining who shall be considered an owner under this act

On the question,

Will the House agree to the bill on third reading?

Mr. ISLER. Mr. Speaker, this is a bill regulating trolley companies, electric light companies and all companies carrying high tension wires, for the protection of life and property. This bill was sent to the Public Roads Committee, reported out and sent back for a public hearing. We got the traction interests, electric light interests and the team owners of the State of Pennsylvania, in on this thing and this bill is a compromise on the original bill and is favorable to all parties concerned. Over in our county of Allegheny, when a man loses a team he has no right of redress from the company unless he can prove gross negligence on the part of the company that has the overhead wire. Now they are all agreed on this bill, that it is a very good measure, and I kindly ask the gentlemen of the House to vote aye on it.

And said bill having been read at length for the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—174.

Adams,	Ely,	Lenker,	Redfield,
Allen,	Ewing,	Leslie,	Reeser,
Alworth,	Fahey,	Letzkus,	Rex,
Aron,	Foster, J. D.,	Lohr,	Rhoads,
Arthur,	Frey,	Lowers,	Richards,
Baldwin, G. A.,	Gans,	Malie,	Roney,
Baldwin, R. J.,	Geary,	Mannion,	Rothenberger,
Barner,	Geiser,	Martin,	Sassaman,
Bass,	Gibson,	Mather,	Savacool,
Becker,	Glenn,	Matt,	Schaeffer, A. C
Benninger,	Good,	McAleer,	Scott, S. B.,
Benson,	Goss,	McAllister,	Semmens,
Bergey,	Grabe,	McArdle,	Shaffer, C. A.,
Bigger,	Gramley,	McCalg,	Shaffer, I. E.,
Bittles,	Gransback,	McClintock,	Sherwood,
Blair, W. A.,	Gray, Joseph,	McDermott,	Smith, J. W.,
Blair, W. F.,	Hackett,	McKay,	Smith, L.,
Bleloch,	Haggerty,	McNichol,	Snavely,
Body,	Heidinger,	Mellott,	Spangler,
Brosius,	Hemminger,	Metzenbacher,	Speiser,
Brownlee,	Herman,	Miller,	Spillinger,
Burnett,	Heyburn,	Missimer,	Stone,
Caldwell,	Hibshman,	Mitchell,	Strauss,
Campbell, C.M.,	Hobbs,	Moore,	Swartz,
Carson,	Hoffman,	Morrow,	Swift,
Carter,	Howard, J.,	Moses,	Thomas,
Cheeseman,	Humes,	Moulthrop,	Trach,
Claycomb,	Isler,	Murphy,	Ulerich,
Cleary,	Irwin, G. C.,	Musser,	Ulman,
Cochran,	Jackson,	Neel,	Walnut,
Collins,	Jones, J. R.,	Neely,	Walsh,
Conniff,	Kaiser,	Newbaker,	Walton,
Conrade,	Kaufman,	Newton,	Wettach,
Cox,	Keegan,	North,	Whitaker,
Currier,	Keeport,	O'Neill,	Williams,
Curry,	Kenna,	Peachey,	Wilson, J. H.,
Davis,	Kennedy,	Pennegar,	Wilson, W. H.,
Dickinson,	Kern,	Pennock,	Wiltbank,
Donnally,	Kitts,	Perry, H. L.,	Young, G. K.
Down,	Kuhn, H. P.,	Perry, S. J.,	Young, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Peters,	Zimmerman,
Dunn, J. A.,	Lanius,	Post,	Alter,
Ehrhardt,	Latshaw,	Ramsey,	Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. CLAYCOMB. Mr. Speaker, I desire to call up from page twenty-two of today's calendar, bills on third reading postponed for the present, House Bill No. 1813, Senate Bill No. 430.

Agreeably to order,

The House resumed the consideration on third reading of House Bill No. 1813 (Senate Bill No. 430), as follows:

An Act to amend an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend sections nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Ex-

aminers to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date for the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the ninth and tenth sections of an act approved the nineteenth day of March Anno Domini one thousand nine hundred and nine entitled "An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as amended by an act approved the eleventh day of May Anno Domini one thousand nine hundred and eleven entitled "An Act to amend section nine and ten of an act entitled 'An Act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act' approved the nineteenth day of March Anno Domini one thousand nine hundred and nine by providing a final date of the registration of certain practitioners of osteopathy by defining what constitutes a reputable school or college of osteopathy within the meaning of this act and by vesting in the State Board of Osteopathic Examiners authority to determine the reputability of osteopathic schools or colleges and the right to determine reciprocal relations between States" which as amended read as follows

"Section 9 A school or college of osteopathy to be recognized as reputable under the provisions of this act must be legally incorporated maintain a course of study consisting of the time element as provided for under the provisions of this act and adequate instruction in all the branches of study in which examinations are required for licensure under the provisions of this act subject to the approval and acceptance of a majority of the Board of Osteopathic Examiners of this Commonwealth Provided That any person who has been in the practice of osteopathy in this State for two continuous and consecutive years immediately prior to the nineteenth day of March Anno Domini one thousand nine hundred and nine and who is the holder of a diploma granted unto him or her from a legally incorporated school or college of osteopathy shall be allowed to continue in such practice provided he or she have been registered prior to the date of the approval of this amendment by the prothonotary of the county or counties in which he or she practices as originally provided for in the section as hereby amended but after the date of the approval of this amendment no person shall be registered as a practitioner of osteopathy in this Commonwealth except by exhibiting to the prothonotary of the county or counties in which he or she desires to practice a license duly granted to him or her by the Board of Osteopathic Examiners for the State of Pennsylvania

"Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act may without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

"Candidates for license to practice osteopathy in this State who present their applications and undergo examinations after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examinations for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by a certified examiner for the State of Pennsylvania to be appointed by the State Superintendent of Public Instruction and for other States to be approved by the State Superintendent of Public Instruction of Pennsylvania said certified examiner being privileged to accept credentials from reputable and recignized preliminary schools for any subjects included in the preliminary examination Provided however that nothing contained in this act shall be construed to affect the right of those qualified to register under the provisions of this act and who are so registered in one county at the time of the approval of this act from registering with the prothonotary in any other county or counties in which he or she desires to practice and it shall be mandatory on their part to so register" are hereby further amended to read as follows

Section 9 A school or college of osteopathy to be recognized as reputable under the provisions of this act must be legally incorporated maintain a course of study consisting of the time element as provided for under the provisions of this act and afford adequate instruction in all the branches of study in which examinations are required for licensure under the provisions of this act subject to the approval and acceptance of a majority of the Board of Osteopathic Examiners of this Commonwealth Provided That any person who has been in the practice of osteopathy in this State for two continuous and consecutive years immediately prior to the nineteenth day of March Anno Domini one thousand nine hundred and nine and who is the holder of a diploma granted unto him or her from a legally incorporated school or college of osteopathy shall be allowed to continue in such practice provided he or she have been registered prior to the date of the approval of this amendment by the prothonotary of the county or counties in which he or she practices as originally provided for in the section hereby amended Provided however that the holder of a certificate of registration exhibiting said certificate to the Board of Osteopathic Examiners for the State of Pennsylvania or its secretary at any time within ninety days after the passage of this act and upon the payment of a fee of ten dollars shall have granted unto him or her a license as provided for in section seven of this act After the date of approval of this amendment no person shall be registered as a practioner of osteopathy in this Commonwealth except by exhibiting to the prothonotary of the county or counties in which he or she desires to practice a license duly granted to him or her by the Board of Osteopathic Examiners for the State of Pennsylvania

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of twenty-five dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act may without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Under the provisions of the Act of 1909, the profession of Osteopathy was recognized by the laws of Pennsylvania, and a standard was fixed by the Act of 1909 whereby those persons were permitted to practice who had acquired the necessary learning to enable them to practice. Under the provisions of that act the persons who had been practicing osteopathy but who had not graduate from any reputable college, or who had not attained the requisite knowledge as provided and set forth in the Act of 1909, were not thrown out of a livelihood, but were provided for under the provisions of the act which I shall read: "Provided that nothing in this act shall be construed to affect the right to practice osteopathy on the part of any person who has been in the practice of osteopathy within this State for two continuous and consecutive years immediately prior to the approval of this act, and who has had granted unto him or her a diploma from any legally incorporated school or college of osteopathy. Such a person appearing before the Prothonotary of the county in which he or she is practicing and making affidavit, and upon the payment of a fee of one dollar, shall be registered."

In other words those persons who had not the requisite knowledge as set forth in the Act of 1909, and subsequently fortified by the act of 1911, who had been practicing osteopathy were permitted to continue the practice of osteopathy as registered osteopaths, but not as licensed osteopaths, and the difference as I see it between the registered osteopaths and the licensed osteopaths is that a registered osteopath was one who was permited to practice without having stood the standard or test of examination as provided by the Act of 1909, and the one who had become a licensed osteopath was the man who either took the examination under the Act of 1909 or 1911, or who had a certificate from a reputable, standard college recognized by the Osteopathic Board of Examiners, as provided by the Act of 1909. Now every person in this House who has practiced as learned profession knows that it is necessary in order to preserve the integrity of that profession that a standard of learning must be fixed, and unless you fix a standard of learning in any of your learned professions you have not learned profession and that is what the present law does. It fixes the standard of learning and the standard of intelligence. Now the men who never had any learning in respect to osteopathy, who never had any preliminary education, who never graduated from a certified college, or a recognized college of merit are now at this late date asking you to place them upon a false stamp. They are asking you to put upon them the stamp of sterling when they are not sterling, when they are something else, when they have not made the requirements of what the State law provides an osteopath should be, and I ask you, gentlemen, whether that is a fair proposition to the gentlemen who are now practicing osteopathy who have complied with the requirements of study and primary examination and who have passed the final examinations. Is it fair to them that men totally incompetent, who have had no education, is it fair that they should be placed on the same basis as the men who have qualified under the laws of Pennsylvania. I think, gentlemen, when you come to consider this question that you will answer this question in the negative, and that you will vote against this bill because this bill proposes to place a false standard upon certain men. It in no wise prevents the men who are now practicing from practicing but it does say that those men who have not taken the examination shall be placed upon the same basis and shall be recognized with the same merit as the men who have passed successfully or who have been graduates of a recognized college of osteopathy. It says that they shall be permitted to place themselves upon the same standard as those men of recognized merits, and I hope, therefore, gentlemen, that you will not do the profession of osteopathy this injury or permit these men who are unworthy to place themselves in a class where they do not belong, and I, therefore, ask you to vote against this bill.

Mr. McNICHOL. Mr. Speaker, as a member of the Committee on Public Health and Sanitation, to which this bill was referred, I wish to make a few remarks. A public hearing was held before that Committee and the various phases of the features of this bill were dwelt upon at considerable length. As I understand the provisions of this bill, it merely means the placing of some sixty or seventy men who are now practicing osteopathy in the State of Pennsylvania on an equality with the licensed men. At the time that the State Board of Osteopathy was created, certain coleges were designated, and after the men who were then practicing osteopathy had a license from these colleges, the State Board said you cannot be licensed. Nevertheless those men were registered osteopaths, and are now practicing their profession. But the complaint is that there is a distinction drawn between the licensed osteopath and the registered osteopath, and the provisions of this bill are simply to break down that barrier and place them all on an equal footing. It was acknowledged by the gentlemen who appeared before the Committee that the registered osteopath, generally speaking, were men qualified to practice, and the only objection to the passage of this bill is that the ins would continue to keep the outs out and lock the door against them.

The passage of this bill merely must demand that the practice of osteopathy be on the level with the licensed men, sixty or seventy in number in the entire State of Pennsylvania, and it is a bill that ought to be voted for.

Mr. LORENZO SMITH. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia, Mr. McNichol permit himself to be interrogated?

Mr. McNICHOL. Mr. Speaker, yes, sir.

Mr. LORENZO SMITH. Mr. Speaker, I desire to ask the gentleman why those registered osteopaths refuse to undergo an examination for a license?

Mr. McNICHOL. Mr. Speaker, as has already been explained by myself, the men now constituting the State Board have said to these men "you must graduate from a certain college; you must have a diploma from that college or you must appear before us and be licensed" and, nevertheless, these registered men are practicing osteopathy throughout the State of Pennsylvania today.

Mr. LORENZO SMITH. Mr. Speaker, I know some of these men who have taken a three months course in a correspondence school in Chicago and want to get in on this bill. That is the class of men who are not registered.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. McNichol.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. McNICHOL. Mr. Speaker, yes, sir.

Mr. ROCKWELL. Mr. speaker, I desire to ask the gentleman if this bill was amended in the House Committee after it reached here from the Senate?

Mr. McNICHOL. Mr. Speaker, it was amended in the Committee.

Mr. ROCKWELL. Mr. Speaker, I would like to ask the gentleman if this is the objectionable clause that was inserted in the House Committee?

Mr.McNICHOL. Mr. Speaker, yes, sir; after a public hearing.

Mr. ROCKWELL. Mr. Speaker, just a word in regard to the way I understand the objectionable feature of this bill. The osteopath profession is a recognized profession in this State, by statute. In the placing of any class of professional men upon the statute books as a legal profession, it is looked upon that there are a certain class that have been practicing heretofore, before the act went into effect and the laws provide that those who have been practicing may up to a certain time he registered and still continue their practice. That was the feature of the osteopathy law, that it provided that those who had been practicing osteopathy before the passage of the act could continue practice by simply being registered. Now, the bill provides that people who practice osteopathy must take the State Board examination, the same as any medical man, to a great extent. The objectionable feature of this bill is that it allows those men who were practitioners before but who were not qualified by taking a regular osteopathic course and were allowed to continue practice without coming before the State Board and that they can now come before that Board and through a certain registration be licensed without taking any examination, which, to my mind, is not fair and for which the general medical profession would not stand for one moment. It has not been adopted by any other profession and I know in a veterinary law that was passed those who practiced surgery in their profession for a certain length

of time became registered, but it would be absurd to introduce a bill now to allow those men to come in and file their certificate of prior registration and be licensed the same and have the same standing as a man who goes to a veterinary school and passes the examination and qualifies himself to practice that profession as the present law provides. That is the viciousness that this osteopathy profession finds in this bill. It seems to me that the remarks of the gentleman from York are perfectly to the point and this bill ought to be voted down.

BILL STRICKEN FROM THE CALENDAR.

Mr. MITCHELL. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. SWIFT. Mr. Speaker, I second the motion.

The yeas and nays were required by Mr. FAHEY and Mr. SWIFT and were as follows:

YEAS—104.

Adams,	Foster, J. D.,	Martin,	Robinson,
Ambler,	Geiser,	Mather,	Rockwell,
Baldwin, G. A.,	Gibson,	McAllister,	Rothenberger,
Baldwin, R. J.,	Glenn,	McClintock,	Runk,
Barner,	Good,	McDermott,	Savacool,
Benninger,	Goss,	McKay,	Schuck,
Benson,	Grabe.	Mellott,	Scott, S. B.,
Bergey,	Gramley,	Mitchell,	Shaffer, I. E.,
Berntheizel,	Gray, Joseph,	Moses,	Showalter,
Blair, W. A.,	Hackett,	Moulthrop,	Smith, J. W.,
Blair, W. F.,	Hemminger,	Murphy,	Smith, L.,
Bleloch,	Herman,	Musser,	Snyder,
Brosius.	Hibshman,	Neel,	Spangler,
Brown,	Hoffman,	Newton,	Stone
Brownlee,	Jackson,	North,	Strauss,
Burnett,	Jones, J. R.,	Peachey,	Swift,
Caldwell,	Kaufman,	Pennegar,	Trach,
Carson,	Keegan,	Pennock,	Ulerich,
Cheeseman,	Kitts,	Perry, H. L.,	Walnut,
Collins,	Kuhn, H. P.,	Peters,	Walton,
Conniff,	Latshaw,	Post,	Watson,
Conrade,	Lenker,	Price,	Whitaker,
Currier,	Light,	Redfield,	Whitman,
Dickinson,	Lohr,	Reese,	Williams,
Ely,	Lowers,	Rex,	Zimmerman,
Ewing,		Rhoads,	Alter,
			Speaker.

NAYS—72.

Allen,	Donahoe,	Kuhns, E.G.M.,	Reeser,
Alworth,	Dunn, H. B.,	Leslie,	Richards,
Aron,	Eichenberger,	Letzkus,	Roney,
Arthur,	Fahey,	Malie,	Sassaman,
Bass,	Flynn,	Mannion,	Schaeffer, A. C.
Becker,	Gans,	Matt,	Semmens,
Bigger,	Gransback,	McAleer,	Shern,
Bittles,	Haggerty,	McArdle,	Sherwood,
Body,	Heidinger,	McCaig,	Snavely,
Campbell, C.M.,	Hobbs,	McNichol,	Spillinger,
Carter,	Humes,	Mechling,	Steele,
Claycomb,	Isler,	Missimer,	Stein,
Cleary,	Irwin, G. C.,	Moore,	Swartz,
Cochran,	Irwin, H. H.,	Morrow,	Wettach,
Cox,	Kaiser,	Neely,	Wilson, W. H.,
Curry,	Kennedy,	Newbaker,	Wiltbank,
Davis,	Kern,	O'Neill,	Young, G. K.
DeFrees,		Perry, S. J.,	Young, J. H.,

So the question was determined in the affirmative and the motion was agreed to.

RESOLUTION RECALLING HOUSE BILL NO. 847 FROM THE GOVERNOR.

Mr. CONRADE offered the following resolution, which was twice read, considered and agreed to:

In the House of Representatives,
May 13, 1913.

Resolved (if the Senate concur) That House Bill No. 847, file folio 2493, entitled

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. ALTER in the Chair.

RESOLUTION RECALLING HOUSE BILL NO. 1102 FROM THE GOVERNOR.

Mr. WHITAKER offered the following resolution, which was twice read, considered and agreed to:

In the House of Hepresentatives,
May 13, 1913.

Resolved (if the Senate concur) That House Bill No. 1102, file folio, 5423, entitled

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment of the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennnsylvaia State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenh sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. FLYNN. Mr. Speaker, I call up Conference Report on Senate Bil No. 52, file folio of the Senate 3283, on the last page of today's calendar.

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL NO. 52.

To the members of the Senate and House of Representatives:

We, the undersigned Committee of Conference, on the part of the Senate and House of Representatives, for the purpose of considering Senate bill number fifty-two, entitled "An Act amending an act approved the fifth day of May, Anno Domini eighteen hundred and thirty-two, entitled 'An Act regulating lateral railroads,' extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers," beg leave to submit the following amended bill as our report

JAS. P. McNICHOL,
EDWIN H. VARE,
J. K. P. HALL,
Committee on the part of the Senate.

MILES B. KITTS,
JOHN M. FLYNN,
Committee on the part of the House of Representatives.

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act Regulating Lateral Railroads" extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the first section of an act of Assembly entitled "An Act regulating lateral railroads" approved the fifth day of May Anno Domini one thousand eight hundred and thirty-two which reads as follows to wit

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That if any owner or owners of land mills quarries coal mines lime kilns or other real estate in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than three miles distant therefrom shall desire to make a railroad thereto over any intervening land that he or they their engineers agents and artists may enter upon any lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the court of common pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances thereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint six disinterested and judicious men resident in said county who shall view the said

marked and proposed route for a railroad and examine the same and if they or any four of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by he opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said court of common pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by he said railroad when marking up the report or forming their verdict" be and the same is hereby amended to read as follows namely

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That if any owner or owners lessee or lessees of land mills quarries coal mines lime kilns fire clay minerals or oher real estae in the vicinity of any railroad canal or slack water navigation made or to be made by any company or by the State of Pennsylvania and not more than ten miles distant therefrom shall desire to make a railroad thereto over any intervening lands he or they their engineers agents and artists may enter lands and survey and mark such route as he or they shall think proper to adopt doing no damage to the property explored and thereupon may present a petition to the court of common pleas of the county in which said intervening land is situated setting forth his or their desire to be allowed to construct and finish a railroad in and upon the said route and the beginning courses and distances hereof and place of intersection of the main railroad canal or slack water navigation which shall be filed and entered of record in the said court whereupon the said court shall appoint three disinterested and judicious men resident in said county who shall view the said marked and proposed route for a railroad and examine the same and if they or any two of them shall deem the same necessary and useful for public or private purposes they shall report in writing to the subsequent term of said court what damages will be sustained by the owner or owners of the said intervening land by he opening constructing completing and using the said railroad and the report of the said viewers and appraisers shall be filed of record in the said court and if not appealed from be liable to be confirmed or rejected by the said court as to right and justice shall appertain and if either of the parties shall be dissatisfied with said report he or they may appeal therefrom to the said court of common pleas within twenty days after such report has been filed in the prothonotary's office and not after and after such appeal either party may put the cause at issue in the form approved of by the court and the said issue shall be placed first on the trial list of the next regular term of the said court and be there tried and determined by the court and jury and the verdict so rendered and judgment thereon shall be final and conclusive without further appeal or writ of error and it shall be the duty of the said viewers and jury to take into consideration the advantages which may be derived by the owner or owners of land passed by said railroad when making up their report or forming their verdict thereon

On the question,

Will the House adopt the report of the committee of conference?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—188.

Adams,	Ely,	Letzkus,	Rhoads,
Allen,	Ewing,	Lohr,	Richards,
Alworth,	Fahey,	Lowers,	Robinson,
Ambler,	Flynn,	Malie,	Rockwell,
Aron,	Foster, J. D.,	Mannion,	Roney,
Arthur,	Frey,	Martin,	Rothenberger,
Baldwin, G. A.,	Gans,	Mather,	Sassaman,
Baldwin, R. J.,	Geary,	Matt,	Savacool,
Barner,	Geiser,	McAleer,	Schaeffer, A. C
Bass,	Gibson,	McAllister,	Schuck,
Becker,	Glenn,	McArdle,	Semmens,
Benninger,	Good,	McCaig,	Shaffer, C. A.,
Benson,	Goss,	McClintock,	Shaffer, I. E.,
Bergey,	Grabe,	McDermott,	Shern,
Berntheizel,	Gramley,	McKay,	Sherwood,
Bigger,	Gransback,	McNichol,	Smith, J. W.,
Bittles,	Gray, Joseph,	Mechling,	Smith, L.,
Blair, W. A.,	Hackett,	Metzenbacher,	Snavely,
Blair, W. F.,	Haggerty,	Miller,	Snyder,
Bleloch,	Heidinger,	Missimer,	Spangler,
Body,	Hemminger,	Mitchell,	Speiser,
Brosius,	Herman,	Moore,	Spillinger,
Brown,	Heyburn,	Morrow,	Steedle,
Brownlee,	Hibshman,	Moses,	Steele,
Burnett,	Hobbs,	Moulthrop,	Stein,
Caldwell,	Hoffman,	Murphy,	Stone,
Campbell, C.M.,	Howard, J.,	Musser,	Strauss,
Carter,	Howard, R.,	Neel,	Swartz,
Cheeseman,	Humes,	Neely,	Swift,
Claycomb,	Isler,	Newbaker,	Thomas,
Cleary,	Irwin, G. C.,	Newton,	Ulerich,
Cochran,	Irwin, H. H.,	North,	Ulman,
Collins,	Jackson,	O'Neill,	Walsh,
Conniff,	Kaiser,	Peachey,	Walton,
Conrade,	Kaufman,	Pennegar,	Wettach,
Cox,	Keegan,	Pennock,	Whitaker,
Currier,	Keeport,	Perry, H. L.,	Whitman,
Curry,	Kern,	Perry, S. J.,	Williams,
Davis,	Kitts,	Peters,	Wilson, J. H.,
DeFrees,	Klepper,	Post,	Wilson, W. H.,
Dickinson,	Kuhn, H. P.,	Price,	Wiltbank,
Donahoe,	Kuhns, E.G.M.,	Ramsey,	Young, G. K.,
Donnally,	Lamus,	Redfield,	Young, J. H.,
Down,	Latshaw,	Reese,	Zimmerman,
Dunn, H. B.,	Lenker,	Rex,	Alter,
Dunn, J. A.,	Leslie,		Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—3.

Jones, J. R.,	Scott, S. B.,	Walnut,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report adopted.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION RECALLING HOUSE BILL NO. 1465 FROM THE GOVERNOR.

Mr. BODY offered the following resolution, which was twice read, considered and agreed to:

In the House of Representatives,
May 13, 1913.

Resolved (if the Senate concur), That House Bill No. 1465, file folio 6973, entitled

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary of the Governor being introduced, presented the following communication in writing from his Excellency the Governor, which was read as follows:

APPROVAL OF CONCURRENT RESOLUTION.

Executive Chamber, Harrisburg.

To the Honorable the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment, House Bill No. 645, entitled "An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act.

(Signed) JOHN K. TENER.

RECONSIDERATION OF VOTE.

Mr. ALLEN. Mr. Speaker, I move that the vote by which House Bill No. 645, file folio 7465, passed finally, be reconsidered.

Mr. SASSAMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 645, entitled:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

On the question, recurring,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SASSAMAN. Mr. Speaker, I second the motion.

The motion was agreed to.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 645, entitled:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing providing penalties for violation of this act

On the question, recurring,

Will the House agree to the bill on third reading?

Mr. ALLEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk read the amendments as follows:

Amend the title to House Bill No. 645, file folio 7465, as recalled from the Governor, as follows: Before the word "and" in the last line add the words "relative thereto"

In section 1, line 10, strike out after the word "animals" the words "or contests of personal skill"

In line 11, after the word "shows" strike out the words "or any perform-"

In line 12, strike out the words in the beginning of the line "ance or act for the amusement of the public"

In section 2, line 7, after the word "acrobatic" strike out the words "or athletic"

At the end of line 8 and beginning of line 9 strike out the words "or contests of personal skill"

At the end of line 10 and beginning of line 11, strike out the words "or any performance or act for the amusement of the public"

In line 14, after the word "performance" strike out the words "or contest"

Strike out of Section 5, at the end of line 8 and all of line 9, and the beginning of line 10, the words "or contests of personal skill or in the performance of some act for the amusement of the public"

In Section 7, line 13, add after the word "exhibitions" the word "or"

In line 14, at the beginning, strike out the words "or contests"

Section 15, line 5, add after the word "exhibition" the word "or"

Also in line 5, after the word "performances" strike the words "or contests"

In line 12 ,add after the word "performance" the word "or"

Strike out at the end of line 12 and beginning of line 13, the words "or contests"

In section 16, line 7, add after the word "performance" the word "or"

Also in line 7, after the word "entertainment" strike out the words "or contest"

In line 10, add before the word "entertainments" the word "or"

In line 10, after the word "entertainments" strike out the words "or contests"

In line 13, add after the word "performances" the word "or"

In line 13, after the word "entertainments" strike out the words "or contests."

In section 19, line 26, strike out the quotation mark before the word "moving"

In section 20, line 4, after the word "performance" add the word "or"

In line 4, after the word "entertainments" strike out the words "or contest"

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objections? The Chair hears none and the amendments as read will be inserted in accordance with the instruction of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Mr. H. B. DUNN. Mr. Speaker, I move that this House do now adjourn.

Mr. JOHN H. YOUNG. Mr. Speaker, I second the motion.

The motion was not agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1291, as follows:

An Act defining milk and milk products and regulating the production storage transportation and sale thereof providing for a milk hygiene service under the direction of the State Livestock Sanitary Board providing for the examination of milk and milk food products and premises and equipment where and whereby milk and milk products are produced prepared stored transported or sold authorizing boards of health in cities boroughs towns and townships of the first class to appoint local milk hygiene agents and providing penalty for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "milk and milk food products" wherever used in this act shall include and apply to cream whole milk skim milk butter milk butter cheese and food products made from milk or cream

The word "vessel" wherever used in this act shall be construed to include any jar bottle milk can cream can milk bucket measure or any other vessel used as a container for milk or milk food products

Section 2 Milk that is obtained from animals that are fed on distillery waste usually called "swill" or upon any substance in a state of putrification or upon any substance of an unwholesome nature milk or milk food products that have been exposed to the emanations discharges or exhalations from persons or animals having any disease by which the health or life of any person may be endangered or milk from cows with open tuberculosis or or cows suffering from any febrile disease or milk or milk food products which have been placed in unclean vessels or exposed to unsanitary conditions and all other milk or milk food products which in the opinion of the State Livestock Sanitary Board are unfit for human food are declared to be unwholesome

Section 3 The State Livestock Sanitary Board is authorized and empowered to organize and administer in accordance with the provisions of this act a milk hygiene service for the purpose of protecting the consumer from milk and milk food products which are unwholesome or otherwise unfit for human food The State Livestock Sanitary Board is authorized to formulate and promulgate such rules and regulations as may be necessary to carry out the provisions of this act and to prevent the contamination of milk and milk products and so far as is consistent with this act the regulations and methods of the milk hygiene service of the United States Department of Agriculture shall constitute the standard to be adopted and followed

Section 4 The State Livestock Sanitary Board shall not duplicate the work of the milk hygiene service of the United States Department of Agriculture unless in the opinion of said State Livestock Sanitary Board such duplication is deemed necessary

Section 5 It shall be the duty of the State Livestock Sanitary Board or its agents to examine the sanitary condition and construction of stables establishments vehicles cars and other places where milk or milk food products are produced prepared stored transported or sold and if the same be found in such condition as to affect the wholesomeness of any milk or milk food products it shall be the duty of the State Livestock Sanitary Board or any agent thereof to notify the owner thereof or his agent as to the nature of the particular defects found and order the same remedied or removed If said defects are not remedied or removed within a reasonable time to be designated by the State Veterinarian the establishment or place may be closed and the owner or any of his agents or employes shall be forbidden to use the same for the production preparation storage transportation or sale of milk or milk food products until such defect is remedied or removed in a way that is approved by the State Veterinarian

Section 6 To carry out the provisions of section five of this act officers and agents of the State Livestock Sanitary Board are authorized at any time to enter any stables establishments vehicles cars and other places where milk and milk food products are produced prepared stored transported or sold

Section 7 Upon request of any person firm or corporation agents may be appointed by the State Livestock Sanitary Board to oversee any establishment operated by any such person firm or corporation and examine the milk or milk food products therein produced prepared or manufactured The salaries of such agents shall be paid by the person firm or corporation making such request Before any agent shall be assigned to any such establishment the owner thereof shall enter into a bond to the Commonwealth to be approved by the State Livestock Sanitary Board conditioned for the payment of the salary of such agent Employes of the United States Department of Agriculture engaged in the inspection of animals milk and milk food products may be appointed agents of the State Livestock Sanitary Board and be clothed with the powers of such agents Provided however that such employes shall receive no compensation for such services as agents of the State Livestock Sanitary Board

Section 8 The State Veterinarian with the approval of the State Livestock Sanitary Board may appoint local agents to examine animals and milk and milk food products Any milk or milk food products which are found to be unwholesome or otherwise unfit for human food shall be condemned and disposed of in the presence of an agent of the State Livestock Sanitary Board so that the same can not be used for human food

Section 9 The Board of health of any city borough town or township of the first class with the approval of the State Veterinarian is authorized and empowered to appoint such local milk hygiene agents as may be deemed necessary and may fix their compensation which shall be paid out of the funds of such city borough town or township Such local milk hygiene agents and the agents of the State Livestock Sanitary Board shall subject to the rules and regulations of such board have the exclusive power of inspection of milk and milk food products sold or intended to be sold in the respective city borough town or township and the inspection of the premises and equipment where and whereby such milk or milk food products are produced or prepared The authority hereby conferred upon local

milk hygiene agents may be revoked at any time by the State Veterinarian Any ordinance of any city borough town or township of the first class and any rule or regulation of any board of health inconsistent with this act or with any rule or regulation of the said Livestock Sanitary Board relating to milk or milk food products shall be void

Section 10 The State Veterinarian shall make arrangements for co-operation between the laboratory of the board and those engaged in the examination of milk and milk food products so that unusal or difficut diseases and conditions may be scientifically studied and accurately diagnosed for the benefit of the milk hygiene service

Section 11 All vessels used as containers of milk or milk food products shall be thoroughly cleansed of all foreign matter by sterilization or by washing with boiling water or by exposing to live steam previous to the time of filling or refilling such containers with milk or milk food porducts that are to be used as human food and it shall be unlawful for any person to use such vessels unless the same have been cleansed in accordance with the provisions of this section

Section 12 All vessels used as containers of milk and all machinery utensils and equipment used in handling storing or manufacturing milk or milk food products which are rusted worn or broken or in any such condition as may render milk food products unwholesome and unfit for human food shall be condemned by the State Livestock Sanitary Board or any agent thereof and it shall be unlawful for any person to use the same for the purpose of handling storing or manufacturing of milk or milk food products

Section 13 It shall be unlawful for any person firm or corporation or agent representative member officer or director of such person firm or corporation to sell or offer for sale for use as human food any milk or milk food products that are unwholesome or otherwise unfit for human food

Section 14 It shall be unlawful for any person firm or corporation to keep or permit any establishment stable vehicle car or other place where milk or milk food products are produced prepared stored transported or sold in an unsanitary condition after notice from the State Livestock Sanitary Board to remedy or remove such condition

Section 15 It shall be unlawful for any person to use any vessel used as a container of milk or milk food products for any purpose whatsoever except as a container for milk or milk food products

Section 16 It shall be unlawful for any person firm or corporation their representative or agent to advertise, sell or offer for sale "certified milk" unless such certification was done under authority of a duly organized medical milk commission recognized by the American Association of Medical Milk Commissions

Section 17 Any person firm or corporation or any agent representative member officer or director of such person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) or such person or the members of such firm or the officers and directors of such firm or the officers and directors of such corporation as the case may be with guilty knowledge of the fact shall be sentenced to undergo imprisonment not exceeding one year or both at the discretion of the court

Section 18 All acts or parts of acts inconsistent with this act are repealed Provided That nothing contained in this act shall repeal affect or modify any of the provisions of or the powers or authorities conferred by the act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act regulating the sale of milk or its fluid derivatives in cities of the first class providing for the licensing of those engaged in that business and providing penalties for the violation thereof" or of any amendments thereof

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

BILL POSTPONED.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. HUMES. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

The SPEAKER declared the nays seemed to have it.

Mr. R. J. BALDWIN. Mr. Speaker, I do not think the House means to vote no on that proposition. This bi l ought not to pass in the form it is in, and I think the sponsor of the bill and some more of us who are not now in sympathy with it, will probably get together and there will be no objections to the bill.

Whereupon a division was called for, 104 vote in the affirmative and none in the negative.

And the motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1768, entitled:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one' approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies"

And said bill having been read at length the third time, considered and agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Ewing,	Mannion,	Robinson,
Allen,	Fahey,	Martin,	Rockwell,
Alworth,	Flynn,	Mather,	Roney,
Ambler,	Foster, J. D.,	Matt,	Sassaman,
Aron,	Frey,	McAleer,	Savacool,
Arthur,	Gans,	McAllister,	Scott, S. B.,
Baldwin, G. A.,	Geary,	McCaig,	Semmens,
Barner,	Geiser,	McClintock,	Shaffer, I. E.,
Bass,	Gibson,	McDermott,	Shern,
Becker,	Good,	McKay,	Sherwood,
Benninger,	Grabe,	McNichol,	Showalter,
Bergey,	Gramley,	Metzenbacher,	Smith, J. W.,
Berntheizel,	Gray, Joseph,	Miller,	Smith, L.,
Bigger,	Hackett,	Missimer,	Spillinger,
Bittles,	Haggerty,	Mitchell,	Steedle,
Blair, W. F.,	Heidinger,	Moore,	Steele,
Brown,	Hemminger,	Morrow,	Stein,
Brownlee,	Heyburn,	Moses,	Stone,
Caldwell,	Hibshman,	Moulthrop,	Strauss,
Carson,	Hobbs,	Murphy,	Swartz,
Carter,	Hoffman,	Musser,	Swift,
Cheeseman,	Howard, J.,	Neely,	Thomas,
Claycomb,	Humes,	Newbaker,	Trach,
Cleary,	Isler,	Newton,	Ulerich,
Cochran	Irwin, G. C.,	North,	Ulman,
Conniff,	Irwin, H. H.,	Peachey,	Walsh,
Conrade,	Jackson,	Pennegar,	Walton,
Cox,	Jones, J. R.,	Perry, S. J.,	Watson,
Currier,	Kaiser,	Peters,	Wettach,
Curry,	Kaufman,	Post,	Whitaker,
DeFrees,	Keeport,	Price,	Williams,
Dickinson,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Donahoe,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Donnally,	Latshaw,	Reese,	Wiltbank,
Down,	Lenker,	Reeser,	Young, G. K.,
Dunn, H. B.,	Leslie,	Rex,	Young, J. H.,
Dunn, J. A.,	Letzkus,	Rhoads,	Zimmerman,
Ehrhardt,	Lohr,	Richards,	Alter,
Eichenberger,	Malie,		Speaker.
Ely,			

NAYS—3.

Kern,	Mellott,	Snavely,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

COMMUNICATION FROM ATTORNEY GENERAL.

The SPEAKER. The Chair lays before the House a communication from the Attorney General which was required to be sent to the House to-night.

The communication will be read by the Clerk.

The communication was read by the clerk as follows:

Office of the Attorney General,
Harrisburg, Pa., May 13th, 1913.

To the Honorable, the Speaker and the Members of the House of Representatives.

Gentlemen:—I am in receipt of a certified copy of the resolution of your Honorable Body of the fifth instant. Referring to the provisions of the Constitution that "neither House shall, without the consent of the other, adjourn for more than three days," your two-fold inquiry, as I interpret it, may be stated concretely as follows: Is it lawful for the Senate to adjourn without the consent of the House "for a period of four full days, one of which is Sunday"; first, when Sunday is the fourth day of adjournment, e. g., in the case of adjournment from Wednesday until the following Monday; and second, when Sunday is one of the first three days, e. eg., in the case of adjournment from Friday until the following Wednesday.

In the adoption of the Constitutional provision quoted, the manifest intention was to provide that if either House should adjourn without the consent of the other, such House should reconvene upon the fourth day after the adjournment.

In the consideration of your inquiry, it is proper to premise that under the general rule of the common law, and by our declaratory Act of Assembly of June 28, 1883, (Pamphlet Laws 136), when a fixed number of days is prescribed by law, the rule in counting the same is to exclude the first day. It follows that Wednesday is to be excluded from the count in the first case put; and Friday is to be excluded in the second case put; and this much determined as to the initial or starting day in the computation, the next question is what is the fourth day hereafter in each case. And in his next question is involved the further one—whether Sunday is a dies non in either or both of the specific cases stated. The ancient common law drew a distinction between dies juridici and dies non juridici, and Lord Coke (1 Inst. 364), declares that at common law, the Sabbath is a dies non, and that no judicial acts may be lawfully done on that day. This ruling, that the Sabbath is a dies non, (see Commonwealth vs. Mara, 8 Phila. 440), still obtains, with certain limitation in Pennsylvania, i. e., it is a general rule of law that when the last day of a fixed period of time prescribed for the performance of any act falls on Sunday, (e. g., Sunday, the fourth day in the case first above stated), such Sunday is a dies non, and is to be excluded from the computation; and consequently, it is lawful to do the act on the following day, viz., Monday. When, however, Sunday is not the last day of such a fixed period, but falls within or during such period, (e. g., Sunday—the second day in the case second above stated) such Sunday is, as a general rule, to be included in the computation (see Fordham vs. Fordham, 15 W. N. C. 250 and Act of June 20, 1883, cited supra).

Specifically answering your inquiry, therefore, I am of the opinion that, should the Senate adjourn on Wednesday to reconvene upon the following Monday, such adjournment is within the true intent of the Constitutional provision under discussion; but that an adjournment on Friday, to reconvene upon the following Wednesday, is not within such intent, and either House so adjourning should reconvene on the following Tuesday.

The conclusion upon the first branch of the inquiry is reinforced by reference to a precedent established in the House of Representatives in 1897, as appears from its Journal for that session at page 1114. It is there recorded that a motion was made

"That when the House adjourns this Wednesday evening, it be to meet on next Monday evening at nine o'clock."

The point of order was submitted that it was unconstitutional for the House to adjourn for more than three days without the consent of the Senate. The Speaker decided the point of order not well taken; that an adjournment of the House from Wednesday until the succeeding Monday, was not an adjournment for more than three days as provided by the Constitution, Sunday being a dies non. (See also Buckalew on the Constitution, page 52).

It may be finally said that even if either House adjourns for more than three days without the consent of the other, and then convenes, and legislation is proceeded with, passed, and approved by the Executive, such adjournment will not, in my opinion, invalidate any such legislation. (See West Philadelphia Passenger Railway Company vs. The Union Passenger Railway Company, 9 Phila. 495; Kilgore vs. Magee, 85 Pa. 401; and the remarks of Theodore Cuyler, Esq., reported in Volume 5, page 361, of the Debates of the Constitutional Convention; also White on the Constitution, Section 7, page 210).

Faithfully yours,

JOHN C. BELL,
Attorney General.

The SPEAKER. The communication will be noted upon the House Journal and printed in the Legislative Journal.

APPOINTMENT OF CONFERENCE COMMITTEES.

The SPEAKER. On House Bill No. 953 the Chair appoints as a Committee of Conference, Messrs. John R. K. Scott, W. H. Wilson and Cox.

On House Bill No. 956, the Chair appoints the same entlemen as a Conference Committee.

ADJOURNMENT.

Mr. ALLEN. Mr. Speaker, I move that this House do now adjourn.

The motion was agreed to and at 11.30 P. M. the House adjourned until to-morrow morning at 10 o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., TUESDAY, MAY 13, 1913. No. 65.

SENATE.

TUESDAY, May 13, 1913.

The Senate met at 11 o'clock A. M.

The PRESIDENT (Lieutenant-Governor John M. Reynolds) in the Chair.

The Chaplain, Rev. A. C. James, offered the following prayer:

"Thy kingdom come, Thy will be done, in earth as it is in Heaven," O Lord. "Give us this day our daily bread and forgive us our trespasses as we forgive them that trespass against us. Lead us not into temptation but deliver us from evil." In Thy word we read how that Thou didst weigh in Thy eternal balance the ancient king, even Belshazzar, and say unto him, "Thou art found wanting." When this day shall have closed grant that no one of us shall be found wanting. Thou didst test Thy children in the furnace heated seven times hotter than it was wont to be, but they were found faithful to Thee. Grant that this day we too shall be faithful to Thee. Thou didst strip Thy servant Job of all his wealth and afflicted his body as he sat on the ash mound of desolation, but he lifted his head and said "Though He slay me, yet will I trust in Him." Grant that we too may trust Thee this day, making today better than yesterday, "Then ascending and secure shall tomorrow find its place." We left up our heads so that the King of Glory may enter the gates of our lives. Hear us, in our morning prayer, we ask it in our Redeemer's name. Amen.

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. McIlhenny, the further reading was dispensed with, and the Journal was approved.

LEAVE OF ABSENCE.

Mr. CROW asked and obtained leave of absence for the Senator from Jefferson, Mr. Kurtz, for the balance of the week on account of illness.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

REPORTS FROM COMMITTEES.

Mr. McILHENNY, from the Committee on Judiciary General, reported with favorable recommendation all the nominations for Notaries Public made by His Excellency, the Governor of the Commonwealth, on May 7, 1913.

Mr. HOKE, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1040 (House Bill No. 1229), entitled:

An Act to amend section one of an act approved the 11th day of May, 1911, entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case."

Mr. KNAPP, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1293 (House Bill No. 1616), entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1261, entitled:

An Act to authorize incorporated or unincorporated churches, cemeteries or burial associations owning burial grounds located wholly or in part in any city, township or borough of this Commonwealth, to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes, or which may have been reconveyed to them, or shall have reverted or become acquired by them under the terms hereof, or otherwise, and providing for and authorizing the several courts of Quarter Sessions of the several counties of this Commonwealth, upon petition of the managers, officers and other persons vested with the management of said burial ground, to make orders and decrees for the removal of all bodies interred in such burial grounds or cemeteries belonging to any incorporated or unincorporated church, cemetery or burial association, and to provide for the purchase of new lots, the cost of the removal of such bodies, and compensation to the owners of the lot or lots therein, the sale of the ground and distribution of the proceeds derived from such sale.

Mr. MILLER, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1229 (House Bill No. 1367), entitled:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk to countersign warrants on the county treasurer when properly drawn during such periods as any said county controller may have so designated such clerk in writing to the county treasurer in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants

Mr. CATLIN, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1347, entitled:

An Act to repeal sections one to eight inclusive of an act, approved the 13th day of June, 1911, entitled "An Act creating a County Sinking Fund Commission in the several counties of the Commonwealth of Pennsylvania, and prescribing its powers and duties."

SENATE BILL NO. 417 RETURNED WITH AMENDMENTS.

The Chair cleared his table and laid before the Senate communication from the House of Representatives returning to the Senate Senate Bill No. 417, entitled:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred eleven Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

with the information that the House has passed the same with amendments in which the concurrence of the Senate is requested.

Mr. McNICHOLS. Mr. President, I move that Rule 21, which requires that amended bills be noted on the calendar, be in this case dispensed with, and that the Senate proceed with the consideration of the amendments made by the House to the foregoing bill.

Mr. GERBERICH. Mr. President, I second the motion.

The motion was agreed to.

Said amendments were twice read as follows:

In the title, line 1, by striking out the words "second and third sections", and inserting in lieu thereof the word "section"; also in section 1, line 50, by striking out "eradiction" and inserting in lieu thereof the word "eradication"; also in section 2 by striking out the entire section; also in section 3 by striking out the entire section.

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Fisher,	Hunter,	McNichols,
Catlin,	Gerberich,	Jarrett,	Miller,
Clark,	Gyger,	Judson,	Moore,
Cooper,	Hall,	Knapp,	Nulty,
Crow,	Heacock,	Magee,	Salus,
DeWitt,	Hilton,	Martin,	Sensenich,
Farley,	Hoke,	McIlhenny,	Sheatz,
		McNichol,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 11, on third reading, entitled:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

has not been received from the printer and will go over in its order.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 497 (House Bill No. 580), on third reading, entitled:

An Act to amend an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins piers harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

has not been received from the printer and will go over in its order.

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 841 (House Bill No. 701), as follows:

An Act establishing a commission of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works prescribing their powers and duties and providing for the condemnation of real estate within or beyond the territorial limits of said borough or incorporated town

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs or incorporated towns of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be established a commission of water works to be composed of three citizens of said borough or incorporated town who shall be known as commissioners of Water Works

Section 2 Any borough or incorporated town within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the court of common pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the court of common pleas upon application of any incorporated town or borough council as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commissioner of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarly expended in the performance of their duty Provided however That said court of common pleas shall not appoint any commissioners after three years from first appointment of commissioners of said borough or incorporated town shall by resolution duly passed by council and recorded in its minutes revoaking resolution praying for appointment of said commissioners said court of common pleas upon notice shall not appoint or reappoint another board of commissioners until again prayed for as hereinbefore provided

Section 4 It shall be the duty of the commissioners of water works in each borough or incorporated town of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough or incorporated town Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 Whenever in the judgment of said commissioners it may become necessary to extend the water works or to erect new water works said commissioners shall have power in the name of said borough to acquire by purchase or to condemn real estate necessary for such purpose whether situate within or beyond the territorial limits of said borough or incorporated town if said commissioners are unable to agree with the owner thereof as to the price to be paid for said real estate they may apply to the court of common pleas of the proper county under the provisions of the act of the twenty-third day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand one hundred and twenty-three) entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" for a board of view to assess damages

Section 7 The council of any borough or incorporated town within this Commonwealth may upon the request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds" They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and matrials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 8 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 9 Said commissioners shall make a monthly report to the council of the borough or incorporated town of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough or incorporated town for the information of the public Said commissioners shall cause all [illegible] collected weekly by the collectors [illegible] who shall return a receipt therefor to the said commissioners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extend-

ing said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 10 All by-laws rules and regulations when made by said commissioners shall have the force and effect of ordinances of said borough or incorporated town and the penalties imposed thereby shall be collected in the same manner as penalties imposed by incorporated town or borough ordinances are now by law collected

Section 11 Whenever two or more boroughs or any borough and township having united in the construction or acquisition and maintenance of water works or hereafter uniting for the purpose of constructing or acquiring and maintaining water works desire to avail themselves of the provision of this act the councils of such boroughs and the commissioners or supervisors of such townships shall by joint action after ordinance or resolution duly passed apply to the court of common pleas of the proper county for the appointment of a commission of water works in accordance with this act Said commission shall be composed of citizens of each of said boroughs and townships so uniting

Section 12 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough or incorporated town until the authorities thereof shall by appropriate ordinance accept the provisions of this act Provided always however That anything herein to the contrary notwithstanding the act of Assembly entitled "An Act authorizing the erection of water works in the borough of Sewickley by commissioners and the issue of borough bonds and the levy of a special water tax" approved February twenty-first one thousand eight hundred and seventy-three (Pamphlet Laws one hundred and forty-seven) shall in no wise be affected or repealed by this act

On the question,

Shall the bill pass finally?

Mr. HOKE. Mr. President, I wish to call the attention of the Senate to the fact that this is the bill which it gave us pleasure in killing two weeks ago to-day, the bill authorizing Courts of Common Pleas to appoint a water commission in boroughs that own their own plant and giving them powers that we did not seem to think at that time they ought to have; and I hope the Senate will kill is again this morning.

And the question recurring,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, I move to reconsider the vote by which the bill passed third reading?

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. SNYDER. Mr. President, I ask unanimous consent to amend Section 3, line 12, by striking out after the word "duty" the remainder of the section and inserting in lieu thereof the words "Provided, however, that after three years from the first appointment under this act the borough or town council may at any time rescind the resolution asking for the appointment of a commissioner of water works. When such resolution shall be so rescinded the court shall make no further appointment of commissioner of water works until a resolution shall again be passed by council asking for such appointment;" also in Section 5, line 9, by inserting after the word "works" the words "subject to the provisions of existing laws;" also by striking out Section 6; also in Section 7, line 1, by striking out the figure "7" and inserting in lieu thereof the figure "6;" also in Section 8, line 1, by striking out the figure "8" and inserting in lieu thereof the figure "7;" also in line 4 by inserting after the word "shall" the words "after plans and specifications for the extension of water works or the erection of new water works have been submitted to and approved by the Department of Health in accordance with the provisions of an Act of Assembly approved the 22nd day of April, 1905, entitled 'An Act to preserve the purity of the waters of the State for the protection of the public health' and a permit granted therefor by the Commissioner of Health;" also in Section 9, line 1, by striking out the figure "9" and inserting in lieu thereof the figure "8;" also in Section 10, line 1, by striking out the figure "10" and inserting in lieu thereof the figure "9;" also in line 1 by inserting after the word "regulations" the words "not inconsistent with the laws of the Commonwealth, the rules and regulations of the Department of Health or the Water Supply Commission;" also in Section 11, line 1, by striking out the figure "11" and inserting in lieu thereof the figure "10;" also in Section 12, line 1, by striking out the figure "12" and inserting in lieu thereof the figure "11;" also in the title, line 3, by inserting after the word "works" the word "and;" also in line 3, by striking out after the word "duties" the remainder of the title.

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1162, as follows:

An Act to amend section two of the act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" so as to provide for a further adjustment of valuation of property made between the date of the levy of the tax and payment of same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fourteenth day of June one thousand nine hundred and eleven entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" which reads as follows

Section 2 The township supervisors of each township shall meet at the place where the auditors of the respective townships meet to perform their official duties on the first Monday in December one thousand nine hundred and eleven and yearly thereafter and after being duly sworn or affirmed according to law to discharge their duties with fidelity a copy of the oath to be filed with the township auditors shall organize as a board by electing one of their number as chairman and shall appoint a treasurer and a secretary who may or may not be the same person and who may or may not be a member or members of the board but who shall not be a roadmaster and the secretary shall perform all the duties heretofore performed by the township clerk which office is hereby abolished and the said secretary shall receive as compensation for his services such sum as shall be fixed by the township auditors and the treasurer shall receive as compensation for his services such sum as shall be fixed by the township auditors Provided That the combined amount paid to said secretary and treasurer shall not exceed two per centum of the money paid out by said treasurer The board shall proceed immediately to levy a road tax which shall not exceed ten mills on each dollar of valuation this valuation shall be the last adjusted valuation for county purposes and which shall be furnished to said township supervisors by the commissioners of the proper county Provided That a greater rate than ten mills and not to exceed ten additional mills may be levied by order of the court of quarter sessions of the peace of that county upon petition of the board of supervisors with their unanimous recommendation and upon due cause shown Provided however that the said road tax shall hereafter be collected in cash and no such taxes shall be payable in labor or worked out Each township shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown b ythe sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January in each year as hereinafter provided for Provided That no township shall receive in any one year more than twenty dollars for each mile of township road in said township Provided That nothing in this section shall interfere with the State appropriation for maintenance of State or macadamized roads under existing laws Upon receipt of the sworn statement from the board of township supervisors it shall be the duty of the State Highway Commissioner to certify to the Auditor General the amount due the respective township and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of the section to the treasurer of the board of township supervisors which shall be paid out of the moneys appropriated for that purpose Provided That all money appropriated under the provisions of this act shall be expended by the supervisors of the respective townships for the making of permanent improvements on the township roads according to plans and specifications furnished by the said State Highway ment and under the supervision of the said State Highway Department such supervision to be without cost to the

township Provided further That upon the neglect or refusal of the supervisors of any township to carry out the instructions of the State Highway Commissioner as aforesaid then the State Highway Commissioner shall withhold from the said township so neglecting or refusing the amount to which it would otherwise be entitled for the year in which said neglect or refusal occurred Provided That the State Highway Commissioner shall furnish from time to time bulletins of instruction to each board of township supervisors for the building repairing maintenance and improvement of township roads and shall furnish any additional information when called upon so to do The State Highway Commission shall also furnish from time to time free of charge standards plans and specifications for permanent improvements in the building of culverts establishing of grades proper drainage and such other matters as he may deem essential That the State Highway Department shall furnish blanks to the township supervisors in which said supervisors shall make a sworn statement signed by a majority or all the members of the board that the money has been expended in building repairing maintaining dragging and improving township roads according to the instructions standards plans and specifications submitted by the Highway Department as far as the available funds and local conditions make it possible be and the same is hereby amended to read as follows

Section 2 The township supervisors of each township shall meet at the place where the auditors of the respective townships meet to perform their official duties on the first Monday in December one thousand nine hundred and eleven and yearly thereafter and after being duly sworn or affirmed according to law to discharge their duties with fidelity a copy of the oath to be filed with the township auditors shall organize as a board by electing one of their number as chairman and shall appoint a treasurer and a secretary who may or my not be the same person and who may or may not be a member or members of the board but who shall not be a roadmaster and the secretary shall perform all the duties heretofore performed by the township clerk which office is hereby abolished and the said secretary shall receive as compensation for his services such sum as shall be fixed by the township auditors and the treasurer shall receive as compensation for his services such sum as shall be fixed by the township auditors Provided That the combined amount paid to said secretary and treasurer shall not exceed two per centum of the amount paid out by said treasurer The board shall proceed immediately to levy a road tax which shall not exceed ten mills on each dollar of valuation this valuation shall be the last adjudged valuation for county purposes and which shall be furnished to said township supervisors by the commissioners of the proper county Provided That if any further adjustment of valuation of any property is made by the county commissioners after said tax is so levied and before said tax is payable such valuation so adjusted shall be certified to the township supervisors and the tax shall be collected on the basis of such valuation as so adjusted Provided That a greater rate than ten mills and not to exceed ten additional mills may be levied by order of the court of quarter sessions of the peace of that county upon petition of the board of supervisors with their unanimous recommendation and upon due cause shown Provided however that the said road tax shall hereafter be collected in cash and no such taxes shall be payable in labor or worked out Each township shall receive annually from the State fifty per centum of the total amount of road tax collected by such township as shown by the sworn statement of the board of township supervisors contained in the annual report furnished to the State Highway Commissioner on or before the first day of January of each year as hereinafter provided for Provided That no township shall receive in any one year more than twenty dollars for each mile of township road in said township Provided That nothing in this section shall interfere with the State appropriation for maintenance of State or macadamized roads under existing laws Upon receipt of the sworn statement from the board of township suprevisors it shall be the duty of the State Highway Commissioner to certify to the Auditor General the amount due the respective township and he shall draw a warrant upon the State Treasurer for the payment of the amount due said township under the provisions of the section to the treasurer of the board of township supervisors which shall be paid out of the moneys appropriated for that purpose Provided That all money appropriated under the provisions of this act shall be expended by the supervisors of the respective townships for the making of permanent improvements on the township roads according to plans and specifications furnished by the State Highway Department and under the supervision of the State Highway Department such supervision to be without cost to the township Provided further That upon the neglect or refusal of the supervisors of any township to carry out the instructions of the State Highway Commissioner as aforesaid then the State Highway Commissioner shall withhold from said township so neglecting or refusing the amount to which it would otherwise be entitled for the year in which said neglect or refusal occurred Provided That the State Highway Commissioner shall furnish from time to time bulletins of instruction to each board of township supervisors for the building repairing maintenance and improvement of township roads and shall furnish any additional information when called upon so to do The State Highway Commissioner shall also furnish from time to time free of charge standards plans and specifications for permanent improvements in the building of culverts establishing of grades proper drainage and such other matters as he may deem essential That the State Highway Department shall furnish blanks to the township supervisors in which said supervisors shall make a sworn statement signed by a majority of all the members of the board that the money has been expended in building repairing maintaining dragging and improving the township roads according to the instructions standards plans and specifications submitted by the Highway Department as far as the available funds and local conditions make it possible

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jones,	Moore,
Buckman,	Fisher,	Judson,	Morgan,
Catlin,	Gerberich,	Kline,	Nulty,
Clark,	Gyger,	Magee,	Salus,
Cooper,	Heacock,	Martin,	Sensenich,
Crow,	Hilton,	McIlhenny,	Sheatz,
Dalx,	Hoke,	McNichol,	Snyder,
DeWitt,	Hunter,	McNichols,	Vare,
Endsley,	Jarrett,	Miller,	Washers.

NAYS—1.

Hall,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. McILHENNY. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McILHENNY read in his place and presented to the Chair Senate Bill No. 1375, entitled:

An Act providing for the formation and regulation of stock corporations having shares without nominal or par value and authorizing such corporations to issue shares without par value upon reorganization merger or consolidation

Which was committed to the Committee on Corporations.

BILLS OVER IN ORDER.

The PRESIDENT. Senate Bill No. 54, on third reading, entitled:

An Act declaring the liability of railroad companies for loss or damages by fire providing a remedy therefor and relating to evidence thereof

has not been received from the printer and will go over in its order.

The PRESIDENT. Senate Bill No. 302, on third reading, entitled:

An Act regulating the sale prescription and possession of opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them and prescribing penalties for violation thereof

has not been received from the printer and will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 479 (House Bill No. 635), entitled:

An Act to exempt certain buildings from the provisions relating to fire towers and outside fire escapes of the following acts of Assembly the act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled "An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings" as amended by an act approved the third day of June one thousand eight hundred and eighty-five entitled "An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini

one thousand eight hundred and seventy-nine" and as further amended by an act approved the twelfth day of July one thousand eight hundred and ninety-seven entitled "An Act to amend section one of an act approved the third day of June Anno Domini one thousand eight hundred and eighty-five entitled 'An Act to amend an act entitled 'An Act to provide for the better security of life and limb in cases of fire in hotels and other buildings' approved the eleventh day of June Anno Domini one thousand eight hundred and seventy-nine' extending the provisions thereof to buildings used in whole or in part for offices not of fire proof construction" also the act approved the seventh day of June one thousand eight hundred and ninety-five entitled "A Supplement to an act entitled 'An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings' approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three regulating the construction alteration and ventilation of tenement houses and providing for the safty of the inhabitants thereof and providing penalties for the violation of the same" also the act approved the twenty-fifth day of April one thousand nine hundred and three entitled "An Act to further regulate the construction maintenance and inspection of buildings and party walls in cities of the first class"

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35.

Buckman,	Fisher,	Kline,	Nulty,
Catlin,	Gerberich,	Magee,	Salus,
Clark,	Gyger,	Martin,	Sensenich,
Cooper,	Heacock,	McIlhenny,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Dalx,	Hunter,	McNichols,	Sones,
DeWitt,	Jarrett,	Miller,	Vare,
Endsley,	Jones.	Moore,	Wasbers,
Farley,	Judson,	Morgan,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RECONSIDERATION OF HOUSE BILL NO. 1044.

Mr. JARRETT. Mr. President, I move that the vote by which Senate Bill No. 1179 (House Bill No. 1044), entitled:

An Act to amend section two of an act entitled "An Act to prevent the pasting painting branding stamping or placing of advertisements notices signs cards or posters in certain places and providing penalties for the violation thereof" approved the tenth day of March Anno Domini one thousand nine hundred and three

was defeated yesterday on final passage be reconsidered.

The PRESIDENT. How did the Senator vote.

Mr. JARRETT. Mr. President, I voted "no."

Mr. BUCKMAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote.

Mr. BUCKMAN. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. JARRETT. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 682 (House Bill No. 650), entitled:

An Act fixing a closed season for quail and providing a penalty for violation of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. WASBERS. Mr. President, if this bill should become a law it would prevent the shooting of quail in this State for two years. I believe that the motives of those back of this bill were good. I believe they had only in mind one object and that was the taking care of the quail that we have at present and providing ways and means for increasing the number in the future. Now, Mr. President, if this were true, if the bill would accomplish that end, I certainly would be in hearty accord with the movement and I know every other sportsman and lover of the gun and dog would be in favor of the same. But my opinion and the opinion of no less an authority than the State Game Commissioner, Dr. Kalbfus is that the closing of the season will not increase the number of the quail in this State, unless, I say unless, we could pass a bill enacting a law that would control the elements. Now, Mr. President, this I understand we do not have any jurisdiction over, so consequently that would be out of the question. A severe winter is responsible for the extermination of our quail. I do not believe, Mr. President, an ordinarily cold winter would accomplish this result, but I mean a winter when the ground is covered with snow for a long period and the quail, being unable to get food becomes a very easy prey of its natural enemies, the hawk by day, the fox, the mink, the weasel and pole cat by night. When these conditions exist, Mr. President, it behooves a true sportsman, who after all is the only friend and interested in the propagation of quail, to trap and save as many of them as possible. This, Mr. President, is not an unusual occurrence. In my county it is happening and I dare say in other communities it is the same. I therefore see no advantage to deprive those of our citizens, who are interested in the sport and recreation, unless there is some special benefit to be gained, especially since we have passed an act known as the Hunter's License Act, whereby the sums so collected are to be used for the propagation and the re-stocking of the State and also to provide money to pay the bounty on noxious animals which have destructive propensities. Last season in our county we had more quail than we had for twenty years and the same applies all over the State where the conditions are alike. What I mean by the conditions, is the fact that some portions of our State do not have quail, nor will they ever have any, owing to the uncultivation of the land forestry. Quail is a domesticated bird. He wants some fertile ground and still he wants some brush to protect him in winter time. The same, no doubt, applies all over the State as far as the number of quail is concerned at the present time. The conditions are the same and I feel safe in saying that there will be a very large percentage over last year in 1913. These facts, Mr. President, are true, and I have a letter which I shall read in support of what I have said. When this bill was first introduced and brought over to the Senate, I inquired from the department how they felt on the matter and this is the letter I received from the Commissioner under date of April 9th.

Hon. Henry Wasbers,

State Senate, Harrisburg, Pa.

My Dear Sir:—Personally I am opposed to the bill giving any kind of perpetual protection to quail, as I am satisfied that a closed season will not result in benefit to the birds. I am not in favor of killing, but experience teaches me that the true sportsman is the quail's only and best friend. While he may destroy some few through the use of a gun in the fall, at other times of the year he is protecting and preserving them, so that he may have a little sport when the fall comes; he is constantly destroying vermin and frequently feeds the birds through severe winters, when they otherwise would die of starvation. Experience teaches me that where a large covey of quail are permitted to run together good results are not attainable. (This is one part I want to call the attention of this body to particularly.) I have frequently been informed of where two or more hen quail had laid in one nest, the cock birds fighting over them, with no hatching at all. I myself had nineteen birds running together two entire years without hatching. The spring of the third year I saw where a duckhunter had "raked" them on the sands by the River side killing perhaps one-half of the entire flock. The result was that the covey was broken up and I knew of at least three coveys that resulted from that flock. I might cite many instances of that kind. If I thought that farmers would feed the birds, or that any benefit would come to the birds through a continuous close season for a number of years, I would certainly favor such a proposition. I believe that a close season taking the interest of the sportsman away from the

birds would, through the coming of one severe winter, exterminate every quail in the country. The pleasure of hunting or the profit of killing does not enter into this equation with me; I am saying what I now say because I think that no good could result to the birds through a close season.

Respectfully yours,
JOSEPH KALBFUS,
Secretary, Game Commission.

This letter alone should be sufficient to show this body the fallacy of passing this bill.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from York, Mr. Wasbers.

The PRESIDENT. Will the Senator from York, Mr. Wasbers, permit himself to be interrogated?

Mr. WASBERS. Mr. President, with pleasure.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from York, Mr. Wasbers, if it his argument that the more quail shot the more will be hatched.

Mr. WASBERS. Mr. President, to a limit, yes sir. I would rather have four quail in a covey than I would have a whole covey together because they breed more prolifically. They pair off and when a large number is together that is eliminate and they degenerate. That same thing applies to chickens and every other feathered tribe. Those are facts.

Mr. MARTIN. Mr. President, I agree with the Senator from York in that I do not think quail will be any more plenty at the end of two years, if this closed season were adopted, if we have a severe winter or two severe winters, but I am in favor of this bill to give it a trial. Let us prove it by passing this bill. No one will suffer by it in two years time and when we come together again we can take up the matter.

Mr. JONES. Mr. President, the farming people in the western part of the State have been feeding the quail for a long time. A member of the State Game Commission tells me, in his own community, the farmers and wives and children feed the quail and go out some fine morning and find some city hunter has blown the heads off the entire covey. That is the only reason I am for the bill. I do not think shooting will make them any more plenty. The Senator from York, Mr. Wasbers, has said that the sportsman is the true friend of the quail. I do not believe that. I think the farmer is and Dr. Surface has stated to me particularly, from his point of view, the quail is one of the best friends the farmer has and he is heartily in favor of a bill that will prevent their elimination.

Mr. WASBERS. Mr. President, just one word. I dare say that the Senator from Blair, Mr. Jones, is evidently not a sportsman. If he were I am sure he would not make a remark of this kind, that they would kill every one, because he does not know how hard it is to kill a quail, but I do not think that would interfere substantially with the matter of increase because the quail has accustomed itself to the same conditions that the human being has; he has learned to hunt cover.

Mr. JONES. Mr. President, We are asking for a two year protection. The bill came from the House with a five year protection and it was modified to two years in the Committee. I do not think it would do a great deal of harm to try it.

And the question recurring,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20.

Alexander,	Daix,	Hunter,	Miller,
Buckman,	Gerberich,	Jones,	Moore,
Catlin,	Gyger,	Knapp,	Sensenich,
Clark,	Heacock,	Martin,	Sheatz,
Cooper,	Homsher,	McNichol,	Snyder,

NAYS—14.

Beidleman,	Fisher,	Judson,	Salus,
DeWitt,	Hall,	Morgan,	Sones,
Endsley,	Hilton,	Nulty,	Wasbers,
Farley,	Jarrett,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 725 (House Bill No. 384), entitled:

An Act relating to practitioners of medicine and surgery and prohibiting them from practicing while in certain conditions and imposing penalties for violations of this act

Aud said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21.

Beidleman,	Heacock,	Judson,	Morgan,
Clark,	Hilton,	Knapp,	Sensenich,
Cooper,	Homsher,	Martin,	Snyder,
Crow,	Huffman,	Nichols,	Sones,
DeWitt,	Jones,	Moore,	Wasbers,
Gyger,			

NAYS—7.

Buckman,	Fisher,	Jarrett,	Salus,
Farley,	Gerberich,	Nulty,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS OVER IN ORDER.

The PRESIDENT. Senate Bill No. 736, on third reading, entitled:

An Act to regulate the catching or taking and sale within this Commonwealth of bullfrogs tadpoles terrapin and snapping turtles and providing a penalty therefor and repealing all acts inconsistent herewith

has not been received from the printer and will go over in its order.

Mr. SNYDER. Mr. President, I ask that Senate Bill No. 891 (House Bill No. 857), on third reading, entitled:

An Act to authorize the judges of separate orphans' courts at the request of the judges of the common pleas to hear and determine all issues in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 903, entitled:

An Act to amend section ten of an act entitled "An Act regulating railroad companies" approved February nineteenth one thousand eight hundred forty-nine broadening the powers of eminent domain of railroad companies

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Beidleman,	Gyger,	Kline,	Nulty,
Catlin,	Hall,	Magee,	Salus,
Clark,	Homsher,	Martin,	Sensenich,
Cooper,	Huffman,	McNichol,	Sheatz,
Crow,	Hunter,	McNichols,	Snyder,
Endsley,	Jones,	Miller,	Sones,
Farley,	Judson,	Moore,	Vare,
		Morgan,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

BILL OVER IN ORDER.

Mr. CLARK. Mr. President, I ask that Senate Bill No. 1058 (House Bill No. 1704), on third reading, entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred and seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. HUNTER. Mr. President, I move that Senate Bill No. 1143 (House Bill No. 1236), on third reading, entitled:

An Act to amend sections three ten twelve fourteen seventeen twenty twenty-two twenty-four twenty-six twenty-eight thirty-three thirty-four forty-three forty-five forty-six forty-seven fifty-three fifty-four and fifty-nine of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of work of plumbing or house drainage and prescribing certain rules and regulations and requirements for the construction of plumbing house drainage and cess pools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" and to further amend sections two eight twenty-one twenty-five twenty-nine thirty-five and sixty of said act of June seventh one thousand nine hundred and one as the same were amended by the act of May fourteenth one thousand nine hundred and nine by further providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of plumbing or house drainage and by providing further rules regulations and requirements for the constructions or reconstruction of plumbing house drainage and cess pools and making changes in said rules regulations and requirements as heretofore existing

be recommitted to the Committee on Municipal Affairs for the purpose of a hearing.

Mr. HALL. Mr. President. I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. MAGEE. Mr. President, I have no objection to this bill being referred back to committee if it be the committee from which it came.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILLS OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1149, on third reading, entitled:

An Act to repeal an act entitled "An Act in relation to legal advertisements in the County of Lycoming" approved April tenth one thousand eight hundred and seventy-three

has not been received from the printer and will go over in its order.

Mr. HUFFMAN. Mr. President, in the absence of the Senator from Beaver, Mr. Thompson, I ask that Senate Bill No. 1153, on third reading, entitled:

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1182 (House No. 1238), entitled:

A Supplement to an act entitled "An Act relating to the grant of letters of administration upon the estates of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estate of persons presumed to be dead by reason of long absence from their former domicile in any other State Territory or foreign country who have left personal estate within this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jones,	Morgan,
Buckman,	Fisher,	Judson,	Nulty,
Catlin,	Gerberich,	Kline	Salus,
Clark,	Gyger,	Magee,	Sensenich,
Cooper,	Hall,	Martin,	Sheatz,
Crow,	Heacock,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Hunter,	Miller,	Vare,
Endsley,	Jarrett,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED.

Mr. HUNTER. Mr. President. I move that Senate Bill No. 1199 (House Bill No. 1562), on third reading, entitled:

An Act to amend section nine of an act entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class" approved June seventh one thousand eight hundred ninety-five by striking out all provisions whereby an owner of lands can build a party wall together with foundations thereof in part on lands of adjoining owner and collect a pro rata share of the cost of said wall from adjoining owner preserving however all the rights given by statute to owners of party walls erected under said act

be recommitted to the Committee on Municipal Affairs for the purpose of a hearing.

Mr. COOPER. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1209, entitled:

An Act authorizing each city in the Commonwealth to prepare adopt and amend its own charter regulating the preparation adoption and amendment thereof providing penalties for violation of the act and repealing certain laws relating to the government of cities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Daix,	Gyger,	Kline,
Beidleman,	DeWitt,	Hall,	McNichol,
Buckman,	Endsley,	Heacock,	Moore,
Catlin,	Farley,	Hoke,	Morgan,
Clark,	Fisher,	Homsher,	Salus,
Crow,	Gerberich,	Hunter,	Snyder,
		Jones,	Wasbers,

NAYS—5.

Cooper,	Judson,	Knapp.	Martin,
		Sensenich,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1227 (House No. 1871), entitled:

An Act to repeal an act approved the tenth day of April one thousand eight hundred and sixty-nine entitled "An Act relating to hawking and peddling in the County of Lehigh"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Farley,	Hunter,	Moore,
Beidleman,	Fisher,	Jones,	Morgan,
Buckman,	Gerberich,	Judson,	Salus,
Catlin,	Gyger,	Kline,	Sensenich,
Clark,	Hall,	Knapp,	Sheatz,
Cooper,	Heacock,	Magee,	Snyder,
Crow,	Hilton,	Martin,	Sones,
Daix,	Hoke,	McNichol,	Vare,
DeWitt,	Homsher,	Miller,	Wasbers,
Endsley,	Huffman,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1254 (House No. 1581), entitled:

An Act relating to bail or surety bond furnished on appeals from courts of record in certain cases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	DeWitt,	Hilton,	Miller,
Beidleman,	Endsley,	Homsher,	Moore,
Buckman,	Farley,	Hunter,	Morgan,
Catlin,	Fisher,	Judson,	Salus,
Clark,	Gerberich,	Martin,	Sones,
Cooper,	Gyger,	McIlhenny,	Vare,
Crow,	Hall,	McNichols,	Wasbers,
Daix,	Heacock,		

NAYS—3.

Hoke,	Jones,	Sensenich,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. VARE. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 1140 (House Bill No. 938), on final passage postponed for the present, entitled:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-nine

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1140 (House Bill No. 938), entitled:

An Act to amend section eight of an act entitled "An Act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors or any admixtures thereof" approved the thirteenth day of May one thousand eight hundred and eighty-seven as amended by section one of an act approved the ninth day of June one thousand eight hundred and ninety-one

And the question recurring,

Shall the bill pass finally?

Mr. VARE. Mr. President, I want to recommend this bill to the Senate. It just transfers three per cent. of the liquor license collections in Philadelphia over to the Police Pension Fund for the benefit of widows, orphans, etc. It does not interfere with the liquor law in any other way.

Mr. NULTY. Mr. President, I have no objections, understand, to the Police Pension Fund, but I think it is a wrong idea to take from the fund that is collected from the licenses in cities of the first class, and to transfer it to any pension fund. It couples, I think—in my mind—the saloon man and the policeman together. I do not think it is fair for us to pass the bill. We might as well take the municipal tax or the property tax. I have talked to numbers of saloon men in the City, and they do not like the bill under any pretence.

Mr. SALUS. Mr. President, I might say for the benefit of this Senate that so far as the saloon man is concerned with this bill, he has no more connection with this bill than I have with the Republic of China. The saloon-keeper goes and pays his money to the City. He has no say as to what becomes of it. The law says he pays so much and he pays his money. This money is to go into the Police Pension Fund. The police are used in the City of Philadelphia for the purpose of keeping the saloon keepers and the men they do not take proper care of in order, and if there is any fund at all that the Police Department should receive benefit from, or the Pension Fund should receive some money from, it is from this very fund that is gotten out of the licenses as paid to the Commonwealth of Pennsylvania. The saloon-keeper has absolutely no say—no connection with it at all. I do not see how he comes into the question.

Mr. VARE. Mr. President, just one more word. I might say gentlemen of the Senate, this bill passed nearly unanimously in the House after it was explained that it did not interfere with any other part of the State except our city, and then only so far as the financial end of it was concerned. I might say the saloon-keepers in Philadelphia are nearly unanimously not one way or the other on this bill. They do not care anything about it. It does not interest them at all.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21.

Alexander,	Endsley,	Jones,	Salus,
Catlin,	Gerberich,	Magee,	Sheatz,
Clark,	Gyger,	McNichols,	Snyder
Cooper,	Homsher,	Moore,	Vare,
Crow,	Hunter,	Morgan.	Wasbers,
Daix,			

NAYS—11.

Beidleman,	Hoke,	Martin,	Nulty,
Farley,	Judson,	McIlhenny,	Sensenich.
Heacock,	Knapp,	McNichol,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1279, on third reading, entitled:

A supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

has not been received from the printer and will go over in its order.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1280, entitled:

An Act providing for the regulation of dams or other structures or obstructions as defined herein in along across or projecting into all streams and bodies of water wholly

or partly within or forming part of the boundary of this Commonwealth vesting certain powers and duties in the Water Supply Commission of Pennsylvania for this purpose and providing penalties for the violation of the provisions hereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Hilton,	McNichols,
Beidleman,	Farley,	Homsher,	Miller,
Buckman,	Fisher,	Huffman,	Salus,
Catlin,	Gerberich,	Hunter,	Snyder,
Cooper,	Gyger,	Jarrett,	Sones,
Crow,	Hall,	Martin,	Vare,
DeWitt,	Heacock,	McIlhenny,	Washers,

NAYS—7.

Clark,	Judson,	Magee,	Sensenich,
Jones,	Knapp,	Moore,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER.

The PRESIDENT. Senate Bill No. 1281, on third reading, entitled:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

has not been received from the printer and will go over in its order.

The PRESIDENT. Senate Bill No. 1296, on third reading, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

has not been received from the printer and will go over in its order.

BILL ON THIRD READING.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1298 (House Bill No. 585), entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and three) entitled "A supplement to the act of April third one thousand eight hundred and fifty-one entitled 'An Act regulating boroughs providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth one thousand nine hundred and seven and providing for the furnishing of a bond by a trust or bonding company

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. MILLER. Mr. President, I ask unanimous consent to amend section 1, line 39, by striking out all of line 44, and inserting in lieu thereof the following, "sureties or one trust or bonding company to be approved by the town council in."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1312, entitled:

An Act for the better protection of human life and other life in this Commonwealth and prescribing penalties for violation of its several provisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Jones,	Moore,
Beidleman,	Gerberich,	Kline	Morgan,
Buckman,	Gyger,	Magee,	Salus,
Catlin,	Hall,	Martin,	Sheatz,
Clark,	Hoke,	McIlhenny,	Snyder,
Cooper,	Hunter,	McNichol,	Sones,
Crow,	Jarrett,	McNichols,	Vare,
Daix,			

NAYS—7.

Farley,	Judson,	Miller,	Washers,
Heacock,	Knapp,	Nulty,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

HOUSE BILL NO. 847 RECALLED FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate resolution from the House of Representatives, as follows, which was twice read considered and agreed to:

Resolved (if the Senate concur) That House Bill No. 847 entitled,

An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals to inquire into the condition of the animal or animals charged with being abused and directing policemen constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 1102 RECALLED FROM THE GOVERNOR.

He also laid before the Senate resolution from the House of Representatives, as follows, which was twice read, considered and agreed to:

Resolved (if the Senate concur) that House Bill No. 1102 entitled:

A further supplement to an act entitled "An Act to provide for the section of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the cost of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplemeinting an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and

the erection of a State institution for the feeble-minded and epileptic to be called the Eastern Pennsylvania State Institution for the Feeble Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the Board of Trustees and repealing the tenth and seventeenth sections thereof approvide the twentieth day of June Anno Domini one thousand nine hundred and eleven."

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE BILL NO. 1465 RECALLED FROM THE GOVERNOR.

He also laid before the Senate resolution from the House of Representatives, as follows, which was twice read, considered and agreed to:

Resolved (if the Senate concur That House Bill No. 1465 entitled,

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statements by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 52.

He also laid before the Senate communication from the House of Representatives, informing the Senate that the House of Representatives has adopted the report of the Committee of Conference on Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

AMENDMENTS TO HOUSE BILL NO. 1152 RECALLED FROM THE GOVERNOR.

He also laid before the Senate for concurrence bill of the House of Representatives, as follows:

House Bill No. 1152, entitled:

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department of Suburban Metropolitan Planning and the appointment of Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

Said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading of said bill were reconsidered in the House of Representatives and the bill amended, in which amendment the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires amendments to bills to be noted on the calendar, be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The amendments were twice read as follows:

In section seven, line six, by inserting after the word "authority" the words, "provided however that the provisions of this act shall not abridge or in any way affect the provisions of an act entitled 'An Act creating a Department of Health and defining its powers and duties', approved the twenty-seventh day of April, Anno Domini one thousand nine hundred and five, or the provisions of an act entitled, 'An Act to preserve the purity of the waters of the State for the protection of the public health,' approved the twenty-second day of April, one thousand nine hundred and five."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38.

Alexander,	Gerberich,	Jones,	Morgan,
Beidleman,	Gyger,	Judson,	Nulty,
Buckman,	Hall,	Kline,	Salus,
Catlin,	Heacock,	Magee,	Sensenich,
Clark,	Hilton,	McIlhenny,	Sheatz,
Crow,	Hoke,	McNichol,	Snyder,
Daix,	Homsher,	McNichols,	Sones,
DeWitt,	Huffman,	Miller,	Vare,
Endsley,	Hunter,	Moore,	Washers,
Farley,	Jarrett,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

AMENDMENTS TO HOUSE BILL NO. 964 RECALLED FROM THE GOVERNOR.

He also laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 964, entitled:

An Act authorizing and empowering township supervisors in townships of the second class to enter into contract with electric gas or other light companies for the purpose of lighting and illuminating the streets highways and other public places in any village in said township and to provide for the collection of funds for that purpose by levying a tax upon owners of property in the district benefitted

said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading of said bill were reconsidered in the House of Representatives and the bill amended in which amendment the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires amendments to bills to be noted on the calendar be in this case dispensed with and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The amendments were twice read as follows:

In section two, line six, by inserting after the word "property" the words "to the same extent and with the same affect as other liens for taxes now authorized by laws."

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jarrett,	Morgan,
Beidleman,	Gerberich,	Jones,	Nulty,
Buckman,	Gyger,	Judson,	Salus,
Catlin,	Hall,	Magee,	Sensenich,
Clark,	Hilton,	McIlhenny,	Sheatz,
Cooper,	Hoke,	McNichol,	Snyder,
Crow,	Homsher,	McNichols,	Sones,
Daix,	Huffman,	Miller,	Vare,
Endsley,	Hunter,	Moore,	Washers,

NAYS—0.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN SENATE BILL NO. 658.

He also returned to the Senate Senate Bill No. 658, entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

With the information that the House has passed the same without amendment.

BILL INTRODUCED.

Mr. MORGAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MORGAN read in his place and presented to the Chair Senate Bill No. 1376, entitled:

An Act to provide for the rendering of decisions and determining the action of the courts of common pleas, oyer and terminer, quarter sessions and general jail delivery and equity and also of the Orphans' Court, in all judicial districts of the Commonwealth of Pennsylvania, wherein there is an even number of judges and where the said judges are equally divided in opinion as to questions of law and other matters before said courts or judges thereof, for determination, by providing that, in the courts of common pleas, oyer and terminer, quarter sessions and general jail delivery and equity, the opinion or course of action favored by the president judge judges of said courts shall be filed and stand as the judgment or action of said course and judges; and in the said Orphans' Courts the opinion or course of action favored by the president judge thereof shall be filed and stand as the judgment or action of said Orphans' Courts and judges.

Which was committed to the Committee on Judiciary Special.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. HEACOCK. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 958, on final passage postponed for the present, entitled:

An Act to relieve from the payment of mercantile license taxes corporations joint-stock associations and limited partnerships doing business as wholesale or retail distributors or venders of merchandise who pay to the Commonwealth a tax upon their capital stock

Mr. WASBERS. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 958, entitled:

An Act to relieve from the payment of mercantile license taxes corporations joint-stock associations and limited partnerships doing business as wholesale or retail distributors or vendors of merchandise who pay to the Commonwealth a tax upon their capital stock

And the amendments made thereto having been printed as required by the Constitution,

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	DeWitt,	Huffman,	Nulty,
Beidleman,	Farley,	Hunter,	Salus,
Buckman,	Gerberich,	Jarrett,	Sensenich,
Catlin,	Gyger,	Judson,	Snyder,
Clark,	Hall,	Magee,	Sones,
Cooper,	Hoke,	Miller,	Vare,
Crow,	Homsher,	Morgan,	Wasbers.
Daix,			

NAYS—2.

Endsley, Sheatz,

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk present said bill to the House of Representives for concurrence.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 1268, on second reading, entitled:

An Act to amend section three of an act approved the eighteenth day of April one thousand nine hundred and five entitled "An act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania" extending the time for registration of persons who has assumed the title of veterinary surgeon or analogous title prior to the passage of the acts of Assembly approved the eleventh day of April one thousand eight hundred and eighty-nine and the twenty-ninth day of April one thousand eight hundred and ninety-one but who failed to register within the time provided by the said acts

be recommited to the Committee on Agriculture.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEES.

Mr. ENDSLEY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ENDSLEY, from the Committee on Public Health and Sanitation, re-reported as amended, Senate Bill No. 870 (House Bill No. 210), entitled:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said Bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven

Mr. ALEXANDER. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. ALEXANDER, from the Committee on Forestry, reported as committed, Senate Bill No. 1047, entitled:

A Supplement to an act entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forest reserves by the Department of Forestry" approved the twenty-fifth day of February Anno Domini one thousand nine hundred and one (Pamphlet Laws page eleven) authorizing the Department of Forestry to designate certain of the foresters within its employ to act as District Foresters in the performance of general forest work other than within the State Forests

BILL INTRODUCED.

Mr. McNICHOLS. Mr. President, I ask unanimous consent to read bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOLS read in his place and presented to the Chair Senate Bill No. 1377, entitled:

An Act to protect the public health by providing for the prevention of the preparation storage transportation and sale of meat and meat food products which are unsound unhealthful unwholesome or unfit for human food vesting certain powers in the State Livestock Sanitary Board and its agents and providing penalties for violation of this act

Which was committed to the Committee on Judiciary Special.

BILL ON FINAL PASSAGE POSTPONED FOR THE PRESENT.

Mr. SNYDER. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 709, on final passage postponed for the present, entitled:

An Act to regulate the admission of minors to public dance houses or halls to concert saloons to theatres and to places where theatrical acrobatic or vaudeville performances or moving picture shows are given and providing the punishment for a violation thereof

Mr. CROW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 709, entitled:

An Act to regulate the admission of minors to public dance houses or halls to concert saloons to theatres and to places where theatrical acrobatic or vaudeville performances or moving picture shows are given and providing the punishment for a violation thereof

And the question recurring,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, I would like to say this is a bill which regulates the admission of minors into moving picture shows and the admission of minors into dance-halls. It fixes the age for dance-halls at eighteen years, and for moving pictures at fourteen years, unaccompanied by their parents, and also fixes the time during school hours and the time in the evening 9 o'clock. It is a very salutory bill and all objectionable features that may have been in it have been removed by amendment, and I hope the Senate will pass this bill.

And the amendment made theretoi having been printed as required by the Constitution,

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Jarrett,	Morgan,
Beidleman,	Gerberich,	Jones,	Nulty,
Buckman,	Gyger,	Judson,	Salus,
Catlin,	Hall,	Kline,	Sensenich,
Clark,	Heacock,	Knapp,	Sheatz,
Cooper,	Hoke,	Magee,	Snyder,
Crow,	Homsher,	McNichol,	Sones,
Daix,	Huffman,	Miller,	Vare,
Endsley,	Hunter,	Moore,	Wasbers,

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the said bill to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. HUFFMAN. Mr. President, I ask unanimous consent to read bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN read in his place and presented to the Chair Senate Bill No. 1378, entitled:

An Act to amend an act approved the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine" as the same was amended by an act approved the eighth day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to provide increased revenue for the purpose of relieving the burdens of local taxation being supplementary to an act entitled 'An Act to provide revenue by taxation' approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine amending the first fourteenth sixteenth twentieth twenty-first twenty-fifth and twenty-sixth sections of an act supplementary thereto which became a law on the first day of June Anno Domini one thousand eight hundred and eighty-nine entitled 'A further supplement to an act entitled "An Act to provide revenue by taxation" approved the seventh day of June Anno Domini one thousand eight hundred and seventy-nine' and providing for greater uniformity of taxation by taxing all of the property of corporations limited partnerships and joint stock associations having capital stock at the rate of five mills on each dollar of its actual value"

Which was committed to the Committee on Finance.

NOTICE OF INTENTION TO MOVE FOR DISCHARGE OF COMMITTEE FROM CONSIDERATION OF BILL.

Mr. HUFFMAN. Mr. President, I desire to give notice that a motion will be made on Monday night to discharge the committee from the further consideration of Senate Bill No. 622 (House Bill No. 252), one of the constitutional convention bills.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 591 (House Bill No. 644), entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act making an appropriation therefor and providing certain penalties for the violation of the provisions thereof and repealing all acts and parts of acts incompatible herewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 737, as follows:

A Supplement to an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics at the capital of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and to prevent the spread of contagious and infectious diseases in this Commonwealth" approved June third eighteen hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties" approved May first nineteen hundred and five (Pamphlet Laws three hundred and thirty) authorizing the statistics required to be obtained and preserved by the tenth section of an act entitled "An Act creating a Department of Health and defining its powers and duties" approved April twenty-seventh one thousand nine hundred and five (Pamphlet Laws three hundred and twelve) or by any subsequent law or laws to be obtained collected compiled and preserved by and in said Central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics

Whereas, In and by the act approved May first, Anno Domini one thousand nine hundred and five (Pamphlet Laws three hundred and thirty), there is created a Central Bureau of Vital Statistics under the general supervision of the Commissioner of Health, and under the immediate direction of the State Registrar of Vital Statistics, appointed by the Commissioner of Health as therein provided for the obtaining and preserving of statistics relating to births and deaths throughout the Commonwealth; and

Whereas, It is provided in and by the tenth section of the act approved April twenty-seventh, Anno Domini one thousand nine hundred and five (Pamphlet Laws three hundred and twelve), that the Commissioner of Health shall have general supervision of the State registration or births, marriages deaths and diseases of practitioners of medicine and surgery of midwives, nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths marriages and disease and shall secure the prompt and faithful registration of the same in a Bureau of Vital Statistics to be maintained as a part of the Department of Health; and

Whereas, It is economical and advisable to avoid duplication in obtaining and preserving statistics; now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all statistics of births marriages deaths diseases of practitioners of medicine and surgery midwives nurses and undertakers and all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases or other vital statistics now compiled by the Department of Health or required by any subsequent law or laws to be so obtained collected compiled and preserved shall be obtained collected compiled and preserved by and in the Central Bureau of Vital Statistics created by the said act approved May first Anno Domini one thousand nine hundred and five (Pamphlet Laws three hundred and thirty) to be maintained as a Bureau of the Department of Health under the general supervision of the Commissioner of Health and the immediate direction of the State Registrar of Vital Statistics appointed by said Commissioner of Health under existing laws

Section 2 The State Registrar of Vital Statistics shall receive an annual salary at the rate of four thousand ($4,000) dollars

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 794 (House Bill No. 50), entitled:

An Act amending an act entitled "An Act making it unlawful for any municipality in which a corporation created

and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewer culverts conduits and pipes with the necessary inlets and appliances for surface under surface and seweage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same" approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and appliances owned by individuals and unincorporated associations and providing for the assesment of the costs and expenses of the property so acquired upon the properties benefited thereby or upon the proper municipality

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 802 (House Bill No. 519), entitled:

An Act to change and fix the terms of managers of the poor and auditors authorized to audit settle and adjust accounts of said managers of the poor in incorporated poor districts where the number of said managers and auditors respectively is nine and said managers and auditors are required to be elected in blocks of three fixing the times when tre terms of present managers and auditors shall expire their successors be elected and assume office

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 880, as follows:

An Act to amend paragraph three of section five of "An Act regulating boroughs" approved April third one thousand eight hundred and fifty-one enlarging the jurisdiction of the chief burgess by conferring upon him the powers of a committing magistrate

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That paragraph three of section five of an act entitled "An Act regulating boroughs" approved the third day of April one thousand eight hundred and fifty-one which reads as follows:

"Section 5 That the chief burgess or other principal officer of the corporation shall have power

III To exercise the powers jurisdiction and authority of justices of the peace within the borough for the suppression of roits tumults disorderly meetings and in all criminal cases for the punishment of vagrants and disorderly person he shall be entitled to the same fees for like services" be and the same is hereby amended so as to read as follows

"Section 5 The chief burgess or other principal officer of the corporation shall have power

To exercise the criminal powers purisdiction and authority of justice of the peace within the borough and shall have no civil jurisdiction except in relation to actions for fines penalties or forfeitures imposed by virtue of ordinances of the borough or the laws of this Commonwealth relating thereto He shall have the power of committing magistrate under the acts of Assembly relating to tramps and vagrants and shall in addition have authority to commit to any city or county prison for a term not exceeding thirty days any dissolute or disorderly person in default of payment of such fines or penalties as may be fixed by ordinance with cost of arrest He shall be empowered to take acknowledgements of any instruments in writing solemnize marriages and administer oaths and affirmations and shall attest all his acts with his official seal He shall keep a docket and shall enter therein all actions and proceedings had before him and the said docket with the entries therein and duly certified transcripts thereof shall be received in evidence in the same manner and with like effect as the docket entries and transcripts of justices of the peace are by law admissible for similar purposes He shall charge and receive for all official services the same fees and costs as pertain by law to justices of the peace of the borough for similar services but shall pay over the same into the borough treasury monthly according to a statement thereof verified by oath or affirmation before the borough secretary and filed with him

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 919 (House Bill No. 1105), entitled:

An Act to amend the first section and the second section of an act entitled "An Act constituting county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1022 (House Bill No. 1316), entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satify mortgages

And said bill having been read at length the second time, and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1028 (House Bill No. 1697), entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable petition of lands held in common

And said bill having been read at length the second time and agreed to,

Oredered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1069, entitled:

An Act to provide for the execution of orders of the court of quarter sessions for support and maintenance of a wife or children or both and for the execution of judgments entered upon contracts for such support and maintenance by subjecting estates owned by the husband and wife by entireties and the rents issues and profits thereof to such executions

The first, second and third sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter an order shall be made against any husband by any court of quarter session or other court of competent jurisdiction for the comfortable support and mainfenance of his wife or children or both or whenever hereafter a judgment shall be rendered by any court of common pleas or other court of competent jurisdiction in favor of any wife against her husband in any action brought upon any articles of separation or other contract made between such husband and wife stipulating or conditioned for the support and maintenance of such wife it shall be lawful for such court to enforce compliance with said order or in execution of said judgment to issue its appropriate writ of execution against any real property owned by said husband and said wife by entireties and the purchaser at the sheriff's sale of such estate by entireties in virtue of said writ shall upon compliance with the terms of said sale be vested with the title theretofore held in entirety by said husband and said wife or said court may for the purpose aforesaid issue a writ of attachment execution attaching in the hands of any person or persons any rents issues or profits of such estate The proceeds of such sale or of any attachment execution after the satisfaction of such order or such judgment thereout shall be divided between such husband and such wife equally The precedure on said writs of execution and

attachment execution issued by the said court of quarter sessions or other court of competent jurisdiction shall be the same as provided by law in cases of similar writs on judgments entered in the courts of common pleas The remedies herein provided are in addition to those heretofore provided by law for the enforcement of such orders or for the execution of such judgments

Section 2 The provisions of this act are severable one from another and in their application to the estates or property affected thereby The judicial declaration of the invalidity of any provision or provisions or the application thereof shall not affect the validity of any other provision or provisions or application thereof

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

The title of the bill was read as follows:

An Act to provide for the execution of orders of the court of quarter sessions for support and maintenance of a wife or children or both and for the execution of judgments entered upon contracts for such support and maintenance by subjecting estates owned by the husband and wife by entireties and the rents issues and profits thereof to such executions

On the question,

Will the Senate agree to the title?

Mr. HOKE. Mr. President, I move to amend the title, in line 2, by inserting after the word "sessions" the words "or other court of competnet jurisdiction"; also by adding to the title the words "and providing for the application of other proceeds of such execution."

Mr. SALUS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1084 (House Bill No. 1250), entitled:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts and to rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act as to make it apply to all cases in which any writing is in question

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1100 (House Bill No. 1038). entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1103 (House Bill No. 1304), entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred and thirty-four entitled "An Act relating to executors and administrators"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1107 (House Bill No. 1523). entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1119 (House Bill No. 869), as follows:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of children awaiting trial and for the care and maintenance of such children while detained

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the first section of an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the board of county commissioners in each county of the Commonwealth to provide in the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county" be and the same is hereby amended so as to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be the duty of the board of county commissioners in each county of the Commonwealth to provide furnish and heat within the county a separate room or rooms or a suitable building to be used exclusively for the confinement of any and all children under the age of sixteen years who may be in custody awaiting trial or hearing in the courts of the county and to provide for the maintenance and care of such children while in custody

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1120 (House Bill No. 872), entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1121 (House Bill No. 939). entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons

And said bill having been read at length the second time and agreed to,

Ordered To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1211, as follows:

An Act to provide for the better protection of gray rabbits and hare in this Commonewlath fixing the open season for such animals and providing penalties for violation of its several provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act the open season for the gray rabbit and hare in this Commonwealth shall be from the first day of November of each year to the thirtieth day of November next following both days inclusive Each and every person killing or taking or attempting to kill or take either a gray rabbit or a hare in this Commonwealth except during that time fixed by this act as the open season for such rabbit or hare in this State shall be liable to a penalty of ten dollars for each rabbit or hare so killed or taken in violation of the provisions of this act in default thereof shall suffer an imprisonment of one day in jail for each dollar or penalty imposed and unpaid for the first offense and for the second offense or any other offense after the first offense shall be liable to a penalty of ten dollars for each rabbit killed contrary to the provisions of this act and in addition shall suffer an imprisonment of one day in jail for each dollar of penalty imposed

Section 2 Each and every magistrate alderman and justice of the peace of the Commonwealth is hereby given the power of summary conviction in all matters pertaining to violations of any of the provisions of this act and all prosecutions for such violations shall be conducted and the penalty be applied as provided in section thirty-one of the act of May first one thousand nine hundred and nine entitled "An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectivorous and other wild birds and prescribing penalties for violation of its several provisions"

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1223 (House Bill No. 1040), as follows:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the City Treasurer of Philadelphia for an auctioneer's license and paid by said City Treasurer into the State Treasury

Whereas Joseph Kalter did on the sixth day of February one thousand nine hundred and thirteen pay to the City Treasurer of Philadelphia as a fee for a State license to carry on the business of an auctioneer the sum of five hundred dollars which said sum has been returned by the City Treasurer of Philadelphia to the Treasury of this Commonwealth and

Whereas The said Joseph Kalter has never made use of said license nor engaged in the business authorized under it and is unable to make use of said license and engage in the business authorized under it therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five hundred dollars is hereby appropriated for the purpose of refunding to Joseph Kalter of Philadelphia the amount paid by him for auctioneer's license number five hundred and eighteen issued on the sixth day of February one thousand nine hundred and thirteen Payment of said sum shall be subject to such conditions as may be imposed by the Auditor General and only after proof that such license has never been used and has been surrendered and that said Joseph Kalter has never acted as auctioneer since the issue of such license

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1224 (House Bill No. 1190), entitled:

An Act relating to the payment of bonus on the incorporation merger on consolidation of banks and trust companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1240 (House Bill No. 1521), entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1259, as follows:

An Act to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any county city borough township or other corporate authority in the State of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any county city borough township or other corporate authority in the State of Pennsylvania by ordinance rule or regulation other than may be established by the law of this State to demand fix establish or require the tuberculin test to be applied to dairy animals as a means or measure of regulating and purifying milk skimmed milk cream and dairy products of said animals in any manner whatever and every such ordinance rule by-law or regulation heretofore or hereafter passed demanded fixed established or required by any such county city borough township or other corporate authority is hereby declared to be void and of no effect

Section 2 All acts or parts of acts in conflict with the foregoing be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1266 (House Bill No. 1793), as follows:

An Act to amend section one of aritcle one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of article one of an act approved the seventh day of March one thousand nine hundred and one entitled "An Act for the government of cities of the second class" which reads as follows

ARTICLE 1

"Section 1 In cities of the second class the executive power shall be vested in a city recorder and in the departments authorized by this act the office of mayor in said cities is hereby abolished

"The city recorder shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected city recorder five years next before his said election unless absent on the public business the United States or of this State and shall reside in said city during his term of service the city recorder whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth he shall give bond in such sum as shall be determined by councils

"The city recorder shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of three years from the first Monday of April next ensuing his election and serve until his successor is duly elected and qualified but he shall not be eligible to the office of city recorder for the next succeeding term or to any other office or position in the city during the period of two years next succeeding the expiration of his term of office

If two or more candidates be equal and highest in votes one of them shall be chosen city recorder by a vote of the majority of all the members of the incoming councils in joint convention assembled immediately upon their organization

"When a vacancy shall take place in the office of the city recorder a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case a city recorder pro tempore shall be

chosen by councils in joint convention by the votes of the majority of members elected and the person elected city recorder shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the select council to issue a proclamation for such joint convention to be held not less than ten nor more than twenty days after such vacancy shall take place

Until the vacancy is filled the president of select council shall act as city recorder

It shall be the duty of the city recorder

1 To cause the ordinance of the city and the laws of the State to be executed and enforced

2 To communicate to councils at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

3 To recommend by messge in writing to the councils all such measures connected with the affairs of the city and the protection and improvement of its government and finances as he shall deem expedient

4 To call special meetings of councils or either of them when required by public necessity

5 To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The city recorder shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under control and management as he may deem proper which it shall be their duty to prepare and submit at once to the city recorder Records shall be kept of such meetings and rules and regulations shall be adopted for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regulations shall prescribe a common and systematic method of ascertaining the compartive fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted" is hereby amended to read as follows

ARTICLE 1

Section 1 In cities of second class the executive power shall be vested in the mayor and in the departments authorized by this act

The mayor shall be the chief executive officer of the city and shall be at least twenty-five years of age and have been a citizen and inhabitant of the State five years and an inhabitant of the city for which he may be elected mayor five years next before his election unless absent on the public business of the United States or of this State and shall reside in said city during his term of service The mayor whether appointed or elected shall have all the powers and jurisdiction of justices of the peace under existing laws of this Commonwealth He shall give bond in such sum as shall be determined by council

The mayor shall be chosen by a plurality of the votes cast at the municipal election and shall hold his office for the term of four years from the first Monday of January next ensuing his election and serve until his successor is duly elected and qualified Election to said office of mayor shall not subsequently render anyone ineligible to that or any other office or position in said cities any general local or special law to the contrary notwithstanding

If two or more candidates be equal and highest in votes one of them shall be chosen mayor by a vote of the majority of all the members of the incoming council in convention assembled immediately upon their organization

When a vacancy shall take place in the office of the mayor a successor shall be elected for the unexpired term at the next municipal election occurring more than thirty days after the commencement of such vacancy unless such election should occur in the last year of said term in which case mayor pro tempore shall be chosen by council in convention by votes of the majority of members elected and the person elected mayor shall hold office until the expiration of said term and until his successor shall be duly elected and qualified and it shall be the duty of the president of the council to issue a proclamation for such convention to be held not less than ten days nor more than twenty days after such vacancy take place

Until the vacancy is filled the president of council shall act as mayor

It shall be the duty of the mayor

1 To cause the ordinances of the city and the laws of the State to be executed and enforced

2 To communicate to council at least once a year a statement of the finances and general condition of the affairs of the city and also such information in relation to the same as either branch of council may from time to time require

3 To recommend by message in writing to the council all such measures connected with the affairs of the city and the protection and improvement of its general government and finances as he shall deem expedient

4 To call special meetings of council when required by public necessity

5 To perform such duties as may be prescribed by law or ordinance and he shall be responsible for the good order and efficient government of the city

The mayor shall call together the heads of departments for consultation and advice upon the affairs of the city at least once a month and at such meetings he may call on the heads of departments for such reports as to the subject matters under their control and management as he may deem proper which it shall be their duty to prepare and submit at once to the mayor Records shall be kept of such meetings and rules and regulations shall be adopted thereat for the administration of the affairs of the city departments not inconsistent with any law or ordinance which regultions shall prescribe a common and systematic method of ascertaining the comparative fitness of applicants for office position and promotion and of selecting appointing and promoting those found to be the best fitted

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED.

Mr. HUNTER. Mr. President, I move that Senate Bill No. 1266 (House Bill No. 1793), the bill just read, be recommitted to the Committeee on Municipal Affairs for the purpose of a hearing, which I understand will take place on Tuesday, the 20th.

Mr. ENDSLEY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1295, as follows:

An Act prohibiting the running at large of horses and mules on public highways providing and regulating penalties for violation of the act and imposing certain duties on constables township supervisors roadmasters and the State Police Force

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful to permit any horse or mule to run at large upon any public highway

Section 2 Any person may take up any horse or mule found running at large upon any highway and keep the same at the expense of the owner until the fine provided for in this act and the expense of such keeping are paid

Section 3 Any person who shall permit any horse or mule owned by or leased or hired to such person to run at large upon any highway and being thereof convicted before any alderman magistrate or justice of the peace shall be sentenced to pay a fine of five dollars for each animal One half of such fine shall go to the road fund of the proper municipality or township and one half to the person taking up such animal

Section 4 It shall be the duty of each constable township supervisor roadmaster and member of the State Police Force to aid in enforcing the provisions of this act Such officers taking up any animal shall be entitled to one-half of the proper fine imposed

Section 5 All acts and parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to, as amended,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1316 (House Bill No. 1909), entitled:

An Act to repeal an act approved the sixteenth day of March one thousand eight hundred and sixty-six entitled "An act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the County of Erie

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1334 (House Bill No. 1891), as follows:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor

Whereas the recent flood conditions have demonstrated the importance and necessity of establishing and maintaining gauging stations on the streams within the Commonwealth of Pennsylvania in order that freshet and flood conditions may be telegraphed and telephoned to certain municipalities where flood damage is likely to be caused forecasting as near as may be the probable maximum gauging heights expected to be reached and the probable time of the arrival of such gauge heights therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Water Supply Commission of Pennsylvania is hereby authorized to establish and to maintain such gauging stations on the principal rivers and tributaries thereof as in the judgment of the Commission may be necessary for the determination of the daily height of water in such streams and tributaries thereof as well as the amount of water flowing therein

Section 2 The Commission shall during freshet and flood conditions issue bulletins to be telegraphed or telephoned to such municipalities in the Commonwealth where flood damage is likely to be caused forecasting the probable maximum gauge heights expected to be reached and the probable time of the arrival of such gauge heights

Section 3 The sum of ten thousand dollars or so much thereof as may be necessary is hereby specifically appropriated to the Water Supply Commission of Pennsylvania for the purpose of carrying into effect the provisions of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 830, entitled:

An act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" as amended

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 929, entitled:

An act prohibiting the keeping of live pigs in cities of the first class without an annual license from the Bureau of Health in such cities authorizing the Board of Health to make alter and amend rules and regulations therefor and granting the Board of Health power to revoke such licenses fixing the fee for such licenses prescribing penalties for violation of this act or of such rules and regulations and repealing all acts and parts of acts inconsistent therewith

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 977 (House Bill No. 557), entitled:

An act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 978, entitled:

An act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 979, entitled:

An act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1026 (House Bill No. 1507), entitled:

An act to amend an act entitled "An act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred and seven

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1216 (House Bill No. 1194), entitled:

An act providing for the election of a borough controller in all boroughs of this Commonwealth prescribing the qualifications powers and duties thereof and abolishing the office of borough auditors in said boroughs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1245 (House Bill No. 1708), entitled:

An act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1267, entitled:

An Act making a special appropriation for the purpose of continuing the work of the Economic Zoologist as provided for in the act entitled "An Act to provide for the protection of trees shrubs vines and plants against destructive insects and diseases providing for the enforcement of this act and the expenses connected therewith and fixing penalties for its violation approved the thirty-first day of March Anno Domini one thousand nine hundred and five

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1292 (House Bill No. 1424), entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent neglected or delinquent children" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the Boards of Visitation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1297, entitled:

An Act to authorize the sale and conveyance of portions of the land belonging to the Commonwealth of Pennsylvania in the county of Erie now occupied by the Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1313, entitled:

An Act supplementary to an act approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" as amended by an act approved May ninth Anno Domini one thousand eight hundred and eighty-nine entitled "An Act supplementary to an act approved April twenty-ninth one thousand eight hundred seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations,' amending the eleventh section thereof as far as the same applies to companies incorporated to supply the public with water giving and granting authority to the said companies incorporated for the supply of water to the public to issue capital stock to an amount not exceeding two million dollars" so as to allow the issuance of the shares of stock of any corporations other than preferred stock without any nominal or par value

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1317, entitled:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State Board of Optometric Examiners to define the powers and duties of said Board of Optometric Examiners to provide for the examining and licensing of optometsts in this State and to provide penalties for the violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1328 (House Bill No. 1408), entitled:

An Act fixing the compensation of the reading clerk of the House of Representatives

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1344, entitled:

An Act to safeguard certain civil rights regardless of race creed color or descent and to impose penalties for violation of this act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1345, entitled:

A supplement to an act to amend section one of an act entitled "An Act relating to the descent and distribution off the estates of intestates passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate" approved April first Anno Domini one thousand nine hundred and nine

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RECESS.

Mr. CROW. Mr. President, I move that the Senate do now take a recess for ten minutes.
Mr. McNICHOLS. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed the Senate will be in order.

HOUSE BILLS FOR CONCURRENCE.

The Chair cleared his table and laid before the Senate bills of the House of Representatives for concurrence as follows:

House Bill No. 1488 (Senate Bill No. 1379), entitled:

An Act providing for the licensing of stock brokers as therein defined and for the regulation of the sale pledge or negotiation for sale of certain stocks bonds and other securities by such stock brokers or their agents within this Commonwealth providing for the winding up of the business of stock brokers licensed thereunder and conferring certain powers and duties on the Commissioner of Banking for the enforcement of the provisions of this act and imposing penalties for the violation thereof

Which was committed to the Committee on Judiciary Special.

House Bill No. 1739 (Senate Bill No. 1380), entitled:

An Act extending and defining the liability of owners or operators of electric wires or electric current conductors and declaring what shall constitute negligence in actions where death or injury to property has resulted on public highways and declaring on whom the burden of proof shall be and defining who shall be considered an owner under this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1768 (Senate Bill No. 1381), entitled:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters approved the twenty-first day of May Anno Domini eighteen hundred and eighty-one "Approved the twenty-third day of May Anno Domini nineteen hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies

Which was committed to the Committee on Judiciary Special.

House Bill No. 970 (Senate Bill No. 1382), entitled:

A supplement to an act entieled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education and extending the powers and the duties of the State Pharmaceutical Examining Board and empowering the said board to make rules and regulations to enforce the provisions of this act and providing an appropriation therefor

Which was committed to the Committee on Public Health and Sanitation.

House Bill No. 1908 (Senate Bill No. 1383), entitled:

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester relative to elections in West Philadelphia and to assessors in Millerstown Perry county approved the eleventh of March one thousand eight hundred and fifty so far as provides for the taxing of dogs to the township of Londonderry in the county of Chester"

Which was committed to the Committee on Judiciary Special.

House Bill No. 1019 (Senate Bill No. 1384), entitled:

An Act providing for the liquidation distribution of assets and dissolution of corporations under the supervision of the Commissioner of Banking and providing for the conservation and management of such corporations and their business

Which was committed to the Committee on Municipal Affairs.

House Bill No. 1146 (Senate Bill No. 1385), entitled:

An Act to amend section six of an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioners and deputies and other appointees providing for taking over from the counties or townsihps of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extneding to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highway to be done by contract except where the State Highway Commissioner decides the work to be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making ap-

propriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Which was committed to the Committee on Public Roads and Highways.

House Bill No. 1440 (Senate Bill No. 1386), entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

Which was committed to the Committee on Judiciary Special.

House Bill No. 1636 (Senate Bill No. 1387), entitled:

An Act making it the duty of recorders of deeds of the various counties of this Commonwealth containing a population of over one million five hundred thousand inhabitants to require the furnishings of affadavits that the consideration mentioned in deeds or other instruments of conveyances of real estate offered for record is the actual and true consideration therefor or if not what is the actual and true consideration providing that such affidavit shall be sent to the authorities in the respective counties charged with the revision and equalization of the taxes on real estate therein and further providing that those making or furnishing false affidavits thereunder shall be guilty of perjury

Which was committed to the Committee on Judiciary General.

House Bill No. 1949 (Senate Bill No. 1388), entitled:

An Act to provide revenue for State and county purposes and in cities co-extensive with counties for city and county purposes imposing taxes upon certain classes of personal property and providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes and providing for the appropriation and use of money realized therefrom making a violation of its provisions a misdemeanor and providing a penalty for the violation thereof

Which was committed to the Committee on Finance.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn until 10 o'clock to-morrow morning.

Mr. McNICHOL. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 1:20 o'clock P. M. until Wednesday morning, May 14, 1913, at 10 o'clock.

HOUSE OF REPRESENTATIVES.

TUESDAY, May 13th, 1913.

The House met at 10.00 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, Rev. J. E. Wright, offered the following prayer:

O God, Thou art our God. Early will we seek Thee, because Thy loving kindness is better than life, therefore shall our lips praise Thee. Thou has kept kindly watch over us whilst we have slept. Now we have awaked in health to greet with our eyes and hearts this new day. As we enter upon these duties, wilt Thou help us that we may discharge them with all fidelity and earnestness; may no gift of Thine be unused to-day; may no faculty or power which Thou hast conferred be perverted or misspent in the service of sin. Help us, O Lord, to fear Thee always and to walk all day in the light of Thy countenance. And to this end we pray that Thou wilt enlighten our minds that we may know Thee and inspire our souls that we may love Thee and quicken our wills that we may serve Thee. May we have the pure heart and the right spirit; may we be careful not to offend in thought, word or deed; may we speak the truth and earnestly try to do the thing which is right; may we fear to be unfaithful, and have no other fear; may we help each other along the way. These things we ask in the name of Him whose we are and whom we are trying to serve, even the Lord Christ. Amen.

The SPEAKER. The Clerk will read the Journal of yesterday's proceedings.

The Clerk proceeded to read the Journal of yesterday's proceedings, when on motion of Mr. E. G. M. Kuhns, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING MIDDLETOWN BRIDGE.

The SPEAKER presented the petition of Citizens of Dauphin County, praying for the passage of a bill to erect a bridge across the Susquehanna River at Middletown.

Which was referred to the Committee on Appropriations.

FAVORING ERECTION OF MONUMENT TO MOLLY PITCHER.

Mr. BLELOCH presented the petition of Council No. 69, D. of L., of Philadelphia, praying for the passage of a bill to erect a monument to Mollie Pitcher.

Which was referred to the Committee on Appropriations.

FAVORING ERECTION OF MONUMENT TO PUBLIC SCHOOLS AND FOUNDERS THEREOF.

Mr. BLELOCH presented the petition of Council No. 69, D. of L., of Philadelphia, praying for the passage of a bill to erect a monument to the Public Schools and Founders thereof.

Which was referred to the Committee on Education.

FAVORING PASSAGE OF SENATE BILL NO. 597.

The SPEAKER presented the petitions of Granges Nos. 68, 628, 1074 and 1470, favoring the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

Mr. JOHN ROBERT JONES presented the petitions of Granges No. 1456 and No. 1451, Schuylkill County, praying for the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

Mr. MARTIN presented the petition of Grange No. 1343, Dauphin County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

Mr. LENKER presented the petition of Grange No. 1343, Dauphin County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

Mr. JACKSON presented the petitions of Grange 1020 and Grange 1071, Wayne County, praying for the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

Mr. SAVACOOL presented the petition of Grange 1206, of Bucks County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

Mr. BENSON presented the petition of Grange No. 1307, McKean County, praying for the passage of Senate Bill No. 597.

Which was referred to the Committee on Agriculture.

Mr. E. E. JONES presented the petitions of Granges Nos. 339, 542, 1188, 418, 1399, 289, 417 and 1455, of Susquehanna County, praying for the passage of Senate Bill No. 597.

Which were referred to the Committee on Agriculture.

RESOLUTION RELATIVE TO SONG "PENNSYLVANIA."

Mr. PEACHEY offered the following resolution, which was read and laid over for printing:

RESOLUTION.

Whereas, some one has said, "Let me write the songs of the Nation, and I care not who makes her laws" and

Whereas, there has been offered as official songs of the Commonwealth of Pennsylvania three compositions, one by Edgar M. Dilley of Philadelphia, one by John E. Barrett of Scranton and another by Arthur H. Haskins of Reynoldsville, and

Whereas, the State of Pennsylvania commends and appreciates the best in song and sentiment as in all things else therefore be it

Resolved, (if the Senate concur) That the song entitled "Pennsylvania" composed and sung by a Pennsylvania farm boy Prof. J. W. Yoder of Juniata College, Huntingdon, formerly of Belleville, Mifflin County, Pennsylvania be and the same is hereby declared and adopted as the official State song of Pennsylvania.

Song as follows:—

"PENNSYLVANIA."

1 Pennsylvania forever, Wonderful Keystone State,
Beautiful, rugged glorious, Heaven did thee create
Verdure clad hills and mountains,
Rich with abundant store,
Tower in grandeur silent,
Praising thee evermore.

Cho. Pennsylvania dear and grand
Pennsylvania my own land
Endless praise we give to thee,
Service, valor and loyalty
Freedom, honor and peace for Pennsylvania.

2 Pennsylvania, my home land,
Sturdy thy sons of old;
Valley forge tells the struggle,
Fighting against hunger and cold
Gettysburg cries to the millions,
Freedom from bondage sore
Dear is old Philadelphia
Brotherly Love of yore.

Chorus

3 Pennsylvania, beloved
Father of liberty,
Keep thou in sacred nearness,
Keep us in unity.
Guide us in truth and protect us
Teach us forever to be
Loyal to Pennsylvania
State of the valiant free.

Chorus

RESOLUTION RELATIVE TO SONG "PENNSYLVANIA."

Mr. WATSON offered the following resolution, which was read and laid over for printing.

CONCURRENT RESOLUTION.

Whereas, certain resolutions have been offered requesting the appointment by the General Assembly of a committee of the Senate and House of Representatives for the purpose of selecting and endorsing one of several songs which have been proposed

Resolved that a song entitled Pennsylvania composed by Edith Hoak Kinney and music by Hamlin E. Cogswell and dedicated to Honorable Henry Houck, a copy of which is hereto attached be considered with others by said committee, if appointed, as a State song.

PENNSYLVANIA

Respectfully dedicated to the Hon. Henry Houck.

Words by Edith Hope Kinney. Music by Hamlin E. Cogswell.

Fair State, we fain would sing of all For which thou long hast stood—
Thy beauty of thy Christening, For wealth of mine and wood
Thy founder's fame, that thro' thy name, Still breathes of brotherhood,
Thy founder's fame, that thro' thy name, Still breathes of brotherhood!

That bell of Independence Hall, What poeans it did play,
When thro, thy borders rang its voice, A nation's soul to sway!
Still do we boast, in song and toast Thy part in that great day;
Still do we boast, in song and toast Thy part in that great day!

Thy sons to freedom didst thou give, A brave and loyal line,
Aye, Valley Forge and Geetysburg Upon thy pages shine!
And we do to-day the tribute pay Of glory that is shine;
And we do to-day the tribute pay Of glory that is thine.

Chorus. Mixed voices.

O, rest thee well dear Liberty Bell, In the City of Brotherly Love
The old Keystone State watches over thy fate, With the Star Spangled Banner above.
O, rest thee well dear Liberty Bell, In the City of Brotherly Love
The old Keystone State watches over thy fate, With the Star Spangled Banner above.

RESOLUTION NO. 29.

Mr. McCLINTOCK. Mr. Speaker, I desire to offer a motion at this time.

The SPEAKER. The gentleman from Philadelphia, Mr. McClintock, offers a motion, which is seconded by the gentleman from Philadelphia, Mr. Walnut, and will be read by the Clerk.

The Clerk then read the motion as follows:

Moved that Resolution No. 29, file folio 2637, be now taken from the table.

The SPEAKER. The question is on the adoption of the motion.

It was agreed to.

The SPEAKER. The resolution will be read by the Clerk.

The resolution was then read as follows:

CONCURRENT RESOLUTION NO. 29.

Whereas It is important that the assessment of real and personal property in the various counties of this Commonwealth should be made upon systems which protect the interest of the Commonwealth and which prevent discrimination between individuals and localities

Therefore be it Resolved (if the Senate concur) That the Speaker of the House of Representatives be and he is hereby authorized to appoint five members of the House of Representatives and that the President pro tempore of the Senate be and he is hereby authorized to appoint three Senators who together shall constitute a commission whose duty it shall be to investigate between the sessions of the Legislature the various systems of assesment of real and personal property in use in this Commonwealth The chairman of said commission shall be elected by the members thereof and all subpoenas issued by said commission shall be signed by him Said commission shall have full power to administer oaths and to compel attendance of witnesses the production of books documents records and papers as to it in its judgment will assist in the performance of its duties Each member of said commission before entering upon his duties shall take and subscribe to the oath prescribed in the Constitution of the Commonwealth for the faithful performance of his duties The commission shall hold such hearings which shall be public at such times and places at is may deem proper The members of said commission shall serve without compensation but shall be allowed their actual necessary expenses It shall have the right to employ such officers and employes as may be needed to enable it to properly perform its duties and the expenditures thereof shall be limited to the amount provided for in the general appropriation bill Said commission shall make a full and true report in writing of its investigations together with such recommendations and suggestions as it may deem necessary to the next General Assembly of Pennsylvania at its first session the year one thousand nine hundred and fifteen

The SPEAKER. When this resolution was last before the House, the question was on the adoption of an amendment which was offered by Mr. McClintock. The amendment will be read.

The Clerk then read the amendment as follows:

Amend Resolution No. 29, by adding at the end thereof the following: "The total expenses of the said commission shall not exceed the sum of two thousand dollars ($2,000.00) which amount shall be appropriated in the General Appropriation Bill."

The SPEAKER. The question is, will the House agree to the amendment?

Mr. JOHN R. K. SCOTT. Mr. Speaker, this is a resolution which is without any necessity, without any force. It is for the purpose of doing that which the gentleman who are the Advisory Committee of Mayor Blankenburg are doing without any compensation:; that is the taking up of the dicussion as to whether or not the present system of fixing the assessment on taxable property in Philadelphia, should continue along on the present basis or whether a different system should be adopted for the fixing of such taxation. Men prominent in financial life in Philadelphia—in political life and in business life, are giving their assitance to Mayor Blankenburg. These gentlemen

and the gentlemen of the Board of Revision have taken up this discussion on the question of assessment and the matter of assessing properties has been withheld for some thirty days while this question is being discussed. This resolution while it is offered by the gentleman from Philadelphia in good faith and with the very highest purpose, we take exception to it and believe that two thousand dollars need not be expended for any such purpose.

It is not necessary to again create a commission to drain the treasury by useless expenditures. Many prominent men in the councils of Philadelphia, men prominent in the banking interests of Philadelphia and prominent in the large manufacturing interests of Philadelphia are the gentlemen who are taking up this question, and I therefore ask the House to vote down this resolution.

Mr. McCLINTOCK. Mr. Speaker, this resolution provides for the appointment of five members of the House and three Senators, which together shall constitute a commission for the purpose of investigating the best method for assessing real and personal property in the various counties, and to consider the various methods of assessment in operation; the commission to make a full report to the General Assembly of 1915 for the purpose of having legislation enacted whereby a standard system may be provided which will protect the interests of the Commonwealth and which will prevent discriminations between individuals and localities. I have here the signatures of about four to five hundred gentlemen who signed a petition approving this resolution. These gentlemen are part of the fifteen hundred who visited this House in behalf of the Philadelphia enabling act, and the signatures were received on the train. Thousands of similar signatures could have been obtained if we had gone to that trouble. During the past year or so, there have been held several public meetings in the City of Philadelphia on the question of the methods of taxation, but so far no concrete plan has been presented that would bring about the desired standard method or a better one than the present method. I therefore believe that the appointment of this commission is a step in the right direction. I do believe that there is a necessity for such a commission. At the present time we have two bills, or three bills, in the Senate, and we also passed a bill here in this House last night for the purpose of enabling the Board on Revision of Taxes in Philadelphia to make assessments easier by compelling the purchase price of property to be printed and doing away with the present method of putting in the purchase price as nominal. Now, for the last two or three years, this tax question has been before the citizens of Philadelphia, and as I said before no concete plan has been presented whereby any betterment might be brought about. I believe that if we had a commission appointed, this commission during the coming two years could thoroughly investigate the present method and present to this Legislature a better plan, a better system, a newer and more up-to-date system. The present system in Philadelphia has been in vogue for the last thirty or thirty-five years, and the present head of that Board on Revision of Taxes has been identified with it for thirty-one years and no doubt he thinks it is one of the best systems in existence, because he has been the maker of it. He has been with it right along and he can see no wrong in the present method, but the citizenship of Philadelphia does see a wrong and sees a wrong in the one in which assessments are made, and the inequality of taxation; and the only way to get away from the inequality of taxation under the present methor is to procure a new method and a better way. And the way to do this is to have a commission of investigation who can present a bill to this House, something that we will know has been looked into. I think that the best way to get at this question is to give a commission the opportunity of investigating them for a couple of years, and during that time they can come to some concrete idea that will be of benefit to all. I ask the gentlemen of the House to support this resolution.

Mr. ALLEN. Mr. Speaker, the gentleman from Philadelphia who has spoken in favor of this resolution seems to lose sight of the fact that we have had a very able commission, of which our speaker was an honored member, which has been working now for a number of years in relation to the solution of the very question which is involved in this resolution. That commission, Mr. Speaker, was instituted some six years ago at least, and I think has been in active service, with some slight changes in the personnel of the commission, from that time, going along with their investigations which every member of this House well knows by the reports which have been spread before them from session to session. They covered all tax matters in all their phases in this Commonwealth. Recommendations have been made to each session of the Legislature, and the Ways and Means Committee, together with that joint commission, have formulated bills and have presented them on the floor of this House relating to the tax question and working out as the matter could be developed from year to year, mark you, have worked out our present laws on taxation. Now, we all know that perhaps it is not as complete as it might be, but up to this time it has been the best one that has been formed by men who have devoted to the study not only their time during the sessions of the Legislature, but the two year interim between the sessions, and they have come together and boiled down and put in concrete form all that the testimony and their investigations showed. They have put those concrete ideas into bills and those bills have been introduced. Now, the result has been, as we know, that the great majority of those bills have passed upon the floor of this House and have been written into the statute books in relation to taxation. Certain of those bills have been defeated because this House in it wisdom did not agree with the ideas embodied by the commission in those bills. Now, to say, Mr. Speaker, that a commission which has devoted all of these years to this matter should now pass out and in its place a new commission be formed, and in two years present to this House a concrete idea or ideas in concrete form for the purpose of creating a better taxation system, is to the older members of this House and those who have given any study to the question absolutely absurd. This resolution ought to be whipped with an overwhelming defeat at this time.

Mr. McCLINTOCK. Mr. Speaker, I may be mistaken, but I believe that the work of the commission which the gentleman from Allegheny speaks about is one reason why this commission should be appointed. The commission that the gentleman from Allegheny speaks about, as I understand it, and I have read part of the report which is a very lengthy article, only acts upon revenue and corporation taxes, not on the real and personal taxes of the State.

Mr. ALLEN. Mr. Speaker, to correct the gentleman's wrong impression, I desire to inform the gentleman that it covers the entire question of taxation, real, personal, mixed, corporate and otherwise.

On the question,

Shall the resolution be adopted as amended?

The yeas and nays were required by Mr. McCLINTOCK and Mr. S. B. SCOTT and were as follows:

YEAS—32.

Baldwin, G. A.,	Hobbs,	Miller,	Scott, S. B.,
Benson,	Howard, R.,	Moulthrop,	Shaffer, I. E.,
Bittles,	Jones, J. R.,	Newton,	Smith, L.,
Cochran,	Kern,	Peachey,	Spillinger,
Ehrhardt,	Lenker,	Post,	Steele,
Goss,	McAleer,	Reese,	Strauss
Gramley,	McClintock,	Roney,	Walnut,
Heidinger,	Metzenbacher,	Rothenberger,	Young, G. K.

NAYS—110.

Adams,	Cox,	Lanius,	Redfield,
Allen,	Currier,	Leslie,	Richards,
Alworth,	Curry,	Light,	Runk,
Ambler,	Davis,	Lohr,	Sassaman,
Aron,	Donnally,	Lowers,	Savacool,
Arthur,	Eichenberger,	Mannion,	Scott, J. R. K.,
Baldwin, R. J.,	Ely,	Martin,	Semmens,
Barner,	Ewing,	Matt,	Shaffer, C. A.,
Bass,	Fahey,	McAllister,	Smith, J. W.,
Becker,	Flynn,	McArdle,	Snavely,
Benninger,	Foster, J. D.,	McDermott,	Snyder,
Bigger,	Geary,	Mellott,	Spangler,
Blair, W. A.,	Geiser,	Missimer,	Stein,
Blair, W. F.,	Gibson,	Mitchell,	Swartz,
Body,	Gransback,	Moore,	Swift,
Brosius,	Haggerty,	Morrow,	Thomas,
Brown,	Hemminger,	Moses,	Trach.
Brownlee,	Heyburn,	Murphy,	Ulerich,
Burnett,	Hoffman,	Neel,	Wettach,
Caldwell,	Isler,	Newbaker,	Whitaker,
Campbell, C.M.,	Irwin, G. C.,	O'Neill,	Whitman,
Carson,	Irwin, H. H.,	Pennegar,	Wildman,
Carter,	Jackson,	Pennock,	Williams,
Cheeseman,	Jones, E. E.,	Perry, S. J.,	Wilson, W. H.,

Cleary,	Keeport,	Piper,	Wiltbank,
Conner,	Kuhn, H. P.,	Price,	Young, J. H.,
Conniff,	Kuhns, E.G.M.,	Ramsey,	Zimmerman.
Conrade,			

So the question was determined in the negative.

SENATE MESSAGE.

SENATE CONCURS IN AMENDMENTS.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Resolution entitled as follows, viz:

CONCURRENT RESOLUTION.

[In the Senate, May 13, 1913.

Whereas, The Hon. William Jennings Bryan, of Nebraska, now the Secretary of State, will pay a visit to the City of Harrisburg on Tuesday, May 13, 1913,

Be it Resolved, (if the House of Representatives concur) That Hon. William Jennings Bryan be invited to address both Houses of the Legislature in the Hall of the House of Representatives on that date, and

Be it further Resolved, That the hour for the address be designated by the House of Representatives.

Whereas, The members of the House of Representativs have invited the Honorable William Jennings Bryan, Secretary of State, to address them on Tuesday, May 13, 1913, and have designated a Committee to deliver the invitation, therefore, be it

Resolved, (if the Senate concur) That the Senate join with the members of the House of Representatives in extending said invitation and assemble in the hall of the House with the Representatives to listen to Mr. Bryan's address at an hour to be fixed by the Committee after conference with Mr. Bryan.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1908, entitled:

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the county of Chester relative to elections in West Philadelphia and to assessors in Millerstown Perry county approved the eleventh day of March one thousand eight hundred and fifty so far as provides for the taxing of dogs to the township of Londonderry in the county of Chester"

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—159.

Allen,	Flynn,	Martin,	Sassaman,
Alworth,	Forster, I. G.,	Matt,	Savacool,
Aron,	Frey,	McAleer,	Schaeffer, A. C.
Arthur,	Gans,	McAllister,	Schuck,
Baldwin, G. A.,	Geary,	McArdle,	Semmens,
Baldwin, R. J.,	Gibson,	McClintock,	Shaffer, C. A.,
Barner,	Good,	McKay,	Shaffer, I. E.,
Bayle,	Goss,	McNichol,	Shern,
Becker,	Gramley,	Mellott,	Sherwood,
Benson,	Gransback,	Metzenbacher,	Showalter,
Bittles,	Gray, Joseph,	Miller,	Smith, J. W.,
Blair, W. F.,	Hackett,	Missimer,	Smith, L.,
Blair, W. F.,	Haggerty,	Moore,	Snavely,
Body,	Heidinger,	Morrow,	Spillinger,
Brosius,	Hemminger,	Moses,	Steedle,
Brownlee,	Heyburn,	Moulthrop,	Steele,
Burnett,	Hibshman,	Murphy,	Stein,
Caldwell,	Hobbs,	Musser,	Strauss,
Campbell, C.M.,	Hoffman,	Neel,	Swartz,
Carson,	Howard, J.,	Newbaker,	Swift,
Carter,	Howard, R.,	Newton,	Thomas,
Cheeseman,	Isler,	North,	Trach,
Claycomb,	Irwin, G. C.,	O'Neill,	Ulerich,
Cleary,	Irwin, H. H.,	Peachey,	Ulman,
Cochran	Jackson,	Pennegar,	Walnut,
Collins,	Jones, J. R.,	Pennock,	Walsh,
Conniff,	Kaufman,	Perry, H. L.,	Watson,
Conrade,	Keeport,	Perry, S. J.,	Wettach,
Cox,	Kern,	Piper,	Whitaker,
Currier,	Kuhn, H. P.,	Post,	Whitman,
Curry,	Kuhns, E.G.M.,	Price,	Wildman,
Davis,	Latshaw,	Ramsey,	Williams,
DeFrees,	Lenker,	Redfield,	Wilson, J. H.,
Dickinson,	Leslie,	Reese,	Wilson, W. H.,
Down,	Letzkus,	Rex,	Wiltbank,
Dunn, H. B.,	Light,	Rhoads,	Young, G. K.,
Ehrhardt,	Lohr,	Richards,	Young, J. H.,
Eichenberger,	Lowers,	Robinson,	Zimmerman,
Ely,	Mannion,	Roney,	Alter,
Ewing,		Rothenberger,	Speaker.
Fahey,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

The House proceeded to the third reading and consideration of House Bill No. 970, entitled:

A supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven and the amendment to section five thereof adopted by the Legislature and approved the twenty-fourth day of March Anno Domini one thousand nine hundred and five amending section five of said act as heretofore amended providing that applicants for license shall have a preliminary general education and extending the powers and the duties of the State Pharmaceutical Examining Board and empowering the said Board to make rules and regulations to enforce the provisions of this act and providing an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved the twenty-fourth day of May one thousand eight hundred and eighty-seven as amended in the act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennnsylvania" which was approved the twenty-fourth day of May Anno Domini one thousand eight hundred and eighty-seven requiring that on and after January first one thousand nine hundred and six all persons applying for certificates of registration as competent pharmacists under the provisions of section five of said act shall be graduates of a reputable college of pharmacy" which reads as follows

"Section 5 That it shall be the duty of said board to meet at least once every three months in the city of Harrisburg or at such other place as they may deem expedient and examine all persons who shall desire to carry on the business of a retail apothecary or that of retailing drugs chemicals or poisons or of compounding physicians' prescriptions touching their competency and qualification and they the said board or a majority of them shall grant to such persons as may be qualified certificates of competency or qualifications which shall entitle the holder thereof either to conduct or carry on the business or to act as a qualified assistant therein as may be expressed upon the said certificate and such certificate together with its renewals shall be good and sufficient evidence of registration under this act

All persons applying for examination for certificates to entitle them to conduct and carry on the retail drug or apothecary business must produce satisfactory evidence of having had not less than four years' practical experience in the business of retailing compounding for dispensing of drugs chemicals and poisons and of compounding physicians' prescriptions and of being a graduate of some reputable and properly chartered college of pharmacy And those applying for examination for certificates as qualified assistants therein must produce evidence of having not less than two years' experience in and business be and the same is hereby amended so that the same shall read as follows

Section 5 That it shall be the duty of the said board to meet at least once every three months in the city of Harrisburg or at such other places as they may deem expedient and examine all persons who shall desire to carry on the business of a retail apothecary or that of retailing drugs chemicals or poisons or of compounding physicians' prescriptions touching their competency and qualifications and they the said board or a majority of them shall grant to such persons as may be qualified certificates of competency or qualifications which shall entitle the holder thereof either to conduct or carry on the said business or to act as a qualified assistant therein as may be expressed upon the said certificate and such certificate together with its renewals shall be good and sufficient evidence of registration under this act

Each person applying for examination for certificate to entitle him or her to conduct and carry on the retail drug or apothecary business must produce satisfactory evidence of having had not less than four years' practical experience in the business of retailing compounding or dispensing drugs chemicals and poisons and of compounding of physicians' prescriptions and of possessing a proper preliminary general education and of being a graduate of some properly chartered college of pharmacy which is recognized as complying with the requirements of the State Pharmaceutical Examining Board and each person applying for examination for certificate as a qualified assistant therein must produce evidence of having not less than two years experience in

the retail drug and apothecary business and a proper preliminary general education

Section 2 From and after the passage of this act the State Pharmaceutical Examining Board shall have the power and it shall be its duties by rules and regulations adopted by it to establish a course or grade of preliminary education which shall be required of each applicant for a certificate to entitle him or her to conduct and carry on the retail drug or apothecary business and of applicants for a certificate as qualified assistant therein

Section 3 The State Pharmaceutical Examining Board shall also have the power and it shall be its duty by rules and regulations adopted by it to establish a course of study or grade of preliminary education which shall be required before admission of each student applying for admission in any college or school of Pharmacy to a course of instruction leading up to a degree in pharmacy and no certificate diploma or degree conferred by any college or school or pharmacy failing to comply with such requirements shall be accepted by the board provided that the preliminary educational requirement shall be not less than a completed first year standard high school course or its equivalent Said board shall also have power and authority to ascertain and determine which colleges and schools of pharmacy giving or purporting to give instruction in pharmacy are properly chartered and equipped for the purpose and maintain a curriculum complying with the standards and requirements established by the said State Pharmaceutical Examining Board and to determine the standing and credit which shall be given to the graduates of each such college and school of pharmacy towards admission to the examination for licensed pharmacists The said State Pharmaceutical Examining Board shall also so far as it may consistently with the standards adopted by it co-operate with other boards commissions colleges schools or associations in other States of the United States in establishing by interstate or national agreement uniformity to the standards for the preliminary and the professional education required for the granting of licenses to practice pharmacy and with respect to such other matters as graduation licensing degrees and titles and said board may in any such agreement agree to grant licenses to practice pharmacy within the State of Pennsylvania to licensees of similar boards or bodies having power to grant licenses to practice pharmacy in other States either without condition or upon such terms and conditions as may be agreed upon Said board shall also have power and it shall be its duty so far as the same can be done consistently with the standards adopted by it to establish uniformity in the preliminary educational requirements and in the professional courses of pharmaceutical education by agreements with departments of education schools and colleges of pharmacy and pharmaceutical examining and licensing boards of other states and counties and to formulate rules and regulations by which there may be accomplished the mutual recognition and deciprocal acceptance of the certificate of license issued by the State Pharmaceutical Examining Board and those issued by the Pharmaceutical Licensing Boards of other States provided that such other States have equivalent standards for registration and provided further that the said States grant to pharmacits registered in accordance with the laws of Pennsylvania the same privileges and by such agreements or otherwise to protect so far as may be the properly accredited colleges and schools of pharmacy chartered and established in Pennsylvania from unfair rivalry and competition and their graduates from unfair or unjust discrimination by other Pharmaceutical Examining and Licensing Boards Said boards shall have power to adopt all such rules and regulations as shall be necessary or proper to enforce the powers and duties conferred and imposed by this act

Section 4 The sum of fifteen thousand dollars or as much thereof as may be necessary be and hereby is appropriated for carrying out the provisions of this act

Section 5 Nothing in this act contained shall in any wise impair or abridge the rights powers and duties now vested in said State Pharmaceutical Examining Board under existing laws but the powers and duties hereby conferred shall be in addition to all rights powers and duties now vested in said Board

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. SNYDER. This bill is intended to raise the standard of education of druggists. It gives the Pharmaceutical Examining Board power to prescribe what course of study must be completed before students can qualify as qualified assistants or registered pharmacists. It also empowers the Board to recognize certain colleges of pharmacy, thus enabling them to prevent other states from discriminating against registered pharmacists from Pennsylvania. As Pennsylvania has as good colleges of pharmacy as any in the country this is wise provision. The bill is a good one and should pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Adams,	Eichenberger,	Light,	Rothenberger,
Alworth,	Ely.	Lohr,	Runk,
Ambler,	Ewing,	Lowers,	Sassaman,
Aron,	Fahey,	Malie,	Savacool,
Arthur,	Flynn,	Mannion,	Schaeffer, A. C.
Baldwin, G. A.,	Forster, I. G.,	Mather,	Scott, S. B.,
Baldwin, R. J.,	Gans,	Matt,	Semmens,
Barner,	Geiser,	McAleer,	Shaffer, C. A.,
Bass,	Gibson,	McAllister,	Shaffer, I. E.,
Bayle,	Glenn,	McArdle,	Shern,
Benson,	Good,	McCaig,	Sherwood,
Berntheizel,	Gramley,	McClintock,	Showalter,
Bigger,	Gransback,	McDermott,	Smith, J. W.,
Bittles,	Gray, Joseph,	McNichol,	Smith, L.,
Blair, W. A.,	Hackett,	Metzenbacher,	Snavely,
Blair, W. F.,	Haggerty,	Miller,	Snyder,
Bleloch,	Heidinger,	Missimer,	Spangler,
Brosius,	Hemminger,	Mitchell,	Spillinger,
Brown,	Heyburn,	Moore,	Steedle,
Brownlee,	Hibshman,	Morrow,	Steele,
Burnett,	Hobbs,	Moses,	Stein,
Caldwell,	Hoffman,	Moulthrop,	Stone,
Campbell, C.M.,	Howard, J.,	Murphy,	Strauss,
Carson,	Howard, R.,	Musser,	Swartz,
Carter,	Humes,	Neely,	Swift,
Cheeseman,	Isler,	Newbaker,	Thomas,
Claycomb,	Jackson,	North,	Ulerich,
Cleary,	Jones, E. E.,	O'Neill,	Ulman,
Cochran,	Jones, J. R.,	Peachey,	Walnut,
Collins,	Kaiser,	Pennegar,	Walsh,
Conner,	Kaufman,	Pennock,	Walton,
Conniff,	Keeport,	Perry, S. J.,	Watson.
Conrade,	Kenna,	Price,	Wettach,
Cox,	Kennedy,	Ramsey,	Whitman,
Currier,	Kern,	Redfield,	Williams,
Curry,	Kitts,	Reese,	Wilson, J. H.,
Davis,	Kuhn, H. P.,	Reeser,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Rex,	Wiltbank,
Donahoe,	Lanius,	Rhoads,	Young, G. K.,
Donnally,	Latshaw,	Richards,	Young, J. H.,
Down,	Lenker,	Robinson,	Zimmerman,
Dunn, H. B.,	Leslie,	Roney,	Alter,
Dunn, J. A.,	Letzkus,		Speaker.
Ehrhardt,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Mr. SHOWALTER. Mr. Speaker, I desire to call up from page 17 of today's calendar, bills on third reading postponed. House Bill No. 1844, Senate Bill No. 417.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1844 (Senate No. 417), entitled:

An act to amend the first section of an act entitled "An act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred eleven (Pamphlet Laws page nine hundred twenty-two) extending the provisions thereof in certain cases to other species of trees

On the question,

Will the House agree to the bill on third reading?

Mr. LOHR. Mr. Speaker, and gentlemen of the House, before we vote on this measure, I deem it necessary that we should have a little information on this subject from some of the members of the House who are more familiar with this bill than we are. The bill as it appears on your file folio today is not the bill as it was passed by the Senate. The sponsor of the bill, is Senator Endsley who comes from the same county that I do. The bill as amended in the Committee is such that the sponsor of the bill himself would hardly recognize it as being his own bill. The subject of Chestnut Blight has received a great deal of attention in our State for the last few years, and the General Assembly of 1911 appropriated $275,000.00 to try and stamp out the disease known as Chestnut Tree Blight. A commission was created by the authority of that act and has been at work ever since trying to stamp out the disease. As to what their success has been, some proof should be given to the members of this House before they are asked to extend the life of the Commission two years longer and subsequent to the extending of its life there will be another appropriation bill calling for an appropriation of $275,000.00 more, or a total of $550,000.00, as an experiment with the Chestnut Tree Blight. The members who are in favor of this measure argue that this is a system of quarantine necessary to save the chestnut timber of this Commonwealth, and they argue that it should be and is the duty of the owner of the chestnut timber

to destroy that timber and take such precautionary measures as may be needed to prevent the spreading of the blight. In the case of tuberculosis among cattle, if certain animals are found to be diseased, the State pays a certain proportion of the value so that the loss is not entirely with the owner. In cases of smallpox or diphtheria were parties are quarantined, the expense of the quarantining and guarding of the same is not placed upon the persons having smallpox, but on the State at large. This bill should incorporate such provisions as would relieve the owner of the timber from paying the entire expense of destroying his timber, of cutting it down and burning it. Since I have been a member of this Legislature, I have received petitions from my county signed by between four hundred and five hundred taxpayers protesting against the manner in which the agents of the Chestnut Tree Blight Commission are operating in our county in asking the people to cut down the timber and burn it on the stump, and no timber can be marketed unless the diseased parts are taken out and the limbs burned on the stump. We have a market for that timber in our county in the mines, and there is no danger of any contamination there if we were so allowed to use it. I submit it to you as members of this House as a proposition whether it is right to ask the persons owning the timber to bear the expense of cutting it down and burning it when they are not allowed to take from it any part of it and market the timber and realize something on it. There are sections of forests in this State where the expense of cutting down the diseased trees and burning them in accordance with the directions of the Chestnut Tree Blight Commission would be in excess of the value of the land with the timber on it. In other words, there are large sections of chestnut timber land that are assessed for one or two dollars an acre that can be had for ten or fifteen dollars an acre, and the cost that would have to be borne by the people in our county in order to comply with the directions of that Commission would be probably between fifty and a hundred dollars per acre, to destroy that timber, so we are up against the proposition of not finding people in the near future who are willing to own chestnut tree land, from the fact that they would be called upon at any time to expend a large amount of money to destroy the timber. So far as eradicating this disease entirely as a working proposition is concerned, no doubt the members of this House will agree with me that it has not been shown conclusively up to this time that chestnut blight can be controlled, and I, for my part, am willing that a scientific investigation of the disease should be made, but when it means the expenditure of $550,000.00 to experiment it is a different question, and I think, for that reason, we should consider this question very carefully before we vote to extend the life of this Commission. As this bill now stands, with the amendments added by the Committee of the House, it practically enforced the old bill and gives the chestnut tree blight commission an extended life of two years longer. That is all that remains, that is the only change that is made by this bill. When it comes to eradicating the disease in a small tract of land, such as an orchard, it is a different question. But in our community we have chestnut timber land in one stretch which is at least forty miles in length and seven miles in width. It would take an army of men to go through that ground, and take out the diseased trees, if such trees are diseased. It would take an army of men to go through there and just take a glance at the different trees, and I think it is a proposition that is unreasonable. I think it is unreasonable that we should be called upon to expend so large a sum of money with no assurance at the present time that the disease can be eradicated. On the other hand, if the owners of that land are allowed to deal with the timber in their own way, they will be able to save some of the value of that timber, and the timber land will not be an entire loss to them. The Chestnut Tree Commission will answer that they will in every way possible endeavor to find a market for this timber, and that the timber after the diseased parts are cut out will be allowed to be sold. That is all right as far as it goes, but they require that the owner shall cut down the tree within ten or twenty days time and destroy the diseased parts, so it works a great hardship to the parties where the chestnut blight is found. There is another point for this Legislature to consider. We are told that revenue is needed to carry on the current expenses of our State. When we come to the proposition of taxing coal, as we did on a recent day in this session, as it leaves the mouth of the mine, which tax no doubt reverts to the poor man, and the taxpayer, when it is necessary to go to such extremes in order to raise sufficient revenue to carry on the current expenses of the State, then I think it is necessary that we should be very careful how we expend this money, and I think that we should cut out this unwise expenditure of the people's money to experiment along this line on a proposition that is doubtful in the extreme. They have practically given up this idea as hopeless in the eastern part of the State, and they are now trying to get rid of it in the western part. For this reason I think that it is a hopeless task and I am opposed to the bill. We should weight the matter carefully,, and you should act upon it as you find it in your community or in your section of the State. Weigh the matter carefully, and if you think it is good legislation to extend the life of this commission two years more and to expend $275,000.00 more, then vote for this measure, and do not let anyone I say influence you to vote against it. If you think it is a hopeless task, and an unwise expenditure of the people's money, then vote against the bill.

Mr. SHOWALTER. Mr. Speaker, last night when I asked to have this bill postponed, I was not aware of the contents of the bill. This measure merely extends the life of the Commission for two years. It carries no appropriation. I believe it is well that we should vote to extend this commission in order to permit them to try to control the disease, and then, afterwards, if you want to enlarge the amount of the appropriation, we can give these men ample power to cope with the disease. I do not see anything seriously wrong with the bill, nor do I think any harm can come from it. It simply perpetuates the life of the commission. When we come to the general appropriation bill we can take care of the particular subject of a further appropriation for the commission.

Mr. S. B. SCOTT. Mr. Speaker, it is an easy matter to answer the question of the gentleman from Somerset, as to what this bill in its present shape comprises; it does only two things—it extends the life of the Chestnut Tree Blight Commission two years and it also gives the commission power to investigate other kinds of trees than chestnut trees in case it shall develope that this same disease has spread to trees of other species. This chestnut blight has been a veritable angel of death to the magnificent forests of chestnut trees which this State possesses and unless a line is drawn some place that disease in its inevitable progress will cover this whole State and from this State it will spread southward to the whole Appalachian chain of mountains and it will not stop until the Gulf of Mexico is reached and we ought to put ourselves into a position to check this mysterious disease. The United States government has recognized this fact and is co-operating substantially with this State; it has recognized the good that has been done by co-operation of investigation on the part of the officials of the United States government. We have tried this thing for two years with a large and substantial measure of success and the result that has been obtained has been gratifying. It has been discovered what the nature of the disease is but as yet, there has not been discovered an absolute cure except the simple act of the destruction of that part of the timber that is diseased. Evidently it is impossible with present facilities and under existing conditions to cover the timber that is affected—to cover so large an area and a large part of the State has no yet been touched, and might not be. But it is possible to draw a line and say to this disease "So far shalt thou go and no further," and that has been done. Now, of course along the line where the disease has been treated it bas been found necessary to destroy a considerable portion of the timber as without that it would be impossible to destroy the disease. It is necesary to destroy that part of the tree that is affected by the blight or cut the timber that is affected and the misfortune falls on the tree only because it is destroyed, just as the misfortune falls on a man when he has a disease that must be individually treated; but when the State advises him, the man who owns or is interested in those chestnut trees as to whom it is necessary to cut his trees, it will assist him. It will be helpful to him and it is helpful to him in giving him the best assistance and advice and will help him to secure special railroad rates and tell him what is the best way and when is the best time to cut the timber and so lessen this loss that has been brought upon him by this disease so that it shall be mini-

mized to the greatest possible degree. The time will come when it will be necessary for the State of Pennsylvania to say "Hands up. We can do no more." But certain it is that we should not lie down now and allow the commission to lapse. This bill does not appropriate money; the money necessary will be appropriated in the General Appropriation bill. This bill simply gives the commission power to go along and indicate how to carry on this work and do it effectively. I think it ought to be done.

Mr. R. J. BALDWIN. Mr. Speaker, I should like to state to the House that the gentlemen who are serving on this commission are serving without pay and without expense to the State. I want to say that it is the belief in this State that if the State of New Jersey and the State of New York when this blight made its first appearance in those states had pursued the course Pennsylvania is now pursuing, we would not be threatened with this scourge. This bill does not provide a dollar of revenue; it simply gives life to the commission whic his workin gor the love of the State of Pennsylvania and all the Appalachian chain of mountains.

Mr. WILLIAMS in the Chair.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

Mr. LOHR. Mr. Speaker, I call for the verification of the roll.

The SPEAKER. The roll will be verified,

Which was done as follows:

YEAS—113.

Adams,	Ewing,	McCaig,	Sherwood,
Alworth,	Fahey,	McNichol,	Shewalter,
Ambler,	Forster, I. G.,	Mechling,	Smith, L.,
Aron,	Frey,	Missimer,	Snyder,
Arthur,	Gans,	Moses,	Spangler,
Baldwin, R. J.,	Gibson,	Moulthrop,	Speiser,
Bass,	Goss,	Neel,	Spillinger,
Bayle,	Gransback,	O'Neill,	Steedle,
Bigger,	Heyburn,	Pennegar,	Steele,
Blair, W. A.,	Hibshman,	Pennock,	Stein,
Blair, W. F.,	Hobbs,	Perry, H. L.,	Strauss,
Body,	Hoffman,	Perry, S. J.,	Swartz,
Brosius,	Jackson,	Piper,	Thomas,
Campbell, C.M.,	Jones, E. E.,	Reese,	Ulerich,
Cheeseman,	Jones, J. R.,	Reeser,	Ulman,
Cleary,	Keegan,	Rex,	Walnut,
Conner,	Keeport,	Richards,	Walsh,
Conrade,	Kenna,	Rockwell,	Whitaker,
Cox,	Kennedy,	Roney,	Whitman,
Currier,	Lenker,	Rothenberger,	Wildman,
Curry,	Leslie,	Runk,	Williams,
Davis,	Letzkus,	Sassaman,	Wilson, W. H.,
DeFrees,	Light,	Schaeffer, A. C.,	Wiltbank,
Dickinson,	Malie,	Scott, J. R. K.	Young, G. K.,
Donahoe,	Mannion,	Scott, S. B.,	Young, J. H.,
Down,	Martin,	Semmens,	Zimmerman,
Dunn, J. A.,	McAleer,	Shaffer, C. A.,	Alter,
Ehrhardt,	McArdle,	Shern,	Speaker.
Eichenberger,			
Ely,			

NAYS—57.

Allen,	Grabe,	Latshaw,	Post,
Baldwin, G. A.,	Gray, Joseph,	Lohr,	Price,
Barner,	Hadley,	Mather,	Ramsey,
Benninger,	Heidinger,	Matt,	Redfield,
Benson,	Hemminger,	McAllister,	Rhoads,
Bittles,	Herman,	McDermott,	Robinson,
Brownlee,	Howard, R.,	McKay,	Savacool,
Burnett,	Humes,	Metzenbacher,	Shaffer, I. E.,
Carson,	Irwin, H. H.,	Miller,	Smith, J. W.,
Claycomb,	Kaiser,	Mitchell,	Snavely,
Collins,	Kern,	Morrow,	Swift,
Conniff,	Kitts,	Murphy,	Trach,
Foster, J. D.,	Kuhn, H. P.,	Newbaker,	Wettach,
Geiser,	Kuhns, E.G.M.,	Peters,	Wilson, J. H.,
Good,	Lanius,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed same with amendments in which the concurrence of the Senate is requested.

SPECIAL ORDER.

The SPEAKER. The hour of 11 o'clock having arrived, the special order of business for this hour, being the consideration on second reading of House Bill No. 183, file folio 8227, will now be taken up

On the question,

Will the House dispense with the Committee of the Whole?

Mr. S. B. SCOTT. Mr. Speaker, I think the House ought not dispense with the Committee on the Whole on a bill of this importance. It is likely that some members will make more than one speech, at least I expect to hear from some members more than once, and I think we ought to go into the Committee of the Whole.

Mr. ALTER in the Chair.

Mr. ROCKWELL. Mr. Speaker, there has been some thought expressed by different members interested in this bill in relation to going into Committee of the Whole, and I understand that when we are in Committee of the Whole a roll call cannot be demanded. If we go along in the regular order we can demand a roll call upon any question, and in view of that I prefer, as sponsor of the bill, to go on in the regular order.

I move that we dispense with the Committee of the Whole.

Mr. R. J. BALDWIN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 183, entitled:

An Act defining public service companies prescribing and defining the duties and liabilities of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies establishing creating the establishing a public service commission for the supervision and regulation of public service companies prescribing and defining the powers and duties of such commission and its officers and providing for the salaries and compensation of the members of the commission its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the Court of Common Pleas of Dauphin county and giving such court exclusive jurisdiction of such appeals and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain sch orders subject to an appeal from all decrees of said court to the Supreme Court prescribing penalties fines and imprisonment for the violation of such orders or of the provisions of this act and repealing the act approved May thirty-first one thousand nine hundred and seven which provided for the appointment of a Railroad Commission and all other legislation inconsistent with this act and making it the duty of the Public Service Commission to enforce the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers to properly man their trains"

Mr. WILLIAMS in the Chair.

The first section of Article One of the bill was read as follows:

ARTICLE 1

Definitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Public Service Company Law"

The term "Public Service Company" when used in this act includes all railroad corporations canal corporations street railway corporations stage line corporations express corporations baggage transfer corporations pipe line corporations ferry corporations common carriers Pullman car corporations dining car corporations tunnel corporations turnpike corporations bridge corporations wharf corporations incline plane corporations grain elevator corporations telegraph corporations telephone corporations natural gas corporations artificial gas corporations electric corporations water corporations water power corporations heat corporations refrigerating corporations sewage corporations doing business within this State and also all persons engaged for profit in the same kind of business within this Commonwealth or empowered so to do Provided however such persons and corporations shall not be subject to the provisions of this act with respect to any business transacted or any property owned by them outside of the State of Pennsylvania

The term "Corporation" as used in this act shall be construed to include all bodies corporate joint stock companies or associations domestic or foreign their lessees assignees trustees receivers or other successors in interest having any

of the powers or privileges of corporations not possessed by individuals or partnerships and shall not include municipal corporations except as otherwise provided in this act

The term "Municipal Corporation" as used in this act shall include all cities boroughs townships or counties created or organized under any general or special law of this Commonwealth

The term "Person" as used in this act means all individuals partnerships or associations other than corporations

The term "Railroad Corporation" as used in this act includes every corporation owning leasing operating managing or controlling any railroad for public use within this Commonwealth or having power so to do

The term "Railroad" as used in this act includes every railroad other than a street railway by whatsoever power operated for public use in the conveyance of passengers or property or both with all bridges ferries tunnels facilities plant and equipment thereof

The term "Street Railway Corporation" as usel in this act includes every corporation owning leasing operating managing or controlling any street railway within this Commonwealth or having the power so to do

The term "Street Railway" as used in this act includes every railroad and railway by whatsoever power operated or any extension or extensions thereof for public use in the conveyance of passengers or property or both being mainly or in part located upon over across through or along any street avenue road highway bridge or public place including the facilities plant and equipment thereof

The term "Common Carrier" as used in this act includes any and all common carriers whether corporations or persons engaged for profit in the conveyance of passengers or property or both between points within this Commonwealth by through over above or under land or water or both or having power so to do

The term "Conveyance of passengers or property" as used in this act includes any and all service in connection with the receiving transportation elevation transfer in transit ventilation refrigeration icing storage handling and delivering of property baggage or freight as well as any and all service in connection with the transportation or carrying of passengers

The term "Service" is used in this act in its broadest and most inclusive sense and includes any and all acts done rendered or performed and any and all things furnished or supplied and all and every the facilities used or furnished in the way of business by public service companies in the performance of their duties to their patrons employes and the public as well as the interchange of facilities between two or more public service companies

The term "Facilities" as used in this act includes all plant and equipment of a public service company which includes all tangible real and personal property buildings employees' materials easements rights of way rights of trackage subways tunnels railroads street railways tracks canals and all animal locomotives apparatus appliances devices instruments appurtenances freight cars refrigerator cars baggage cars express cars passenger cars drawing-room cars parlor cars sleeping cars dining cars cars rolling stock carriages cabs hansoms taxicabs vehicles boats ships vessels bridges barges cables conduits converters transformers condensers wires poles structures telegraph lines telephone lines crossbars engines machines dynamos boilers motors storage batteries switch-baards water falls water-power stations pumping stations reservoirs purifiers oil tanks gas tanks holders retorts ducts pipes pipe galleries pipe lines mains meters lamps scrubbers wharves piers docks ferries incline planes side tracks spurs turn outs switches systems stations depots terminals terminal facilities water-gas jets wells and any and all other means and instrumentalities in any manner owned operated leased licensed used controlled furnished or supplied for by or in connection with the business of any public service company

The term "Commissioner" when used in this act means one Public Service Commission created by this act

The term "Commissioner" when used in this act means one of the members of such commission

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Article 1, section 1, line 21, strike out the word "State" and insert in lieu thereof the word "Commonwealth."

Article 1, section 1, line 81, strike out the word "water-gas" and insert in lieu thereof the words "water or gas."

On the question,

Will the House agree to the amendments?

They were agreed to.

The section as amended was then agreed to.

The first section of Article two of the bill was read as follows:

ARTICLE II

Duties and Liabilities of Public Service Companies

Section 1 It shall be the duty of every public service company

(a) To furnish and maintain such service including facilities as shall in all respects be just reasonable adequate and sufficient for the convenience accommodation and safety of its patrons employes and the public and in conformity with such reasonable regulations or orders as may be made by the commission

(b) To render and furnish all such service at prices charges rates tolls fares or compensation that shall be just and reansonable and in conformity with such reasonable regulations or orders as may be made by the commission

(c) To make all such repairs changes alterations additions extensions and improvements in or to such service including facilities as shall be reasonable necessary or proper for the convenience accommodation or safety of its patrons employes and the public The duty imposed by this paragraph shall include the construction of extensions to the facilities of public service companies in cases where the consent of a municipal corporation is required In such cases where the municipal corporation shall have granted its consent to the construction of any extension and the public service company shall fail to accept such consent and the Commission shall find that such consent is granted upon reasonable terms said public service company shall be required to accept such consent and construct such extensions

(d) To permit whenever the commission may deem it necessary or proper for the accommodation convenience or safety of the public and for such just compensation and upon such reasonable terms and conditions as may be determined and prescribed by the commission any conduit subway tracks poles station terminal facilities or other like facilities on under or over any public street highway or bridge to be used by any other public service company requiring the use of the said facilities provided such use will not jeopardize the safety of the service or of the public or result in injustice to such public service company or companies having the prior lawful ownership or use thereof due regard being had to the future development of the business and the requirements incident thereto nor to be a substantial impairment or detriment to the service rendered or hereafter to be rendered by it or them to the public and provided further that such just compensation shall be paid or secured before such use or taking

(e) Whenever and in the form required by the commission to file with the commission tariffs schedules showing prices charges rates fares tolls or other compensation asked demanded or received for any service rendered or furnished by said company and if a common carrier showing the method of distribution of trains cars vehicles boats motive power or other facilities operated or owned by said common carrier. It shall also be the duty of every public service company to post and publish such tariffs and schedules including if a common carrier schedules showing the method of distributiton of trains cars vehicles boats motive power or other facilities in every office or station of said public service comany open to the public where payments are made by shippers consumers users or patrons in such manner form and place in such office or station as to be readily accessible and so that the said tariffs and schedules may be conveniently inspected by the public and similarly in such other places as the commission may require In case of railroad or other common carrier telegraph and telephone corporations such tariffs and schedules shall conform in those required by the Interstate Commerce Commission Every public service company shall also file with and as a part of such tariffs and schedues and post as directed all rules and regulations that in any manner affect the said prices charges rates fares tolls or other compensation or the distribution of trains cars vehicles boats motive power or other facilities Upon application the Commission may limit and restrict the number and character of such tariffs and schedules and the number of offices or stations at which the same are required to be posted as aforesaid

(f) Where any public service company jointly acts or participates or connects with any other public service company in the performance of any service to make and file with the Commission when so required by it and post and publish as hereinbefore provided the tariffs or schedules of the joint rates prices charges fares or tolls adopted or in force between them (including when directed the rules and regulations contracts and practices affecting or relating to the same) which must be just and reasonable and not more in the aggregate nor in the apportionment thereof between said companies than may be prescribed by any order of the Commission

Provided however that the tariffs or schedules of such joint rates prices charges fares or tolls need only be filed by one of the said public service companies and the other company or companies with the consent and approval of the Commission need only file such evidence of concurrence therein or acceptance thereof as may be required by the commission Provided that whenever any public service company shall file any tariffs or schedules under the provisions so filed the rates fares and charges therein contained as against such public service company its officers agents and employes shall be deemed to be the legal rate fare or charge otherwise the published rate if any shall be the legal rate fare or charge

(g) To make no change in any tariff or schedule which shall have been filed or published or posted by any public service company in compliance with the preceding sections except after thirty days' notice to the Commission and to the public posted and published in the manner form and places required with respect to the original tariffs or schedules which shall plainly state the exact changes proposed to be made in the tariffs or schedules then in force and whether an increase or decrease and the time when the proposed changes will go into effect and all such changes shall be shown by filing posting and publishing new tariffs or schedules or shall be plainly indicated upon the tariffs or schedules in force at the time and keep open to the public inspection provided that the Commission may in its discretion and for good cause shown allow changes in such tariffs on schedules upon less than thirty days' notice herein specified or upon other conditions and provided further that no rate practice or classification which shall have been determined by the Commission shall be changed or discontinued by the Public Service Company directly or through any change in classifications rules regulations contracts or practices within a period of two years

after such determination without application to and the approval of the Commission of which application thirty days' prior notice shall be given in the said tariffs or schedules to the public And provided further that it shall be the duty of every public service company when required by the commission to issue to its shippers consumers or other patrons a certificate or other evidence of payments made by them to it in excess of the prior established rate of an increase in which notice has been given to the Commission and the public as aforesaid

(h) To file with the Commission when required by it verified copies of any and all contracts writings agreements leases arrangements or other engagements entered into by such public service company with any person corporation municipal corporation any state government the Federal government or any branch or subdivision thereof or other public service company

(i) To make and file when and in the manner and form required by the Commission any and all reports to the Commission which shall contain such facts accounts and information as may be prescribed by the Commission and generally to furnish any and all information required by the Commission in the performance of its duties under this act

(j) To adopt use and keep in conducting its business such form method system or systems of accounts records and memoranda as shall be prescribed by the Commission to carry no charges in any operating account which should properly be charged to the capital account or vice versa to carry a proper and reasonable depreciation account unless relieved therefrom on application to the commission and to obey and abide by all the regulations and orders of the Commission concerning such accounts records and memoranda and the keeping of the same Provided that this subsection shall also apply to all municipal corporations with respect to the accounts records and memoranda relating to the rendering or furnishing by them to the public any service of the kind or character rendered or furnished by public service companies and to the making of reports in relation thereto And provided further that all corporations and persons operating under lease or other contract any such plant or other facilities owned by such municipal corporation shall adopt use and keep in respect to such operation of such plant or other facilities under such lease or contract such form or system of accounts as shall be adapted to and reasonable under the circumstances and consistent with the obligations of such lease or contract or of any contract made in pursuance thereof and shall conform to such orders as the Commission on hearing may make in respect to such form or system of accounts and to the making of reports in relation thereto

(k) To keep all books accounts papers records and memoranda as shall be required by the Commission in an office within this Commonwealth and not to remove the same or any of them from the Commonwealth except upon such terms and conditions as may be prescribed by the Commission

(l) To furnish to the Commission from time to time and as the Commission may require all maps profiles reports of engineers books papers records and other documents or memoranda or copies of any and all of them in aid of any inspection examination inquiry investigation or hearing or in aid of any determination of the value of its property or any portion thereof and to co-operate with the Commission in the work of the valuation of its property or any portion thereof and to furnish any and all other information to the Commission as the Commission may require in any inspection examination inquiry investigation hearing or determination of such valuation of its property and facilities

(m) To account or report to the Commission for the disposition and application of the proceeds of all sales or pledges of all stocks trust certificates bonds notes and other evidences of indebtedness and other securities which accounts and reports shall be made in such form and detail verified by affidavit of the proper officer or officers of such company having knowledge thereof as to the Commission may seem advisable and in accordance with reasonable rules and regulations which may be adopted by the Commission to use and apply the proceeds thereof to the purpose or purposes certified to the Commission under the provisions of this act and to no other purpose or purposes whatsoever

(n) If a railroad corporation or street railway corporation or other common carrier to furnish a sufficient number of safe trains cars vehicles boats or other facilities and to run and operate the same with such motive power as may reasonably be required in the conveyance of all such passengers or property as may seek or be offered to it for such conveyance and to run and operate its said trains cars vehicles boats or other facilities with sufficient frequency at such reasonable and proper time and to and from such stations or points as the Commission having regard to the general convenience and safety of the public may require and when reasonably required by the Commission to increase the number or change the type of its trains cars vehicles boats stations wharves docks piers or other facilities or locate or re-locate or abolish such stations wharves docks or piers to increase its motive power or change the time schedule for the running and operation of its trains cars vehicles boats or other facilities and generally to make any other arrangements and improvements in its service which the Commission may lawfully and reasonably determine and require

(o) If a railroad corporation or other common carrier engaged in the transportation of freight or property to furnish upon reasonable request to all persons and corporations who may apply therefor and offer freight or property for transportation sufficient and suitable cars vehicles boats motive power or other facilities as may be reasonably required for the transportation of such freight or property or in case at any particular time it may not have sufficient cars boats vehicles motive power or other facilities to meet the requirements for the transportation of property then to lawfully distribute all available cars vehicles boats motive power or other facilities among the several applicants therefor without discrimination between shipper localities or competitive or non-competitive points in accordance with the rule of distribution of the Interstate Commerce Commission But preference may always be given in the supply of cars boats vehicles motive power or other facilities for shipment of live stock or perishable matter

(p) If a railroad corporation upon application of any owner or operator of any lateral railroad or any private side track or of any shipper tendering property or traffic for transportation or of any consignee to construct maintain and operate at a reasonable place and upon reasonable terms a switch connection with any such lateral railroad or private side track which may be constructed to connect with its railroad where such connection may be reasonably practicable and can be put in with safety and will furnish sufficient business to justify the construction and maintenance of the same Provided that whenever any lateral line of railroad or private side track has been so connected with a line of any railroad any person or corporation shall be entitled to connect therewith or to use the same upon payment to the party incurring the primary expense thereof a reasonable proportion of the cost of the said lateral railroad or private side track and of the maintenance thereof which shall be determined in case of disagreement among the parties by the Commission after notice to the interested parties and a hearing Provided that such connection and use can be made without unreasonable interference with the use thereof by the party incurring the primary expense

(q) If a telephone or telegraph corporation or person or persons engaged in like business to cause the transmission of dispatches messages or communications by it to be reasonably continuous and without unreasonable interruption or delay and if a common carrier to cause the conveyance of passengers and property by it to be reasonably continuous and without unreasonable interruption or delay and by the most direct route and within such reasonable maximum lengths of time of transit from the place of shipment to the place of destination as the commission may by order lawfully and reasonably determine and require

(r) Whenever a common carrier receives property for transportation between points within this Commonwealth it shall issue a receipt or bill of lading therefor and shall be liable to the lawful holder thereof for any loss damage or injury to said property caused by it or any other common carrier to which said property may be delivered or over whose line or lines such property may pass No contract receipt rule or regulation shall exempt such common carrier from the liability hereby imposed provided that nothing in this section shall deprive any lawful holder of such receipt or bill of lading of any remedy or right of action which he has under existing laws and provided further that any common carrier issuing such receipt or bill of lading shall in the event of a recovery of a judgment against or of a satisfaction made by such carrier for such loss or damage be entitled to recover from the common carrier on whose line the loss or damage shall have been sustained an amount not in excess of the loss or damage to said property which the lawful holder of said bill of lading or receipt would otherwise have been entitled to recover against such last mentioned carrier and not in excess of the amount actually paid to the holder of such receipt or bill of lading

(r1) If a railroad corporation to permit car load shipments for transportation between points within this Commonwealth to be stopped in transit for inspection weighing mixing or milling or for other proper treatment under such reasonable rules and regulations as shall be made by the commission and to forward the product or, the product of a proper equivalent from point of stoppage to destination the charge for the entire shipment not exceeding in the aggregate the regular charge for a shipment of the product from such point of origin to ultimate destination with the addition of a reasonable compensation for in and out services rendered at the transit point

(s) If a street railway corporation or incline plane corporation whenever the Commission shall deem it necessary or proper for the accommodation convenience or safety of the public in the conveyance of passengers to transfer such passengers to or from another part of the system of the said street railway corporation or incline plane corporation and to this end and object shall make proper and convenient arrangement or adjustment of the time schedules of the said street railway corporation and shall also make such proper and convenient arrangement or adjustment of its time schedules with those of other contiguous or connecting street railway corporations as to the Commission shall seem necessary or proper for the accommodation convenience or safety of the public

(s1) If a railroad corporation or a street railway corporation to construct and maintain whenever the Commission may require the same such switch or other connections with or between the lines of any other railroad corporation or street railway corporation where the same can readily be connected to form a continuous line of transportation and to cause the conveyance of persons and property between points within this Commonwealth to be without unreasonable interruption or delay and to establish through routes and service therein and just and reasonable join rates fares and charges applicable thereto and where practicable transport freight over the same without transfer from the originating cars and shall not discriminate in the said rates fares charges or in any rules or regulations applicable thereto between any such connecting lines Provided that this section shall not apply to a street railway corporation engaged in the business of carrying passengers but not engaged in the general business of transporting freight nd which does not generally solicit the transportation of freight as a main branch of its business

(t) To obey and abide by all lawful orders and regulations of the Commission made under the provisions of this act regulating the manner in which the tracks or other facilities of any railroad corporation street railway corporation or any other public service company may be constructed across the tracks or other facilities of any other railroad corporation street railway corporation or any other public service company at grade or above or below grade or at any pre-

scribed level or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade or regulating the manner in which such crossings shall be operated maintained and protected including the stationing of watchmen there at installation and regulation of lights block or other system of signaling safety appliances devices or such other means or instrumentalities as the Commission may prescribe as well as to obey and abide by all lawful orders and regulations of the Commission made under the provisions of this act requiring the alteration re-location removal or abolition of any such crossings to the end intent and purpose that accidents may be prevented and also to bear and pay the expenses damages and compensation incident thereto either severally or in such proportion as the Commission may determine under the provision of this act

(u) If a telegraph corporation or person engaged in the public telegraph business to connect whenever the Commission may require it or him so to do its or his lines of telegraph with the lines of any other such telegraph corporation or person engaged in the public telegraph business and thereupon it shall be and become the reciprocal duty of each of such connecting telegraph corporations or persons upon the payment of the usual charges to individuals for transmitting dispatches as established by the rates and regulations of such telegraph corporations or persons or by the Commission as hereinafter provided to receive and to transmit dispatches from and for each with impartially and good faith and likewise for any individual or individuals

(v) If a telephone corporation or person engaged in the public telephone business to connect use and interchange its or his lines facilities and service with the lines facilities and service of any other such telephone corporation or person for such just compensation which shall be paid or secured before such use or taking and upon such reasonable terms and conditions as may be prescribed by the Commission whenever in the determination of the Commission such connection use and interchange will be necessary or proper for the accommodation and convenience of the public and provided that no injustice will be done thereby to any such corporation or person and that there will be no substantial impairment or detriment to the service to be rendered by such corporation or person to the public—to the end intent and purpose that telephonic communications and messages may be continuously transmitted over such connecting lines and interchangeably received and delivered by such corporation or persons provided however that such connection use and interchange may not be so required rival or competing lines connecting the same localities or serving the inhabitants of the same locality for the purpose of supplying local service in that locality

(w) If a gas corporation water corporation or other public service company furnishing its service or product upon meter or other similar measurement or electric corporation to provide and keep in and upon its premises suitable and proper apparatus to be approved from time to time and stamped or marked by the Commission for testing and proving the accuracy of gas water electric or other meters furnished by it for use and by which apparatus every meter may be tested in the written request of the consumer to whom the same shall be furnished and in his presence if he shall so desire If the meter so tested shall be found to be accurate within such commercially reasonable limits as the Commission may by general or special order fix for such meters or class of meters a reasonable fee to be fixed by the Commission by standing order sufficient to cover the cost of such test shall be paid by the consumer requiring such test but if not so found then the cost thereof shall be borne by the public service company furnishing said meter

(x) To give immediate notice to said Commission of the happening of any accident in or about or in connection with the operation of its property facilities or service wherein any person shall have been killed or injured or property shall have been injured or destroyed and to furnish such full and detailed report of such accident within such time and in such manner as the Commission shall by joint rule or special order or otherwise require Such report shall not be admitted in evidence for any purpose in any suit or action for damages growing out of any matter or thing mentioned in said report

(y) To observe and obey all and singular the lawful orders and requirements which may be issued or made by the Commission in the lawful exercise of the powers conferred upon it by this act

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Article II, Section 1, line 7. Strike out the word "employes" and insert in lieu thereof the word "employees."

Article II, Section 1, line 39. Strike out the word "ditsribution" and insert the word "distribution."

Article II, Section 1, line 74. After the word "provisions" insert the words "of this act or shall particapate in any such tariff or schedule."

Article II, Section 1, line 98. Strike out "incease" and insert the word "increase."

Article II, Section 1, line 130. Strike out "acounts" and insert the word "accounts."

Article II, Section 1, line 142. Strike out "valuation" and insert the word "valuation."

Article II, Section 1, line 234. Strike out "compensaion" and insert the word "compensation."

Article II, Section 1, line 241. Before the first word "and" insert the words "or incline plane corporation."

Article II, Section 1, line 243. After "tions" insert "or incline corporations."

Article II, Section 1, line 290. Strike the "corporaton" and insert the word "corporation."

Article II, Section 1, line 306. Strike out "corporatoin" and insert the word "corporation."

Article II, Section 1, line 313. Strike out the word "in" and insert the word "upon."

On the question,

Will the House agree to the amendments?

They were agreed to.

Mr. GEORGE C. IRWIN. Mr. Speaker, I offer the following amendment.

The amendment was read as follows:

Page 12. Amend Article 2, Section 1, sub-division (q) by striking out from and including the words "and by the most" on line 200 to and including the word "require" on line 204.

On the question,

Will the House agree to the amendment?

Mr. GEORGE C. IRWIN. The provision requiring shipments to be made by direct route unless another route is designated by the shipper, would render useless the millions of dollars which have been expended in the State of Pennsylvania in the construction of relief freight lines for the purpose of taking freight trains away from the passenger trains and thus removing a constant source of danger. In the majority of these cases the relief line so constructed is longer than the passenger line. Under the provision of the bill, the Railroad Companies would be obliged to send all freight by their passenger lines which would result in hopeless congestion on those lines. Example: The Pennsylvania Railroad Company has three routes out of Harrisburg to the East. Under this provision of the bill only one route would be used for freight, namely, the one at present over which passengers are carried. This would result in the hopeless blocking of this route within less than twenty-four hours.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to interrogate the gentleman from Blair, (Mr. Irwin).

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. IRWIN. Mr. Speaker, yes, sir.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I desire to ask the gentleman from Blair, in the amendment provided, whether it would not only apply to freight but also apply to passengers; whether or not there is not a provision in the bill as it now stands without unreasonable interruption for delay. Does that cover your objection?

Mr. GEORGE C. IRWIN. I do not know who would be the judge of the unreasonable interruption and delay.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I asked whether or not that does not meet with the objection that he has to this section, and whether the amendment is not in itself doing more harm than good?

Mr. GEORGE C. IRWIN. Mr. Speaker, I do not believe the bill at present is in the best shape. I do not see where the amendment can do any harm.

Another thing. Mr. Speaker, the commission should not be given the power to prescribe the time of transit for shipments. Time in transit varies day to day according to operating conditions and the amount of traffic, interruption due to storms, etc. Under the bill a violation of the order of the Commission is made a criminal offence. Therefore, if a storm or congestion would interfere with the shipments making the movement prescribed by the order of the commission, the officers of the company under this provision would be guilty of a criminal violation of the law.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

Mr CLAYCOMB. Mr. Speaker, I offer the following amendment.

The amendment was read by the Clerk as follows:

Page 14 of Bill: Amend Article 2. Section 1, sub-division (s1) by striking out the entire sub-division, and inserting in lieu thereof the following (being part of Section 3, Interstate Commerce Act):

(s) If a railroad company to afford all reasonable proper and equal facilities for the interchange of traffic with other railroad companies and for the receiving forwarding and delivering of passengers and property to and from their several

lines and those connecting therewith but this shall not be construed as requiring any such railroad company to give the use of its tracks or terminal facilities to another common carrier."

On the question,

Will the House agree to the amendment?

Mr. CLAYCOMB. Mr. Speaker, this amendment is a draft of the Interstate Commerce Act. It allows the general supervision and management of its terminals and to afford the facilities necessary for the regular and proper operation, but it does not reserve the right to the companies or it rather prohibits other common carriers from using the rails and tracks of the company that has built the terminal. In other words, any company would be able under the operations of this bill and its provisions to have the same interest in that terminal as the company that built it. It would necessarily discourage the building of terminals and consequently I believe, would not work to the benefit of the public generally. This amendment is in the exact words of the Interstate Commerce Act and I believe would be in harmony with the bill generally.

Mr. ALLEN. Mr. Speaker, I desire to offer further amendments.

The amendments were read by the Clerk as follows:

On page 17 amend Article II, Section 1, line 337, by adding at the end thereof "Section Z. When the Commission shall find that the public interest demands and shall so order, to render in accordance with the provisions of this act, any service it may have power to furnish although the exercise of such power may be optional with said company.

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, the purpose of this amendment is to place in the hands of the Commission the power to require the corporation to use all the powers that it has under its charter to serve the public interests rather than allowing the company itself or corporation to say whether or not they will use it, having it optional with them.

Mr. ROCKWELL. Mr. Speaker, it seems to me that the proposed amendment is entirely unnecessary, that the provisions of this act cover the matter in this amendment, or the matter which is sought to be amended. While, perhaps, it may not do any harm, it simply lumbers up the bill and makes it more trouble to digest.

Mr. ALLEN. Mr. Speaker, I appreciate that paragraph "Y" to which this provision is added seems to cover practically everything. Even if it does, the addition of what has been suggested is only empathic and certainly takes away nothing from section "Y" which reads as follows:

"To observe and obey all and singular the lawful orders and regulations which may be issued or made by the Commission in the exercise of the powers conferred upon it by this act."

That is the power delegated to it by its corporate rights, although the exercise of such power may be optional with said company. Now, how frequently, Mr. Speaker, do you find that a public service corporation will ask in order to fool the public, will ask for everything in their charter They will ask for all the rights that can be conferred, but when the exercise of those rights are optional with that company, how often do they put them in operation unless they are money-getters. Now, the purpose of this amendment is simply this: to leave in the hands of this Commission, or rather to place in the hands of this commission the power to tell that corporation to what limits it shall go for inasmuch as you have been chartered to serve the public in a particular way and are not doing it, we, as the Commission, say the power having been conferred upon you, and the public demanding and requiring it, you shall serve them in that way. It takes away from the corporate interests the optional power, and places the prerogative in the hands of the Commission to dictate. That is what this means. If you want to serve the public interests you are for the amendment, and if you don't, you want to let it stand as it is.

The question recurring,

Will the House agree to the amendment?

It was agreed to.

Mr. ALLEN. Mr. Speaker, I desire to offer further amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

On page 8, article 2, section 1, paragraph g, in lines 92 and 93 amend by striking out the words "within a period of three years after such determination."

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, the purpose of the amendment is simply this: that under the provisions of the bill as it is drawn, such regulations and conditions and changes as are suggested by the corporation must be made, in order to be acted upon within three years from the time that this act goes into effect. By striking out the three-year period, the same authority which the Commission has to grant, to-wit, the approval or these rights becomes operative at any time and not within a three-year period but eternally as long as time lasts, and the amendment ought to stand.

The question recurring,

Will the House agreed to the amendment?

The SPEAKER announced that the Noes appeared to have it.

Whereupon,

A division was called for.

Mr. ALLEN. Mr. Speaker, I withdraw the call for a division, and call for a yea and nay vote.

Mr. RICHARDS. Mr. Speaker, I second the call for a yea and nay vote.

Mr. ROCKWELL. Mr. Speaker, inasmuch as the gentleman has called for the yeas and nays, I desire to say a few words in explanation in relation to the proposed amendment. It seems to me that the gentleman has misconstrued the purposes of this section. The Interstate Commerce law has a section in it in relation to this same subject, and the limit in that law is two years. At the request of the people interested in this, and you will see the change if you look at page eight, the change was made from two to three years to make it a more reasonable and workable act, and the amendment offered would certainly cripple this bill and make its purposes ineffective.

Mr. ALLEN. How?

Mr. ROCKWELL. Mr. Speaker, it would in this respect: if the company had made a change in pursuance to an order of the Commission, they could immediately go out and make another change after the Commission had fixed the change prescribed and this limit of three years was put in so that they could not make this application at all times, and keep the matter stirred up. The amendment should not go in.

The question recurring,

Will the House agreed to the amendment?

Mr. SHERN. Mr. Speaker, decline to vote on this amendment or any other amendments that may be offered to the Public Utilities bill and my reasons for that at this time shall also apply to the bill on third reading and final passage and I ask that the reasons be read at the conclusion of the roll call.

The yeas and nays were required by Mr. ALLEN and Mr. RICHARDS, and were as follows:

YEAS—74.

Allen,	Collins,	Kaiser,	Price,
Barner,	Davis,	Keeport,	Reese,
Bayle,	DeFrees,	Kennedy,	Rex,
Benninger,	Donahoe,	Kuhns, E.G.M.,	Richards,
Benson,	Donnally,	Lanius,	Robinson,
Bergey,	Down,	Letzkus,	Roney,
Bigger,	Dunn, H. B.,	Light,	Savacool,
Bittles,	Forster, I. G.,	Lohr,	Scott, J. R. K.,
Blair, W. F.,	Foster, J. D.,	Malie	Semmens,
Bleloch,	Geiser,	McAllister,	Smith, J. W.,
Body,	Good,	McDermott,	Snavely,
Brownlee,	Goss,	Mellott,	Steedle,
Burnett,	Gray, Joseph,	Metzenbacher,	Trach,
Caldwell,	Heidinger,	Moulthrop,	Ulman,
Campbell, C.M.,	Herman,	Musser,	Wettach,
Carson,	Howard, R.,	Neely,	Wilson, J. H.,
Carter,	Humes,	Peters,	Wilson, W. H
Claycomb,	Isler,	Post,	Zimmerman,
Cochran,	Jackson,		

NAYS—108.

Adams,	Gramley,	McKay,	Shaffer, I. F.
Alworth,	Gransback,	McNichol,	Sherwood,
Aron,	Hackett,	Miller,	Showalter,
Arthur,	Haggerty,	Missimer,	Smith, L.,
Baldwin, G. A.,	Hemminger,	Mitchell,	Snyder,
Baldwin, R. J.,	Hibshman,	Moore,	Spangler,
Bass,	Hobbs,	Morrow,	Speiser,
Berntheizel,	Hoffman,	Moses,	Spillinger,
Blair, W. A.,		Neel,	Steele,

Brosius,	Howard, J.,	Newbaker,	Stone,
Cheeseman,	Irwin, G. C.,	O'Neill,	Strauss,
Cleary,	Jones, E. E.,	Peachey,	Swartz,
Conrade,	Jones, J. R.,	Pennegar,	Swift,
Cox,	Keegan,	Pennock,	Ulerich,
Currier,	Kenna,	Perry, S. J.,	Walnut,
Curry,	Kern,	Piper,	Walsh,
Dickinson,	Kitts,	Ramsey,	Walton,
Dunn, J. A.,	Kuhn, H. P.,	Redfield,	Watson,
Ehrhardt,	Latshaw,	Reeser,	Whitaker,
Eichenberger,	Lenker,	Rhoads,	Whitman,
Ely,	Leslie,	Rockwell,	Wildman,
Ewing,	Martin,	Rothenberger,	Williams,
Fahey,	Mather,	Runk,	Wiltbank,
Flynn,	Matt,	Sassaman,	Young, G. K.,
Frey,	McAleer,	Schaeffer, A. C	Young, J. H.,
Gans,	McArdle,	Schuck,	Alter,
Gibson,	McCaig,	Scott, S. B.,	Speaker.
Glenn,	McClintock,		

So the question was determined in the negative and the amendment was not agreed to.

The SPEAKER. The reasons of the gentleman from Philadelphia, Mr. Shern, for not voting on the Public Utilities Bill will now be read by the Clerk.

The Clerk then read the reasons as follows:

MR. SHERN'S REASON FOR NOT VOTING ON HOUSE BILL NO. 183.

Daniel J. Shern declines to vote on House Bill No. 183, known as the Public Utilities Bill, under the provisions of the Constitution, Article III, Sec. 33, which provides that a member of the General Assembly shall not vote on any bill proposed or pending wherein he has a personal or private interest.

At the present time, I am counsel for the Philadelphia Rapid Transit Company, a public service corporation of Philadelphia, affected by the provisions of this bill, and I, therefore, feel that I am bound by the provisions of the Constitution to make this fact known to the House.

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment on page 14, article 2, section one, paragraph S., line 238.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend article 2, section one, paragraph S, line 238, by striking out the words "part of the system of the said street railway corporation or inclined plane corporation" and inserting in lieu thereof the words "street railway or inclined plane or between different parts of any street railway system."

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, I think the House will readily grasp the idea that is attempted to be embodied in the bill by this amendment. Under the section as it stands relating to transfers for a street railway corporation or inclined plane corporation whenever the commission deems it appropriate for the accommodation of passengers or for their safety or for the public convenience, for passengers to transfer such passengers to or from, as the bill reads "another part of the system of the said street railway corporation or inclined plane corporation, etc." Now, the provisions of the bill as originally prepared, that lies before you, simply provides for the transfer from one part of the system of the street railway to another part of the same system of the street railway. Now, that then dwindles down to this: That where in a city or in a town there may be two systems of railways crossing each other or meeting at a certain common point where a transfer would be a great accommodation to the public to reach certain other points of transfer, unless it may be another route reach the same point. Under the provisions of this bill by the injection of the amendment by striking out the "part of the system" and inserting in lieu thereof the amendment as prepared, it will then read as follows, "commencing at transfer; "transfer such passenger to or from another street railway or inclined plane or between different parts of any street railway system." Now, by doing that then if there be two or more systems, which meet at a common point, the commission has the right to say to the people who run these systems. "You shall transfer your passengers at this point for the passenger's convenience to reach another point on your system or within a certain fare radius." It is only fair and no one can take exceptions to that provision.

Mr. ROCKWELL. Mr. Speaker, I desire to interrogate the gentleman from Allegheny.

The SPEAKER. Will the gentleman from Allegheny, Mr. Allen, permit himself to be interrogated?

Mr. ALLEN. Mr. Speaker, certainly.

Mr. ROCKWELL. Mr. Speaker, I desire to ask the gentleman if this amendment would not compel one street railway company, an entirely independent corporation, to transfer its passengers to another entirely independent street railway company without any charge?

Mr. ALLEN. Mr. Speaker, there is nothing said in relation to the charge. That would be a matter for the two companies to work out by a contractual working relation existing between the two companies. They might make a contract to carry each other's passengers from such point where there is no exchange. They may say "For every transfer you make, we will pay you two cents and for every one we make, we will reimburse you two cents," and then they go to a clearing house, so to speak, and balance their accounts. It is all subject, if you please, to the supervision of the commission which is appointed under the supervision of this bill and no doubt would be worked out equitably with two or more systems which may be involved.

Mr. ROCKWELL. Mr. Speaker, I think the gentleman misconstrues the purpose of this section and the meaning of the word "transfer." The meaning of the word "transfer" involves as a remedy a free transfer; if I have to pay a five cent fare on one branch of a certain system and my transfer being without extra charge to another branch to reach my destination on the same system. It involves one fare with a transfer. If the amendment offered by the gentleman from Allegheny would go in, it would work a hardship upon the street railway corporation. It is really not intended to work a hardship; it is intended to give the public the best reasonable possible service that can be worked out in this respect. I wish to make a little explanation. This bill is what might truly be called a compromise bill. There were three bills along the public service line introduced into the House; one by the gentleman from Crawford, one by the gentleman from Philadelphia, Mr. S. B. Scott, and another one in the Senate. After a number of conferences the proposition was on which one we could get together and get a suitable bill that could be supported by all parties interested, and this bill was the result. In pursuance of this effort, a joint committee of the Senate and the House met or was created and met with that purpose in view—of trying to agree upon a bill which could be adopted by the House and taken before the Senate and passed without all the fighting and bickerings that sometimes come up on a bill of this character. After the creation of this joint committee of the Senate and the House, four public meetings were held and in addition to that, three or four executive meetings were held and this bill which bears my name as sponsor, although I did not draft it, was taken as a basis. It was thought that the best features of the other bills were taken out and that it was the intention to insert them into this bill. Thus making a compromise bill which would meet the best wishes of all the people interested in a public service corporation. Now, probably every one of the amendments that have been offered so far and I think I may safely say all that will be offered in this second reading here, have been offered before the committee; some of them once, and some of them twice and some of them three times, and have been considered formally by the Committee and some of them have been rejected and some of them have been modified. This section, upon which we are now acting, was changed to meet the wishes of certain interests of the City of Pittsburgh. It was believed by the Committee that the section was then just as they wanted it. Now, if we go to adopting this amendment which the gentleman offers, it seems to me as I have said, that we are going to defeat one of the very purposes that is sought to be met by this public service bill.

This provision provides for free transfers between sections of the same companies. The amendment would provide for free transfers between different companies and would work a hardship on the companies, and that is not sought by the purpose of this bill, and I trust this amendment will not be adopted.

Mr. HUMES. Mr. Speaker, I just want to say one word in reply to the gentleman from Tioga, inasmuch as he seems to have involved me or the bill for which I stand sponsor in the question of a compromise between the bills. I want to deny that this bill is a compromise of the three bills,

and I want to deny that the persons representing all three bills were considered in the drafting of this bill, and to say that it is merely a compromise of the sponsors of two of the bills.

Mr. ROCKWELL. Mr. Speaker, if I misrepresented the gentlemen in anything I said about his being interested in any compromise or [illegible] withdraw it.

Mr. ALLEN. Mr. Speaker, notwithstanding all that has been said by the gentleman on the other side of the House, who seems to speak, or rather echo, from a department of this State as he is now surrounded, I must say to the members of this House that the matter now under consideration is one of the most important that is embodied in this bill. We from the City of Pittsburgh know from hearsay what a transfer is—from hearsay, I say—we know what a transfer means, and I believe, Mr. Speaker, that the gentleman will not echo an answer otner than that the commission has the right to establish between any two or three or more companies that may be concerned, what concessions may be made by each to the other, in order to carry out the purposes of this bill. We are members of this House are not saying whether it shall be the full fare turned over, four cents or 80 per cent. of it, three cents or 60 per cent. of it two cents or 40 per cent. of it one cent or 20 per cent. of it or any other amount. We are not saying that, but we are simply saying by this amendment that the people who pay their fare when they go upon a car, when they reach a point that they desire to take another line, shall have a transfer. Now, we do not say by this bill that they shall pay five cents originally and ride till eternity or till doomsday. That is in the wisdom of the commission and rests in their hands. The whole thing is very easy, Mr. Speaker, if you please, but we do say that when there is one system, or when there are two systems, or when there are three systems, or half a dozen systems, and it takes that many systems, the entire lot, if you please, for the passenger to reach his destination under the fare that he pays from his house to the point which he expects to reach, he shall pay his fare, and when he reaches the common point at which he wants a transfer he shall receive a transfer. That is what it does and that is what it means and I ask the support of the House on that proposition.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. ROCKWELL and Mr. R. J. BALDWIN and were as follows:

YEAS—107.

Adams,	Donahoe,	Kern,	Peters,
Allen,	Donnally,	Klepper,	Post,
Alworth,	Down,	Kuhn, H. P.,	Price,
Baldwin, G. A.,	Dunn, H. B.,	Kuhns, E. G. M.,	Reese,
Barner,	Flynn,	Lanius	Reeser,
Benninger,	Forster, I. G.,	Latshaw,	Richards,
Benson,	Foster, J. D.,	Lenker,	Rothenberger,
Bergey,	Geary,	Leslie,	Savacool,
Bigger,	Geiser,	Light,	Schaeffer, A. C
Bittles,	Glenn,	Malie,	Scott, J. R. K.,
Blair, W. A.,	Good,	Mannion,	Semmens,
Blair, W. F.,	Goss,	Martin,	Smith, J. W.,
Bleloch,	Grabe,	Matt,	Snavely,
Body,	Gray, Joseph,	McAleer,	Steedle,
Brownlee,	Haggerty,	McAllister,	Steele,
Burnett,	Heidinger,	McDermott,	Swift,
Caldwell,	Hemminger,	McKay,	Trach,
Campbell, C.M.,	Herman,	Mellott,	Ulman,
Carson,	Howard, R.,	Metzenbacher,	Walnut
Carter,	Humes,	Murphy,	Wettach,
Cheeseman,	Isler,	Musser,	Wilson, J. H.,
Clavcomb,	Irwin, H. H.,	Neely,	Wilson, W. H.,
Cleary,	Jackson,	Newbaker,	Young, G. K.
Cochran	Jones, J. R.,	Peachey,	Zimmerman,
Collins,	Kaiser,	Pennegar,	Alter,
Conniff,	Keeport,	Pennock,	Speaker.
Davis,	Kennedy,	Perry, H. L.,	
DeFrees,			

NAYS—76.

Aron,	Gramley,	Missimer,	Sherwood,
Arthur,	Gransback,	Mitchell,	Showalter,
Baldwin, R. J.,	Hackett,	Moore,	Smith, L.,
Bass,	Heyburn,	Morrow,	Snyder,
Bayle,	Hibshman,	Moses,	Spangler,
Conrade,	Hobbs,	Neel,	Speiser,
Cox,	Hoffman,	Newton,	Spillinger,
Currier,	Howard, J.,	O'Neill,	Stone
Curry,	Irwin, G. C.,	Perry, S. J.,	Strauss,
Dickinson,	Jones, E. E.,	Ramsey,	Swartz,
Dunn, J. A.,	Keegan,	Redfield,	Ulerich,
Ehrhardt,	Kenna,	Rex,	Walton,
Eichenberger,	Kitts,	Rhoads,	Watson,
Ely,	Lowers,	Rockwell,	Whitaker,
Ewing,	Mather,	Roney,	Whitman,
Fahey,	McArdle,	Sassaman,	Wildman,
Frey,	McClintock,	Schuck,	Wiltbank,
Gans,	McNichol,	Scott, S. B.,	Young, J. H.,
Gibson,	Miller,	Shaffer, I. E.,	Williams,

So the question was determined in the affirmative and the amendments were agreed to.

QUESTION OF PERSONAL PRIVILEGE.

Mr. ALLEN. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. ALLEN. Mr. Speaker, I call the Chair's attention to rule 39 of this House, which provides that none but members of the Senate, their officers, the Governor and heads of State Departments, judges of the courts of this Commonwealth, former members of the Legislature when introduced by a member of the present House, and others who may be specially introduced by a member, by permission of the Speaker, shall be permitted to come upon the floor of the House during its session; and no person not a member of the Legislature, shall be permitted to come upon the floor of the House, or sit in any seats appropriated for the members, or interrupt a member by speaking to him in his seat, while the House is in session; and it shall be the duty of the sergeant-at-arms or doorkeeper to give notice to any person offending against this rule.

Mr. Speaker, this rule has been in operation since this House convened and the rules were adopted, and I ask for its enforcement at this time, and the reason that I do that, Mr. Speaker, is simply this: Those gentlemen to whom I object at this time sitting where they do and conferring as they do and acting as they do in relation to matters to which this House is giving its attention, have already had their say fully before the Committee, which has deeply and thoroughly considered this bill and I feel that it is an injustice to us member who have not had the advisory capacity of that Committee or of those gentlemen, or of anybody else, and who have acted upon this bill solely as their reason and conscience dictates, to have them or anybody else that is not a member of this House dealing in the purposes and processes by which this bill is being perfected.

Mr. ROCKWELL. Mr. Speaker, I assume that this question of personal privilege is aimed at the Honorable Attorney General of Pennsylvania.

Mr. ALLEN. Mr. Speaker, so that the gentleman may not be mistaken, it is to him and to his assistants.

Mr. ROCKWELL. Mr. Speaker, as I stated a few moments ago, while this bill bears my name, I am not the drafter of the bill. Two years ago a bill was gotten up, known as the Public Service Corporations and introduced in this House and sponsored by the gentleman from Allegheny, our present Speaker. The bill of two years ago was drafted by the same party who drafted this bill. The bill was given to me to introduce and Mr. Speaker I will fairly and frankly state that I do not understand all the provisions of this bill, and I think I am not out of place when I state that there is not a member in the House who will get upon the floor and say that he does.

Mr. Speaker, it was at my personal request that the Attorney General sits in the hall of this House, and when amendments or propositions come up that need explanation, if I could get any light from him, in view of his immense time and study he has put upon this proposition, that I could get it and explain the purposes of this bill to this House. I do not believe that in view of the way that this House has been handled the whole session, when time after time the whole audience room has been filled and the aisles packed so that the members could not get through, that it is the proper time now to call this rule particularly into order, and Mr. Speaker, I move the suspension of this rule for the purpose of considering this bill.

Mr. ALTER. Mr. Speaker, I doubt the wisdom of the suspension of the rule, but I do move as a matter of consideration to the gentleman from Tioga, Mr. Rockwell, that the Attorney General of Pennsylvania, be given permission to sit beside the gentleman from Tioga during the consideration of this bill.

On the question,
Will the House agree to the motion?

Mr. ALLEN. Mr. Speaker, I am perfectly willing that the gentleman shall be allowed to sit by Mr. Rockwell. during the process of working out this bill, but I do not think it is fair to the members of this House that he be seated where the members of this House are seated. If Mr. Rockwell sees fit to withdraw himself to a place where other visitors are assigned, I am perfectly in harmony with that thought—

Cries of "No, No."

Mr. ALLEN.——I will be heard——but I do not think that it is right for the suggestions which the gentleman gives to Mr. Rockwell, either in relation to argument or any other matter in connection with this bill, that it shall be within a radius whereby other members may be influenced. If they are at a point at which they can confer I am perfectly willing that Mr. Rockwell shall be advised from any source whatever.

Mr. ROCKWELL. Mr. Speaker, I withdraw my motion in favor of the suggestion of the gentleman from Allegheny, that the Attorney General be given permission to sit by me in the House in an advisory capacity.

Mr. SPEISER. Mr. Speaker, that is not the motion of the gentleman from Allegheny. It was that he was given permission to sit beside the sponsor of this bill. There is no privilege given to the Attorney General to come upon the floor other than such privilege of sitting by the sponsor.

Mr. ROCKWELL. Mr. Speaker, I do not mean to sit on the floor of the House other than as covered by the motion of the gentleman from Allegheny, Mr. Alter.

On the question recurring?
Will the House agree to the motion?
It was agreed to.

Mr. ROCKWELL. Mr. Speaker, I desire to offer further amendment.

The amendment as read by the Clerk as follows:

Amend article 11, section 1, sub-section F, line 74, on page 8, by inserting after the word "provisions," the following "of this act or shall participate in any such tariff or schedule."

On the question,
Will the House agree to the amendment?

Mr. ROCKWELL. Mr. Speaker, in explanation of the amendment, I simply want to say that these words are to be inserted where they were left out in the printing of the bill. It simply makes the reading of that proviso clear, that is all. It is not plain the way it reads.

On the question recurring?
Will the House agree to the amendment?
It was agreed to.

Mr. ROCKWELL. Mr. Speaker, I desire to offer further amendment.

The amendment will be read by the Clerk.

On page 14, line 241, article 11, section 1, sub-section S, amend by inserting before the first word "and" the words "or inclined plan corporation."

On the question,
Will the House agree to the amendment?
It was agreed to.

Mr. ROCKWELL. Mr. Speaker, I desire to offer further amendment.

The amendment was read by the Clerk as follows:

Line 243, amend by inserting after the first letters in the line "tions" the words "or inclined plane corporation."

On the question,
Will the House agree to the amendment?
It was agreed to.

Mr. LENKER. Mr. Speaker, I desire to offer an amendment at this time.

The amendment was read by the Clerk as follows:

Amend article 11, section 1, sub-section T, lines 273 and 274, on page 15, by striking out the word "Commismission" and inserting the word "Commission."

On the question,
Will the House agree to the amendment?
It was agreed to.
On the question,
Will the House agree to Article II as amended?
It was agreed to.

The first section of Article III, was then read and agreed to as follows:

ARTICLE III

Creation Power and Limitation of Powers of Public Service Companies

Section 1 It shall be lawful for every public service company

(a) To demand collect and receive fair just and reasonable prices rates fares tolls charges or other compensation for each and every public service rendered or to be rendered by it to any person or corporation or to any other public service company with whom it interchanges facilities and services

To establish a sliding scale of rates fares or charges provided that a schedule showing such scale of rates fares or charges shall first have been filed with the Commission and approved by it

To establish with the consent of the Commission a scale of charges subject to automatic adjustment in relation to the dividends to be paid to the stockholders of such public service company or the profit to be realized by any person engaged in like business

To participate to such an extent as may be permitted by the Commission and deemed by the Commission wise for the purpose of encouraging economies effciencies or improvements in methods or service in the additional profits which will be afforded by such economies effciencies or improvements in methods or service

(b) To employ in the conduct and management of its business suitable and reasonable classifications of its service patrons and rates and such classification may in any proper case take into account the nature of the use and quantity used the time when used the purpose for which used the kind bulk value and facility of handling of commodities and any other reasonable consideration

(c) To have reasonable rules and regulations subject to eisting law and the provisions of this act governing the conduct of its business and the conditions under which it shall be required to render services

It may require the payment of charges in advance the making of reasonable minimum payments and deposits to secure future payments of such charges or it may allow discounts for prompt payments of the same or impose penalties for failure to pay promptly provided that such advance charges minimum payments deposits discounts or penalties are reasonable and apply equally and without discrimination or preference to all shippers consumers and patrons under like conditions and under similar circumstances

(d) To apply to the Commission by complaint in the manner hereinafter provided in this act whenever such company claims to be aggrieved by any ruling regulation classification or order which it is or has been required by the Commission to observe or carry into effect and thereupon such public service company shall be entitled to a full and fair hearing and a speedy determination of its complaint on the merits by the Commission and to all just and reasonable relief consistent with the rights and duties of such public service company

(e) Whenever any owner of property transported by any common carrier or any user or patron of any other public service company renders directly or indirectly any service connected with such transportation or other public service the charge and allowance therefor shall be no more than is just and reasonable and the Commission may after hearing on its own motion or upon complaint determine what is a reasonable charge as a maximum to be paid by the carrier or other public service company for the use of the service so furnished or rendered and what is a proper proportion of the said cost and fix the same by appropriate order to be observed and enforced by the parties concerned

Section 2 of Article 3 was read as follows:

Section 2 Upon the approval of the Commission evidenced by its Certificate of Public Convenience first had and obtained and not otherwise it shall be lawful for any proposed public service company

(a) To be incorporated organized or created provided that existing laws relative to the incorporation organization and creation of such companies shall first have been complied with prior to the application to the commission for its "Certificate of Public Convenience"

(b) To begin the exercise of any right power franchise or privilege under and ordinance municipal contract or otherwise

On the question,
Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

On page 20, amend article 3, section 2, by striking out all of section 2.

On the question,
Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, the purpose of section 2. as I read this bill, is that all companies organized or created must be done by or with the approval of this Commission.

and that is the sole purpose of Section 2. The amendment which would strike out this provision simply leaves the matter in this way: the law as already standing on our statute books provides how corporations shall be formed. Under the provisions of Section 2, and Section 3, which follows, even if a municipality were to seek to obtain its own ownership over public service corporations they would have to have the consent and approval of this Commission in order to do so. By striking out the entire section, which is the proposed amendment I have offered, it would leave the right of municipalities whether they be great or small, to create and bring into being and establish under the law as now provided any public service corporation without the approbation of this Commission. That is all there is to it.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

The question recurring,

Will the House agree to the section?

It was agreed to.

The third section of Article 3 was read and agreed to as follows:

Section 3 Upon like approval of the Commission first had and obtained as aforesaid and upon compliance with existing laws and not otherwise it shall be lawful

(a) For any public service company to renew its charter or obtain any additional rights powers franchises or privileges by any amendment or supplement to its charter or otherwise

(b) For a foreign public service company upon compliance with existing laws if any there be permitting such foreign company to exercise its powers and franchises within this Commonwealth to obtain the right to do business within this Commonwealth

(c) For any public service company to sell assign transfer lease consolidate or merge its property powers franchises or privileges or any of them to or with any other corporation or person

(d) For any municipal corporation to acquire construct or begin to operate any plant equipment or other facilities for the rendering or furnishing to the public of any service of the kind or character already being rendered or furnished by any public service company within the municipality

Provided however that nothing herein contained shall interfere with or affect the right or power of a municipal corporation to continue the operation of its municipal plant or to extend the same within the territory of such municipal corporation or any part thereof which is not then being supplied by a public service company rendering or furnishing of a like kind or character

The fourth section was read as follows:

Section 4 It shall be lawful for any public service company

(a) To issue stocks trust certificates bonds notes notes and other evidences of indebtedness or other securities or make any increase in the issue thereof in the manner prescribed by law for and only for money labor done or money or property actually received in accordance with the requirements of the Constitution and the laws of the Commonwealth

All stocks trust certificates bonds notes or other evidences of indebtedness or other securities issued in violation of this sub-section and all fictitious increase of stock trust certificates bonds notes or other indebtedness or securities shall be void

Application as hereinafter provided may be made by such public service company to the Commission for a certificate of valuation to the effect that the provisions of this section have been complied with as to any stocks trust certicates bonds notes or other evidences of indebtedness or other securities issued after the passage of this act such application shall certify as to the number and amount thereof to be issued and the purpose of such issue and shall contain such other facts and detailed information and be in such form as the Commission shall determine and prescribe and shall be signed and verified by the affidavit of the treasurer auditor controller or other acting fiscal head of the public service company

(b) Every public service company shall file with the Commission on or prior to the date of issuance of any stock trust certificates securities bonds notes or other evidences of indebtedness or other securities payable at periods of more than twelve months after the date thereof and now or hereafter to be authorized (unless upon application as aforesaid a certificate of valuation shall have been obtained in accordance with the provisions of this act) a certificate to be known as a Certificate of Notification in such form as the Commission may from time to time determine and prescribe which among other things that may be required by the Commission shall show

I The total amount thereof

II The number and amount thereof outstanding prior to the date of such certificate the amount thereof theretofore retired the amount hereof heretofore undisposed of and whether such amount is held in the treasury of the public service company as a free asset or pledged and if pledged the terms and conditions of such pledge

III The number and amount thereof to be issued and the purpose of such issue and whether to be sold pledged or held in the treasury of the public service company as a free asset if such securities are to be sold the terms or sale if a contract for such sale has been made and if any part of the consideration to be received therefor is other than money an accurate and detailed description thereof if such securities are to be pledged the terms and conditions of such pledge

IV The number and amount thereof remaining unissued

V If the issue is of shares of stock the certificate shall also show the par value thereof and the number of their outstanding shares previously issued

VI The preference or privilege granted to the holders of any such shares of stock the dates of maturity rates of interest of any such bonds notes or other evidences of indebtedness or other securities and any conversion rights granted to the holders thereof and the price if any at which such shares or such securities may be redeemed

(c) Whenever any securities set forth and described in any Certificate of Notification as pledged or held as a free asset in the treasury of the public service company shall subsequent to the filing of such certificate be sold or repledged or otherwise disposed of by the public service company such company shall file a further Certificate of Notification to that effect setting forth therein all such facts as are required by sub-section III sub-section (b) of this Section 4

(d) All Certificates of Notification furnished to the Commission shall be signed and verified by the affidavit of the treasurer auditor controller or other acting fiscal head of the public service company Such Certificates of Notification shall at all times be deemed to be public records and open to inspection and may be given such further publicity as the Commission may deem to be for the public interest or welfare

The provisions in this act contained in regard to Certificates of Notification and Certificates of Valuation shall not apply to the issuance of bonds notes or evidences of indebtedness payable at periods of twelve months or less nor to the pledging or depledging of stocks trust certificates bonds or other evidences of indebtedness to secure such bonds notes or evidences of indebtedness payable at periods of twelve months or less but if such bonds notes or other evidences of indebtedness shall in whole or in part directly or indirectly be refunded by any issue of bonds notes or other evidences of indebtedness running for more than twelve months then the said mentioned provisions with regard to Certificates of Notification and Valuation shall apply

Neither the filing with the Commision of any Certificate of Notification nor the issuing by the Commission of any Certificate of Public Convenience or Certificate of Valuation and nothing therein or in this act contained nor any hearing had nor finding nor order nor decree made by the Commission nor any act or thing done by any public service Company in pursuance thereof nor any act or thing done by the Commission under the provisions of this act shall in any wise affect the validity or invalidity of any stocks trust certificates bonds notes or other evidences of indebtedness or other securities issued prior to the approval of this act or other securities issued prior to the date when this act shall become affected by a public service company

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer amendments to the section.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend House Bill No. 183, file folio 8227, article 3, section 4, by striking out all of the section and inserting in lieu thereof the following: "Section 4: No public service company as herein defined shall hereafter issue any stocks, stock certificates, bonds or other evidences of indebtedness until it shall have first obtained authority from the Commission for such proposed issue, excepting obligations maturing in more than one year from date, and issued for cash in the ordinary course of business of such public service company. No stocks, stock certificates, bonds or other evidences of indebtedness shall be issued by any public service company orgainzed under the provisions of an Act of Assembly approved the eighth day of April, A. D. 1861, entitled "An Act concerning the sale of railroads, canals, turnpikes, bridges and plank roads," or any supplement thereto, until it shall have first obtained authority from the Commission for such issue."

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, this is the amendment that is aimed at watered stock, and the purposes of this amendment is to require public service companies to first secure the consent of the Commission before they can issue stocks and bonds. It is a proposition that is a part of every public utilities commission law in existence in this country. Under the bill as drafted it is only necessary that the public utilities company shall notify the Commission of the issues of stocks and bonds, and there is no power vested in the Commission by which it can adequately see that no watered stocks are issued. If we are to create a Commission, we must assume that it will be a competent Commission, and it will be the duty of that Commission to protect the public. In protecting the public it will be necessary for them to fix rates, and in order to fix rates they must, in order to prevent the confiscation of property in

the fixing of rates, be in a position to know just what proper rates, from the standpoint of the Public Utilities Commission, are, and they must know just what rates the public is entitled to, and the two propositions are inseparably connected and without this provision the hands of the Commission are tied; without this provision, in addition to the difficulty in the matter of fixing rates, we have left the public service companies of this State free to loot and plunder the public in the sale of fraudulent or watered stocks and bonds. I believe that this bill without this provision will be without one, and the one most meritorious feature contained in every public utility law in this country. The provisions of this bill, as it comes here, are absolutely an experiment, never incorporated in any law nor never tried out in any State. It strikes me that we might better profit by the very efficient and profitable experience of other States than to undertake to branch out in a new and untried field. That is just what this bill will do unless this amendment is incorporated, and Mr. Speaker, when this amendment comes before the House, I demand the yeas and nays.

Mr. ROCKWELL. Mr. Speaker, as has been stated by the gentleman from Crawford, this is a vital clause and section in this bill. In some of the drafts of the public service bills it was thought by able men who drafted them that no provision at all should be embodied in the bill in relation to the issuing of stocks and bonds. Why? Because the primary aim of a public service bill is to regualte rates and public facilities to the benefit of the people. Others thought that such regulation should be put in. In the bill drafted two years ago, which passed this House almost unanimously, I think the section as read and proposed to be inserted in lieu of Section 4 here was in the public service bill. It is a section that is practically the same as in the Wisconsin Public Utilities Bill, the New York State Bill and the New Jersey Bill, but experience has taught those who have investigated this proposition that the working out of that drastic clause is bad. The amendment offered by the gentleman from Crawford makes an ironclad rule that no public service corporation can issue any stocks or bonds or other evidence of indebtedness running over a period of one year without first applying to the Commission and getting its permit. If we adopted such an ironclad rule as that, you are hampering capital and you are tying up corporations to such an extent that it will cripple them to a great degree. I understand the experience of some of the States where this provision, as suggested by this amendment, is in force, that the Commission, instead of followning out the real purposes of the bill which created them, are compelled to spend fifty per cent. or more of of their time in going into the financial conditions of all companies that applied to them for a permit to issue stocks and bonds or other evidences of indebtedness. In one instance, it was cited before the Committee of an application for a certain street railway company in the City of Buffalo that it took the New York State Commission practically a year, and at an expense of from seventy to one hundred thousand dollars to first ascertain the condition of that company before it could approve the issuance of those stocks and bonds. Now, gentlemen, I do not want to tire you, but I wish to explain the provisions of the bill as it now stands. If I can, in a few words, I want to state the two propositions again. The first one is that if a public service corporation desires to make an extension, or desires to change its financial plan or something of that kind in a case of emergency arising, the bill provides that it can notify the Commission, and this notification we call in the bill, a certificate of notification. This certificate of notification shall contain the purposes for which the new stocks and bonds are to be issued, and the total amount thereof outstanding prior to the date of such certificate, the number and amount thereof to be issued and the purposes for which they are issued, the number and amount tereof remaining unissued, and if the issue of shares of stock, the certificate shall also show the par value thereof and the number of then outstanding shares previously issued.

Now, gentlemen, without going further, these certificates of notification provide a complete set of restrictions around the issuing of these stocks and bonds and other evidences of indebtedness which is a protection to the public; and the bill provides that it shall be followed up by a sworn statement of the officers of the company that it is true in every particular. And it is followed up further by a provision that if any officer or director of the company shall make a false statement, upon conviction thereof, he shall be guilty of a misdemeanor, the penalty being a fine not exceeding five thousand dollars, or to undergo an imprisonment for a term of years not to exceed five, or both, or either, at the discretion of the Court.

That provision is an emergency provision so as not to hamper the public service corporations and tie them up, so that they cannot introduce new branches or do their business in a proper manner. This section, as I have outlined it, is known as the Hadley section. The history is this: That in the working out of the United States inter-state commerce law, it was found that something was needed to provide for the proper regulation for the issuing of stocks and bonds of these public service corporations. The matter was investigated and it was then decided what to do. I think the President of the United States sent a special message to Congress asking for the appointing of a commission to investigate this matter. In pursuance of that message, a commission was created known as the Hadley Commission. This commission I believe was composed of seven men who spent a number of months investigating this proposition and held some thirty public meetings in United States investigating the work and thought in several states who have public service laws and then went to Europe investigating the methods in foreign countries, including England and Germany and I believe some others and this commission reported back to Congress this plan of notification which is know as the Hadley Plan to those who have studied this proposition. They think, and I believe, that it is a good idea and one far better than the iron clad rules which the gentleman from Crawford has offered. This commission considered the proposition as embodied in the iron clad rule and also this proposition as embodied in this bill. In a further section of this bill there is another clause, a companion clause which provides that if any public service company is in a hurry or is in need of urgency to get its stocks and bonds out to meet the money market or to meet the advancement of new propositions of public service corporations, they can come and apply to the public service commission for a certificate and the commission investigates and if they find that the proposed issuance of new stocks and bonds are appropriate they will act at once. There you have the two systems in combination working in harmony. Thus, if in the first instance, it is necessary to finance a new proposition a corporation can by filing this notification issue its stock and if any statement is untrue the officers and directors can be prosecuted and fined and put behind prison bars. It is deemed that this drastic protection is amply sufficient to protect the public. It is further believed that if this plan goes through that we will have two classes of certificates; one which the corporation applies directly to the commission and one which is issued upon a notification blank. If you or I go to a stock broker and ask for the quotation on this class of stock, he will show you two kinds. He will ask you which one will you prefer? We may ask him "Is this one approved by the commission?" "Yes this one is approved but the other one is not; the one is issued by the notification plan; the other is on the certificate of the commission." We will probably say "I will take the one that has the approval of the commission." That then makes it clear that you will have two classes of security. It is the belief and the firm belief that in time all will come under this proposed plan after they have taken care of these—in cases of emergency in order to get the approval of the commission and the result will be as proposed by this amendment that you will not hamper the corporation and tie them up so that they cannot advance their interests for the benefit of the people. It is hard to speak and make myself plain and I trust that I have explained in as few words as possible what I intended to bring before you and if there are any questions that any one desires to ask, I will endeavor to answer them. I believe the provisions of the bill has written it in every proper clause and the amendments should not be adopted.

RECESS.

Mr. ALTER. Mr. Speaker, I move that this House do now take a recess untill 2:30 o'clock.

The SPEAKER. The hour of one o'clock having arrived the House will take a recess until 2:30 o'clock.

AFTER RECESS.

The House reconvened at 2:30 o'clock P. M.

Mr. WILLIAMS in the Chair.

The SPEAKER. When the House took a recess it had under consideration the amendment offered by the gentleman from Crawford, Mr. Humes, to section four of Article III on page 21.

On the question recurring,

Will the House agree to the amendment?

Mr. J. R. K. SCOTT. Mr. Speaker, the amendment that was offered by the gentleman from Crawford is positively the most important amendment that will be offered to this bill. That amendment is for the purpose of preventing the sale of watered stock. There were three bills, Mr. Speaker, that were submitted to this Legislature known as the public utilities bills. One is the administration bill; one is the bill that was drafted by the committee headed by Dr. Lewis of the University of Pennsylvania, presented by Mr. Scott, of Philadelphia; and the third bill was offered by Mr. Humes, of Crawford. In one of those bills, that drafted by the Dean of the University, had no provision whatever for the supervision of the issuing of stocks and bonds, the contention of the sponsor of that bill being that the public utilities commission should have no concern, so far as the issue of stocks and bonds was concerned. The bill that was presented by the gentleman from Crawford provided the same as he now provides in the amendment he offers today, It is the supervision of stocks and bonds, together with the duties of supervising service and rates. The bill that has been offered by the administration is a sort of a middle-of-the-road bill between those two positions; and while that bill provides for the supervision of service and rates and makes a pretence at the supervision of stocks and bonds, it does in a manner leave open the door so far as the issuing of fictitious, valueless stocks is concerned and is no protection whatever. Mr. Speaker, those who advocate a utilities bill who say that the question of rates is alone the question or the bill, is alone the duty of the Legislature, take a most ridiculous position. Their contention practically is that while the public should be protected against a dishonest rate, it should not be protected against the dishonesty that arises from the sale of watered stock. What a ridiculous position for legislation to say that only a slight part of the money of the public is to be protected from the ravages of the dishonest, and the large bulk that is evidenced by the purchase of watered stock should not be protected. The bill as offered by the administration and the bill that was offered by the gentleman from Philadelphia, Mr. Scott, will allow the issuance of watered stock in the continuation of the evil that for years has been round about us.

Take for instance, Mr. Speaker, a small company purchasing a water fall, establishing its power house, establish ing its line and supplying to nearby towns electricity. Say that that utilities actually cost in the labor, in the construction, a half million dollars. There is nothing in this bill to prevent that company from sending its certificate of notification to the Utilities Commission setting forth their valuation at a million dollars, and then, after having sent that notification or communication to the Commission, to issue and sell those mulion dollars of stock to the various citizens or patrons or customers or people round about the community; and then, after that five hundred thousand dollars of dishonest money had been placed in the pocket of the promoters, then it, Mr. Speaker, that the Commission comes forward and either puts its stamp of approval or stamp of disapproval upon that issue of stock. But what protection is it to the people, after the stock has been sold, after the people have been plundered, after their money has been taken from them, what answer is it to them to have the Utilities Commission then find that the actual value of that company was but a half million dollars? The answer to that, by those who advocate the administration bill, is that there is a penalty of five years imprisonment upon the one who gives a false notification, the one who knowingly gives the false information. But, Mr. Speaker, what is that? What protection is that? What protection is that to the widow who has placed her money in that stock. What protection is that to any citizens who has placed his fortune in that stock, and based on the honesty of the stock to say that the criminal can be sent on to prison? Mr. Speaker, the administration bill is but a subterfuge in that respect. But what have we here with this amendment? If this amendment prevails, no such conduct could take place. The five hundred thousand dollar company would have to be capitalized at five hundred thousand dollars, because, before a dollar's worth of stock could be issued, there would have to be the stamp of that Commission, its approval placed upon the issue of that stock. Now we have been met by many reasons why this approval should not prevail. Some tell us that the approval of the stock makes the Commonwealth a guarantor. That is nonsense. That approval merely means that the Commission has investigated and found that value actually exists. We are met with the other suggestion that the Commission would be inefficient or would be venal and therefore the work that ought to be in the hands of the Board of Directors would be placed in the hands of a Commission which would do the work either without proper efficiency or do it venally. Mr. Speaker, if that is so, then legislation for public utility is a failure, then this whole legislation should be stricken down. But the people do not believe it. The people believe in the public utility commission. It has been tried in other states. It is legislation that is advance legislation, and that argument does not meet with the approval here by the people. They are now suggesting by their administration bill this present system, this mere subterfuge, and this mere loop hole that means the loss of some of the people's money. This means that it allows the stealing of the people's money by the watered stock to continue. They advance that on the theory that it is beneficial to the corporation and beneficial to the people and they tell us that the other States that have had the utility bill have found the present system as advanced and offered by this amendment to be a failure. Mr. Speaker, there are four or five States in the Union that have the Utility Bill, that have the stock supervision provision in it and not one of them do we hear by legislation has changed that condition. We do not hear a complaint from the head of the government. We do not hear a complaint from the Legislature. We do not hear a complaint from the people. But who do we hear a complaint from? We hear a complaint from the political financier who has made his great wealth on public utilities by the sale of watered stock. We hear no other complaint. We hear no other request. What do they advance us here? They advance what they call the Hadley system. A system that has been advocated by the Hadley Commission, advocated for federal law, advocated 18 months ago, but we have yet to hear of the Federal Legislature either passing or attempting to pass any law that is covered by this Hadley system. Then why, Mr. Speaker, are we to accept this experiment. Why are we to accept this bill. Why are we to change from our position of last session. Why, Mr. Speaker, they tell us that we should have no control of stock; that we should merely listen to the complaints so far as the rates are concerned; but that rates should be based on actual value and not based upon the issue of stock. Take the illustration that I made but a moment ago, of the five hundred thousand dollar company that had been improperly capitalized for one million dollars, and say that the rate was established that would make a return on one million dollars. It would be an honest company if the rate was established upon an amount that would pay the carrying charges and an amount that would make a return of six per cent. upon five hundred thousand dollars. But if the rate has been fixed so as to make a return upon one million dollars, then that is a dishonest rate. Say, Mr. Speaker, that after that stock has been issued, after that rate has been established, when the people's money has gone into the pockets of the promoters, that the Commission discover that the rates were based upon a fictitious valuation and they cut the rate, who suffers? Is it the promoter with his five hundred thousand dollars of ill gotten wealth in his pocket, or is it rather the self-same public who have been looted of their five hundred thousand dollars? They are the ones who feel the operation, the stockholders of the company feel the pressure of the reducing of that rate. Why, Mr. Speaker, to say that stock has nothing to do with fixing the rates, as an answer to this question,—that has no logic upon it.

But, Mr. Speaker, there is much behind the opposition to this amendment. We have seen the great force that opposes this amendment. Not only, Mr. Speaker, do we see it now in this Legislature, not only have we seen evidence of it in the subsidized press and in the editorial column; not only have we seen it with the great power that is pressed on the

various members of this House; but we saw it last session. Mr. Speaker, when the Governor of this Commonwealth and his brilliant Attorney General stood strongly before the people and advocated a public utilities bill with a provision in it that this very amendment calls for. We saw that same power that today is pressing against this amendment come up and trouble that Governor and take from that Attorney General his ambition to bring before the Legislature and pass into a law a utilities bill that would serve the people and be a monument for the administration. Nay, we saw more than that: We saw those same corporate powers come forth and actually destroy that bill in the Senate of this Legislature. That was that same influence now moulding the utilities bill without its tooth, molding the administration bill, without the control of watered stock. Mr. Speaker, why do we see now the same corporations with their powers, with their agents, with their attorneys who last session flew at the throats of their political allies and demanded that the Governor whom they had helped to elect abandon his ambition? Why do we see those same corporations today walking hand in hand with this same administration, that would a couple of years ago have destroyed to all intents this utilities bill. It is not, Mr. Speaker, because there is a change in the provision as to the supervision of service. It is not because there is a change in the supervision of rates, because the two bills are almost identical upon those two provisions. But it is, Mr. Speaker, because there is a great change between the bill of last session and the bill of this present session, and the change is the removal of the approval by the Commission of the issue of stocks and bonds before they can be issued. Why, all this change, in the attitude of the corporations? Why all this change in the attitude of those great financial influences?

Has it been that this administration has been able to change that corporate interest's point of view, or rather has it been that this great corporate influence has been able to change the administration's point of view. Mr. Speaker, this amendment means much. It means much in the legilation that we have just passed. It means much so far as the All-Philadelphia Bills are concerned. We passed a few hours ago an enabling bill that allowed the subways and the elevated roads to be established on Broad Street and on other avenues in the City of Philadelphia. We have passed the bills that allow the establishing of a great public service corporation, and whether that corporation is dealt with, or deals with the public as an independent company, or whether it deals with the public as amalgamated with other large public utilities, this present utilities law will have great force and power over that company, if we put this amendment in the bill. If we do not, we will have those great utilities companies issuing their millions of dollars of fictitious stock, issuing their great watered output, looting the people of many millions of dollars, and there will be no means of reaching them. For the sponsor and for the advocates of this bill as it is now before the House to say that the penalty of imprisonment portion of that act will deter it, we merely answer by saying that the Constitution of 1874 had denied it, but still we know that from that day to this the watered stock was issued, the public looted and the millionaire had made his great fortune from the sale of the watered stock. Mr. Speaker, the vote of this House to-day will indicate whether that great force that has been able, through unseen and hidden, to direct the legislation of this House, to advance it, to mould it, or to stifle it, whether that same influence whether that same power, has now the power to make us bow our knee, and admit its force. Mr. Speaker, without the amendment offered by the gentleman from Crawford. this utilities bill is a nullity; without the amendment offered by the gentleman from Crawford this bill should never go on the statute books. Those who have this bill before the House, who now advocate it with this change from last session, I ask them, Mr. Speaker, for one logical reason for the change in the last session's bill. I ask them why the Hadley system is now adopted? If there is complaint in the other states, I ask why the Legislatures of those other states have not advanced the Hadley system? Mr. Speaker, and gentlemen of the House, I hope there will be no question about the adoption of this amendment. It means the life of this bill. It means the force of this bill. Without it in this bill the public is yet subject to the wolfish ravages of the political financier whose harvest, whose golden harvest, is the sale of the watered stock.

Mr. R. J. BALDWIN. Mr. Speaker, to my mind, my friend from Philadelphia is again trying to draw a picture that is not true nor correct as relates to these two propositions. I do not think the House cares to have any pictures drawn. We all know that we are here, not any of us. under the influences that my friend from Philadelphia, perhaps not intentionally, but has certainly given the House to understand is back of those who oppose this amendment. Now I know that I do not want to say to the House that the members who are supporting this bill as it now stands are in no way nor have they any right to be subjected to any such criticism. Those who are going to support this bill, if it be but myself, (and I can say that I have tried to understand the effect of this bill, I have tried to understand the effect of the proposition submitted by the gentleman from Crawford) are not deserving of such criticism. There must be two sides to this proposition. This proposition of having a utilties commission is one that has been talked about for several years. It has only been within a very few years that there has been placed upon the statute books of the different states legislation of this character. We all appreciate that there was a time in our history when we were begging and coaxing the captains of industry to embark in large enterprises to develop our resources. In those days large corporations did not stand in disrepute, but it is also true, and we all know it, that that corporate power has brought about great abuses. But I question very much whether the proposition offered by the gentleman from Crawford will better curb, and at the same time not interfere with honest development, and give to the captains of industry proper power to bring about their great enterprises. That is what this Legislature wants to do. I know it and every man of you wants to do it. No doubt the gentleman from Philadelphia wants to do that. There is a difference of opinion, isn't there, as to whether that amendment should go into the bill, or whether the present bill is better without it. In other words, whether since two years ago, after careful study, after the examining the effects of this class of legislation in the various states of the Union, whether the Legislature of Pennsylvania can now be guided by the experience and by the investigations that have been made not only by the different states, and the effects of the laws in the different states, but the investigation carried on by the National Government that not only reached out and over and through all of this great Republic of ours, but that went over and examined the proposition in continental Europe. There is no doubt that those two years of investigations have taught the men who have examined this proposition something at least. They were hunting for the honest truth. They were trying to solve one of the difficult problems of this social organization, and that is to prevent men of large means, and men who undertake large enterprises that the average investor cannot investigate, to protect the average investor from the dishonest man who is in that business and fositing upon him dishonest stock, and at the same time not tying the hands of the man who honestly goes out and does those things which results in the great development of our country. It is not easily done. Men have studied over the proposition ever since corporate power appeared to become dangerous. Our magazines have printed columns and columns and pages and pages of solutions. Gradually from time to time a little grain of wheat has been found and has been added to the grain of suggestion of another man's mind until we have in operation the utilities law. When put in operation certain defects were discovered. What were the defects that were discovered as corporated in the laws of the different states as suggested by the gentleman from Crawford. The weaknesses were these. In the State of New Jersey the work of that Commission to-day is eighteen months in arrears. If one of the corporations of the State of New Jersey were to-day to desire to extend its business, be it a railroad, be it a water power company, be it a gas company, be it an electric light company, or be it a trolley company, or any of these utility propositions contained in this bill; what does this mean to those captains of industry, those honest men who never issued a dollar's worth of bogus stock, and who have taken no action whatever excepting for the benefit of their community. That proposition means to the men of New Jersey that they will

have to wait eighteen months to find out whether they can float an issue of bonds. But it is no matter if my friend from Philadelphia does say that the different Legislatures of the several states have not taken any action. Why, my friends, you all know as well as I do, that these statutes in these different states are not over a year, or two years, or three or four years old at the most, and the impracticability of certain features have not yet shown themselves so that if the voice comes back, we hear it not in the State of Pennsylvania, but you could hear it in these other states. Magazine articles have called attention to it, and those of you who have read those articles know that what I say is correct, and for the very reason that the tremendous character of the work that you are going to throw on the hands of that commission you will practically, or in its practical effect, it will in practice have a very demoralizing effect and will react against the interests of the people, not the captains of industry particularly, but the rank and file who make their daily wage and whose living depends upon the success of these various institutions. You are not going to pass any legislation of that character if you know it. Now, my friend from Philadelphia tells you that this bill does not amply protect the public. Now, I want to say frankly to you that it more amply protects the public than the provision contained in the suggestion offered by my friend from Crawford. What does this bill do. The provisions of this bill are this. If a utilities company desires to float additional stocks or additional bonds, in other words, desires to borrow additional money, to lengthen or enlarge or make more practical the particular utility, what is required under the provisions of this bill. It requires, before they can issue a single bond, that they must, under a sworn statement present to the Utilities Commission a sworn statement of their financial condition, what property they have, and what their bonded indebtedness is and what ever debts they may have. They must make that statement and make it under oath, and if they do not tell the truth, the penalty is five thousand dollars and five years imprisonment as a maximum. Gentlemen, do you think that any citizen of this State would deliberately take a pen and sign his name to a statement that means imprisonment, not a prima facia case, but the absolute evidence, and into jail you go. Now that is one of the teeth that is in this bill. Isn't it a pretty good tooth? Let us see what the effect of it will be. But I might go on and say what the other provisions in this bill provide. Under the provisions of this bill, the corporations will have to do the things that are provided for.

But in practice what else would be the effect? That the water company, perhaps undertaking to float it bonds, will simply send or get a statement filed and may perhaps find that the commercial world don't want it. This bill provides that you can go before the Commission and pursue the same course as the suggestion of the gentleman from Crawford provides. Thus, in fact, you will find this: That if there is any man in this House who has handled large affairs or has handled large bond issues he knows very well that, notwithstanding the fact that the State of New Jersey, the so-called commission may have O. K.'ed the bond issue. If the facts were laid down so that he, having a practical knowledge, can and may form his own opinion which of the two provisions of the act do you suppose he would accept or prefer? Would not any man prefer to go in and take the sworn statement as to the proposition of the moneys to be used if as to the total indebtedness that exceeds at this time and form his own opinion as to whether he wanted to float that bond issue. Under the proposition of the gentleman from Crawford, such a thing is not available because here we might call your attention to that, but there is so much to say about it. Under the provisions of the New York and New Jersey laws, there is the danger they are speaking about. What do you suppose it cost the State of New York to put in operation what he wants you, are asked, to vote to ingraft on this bill. It cost the State of New York one million dollars. Why? Because under its provisions the State is at the expense of getting that information. Under the provisions of this bill, the information is furnished at the expense of the institution that desires to float the bond. When my friend from Philadelphia tells you that this proposition of his or the gentleman's proposition from Crawford, introduced, is the one we should follow because others have followed; because it is the law somewhere else, it is a very lame proposition. He has mentioned the Hadley method. What does that mean? It means that Mr. Hadley of Yale was one of the Commissioners appointed by our National Government to go into one of the most careful investigations of this proposition and as a result that commission decided that this was the most practical and the safer method to follow. Now, I don't suppose that there is a man in this House who has any doubt about the integrity of Mr. Lewis in Philadelphia. Do you think that the remarks of the gentleman from Philadelphia indirectly suggests that he has been influenced—and I want to say I have the most unqualified confidence in his honesty, and more than that, for two years he has studied that proposition and has examined all of these laws and arrived at this conclusion; and that even last summer, when he felt that perhaps the utility commission could not wisely determine on such a great amount of work, he has still been further carefully investigating and does any one feel that this is not the manner in which the bill should be drawn. Would you take the opinion of my friend from Philadelphia pitted against a man that has given his time almost entirely to the consideration for three long years of this proposition. Don't you think that our Attorney General and that Doctor Lewis, of the University of Pennsylvania, are safer men to follow than the suggestions of those who have formed their opinions hastily and who I don't think really appreciate the fact that here is a law that is more drastic than theirs because experience has shown in the States where there are these laws in operation that the drastic feature of their bills, because of their drastic and impractical effect in operation has resulted adversely just as I understood not long ago on the floor of the House, against the practicable and successful working out of the feature. The drastic punishment does not accomplish the purpose intended. You will go to a jury on these lines and the jury decides contrary to the fact because the punishment is not made to fit the crime. In operation we have on the statute books of our State now several of them and we all know that they are not strictly observed. Now just as soon as you have to break away from the strict letter of the law, you are in chaos and immediately in this measure instead of an amendment being a protection to the public in my judgment it is a backward step. It has been so decided by those who have studied it and I don't think any member in the House could bring any argument against this bill. Now, I desire to call the attention of the House to the fact that those who are undoubtedly striving for the best interests of our State, who are not influenced by the so-called great powers that my friend speaks of, we think we can reach the issue and believe that there is a man in this State of ours who is not effected by the so-called great interests, and we have a right at least to say that we do agree with the representatives of the University of Pennsylvania. I wish to say that I have the highest regard for the Attorney General of the State of Pennsylvania; that he is doing that which I feel that he is capable of doing, and more capable than any man in this House of forming an accurate opinion and he knows and understands every provision of this bill. He understands the effect of every part of this bill. He knows what every amendment offered here means and what is conveyed or intended by those that are presented. He is familiar with every section of the bill and I know that only last week he went over this bill from page to page from one end to the other and I believe that this House can pin its faith on that bill and vote for it as it stands and push all amendments to aside except those that are necessary or intended to correct the language of the bill and correct whatever mistakes may be made in this bill; correct whatever shortcomings there may be in the language, but for gracious sake let us pass a utility bill. It will be simply in force for two years and is it not a wiser course to pursue, to not make the law at first too drastic and not overdo what you are trying to do or you will defeat your whole purpose. I don't believe a bill of this character should be too drastic. We have no place to turn to see the effect of this utility act. There is no State similar to the State of Pennsylvania. The conditions are entirely different. If you were to apply the law of Texas or Wisconsin or Oregon to the State of Pennsylvania you may be doing a very wrong thing. We have a proposition here of eight millions of people and all those great interests these enormous institutions and this bill will reach them and you don't want to put them out of busi-

ness because if you do, it is not them you are hurting; you are not hurting them, it is the wage-earner that they are employing, whom you will hurt. When you destroy them you are doing that which is of interest to the common people. The law under this bill undoubtedly should be passed as it stands. When the language is corrected, if it be anything it should not be too drastic. At the next session of the Legislature two years hence you can correct it and I hope that you will not impair this bill by the adoption of this amendment.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the sponser of this bill, the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga, Mr. Rockwell, permit himself to be interrogated?

Mr. ROCKWELL. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Tioga whether or not the commission as provided for in this bill has a right to regulate the rates of corporations so that the same may be reasonable?

Mr. ROCKWELL. Mr. Speaker, I so understand it.

Mr. ALLEN. Mr. Speaker, I desire to ask whether or not it requires the consent of the commission for a corporation to increase the issue of additional stock?

Mr. ROCKWELL. Mr. Speaker, not under the first section of this act. Not under section four.

Mr. ALLEN. Mr. Speaker, I say under the provisions of the bill.

Mr. ROCKWELL. Mr. Speaker, not under the first clause; not in relation to that although under another clause of the bill, yes.

Mr. ALLEN. Mr. Speaker, where.

Mr. ROCKWELL. Mr. Speaker, in that relation where a corporation applies directly to a commission to issue bonds.

Mr. ALLEN. Mr. Speaker, is it optional as to whether or not it applies to the commission or is it mandatory?

Mr. ROCKWELL. Mr. Speaker, it is optional.

Mr. ALLEN. Mr. Speaker, that is all. Now, Mr. Speaker, we are face to face with this condition. I had better say to you that it was my purpose from the beginning of the agitation of this question and is now and will be until this bill on some form goes through, to vote for a utilities bill. The thing that we are fighting for is to make a bill that will reflect credit upon this body. We as members of this House have lived and thrived and are living in an age of pure food and pure thought and pure everything as the laws that are introduced into this body have shown. A few days ago, just a few hours ago in fact, at the instance and at the suggestion of that great Commonwealth in itself, the City of Philadelphia, we passed in this House a bill which made it necessary to show upon it the date or day, by affidavit, the actual consideration that was paid. In this bill we seek to do what I have understood this very gentleman, the sponsor of this bill, to refer to. They must stand for the members of this House as we consider the proposition which is now facing us and say whether or not they will amend this bill; and that is this, that in the first place the commission can regulate the rate so that the income or the profits will be reasonable. All that the company or corporation on its own commission can do any time issues now. Under the provisions of the bill as it now stands. What have you? You have this proposition, this one alone. If the capital stock of a corporation to-day be one million dollars and the profits of that corporation be such as that commission thinks is unreasonable, they may be able to decrease the rates. But what if the company says that its profits are too great on the capital stock then issued what will it do? In answer again, I will use the words of the gentleman, the sponsor of this bill, "It involves the issuance of its capital stock" and what it gets is not half the percentage of profit. Is that a regulation of the corporation or is the corporation regulating its own condition? Which? Is it not making a statement which the commission cannot review and say that it is unreasonable. Your income and your profits have been decreased to something that sounds reasonable. Have you reached the desired point? Not by any manner of means. Not at all. I listened, Mr. Speaker, to the remarks of the gentleman from Delaware, for whose opinion I have the greatest respect. I listened for him to point to one meritorious feature in the proposition now under consideration, to-wit: the bill as it stands. I listened for him to say one word in opposition to the proposition which is now before us, to-wit: the amendment which has been offered; but not one word as to the merits or one word as to the demerits of the proposition emanated in his mind or flowed from his lips. Not one. The whole thought and the whole argument was of he who prepared this bill. Think who prepared this bill, and when you think, tremble, shiver, shake and bow. Let us look at the bill in a reasonable way; that is what we are here for, Mr. Speaker. Every member upon the floor of this House has a right to exercise his common sense, his own judgment in matters of this kind, and think of its great importance and effect. I believe, Mr. Speaker, if any architect of a legal proposition or of a great building is called to account by an ordinary man, oftentimes a flaw can be seen and readily seen somewhere, and it is those flaws that we are after at this time. I want to call the attention of the House, Mr. Speaker, since Mr. Hadley and his railroad commission has been so paraded before this House; I want to call the House's attention to one feature of this bill that is embodied in Section four, and then I want to know why just before reaching that point this statement was made a few moments ago: That the indebtedness must be shown by a corporation before bonds or stocks can be issued. I quite agree, Mr. Speaker, that certain indebtedness is provided to be shown by the provisions of this bill. I also desire to call the House's attention to the further fact that there is a certain indebtedness—no, not a certain indebtedness—but a great uncertainty that can be concealed, and I ask why? It is provided in this bill that such floating indebtedness as may be due up to twelve months may not appear in the statement. Look at section (d). Now I want to take up this section and show you where it is rather clear to my mind, first, either, Mr. Speaker, that some certain interests are being subserved, or else that somebody is seriously mistaken and I care not which horn of the dilemma you take. If some certain interests are being subserved, then and in that event, we as members of this House are justified in standing here and protecting the rights of the people of this great Commonwealth. If somebody on the other hand has made a mistake, then and in that event we are justified in correcting that error. Now, Mr. Speaker, if you turn to page twenty-two of this Section 4 which we are now discussing, and you turn to line twenty on that page, and if you turn to the Hadley commission report and you turn over to page forty-nine under suggestions relating to publicity indicating points upon which amendments to the act to regulate commerce might be passed, and if you commence where it says "first," you will find from the word "first" to the bottom of page forty-nine all that is embraced on page twenty-two of this bill. If you turn over again to page fifty, you will find that which is embraced in Roman characters at the top of page twenty-three of this bill. If you go on down further, you will find the same indentical language written into this bill as is used in the Hadley report. But, now, Mr. Speaker, comes the test, and I desire to call the attention of the Chair to this fact. Beginning at line sixty-three on page twenty-three there are several of the reports which I now hold in my hand, the Hadley report on the floor of this House—the gentleman from Delaware has one in his hand—he will follow me in the reading of this bill and the members will follow me in the bill itself, commencing at line sixty-three on page twenty-three, I commence reading, Mr. Speaker, at the third paragraph on page fifty, commencing with the words "The provisions," which are the exact words at the beginning of line sixty-three:

"The provisions in regard to Certificates of Notification shall apply to notes or evidences of indebtedness running for periods of twelve months or less and to the pledging or repledging of stocks, bonds or other evidences of indebtedness to secure such notes or evidences of indebtedness running for priods of twelve months or less, except that such certificates may be filed within ten days after the issue thereof instead of on or prior to the date of said issue."

Did you note that at the end of line sixty-four, the last full word on that line is injected contrary to the express provisions of the Hadley recommendation, which had been so scrupulously followed and which has been lauded to the skies. Why, before a company can issue its stocks or bonds, the provisions laid down in section (d) which I just read to you shall be and must be followed. Now to say, Mr. Speaker, for a company to issue its short notes for less than one year, a new company, if you please, a company

whose capital stock is $1,000,000, the short notes or short indebtedness, the script or anything else falling due in thirty, sixty, ninety or one hundred and twenty days, six months, if you please, nine months up to twelve months, may in itself be half a million dollars, but that need not show in your report. Then what? Your report is absolutely false, and when that company appears before the commission with its report which winks at that $500,000 item and does not appear any place, it receives the stamp of approval of that commission, and not only that but it absolutely falsifies the conditions in which it appears before the public. Is anybody robbed? Most assuredly, yes. Would not your bonds due in one, two, three, four or five years appear anyhow? Certainly they would. Then, how does it happen, Mr. Speaker, under the provisions of this bill which has been lauded to the skies, which is immaculate and must not be touched, profit, if you please, follows the Hadley system? How does it happen that the very contingency which the Hadley recommendation attached to each is wiped out in this bill and is absolutely contrary to the requirements upon a corporation of this kind. I again say that one of two things is evident: Some purposes are being subserved or some party has made a mistake. Now, Mr. Speaker, taken on the other hand. On the other hand you have something which begins with the inception, if you please, of the formation of a corporation. It sees that the foundation is laid firmly as in cement. It sees that there is a foundation upon which it stands. It does not go around with just simply a scum on the outside and say, "There is a shell; we do not know whether the inside is solid or not." It doesn't build you a picture house; it makes you a real house, because it starts with the foundation and works up. Is it greater to say that a man shall ride so far for so much money upon a public railway, upon a common carrier in this State, or is it greater to protect the reaching down into the pockets and taking out the savings of a life time perhaps of the innocent purchaser of stock without any merit or without any worth. Mr. Speaker, the real vitals of this bill, the life blood which by this amendment is intended to be injected into it, and by the elimination of section four as it stands in this bill, nothing but absolute poison and putrid flesh is extracted.

The SPEAKER. The Chair will state to the House that Mr. Bryan is in the building and will be here in a few minutes. Therefore, with the permission of the House, a recess will be declared and the pages will be permitted to bring in some chairs for the Senators.

RECESS.

Whereupon, (at 3.45 o'clock P. M.) the House took a recess.

DURING RECESS.

The SPEAKER. Gentlemen of the Senate and House, the Secretary of State.

ADDRESS OF HONORABLE W. J. BRYAN, SECRETARY OF STATE OF THE UNITED STATES.

Members of the Legislature, Ladies and Gentlemen:—I appreciate the honor you do me, or possibly to speak more correctly, the honor you do the office which I temporarily occupy, in inviting me to address you. I am over here to attend a Democratic banquet and make a Democratic speech and possibly I better get all of the non-partisanship out of my system before to-night. (Applause). You know I belong to that department of the Government upon which reserve is most emphatically imposed. My Department has to deal with those subjects which we discuss with least freedom, the subjects relating to international affairs, and I have been trying to bring myself within the proprieties of the office, and if I seem to any of you to talk even now more than I ought to, you will be charitable towards me if you will remember how much less I talk now than I used. (Laughter). But to-night I think I shall feel more freedom in speaking than I usually do. This afternoon I desire to say a word to you as legislators. I shall not occupy your time to any great extent. There are many things that might be said on an occasion of this kind for such an occasion is fruitful in suggestion, but I prefer to deal with the fundamental idea that seems to me to be appropriate for discussion at this time.

A century ago Thomas Jefferson said that there were just two parties in every land and that where speech was free those two parties would manifest themselves; and these two parties, natural parties, to be found every where, he described as an aristocratic party and a democratic party. Of course, he did not have reference to our Democratic party when he said this, for at that time the party which we now call Democratic was called the Republican party, **so handicapped were we in a name in the beginning.**

He was not using the party names that come and go. He was rather describing the spirit that animates parties. He said that the aristocratic party would naturally draw to itself those who did not believe in the people and did not trust them and that the Democratic party would as naturally draw to itself those who did believe in the people and did trust them. Now this is the line that the greatest constructive statesmen drew among men, and is the only permanent line that can be drawn everywhere and always in society. It is the line that separates the man who is at heart a democratic from the man who is at heart an aristocrat; and my reason for referring at this time to this fundamental distinction is to make an application of it to representative government. You will find these two ideals manifesting themselves in every form of government, because in every country where they have any sort of participation by the people in government you will find the struggle between those who want to bring the government near to the people, who want to make the government more responsive to the will of the people, and those who are trying to restrain progress in this direction and obstruct every step toward popular government; and you will find that among those who believe in representative government there are these two ideas, and it is a matter of great importance to know whether the representative holds to the democratic idea of representative government or to the aristocratic idea of representative government. The aristocratic idea of representative government is that the people select men to think for them. That is the aristocratic idea of representative government, that the people have not enough intelligence to do their thinking for them. That is the aristocratic idea. The democratic idea is that the people think for themselves and elect representatives to do for them what they would do for themselves if they could do it. (Applause.)

And when you analyze the conduct of members of any Legislature you will find it difficult to understand the votes that are cast unless you first find which view the legislator takes of representative government. And I may say to you that it makes a difference when you investigate his views. For the aristocratic views of representative government prevails much more after election than before the election. (Laughter.) I do not know, in an extended experience in public affairs, of any man who ever ran for office and in his platform presented the aristocratic views of the government; but I have known some who ran on a democratic view and then adopted the aristocratic view after they had secured authority from their constituents.

Now the democratic view is the popular view. How do I know? I know it by the manner in which candidates act when they come before the people. They desire to know what the people want. Why should a candidate desire to know what the people want, unless it is for his gudiance and instruction? If it is immaterial to the man what his constituents desire, why should he consult them? So the very attitude of the candidate gives a means of knowing that during the campaign he takes the democratic view. What other reason have we for believing that the democratic view is the popular view? Because we have platforms and you cannot explain a platform on any other theory than the democratic theory. If the people select men of superior intelligence to think for them and to act for them, regardless of the wishes of the people themselves, then why should the man in office be restrained and hampered by a platform? The fact that we not only have platforms, but that platforms are becoming more specific year after year is conclusive proof that the people believe in the democratic theory and they write their platforms because they believe, and those who run upon them lead the voters to believe, that they believe that the platform is binding upon those who stand upon it. (Applause.) And as a believer in the democratic theory of representative government, I desire to announce it as a settled principle not to be questioned in this country, that a platform is binding upon every honest man who runs upon that platform. (Applause.) I have heard it said by men after an election that they could not conscientiously support something in

their platform, and it raises a very important question whether a man should violate his conscience as a public servant, and I frankly will tell you that I believe no man should violate his conscience either as an individual or as a public servant. Far be it from me to say that any man elected to any office should, as an official, do a thing that his conscience condemns. But does that mean that a man ought to violate his platform? No, it means that his conscience should commence to work before the election and not hibernate until after the election. (Applause.

If a man after election finds out that his platform contains something that he cannot honestly support, what ought he to do? Violate his conscience? No. What? Resign and let his constituents select somebody who can conscieutiously do what they conscientiously want. Is that not a plain proposition? What is the alternative? That a man must put his conscience above the conscience of his constituents? Have not the constituents' consciences also and have they not a right to have their consciences represented? Has a representative a monopoly of the consciences of his district? I lay it down as a proposition, and I am prepared to defend it anywhere, that the representative who secures office upon a platform and then holds the office and betrays the people who elect him, is a criminal worse than the man who embezzles money entrusted to him.

What is money to government if you would compare their value. It has cost the world hundreds of millions of money, and millions of human lives to secure popular government. It has cost the world the lives of the best and bravest that have lived to secure the right to control their government, and that money has been squandered to no purpose, and that blood has been spent in vain if when the people secure representative government those whom they have selected can betray them, and mock them, and spit upon them will they betray them. Does this sound radical doctrine to you? There was a time when I seemed radical, but now I have to hurry to keep up with the times. Does this seem like radical doctrine? The country has already caught up with this doctrine. We have gone through a great controversy in this country and the fight has been finished and the victory has been won, and if there are any who have not yet caught the spirit of the time, they are as dead, as unburied members of the world. I cannot better illustrate what has been going on for almost a generation than in this way. It is like a great criminal suit, where a man has been charged with a crime, a man rich and powerful in friends. He employs the ablest of counsel. They contest every inch of the ground. They not only dispute every proposition laid down by the prosecution, but they attempt to break down the character of every witness called by the prosecution, and, finally, the evidence is all in, and then the attorney for the defendant rises and says: "Your Honor, the defendant desires to withdraw the plea of not guilty and substitute the plea of guilty, and throw himself on the mercy of the court." That is what happened in this country. We have had for generations a struggle between democracy and plutocracy. We have combined and organized wealth corrupting our legislatures, many of our governors and overawing the parties of this land, and at last the aroused people have taken the matter in their own hands and the people are facing to the front, and woe be to the man or State that does not keep step with the profession. Time fights on the side of trtuh. When I was a young man, I was impatient. I thought because a thing was right it ought to be secured at once. But I have learned to be patient. I have found that only those who are in error need to win at once. Those who are right can wait. There is nothing that goes but the truth. Nothing is sure of victory but that which is right. And, if you will look over the history of the last few years, you will find much to encourage you to believe that nothing is impossible if it is a thing that the people need. Did this Legislature endorse the Income Tax Amendment, this State? Do you think they would have done it fifteen years ago? That Income Tax Amendment was submitted at the request of a Republican President. It passed a Republican Senate. It passed a Republican House. It was endorsed by more than two-thirds of the States of this Union, and they have before Congress now an Income Tax bill. Nineteen years ago I helped to write an income tax bill, and it was not a graded bill. It was a bill with an exemption, and only one rate above that. If the men of wealth had been willing then to pay their share of the expenses of government they might have been able to get along with a fiat rate, but they refused, they resisted, but the tide grew stronger until after a while a popular sentiment swept this country, and now we were to have a graded income tax, more severe on large fortunes than the tax of nineteen years ago that I helped to write. Twenty-three years ago we began the fight for the election of Senators by the direct vote of the people, and yesterday they notified me that we had received the last State necessary, and now thirty-six States have notified the State Department that they had ratified this amendment to provide for the popular election of Senators, and it is to be my pleasure, aye, my delight, within a few days to affix my signature to the last formality to put the United States Senate in the hands of the people, and Pennsylvania was one of the thirty-six States. Would Pennsylvania have done this fifteen years ago? I mention this to show the progress that has taken place. Here are two great reforms that are accomplished. Now, let me tell you something that is going to be accomplished. The day of the boss has bassed in the United States. The day is coming when the people at home will nominate their own candidates and write their own platform. And reform is sweeping over the country surely as did the election of Senators by the people, as did the demand for an Income Tax. You can stand in the way, you can prevent it for a while, but you are not strong enough to resist the conscience of a nation, or the conscience of a State like Pennsylvania. Not only is the boss being driven from State politics, and the government of parties put in the hands of the voters of the parties, but I venture to predict that we have seen the last great National Convention. I saw two great conventions last Fall. Ordinarily I only see one. But it looked as if our convention was going to be so tame that I went to the Republican Convention rather than miss the loss upon my system of this quadrennial stimulant. If I had known what was going to happen at Baltimore, I might not have gone to Chicago. I saw two great conventions, one dividing a party that had been united for half a century, and the other uniting a party that had been divided years and years. They were great conventions. We shall see no more such. For, if I mistake not the signs of the time, we will find that before another Presidential election rolls around, the Presidential primaries will be so universal that the President, instead of being nominated by the leaders in convention, will be nominated by the voters at home to act as the Servant for all the people. I am not specially interested in what this Legislature, or any Legislature, may do at any particular time. My faith is becoming so strong in the power of the people to compel their Legislatures to obey their will, that if a Legislature does not do right today, I simply say, "Well, to-morrow it will be different." And as the people are taking control of these things it gives a man an opportunity to tell whether they are on the side of the people or against the people. And, my friends, when I look over a legislative body, with the experience through which we have passed during the last two decades, as I look over a legislative body, I feel that whether the legislators do their duty or not, is a matter that concerns them much more than it does their constituents. Because if they do not do what their constituents want, they will not represent their constituents long, so that the injury that they do is short, but if they do not do what they ought to do, their memory of their misdeeds will follow them as long as they live. And what is the purpose of this movement to put the Government in the hands of the people? What is the purpose? It is to advance civilization. It is to protect the rights of the people. It is to safeguard the welfare of the masses of the people. When a few control government, then they manage the government so that the few may enjoy privileges. But, when the many control government, they so control it that the rights of all will be respected. And what rights are we dealing with now throughout the country? We are dealing with all the rights of all the people. And as the people's power increases, you will find legislatures considering questions that touch not merely the present, but the future. And what question touches the future? The question that affects the child. And if I mistake not one of the richest fruits of this people's movement is that the greedy corporations will no more be able to grind into dollars the blood of little children to the impairment of posterity. My friends, this is a large subject. All fundamental principles are large in their application.

I used to think when I began to study questions of government that they were difficult to understand, but the more I studied them, the simpler they seemed and I found in a little while that two of the great commandments were really the foundation of most of the things we had to consider. They were "Thou shalt not steal" and "Thou shalt not kill." I had a speech to make in New York about five years ago. It was just before I expected to be nominated and I knew they would be watching me closely to see what I said. I decided to take a subject that nobody could object to; I decided to make a speech that nobody could find fault with and I took for my subject, "Thou shalt not steal." I suppose I hurt the feelings of more people in that speech than any other speech that I have delivered. Everybody in New York thought that I was making a personal attack on them. After I had made that speech, I thought I had made a serious mistake. Immediately after I was through I was a little conscious stricken because I began to feel that possibly I ought to have made the speech in Pennsylvania, instead of New York.

You take the abuses that need to be remedied and analyze them and what will you find? You will find that if they are abuses, they are such because they violate a great moral principle and the two moral principles that are the most violated are the commandments which I have mentioned, "Thou shalt not steal" and "Thou shalt not kill." All injustice wrought by law is merely a form of larceny: every dollar that by law enables a man to take unjustly, without return, from the pocket of another man is a violation of the commandment "Thou shalt not steal," and the conditions that you permit to exist that grind men down and drive them to ruin and to death and violate the commandment "Thou shalt not kill," but pardon me. I am not here to make a speech and I may if I speak a little longer, and I shall have gone beyond the mere form of an address and entered upon a speech. I came here to make a speech to the Democrats and I appreciate the honor that you have conferred upon me in inviting me to address you and as I appreciate that honor, I felt that I must show it by dealing with the largest question to which I could get your attention. I brought to your attention the largest question connected with government with which I am familiar, the distinction between aristocracy and democracy. I have just elaborated enough to show you how large a subject it is; how far reaching in its application and for the encouragement of those who believe in the democratic idea of representative government, I have given some illustrations to show the triumph of this idea in our own land and for your encouragement, I will add, in conclusion, that this is not a progress that is confined to this country. This is a progress that is world wide. Sometimes in our enthusiasm we attempt to credit this man or that man with exerting a large influence in the securing of the things that the people are securing in this country. We are quite prone to overestimate the personal element. We are quite prone to give more credit to those with whom we act than they really deserve. The great reform that has swept this country and has not yet reached its culmination is not the work of one man: it is not the work of a few men; it is the expression of the conscience of a nation, and as our nation move forward with militant step to the tune of democracy, it moves in harmony with the marching hosts of all the world; onward it goes everywhere and the ideals of Jefferson are the growing ideals; go everywhere and you will find in every country there is a band and in some countries it is much larger than in others. But in every country, there is a band of men fighting to make the government the people's government; fighting to put the people in control of their destiny. Not on the theory that the people will not make mistakes but on the democratic theory that the people have a right to make their own mistakes and that no given few have a right to make mistakes for the rest of the people. Trust the people, Representatives. You dare not distrust them. For if by your conduct, you suggest that the people have not intelligence enought to decide these questions you may reach the suggestion that it was their lack of intelligence that allowed them to entrust their intelligence to you. Therefore, your own pride as well as principle ought to lead you to have full faith in your people and the best way to prove your faith in your people is to bring your government as soon as possible under your people and let it be theirs for better or for worse. Trust them. They deserve your confidence and when the government is theirs, you will find that every wrong will have its remedy and that the more effort there is to express yourselves to have their law obeyed, the sooner will the remedy be applied and therefore, the easier will the remedy be to endure. I thank you.

AFTER RECESS.

The House reconvened at 4:30 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

Mr. KITTS. Mr. Speaker, I move that the remarks of the Secretary of State be spread on the Journal of the House.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. S. B. SCOTT. Mr. Speaker, after the tonic address which we have just listened to, it behooves us to take up the consideration of our immediate problems in the same spirit which we have heard exemplified before us, which means I think that we should try to decide for ourselves which of these two alternate propositions are best for the people, to-day and for all time. I think it is some importance that we should divest ourselves from certain influences that may surround us. I think, for instance, that we ought to attempt to gain a sudden and new reputation for devotion to the interests of the people. I think also that we ought not to be actuated by a blind desire to injure the administration and to condemn whatever may be the products of its industry, and I think also that we ought not to be actuated by the desire to produce political power for the consummation of a party long out of power in Pennsylvania. I desire then carefully to analyze the merits, but before I start in to do that and while the speeches of the other members are still fresh in your memory, I desire to give an answer to one or two of the propositions which they laid down. One of the strong arguments that was made by the gentlemen from my own County and of my own name, was that in other states where the utilities bills have the same prohibition as the amendment now before us, that there had been heard no note of complaint and no effort to retrace their steps. In answer to that proposition, I now hand the gentlemen the special message of the Governor of Massachusetts in which he speaks of a new and improved public utilities bill which omits all reference to passing on stocks and bonds by the public utilities commission. Now, Mr. Speaker, in answer to the gentleman from Allegheny, who has seen fit to find flaws in the bill, because in adopting in general the Hadley plan it did not contain one particular feature thereof. His complaint is that in the certificate of notification, it is not necessary to set out the fact of the issue of temporary obligations. In the first place, I desire to call attention to this striking fact: That in all those states where they require the passing upon obligations by the commission—in other words, in the states which he would have us follow—it is not necessary to get the consent of the commission to the issuance of these short term obligations. I also wish to call his attention to the fact that while it is true that this bill does not require absolutely that such information shall be given, it does provide that if the commission desires such information, it shall be given, so that if there is any complaint or any hardship or it is found that the public necessities need such information, it is only necessary for the Commission to pass a general order to that affect and the thing is done. There will be a certificate of notification in such form as the Commission may from time to time determine and prescribe. Among other things which may be required by the Commission, are all the things which are set forth in the bill. Now, Mr. Speaker, the general line of argument which has been adopted by the supporters of this amendment is based upon a deep-rooted fallacy and confusion of mind which not only vitiates their argument but which, if carried into the bill, would vitiate the bill from the beginning to the end. They seem, somehow or other, to have the idea that the regulation of rates and services is inextricably confused with the proper value of the stocks and bonds outstanding. Now, Mr. Speaker, those things have been confused in the public mind in the past, and it is just on account of that confusion that the passing or issuing of watered stocks and bonds has been in the past

possible. Why, then. of course there is a strong argument towards making those stocks and bonds valuable by allowing the utility to make a return which will make it valuable, but once you make that clear and distinct that a just rate has absolutely no connection with the proper value of the stocks and bonds outstanding, you have made it possible to arrive at a fair and just rate without being influenced by whatever the utility may have done in the way of issuing their stocks and bonds. Now, as a matter of fact, Mr. Speaker, the subject of the regulation of public utilities in their rates and in their service and the subject of the protection of the innocent investor are two separate and distinct subjects of legislation. If you attempt in this bill to place the emphasis upon the interests of the investor, you have a very vague and a very partial answer from that point of view, because the selling of fraudulent stocks to the public is by no means confined to stocks of public utilities, but consists in all stocks where a market can be found and a gullible investor exists. And so those who have these things in minds have drafted a special type of legislation to meet the needs of the protection of the public. Mr. Speaker, when we are thinking definitely along lines to protect the public from fraudulent securities, we are thinking of the prohibition of the issuance of corporate securities which have no foundation in real value. Now, it is proper that the public utilities law should see that the public utilities do not take part in any fraudulent games upon the public, but that is not where the emphasis should lie. That subject, as I have said before, is one that is a totally different subject of legislation. Now, in that connection, I desire to point out that when the Legislature is thinking solely upon the question of how it shall protect the innocent investor, and when it is passing this "blue sky" law such as we passed just last night, such as I myself introduced, what did it do? Did it create a commission which would pass upon a corporate bond issue? It did not. It simply provides for the utmost publicity. for the most careful statement of facts, and for securing the responsibility of the people who handle the security, and with that it stopped. In other words, those who are advocating this amendment to this bill are asking that the public utilities bill shall go farther in the way of protecting the public than would a bill which was drafted for that specific purpose and for that specific purpose alone. Now, Mr. Speaker, with these general expressions, I desire shortly to analyze the amendment and show what its influence upon the whole public situation would be. Let us look upon the operation of the amendment in the first light from the point of view of the commission. You will not in the first place, after transferring to the commission all that type of functions which comes rather under the "blue sky" theory, we have given them an enormous amount of work, which is not properly and logically a part of their functions. Their function is to see that the people of this State are provided with adequate service, with safe service and at a just rate, and to saddle them with the duties of the protection of the investor is giving them a large duty which is outside the purview of their corporate functions. Now, since men only have twenty-four hours in the day, and since every man only has one brain, and since the regulation of the rates and the service of all the public utilities in this State is a task staggering the abilities of a court of geniuses, it must follow that if you give them work which does not belong to their functions, you must reduce the efficiency of their functions when they come to exercise their own. In the second place, Mr. Speaker, from the point of view of the commission, you will find that if you ask them to validate the issue of securities of corporations, you will estop them. That is to say, they will estop themselves from the exercise probably of other than their own functions, and when I say that I refer to a very read danger. It is unthinkable that after a Commission has considered the proposed issue of securities and found that they were to be issued for full value and the exigencies of the public utility required their issue, I say it is unthinkable that then the Commission would not allow that utility to charge a rate which would protect a return upon these securities which the Commission itself has approved. But it may be found that in the old days, prior to the issuing of those securities, there had been stock issued by that utility and skilfully watered, and when those old stocks were watered and the new validated stock had been issued and were all on the market indiscriminately commingled, then if the commission was to allow a rate determined upon the validity of the stock, they must of necessity permit a return upon the old watered stock. And that is what I mean when I say that the action of approval in one case estops them from a proper exercise of their functions in another. From the Commission's point of view, Mr. Speaker, there is a third embarrassment which this duty would bring upon them. Because a commission approves of an issue of stock, it does not necessarily mean that that stock issue will continue to be sound. It may be that bad management or misfortune or the thousand and one exigencies of the business situation may cause that stock to decline in the market and subsequently become valueless. and then how would the Commission appear in the public eye?

I think there is greater danger to the public in putting the stamp of approval upon the bonds and stocks of a corporation than there is in simply providing the public with all the information, because in the first place you encourage the public to accept the judgment of the Commission instead of their own judgment; but in the method employed in the bill you ask the public to do what every responsible man ought to do, namely, in the first place satisfy himself of the facts and then exercise his own independent judgment.

Now, Mr. Speaker, let us turn our attention for a moment to the consideration of the operation of this amendment, from the point of view of the utility and remember that when we are legislating it ought to be our attempt to give all interests a fair deal and a square play in legislation. It is not a virtue to destroy except to destroy evil and it certainly is not a virtue to unnecessarily harm the industries of our State which provide for public service; therefore, from the point of view of the utility, the suggestion that they cannot borrow any money or increase their capitalization until they have gained the consent of the commission, means that before any new capital can go into the public service in this State that all the delays incident to waiting upon the pleasure of the Commission must be endured and in the delicate matter of marketing securities that delay, which is not fanciful, but which is a matter of proof and expenience and some times lasts for months and months,—that delay may be the same as the delay to a patient in time of illness—it may mean the differece between life and death, and it is almost certain to mean the difference between a favorable market and an unfavorable market. Now, Mr. Speaker, that difference always reflects itself in the rate of interest which the utility must pay. The rate of interest reflects itself in the gross operating expenses of the corporations and that reflects itself again in the fair profit of the corporation, and the fair profit of the corporation reflects itself in the rate which the commission will allow the utility to charge the consumer; and, therefore, the unfavorable market for the issuance of securities is paid for by the people of the State who use the securities. Not only that, Mr. Speaker, but when you require the consent of the Commission to the issuance of the securities, you mean that the utility cannot make any of its bank arrangements until after your public knows of the intended issue; that is to say, all the troubles of undue publicity by the little stockholders who have stock which has only a nuisance value; that is to say, every man who owns one share of stock with fifty dollars, but knows that he can go into court and get an injunction and therefore may have to be bought off to prevent his blocking the whole thing for months by the ordinary delays of justice, no matter how unrighteous his cause may be I say you give a nuisance value to shares of stock of that charaacter to an enormous and unprecedented degree. Now, Mr. Speaker, from the point of view of the marketability of the stocks and bonds of a corporation. I think it will generally be conceded that there will be an increased marketability for stocks and bonds which have been approved by the Commission and therefore the natural tendency of corporations who are not pressed for time and to whom no publicity or delay would be a consideration, it will be the natural tendency for them to come to the Commission and ask for its consent and get the benefit in the market of its approval, and the natural competition between shares which have been so approved and shares which have not been approved will in a great majority of the cases result in the natural, unforced, proper business like, thorough and effective approval of securities at the proper time. But there

of course, will be a minority of the shares of public service corporations which will not be approved in that way and it is about the minority of those securities which we have such strenuous complaint here this afternoon.

Now let us proceed for a moment to analyze what will be the prospect confronting the promotor of fraudulent public utilities stocks in the future under this bill. The gentleman from Philadelphia gave a hypothetical case of a water power company which has bought a water fall, which then proceeds to over-capitalize it and sell it to the unsuspecting public. Let us place ourselves for a moment in the shoes of those promoters and find where we are. In the first place, they must send before they can issue a single stock or bond, —to the Public Utilities Commission on a certificate of notification which will have in it everything that the Commission care to require, in addition to those things which the bill says it must specifically set out. In there must be put a statement of the value of their water fall, and if they state that incorrectly for fraudulent purposes they are liable to a jail penalty, and I call the gentleman's attention to the criminal cases which have recently been brought in the United States about states in Mexico, which were overvalued, to show him that that prison sentence is by no means an idle threat. In the second place, that certificate has been made and if anybody has the slightest suggestion that there is any error or fraud in that certification all that any interested party has to do is to make complaint to the Commission and then the Commission has the amplest powers to investigate, and they can find out whether there has been any over valuation and they can do on their motion exactly what the commission would under the bill require them to do in the first place. Then, Mr. Speaker, if there has been any over-valuation, any issue of stocks or bonds not for value, the bill says that these stocks and bonds are void. It makes a right of action against the corporation for the value to anybody who has been defrauded and so you have that civil action against the company. You have your criminal action against the authorities and officers of the company and you have your appeal to the commission to find out the facts, and in addition you have spread before you in the certificate of notification a whole history of the facts.

This being the fact, Mr. Speaker, let me summarize: We have in this bill as much as in any Blue Sky Law in any State and as much as the House thought wise to put in the Blue Sky Law in this State. We have in this bill all that is necessary to safeguard the public and we have no unnecessary restrictions upon the employment of the capital in our service and no onerous provisions which will simply end in the raising of the prices of the service to use, and with this consideration, Mr. Speaker, I believe that we are legislating in the interests of the whole people if we reject the amendment.

Mr. WILLIAMS in the Chair.

Mr. HUMES. Mr. Speaker, I just want to say a word or two in reference to some of the arguments that have been presented while this amendment has been pending and I want to call the attention of the House to some of the arguments and suggestions that have been made by the gentleman from Delaware, Mr. Baldwin, and the gentleman from Philadelphia, Mr. S. B. Scott. I really thought that the gentleman from Philadelphia, Mr. Scott, was going to make a consistent argument from the standpoint of the public service corporations until he spoiled his argument with his conclusions. He, as well as the gentleman from Delaware, have called attention to the fact that there is a provision in this bill, as it stands, which leaves it optional to the public service company to do just what we would require of the public service company by this amendment and the gentlemen say with that provision in the bill in a short time all the public service companies would see the advantage and feel that there was more benefit to be derived by them from going to the Commission for an approval, and that subsequently and ultimately they would all get approval from the Commission.

So I say that if it is the purpose of the gentlemen who are back of this bill to bring the corporations concerned, not acting as common carriers, to bring them under the provisions of that section which provides for a certificate, then that is an absolute indication of their position which should be required by them in the first instance. I am quite surprised that the gentleman from Philadelphia, Mr. S. B. Scott, would contend even for the purposes that are embraced in this bill, and I am surprised that the gentleman from Delaware would contend that this is a result of great study and thought of the men interested, and of Dean Lewis, when he, Dean Lewis states as an absolute certainty that he has always been opposed to any provisions in the bill providing for the issuance of stock.

Mr. R. J. BALDWIN. Mr. Speaker, I desire to interrogate the gentleman from Crawford.

The SPEAKER. Will the gentleman from Crawford permit himself to be interrogated?

Mr. HUMES. I will.

Mr. R. J. BALDWIN. Mr. Speaker, I would like to ask the gentleman whether or not in his presence Dean Lewis did not say that he stood for this provision?

Mr. HUMES. Mr. Speaker, Dean Lewis said in my presence that he thought that the Attorney General had worked out a very good compromise of the proposition, but for his part he believed there should be no provision in the laws on that subject, but that in deference to the Attorney General he had decided to go along with him on the provisions of this bill. The gentleman from Philadelphia contends that this subject should be taken care of with a blue-sky law and I want to call attention to the fact of the blue-sky law that this House passed last night especially exempting public service corporations, and I want to say this, that I think that the people who are interested in preventing the insertion of this amendment had a hand in the drafting of the blue-sky law which we passed last night. The arguments that are made against this bill are purely arguments from the standpoint of the public service corporations, and the arguments that are made are naturally made by attorney, one representing the public service corporations of the State. There are two sides presented her. One is as to the inconvenience to the public service corporations, and the other the expense to the State. I am surprised that the gentleman from Delaware would contend for one moment that the question of expense should be eliminated from this bill when he said that the question of expense should not interfere in any way in the passage of the Fire Marshal Bill that required the expenditure of some three hundred thousand dollars. Under the same argument, we might abolish our Courts, and eliminate their control and jurisdiction, and abolish other offices in the different departments of the State of Pennsylvania. The State of Pennsylvania has a duty to perform, and that duty is to protect the people from the unjust revenue from watered stock, and the only way it can be done is by this provision. Only a few days ago, I heard one of the men who has taken a very important part in the drafting of this bill, when the question of the position of the public service companies was being pointed out to him declare with reference to the purchase of stock, "Let the people beware." He contended that the State had nothing to do with the protecting of the people from a fraudulent or watered stock issue. I say there are only two sides to this question, and the two sides are the two pointed out to us to-day in the address of the eminent Secretary of State. We have a choice here between aristocracy and plutocracy and democracy. We have the choice between the control of the public service corporations of this State and the control of the rights of the people, and our responsibility to the people is on the side of the amendment that will make these men finally do what is proper, and the arguments on the other side of the question are merely the arguments of the convenience of the public service corporations of the state. I trust that the House will for once,—I do not mean for once—but I hope they will do in this case as they have done repeatedly in this session of the Legislature, stand on the side of the people and give them the protection to which they are entitled by this amendment.

Mr. R. J. BALDWIN. Mr. Speaker, I am not responsible, of course, for the understanding of the gentleman from Crawford as to what Mr. Lewis said, but I want to say that he said in the presence of the Committee that of course he was not in favor of that drastic measure, but was in full sympathy and hearty support of the provisions as contained in this bill. In answer to what the gentleman from Philadelphia said, in regard to the report of the National Commission, I want to say that the very thing he read provides that these temporary loans, so-called, that they shall have ten days to make these returns. Then I want to read to the House what the Commission did say in

relation to loans of this character and in regard to the provisions of this bill. I do not want the House to be misinformed. Here is what the Commission said in its report, which will be found on page 16. "Your commissioner nevertheless prefers the second alternative and doubts the expediency under the present conditions of a general law forbidding railroads to sell securities without specific authorization in advance." That second proposition means the proposition that is contained in the provisions of this bill. Now, in answer to the proposition of my friend from Philadelphia who holds that there is no revision or control over these bonds or loans secured for terms of less than one year, or twelve months, as is the language of the bill. Now the gentlemen know that no bonds are issued for a term of one year by any public utilities corporation. They never have been issued in the ordinary course of business but in the conduct of their affairs they sometime need a temporary loan. Now, the Constitution provides the following, and if you will read the Constitution of our State you will read these facts: "No corporation shall issue stocks or bonds except for money, labor done, or property actually received." Now, if these corporations should make a temporary loan, as I term it, in other words, a loan of less than twelve months. I do not want the House to have the impression that they cannot be punished under this bill.

Any wrong-doing on their part calls for a maximum imprisonment of five years and a maximum penalty of five thousand dollars, and the same punishment as is provided for in this bill for permanent loans is meted out in case of any rascality in the temporary loans, so that the gentleman from Pittsburgh, while he may understand the bill as it is presented to the House, he certainly is incorrect in the amendment he proposes to this bill. This class of loans is as carefully protected under the present bill, and more so, than it would be under his proposed amendment, and I again want to call the attention of the House to the fact that the gentleman was certainly wrong so far as the temporary loans are concerned, and that the provision did not require any statement to be filed within ten days. In my judgment the public would be as well protected under this bill as under the amendment offered.

Mr. HUMES. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. R. J. BALDWIN. I will.

Mr. HUMES. Mr. Speaker, I would like to inquire as to whether or not it is a fact that the Hadley Commission Report is based solely upon the expediency and advisability of the Federal Government undertaking to control the issuing of stocks and bonds of corporations not created under the Federal law.

Mr. R. J. BALDWIN. Mr. Speaker, I did not quite understand the question of the gentleman from Crawford.

Mr. HUMES. Mr. Speaker, I will try to state the question more briefly. Is it not a fact that the Commission Report does not advise in any way against the provisions embraced in this amendment in State laws?

Mr. R. J. BALDWIN. Mr. Speaker, I would say this to the House, that as I read the report, and have read it, I gather the impression without a doubt that they have graved out, that they have disagreed in the purposes presented in the amendment of the gentleman from Crawford, and I cannot make it plainer than to refer to their own language on page sixteen of the Report. There is their own language where they argued the provisions contained in this bill. If the gentleman does not think this is correct, I am not responsible for his conclusion, but I do hold myself responsible for the conclusions that I draw from their report which was, no doubt, published at the expense of the National Government. It is here for all of us to read, and if the gentleman does not approve of the conclusions drawn there, I am not responsible.

Mr. HUMES. Mr. Speaker, I want to call the attention of the House to the Hadley Report, which has been cited in this debate, and which has absolutely no application to the question involved here. It is true that this Commission in its conclusions argued something similar to the conclusions embraced in this bill but they did it for this reason, because of the fact that the Federal Government, not creating Interstate Commerce carriers by Federal law, could not have the facilities to properly regulate the issuance of stocks and bonds, and on page thirteen of that Report, I want to call the attention of the House to the reasons: "So long as the railways engaged in interstate commerce are chartered by the States and subject to State laws regarding their securities, added Federal restrictions will tend to create further confusion in a situation already too complex." and further they say: "Recent attempts to capitalize expected profits in connection with other public service corporations, or with industrials do not come within the scope of this inquiry. A Federal law requiring full payment of all stock issued, without special machinery to enforce it, could be evaded as State laws have been evaded in the past. In fact, the liability to evasion might be greater because in some parts of the country a statutory requirement of this kind imposed by the Federal Government would be regarded as an interference with the rights of the several States; and local companies attempting to build new lines with stock not fully paid might have the support of local public sentiment in so doing. It is possible that in some instances the Federal Government could not even count upon the vigorous assistance of the State authorities themselves in trying to enforce such an act at all rigidly. Such a Federal requirement superadded to the State requirement might simply mean that every company would be led to make two deceptive returns instead of one. A Federal requirement conflicting with a State requirement might leave us in a even worse case; for the impossibility of obeying both authorities would be made an excuse of obeying neither. This would clearly be true until the paramount authority of the Federal Government was established."

Mr. SPEAKER, the States to-day have jurisdiction over these companies, and this commission intimates in that report that if the Federal Government had jurisdiction over the public service corporations that this might be a very proper division; but in the absence of that control and supervision they think it is inexpedient for the Federal Government to undertake it.

Mr. RONEY. Mr. Speaker, I appreciate that this proposition has been debated at considerable length this afternoon. I will, of necessity, be very brief in what I have to say, but it is plain to all persons who have followed this bill that even the most vigorous advocates of this stock amendment consider this a very excellent public utilities bill, so that the only point of difference as far as the House is concerned, is on this proposed stock amendment. It does seem to me that on this stock amendment wherein the investor is sought to be given special protection that we can very well assume that the investing public are not the gullible public that will buy everything and anything in the way of stock and that they are capable, as a rule, of judgment and discretion and that the ultra conservative investor, among them the widow, that my friend from Philadelphia speaks about, who wants to be absolutely sure that her little pittance shall be invested in gilt-edge security, would use the very easy alternative of buying the bonds on the stock, but it might very well be eliminated for the moment as the conversative investor who is given his or her protection by the certificate of valuation of stock, and it might be that under certain business exigencies it might be required for the putting through of some worthy business transaction where haste would be of the very essence of the transaction and there would be no time to get the commission to issue its certificate of valuation in that stock and which company might not be concerned in selling its stock broadcast to the public. It seems to me in this connection we have a very easy proposition to solve as to which provision before us we shall retain in the bill. As it now stands, because the conservative investor has protection and if he gives proper business energy and proper business exigency it is right to put through this business deal without any particular delay. We are seeking here, it seems to me to get absolute protection and the thought is pooh poohed that the jail sentence is going to prevent the issue of fraudulent stock. That leads back to the whole proposition of our social order in which every man in this House rests secure in the thought that it gives to that man protection because of the fact and the assertion that the man would not be prevented by a jail sentence, and because of that it is absolutely an essential on us to put in the amendments suggested by the gentleman from Crawford, on the ground that water stock people are absolutely fearless of a jail sentence. It seems to me that absolute protection is given to everybody by this bill from the fact that the

man who would water stock could be very readily found out and it would soon be dicovered whether or not he was watering stock. It seems to me to follow in the footsteps of our distinguished friend from Crawford who quoted from the words of the Secretary of State a moment ago, that it would be well to bear in mind that we have here a well-balanced bill. However, much all persons concerned may have been guided by their own best judgment and by experience, they have gathered in these two years that which will best protect the investor who wishes to be protected and then benefiting the business enterprises, yet all under proper restrictions and restraint, and quoting from the words of the Secretary of State. "I find that only those who are in error need to win at once." Those who are right can wait. It seems to me that this bill gives ample protection and if our penitentiaries in the next two years are crowded with watering stock directors then the Legislature can make changes that may be necessary. This, it seems to me, is a well-balanced bill drawn up by men who were actuated by desires to protect all the people as well as the industries of the State.

Mr. ALTER. Mr. Speaker, I don't rise to discuss this bill in any particular, but simply to express my admiration for the manner in which the question at issue has just been stated by the gentleman from Philadelphia, Mr. Roney. It seems to me that if we were to stay here all evening, that the meat of this situation; that the question as it is, could not be better stated than he has stated it in a few sentences. Therefore, desiring to conserve the time of this House, I move the previous question.

The motion was seconded by the following members:

Messrs. Adams, Alworth, R. J. Baldwin, Conrade, Cox, Currier, Curry, Flynn, Gransback, Heyburn, Josiah Howard, H. H. Irwin, Leslie, Morrow, North, Ramsey, Sassaman, Snyder, Speiser, Strauss, Ulerich, Whitaker, Wiltbank, Zimmerman and others.

The SPEAKER. More than twenty members having joined in moving the previous question.

On the question,

Shall the main question be put?

It was agreed to.

The SPEAKER. On the question of the adoption of the amendments under consideration, a roll call has been demanded, those in favor of the amendment will vote aye, those opposed, no.

The yeas and nays were required by Mr. HUMES and Mr. MATT.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I call for the verification of the roll.

The SPEAKER. The roll will be verified.

Which was done as follows:

YEAS—81.

Allen,	Donnally,	Keegan,	Post,
Barner,	Dunn, H. B.,	Kern,	Price,
Benninger,	Flynn,	Kitts,	Richards,
Benson,	Forster, I. G.,	Kuhns, E.G.M.,	Rothenberger
Bergey,	Foster, J. D.,	Lanius,	Savacool,
Bigger,	Geary,	Lenker,	Scott, J. R. K.
Bittles,	Geiser,	Letzkus,	Shaffer, C. A.,
Blair, W. F.,	Glenn,	Light,	Smith, J. W.,
Body,	Good,	Matt,	Snavely,
Brownlee,	Goss,	McDermott,	Steedle,
Burnett,	Grabe,	McKay,	Stein,
Caldwell,	Gray, Frank,	Mellott,	Swift,
Campbell, C.M.,	Heidinger,	Metzenbacher,	Trach,
Carson,	Herman,	Murphy,	Ulman,
Cheeseman,	Howard, R.,	Musser,	Wettach,
Claycomb,	Humes,	Neely,	Wilson, J. H.,
Cochran,	Isler,	Peachey,	Wilson, W. H.
Collins,	Irwin, H. H.,	Pennock,	Young, G. K.,
Conniff,	Jones, J. R.,	Perry, H. L.,	Zimmerman,
DeFrees,	Kaufman,	Peters,	
Donahoe,			

NAYS—96.

Adams,	Gransback,	McClintock,	Schaeffer, A. C.
Alworth,	Hackett,	McNichol,	Schuck,
Aron,	Haggerty,	Mechling,	Scott, S. B.,
Arthur,	Hemminger,	Missimer,	Semmens,
Baldwin, G. A.,	Heyburn,	Mitchell,	Sherwood,
Baldwin, R. J.,	Hibshman,	Moore,	Smith, L.,
Bass,	Hobbs,	Morrow,	Snyder,
Bayle,	Hoffman,	Moses,	Speiser,
Blair, W. A.,	Howard, J.,	Moulthrop,	Spillinger,
Brosius,	Irwin, G. C.,	Neel,	Steele,
Cleary,	Jackson,	Newbaker,	Stone,
Conrade,	Jones, E. E.,	Newton,	Strauss,
Cox,	Keeport,	North,	Swartz,
Currier,	Kennedy,	O'Neill,	Ulerich,
Curry,	Kuhn, H. P.,	Pennegar,	Walnut,
Davis,	Latshaw,	Perry, S. J.,	Walton,
Dickinson,	Leslie,	Piper,	Watson,
Dunn, J. A.,	Lohr,	Ramsey,	Whitaker,
Ehrhardt,	Lowers,	Redfield,	Whitman,
Eichenberger,	Martin,	Reese,	Williams,
Ely,	Mather,	Rhoads,	Wiltbank,
Fahey,	McAllister,	Rockwell,	Young, J. H.,
Gans,	McArdle,	Roney,	Alter,
Gibson,	McCaig,	Sassaman,	Speaker.
Gramley,			

So the question was determined in the negative and the amendment was not agreed to.

On the question, recurring,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Aritcle III, Section 4, page 23, line 47. Amend by inserting the following after the word "redeemed:"

"All of the foregoing provisions relating to certificates of notification shall apply to notes or evidences of indebtedness running for periods of twelve months or less evidences of ining or repledging of stocks, bonds or other evidences of indebtedness to secure such notes or other evidence of indebtedness running for periods of twelve months or less, except that such certificates may be filed within ten days after the issuance thereof instead of on or prior to the date of such issuance."

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, in relation to the amendment which has just been read, I desire to say but a word. The bill, commencing at line 28 on page 22, has followed literally the suggestions made by the report of the railroad securities commission to the president up to the word "redeemed," following those recommendations verbatim. The provision which is now handed up is an amendment corresponding with a further recommendation and is in the language used by the commission and is for the purpose which was suggested a moment ago in relation to the paragraph, or the section as a whole, so that the report which is filed by a corporation shall be a true report and not a false report, that the indebtedness which is a floating indebtedness whether evidenced by script or short time notes, or by what not, the indebtedness which has one year or less to run shall appear in the report. Otherwise, as was suggested a short time ago, Mr. Speaker, thousands, tens of thousands and hundreds of thousands of indebtedness can be and would be concealed without this provision thrown in. Now, if it be for the matter of protection, we have failed now in having the corporations make a statement, or rather the commission's taking charge of those corporations and build up from the ground. But isn't it fair, and should not the corporation be compelled, when it files its report, to at least file a true report? If the short time indebtedness does not appear, then the report is false. If the report be false, then the people who are acting in the verly best faith on this commission, fails to carry out with any honest purpose the very conditions which it is called upon face to face to meet and thereby protect the public. This amendment is simple as can be and simply covers that floating indebtedness which can be, and as many members of this House perhaps know to their sorrow, has been time and time again concealed; and I defy the sponsor of the bill or any other member on the floor of this House to point out in any section of this bill where there is the provision provided for in this amendment, as made or as provided for in the bill as it now stands. If you want such a provision in, the only manner in which you can get it in is to accept this amendment. If you want this bill left open so that it may be worked out on a dishonest, unfair and unjust basis, both to the people and to the commission, then and in that event refuse the injection of this amendment.

Mr. S. B. SCOTT. Mr. Speaker, the very natural reason for not putting that amendment in, is that it would be absolutely an absurd nuisance; every time a public service company wanted to go to bank and borrow fifty dollars it would have to file a notification certificate. It is intended to cover all of these things such as minor transactions. In the ordinary course of business it would be intolerably clogged if it had to go through that rigamorole of going to the Commission. Now there is a provision in our present constitutional law to be considered. Our Constitution pro-

vides that where a corporation desires to increase its indebtedness it must get the consent of its stockholders and that consent cannot be waived. But in the ordinary transaction of business, the issuance of ordinary promissory notes, it has been held and very clearly held that the consent to the stockholders is not necessary. Thus a very clear distinction exists in our law ever since the constitution of 1874, between a real increase of indebtedness and between the issuance of short time securities in the ordinary course of business, and it is simply to carry out that same distinction that it is desired that the amendment be not included. I want to emphasize what I said before, that where the provisions of our present law are in force, they have not anything to do with the securities and stocks and bonds issued for short term of one year.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the section as a whole?

It was agreed to.

The fifth section of article III was read and agreed to as follows:

Section 5 Upon the approval of the Commission evidenced by its Certificate of Public Convenience first had and obtained and not otherwise it shall be lawful for any railroad corporation or street railway corporation to construct its tracks or other facilities across the tracks or other facilities of any other railroad corporation or street railway corporation or across any public highway at grade or above or below grade or for any public service company to construct any of its facilities across the facilities of any road corporation or street railway corporation at grade or above or below grade or for any public service company to construct any of its facilities across the facilities of any other public service company at the same or different levels And it shall be lawful upon like approval first had and obtained and not otherwise for any public service company to alter re-locate remove or abolish any such crossing Provided however that in all cases in which the tracks or other facilities of a railroad corporation or street railway corporation cross the tracks ofother facilities of another railroad corporation or street railway corporation or a public highway at grade and such crossing it at the time this act becomes effective in process of abolition under and in accordance with an agreement or contract entered into with any municipality providing for such abolition it shall be lawful to proceed with the consummation of such abolition as provided in such agreement or contract without the aforesaid approval of the Commission first being obtained

The sixth section of Article three was then read as follows:

Section 6 It shall be unlawful for any public service company

(a) To capitalize its franchises rights powers privileges or right to own and operate or enjoy any such franchises rights and powers or privileges in excess of the amount paid to the State or any political sub-division thereof as the consideration for the grant thereof or to capitalize any lease or contract of sale or contract for consolidatoin or merger of two or more public service companies or to issue by way of substitution any capital stock trust certificates or other evidences of indebtedness or other securities for any consolidated or merged company exceeding the aggregate values of the properties of the companies so consolidated or merged and any additional sum actually paid in cash and any additional property or labor actually contributed Provided that any such public service company or companies may apply to the Commission to determine such consideration or value aforesaid

(b) In the case of any reorganization under the provisions of the Act of Assembly approved the eighth day of April Anno Domini one thousand eight hundred and sixty-one entitled "An Act concerning the sale of railroads canals turnpikes bridges and plank roads" or any supplement thereto or amendment thereof to issue any stock trust certificates bonds notes or other evidences of indebtedness or other securities in excess of the amount paid to the State or any political-subdivision thereof as the consideration for the grant of any franchises rights powers or privileges and the value of the property of suuch reorganized corporation (and any additional sum actually paid in cash and any additional properties or labor actually contributed) Provided that any such public service company may apply to the Commission to determine such consideration or value aoresaid

(c) To purchase acquire take or hold either in absolute ownership or in pledge or as collarteral security directly or indirectly any controlling right title or interest legal or equitable in the capital stock bonds trust certificates securities or other evidences of indebtedness issued by or other public service company without the consent and approval of the Commission but the purchase taking and holding aforesaid of any right title or interest in any such capital stock bonds trust certificates securities or other evidences of indebtedness or of any other right title or interest in any other public service company which shall amount to less than the aforesaid controlling right title or interest of any nature or kind shall be lawful without the approval of the Commission so far as the same may be lawful under existing laws provided however that nothing in this act shall be construed to affect the holding of stock bonds trust certificates securities or other evidences of indebtedness heretofore legally acquired and held or in any way diminish lessen or impair the rights of a public service company as a holder of such stocks trust certificates bonds notes or other evidences of indebtedness or other securities heretofore acquired and held or to prevent the future acquisition of such stocks trust certificates bonds notes or other evidences of indebtedness or other securities of a public service company where the major interest therein has been acquired and held by a public service company prior to the date when this act shall become effective or to prevent the future acquisition holding or cancellation by a public service company of trust certificates bonds notes or other evidences of indebtedness or other securities secured by stock theretofore legally acquired and owned by a public service company and pledged as security therefor

On the question,

Will the House agree to the sixth section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend section 6, Article III, line 6, by striking out the word "State" and inserting the word "Commonwealth."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend House Bill 183, file folio 8227, Article III, Section 6, sub-section "c," by striking out all of subsection "c" commencing with the word "but" in line 38 down to and including the last word of the subsection on line 61.

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, I do not care to discuss that matter at length, but I do not think it is fair to pass this section without letting the House know what it provides for and I have offered the amendment for that purpose and the portion of the section which is proposed to be stricken out is that which authorizes or legalizes the monopoly of public service companies and if you want to legalize monopolies the provisions of the bill cover that, but if you are opposed to legalizing monopolies then this amendment ought to be incorporated in the bill.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the sixth section as amended?

It was agreed to.

The seventh section of Article three was read and agreed to as follows:

Section 7 It shall be unlawful for any public service company after the first day of January one thousand nine hundred and fourteen to render or furnish or to offer to render or furnish within this Commonwealth any service of the kind or character rendered or furnished by it until it shall have filed and posted its tariffs and schedules in accordance with the provisions of sub-section (e) of section one of article two

The eighth section of Article three was read and agreed to as follows:

Section 8 It shall be unlawful for any public service company

(a) To charge demand collect or receive directly or indirectly by any special rate rebate drawback abatement or other device whatsoever from any person or corporation for any service rendered or to be rendered a geater or less compensation or sum than it shall demand charge collect or receive from any other person or corporation for a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions

Provided however that where as the result of a bona fide mistake or error of a common carrier the full tariff charges are not collected in the first instance and the balance is subsequently found to be due and outstanding the collection of such balance may be waived by the carrier provided the matter is submitted to the Commission and its approval of such waiver is first had and obtained

(b) To make or give any undue or unreasonable preference or charge in favor of or to any person or corporation or any locality or any particular kind or desciption of taffic or service in any respect whatsoever or to subject any particular person or corporation or locality or any particular kind or description of traffic or service to any undue or unreasonable prejudice or disadvantage in any respect whatsoever

The ninth section of Article three was read as follows:

Section 9 It shall be unlawful for any common carrier (a) To charge or receive any greater compensation in the aggregate for the conveyance of passengers or property of the same class for a shorter than for a longe distance ove the same line in the same direction the shorter being included within the longer distance or unless specially authorized by the Commission to charge any greater compensation as a through rate than the aggregate of the intermediate rates but this shall not be construed as authorizing any common carrier to charge and receive as great a compensation for a shorter as for a longer distance provided however that nothing in this section contained shall prohibit common carriers from establishing reasonable zone systems of charges.

(b) To knowingly assist suffer or permit any person or corporation to obtain transportation for any passengers or property between points within this Commonwealth at less than the rates established by such common carrier or by order of the Commission by means of false billing false classification false weight or weighing or false report of weight or by any other means or device whatsoever

Any common carrier may however issue at special rates of fare excursion and commutation tickets but before any common carrier may issue any such excursion or commutation tickets it shall file with the Commission and shall post in the same manner as required by this act in the case of other rates or charges copies of the tariffs or schedules of the rates fares or charges on which such tickets are to be based and issued and any common carrier may grant free passes or passes at a discount to any officer or employe or such carrier

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Amend House Bill 183, file folio 8227, page 29, article III, section 9, sub-section "a" by striking out all of said section after the word "distance" in line 11.

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, I would like to ask the gentlemen who are saying "no" why they are saying it, if they know what this section is like. Mr. Speaker, this is the section that provides for the establishment of zone systems of fares for street cars and while it probably affects you gentlemen from the larger cities more than it does those of us that come from the smaller localities, yet I scarcely think the time has come when we would care to open the door to permit anything but a uniform charge for street car fares in our cities and this opens up the question so that there can be zones established in the cities and have different charges of fares to different parts of the city, and it strikes me that it is a step that this Legislature would scarcely care to take, even though they are wedded to this bill without regard to its provisions, simply because of its author, and I move the adoption of the amendment.

Mr. GRABE. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question,

Will the House agree to the ninth section?

It was agreed to.

The tenth section of Article three was read and agreed to as follows:

Section 10 It shall be unlawful for any telephone or telegraph corporation or person or persons engaged in like business to charge or receive any greater compensation in the aggregate for the transmission of any message or conversation for a shorter than for a longer distance over the same line or route in the same direction the shorter being included within the longer distance or unless specially authorized by the Commission to charge any greater compensation as a through rate than the aggregate of the intermediate rates but this shall not be construed as authorizing any such telephone or telegraph corporation person or persons engaged in like business to charge and receive as great a compensation for a shorter as for a longer distance Upon application to the Commission the Commission may in special cases after investigation authorize such telephone or telegraph corporation or person or persons engaged in like business to charge less for a longer than for a shorter distance but the order must specify and prescribe the extent to which relief from the operation of this section is given provided that nothing in this section contained shall prohibit telephone or telegraph corporations from establishing reasonable zone systems of charges

The eleventh section of Article three was read as follows:

Section 11 A municipal corporation shall have power whenever the Commission shall have refused the application of such municipal corporation to operate any plant or other facilities for the rendering or furnishing of any service to the public of a kind or character already being rendered or furnished by any public service company to the inhabitants of the said municipal corporation to purchase and acquire the property of such public service company at a valuation to be determined by the Commission under section 19, of article five of this act.

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Article III, section 11, line 9, page 30, by striking out the word "nineteen" and insereing in lieu thereof the word "twenty-one."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. ALLEN. Mr. Speaker, I desire to offer further amendments to this section.

The amendments were read by the Clerk as follows:

Page 30. Amend Article 3, section 11, line 1 by striking out the word "whenever" strike out lines 2 and 3, 4, 5, 6 and down to and including words "Municipal Corporation" in line 7.

On the question,

Will the House agree to the amendments?

Mr. ALLEN. Mr. Speaker, I expected to hear "noes" before rising but unlike the gentleman from Crawford I will not inquire why, but I will suggest why these amendments should go in. If you read the section as it stands, before a municipal corporation shall have the power to purchase it shall have applied to the commission to establish a public service corporation and have been refused; afterwards it may purchase. Now is there any reason for that? Is there any reason why any municipality within this great Commonwealth, if the people of that municipality see fit so to do and can arrange with any public service corporation,—why that municipality should not have the right to purchase. If you say "no," you will have answered why this amendment should not be injected into the bill. If you say there is no reason why they should not have the right of purchase, then you will have answered why the amendment should be injected into the bill. The bill as it reads, says:

A municipal corporation shall have power whenever the Commission shall have refused the application of such municipal corporation to operate any plant or other facilities for the rendering or furnishing of any service to the public of a kind or character already being rendered or furnished by any public service company to the inhabitants of the said municipal corporation to purchase and acquire the property of such public service company at a valuation to be determined by the Commission under section nineteen of article five of this act

Now by striging out, as we suggest in this amendment, what have you? "A municipal corporation shall have power to purchase and acquire the property of such public service company at a valuation to be determined by the commission under section twenty-one of article five of this act."

And, Mr. Speaker, under the provisions of the amendment which has been offered, I purpose that the House shall intelligently vote upon this amendment. The provision as laid down in the bill as it now stands means this and nothing more: that if in the City of Harrisburg, or any other municipality within the Commonwealth of Pennsylvania there already be established a public service corporation such as a street car line in this city, and that street car line fails to give the service that the people of this community think they should have, this municipality cannot, Mr. Speaker, this municipality cannot either establish, if you please, Mr. Speaker, a competing company to oppose that company to serve the people. It must apply to the Commission first. But if that Commission says, in its exceedingly great wisdom, if that Commission says that the City of Harrisburg cannot establish a company to compete with that local company, then and in that event, providing all the other conditions are met, the company can be acquired. Now what have you? What have you? You have simply this, Mr. Speaker, and nothing more. You

have an absolutely false price fixed upon this corporation which already has their corporate rights and franchises established within any municipality within this great Commonwealth. You have that why? Because of the fact that the Commission can either say aye or no to the appeals of any community and every time that they say no you cannot enter this field. And, mark you, that is left open, absolutely open, to that Commission established in this bill. Every time they do that they create one more monopoly in the Commonwealth of Pennsylvania and set their stamp of approval upon it. What does it do so far as that corporation as to the relation that corporation bears to the outside world, if you please, Mr. Speaker? If the Commission has once turned down the appeal of any municipality of this great Commonwealth to enter into competition with any public service corporation within its limits, when it has turned it down once, thereby a false price is fixed, if you please, upon the stock of the company which is then operating and which is protected from any competing company by the act of the Public Service Commission. Is that fair? Is that fair to any community. Is there a member upon the floor of this House, I care not what may have happened, is there any member upon the floor of this House who will say, into the hands of the Commission we give the authority to create a monopoly in relation to every public service corporation in every municipality now in existence in this Commonwealth? If you want to go home and face your constituents under such circumstances, dare to vote down this amendment. If you are here responsible to the people whom you represent and in order to serve their interests, if you are here and want to say to the people whom you represent that when you can arrange under conditions which are justly fair at any time, with any corporation which exists in your municipality, if you can arrange to purchase, you have the absolute right under this bill. Will any gentleman, Mr. Speaker, the sponsor of this bill or anyone else upon the floor of this House tell me why, under the provisions of this bill this enormous power, this vital, this far reaching power, should be granted to any Commission to stifle the rights of action of a community and say first to that community that you have been refused by this Commission before you can even purchase a corporate right which exists in your midst, and which the corporation may be willing to sell and you may be willing to buy. And yet that is absolutely and positively what is done, and you cannot read in it, you cannot read into it any other construction. I read again just as it would stand if the elimination is made that is asked for by this amendment: I read you the bill. "A municipal corporation shall have power to purchase and acquire all the property of such public service company at a value to be determined by the Commission under section 21, or article 5 of this act." And that municipal corporation does not have to be refused the right to enter a competing company before it does that, and why should it?

Mr. ROCKWELL. Mr. Speaker, the remarks of the gentleman from Allegheny seem to me to be perfectly proper if he were against the provisions of this bill. If we have not in our innermost hearts confidence in the Executive of this State to appoint a Commission, known as the Public Service Commission, that will be an honest, fair, just and reasonable commission, then we had better not pass the bill. Under the present common law the municipality has the right to purchase a public service corporation, like a water works company, and section 21 provides that it shall purchase it at a valuation fixed by the Commission. Now the section which he undertakes to amend is to meet another exigency. We will say that a municipality has in it a public service corporation and does not desire to purchase it in the first instance, but desires to enter into competition with it and create a new utility of its own volition. After we have regulated the rates of public service corporations they ought to be reasonably protected in the use of their rights. So this bill provides that when a municipalty wants to establish a public service operation in opposition to the one already existing that they must apply to the commission for a certificate of public convenience. If after a fair honest investigation by the Commission, the Commission decides that the municipality is not large enough, or for other reasons, that the Commission thinks it would not be wise to allow the municipality to create another one, they would so decide. Then the municipality has another recourse, and can come back and say, we will purchase the existing utility at a valuation as provided for in section 21 of this bill. Now, it seems to me that this is a perfectly fair and reasonable circumstance and would not tend to create any monopoly as the gentleman would have us believe.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ROCKWELL. I will.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Tioga why the provision then is made in this section as suggested that the municipality may purchase the corporation, the public service corporation?

Mr. ROCKWELL. It may purchase it in a sense when the Commission has stated that it is unwise for the municipality to enter into competition and there would not be room for two. Then it provides that it can take over the existing one.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not if the Commission has stated to the municipality which has applied for rights to exercise the same privileges and rights exercised by the then existingg public service corporation, whether or not after that refusal is made the value of the then existing corporation would not be increased.

Mr. ROCKWELL. Mr. Speaker, it would not if you have an honest public service commission and can trust them in the exercise of their duties.

Mr. ALLEN. Mr. Speaker, I would like to ask the gentleman further if this is the only provision in this bill which allows municipal corporations to apply to the public service commission for rights to exercise public service corporation rights.

Mr. ROCKWELL. Mr. Speaker, it is as I recall it. They do not have to under the present common law right.

Mr. ALLEN. Mr. Speaker, does this provision apply when if there by not then existing public service corporation within that municipality.

Mr. ROCKWELL. Mr. Speaker, no, it would not.

Mr. ALLEN. Then, Mr. Speaker, there must be another provision in relation to municipalities establishing public service corporations.

Mr. ROCKWELL. Mr. Speaker, the municipality under the present common law now has the right to do this.

Mr. ALLEN. Mr. Speaker, under the common law, I ask the gentleman if a municipality has not the right to purchase now?

Mr. ROCKWELL. Yes, sir.

Mr. ALLEN. Mr. Speaker, Then I ask the gentleman why it is that the municipality should first apply to the commission and refused a right to establish something which they now have the right to do before they can purchase?

Mr. ROCKWELL. Mr. Speaker, because it is a peculiar species of condemnation to give them the right of eminent domain in a larger sense than now.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman whether or not the provision as made in this section does not establish an absolute monopoly for the public service corporations now in existence, any public service corporation?

Mr. ROCKWELL. Mr. Speaker, if I thought so, I would not vote for the bill.

Mr. SAMUEL B. SCOTT. Mr. Speaker, it is my clear belief that the amendment offered by the gentleman from Allegheny has emanated from a total misunderstanding of the section as it now stands. This section is not for the purpose of giving the city the power to purchase, the power which it unquestionably has, and nobody here would wish for a minute to take it away. The purpose of this section is to give it the power to purchase it at a fixed price against the wish of the corporation. In other words, it is enlarging the powers of the municipal corporation to take against its will the property of the public utilities corporation. Now that is very carefully guarded as you will find by a reference to the section carried on to section 19, article 5, which states it at large and completely the method that the Commission shall follow in getting at the value so that there is no possible danger or any increase in valuation on account of what the gentleman says is in the section, but it is no restriction of the power of the pub-

lic service corporation, but it enlarges the power of the public service corporation to condemn, and when you are giving such a tremendous increase of power, it is, of course, proper that you should restrict it to such cases where the Commission for some reason or other has said to the municipal corporation that it shall not compete by erecting a public utility corporation of its own. It has two methods of procedure—either to ask the Commission to allow it to build its own public service utilities, or if for any reason the Commision says that it is not proper to compete with this public service corporation, then this bill gives the Commission power of condemnation and the power of placing a value upon the corporation, and giving it over into the control of the municipality.

Mr. ALLEN. Mr. Speaker, I desire to interrogate the gentleman from Philadelphia, Mr. Scott.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. S. B. SCOTT. Mr. Speaker, yes, sir.

Mr. ALLEN. Mr. Speaker, I desire to ask the gentleman from Philadelphia whether or not the city has any authority as a city to condemn the public utilities?

Mr. S. B. SCOTT. Mr. Speaker, they have so far as the rights of corporations are concerned.

Mr. ALLEN. Mr. Speaker, I desire to ask is that power given by statute or is it the power under the common law?

Mr. S. B. SCOTT. Mr. Speaker, by a number of specific cases and by statute under other cases. By common law, it would require a whole digest to go into it.

Mr. ALLEN. Mr. Speaker, I will ask the gentleman if the whole right that the common law gives the municipalities in relation to the public services, has a right of condemnation and not of purchase?

Mr. S. B. SCOTT. Mr. Speaker, my answer to that is absolutely no. A municipality can buy anything which it has the power to own and to operate.

Mr. ALLEN. Mr. Speaker, I ask the gentleman if the whole power is a constitutional power which is granted to them under the constitution, a power which is granted by the Legislature?

Mr. S. B. SCOTT. Mr. Speaker, yes, sir.

The SPEAKER. The question is on the adoption of the amendment offered by the gentleman from Allegheny, Mr. Allen.

Mr. ALLEN. Mr. Speaker, I call for a yea and nay vote.

The yeas and nays were required by Mr. ALLEN and Mr. BERGEY and were as follows:

YEAS—53.

Allen,	Dunn, H. B.,	Mannion,	Scott, J. R. K.,
Benninger,	Foster, J. D.,	Matt,	Semmens,
Benson,	Geary,	McDermott,	Smith, J. W.,
Bergey,	Good,	Metzenbacher,	Snavely,
Bigger,	Grabe,	Murphy,	Steedle,
Blair, W. F.,	Humes,	Neely,	Strauss,
Body,	Isler,	Post,	Trach,
Burnett,	Keegan,	Reeser,	Wettach,
Campbell, C.M.,	Kennedy,	Richards,	Williams,
Carson,	Kern,	Roney,	Wilson, J. H.
Carter,	Kuhns, E.G.M.,	Rothenberger,	Wilson, W. H.,
Claycomb,	Lanius,	Sassaman,	Young, G. K.,
Collins,	Malie,	Savacool,	Zimmerman,
Conniff,			

NAYS—86.

Adams,	Flynn,	Mather,	Schaeffer, A. C.
Alworth,	Gans,	McAllister,	Schuck,
Aron,	Gibson,	McArdle,	Scott, S. B.,
Arthur,	Glenn,	McCaig,	Sherwood,
Baldwin, G. A.,	Gramley,	McNichol,	Smith, L.,
Baldwin, R. J.,	Gransback,	Missimer,	Snyder,
Blair, W. A.,	Hackett,	Mitchell,	Speiser,
Brosius,	Haggerty,	Moore,	Steele,
Cheeseman,	Heyburn,	Morrow,	Stone,
Cleary,	Hibshman,	Moses,	Swartz,
Conrade,	Hobbs,	Neel,	Swift,
Cox,	Irwin, G. C.,	Newbaker,	Thomas,
Currier,	Irwin, H. H.,	Newton,	Ulerich,
Curry,	Jackson,	North,	Walnut,
Davis,	Jones, J. R.,	O'Neill,	Walsh,
DeFrees,	Kitts,	Peachey,	Walton,
Dickinson,	Kuhn, H. P.,	Pennegar,	Watson,
Dunn, J. A.,	Latshaw,	Pennock,	Whitaker,
Ehrhardt,	Lenker,	Perry, S. J.,	Wiltbank,
Eichenberger,	Lohr,	Ramsey,	Young, J. H.,
Ely,	Martin,	Redfield,	Alter,
Fahey,		Rockwell,	Speaker.

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

ADJOURNMENT.

Mr. HUMES. Mr. Speaker, I move that the House do now adjourn until ten o'clock tomorrow morning.

Mr. ALTER. Mr. Speaker, out of regard to our Democratic brethren and in the hope that they may hear something that will do them good I second the motion.

The motion was agreed to and at 6.25 P. M. the House adjourned to meet to-morrow morning at ten o'clock.

COMMONWEALTH OF PENNSYLVANIA.

Legislative Journal.

Session 1913 — 120th of the General Assembly

VOL. 2. HARRISBURG, PA., WEDNESDAY, MAY 14, 1913. No. 66.

SENATE.

WEDNESDAY, May 14, 1913.

The Senate met at 10 o'clock.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the Chair.

PRAYER.

The Chaplain, Rev. A. C. James, offered the following prayer:

"They that trust in the Lord shall be as Mount Zion which cannot be removed, but abideth forever." Help us to realize, O Lord, that "whatsoever a man soweth, that shall he also reap." "What shall it profit a man if he shall gain the whole world and lose his own soul." Help each one of us to say at this time, "My will is mine to make it Thine." Be Thou our Guide throughout this, another day; give Thine angels charge concerning us. And now, O Lord, once more we bow in submission to the Eternal Will. Again, and yet again, very recently our hearts have been shocked as one by one a colleague has gone from us. And now the sad tidings reach us again that one whose hand we have clasped in fraternity has been called to eternity. Help us to realize the lesson. Be Thou with those who gather around the desolate hearthstone—the father gone. Help us to act, and act in the living present, heart within and God overhead. We ask it in our Redeemer's name. Amen.

The PRESIDENT. A quorum of the Senators being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. HOMSHER, the further reading was dispensed with, and the Journal was approved.

PETITIONS.

FAVORING THE PASSAGE OF HOUSE BILL NO. 1110.

Mr. MORGAN, at the request of Senator Herbst, presented two petitions of citizens of Berks County, favoring the passage of House Bill No. 1110.

Which were referred to the Committee on Municipal Affairs.

Mr. NULTY presented petition of citizens of Philadelphia County, favoring the passage of House Bill No. 1110.

Which was referred to the Committee on Municipal Affairs.

Mr. FARLEY presented three petitions of citizens of Philadelphia County, favoring the passage of House Bill No. 1110.

Which were referred to the Committee on Municipal Affairs.

FAVORING PASSAGE OF BILL PROVIDING FOR STATE ROAD FROM GETTYSBURG TO EMMETTSBURG.

Mr. HOKE presented four petitions of citizens of Adams County, favoring passage of the bill providing for a State road from Gettysburg to Emmettsburg.

Which were referred to the Committee on Public Roads and Highways.

REPORTS FROM COMMITTEES.

Mr. JUDSON, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1370 (House Bill No. 1462), entitled:

An Act relating to appointment of deputy constables

Mr. SONES, from the Committee on Elections, reported as committed, Senate Bill No. 1326 (House Bill No. 984), entitled:

An Act to provide for the registration and enrollment of the voters of the State according to their respective party preferences and to prescribe penalties for false registration and for voters voting or attempting to vote and for election officers, permitting or conspiring to permit them to vote at a primary by or on any other than their own proper party ticket

Mr. CROW, from the Comimttee on Judiciary General, re-reported as amended, Senate Bill No. 1235, entitled:

An Act to amend sections two three and four of an act entitled "An Act authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purposes of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public park, parkways and playgrounds in order to protect the same by resale with restrictions authorizing the resale of such neighboring property with such restrictions in the deeds of resale in regard to the use thereof as will protect such public parks parkways and playgrounds providing for the manner of ascertaining determining awarding and paying compensation and damages in all cases where property is taken used and appropriated for the said purposes" approved the eighth day of June one thousand nine hundred and seven authorizing cities of this Commonwealth to purchase acquire take use and appropriate private property for the purpose of making enlarging extending and maintaining public parks parkways and playgrounds authorizing the said cities to purchase acquire take use and appropriate neighboring private property within two hundred feet of the boundary lines of such public parks parkways and playgrounds in order to protect the same authorizing the imposing of such restrictions in regard to the use thereof as will protect such public parks parkways and playgrounds

Mr. ENDSLEY, from the Committee on Agriculture, reported as committed, Senate Bill No. 1322 (House Bill No. 1604), entitled:

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteenth one thousand eight hundred and ninety-five as amended by the acts of April fourteenth one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to service in said Department

BILL ON FIRST READING.

Mr. ENDSLEY. Mr. President I move that the Senate do now proceed to the first reading and consideration of Senate Bill No. 1322 (House Bill No. 1604), entitled:

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteenth one thousand eight hundred and ninety-five as amended by the acts of April fourteenth one thousand nine hundred and three and June seven one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to serve in said Department

Mr. ALEXANDER. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1322 (House Bill No. 1604), entitled:

An Act to further amend an act entitled "An Act to establish a Department of Agriculture and to define its duties and provide for its proper administration" approved March thirteenth one thousand eight hundred and ninety-five as amended by the acts of April fourteenth one thousand nine hundred and seven by adjusting the salaries of the officers and other persons appointed to serve in said Department

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORTS FROM COMMITTEES.

Mr. MAGEE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1349. entitled:

An Act to amend the seventh paragraph of article three of an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one as amended by adding thereto the words "and the families of such as may be injured or killed in the service"

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1307 (House Bill No. 1748), entitled:

An Act relating to the height of buildings in cities of the second class limiting the height of buildings to be erected therein and making provisions for enforcing the limitations imposed by this act

BILL INTRODUCED.

Mr. SHEATZ read in his place and presented to the Chair Senate Bill No. 1389, entitled:

An Act prohibiting any police officer of any city of the first class from taking any active part in politics political movements or elections or from interfering with elections or from using his office to influence politics political movements or elections and providing penalties for violation thereof

Which was committed to the Committee on Municipal Affairs.

HOUSE MESSAGE.

The Clerk of the House of Representatives being introduced, presented extracts from the Journal of the House of Representatives, which were laid upon the table.

NOMINATIONS BY THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows, and referred to the Committee on Judiciary General:

JUSTICES OF THE PEACE.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Anthony Koleskewicz, to be Justice of the Peace in and for the Township of Blythe, County of Schuylkill, to serve until the first Monday in January, 1914.

JOHN K. TENER.

COMMISSIONERS OF DEEDS.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, Charles Edward Fell, Atlantic City, New Jersey, to be Commissioner of Deeds for the Commonwealth of Pennsylvania, for the term of five years, to compute from the date of confirmation.

JOHN K. TENER.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, William S. Davidson, West Hoboken, New Jersey, to be Commissioner of Deeds for the Commonwealth of Pennsylvania, for the term of five years, to compute from the date of confirmation.

JOHN K. TENER.

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 12, 1913.

To the Honorable, the Senate of the Commonwealth of Pennsylvania.

Gentlemen:—In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate, the following named persons to be Notaries Public for the Commonwealth of Pennsylvania, for the term of four years, to compute from the date of their confirmation.

ALLEGHENY COUNTY.

Miss Jessie A. Robertson, Pittsburgh.

CHESTER COUNTY.

Walter T. Matthews, Tredyffrin township.

LYCOMING COUNTY.

John G. Candor, Williamsport.

PHILADELPHIA COUNTY.

William T. Hetzel, Philadelphia.
James A. O'Brien, Philadelphia.
Peter Smorto, Philadelphia.
William E. Vollmer, Philadelphia.
Gustave A. Walther, Philadelphia.
Linford Eastburn, Philadelphia.

MONROE COUNTY.

Edward H. Smith, Paradise township.

JOHN K. TENER.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 2, entitled:

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways will relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

Senate Bill No. 84, entitled:

An Act to amend section six of an act entitled "An Act providing for the erection and maintenance of a memorial hall at the county seat of Allegheny county in honor of the soldiers sailors and marines from that county who served in the army and navy of the United States in the war for the suppression of the Rebellion authorizing and directing the commissioners of said Allegheny county to erect and maintain said memorial hall upon a petition of fifty citizens approved by two successive grand juries the court of quarter session and a majority vote of the qualified voters of said county at the general election designating a committee to determine what relics records et cetera shall be placed in said memorial hall and providing for a flagstaff and display of the flag of the United States approved twelfth April Anno Domini one thousand nine hundred and five by providing for a board of managers and that certain judges of the common pleas court and the county commissioners shall be ex officio members of the board of managers prescribing the powers and duties of the board of managers and that the expenses of maintaining and operating the building grounds and improvements shall be paid by the county of Allegheny

Senate Bill No. 582, entitled:

A supplement to an act approved the first day of June one thousand nine hundred and eleven entitled "An Act to provide for the incorporation of fire and marine insurance companies and for the regulation of home and foreign fire and marine insurance companies"

Senate Bill No. 630, entitled:

An Act fixing the salary of the Second Assistant State Librarian

Senate Bill No. 717, entitled:

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

Senate Bill No. 875, entitled:

An Act to amend an act approved the twenty-third day of April one thousand eight hundred and twenty-nine entitled "A further supplement to an act entitled 'An Act to reform the penal laws of this Commonwealth'" as amended

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

AMENDMENTS TO HOUSE BILL NO. 645 RECALLED FROM THE GOVERNOR.

The Chair cleared his table and laid before the Senate for concurrence bill of the House of Representatives as follows:

House Bill No. 645, entitled:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

said bill having been recalled from the Governor for the purpose of amendment. The vote had on final passage and third reading on said bill were reconsidered in the House of Representatives and the bill amended, in which amendments the concurrence of the Senate is requested.

Mr. CROW. Mr. President, I move that Rule 21, which requires amended bills to be noted on the Calendar, be in this case dispensed with, and the Senate proceed to the consideration of the amendments made by the House of Representatives to the foregoing bill.

Mr. SALUS. Mr. President, I second the motion.

The motion was agreed to.

The amendments were twice read, as follows:

In the title, line 3, by inserting after the word "Assembly" the words "relating thereto;"

Also in Section 1, line 10, by striking out after the word "animals" the words "or contests of personal skill;" also in line 11 by striking out after the word "shows" the words "or any performance or act for the amusement of the public;" also in section 2, line 7, by striking out after the word "acrobatic" the words "or athletic," also in line 8 by striking out after the word "animals" the words "or contests of personal skill;" also in line 10 by striking out after the word "show" the words "or contest;" also in section 5 line 8, by striking out after the word "performances" the words "or contests of personal skill or in the performance of some act for the amusement of the public;" also in section 7, line 11, by inserting after the word "exhibitions the word "or"; also in line 11 by striking out after the word "performances" the words "or contests"; also in section 15, line 4, by inserting after the word "exhibitions" the word "or"; also in line 5 by striking out after the word "performances" the words "or contests"; also in line 12 by inserting after the word "performance" the word "or"; also in line 12 by striking out after the word "entertainment" the words "or contests"; also in section 16, line 5, by inserting after the word "performance" the word "or"; also in line 5 by striking out after the word "entertainment" the words "or contests"; also in line 8 by inserting after the word "performances" the word "or"; also in line 8 by striking out after the word "entertainments" the words "or contests"; also in line 11 by inserting after the word "performances" the word "or"; also in line 11 by striking out after the word "entertainments" the words "or contests"; also in section 20, line 4, by inserting after the word "performance" the word "or"; also in line 4 by striking out after the word "entertainment" the words "or contest"

On the question,

Will the Senate concur in the amendments?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	Endsley,	McNichol,	Sheatz,
Beidleman,	Farley,	Miller,	Snyder,
Buckman,	Hoke,	Moore,	Sones,
Catlin,	Homsher,	Morgan,	Thompson,
Clark,	Hunter,	Nulty,	Wasbers,
Crow,	Judson,	Salus,	Gerberich,
Daix,	Martin,	Sensenich,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORT FROM COMMITTEE.

Mr. CLARK. Mr. President, I ask unanimous consent to make report from Committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CLARK, from the Committee on Judiciary General, reported with a favorable recommendation all the nominations made by His Excellency, the Governor of the Commonwealth at this morning's session.

EXECUTIVE SESSION.

By unanimous consent,

A motion was made by Mr. CLARK.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive session, for the purpose of acting upon all the nominations reported at today's session and also those reported at yesterday's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. CLARK.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36.

Alexander,	Farley,	Judson,	Salus,
Beidleman,	Gyger,	Knapp,	Sensenich,
Buckman,	Hall,	Magee,	Sheatz,
Catlin,	Heacock,	Martin,	Snyder,
Clark,	Homsher,	McNichol,	Sones,
Cooper,	Huffman,	Miller,	Thompson,
Crow,	Hunter,	Moore,	Wasbers,
Daix,	Jarrett,	Morgan,	Gerberich,
DeWitt,	Jones,	Nulty,	Pres. pro tem.
Endsley,			

NAYS—0.

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

BILLS ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 11, as follows:

An Act defining commodities regulating the sale thereof and providing penalties for violation hereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the word "commodity" as used in this act shall be taken to mean any tangible personal property sold or offered for sale

The word "container" as used in this act shall be taken to mean any bag band barrel basket bottle box caddy can canister carton cask crate firkin hogshead jar jig jug keg stopper vessel wrapper or any similar or analogous utensil receptacle band or wrapper in which any commodity may be sold or offered for sale and which shall be delivered or intended to be delivered with the commodity when sold

The word "marked" as used in this act shall be taken to mean "written" "printed" "stamped" "painted" or "blown" or any other means whereby words or figures may be indicated in or on a container or on any label or covering attached thereto

Section 2 All liquid commodities when sold in bulk or from bulk shall be sold by weight or liquid measure All dry commodities when sold in bulk or from bulk shall be sold by weight dry measure or numerical count No dry commodities shall be sold by liquid measure dry commodities in car load lots may be sold by weight

Section 3 It shall be unlawful to use a measure without a bottom in selling any commodity

Section 4 It shall be unlawful in selling any commodity to use any measure unless the same shall have thereon marked in distinct letters and figures the capacity thereof If such measure be of the capacity of one-half bushel or less or of one-half gallon or less it shall be marked in terms of a quart

dry or liquid measure respectively If the measure be of the capacity of over one-half bushel or one-half gallon it shall be marked in terms of a bushel or gallon respectively

Section 5 It shall be unlawful to sell or offer for sale any berries or other small fruit in boxes baskets or other analogous receptacle holding one quart or less unless such boxes baskets or receptacles shall be of the capacity of one quart one pint or one-half pint dry measure and so marked

Section 6 It shall be unlawful for any person firm or corporation with intent to defraud

(1) To sell or offer for sale any commodity on the container of which is marked any false statement respecting the kind number quantity weight or measure of such commodity or of any part thereof or respecting the place or county where such commodity was manufactured or produced or respecting the quality or grade of such commodity

(2) To arally or otherwise represent that any commodity offered for sale in bulk to which no name or trade mark shall be attached is the manufacture or production of some other than the actual manufacturer or producer Provided That nothing in this act is to be constructed as applying to drugs medicines chemicals or pharmaceutical or proprietary preparations used as medicine nor to toilet preparations

Section 7 Whenever any commodity named in this section shall be sold by the bushel the bushel of such commodity shall consist of the respective number of pounds herein set forth namely

Alfalfa seed sixty pounds
Apples fifty pounds
Apples dried twenty-five pounds
Barley forty-seven pounds
Beans dried sixty pounds
Beans castor shelled forty-six pounds
Beets sixty pounds
Blue-Grass seed fourteen pounds
Bran twenty pounds
Broom-Corn seed fifty pounds
Buckwheat 48 pounds
Cabbage fifty pounds
Carrots fifty pounds
Cement one hundred pounds
Charcoal twenty pounds
Cherries with stems fifty-six pounds
Cherries stemmed sixty-four pounds
Chestnuts hulled fifty pounds
Clover seed sixty pounds
Coal anthracite seventy-five pounds
Coal bituminous seventy-six pounds
Coal stone eighty pounds
Coke forty pounds
Corn shelled fifty-six pounds
Corn ear husked seventy pounds
Corn meal fifty pounds
Cranberries forty pounds
Cucumbers fifty pounds
Currants forty pounds
Flaxseed fifty-six pounds
Gooseberries forty pounds
Grapes forty eight pounds
Hair (plastering) eight pounds
Hemp seed forty-four pounds
Herd's grass forty-five pounds
Hickory nuts fifty pounds
Hominy sixty pounds
Horseradish fifty pounds
Hungarian grass seed fifty pounds
Kaffir corn fifty-six pounds
Lentils sixty pounds
Lime seventy pounds
Linseed fifty-six pounds
Malt thirty-eight pounds
Milet fifty pounds
Oats thirty-wo pounds
Onions fifty pounds
Onion sets twenty-eight pounds
Orchard grass seed fourteen pounds
Parsnips fifty pounds
Peaches forty-eight pounds
Peaches dried peeled thirty-eight pounds
Peaches dried unpeeled thirty-three pounds
Peanuts twenty-two pounds
Pears dried fifty pounds
Peas (green unshelled) fifty-six pounds
Peas sixty pounds
Plums sixty-four pounds
Popcorn (unshelled) fifty-six pounds
Potatoes sixty pounds
Potatoes (sweet) fifty-four pounds
Quinces forty-eight pounds
Rape seed fifty pounds
Raspberries forty-eight pounds
Red top grass seed fourteen pounds
Rice rough forty-five pounds
Rutabagas sixty pounds
Rye fifty-six pounds
Rye meal fifty pounds
Salt (coarse) eighty-five pounds
Salt (ground) sixty-two pounds
Sand one hundred pounds
Shorts twenty pounds
Sorghum seed fifty pounds
Spelt forty pounds
Strawberries forty-eight pounds
Timothy grass seed forty-five pounds
Tomatoes sixty pounds
Turnips sixty pounds
Walnuts (common) fifty pounds
Wheat sixty pounds

Section 8 Every commodity or article of food packed for sale and retailed in containers of any description shall bear upon the container a plainly legible statement of the net weight measure or numerical count of its contents or of the net volume thereof and of the name and address of the manufacturer producer or distributor thereof Provided however That reasonable variations and tolerances shall be permitted and also exemptions as to small packages shall be established said variations and tolerances and exemptions to be established by the Chief of the Bureau of Standards Such marking shall not apply to bags or similar receptacles used solely in delivering commodities after sale If any commodity be wholly or in part of cotton wool linen or silk the length thereof in yards shall be so marked on the container thereof

Section 9 Each person firm or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof before any alderman magistrate or justice of the peace of the proper county for first offense shall be fined not more than twenty-five dollars upon conviction for the second offense such person firm or corporation shall be fined not less than twenty five dollars nor more than one hundred dollars and upon conviction for the third and each subsequent offense such person firm or corporation shall be fined not less than one hundred dollars nor more than two hundred and fifty dollars

Section 10 It shall be the duty of the property city and county inspectors of weights and measures to enforce the provisions of this act

Section 11 This act shall go into effect the first day of January one thousand nine hundred fourteen Provided however that no penalty or fine imprisonment or confiscation shall be enforced for any violation of its provisions as to domestic products prepared or foreign products imported prior to eighteen months after its passage

Section 12 All acts and parts of an act general local or special inconsistent with any of the provisions of this act are repealed

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Endsley,	Knapp,	Sensenich,
Beidleman,	Farley,	Magee,	Sheatz,
Buckman,	Gyger,	Martin,	Snyder,
Catlin,	Heacock,	McNichol,	Sones,
Clark,	Hoke,	Miller,	Thompson,
Crow,	Hunter,	Moore,	Wasbers,
Daix,	Judson,	Morgan,	Gerberich,
DeWitt,	Kline,	Nulty,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 497 (House Bill No. 580), as follows:

An Act to amend an act entitled "A supplement to an act entitled "An Act to provide for the better government of cities of the first class in this Commonwealth" approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three" approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the said act which now reads as follows

"Section 10 Whenever any person or persons shall desire to construct extend or alter any wharf or other building in the the nature of a wharf or to erect extend alter or improve any

other harbor structure within the limits of said cities such person or persons shall make application to the said director stating in writing the nature and extent of such intended wharf other building aforesaid or harbor structure improvement alteration or addition thereto and file in the office of the director the plans and specifications showing fully the proposed erection construction extension alteration or improvement and produce their deed or deeds or other evidences of title to the property to be so occupied altered or improved whereupon the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the city within which such application is made and by posting such notice upon the premises referred to in such application and if the director upon said hearing shall approve the plans and specifications offered and such application he shall give his assent and issue a license for the erection construction extension alteration or improvement for which application shall have been made and cause the same to be recorded in the office of the said director in a book to be kept by him for that purpose and such license shall not be unreasonably withheld" be amended so as to read as follows

Section 10 Whenever any person or persons shall desire to construct extend alter improve or repair any wharf or other building in the nature of a wharf or other harbor structure situate wihin any city of the first class such person or persons shall make application to the director stating in writing the nature and extent of such proposed structure extension alteration improvement or repair and file in the office of the director the plans and specification showing fully the proposed structure extension alteration improvement or repair and produce his or their deed or deeds or other evidence of title to the premises on which such proposed structure extension alteration improvement or repair is to be erected or made whereupon if such proposed structure extension alteration improvement or repair will encroach upon the water way the director shall give notice of the time and place of hearing such application to all parties interested by advertising twice a week for two successive weeks in two newspapers of general circulation published within the said city and by posting notice upon the said premises and if the director upon such hearing or without such hearing where such hearing is not required by the provisions hereof shall approve such proposed structure extension alteration improvement or repair and the plans and specifications submitted therefor he shall give his assent to and issue a license or permit for the erection and making thereof and cause the fact of the issue of such license or permit to be recorded in his office in a book to be kept by him for that purpose and such license or permit shall not be unreasonably withheld Provided that necessary repairs costing one hundred dollars or less and not affecting the stability or strength of the structure may be made without first procuring a license or permit

Whenever any person or persons shall desire to construct extend alter improve or repair any structure to be erected or already erected on ground supported by bulkheads and to be used or already used for the purposes of loading or unloading passengers or freight on or from vessels or any structure to be physically connected or already physically connected or to be used or already used as appurtenant to any wharf or structure hereinbefore described situte within any city of the first class and for such purpose he or they shall have applied for a permit from the Bureau of Building Inspection in said city the said Bureau of Building Inspection shall notify the director of the Department of Wharves Docks and Ferries of such application and shall thereafter grant the permit applied for only when the application shall have received the approval of the said director which he is hereby empowered to grant

The cities of the first class may by ordinance regulate and determine the license fees for the license and approval required by the provisions of this act

Section 2 That section twelve of the said act which now reads as follows

"Section 12 Whenever the owner or owners or lessee or lessees of any private wharf pier or bulkhead within the limits of said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said directors upon default for thirty days after the service of notice on such owner or owners lessee as lessees to clean or cause said dock or docks to be cleaned and freed from obstructions and to apportion the expenses thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws" be amended so as to read as follows ,

Section 12 Whenever the owner or owners or lessee or lessees of any wharf pier or bulkhead within the limits or said cities shall fail to keep and maintain the adjoining dock or docks cleaned and free from obstructions it shall be lawful for the said director upon default for thirty days after the service of notice on such owner or owners lessee or lessees to clean or cause said dock or docks to be cleaned and free from obstruction and to apportion the expense thereof among the owner or owners lessee or lessees of the wharves piers and bulkheads adjoining such dock or docks in proportion to the extent of their wharves piers or bulkheads having the privilege of use of such dock or docks and to collect the cost and expense of the same by filing liens therefor and issuing process thereupon as is provided by law in the case of liens filed for the removal of nuisances and all liens filed to collect the expenses of said work shall be filed by the city solicitor and the lien for said work shall have the same force and effect as liens for municipal work under existing laws

Section 3 That section fifteen of the said act which now reads as follows

"Section fifteen Whenever the director shall deem it expedient to erect construct extend alter or improve any public wharf or bulkhead in said cities and for the erection construction alteration or improvement of such wharf pier or bulkhead and the securing of sufficient dock-room for the convenient use thereof it shall become necessary to acquire lands leaseholds easements and other property right adjoining such wharf pier or bulkhead for which no price can be agreed upon between the said director and the owner or owners thereof then it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property adjoining such wharf pier or bulkhead so to be erected constructed extended altered or improved as may be required for the erection construction extension alteration or improvement and use of the same and whenever the director shall deem it expedient to acquire any wharf or bulkhead that shall not have been in regular and continuous operation for the purpose of shipping commerce navigation for twelve consecutive months and for which no price can be agreed upon between the director and owner or owners thereof it shall be lawful for the said director after the passage of an ordinance by the councils of said cities authorizing such entry and occupancy to enter upon and occupy such property and pending the proceedings hereinafter provided for the bond of such cities shall be deemed and taken as security for all damage done and suffered or which shall occur to the owner or owners of lands and property rights hereinbefore described by reason of taking of the same for the use of said cities for the purpose aforesaid And it shall and may be lawful for the Court of Common Pleas of the proper county on application thereto by petition of the said director or of the owner or owners of said lands and property rights or any of them to appoint a jury for assessing damages consisting of three citizens of the said county and appoint a time not less than twenty or more than thirty days thereafter for said jurors to view said lands or other property rights aforesaid of which time and place of view ten days' notice shall be given by the petitioner to the said jurors and parties interested and the said jurors or a majority of them having been first duly sworn or affirmed faithfully justly and impartially to decide and a true report to make concerning all matters to be submitted to them and having viewed the premises they shall establish and determine the quantity and value of the lands or other property rights aforesaid so taken to be used for the purpose aforesaid and after having made a fair and just computation of the advantages and disadvantages they shall estimate and determine whether any and if any what amount of damage has been or may be suffered and to whom payable and make report thereof to said court and if damages be awarded and the report be confirmed by the said court judgment shall be entered thereon and the amount thereon and the amount of said judment shall be paid by said cities to the persons entitled thereto Each juror shall be entitled to the same pay per day for every day necessarily employed in the performance of the duties herein described as is paid to road jurors in said cities Any party in interest shall have the right to appeal" be amended so as to read as follows

Section 15. Whenever the director of the Department of Wharves Docks and Ferries in cities of the first class shall deem it necessary or advisable to acquire for said cities property of any kind for use as a public wharf pier or bulkhead to be owned by such cities with the necessary dock room or for the extension of or addition to any then existing public wharf pier or bulkhead owned by such cities or the improvement or enlargement of the dock or docks appurtenant thereto the said director shall have the power and he is hereby authorized by himself his deputy engineers surveyors or workmen to make all necessary or proper surveys for the location of such public wharf pier bulkhead or dock or extension enlargement or addition thereto and for that purpose if necessary to enter upon such property The provisions of this act shall apply to property held used or owned either for private or for public purposes including that held used or owned as a public wharf The said director may communicate the result of his said survey together with his recommendation in the premises to the councils or to the mayor of such cities or to both

The councils of said cities of the first class shall have the power and they are hereby authorized either in pursuance of such recommendation or otherwise to take condemn and appropriate by ordinance any such property for the uses and purposes hereinabove set forth or any of them Upon the passage and approval of any such ordinance in addition to the advertisement thereof required by law notice of such condemnation appropriation and taking shall be given to the registered owner or owners of such property which notice shall be accompanied by a copy of such ordinance and shall be served by delivering such notice and copy to him or them or by leaving the same upon the premises with the person in charge thereof or by mailing such notice and copy to such owner or owners by registered letter directed to his or their last known place of residence or by posting the same on a conspicuous part of the premises appropriated and condemned If the owner or owners of such property and the said director shall agree upon the price or compensation to be paid for the taking of such property upon payment of the price so agreed upon the said cities may enter upon and take exclusive possession thereof If within three (3) months of the date of giving notice as aforesaid they shall not so agree security for the damages so accruing may be entered by said cities in the manner provided by law in the case of the

taking of property in the opening of streets and thereupon the said cities may in like manner enter upon and take exclusive possesion of such property Either party may before or after such entry upon and taking possession thereof present a petition to the court of quarter sessions of the county in which such property may be situated or to any judge thereof in vacation asking for the appointment of a board of view to assess the damages so accruing and the subsequent proceedings thereon shall be the same and with like effect as upon other petitions for the appointment of boards of view for the assessment of damages occasioned by the opening of streets by such cities In the event that the property condemned appropriated and taken under the provisions of this section shall constitute a part of a plant used as an entirety the damage to the owner or tenant shall be assessed by taking the difference in market value of such plant as a whole including the buildings machinery fixtures other equipment installed and used in said plant before and after such condemnation appropriation and taking and notwithstanding that parts of the said plant may be separated by a street or public highway

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Farley,	Kline	Sensenich,
Beidleman,	Gyger,	Magee,	Sheatz,
Buckman,	Hoke,	McNichol,	Snyder,
Cooper,	Huffman,	Miller,	Sones,
Crow,	Hunter,	Moore,	Thompson,
Daix,	Jarrett,	Morgan,	Wasbers,
DeWitt,	Jones,	Nulty,	Gerberich,
Endsley,	Judson,	Salus,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

NOTICE OF MOTIONS FOR DISCHARGE COMMITTEES FROM CONSIDERATION OF BILLS.

Mr. JARRETT. Mr. President, I desire to give notice, that if on next Wednesday, Senate Bill No. 622 (House Bill No. 252), Senate Bill No. 1265 (House Bill No. 93) and Senate Bill No. 468 (House Bill No. 102), are not reported from the Committee on Elections and Committee in Judiciary Special, respectively, I will at that time make a motion to discharge the Committees from further consideration of the bills.

Mr. HOKE. Mr. President, I desire to give the same notice with respect to Senate Bill No. 721 (House Bill No. 118).

Mr. KNAPP. Mr. President, I wish to give the same notice with respect to Senate Bill No. 469 (House Bill No. 130).

Mr. SENSENICH. Mr. President, I desire to give the same notice with respect to Senate Bill No. 467 (House Bill No. 98).

Mr. HEACOCK. Mr. President, I desire to give the same notice with respect to Senate Bill No. 270 (House Bill No. 104).

Mr. JUDSON. Mr. President, I desire to give the same notice with respect to Senate Bill No. 1262 (House Bill No. 117).

Mr. NULTY. Mr. President, I desire to give the same notice with respect to Senate Bill No. 271 (House Bill No. 123).

Mr. GYGER. Mr. President, I desire to give the same notice with respect to Senate Bill No. 335 (House Bill No. 122).

BILL ON FINAL PASSAGE.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 841 (House Bill No. 701), as follows:

An Act establishing a commisison of water works in boroughs and incorporated towns of this Commonwealth providing for the appointment of commissioners of water works and prescribing their powers and duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in boroughs or incorporated towns of this Commonwealth owning and maintaining water works or which shall hereafter acquire and maintain water works there may be establishel a commission of water works to be composed of three citizens of said borough or incorporated town who shall be known as Commisioners of Water Works

Section 2 Any borough or incorporated town within this Commonwealth desiring to avail itself of the provisions of this act shall by resolution duly passed by council and recorded in its minutes apply to the Court of Common Pleas of the proper county for the appointment of commissioners of water works

Section 3 It shall be the duty of the judges of the Court of Common Pleas upon application of any incorporated town or borough council as aforesaid to appoint such commissioners of water works one of whom shall be appointed to serve for one year one for two years and one for three years and annually thereafter the judges of said court shall appoint one citizen to serve as a commission of water works for a term of three years In case of a vacancy the said court shall fill the same for the unexpired term thereof Such commissioners of water works shall not receive salary for their services but shall be paid all such sums necessarly expended in the performance of their duty Provided however That after three years from the first appointment under this act the borough or town council may at any time rescind the resolution asking for the appointment of a commissioner of water works When such resolution shall be so rescinded the court shall make no further appointment of commissioner of water works until a resolution shall again be passed by council asking for such appointment

Section 4 It shall be the duty of the commisisoners of water works in each borough or incorporated town of the Commonwealth where a commission of water works is established to meet within ten days after their appointment and annually thereafter and organize by electing a president and secretary

Section 5 It shall be the duty of said commissioners after having duly organized to take full charge and control of the water works of such borough or incorporated town Said commissioners shall have power to appoint all necessary officers and agents and take from them respectively such security for the faithful performance of their duty as they shall deem proper and to fix the salaries and wages of such officers and agents to provide for the repair extension improvement and maintenance of said water works and the erection of new water works subject to the provisions of existing laws to collect water rents and to make and establish the rates terms and conditions upon which water will be furnished to applicants therefor and to make by-laws rules and regulations for the economical and efficient management and protection of said water works

Section 6 The council of any borough or incorporated town within this Commonwealth may upon request of the commissioners of water works issue bonds for the extension of water works or the erection of new water works Said bonds shall be issued in the form and manner now provided for by law and shall be designated "water works bonds" They shall be delivered to said commissioners from time to time upon their requisition after the commencement of the work for the payment of which such bonds were issued Each such requisition shall be accompanied by a detailed statement of the work done and materials purchased Said bonds shall not be sold for less than par and the proceeds thereof shall be applied to the purposes for which said bonds were issued and no other

Section 7 The said commissioners shall prepare plans and specifications of all work to be performed and materials necessary for the repair maintenance and extension of such water works or the erection of new water works and shall after plans and specifications for the extension of water works or the erection of new water works have been submitted to and approved by the Department of Health in accordance with the provisions of an act of Assembly approved the twenty-second day of April one thousand nine hundred and five entitled "An Act to preserve the purity of the waters of the State for the protection of the public health" and a permit granted therefor by the Commissioner of Health by due public notice invite proposals for the performing of such work and the furnishing of such materials and shall in all cases let the contracts therefor to the lowest responsible bidder and shall take adequate security for the performance of such contracts

Section 8 Said commissioners shall make a monthly report to the council of the borough or incorporated town of the receipts and disbursements during the preceding month and annually make a detailed report of the condition of said water works which shall be published by the council of said borough or incorporated town for the information of the public Said commisisoners shall cause all moneys collected to be deposited weekly by the collectors with the borough treasurer who shall return a receipt therefor to the said commissinoners All moneys so collected shall be kept in a separate fund and shall be used for the purpose of repairing maintaining and extending said water works the erection of new water works or the payment of any indebtedness on said water works and for no other purpose No money shall be drawn from said fund except upon order countersigned by the president and secretary of said commission

Section 9 All by-laws rules and regulations not inconsistent with the laws of the Commonwealth the rules and regulations of the Department of Health or the Water Supply Commission when made by said commissioners shall have the force and effect of ordinances of said borough or incorporated town and the penalties imposed thereby shall be collected in the same manner as penalties imposed by incorporated town or borough ordinances are now by law collected

Section 10 Whenever two or more boroughs or any borough and township having united in the construction or acquisition and maintenance of water works or hereafter uniting for the purpose of constructing or acquiring and maintaining water works desire to avail themselves of the provisions of this act the councils of such boroughs and the commissioners or supervisors of such townships shall by joint action after ordinance or resolution duly passed apply to the Court of Common Pleas of the proper county for the appointment of a commission of water works in accordance with this act Said commission shall be composed of citizens of each of said boroughs and townships so uniting

Section 11 All acts and parts of acts general local and special inconsistent with this act are repealed but this repeal shall not become effective in any borough or incorporated town until the authorities thereof shall by appropriate ordinance accept the provisions of this act Provided always however That anything herein to the contrary notwithstanding the act of Assembly entitled "An Act authorizing the erection of water works in the borough or Sewickley by commissioners and the issue of borough bonds and the levy of a special water tax" approved February twenty-first one thousand eight hundred and seventy three (Pamphlet Laws one hundred and forty-seven) shall in no wise be affected or repealed by this act

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. SNYDER. Mr. President, when this bill came from the House, it was referred to Committee in the Senate and some objections were lodged to it in regard to the power of the Commissioners to be appointed by the Court. I now submit to the members of the Senate that the Water Commission of the State and Health Board of which Doctor Dixon is head, took this bill and proposed amendments which have now been inserted in it and every objectionable feature that could be raised to this bill I submit has been remedied and it is a proper bill for this Senate to pass upon. The purpose of this bill is that whenever a council of a borough or a city see fit to ask the Court to appoint as commissioners men of authority and knowledge with regard to water to take charge of their water works, the Court can upon their application under proper ordinance, appoint these commissioners for a period of three years. At the end of three years, on account of the municipal officers now serving four years, if the town council or borough desire to ask the Court not to appoint commissioners again, they can so do and the Court will under that resolution have to refuse to appoint the commissioners and let the water works be run by the borough authorities again. Now that authority of the water commissioners is limited entirely by existing laws so far as it refers to the jurisdiction of the Water Commission of the State and the Health Department and I submit that a municipality should have the authority if it so desires to ask the Court to appoint commissioners to take charge of its water works. It is the desire of several of the municipalities of the County of Schuylkill to do so and I do not see any objection on the principle that each borough should have the right of home rule and to be ruled by a commission form of government if it so desires. I can't see any objection to this bill. There has been objection made that the power of the Commissioners regarding the rules and regulations have the same potency as an act of Assembly. That has been stricken out of the bill and the bill simply gives the right to the Court to appoint commissioners and they shall run the water works subject to the Water Commission and the Health Department of the State.

And the question recurring,

Shall the bill pass finally??

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—19.

Beidleman,	Daix,	Hunter,	Sones,
Buckman,	DeWitt,	Jones,	Thompson,
Clark,	Gyger,	Morgan,	Wasbers,
Cooper,	Hall,	Salus,	Gerberich,
Crow,	Huffman,	Sheatz,	Pres. pro tem.

NAYS—13.

Endsley,	Judson,	Martin,	Nulty,
Heacock,	Knapp,	Miller,	Sensenich,
Hoke,	Magee,	Moore,	Snyder,
Jarrett,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILLS OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 1298 (House Bill No. 585), on final passage, entitled:

An Act to amend the first section of an act approved the twenty-fifth day of April one thousand nine hundred and seven (Pamphlet Laws one hundred and three) entitled "A supplement to the act of April third one thousand eight hundred and fifty-one entitled 'An Act regulating boroughs providing for the election of a borough solicitor fixing the term of office and prescribing his duties and authorizing the town council to fix his compensation" so as to include all boroughs and by changing the length of the term and the time of the election of borough solicitors and extending the terms of the borough solicitors holding office under the act of April twenty-fifth one thousand nine hundred and seven and providing for the furnishing of a bond by a trust or bonding company

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW. Mr. President, I ask that Senate Bill No. 54, on third reading, entitled:

An Act declaring the liability of railroad companies for loss or damages by fire providing a remedy therefor and relating to evidence thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 302, as follows:

An Act regulating the sale prescription and possession of opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them and prescribing penalties thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall sell furnish or give away opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or comcompounds of them or either of them except upon the prescription of a duly registered practicing physician or of a dentist or of a veterinarian which prescription shall be filled but once and of which no copy shall be taken by any one and which shall be retained and kept on file by the dispenser thereof for a period of at least five years nor shall any physician dentist or veterinarian prescribe sell or give away any opium chloral or the salts derivatives or compounds of them or either of them to any person known to such physician dentist or veterinarian to be an habitual user of those drugs

Provided That the provisions of this act shall not apply to persons engaged in the wholesale drug trade regularly selling opium chloral or the said derivatives or compounds of them or either of them to persons engaged in the retail drug trade under the following conditions That the wholesale dealer shall affix or cause to be affixed to the bottle box vessel or package containing the article sold and upon the outside wrapper of the package as originally put up a label distinctly displaying the name and quantity of opium or chloral or the salts of them or either of them sold and the word "poison" with the name and place of business of the seller all printed in red ink And provided also That the wholesale dealer shall before delivering any of the articles make or cause to be made in a book kept for the purpose an entry of the sale thereof stating the date of sale the quantity name and form in which sold the name and address of the purchaser and the name of the person by whom the entry is made and the same book shall be always open for inspection by the proper authorities and shall be preserved for at least five years after the date of the last entry made therein And provided also That any manufacturer may sell to another manufacturer of the same article or to a manufacturer or to a wholesale dealer in drugs or a wholesale dealer in drugs may sell to a manufacturer of the same article or to another wholesale dealer in drugs opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them in their original package Such package shall be labelled as herein provided and shall be securely sealed Each manufacturer and each wholesale dealer in drugs shall before the delivery or at the time of the receipt as the case may be of any such drug enter or cause to be entered in a book to be kept by them respectively for that purpose a record of the purchase and sale of such drug stating the date of purchase and the name and address of the person to whom sold the quantity name and form in which sold and a description of the package or container in which sold and

how sealed and there shall also be entered in such book at the place of such record a statement that such drug was sold or purchased as the case may be in the original package that the seals thereon were undamaged and unbroken and the labels were attached thereto as herein provided and were not in any manner defaced or damaged which statement shall be signed by the person selling such drug in the book herein required to be kept by him Each manufacturer and each wholesale dealer shall also file as a part of this record all orders for opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them

And further it shall be the duty of all wholesale dealers to make quarterly reports of their sales to other dealers wholesalers or retailers of opium chloral or the salts derivatives or compounds of them or either of them or any substance or preparation containing opium chloral or the salts derivatives or compounds of them or either of them to the State Pharmaceutical Examining Board upon blanks to be provided for this purpose by the said Board

Section 2 Any person violating any of the provisions of this act shall be sentenced to pay a fine of not more than five hundred dollars and undergo an imprisonment of not more than two years or both or either at the discretion of the court

Section 3 That if any person not being a practicing physician dentist or veterinarian or manufacturer or wholesale or retail dealer in drugs shall have in his or her possession any opium chloral or the salts derivatives or compounds of them or either of them or any patent or proprietary remedies containing the same except by reason of a prescription of a practicing physician dentist or veterinarian he shall be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine of not more than one hundred dollars and undergo an imprisonment of not more than six months or both or either at the discretion of the court

Section 4 That the enforcement of this act shall be entrusted to the State Pharmaceutical Examining Board appointed under the act of May twenty-fourth one thousand eight hundred and eighty-seven entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" who shall appoint to carry out the provisions of this act an executive secretary and shall also have power to employ such agents chemists and assistants as may be necessary for this purpose

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 6 Be it further enacted that this act shall be in force and effect at once

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Heacock,	Knapp,	Sensenich,
Beidleman,	Hoke,	Magee,	Snyder,
Buckman,	Huffman,	Martin,	Sones,
Clark,	Hunter,	Miller,	Thompson,
Cooper,	Jarrett,	Moore,	Washers,
Crow,	Jones,	Morgan,	Gerberich,
Farley,	Judson,	Nulty,	Pres. pro tem.
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 591 (House No. 644), entitled:

An Act to provide for the better protection of the lives bodies and health of new born children and parturient women throughout the Commonwealth by regulating the practice of midwifery as performed by midwives in the State of Pennsylvania and to provide that the Bureau of Medical Education and Licensure of the State of Pennsylvania shall enforce the provisions of this act making an appropriation therefor and providing certain penalties for the violation of the provisions thereof and repealing all acts and parts of acts incompatible herewith

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—15.

Beidleman,	Daix,	Jarrett,	Sheatz,
Buckman,	Gyger,	Jones,	Snyder,
Clark,	Huffman,	Knapp,	Gerberich,
Cooper,	Hunter,	Sensenich,	Pres. pro tem.

NAYS—13.

Alexander,	Hoke,	Martin,	Nulty,
Crow,	Judson,	Miller,	Sones,
Endsley,	Magee,	Moore,	Washers,
Heacock,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 736, as follows:

An Act to regulate the catching or taking and sale within this Comommwealth of bullfrogs tadpoles terrapin and snapping turtles and providing a penalty therefore and repealing all acts inconsistent herewith

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be unlawful to catch take or kill any bullfrogs except from the first day of July to the first day of October both dates inclusive in each year excepting leopard and pickerel frogs which may be caught at any time

Section 2 That it shall be unlawful to catch take or kill any terrapin except from the first day of November to the fourteenth day of March next ensuing both dates inclusive nor any snapping turtle except from the first day of September to the thirteenth day of June next ensuing both dates inclusive

Section 3 That it shall be unlawful to catch take or kill any bullfrogs by the use of a light at night

Section 4 That it shall be unlawful to catch take or kill more than twenty-five tad-poles in any one day or have more than twenty-five tad-poles in possession at any one time

Section 5 That it shall be unlawful to purchase sell or offer for sale or have in posession any bullfrogs terrapin or snapping turtle whether caught within of without this Commonwealth except during the lawful period for catching the same in this Commonwealth and the space of thirty days after such period has expired

Section 6 Any person or persons violating any of the provisions of this act shall be liable to a fine of twenty dollars for each and every offense in accordance with sections seven and eight of this act

Section 7 That from and after the passage of this act any justice of the peace alderman or magistrate upon information or complaint made to him by affidavit of one or more persons charging any person or persons with having violated the provisions of this act is hereby authorized and required to issue his warrants under his hand and seal directed to any constable peace officer or warden and cause such person or persons to be arrested and brought before such justice alderman or magistrate who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted upon such charge shall be sentenced by said justice alderman or magistrate severally to pay the fine or fines penalty or penalties provided in this act for such violations together with the costs of suits the whole of said fine shall be paid over forthwith to the treasurer of the county in which the prosecution was brought and said county treasurer shall pay over the same forthwith to the Commissioner of Fisheries for the benefit of the Commonwealth Provided That in case the defendant or defendants shall neglect to pay at once the fine or fines so imposed said defendant or defendants shall forthwith be sentenced to undergo imprisonment in the county jail of the county where such conviction takes place for the period of one day for each dollar of fine so imposed and unpaid unless the defendant or defendants upon conviction shall give notice of intention to appeal when such defendant or defendants shall be permitted to enter into good and sufficient recognizance to appear before such justice alderman or magistrate on or before the expiration of five days if such appeal is not taken by them or on the final determination of such appeal if it be not sustained for execution of sentence Provided also That all actions for any violation of any of the provisions of this act must be taken within one year from the time the offense was committed and when necessary to properly conduct any case before any alderman justice of the peace magistrate or any court the Commissioner of Fisheries is authorized to employ legal counsel

Section 8 That from and after the passage of this act any Fish Commissioner fish warden deputy warden sheriff deputy sheriff constable or any special officer or any peace officer in this Commonwealth is hereby authorized and commanded to forthwith apprehend and arrest any person or persons who may be guilty of violating the provisions of this act and take such person or persons before any justice of the peace alderman or magistrate and thereupon make charge of such violation of this act and the justice of the peace alderman or magistrate shall forthwith hear and determine the charge as provided in section seven of this act and in case any Fish Commissioner fish warden or any officer named above fails to prove his case and the defendant or defendants are discharged or in case the defendant or defendants are convicted and are sent to jail in lieu of the payment of fine or fines penalty or penalties

the county in which the case is heard shall pay the costs such arrests may also be made on Sunday in which case the person or persons so arrested for safe keeping may be committed to the jail or lock-up for that day but shall be taken before the proper magistrate and proceeded against on a week day following the arrest

Section 9 The following act of Assembly is intended to be supplied by this act and the same is hereby repealed

1 "An Act to regulate the catching or taking within this Commonwealth of bullfrogs and terrapin and providing a penalty therefor" approved the sixth day of April Anno Domini one thousand nine hundred and three

And in addition to the above all acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Farley,	Judson,	Nulty,
Beidleman,	Gyger,	Kline,	Salus,
Buckman,	Heacock,	Knapp,	Sensenich,
Clark,	Homsher,	Magee,	Sheatz,
Cooper,	Huffman,	Martin,	Snyder,
Crow,	Hunter,	Miller,	Wasbers,
Daix,	Jarrett,	Moore,	Gerberich,
DeWitt,	Jones,	Morgan,	Pres. pro tem.
Endsley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 737, entitled:

A supplement to an act entitled "An Act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of birth and deaths and burial or removal permits requiring prompt returns to the Bureau of Vital Statistics at the Capitol of the State as required to be established by the State Board of Health and to insure the thorough organization and efficiency of the registration of vital statistics throughout the State as provided in section seven of 'An Act to establish a State Board of Health for the better protection of life and health and so prevent the spread of contagious and infectious diseases in this Commonwealth approved June third one thousand eight hundred and eighty-five and making an appropriation for establishing and maintaining such a Bureau and providing certain penalties" approved May first one thousand nine hundred and five Pamphlet Laws three hundred and thirty authorizing the statistics required to be obtained and preserved by the tenth section of an act entitled "An Act creating a Department of Health defining its powers and duties" approved April twenty-seventh one thousand nine hundred and five Pamphlet Laws three hundred and twelve or by any subsequent law or laws to be obtained collected compiled and preserved by and in said Central Bureau of Vital Statistics and fixing the salary of the State Registrar of Vital Statistics

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Farley,	Jones,	Nulty,
Beidleman,	Gyger,	Judson,	Salus,
Buckman,	Heacock,	Kline,	Sensenich,
Clark,	Hoke,	Magee,	Snyder,
Cooper,	Homsher,	Martin,	Thompson,
Crow,	Huffman,	Miller,	Wasbers,
Daix,	Hunter,	Moore,	Gerberich,
DeWitt,	Jarrett,	Morgan,	Pres. pro tem.
Endsley,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 794 (House No. 50), entitled:

An Act amending an act entitled "An Act making it lawful for any municipality in which a corporation created and existing under and by virtue of the laws of this Commonwealth have constructed and are maintaining or may hereafter construct and maintain sewers culverts conduits and pipes with the necessary inlets and appliances for surface under surface and sewage drainage to become the owner of such sewers culverts conduits and pipes with the necessary inlets and appliances aforesaid providing the amount to be paid for the same and the manner of ascertaining such amount in case of disagreement between the municipality and the corporation owning the same' approved April nineteenth one thousand nine hundred and one by extending the provisions thereof to sewers culverts conduits and pipes with the necessary inlets and appliances owned by individuals and unincorporated associations and providing for the assessment of the costs and expenses of the property so acquired upon the properties benefitted thereby or upon the proper municipality

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Endsley,	Jones,	Salus,
Beidleman,	Farley,	Judson,	Sensenich,
Buckman,	Gyger,	Kline,	Sheatz,
Catlin,	Heacock,	Knapp,	Snyder,
Clark,	Hoke,	Martin,	Sones,
Cooper,	Homsher,	Miller,	Wasbers,
Crow,	Hunter,	Moore,	Gerberich,
Daix,	Jarrett,	Morgan,	Pres. pro tem.
DeWitt,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 802 (House No. 519), entitled:

An Act to change and fix the terms and managers of the poor and auditors authorized to audit settle and adjust accounts of said managers of the poor in incorporated poor districts where the number of said managers and auditors respectively is nine and said managers and aditors are required to be elected in blocks of three fixing the times when the terms of present managers and auditors shall expire their successors be elected and assume office

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Farley,	Judson,	Sensenich,
Beidleman,	Gyger,	Martin,	Sheatz,
Buckman,	Homsher,	Miller,	Snyder,
Catlin,	Huffman,	Moore,	Sones,
Clark,	Hunter,	Morgan,	Wasbers,
Cooper,	Jarrett,	Nulty,	Gerberich,
Crow,	Jones,	Salus,	Pres. pro tem.
Daix,			

NAYS—1.

Heacock,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 880, entitled:

An Act to amend paragraph three of section five of "An Act regulating boroughs" approved April three one thousand eight hundred and fifty-one enlarging the jurisdiction of the chief burgess by conferring upon him the powers of a committing magistrate

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26.

Alexander,	Endsley,	Magee,	Sheatz,
Beidleman,	Gyger,	Martin,	Snyder,
Buckman,	Hoke,	McNichol,	Sones,
Clark,	Homsher,	Moore,	Thompson,
Cooper,	Hunter,	Morgan,	Gerberich,
Crow,	Jones,	Salus,	Pres. pro tem.
Daix.	Knapp,	Sensenich,	

NAYS—8.

DeWitt,	Fisher,	Huffman,	Miller,
Farley,	Heacock,	Judson,	Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. CROW. Mr. President, I ask that Senate Bill No. 891 (House Bill No. 857), on third reading, entitled:

An Act to authorize the judges of separate orphans' courts at the request of the judges of the common pleas to hear and determine all issues in the court of common pleas courts of oyer and terminer and general jail delivery and courts of quarter sessions of the peace

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 916 (House Bill No. 562), as follows:

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the first day of June one thousand nine hundred and thirteen the salaries and compensation of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over shall be as follows First State clerk twenty-five hundred ($2,500.00) dollars per annum receiving teller or clerk twenty-five hundred dollars ($2,500.00) per annum first assistant clerk two thousand ($2,000.00) dollars per annum second assistant receiving teller or clerk sixteen hundred dollars ($1,600.00) per annum first assistant bookkeeper sixteen hundred dollars ($1,600.00) per annum and all other clerks whether miscellaneous special temporary clerks or assistant clerks each at the rate of fifteen hundred ($1,500.00) dollars per annum Such salaries and compensation to be paid monthly according to existing laws

Section 2 All laws or parts of laws inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Gyger,	Kline,	Salus,
Beidleman,	Heacock,	Knapp,	Sensenich,
Clark,	Hoke,	Magee,	Sheatz,
Cooper,	Homsher,	McNichol,	Snyder,
Crow,	Huffman,	Miller,	Sones,
Daix,	Hunter,	Moore,	Wasbers,
DeWitt,	Jarrett,	Morgan,	Gerberich,
Endsley,	Jones,	Nulty,	Pres. pro tem.
Farley,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 919 (House No. 1105), entitled:

An Act to amend the first section and the second section of an act entitled "An Act constituting county commissioners county controller and county treasurer in any county now or hereafter containing not less than seven hundred fifty thousand nor more than one million two hundred thousand inhabitants a board having the power to appoint depositories of county funds defining the powers of said board and specifying their duties describing how the said depositories shall be selected and repealing certain acts and parts of acts of Assembly inconsistent herewith" approved the first day of April Anno Domini one thousand nine hundred and nine by authorizing trust companies to be selected as depositories and by authorizing the county commissioners to accept bonds or stocks belonging to such depositories as collateral security for deposits and also providing for the filling of vacancies arising in any manner in the number of said depositories

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	DeWitt,	Judson,	Morgan,
Beidleman,	Endsley,	Kline,	Salus,
Buckman,	Farley,	Knapp,	Sensenich,
Catlin,	Gyger,	Magee,	Sheatz,
Clark,	Hoke,	McNichol,	Wasbers,
Cooper,	Homsher,	Miller,	Gerberich,
Crow,	Hunter,	Moore,	Pres. pro tem.
Daix,	Jones,		

NAYS—1.

Nulty,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1022 (House No. 1316), entitled:

An Act permitting building associations or other corporations whose charters have expired or whose affairs have been wound up to satisfy mortgages

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	Endsley,	Kline,	Nulty,
Beidleman,	Farley,	Knapp,	Sensenich,
Buckman,	Gyger,	Magee,	Sheatz,
Catlin,	Hoke,	McNichol,	Sones,
Clark,	Homsher,	Miller,	Wasbers,
Cooper,	Huffman,	Moore,	Gerberich,
Crow,	Hunter,	Morgan,	Pres. pro tem.
DeWitt,	Judson,		

NAYS—1.

Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1028 (House No. 1697), entitled:

An Act authorizing the several orphans' courts to empower guardians of the estates of minors to join with the co-tenants of said minors in effecting amicable petition of lands held in common

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Farley,	Kline,	Salus,
Beidleman,	Gyger,	Knapp,	Sensenich,
Buckman,	Hoke,	Martin,	Sheatz,
Catlin,	Homsher,	McNichol,	Sones,
Clark,	Huffman,	Miller,	Wasbers,
Cooper,	Hunter,	Moore,	Gerberich,
DeWitt,	Jarrett,	Morgan,	Pres. pro tem.
Endsley,	Judson,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideraeration of Senate Bill No. 1058 (House No. 1704), entitled:

An Act to amend an act approved the twenty-fifth day of May one thousand nine hundred seven entitled "An Act regulating the compensation of sheriffs for boarding prisoners confined in the county jail in the counties of the Commonwealth of Pennsylvania which do not exceed fifty thousand population" by extending the provisions of the act to counties having a population not exceeding one hundred fifty thousand inhabitants

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28.

Alexander,	Hoke,	Martin,	Sheatz,
Buckman,	Homsher,	Miller,	Snyder,
Catlin,	Jarrett,	Moore,	Sones,
Clark,	Jones,	Morgan,	[illegible]mpson,
Crow,	Judson,	Nulty,	Wasbers.
Endsley,	Knapp,	Salus,	Gerberich,
Farley,	Magee,	Sensenich,	Pres. pro tem.
Gyger,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1069, as follows:

An Act to provide for the execution of orders of the court of quarter sessions or other court of competent jurisdiction for support and maintenance of a wife or children or both and for the execution of judgment entered upon contracts for such support and maintenance by subjecting estates owned by the husband and wife by entireties and the rents issues and profits thereof to such executions and providing for the application of the proceeds of such executions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever hereafter an order shall be made against any husband by any court of quarter sessions or other court of competent jurisdiction for the comfortable support and maintenance of his wife or children or both or whenever hereafter a judgment shall be rendered by any court of common pleas or other court of competent jurisdiction in favor of any wife against her husband in any action brought upon any articles of separation or other contract made between such husband and wife stipulating or conditioned for the support and maintenance of such wife it shall be lawful for such court to enforce compliance with said order or in execution of said judgment to issue its appropriate writ of execution against any real property owned by said husband and said wife by entireties and the purchaser at the sheriff's sale of such estate by entireties in virtue of said writ shall upon compliance with the terms of said sale be vested with the title theretofore held in entirety by said husband and said wife or said court may for the purpose aforesaid issue a writ of attachment execution attaching in the hands of any person or persons any rents issues or profits of such estate The proceeds of such sale or of any attachment execution after the satisfaction of such order or such judgment thereout shall be divided between such husband and such wife equally The procedure on said writs of execution and attachment execution issued by the said court of quarter sessions or other court of competent jurisdiction shall be the same as provided by law in cases of similar writs on judgments entered in the courts of common pleas The remedies herein provided are in addition to those heretofore provided by law for the enforcement of such orders or for the execution of such judgments

Section 2 The provisions of this act are serveable one from another and in their application to the estate or property affected thereby The judicial declaration of the invalidity of any provision or provisions or the application thereof shall not affect the validity of any other provision or provisions or application thereof

Section 3 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Alexander,	DeWitt,	Jarrett,	Nulty,
Beidleman,	Endsley,	Jones,	Salus,
Buckman,	Farley,	Kline,	Sheatz,
Catlin,	Gyger,	Knapp,	Snyder,
Clark,	Hoke,	Magee,	Wasbers,
Cooper,	Homsher,	Moore,	Gerberich,
Crow,	Huffman,	Morgan,	Pres. pro tem.
Daix,	Hunter,		

NAYS—2.

Heacock, Judson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER.

Mr. HUFFMAN. Mr. President, I ask that Senate Bill No. 1084 (House Bill No. 1250), on third reading, entitled:

An Act to amend the first section of an act entitled "An Act relating to the competency of experts and to rules of evidence in questions of simulated (or altered) handwriting declaring and defining some of the existing rules of law upon these subjects and also extending some of the provisions of the same" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five by enlarging the scope of the said act so as to make it apply to all cases in which any writing is in question

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1100 (House No. 1038), entitled:

An Act authorizing the appointment of a commission to promote the agricultural industries of this Commonwealth and making an appropriation therefor

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Endsley,	Knapp,	Sensenich,
Beidleman,	Farley,	Magee,	Sheatz,
Buckman,	Gyger,	McNichol,	Snyder,
Catlin,	Homsher,	Miller,	Sones,
Clark,	Hunter,	Moore,	Thompson,
Cooper,	Jarrett,	Morgan,	Wasbers,
Crow,	Jones,	Nulty,	Gerberich,
Daix,	Judson,	Salus,	Pres. pro tem.
DeWitt,	Kline,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of

Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1103 (House No. 1304), entitled:

An Act to amend an act approved the twenty-fourth day of February one thousand eight hundred and thirty-four entitled "An Act relating to executors and administrators"

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	DeWitt,	Judson,	Salus,
Beidleman,	Endsley,	Kline,	Sensenich,
Buckman,	Farley,	Knapp,	Sheatz,
Catlin,	Gyger,	Magee,	Sones,
Clark,	Hoke,	Martin,	Thompson,
Cooper,	Homsher,	McNichol,	Wasbers,
Crow,	Hunter,	Miller,	Gerberich,
Daix,	Jones,	Moore,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1107 (House No. 1523), entitled:

An Act fixing the time within which an election may be held to increase municipal indebtedness for the same purposes and on the same subjects as were defeated by a majority vote at a previous election

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34.

Alexander,	Endsley,	Knapp,	Sensenich,
Beidleman,	Farley,	Magee,	Sheatz,
Buckman,	Gyger,	Martin,	Snyder,
Catlin,	Heacock,	McNichol,	Sones,
Clark,	Hoke,	Miller,	Thompson,
Cooper,	Hunter,	Moore,	Wasbers,
Crow,	Jones,	Morgan,	Gerberich,
Daix,	Judson,	Nulty,	Pres. pro tem.
DeWitt,	Kline,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1119 (House Bill No. 869), entitled:

An Act to amend an act entitled "An Act regulating the confinement of children under the age of sixteen years awaiting trial" approved the third day of April Anno Domini one thousand nine hundred and three so as to provide for the furnishing and heating of rooms or buildings provided for the detention of childern awaiting trial and for the care and maintenance of such children while detained

And said bill having been read at length the third time, and agreed to.

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	DeWitt,	Magee,	Sheatz,
Beidleman,	Farley,	Martin,	Snyder,
Buckman,	Gyger,	Miller,	Sones,
Catlin,	Homsher,	Moore,	Thompson,
Clark,	Jarrett,	Morgan,	Wasbers,
Cooper,	Judson,	Nulty,	Gerberich,
Crow,	Kline,	Salus,	Pres. pro tem.
Daix,	Knapp,	Sensenich,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL INTRODUCED

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1390, entitled:

An Act designating the Monday after the second Sunday in May of each year as a public legal holiday to be known as Mothers' Day.

Which was committed to the Committee on Judiciary Special.

REPORT FROM COMMITTEE.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Corporations, reported as committed, Senate Bill No. 1231 (House Bill No. 423), entitled:

An Act regulating the placing of earth or any other material in any creek river or stream within this Commonwealth or upon the banks of the same or in any place where said earth or other material would be likely to slide into or be washed into such creek river or stream providing for the construction in accordance with plans specifications and application approved by the Water Supply Commission of Pennsylvania of a retaining wall or walls along the banks of said creeks rivers or streams under the supervision of the Water Supply Commission of Pennsylvania and providing a penalty for the violation of this act

BILL INTRODUCED.

Mr. CROW. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW read in his place and presented to the Chair Senate Bill No. 1391, entitled:

An Act to provide for the better protection of quail and rabbits and hare in this Commonwealth fixing the time when such birds and animals may be legally killed in this Commonwealth and providing penalties for violation of its several provisions.

Which was committed to the Committee on Game and Fisheries.

REPORTS FROM COMMITTEES.

Mr. CATLIN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CATLIN, from the Committee on Judiciary Special, re-reported as committed, Senate Bill No. 745, entitled:

An Act making desertion or non-support of wife by husband, or of children, by either father or mother, a misdemeanor in certain cases, and providing punishment therefor, giving the court power to make an order of support in such cases directing that imprisonment in such cases be at hard labor with wages payable to the wife or children and providing for the payment of the expenses incident to the carrying out of this act and to promote uniformity between the States in reference thereto

Mr. KNAPP. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KNAPP, from the Committee on Banks and Building and Loan Associations, reported as amended, Senate Bill No. 1032 (House Bill No. 799), entitled:

An Act regulating the making af certain loans, limiting the charges therefor, requiring and regulating the licensing of lenders, fixing the fee therefor, and prescribing penalties for violation of this act.

Mr. MAGEE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAGEE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1257 (House Bill No. 1732), entitled:

Relating to applications for charters of corporations of the first class and regulating the change of location of the place of business of such corporations

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1244 (House Bill No. 1666), entitled:

An Act to amend section thirteen of an act entitled "An Act to provide for the incorporation and regulation of ship canal companies to connect the Great Lakes with points on navigable rivers of this Commonwealth" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as the same was amended by an act approved the eighth day of June one thousand nine hundred and seven

BILLS INTRODUCED.

Mr. BUCKMAN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. BUCKMAN read in his place and presented to the Chair Senate Bill No. 1392, entitled:

An Act providing that the State Highway Commissioner shall submit to the Legislature estimates of proposed expenditures in the maintenance and permanent improvement of State Highways and State-aid Highways and for miscellaneous purposes; and providing the manner in which the mileage of State Highways to be permanently improved in each county shall be apportioned amongst the several counties of the State wherein such Highways lie.

Which was committed to the Committee on Public Roads and Highways.

Mr. JONES. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JONES read in his place and presented to the Chair Senate Bill No. 1393, entitled:

An Act making an appropriation to pay for the collection, revising, indexing and proofreading of the material contained in the pamphlet known as "The Game, Fish and Forestry Laws" of this Commonwealth.

Which was committed to the Committee on Appropriations.

Mr. MAGEE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAGEE read in his place and presented to the Chair Senate Bill No. 1394, entitled:

An Act to repeal section 3, sub-division of section 14, of the act of April 6th, A. D. 1871, relating to fees to be received by the clerk of the court of oyer and terminer and general jail delivery and of the quarter sessions of the peace, in and for the County of Allegheny.

Which was committed to the Committee on Judiciary General.

Mr. McNICHOL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL read in his place and presented to the Chair Senate Bill No. 1395, entitled:

An Act to amend section twenty-one of an act approved the first day of June, 1889, entitled "A further supplement to an act entitled 'An Act to provide revenue by taxation,' approved the seventh day of June, A. D. 1879," as amended

Which was committed to the Committee on Finance.

REPORTS FROM COMMITTEE.

Mr. THOMPSON. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on Public Health and Sanitation, reported as committed, Senate Bill No. 1233 (House Bill No. 937), entitled:

An Act to establish a Bureau of Housing for the sanitary inspection and control of tenement boarding and lodging houses defining its poiwers and duties and providing certain penalties

Mr. MAGEE. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MAGEE, from the Committee on Municipal Affairs, reported as amended, Senate Bill No. 1243 (House Bill No. 1600), entitled:

An Act empowering counties to construct, operate and maintain public highways public highway bridges and public highway tunnels in the several counties of this Commonwealth either wholly within or partly within or extending through any city, borough or township therein authorizing the entry upon any street, road or other public highway for the purpose of constructing and maintaining approaches thereto authorizing counties to lay out, open, widen, straighten or extend streets or alleys or parts thereof within the boundaries of any city borough or township therein so as to connect or more adequately to connect any other county bridge or highway now or hereafter construcied with any street or streets within such city, borough or township and to grade, pave, macadamize or otherwise improve the same, and authorizing the taking of property for all or any of the said purposes providing for the payment of the cost and expense thereof and compensation therefor and damages resulting therefrom and providing for the levy of a tax and the incurring of indebtedness to provide funds for said purposes.

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1246 (House Bill No. 1719), entitled:

An Act amending article eleven of an act, entitled "An Act for the government of cities of the second class" approved the 7th day of March, A. D. 1901, changing the provisions relating to the Sinking Fund Commission.

Mr. CROW. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CROW, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1390, entitled:

An Act designating the Monday after the second Sunday in May of each year as a public legal Holiday to be know as Mother's Day.

Also, from the Committee on Finance, reported as committed, Senate Bill No. 1395, entitled:

An Act to amend section twenty-one of an act approved the 1st day of June, 1889, entitled "A further supplement to an act, entitled 'An Act to provide revenue by taxation,' approved the 7th day of June, A. D. 1879," as amended.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1120 (House No. 872), entitled:

An Act to further amend the sixth section of an act approved April twenty-third Anno Domini one thousand nine hundred and three entitled "An Act defining the powers of the several courts of quarter sessions of the peace within this Commonwealth with reference to the care treatment and control of dependent neglected incorrigible and delinquent children under the age of sixteen years and providing for the means in which such powers may be exercised" by extending the application of said section to dependent neglected and incorrigible children

And said bill having been read at length the third time, and agreed to.

On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31.

Alexander,	Endsley,	Knapp,	Sheatz,
Beidleman,	Farley,	Magee,	Snyder,
Buckman,	Gyger,	McNichol,	Sones,
Catlin,	Homsher,	Miller,	Thompson,
Cooper,	Huffman,	Moore,	Vare,
Crow,	Jones,	Morgan,	Wasbers
Daix,	Judson,	Nulty,	Gerberich,
DeWitt,	Kline,	Sensenich,	Pres. pro tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.
Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1121 (House No. 939), entitled:

An Act relating to the real estate of persons presumed to be dead and providing a method of freeing such estate from all claim or interest of such persons

And said bill having been read at length the third time, and agreed to.
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27.

Alexander,	DeWitt,	Judson,	Salus,
Beidleman,	Endsley,	Kline,	Sheatz,
Buckman,	Farley,	Knapp,	Snyder,
Clark,	Homsher,	McNichol,	Sones,
Cooper,	Huffman,	Moore,	Thompson,
Crow,	Jarrett,	Morgan,	Gerberich,
Daix,	Jones,	Nulty,	Pres. pro tem.

NAYS—3.

Gyger,	Magee,	Martin,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1149, as follows:

An Act to repeal an act entitled "An Act in relation to legal advertisements in the county of Lycoming" approved April tenth one thousand eight hundred and seventy-three Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act of Assembly entitled "An Act in relation to legal advertisements in the county of Lycoming" approved April tenth one thousand eight hundred and seventy-three (Pamphlet Laws six hundred) be and the same is hereby repealed

And said bill having been read at length the third time,
On the question,
Will the Senate agree to the bill?
Mr. DAIX. Mr. President, I move that the question together with the further consideration of this bill be postponed for the present.
Mr. BEIDLEMAN. Mr. President, I second the motion.
The motion was agreed to.

BILL OVER IN ORDER.

Mr. THOMPSON. Mr. President, I ask that Senate Bill No. 1153, on third reading, entitled:

An Act authorizing and regulating the survey appraisal and patenting of lands in beds of navigable rivers or streams permitted by the Government of the United States to be abandoned and filled as no longer of use for ordinary purposes of navigation

go over in its order.
The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED.

Mr. DAIX. Mr. President, I move that Senate Bill No. 1211, on third reading, entitled:

An Act to provide for the better protection of gray rabbits and hare in this Commonwealth fixing the open season for such animals and providing penalties for violation of its several provisions

be recommitted to the Committee on Game and Fisheries.
Mr. BUCKMAN. Mr. President, I second the motion.
The motion was agreed to.
Mr. WASBERS, from the Committee on Game and Fisheries, reported as committed, Senate Bill No. 1391, entitled:

An Act to provide for the better protection of quail and rabbits and hare in this Commonwealth, fixing the time when such birds and animals may be legally killed in this Commonwealth and providing penalties for violation of its several provisions.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1223 (House Bill No. 1040), entitled:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the city treasurer of Philadelphia for an auctioneer's license and paid by said city treasurer into the State Treasury

And said bill having been read at length the third time, and agreed to.
And the amendments made thereto having been printed as required by the Constitution,
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33.

Alexander,	Endsley,	Knapp,	Sensenich,
Beidleman,	Farley,	Magee,	Snyder,
Buckman,	Gyger,	McNichol,	Sones,
Catlin,	Heacock,	Miller,	Thompson,
Clark,	Hoke,	Moore,	Vare,
Cooper,	Homsher,	Morgan,	Wasbers,
Crow,	Hunter,	Nulty,	Gerberich,
Daix,	Judson,	Salus,	Pres. pro tem.
DeWitt,	Kline,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.
Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.
Agreeably to order,
The Senate proceeded to the third reading and consideration of Senate Bill No. 1224 (House No. 1190), entitled:

An Act relating to the payment of bonus on the incorporation merger or consolidation of banks and trust companies

And said bill having been read at length the third time, and agreed to.
On the question,
Shall the bill pass finally?
The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows: viz:

YEAS—30.

Alexander,	Endsley,	Knapp,	Salus,
Beidleman,	Farley,	Magee,	Sensenich,
Buckman,	Gyger,	Martin,	Sheatz,
Catlin,	Heacock,	McNichol,	Sones,
Clark,	Hoke,	Miller,	Thompson,
Cooper,	Hunter,	Moore,	Gerberich,
Crow,	Judson,	Morgan,	Pres. pro tem.
Daix,	Kline,	Nulty,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1240 (House No. 1521), entitled:

A Supplement to an act entitled "An Act to regulate the practice of pharmacy and sale of poisons and to prevent adulterations in drugs and medicinal preparations in the State of Pennsylvania" approved May twenty-fourth Anno Domini one thousand eight hundred and eighty-seven

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32.

Alexander,	Endsley,	Knapp,	Sensenich,
Beidleman,	Farley,	Magee,	Sheatz,
Buckman,	Gyger,	Martin,	Snyder,
Catlin,	Heacock,	McNichol,	Sones,
Clark,	Hoke,	Miller,	Thompson,
Cooper,	Homsher,	Moore,	Vare,
Crow,	Judson,	Morgan,	Gerberich,
Daix,	Kline,	Salus,	Pres. pro tem.
DeWitt,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendment.

BILLS OVER IN ORDER.

Mr. GYGER. Mr. President, I ask that Senate Bill No. 1259, on third reading, entitled:

An Act to prohibit the establishing and enforcing of the tuberculin test for dairy animals by any county city borough township or other corporate authority in the State of Pennsylvania

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McNICHOL. Mr. President, I ask that Senate Bill No. 1279, on third reading, entitled:

A supplement to an act entitled "An Act creating the Water Supply Commission of Pennsylvania defining its duties fixing the scope of its authority and powers and making an appropriation for the payment of the salaries and expenses connected therewith" approved the fourth day of May one thousand nine hundred five and providing penalties for violations of this act

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SNYDER. Mr. President, I ask that Senate Bill No. 1281, on third reading, entitled:

An Act defining the water resources of the Commonwealth providing for the taking of an inventory thereof by the Water Supply Commission of Pennsylvania vesting in said Commission certain powers and duties providing penalties for violation of this act and making an appropriation to carry the same into effect

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1295, entitled:

An Act prohibiting the running at large of horses and mules on public highways providing and regulating penalties for violation of the act and imposing certain duties on constables township supervisors roadmasters and the State Police Force

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Farley,	Kline,	Salus,
Beidleman,	Fisher,	Knapp,	Sensenich,
Buckman,	Gyger,	Magee,	Sheatz,
Catlin,	Heacock,	Martin,	Snyder,
Clark,	Hoke,	McNichol,	Sones,
Cooper,	Homsher,	Miller,	Thompson,
Crow,	Huffman,	Moore,	Vare,
Daix,	Hunter,	Morgan,	Gerberich,
DeWitt,	Jarrett,	Nulty,	Pres. pro tem.
Endsley,	Judson,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL INTRODUCED.

Mr. VARE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. VARE read in his place and presented to the Chair Senate Bill No. 1396, entitled:

An Act making an appropriation to the Tabor Home for Children, at Philadelphia.

Which was committed to the Committee on Appropriations.

BILL OVER IN ORDER.

Mr. CATLIN. Mr. President, I ask that Senate Bill No. 1296, on third reading, entitled:

An Act regulating the acquiring of new or additional sources of supply of water by municipalities or townships or any corporation whatsoever heretofore or hereafter incorporated under general or special laws and providing a penalty for violation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1316 (House No. 1909), entitled:

An Act to repeal an act approved the sixteenth day of March one thousand eight hundred and sixty-six entitled "An Act to prevent and punish prize fights and boxing matches in the counties of Pike Schuylkill Luzerne Erie and Montgomery" in so far as the same refers to the County of Erie

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions f the Constitution, and were as follows, viz:

YEAS—26.

Beidleman,	DeWitt,	Jones,	Salus,
Buckman,	Farley,	Kline,	Snyder,
Catlin,	Hall,	Magee,	Sones,
Clark,	Heacock,	McNichol,	Vare,
Cooper,	Homsher,	Moore,	Gerberich,
Crow,	Huffman,	Morgan,	Pres. pro tem.
Daix,	Hunter,	Nulty,	

NAYS—6.

Endsley,	Judson,	Miller,	Sensenich,
Hoke,	Martin,		

A majority of all the Senators having voted "aye" the question was determined in the affrmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1334 (House Bill No. 1891), entitled:

An Act authorizing the Water Supply Commission of Pennsylvania to establish and maintain gauging stations on certain streams within the Commonwealth of Pennsylvania authorizing said Commission to issue flood warnings and making an appropriation therefor

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37.

Alexander,	Farley,	Jones,	Salus,
Beidleman,	Fisher,	Judson,	Sensenich,
Buckman,	Gyger,	Kline,	Sheatz,
Catlin,	Hall,	Magee,	Snyder,
Clark,	Heacock,	Martin,	Sones,
Cooper,	Hoke,	McNichol,	Thompson,
Crow,	Homsher,	Miller,	Vare,
Daix,	Huffman,	Morgan,	Gerberich,
DeWitt,	Hunter,	Nulty,	Pres. pro tem.
Endsley,	Jarrett,		

NAYS—1.

Knapp,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS SIGNED.

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 645, entitled:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

Senate Bill No. 417, entitled:

An Act to amend the first second and third sections of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-trees commonly called the chestnut-tree blight providing for the destruction of trees so affected creating a commission to carry out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteen one thousand nine hundred eleven Pamphlet Laws page nine hundred twenty-two extending the provisions thereof in certain cases to other species of trees

Senate Bill No. 658, entitled:

An Act authorizing the Commissioner of Banking to appoint one additional clerk and one additional stenographer and fixing the compensation of each

Senate Bill No. 52, entitled:

An Act amending an act approved the fifth day of May Anno Domini eighteen hundred and thirty-two entitled "An Act regulating lateral railroads" extending the length thereof to ten miles and including lessees as well as owners of fire clay and minerals and changing number of viewers

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. D. P. Gerberich) in the presence of the Senate signed the same.

HOUSE BILL NO. 416 RECALLED FROM GOVERNOR.

The Chair cleared his table and laid before the Senate resolution from the House of Representatives as follows, which was twice read, considered and agreed to:

Resolved (if the Senate concur) that House bill No. 416, entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

be recalled from the Governor for the purpose of amendment

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING POSTPONED FOR THE PRESENT.

Mr. SALUS. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 150, on third reading, postponed for the present, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 150, entitled:

An Act relating to policies of fire insurance and the adjustment of loss by fire under such policies

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Alexander,	Gyger,	Kline,	Sensenich,
Beidleman,	Hall,	Magee,	Sheatz,
Buckman,	Heacock,	Martin,	Snyder,
Catlin,	Hilton,	McNichol,	Thompson,
Crow,	Hoke,	Miller,	Vare,
Daix,	Homsher,	Moore,	Gerberich,
DeWitt,	Hunter,	Nulty,	Pres. pro tem.
Farley,	Judson,	Salus,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED.

Mr. BEIDLEMAN. Mr. President, I move that Senate Bill No. 929, on second reading, entitled:

An Act prohibiting the keeping of live pigs in cities of the first class without an annual license from the Bureau of Health in such cities authorizing the Board of Health to make alter and amend rules and regulations therefor and granting the Board of Health power to revoke such licenses fixing the fee for such licenses prescribing penalties for violation of this act or of such rules and regulations and repealing all acts and parts of acts inconsistent therewith

be recommitted to the Committee on Judiciary Special.

Mr. CATLIN. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 830, as follows:

An Act to amend an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain em-

ployments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" as amended

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assembly met and it is hereby enacted by the authority of the same That section two of an act approved the twenty-ninth day of April one thousand nine hundred and nine entitled "An Act to provide for the health and safety of minors in certain employments by regulating the ages at which said minors may be employed their hours of employment their protection against injury and to prescribe rules for the obtaining of employment certificates and providing penalties for violation of the provisions thereof" which as heretofore ameided read as follows

"Section 2 That male minors over the age of eighteen years may be employed in any and all kinds of legal employment within the Commonwealth but all minors under the age of eighteen years shall not be employed in or about blast-furnaces docks wharves quarries in the outside erection and repair of electric wires in the running or management of elevators lifts or hoisting machines in oiling hazardous and dangerous machinery in motion at switch-tending gate-tending track-repairing as brakeman firemen engineers motormen conductors upon railroads as pilots firemen or engineers upon boats or vessels engaged in the transportation of passengers or merchandise in or about establishments wherein nitro-glycerine dynamite daulin gun-cotton gunpowder or other high or dangerous explosive in manufactured compounded or stored" is hereby further amended to read as follows

Section 2 That male minors over the age of eighteen years may be employed in any and all kinds of legal employment within the Commonwealth but all minors under the age of eighteen years shall not be employed in or about blast-furnaces docks wharves in the outside erection and repair of electric wires in the running or management of elevators lifts or hoisting machines in oiling hazardous and dangerous machinery in motion at switch-tending gate-tending track-repairing as brakeman firemen engineers motormen conductors upon railroads as pilots firemen or engineers upon boats or vessels engaged in the transportation of passengers or merchandise in or about establishments wherein nitro-glycerine dynamite daulin gun-cotton gunpowderor other high or dangerous explosive is manufactured compounded or stored

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 870 (House Bill No. 210), as follows:

An Act to amend title and sections three and four and five and six and nine and eleven of an act entitled "An Act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" approved the third day of June one thousand nine hundred and eleven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of an act entitled "An Act relating to the right to practice medicine et cetera" approved the third day of June Anno Domini one thousand nine hundred and eleven which title reads as follows

"Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses given by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith" be and the same is hereby amended and made to read as follows

Relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a Bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its minor branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation or suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith

Section 2 That so much of section three of said act which now reads as follows

"Said bureau shall be known by the name and title of 'The Bureau of Medical Education and Licensure of the Department of Public Instruction' of the Commonwealth of Pennsylvania and shall effect its organization immediately after the appointment of its members by the Governor" be and the same is hereby amended so as to read as follows

Said bureau shall be known by the name and title of 'The Bureau of Medical Education and Licensure of the Department of Public Instruction' of the Commonwealth of Pennsylvania and shall effect its organization immediately after the appointment of its members by the Governor

It shall be the duty of the bureau to enforce all the requirements of this act In case of violation of the provisions of this Act procedure shall be through either the office of the Attorney General of the State of Pennsylvania or by special attorney or both at the discretion of the Bureau

Section 3 That so much of section four of said act which now reads as follows

"Any medical institution chartered by this Commonwealth and empowered to confer the degree in medicine that shall be unanimously adjudged by the bureau as failing to provide the proper facilities as maintaining a lower standard than that required under the provisions of this act said standard being a general preliminary education of not less than a standard four years' high school course or its equivalent and a graded medical and surgical course of four years each of which shall be of not less than thirty-two weeks of not less than thirty-five hours each week of actual work in didactic laboratory and clinical study in different calendar years shall be duly notified of the same in writing signed by the secretary of the bureau" Be and the same is hereby amended so as to read as follows

Any medical institution chartered by this Commonwealth and empowered to confer the degree in medicine that shall be unanimously adjudged by the bureau as failing to provide the proper facilities as maintaining a lower minimum standard than that required under the provisions of this act minimum standard being in addition to a general preliminary education of not less than a standard four years' high school course or its equivalent not less than one year of college credits in chemistry biology and physics all of which shall have been acquired prior to entering a medical school and a graded medical and surgical course of four years each of which shall be of not less than thirty-two weeks of not less than thirty-five hours each week of actual work in didactic laboratory and clinical study in different calendar years and also such other standards as may be required by the advancement of medical science shall be duly notified of the same in writing signed by the secretary of the bureau

Section 4 That so much of section five of said act which now reads as follows

"Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has had a general education of not less than a standard four years' high school course or its equivalent all of which have been received before admission to the second year of medical study and have attended four graded courses of not less than thirty-two weeks of not less than thirty-five hours each in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the board issuing license to practice in the State in which the college is situated the dean or proper officer of which shall certify that the applicant has successfully passed such of said respective courses" Be and the same is hereby amended so as to read as follows

Applicants for licensure under the provisions of this act shall furnish prior to any examination by the said bureau satisfactory proof that he or she is twenty-one years of age is of good moral character is not addicted to the intemperate use of alcohol or narcotic drugs and has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to medical study and have attended four graded courses of not less than thirty-two weeks of not less than thirty-five hours each of actual work in didactic laboratory and clinical study in different calendar years in some reputable and legally incorporated medical school or college or colleges recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania the Dean or proper officer of which college having certified that the applicant has successfully passed each of said respective courses and shall have completed a year as intern in an approved hospital or a year of post graduate study approved by the Bureau of Medical Education and Licensure A Hospital to be approved by this Bureau shall have at least twenty-five beds to each interne devoted to the treatment of medical surgical gynaecological and special diseases shall maintain or establish co-operation with a maternity department or hospital in which each interne shall have not less than six weeks' service or the equivalent thereof during which time he shall have attended or participated in the attendance upon not less than six confinements shall maintain a thoroughly equipped modern patholigical and clinical laboratory proportionate to the necessities of the hospital and the records on file of the cases treated in said hospitals shall give evidence of the laboratory work so done by the interne shall maintain a department of anaesthesia consisting of one or more anaesthetists who shall have supervision over all the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics Nothing in this act however shall be construed as applying to hospitals employing on salary gradu-

ate internes whose service is confined exclusively to the said institution A school or college to be reputable under the meaning of this act must in addition to the standard required by the Bureau of Medical Education and Licensure as set forth in section three of this act

Section 5 That section six of said act which now reads as follows

"The Bureau of Medical Education and Licensure shall hold two stated meetings each year at Harrisburg for the transaction of its business and shall hold special meetings at its discretion upon giving due notice thereof

"The examinations conducted by the said bureau shall be written in the English language but may at its discretion be supplemented by oral or practical laboratory or bedside examinations or both Such examinations shall include anatomy physiology chemistry as applied to medicine hygiene and preventive medicine pathology as applied to medicine bacteriology symptomatology diagnosis surgery gynecology and obstetrics medical jurisprudence and toxicology materia medica and therapeutics the examination in materia medica and therapeutics to be conducted by the members of the bureau of the same school of medicine as the respective applicant

"For students in medical colleges situated within this Commonwealth such examinations shall be held in the institutions of learning at which the students are pursuing their course of studies at any time within thirty days of the proposed graduation of said students due notice having been given the proper authorities of the college or school or the examination may be held in any available laboratory or eleemosynary institution At such examinations only such students shall be examined as are referred to the bureau by the college or school authorities as being in their judgment properly qualified to undertake the examination for State licensure and the license shall be issued only on presentation to the bureau of proof of graduation Such examinations may be considered as final and shall entitle the student to graduate without further test at the discretion of the college or school Students not admitted to these examinations by their college authorities or who being admitted fail to pass and all other applications for registration and licensure shall in due course after graduation make application to the bureau and take the examinations at one of the two stated yearly examinations

"Any applicant who presents satisfactory evidence as to age preliminary education and good moral character and proper credentials signed by the Dean of and with the seal of a reputable and legally incorporated school or college of medicine recognized as such by the board issuing license to practice in the State in which the college or school is situated that he or she has completed at least two of the required four graded courses of training in said school of not less than thirty-two weeks of not less than thirty-five hours each week and in two different calendar years may be examined forthwith by the bureau upon the subjects of anatomy physiology chemistry as applied to medicine and hygiene and preventive medicine and if such applicants are respectively shown to be proficient in said subjects they may be exempted from further examination in said subjects at the final examinations at or after their graduation Such students may also be examined at their school or college in the Commonwealth at the discretion of the bureau In case of failure at any partial examination thus given at the end of the second course in a medical school or college the candidate shall not be again examined in the subjects of anatomy physiology chemistry as applied to medicine and hygiene and preventive medicine or in any one or more of these subjects in which he may have failed until the completion of the required four graded courses in a reputable school or college of medicine but such candidate shall be admitted to the final examination at the completion of the said four years' course provided he or she produces sufficient evidence of continuing good moral character

"In case of failure at any terminal examination the application shall have after the expiration of six months and within two years the privilege of a second examination by the bureau without the payment of an additional fee In case of failure in a second terminal examination the applicant must enter de novo and qualify under the conditions obtaining at the time of this application Applicants for a licensing certificate who have been examined and licensed by State Boards of Medical Examiners or State Boards of Health of other States which through reciprocity similarly accredit the holders of licensing certificates from the Bureau of Medical Education and Licensure of this Commonwealth to the full privileges of practice within their respective boundaries shall on a payment of a fee of twenty-five dollars to the said bureau and on filing in the office of the bureau a true and attested copy of the said license certified by the affidavit of the President or Secretary of said State Board of Medical Examiners or Boards of Health issuing the same and showing also that the standard acquirements adopted by said State Board of Medical Examiners or State Boards of Health is equal to that provided for by the provision of this act shall without further examination receive a licensing certificate conferring on the holder thereof all the rights and privileges accorded by this Act Provided however that such applicant has not previously failed at an examination of this Commonwealth

"And further it shall be the duty of said Bureau of Medical Education and Licensure at its discretion to examine any person pretending to a knowledge of a minor branch or branches of medicine and surgery for the purpose of establishing regulation and State licensure For this purpose it shall be the duty of the said bureau to establish such oversight of the instruction and teaching of the schools or colleges so pretending if any such obtain as is provided for in this act in the case of medical schools and colleges and further they shall conduct such limited examinations as are in their judgment necessary for the purpose of determining whether or not the applicant has the proper degree and knowledge of his or her subject and of determining whether in other respects they are worthy of registration and State licensure as provided for in this act For the purpose of conducting such examinations the said bureau shall have the privilege of calling to its aid men or women of established reputation and known ability in the particular pursuit under consideration and who shall be compensated for their services at the rate of ten dollars ($10.00) per day in addition to all incurred expenses Reciprocity and other provisions as provided for in this act in the case of doctors of medicine and surgery may be established at the discretion of the bureau for these limited practitioners

"Upon the requisite degree of knowledge and the moral character of the applicant being established as above provided for and on the payment of a fee of ten dollars ($10.00) the Bureau of Medical Education and Licensure of the Department of Public Instruction shall forthwith issue a State License to the applicant limited to the practice of his or her pursuit in this State this fact being plainly stated across the face of the certificate Such a system of special licensure being once established it shall thereafter be unlawful for any person or persons to practice said system without the said State License and on proof of violation of this provision of this act they shall be liable to all the penalties provided for in section one of this act in the case of doctors of medicine and surgery A record of all persons so licensed shall be kept in the archives of the Department of Public Instruction and shall have the standing before the law of any other license issued by the Bureau of Medical Education and Licensure For the purpose of determining the verity of credentials and applications conducting examinations or discovering fraud or dishonesty the Secretary of the Bureau or in his absence any member thereof shall have the right to administer oaths or any form or obligation required by law" Be and the same is hereby amended so as to read as follows

The Bureau of Medical Education and Licensure shall hold two stated meetings each year at Harrisburg for the transaction of its business shall hold at least two examinations each year and shall hold special meetings at its discretion upon giving due notice thereof

The examinations conducted by the said bureau shall be written in the English language but may at its discretion be by oral or practical laboratory or bedside examinations or both For the purpose of conducting such examinations the bureau shall have the privilege of calling to its aid medical assistants The examinations shall be held at such times and places as shall be designated by the Bureau of Medical Education and Licensure at their discretion Such examinations shall include anatomy physiology chemistry as applied to medicine hygiene and preventive medicine pathology as applied to medicine bacteriology symptomatology diagnosis surgery gynecology and obstetrics medical jurisprudence and texicology practice and materia medica and therapeutics the examination in practice and materia medica and therapeutics to be conducted by the members of the bureau of the same school of medicine as the respective applicant

Any applicant who presents satisfactory evidence as to age preliminary education and good moral character and proper credentials signed by the Dean of and with the seal of a reputable and legally incorporated school or college of medicine recognized as such by the Bureau of Medical Education and Licensure of the State of Pennsylvania that he or she has completed at least two of the required four graded courses of training in said school of not less than thirty-two weeks of not less than thirty-five hours each week of actual work in didactic laboratory and clinical study and in two different calendar years may be examined forthwith by the bureau at its discretion upon the subjects of descriptive anatomy physiology and chemistry and if such applicants are respectively shown to be proficient in such subjects they may be exempted from further examinations in said subjects at the final examination In case of failure at any partial examinations thus given at the end of the second course in a medical school or college the candidate shall not then be examined in the subjects of descriptive anatomy physiology and chemistry or in any one or more of the subjects in which he may have failed until the completion of the required course of study but such candidate shall be admitted to the final examination given in this State provided he or she produces sufficient evidence of continuing good moral character

In case of failure at any final examination the applicant shall have after the expiration of six months and within two years the privilege of a second examination by the bureau without the payment of an additional fee In case of failure in a second final examination the applicant must enter de novo and only after a year of post graduate study approved by the bureau and qualify under the conditions obtaining at the time of this application Applicants for a licensing certificate who have been examined and licensed by State Boards of Medical Examiners or State Boards of Health of other States which through reciprocity similarly accredit the holders of licensing certificates from the Bureau of Medical Education and Licensure of this Commonwealth to the full privileges of practice within their respective boundaries or applicants with a medical degree from colleges in good standing with the Bureau of Medical Education and Licensure shall on the payment of a fee of fifty dollars to the said bureau and on filing in the office of the bureau a true and attested copy of said license certified by the president or secretary of such State Boards of Medical Examiners or Boards of Health issuing the same or medical degree of approved

colleges and showing also that the standard of requirements adopted by said State Board of Medical Examiners or State Boards of Health is equal to that provided for by the provisions of this act shall without further examination receive a licensing certificate conferring on the holder thereof all the rights and privileges accorded by this act Provided however That such applicant has not previously failed at an examination of this Commonwealth

And further it shall be the duty of said Bureau of Medical Education and Licensure at its discretion to examine any person pretending to a knowledge of any branch or branches of medicine or surgery for the purpose of establishing regulation and State licensure for this purpose it shall be the duty of said bureau to establish such oversight of the instruction and teaching of the schools or colleges or individuals so pretending if any such obtained as is provided for in this act in the case of medical schools and colleges and further they shall conduct such limited examinations as are in their judgment necessary for the purpose of determining whether or not the applicant has a proper degree and knowledge of his or her subject and of determining whether in other respects as provided for in this act they are worthy of registration and State licensure For the purpose of conducting such examinations the bureau shall have the privilege of calling to its aid men or women of established reputation and known ability in the particular pursuit under consideration and who shall be compensated for their services at the rate of not more than ten dollars per day in addition to all incurred expenses Reciprocity and other provisions as provided for in this act in the case of doctors of medicine and surgery may be established at the discretion of the bureau for these limited practitioners

Upon the requisite degree of knowledge and the moral character of the applicant being established as above provided for and on the payment of a fee of twenty-five dollars ($25.00) the Bureau of Medical Education and Licensure of the Department of Public Instruction shall forthwith issue a State certificate to the applicant limited to the practice of his or her pursuit in this State this fact being plainly stated across the face of the certificate Such a system of special licensure being once established it shall thereafter be unlawful for any person or persons to practice said system in this State without the said State certificate which certificate shall be revocable by the Bureau of Medical Education and Licensure on proof of violation of the rules and regulations of said bureau and on proof of violation of this provision of this act the holder of said certificate shall be liable to all the penalties provided for in section one of this act in case of doctors of medicine and surgery A record of all persons so licensed shall be kept in the archives of the Department of Public Instruction and shall have the standing before the law of any other license issued by the Bureau of Medical Education and Licensure For the purpose of determining the verity of credentials and applications conducting examinations or discovering fraud or dishonesty the secretary of the bureau or in his absence any member thereof shall have the right to administer oaths or any form of obligation required by law

Section 6 That so much of section nine of said act which now reads as follows

"All fees that may be received by said bureau from examination or any source shall be paid over to the Treasurer of this Commonwealth by the Treasurer of the Bureau of Medical Education and Licensure at least once in each three months on a proper audit being made thereof by the Auditor General of this Commonwealth" Be and the same is hereby amended so as to read as follows

All fees that may be received by said bureau from examination or any source shall be paid over to the Treasurer of this Commonwealth by the Treasurer of the Bureau of Medical Education and Licensure at least once in each six months on a proper audit being made thereof by the Auditor General of this Commonwealth excepting such as are derived from practitioners of a branch of medicine and surgery as provided for in section six In which case the fees are to be utilized in conducting the regulations of the particular branch paying the fee and the surplus is to be turned over to the State Treasurer as provided above

Section 7 That so much of section eleven of said at which now reads as follows

"For the payment of said salaries and expenses and for other incidental expenses including rent clerical services stenographer and typewriting and any other assistance that may be necessary for carrying into effect the provisions of this act the sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby appropriated for the two fiscal years commencing June first one thousand nine hundred and eleven" be and the same is hereby amended so as to read as follows

For the payment of said salaries and expenses and for other incidental expenses including rent clerical services stenographer and typewriting and any other assistance that may be necessary for carrying into effect the provisions of this act the sum of fifty thousand dollars or so much thereof as may be necessary is hereby appropriated for the two fiscal years commencing June first one thousand nine hundred and thirteen

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 977 (House Bill No. 557), as follows:

An Act to classify certain surface lands as auxiliary forest reserves to prescribe the terms and conditions for their continuance in said classification or their withdrawal therefrom and to provide for the expenses attendant thereon

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in order to encourage the growing of such trees now existing or hereafter produced as will at the proper age be suitable for merchantable forest products whether such be of natural reproduction or from seed sown or trees planted out or all combined surface land which may be set apart according to the provisions of this act and exclusively used for growing such trees is hereby constituted a separate and distinct class of land to be known as auxiliary forest reserves

Section 2 When any owner of surface land desires to have such land placed in the class established by section one of this act such owner shall notify the "State Forestry Reservation Commission" of his desire in the manner and form to be prescribed by said Commission Said notice shall contain a description of the land its location boundary area and character and shall state as far as practicable the species character and condition of the trees growing thereon and whether they are of natural reproduction or are from seed sown for the purpose or have been set out on said land or all combined and such other information as the Commission may require If upon receipt and consideration of this notice the Commission shall in its discretion deem the conditions such as to warrant action on its part to determine whether such land should rightfully be placed in the class established by section one of this act it shall cause the same to be examined by some person learned in the practice and principles of forestry and a report made thereon and if upon receipt and consideration of such report it decides that such land should be placed in the class established by section one of this act it shall so declare and certify to the commissioners of the county in which said land is located

Section 3 Upon receipt by the county commissioners of such certificate of the Commission it shall be their duty at once to place said surface land in the class established by section one of this act and keep the same therein until the trees growing thereon shall in the judgment of the Commission become sufficiently large and suitable for merchantable forest products or the land be devoted to other purposes provided however that the certificate of the decomission shall not become operative to place said surface land in the class established by section one of this act until the owner of said surface land has agreed in writing with the Commission to care for the trees growing thereon according to the instructive and directions of the Commission up to such time as such trees become suitable for merchantable forest products and if any such owner at any time fails to care for the trees growing on said land as agreed with the Commission and due proof thereof is made the Commission may remove said surface land from the class established by section one of this act In case of such removal either through failure of the owner to care tor the trees or on his expressed desire for removal before the trees shall have been cut at maturity and tax paid thereon the county commissioners shall on notice from the Commission proceed to recover from said owner for the of the county and township by an appropriate action at law if necessary the difference in the amount of tax which would have been paid by the said owner at the rates established for the years for which recovery is sought and the rate provided for auxiliary forest reserves with costs of suit to be recoverable from the time when such land was placed in the class of auxiliary forest reserves And the Commission shall remove said surface land from the class established by section one of this act at any time that the then owner shall in writing notify the Commission that he desires such removal

Section 4 Whenever trees growing on said surface land have become suitable for merchantable forest products the Commission shall at the request of the owner or on its own motion make an examination of said land and designate for the owner the kind and number of trees most suitable to be cut if in the judgment of the Commission there be any and the cutting and removal of said trees so designated shall be in accordance with the instructions of the Commission

Section 5 If the owner of said surface land faithfully carried out the instructions of the Commission with regard to the removal and marketing of such mature or other trees as may be designated in the instructions of the said Commission and shall immediately replant other trees of valuable species or so protect the young growth that the said land may immediately become covered with young forest growth and does so with the approval of the Commission then such surface land shall remain in the said class established by section one of this act otherwise the Commission shall notify the county commissioners that the said land is not being maintained in accordance with the written agreement of the owner and the instructions of the Commission in which event the county commissioners shall immediately remove said land from the class established by section one of this act All expenses attendant upon the examination of said surface land by the Commission shall be paid out of moneys appropriated for the maintenance of the Department of Forestry in like manner as other expenses for maintenance of said Department are now paid

Section 6 The owner of the said auxiliary forest reserves shall at all times have the right to remove there-

from trees or portions of trees which may be killed by fire thrown or broken by the wind or injured by other natural causes and shall under the direction of the Commission be privileged to make necessary thinnings or removal of undesirable species of trees in order to improve the condition of the remaining trees and under the same direction may be privileged to remove therefrom such timber from time to time as may be necessary and essential for use upon the neighboring cleared lands of the said owner for general farm purposes

Section 7 Any tract of land while remaining in the class of auxiliary forest reserves as above provided may nevertheless be sold or incumbered by or through the owner thereof but no sale or incumbrance whether voluntary under any statutory or judicial proceeding whatsoever whether of any state or of the United States shall effect a discharge of any obligation imposed under this act and said land shall be removed from said class only in accordance with the provisions hereof

Section 8 That all acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 978 (House Bill No. 558), entitled:

An Act to provide for the assessment and taxation of auxiliary forest reserves and the collection distribution and use of the taxes collected therefrom

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 979 (House Bill No. 559), entitled:

An Act providing a fixed charge on land classified as auxiliary forest reserves and the distribution of the fund thus set aside for school and road purposes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1026 (House Bill No. 1507), as follows:

An Act to amend an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May Anno Domini one thousand nine hundred and seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of an act entitled "An Act creating an art jury for cities of the first class and prescribing its powers and duties" approved the twenty-fifth day of May one thousand nine hundred and seven which reads as follows

"Section 3 The members of the jury shall serve without compensation and from their own number shall elect a persident and secretary to serve for one year and until their successors are elected The jury shall have power to adopt its own rules of procedure and to prescribe regulations for the submission to it of all matters within its jurisdiction Five members shall constitute a quorum The councils of said city shall by ordinance provide for the necessary expense of the jury including the salaries of such clerk or clerks as may be required and appointed by the mayor of said cities" is hereby amended so that it shall read

Section 3 The members of the jury shall serve without compensation and from their own number shall elect a president and a vice president to serve for one year and until their successors are elected The jury shall have power to adopt its own rules of procedure and to prescribe regulations for the submission to it of all matters within its jurisdiction Five members shall constitute a quorum The jury shall have power to employ a secretary and such clerks stenographers and other assistants as it may require All employes of the jury shall be exempt from the provisions of the act to regulate and improve the civil service of the cities of the first class approved March fifth one thousand nine hundred and six The councils of said city shall be ordinance provide for the necessary expense of the jury including the salaries of its employes

Section 2 That said act is hereby further amended by adding the following

Section 7 No construction or erection in a city of the first class of any building bridge or its approaches arch gate fence or other structure of fixture which is to be paid for either wholly or in part by appropriation from the city treasury or other public funds or for which the city or any other public authority is to furnish a site shall be begun unless the design and proposed location thereof shall have been submitted to the jury at least sixty days before the approval thereof by the officer or officers having authority to contract therefor The approval of the jury shall also be required in respect to the general plotting of public grounds and parks their approaches and develoment as well as in respect to all structures or fixing belonging to any person or corporation which shall be erected upon or extend over any highway stream lake square park or other public place within the city except as provided in sections six and seven of this act In deeds for lands made by any city of the first class restrictions may be imposed requiring that the designs and location of structures to be altered or erected thereon shall be first approved by the art jury of such city Nothing requiring the approval of the jury shall be erected or changed in design or location without its approval If the jury fails to act upon any matter submitted to it within sixty days afer such submission its approval of the matter submitted shall be presumed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1216 (House Bill No. 1194), entitled:

An Act providing for the election of a borough controller in all boroughs of this Commonwealth prescribing the qualifications powers and duties thereof and abolishing the office of borough auditors in said boroughs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1245 (House Bill No. 1708), entitled:

An Act relating to the payment of costs in all cases wherein the judgment order sentence or decree of a court is reversed by an appellate court with or without a venire or order as to costs

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1267, as follows:

An Act making a special appropriation for the purpose of continuing the work of the Economic Zoologist as provided for in this act entitled "An Act to provide for the protection of trees shrubs vines and plants against destructive insects and diseases providing for the enfrocement of this act and the expenses connected therewith and fixing penalties for its violation" approved the thirty-first day of March Anno Domini one thousand nine hundred and five

Whereas The extraordinary importation of nursery stock recently into Pennsylvania from foreign countries demanded unexpected expenditures in inspecting the same by the Bureau of Zoology of the Department of Agriculture to prevent the importation of destructive pests and whereas the work of inspection and demonstration of said Bureau must be suspended for the remainder of the fiscal year if a small appropriation is not made to meet the needs thereof therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen hundred dollars ($1,500), be appropriated to complete the inspection and demonstration work of the Bureau of Zoology of the Department of Agriculture during the present fiscal year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1292 (House Bill No. 1424), entitled:

An Act to amend an act "Providing for the appointment of a Board of Visitation for Institutions Societies and Associations caring for dependent (neglected or delinquent children)" approved the twenty-sixth day of February Anno Domini one thousand nine hundred and three and making it the duty of the Board of Visitation to visit all institutions within the county which receive their inmates from more than one county and are in whole or in part supported and managed by the Commonwealth and all institutions which are wholly supported and managed by any county city borough or township of the poor district of the Commonwealth and providing for the making of nominations of appointment on the Boards of Visitation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1297, as follows:

An Act to authorize the sale and conveyance of portions of the land belonging to the Commonwealth of Pennsylvania in the county of Erie now occupied by the Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the trustees appointed under the act of General Assembly entitled "An Act to provide for the establishment and maintenance of a Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania" approved the third day of June one thousand eight hundred and eighty-five (1885) be and they are hereby expressly authorized empowered and directed acting for and on behalf of and in the name of the Commonwealth of Pennsylvania to sell for the price or sum of three hundred and seventy-six dollars or at the rate of fifteen hundred dollars per acre the following described land being parts of the land which belongs to the Commonwealth of Pennsylvania in the county of Erie now occupied by the Home for Disabled and Indigent Soldiers and Sailors of Pennsylvania and to make execute and deliver to the purchaser upon the payment of the purchase price a good and sufficient deed therefor namely All those two certain lots or pieces of land situate in the first ward city of Erie county of Erie and State of Pennsylvania bounded and described as follows Number one Beginning at a stone in the northerly line of land conveyed by the Commonwealth of Pennsylvania to the Philadelphia and Erie Railroad Company by deed dated June twenty-forth one thousand nine hundred and three at the distance of sixty-five and forty-two hundredths feet measured northwardly from a point in and at right angles to the line established as the center line of the railroad of the Pennsylvania Railroad Company extending thence by land of the said railroad company north thirty-two degrees ten minutes west twenty and three tenths feet to a stake thence by other land of the said Commonwealth of Pennsylvania as follows namely (1) Eastwardly on a line curving toward the south with a radius of three thousand sixty and twenty-five hundredths feet parallel with the aforesaid center line and eighty-five and forty-two hundredths feet distance northwardly therefrom a distance of one hundred twenty-two and two-tenths feet to a stake and (2) south fourteen degrees thirty-six minutes east twenty feet to a stake in the northerly line of the first mentioned land of the Pennsylvania Railroad Company aforesaid and thence westwardly by said land on a line curving toward the south with a radius of three thousand forty and twenty-five hundredths feet parallel with the aforesaid centre line and sixty-five and forty-two hundredths feet distant northwardly therefrom a distance of one hundred sixteen feet to the place of beginning containing fifty-to thousandths of an acre more or less Number two Beginning at a stone in the northerly line of land conveyed by the Commonwealth to the Philadelphia and Erie Railroad Company by deed dated June twenty-fourth one thousand nine hundred and three at the distance of forty-one and eight hundredths feet measured southwardly from a point in and at right angles to the line established as the center line of the railroad of the said Pennsylvania Railroad Company and extending thence estwardly by said land on a line curving toward the south with a radius of two thousand nine hundred thirty-three and seventy-five hundredths feet parallel with the aforesaid center line and forty-one and eight hundredths feet distant southwardly therefrom a distance of three hundred and eight feet to a stake thence by other land of the said Commonwealth of Pennsylvania south sixty-one degrees twenty-seven minutes west three hundred and eight tenths feet to a stake in the northeasterly line of land of Frank P Coyle thence by the said land and by other land of the Pennsylvania Railroad Company north thirty-two degrees ten minutes west fifty feet to a place of beginning containing one hundred ninety-one thousandths of an acre more or less And that the said deed to the purchaser shall be executed by the president or by the vice president of the board of trustees and attested by the secretary thereof and shall be acknowledged by an attorney to be appointed by the said board in the manner provided by law for the acknowledgment of deeds by corporations

Section 2 That the purchase price of said land shall be paid into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1313, as follows:

An Act supplementary to an act approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four entitled "An Act to provide for the incorporation and regulation of certain corporations" as amended by an act approved May ninth Anno Domini one thousand eight hundred and eighty-nine entitled "An Act supplementary to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' amending the eleventh section thereof as far as the same applies to companies incorporated to supply the public with water giving and granting authority to the said companies incorporated for the supply of water to the public to issue capital stock to an amount not exceeding two million dollars" so as to allow the issuance of the shares of stock of any corporation other than preferred stock without any nominal or par value

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the eleventh section of an act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April Anno Domini eighteen hundred and seventy-four as amended by an act approved May ninth Anno Domini one thousand eight hundred and eighty-nine entitled "An Act supplementary to an act approved April twenty-ninth one thousand eight hundred and seventy-four entitled 'An Act to provide for the incorporation and regulation of certain corporations' amending the eleventh section thereof as far as the same applies to companies incorporated to supply the public with water giving and granting authority to the said companies incorporated for the supply of water to the public to issue capital stock to an amount not exceeding two million dollars" which reads as follows

"The capital stock of every such corporation that has or requires capital stock shall consist of not more than one million dollars except companies incorporated for the purpose of supplying the public with water whose capital stock shall not exceed two million dollars and shall be divided into shares of not more than one hundred dollars each and all subscriptions to the capital stock shall be paid in such installments and at such times as the directors may require and if default be made in any payment the person or pers[illegible] liable to pay in addition to the amount so called for and unpaid at the rate of one-half of one per centum per month for the delay of such payment and the directors may cause suit to be brought for the recovery of the amount due together with a penalty of one-half of one per centum per month as aforesaid or the directors may cause the stock to be sold in the manner provided in clause two of section thirty-nine of this act and no stockholder shall be entitled to vote at any election or at any meeting of the stockholders on whose share or shares any installments or arrearages may have been due and unpaid for the period of thirty days immediately preceding such election or meeting The shares of the capital stock of every such company may be transferred on the books of the company in person or by attorney subject to such regulations as the by-laws may prescribe but the provisions of this section shall not apply to corporations in which by this act different and other rules and provisions are enacted for their regulation and government" be and the same is hereby amended so as to read as follows

The capital stock of every such corporation that has or requires capital stock shall be divided into shares of not more than one hundred dollars each and all subscriptions to the capital stock shall be paid in such installments and at such times as the directors may require and if default be made in any payment the person or persons in default shall be liable to pay in addition to the amount so called for and unpaid at the rate of one-half of one per centum per month for the delay of such payment and the directors may cause suit to be brought for the recovery of the amount due together with a penalty of one-half of one per centum per month as aforesaid or the directors may cause the stock to be sold in the manner provided in clause two of section thirty-nine of this act and no stockholder shall be entitled to vote at any election or at any meeting of the stockholders on whose share or shares any installments or arrearages may have been due and unpaid for the period of thirty days immediately preceding such election or meeting The shares of the capital stock of every such company may be transferred on the books of the company in person or by attorney subject to such regulations as the by-laws may prescribe but the provisions of this section shall not apply to corpoartions in which by this act different and other rules and provisions are enacted for their regulation and government Provided however That it shall be lawful notwithstanding anything herein or in any other act contained to the contrary thereof for every such corporation that has or requires a capital stock to provide in its certificate of incorporation for the issuance of the shares of stock of such corporation other than preferred stock without any nominal or par value by stating in such certificate

(1) The number of shares that may be issued by the corporation and if any of such shares be preferred stock the preference thereof If such preferred stock or any part

thereof shall have a preference as to principal the certificate shall state the amount of such preferred stock having such preference the particular character of such preferences and the amount of each share thereof which may be any sum not to exceed one hundred dollars

(2) The amount of capital with which the corporation will carry on business but in no event shall the amount of such capital be less than one thousand dollars

Such statements in the certificate shall be in lieu of any statements prescribed by any general or special law as to the amount of its capital stock or the number of shares into which the same shall be divided or of the amount or the par value of such shares

Each share of such stock without nominal or par value shall be equal to every other share of such stock subject to the preferences given to the preferred stock if any authorized to be issued Every certificate for such shares without nominal or par value shall have plainly written or printed upon its face the number of such shares which it represents and the number of such shares which the corporation is authorized to issue and no such certificate shall express any nominal or par value of such shares The certificates for preferred shares having a preference as to principal shall state briefly the amount which the holders of such preferred shares shall be entitled to receive on account of principal from the surplus assets of the corporation in preference to the holders of other shares and shall state briefly any other rights or preferences given to the holders of such shares

Such corporation may issue and may sell such authorized shares without any nominal or par value from time to time for such consideration may be prescribed in the certificate of incorporation or as from time to time may be fixed by the board of directors pursuant to authority conferred to such certificate or if such certificate shall not so provide then by the consent of the holders of two-thirds of each class of shares then outstanding given at a meeting called for that purpose in such manner as shall be prescribed by the by-laws Any and all shares without any nominal or par value issued as permitted by this proviso shall be deemed fully paid and non-assesable and the holder of such shares shall not be liable to the corporation or to its creditors in respect thereof

The bonus tax payable under section forty-four of said act entitled "An Act to provide for the incorporation and regulation of certain corporations" approved the twenty-ninth day of April eighteen hundred and seventy-four as amended by section one of the act of May third one thousand eight hundred and ninety-nine by any corporation issuing such shares without designated monetary value shall be at the rate of five cents on each such share which the corporation is authorized to issue and a like tax upon any subsequent increase thereof

Any such corporation may increase or reduce the number of shares which it may issue or increase or reduce the amount of its stated capital in the manner provided in the laws now in force relating to the increase or reduction of the capital stock or indebtedness or corporations.

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1317, as follows:

An Act to regulate the practice of optometry in the State of Pennsylvania to provide for the establishment of a State board of optometric examiners to define the powers and duties of said board of optometric examiners to provide for the examining and licensing of optometrists in this State and to provide penalties for the violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the practice of optometry is hereby defined to be the employment of any means other than the use of drugs for the measurements of the powers of vision and the adaption of lenses for the correction and aid thereof

Section 2 There shall be established a board of optometric examiners for the State of Pennsylvania The board shall consist of five members and each of said members shall serve for a term of three years from the first day of August next after his appointment or until his successor is appointed with the exception of those first appointed who shall serve as follows namely two for one year two for two years and one for three years from the first day of August one thousand nine hundred and thirteen Each member of said board shall possess sufficient knowledge of theoretical and practical optics to practice optometry and shall have been a resident of this State actually engaged in the practice of optometry for at least five years The appointment to membership on said board of examiners shall be made by the Governor within thirty days after the passage of this act

Section 3 The Governor shall appoint the members of said board of examiners from the full list of the members in good standing of the Pennsylvania Optical Society who are eligible for appointment upon said board of optometric examiners which list shall be transmitted to the Governor under the seal and signed by the president and secretary of the said association In case of failure of said optometric association to submit said list as aforesaid the Governor shall appoint members in good standing of said optometric association without restriction provided however that said members shall be qualified as aforesaid

Section 4 The Governor shall in his first appointments designate the number of years for which each appointee shall serve In case of vacancy by death or otherwise there shall be appointed in like manner a person to serve through such unexpired term Each person who shall be appointed to serve on said board of optometric examiners shall receive a certificate of appointment from the Secretary of the Commonwealth Each and every member of said board shall within ten days after appointment on being apprised of the same take and subscribe an oath before the Secretary of the Commonwealth to faithfully and impartially perform the duties of said office

The board shall be and is hereby authorized to take testimony concerning all matters within its jurisdiction and the presiding officer for the time being of the said board or of any committee thereof may issue subpoenas and administer oaths to witnesses The board of examiners shall make and adopt all necessary rules regulations and by-laws not inconsistent with the Constitution and laws of the State or of the United States whereby to perform its duties and transact its business required under the provisions of this act

Section 5 The first meeting of the board of optometric examiners shall be held on the first Tuesday of August one thousand nine hundred and thirteen at Harrisburg and subsequent meetings for organization in August annually suitable notice in the usual form being given by the secretary of the board to each of the members thereof specifying the time and place of meeting The said board may hold other meetings at such other times and places as it may determine and a majority of the members of said board shall constitute a quorum

At the first meeting of the board and at each annual meeting in August an organization shall be effected by the election from its membership of a president a secretary and a treasurer who shall hold office for the period of one year or until their successors are chosen

Section 6 For the purpose of examining applicants for license the board of optometric examiners shall hold two stated meetings in each year due notice of which shall be made public at such times and places as the board may determine At said meetings a majority of the members of the board shall constitute a quorum thereof but the examination may be conducted by a committee of one or more members of the board of examiners duly authorized by said board but no certificate to practice shall be granted on an affirmative vote of less than three Said examinations shall be conducted in writing in accordance with such rule sand regulations as the State board of optometric examiners shall fix formulate and adopt for that purpose and may be supplemented by practical examinations After each such examination the committee having charge thereof shall without unnecessary delay act upon the same An official report of such action signed by each acting member of said committee of examiners stating the examination average of each candidate in each branch the general average and the result of the examination whether successful or unsuccessful shall be transmitted to the said State board of optometric examiners Said reports shall embrace all the examination papers questions and answers thereto and such written reports as result from the practical tests as hereinbefore specified All such examination papers and reports shall be kept for reference and inspection for a period of not less than five years The board shall keep a record of its proceedings and a register of applicants for certificates giving the name and location of a duly registered optometrist under whom the applicant studied or the name and location of the institution granting the applicant the degree of doctor of or diplomat in optometry the date of his or her dilpoma and also whether the applicant was rejected or granted a certificate and the number of the certificate granted The record and register shall be prima facie evidence of all matters recorded therein

Section 7 All fees provided for in this act shall be paid in advance to the treasurer of the board to be held by him as a fund for the use of the State board of optometric examiners The compensation and expenses of the members and officers of said board and all expenses proper and necessary in the opinion of said board to discharge its duties under and to enforce the law shall be paid out of such fund upon warrant of the president and secretary of said board and no expenses shall be cerated to exceed the income of fees and fines as herein provided The salaries shall be fixed by the board but shall not exceed ten dollars per day of actual service per member and railroad and hotel expenses An account of all moneys received and disbursed by said board pursuant to this act shall be included in an annual report to be made to the Governor which report shall be taken from a record to be kept by the secretary of all the proceedings of said board and of its committees which shall be a part of the records of said board and the same shall at all times be open to public inspection and shall be prima facie evidence of all matters recorded therein

Section 8 Any person who is engaged in the practice of optometry in this State at the time of the approval of the act may deliver to the secretary of the board of optometric examiners on or before the first Monday of January one thousand nine hundred fourteen a written application for a certificate to practice optotmetry together with satisfactory proof that the applicant is not less than twenty-one years of age is of good moral character and that he or she has been engaged in the practice of optometry in this State for more than two years next prior to the passage of this act and upon the payment by the applicant of a fee of five dollars the secretary of the said board of optometric examiners shall issue to such applicant a certificate of exemption from such examination which certificate shall be registered and entitle and authorize such applicant to practice optometry in this State and which certificate of exemption shall

be subscribed by every member of the board of optometric examiners Provided That any person entitled to apply for such certificate of exemption who fails to make such written application as herein set forth shall be deemed to have waived his or her right to such certificate

Every certificate to practice optometry issued under the provisions of this act shall be signed by each member of the board of examiners and shall have affixed to it by the person authorized to affix the same the seal of the State board of optometric examiners Before such certificate shall be issued it shall be numbered and recorded in a book to be kept by the secretary of the board of examiners and the number of such certificate and the number of the book and the page therein containing such recorded copy shall be noted upon the face of said certificate A photograph of the person registered under said certificate shall be filed with the record and a duplicate thereof affixed to the cerificate In all legal proceedings the record and photograph so kept in the custody of the board of examiners or certified copies thereof shall be prima facie evidence of the facts therein stated Said records shall under proper restrictions for their safekeeping be open to public inspection

Section 9 From and after the aproval of this act any person not hereinbefore authorized to practice optometry in this State and desirous of entering upon such practice may deliver to the secretary of the State Board of Optometric Examiners upon the payment of a fee of twenty-five dollars a written application for a certificate together with satisfactory proof that the applicant is more than twenty-one years of age is of good moral character has a preliminary education equivalent to at least two years in a registered high school and has also studied at least three years in a registered optometrist's office or has graduated from a school of optometry maintaining a standard satisfactory to the said Board of Examiners Such proof be made if required on affidavit Upon the making of said payment and proof the State Board of Optometric Examiners is satisfied with the same shall admit said applicant to examination in anatomy and physiology with reference to refraction and ability to recognize normal conditions of the eye and in theoretical and practical optometry and optics and as to his other qualifications for the practice of optometry which examination shall be conducted in accordance with such rules and regulations as the said Board of Examiners shall fix formulate and adopt for that purpose on receiving from the committees of examiners delegated to conduct examinations as provided for in section six of this act official report of the examina- of Optometric Examiners shall issue forthwith to each aption of any applicant for a certificate the said State Board plicant who shall have obtained a general average of not less than seventy-five per centum and therefore has been returned as having successfully passed said examination and who shall have been adjudged by the said Board of Examiners to be duly qualified to practice optometry a certificate to practce optometry in the State of Pennsylvania as provided for in section eleven of this act In case of failure at any such examination the candidate after the expiration of six months and within two years shall have the privilege of a second examination Having failed upon a second examination as herein provided application anew may be made upon conforming with the standard of qualification both as the character preliminary and optometric education in force at the time of said application and upon payment of a fee of twenty dollars

Section 10 Applicants examined and holding certificates of the State Boards of Optometric Examiners of other States on the payment of a fee of twenty dollars to the State Board of Optobmetric Examiners and filing in the office of the State Board of Optometric Examiners a copy of such certificate certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said Board of Examiners is substantially the same as is provided in section nine of this act may without further examination receive a certificate conferring on the holder thereof all the rights and privileges provided by section eleven of this act

Section 11 The certificate of registration or exemption provided for in this act shall authorize the holder thereof to practice optometry as defined by section one of this act

Section 12 From and after the first Monday of January one thousand nine hundred and fourteen no person shall enter upon or continue the practice of optometry in the State of Pennsylvania unless he or she has complied with the provisions of this act and shall have exhibited to the prothonotary of the court of common pleas of the county in which he or she desires to practice optometry a certificate duly granted to him or her as hereinbefore provided whereupon he or she shall be entitled upon the payment of fifty cents to be duly registered in the office of the prothonotary of the court of common pleas of the said county and every person holding such certificate and registered as aforesaid and practicing optometry shall display his or her certificate of registration or exemption in a conspicuous place in the principal office wherein he or she practices optometry and whenever required shall exhibit such certificate to said Board of Examiners or its authorized representative or whenever practicing said profession of optometry outside of or away from his or her principal office or place of business he or she shall deliver to each customer or person so fitted with glasses a bill of purchase which shall contain his or her signature home post office address and the number of his or her certificate of registration or exemption together with a specification of the lenses furnished and the price charged therefor and any person who shall practice or attempt to practice optometry as defined by this act or who shall use any of the terms or letters optometrist optometry doctor doctor of optometry diplomat in optometry or Opt. D. or any other title or letters under such circumstances as to induce belief that the person who uses such terms is engaged in the practice of optometry without hiving first obtained the certificate herein provided for or contrary to the provisions of this act or who shall under any other term or name practice or attempt to practice optometry as defined by this act or who shall falsely personate a registered optometrist of a like or different name or who shall buy or sell or fraudulently obtain a certificate of registration or exemption issued to another or who shall practice or attempt to practice or offer to practice optometry or make public representation of being qualified to practice optometry without having such certificate as hereinbefore provided for or who for the purpose of obtaining such certificate shall falsely represent himself or herself to be entitled thereto shall be deemed guilty of a misdemeanor and upon conviction thereof in the court of quarter sessions of the county wherein the offense shall have been committed shall be sentenced to pay a fine of not exceeding one hundred dollars or to undergo an imprisonment in the county jail for not less than thirty days nor more than ninety days for each offense either or both at the discretion of the court Such fines when collected shall be paid to the common school fund of the county in which such conviction may be made Provided however That nothing contained in this act shall be construed as affecting the practice of medicine or the practice of oseopathy nor shall this act apply to persons who neither practice nor profess to practice optometry who sell spectacles eyeglasses or lenses either on prescription from such physicians or osteopaths or from such duly qualified optometrists or as merchandise from permanently located and established places of business

Section 13 On and after the approval of this act the State Board of Optometric Examiners shall refuse to grant a certificate to an applicant to practice optometry in this State and is empowered to revoke any certificate of registration or exemption granted by it under this act conferring on a person the right to practice optometry upon the presentation to said State board of a court record showing the conviction in due course of law of said person of a crime involving moral turpitude The State Board of Optometrical Examiners upon such evidence and proof shall cause the name of such convicted person to be removed from the record in the office of the prothonotary of the proper county The State Board of Optometric Examiners may refuse revoke or suspend the right to practice optometry in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellect and judgment to such an extent as to incapacitate the performance of professional duties or fraud or deceit in the practice of optometry Any person who holds a certificate under this act or who is an applicant for examination for a certificate to practice optometry in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of certificate or for causing the refusal of the right to be examined for a certificate shall be furnished by the State Board of Optometric Examiners with a copy of the complaint which charges or complaint may be preferred by any person or corporation or by the said board on its own initiative and filed with the secretary of said board The said Board of Examiners when charges are preferred shall designate three of their number as a committee to hear and determine such charges or complaint A time and place for the hearing of said charges or complaint shall be fixed by said committee as soon as convenient and a copy of the charges or complaint together with a notice of the time and place when they will be heard and determined shall be served upon the accused or his or her counsel at least ten days before the date actually fixed for such hearing When personal service or service upon counsel cannot be effected and such fact is certified on oath by any person duly authorized to make legal service the board shall cause to be published for at least seven times for at least twenty days prior to the hearing in two daily papers in the county in which the accused was at last known to reside or practice a notice to the effect that at a definite time and place a hearing will be had for the purpose of hearing charges against the accused upon an application to revoke or suspend his or hear certificate At said hearing the accused shall have the right to cross examine the witnesses against him or her and to produce in his or her defence and to appear personally or by counsel The said committee shall make a written report of its findings and recommendations to be signed by all its members and the same shall be forthwith transmitted to the secretary of said board If the said committee shall unanimously find that said charges or any of them are sustained and shall unanimously recommend that the certificate of the accused be revoked or suspended or his registration be annulled or removed the Board of Examiners may thereupon in their discretion revoke or suspend said certificate or annul such registration or do both If the board shall annul such registration they shall forthwith transmit to the prothonotary of the court of common pleas of the county or counties in which the accused is registered as an optometrist a certificate under the seal of the State board certifying that such registration has been annulled and said prothonotary shall upon receipt of said certificate file the same and forthwith mark said registration "annulled" Any person who shall practice or attempt to practice optometry after his or her registration has been marked "annulled" shall be deemed to have practiced optometry without registration Where the certificate of any person has been revoked or his or her registration has been annulled as herein provided the board may after the expiration of one year entertain an application of a new certificate in like manner as original applications for certificates are entertained and upon such new application

they may in their discretion exempt the applicant from the necessity of undergoing an examination

Section 14 Nothing in this act shall be construed to give any person licensed under the provisions of this act the right to attach to his name as a prefix or suffix the title Doctor Oculist Ophthalmologist Doctor of Opthalmology or any word or abbreviation indicating that he is engaged in the treatment or the diagnosis of disease or injuries of the human eye or to use drugs or medicine in any form for the treatment or examination of the human eye or to use any therapeutic measures or agencies other than glasses for the correction of vision Nothing in this act shall be construed to apply to persons licensed to practice medicine or surgery in the State of Pennsylvania

Section 15 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1328 (House Bill No. 1408), entitled:

An Act fixing the compensation of the reading clerk of the House of Representatives

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1344, as follows:

An Act to safeguard certain civil rights regardless of race creed color or descent and to impose penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for the owner lessee or managed of any hotel restaurant eating house tavern inn road-house railroad street railway boat vessel theatre hall concert-hall music-hall place of entertainment place of amusement summer resort bath-house barber-shop or similar or analogous place or conveyance for the comfort assommodation amusement health rest or recreation of the public to refuse to accommodate receive admit or convey any person on account of race creed color or descent or to publish directly or indirectly anything to the effect that in any such place or conveyance no person of a particular race creed color or descent will be accommodated received admitted or conveyed or to publish directly or indirectly anything intimating that the patronage or custom of persons of a particular race creed color or descent is unwelcome objectionable unacceptable undesired or not solicited This shall not prohibit the sending of a written or printed communication in reply to a specific inquiry or request

Section 2 The production of a written or printed communication notice statement or advertisement in violation of the first section of this act relating to a particular place or conveyance shall be prima facie evidence that such communication notice statement or advertisement was authorized by the owner lessee or manager of such place or conveyance

Section 3 Any person partnership or corporation that shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars

Section 4 The act approved the nineteenth day of May one thousand eight hundred and eighty-seven entitled "An Act to provide civil rights for all people regardless of race or color" is repealed All other acts or parts of acts inconsistent with this act are repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1345, as follows:

A Supplement to an act to amend section one of an act entitled "An Act relating to the descent and distribution of the estates of intestates passed and approved April eighth one thousand eight hundred and thirty-three defining and declaring the interest that shall descend to and vest in the surviving husband or wife of such intestate approved April first Anno Domini one thousand nine hundred and nine

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any widow of any decedent shall claim the benefit of the act to which this is a supplement out of the real estate left by said decedent and the real estate appraised shall consist of a single message or tenement lot of ground or other real estate which cannot be divided without prejudice or spoiling the whole and the appraisers may have appraised or shall appraise and value the same at any sum exceeding five thousand dollars it shall and may be lawful for the orphans' court to whom such application shall be made to confirm such appraisement and to set apart for the use of the widow such messuage or tenement lot of ground or other real amount of the valuation or appraisement in excess of the five thousand dollars within one year from the date of confirmation of such valuation Provided That if the said widow refuses to take same at such appraisement the court on application of any person interested shall grant an order to sell the same

Section 2 The real estate if taken by the widow as aforesaid shall vest in her and her heirs or assigns absolutely upon her paying the surplus over and above the sum of five thousand dollars to the parties legally entitled thereto Provided That if the real estate should not be so taken at the appraisement but should be sold as aforesaid then the sum of five thousand dollars of the purchase money shall be paid to the widow and the balance after payment of costs and expenses distributed to the heirs or other persons legally entitled thereto

Section 3 All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS ON FIRST READING.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1040 (House Bill No. 1229), entitled:

An Act to amend section one of an act approved the eleventh day of May one thousand nine hundred and eleven entitled "An Act relating to the time and manner of taking exceptions in any case civil or criminal in any court of record in this Commonwealth to the effect thereof to transcribing the evidence taken upon the trial of any case to the correction and perfection of such transcript for the purposes of review and providing that exceptions need not be taken where the decision of the court appears in the proceedings of a case"

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1047, entitled:

A Supplement to an act entitled "An Act to establish a Department of Forestry to provide for its proper administration to regulate the acquisition of land for the Commonwealth and to provide for the control protection and maintenance of forest reserves by the Department if Forestry" approved the twenty-fifth day of February Anno Domini one thousand nine hundred and one (Pamphlet Laws page eleven) authorizing the Department of Forestry to designate certain of the foresters within its employ to act as district foresters in the performance of general forest work other than within the State forests

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1229 (House Bill No. 1367), entitled:

An Act empowering county controllers to designate a clerk in his office other than the chief clerk to countersign warrants on the county treasurer when properly drawn during such periods as any said county controller may have so designated such clerk in writing to the county treasurer in counties having over eight hundred thousand inhabitants and less than fourteen hundred thousand inhabitants

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1261, entitled:

An Act to authorize incorporated or uncorporated churches cemeteries or burial associations owning burial grounds located wholly or in part in any city township or borough of this Commonwealth to purchase other grounds and to sell and convey in fee simple such portion of their land not used or conveyed by them for burial purposes or which may have been reconveyed to them or shall have reverted or become acquired by them under the terms hereof or otherwise and providing for and authorizing the several courts of quarter sessions of the several counties of this Commonwealth upon petition of the managers officers and other persons vested with the management of said burial ground to make orders and decrees for the removal of all bodies interred in such burial

grounds or cemeteries belonging to any incorporated or unincorporated church cemetery or burial association and to provide for the purchase of new lots the cost of the removal of such bodies and compensation to the owners of the lot or lots therein the sale of the ground and distribution of the proceeds derived from such sale

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1293 (House Bill No. 1616), entitled:

An Act providing for the return of taxes on seated lands in counties poor districts boroughs incorporated towns and townships for county poor borough town or township taxes respectively and providing for the sale of such lands for taxes

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.
Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1347, entitled:

An Act to repeal sections one to eight inclusive of an act approved the thirteenth day of June one thousand nine hundred and eleven entitled "An Act creating a county sinking fund commission in the several counties of the Commonwealth of Pennsylvania and prescribing its powers and duties"

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE.

Mr. JUDSON. Mr. President, I ask unanimous consent to make report from committee at this time.
The PRESIDENT. Is there objection? The Chair hears none.
Mr. JUDSON, from the Committee on Judiciary General, reported at amended, Senate Bill No. 895 (House Bill No. 195), entitled:

An Act declaring buildings and parts of buildings used for purposes of fornication lewdness assignation and prostitution to be nuisances providing a method of abating same establishing a method of procedure against those who use said buildings or parts for such purposes and providing penalties for violations of this act

BILL RECOMMITTED.

Mr. CATLIN. Mr. President, I move that Senate Bill No. 1328 (House Bill No. 1408), entitled:

An Act fixing the compensation of the reading clerks of the Senate and House of Representatives

be committed to the Committee on Judiciary Special.
Mr. VARE. Mr. President, I second the motion.
The motion was agreed to.

RECESS.

Mr. CATLIN. Mr. President, I move that the Senate do now take a recess for ten minutes.
Mr. VARE. Mr. President, I second the motion.
The motion was agreed to.

AFTER RECESS.

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

BILLS INTRODUCED.

Mr. SALUS. Mr. President, I ask unanimous consent to read bills in place at this time.
The PRESIDENT. Is there objection? The Chair hears none.
Mr. SALUS read in his place and presented to the Chair Senate Bill No. 1397, entitled:

An Act prohibiting the issuing of contracts of fire insurance or agreements as to such contracts before a written application and certificate thereon shall have been signed by the applicant and agent or other duly authorized person excepting that contracts of fire insurance or agreements as to such contracts, may be permitted for a period not exceeding seventy two hours in certain cases upon presentation of invoice or bill of lading of the merchandise upon which insurance is sought; requiring that said application or the invoice ar bill of lading, shall be attached to and made part of such contracts and that a copy of said application or an abstract of said invoice be delivered to the State Fire Marshal and providing penalties for the violation thereof

Which was committed to the Committee on Insurance.
Also read in his place and presented to the Chair Senate Bill No. 1398, entitled:

An Act to regulate the construction maintenance and inspection of buildings now in use or that may hereafter be erected or altered for the exhibition of moving pictures in this Commonwealth except in cities of the first and second class prohibiting the operation of moving picture machines except when enclosed in a booth or enclosure defining certain general specifications for the use and construction of booths or enclosures for the operation therein of moving picture machines limiting the number of operators to be permitted in each booth or enclosure and requiring them to pass an examination providing that assistant operators may be employed under certain conditions providing that the provisions of this act shall not apply to any church or other place not devoted to moving picture exhibitions and prescribing under what conditions such exhibitions may be given providing for the supervision and inspection of the same by the Department of the State Fire Marshal and providing penalties for the violation thereof

Which was committed to the Committee on Judiciary Special.

REPORTS FROM COMMITTEES.

Mr. MILLER. Mr. President, I ask unanimous consent to make report from committee at this time.
The PRESIDENT. Is there objection? The Chair hears none.
Mr. MILLER, from the Committee on Judiciary General, reported as amended, Senate Bill No. 1299 (House Bill No. 873), entitled:

An Act to amend an act entitled "An Act to organize the State Hospital for the Insane at Danville and provide for the government and management of the same," approved the twenty-seventh day of March Anno Domini one thousand eight hundred seventy-three so as to change the term of the Superintendent of said Hospital and extend the powers of the trustees of said institution

Mr. VARE. Mr. President, I ask unanimous consent to make reports from committee at this time.
The PRESIDENT. Is there objection? The Chair hears none.
Mr. VARE, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1288 (House Bill No. 1293), entitled:

An Act creating the office of Commissioner of Municipal Lighting in boroughs of this Commonwealth providing for the election of such Commissioner and prescribing his powers and duties

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1389, entitled:

An Act prohibiting any police officer of any city of the first class from taking any active part in politics political movements or elections or from interfering with elections or from using his office to influence politics political movements or elections and providing penalties for violation thereof

Also, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 1200 (House Bill No. 1603), entitled:

An Act empowering the several boroughs of the Commonwealth to enact and enforce ordinances prohibiting accumulations of garbage or rubbish upon private properties within their respective limits

Mr. SNYDER. Mr. President, I ask unanimous consent to make reports from committee at this time.
The PRESIDENT. Is there objection? The Chair hears none.
Mr. SNYDER, from the Committee on Judiciary Special, re-reported as committed, Senate Bill No. 1074 (House Bill No. 1283), entitled:

An Act relating to assignment of or order for wages or salary to be earned in the future to secure a loan

Also, from the Committee on Judiciary Special, re-reported as committed, Senate Bill No. 1110 (House Bill No. 1772), entitled:

An Act authorizing county controllers in counties containing a population of less than one hundred and fifty thousand inhabitants to appoint a solicitor prescribing the duties of such solicitor fixing his term of office and providing for his salary to be paid by the proper county

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1228 (House Bill No. 1838) entitled:

An Act to repeal the seventh section of an act approved the fourth day of April one thousand eight hundred and seventy-two entitled "An Act to authorize the borough of Phoenixville to erect water and gas works and to supply the said borough with water and gas"

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1264 (House Bill No. 1653), entitled:

A further supplement to an act entitled "An Act to regulate boroughs approved the third day of April one thousand eight hundred and fifty-one authorizing the corporate authorities of any borough to levy and collect a license tax on hacks carriages omnibuses and motor vehicles carrying persons or property for pay to regulate the operation and compensation of such vehicles within the limits of any such borough or between any such borough and other points or places

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1282 (House Bill No. 1444), entitled:

An Act to amend the second third fourth fifth sixth seventh eighth eleventh twelfth and fifteenth sections of an act entitled "An Act establishing the office of State Fire Marshal defining his powers and duties providing for his compensation and the maintenance of his office giving courts the power to punish witnesses for contempt of his authority and to review his orders and making it the duty of officers of Public Instruction and persons in charge of public or private schools to instruct children as to the dangers of fire and the prevention of fire waste" approved the third day of June one thousand nine hundred and eleven by extending the powers and duties of State Fire Marshal his deputies and assistants and providing penalties for violations of said act as amended and to repeal the fourteentn section of said act

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1284 (House Bill No. 736), entitled:

An Act to amend an act approved the eleventh day of May one thousand nine hundred and one entitled "An Act relative to the purchase of a law library in counties of this Commonwealth having a population of less than one hundred and fifty thousand inhabitants and authorizing one-half of the fines and forfeitures to which said counties would under existing laws be entitled to be expended for the purchase and support of said library" as amended providing such libraries shall be purchase or maintained by appropriations made by the proper counties

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1337 (House Bill No. 1197), entitled:

An Act to prohibit the use of fire arms of any description upon lands set apart to hospital or sanatorium or park or resort uses whereon human being congregate in the open in quest of health recreation or pleasure in this Commonwealth and providing penalties for violation of its several provisions

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1338 (House Bill No. 1931), entitled:

An Act to repeal the present dog tax law regulating the taxing of dogs in the County of Delaware

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1353 (House Bill No. 531), entitled:

An Act amending the sixth section of an act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine entitled "An Act to provide for the classification of the townships of the Commonwealth with respect to their population into two classes and to prescribe the form of government for townships of each class

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1381 (House Bill No. 1768), entitled:

An Act to amend an act entitled "An Act to amend an act entitled 'An Act to enable mining manufacturing and trading companies to wind up their affairs after the expiration of their charters' approved the twenty-first day of May Anno Domini one thousand eight hundred and eighty-one" approved the twenty-third day of May Anno Domini one thousand nine hundred and seven extending the same so as to include companies for the purchase and sale of real estate and construction companies

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1383 (House Bill No. 1908), entitled:

An Act to repeal an act approved the twelfth day of March one thousand eight hundred and sixty-seven entitled "An Act to extend the provisions of an act laying a tax on dogs in certain townships in the County of Chester relative to elections in West Philadelphia and to assessors in Millerstown Perry county approved the eleventn day of March one thousand eight hundred and fifty so far as provides for the taxing of dogs in the Township of Londonderry in the County of Chester

Also, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1386 (House Bill No. 1440), entitled:

An Act to provide for the use of voting machines at any or all elections and primary elections within this State creating a State Board of Voting Machine Examiners and defining its powers and duties providing rules and regulations for the conduct of elections and primary elections held with voting machines and providing penalties for violation of the provisions of this act

Also, from the Committee on Judiciary Special, re-reported as amended, Senate Bill No. 620 (House Bill No. 107), entitled:

An Act establishing a court for the County of Philadelphia prescribing its jurisdiction and powers providing for the service of its writs process or warrants by the proper officers of the County or City of Philadelphia regulating the procedure therein and appeals therefrom and providing for the expenses thereof

Mr. WASBERS. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WASBERS, from the Committee on Municipal Affairs, reported as committed, Senate Bill No. 865 (House Bill No. 803), entitled:

An Act to further amend section two of an act approved the seventh day of June one thousand nine hundred and one entitled "An Act providing for the examination licensure and registration of persons firms or corporations engaged or engaging in the business of work of plumbing or house drainage and prescribing certain rules regulations and requirements for the construction of plumbing house drainage and cesspools in cities of the second class and imposing fines penalties and forfeitures for violation thereof" as heretofore amended and authorizing and requiring second and third class cities to provide for the appointment and payment of plumbing inspectors

HOUSE BILL NO. 695 RECALLED FROM GOVERNOR.

The Chair cleared his table and laid before the Senate resolution from the House of Representatives as follows, which was twice read, considered and agreed to:

Resolved (if the Senate concur) That House Bill No. 695, entitled: An Act making an appropriation to the State Highway Department to cover a deficiency in the automobile division, be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

ADJOURNMENT.

Mr. CROW. Mr. President, I move that the Senate do now adjourn until next Monday evening at 9 o'clock.

Mr. VARE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 12:55 o'clock P. M. until Monday evening, May 19, 1913, at 9 o'clock.

HOUSE OF REPRESENTATIVES.

WEDNESDAY, May 14th, 1913.

The House met at 10 o'clock A. M.

The SPEAKER (George E. Alter) in the Chair.

PRAYER.

The Chaplain, (Rev. J. E. Wright) offered the following prayer:

O God, Thou Father almighty, maker of Heaven and earth, what is man that Thou art mindful of him, or the Son of Man that Thou dost visit him. We rejoice that although Thou hast created us a little lower than the angels, Thou hast crowned us with honor and glory. Thou hast impressed Thine image upon us. Thou hast gifted us with immortality. Thou hast implanted within us aspirations and desires which make us restless till we rest in Thee. May we reverence this, Thine image, of which we are conscious. May we fear to say or to do anything in thought, or word, or deed which shall despoil it or deface it. May we lift our eyes and our hearts each day to the God of the Heaven that this life may be renewed and whatsoever things are true and honest and just and lovely and of good report, may we think upon these things.

And now, as we set our hands to the work of this day, help us to remember our dignity, our duty. May we honestly and earnestly try to realize Thy purpose and to fulfill our mission. We ask it in His name Who has taught us to say: Our Father Who art in Heaven, hallowed be Thy name. Thy Kingdom come, Thy will be done on earth as it is in Heaven. Give us this day our daily bread; and forgive us our debts as we forgive our debtors. And lead us not into temptation, but deliver us from evil, for Thine is the kingdom and the power and the glory forever. Amen.

The SPEAKER. The Clerk will read the proceedings of the Journal of yesterday.

The Clerk proceeded to read the proceedings of the Journal of yesterday, when, on motion of Mr. Savacool, the further reading was dispensed with and the Journal approved.

RESOLUTION RECALLING HOUSE BILL NO. 1633 FROM THE GOVERNOR.

Mr. KAUFFMAN offered the following resolution, which was twice read, considered and agreed to:

In the House of Representatives, May 14, 1913.

Resolved (if the Senate concur) That House Bill No. 1633, entitled, "An Act to amend an act approved the eighth day of May, one thousand eight hundred and seventy-six, entitled, 'An Act to establish a State Board of Agriculture,' as the same was amended by an act approved the thirtieth day of March, one thousand nine hundred and eleven, by providing for representation of the Pennsylvania Conservation Association on the State Board of Agriculture, changing the name Pennsylvania State Poultry Association to Pennsylvania State Poultry Society Conservation Association," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES.

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows, viz:

Senate Bill No. 39 (House Bill No. 2019),

An Act supplementary to an act entitled "An Act providing for the incorporation and government of cities of the third class" approved the twenty-third day of May Anno Domini one thousand eight hundred eighty-nine amending certain articles and sections thereof and enlarging changing and modifying certain powers and provisions therein providing for the abolishing of the select and common councils and creating in their stead one legislative body to be known as the Council and prescribing its powers and duties and also providing for the nomination and election of members of said council and all other electice officers of said cities upon a non-partisan ballot and for a referendum vote on all franchise ordinances

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 441 (House Bill No. 2020),

An Act to amend section seventy-four of an act entitled "An Act relating to the elections of this Commonwealth" approved the second day of July one thousand eight hundred and thirty-nine by providing for the payment of mileage to inspectors of election for delivering the ballot boxes to the justice of the peace after the election

Referred to the Committee on Elections.

Also Senate Bill No. 449 (House Bill No. 2021),

An Act fixing the term of registry assessors or assessors to perform only duties incident to the holding of elections and registration of voters in cities of the third class at four years

Referred to the Committee on Elections.

Also Senate Bill No. 451 (House Bill No. 2022),

An Act to amend section one of an act approved the sixteenth day of June Anno Domini one thousand eight hundred and ninety-one entitled "An Act to authorize the election of assistant assessors for the purpose of registration of voters in the townships and boroughs containing more than one election district wherein but one assessor for valuation resides" by enlarging the term of assistant assessors providing for their election every four years and changing the power of filling vacancies from the court of quarter sessions to the county commissioners

Referred to the Committee on Elections.

Also Senate Bill No. 733 (House Bill No. 2023),

An Act to repeal an act approved the fourth day of June one thousand nine hundred and one entitled "An Act defining the rights and liabilities of parties to and regulating the effect of contracts for work and labor to be done and labor or materials to be furnished to any building bridge wharf dock pier bulkhead vault subway tramway toll-road conduit tunnel mine coal-breaker flume pump screen tank derrick pipe-line aqueduct reservoir viaduct telegrapn telephone railway or railroad line canal mill race works for supplying water heat light power cold air or any other substance furnished to the public well for the production of gas oil or other volatile or mineral substance or other structure or improvement of whatsoever kind or character the same may be providing remedies for the recovery of debts due by reason of such contracts and repealing consolidating and extending existing laws in relation thereto"

Referred to the Committee on Judiciary General.

Also Senate Bill No. 817 (House Bill No. 2024),

A Supplement to an act approved the thirty-first day of May one thousand nine hundred and eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same

providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injurying or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act"

Referred to the Committee on Public Roads.

Also Senate Bill No. 883 (House Bill No. 2025),

An Act to provide for the personal registration of electors and their enrollment as members of political parties in cities of the first and second classes of this Commonwealth to make such registration a condition of the right to vote in such cities and their said enrollment as members of a political party and a condition of the right to vote at primaries in said cities providing for the payment of witness fees for persons summoned before the commissioners to provide penalties for violations of its provisions and to repeal acts inconsistent herewith

Referred to the Committee on Elections.

Also Senate Bill No. 884 (House Bill No. 2026),

An Act to provide for the appointment of registrars of electors to be deputy poll tax collectors in cities of the first class of this Commonwealth a method of collecting such taxes penalties for violation of its provisions and to repeal acts or parts of acts inconsistent therewith

Referred to the Committee on Elections.

Also Senate Bill No. 994 (House Bill No. 2027),

An Act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abandoned or that have not been built upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure

Referred to the Committee on Public Roads.

Also Senate Bill No. 1064 (House Bill No. 2028).

A Supplement to an act approved the thirty-first day of May one thousand nine hundred eleven entitled "An Act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioners decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways any kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" providing for constructing re-constructing repairing or maintaining certain spurs or branch roads

Referred to the Committee on Public Roads.

Also Senate Bill No. 1151 (House Bill No. 2029).

An Act prescribing the time and manner of submitting to the people for their approval and ratification or rejection a certain proposed amendment to the Constitution of Pennsylvania

Referred to the Committee on Public Roads.

Also Senate Bill No. 1274 (House Bill No. 2030).

An Act authorizing cities of the first and second class to compensate employees for time lost while in the employ of the city as a result of injuries sickness or disablement of any kind sustained while in the performance of their duties

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 1294 (House Bill No. 2031).

An Act to amend an act approved the twentieth day of June one thousand nine hundred and one entitled "An Act relating to the collection of city school and poor taxes in the several cities of the third class in this Commonwealth and providing that the city treasurer of each of said cities by virtue of his office shall be the collector of the said several taxes prescribing his duties and fixing his compensation" by eliminating certain provisions relating to school taxes and repealing section eight of said act

Referred to the Committee on Judiciary Local.

Also Senate Bill No. 648 (House Bill No. 2034).

An Act to prescribe the method by which shall be determined the amount of any debt theretofore incurred or thereafter to be incurred by any city of the first class for the construction and development of subways for transit purposes or for the construction of wharves and docks or the reclamation of land to be used in the construction of a system of wharves and docks as public improvements to be owned by such city which may be excluded in ascertaining the power of such city to increase its indebtedness pursuant to the provisions of article nine section eight of the Constitution as amended and to confer jurisdiction upon any of the courts of common pleas of the county in which such city is situated to determine the amount of any debt to be so excluded with an appeal to the Supreme Court within one month from the date of such determination

Referred to the Committee on Municipal Corporations.

Also Senate Bill No. 950 (House Bill No. 2035),

An Act regulating the offering or operation of automobile vehicles for hire in cities of the first class providing for the licensing of said vehicles providing for the licensing of operators chauffeurs or solicitors for such vehicles authorizing them to solicit business upon the highway authorizing the making of regulations by the Department of Public Safety in said cities governing the operation of said vehicles and operators thereof and providing penalties for the violation thereof

Referred to the Committee on Municipal Corporations.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, May 12, 1913.

Resolved (if the Senate concur), That House Bill No. 1465, file folio 6973, entitled:

An Act to amend section one of an act approved the thirteenth day of June one thousand nine hundred and seven entitled "An Act to authorize county commissioners for the purpose of encouraging agriculture and the holding of county agricultural exhibitions to pay annually one thousand dollars to the incorporated agricultural association paying premiums on agricultural exhibits holding an annual exhibition in the county providing for the filing of sworn statement by the claimant or claimants with the county commissioners relative to said exhibition and providing for the repayment to the county by State of the sum so paid" as amended

be recalled from the Governor for the purpose of amendment.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, May 12, 1913.

Resolved (if the Senate concur), That House Bill No. 1102, file folio 5423, entitled,

An Act supplementing an act entitled "An Act to provide for the selection of a site and the erection of a State Insti-

tution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor" approved the fifteenth day of May Anno Domini one thousand nine hundred and three prescribing the purposes of said institution amending the ninth and thirteenth sections of said act so as to extend the powers of the trustees of said institution and provide for the method of admission to said institution and of discharge therefrom providing that the court may make orders for the payment for the care and maintenance of certain inmates providing for the payment for the care and maintenance of indigent inmates of said institution by the Commonwealth and the payment of the costs of all committals thereto by the several counties authorizing transfers of idiotic feeble-minded and epileptic persons to and from said institution and repealing the eleventh twelfth fourteenth and fifteenth sections of said act and repealing section two of an act entitled "An Act supplementing an act approved the fifteenth day of May Anno Domini one thousand nine hundred and three entitled 'An Act to provide for the selection of a site and the erection of a State Institution for the Feeble-Minded and Epileptic to be called the Eastern Pennsylvania State Institution for the Feeble-Minded and Epileptic and making an appropriation therefor' by abolishing the commission therein established providing for the completion of said institution regulating the powers of the board of trustees and repealing the tenth and seventeenth sections thereof" approved the twentieth day of June Anno Domini one thousand nine hundred and eleven

be recalled from the Governor for the purpose of amendment.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, May 12, 1913.

Resolved (if the Senate concur), That House Bill No. 847, file folio 2493, entitled, "An Act providing for the humane destruction of any animal or animals which are injured disabled diseased past recovery or unfit for any useful purpose and authorizing any magistrate alderman or justice of the peace in a trial of a person charged with a violation of any act for the prevention of cruelty to animals, to inquire into the condition of the animal or animals charged with being abused and directing policemen, constables and agents of duly incorporated societies or associations for the prevention of cruelty to animals to carry out the provisions of the act."

be recalled from the Governor for the purpose of amendment.

The SPEAKER. If there is no objection, while the members are gathering we will dispose of the bill on page 3 of the calendar which had to be passed over yesterday because it was not on the files. It is House Bill No. 645, which was recalled from the Governor, amended and is now upon final passage.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of H. R. bill No. 645, as follows:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly and providing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the words "place of amusement or dramatic of theatrical or operatic or vaudeville performances circus or menagerie or museum or wild west show" as used in this act shall be taken to include all buildings tents or enclosures used wholly or partly for dramatic or theatrical or operatic or vaudville performances or tragedies or comedies or farces or for the exhibition of trained animals or of circuses or menageries or museums or wild west shows but not to include any building or tent or enclosure now erected constructed or altered and in actual use for the exhibition of fixed or moving pictures or steropticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect or construct said building as a theatre

Section 2 That from and after the passage of this act it shall be unlawful to give any exhibition open to the public with or without charge in any building tents or enclosures or any part of the premises connected therewith of any dramatic or operatic or vaudeville performances or tragedies or comedies or farces or the exhibition of fixed or moving pictures or stereopticon views or songs or acrobatic performances or the exhibition of trained animals or any equestrian circus or menagerie or museum or wild west show until and unless an animal license or licenses for the buildings or building tent or tents or enclosure or enclosures or any part thereof so to be used for such amusement exhibition or performance shall have been obtained from the city or county treasurer in which said buildings tents enclosures or parks are situated by the owner or owners or lessee or lessees according to agreement between said owner or lessee or owners or lessees of such building or tents or enclosures

Section 3 The annual license fee for such places of amusement buildings tents or enclosures (other than for the exhibition of fixed or moving pictures or steropticon views exclusively (whether stage scenery and apparatus are employed or not) and also other than for the exhibition of trained animals circuses menageries or wild west shows in tents or similar enclosures) shall be as follows

In cities of the first class irrespective of the number of chairs or seating capacity in such places of amusement building tent or enclosure the sum of five hundred dollars ($500)

In cities of the second class where such place of amusement buildings tents or enclosures shall have over one thousand chairs the sum of four hundred dollars ($400)

Where it shall have one thousand chairs or less and more than four hundred chairs the sum of seventy-five dollars ($75)

Where it shall have four hundred chairs or less the sum of thirty dollars ($30)

In cities of the third class irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of seventy-five dollars ($75)

In boroughs and townships irrespective of the number of chairs or seating capacity of such places of amusement buildings tents or enclosures the sum of thirty dollars ($30)

Where arrangements are not made for seating the patrons of any such places of amusement buildings tents or enclosures such places shall be computed on the basis of three square feet of floor or ground space as an equivalent to seating capacity

Section 4 The annual license for any place of amusement buildings or tents or enclosures or any part thereof situated in any city borough or township of this Commonwealth which is used for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be twenty-five dollars irrespective of the number of chairs or seating capacity of such place of amusement buildings tents or enclosures

Section 5 The annual license fee to be paid to any city or county treasurer for any itinerant circus trained animals menagerie or wild west show or museum or combination of either or all exhibiting in any building tent or enclosure (other than dramatic or theatrical or operatic or vaudeville performance or tragedies or comedies or farces or for the exhibition of fixed or moving pictures or steropticon views (whether stage scenery and apparatus are employed or not) or songs or dances or acrobatic performances and also other than for the exhibition of fixed or moving pictures or stereopticon views exclusively (whether stage scenery and apparatus are employed or not) shall be as follows

For shows transported on fifty cars or over the sum of one thousand dollars for shows transported on fifty cars or less and more than twenty-five cars the sum of seven hundred and fifty dollars ($750) for shows transported on twenty-five cars or less and more than fifteen cars the sum of five hundred dollars ($500) for shows transported on fifteen cars or less and more than five cars the sum of two hundred and fifty dollars ($250) for shows transported on five cars or less and more than two cars the sum of one hundred dollars ($100) for shows transported on two cars or less the sum of fifty dollars ($50) whereupon the owner or lessee thereof shall be permitted to give exhibitions or performances in any city count or borough of the State

Section 6 The city or county treasurer of any city or county where such places of amusement buildings or tents or enclosures are situated shall upon receipt of the proper amount of license fee as herein provided issue to any applicant the license provided for in this act The license for an itinerant circus trained animals wild west show or a combination of either or all may be issued by any city or county treasurer

All such license fees and penalties hereinafter provided shall be collected for the use of the Commonwealth and shall be paid over by the city or county treasurer receiving the same to the State Treasurer as other license fees are collected and paid The term City Treasurer as used in this act refers only to the Treasurer of the city co-extensive with the county

Section 7 The license or licenses provided for under the provisions of this act shall be granted by the city or county treasurer for one year from the first day of May of each year upon application therefor upon the payment of the license fee as provided in this act by the owner or owners or lessee or lessees of such places of amusement buildings tents or enclosures in which the same are to be held upon the certificate of the proper municipal officers setting forth that the person or persons applying for such license are of good moral character and that the exhibitions performances intended to be given are not immoral in their nature or tendencies or otherwise unlawful or hurtful to the community and that such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of erection construction or alteration thereof either as a "place of amusement" or as a "moving picture place" (whether stage scenery and apparatus are employed or not) or as a "theatre" A license when granted shall not be transferrable except to the lawful representatives of the deceased licensee or to a purchaser at an insolvent or bankrupt sale for the remainder of the term

Section 8 The Auditor General shall prepare and have printed proper blanks to be distributed by the mercantile appraiser of every county to the persons who may be liable for the license as herein provided Such blanks shall require such information as will be necessary and shall contain a statement of the number of chairs in such place of amusement building tent or enclosure or the number of cars which transport any

circus trained animals menagerie or wild west show Each application for a license shall be verified by the oath or affirmation of the applicant

If a false oath shall be made by any person to such application the one so swearing shall be guilty of perjury

Section 9 It shall be the duty of each applicant to fill up the blank as aforesaid by the Auditor General and return the same to the mercantile appraiser of the proper county within ten days from the receipt thereof with an affidavit certifying as to the correctness thereof

In any applicant fails or refuses to make the statement required by this act to the mercantile appraiser when requested so to do it shall be the duty of the mercantile appraiser to assess such applicant with the license tax as provided by this act

A certified copy of the said assessment shall be forwarded to the said applicant which assessment when so made shall be final and conclusive and without appeal and the applicant so assessed shall not be permitted in any manner to appeal and recover said assessment or deny the correctness thereof

Section 10 The mercantile appraiser or his duly authorized deputy shall have the right to visit such places of amusement buildings tents or enclosures and require the person liable for the payment of the license to make said statement under oath or affirmation for the purpose of assessing the amount of said license for such place of amusement building tent or enclsure

If the mercantile appraiser is dissatisfied with the statement so made he shall ascertain and assess said license fee according to such sum as in his best judgment he believes to be correct

He shall also leave a written or printed notice to be prepared by the Auditor General specifying the amount of the license fee to be paid by such person to the Commonwealth and also when and where an appeal will be held as required by law

Any person so liable for the payment of the license as herein provided who is dissatisfied with the assessment so made shall have the right to appeal to the mercantile appraisers or city or county treasurer in all counties except where there is a board of mercantile appraisers in which case the board shall hear all appeals

If the person so liable to the payment of the license as aforesaid is still dissatisfied with the finding of the mercantile appraiser or city or county treasurer or board of mercantitle appraisers such person shall have the right to appeal to the court of Common Pleas of the proper county within ten days which appeal shall set forth the date and amount of said assessment the date of the decision of the appeal to the board and the facts in detail relied upon to obtain a reversal of said decision The applicant shall within five days after taking an appeal serve upon the city or county treasurer or the Mercantile Appraiser or Board of Mercantile Appraissers notice of said appeal including the court term and number of the case in which the appeal is taken On failure to comply with any of the provisions of this act in whole or part said appeal shal upon motion be stricken off The burden of proof of said appeal shall be upon the appellant

If any person fails to attend said appeal before the Mercantile Appraisers or city or county treasurer or Board of Mercantile Appraisers such person shall not thereafter be permitted in a suit for the recovery of said license fee to set up a defence either that such person is not subject to the payment of the license fee so assessed against him or any other ground of defence which might have been heard and determined either by the said Mercantile Appraiser or city or county treasurer or Board of Mercantile Appraisers or Court of Common Pleas on appeal as aforesaid

Section 11 It shall be the duty of every city or county treasurer touse for the recovery of all license fee duly returned to him by the Mercantile Appraisers if not paid on or before the first day of July in each year within thirty days after that date provided however if said city or county treasurer is satisfied that such license fees cannot be collected he shall make report to the Auditor General of all facts connected with the case and the Auditor General upon investigation may exonerate him from the payment of said fee and in such cases suit shall not be brought

Section 12 If for any reason the license aforesaid is not paid on or before the first day of July in each year a penalty of ten per centum of the amount of said taxes shall be added and collected by the city or county treasurer as aforesaid

Where suit is brought for the recovery of such license fees for which the party shall be liable it shall be the duty of the city or county treasurer to collect in addition to said license fee assessed against such party a penalty of fifty per centum of the license fee so assessed

The city or county treasurer shall at the expiration of each month forward to the State Treasurer the amount of said license fees collected by him including the said penalties as aforesaid

Section 13 It shall be the duty of every Mercantile Appraiser or Board of Mercantile Appraisers in counties where such board exists on or before the first day of May of each year to certify to the city or county treasurer the correct list of all persons assessed giving the names and business address of the person liable to the payment of the license fees as herein provided and the amount of license due by each This list shall be kept by the city or county treasurer in collecting said license fees If appeals have been made and exonerations made a corrected list shall be certified by the city or county treasurer to the Auditor General on or before the first day of January of each and every year

Section 14 The rate of commission allowed city or county treasurers for their services in collecting fees as aforesaid shall be the same as in the case of mercantile license

Section 15 If upon the presentation of proof satisfactory to the city or county treasurer after hearing all persons under oath or affirmation which he is hereby empowered to administer it shall be shown that the exhibition performances given under any license issued are in violation of the provisions of this act or any other act of Assembly or ordinance of such city borough or township he shall have full power to vacate annual and render void and of no effect the license or licenses which shall have been obtained under the provisions of this act and the city or county treasurer shall have full power to prevent any exhibition performance entertainment from being exhibited or performed until the provisions of this act have been fully complied with

Section 16 The proper municipal officers of the first class shall have full power to inquire into any immoral tendencies or any other matters or things unlawful or hurtful to the public at large that may be charged in writing as being the purpose of such exhibition performance entertainment and shall further if said charges are proven to be true (after notice to all the parties in interest) forbid such exhibitions performances entertainments and for that purpose shall have full power to direct the proper officers to close the said places of amusement buildings or building tents or enclosures in which said exhibitions performances entertainments are intended to be held and prevent the entrance therein of any person or persons except the owner or owners or lessee or lessees of said place of amusement buildings tents or enclosures

Section 17 Any person or persons owner or owners lessee or lessees of any such places of amusement buildings tents or enclosures who shall feel aggrieved at the act of the city or county treasurer or the director of public safety of cities of the first class or proper municipal officers of cities of the second and third class boroughs or townships in granting the certificate or certificates as herein provided or refusing to grant a license or in revoking any license so issued or in forbidding any exhibition performance or entertainment or closing any such place of amusement buildings tents or enclosures shall have the right to appeal in writing to the court of Common Pleas of the county wherein any such places of amusement buildings tents or enclosures are situated which said court shall within ten days after said appeal is taken and filed hear the person or persons aggrieved and determine the character of the applicant nature of the exhibition or permormance and whether such places of amusement buildings tents or enclosures have been erected constructed or altered and in actual use as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not or as a theatre in accordance with the laws and ordinances regulating the erection construction or alteration of such places at the time of the erection construction or alteration thereof either as a place of amusement or as a moving picture place (whether stage scenery and apparatus are employed or not) or as a theatre as to the said court may seem just and right and for that purpose shall have full and ample power if upon a reversal of the proceedings to direct what the city or county treasurer or director of public safety of cities of the first class or the proper municipal officers of cities of the second and third class or boroughs and townships shall do or perform in the premises

Section 18 The license fees herein provided for shall be in lieu of all license fees heretofore required by law to be paid to the use of the Commonwealth but this act shall not exempt any such places of amusement buildings tents or enclosures from the payment of such license fee as may be lawfully imposed on it by any city borough or township of this Commonwealth

Section 19 The act of June eghth Anno Domini one thousand eight hundred and ninety-three entitled "An Act amending section one of article three of an act entitled 'An Act for the better government of cities of the first class in this Commonwealth' approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings" and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class and the amendment or supplement thereto of June fifth one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a Bureau of Building Inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall be held not only to apply to theatres places of amusement buildings tents or enclosures which have been erected constructed or altered and are now in actual use as a theatre or moving picture place where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto for the purpose of compelling the owner or lessee thereof to erect alter or construct said building as a theatre if the same has been built altered or constructed in accordance with the laws and ordinances regulating the erection construction or alteration thereof as a theatre place of amusement or moving picture place at the time of such erection construction or alteration

Section 20 If any owner or owners or lessee or lessees of any such building tent or enclosure shall hold or allow to be held in any place of amusement building tent or enclosure any such exhibition performance entertainment as herein provided in any city borough or township of this Commonwealth without first having had and obtained a license as aforesaid he or they so offending shall in addition to the payment of the license fee and the penalty assessed be liable to indictment and upon conviction thereof shall pay for each such offence a fine of not less than one hundred dollars nor greater than five hundred dollars at the discretion of the court trying the said offence and all such fines shall be paid into the treasury of the county where such conviction shall take place for the use of the Commonwealth

Section 21 If any person liable to the payment of the license fee as herein provided shall open any such building tent or enclosure between the calendar year commencing May first of each year they shall be permitted to pay a proportionate part or share of the said license fees for which they may be liable from the date of the opening thereof until the end of the license year

Section 22 This act shall not apply to any exhibition or performance given by any agriculture or zoological societies duly chartered under the laws of this Commonwealth or any exhibition of the products of arts or handicraft given by any society or association having charge of the same or shall it apply to any single or occasional exhibition performance or contest given by any church or charitable association society public or private schools or any institution of learning

Section 23 The words "owner" "lessee" "applicant" "person" or "party" wherever used in this act shall include a partnership or corporation

Section 24 The act of Assembly approved June twenty-fourth one thousand eight hundred and ninety-five entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held menageries or museums are exhibited and fixing the price to be paid for such license and providing for the licensing of circuses and menageries exhibiting in tents and enclosures "of like character" as amended by the act approved May twenty-third one thousand nine hundred and seven entitled An Act to amend the first section of an act entitled "An Act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character providing that in cities of the first class the owner or owners or lesee or lessees of a building the capacity of which is less than three hundred persons shall pay thirty dollars ($30.00) and as further amended by the act approvel May eleventh one thousand nine hundred and eleven entitled an act to amend the first section of an act entitled an act to provide for the licensing of buildings and other places in which theatrical operatic or circus performances are held and menageries or museums are exhibited and fixing the price to be paid for said licenses and providing for the licensing of circuses and menageries exhibiting in tents and enclosures of like character" approved the twenty-fourth day of June Anno Domini one thousand eight hundred and ninety-five as amended by an act approved the twenty-third day of May Anno Domini one thousand nine hundred and seven providing that in cities of the second class the owner or owners or lessee or lessees of a building the seating capacity of which does not exceed one thousand persons nor is less than four hundred persons shall pay an annual license of seventy-five dollars and where the seating capacity is less than four hundred persons shall pay thirty dollars together with any other amendments thereof or therto and any supplements thereof or thereto and all other acts or parts of acts inconsistent with this act or any of the provisions thereof are hereby repealed except as to pending cases

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—130.

Adams,	Ehrhardt,	McArdle,	Savacool,
Allen,	Eichenberger,	McDermott,	Schaeffer, A. C.
Alworth,	Ely,	McKay,	Scott, J. R. K.,
Ambler,	Gans,	McNichol,	Scott, S. B.,
Arthur,	Geiser,	Mellott,	Semmens,
Baldwin, G. A.,	Gibson,	Metzenbacher,	Shaffer, I. E.,
Baldwin, R. J.,	Good,	Miller,	Sherwood,
Barner,	Goss,	Missimer,	Showalter,
Bass,	Grabe,	Mitchell,	Smith, J. W.,
Becker,	Gramley,	Moore,	Smith, L.,
Benninger,	Gransback,	Morrow,	Snyder,
Benson,	Gray, Joseph,	Moses,	Spillinger,
Berntheizel,	Haggerty,	Moulthrop,	Steele,
Bigger,	Hemminger,	Neel,	Stone,
Bittles,	Heyburn,	Neely,	Strauss,
Blair, W. F.,	Hibshman,	Newbaker,	Swartz,
Body,	Hobbs,	North,	Swift,
Brosius,	Howard, J.,	O'Neill,	Thomas,
Brown,	Howard, R.,	Peachey,	Ulerich,
Brownlee,	Humes,	Pennock,	Ulman,
Burnett,	Jackson,	Piper,	Walnut,
Caldwell,	Jones, E. E.,	Post,	Walton,
Campbell, C.M.,	Jones, J. R.,	Price,	Whitman,
Carson,	Kaufman,	Ramsey,	Wildman,
Cheeseman,	Keeport,	Redfield,	Williams,
Claycomb,	Kitts,	Reese,	Wilson, J. H.,
Cleary,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Cochran,	Lohr,	Rex	Wiltbank,
Collins,	Lowers,	Rockwell,	Young, G. K.,
Conniff,	Martin,	Roney,	Zimmerman,
Conrade,	Mather,	Rothenberger,	Alter,
Curry,	Matt,	Sassaman,	Speaker.
Donahoe,	McAllister,		
Dunn, H. B.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

THE HOUSE RESUMES CONSIDERATION OF HOUSE BILL NO. 183.

The SPEAKER. The House will now resume the consideration on second reading of House Bill No. 183.

The twelfth section of article three was then read as follows:

Section 12 Any public service company except street passenger railway mentioned in section nine of article seventeen of the Constitution of this Commonwealth shall have power with the approval of the Commission to construct its facilities to pass through the territorial limits of any municipal corporation and the consent or approval of the local authorities shall not be necessary therefor Provided that nothing herein contained shall be construed to permit any public service company for the purpose of rendering or furnishing its service to the inhabitants of the municipal corporation or for any street railway aforesaid to construct or extend or operate its facilities within the limits of any municipal corporation without the consent of the local authorities thereof

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend section 12, article 3, page 31, by striking out the entire section.

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, for fear that the members of the House fail to realize the import of this section, I wish to call your attention especially to the effect of this provision of the bill. This is the section that destroys the last vestage of home rule in every community of this State in so far as public service corporations are concerned. Under this section any public service corporation may be granted the right of eminent domain to go through a municipal corporation at any time or place without the consent of the local authorities, and from the terms of the section itself, you scarcely realize the scope of the section. Under the definitions given in this act, even the county is a municipal corporation, and consequently the public service commission may give to a corporation the right of eminent domain to go through a whole county, or through a city, or through the county of Alegheny or Dauphin, or through the City of Pittsburgh, or through the City of Harrisburg, or through any borough or township in the State, and I scarcely believe that the time has come when we care to relinquish the home rule, or the control by the local authorities. I trust that the members of the House will support this amendment.

Mr. STRAUSS. Mr. Speaker, I want to say a word about this amendment to strike out this section. I ask the House to consider this amendment, because I think it comes from a friend of the bill. It is one of the Democratic platform principles that we pass the Utilities bill. I am in favor of the bill, but I think that this section can be taken out of it without hurting the bill one iota, and if we find that it is necessary hereafter, we can at any time put this section back into the bill. With this section cut out, it would be just as perfect a bill as it would be if we passed it as it originally was. The bill is perfect without it. If you will look at the section, you will find that street railways are excepted under the provisions of this section. Why are street railways excepted? There is this provision in the Constitution, Section 9, Article 17. It says: "No street passenger railways shall be constructed within the limits of any city, borough or township, without the consent of its local authorities." If this provision stood in the Constitution, it is safe and sound principle for this House to follow that provision through in so far as any public utilities company is concerned, because they ought all to be on the same plan. Now, I believe we are going to pass the commission form of government bill. On pages 90, 91 and 92, you will find this:

nual appropriation ordinance And provided further that no franchise or consent to occupy the public streets highways or other places in any of said cities shall be given or granted to any person or persons railroad railway gas water electrict light telegraph or telephone company or to any

other public service corporation except by ordinance and no ordinance for such purpose shall go into effect for thirty days after its approval or for thirty days after the time it would otherwise have become a law If within said thirty days a petition prepared advertised and perfected in all respects complying with the provisions of article nineteen section one is addressed to the council signed by electors of the city equal in number to at least twenty per centum of the total number of registered voters as shown by the last preceding registration protesting against the passage of said ordinance the latter shall be suspended It shall be the duty of the city clerk within ten days after said petition is filed with him to examine and ascertain from the registry of votes whether or not said petition is signed by the requisite number of electors and of necessary the council shall allow the said clerk extra help for said purposes When the said clerk has made said examination he shall attach his certificate to said petition showing the result of his examination and if it shall appear that the petition has not the requisite number of electors as petitioners no further action shall be taken but this shall not prevent the filing of another petition in like manner within said thirty days and in case such petition is presented the same proceedings shall be had thereon as in the first petition If no petition having the twenty per centum of electors as hereinabove provided is presented or filed with the city clerk within said thirty days the said ordinance shall then go into immediate effect unless otherwise provided in the ordinance.

The question should first be left to the people, to a vote of that municipality. By this section you would wipe away one of the most important clauses of the initiative and referendum off of the statute books. We were told only yesterday, and we have been told time and time again during the last campaign, that we should give the people a larger share in the government. Why this bill would strike away the last vestage of the people's rights in these matters. Will the gentlemen who fear this amendment show to me why a public utilities company should be permitted to go through a municipality and dig up its streets and do anything they want just because seven men say they can, without the consent of the local authorities? when the people of the locality do not desire it? This is a blow at local self-government. Leave this power in the hands of the people, and if we find hereafter that it is necessary that the people should not exercise this right of self-government any longer, we can put it in hereafter. I think that this House should strike out this section from the bill, and the bill will be better then than it is now. Although I intend to vote for the bill, even with this clause in it, I could do so with better feeling if it were cut out.

Mr. S. B. SCOTT. Mr. Speaker, I believe in home rule, for things which pertain to localities themselves, but where the question is one that has to do with more than one locality, when it has to do with the arrangement of conflicting interests of several communities then I am not. We have our courts to decide conflicting claims, and for the same reason we should have the Utilities Commission to arbitrate between the conflicting claims of the various localities, and that is all this section is intended to do. If you will read the last half of the section, you will see that the Utilities Company is not allowed to put its service through a locality in question, without the consent of that locality. But public utilities, such as a pipe line, or telegraph line, or telephone line, which is in one locality and desires to pass through an intervening locality to another locality, the matter is up to the Public Utilities Commission to decide. And I think it is rightly so.

Mr. ROCKWELL. Mr. Speaker, this section was not in the original bill as introduced by myself. It was in the bill introduced by the gentleman from Philadelphia, Mr. S. B. Scott, which was drawn by Dean Lewis. It is not a vital feature of the bill, although who have given the matter careful study and consideration believe that it should be retained in it. The point is simply this. That one small municipality shall not by its arbitrary power hold up the extension of a public utilities like a high power company, and refuse to permit it to go through that smaller municipality to serve a larger one, or if it is a utilities that is demanded by the public. Let me give you a concrete example. Suppose there is a corporation in Sunbury, on the Susquehanna River, a high power utilities that has been created, and that it wanted to come to Harrisburg. Coming down the river it would have to pass through the little Borough of Dauphin with its high power wires. It is not intended to serve the people of Dauphin, but the City of Harrisburg, but the Borough of Dauphin says, "No, you can't go through here."

Then this section provides under such reasonable rules and regulations as the Commission may provide, that high power service companies can go through the Borough of Dauphin without its consent. This section is so drawn that it does not apply to street railways and it does not apply to take away the consent of the municipality to serve the people of that municipality in any shape, form or manner. It seems to me that it is carefully drawn and aimed to hit a particular purpose. A number of instances were cited of concrete examples at the public hearings before the Judiciary General Committee where some small municipality had held up a public service benefit just by reason of arbitrary power and this section was drawn to meet these conditions. The friends of the measure who have given it careful study believe that it ought to be written in the bill.

Mr. ALLEN. Mr. Speaker, I have been thinking of the startling statement of the gentleman from Philadelphia, that he was for Home Rule. I take that statement with quite a grain of salt and would say that if he would limit his statement by saying a limited class of his own of Home Rule, I would take the statement on its worth. Then, the suggestion that has been made in relation to the provision of this secton by the sponsor of the bill I believe is correct, in that the section was not in the original bill as prepared. I am advised to believe that this is a broad open country and it seems to me that there is reason why this has been injected into the bill and that reason is to serve the interests of long distance companies, such as the telephone, telegraph, water works, electric light, motive power and what not, by giving a direct route instead of a route that might be slightly circuitous. I know of no place in this great land that the rights and privileges of any community need be made subservient to the interests of certain corporations and providing that they shall pass through and over the rights of that municipality instead of in a around about way in that municipality. We don't want you to say, which you might do, that there would be some little interfering borough somewhere, some borough, if you please, through which a company would like to go directly across for the purpose of saving a half mile around, with high tension wires or something else that may be very dangerous to the community. That municipality says we don't want you to go through here. Why should we be able to say to this great corporation is under the Public Service Commission of the great Commonwealth of Pennsylvania, and pay no attention to what that owner or that borough says, and you have to step back because that is a Public Service Commission corporation and if it wants to go through, let it go through. That is the proposition. Boil it down absolutely and that is it. There is nothing else to it. If there were any reason why this company could not get in, in any other way, where perhaps it would have to pay a right of way for the establishment of its poles over some farmer's land or over a right of way for its pipe line about five feet in width through his land; in such event we ought to protect the great interests which is seeking to get to a certain terminal point beyond from a terminal point here, by saying to them you can go as you please. But when there is a right of way through which they can go, why should we not say: "You cannot go in any way you see fit, notwithstanding the rules and sincere objections of an entire municipality, or here or there or yonder, if you please." Take it in our great City of Pittsburgh. Take it in the great City of Philadelphia which embodies the whole County of Philadelphia. Is there any place along the borders of that great city in the east that a corporation which is established in that city cannot and must not go through a borough? Is there any place that it cannot go in and through a rural district without going through a borough? In the City of Pittsburgh we have seventeen boroughs adjoining that city, separated from it by imaginary lines and you cannot conceive of the establishment of a corporation which desires to reach a certain point within or inside of that city without passing through some borough. You cannot conceive of it because it is not possible. You may say, take the borough in which I live, surrounded on one side by the Borough of St. Clair, on the other side by the City of Pittsburgh and on the other side by Knoxville and by the Borough of Carrick; a little municipality surrounded by other and larger municipalities, and if the borough of Mt. Oliver should see fit to make arrangements with a public service corporation to serve these interests and then in that event that public service corporation should have the right to cross the borough of St. Clair, run

into or through the Boroughs of Carrick, Knoxville and run into the City of Pittsburgh, if you please, in order to reach that terminal point; it is unfair. If it is of sufficient vital importance to a corporation to reach that destination than in that even let them pay for their way by making an arrangement with those municipalities through which they desire to go. It is unfair, it is unjust, it is unamerican to make such a provision as that which is contained in this bill, in order to care of conditions which any corporation itself can take care of in a businesslike way, and this amendment ought to be injected into this bill by striking out the section as it now stands.

Mr. I. GORDON FORSTER. Mr. Speaker, I am surprised at the narrow view of the gentleman from Allegheny which he is taking on the provisions of this bill. He says that there is no reason why a municipality in this Commonwealth should be subservient to the right of any great corporation. Now, I know that he does not make that statement with a full and careful consideration of what the provision of the bill actually carries with it. No, of course, no municipality should be subservient to any corporation in this Commonwealth. I say, however, that no borough or no individual has the right to stand in the way of and block progress in any municipality and be put in such a position that they can prevent some great public service corporation entering into some great city or a great town and benefitting that place. If you put a provision or an amendment into this bill so that that little town can stop it, I say you don't serve the community, the municipality or the State. There is absolutely no reason for this amendment whatever. This bill is for the benefit of the people of this State. It is not for the benefit of the great corporations; it is not for the benefit of some municipality; it is not for the benefit of the great City of Philadelphia or the great City of Pittsburgh. It is for the benefit of all the citizens in the City of Philadelphia, in the City of Pittsburgh and in the State of Pennsylvania. No one has the right to block progress or to give the right to municipalities and boroughs to prevent progress and advancement of public service corporations from entering those towns by imposing such terrific obligations or attempting to impose such obligations upon such public service corporations that it is absolutely unable to go through; but compel them in the way of reaching the center of the city to go around through an adjoining community. That is unfair. It is a great deal more unfair to permit any municipality to block a big country than it is to provide this power to the commission. The idea of this commission is to have a concentrated power to make the progress of public service corporations possible and to make it fair. The municipality has no advantage and eventually the citizens would pay the freight.

The SPEAKER. The question is on the adoption of the amendment.

The yeas and nays were required by Mr. HUMES and Mr. STRAUSS, and were as follows:

YEAS—79.

Allen,	Donahoe,	Letzkus,	Rothenberger,
Barner,	Donnally,	Light,	Sassaman,
Benninger,	Dunn, H. B.,	Lohr,	Savacool,
Benson,	Foster, J. D.,	Malle,	Scott, J. R. K.,
Bergey,	Geary,	Martin,	Semmens,
Berntheizel,	Geiser,	Matt,	Shaffer, I. E.,
Bigger,	Glenn,	McDermott,	Showalter,
Blair, W. F.,	Good,	McKay,	Smith, J. W.,
Body,	Goss,	Mellott,	Snavely,
Brosius,	Grabe,	Metzenbacher,	Steedle,
Brown,	Hemminger,	Murphy,	Strauss,
Brownlee,	Herman,	Musser,	Thomas,
Burnett,	Howard, R.,	Neely,	Trach,
Caldwell,	Humes,	Newbaker,	Ulman,
Campbell, C.M.,	Isler,	Peachey,	Walnut,
Carson,	Jones, J. R.,	Perry, H. L.,	Wettach,
Claycomb,	Kaiser,	Peters,	Wilson, J. H.,
Cleary,	Kitts,	Post,	Wilson, W. H.,
Collins,	Kuhns, E.G.M.,	Price,	Young, G. K.,
Conniff,	Lanius,	Roney,	

NAYS—94.

Adams,	Gans,	McArdle,	Rockwell,
Alworth,	Gibson,	McCaig,	Runk,
Arthur,	Gramley,	McNichol,	Schaeffer, A. C
Baldwin, G. A.,	Gransback,	Mechling,	Schuck,
Baldwin, R. J.,	Gray, Joseph,	Miller,	Scott, S. B.,
Bayle,	Hackett,	Missimer,	Sherwood,
Blair, W. A.,	Haggerty,	Mitchell,	Smith, L.,
Cheeseman,	Heyburn,	Moore,	Snyder,
Conner,	Hibshman,	Morrow,	Speiser,
Conrade,	Hobbs,	Moses,	Spillinger,
Cox,	Hoffman,	Moulthrop,	Steele,
Currier,	Howard, J.,	Neel,	Stone,
Curry,	Jackson,	Newton,	Swartz,
Davis,	Jones, E. E.,	North,	Swift,
DeFrees,	Keeport,	O'Neill,	Ulerich,
Dickinson,	Kenna,	Pennegar,	Walsh,
Down,	Kuhn, H. P.,	Pennock,	Walton,
Dunn, J. A.,	Latshaw,	Piper,	Watson,
Ehrhardt,	Leslie,	Ramsey,	Whitaker,
Eichenberger,	Lowers,	Redfield,	Whitman,
Ely,	Mather,	Reese,	Williams,
Ewing,	McAleer,	Reeser,	Wiltbank,
Fahey,	McAllister,	Rhoads,	Alter,
Forster, I. G.,			Speaker.
Frey,			

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

RESOLUTION RECALLING HOUSE BILL NO. 416 FROM THE GOVERNOR.

Mr. WALNUT asked and obtained unanimous consent to offer the following resolution, which was twice read, considered and agreed to:

Resolved (if the Senate concur), That House Bill No. 416, entitled:

An Act to prevent occupational diseases and to provide for the health of employes exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

The House resumed consideration of House Bill No. 183.

The thirteenth and fourteenth sections of Article III of the bill were separately read and agreed to as follows:

Section 13 No contract or agreement between any public service company and any municipal corporation shall be valid unless approved by the Commission Provided That upon notice to the local authorities concerned any public service company may apply to the Commission before the consent of the local authorities has been obtained for a declaration by the Commission of the terms and conditions upon which it will grant its approval of such contract or agreement if at all

Section 14 Every public service company shall be entitled to the full enjoyment and exercise of all and every the rights powers and privileges which it lawfully possesses or might possess at the time of the passage of this act except as herein otherwise expressly provided

The several duties rights powers and limitations of rights and powers of public service companies as enumerated in article two and this article three respectively or contained in any of the provisions of this act or the performance exercise or enforcement thereof by or in favor of or against any public service company shall in every proper case be subject to section twelve of article sixteen sections one and four of article seventeen of the Constitution of the Commonwealth and to any other applicable provisions of the Constitution of the Commonwealth or of the United States

The first, second, third, fourth, fifth, sixth, seventh, eighth, ninth, tenth, eleventh, twelfth, thirteenth, fourteenth, fifteenth, sixteenth, seventeenth, eighteenth, nineteenth and twentieth sections of Article IV of the bill were separately read and agreed to as follows:

ARTICLE IV

Constitution of Commission

Section 1 For the purpose of regulating public service companies and of carrying out the provisions of this act an administrative body or Commission is hereby established to be known as "The Public Service Commission of the Commonwealth of Pennsylvania" and in that name it shall issue its orders and certificates and may become or be made a party to legal proceedings It shall have an official seal which shall be prepared and furnished by the Secretary of the Commonwealth with the words "The Public Service Commission of the Commonwealth of Pennsylvania" and such other design as the Commission may prescribe engraved thereon by which seal it shall authenticate its proceedings and of which seal the courts shall take judicial notice

Section 2 This Commission shall consist of seven members who shall be appointed by the Governor by and with the advice and consent of the Senate Each Commissioner at the time of his apointment and qualification shall be a resident of the Commonwealth of Pennsylvania and shall have resided therein for a period of at least one year next preceding his appointment and shall also be a qualified elector therein and not less than thirty years of age

The Commissioners first appointed under this act shall continue in office for the terms of one two three four five six and seven years respectively from the first day of July Anno Domini one thousand nine hundred and thirteen and until their respective successors shall be duly appointed and shall have qualified but their successors shall each be appointed for a term of seven years

A member of said Commission designated by the Governor shall during his term of office be the chairman of the Commission The chairman shall when present preside at all meetings and in his absence the member whose term shall first expire shall preside

Section 3 When a vacancy shall occur in the office of any Commissioner a Commissioner shall in the manner aforesaid be appointed for the residue of the term If the Senate shall not be in session when this act is approved or when any vacancy occurs the original appointments or any appointment made by the Governor to fill a vacancy shall be subject to the approval of the Senate when convened

A quorum of the Commission shall be four members who for all purposes including the making of any order or the ratification of any act done or order made by one or more of the Commissioners must act unanimously

No vacancy in the Commission shall impair the right of a quorum of the Commissioners to exercise all the rights and perform all the duties of the Commission

Section 4 Any investigation inquiry or hearing which the Commission has power to undertake or hold may be undertaken or held by or before any one of the Commissioners upon condition however that such Commissioner shall first have been authorized by the Commission to undertake or hold such investigation inquiry or hearing All investigations inquiries or hearings before or by any such Commissioner shall be and be deemed to be the investigations inquiries and hearings of the Commission Any determination ruling or order of a Commission upon any such investigation inquiry or hearing undertaken or held by him shall not become and be effective until approved and confirmed by at least a quoroum of the Commission and ordered to be filed in its office Upon such confirmation and order such determination ruling or order shall be the determination ruling or order of the Commission

Section 5 The Commission shall have a secretary to be appointed by it and to hold office at its pleasure It shall be the duty of the secretary to keep a full and true record of all the proceedings of the Commission and of all determinations rulings and orders made by the Commission or by any of the Commissioners and of the approval and confirmation by the Commission of determinations rulings or orders made by individual members thereof

The Secretary shall be the custodian of the records of the Commission and file and preserve at its general office all books maps profiles tariffs schedules reports and documents and papers whatsoever filed with it or entrusted to its care and shall be responsible to the Commission for the same

Under the direction of the Commission the secretary shall be its chief executive officer have general charge of its general office superintend its clerical business conduct its correspondence give notice of all determinations rulings and orders of the Commission prepare for service such papers and notices as may be required of him by the Commission and perform such other duties as the Commission may prescribe He shall have power and authority to administer oaths in all parts of the Commonwealth in all proceedings by or before the Commission or any Commissioner and in all cases or matters appertaining to the duties of his office

The secretary shall have power to designate from time to time one of the clerks appointed by the Commission to perform the duties of the secretary during his absence and the clerk so appointed shall possess for the time designated the powers of the secretary of the Commission

The secretary shall be the disbursing officer of the Commission subject to the approval of the Commission with respect to both requisitions and expenditures and before entering upon the duties of his office he shall file in the office of the Secretary of the Commonwealth a bond to the Commonwealth with corporate security in the sum of ten thousand dollars to be approved by the Governor conditioned for the faithful performance of his official duties

Section 6 The Attorney General shall ex officio be the general counsel of the Commission He shall nominate to the Commission for appointment by it two attorneys members of the bar of the Supreme Court of Pennsylvania as counsel and assistant counsel respectively for the Commission The said counsel or assistant counsel shall attend the hearings before the Commission or a Commissioner conduct the examination of witnesses when requested so to do by the Commission or a Commissioner represent the Commission upon appeals and other hearings in the Court of Common Pleas and in the Superior and Supreme Courts or other courts of the State of Pennsylvania or in any Federal court and in actions instituted to recover penalties and to enforce orders of the Commission Said counsel and assistant counsel shall also assist the Attorney General in conducting all mandamus injunction and quo warranto proceedings at law or in equity instituted by him for the enforcement of the determinations rulings and orders of the Commission and shall perform such other professional duties as may be required of them or either of them by the Commission

Section 7 The Commission shall appoint a marshal to serve during its pleasure He shall attend the hearings of the Commission preserve order there at superintendent the serving of subpoenas orders of the Commission and such other papers as the Commission may direct make such reports and perform such other duties as may be prescribed by the Commission

Section 8 The Commission shall appoint an "Investigator of Accidents" whose duty it shall be to have charge of the investigation of and to investigate subject to the orders and direction of the Commission the cause of any accident in or about or in conjunction with the operation of the property facilities or service of any public service company wherein any person shall have been killed or injured or property shall have been destroyed or injured which may be assigned to him for investigation by the Commission or of the happening of which he may by due diligence obtain knowledge and to make a full and complete report thereon to the Commission and also to report to the Commission whether any public service company has failed to perform the duties prescribed by Article two section one (x) of this act with relation to accidents of the happening of which in the exercise of due diligence he may obtain knowledge and also to collate and tabulate all data statistics and other pertinent information for the use of the Commission obtained by him as the result of such investigations and to make an annual report of such investigation to the Commission without recommendations as to means or methods whereby such accidents may be averted and to perform all such other duties concerning said accidents as to the Commission may seem advisable for the promotion of the safety of patrons and employees of public service companies and of the safety and welfare of the public Such reports statistics data or information shall not be admitted in evidence for any purpose in any suit for damages growing out of any matter or thing mentioned therein

Section 9 The Commission shall have power to employ during its pleasureand at such rates of compensation as it may determine such officers experts engineers statisticians accountants inspectors clerks and employees as it may deem necessary to carry out the provisions of this act or to perform the duties and exercise the powers conferred upon the commission

Section 10 Each of the Commissioners shall receive an annual salary of ten thousand dollars except the Chairman who shall receive an annual salary of ten thousand five hundred dollars

The secretary shall receive an annual salary of five thousand dollars

The counsel for the Commission shall receive an annual salary of seven thousand five hundred dollars

The assistant counsel for the Commission shall receive an annual salary of five thousand dollars

The marshal shall receive an annual salary of two thousand dollars

The investigator of accidents shall receive an annual salary of five thousand dollars

The salaries hereinbefore mentioned and the salaries or compensation of all other officers agents appointees and employees of the Commission shall be payable monthly

Each member of the Commission its secretary attorneys marshal and investigator of accidents and other officers agents employees and appointees shall be paid in addition to their stipulated salary or compensation the railroad fare board lodging and other traveling expenses necessarily and actually incurred by each of them in the performance of the duties required by this act or performed by direction of the Commission

Section 11 The salaries when properly certified by the secretary of the Commission shall be audited by the Auditor General and when audited and allowed shall be paid out of moneys specifically appropriated for that purpose by warrants drawn therefor by the Auditor General upon the State Treasurer

All disbursements of such a nature as to make it impracticable for the Commission to file with the Auditor General itemized receipts or vouchers prior to the advance by the accounting officers of funds sufficient to meet such expenses shall be paid out of money specifically appropriated for that purpose in the manner provided by an act entitled "An Act prescribing the method for disbursing and accounting for certain appropriations to the departments bureaus commissions and other branches of the State Government" approved April twenty-third Anno Domini one thousand nine hundred and nine

The moneys necessary to carry this act into effect shall be appropriated to the Commission biennially as an time in the general appropriation bill

Section 12 No person shall be appointed a member of the Commission or hold any place position or office under it who occupies any official relation to any public service company doing business in this Commonwealth or who holds any other appointive or elective office of the Commonwealth of any municipality thereof No Commissioner shall during his term be a candidate for any such office

No Commission and no employee appointee or official engaged in the service of or in any manner connected with said Commission shall hold any office or position or be ingaged in any business employment or vocation the duties of which are incompatible with the duties of his office or employment as Commissioner or in the service or in connection with the work of the Commissioner No Commissioner shall particiapte in any hearing or proceeding in which he has any direct or indirect pecuniary interest Every Commissioner the said secretary attorneys marshal and investigator of accidents and every individual employed or appointed to office under the service of or in connection with the work of the Commission is hereby forbidden to solicit suggest request or recommend directly or indirectly to any public service company or to any officer attorney agent or employee thereof the appointment of any individual to any office place or position in or the employment of any individual in any capacity by said public service company

Section 13 Every public service company and every officer attorney agent or employee thereof is hereby forbidden

to offer to any Commissioner the said secretary attorneys marshal or investigator of accidents or to any person appointed or employed by the Commission any office place appointment or position or to offer to give any Commissioner the said secretary attorneys marshal or investigator of accidents or to any person employed in the service of the Commission or in connection with the work of the Commission any free pass or transportation or any reduction in fares to which the public generally is not entitled or any free carriage of property or any present gift or gratuity money or valuable thing of any kind

Section 14 If the secretary marshal or investigator of accidents or any person employed or appointed in the service of the Commission shall violate any provision of this act the Commission shall forthwith remove him from the office or employment held by him

Section 15 The Governor may remove any Commissioner or any of the counsel to the Commission for inefficiency neglect of duty or misconduct in office giving him a copy of the charges against him and affording him an opportunity to be publicly heard in person or by counsel in his own defense upon not less than ten days' notice If such Commissioner shall be removed the Governor shall file in the office of the Secretary of the Commonwealth a complete statement of all charges made against such Commissioner and his finding thereon together with a complete record of the proceedings

Section 16 Each Commissioner the said secretary attorneys marshal and investigator of accidents shall qualify before entering upon the duties of their respective offices or appointments by taking and subscribing before the Secretary of the Commonwealth the oath prescribed by Article seven of the Constitution of this Commonwealth

Section 17 The principal office of the Commission shall be in the city of Harrisburg in such rooms in the Capitol building or other public building as may be designated by the Board of Commissioners of Public Grounds and Buildings Branch offices shall be established in the cities of Pittsburgh and Philadelphia and may be established elsewhere

Section 18 The Commission or a quorum thereof shall hold stated meetings at least twice a month during the year at its principal office or at one of its branch offices and may hold meetings at any time and at any place within this Commonwealth

Section 19 The Board of Commissioners of Public Grounds and Buildings shall upon requisition of the secretary of the Commission furnish the Commission with such books stationery furniture and supplies as may be needed properly to conduct the affairs of the Commission

The printing and binding necessary for the proper performance of the duties of the Commission or the proper preservation of books documents and papers filed with the Commission shall be done by the state printer upon the order of the Superintendent of Public Printing and Binding upon requisition of the secretary of the Commission

Section 20 The principal office of the Commission at Harrisburg and the branch offices at Philadelphia and Pittsburgh shall be open for business between the hours of nine ante meridian and five post meridian every business day in the year and one or more responsible persons to be designated by the Commission or by the secretary under the direction of the Commission shall be on duty at all times in immediate charge thereof

The first, second and third sections of Article V of the bill were separately read and agreed to as follows:

ARTICLE V

Powers and Duties of Commission

Section 1 The Commission shall have general administration power and authority as provided in this act to supervise and regulate all public service companies doing business within this Commonwealth or empowered so to do

Said power and authority shall include the power to inquire into and regulate the service rates fares tolls or charges of any and all public service companies including individual and joint rates the charges for long and short transmission of messages and conversations by telegraph and telephone companies interchange of facilities or traffic or other service the making of repairs alterations additions extensions and improvements in and to such service the granting of transfers between different lines of common carriers or to or from one part of the system of the same common carrier to another part the routing of the lines of street railways under the provisions of the act entitled "An Act authorizing traction or motor power companies and street passenger railway companies running leasing controlling or operating different lines of street railways to operate all of said lines as a general system and to lay out such new routes or circuits over the whole or any part of any street or streets occupied by such different companies and to run cars thereon for such distances and in such directions as will in the opinion of the operating company best accommodate public travel" approved the fifteenth day of May Anno Domini one thousand eight hundred and ninety-five (Pamphlet Laws sixty-five) or otherwise the just and equitable distribution of trains-cars vehicles and motive power or other facilities of all common carriers the granting construction operation or discontinuance of switches sidings and crossings the location or abolition of freight and passenger stations wharves docks or piers the use and compensation for cars owned or controlled by persons other than the carrier the safety adequacy and sufficiency of the facilities plant and equipment for the carrying on of their business by said public service companies the quantity or quality of water gas electricity or light heat or power supplied and as specifically provided in this act the issuing of stocks trust certificates bonds notes or other evidences of indebtedness or other securities by public service companies and generally all acts matter and things incident to the management and conduct of their business and the performance of their duties to their patrons employees and the public and their compliance with the provisions of the Constitution the laws of the land and their charters

Section 2 Whenever the Commission shall determine after hearing had upon its own motion or upon complaint as hereinafter provided that the service facilities rules regulations practice or classifications of any public service company in respect to or in connection with or employed by or in the conduct and management of its business or the performance of its public duties within this Commonwealth are unsafe inadequate insufficient unjust or unreasonable the Commission shall determine and specify by an order in writing to be made and filed as hereinafter provided and to be served as hereinafter provided upon every public service company to be affected thereby the safe adequate sufficient just and reasonable service facilities plant and equipment rules regulations or practices thereafter to be put in force observed rendered used or furnished in the transaction of its business and the performance of its public duties by said public service company or companies and thereupon it shall be the duty of every public service company affected by said order to observe and obey said order and all and every the mandates and requirements thereof

Section 3 Whenever the Commission shall determine after hearing had upon its own motion or upon complaint that the rates fares tolls or charges established demanded exacted charged or collected by any public service company or companies for any service rendered or furnished are unjust or unreasonable or are unduly or unreasonably discriminatory or preferential or that the facilities or service furnished or rendered by any public service company or companies are unduly or unreasonably discriminatory or unduly or unreasonably preferential in favor of or against any particular person corporation locality or any particular kind or description of traffic or service then the Commission shall determine and prescribe by a specific order the maximum just due equal and reasonable rates fares tolls and charges to be thereafter established demanded exacted charged or collected for the service to be performed and the just due equal reasonable and proper regulations and practices as affecting such rates to be observed by the public service company and the Commission may classify such rates The said order shall be served as hereinafter provided upon all public service companies by which such rates fares tolls and charges and such regulations and practices affecting the same are thereafter to be charged and observed The power to fix maximum rates or charges shall include the power to fix joint rates or charges where joint service is rendered by two or more public service companies or where other public service companies may be interested in the rate or charge

The fourth section of Article V of the bill was read as follows:

Section 4 Whenever the Commission receives notice of any change proposed in any tariff or schedule filed or posted under the provisions of this act it shall have power either upon complaint or upon its own motion and if it so orders without answer or other formal pleading by the interested public service company after notice to hold a public hearing and make investigations as to the propriety of such proposed change and of the new rate practice or classification After such hearing and investigation whether completed before or after such change goes into effect the Commission may make such order in reference to the new rate practice and classification as would be proper in a proceeding initiated after the same had become effective At any such hearing involving any proposed increase in any rate the burden of proof to show that such increased rate is just and reasonable shall be upon the public service company

The Commission shall have power in its discretion and for good cause shown to permit changes in the schedules filed and published upon less than the thirty days' notice specified in Article two section one (g) of this act or upon other conditions which shall be just and reasonable

The Commission shall also have power in its discretion where any notice of increase in any rates fares tolls or charges of a public service company has been filed to require by general rule or special order that such company shall furnish to its shippers consumers or other persons a certificate or other evidence of payments made by them in excess of the prior established rate

On the question,

Will the House agree to the section?

Mr. HUMES. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend Article V, Section 4, by adding after the last word of the section the following:

"The Commission upon its own motion or upon complaint shall also have the power to suspend the operation of any increase in any rate, fare, toll or charge proposed by any public service company. When any rate, fare, toll or charge is so suspended it shall be unlawful for any public service company to ask demand, or receive any such increased rate, fare, toll or charge until such increased rate, fare, toll or charge be approved and allowed by the Commission.

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, under this bill as it is drafted, there is no power vested in the Commission to suspend an increased rate, no matter how unreasonable or excessive it may be, pending an investigation of the rate. This another new department for a public service law. Under every existing public service law, the Public Service

Commission, and under the Federal Law the Interstate Commerce Commission has a right to suspend an increase in rates or the operation of an increase in rates, until they have had an opportunity to investigate any complaint that may have been made, in order to ascertain whether or not it is reasonable and proper. Under the provisions of this bill as it stands, all the public service commission can do is to require, if they wish to and it is in their discretion, that the public service company shall issue certificates to every shipper or patron, requiring the designating of the amount of the excess and if subsequently that charge is found unreasonable by the Commission, the man who holds that certificate can recover back from the company the excess. It may require an action at law to accomplish that recovery.

And it only would result in a multiplicity of actions in order that justice might be done to shippers and patrons and it would result in a discrimination against the little shipper and the little patron. The large shipper, who may be shipping considerable and may be greatly patronized. such as a public service company to a large extent might receive certificates of this kind for a large sum of money. It would concern him greatly and he would be interested in securing the certificates; but the small shipper, where the excess paid by him was only one, two, five or possible twenty-five dollars, would be placed in the position that if he secured a return of the overcharge he would be compelled to incur expense and cost in excess of the amount of his claim and consequently it would be impracticable and impossible for him to recover for the overcharge. So I say that the bill as it stands is a discrimination against the great rank and file of the people, and it creates a discrimination in favor of the big shipper and the big patron. Under this amendment the Commission can, when the rate is increased and it believes that rate is excessive, suspend the operation of that rate until it has made an investigation. The bill as it stands in this particular, is branching out in a new field. It is an absolutely new departure in so far as legislation on this subject is concerned and unless secured by this by this amendment we are face to face on the question as to whether or not we are going to protect the small consumer. the small shipper and the small patron, or whether we are going to concern ourselves only with the big interests that seem to be heartily in favor of all the provisions of this bill.

Mr. ROCKWELL. Mr. Speaker, I think the gentleman who has offered this amendment has failed to grasp the whole purpose of the section and the bill. The bill is drawn to my mind, to give a fair and square deal to all parties in interest all around and especially this section and to bring that matter to your attention in just a word I want to cite a concrete example. We will say that a gas company which now has a rate of 80 cents per thousand square feet sees fit to advance the rate to one dollar. Immediately the complaint is made to the Commission and they investigate and the Public Service Commission says that the advance is not proper. Then the Public Utility has a right under this bill, as in every section or every case where they claim they are aggrieved, to appeal to the Court. We will say that it appeals to the Court and the Court finally overrules the Commission and says the rate of one dollar was proper. If the Commission had the right to suspend the rate and the Public Service Corporation had been deprived of this twenty cents, of course, all the time this case was pending, to be paid by its patrons and many of them irresponsible people, moving away and changing, they now could get all back and it is something that they should be entitled to. Now the bill goes on to provide further, that in the event of such situation after the rate has been advanced and the Commission says it shall not be and the Public Service Company appeals, they shal file a bond in a sufficient amount to cover all questions, all matters and amounts arising over the advanced rate, a refunding bond, which will be approved by the Court and then you and I will be protected from this advanced rate. Somebody is obliged to give us a certificate in the nature of a receipt, attached to the receipt on which we pay the gas bill, and the refunding bond is given as a protection to take care of that and thus the whole public is protected. The Public Service Corporation is protected and we believe the bill is drafted to give a fair and square deal to the public and to the Public Service Corporation.

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Tioga.

The SPEAKER. Will the gentleman from Tioga permit himself to be interrogated?

Mr. ROCKWELL. Mr. Speaker, Yes, sir.

Mr. HUMES. Mr. Speaker, I would like to inquire as to whether or not the bond to which he refers is filed only upon an appeal from the findings of the Commission?

Mr. ROCKWELL. Mr. Speaker, as I read all the provisions of the bill, it is only filed in that case.

Mr. HUMES. Mr. Speaker, then I would like to inquire how that bond would protect any one in case the public abided by the Commission and did not appeal from the Commission?

Mr. ROCKWELL. Mr. Speaker, there would be no reason to protect anybody.

Mr. HUMES. Then, Mr. Speaker, I would like to inquire as to whether or not, if an excessive increase in rate was made, which was afterwards found excessive by the Commission, it would not give the Public Service Company the use of a large sum of money in the nature of an overcharge during the time that the proceeding was pending before the Commission?

Mr. ROCKWELL. Mr. Speaker, it might give them the use of a small sum or larger sum, but I could not see where it would be very much, because I think the appeal would be expeditiously carried out and decided. As I recall the provisions of the bill there must be thirty days notice given of a proposed increase.

Mr. HUMES. Mr. Speaker, I would like to inquire if it would not be necessary, if the Public Service Company desired it, to compel an action on the part of each individual holder of a certificate to recover the overcharge?

Mr. ROCKWELL. Mr. Speaker, I do not think so. The bond would protect them and the Court would protect the payment of the bond.

Mr. HUMES. Mr. Speaker, my question is, applied to the condition that would exist if no appeal was taken and consequently no appeal filed.

Mr. ROCKWELL. Mr. Speaker, I do not catch the question.

Mr. HUMES. Mr. Speaker, my question is this: If no appeal is taken from the award or finding of the Commission, but it is abided by by the Service Company, if it would not be necessary, if the public utility company so desired it, to require a separate suit to recover the amount due each individual shipper, patron or holder of a certificate?

Mr. ROCKWELL. Mr. Speaker, I am fully justified in saying, as I said before the gentleman does not understand the provision of this section, that if the Company advance the rate and the Public Service Commission says "No," your advance is not proper, and the Public Utility Company does not appeal, there is nothing to be done in any shape or manner.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman how he arrives at that conclusion if the increase in rate was had and it was pending before the Commission for two months or three months or for a given period of time, and as the result of the hearing the Commission held that the rate was unreasonable and suspended or refused to permit the collection of the increased rate?

Mr. ROCKWELL. Mr. Speaker, as I understand it, the Public Service Corporation must give thirty days notice of the intention to advance the rate and that within that thirty days the Commission would decide whether or not the advance was proper.

Mr. HUMES. Mr. Speaker, then as I understand it, the conditions to which you refer and to which this bill applies is based largely on the suspicion of what will occur before the Commission?

Mr. ROCKWELL. Mr. Speaker, to a certain extent. If we cannot trust the Commission, as I said before, we had better not have a bill at all.

Upon the question,

Will the House agree to the amendment?

The yeas and nays were required by Mr. HUMES and Mr. MATT, and were as follows:

YEAS—73.

Allen,	Donahoe,	Lenker,	Price,
Barner,	Donnally,	Letzkus,	Roney,
Benninger,	Down,	Light,	Rothenberger,
Benson,	Dunn, H. B.,	Lohr,	Sassaman,
Bergey,	Heidinger,	Malie,	Savacool,
Bigger,	Herman,	Mannion,	Scott, J. R. K.,
Blair, W. A.,	Howard, R.,	Matt,	Smith, J. W.,
Blair, W. F.,	Humes,	McDermott,	Snavely,
Bleloch,	Isler,	Mellott,	Steedle,
Body,	Jackson,	Metzenbacher,	Strauss,
Burnett,	Kaiser,	Murphy,	Trach,
Caldwell,	Keegan,	Musser,	Ulman,
Campbell, C.M.,	Kennedy,	Neely,	Wettach,
Carson,	Kern,	Newbaker,	Wilson, J. H.,
Cochran,	Kuhns, E.G.M.,	Perry, H. L.,	Young, G. K.,
Collins,	Lanius,	Peters,	Zimmerman,
Conniff,			

NAYS—103.

Adams,	Fahey,	Martin,	Schaeffer, A. C
Alworth,	Forster, I. G.,	Mather,	Schuck,
Ambler,	Frey,	McAleer,	Scott, S. B.,
Aron,	Gans,	McAllister,	Semmens,
Arthur,	Geary,	McArdle,	Shaffer, I. E.,
Baldwin, R. J.,	Gibson,	McCaig,	Sherwood,
Bass,	Gramley,	McKay,	Showalter,
Bayle,	Gransback,	Mechling,	Smith, L.,
Berntheizel,	Gray, Joseph,	Miller,	Snyder,
Brosius,	Hackett,	Missimer,	Speiser,
Brownlee,	Haggerty,	Mitchell,	Spillinger,
Carter,	Hemminger,	Moore,	Steele,
Cheeseman,	Heyburn,	Morrow,	Swartz,
Claycomb,	Hobbs,	Moses,	Swift,
Cleary,	Hoffman,	Moulthrop,	Thomas,
Conner,	Howard, J.,	Neel,	Ulerich,
Conrade,	Irwin, H. H.,	O'Neill,	Walton,
Cox,	Jones, E. E.,	Pennegar,	Watson,
Currier,	Jones, J. R.,	Pennock,	Whitaker,
Curry,	Kaufman,	Ramsey,	Whitman,
Davis,	Keeport,	Redfield,	Williams,
DeFrees,	Kitts,	Reese,	Wright, W. H.,
Dickinson,	Kuhn, H. F.,	Reeser,	Wiltbank,
Ehrhardt,	Latshaw,	Rhoads,	Young, J. H.,
Eichenberger,	Leslie,	Rockwell,	Alter,
Ely,	Lowers,	Runk,	Speaker.
Ewing,			

So the question was determined in the negative and the amendment was not agreed to.

On the question recurring,

Will the House agree to the section?

It was agreed to.

SENATE MESSAGE.

AMENDMENTS TO HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House to House Bill numbered and entitled as follows:

House Bill No. 645:

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly relating thereto and providing penalties for violation of this act

said bill having been recalled from the Governor for the purposes of amendment.

BILL ON SECOND READING.

THE HOUSE RESUMED CONSIDERATION OF HOUSE BILL NO. 183.

The fifth section of article five was read as follows:

Section 5 If after hearing upon complaint or upon its own motion the Commission shall determine that any rates which have been collected or any acts which have been done or omitted to be done or any regulations classifications or practices which have been enforced for or in relation to any service rendered whether before or after the passage of this act by any public service company complained of were in violation of any order of the Commission or were unjust and unreasonable or unjustly discriminatory or unduly preferential or in like manner shall find that the rates so collected are different from or in excess of the rates contained in the tariffs or schedules of any such public service company on file or posted and in effect and applicable at any time the said service was rendered the commission shall upon petition have the power and authority to make an order awarding and directing the payment to any such complainant petitioner within a reasonable time specified in the order of the amount of damages sustained in consequence of said unjust unreasonable or unlawful collections acts or omissions regulations classifications or practices of such public service company provided that such damages have been actually sustained by such complainant petitioner and provided further that in all cases of unjust discrimination or of undue preference by any public service company as to rates or charges the amount awarded and directed to be paid shall be treble the amount of damages actually sustained by such complainant petitioner as heretofore provided in the act approved the fourth day of June one thousand eight hundred and eighty-three Pamphlet Laws seventy-two in cases of common carriers so offending The Commission shall state in said order the exact amount to be paid as well as its findings upon pertinent questions of fact

If the public service company does not comply with the aforesaid order for the payment of money within the time fixed therein the person named therein to whom such payment is directed to be made may sue therefor in any Court of Common Pleas of this Commonwealth and said order made by the Commission shall be prima facie evidence of the facts therein stated and that the amount awarded is justly due the plaintiff in such suit and the defendant public service company shall not be permitted to avail itself of the defense that the service was in fact rendered to the plaintiff at the rate contained in its tariffs or schedules in force at the time payment was made and received

No reparation as herein provided shall be awarded by the Commission unless the complaint or petition shall have been filed with it within two years from the time when the cause of action accrued provided that claims accrued A suit for the enforcement of an order directing such payment shall be filed in the said Court of Common Pleas within one year from the date of the order and not after

No action shall be brought in any court or acount of the wrongs or injuries referred to in this section unless and until the Commission shall have determined that the rate regulation classification practice act or omission in question was unjust unreasonable or unjustly discriminatory or unduly preferential or different from or in excess of the rates contained in the said tariffs or schedules and then only to recover such damages as may have been awarded and directed to be paid by the Commission in said order

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendments as follows:

"Amend article 5, section 5, line 29, page 27: After the word "seventy-two" insert, entitled, "An Act to enforce the provisions of the Seventeenth Article of the Constitution relative to railroads and canals."

On the question,

Will the House agree to the amendment?

It was agreed to.

Mr. ROCKWELL. Mr. Speaker, I desire to offer further amendments.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

On page 48, article 5, section 5, line 48, after the first work "accrued" strike out the words, "provided that claims accrued."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

Section 6, of Article 5 was read as follows:

Section 6 In the case of any street railway corporation or incline plane corporation the Commission may also whenever it may deem it necessary or proper for the accommodation convenience or safety of the public in the conveyance of passengers after hearing had upon its own motion or upon complaint require such street railway corporations to transfer such passengers to or from another part of the system of the said streets railway corporation or incline plane corporation and to this end and object to make proper and convenient arrangement or adjustment of the time schedules of said street railway corporation and also to make such proper and convenient adjustment of its time schedules with those of other contiguous or connecting street railway corporations as to the Commission shall seem necessary or proper for the accommodation convenience and safety of the public

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment?

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend article 5, section 6, line 6, page 49, by inserting after the word "corporations" the words, "or inclined plane corporations."

In line 11, amend by inserting after the word, "corporation" the words "or inclined corporation."

Line 13, amend by inserting after the word, "corporations,' the words, "or inclined plane corporations."

On the question,
Will the House agree to the amendments?
They were agreed to.

Mr. ALLEN. Mr. Speaker, I desire to offer a further amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend on page 49, article 5, section 6, lines 7 and 8 by striking out the words, "part of the system of said street railway corporation or inclined plane corporation," and insert in lieu thereof the following: "Street railway or inclined plane or between different parts of any streets railway system."

On the question,
Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, I suggest that the gentleman from Tioga state whether or not this amendment be necessary.

Mr. ROCKWELL. Mr. Speaker, in view of the amendments adopted yesterday, it apears that this amendment should be put in.

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
The seventh section was read as follows:

Section 7 The Commission shall have power to require railroad corporations and street railway corporations to construct and maintain such switch or other connections with or between the lines of other railroad corporations or street railway corporations as the Commission shall deem necessary and proper for the service accommodation and convenience of the public and shall also have power to establish through routes and joint rates and classifications for the conveyance of persons and property between any two or more points within this Commonwealth whenever the railroad corporations concerned shall have refused or neglected voluntarily to establish such through routes and joint rates and classifications and to prescribe the just terms and conditions under which said through routes shall be operated Provided That in establishing such through route the Commission shall not require any railroad company without its consent to embrace in such route substantially less than the entire length of its railroad and of any intermediate railroad operated in conjunction and under a common management or control therewith which lies between the termini of such proposed through route unless to do so would make such through route unreasonably long as compared with another practicable through route which would otherwise be established

The Commission shall in case of failure of the railroad corporations or street railway corporations concerned to agree among themselves upon the division of the cost of construction maintenance and operation of the connections thus provided for or the allowance to be made for the interchange of service or the apportionment of any joint rates ascertained and by order prescribe and fix the equitable and just apportionment and division of the same

Nothing in this section shall give the Commission power over street railway corporations engaged in the business of carrying passengers but not engaged in the general business or transporting freight and which do not generally solicit the transportation of freight as a main branch of their business

On the question,
Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment to the section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend article 5, section 7, line 34, page 50, by striking out the word "ascertain" and inserting in lieu thereof the word "ascertained."

On the question,
Will the House agree to the amendment?
It was agreed to.
The section as amended was then agreed to.
Sections 8, 9, 10, 11, 12, 13, and 14 were then separately read as agreed to as follows:

Section 8 In the case of a telegraph corporation or person engaged in the public telegraph business the Commission may also whenever it may determine it to be necessary or proper for the accommodation or convenience of the public so to do after hearing had upon its own motion or upon complaint require any such telegraph corporation or person to permit any other such telegraph corporation or person engaged in the public telegraph business to connect its or his lines of telegraph with the lines of telegraph of such first-named telegraph corporation or person and interchangeably to receive dispatches from and for each other and from and for any individual or individuals and on payment of its or his usual charges to individuals for transmitting dispatches as established by the rates and regulations of such telegraph corporation or person or by the Commission as hereinafter provided to transmit such dispatches with impartiality and good faith

Section 9 In the case of a telephone corporation or person engaged in the public telephone business the Commission may also whenever it may determine it to be necessary or proper for the accommodation or convenience of the public so to do after hearing had upon its own motion or upon complaint require for just compensation and upon reasonable terms and conditions in case the parties cannot agree any such telephone corporation or person to connect its or his lines facilities and service with the lines facilities and service of any other such corporation or person to the end intent and purpose that telephonic communications and messages may be continuously transmitted over such connected lines and interchangeably received and delivered by such corporations or persons provided that no injustice shall be done thereby and that there shall be no substantial impairment or detriment to the service to be rendered to the public by such corporations or persons And provided further that such connection use and interchange shall not be required between rival or competing lines connecting the same localities or serving the inhabitants of the same locality for the purpose of supplying local service in that locality

Section 10 Where the public service companies entitled to share in any joint rate or charge shall be unable to agree upon the division thereof or shall make any unjust unreasonable or unduly discriminatory or preferential division or apportionment thereof the Commission may after hearing upon its own motion or upon complaint fix the proportion to which every such public service company shall be entitled

Section 11 The Commission may investigate the rates or interstate traffic facilities or service of common carriers within this Commonwealth and when such rates facilities or service are in the determination of the Commission unjust unreasonable or unduly or unreasonably discriminatory or preferential or in violation of the interstate commerce law or in conflict with the rulings orders or regulations of the Interstate Commerce Commission the Commission may apply by petition to the said Interstate Commerce Commission for relief or may present to the said Interstate Commerce Commission all facts coming to its knowledge as to the violation of the rules orders or regulations of that Commission or as to the violation of the interstate commerce law

Section 12 Except in cases in which grade crossings are in process of abolition at the time of the passage of this act under agreement or contract with a municipality as set forth in the proviso of section five of article three of this act The Commission shall have exclusive power to detremine order and prescribe in accordance with plans and specifications to be approved by it the just and reasonable manner including the particular point of crossing in which the tracks or other facilities of any jublic service company may be constructed across the tracks or other facilities of any other public service company at grade or above or below grade or at the same or different levels or in which the tracks or other facilities of any railroad corporation or street railway corporation may be constructed across the tracks or other facilities of any other railroad corporation or street railroad corporation or across any public highway at grade or above or below grade or in which any public highway may be constructed across the tracks or other facilities of any railroad corporation or street railway corporation at grade or above or below grade and to determine order and prescribe the terms and conditions of installation and operation maintenance and protection of all such crossings which may now or hereafter be constructed including the stationing of watchmen thereat or the installation and regulation of lights block or other system of signalling safety appliances devices or such other means or instrumentalities as may to the commission appear reasonable and necessary to the end intent and purpose that accidents may be prevented and the safety of the public promoted No such crossing shall be constructed without the approval of the Commission evidenced by its "Certificate of Public Convenience" as provided in section five of article three of this act but in no case shall the approval or consent of any court board or other commission or officer or of any municipality be necessary therefor It shall be proper however for the commission by general rule or order rule to prescribe the terms and conditions under which such whenever the same can be properly regulated by suitable general crossings may be constructed operated maintained or protected without the particular approval of the commission

The commission shall also have exclusive power upon its own motion or upon complaint and after hearing as hereinafter provided (of which all the parties in interest including the owners of adjacent property shall have due notice to order any crossing aforesaid now existing or hereafter constructed at grade or at the same or different levels to be re-located or altered or to be abolished according to plans and specifications to be approved and upon just and reasonable terms and conditions to be prescribed by the commission

The compensation for damages which the owners of adjacent property taken injured or destroyed may sustain in the construction re-location alteration or abolition of any such crossing specified in this section (for which compensation the said owners are hereby invested with warrant of authority upon appeal from the determination of the Commission to sue the Commonwealth shall after due notice and hearing be ascertained and determined by the Commission and such compensation as well as the expense of the said construction relocation alteration or abolition of any such crossing shall be borne and paid as hereinafter provided by the public service company or companies or municipal corporations concerned or by the Commonwealth either sev-

erally or in such proper proportions as the Commission may after due notice and hearing in due course determine unless the said proportions are mutually agreed upon and paid by those interested as aforesaid

In prescribing the terms and conditions upon which any such crossing may be constructed or re-located or altered or abolished and the proportionate contributions to the expense thereof including the damages or compensation to the owners of adjacent property as aforesaid the commission may among other things take into consideration the relative importance to the public of the services rendered by the public service companies concerned as well as the priority of location provided that where any portion of the cost and expense thereof shall have been or shall be borne in the future by the Commonwealth or any municipal corporation such portion shall not be taken into account by the Commission in fixing any valuation for any purpose under any of the provisions of this act and provided further that where the order of the Commission shall as part of the regulation of the construction re-location alteration or abolition of any crossing aforesaid require as incidental thereto a re-location changes in or the removal of any adjacent structures equipment or other facilities of any telegraph telephone gas electric light water-power water pipe line or other public service company said company shall at its own expense re-location change or remove such structures equipment or other facilities in conformity with the order of the Commission and in default of compliance with such order the Commission shall cause the work and materials to be done and furnished in accordance with the said order and may recover the cost and expense thereof from the said public service company

Before the commission shall make any final order relative to the construction re-location alteration or abolition of any crossing involving any public highway or street an effort shall be made by the Commission to reach an agreement with the proper officials of the municipal corporations concerned determining the plans and specifications covering such crossing and in default of such agreement the commission shall exercise the exclusive power vested in it under this section and shall finally determine and adopt the complete plans and specifications and locate all lines and grades in said public highways and streets and may permit the public service company or companies or the municipal corporation to do the whole or any portion of the work in accordance therewith otherwise the commission shall do the work by contract or contracts to be awarded after due advertisements to the lowest responsible bidder in accordance with the said plan specifications

The said contractor shall be authorized in the name of the Commission to collect by due process of law from the public service company or companies or the said municipal corporations or from the Commonwealth either severally or proportionately as may be determined by the Commission the amount which may be justly due him under the terms of his said contract with the Commission and any amount so determined to be paid by the said contractor by the Commonwealth as well as the amount of damages or compensation determined and awarded to be paid the owners of adjacent property as aforesaid shall in each instance be paid by the State Treasurer on a warrant drawn by the Auditor General upon the presentation to that officer of a statement setting forth the amount determined to be paid as aforesaid duly certified by the Commission said payments to be made out of any funds specifically appropriated for such purpose of generally appropriated for the improvement of the roads or highways of the Commonwealth and in case of a verdict and judgment thereon for the damages or compensation recorded by any such adjacent property owners upon appeal the same shall be paid out of any funds appropriated as aforesaid and any Court of Common Pleas hearing and determining said appeal is hereby authorized and empowered to issue a writ of mandamus to said Commission the Auditor General and the State Treasurer or any of them as the case may require for the payment of such judgment

The Commission shall have the right to recover for and on behalf of the Commonwealth by due process of law as debts of like amount are now by law recoverable from the public service company or companies or municipal corporations in such amounts or proportions against each as may be determined by the Commission as aforesaid the amount of the damages or compensation awarded to the owners or adjacent property by the Commission or by the court of the proper county on appeal and the amounts so recovered shall be paid into the State treasury for the improvement of the boards of the Commonwealth

Section 13 The Commission may after hearing had upon its own motion or upon complaint establish such standards of facilities and service of public service companies as shall be reasonably necessary for the safety accommodation or convenience of its patrons employees and the public and require by an order to be served in the manner hereinafter provided upon every public service company affected thereby the facilities or service of such public service companies to conform to such standards The Commission shall also have power after hearing had upon its own motion or upon complaint to require public service companies to make all such repairs changes alterations additions extensions and improvements in and about their facilities and service as shall be reasonably necessary and proper for the safety accommodation convenience and service of their patrons employees and the public

Section 14 The Commission may and shall after hearing had upon its own motion or upon complaint determine whether the accommodation convenience or safety of the public requires any public service company to permit any conduit subway tracks poles station terminal facilities or other like facilities on under or over any public street or highway to be used by any other public service company and likewise to determine whether such use of any conduit subway tracks poles station terminal facilities or other like equipment or facilities would result in injustice to such public servie company or companies having the prior lawful ownership or use thereof or be a substantial impairment or detriment to the service to be rendered by it or them If the Commission shall determine that the public accomodation convenience or safety requires such use and that the same would not result in injustice or be a substantial impairment or detriment to the service to be rendered by such public service company or companies having the prior lawful ownership or use of any such conduit subway tracks poles station terminal facilities or other like facilities on under or over any public street or highway as aforesaid the Commission shall have power to make an order to be served as hereinafter provided upon every public service company affected thereby requiring any such public service company to permit the use of any such conduit subway tracks poles station terminal facilities or other like facilities on under or over any public street or highway by any other public service company and in and by said order in the event that the public service companies affected thereby cannot agree may and shall prescribe the just compensation for and the reasonable terms and conditions of such use which compensation shall be paid or secured before such use or taking

Section 15 was read as follows:

Section 15 The Commission shall have power of its own motion or upon complaint to institute any inquiry or investigation and to determine upon hearing or rehearing had for that purpose whether any public service company has after the date when this act shall become affected issued or made any increase in the issue of any stocks trust certificates securities bonds notes or other evidences of indebtedness or other securities whether such bonds notes or other evidences of indebtedness or other securities be payable at periods of more or less than twelve months in violation of any of the provisions or requirements of this act and if so to determine and find the nature and extent of such violations and subject to the provisions for rehearing and appeal shall certify the record of such hearing and finding to the Attorney General to institute in the name of the Commonwealth such proceedings in equity or law civil or criminal as shall be necessary or proper to enforce the provisions of this act and to restrain and prevent such public service company from consummating or continuing any act or act alleged to have been done or to be contemplated in violation of the provisions or requirements of this act or of the laws or constitution of the Commonwealth

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer an amendment to the section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Page 59. Amend Article 5, Section 15, Line 19, by adding the following:

"The Commission may, of its own motion, investigate and report upon the history and organization of any public service company, or of any previous corporation operating the properties of such public service company upon any increase or decrease of stock or bonds in any reorganization; upon moneys or other consideration received by any such corporation by reason of any issue of stock, bonds or other securities; upon the syndicating, banking or other financial arrangements under which such issues were made, and the expense thereof, and upon the moneys derived from the net and gross earnings of such corporations; and also, ascertain and report upon the expenditures of all moneys, and the purposes for which the same were expended."

On the question,

Will the House agree to the amendment?

Mr. ROCKWELL. Mr. Speaker, it seems, as I understand the bill, that this is amply and fully, even more fully covered than by this proposition, by the provisions of the bill already in it, and it seems as if it is unnecessary to inject it in again.

Mr. ALLEN. Mr. Speaker, the purposes, I take it, that are provided for in section fifteen of this act are intended so that the Commission may inquire and fully establish the valuation of a corporation either for basing thereon such civil proceedings as may be necessary or following up any complaint that may have been made in relation to the operation of the corporation, or for the institution of such criminal actions as may be necessary. Now the provision so far as it goes, like some of the other provisions in this bill, fails to cover the twelve months period, and fails to cover the very thing which was sought to be injected into the bill by amendments offered on the floor of this House, to-wit, the condition of the company at the organization of the company. Now, I leave this proposition with you, and I may say in starting, Mr. Speaker, that the very verbiage used in the proposition is followed up by the Valuation Act which was passed and approved on the first day of March of this year. I leave this proposition with you in favor of the amendment which is now proposed. That is this: In

order to say whether or not a company has done things which it ought not to do, has misrepresented matters, has increased its stock for the purposes of avoiding showing what percentage of income based on the then existing rates amounts to, if you must know the real and true financial condition of that company.

This provision which is injected into the bill simply means this and nothing more: It means that the Commission has the right to go into the basis from the very start, the basis upon which the company was organized, the enlargement or increase of the stock of that company, where the money went, every dollar of it and whether it was short time paper or long or anything else; where the expenditures of the company went, whether they were real or fictitious, whether they were honest or dishonest and they cannot reach a conclusion as to that fact without going to the very basis upon which the company was organized. Now, no one in making his elevations for a building will fix the starting point away up in space beyond and say that the roof, the highest point of the structure, shall be the starting point and then building down with his stories, down to the ground and then lay the foundation and then drive the last peg and say that the foundation will reach so deep. He does not do that. That is what you are doing in this bill unless you adopt the provision which is now offered to you. You say we will commence above and work down to a certain point and stop. So this is our building. The foundation of that bill is up in space unless it is placed on solid rock by the injection and adoption of this amendment, that the commission is able to start at the very base of operations and it cannot. I again repeat and I defy contradiction on this point, that neither that commission or any other commission can establish the true financial work of any institution if it has swept out from underneath it the real basic principle upon which that institution was builded. Unless you commence at the ground which is the course of any organization of any corporation and say how much money is paid in and how much money went out and what that money went out for and whether it went out honestly or dishonestly and whether it went out legally or under a false color of law, you cannot make a representation which is true. You cannot state a fact that is substantial. Now, there is no question but that this is a fact. Why that would be absolutely absurd; any layman knows that. So we come to you once again with a proposition whereby you may have at least one leg to stand upon in this bill, by saying to you that we offer to you something that has been adopted by the highest legal authority, the highest law authority in this land, with a provision, in that exact language and with an idea that cannot be controverted, that cannot be battered down and we say to you, further, that under the provisions of the section which we are now attempting to make whole, not punched in holes and not in a perforated condition, but really adds a little strength, to that there is no argument. Neither can there be one against the proposition. I do ask your intelligence and your favors in this matter and ask that you inject this amendment into this bill.

Mr. ROCKWELL. Mr. Speaker, I want to call the members attention to page 65, section 21, which gives all the power absolutely given by the amendment offered by the gentleman from Allegheny, Mr. Allen.

> Section 21 (a) The Commission shall have power upon application or upon its own motion to ascertain and determine the fair value of the property of every public service company in this Commonwealth and to determine any matter in connection therewith and shall exercise the said power whenever the same is required or whenevr it shall deem such valuation or determination necessary or proper under any of the provisions of this act
>
> In ascertaining and determining such fair value the Commission may determine every fact matter or thing which in its judgment does or may have any bearing on such value and may take into consideration among other things the original cost of construction particularly with reference to the amount expended in the existing and useful permanent improvements with such consideration for the items of expenditure for obsolete equipment and construction as the circumstances and the historical development of the enterprise may warrant the reproduction costs of the property based upon the fair average price

It seems to us it absolutely covers the point very fully that the gentleman's amendment covers. Then go back to page 22, section 4, which has been adopted after a long argument, it is again covered under sub-section B; on page 46. It seems to me that this amendment is useless and simply lumbers up the bill and even may go so far as to limit and restrict it.

Mr. ALLEN. Mr. Speaker, I agree with the gentleman in relation to the matter set forth on page 64 and 65. I still maintain that this does not reach the vital point set up by this amendment. In relation to page 23, section B, this House may remember that there was quite a debate on the floor as to whether or not the very things attempted to gain be reached, among others, was covered by section B and no one who can read English can state to me that it provides to establish in that section that certain things cannot be done; that it evidences the fact that it shall be done. It provides, specifically, that conditions and obligations which are due them and are operative twelve months shall not be set out. If any body can tell me how they can learn conditions by not setting out they can tell me how two and two make eleven. If, as the gentleman suggests, the very matter, and I use his own language, the very matter covered by the amendments which are offered are now covered under page 64 and have been covered on page 23, section B and have been covered in other parts of this bill and if the same matters have been so carefully covered three times, why would it not be a good plan to cover them just once more and make it four times.

The SPEAKER. The question is on the adoption of the amendment.

The yeas and nays were required by Mr. ALLEN and Mr. HUMES, and were as follows:

YEAS—57.

Allen,	Collins,	Kennedy,	Rothenberger,
Barner,	Conniff,	Kern,	Sassaman,
Benninger,	Dunn, H. B.,	Lanius,	Savacool,
Benson,	Foster, J. D.,	Light,	Scott, J. R. K.,
Bergey,	Geary,	Malie,	Shaffer, I. E.,
Bigger,	Geiser,	Mannion,	Showalter,
Blair, W. A.,	Good,	Matt,	Smith, J. W.,
Blair, W. F.,	Goss,	McDermott,	Snavely,
Bleloch,	Grabe,	Mellott,	Snyder,
Body,	Howard, R.,	Metzenbacher,	Trach,
Burnett,	Humes,	Murphy,	Ulman,
Caldwell,	Isler,	Musser,	Wettach,
Campbell, C.M.,	Kaiser,	Neely,	Wilson, J. H.,
Carson,	Keegan,	Post,	Young, G. K.,
Cochran,	Keeport,	Reeser,	

NAYS—97.

Adams,	Ely,	Lowers,	Roney,
Alworth,	Ewing,	Martin,	Runk,
Ambler,	Fahey,	Mather,	Schaeffer, A. C
Aron,	Forster, I. G.,	McAleer,	Schuck,
Arthur,	Gibson,	McAllister,	Scott, S. B.,
Baldwin, G. A.,	Gramley,	McArdle,	Semmens,
Baldwin, R. J.,	Gransback,	McCaig,	Sherwood,
Bass,	Gray, Joseph,	McKay,	Smith, L.,
Bayle,	Hackett,	McNichol,	Spangler,
Brosius,	Haggerty,	Mechling,	Speiser,
Brownlee,	Hemminger,	Missimer,	Spillinger,
Carter,	Heyburn,	Mitchell,	Steele,
Cheeseman,	Hobbs,	Moore,	Swartz,
Claycomb,	Howard, J.,	Morrow,	Swift,
Cleary,	Jackson,	Moses,	Thomas,
Conner,	Jones, E. E.,	Neel,	Ulerich,
Conrade,	Jones, J. R.,	North,	Walnut,
Cox,	Kenna,	O'Neill,	Walton,
Currier,	Kitts,	Pennegar,	Watson,
Curry,	Kuhn, H. P.,	Pennock,	Whitaker,
Davis,	Latshaw,	Ramsey,	Wiltbank,
DeFrees,	Lenker,	Reese,	Young, J. H.,
Dunn, J. A.,	Leslie,	Rhoads,	Alter,
Ehrhardt,	Lohr,	Rockwell,	Speaker
Eichenberger,			

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

RESOLUTION RECALLING HOUSE BILL NO. 695 FROM THE GOVERNOR.

Mr. NEEL asked and obtained unanimous consent to introduce the following resolution, which was twice read, considered and agreed to:

In the House of Representatives, May 14, 1913.

Resolved (if the Senate concur), That House Bill No. 695, entitled, "An Act making an appropriation to the State Highway Department to cover a deficiency in the automobile division," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON SECOND READING.

THE HOUSE RESUMED CONSIDERATION OF HOUSE BILL NO. 183.

The sixteenth and seventeenth sections of Article V of the bill were separately read and agreed to as follows:

Section 15 The Commission may and shall after hearing had upon its own motion or upon complaint establish by an order to be served as hereinafter provided upon every public service company affected thereby a system of accounts to be used by such public service companies and may also in its discretion prescribe the manner and form in which accounts records and memoranda shall be kept by public service companies including the accounts records and memoranda of the conveyance of passengers and property and a proper and adequate depreciation account as well as the receipts and expenditures of money And the Commission may classify public service companies and prescribe the system of accounts to be adopted and used by each class and may prescribe the manner and form in which such accounts shall be kept and may subdivide each class according to the volume of business transacted or otherwise And the Commission shall have power upon application to relieve any public service company from the duty of carrying a depreciation account

The Commission may and shall after hearing had as aforesaid prescribe the accounts in which particular outlays and receipts shall be entered charged or credited

The Commission may also after hearing as aforesaid require that no expenditures shall be charged to any operating account that should properly be charged to the capital account or vice versa and require that all and every the receipts and expenditures of public service companies be properly apportioned among the various accounts which it may establish

The Commission shall at all times have access to all accounts records and memoranda kept by public service companies and may designate any of its officers or employees who shall thereupon have authority to inspect and examine any and all accounts records and memoranda kept by such public service companies Provided that where any municipal corporation is engaged in rendering or furnishing to the public any service of the kind or character rendered or furnished by public service companies the provisions of this section shall apply to said municipal corporation with respect to such service and provided further that in case of any public service company subject to the jurisdiction of the Inter-State Commerce Commission the systems of accounts records and memoranda prescribed by the Commission shall conform to those prescribed by the Inter-State Commerce Commission

Section 17 The Commission shall have power to prescribe the form of the tariffs and schedules required to be filed and posted and published by public service companies under this act an the rules and regulations as to the filing posting and publishing and the manner and places of posting and publishing thereof in the case of public service companies also subject to the Interstate Commerce Commission shall conform as nearly as practicable to those prescribed by the Interstate Commerce Commission

The eighteenth section of Article V of the bill was read as follows:

Section 18 If the Commission shall find it necessary or proper to the rendering of safe adequate or sufficient service it may and shall after hearing had upon its own motion or upon complaint make an order to be served as hereinafter provided upon every common carrier to be affected thereby requiring all such common carriers to operate additional or what it determines to be safer types or kinds of trains cars vehicles boats motive power or other facilities or to change the construction of the same to revise and change the time schedules of such common carriers to alter the running time of trains cars vehicles or boats or requiring additional terminal facilities stations wharves docks or piers or other facilities and prescribing and regulating the types or kinds and construction thereof or the abolition or relocation thereof or the adoption of or changes in the routes of street railway lines or systems or prescribing the maximum length of time for the transportation or transit of freight passengers or property between specific points or regulating or requiring the furnishing and distribution of cars trains vehicles boats motive power or other facilities without undue or unreasonable discrimination or preference between shippers localities or competitive or non-competitive points and the switching loading and unloading of said trains cars vehicles boats or other facilities the weighing or billing of cars and of property offered for shipment or regulating demurrage charges track storage charges package room or baggage room charges and package or baggage transfer rates and charges and also the rate of compensation to be paid for delay beyond the maximum length of time for the transportation or transit of property or passengers between specified points as prescribed by the Commission

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Article five, section 18, line 12 (page 62). Amend by striking out "facilities" and inserting the word "facilities."

On the question,

Will the House agree to the amendment?

It was agreed to.

The section as amended was then agreed to.

The nineteenth section of Article V of the bill was read as follows:

Section 19 When application shall be made to the Commission by any proposed public service company for the approval by said Commission of its incorporation organization or creation or by any public service company for the approval by the Commission—of the renewal of its charter or the obtaining of any additional rights powers franchises or privileges by any amendment or supplement to its charter or otherwise—or for permission from the Commission to begin the exercise of any right power franchise or privilege—or for the approval by the Commission of the sale assignment transfer lease consolidation or merger of any of its powers franchises or privileges with any other corporation or person—or when application shall be made to the Commission by any public service company for the approval by the Commission of the purchase acquisition taking or holding either in absolute ownership or in pledge or as collateral security directly or indirectly of any controlling right title or interest legal or equitable to or in the capital stock trust certificates bonds or other evidences of indebtedness or other controlling right title or interest whatsoever in any other public service company—or when application shall be made to the Commission by any public service company for the approval by the Commission of the use in common with other public service companies or persons having the prior lawful ownership or use of any conduit subway tracks poles station terminal facilities or other like facilities or under or over any public street or highway and for the determination by the Commission of the just compensation terms and conditions of such use in common—or when application shall be made to the Commission by any telegraph corporation or person or persons engaged in the public telegraph business for the approval by the Commission of the connection of its or his lines of telegraph with the lines of any other such telegraph corporation or person engaged in the public telegraph business or when application shall be made to the Commission by any telephone corporation or person engaged in the public telephone business to connect use and interchange its or his lines facilities and service with the lines facilities and service of any other such telephone corporation or person engaged in the public telephone business and for the determination by the Commission of the just compensation terms and conditions of such connection use and interchange—or when application shall be made to the Commission for the approval of the construction alteration re-location or abolition of any crossing at grade or above or below grade or when application shall be made to the Commission by any public service company for any approval under any of the provisions of this act or when application shall be made to the Commission by any municipal corporation for the approval required by the provisions of article three section three (d) of this act such approval in each and every such case or kind of application shall be given only if and when the said Commission shall find or determine that the granting or approval of such application is necessary or proper for the service accommodation convenience or safety of the public

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

Page 64. Amend Article V., Section 19, line 46, strike out the words "or when application shall," strike out lines 47 and 48 to and including "of this act" in line 49.

On the question,

Will the House agree to the amendment?

Mr. ROCKWELL. Mr. Speaker, I would just like to ask the gentleman to explain the purpose of this amendment. I don't quite catch the purpose.

Mr. ALLEN. Mr. Speaker, I took it for granted by the way the House voted that they were thoroughly conversant with the provisions of this bill and would be ready to grasp what the purpose of it was by simply striking it out. As the bill reads, the purpose is too plain, if you simply strike out, to ask anybody what it means. I leave it to the House.

Mr. ROCKWELL. Mr. Speaker, it seems to me that the amendment to strike out these three or four lines would undo what the House has already done in the adoption of the section on page 21, and I therefore trust the amendment will not be adopted.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. ALLEN and Mr. DONALLY, and were as follows:

YEAS—50.

Allen,	Collins,	Kern,	Musser,
Barner,	Conniff,	Kuhns, E.G.M.,	Neely,
Benson,	DeFrees,	Lanius,	Post,
Bergey,	Donnally,	Letzkus,	Sassaman,
Bigger,	Dunn, H. B.,	Lohr,	Savacool,

Bittles,	Geary,	Malie,	Smith, J. W.,
Body,	Glenn,	Mannion,	Steedle,
Burnett,	Grabe,	Matt,	Strauss,
Caldwell,	Howard, R.,	McDermott,	Wettach,
Campbell, C.M.,	Humes,	Mellott,	Wilson, J. H.,
Carson,	Irwin, H. H.,	Metzenbacher,	Young, G. K.,
Carter,	Kaiser,	Murphy,	Zimmerman,
Cochran,	Kaufman,		

NAYS—94.

Adams,	Fahey,	McAllister,	Scott, S. B.,
Alworth,	Frey,	McArdle,	Semmens,
Ambler,	Gibson,	McCaig,	Shaffer, I. E.,
Aron,	Gramley,	McKay,	Sherwood,
Arthur,	Gransback,	Miller,	Showalter,
Baldwin, G. A.,	Gray, Joseph,	Missimer,	Smith, L.,
Baldwin, R. J.,	Hackett,	Mitchell,	Snyder,
Bass,	Haggerty,	Morrow,	Spangler,
Berntheizel	Heyburn,	Moses,	Speiser,
Blair, W. A.,	Hobbs,	Neel,	Spillinger,
Brosius,	Hoffman,	North,	Steele,
Cheeseman,	Jackson,	O'Neill,	Swartz,
Claycomb,	Jones, E. E.,	Peachey,	Swift,
Cleary,	Jones, J. R.,	Pennegar,	Thomas,
Conner,	Keeport,	Pennock,	Ulerich,
Conrade,	Kennedy,	Ramsey,	Ulman,
Cox,	Kitts,	Redfield,	Walsh,
Currier,	Kuhn, H. P.,	Reese,	Walton,
Curry,	Latshaw,	Reeser,	Watson,
Dickinson,	Lowers,	Rhoads,	Whitaker,
Dunn, J. A.,	Martin,	Rockwell,	Williams,
Eichenberger,	Mather,	Runk,	Wiltbank,
Ely,	McAleer,	Schuck,	Alter,
Ewing,			Speaker.

So the question was determined in the negative and the amendments were not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

Sections twenty and twenty-one of Article V, were then separately read and agreed to as follows:

Section 20 For the purpose of enabling the Commission to make such finding or determination it shall hold such hearings which shall be public and subpoena and examine such witnesses and compel the production of and examine such books papers contracts or other documents and make such inquiries physical examinations valuations and investigations as it may deem necessary or proper in enabling it to reach a determination Due notice of every such hearing shall be given and in every case the Commission shall make a finding or determination in writing stating whether or not its approval is given and if given shall issue its certificate to be known as its "Certificate of Public Convenience" under its seal and file among its records a duplicate of every such certificate

Section 21 (a) The Commission shall have power upon application or upon its own motion to ascertain and determine the fair value of the property of every public service company in this Commonwealth and to determine any matter in connection therewith and shall exercise the said power whenever the same is required or whenever it shall deem such valuation or determination necessary or proper under any of the provisions of this act

In ascertaining and determining such fair value the Commission may determine every fact matter or thing which in its judgment does or may have any bearing on such value and may take into consideration among other things the original cost of construction particularly with reference to the amount expended in the existing and useful permanent improvements with such consideration for the items of expenditure for obsolete equipment and construction as the circumstances and the historical development of the enterprise may warrant the reproduction costs of the property based upon the fair average price of materials property and labor with a reasonable allowance of depreciation and the developmental and going concern value of such public service company and these and any other elements of value shall be given such weight by the Commission as may be just and right in each case

(b) The Commission shall also have power to make revaluations of the property of any public service company from time to time and to ascertain and determine the value of new construction extensions and additions to the same

(c The Commission shall have power to establish reasonable general or special rules with respect to the preparation of such valuations the forms to be followed the inventories and statements and proofs of original cost to be made and all other matters figures data and information in connection therewith

Section twenty-two of Article V was read as follows:

Section 20 When application shall be made to the Commission by any public service company for the ascertainment and determine of the amount paid to the State or any political sub-division thereof as the consideration for the grant of any franchises rights powers privileges or right to own or operate or enjoy any such franchises rights powers or privileges or for the ascertainment and determination of the aggregate values of the properties of any public service companies consolidated or merged or for the ascertainment and determination of the value of the property of any public service company reorganized under the provisions of an act of Assembly approved the eighth day of April one thousand eight hundred and sixty-one entitled "An Act concerning the sale of railroads canals turnpikes bridges and plank roads" or any supplement thereto or amendment thereof or for a certificate that the provisions of paragraph (a) of section four of article three of this act relating to the issuing of stocks or making any increase in the issue thereof by public service companies have been compiled with or for the ascertainment and determination of the value of any property or labor for which any bonds notes or other evidences of indebtedness running for more than twelve months are issued of any other fact matter or thing of which the commission is authorized to ascertain and determine the value under the terms of this act then and in every such case for the purpose of making such ascertainment or determination of value the Commission shall hold such hearings which shall be public and subpoena and examine such witnesses and compel the production of and examine such books papers or other documents and make such inspections inquiries physical examinations valuations and investigations as it may deem necessary or proper to enable it to reach a determination Due notice of every such public hearing shall be given and in every such case the Commission shall make a finding or determination in writing stating the value ascertained by the Commission and shall issue its certificate to be known as its "Certificate of Valuation" under its seal and file among its papers a duplicate of every such certificate Any such findings or determination as shall be subject to the right of rehearing and appeal as hereinafter provided In case the commission shall issue any "Certificate of Valuation" concerning the issuing of any stocks trust certificates or any bonds notes or other evidences of indebtedness or other securities by any public service company payable at periods of more than twelve months after the date thereof it shall after public hearing investigation and procedure as aforesaid at the same time make an order in connection with or supplemental to its "Certificate of Valuation" authorizing such issue and the amount thereof and stating the purposes to which such issue or the proceeds of the said issue shall be applied

The issuing by the Commission of any "Certificate of Public Convenience" or any "Certificate of Valuation" enumerated or provided for in this act or any finding determination or order made by the Commission refusing or granting such certificates shall not be construed to revive or validate any lapsed terminated invalidated or void powers franchises rights or privileges or to enlarge or add to the rights powers franchises or privileges contained in any charter or in the grant of any franchises or any supplement or amendment to any charter or to waive or remit any forfeiture The issuing by the Commission of any "Certificate of Valuation" enumerated or provided for in this act shall be deemed to certify only to the fact that said securities were issued for money labor done or money or property actually received and shall not be taken as requiring the Commission in any subsequent valuation of the property of the public service company issuing said securities for the purpose of ascertaining the amount to be paid to said public service company for its property to fix a valuation which shall require any payment or distribution to be made to the holders of said securities in preference to the holders of any other securities of the same class issued by said company neither shall said "Certificate of Valuation" be deemed to require the Commission in subsequently determining the rates to be charged for the service of said public service company to provide a rate which shall be sufficient to yield a return on said securities

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend Article V, section 22, line 6, page 66, by striking out the word "franchise" and inserting in lieu thereof the word "franchises,"

Line 11, by striking out the word "provisions" and inserting in lieu thereof the word "provisions."

Line 52, by striking out the word "asid" and inserting in lieu thereof the word "said."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections 23, 24, 25, 26, 27, 28, 29 and 30 of Article V were then separately read and agreed to as follows:

Section 23 The Commission shall have full power and authority to require public service companies to report or account to the Commission for the disposition and application of the proceeds of all sales or pledges of all stocks trust certificates bonds notes and other evidences of indebtedness or other securities which accounts and reports shall be made in such form and detail as to the Commission may seem advisable and in accordance with reasonable rules and regulations which may be adopted by the Commission

Section 24 The Commission shall have full power and authority either by or through its members agents or employees duly authorized by it whenever it shall deem it necessary or proper for the purpose of determining whether it shall issue any "Certificate of Public Convenience" or "Certificate of Valuation" for the purpose of investigating the safety adequacy and sufficiency or reasonableness of any service or rates fares or charges of any public service company or in carrying out any of the provisions of this act to enter upon the

premises buildings machinery system plant and equipment and make any inspection valuation physical examination inquiry or investigation of any and all plant and equipment facilities property and pertinent books papers memoranda document or effects whatsoever of any public service company and to hold any hearing for such purposes In making such valuations or re-valuations the Commission may have access to and use any books documents or records in the possession of any department or board of the Commonwealth or any political sub-division thereof

Section 25 The Commission shall as a Commission or by its individual members have the power in any part of the State to subpoena witnesses to administer oaths to examine witnesses or to take such testimony or compel the production of such books papers and documents as it may deem necessary or proper in and pertinent to any proceeding investigation or hearing held or had by it and to do all necessary and proper things and acts in the lawful exercise of its powers or the performance of its duties

Section 26 The Commission may require every public service company subject to its jurisdiction to file with it a copy of its reports as filed with the Interstate Commerce Commission of the United States and as to all public service companies subject to this act and not subject to the Interstate Commerce Commission may require that such public service companies file reports in the form prescribed by the Commission

Section 27 The Commission may make such rules and regulations not inconsistent with the law as may be necessary or proper in the exercise of its powers or for the performance of its duties and whenever the Commission shall determine it to be necessary in the interests of the public to withhold from the public any facts or information obtained during the progress of any investigation such facts and information may be so withheld for such period after the acquisition thereof not exceeding ninety days as the Commission may determine

Section 28 In addition to the foregoing expressly enumerated powers the Commission shall have full power and authority and it shall be its duty to enforce execute and carry out by its orders rulings regulations or otherwise all and singular the provisions of articles two and three of this act relating respectively to the duties and limitations and to the certain and the powers and limitations of the powers of public service companies and all and singular the other provisions of this act and the full intent thereof and shall have the power to rescind or modify any such orders rulings or regulations

Section 29 The enumeration of the powers of the Commission as herein set forth shall not exclude any power which the Commission would otherwise have under any of the provisions of this act

Section 30 Except as herein otherwise expressly provided none of the powers or duties conferred or imposed by this act upon the Commission and none of the orders regulations rules or certificates made or issued by the Commission and none of the duties powers or limitations of the powers conferred or imposed by this act upon public service companies or the performance or exercise thereof shall be construed in any wise to abridge or impair any of the obligations duties or liabilities of any public service company in equity or under the existing common or statutory laws of the Commonwealth but all such obligations duties and liabilities shall be and remain as heretofore And nothing in this Act contained shall in any way abridge or alter the existing rights of action or remedies in equity or under the common or statutory law of the Commonwealth it being the intention that the provisions of this Act shall be cumulative and in addition to such rights of action and remedies

Sections 1, 2, 3 and 4, of Article VI, were then separately read and agreed to as follows:

ARTICLE VI

Practice and Procedure before the Commission and upon Appeal

Section 1 All hearings before the Commission or before any Commissioner shall be public and all hearings investigations and proceedings by the Commission shall be governed by such rules not inconsistent with this act as shall be adopted and prescribed by the Commission No individual shall be excused from testifying or from producing any books papers documents or other evidence in any investigation or inquiry by or upon any hearing before the Commission or any Commissioner when ordered to do so by the Commission or such Commissioner upon the ground or from the reason that the testimony books papers documents or other evidences required of him may tend to criminate him or subject him to penalty or forfeiture But no individual shall be prosecuted punished or subjected to any penalty or forfeiture for or on account of any transaction matter or thing concerning which he shall testify or produce books papers documents or other evidence No individual so testifying shall however be exempt from prosecution or punishment for any perjury committed in so testifying and nothing herein contained shall give or shall be construed as in any manner giving unto any individual immunity of any kind from the law except as herein expressly provided or as giving unto any corporation immunity of any kind from the law Any person who shall willfully and corruptly give any false testimony under oath or affirmation in any hearing investigation or proceeding before or by the Commission or any Commissioner or before any Notary Public or other person authorized by the provisions of this act to take such testimony shall be guilty of a misdemeanor and punishable by a fine not exceeding five thousand dollars or imprisonment not exceeding one year either or both in the discretion of the court

Section 2 The Commission may require copies of books papers or abstracts thereof to be sent to it in any part of the Commonwealth in all cases in which it would have the right to examine the originals or compel their production before it All subpoenas issued by the Commission shall be under its seal and shall be signed by a Commission or by the secretary and may be served by any adult in any part of this Commonwealth

Each witness required to attend before the Commission or a Commissioner shall receive for each day's attendance the sum of one dollar and fifty cents and shall receive in addition the sum of three cents for each mile circular traveled by such witness by the usual route between his home and the place where his presence is required

All disbursements made in the payment of such fees shall be included in and paid in the same manner as is provided for the payment of other expenses of the Commission

The fees for serving a subpoena shall be the same as those paid the sheriff for similar services The fees expenses and costs of or in connection with any hearing may be imposed by the Commission upon any party to the record or may be divided between any or all parties to the record in such proportions as the Commission may determine

Section 3 If any individual who shall be subpoenaed to attend before the Commission or a Commissioner shall fail to obey the command of such subpoena or if any individual in attendance before the Commission or a Commissioner shall refuse to be sworn or to be examined or to answer any relevant question or to produce any relevant book paper or document when ordered so to do by the Commission or a Commissioner the Commission or Commissioner may invoke the aid of any court of common pleas within this Commonwealth to enforce such attendance and testimony of witnesses and the production of books papers and documents and such court on due cause shown shall issue an order requiring any person to appear before said Commission or Commissioner and produce books papers and other documents if so ordered and give testimony touching the matter in question and any failure to obey such order of the court may be punished by said court as a contempt thereof in the same manner as in the case of disobedience of the requirements of a subpoena issued from such courts or a refusal to testify or produce evidence therein

Section 4 If such person be an officer director or employee of a public service company being a party to the proceeding before the Commission or Commissioner or if any person being an officer director or employee of such public service company shall absent himself from the jurisdiction of the Commonwealth or conceal himself for the purpose of avoiding service of a subpoena or shall remove relevant books papers or other documents out of this Commonwealth for the purpose of preventing their examination by the Commission or shall destroy or conceal any such books papers or other documents for such purpose he shall be adjudged guilty of contempt and the said court of common pleas may impose a fine not less than one hundred dollars for each day during the continuance of such refusal neglect concealment or removal and if the said court shall find that the neglect refusal or concealment or the removal or destruction of books papers or other documents by such witness has been occasioned by the advice or consent of such public service company or in any wise aided or abetted by it then in default of payment of said fine by the person in contempt the same shall be paid by said public service company and may be recovered from it by an action in the name of the Commonwealth in the said court of common pleas as other like fines and penalties are now by law recoverable imprisonment for contempt shall be by commitment to the county jail of the county in which such hearing is had

Section 5 of Article VI was then read as follows:

Section 5 The testimony of any aged infirm going or nonresident witness may be taken before any Commissioner at any time or place upon not less than forty-eight hours' notice or before any Notary Public or other person authorized to administer an oath as may be provided by the laws of this Commonwealth by any general or special rule of the Commission

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendment.

The amendment was read by the Clerk as follows:

On page 75, Article VI, section 5, line 6, amend by striking out the bracket around the word "or."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

Sections 6, 7 and 8 of Article 6 were then separately read and agreed to as follows:

Section 6 Any person or corporation public service company or municipality complaining of anything done or about to be done omitted or about to be omitted by any public service company in violation or excess of its charter duties obligations powers or privileges or in violation of any law of this Commonwealth or of the United States or of any of the requirements or provisions of this act or of any lawful determination ruling or order of the Commission may apply to the Commission by petition duly verified by the affidavit of the complainant which shall contain a concise statement of all the material facts upon which the complaint is founded

Said petition shall be filed of record with the Commission whereupon a copy of the petition thus presented and filed shall forthwith be forwarded by registered mail by the Commission to any officer or agent of the public service company or public service companies complained against accompanied by a notice from the Commission calling upon the public service company or public service companies complained against to satisfy the complaint or to answer the same in writing within such reasonable time as may be specified by the Commission in said notice

Section 7 If such public service company within the time specified shall satisfy the complaint the Commission shall dismiss the petition but said public service company shall be relieved from responsibility only for the specific matter complained of If such public service company shall not satisfy the complaint within the time specified and it shall appear to the Commission from a consideration of the complaint and answer or otherwise that reasonable ground exists for investigating said complaint it shall be the duty of the Commission to fix a time and place for a hearing and to investigate the matter complained of in accordance with the provisions of this act Notice of the time and place of such hearing shall be given to the petitioner and to the public service company or companies complained against in such manner as the Commission may prescribe The testimony shall be taken down by the stenographer appointed by the Commission and a full and complete record shall be kept of all proceedings had before the Commission or any Commissioner on any hearing or investigation

Section 8 The Commission may also upon its own motion and upon such notice as it may deem reasonable under the circumstances institute any similar inquiry or investigation and fix a time and place for a hearing with the same effect as though complaint had been made as aforesaid and satisfaction thereof refused

Section 9, of Article VI was then read as follows:

Section 9 Where any petition complains as aforesaid of any violation of any lawful determination ruling or order of the Commission (to be made as hereinafter provided) and it shall appear to the Commission that reasonable ground exists for investigating said complaint and a hearing or investigation is had upon said complaint the burden of proof shall be upon the public service company complained against to show that the determination ruling or order of the Commission has been complied with

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

On page 77, amend Article VI, Section 9, by adding at the end thereof the following:

"Where an order has been made by the Commission and the Public Service Company has made any change therein without the approval of the Commission, the burden of proof shall rest upon said Company to justify said change in any proceeding before the Commission in which such matter is in controversy.

"In any case that may come before the Commission it shall whenever it deems such procedure expedient and proper have power to order either the complainant or the defendant to furnish any date or information which said party may have special facilities for acquiring and which it may possess, either to the Commission or to the other party and to make such orders respecting procedure as may seem to the Commission just and proper and that may tend to facilitate the hearings and reduce the expense thereof to the Commission and to the parties."

On the question,

Will the House agree to the amendment?

Mr. ALLEN. Mr. Speaker, I am not intimated by the leading "No" on this proposition of the gentleman from Philadelphia, whom I doubt whether he has read a single page of the bill and I will take the time to explain to the House the purpose of this amendment.

Section 9 would seem to be a complete section, which provides for action of the Commission in relation to matters on which the Commission has already decided; in other words, made a judicial decree, and is wholly covered by the provisions of section 9 as it now stands. It reaches no other end, Mr. Speaker, and any one who will read the section will find that the language used in the first two lines covers the point to which I desire to call attention.

"Where any petition complains as aforesaid of any violation of any lawful determination ruling or order of the Commission."

Now then, in a case covered by the section, the determination of the question has already been made by the Commisison as a decree of that Commission. Now the purpose of this amendment, Mr. Speaker, which is now offered is to go further; not taking away a single prerogative which is granted by this section, but adding to it briefly and in terms covering this matter, that where a regulation without any determination of the Commission has been established by the Corporation, then and in that event, complaint having been entered against that regulation, it is for the corporation to show that that regulation is just. I again call attention to the fact that if determination has already been made by the Commission then the section is complete and where the corporation upon its own motion inaugurates a system or regulation or ruling and determination to conduct its business in a certain way, which has not been approved or decided by the Commission, then in that event the first five lines of this proposed amendment steps in in these terms:

"Where an order has been made by the Commission and the public service company has made any change therein without the approval of the Commission, the burden of proof shall rest upon said company to justify said change in any proceeding before the Commission in which such matter is in controversy."

Now I feel Mr. Speaker, that no opponent of this bill in any other features can oppose conferring that power upon the Commission. It simply extends their power to a matter which has not by them been judicially determined and shifts the burden of proof upon the company or corporation which attempts to inaugaurate a certain action to show that that action is justifiable and is so justifiable as that it will meet with the approbation of the Commission. Now I think there can be no objection to that.

Now in the second paragraph, which is embodied in about nine lines, it relates again to the burden of proof.

"In any case that may come before the Commission it shall, whenever it"—

not only in relation to the burden of proof, but the facilities or rather the source from which the proof may be drawn—

"in any case that may come before the Commission it shall whenever it deems such procedure expedient and proper, have power to order either the complainant or the defendant to furnish any data or information which said party may have special facilities for acquiring, or which it may possess, either to the Commission"—

If the Commission thinks wise, to itself or to the other party if the Commission thinks that information should be given to the other party, the party making the complaint or the party defending, that they may make such an order.

"and to make such orders respecting procedure as may seem to the Commission just and proper and that may tend to facilitate the hearings and reduce the expense thereof to the Commission and to the parties."

You take a large railway system. Complaint is made in relation to service which that company is giving to the public. The railway system's answer is that "we are already doing all that we can. We are making no money. We have spent so much for equipment. We are paying so much for running expenses," and what not. Now, when a matter of that kind is presented to your Commission and a complaint on that question is raised, that the railroad company, having the special facilities to show the facts which it contends relieves it of the responsibility, the Commission may say to that railways company: "You having all this data in hand, furnish this data to us." Or if they think that the complaint is sufficiently broad as that the complainant should be also put in possession of those facts, the Commission says to that railway company, or to that corporation: This is a broad question and no one but yourselves knows what the data at hand will show. Complaint has been made here and this complaint cannot be established without some information which is locked up in your archives. Speak up. It is only fair to the public that this proposition be shown."

Now that, Mr. Speaker, is exactly what is proposed in the amendments which are now offered before this body and which to me seem to be not only justifiable to extend the powers of this Commission in such ways as that no harm can be done either to any complainant or to any one who may be upon the defense in the matter of complaint which is raised before the Commission at any time.

Mr. ROCKWELL. Mr. Speaker, if the proposition proposed by the gentleman from Allegheny was to strike out the entire Section nine and insert this proposed amendment, his remarks would be pertinent, but as I understand the bill, as in Section nine and as covered by the various other sections, for instance, I refer you to section 25 on page 69,

all of those powers which he seeks to have put in the bill by these amendments are fully and amply and completely covered and there is not need and no necessity for inserting these amendments which are proposed now shall be adopted.

Mr. ALLEN. Mr. Speaker, the gentleman from Tioga seems wholly to fail to grasp the situation which I tried to make plain.

The first proposition is not a question of investigation. The first proposition is a question to justify action. Now once again I state that where the matter has already been determined by the commission, that is covered wholly and completely, mark you, wholly and completely by this section, but there is nothing in the bill that prevents a corporation from inaugurating something different than that covered by the question which has been determined. The first proposition is simply this that when they do so take action, the question of justifying their action, the burden of the proof is upon them to show to the Commission that the action is justified. That is the first proposition. Now, the second proposition is simply to say whether or not the Commission shall have the right to say to a corporation which alone has the information which that Commission must have in order to determine the question to say to that corporation. "Give us the information, you have the facilities, now come along with it and come clean."

Mr. ROCKWELL. Mr. Speaker, I still maintain that the first proposition in the proposed amendment offered by the gentleman from Allegheny is absolutely covered by section nine, now in the bill, and that the second proposition as contained in his amendment is covered by section 25, on page 29, and followed by section 27 on page 70, which gives the Commission the right and power to make all rules and regulations in relation to all kinds or hearings in every shape or every form or manner not inconsistent with the law, and we believe it is absolutely and fully and better covered than by the proposed amendment.

Mr. ALLEN. Mr. Speaker, I think the gentleman as a lawyer will not state on the floor of this House what he now states that a better proposition is determined or allowed by the provision of this act than if this act specified that certain things have to be done. Why he as a lawyer knows that wherever a general power of that kind is conferred that when it pinches the first question that anybody would ask, or any corporation on the defensive would ask would be whether or not your Commission had the right to demand such a thing.

Mr. HORACE B. DUNN. Mr. Speaker, I ask that we have better order in the rear of the House.

The SPEAKER. The Sergeant-at-Arms will preserve order, and if unable to do so, and the spectators will not comply, he will cause them to depart. The gentleman from Allegheny will proceed.

Mr. ALLEN. And so far as the first proposition being covered in section nine, the gentleman cannot make such a statement because of the fact that the first two lines tell you what kind of a proposition is covered there, and that is those propositions in which a lawful determination, rule or order of the Commission has already been made. Now, Mr. Speaker, as a general proposition under this bill, and it appeared, and I quote from interrogations that were made yesterday and responses thereto, under the proposition, the general proposition laid down in this bill there is nothing that says that a corporation first has to have all its rules of action laid down and approved by anybody. It inaugurates and works under such rules of action, mark you, as it sees fit, and so long as nobody complains those rules of action stand. Now, acting under certain rules and regulations as it as done, some of them meet with opposition by the people. The people appeal to your Commission. The question comes up and is decided by your Commission and thereupon that section nine becomes operative because that question has been determined and ruled upon. But the company cuts out that line of action then. The Commission, we will say, say, "No, you cannot do that." That cut out that line of action and they do what. They do just what we do here, they amend the bill, they amend their line of action, and adopt a new system entirely different, but perhaps no more satisfactory. When they adopt that new system, then the provisions of this section comes into play and says that they must justify before the Commission such changes as they have made in the line of action which has already been determined by the Commission, and justify that action to the approbation and approval of the Commission. Now, if this be fought, now if this proposition be fought, I say that it is clearly evident from the lips of those themselves that this is a blind and a snare and that they do not want the authority which we are asking them to take.

Mr. ROCKWELL. Mr. Speaker, I do not care to answer the gentleman again upon the proposition of whether this amendment is proper or not, but I do wish to state this. It has been stated now by two members on the floor of this House that the members and parties back of this bill are influenced by some sinister and improper motives, and I desire to say that this is not true. I believe that every member supporting this bill is doing it with a fair, honest and sincere purpose to benefit the public in every manner, but in doing that they believe that they ought to give fair consideration to the public service corporation.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. ALLEN and Mr. HUMES, and were as follows:

YEAS—69.

Allen,	Conniff,	Kaiser,	Neely,
Alworth,	Donahoe,	Kaufman,	Newbaker,
Barner,	Donnally,	Keegan,	Newton,
Benninger,	Dunn, H. B.,	Keeport,	Perry, H. L.,
Benson,	Foster, J. D.,	Kuhns, E.G.M.,	Peters,
Bergey,	Geary,	Lanius,	Price,
Bigger,	Geiser,	Letzkus,	Savacool,
Bittles,	Glenn,	Lohr,	Smith, J. W.,
Blair, W. A.,	Good,	Malie,	Snavely,
Bleloch,	Goss,	Matt,	Snyder,
Body,	Grabe,	McDermott,	Steedle,
Brownlee,	Heidinger,	Mellott,	Trach,
Burnett,	Hemminger,	Metzenbacher,	Wettach,
Caldwell,	Howard, R.,	Moulthrop,	Wilson, J. H.,
Campbell, C.M.,	Humes,	Murphy,	Young, G. K.,
Carson,	Isler,	Musser,	Alter,
Cochran,	Jackson,		Speaker.

NAYS—90.

Aron,	Fahey,	McAleer,	Sassaman,
Arthur,	Frey,	McAllister,	Schuck,
Baldwin, R. J.,	Gans,	McArdle,	Scott, S. B.,
Bass,	Gibson,	McKay,	Sherwood,
Bayle,	Gramley,	McNichol,	Showalter,
Berntheizel,	Gransback,	Mechling,	Smith, L.,
Brosius,	Gray, Joseph,	Miller,	Spangler,
Cheeseman,	Hackett,	Missimer,	Speiser,
Claycomb,	Haggerty,	Mitchell,	Steele,
Cleary,	Hibshman,	Morrow,	Stein,
Conner,	Hobbs,	Moses,	Strauss,
Conrade,	Hoffman,	Neel,	Swartz,
Cox,	Howard, J.,	O'Neill,	Swift
Currier,	Irwin, H. H.,	Pennegar,	Thomas,
Curry,	Jones, E. E.,	Pennock,	Ulerich,
Davis,	Jones, J. R.,	Ramsey,	Walnut,
DeFrees,	Kitts,	Redfield,	Walsh,
Dickinson,	Kuhn, H. P.,	Rhoads	Walton,
Dunn, J. A.,	Latshaw,	Rockwell,	Watson,
Ehrhardt,	Lowers,	Roney,	Whitaker,
Eichenberger,	Martin,	Rothenberger,	Whitman,
Ely,	Mather,	Runk,	Wiltbank,
Ewing,			Zimmerman,

So the question was determined in the negative and the amendment was not agreed to.

On the question,

Will the House agree to the section?

It was agreed to.

The tenth to the thirty-ninth sections inclusive were separately read and agreed to.

Section 10 Whenever the Commission shall investigate any matter complained of under the provisions of this act it shall be its duty to make and file of record a written determination or order either dismissing the complaint or directing the public service company or companies complained against to satisfy the cause of complaint in whole or to such extent and within such time as the Commission may specify require and order No complaint shall at any time be dismissed merely because of the absence of direct damages to the complainant except in cases of petitions for an order directing the payment of damages actualy sustained as provided in article five section five of this act

Section 11 The Commission shall likewise make and file a written determination or order in all hearings or investigations instituted on its own motion The Commission may also prepare and file a written opinion with any determination or order

Section 12 The Commission shall have the power to rescind or modify determinations or orders made under the provisions of this act upon such notice and in such manner as it shall deem proper and may grant rehearing for cause shown

Section 13 Every final order of the Commission shall be served in any county of the State upon each public service company affected thereby either by the marshal of the Com-

mission or by any adult person who may be deputized by said marshal for that purpose in the manner now provided by law for serving a writ of summons upon individuals or corporations and return of said service shall be made by the person serving said order to the secretary of the Commission in the manner and form now provided by law for making return of the service of a writ of summons and a certified copy of said order shall be mailed by registered mail to all other parties to the proceedings in which such order is issued or their respective attorneys but the failure of any public service company or of any party to the proceedings to receive such copy shall not prevent the said order from being conclusive and taking effect on the date specified therein in accordance with its terms

Section 14 After any order shall have been made by the Commision any public service company affected thereby or any party complainant in the proceedings or any person corporation of public service company or association duly permitted by the Commission on proper petition and cause shown to intervene may apply within fifteen days after the service of said order for a rehearing in respect to any matter determined by the Commission in or by its hearing or investigation and order issued therein and the Commission may grant and hold such rehearing if in its judgment sufficient cause therefor be shown All applications for rehearing shall be by petition specifically setting forth the grounds upon which such application is based

Section 15 No application for a rehearing shall in any wise operate as a supersedeas or in any manner stay or postpone the enforcement of the original or existing order except as the Commission may by its order direct

Section 16 After such rehearing should the same be granted the Commission may affirm rescind modify or amend its original order Any order so made after such rehearing shall have the same force and effect as an original order

Section 17 Within thirty days after the date of service of any order unless an application for a rehearing may be pending and then within thirty days after the refusal of such application or the entry of an order modifying amending and rescinding or affirming the original order any party to the proceedings affected by such final order may appeal therefrom to the Court of Common Pleas of Dauphin County which court is hereby clothed with exclusive jurisidiction throughout the Commonwealth for the purpose of hearing and determining any and all appeals from any final ruling determination or order of the Commission Provided that in case of an appeal from the award of damages or compensation by the Comimssion under any of the provisions of this act the appeal shall in case either party is entitled to demand a jury trial under section eight of article sixteen of the Constitution of this Commonwealth be to the courts of the proper county thereof but in all other cases shall be to the said Court of Common Pleas of Dauphin county If an appeal be made to any court other than the Court of Common Pleas of Dauphin county the case shall be proceeded with therein in accordance with the practice and procedure made and provided in such cases Such appeal shall be by petition to said court setting forth specifically and concisely the error or errors asigned to the ruling determination or order of the Commossion which petition shall be accompained by a copy of the original complaint if any filed with the Commission as well as a copy of the ruling determination or order of the Commission appealed from and shall also be acompanied by the affidavit of the party or parties appellant or of its his her or their agent or attorney that the appeal is not taken for the purpose of delay but because the appellant or appellants verily believe that injustice has been done Each error relied on must be specified particularly and set forth in a separate numbered paragraph of the petition

Section 18 The Commission shall be immediately notified in writing by the appellant or appellants of the taking of an appeal and within thirty days after service of such notice shall certify under its official seal to the said Court of Common Pleas of Dauphin County the record of the said proceedings which record shall include the testimony taken therein the findings of fact if any of the Commission based upon such testimony a copy of all orders made by the Commission in said proceedings and a copy of the opinion if any filed by the Commission The cost of preparing and certifying such record shall be paid to the Commission by the appellant or appellants and taxed as part of the costs in the case to be paid as directed by the Court upon the final determination of the appeal

Section 19 No appeal from any order of the Comission (except as hereinafter provided) shall in any case operate as supersedeas of the order appealed from unless the said Court of Common Pleas of Dauphin County shall by an interlocutory order make said appeal a supersedeas which interlocutory order shall be made only after such notice to the Commission and other parties of record as the court may direct and after a hearing upon said application for an interlocutory order of supersedeas Upon the granting of a supersedeas upon the application of a public service company in any case (except as hereinafter provided the court may in its discretion require the filing of a bond to the Commonwealth for the use of all parties aggrieved in such sum and conditioned as the court may by its order direct or may grant the supersedeas upon such other terms and conditions as the court in its discretion may prescribe Provided however that in all cases of appeal by a public service company from an order of the Commission establishing changing or altering or in any manner affecting the prices rates joint rates tolls or charges for any service such appeal shall operate as a supersedeas upon the filing of a bond to the Commonwealth in the said court by said public service company for the use of all parties aggrieved by the failure of such company to comply with the order appealed from during the period of such supersedeas Said bond to be in such sum as shall be fixed by the court and with sureties to be approved by the court shall be conditioned for the repayment to all such aggrieved parties of any exces over the rate or charge fixed by the Commission which shall be received by such public service company after the making of such order by the Commission if the said order shall be finally affirmed and may also contain such further conditions as the court may order and direct

Section 20 Upon the petition of the Commission the said court may order the complainant or complainants in the original complaint to be added to the record as a party or parties defendants and such parties shall be permitted to join in the defense of the order of the Commission at issue

The court may also upon application by petition and cause shown permit any person or corporation to intervene in the said proceedings and be added as a party plaintiff or defendant therein

Section 21 An answer shall be filed by the Commission within thirty days after the service of notice upon it of the taking of an appeal Leave may also be given by the court to any other party to the record to file an answer Upon the filing of an answer by the Commission the case shall be considered at issue and a hearing shall be held before said court as hereinafter provided without further pleadings Copies of the petition and answer shall be served upon the opposite party or parties within five days after filing the same

Section 22 At the hearing of the appeal the said court shall upon the record certified to it by the Commission determine whether or not the order appealed from is reasonable and in conformity with law

Section 23 In all such cases the orders of the Commission shall be prima facie evidence of the reasonableness thereof and the burden of providing the contrary shall be upon the appellants and the notes of testimony taken before the Commission or any of the (Commissioners) members thereof duly certified under its seal and filed as aforesaid as a part of the record shall be considered by the court as the testimony in the case

Section 24 If the court shall upon the record find that the order appealed from is reasonable and in conformity with law it shall enter a decree dismissing the appeal and affirming the order of the Commission If the court shall upon the record find that the order appealed from is unreasonable or based upon incompetent evidence materially affecting the determination or order of the Commission or is otherwise not in conformity with law it may enter a final decree reversing the order of the Commission or in its discretion it may remand the record to the Commission with directions to reconsider the matter and make such order as shall be reasonable and in conformity with law In case the said court shall reverse an order of the Commission dismissing a complaint after an investigation and hearing thereon before the Commisison it shall remand the record and proceedings to the Commission with directions to reinstate the complaint proceed to another hearing and investigation and make such order as shall be reasonable and in conformity with law In making any final decree on any appeal the court shall have full power to dispose of all costs

Section 25 No evidence shall be received at the hearing on any appeal but if any party shall satisfy the court that evidence has been discovered since the hearing before the Commission that could not have been obtained for use at that hearing by the exercise of reasonable diligence and will materially affect the merits of the case the court may in its discretion remand the record and proceedings to the Commission with directions to take such after-discovered evidence and after consideration thereof enter and file such order as shall in the opinion of the Commission be reasonable and in conformity with law from which order an appeal shall lie as in the case of any other final order

Section 26 In all actions and proceedings in said court arising under this act process shall be served and the practice and rules of evidence shall be the same as in civil actions except as otherwise herein provided

Section 27 Every sheriff or other officer empowered to execute civil process shall execute any process issued under the provisions of this act and shall receive such compensation therefor as may be prescribed by law for similar services

Section 28 All appeals from the orders of the Commission to the said court shall take precedence upon the calendars of the said court over all other civil actions except election cases and suits for wages

Section 29 Nothing in this act contained shall be construed to deprive any party upon any such appeal and judicial review of the proceedings and orders of the Commission of the right to trial by jury of any issue of fact raised thereby or therein where such right is secured either by the Constitution of the Commonwealth or of the United States but in every such case such right of trial by jury shall remain inviolate provided however that when any appeal is taken such right shall be deemed to be waived upon all issues unless expressly reserved in such reasonable manner as shall be prescribed by the court of common pleas of Dauphin County

Section 30 Any party to the record aggrieved by the final judgment order or decree of the aforesaid proper court of common pleas may appeal therefrom to the Supreme Court Such appeal shall be taken and prosecuted in the same manner and form and with the same effect as is provided in other cases of appeal to the Supreme Court

Section 31 No injunction shall issue modifying suspending staying or annulling any order of the Commission or of a Commissioner except upon notice to the Commission and after cause shown upon a hearing The Court of Common Pleas of Dauphin County is hereby clothed with exclusive jurisdiction throughout the Commonwealth of all proceedings for such injunctions subject to an appeal to the Supreme Court as aforesaid Whenever the Commission shall make any rule regulation finding determination or order under the provisions of this act the same shall be and remain conclusive upon

all parties affected thereby unless set aside annulled or modified in an appeal or proceeding taken as provided in this act

Section 32 Every public service company its officers agents and employees affected by any final order of the Commission or any final order of the Court of Common Pleas of Dauphin County or of Supreme Court shall obey observe and comply with such order and with the terms and conditions thereof so long as the same shall be and remain in force

Section 33 Whenever the Commission shall be of opinion that any public service company is violating or is about to violate any provision of this act or has done or is about to do any act matter or thing herein prohibited or declared to be unlawful or has failed omitted neglected or refused or is about to fail omit neglect or refuse to perform any duty enjoined upon it by this act or has failed omitted neglected or refused or is about to fail omit neglect or refuse to obey any lawful requirement or final order made by the Commission or any final judgment order or decree made by the Court of Common Pleas of Dauphin County or by the Supreme Court then and in every such case the Commission may by its counsel or assistant counsel institute in the name of the Commission in the Court of Common Pleas of Dauphin County injunction mandamus or other appropriate legal proceedings to restrain such violations of the provisions of this act or of the orders of the Commission and to enforce obedience thereto and the said Court of Common Pleas is hereby clothed with exclusive jurisdiction throughout the Commonwealth to hear and determine all such actions

Section 34 The Attorney General in addition to the exercise of the powers and duties now conferred upon him by law shall also upon request of the Commission or of his own motion proceed in the name of the Commonwealth by mandamus injunction or quo warranto or other appropriate remedy at law or in equity to restrain violations of the provisions of this act or of the orders of the Commission or of the judgment orders or decrees of said courts or to enforce obedience thereto

Section 35 If any public service company shall violate any of the provisions of this act or shall do any matter or thing herein prohibited or shall fail omit neglect or refuse to perform any duty enjoined upon it by this act or shall fail omit neglect or refuse to obey observe and comply with any final direction requirement determination or order made by the Commission or to comply with any final judgment order or decree made by the Court of Common Pleas of Dauphin County or the Supreme Court such public service company for such violation omission failure neglect or refusal shall forfeit and pay to the Commonwealth of Pennsylvania the sum of five hundred dollars to be recovered by an action of assumpsit instituted in the name of the Commonwealth of Pennsylvania in the said Court of Common Pleas of Dauphin County which court is hereby clothed with exclusive jurisdiction throughout the Commonwealth to hear and determine all such actions

In construing and enforcing the provisions of this section the violation omission failure neglect or refusal of any officer agent or other person acting for or employed by any such public service company acting within the scope of his employment shall in every case be deemed to be the violation omission failure neglect or refusal of such public service company

Section 36 Each and every day's continuance in the violation of any final direction requirement determination or order of the Commission or of any final judgment order or decree made by the Court of Common Pleas of Dauphin County or by the Supreme Court shall be a separate and distinct offense provided however that if any interlocutory order of supersedeas or a preliminary injunction be granted no penalties shall be incurred or collected for or on account of any act matter or thing done in violation of such final direction requirement determination or order or decree so superseded or enjoined for the period of time such order or supersedeas or injunction is in force

Section 37 Any president secretary treasurer or other officer of any public service company who shall knowingly affix his name or attestation to any certificate of stock trust certificate corporate bond note or other evidence of indebtedness or other security issued by any public service company or any director who shall knowingly assent to the issue of any such certificate of stock trust certificate corporate bond note or other evidence of indebtedness or other security of any such public service company in violation of any of the provisions or requirements of this act or of section seven of article sixteen of the Constitution or any officer or director knowingly making or assenting to any false statement in any certificate of notification required to be made to the Commission by sub-sections (b) or (c) section four of article three of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine not exceeding five thousand dollars or undergo an imprisonment in the county jail for a term not exceeding five years either or both in the discretion of the court

Section 38 Each and every director president secretary treasurer or other officer agent or employee of any public service company who shall knowingly make or assent to any application or disposition of any stocks trust certificates bonds notes or other evidences of indebtedness or other securities or the proceeds of the sale or pledge thereof or any part thereof in violation of any statement or contrary to any purpose in relation thereto set forth or contained in any certificate of notification or who shall by any false statements oral or written knowingly make procure or seek to procure of the Commission the making or issuing of any certificate herein provided or who shall knowingly make or assent to any false statement in any report or account of the Commission as to the disposition or application of the proceeds or any part thereof of any sale or pledge of any stocks trust certificates bonds notes or other evidences of indebtedness or other securities shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay the costs of prosecution and a fine not exceeding five thousand dollars or undergo an imprisonment in the county jail for a term not exceeding five years either or both in the discretion of the court

Section 39 Any person whether an officer agent or employee of any public service company or not who shall fail omit neglect or refuse to obey observe and comply with any final order direction or requirement of the Commission or with any final order or decree of the said Court of Common Pleas of Dauphin county or of the Supreme Court or who shall procure aid or abet any such violation omission failure neglect or refusal shall be guilty of a misdemeanor and upon conviction thereof in any court of quarter sessions of competent jurisdiction shall be punished by a fine of not more than five hundred dollars or by imprisonment in the county jail for not less than one month nor more than twelve months either or both at the discretion of the court and upon conviction of any subsequent offense shall be punished by a fine of not more than one thousand dollars or by imprisonment in the county jail for not less than three months nor more than eighteen months either or both at the discretion of the court

The fortieth section was read as follows:

Section 40 If any person or corporation to whom any public service company shall render any service of the kind or character rendered or furnished by it shall knowingly by employees agent officer or otherwise directly or indirectly by or through any means or device whatsoever receive or accept from such public service company any sum of money or any valuable consideration as a rebate or offset against the regular and lawful charges for such service or shall by any false billing classification weight weighing or report of weight or by any means device or false representation or statement as to any matter seek to obtain such service at rates or other compensation different from or less than the said lawful charges shall in addition to any penalty provided by this act forfeit and pay to the Commonwealth a sum of money in treble the amount or value of such rebate or offset or difference so received accepted or sought to be ascertained by the trial court the said action to be brought within six years after the rebate or offset or difference has been received accepted or sought

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment to this section.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend page 91, Article 6, Section 40, line 12, after the word "charges" insert the word "such person or corporation."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The forty-first to the fifty-first sections inclusive were read separately and agreed to, as follows:

Section 41 If any public service company shall do or cause to be done any act matter or thing prohibited or declared to be unlawful by this act or shall refuse neglect or omit to do any act matter or thing enjoined or required to be done by this act such public service company shall be liable to the person or corporation injured thereby in the full amount of damages sustained in consequence thereof provided that the liability of public service companies for negligence as heretofore established by statute or by common law shall not be held or construed to be altered or repealed by any of the provisions of this act and provided further that the recovery in this section authorized shall in no manner effect a recovery by the Commonwealth of the penalty prescribed for the aforesaid violations of this act

Section 42 No public service company nor any officer agent or employee thereof shall be liable for any penalty or forfeiture or be subject to any prosecution on account of demanding collecting or receiving any rate fare or charge for any service or product rendered or furnished by it when such rate fare or charge is contained in the tariffs and schedules properly filed with the commission and posted or published as herein provided and is applicable by the terms thereof at the time to the said service or product rendered or furnished although such rate may be found by the commission to be unjust unreasonable unjustly discriminatory or unduly preferential

Section 43 All suits remedies prosecutions penalties and forfeitures provided for or accruing under this act shall be cumulative

Section 44 All fines imposed and all penalties recovered under the provisions of this act shall be paid to the secretary of the Commission and by him paid into the State Treasury

Section 45 No action for the recovery of any penalties or forfeitures on account of any matter or thing concerned in this act shall be maintained unless brought

within three years from the date at which the liability therefor arose except as otherwise herein provided

Section 46 Nothing in this act shall be construed to impair the powers and duties of the Secretary of Internal Affairs in the exercise of the general supervision over railroads canals and other transportation companies vested in him by the Constitution and laws of this Commonwealth nor shall this act or any provision therein be construed to deprive the Department of Health of this Commonwealth or the Water Supply Commission of Pennsylvania of any jurisdiction powers and duties now vested in them or either of them by the laws of this Commonwealth

Section 47 Copies of all official documents filed or deposited according to law in the office of the Commission certified by the secretary under the seal of the Commission shall be received in evidence in like manner and with the same effect as the originals and a like certified copy of the testimony and proceedings or any specific part thereof shall be received in evidence in any court with the same effect as if the said secretary were present and testified to the facts set forth in his certificate

Section 48 The Commission shall charge and collect the following fees for copies of all orders documents papers records et cetera

For copies of papers and records not required to be certified or otherwice authenticated by the Commission ten cents for each folio of one hundred words

For certified copies of official documents and orders filed in its office fifteen cents for each folio of one hundred words and one dolllar for each certificate under seal affixed thereto

For copies of testimony and proceedings taken or had before the Commission or a Commissioner not required to be certified or otherwise authenticated by the Commission ten cents for each folio of one hundred words

For certified copies testimony and proceedings taken or had before the Commission or a Commisioner fifteen cents for each folio of one hundred words and one dollar for each certificate under seal affixed thereto

For certifying a copy of any report made by any public service company to the commission two dollars

For each certified copy of the annual report of the commission one dollar and fifty cents

No fee shall be charged or collected for copies of papers records official documents testimony or proceedings furnished to public officers for use in their official capacity nor for the annual report of the Commission in the ordinary course of distribution All fees charged and collected by the Commission shall be paid into the State Treasury

Section 49 The Commission shall make an annual report on or before the second Monday of May in each year to the Governor and a duplicate thereof shall be filed with the Secretary of Internal Affairs which report shall contain

First A record of its meetings and an abstract of its proceedings during the preceding year

Second The results of any examinations or investigations made by it

Third Such statements facts and explanations as will disclose the actual workings and operations of public service companies in their relation to the business and prosperity of the Commonwealth and such suggestions as to the general policy of the Commonwealth or the amendment of its laws or the condition affairs or conduct of any public service company as may seem to it appropriate

Fourth Drafts of all bills sugested or recommended by it and the reasons therefor

Fifth Cuch tables and absracts of the repors of public service companies as it may deem expedient

Sixth A statement in detail of the traveling and other expenses and disbursements of the Commissioners and their appointees and employees

Five thousand copies of the report shall be printed and bound in cloth as a public document of the Commonwealth for the use of the Commissioners and to be distributed by them in their discretion of the officers of the pubilc service companies and other persons interested therein

Section 50 The provisions of this act except when specifically so provided shall not apply or be construed to apply to commerce with foreign nations or among the several States except in so far as the same may be permitted under the provisions of the Constitution of the United States and the acts of Congress

Section 51 It is hereby declared that the provision of this act are severable one from another and severable as to the public service companies and subject matters respectively dealt with thereby and if for any reason one or more of such provisions be judicially held to be unconstitutional as applicable to any particular public service company or subject matter dealt with by such provision or be held unconstitutional in any wise for any reason such holding or decision shall not affect the validity of such provision or provisions as applicable to other public service companies or subject matters dealt with hereby or the validity of the remaining provisions of this act It is hereby declared that the said provision and the said remaining provisions would have been enacted notwithstanding such judicial determination of the invalidity of any of said particular provision or provisions in any respect

The fifty-second section was read as follows:

Section 52 The act entitled "An Act to provide for the appointment of a Railroad Commission prescribing the membership of said commission the manner and term of the appointment of its members defining their powers and duties with reference to common carriers and in relation to making recommendations to the Attorney General and Secretary of Internal Affairs concerning the regulation control and management of common carriers within the Commonwealth defining what the term 'common carrier' shall include providing for the appointment of subordinate officers and the employment of expert and clerical employees by said Commission fixing the salaries of the members of said Commission and its subordinate officers providing for the compensation of its employees limiting the annual expense of said Commission and making an appropriation for the payment thereof" approved the thirty-first day of May Anno Domini one thousand nine hundred and seven (Pamphlet Laws three hundred thirty-seven) be and the same is hereby repealed said repeal to take effect the first day of July nineteen hundred and thirteen and all other acts or parts of acts inconsistent herewith be and the same are also hereby repealed

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Article 6, Section 52, page 96, line 10, by striking out the word "employes" and inserting in lieu thereof "employe."

Also amend line 13, by striking out the word "employes" and inserting "employe."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifty-third section was read as follows:

Section 53 The Railroad Commission of Pennsylvania shall on July first nineteen hundred and thirteen transfer and deliver to the Public Service Commission hereby created all property books maps papers files records pleadings in pending cases reports and other documents in its possession and belonging to it The Public Service Commission is hereby authorized to take possession thereof It shall also be lawful for the said Commission to hear and determine any pending cases transferred to it by the said The Pennsylvania State Railroad Commission and to dispose of its unfinished business

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

On page 96, Article 6, Section 53, line 1, amend after the word "the" insert "Pennsylvania State."

Also in line one, strike out the words "of Pennsylvania."

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, I would like to interrogate the gentleman from Tioga, Mr. Rockwell.

The SPEAKER. Will the gentleman from Tioga Mr. Rockwell, permit himself to be interrogated?

Mr. ROCKWELL. Mr. Speaker, Yes, sir.

Mr. HUMES. Mr. Speaker, I would like to inquire how the public service commission can carry out the provisions of this act which requires the carrying out of the unfinished business of the Pennsylvania Railroad Commission?

Mr. ROCKWELL. Mr. Speaker, as I understand it, this provision in relation to that was put in at the suggestion of the State Railroad Commission and there might be some matters that we cannot perhaps dispose of and if there were such matters it would be necessary to take them up in order later.

Mr. HUMES. Mr. Speaker, I would like to call the attention of the House to the fact that this bill repeals the act with reference to th Railroad Commission on July 1st. and the provisions of this act will not go into effect until next January—on January 1st. There certainly will not be any law in existence during the interim that could dispose of anything of that character.

Mr. ROCKWELL. Mr. Speaker, I don't understand that the provisions of the bill involves that matter.

Mr. HUMES. Mr. Speaker, I don't think the gentleman has familiarized himself with the bill he is amending, or with this section. That section provides that the repeal should take effect on July 1st and the subsequent section, fifty-four, provides that the provisions of this act take effect on January 1st. I would only like to reconcile that apparent inconsistency.

Mr. ROCKWELL. Mr. Speaker, my attention is called to this provision in section 55. If this act should take effect on the first day of January, 1914, and not before and it shall be ratified that the appointment of the Commissioners shall be made and after the commission is organized, they shall appoint such officers and employes which will give them the right to perform such duties as are necessary. If there is an error here, we will examine it carefully and correct it before the bill comes to final passage.

Mr. HUMES. Mr. Spetaker, I would like to further interrogate the gentleman from Tioga. Is it not a fact, under the provisions of this bill, that you are creating a commission on July 1st and paying them at the rate of ten thousand dollars a year and all their employes and yet giving them no power to perform their duties until the first of January 1914.

Mr. ROCKWELL. Mr. Speaker, they have full and complete power to organize and get their machinery and business ready to start at the beginning of the year.

Mr. HUMES. Mr. Speaker, this bill gives them six months to meet and organize.

Mr. ROCKWELL. Mr. Speaker, it might take that long to get the whole machinery in order. It is a big proposition.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

The section as amended, was then agreed to.

The fifty-fourth section was read as follows:

Section 54 It shall be the duty of the Public Service Commission of the Commonwealth of Pennsylvania established by this act to enforce the provisions of the act approved the nineteenth day of June Anno Domini one thousand nine hundred and eleven (Pamphlet Laws one thousand fifty-three) entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains" in lieu and in stead of the State Railroad Commission as provided in section nine of said last mentioned act which said last mentioned act shall otherwise remain in full force and effect

On the question,

Will the House agree to the section?

Mr. ROCKWELL. Mr. Speaker, I desire to offer an amendment.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Article 6, section 54, line 9, before the word "State" insert the word "Pennsylvania."

On the question,

Will the House agree to the amendment?

Mr. HUMES. Mr. Speaker, I desire to interrogate the gentleman from Tioga, Mr. Rockwell. I would like to know how the gentleman reconciles this section with Section 6, Article three of the Constitution which absolutely prohibits such a transfer of power and control as is attempted to be covered by this provision.

Mr. ROCKWELL. Mr. Speaker, to which section does the gentleman refer.

Mr. HUMES. Mr. Speaker, I refer to section 54, which is before the House now. I might cite section 6, article three of the Constitution, which provides as follows:

"No law shall be revived, amended, or the provisions thereof extended or conferred, by reference to its title only, but so much thereof as is revived, amended, extended or conferred shall be re-enacted and published at length."

Mr. ROCKWELL. Mr. Speaker, I suppose that we will have to do as we have to do in a great many cases where a constitutional question is raised. We will have to take our chances and take the bill as the best intelligence has drafted it and if the courts knock it out, that is a consideration of the future.

Mr. HUMES. Mr. Speaker, do I understand the gentleman from Tioga to say that there is no obligation upon this House to look to the constitutionality of this bill or any part of it? As I understand it that it the only inference to be drawn from his reply.

POINT OF ORDER.

I desire to raise a point of order on this question. I don't like to do it because I thought it could be arranged or fixed up to comply with the constitution but rather than let it go unchallenged, I want to raise a point of order.

The SPEAKER. The gentleman will state his point.

Mr. HUMES. Mr. Speaker, my point is that section 54 is in violation of the constitution.

Mr. ROCKWELL. I don't think it is, Mr. Speaker. As I understand it, we have already abolished the State Railroad Commission, but it undertakes to transfer to the new Public Service Commission the powers to enforce the Full Crew Act.

The SPEAKER. The Chair does not sustain the point of order. The point of order is overruled.

On the question recurring,

Will the House agree to the section?

It was agreed to.

The fifty-fifth section of Article VI of the bill was read and agreed to as follows:

Section 55 This act shall take effect the first day of January Anno Domini one thousand nine hundred and fourteen and not before except that it shall be lawful for the appointment of the Commissioners to be made and for the Commission to organize and to appoint such officers and employees as hereinabove provided The Commission shall be appointed and shall organize and make such appointments and establish its offices as hereinabove provided and make such general rules and orders under this act as it may deem wise or proper on or before the first day of October Anno Domini one thousand nine hundred and thirteen from and after which latter date it shall be the duty of every public service company to file with the Commission if required and punish and post its tariff schedules and its rules and regulations affecting its contracts and classifications as hereinabove provided The salaries of the Commissioners shall begin on July first one thousand nine hundred and thirteen or on such later date as they may respectively qualify as such Commissioners and the salaries and compensation of the officers and employees of the Commission shall begin when such officers and employees respectively are appointed or employed and enter upon the discharge of their duties

The title of the bill was read as follows:

An Act defining public service companies prescribing and defining the duties and liabilities of public service companies prescribing defining and limiting the powers of public service companies and regulating the creation of such companies creating the establishing a public service commission for the supervision and regulation of public service companies prescribing and defining the powers and duties of such commission and its officers and providing for the salaries and compensation of the members of the commission its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders by the court of common pleas of Dauphin county and giving such court exclusive jurisdiction of such appeals and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal from all decrees of said court to the Supreme Court prescribing penalties fines and imprisonment for the violation of such orders or of the provisions of this act and repealing the act approved May thirty-first one thousand nine hundred and seven which provided for the appointment of a Railroad Commission and all other legislation inconsistent with this act and making it the duty of the Public Service Commission to enforce the provisions of the act of June nineteenth one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes upon railroads by compelling common carriers by railroad to properly man their trains"

On the question,

Will the House agree to the title?

Mr. ROCKWELL. Mr. Speaker, I desire to offer the following amendment:

The amendment was read by the Clerk as follows:

Amend title by striking out entire title and inserting in lieu thereof the following:

An Act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a public service commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroad corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damages resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporations concerned and giving persons whose property is thereby taken injured or destroyed authority to use the Common-

wealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employees prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determinations by the Courts of Common Pleas and giving the Court of Common Pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled "An Act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains" repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of a Railroad Commission and all other legislation inconsistent with this act

On the question,
Will the House agree to the amendment?
It was agreed to.
The title as amended was then agreed to.
And said bill having been read at length the second time and agreed to, as amended,
Ordered, To be transcribed for a third reading.

HOUSE BILL NO. 183 MADE A SPECIAL ORDER.

Mr. ROCKWELL. Mr. Speaker, a special order having been fixed for this for third reading and final passage at four o'clock this afternoon, and as it will take at least thirty-six to forty-eight hours to have it re-printed, I move that the special order be changed from four o'clock this afternoon until Monday evening at nine-thirty.

Mr. SPEISER. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGE.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to House Bill numbered and entitled as follows, viz:

House Bill No. 1152.

An Act to create Suburban Metropolitan Districts of the areas within twenty-five miles of the limits of cities of the first class to provide for the creation of a Department or Suburban Metropolitan Planning and the appointment or Suburban Metropolitan Planning Commissions for such districts to prescribe their powers and duties and to provide for assessment upon the cities boroughs and townships within the limits thereof

Said bill having been recalled from the Governor for the purpose of amendment.

SENATE MESSAGES.

AMENDED HOUSE BILL CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate Bill No. 417.

An Act to amend the first section of an act entitled "An Act to provide efficient and practical means for the prevention control and eradication of a disease affecting chestnut-tree commonly called chestnut-tree blight providing for the destruction of trees so affected creating a commission to carrying out the purpose of this act fixing penalties for violation of the provisions hereof and making an appropriation therefor" approved June fourteenth one thousand nine hundred eleven (Pamphlet Laws page nine hundrd twenty-two) extending the provisions thereof in certain cases to other species of trees

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, May 12, 1913.—
Resolved, (If the Senate concur) That House Bill No. 465, File Folio 7775, entitled, An Act requiring a license for conducting any business the whole or greater part of which shall consist of the sale of goods which shall be held forth represented or advertised to be goods of or obtained from the estate of any bankrupt or goods of or obtained from an assignee or a person firm or corporation about to go out of business or goods to have been damaged in any way and regulating such licensing and fixing a penalty for violation of this act

be recalled from the Governor for the purpose of amendment.

AMENDMENTS TO SENATE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate Bill No. 717.

An Act authorizing corporations of this Commonwealth to declare at any time or times dividends out of net profits and prescribing the time within which the same shall be paid

The Clerk of the Senate being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows, viz:

Senate Bill No. 2.

An Act to amend an act approved the twenty-seventh day of April one thousand nine hundred and nine entitled "An Act relating to motor-vehicles regulating their speed upon the public streets and highways of the Commonwealth of Pennsylvania providing for their registration and the licensing of operators by the State Highway Department establishing the rights of motor-vehicles upon the public highways with relation to other vehicles regulating the service of process and of proceedings in actions for damages arising therefrom prescribing the penalties for violations of the provisions of this act and providing for the disposition of fines imposed thereunder"

HOUSE BILLS CONCURRED IN BY SENATE.

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

House Bill No. 525.

An Act to amend section eight of an act entitled "An Act relating to roads providing for the election and appointment of township supervisors in second class townships defining their powers duties and limitations relating to road tax and the expenditures thereof abolishing the work tax defining certain duties of the clerk of court fixing penalties for violation of this act and making an appropriation to carry out its provisions" approved the fourteenth day of June Anno Domini one thousand nine hundred and eleven

House Bill No. 1284.

An Act fixing the salary of the messenger in the State Library

House Bill No. 1238.

A Supplement to an act entitled "An Act relating to the grant of letters of administraion upon the estate of persons presumed to be dead by reason of long absence from their former domicile" approved June twenty-fourth one thousand eight hundred and eighty-five providing for the grant of ancillary letters of administration in this Commonwealth upon the estates of persons presumed to be dead by reason of long absence from their former domicile in any other State territory or foreign country who have left personal estate within this Commonwealth

House Bill No. 1581.

An Act relating to bail or surety bond furnished on appeals from courts of record in certain cases

House Bill No. 1871.

An Act to repeal an act approved the tenth day of April one thousand eight hundred sixty-nine entitled "An Act relating to hawking and peddling in the county of Lehigh"

With information that the Senate has passed the same without amendment.

SENATE NON-CONCURS IN AMENDMENTS.

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill No. 552, entitled as follows:

An Act empowering cities of the first class to purchase lease locate construct and equip or otherwise acquire transit facil-

ities and to own maintain use and operate the same within their corporate limits and within the limits of adjacent cities boroughs and townships to exercise the right of eminent domain in connection therewith and prescribing the manner of ascertaining the damages sustained in connection with such exercise to sell pledge or lease transit facilities to grant licenses for the use of the same to enter into agreements for the construction and operation of the same to connect the tracks of railways with the tracks of railroad or railway companies and under certain conditions to use portions of the tracks of the latter and empowering railroad railway and motor power companies to sell purchase and lease transit facilities to and from said cities and to contract with said cities respecting he acquisition constuction operation and use of transit facilities

Mr. RONEY. Mr. Speaker, I move that the House adhere to its amendments non-concurred in by the Senate.

Mr. J. R. K. SCOTT. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 696.

An Act providing and requiring standard provision in policies of health or accident or accident and health insurance issued or delivered in this Commonwealth prohibiting discrimination in such insurance exempting certain contracts and fixing penalties for violation of this act

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

Mr. R. J. BALDWIN. Mr. Speaker, I move that the House non-concur in the amendments made by the Senate.

Mr. RAMSEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1356.

An Act to amend section two of an act entitled "An Act to authorize the erection of a poor house by the city of Carbondale in he county of Luzerne approved the ninth day of March Anno Domini one thousand eight hundred and sixty so as to increase the real estate holding of said poor district for almshouse

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The amendment was read as follows:

Amend section 1, line 38, by striking out "thirty-five" and inserting "twenty"

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair is informed that the sponsor is satisfied with the amendment if the House is.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Adams,	Donahoe,	Kuhn, H. P.,	Roney,
Allen,	Donnally,	Kuhns, E.G.M.,	Rothenberger,
Alworth,	Down,	Latshaw,	Runk,
Ambler,	Dunn, H. B.,	Lenker,	Sassaman,
Aron,	Dunn, J. A.,	Leslie,	Savacool,
Arthur,	Ehrhardt,	Lohr,	Schaeffer, A. G.
Baldwin, G. A.,	Eichenberger,	Lowers,	Schuck,
Baldwin, R. J.,	Ely,	Martin,	Scott, S. B.,
Barner,	Ewing,	Mather,	Shaffer, I. E.,
Bass,	Fahey,	Matt,	Sherwood,
Bayle,	Gans,	McAleer,	Showalter,
Becker,	Geiser,	McAllister,	Smith, J. W.,
Benninger,	Gibson,	McArdle,	Smith, L.,
Benson,	Good,	McCaig,	Snavely,
Bergey,	Grabe,	McDermott,	Spangler,
Bernthelzel,	Gramley,	McNichol,	Spillinger,
Bittles,	Hackett,	Metzenbacher,	Steedle,
Blair, W. A.,	Haggerty,	Missimer,	Steele,
Brosius,	Heidinger,	Mitchell,	Strauss,
Brown,	Hemminger,	Moore,	Swartz,
Brownlee,	Heyburn,	Morrow,	Swift,
Burnett,	Hibshman,	Moses,	Thomas,
Campbell, C.M.,	Hobbs,	Moulthrop,	Ulerich,
Carter,	Howard, J.,	Neel,	Ulman,
Cheeseman,	Humes,	Newbaker,	Walsh,
Claycomb,	Isler,	O'Neill,	Watson,
Cleary,	Irwin, H. H.,	Perry, S. J.,	Whitaker,
Cochran,	Jackson,	Piper,	Whitman,
Collins,	Jones, E. E.,	Price,	Wildman,
Conner,	Jones, J. R.,	Ramsey,	Williams,
Conniff,	Kaiser,	Redfield,	Wilson, J. H.,
Conrade,	Kaufman,	Reese,	Wilson, W. H.,
Cox,	Keegan,	Rex,	Wiltbank,
Currier,	Keeport,	Rhoads,	Young, G. K.
Curry,	Kenna,	Richards,	Zimmerman,
Davis,	Kennedy,	Robinson,	Alter,
DeFrees,	Kern,	Rockwell,	Speaker.
Dickinson,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RECESS.

The SPEAKER. The hour of 1 o'clock having arrived, the House will take a recess until 3 o'clock P. M.

AFTER RECESS.

The House reconvened at 3.00 o'clock P. M.

The SPEAKER (George E. Alter) in the Chair.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF HOUSE BILL NO. 1454.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1454, entitled "An Act for the better protection of wild Turkeys in this Commonwealth."

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 1234.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1234, entitled "An Act to define who shall be responsible for the maintenance of neglected or dependent children placed in the care and custody of any association society person or family by the courts of this Commonwealth."

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 1145.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1145, entitled "An Act authorizing and empowering the overseers of the poor of any two or more poor districts in any county not having a county poor house with approval of the court to unite in the leasing or purchase of real estate and erection of buildings for the care and employment of the poor of such districts authorizing the overseers of such districts to issue bonds therefor and providing for the equipment maintenance and regulation of such poor house."

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 787.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 787, entitled "An Act to amend an act entitled 'An Act to amend section one of an act entitled 'An Act to provide that municipal corporations shall not be required to file affadavits of defense in actions of assumpsit' approved the twenty-sixth day of April Anno Domini one thousand eight hundred and ninety-three providing for the making and filing of an affidavit of the amount admitted to be due by such municipal corporations in any such actions and

authorizing the plaintiff therein to take judgments for the amount so admitted to be due' approved the third day of May Anno Domini one thousand nine hundred and nine.'"

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 607.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 607, entitled "An Act making an appropriation to refund to the Standard Distilling Company of Mount Pleasant Westmoreland county Pennsylvania the sum of eight hundred and ninety-five and fifty one hundredth dollars inadvertantly and erroneously paid by it under protest into the State Treasury for a distiller's license for a distillery heretofore and now known as the Standard Distilling Company."

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 173.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 173, entitled "An Act to validate deeds mortgages and other instruments of writing which have been defectively acknowledged by husband and wife prior to the fourth day of April one thousand nine hundred and one."

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 600.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 600, entitled "An Act authorizing the appointment of interpreters in each county of this Commonwealth and providing for their compensation."

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 512.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 512, entitled "An Act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof."

Signed JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 1490.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1490, entitled "An Act regulating the appointment confirmation duties salary and expenses of county detectives in counties containing not less than three hundred thousand nor more than seven hundred thousand inhabitants."

Signed JOHN K. TENER

APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recommending the passage of an Act of Congress establishing a minimum rate of wages for employes in the Arsenals of the United States.

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 442.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 442, entitled "An Act amending section one thousand four hundred twelve in article fourteen of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' by requiring the free education in the public schools of children who are inmates of institutions for the care or training of orphans or other children."

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 426.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 426, entitled, "An Act relating to divorce."

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 1436.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1436, entitled "An Act to provide for the oral examination of a judgment debtor for the purpose of discvoering whether he has property which may be made subject to execution on the judgment.

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 1025.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 1025, entitled "An Act to amend section one of an act approved the eleventh day of June one thousand eight hundred and seventy-nine entitled 'An Act to authorize cities of the first class to levy and fix a tax rate to fix the time of opening and closing the tax duplicates to regulate the apropriations and expenditures of said cities and prescribing penalties for the violation of the provisions of this act' by fixing the first of November in each year as the time on or before which the city controller shall be required to furnish to councils the estimate provided for by such act and the first of December in each year as the time on or before which the tax rate for the ensuing year shall be fixed."

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 734.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 9, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 734, entitled, "An Act to amend section twenty-two of the act of May first one thousand nine hundred and nine entitled 'An Act to provide for the protection and preservation of game game-quadrupeds and game-birds and song and insectiverous and other wild birds and prescribing penalties for violation of its several provisions by giving additional protection to ruffed grouse quail and wild foul."

(Signed) JOHN K. TENER

APPROVAL OF HOUSE BILL NO. 296.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 10, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed House Bill No. 296, entitled, "An Act authorizing and empowering the county commissioners and the county solicitor and the chief clerk of said commissioners of each county to organize themselves into a Stae Association for the purpose of holding annual meetings and providing for the payment of the expenses thereof."

(Signed) JOHN K. TENER

APPROVAL OF CONCURRENT RESOLUTION.

Commonwealth of Pennsylvania
Executive Chamber, Harrisburg, May 8, 1913

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I have the honor to advise you that I have this day approved and signed Concurrent Resolution from the Senate and House of Representatives, recalling from the Governor for the purpose of amendment, House Bill No. 1153 entitled, "An Act for the prevention of blindness by requiring the reporting the cases of ephthalmia neonatorum (inflamation of the

eyes of infants) by physicians mid-wives and others and requiring the reporting of results of treatmentof each case of said disease and fixing a penalty for violation thereof."

(Signed) JOHN K. TENER

RECONSIDERATION OF VOTE.

Mr. KAUFMAN. Mr. Speaker, I move that the vote by which House Bill No. 1153 passed finally be reconsidered.

Mr. GRAMLEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. KAUFMAN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. SWARTZ. Mr. Speaker, I second the motion.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. KAUFMAN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Amend House Bill 1153 file folio No. 5757 section 3 line 2 after the word "authorities" by striking out the word "of" and inserting instead the word "or."

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

VETO OF HOUSE BILL NO. 960.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, House Bill No. 960, entitled:

"An Act to amend section one thousand two hundred and seven of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled 'An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith."

The approval of this proposed amendment would make possible for school directors to employ a relative of one of their number as a teacher with greater frequency than it is possible for them so to do under the original provisions of the School Code. Under the provisions of Section 1207 of the Code no teacher who is related to a member of the Board may be employed except through the affirmative votes of three-fourths of the members of the Board.

It is now proposed to modify this requirement so as to provide for the election of such teacher by the affirmative votes of two-thirds of the members of the Board, and to provide that the prohibition against the election of relatives of the members of the Board as teachers in their district shall not apply to any teacher who shall have taught in such district prior to the election of all the members of the Board. This exemption in favor of teachers who have taught in the district prior to the election of all the members of an existing Board, seems to me to be unjustifiable class legislation.

For these reasons the bill is not approved.

(Signed) JOHN K. TENER

Mr. CONNIFF. Mr. Speaker, I move that the commniucation from His Excellency, the Governor, be laid on the table.

Mr. MURPHY. Mr. Speaker, I second the motion.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

VETO OF HOUSE BILL NO. 1073.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 8, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, House Bill No. 1073, entitled:

"An Act providing that where municipalities are vested with the power of acquiring property by condemnation proceedings for municipal purposes other than street improvements the title to be acquired by the said municipalities shall be the fee simple title thereof"

This bill is similar in import to a bill vetoed by me during the session of 1911, except that in the present bill property acquired for street improvements is to be exempted rrom its operation. I am not persuaded of the wisdom of changing by general legislative enactment the rule to the effect that the appropriation of land by condemnation proceedings does not give the appropriating corporation the fee simple title to the land in the absence of express statutory language to that effect, but gives it merely a conditional fee, terminable on the cessation of the use for which the property was condemned.

For these reasons the bill is not approved.

Signed JOHN K. TENER.

The SPEAKER. The question is, Shall the bill become a law, the objection of the Governor notwithstanding. Those in favor of sustaining the Governor's veto will vote "no" and those in favor of overriding the veto will vote "aye."

Mr. LETZKUS. Mr. Speaker, two years ago this bill passed the House and Senate and it met the disapproval of the Governor, and his reason for vetoing the bill at that time was. I think, cut out by the Mayor of Pittsburgh, to conform with what he thought the bill should be, and I am surprised at its being vetoed at this time.

Mr. ALWORTH. Mr. Speaker, I believe a large number of the members do not understand the purport of this bill and I would like to have the sponsor of this bill explain its provisions, so that we may know what we are voting on.

Mr. LETZKUS. Mr. Speaker, this is a bill drafted by the Mayor of Pittsburgh. Two years ago it passed this House and the Senate and was vetoed by the Governor. It provides for taking property for street improvements, etc., by condemnation proceedings in fee simple, and the Governor vetoed it, stating he did not think it was right to hold this property in fee simple. The Mayor of Pittsburgh cut that provision out and drafted a bill to conform with the Governor's ideas. The bill then passed the House and the Senate and the Governor also vetoed it again this session with the explanation he has given. The bill is a good one. It is a meritorious one and should become a law. It is to take a lot of red tape off the property that the cities hold for various purposes, such as fire engine houses and various other matters that pertain to city property, to take all this red tape off the title to property without it being in fee simple, so that at any time they can transform this property into some other purpose than called for in the deed.

Mr. O'NEILL. Mr. Speaker, what change was made in this bill from the last?

Mr. LETZKUS. Mr. Speaker, in regard to street improvements, etc. I would have to go over the whole bill to make a thorough explanation.

Mr. McALEER. Mr. Speaker, as I understand this bill it provides that when a city buys a piece of ground, for instance, that it should be used for fire engine house property; then a little later on it wants to change it to a police station, school. or any such purpose, it has the right to do so because it holds the property in fee simple, not having been bought for a single purpose, but for general purposes. That is the way I understand the bill.

Mr. LETZKUS. Mr. Speaker, that is right.

Mr. O'NEILL. Mr. Speaker, some of the members do not seem to understand the Governor's objections.

The SPEAKER. The Governor's message will be read again.

The message was then read by the Clerk.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary notwithstanding?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—38.

Alworth,	Claycomb,	Kern,	Rockwell,
Baldwin, G. A.,	Cochran,	Letzkus,	Scott, J. R. K.,
Barner,	Collins,	Malie,	Sherwood,
Benson,	Conniff,	Matt,	Snavely,
Bigger,	Dunn, H. B.,	McDermott,	Steedle,
Bleloch,	Geary,	Neely,	Stein,
Brownlee,	Geiser,	Peachey,	Swift,
Burnett,	Howard, R.,	Perry, S. J.,	Walnut,
Carson,	Isler,	Richards,	Wettach,
Cheeseman,	Jones, J. R.,	Robinson,	

NAYS—117.

Ambler,	Frey,	Mather,	Runk,
Aron,	Gans,	McAleer,	Sassaman,
Baldwin, R. J.,	Gibson,	McAllister,	Savacool,
Bass,	Good,	McArdle,	Schaeffer, A. C
Bayle,	Gramley,	McCaig,	Shaffer, I. E.,
Benninger,	Gransback,	McClintock,	Showalter,
Berntheizel,	Haggerty,	McKay,	Smith, J. W.,
Blair, W. A.,	Hemminger,	McNichol,	Smith, L.,
Body,	Hess,	Mellott,	Snyder,
Brosius,	Heyburn,	Missimer,	Spangler,
Brown,	Hibshman,	Mitchell,	Speiser,
Caldwell,	Hobbs,	Moore,	Spillinger,
Campbell, C.M.,	Hoffman,	Morrow,	Steele,
Carter,	Howard, J.,	Moses,	Strauss,
Cleary,	Irwin, G. C.,	Moulthrop,	Swartz,
Conner,	Irwin, H. H.,	Murphy,	Thomas,
Conrade,	Jackson,	Musser,	Ulerich,
Cox,	Jones, E. E.,	Neel,	Ulman,
Currier,	Kaufman,	Newbaker,	Walton,
Curry,	Keegan,	Newton,	Whitaker,
DeFrees,	Keeport,	North,	Whitman,
Dickinson,	Kennedy,	O'Neill,	Wildman,
Donahoe,	Kitts,	Price,	Williams,
Donnally,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
Down,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Dunn, J. A.,	Latshaw,	Reese,	Wiltbank,
Ehrhardt,	Leslie,	Reeser,	Young, G. K.
Ely,	Light,	Rex,	Young, J. H.,
Ewing,	Lohr,	Rhoads,	Zimmerman,
Fahey,	Lowers,	Roney,	Alter,
Forster, I. G.,	Martin,	Rothenberger,	Speaker.
Foster, J. D.,			

Less than two-thirds of all the members of the House having voted in the affirmative, as required by the Constitution, the veto of the Governor was sustained.

MOTION TO RECOMMIT.

Mr. SPANGLER. Mr. Speaker, I ask unanimous consent to have recommitted to the Committee on Judiciary Special House Bill No. 1892 (Senate Bill No. 13), entitled:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

The SPEAKER. The Chair hears objections.

Mr. SPEISER. Mr. Speaker, I am a member of this subcommittee and the reason that we wish to have it recommitted is that the committee in placing an amendment in the bill made a typographical error, and we desire to have it referred back to the committee for that purpose.

The SPEAKER. As motions to recommit were crowded out of the order of business on Monday night and not taken up since, motions to recommit will be considered as soon as the present work of clearing the desk shall have been completed.

COMMUNICATIONS FROM THE GOVERNOR.

The Private Secretary to the Governor being introduced, presented the following communication from the Governor, which was read as follows:

VETO OF HOUSE BILL NO. 41.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 9, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, House Bill No. 41, entitled:

"An Act to amend an act approved the twenty-fifth day of June Anno Domini one thousand eight hundred ninety-five entitled 'An Act dividing the cities of this State into three classes with respect to their population and designating the mode of ascertaining and changing the classification thereof in accordance therewith."

The primary purpose of this proposed amendment is to enable a city to pass from one class into a higher class, if it shall appear from a census "taken in pursuance of an ordinance of the proper city" that the city in question has the requisite population.

Under the Act of May 8, 1889, P. L. 133, it was provided that the classification of cities should be ascertained and fixed by reference to their population according to the last preceding United States census, or any municipal census taken later, etc., but in the later Act of June 25, 1895, P. L. 275, the provision for a municipal census was eliminated, and it is now provided that the classification of cities shall be ascertained and fixed by reference to their population according to the last preceding United States census.

Under our present system, neither counties nor cities pass from one class to another by reason of the mere existence of the fact of population, but as a result of the legal and official ascertainment of such fact through the medium of a Federal census.

In my judgment it would be unwise to change the existing mode of ascertaining and fixing the classification of cities.

For these reasons the bill is not approved.

Signed JOHN K. TENER.

On the question,

Shall the bill become a law, the objections of the Governor to the contrary, notwithstanding?

Mr. KEEPORT. Mr. Speaker, I move that the message from the Governor be laid upon the table for the present.

Mr. SAMUEL PERRY. Mr. Speaker, I second the motion.

The motion was agreed to.

VETO OF HOUSE BILL NO. 962.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, Pa., May 10, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, House Bill No. 942, entitled:

"An Act to amend the second and fourth sections of an act entitled 'An Act to provide for the registration of veterinary surgeons and to further regulate the practice of veterinary medicine and surgery in the Commonwealth of Pennsylvania' approved the eighteenth day of April one thousand nine hundred and five so that the State Board of Veterinary Medical Examiners shall be entitled to receive an annual registration fee not to exceed five dollars or an annual fee of less than five dollars if sufficient for expenses and said board or its duly authorized agent shall be prosecutor in actions for infringements of said act and also including the practice of veterinary dentistry in the provisions for infringements of said act."

One of the purposes of this proposed amendment is to authorize the State Board of Veterinary Medical Examiners to increase the fee to be paid for annual registration from one dollar to five dollars, or to such amount between one dollar and five dollars as may in the judgment of the Board be necessary to meet the proper expense incurred by it.

By the fourth section of the original act of May 16, 1895, P. L. 79, establishing the State Board of Veterinary Medical Examiners, it is enacted that the Board shall pay from the fees provided for in the act all proper expenses incurred by it, and if any surplus remain the examiners shall receive a reasonable remuneration from said surplus for their work.

In my message to the General Assembly at its present session, I recommended that the annual compensation to be received by members of examining boards be fixed by statute and that all fees collected should be paid into the State Treasury for the use of the Commonwealth.

If the present fees received by this Board are not sufficient to pay its necessary expenses, provisions for such expenses should be made by an item in the General Appropriation bill, rather than by the method proposed in this bill.

For these reasons the bill is not approved.

(Signed) JOHN K. TENER.

Mr. REESE. Mr. Speaker, I move that this communication be laid on the table.

Mr. MISSIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

VETO OF HOUSE BILL NO. 1156.

Commonwealth of Pennsylvania,
Executive Chamber, Harrisburg, May 8, 1913.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania.

Gentlemen:—I herewith return, without my approval, House Bill No. 1156, entitled:

"An Act empowering cities to enact ordinances relating to repairs and improvements to street in cases where the obligation to repair rests upon some person or corporation other than the municipality and to impose penalties for violation of such ordinances."

This Act is drastic in its operation, and vests unlimited power, without the right of appeal, in an "administrative officer" to determine the necessity of making improvements, and not only authorize municipalities to specify any "methods of structure and material to be used for street paving, foundations, street railway tracks, pipes, conduits, or other structures," but also authorizes the municipalities to make "any other regulations necessary or desirable."

For these reasons the bill is not approved.

(Signed) JOHN K. TENER.

Mr. KAISER. Mr. Speaker, I move that this communication be laid on the table.

Mr. H. P. KUHN. Mr. Speaker, I second the motion.

The motion was agreed to.

SENATE MESSAGES.

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 221,

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury after deduction of expenses which expenses said registers are authorized to incur

with information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bill seems to be mislaid and this matter will be withheld for the present.

SENATE MESSAGE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives, numbered and entitled as follows:

House Bill No. 1047,

An Act to amend the third and fourth sections of an act entitled "An Act establishing in each county a board of viewers prescribing their duties providing for their appointment as viewers road juries juries of view and commissioners to view land and providing for the charges upon the respective counties in the matter of salaries costs and expenses thereof" approved the twenty-third day of June Anno Domini one thousand nine hundred and eleven fixing the per diem compensation and mileage of the said board of viewers and providing for the payment thereof by the proper county and increasing the powers of viewers regarding the administration of oaths

with the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The sponsor of this bill being absent, this bill will be withheld for the present.

SPECIAL ORDER.

The SPEAKER. House Bill No. 1125 was fixed as a special order for four o'clock yesterday afternoon. It was displaced by the continued consideration of Bill No. 183. This bill will be taken up at this time, if desired by its sponsor.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1125, as follows:

An Act to provide revenue by taxation for the improvement of the public streets and roads in the boroughs and townships in this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the State authorities levying and collecting taxes shall as provided under existing laws levy and collect an additional special tax of one mill for street and road purposes on personal property capital stock and bonds of corporations joint stock associations companies limited partnerships gross earnings of corporations bankers brokers and foreign insurance companies which are now taxed for State purposes including the capital stock and bonds of companies limited co-partnerships and corporations engaged in manufacturing and brewing Provided The provisions of this act shall not apply to mortgages and judgments

Section 2 The street and road taxes collected under the provisions of this act shall be held by the State as a separate street and road fund to be distributed under the direction of the State Highway Commissioner among the several boroughs and townships of the State in proportion to the number of miles of public streets and roads in each borough and township for permanent street and road improvements the provisions of this act as to assessment and collection of taxes shall go into effect on the first day of December one thousand nine hundred and thirteen and the distribution of the road fund so collected shall be made on the first day of April in each year beginning in the year one thousand nine hundred and fifteen

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—105.

Adams,	Dunn, H. B.,	Light,	Reese,
Allen,	Dunn, J. A.,	Lohr,	Reeser,
Baldwin, G. A.,	Foster, J. D.,	Lowers,	Rex,
Barner,	Frey,	Malie,	Richards,
Bayle,	Geiser,	Martin,	Robinson,
Benninger,	Gibson,	Mather,	Rockwell,
Benson,	Good,	Matt,	Rothenberger,
Bergey,	Goss,	McDermott,	Runk,
Bigger,	Grabe,	McKay,	Savacool,
Bittles,	Gramley,	Mechling,	Shaffer, C. A.,
Body,	Hemminger,	Mellott,	Shaffer, L. E.,
Brosius,	Hobbs,	Metzenbacher,	Showalter,
Brown,	Howard, R.,	Miller,	Smith, J. W.,
Brownlee,	Humes,	Moses,	Snavely,
Caldwell,	Isler,	Murphy,	Steedle,
Campbell, C.M.,	Jackson,	Musser,	Stein,
Carson,	Jones, E. E.,	Neely,	Stone,
Carter,	Jones, J. R.,	Newbaker,	Strauss,
Cheeseman,	Kaiser,	Newton,	Swift,
Claycomb,	Kaufman,	O'Neill,	Trach,
Cochran,	Keegan,	Peachey,	Ulerich,
Collins,	Kuhn, H. P.,	Pennegar,	Watson,
Conniff,	Kuhns, E.G.M.,	Pennock,	Wettach,
Currier,	Lanius,	Perry, H. L.,	Whitman,
Donahoe,	Latshaw,	Post,	Williams,
Donnally,	Letzkus,	Price,	Wilson, J. H.,
Down,			

NAYS—73.

Alworth,	Forster, J. G.,	McArdle,	Snyder,
Ambler,	Gans,	McNichol,	Spangler,
Aron,	Gransback,	Missimer,	Speiser,
Arthur,	Hackett,	Mitchell,	Steele
Baldwin, R. J.,	Haggerty,	Moore,	Swartz,
Bass,	Heidinger,	Morrow,	Thomas,
Burnett,	Hess,	Moulthrop,	Ulman,
Cleary,	Heyburn,	Neel,	Walnut,
Conner,	Hibshman,	Perry, S. J.,	Walsh,
Conrade,	Hoffman,	Ramsey,	Walton,
Cox,	Howard, J.,	Redfield,	Whitaker,
Curry,	Irwin, G. C.,	Rhoads,	Wildman,
Davis,	Keeport,	Roney,	Wilson, W. H.,
DeFrees,	Kennedy,	Sassaman,	Wiltbank,
Dickinson,	Kern,	Scott, S. B.,	Young, J. H.,
Eichenberger,	Leslie,	Semmens,	Zimmerman,
Ely,	McAleer,	Sherwood,	Alter,
Ewing,	McAllister,	Smith, L.,	Speaker.
Fahey,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL RECOMMITTED.

Mr. SPANGLER. Mr. Speaker, I move that House Bill No. 1892 (Senate Bill No. 13), on page 24 of today's calendar, entitled:

An Act providing for the incorporation regulation and government of cities of the third class regulating nomination and election of municipal officers therein and repealing consolidating and extending existing laws in relation thereto

be recommitted to the Committee on Judiciary Special.

Mr. H. B. DUNN. Mr. Speaker, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES.

Mr. ALLEN, from the Committee on Congressional Apportionment, reported as amended, House Bill No. 1098, entitled:

An Act to apportion the State into Congressional Districts

Mr. McCLINTOCK, from the Committee on Elections, reported as committed, House Bill No. 2003, entitled:

A Joint Resolution proposing an amendment to Article eighteen Section one of the Constitution of the Commonwealth of Pennsylvania providing a different method of publishing proposed amendments to said Constitution

Mr. S. B. SCOTT, from the Committee on Municipal Corporations, reported as committed, House Bill No. 1979 (Senate Bill No. 514), entitled:

An Act to amend an act approved the third day of April one thousand eight hundred and fifty-one "An Act regulating boroughs" as amended

Mr. COX, from the Committee on Printing, reported as amended, House Bill No. 1954 (Senate Bill No. 942), entitled:

An Act providing for the printing binding and distribution of two publications heretofore published by the State namely "Pennsylvania at Gettysburg" and "Report of the Commission to Locate the Sites of the Frontier Forts of Pennsylvania" also providing for additions to said reports and for the editing proof reading and indexing thereof and making appropriations for said work

Mr. WALNUT, from the Committee on Judiciary Local, reported as committed, House Bill No. 1861 (Senate Bill No. 646), entitled:

A Joint Resolution proposing an amendment to Section eight of Article nine of the Constitution of Pensylvania

Mr. SCHUCK, from the Committee on Public Roads, reported as amended, House Bill No. 1940 (Senate No. 485), entitled:

An Act relating to motor vehicles and vehicles trailing after or propelled by motor vehicles regulating their speed upon the public streets and highways in the Commonwealth of Pennsylvania providing for their registration and licensing of certain operators by the State Highway Department prohibiting the operation of any motor vehicle by any person when intoxicated or without the consent of the owner forbidding the passage of any law laying a tax upon or requiring the registration of motor vehicles or licensing of any operator or regulating the speed of motor vehicles by any county borough city incorporated town or township establishing the rights of motor vehicles upon the public highways with relation to other vehicles providing for their equipment and for the width of tires to be used upon motor vehicles and vehicles trailing after or propelled by motor vehicles regulating the service of process and proceedings in actions for damages arising therefrom providing for arrest and for service of process and proceedings for violation of this act prescribing the penalties therefor and providing for the disposition of fees collected and fines imposed thereunder

Mr. PEACHY, from the Committee on Agriculture, reported as committed, House Bill No. 2004 (Senate Bill No. 597), entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred and one entitled "An Act to prohibit the manufacture and sale of oleomargarine butterine and other similar products when colored in imitation of yellow butter to provide for license fees to be paid by manufacturers wholesale and retail dealers and by proprietors of hotels restaurants dining-rooms and boarding houses for the manufacture or sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and to regulate the manufacture and sale of oleomargarine butterine or other similar products not colored in imitation of yellow butter and prevent and punish fraud and deception in such manufacture and sale as an imitation butter and to prescribe penalties and punishment for violations of this act and the means and method of procedure for its enforcement and regulate certain matters of evidence in such procedure

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1995 (Senate Bill No. 999), entitled:

An Act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners

Mr. PEACHY, from the Committee on Education, reported as committed, House Bill No. 2012 (Senate Bill No. 783), entitled:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are of may be inconsistent therewith

Mr. HEIDINGER, from the Committee on Judiciary Special, reported as committed, House Bill No. 1975 (Senate Bill No. 909), entitled:

An Act to authorize the display of the State county city borough or other municipal flags on public buildings in the Commonwealth

Mr. GIBSON, from the Committee on Judiciary Local, reported as committed, House Bill No. 1986 (Senate Bill No. 1061), entitled:

An Act to repeal an act entitled "An Act providing the manner in which county bridges shall be built by the county of Luzerne" approved the sixteenth day of April Anno Domini one thousand eight hundred and seven

Mr. LESLIE, from the Committee on Judiciary Local, reported as amended, House Bill No. 1728, entitled:

An Act regulating private detectives

Mr. MITCHELL, from the Committee on Corporations, reported as amended, House Bill No. 1811 (Senate Bill No. 360), entitled:

An Act relating to the organization and meetings of corporations not for profit incorporated under the laws of Pennsylvania

Mr. RUNK, from the Committee on Public Roads, reported as committed, House Bill No. 2027 (Senate Bill No. 994), entitled:

An Act authorizing the State Highway Commissioner to take over the rights of way of canal companies and of railroad and railway companies that have been abandoned or that have not been build upon for the use of the State Highway Department for the purpose of locating and constructing State Highways and providing a method of condemnation procedure

Mr. E. G. M. KUHNS, from the Committee on Public Roads, reported as committed, House Bill No. 1352, entitled:

An Act amending the second section of an act approved the thirteenth day of June one thousand eight hundred thirty-six entitled "An Act relating to roads highways and bridges" by designating the termini of all roads and highways and authorizing the laying out of roads and highways with a single terminus on a highway or place of public resort

Mr. McALEER, from the Committee on Municipal Corporations, reported as amended, House Bill No. 1288, entitled:

An Act to provide for the abatement of discharge of smoke in cities of the first class for the regulation of all such discharges and the sources thereof and for the punishment of those causing or permitting the emission of smoke in violation of such provisions

Mr. SPEISER, from the Committee on Judiciary Special, re-reported as amended, House Bill No. 1789, entitled:

An Act regulating process pleading and practice in all civil cases whether at law in equity in divorce or otherwise howsoever hereafter brought in any court of record of this Commonwealth and providing a complete system of procedure within the limits of the subject matter of this act

Mr. KUHNS, from the Committee on Judiciary Special. reported with a negative recommendation, House Bill No. 1254, entitled:

An Act making it a misdemeanor to solicit procure or induce any person to perform any act of adultery fornication buggery sodomy or any other sexual unlawful unnatural sexual intercourse providing for the taking of finger prints of defendants convicted thereunder and of the admission of the records thereof in evidence

Mr. BROWNLEE, from the Committee on Judiciary Special, reported with a negative recommendation, House Bill No. 1676, entitled:

An Act to amend section four of an act approved the twenty-nine day of March one thousand eight hundred and ninety-nine entitled "An Act to establish a board for the examination of accountants to provide for the granting of certificates to accountants and to provide a punishment for the violation of this act"

Mr. GANS, from the Committee on Electric Railways, reported with a negative recommendation, House Bill No. 378, entitled:

An Act to amend an act approved the fourteenth day of May one thousand eight hundred and eighty-nine entitled "An Act to provide for the incorporation and government of street railway companies in this Commonwealth" as amended by an act approved the third day of May one thousand nine hundred and five entitled "A Supplement to an act entitled 'An Act to further amend an act entitled 'An Act to provide for the incorporation and government of street railway companies in this Commonwealth'" approved the fourtenth day of May Anno Domini one thousand eight hundred and eighty-nine and the amendments thereto approved the twenty-first day of May Anno Domini one thousand eight hundred and ninety-five and providing for the length of tracks of any companies that may be used by another company for the use by any company of streets highways and bridges which have been abandoned or may be abandoned or are not in use by any other companies chartered or authorized to use the same or which are not in constant daily use for the transportation of passengers by such companies and for the use of streets high-

ways and bridges by any company which other companies have relinguished the right to use or which are only in temporary use either by virtue of the provisions of any act of Assembly or of any ordinance of council or of any contract or agreement with the Commonwealth or the local authorities of any city borough or township and providing compensation therefor limiting the time within which application must be made to the local authorities of any city borough or township within which work must be commenced and the railway completed and providing that where a company shall receive a charter to build a road on any street or highway no other charter shall be granted to any other company to occupy the same street or highway until after the time given to the first company to obtain the consent of the local authorities and begin and complete its work shall have elapsed conferring the right to acquire property by purchase for certain uses of the corporation' approved the seventh day of June Anno Domini one thousand nine hundred and one"

HOUSE BILL NO. 772 MADE A SPECIAL ORDER.

Mr. GANS. Mr. Speaker, I move that House Bill No. 1926 (Senate Bill No. 772), entitled:

An Act to amend the third section of an act to restrain and regulate the sale of vinous and spirituous malt or brewed liquors of any admixture thereof approved the thirteenth day of May Anno Domini one thousand eight hundred and eighty-seven by regulating the refusal of licenses by the court and by regulating appeals from such refusal

on page four of today's calendar, be made a special order on third reading and final passage on Monday night next at 10 o'clock.

Mr. MISSIMER. Mr. Speaker, I second the motion.

The motion was agreed to.

Mr. THOMAS. Mr. Speaker, I desire to call up from page 16 of today's calendar, bills on final passage postponed, House Bill No. 1568, file folio 6271.

BILL ON FINAL PASSAGE.

Agreeably to order,

The House resumed the consideration on final passage of H. R. bill No. 1568, entitled:

An Act to provide for an additional law judge of the several courts of the eleventh judicial district

On the question,

Shall the bill pass finally?

Mr. THOMAS. Mr. Speaker, I have been informed by a very honorable gentleman of this House that some one has made the statement that I presented this bill for political purposes. I desire to refute that statement as being untrue.

This bill calls for an additional Law Judge of Luzerne County. Luzerne county is the third largest county of Pennsylvania, and in fact one of the wealthiest counties in the State, due to its great Anthracite Coal deposits.

I presented this bill on the 17th day of March, and the same was sent to the Judiciary General Committee, it found some opposition there, Mr. Rockwell as Chairman of that Committee found it necessary to appoint a sub-committee of which Mr. Geo. Baldwin was made Chairman, and Mr. Strauss and Mr. Gray being the other members, to investigate the necessity of another Judge for Luzerne, which they reported affirmatively to the Judiciary Committee and the same reported to the House with an affirmative recommendation.

I have in my possession the names of many of the most prominent attorneys of the Luzerne County Bar who claim that an additional Judge is necessary to carry on the business of the Court, namely Mr. Chas. McHugh, Solicitor of Wilkes-Barre city, who represents close on to 75,000 people; Mr. McHugh says as follows "We certainly need another Judge in Luzerne County as the courts are away back in their work." Mr. Thos. Farrell, a leading attorney who was also campaign manager for Judge Strauss, a democratic member of the Luzerne County Bench, has to say "it is impossible to get our cases tried as the Courts are away back in the work." Mr. Frank McGuigan, one of the leading criminal attorneys of his bar has to say "Any lawyer of the Luzerne County bar will tell you another Judge is necessary, unless, he has political axes to grind." Mr. Chas. Bowman who was a candidate for District Attorney on the Democratic Ticket at the last election, stated to me as follows: "We should have another Judge, I can show you cases, that have not been tried since back in 1908." Mr. A. Salsburg, a former District Attorney, has to say "We should have another Judge by all means, as the courts re away back in their work, and as many of the cases in his county are from the foreign speaking people, it works a great hardship on them." Mr. John Dando, Attorney for the Wilkes-Barre City school board, "We certainly need another judge, in fact Judge Fuller told me that Luzerne County ought to have two more Judges to carry on the work properly." Mr. P. F. O'Neil, a member of the firm of one of the largest corporation attorneys of this Commonwealth has to say, "We certainly need another Judge in Luzerne." Mr. Roger Devers, attorney for the United Mine Workers of the whole Anthracite Coal Fields, has to say "We need another Judge, and need one at this time, as it is impossible to have cases tried within two or three years." Mr. Wm. Pace, who was a candidate for State Senator against Senator Catlin, on the Washington Party ticket, informed me "I will be glad to come to Harrisburg and inform my friends of the necessity of an additional law Judge in Luzerne County." Mr. Jos. Fleitz, one of the foremost leaders of the Progressive party of Luzerne County, has to say "I care not who the Judge may be, either Democrat, Republican Progressive or Washington Party man, but we certainly need another Judge in Luzerne County, and in fact we could get enough people who are in litigation together to pay an additional judge out of their own pockets, if they could only get their cases tried." Hon. John Kosek, Mayor of Wilkes-Barre City, and one of the leading young attorneys of the Luzerne County bar said to me, "Mr. Thomas, I would be glad to come down to Harrisburg and tell the Members of the Legislature that an additional law judge is absolutely necessary for Luzerne County."

Mr. Thomas H. Atherton, the man who made it possible, through his great generosity, to have the Rev. Bill Sunday come to Wilkes-Barre and do his wonderful work has to say, "I think it necessary that we should have another Judge of Luzerne County to expedite the work of the Court." I can give you quotations of this kind for many hours, such as Foster, Heller and Morgan, referee in bankruptcy, James Shea, etc., but think that you will see for yourself that a Judge is necessary for Luzerne County. In fact Judge Garman told me a few days ago that an additional law Judge was absolutely necessary.

Mr. GOOD. Mr. Speaker, as you are aware, this bill seeks to provide an additional law judge for Luzerne County. I regret very much that I am compelled to oppose this bill at this time, but in this connection I wish to say that I can yield to no man on the floor of the House in my admiration for, my regard and believe in the integrity of the gentleman from Luzerne, Mr. Thomas. But, Mr. Speaker, and Gentlemen of the House, I have investigated this matter and I find not one man in my district that approves of this fifth Judge for Luzerne County. I have found in Luzerne County several men that are in favor of this fifth Judge, but I wish to say that they are attorneys at the bar and they believe that if this judge is appointed it will hit one of them. Mr. Speaker, I will read for the information of the House what the four members of the Luzerne Bench say in the public print. They are requested to express their views in public print. Judge Strauss said, "Altogether I am of the opinion that the movement for another judge might be postponed without any injury to the public interest." Judge Fuller, another member of the bar says, "I am not advocating an increase in the number of our judges."

Judge O'Boyle, the third judge on the bench says, "I am not in favor of an additional judge for Luzerne County as a means of facilitating the legal business of this district.

Judge Garman, the fourth judge, says "I am in favor of another judge."

Now, Mr. Speaker, I will read what the advocates of this bill say: Judge Garman declares the fifth judge is necessary. Judge Strouse says the judge is not necessary. Judge Fuller says that he is not an advocate of another judge. Judge O'Boyle says he is not in favor of another judge. These three judges say they are not advocating an additional judge. Now, Mr. Speaker, I find in the Wilkes-Barre Record, the leading daily paper in Luzerne County, in today's issue the following: "Courts were blocked yesterday, because the lawyers in cases that might have been called were busy in other law suits." Now, gentlemen, there is the situation in Luzerne County. Three or four of the best criminal lawyers in Luzerne County have all the criminal cases. These men cannot appear in more than one court room at a time and the consequence is that the cases are continued from one criminal court to another. This paper

says: 'Evidently there is a lack of judgment in getting up the trial list. Why not distribute the cases with the employment of lawyers in mind. It seems that a great deal of difficulty would be averted with a little care."

Mr. Speaker and Gentleman of the House, I find upon investigating, that our judges find time not only to hold court in Luzerne County, but in Columbia county at frequent times. I do not admit that there is a congestion in the criminal courts of Luzerne county, but for the sake of argument I might admit that there is and that can be easily accounted for by the statement made by me on the floor of this House that three or four of the greatest criminal lawyers in Luzerne County have a majority of the cases, and when criminal court starts these men have practically all the cases and they can only appear in one court room at a time. Now, Mr. Speaker, I believe that this House has acted in times gone by, especially in this session, fairly with the people of Luzerne County, and I think if this bill would have its right title it would be entitled "A Bill to Force an Additional Law Judge on Luzerne County" and I do not believe the bill ought to pass.

Mr. ADAMS. Mr. Speaker, it might seem inconsistent to a number of members of the House to learn that I am going to support this measure, due to the fact that the new county bill that I agitated in the House for about two months was a bill that would seem, apparently, in opposition to the election or appointment of an additional law judge. But rather lacking vindictiveness in my nature and feeling since communicating with citizens of the isolated sections of the county that I come from, I discovered that the concensus of their opinion has been in favor of an additional law judge for Luzerne county, and I feel that since the members of the House opposed the formation of a new county so strenously, that there may be a possibility, if we have another judge in Luzerne County, of having a subcourt held in Hazleton, a subcourt as it were, to give the people of that isolated section a more convenient method of transacting their legal affairs. As I stated, the Courts of Luzerne county are overrun with cases, some extending back two or three years, and it is necessary to have this matter ameliorated in this way and by electing or appointing an additional law judge, I think, perhaps, the populace along "the trail of the lonesome pine" might be benefited. I therefore am in favor of the additional law judge for Luzerne County.

Mr. CONNIFF. Mr. Speaker, under ordinary circumstances it might not be obligatory upon a member of this House to rise in opposition to a bill wherein his own county is the beneficiary, but the creation of a judgeship is a mighty important matter to the State, and I would be derelict in my duty to the State and unfaithful to you members, to my fellow members in this House, were I to allow this bill to pass without raising my voice in protest. There is only one reason for opposition to this bill and it is simply this: An additional judge is not necessary in the County of Luzerne. There is no demand for it excepting the demand that comes from a few who are aspirants for a judgeship on the bench, and their political friends. I have al the respect in the world for the belief of my colleague, Mr. Thomas, that a judgeship might be necessary, but he has been persuaded by those certain lawyers, as I say, anxious to get a seat on the bench. I asked an advocate of this bill the other day, a lawyer why he felt in favor of this measure, and he said it would put on the bench some big lawyer, may be, that had a whole lot of business, and his business would be divided amongst the rest of them. Another lawyer that advocated this bill said to me, in answer to my question why he was in favor of it, "Well, what do we care, up in the county, anyhow; the State pays for it." Gentlemen, if there really was a demand for this judgship in Luzerne county, my friend from Luzerne would have been her today and read to you, not a few extracts from what has been said by a few lawyers in Luzerne, but he would have a demand from the Bar Association of Luzerne County. Where is that formal demand? Where is any recommendation from the Judges of Luzerne County and where is the petition of the people? An additional judge would merely be a luxury for Luzerne County and I do not think this Legislature is passing out any luxuries to any particular county.

They will tell you that our courts are blocked and clogged. I have in my hand the calendar for this court session, and it has cases on it that were begun and numbered to February and as late as March, 1913, cases that are only a month or so old. Doesn't that show that the courts are not clogged. I have here today's paper from my district, from the City of Pittston, the Pittston Gazette, a reliable Republican paper, and the headline says "Judges Enough; A few Lawyers Cause of Delay." There has been a circular distributed amongst you with the question at the head, "Does Luzerne County need another Judge?" The circular is unsigned and it even does not attempt to answer that question. To whom is this circular addressed? In the groups of counties that are made, into such groups in order to show that our proportion of population might require another judge, these groups are so made as to deceive you gentlemen and I notice that Lackawanna County if left out, and Lackawanna County has three judges for a population of two hundred and fifty-one thousand, one for every eighty-four thousand, while in Luzerne County we have one judge for every eighty-five thousand. Gentlemen, I am sincere when I tell you that we do not need another judge and if we did so, as a member of Luzerne bar I should be the very first man in this House to take this floor in favor of the passage of this bill.

Mr. GOOD. Mr. Speaker, I hope the gentlemen of this House will not fall into the error of passing this Legislation when the judges of Luzerne County are opposed to this measure.

Mr. THOMAS. Mr. Speaker, I desire to interrogate the gentleman.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated??

Mr. GOOD. Mr. Speaker, I will.

Mr. THOMAS. Mr. Speaker, I woud ike to ask the gentleman if he did not state that if he were successful in having the third section struck out that he would go along with the bill, and if he did not so inform a reporter of the Wilkes-Barre Record.

Mr. GOOD. Mr. Speaker, I did say that it would give the people a better chance at the primaries and at the general election.

Mr. THOMAS. Did you not say that you would go along with it?

Mr. GOOD. No, sir, I did not.

Mr. RONEY. Mr. Speaker, I desire to say just a few words on this proposition, because as I recall it, it was just a few days ago that the gentleman from Luzerne, Mr. Conniff, exhorted the gentlemen of this House to raise the salaries of the Judges of Luzerne County because of the fact that they were worked so hard. I only have this to say, that I think it is very pertinent to the present proposition. Not very long ago a committee from this House went to Luzerne County and sat two days in Wilkes-Barre on the inquiry of the charges brought against the president judge of that district by an attorney of the Luzerne County Bar. That committee came in contact with half a hundred lawyers, and they said to a man that there was urgent need for an additional judge there, and I think that is a matter that this House at this time should understand. One other thing, Mr. Speaker, when you delay justice to any litigant you practically deny him justice, and I do not think it proper economy to consider the question of the salary of the judges as regards the right of the people in that district to get justice, and I ask the House, in view of the sentiment of the Luzerne County Bar, and in view of the fact that we are told that the judges are overworked and unable to give the justice to the proper as quickly as should be, to increase the number of judges by one.

Mr. GOOD. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, I will.

Mr. GOOD. Mr. Speaker, I would like to ask the gentleman how long he was in Luzerne County.

Mr. RONEY. Mr. Speaker, for two days.

Mr. GOOD. Mr. Speaker, I would like to interrogate the gentleman further. I would like to ask him the names of the attorneys.

Mr. RONEY. Mr. Speaker, I could not remember the names of half a hundred attorneys, but Mr. Saulsburg was one, and we also talked to several of them in the hotel there. I think it was the Sterling Hotel. We had a very excellent banquet given us in Wilkes-Barre where we met quite a number of lawyers.

The SPEAKER. Is the gentleman from Philadelphia certain that he counted them correctly after the banquet.

Mr. RONEY. Mr. Speaker, appollinaris water never affects a recollection, but, seriously, Mr. Speaker, every lawyer we met there was in favor of an increase in the number of their judges.

Mr. THOMAS. Mr. Speaker. I hold in my hand a letter from M. H. McAniff, and he is an uncle of my colleague Mr. Conniff. He tells me that an additional judge is needed. This letter is from his own uncle.

Mr. CONNIFF. Mr. Speaker, in order to set my ancestors right, I desire to refute the statement that Mr. McAniff is my uncle.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken.

Mr. CONNIFF. Mr. Speaker, I call for verification of the roll.

This was done as follows:

YEAS—121.

Adams,	Gans,	McNichol,	Sherwood,
Allen,	Geary,	Mechling,	Showalter,
Alworth,	Gramley,	Missimer,	Smith, J. W.,
Ambler,	Cransback,	Mitchell,	Smith, L.,
Arthur,	Hackett,	Moore,	Spangler,
Baldwin, G. A.,	Haggerty,	Morrow,	Speiser,
Baldwin, R. J.,	Heidinger,	Moses,	Spillinger,
Bass,	Hess,	Murphy,	Steedle,
Bayle,	Heyburn,	Neel,	Steele,
Blair, W. A.,	Hobbs,	Neely,	Stein,
Bleloch,	Howard, J.,	Newton,	Stone,
Brosius,	Isler,	O'Neill,	Swartz,
Brownlee,	Irwin, G. C.,	Pennegar,	Swift,
Carter,	Irwin, H. H.,	Pennock,	Thomas,
Cleary,	Jones, E. E.,	Perry, S. J.,	Trach,
Conner,	Kaiser,	Post,	Ulman,
Conrade,	Keegan,	Price,	Walsh,
Cox,	Keeport,	Ramsey,	Walton,
Curry,	Kennedy,	Redfield,	Watson,
Davis,	Kuhn, H. P.,	Reese,	Wettach,
DeFrees,	Leslie,	Rex,	Whitaker,
Dickinson,	Letzkus,	Richards,	Wildman,
Dunn, J. A.,	Lowers,	Robinson,	Williams,
Ehrhardt,	Malie,	Roney,	Wilson, W. H.,
Eichenberger,	Mather,	Rothenberger,	Wiltbank,
Ely,	McAleer,	Schaeffer, A. C.	Young, G. K.,
Ewing,	McAllister,	Schuck,	Young, J. H.,
Fahey,	McArdle,	Scott, J. R. K.,	Zimmerman,
Flynn,	McCaig,	Semmens,	Alter,
Forster, I. G.,	McClintock,	Shaffer, I. E.,	Speaker.
Foster, J. D.,			
Frey,			

NAYS—43.

Barner,	Currier,	Jones, J. R.,	Musser,
Benson,	Donnally,	Kern,	Newbaker,
Bittles,	Down,	Kitts,	Peachey,
Blair, W. F.,	Geiser,	Lanius,	Perry, H. L.,
Brown,	Gibson,	Martin,	Rockwell,
Burnett,	Good,	Matt,	Sassaman,
Caldwell,	Grabe,	McDermott,	Savacool,
Campbell, C.M.,	Hoffman,	McKay,	Scott, S. B.,
Carson,	Howard, R.,	Mellott,	Snyder,
Cheeseman,	Humes,	Metzenbacher,	Strauss,
Conniff,	Jackson,	Moulthrop,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE.

Mr. McKAY. Mr. Speaker, my reasons for voting "no" on House Bill No. 1568, file folio 6271. First: My constitutents are opposed to this bill. Second: Two of the Common Pleas Judges informed me that there was no necessity for an additional judge, the trouble being not the fault of the judges they being often compelled to adjourn court for the want of trial attorneys of record in the cases, being busy in another court.

BILLS ON THIRD READING.

Mr. MALIE. Mr. Speaker, I desire to call up House Bill No. 1216, on page 12 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1216, entitled:

An Act to amend section twenty-nine of an act approved the thirty-first day of March Anno Domini one thousand eight hundred and fifty-six entitled "An Act to regulate the sale of intoxicating liquors" as amended by increasing the penalty

On the question,

Will the House agree to the bill on third reading?

Mr. MALIE. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend House Bill No. 1216, on page 3, line 39, by adding after the word "days" the word "said fine to be paid to the treasurer of the school district where such conviction is had by the alderman, police, magistrate or justice of the peace collecting the same."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Mr. MILLER. Mr. Speaker. I desire to call up House Bill No. 1483 from page 12 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1483, entitled:

An Act defining the liability of an employer to pay damages for injuries received by an employee in the course of employment

On the question,

Will the House agree to the bill on third reading?

Mr. MILLER. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 1 by striking out all of sub-section "C." Also add to end of Section 4: "Section 5. All acts and parts of acts inconsistent herewith be and the same are hereby repealed."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered. That the bill be prepared for final passage.

Mr. MARTIN. Mr. Speaker, I desire to call up House Bill No. 1351, from page 12, of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1351, entitled:

An Act permitting boards of school directors to reimburse certain teachers taking a special course of instruction during the annual vacation

On the question,

Will the House agree to the bill on third reading?

Mr. MARTIN. Mr. Speaker, I ask unanimous consent to insert an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend Section 2, line 4, by striking out the letter "d" in the word "and."

The SPEAKER. Will the House give its unanimous consent to the striking out of the letter? Is there any objection? The Chair hears none and the letter will be stricken out in accordance with the instructions of the House.

Will the House agree to the bill on third reading as amended?

It was agreed to.

On the question,

Shall the bill pass?

Mr. MARTIN. Mr. Speaker, I don't think it is necessary to say very much in reference to this bill, but I want to reiterate what I said a few days ago. It is a meritorious measure in every way and I want to observe that no one who is a friend of the teachers can object, in sincerity, to the passage of this bill. I have found it the case ofttimes that bills that favor teachers incur more or less prejudice and I don't know why it is. I hope this will not be the case to-day. There is absolutely nothing mandatory in this bill; it is simply permissive. It is for each school board to say whether or not they will take up just what this bill calls for. I want to say further that there are now some boards of education or directors that are doing the very thing that this bill calls for, but if their auditors would object it would not be lawfully allowed. If this measure is passed, it will make it lawful for any board to do what this provision calls for. I might further say that the compensation of teachers to-day, is far from what it ought to be. They cannot lay up money and you know that quite well, let alone, during vacation giving their time and what little money they have left, if any, to go away and prepare themselves for special work. I want to read just very briefly what the United States Report gives along that line.

"Public school teachers of the United States do not receive enough salary to save money to carry adequate life insurance or to proceed with further professional training."

Most of the teachers of the country have, in effect, had their salaries reduced since 1897, says the report. Despite an apparent increase in money received by them, the high cost of living has cut into their salaries just as definitely as if a school board had sliced them.

A teaching position which paid $600 in 1897 is paying in purchasing power the equivalent of about $416 to-day, if measured by 1897 prices; the teacher on the $1,000 salary gets no more for his money than he would have procured fifteen years ago for $693.

That what the United States Bureau of Education says. Mr. Speaker I have nothing more to say about this measure. If you think it is meritorious and if you want to give the teacher the least bit of a chance to improve himself vote for this bill. I want to add that every school board that will send a teacher away and give him an opportunity to improve himself will get back every cent—that district will get back every cent and a thousand times more than they invest.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—81.

Adams,	Donahoe,	Jones, J. R.,	Richards,
Alworth,	Donnally,	Keegan,	Rockwell,
Baldwin, G. A.,	Down,	Keeport,	Schaeffer, A. C.
Baldwin, R. J.,	Ehrhardt,	Kennedy,	Scott, S. B.,
Bass,	Eichenberger,	Lenker,	Smith, J. W.,
Benson,	Fahey,	Lowers,	Smith, L.,
Bergey,	Flynn,	Martin,	Spangler,
Berntheizel,	Gans,	Mather,	Steele,
Bittles,	Gibson,	McAleer,	Stone
Blair, W. A.,	Good,	McAllister,	Swift,
Bleloch,	Goss,	McCaig,	Tracn,
Brown,	Grabe,	McClintock,	Ulerich,
Brownlee,	Gramley,	McDermott,	Watson,
Burnett,	Gransback,	McKay,	Whitaker,
Campbell, C.M.,	Hackett,	Mitchell,	Wildman,
Cheeseman,	Haggerty,	Murphy,	Williams,
Conniff,	Heidinger,	Peachey,	Wilson, W. H.,
Cox,	Hemminger,	Perry, H. L.,	Wiltbank,
Curry,	Hess,	Ramsey,	Alter,
DeFrees,	Heyburn,	Reese,	Speaker.
Dickinson,	Hobbs,		

NAYS—63.

Arthur,	Howard, J.,	Morrow,	Rothenberger,
Barner,	Isler,	Moulthrop,	Runk,
Benninger,	Irwin, G. C.,	Musser,	Sassaman,
Blair, W. F.,	Irwin, H. H.,	Neely,	Savacool,
Body,	Jackson,	Newbaker,	Schuck,
Brosius,	Jones, E. E.,	Newton,	Semmens,
Caldwell,	Kern,	O'Neill,	Snyder,
Carson,	Kuhn, H. P.,	Pennegar,	Steedle,
Carter,	Kuhns, E.G.M.,	Pennock,	Stein,
Conner,	Letzkus,	Perry, S. J.,	Strauss,
Conrade,	Lohr,	Post,	Swartz,
Currier,	Matt,	Redfield,	Ulman,
Ewing,	McArdle,	Reeser,	Wettach.
Forster, I. G.,	Mellott,	Rex,	Whitman,
Geary,	Metzenbacher,	Rhoads,	Young, J. H.,
Hoffman,	Missimer,	Roney,	Zimmerman,

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Mr. MITCHELL. Mr. Speaker, I desire to call up House Bill No. 1614, file folio 77741, on page 13 of to-day's Calendar, bills on third reading postponed.

Agreeably to order,

The House resumed the consideration on third reading of H. R. bill No. 1614, entitled:

An Act authorizing the attachment of wages or salary upon judgments obtained for necessaries limiting the amount of exemption to be claimed and providing for the payment of the costs

On the question,

Will the House agree to the bill on third reading?

Mr. MITCHELL. Mr. Speaker, as there are perhaps many members in this House who have not read this bill, and some who are opposed to it for constitutional reasons, on that account I would like to read this bill and then explain it briefly. The bill reads as follows:

That from and after the passage of this act whenever a judgment is obtained in any court of record or before an alderman magistrate or justice of the peace upon a contract for furnishing the necessaries of life and the defendant is a laborer or person engaged in public or private employment the wages of such laborer or the salary of such person shall be subject to attachment in the hands of the employer

Section 2 When an attachment execution is issued upon such judgment and wages or salary are attached in the hands of the employer if the amount in the hands of the employer shall be less than the amount of exemption allowed the defendant by law the debtor shall be entitled in his claim for an exemption to a sum amounting to ninety per centum and no more of the money so attached No deduction from the fund attached shall be permitted for costs but said costs shall be paid by the attaching creditor

Section 3 No attachment shall issue or be levied under this act unless and until the debtor has been given thirty (30) days previous notice by registered mail at his last known address of the intention to issue such writ and shall have failed within said period of thirty days to adjust such judgment to the satisfaction of his creditor

Section 4 The provisions of this act shall only apply to judgments secured upon contracts for the necessaries of life furnished after the passage of this act

Section 5 All acts or parts of acts supplied hereby or inconsistent herewith be and the same are hereby repealed

I desire to call the attention of the House to the fact that in all of the States adjoining Pennsylvania, New York, Ohio, New Jersey, Delaware and Maryland,—a law similar in character to this is now on the statute books. In Ohio there has been such a law for the last twelve years. The laws in the other states are much more drastic than this law. I call the particular attention of the members of this House to the fact that under the provisions of this bill only ten per cent. can be attached. It is not directed against wages; salaries are included. Ninety per cent. of any amount that is coming to any wage or salary earner can be exempted, and only ten per cent. attached. I further wish to emphasize the fact that thirty days' notice must be given. It is not possible under this act to get a judgment and immediately issue an attachment, but thirty days' notice has to be given to the debtor by the judgment creditor, and if within those thirty days the debtor has not satisfactorily adjusted the indebtedness, then the attachment can issue. It is not the meaning that he must have paid the judgment, but if he shows a disposition within those thirty days to take care of the account at all, then no attachment issues. I further wish to emphasize the fact that the costs do not follow the attachment. The atach-ing creditor is bound to pay the costs himself. No deduction

is permitted from the fund attached for the payment of costs. The members of the House no doubt know that in an attachment proceeding before a justice, the costs usually run from two, three, to five and six dollars. Thus any creditors who would contemplate making an atachment under this act would have to pay these costs, and all that he could recover would be ten per cent. There is nothing stringent in this law, nothing, I say, to which any honest or honorable man could take exception. It is merely the moral effect that is sought. It is advocated by the members of the Pennsylvania Retail Merchants Association of this State, and they are earnestly and urgently asking this legislation at the hands of the Assembly. It is the only thing they have asked for this session, except the repeal of the mercantile tax law, which they did not get. Now, in favoring this bill, gentlemen of the House, I do not wish anyone to think for a moment that I am not a friend of labor, that I am opposed to labor. If anyone will follow my record in this House during this session, with the exception of my vote on the constabulary bill, he will find that I consistently voted for every measure offered here by the labor interests, and this is the only piece of legislation that is asked for by the merchants of this State. I not only represent a great many organized laborers—there are a great many of them in my district—but I cannot lose sight of the fact that there are some 500 members of the Business Men's Exchange and the Retailers' Association in my city which I also represent, and I would feel that I would not be doing my duty as a representative: if I did not advocate this bill and earnestly urge this House to pass it.

Mr. McDERMOTT. Mr. Speaker, it is not a pleasant matter for me to take the opposite side against the gentleman from Erie, but there is a duty involved in this question that behooves me to say something against this bill at this time. The learned gentleman, Mr. Mitchell, told you the smooth side of the case, and he told it to you eloquently. I will try to give you some of the rough side of the case. We have in Pennsylvania to-day, which fact many of the members of this House know as well as I do, company stores. We have people that dealt in those company stores for the last five or ten years, and I say that during that time they have not drawn ten dollars of their salary. Now, if you pass this law, you will heap more trouble on those poor people. I say that every man and every woman ought to pay their honest debts. I have no use for a man who is dishonest, or a woman either, but I do say that we have their like everywhere and we have got to keep them and we must keep them. I say that this law will work a hardship on the working people of this State, and especially the miners of the State. I say that with work as it is and the conditions of the country flourishing, I think that the merchants of the State are better taken care of to-day than they have been in the last ten years, and I say that this law will work a hardship on the working man, the man who earns his bread by the sweat of his brow. I say that this Legislature has done well for the working people in this session, and I say, in the name of Heaven, don't spoil it by passing this act, because if you do you will be following the example of the cow which gave good milk, and when she was milked kicked over the bucket. Therefore, I hope this bill will be defeated.

Mr. ISLER. Mr. Speaker, as a representative of organized labor for twenty-seven years, I want to state in behalf of this bill that I think it is just as fair a measure as could be drawn. Originally it was not, but it has been so amended as to satisfy and please everybody. The imputation goes forth that organized labor, union labor, is opposed to a bill of any description, is unfair to these people, my people, to intimate that we would for one minute protect the "dead beat." There is no man who belongs to organized labor that will not at al times meet the just demands that he is called upon to meet. In answer to Mr McDermott, the gentleman from Clearfield, on the company stores' condition, there has already passed a resolution in this House abolishing these stores, introduced by my colleague, Mr. Stein, and another waiting to get an opinion from the Attorney General. They are waiting to get an opinion from the Attorney General for abolishing one of the largest stores in conncetion with one of the largest corporation in the State of Pennsylvania. If there was anything unfair in this bill to any man that earns his bread by the sweat of his brow, I want to tell you, that I would be against it, but this bill as drawn is fair to everybody concerned, and as I remarked in the first place, do not for one minute imagine by the communications you have received and the remarks that have been made that the union people want any protection to help along a lot of dead beats that do not pay their just debts.

Mr. McDERMOTT. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Isler.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ISLER. Mr. Speaker, Yes, sir

Mr. MCDERMOTT. Mr. Speaker, I understood the gentleman to say that Mr. Stein had introduced a bill to abolish stores.

Mr. ISLER. A resolution, in correction, Mr. Speaker.

Mr. McDERMOTT. Mr. Speaker, that is where I wanted to make the correction. I understood it was to be an investigation. I wish we had before us what could be shown by an investigation. It would throw a whole lot of light to this House on the conditions.

Mr. ISLER. Mr. Speaker, in reply to the gentleman. that resolution is at this time in the Senate, and if he will go there I am almost positive that the Senate will pass the resolution.

Mr. PIPER. I rise in opposition to the passage of this bill. I am not asking the members of this House to-day to do anything on this proposition to protect labor. I have been affiliated with labor since I first knew what it was to go into the workshop and earn my living. I started when I was twelve years of age. I have just left a hearing that would be beneficial to labor. I found in that hearing that a number of men throughout the State of Pennsylvania. representing invested interests in this State, have formed an organization whereby they could block legislation that would be beneficial to labor. I desire to say that if the business interests of the State of Pennsylvania desire protection, let them do the same as labor does in the State of Pennsylvania. We do not ask for any trust from any man if he is not desirous of giving it to us. Every man who is in business to-day in this State has the right to say whether or not he desires to trust his fellowman and I feel that the men who are asking for the passage of this bill are trying to carry out the same tactics that are being carried out in the City of Philadelphia to-day. Those tactics are these—when I am asked that question by some of my friends in the rear—those tactics are these: There are men in the City of Philadelphia, who are paid twelve dollars a week or fourteen dollars a week to come to the door bell of my home while I am at my workshop. The madam will come to the door and answer that ring, and then that agent will place his foot inside that door and talk to that woman and plead with her to purchase the article that he has for sale on an easy plan and then they come along and they are begging, the men who employ those agents, will come to the State Legislature and ask us to pass a law that is going to protect them, allow them to collect money in an easy way after they do those things. That woman is pleaded with as she purchases the article. The article is purchased on a certain payment per week. When the payments fall down, I, as individual, innocent man in the workshop—

Mr. MITCHELL. Mr. Speaker, I would like to interrogate the gentleman.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Piper, permit himself to be interrogated?

Mr. PIPER. Mr. Speaker, when I am through, I will be interrogated.

I, as individual worker in that workshop, don't know of the happenings of my madam at home, or you might say that your wife might be true. and yet there are hundreds, yes, thousands, of instances in the State, where the women are doing things unknown to the man working in the workshop. This law is to protect those men who are in business, who will go out and transact a credit business, solicit on their own business—

Mr. MITCHELL. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. MITCHELL. Mr. Speaker, the point of order is that the gentleman is not talking on the bill, his remarks are

not germaine at all. This bill simply applies to necessities. He is talking about installment houses. I do not think the butcher or baker or grocer would sell their food and their necessaries on the installment basis or canvassing.

Mr. PIPER. Mr. Speaker, I would like to interrogate the gentleman who has just made that statement.

The SPEAKER. Will the gentleman from Erie, Mr. Mitchell, permit himself to be interrogated?

Mr. MITCHELL. Mr. Speaker, yes, sir.

Mr. PIPER. Mr. Speaker, will this law if enacted, protect the installment houses as well as the butcher and the grocer?

Mr. MITCHELL. Mr. Speaker, I would say for the benefit of the gentleman from Philadelphia and the members of the House that it can be invoked only for necessities.

Mr. PIPER. Mr. Speaker, I desire to further interrogate the gentleman and ask him whether clothing is a necessity of life. I ask the gentleman to answer my question.

Mr. MITCHELL. Mr. Speaker, I would say so.

Mr. PIPER. Mr. Speaker, then credit houses sell clothing and furniture and some credit houses sell groceries. Now, Mr. Speaker, I do not believe in passing a law or enacting a law that is going to benefit those who of their own solicitation will try to entice the poor working class of people into buying something when they really do not need it, and I ask the members of this House to vote this bill down.

Mr. MITCHELL. Mr. Speaker, the members of this House have been following Mr. Piper who has been impassioned, but I submit to the House what he has stood day after day on the floor in advocacy of the bills for which he has been sponsor and for which he has been pressing, and that we have followed the gentleman without a dissenting voice, and now he takes the position upon this one measure that it should not be passed because it will be to the detriment and to the harm of the laboring man. Does the gentleman concede that all bills should be paid? Whether clothing is a necessity or not does not enter into the consideration of the case. Should not such bills be paid and should any honest man refuse to pay them? I submit that this bill will not bring any hardship to any man. Suppose a man is earning twenty dollars a week. Under this bill he can except eighteen dollars of that and only two dollars are subject to attachment, if within thirty days, mind you, after he has had notice by registered mail to his last known address, to make it, so that no snap judgment will be taken, if within that thirty days he has not gone to his creditor and made some satisfactory adjustment, then the attachment shall issue. He does not necessarily have to pay. Suppose in the thirty days he goes to the grocer and says, "I cannot pay, you must give me some more time;" and suppose he does pay the two dollars, would that man fail to listen to his plea? I think not. There is nothing ununreasonable in this bill. I have been informed that it is customary in certain lodges affiliated with the Federation of Labor to issue attachments for dues payable to such organization. I do not think there is anything improper in this bill and I do not see why it should not pass.

And I further submit, Mr. Speaker, that Mr. Piper raises the point that it is not compulsory for a merchant to grant credit. But, Mr. Speaker, what a cry would go out if the groceryman and butcher would stick to that and say, "No, I will not give you credit." What would be said then? A man who carries people along on his books from day to day! Why in the city of Erie, out of a hundred and fifty stores in business there, only fifteen of the grocermen were in business ten years ago, simply because of these bad debts. I submit this is not a hardship on a laboring man. It is usually the salaried man, the bank clerks and others in clerical positions in this Commonwealth, who go around with a cigarette in their mouth and their hat on the back of their head and are earning seventy-five dollars a month, who refuse to pay their debts and hide behind the fact that you cannot attach them. They say to you that you can get it if you can.

Mr. BERGEY. Mr. Speaker, as a friend of labor and one carrying a Union card, I want to arise and defend this bill. Organized labor and members of the Union are not opposed to this bill, who honestly desire to pay their debts. The gentleman from Philadelphia has drawn an illustration regarding the installment houses. The gentleman fully knows that every installment sale practically is covered by a lease and the records of the installment houses show that their loss is less than one and one-half per cent. As I understand this bill, it is aimed to protect the merchants who are selling goods without a lease, the grocers and the butchers and divers others who are selling goods to the men who they have trusted and who are working in the local districts, in the shops, and who after the delivery is made go out of the town and escape an honest debt, owing to the man who cannot afford to give them credit, usually the small merchant, and I believe the members of this House, in justice to organized labor, should vote aye on this bill.

Mr. McALEER. Mr. Speaker, I heard the gentlemen who are talking on this bill. Every one of them said, "As I understand this bill." They mean "this proposed law." Now I want to tell you of my experience many years ago in Connecticut, where they had such a law and which they repealed some years ago because it was unpopular, was one which was a great hardship on the honest man and did not get the crook at all. What happened under that law in the State of Connecticut was, the unscrupulous merchant or man who did not care whether the people needed the goods or not or whether they were what they should be, was simply desirous of getting the goods out of his hands and into the hands of a man who had a job, and he did not consider he was doing wrong if he made any sort of promise, knowing that when the bill was due he could come along and claim under the garnishee bill, or as they called it, the "factorized law," and he could issue an attachment or attach the wages up to a certain percentage of any working man or any of his minor children. Now, the grocer, the butcher, the baker were not protected, because the unscrupulous merchant selling clothing and furniture in excess of what the people's needs were, came in first with his claim. Now, the man who was a professional beat would go out and get his goods on credit and never was caught, for the reason that his boss never owed him any thing. In other words, he would collect his wages on the Saturday for the following week. If the man was a good mechanic, though not strictly honest in his dealings, his boss did not care for that.

The wife of an honest man might go to an unscrupulous dealer and buy some goods, and say to her husband that she bought it out of some little money that she had saved, because the dealer has told her that she can pay for it at a little for a time, but when the bill was due the merchant could come and take the money out of the man's wages and the working man would have no redress. That is how the bill worked in practice.

Mr. PIPER. Mr. Speaker, I desire to interrogate the gentleman from Montgomery, Mr. Bergey.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. BERGEY. Mr. Speaker, I will.

Mr. PIPER. I desire to ask the gentleman whether or not this bill, if enacted into law, would protect the crook who gets out of town and refuses to pay his bills.

Mr. BERGEY. Mr. Speaker, not as I understand it.

Mr. PIPER. Mr. Speaker, I would like to ask the gentleman further if there is anything in the bill that would enable a merchant to bring a man back and make him pay his debts.

Mr. BERGEY. Mr. Speaker, as I understand the bill you can send an exemplification of the record to any county in the State, and attach the crook's wages, or it can be done if he resides in any other State.

Mr. PIPER. Mr. Speaker, I asked that question owing to the fact that it seems to me that the argument used by the gentleman in behalf of the bill was to try and protect the business man from being cheated out of what another individual owed by leaving town and not paying his bills. I do not believe there is anything in this bill that is going to provide for the protection of the business man along that line, especially if a man is a thief, and wants to cheat the man he is doing business with, and gets out of town without his salary being attached.

Mr. MITCHELL. Mr. Speaker, I admit that the bill is not stringent. It is a compromise measure. It was introduced by me at the request of the Pennsylvania Retailers' Association, composed of about ninety thousand members. In its original form it was a more drastic measure, and more like the New York, Ohio and New Jersey laws. In the Committee on Labor and Industry where the bill was considered, it was referred to a sub-committee composed of

Mr. Letzkus, Mr. James A. Dunn and myself, and reported out on the floor of the House in its present form. Mr. McAleer referred to the law in Connecticut and, Mr. Speaker, I would like to interrogate him.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. McALEER. Mr. Speaker, I will.

Mr. MITCHELL. Mr. Speaker, I would like to ask the gentleman if he has ever read the Connecticut law?

Mr. McALEER. Mr. Speaker, I have not read it, but I saw it working and in practice many times. It is considered about the last of the old Blue Laws of Connecticut.

Mr. MITCHELL. Mr. Speaker, I would like to ask the gentleman if he believes that a merchant would be hasty in the exercise of his right under this law when he knows that he has to pay all of the costs, and would he be likely to force commodities upon a purchaser simply for the purpose of increasing his bill when he must bear all the costs of the suit?

Mr . McALEER. Mr. Speaker, that will work out principally through the fact that the Clerk who gets a commission will take a chance on the thing going through. The honest workingman is the one man who really suffers through this factorizing. I like the term, because I am familiar with it. He suffers even though he wants to pay his bills. But the professional crook does not have his wages taken away from him because he will never have anything coming to him. He will always be in the bosses debt instead of the boss being in his debt.

Mr. MITCHELL. Mr. Speaker, I further wish to ask the gentleman if a short time ago in this House he did not vote affirmatively on a bill the purpose of which was to enlarge the rights of boarding house keepers to attach for four weeks board?

Mr. McALEER. Mr. Speaker, I wish to say that I am so busy looking up coming legislation that I do not remember what I have voted on in the past.

Mr. MITCHELL. Mr. Speaker, I will say for the benefit of the House that the gentleman did so vote.

Mr. HOBBS. Mr. Speaker, I desire to take but a very few moments. I did not intend to speak upon this proposition, but it is a well known fact that the mercantile business is carried on very extensively and it is perfectly natural, and it is in great competition. Therefore, the profits on the necessities of life are very low, the percentage is very light, and in order for the merchant to make his business successful he must get his pay for the merchandise. The facts are that there are a great many men who refrain from or neglect to pay their grocery bills, while they squander all their money for the unnecessary things of life. For that reason those who do pay their bills pay more than they ought to pay, and, gentlemen, for the protection of the merchant, and for the protection of the honest laboring man, this bill should pass.

Mr. PIPER. Mr. Speaker. I desire to interrogate the gentleman from Lackawanna?

The SPEAKER. Will the gentleman from Lackawanna permit himself to be interrogated?

Mr. HOBBS. I will.

Mr. PIPER. Mr. Speaker, I desire to ask the gentleman whether or not he classes the professional crook along with the man who is desirous of probably going out after his working hour and taking a glass of beer?

Mr. HOBBS. No, sir, I don't.

Mr. PIPER. Mr. Speaker, I would further ask the gentleman if he believes that the individual who leaves his workshop on an evening and takes a glass of beer is a professional crook?

Mr. HOBBS. No, sir, Mr. Speaker.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—131.

Adams,	Ewing,	Light,	Runk,
Alworth,	Fahey,	Lohr,	Sassaman,
Aron,	Forster, I. G.,	Malie,	Savacool,
Arthur,	Foster, J. D.,	Mather,	Schuck,
Baldwin, R. J.,	Geary,	McAllister,	Scott, S. B.,
Barner,	Geiser,	McClintock,	Sermmens,
Bass,	Gibson,	McNichol,	Sherwood,
Benninger,	Goss,	Mechling,	Showalter,
Benson,	Grabe,	Mellott,	Smith, J. W.,
Bergey,	Gramley,	Metzenbacher,	Smith, L.,
Berntheizel,	Gransback,	Missimer,	Spangler,
Bittles,	Haggerty,	Mitchell,	Steecle,
Blair, W. F.,	Heidinger,	Moore,	Steele,
Bleloch,	Henninger,	Morrow,	Stein,
Body,	Hess,	Moulthrop,	Swartz,
Brosius,	Heyburn,	Musser,	Swift,
Brownlee,	Hobbs,	Neel,	Thomas,
Campbell, C.M.,	Humes,	Neely,	Trach,
Carson,	Isler,	O'Neill,	Ulerich,
Carter,	Jackson,	Peachey,	Ulman,
Cheeseman,	Jones, E. E.,	Pennegar,	Walnut,
Cochran,	Jones, J. R.,	Pennock,	Walsh,
Conner,	Kaiser,	Post,	Walton,
Cox,	Kennedy,	Ramsey,	Wettach,
Curry,	Kern,	Redfield,	Whitman,
DeFrees,	Kitts,	Reese,	Wildman,
Dickinson,	Kuhn, H. P.,	Reeser,	Wilson, J. H.,
Donnally,	Kuhns, E.G.M.,	Rex,	Wilson, W. H.,
Down,	Lanius,	Rhoads,	Wiltbank,
Dunn, J. A.,	Latshaw,	Richards,	Young, G. K.
Ehrhardt,	Leslie,	Robinson,	Young, J. H.,
Eichenberger,	Letzkus,	Roney,	Alter,
Ely,		Rothenberger,	Speaker.

NAYS—31.

Baldwin, G. A.,	Currier,	Matt,	Piper,
Blair, W. A.,	Donahoe,	McAleer,	Schaeffer, A. C.
Brown,	Dunn, H. B.,	McDermott,	Shaffer, I. E.,
Burnett,	Flynn,	McKay,	Snyder,
Caldwell,	Good,	Miller,	Spillinger,
Claycomb,	Howard, J.,	Moses,	Whitaker,
Cleary,	Irwin, G. C.,	Murphy,	Williams,
Conniff,	Keegan,	Newbaker,	Zimmerman,
Conrade,	Lenker,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. REESER. Mr. Speaker, I desire to call up House Bill No. 451 from page 13 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 451, entitled:

An Act creating a reward or bounty for the destruction of certain noxious animals and birds killed within the Commonwealth of Pennsylvania providing a method for the payment of the same by the several counties of the Commonwealth which in turn are to be reimbursed by the Commonwealth making an appropriation for such reimbursement and providing penalties for violation of its several provisions

On the question,

Will the House agree to the bill on third reading?

Mr. REESER. Mr. Speaker, I desire to offer an amendment at this time.

The SPEAKER. The amendment will be read by the

The Clerk then read the amendment as follows:

Amend House Bill 451, file folio 7735. Title by striking out in the fifth and sixth lines of the title the word "making an appropriation for such reimbursement."

Section 4, lines 17 and 18, by striking out the words "the appropriation hereafter provided" and inserting in lieu thereof the following; "the funds which shall hereafter accumulate in the hands of the State Treasurer from the fifty per centum of the fees paid for Hunter's licenses as provided by Section 12 of the Act of Assembly approved the seventeenth day of April Anno Domini one thousand nine hundred and thirteen, entitled, "An Act for the better protection of wild birds and game within the Commonwealth of Pennsylvania; requiring citizens of the United States residing within this State to procure a license before using guns for the purpose of hunting for any wild birds or animals protected by the laws of this Commonwealth; and providing penalties for violation of its several provisions, and the manner of proceeding to enforce compliance therewith; and providing for the disposition of the license fees and penalties received."

Section 6. By striking out all of Section 6.

Section 7, line 1, by striking out the figure "7" and inserting in lieu thereof the figure "6."

The SPEAKER. Will the House give its unanimous consent to the insertion of the amendment? Is there any objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill be prepared for final passage.

Mr. WATSON. Mr. Speaker, I desire to call up House Bill No. 1736, from page 12 of to-day's calendar, bills on third reading postponed for the present.

Agreeably to order,

The House resumed the third reading and consideration of House Bill No. 1736, entitled:

An Act limiting the time within which to begin actions in trespass for malicious prosecutions conspiracy and false imprisonment to one year after the injury complained of

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

BILL POSTPONED.

Mr. WATSON. Mr. Speaker, I ask leave to postpone this bill further on account of the absence of Mr. Humes who wishes to offer an amendment.

The SPEAKER. The gentleman has two days more and if there is no objection, the bill will be passed for the present, remaining on the postponed Calendar as not called up.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1716, as follows:

An Act exempting certain buildings and places of amusement from the provisions of the act entitled an act amending section one of article three of an act entitled an act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty five regulating the construction maintenance and inspection of buildings approved the eighth day of June Anno Domini one thousand eight hundred and ninety-three and the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred and ninety-nine as amended by an act approved the fifth day of June one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" so that the same shall not be held to apply to places of amusement buildings tents or enclosures now used as a theatre or for the exhibition of fixed or moving pictures or stereopticon views where songs dances acrobatic or vaudeville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto or as a place of amusement

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act of June eighth Anno Domini one thousand eight hundred and ninety-three entitled an act amending section one of article three of an act entitled An Act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings and the act entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" approved the fifth day of May one thousand eight hundred and ninety-nine as amended by an act approved the fifth day of June one thousand nine hundred and one entitled "An Act supplemental to an act entitled 'An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class' approved the fifth day of May one thousand eight hundred and ninety-nine" shall not apply to places of amusement buildings tents or enclosures which have been erected constructed and altered and are now in actual use as a theatre or as a moving picture place where songs dances acrobatic or vauedville acts (whether stage scenery and apparatus are employed or not) are exhibited in addition thereto or as a place of amusement for the purpose of compelling the owner or lessee to erect alter or construct the said place of amusement building tent or enclosure as a "theatre" if the same has been built altered or constructed in accordance with the laws and ordinance regulating the erection construction or alteration thereof as a theatre or as a "moving picture place" or as a place of amusement and that the same are exempted from the provisions of said acts and the supplements and amendments thereto

Section 2 The act of June eighth one thousand eight hundred and ninety-three entitled An Act amending section one of article three of an act entitled An Act for the better government of cities of the first class in this Commonwealth approved the first day of June Anno Domini one thousand eight hundred and eighty-five regulating the construction maintenance and inspection of buildings and the act of May fifth one thousand eight hundred and ninety-nine entitled "An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls in cities of the first class" and amendment or supplement thereto of June fifth one thousand nine hundred and one entitled An Act supplement to an act entitled An Act to create a bureau of building inspection and to regulate the construction maintenance and inspection of buildings and party walls of cities of the first class approved the fifth day of May Anno Domini one thousand eight hundred and ninety-nine to be and remain the same in all other respects

And said bill having been read at length the third time, considered and agreed to.

On the question.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Adams,	Ehrhardt,	Lohr,	Rothenberger,
Alworth,	Eichenberger,	Malie,	Runk,
Aron,	Ely,	Martin,	Sassaman,
Arthur,	Ewing,	Mather,	Savacool,
Baldwin, R. J.,	Fahey,	Matt,	Schaeffer, A. C.
Bass,	Flynn,	McAleer,	Scott, S. B.,
Benninger,	Foster, J. D.,	McClintock,	Semmens,
Benson,	Frey,	McDermott,	Shaffer, I. E.,
Bergey,	Gans,	McKay,	Sherwood,
Bernthelzel,	Geiser,	Mechling,	Showalter,
Bittles,	Good,	Mellott,	Smith, J. W.,
Blair, W. A.,	Grabe,	Metzenbacher,	Smith, L.,
Blair, W. F.,	Gramley,	Miller,	Snyder,
Bleloch,	Hackett,	Missimer,	Spangler,
Body,	Haggerty,	Mitchell,	Spillinger,
Brosius,	Heidinger,	Moore,	Steedle,
Brown,	Hess,	Morrow,	Steele,
Brownlee,	Heyburn,	Moses,	Stein,
Burnett,	Hobbs,	Moulthrop,	Strauss,
Caldwell,	Howard, J.,	Murphy,	Swartz,
Campbell, C.M.,	Isler,	Musser,	Swift,
Carson,	Irwin, G. C.,	Neel,	Thomas,
Carter,	Irwin, H. H.,	Neely,	Trach,
Cheeseman,	Jackson,	Newbaker,	Ulerich,
Claycomb,	Jones, E. E.,	Newton,	Walnut,
Cleary,	Jones, J. R.,	O'Neill,	Walsh,
Cochran,	Kaiser,	Peachey,	Walton,
Conner,	Keegan,	Pennegar,	Watson,
Conrade,	Keeport,	Pennock,	Wettach,
Cox,	Kennedy,	Piper,	Whitaker,
Currier,	Kern,	Post,	Wildman,
Curry,	Kitts,	Ramsey,	Williams,
Davis,	Klepper,	Redfield,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Donahoe,	Latshaw,	Rex,	Young, G. K.
Donnally,	Lenker,	Rhoads,	Young, J. H.,
Down,	Letzkus,	Richards,	Zimmerman,
Dunn, H. B.,	Light,	Rockwell,	Alter,
Dunn, J. A.,		Roney,	Speaker.

NAYS—1.

Barner,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1075, entitled:

An Act repealing an act entitled "An Act relating to the assessment of damage for the appropriation of land for public use" approved fifteenth day of June Anno Domini one thousand eight hundred seventy-one

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass?

Mr. RICHARDS. Mr. Speaker, this bill seems to repeal an act of 1871, which reads something like this,

That in all case of the appropriation of land for public use, other than for roads, streets or highways, it shall not be lawful to assess, apportion or charge the whole or any portion of the damage done to or value of the land

so appropriated, to, among or against the other property adjoining or in the vicinity of the land so appropriated nor the owners thereof.

This measure seeks to repeal that act so that the municipality in construction of sewers, for instance, fixed from the standpoint of economy, it is necessary to pass through some portion of private property. When the damage awarded the owner is or can be assessed as benefits to the adjoining property that has been benefited by this improvement. Mr. Speaker, that is all that is in this act. Under the present act, the municipalities are compelled to pay the damages done the private property by this improvement passing through it. This bill permits the municipality to assess the property adjoining.

Mr. WALNUT. Mr. Speaker, I might state also in regard to this measure that I introduced a similar bill which passed the House one month ago and is now in the Judiciary General Committee of the Senate. I merely want to state that so that the House will understand that it had already acted upon this question.

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Adams,	Fahey,	Matt,	Runk,
Alworth,	Flynn,	McAleer,	Sassaman,
Ambler,	Forster, I. G.,	McClintock,	Savacool,
Arthur,	Foster, J. D.,	McDermott,	Schaeffer, A. C
Baldwin, G. A.,	Frey,	McKay,	Scott, S. B.,
Baldwin, R. J.,	Geary,	McNichol,	Semmens,
Barner,	Geiser,	Mechling,	Shaffer, I. E.,
Bass,	Gibson	Mellott,	Sherwood,
Benninger,	Grabe,	Metzenbacher,	Smith, J. W.,
Benson,	Gramley,	Miller,	Smith, L.,
Berntheizel,	Gransback,	Missimer,	Snyder,
Bigger,	Haggerty,	Mitchell,	Steedle,
Blair, W. A.,	Heidinger,	Moore,	Steele.
Blair, W. F.,	Heyburn,	Morrow,	Stein,
Body,	Hobbs,	Moses,	Stone
Brosius,	Hoffman,	Moulthrop,	Swartz,
Brown,	Howard, J.,	Murphy,	Swift,
Brownlee,	Jackson,	Musser,	Thomas,
Burnett,	Jones, E. E.,	Neel,	Trach,
Campbell, C.M.,	Jones, J. R.,	Neely,	Ulerich,
Carter,	Kaiser,	Newbaker,	Ulman,
Cheeseman,	Kaufman,	Newton,	Walnut,
Claycomb,	Keeport,	O'Neill,	Walsh,
Cleary,	Kennedy,	Peachey,	Walton,
Conner,	Kern,	Pennegar,	Watson,
Conniff,	Kitts,	Pennock,	Wettach,
Conrade,	Klepper,	Post,	Whitaker,
Cox,	Kuhn, H. P.,	Ramsey,	Whitman,
Currier,	Kuhns, E.G.M.,	Redfield,	Wildman,
Curry,	Lanius,	Reese,	Williams,
Davis,	Latshaw,	Reeser,	Wilson, J. H.,
DeFrees,	Lenker,	Rex,	Wilson, W. H.,
Dickinson,	Light,	Rhoads,	Wiltbank,
Donahoe,	Lohr,	Richards,	Young, G. K.,
Donnally,	Lowers,	Robinson,	Young, J. H.,
Down,	Martin,	Rockwell,	Zimmerman,
Dunn, H. B.,	Mather,	Roney,	Alter,
Ehrhardt,		Rothenberger,	Speaker.
Eichenberger,			

NAYS—2.

Aron, Good,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 26, as follows:

An Act providing for the licensing and bonding of persons firms and corporations engaged in selling agricultural products on commission providing for action on such bonds and fixing penalties for violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter it shall be unlawful for any person firm or corporation to engage in the business of selling agricultural products on commission until a license therefor shall have been obtained from the Secretary of Agriculture

Section 2 All applications for said license shall set forth the name of said applicant and the place where said business is to be conducted Each application shall be accompanied by a bond to the Commonwealth in the sum of twenty-five hundred dollars ($2,500.00) The surety on such bond shall be a company authorized to act as surety in this Commonwealth or shall be two good and sufficient sureties to be approved by the Secretary of Agriculture This bond sshall be conditioned for the payment of all sum owing or to be paid to all persons who shall have consigned agricultural products to such licensee All licenses shall be valid only during a period of one year from the date of issue No such license shall be issued until such applicant shall have paid to said Secretary for the use of the Commonwealth a fee of ten dollars ($10) All moneys received from such license fees shall be paid by said Secretary into the State Treasury

Section 3 The said Secretary shall prescribe and cause to be prepared all necessary blanks and forms and shall make all such reasonable regulations as to him shall seem proper for carrying out the purposes of this act and he is hereby directed to enforce the provisions of this act

Section 4 Every person firm or corporation selling agricultural products on a commission shall upon the receipt of farm produce and as it is handled and disposed of make a record thereof upon a form or forms to be approved by the Secretary of Agriculture specifying therein the nature grade and amount of the goods sold and the amount received in payment therefor and other essential facts and shall within forty-eight hours of making such sale mail to the consignor of the produce sold a duplicate copy of such record and in case of disagreement as to any material facts in regard to the sale of said products the said person firm or corporation shall furnish to the consignor the name or names and address of the party or parties to whom said goods were sold

Section 5 When any person shall have consigned agricultural products to any such licensee and payment therefor shall not have been made thirty days after the receipt of same by such licensee or shall not have been made within such time as shall be stipulated in a contract between such person and such licensee such person so consigning shall be authorized to enter suit in the bond of such licensee in any court of competent jurisdiction in the county in which is situated the place of business of the licensee for the recovery of such sum or sums as shall as aforesaid be due and owing A certified copy of such bond shall be furnished by said Secretary to such person or persons on request and shall in any such action be competent evidence in lieu of the original bond

Section 6 Any person firm or corporation that shall sell agricultural products on commission without first having produced a license as herein required or who shall impose false charges for handling or for services in connection with the sale of such products or fails to promptly and properly account for the same and make settlement therefor with intent to defraud or shall make false or misleading statement or statemnts as to the market conditions with intent to deceive or enter into any combination to fix prices or directly or indirectly purchase for his their or its own account goods received by him them or it upon consignment without prior authority therefor from the consignor or shall fail to promptly notify the consignor of such purchase on his their or its own account and any person firm or corporation handling agricultural products who shall make false statements as to the grade condition quality or quantity of goods shipped received or held for sale on commission with intent to deceive or violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine of not more than five hundred dollars

Section 7 This act shall become operative the first day of September one thousand nine hundred and thirteen

Section 8 All acts or parts of acts inconsistent with this act or any part thereof are hereby repealed

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass finally?

BILL POSTPONED.

Mr. WILLIAMS. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. WALNUT. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 419, entitled:

An Act relating to the advertising of propesed amendments to the Constitution of this Commonwealth

On the question,
Will the House agree to the bill on third reading?

Mr. MOSES. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Add to Section 1, line 7, having the largest sworn circulation. Provided, however, the rates charged shall not be higher than the regular rates charged for similar work.

The SPEAKER. Will the House give unanimous consent to insert the amendment as read?

Mr. R. J. BALDWIN. Mr. Speaker, so far as the rate is concerned in that amendment, I have no objection, but so far as the reference to circulation is concerned, I do object. because in my county the two papers having the largest circulation are two dailies, one a morning and the other an evening, which are controlled entirely by one party, and a friend of mine, Senator Sproul, is one of the principal stockholders, so that you can see that I have no personal interest. But I realize that those two papers circulate in the same territory and the idea of publishing our constitutional amendments is to cover the whole county, and it seems to me that that matter ought to be left to the Auditor General. If the gentleman will withdraw that part of his amendment, I will withdraw my objection. Perhaps the gentleman will be willing to correct his amendment to conform with my desires.

Mr. MOSES. No, Mr. Speaker, I will not withdraw the amendment.

The SPEAKER. The Chair hears objection and consent is not granted.

Mr. BLELOCH. Mr. Speaker, I move that the House go into Committee of the Whole for the purpose of special amendment.

Mr. MOSES. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. R. J. BALDWIN. Mr. Speaker, I think the House understands the proposition thoroughly. It is a very simple matter and the question as to whether this amendment shall be inserted might as well be settled on going into Committee of the Whole. I object to going into Committee of the Whole. It is the same proposition as objecting to the amendment.

The motion was not agreed to.

Mr. BERGEY asked unanimous consent to offer amendments, which were read for information.

The SPEAKER. Will the House give unanimous consent to insert the amendments as read? Is there any objection? The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. MOSES. Mr. Speaker, the amendments that I offered are simply a business proposition. The case that Mr. Baldwin cites does not occur in any other section of the State, possibly. Any business man will pick out the paper that has the largest circulation if he wants to advertise his business. The point I make is simply a business proposition.

On the question, recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows:, viz:

YEAS—146.

Alworth,	Ehrhardt,	Letzkus,	Savacool,
Ambler,	Eichenberger,	Light,	Schaeffer, A. C
Aron,	Ely,	Lohr,	Scott, S. B.,
Arthur,	Ewing,	Martin.	Semmens,
Baldwin, G. A.,	Fahey,	McAleer,	Shaffer, I. E.,
Baldwin, R. J.,	Forster, I. G.,	McClintock,	Sherwood,
Bass,	Foster, J. D.,	McDermott,	Showalter,
Benninger,	Gans.	McKay,	Smith, J. W.,
Benson,	Geary,	Metzenbacher,	Smith, L.,
Berntheizel,	Geiser,	Miller.	Snyder,
Bigger,	Gibson,	Missimer,	Spangler,
Blair, W. A.,	Goss,	Moore,	Spillinger,
Blair, W. F.,	Gramley,	Moses,	Steedle,
Bleloch,	Gransback,	Moulthrop,	Steele,
Body,	Haggerty,	Murphy,	Stein,
Brosius,	Heidinger,	Musser,	Strauss,
Brown,	Hemminger,	Neely,	Swartz,
Brownlee,	Hess,	Newbaker,	Swift,
Burnett,	Heyburn,	Newton,	Thomas,
Caldwell,	Hobbs,	O'Neill,	Trach,
Campbell, C.M.,	Howard, J.,	Peachey,	Ulerich,
Carson,	Humes,	Pennegar,	Ulman,
Carter,	Isler,	Pennock,	Walsh,
Cheeseman,	Irwin, G. C.,	Piper,	Walton,
Claycomb,	Irwin, H. H.,	Post,	Watson,
Cochran,	Jackson,	Ramsey,	Wettach,
Conner,	Jones, E. E.,	Redfield,	Whitaker,
Conrade,	Jones, J. R.,	Reese,	Whitman,
Cox,	Kaiser,	Reeser,	Wildman,
Curry,	Keegan,	Rex,	Williams,
DeFrees,	Kern,	Rhoads,	Wilson, J. H.,
Dickinson,	Kitts,	Robinson,	Wilson, W. H.,
Donahoe,	Kuhn, H. P.,	Rockwell,	Wiltbank,
Donnally,	Kuhns, E.G.M.,	Roney,	Young, G. K.,
Down,	Lanius,	Rothenberger,	Young, J. H.,
Dunn, H. B.,	Latshaw,	Sassaman,	Alter,
Dunn, J. A.,	Lenker,		Speaker.

NAYS—6.

Hibshman,	Keeport,	Lowers,	Zimmerman,
Hoffman,	Kennedy,		

The majority required by the Constitution having voted in the affirmative. the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL SIGNED BY SPEAKER.

The SPEAKER announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the title was publicly read as follows:

House Bill No. 645.

An Act defining and regulating public amusements and places used therefor requiring and regulating the licensing thereof restricting the scope of certain acts of Assembly relating thereto and providing penalties for violation of this act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RECESS.

Mr. CHEESEMAN. Mr. Speaker, I move that this House do now take a recess until 8 o'clock.

The motion was agreed to and (at 6 o'clock P. M.) the House took a recess until 8 o'clock P. M.

AFTER RECESS.

The House reconvened at 8:00 o'clock P. M.

The SPEAKER, (George E. Alter) in the Chair.

SENATE MESSAGES.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representativs as follows, viz:

In the House of Representatives, May 14, 1913.

Resolved, (if the Senate concur), That House Bill No. 695, file folio 4133, entitled, "An Act making an appropriation to the State Highway Department to cover a deficiency in the automobile division," be recalled from the Governor for the purpose of amendment.

SENATE CONCURS IN RESOLUTION.

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows, viz:

In the House of Representatives, May 14, 1913.

Resolved (if the Senate concur), That House Bill No. 416, file folio 3697, entitled, "An Act to prevent occupational diseases and to provide for health of employees exposed to the danger of lead poisoning and other occupational diseases by regulating certain manufacturing establishments providing for medical examinations and reports and requiring sanitary precautions and appliances and making violation of its provisions a misdemeanor and providing penalties for violation thereof," be recalled from the Governor for the purpose of amendment.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1151.

An Act to authorize the township commissioners of townships of the first class to ordain and establish sidewalks along the principal streets and highways of the township leading directly to or connecting cities boroughs villages or places of public resort and to charge a part of the expense of constructing the same upon the abutting property owners and to defray the remaining part of such expense from the public funds of the township

With the information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The amendment was read by the Clerk as follows:

In section 7, page 5, line 5, add after the word "Commonwealth" the following:

"Provided, That the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance."

On the question,

Will the House concur in the amendments of the Senate?

Mr. McALEER. Mr. Speaker, I move that the House non-concur in the amendment made by the Senate.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE.

The Clerk of the Senate being introduced, informed, that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1144, entitled:

An Act to authorize townships of the first class to provide for the collection and removal of ashes and garbage accumulating therein

And has appointed Messrs. Buckman, Jones and Thompson, a committe of conference to confer with a similar committee of the House of Representatives, (if the House of Representatives shall appoint such committee,) on the subject of the differences existing between the two Houses in relation to said bill.

Mr. AMBLER. Mr. Speaker, I move that the House insist upon its amendments and that a Committee of Conference be appointed.

Mr. McALEER. Mr. Speaker, I second the motion.

The motion was agreed to.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows, viz:

House Bill No. 1357:

An Act concerning building regulating and inspection in townships of the first class

With information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The amendments were read by the Clerk as follows:

Add to the title in line 2, the following: "and providing that the provisions thereof shall be inoperative in any such township when a certain percentage of the property owners shall dissent from the action of the commissioners taken under the provisions of this act."

Section 2, line 4, after the word "powers" add the following: "Provided that the foregoing provisions of this act shall cease to be operative in any township of the first class when after the passage of any ordinance for any of the above purposes the owners of at least fifty-one per centum in value (according to the last assessed valuation for taxable purposes) of property in said township shall express in writing to the Board of Township Commissioners their dissent from the provisions of such ordinance"

On the question,

Will the House concur in the amendments?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—129.

Adams,	Dunn, J. A.,	Martin,	Roney,
Alworth,	Eichenberger,	Mather,	Runk,
Ambler,	Ely,	Matt,	Sassaman,
Aron,	Ewing,	McAleer,	Savacool,
Arthur,	Forster, I. G.,	McAllister,	Schaeffer, A. C.
Baldwin, R. J.,	Foster, J. D.,	McClintock,	Schuck,
Barner,	Gibson,	McDermott,	Scott, J. R. K.,
Bass,	Good,	McKay,	Semmens,
Benninger,	Gramley,	Mechling,	Shaffer, I. E.,
Benson,	Gransback,	Mellott,	Sherwood,
Bergey,	Hackett,	Metzenbacher,	Showalter,
Bigger,	Haggerty,	Miller,	Smith, J. W.,
Blair, W. A.,	Heidinger,	Missimer,	Smith, L.,
Body,	Heyburn,	Mitchell,	Speiser,
Brosius,	Hibshman,	Moore,	Steele,
Brown,	Hobbs,	Morrow,	Stein,
Brownlee,	Irwin, G. C.,	Moses,	Strauss,
Burnett,	Irwin, H. H.,	Murphy,	Swartz,
Caldwell,	Jackson,	Neely,	Thomas,
Carson,	Jones, J. R.,	Newbaker,	Ulerich,
Cheeseman,	Kaiser,	Newton,	Ulman,
Claycomb,	Kaufman,	O'Neill,	Walnut,
Cochran,	Keegan,	Pennock,	Walsh,
Conner,	Keeport,	Perry, H. L.,	Walton,
Conniff,	Kennedy,	Post,	Watson,
Conrade,	Kuhn, H. P.,	Ramsey,	Wettach,
Cox,	Kuhns, E.G.M.,	Reese,	Whitaker,
Currier,	Lenker,	Reeser,	Wilson, J. H.,
Curry,	Leslie,	Rex,	Wilson, W. H.,
Davis,	Lohr,	Rhoads,	Wiltbank,
DeFrees,	Lowers,	Richards,	Zimmerman,
Dickinson,	Malie,	Rockwell,	Alter,
Down,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 562,

An Act to fix the salaries of the clerks of the State Department in the office of the county treasurer of any county of this Commonwealth having a population of one million or over

with the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

In line 9, after the word "annum" insert the following: "receiving teller or clerk twenty-five hundred dollars ($2,500.00) per annum."

In line 11 after the word "annum" insert the following: "second assistant receiving teller or clerk sixteen hundred dollars ($1,600.00) per annum first assistant bookkeeper sixteen hundred dollars ($1,600.00) per annum.

On the question,

Will the House concur in the amendments of the Senate?

Mr. RONEY. Mr. Speaker, I move you that the House concur in the amendments, and for the information of the House I would say that the salaries of three clerks in the City Tax office are being increased two hundred dollars, and the extra work occasioned by the fact that the City Treasurer's office is handling the school money justifies this increase for these three men.

Mr. HUMES. Mr. Speaker, I desire to interrogate the gentlemen from Philadelphia.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. RONEY. Mr. Speaker, I will.

Mr. HUMES. Mr. Speaker, I would like to ask the gentleman if this is an effort to increase salaries or to create new positions?

Mr. RONEY. No new positions.

The question recurring,

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—152.

Adams,	Ely,	Lowers,	Roney,
Alworth,	Ewing,	Malie,	Rothenberger,
Ambler,	Fahey,	Mather,	Runk,
Aron,	Foster, J. D.,	Matt,	Sassaman,
Arthur,	Frey,	McAleer,	Savacool,
Baldwin, R. J.,	Gans,	McAllister,	Schaeffer, A. C.,
Barner,	Geiser,	McArdle,	Schuck,
Bass,	Gibson,	McCaig,	Scott, J. R. K.,
Benninger,	Good,	McClintock,	Semmens,
Benson,	Goss,	McDermott,	Shaffer, I. E.,
Bergey,	Gramley,	McKay,	Sherwood,
Bigger,	Gransback,	McNichol,	Showalter,
Bittles,	Hackett,	Mechling,	Smith, J. W.,
Body,	Haggerty,	Mellott,	Smith, L.,
Brosius,	Heidinger,	Metzenbacher,	Snyder,
Brown,	Hemminger,	Miller,	Speiser,
Brownlee,	Hess,	Missimer,	Spillinger,
Burnett,	Heyburn,	Mitchell,	Steele,
Caldwell,	Hibshman,	Moore,	Stein,
Carson,	Hobbs,	Morrow,	Stone,
Carter,	Howard, J.,	Murphy,	Strauss,
Cheeseman,	Isler,	Neely,	Swartz,
Claycomb,	Irwin, G. C.,	Newbaker,	Thomas,
Cleary,	Irwin, H. H.,	Newton,	Ulerich,
Cochran,	Jackson,	O'Neill,	Ulman,
Collins,	Jones, J. R.,	Pennegar,	Walnut,
Conner,	Kaiser,	Pennock,	Walsh,
Conniff,	Keegan,	Perry, H. L.,	Walton,
Conrade,	Kenna,	Perry, S. J.,	Watson,
Cox,	Kennedy,	Piper,	Whitaker,
Currier,	Kitts,	Ramsey,	Whitman,
Curry,	Kuhn, H. P.,	Redfield,	Wilson, J. H.,
Davis,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
DeFrees,	Latshaw,	Reeser,	Wiltbank,
Dickinson,	Lenker,	Rex,	Young, J. H.,
Down,	Leslie,	Rhoads,	Zimmerman,
Dunn, J. A.,	Light,	Richards,	Alter,
Ehrhardt,	Lohr,		Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 1040:

An Act to refund to Joseph Kalter of Philadelphia the sum of five hundred dollars paid by the said Joseph Kalter to the City Treasurer of Philadelphia for an auctioneer's license and paid by said City Treasurer into the State Treasury

with the information that the Senate had passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

In line 8 section 1, strike out the word "shall."

On the question,

Will the House concur in the amendments of the Senate?

Mr. SPEISER. Mr. Speaker, I move you that the House concur in the Senate amendments. This amendment is only a correction of a typographical error, striking out the word "shall" which appears twice.

On the question recurring,

Will the House concur in the amendments of the Senate?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—155.

Adams,	Ewing,	Martin,	Sassaman,
Alworth,	Fahey,	Mather,	Savacool,
Ambler,	Forster, L. G.,	McAleer,	Schaeffer, A. C.
Aron,	Foster, J. D.,	McAllister,	Schuck,
Arthur,	Gans,	McArdle,	Scott, J. R. K.,
Baldwin, G. A.,	Geary,	McCaig,	Semmens,
Baldwin, R. J.,	Geiser,	McClintock,	Sherwood,
Barner,	Good,	McDermott,	Showalter,
Bass,	Goss,	McKay,	Smith, J. W.,
Benson,	Gramley,	McNichol,	Smith, L.,
Bergey,	Gransback,	Mechling,	Snyder,
Berntheizel,	Hackett,	Metzenbacher,	Speiser,
Bigger,	Haggerty,	Miller,	Spillinger,
Bittles,	Heidinger,	Missimer,	Steedle,
Blair, W. A.,	Hemminger,	Mitchell,	Steele,
Body,	Hess,	Moore,	Stein,
Brosius,	Heyburn,	Morrow,	Stone,
Brown,	Hibshman,	Murphy,	Strauss,
Brownlee,	Hobbs,	Musser,	Swartz,
Burnett,	Humes,	Neely,	Swift,
Caldwell,	Irwin, G. C.,	Newbaker,	Thomas,
Carter,	Irwin, H. H.,	Newton,	Trach,
Cheeseman,	Jackson,	O'Neill,	Ulerich,
Claycomb,	Jones, J. R.,	Pennegar,	Ulman,
Cleary,	Kaiser,	Pennock,	Walnut,
Cochran,	Keegan,	Perry, S. J.,	Walsh,
Conner,	Keeport,	Peters,	Walton,
Conniff,	Kenna,	Piper,	Watson,
Conrade,	Kennedy,	Ramsey,	Wettach,
Cox,	Kitts,	Redfield,	Whitaker,
Currier,	Kuhn, H. P.,	Reese,	Wildman,
Curry,	Kuhns, E.G.M.,	Reeser,	Williams,
Davis,	Latshaw,	Rex,	Wilson, J. H.,
DeFrees,	Lenker,	Rhoads,	Wilson, W. H.,
Dickinson,	Leslie,	Richards,	Wiltbank,
Down,	Light,	Robinson,	Zimmerman,
Dunn, J. A.,	Lohr,	Roney,	Alter,
Ehrhardt,	Lowers,	Rothenberger,	Speaker.
Eichenberger,	Malie,	Runk,	
Ely,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 221,

An Act fixing the salary of registers of wills in counties within which are or may be located any cities of the first class and providing for the payment of fees or commissions earned by said officers into the county treasury after deduction of expenses which expenses said registers are authorized to incur

with information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was then read by the Clerk as follows:

Amend section 2, by striking out the following "the register of wills in said counties shall pay into the county treasury all fees or commissions or any kind earned by them for services performed either for the county or for the State or otherwise" and insert in lieu thereof the following "The register of wills in said counties shall pay into the county treasury all fees or commissions of any kind earned by them for services performed either for the county or for the State or otherwise after deducting therefrom counsel fees and other legal expenses incurred in the collection of the same the said registers being authorized and empowered to employ an attorney or attorneys to aid them in the collection in the orphan's court and other courts and othewise of inheritance taxes."

Also amend title by inserting after the word "treasury" in line four, the following "after deduction of expenses which expenses said registers are authorized to incur."

On the question,

Will the House concur in the amendments made by the Senate?

Mr. WALNUT. Mr. Speaker, I move that the House do not concur in the amendments of the Senate.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 1244,

An Act to amend the first third and sixth sections of an act entitled "An Act providing for the determination by the Court of Common Pleas of the proper county of all disputes

as to the reasonableness of the amount of license fees between municipal corporations and telegraph telephone or light or power companies" approved April seventeen one thousand nine hundred and five extending the provisions thereof to street passenger railway companies motor traction companies gas companies and water companies

with information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk then read the amendment as follows:

Amend title, line 7, by striking out after the word "five", the following, "so as to include gas and water companies," and inserting in lieu thereof the following, "extending the provisions thereof to street passenger railway companies motor traction companies gas companies and water companies."

On the question,

Will the House concur in the amendment of the Senate?

Mr. MILLER. Mr. Speaker, the amendment is satisfactory..

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Ely,	Letzkus,	Robinson,
Allen,	Ewing,	Lohr,	Rockwell,
Alworth,	Fahey,	Lowers,	Roney,
Ambler,	Flynn,	Malie,	Rothenberger,
Aron,	Forster, I. G.,	Martin,	Sassaman,
Arthur,	Foster, J. D.,	Mather,	Savacool,
Baldwin, G. A.,	Frey,	Matt,	Schuck,
Baldwin, R. J.,	Gans,	McAleer,	Scott, J. R. K.,
Barner,	Geiser,	McAllister,	Semmens,
Bass,	Gibson,	McArdle,	Shaffer, I. E.,
Bayle,	Glenn,	McCaig,	Sherwood,
Benson,	Good,	McClintock,	Showalter,
Bergey,	Grabe,	McDermott,	Smith, J. W.,
Berntheizel,	Gramley,	McKay,	Smith, L.,
Bigger,	Gransback,	McNichol,	Snyder,
Bittles,	Hackett,	Mechling,	Spangler,
Body,	Haggerty,	Mellott,	Speiser,
Brosius,	Heidinger,	Metzenbacher,	Spillinger,
Brown,	Hemminger,	Miller,	Steedle,
Brownlee,	Hess,	Missimer,	Steele,
Burnett,	Heyburn,	Mitchell,	Stein,
Caldwell,	Hibshman,	Moore,	Stone,
Carson,	Hobbs,	Morrow,	Strauss,
Carter,	Humes,	Murphy,	Swartz,
Cheeseman,	Isler,	Neely,	Swift,
Claycomb,	Irwin, G. C.,	Newbaker,	Thomas,
Cleary,	Irwin, H. H.,	Newton,	Trach,
Cochran,	Jackson,	O'Neill,	Ulerich,
Collins,	Jones, J. R.,	Pennegar,	Walnut,
Conner,	Kaiser,	Pennock,	Walsh,
Conniff,	Kaufman,	Perry, H. L.,	Walton,
Conrade,	Keegan,	Perry, S. J.,	Watson,
Cox,	Keeport,	Peters,	Wettach,
Currier,	Kenna,	Piper,	Whitaker,
Curry,	Kennedy,	Price,	Wilson, J. H.,
Davis,	Kern,	Ramsey,	Wilson, W. H.,
DeFrees,	Kitts,	Redfield,	Wiltbank,
Dickinson,	Kuhn, H. P.,	Reese,	Young, G. K.,
Down,	Kuhns, E.G.M.,	Reeser,	Young, J. H.,
Dunn, J. A.,	Lenker,	Rhoads,	Zimmerman,
Ehrhardt,	Leslie,	Richards,	Alter,
Eichenberger,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE.

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

House Bill No. 580.

An Act to amend an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violations thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven as amended by an act entitled "An Act to amend the fifteenth section of an act approved the eighth day of June Anno Domini one thousand nine hundred and seven entitled 'A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rule and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes' by fixing the number of jury at three' approved the twenty-seventh day of April Anno Domini one thousand nine hundred and eleven

said bill having been amended by the Senate and the amendments were non-concurred in by the House of Representatives, and with the information that the Senate has further amended said bill in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The amendments will be read by the Clerk.

The Clerk then read the amendments as follows:

Amend title by striking out in the first line "A supplement" and inserting in lieu thereof 'An Act."

Also in the second line by striking out "An amendment to an act" and "An Act entitled an act" and insert in lieu thereof "to amend an act."

On the question,

Will the House concur in the amendments of the Senate?

Mr. RONEY. Mr. Speaker, I move that the House now recede from its former position of non-concurrence and that the House now concur in all the amendments made by the Senate.

Mr. SPEISER. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question,

Will the House concur in all the amendments made by the Senate?

Mr. RONEY. Mr. Speaker, I desire further to say for the information of the House that the title of the bill has been amended satisfactorily. There is also another amendment on page four, which reads as follows: "Provided that necessary repairs costing one hundred dollars or less and not effecting the stability or strength of the structure may be made without first procuring a license or permit," which is also satisfactory.

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—158.

Adams,	Fahey,	Lowers,	Rockwell,
Allen,	Flynn,	Malie,	Roney,
Alworth,	Forster, I. G.,	Martin,	Rothenberger,
Ambler,	Foster, J. D.,	Mather,	Runk,
Aron,	Gans,	Matt,	Sassaman,
Arthur,	Geary,	McAleer,	Schaeffer, A. C
Baldwin, G. A.,	Geiser,	McAllister,	Schuck,
Baldwin, R. J.,	Gibson,	McArdle,	Scott, J. R. K.,
Barner,	Good,	McCaig,	Semmens,
Bass,	Goss,	McKay,	Shaffer, I. E.,
Bayle,	Gramley,	McNichol,	Sherwood,
Berntheizel,	Gransback,	Mechling,	Showalter,
Bigger,	Hackett,	Metzenbacher,	Smith, J. W.,
Bittles,	Haggerty,	Miller,	Smith, L.,
Body,	Heidinger,	Missimer,	Snyder,
Brosius,	Hemminger,	Mitchell,	Speiser,
Brown,	Hess,	Moore,	Spillinger,
Brownlee,	Heyburn,	Morrow,	Steedle,
Burnett,	Hibshman,	Moses,	Steele,
Caldwell,	Hobbs,	Murphy,	Stein,
Carson,	Howard, J.,	Neely,	Stone,
Carter,	Isler,	Newbaker,	Strauss,
Cheeseman,	Irwin, G. C.,	Newton,	Swartz,
Claycomb,	Irwin, H. H.,	O'Neill,	Thomas,
Cochran,	Jackson,	Pennegar,	Trach,
Collins,	Jones, J. R.,	Pennock,	Ulerich,
Conner,	Kaiser,	Perry, H. L.,	Ulman,
Conniff,	Kaufman,	Perry, S. J.,	Walnut,
Conrade,	Keegan,	Peters,	Walsh,
Cox,	Keeport,	Piper,	Watson,
Currier,	Kenna,	Price,	Whitaker,
Curry,	Kennedy,	Ramsey,	Wildman,
Davis,	Kitts,	Redfield,	Wilson, J. H.,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Dickinson,	Kuhns, E.G.M.,	Reeser,	Wiltbank,
Down,	Lenker,	Rex,	Young, J. H.,
Dunn, J. A.,	Leslie,	Rhoads,	Zimmerman,
Ehrhardt,	Letzkus,	Richards,	Alter,
Eichenberger,	Light,	Robinson,	Speaker.
Ely,	Lohr,		
Ewing,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and amendments concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1962 (Senate Bill No. 1002), entitled:

An Act authorizing certain corporations to issue preferred stock of one or more classes providing for the manner of issuance restrictions and regulations in the matter of voting thereof and the rights and privileges of the holders thereof and repealing all acts or parts of acts inconsistent therewith

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Ehrhardt,	Kitts,	Richards,
Allen,	Eichenberger,	Kuhn, H. P.,	Robinson,
Alworth,	Ely,	Kuhns, E.G.M.,	Roney,
Ambler,	Ewing,	Lenker,	Rothenberger,
Aron,	Fahey,	Leslie,	Runk,
Arthur,	Flynn,	Letzkus,	Sassaman,
Baldwin, G. A.,	Forster, I. G.,	Light,	Schaeffer, A. C
Baldwin, R. J.,	Foster, J. D.,	Lohr,	Schuck,
Barner,	Frey,	Lowers,	Scott, J. R. K.,
Bass,	Gans,	Malie,	Semmens,
Benson,	Geary,	Martin,	Shaffer, I. E.,
Bergey,	Geiser,	Mather,	Sherwood,
Berntheizel,	Gibson,	McAleer,	Showalter,
Bigger,	Glenn,	McAllister,	Smith, J. W.,
Bittles,	Good,	McArdle,	Smith, L.,
Blair, W. A.,	Goss,	McCaig,	Snyder,
Body,	Gramley,	McClintock,	Spangler,
Brosius,	Gransback,	McDermott,	Speiser,
Brown,	Hackett,	McKay,	Spillinger,
Brownlee,	Haggerty,	McNichol,	Steedle,
Burnett,	Heidinger,	Metzenbacher,	Steele,
Caldwell,	Hemminger,	Missimer,	Stein,
Carter,	Hess,	Moore,	Strauss,
Cheeseman,	Heyburn,	Murphy,	Swartz,
Claycomb,	Hibshman,	Neely,	Thomas,
Cleary,	Hobbs,	Newbaker,	Trach,
Collins,	Howard, J.,	Newton,	Ulerich,
Conner,	Humes,	O'Neill,	Ulman,
Conniff,	Isler,	Peachey,	Walnut,
Conrade,	Irwin, G. C.,	Pennock,	Walsh,
Cox,	Irwin, H. H.,	Perry, H. L.,	Watson,
Currier,	Jackson,	Perry, S. J.,	Whitman,
Curry,	Jones, J. R.,	Piper,	Williams,
Davis,	Kaiser,	Ramsey,	Wilson, W. H.,
DeFrees,	Kaufman,	Redfield,	Wiltbank,
Dickinson,	Keegan,	Reese,	Young, J. H.,
Donahoe,	Keeport,	Reeser,	Zimmerman,
Down,	Kenna,	Rex,	Alter,
Dunn, H. B.,	Kennedy,	Rhoads,	Speaker.
Dunn, J. A.,			

NAYS—2.

Benninger, Carson,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1898 (Senate Bill No. 521), entitled:

An Act to amend the second and fifth section of an act entitled "A supplement to an act entitled 'An act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred and one creating and regulating a City Planning Department giving it jurisdiction extending it over the city and three miles beyong the city limits and regulating the laying out of plans of lots within the limits of the city" approved June tenth one thousand nine hundred and eleven relating to reports of the City Planning Commission on certain ordinances and bills and relating to plans and plots submitted to said Planning Commision for approval

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—157.

Adams,	Ehrhardt,	Light,	Robinson,
Allen,	Eichenberger,	Lohr,	Rockwell,
Alworth,	Ely,	Lowers,	Roney,
Ambler,	Ewing,	Malie,	Rothenberger,
Aron,	Forster, I. G.,	Martin,	Runk,
Arthur,	Foster, J. D.,	Mather,	Sassaman,
Baldwin, G. A.,	Gans,	Matt,	Savacool,
Baldwin, R. J.,	Geiser,	McAleer,	Schuck,
Barner,	Gibson,	McAllister,	Scott, J. R. K.,
Bass,	Good,	McArdle,	Shaffer, I. E.,
Benson,	Gramley,	McClintock,	Sherwood,
Bergey,	Gransback,	McDermott,	Showalter,
Berntheizel,	Hackett,	McKay,	Smith, J. W.,
Bigger,	Haggerty,	McNichol,	Smith, L.,
Bittles,	Heidinger,	Mechling,	Snyder,
Blair, W. A.,	Hemminger,	Miller,	Spangler,
Body,	Hess,	Missimer,	Speiser,
Brosius,	Heyburn,	Mitchell,	Steedle,
Brown,	Hibshman,	Moore,	Steele,
Brownlee,	Hobbs,	Morrow,	Stone
Burnett,	Howard, J.,	Murphy,	Strauss,
Caldwell,	Humes,	Neely,	Swartz,
Carson,	Isler,	Newbaker,	Swift,
Carter,	Irwin, G. C.,	Newton,	Thomas,
Cheeseman,	Irwin, H. H.,	O'Neill,	Trach,
Claycomb,	Jackson,	Peachey,	Ulerich,
Cleary,	Jones, J. R.,	Pennegar,	Ulman,
Collins,	Kaiser,	Perry, H. L.,	Walnut,
Conner,	Kaufman,	Perry, S. J.,	Walsh,
Conrade,	Keegan,	Peters,	Walton,
Cox,	Keeport,	Piper,	Wettach.
Currier,	Kenna,	Price,	Whitaker,
Curry,	Kitts,	Ramsey,	Wildman,
Davis,	Kuhn, H. P.,	Redfield,	Williams,
DeFrees,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Dickinson,	Latshaw,	Reeser,	Wilson, W. H.,
Donahoe,	Lenker,	Rex,	Wiltbank,
Down,	Leslie,	Rhoads,	Zimmerman,
Dunn, H. B.,	Letzkus,	Richards,	Alter,
Dunn, J. A.,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1921 (Senate Bill No. 877), entitled:

An act authorizing the councils of cities of the second class to fix the salary of the heads of departments of said cities and providing the maximum amount thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—149.

Adams,	Fahey,	Malie,	Rothenberger,
Allen,	Flynn,	Martin,	Runk,
Alworth,	Forster, I. G.,	Mather,	Sassaman,
Ambler,	Foster, J. D.,	Matt,	Savacool,
Aron,	Frey,	McAleer,	Schaeffer, A. C.
Arthur,	Geiser,	McAllister,	Schuck,
Baldwin, G. A.,	Gibson,	McCaig,	Shaffer, I. E.,
Baldwin, R. J.,	Glenn,	McClintock,	Sherwood,
Barner,	Good,	McDermott,	Showalter,
Bass,	Gramley,	McKay,	Smith, J. W.,
Bergey,	Gransback,	McNichol,	Smith, L.,
Berntheizel,	Hackett,	Mechling,	Snyder,
Bigger,	Haggerty,	Metzenbacher,	Spangler,
Bittles,	Heidinger,	Missimer,	Speiser,
Blair, W. A.,	Hemminger,	Mitchell,	Spillinger,
Body,	Hess,	Moore,	Steedle,
Brosius,	Heyburn,	Morrow,	Steele,
Brown,	Hibshman,	Neely,	Stein,
Brownlee,	Hobbs,	Newbaker,	Stone,
Burnett,	Howard, J.,	Newton,	Strauss,
Caldwell,	Humes,	O'Neill,	Swartz
Carson,	Isler,	Peachey,	Thomas,
Carter,	Irwin, G. C.,	Pennegar,	Trach,
Cheeseman,	Irwin, H. H.,	Pennock,	Ulerich,
Claycomb,	Jackson,	Perry, H. L.,	Ulman,
Cleary,	Kaiser,	Perry, S. J.,	Walsh,
Cochran,	Keegan,	Piper,	Walton.
Conner,	Keeport,	Price,	Wettach,
Conrade,	Kenna,	Ramsey,	Whitaker,
Cox,	Kennedy,	Redfield,	Wildman,
Curry,	Kitts,	Reese,	Williams,
Davis,	Kuhn, H. P.,	Rex,	Wilson, J. H.,
DeFrees,			

Dickinson,	Kuhns, E.G.M.,	Rhoads,	Wilson, W. H.,
Down,	Latshaw,	Richards	Wiltbank,
Dunn, H. B.,	Lenker,	Robinson,	Young, G. K.,
Dunn, J. A.,	Light,	Rockwell,	Zimmerman,
Ely,	Lowers,	Roney,	Alter,
Ewing,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

The SPEAKER. The Chair would call the attention of the House to the fact that there is a manifest error in the last line of House Bill No. 1913. It probably would save the Senate an amendment and an extra roll call if it were postponed until the sponsor can correct it.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1913, entitled:

An Act to amend an act approved the sixth day of June one thousand eight hundred and ninety-three entitled "An Act to provide for the consolidation of boroughs and the government and regulation thereof" as amended

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. FLYNN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. GOOD. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1682, entitled:

An Act to amend section five of an act approved the tenth day of April one thousand eight hundred and sixty-seven entitled "An Act for the better and more impartial selection of persons to serve as jurors in each of the counties of this Commonwealth"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Adams,	Dunn, H. B.,	Kuhns, E.G.M.,	Rhoads,
Allen,	Dunn, J. A.,	Latshaw,	Richards,
Alworth,	Ehrhardt,	Lenker,	Robinson,
Ambler,	Eichenberger,	Leslie,	Roney,
Aron,	Ely,	Light,	Rothenberger,
Arthur,	Ewing,	Lohr,	Runk,
Baldwin, G. A.,	Fahey	Lowers,	Sassaman,
Barner,	Flynn,	Malie,	Savacool,
Bass,	Forster, I. G.,	Mannion,	Schaeffer, A. C.,
Benninger,	Gans,	Mather,	Schuck,
Benson,	Geiser,	Matt,	Scott, S. B.,
Bergey,	Glenn,	McAleer,	Shaffer, I. E.,
Bigger,	Good,	McArdle,	Sherwood,
Bittles,	Goss,	McClintock,	Showalter,
Blair, W. A.,	Grabe,	McDermott,	Smith, J. W.,
Blair, W. F.,	Gransback,	McKay,	Smith, L.,
Body,	Hackett,	McNichol,	Snyder,
Brosius,	Haggerty,	Mellott,	Speiser,
Brown,	Heidinger,	Metzenbacher,	Spillinger,
Brownlee,	Hemminger,	Miller,	Steele,
Burnett,	Hess,	Mitchell,	Stein,
Caldwell,	Heyburn,	Morrow,	Stone,
Carson,	Hibshman,	Murphy,	Strauss,
Carter,	Hobbs,	Musser,	Thomas,
Cheeseman,	Howard, J.,	Newbaker,	Ulerich,
Claycomb,	Humes,	Newton,	Walnut,
Cleary,	Isler,	O'Neill,	Walton,
Cochran,	Irwin, G. C.,	Peachey,	Wettach,
Collins,	Irwin, H. H.,	Pennegar,	Whitaker,
Conner,	Jackson,	Pennock,	Wildman,
Conrade,	Jones, J. R.,	Perry, H. L.,	Williams,
Cox,	Kaiser,	Peters,	Wilson, J. H.,
Currier,	Keegan,	Post,	Wilson, W. H.,
Curry,	Keeport,	Price,	Wiltbank,
Davis,	Kern,	Ramsey,	Young, J. H.,
DeFrees,	Kitts,	Reese,	Zimmerman,
Dickinson,	Kuhn, H. P.,	Reeser,	Alter,
Down,			Speaker

NAYS—2.

Redfield,	Ulman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1391 (Senate Bill No. 140), entitled:

An Act requiring bills and answers in equity to be sworn to and abolishing the rule that the averments of a responsive answer must be overcome by the testimony of two witnesses or of one witness sustained by corroborating circumstances equivalent to the testimony of another witness in order to entitle plaintiff to a decree except in certain cases

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—135.

Adams,	Geiser,	Lowers,	Rothenberger,
Alworth,	Gibson,	Malie,	Runk,
Ambler,	Good,	Matt,	Schuck,
Aron,	Goss,	McAleer,	Sherwood,
Arthur,	Grabe,	McCaig,	Showalter,
Barner,	Gramley,	McClintock,	Smith, J. W.,
Bass,	Gransback,	McDermott,	Smith, L.,
Benninger,	Hackett,	McKay,	Spangler,
Berntheizel,	Haggerty,	McNichol,	Speiser,
Bigger,	Heidinger,	Mellott,	Spillinger,
Blair, W. A.,	Hemminger,	Miller,	Steedle,
Body,	Hess,	Missimer,	Steele,
Brosius,	Hibshman,	Morrow,	Stein,
Claycomb,	Hobbs,	Murphy,	Stone,
Cleary,	Humes,	Musser,	Strauss,
Cochran	Isler,	Newbaker,	Swartz,
Collins,	Irwin, G. C.,	Newton,	Thomas,
Conniff,	Irwin, H. H.,	O'Neill,	Trach,
Conrade,	Jackson,	Peachey,	Ulerich,
Cox,	Jones, J. R.,	Pennock,	Ulman,
Currier,	Keegan,	Peters,	Walsh,
Curry,	Keeport,	Piper,	Watson,
Davis,	Kennedy,	Redfield,	Whitaker,
DeFrees,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Dunn, H. B.,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
Dunn, J. A.,	Lenker,	Rhoads,	Wiltbank,
Eichenberger,	Leslie,	Richards,	Young, G. K.,
Ely,	Letzkus,	Rockwell,	Zimmerman,
Flynn,		Roney,	Alter,
Foster, J. D.,			Speaker.

NAYS—7.

Baldwin, G. A.,	Brownlee,	Carson,	Post,
Benson,	Burnett,	Cheeseman,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1894 (Senate Bill No. 507), entitled:

An Act to amend sections three and seven of an act entitled "A supplement to an act entitled 'An Act for the government of cities of the second class' approved the seventh day of March Anno Domini one thousand nine hundred one providing for the levy collection and disbursement of taxes and water rents or rates and conferring certain powers and duties in reference thereto upon the City Treasurer the Board of Water Assessors and Collector of Delinquent Taxes and repealing certain acts relating to certain matters herein provided for approved May twelfth one thousand nine hundred and eleven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—151.

Adams,	Ely,	Lowers,	Sassaman,
Alworth,	Fahey,	Malie,	Savacool,
Ambler,	Flynn,	Martin,	Schaeffer, A. C.,
Aron,	Foster, J. D.,	Mather,	Schuck,
Arthur,	Gans,	Matt,	Scott, J. R. K.,

Baldwin, G. A.,	Geary,	McAleer,	Scott, S. B.,
Barner,	Geiser,	McAllister,	Semmens,
Bass,	Gibson,	McArdle,	Shaffer, I. E.,
Bayle,	Good,	McClintock,	Sherwood,
Benninger,	Grabe,	McKay,	Showalter,
Benson,	Gramley,	Mechling,	Smith, J. W.,
Bergey,	Gransback,	Mellott,	Smith, L.,
Berntheizel,	Hackett,	Metzenbacher,	Snyder,
Bigger,	Haggerty,	Miller,	Speiser,
Bittles,	Heidinger,	Missimer,	Spillinger,
Blair, W. A.,	Hemminger,	Mitchell,	Steedle,
Body,	Heyburn,	Moore,	Steele,
Brosius,	Hibshman,	Morrow,	Stein,
Brown,	Hobbs,	Murphy,	Stone,
Burnett,	Hoffman,	Neel,	Strauss,
Campbell, C.M.,	Humes,	Neely,	Swartz,
Carson,	Isler,	Newbaker,	Swift,
Carter,	Jackson,	Newton,	Trach,
Cheeseman,	Jones, J. R.,	O'Neill,	Ulerich,
Claycomb,	Keegan,	Peachey,	Ulman,
Cleary,	Keeport,	Pennegar,	Walton,
Conner,	Kennedy,	Pennock,	Watson,
Conrade,	Kern,	Peters,	Whitaker,
Cox,	Klepper,	Ramsey,	Whitman,
Currier,	Kuhn, H. P.,	Redfield,	Wildman,
Curry,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Davis,	Latshaw,	Reeser,	Wilson, W. H.,
DeFrees,	Lenker,	Rhoads,	Wiltbank,
Dickinson,	Leslie,	Richards,	Young, G. K.,
Donahoe,	Letzkus,	Rockwell,	Young, J. H.,
Down,	Light,	Roney,	Zimmerman,
Dunn, J. A.,	Lohr,	Rothenberger,	Alter,
Ehrhardt,			Speaker.
Eichenberger,			

NAYS—1.

Brownlee,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of House Bill No. 1833 (Senate No. 558), entitled:

An Act to amend the first section of an act entitled "A supplement to an act entitled 'An Act amendatory to the license laws of this State approved April eleven one thousand eight hundred and sixty-two in relation to the county of Berks" approved the twenty-third day of April Anno Domini one thousand eight hundred and sixty-seven

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. STRAUSS. Mr. Speaker, just a word in explanation. This is a bill that applies only to Berks County and has relation to the printing of the mercantile appraiser's list. Heretofore the lists were published in four newspapers, two of which were German. Now they are to be printed in the same number of newspapers one of which may be German.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—154.

Adams,	Ely,	Letzkus,	Runk,
Alworth,	Ewing,	Light,	Sassaman,
Ambler,	Forster, I. G.,	Lowers,	Savacool,
Aron,	Foster, J. D.,	Malie,	Schaeffer, A. C
Arthur,	Frey,	Martin,	Schuck,
Baldwin, G. A.,	Geary,	Mather,	Scott, S. B.,
Barner,	Geiser,	Matt,	Semmens,
Bass,	Gibson,	McAleer,	Shaffer, I. E.,
Bayle,	Glenn,	McCalg,	Sherwood,
Benninger,	Good,	McClintock,	Showalter,
Benson,	Goss,	McDermott,	Smith, J. W.,
Bergey,	Grabe,	McKay,	Smith, L.,
Berntheizel,	Gramley,	Mechling,	Speiser,
Bigger,	Gransback,	Metzenbacher,	Steedle,
Bittles,	Hackett,	Miller,	Steele,
Blair, W. A.,	Haggerty,	Missimer,	Stein,
Body,	Heidinger,	Moore,	Stone,
Brosius,	Hemminger,	Morrow,	Strauss,
Brown,	Heyburn,	Moses,	Swartz,
Brownlee,	Hibshman,	Murphy,	Swift,
Burnett,	Hobbs,	Neely,	Thomas,
Campbell, C.M.,	Hoffman,	Newbaker,	Trach,
Campbell, J. J.,	Humes,	Newton,	Ulerich,
Carter,	Isler,	O'Neill,	Ulman,
Cheeseman,	Irwin, G. C.,	Peachey,	Walnut,
Claycomb,	Irwin, H. H.,	Pennegar,	Walsh,
Cleary,	Jackson,	Pennock,	Watson,
Collins,	Jones, J. R.,	Perry, H. L.,	Wettach,
Conner,	Keegan,	Peters,	Whitaker,
Conniff,	Keeport,	Price,	Whitman,
Conrade,	Kennedy,	Ramsey,	Wildman,
Cox,	Kern,	Redfield,	Wilson, J. H.,
Currier,	Klepper,	Reese,	Wilson, W. H.,
Curry,	Kuhn, H. P.,	Reeser,	Wiltbank,
Davis,	Kuhns, E.G.M.,	Rhoads,	Young, G. K.,
DeFrees,	Latshaw,	Richards,	Young, J. H.,
Dickinson,	Lenker,	Rockwell,	Zimmerman,
Dunn, J. A.,	Leslie,	Roney,	Alter,
Ehrhardt,		Rothenberger,	Speaker.
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1675, as follows:

An Act to amend section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirteen of an act entitled "An Act regulating the collection of taxes in the several boroughs and townships of this Commonwealth" approved the twenty-fifth day of June one thousand eight hundred and eighty-five which reads as follows

Section 13 So much of all general acts heretofore passed as inconsistent herewith is hereby repealed but this act shall not apply to any taxes the collectio nof which is regulated by a local law" is hereby amended to read as follows

Section 13 All acts and parts of acts general local and special inconsistent with this act are repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question shall the bill pass finally?

Mr. WATSON. Mr. Speaker, there has been some inquiry about this bill and I will say for the benefit of the House that the only purpose of the bill is to repeal a local law which exists in our county and I believe somewheres else. There are two or three tax collectors and this bill is for the purpose of repealing that act over in my county and elsewhere and having it controlled by the general law regulating the collection of taxes. The bill was prepared under the direction of Justice Elkin of my county and also by Mr. McCurdy and the only effect of it would be to repeal the special laws which confuse the correction of taxes that now exist.

Mr. SPEISER. Mr. Speaker, after listening to the explanation of the gentleman from Indiana I feel that there might be a question as to the Constitutionality of this act in so far as he says that it is to repeal a special law. I therefore move you Mr. Speaker that this bill be recommitted to the Judiciary Committee.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. WATSON. Mr. Speaker, I would just say so far as that is concerned that I think the gentleman will discover that it is not that character of bill that would come under Constitutional prohibition. The matter was looked over by Judge Elkin, or rather was referred to him.

The SPEAKER. The Chair would inform the gentleman from Philadelphia that the bill having been passed upon by the Judiciary General it cannot be reviewed by the Judiciary Special Committee.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—156.

Adams,	Eichenberger,	Martin,	Sassaman,
Alworth,	Ely,	Mather,	Savacool,
Ambler,	Ewing,	McAleer,	Schaeffer, A. C
Aron,	Frey,	McAllister,	Schuck,
Arthur,	Gans,	McArdle,	Scott, J. R. K.,
Baldwin, G. A.,	Geary,	McClintock,	Scott, S. B.,

Barner,	Geiser,	McDermott,	Semmens,
Bass,	Gibson,	McKay,	Shaffer, I. E.,
Bayle,	Good,	Mechling,	Sherwood,
Benninger,	Goss,	Mellott,	Smith, J. W.,
Benson,	Grabe,	Metzenbacher,	Smith, L.,
Bernthelzel,	Gramley,	Miller,	Snyder,
Bigger,	Gransback,	Missimer,	Speiser,
Bittles,	Hackett,	Mitchell,	Spillinger,
Blair, W. A.,	Haggerty,	Moore,	Steedle,
Body,	Heidinger,	Morrow,	Steele,
Brosius,	Hemminger,	Murphy,	Stein,
Brown,	Herman,	Musser,	Stone,
Brownlee,	Hibshman,	Neely,	Strauss,
Burnett,	Hobbs,	Newbaker,	Swartz,
Caldwell,	Hoffman,	O'Neill,	Swift,
Campbell, C.M.,	Humes,	Peachey,	Thomas,
Carson,	Isler,	Pennegar,	Trach,
Carter,	Irwin, G. C.,	Pennock,	Ulerich,
Cheeseman,	Irwin, H. H.,	Peters,	Walsh,
Claycomb,	Jackson,	Piper,	Walton,
Cleary,	Kaufman,	Post,	Watson,
Cochran,	Keegan,	Ramsey,	Whitaker,
Conner,	Keeport,	Redfield,	Whitman,
Conniff,	Kennedy,	Reese,	Wildman,
Conrade,	Klepper,	Reeser,	Williams,
Cox,	Kuhn, H. P.,	Rhoads,	Wilson, J. H.,
Currier,	Kuhns, E.G.M.,	Richards,	Wilson, W. H.,
Curry,	Latshaw,	Robinson,	Wiltbank,
Davis,	Lenker,	Rockwell,	Young, J. H.,
DeFrees,	Leslie,	Roney,	Zimmerman,
Dickinson,	Letzkus,	Rothenberger,	Alter,
Down,	Lowers,	Runk,	Speaker.
Dunn, H. B.,	Malie,		
Ehrhardt,			

NAYS—2.

Foster, J. D., Matt,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE.

Mr. McALEER. Mr. Speaker, I move that the vote by which House Bill No. 556, file folio 7109, entitled:

An Act providing for the compensation by the proper county of licensed physicians for certain reports and certificates required to be furnished to the State Department of Health and fixing the duties of the respective county treasurers and of the Commissioner of Health

was defeated on final passage on Tuesday, May 6th, be reconsidered.

Mr. MITCHELL. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. RICHARDS. Mr. Speaker, this is a bill to give to the physicians of the Commonwealth twenty-five cents for recording each certificate of death and each certificate of birth. At the time the bill was under discussion last Tuesday I was asked for some information that at the time I was unable to give. Since that time I have been able to get from the Department of Health the cost to the different counties of the State including the largest and the smallest, I guess. Now, then, Mr. Speaker, in the two largest counties, Philadelphia and Allegheny, the members from which two counties voting almost unanimously for this bill, of course, would be the greatest expense. For instance, if this bill were to become a law it would cost the County of Philadelphia about $16,000.00 a year; it would cost the County of Allegheny about $12,000.00 a year; it would cost the County of Luzerne about $4,000.00; it would cost the County of Dauphin, for instance, about $1,300.00 per year; it would cost the County of Crawford $538.00 a year; it would cost the County of Pike $72.50 a year, as of the reports of 1912. Now, Mr. Speaker, this is certainly not a great expense for the counties for the great protection that the physicians give to the citizens of those counties in promptly and properly reporting the cases of contagious disease to the local registrars or Boards of Health, so that they may be able to placard that house, and in many instances to prevent the spread of the disease. That alone, Mr. Speaker, seems to be a sufficient protection and seems to be a sufficient reason for the amount of money expended by the several counties in the State for this purpose. The physicians are not paid for the reporting of contagious diseases, but nevertheless they are compelled by the present law to report them and to report them instantly. This bill only seeks to allow them twenty-five cents for reporting the certificates of birth and the certificates of death, which they are not compelled to do by law. It is not simply a matter of sitting down in the house to which the physician has been called and making out these certificates of births or deaths. It requires in a case of a certificate of birth probably a second or third visit in order to get the information that the State Board of Health now demands.

So that it does take up a considerable portion of the physicians time and surely that time is worth the small sum of twenty-five cents, and I do think that the members of this House should support this measure.

Mr. HUMES. Mr Speaker, it was my understanding that this motion to reconsider was prompted by a desire to subsequently amend the bill so that the payment of those fees might be made by the State Health Department, but it is evident from the remarks of the gentleman from Allegheny that is not now the purpose. It strikes me that the physicians who are making these reports should be paid for their service; I am not questioning that for one moment, but I do contend that a department to whom we are apropriating over three millions of dollars for the purpose of doing work that is based upon these reports should pay the expense incident to it out of the appropriation and not increase the apropriation by some thirty or forty thousand dollars by indirection, as this bill would do. It strikes me that the gentlemen who represent the county of Philadelphia can scarcely contend that that county is warranted in making an expenditure of sixteen thousand dollars for this purpose, in the face of the great appropriation made to the Health Department, if the financial condition of that county is half as bad as the speeches here would indicate when they are asking for all revenue measures possible in order to put money in their treasury. My opposition to this bill is not because I am opposed to physicians receiving compensation for this work. I believe they should be paid, but I believe that the institution to whom we are appropriating these three millions of dollars every year for the purpose of doing the very work that this is largely based upon, these reports and all of these reports are a part and should defray the expense out of that appropriation and not ask in this way to increase the appropriation to the extent of forty thousand dollars as this would do. Inasmuch as it is now the purpose of the gentleman from Allegheny to not have it amended so as to provide for payment out of the proper fund, I hope that the House will not act favorably upon this motion to reconsider.

Mr. NEWBAKER. Mr. Speaker, it would be a very easy matter to amend the bill as the gentleman from Crawford, Mr. Humes, desires and place it before the House in that way. If this bill is reconsidered, I will make a motion to have the bill postponed for that purpose.

The SPEAKER. The question is on the motion to reconsider.

It was agreed to.

The SPEAKER. The question now recurs,

Shall the bill pass?

Mr. NEWBAKER. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. HUMES. Mr. Speaker, I second the motion.

Mr. RICHARDS. Mr. Speaker, I hope that this motion does not prevail. I realize and I appreciate that the position that I have taken in this matter is desirable and I still believe that the counties should pay for what they have done. I feel that it is a proper expense of the counties and that it is not a state matter.

The SPEAKER. The question is on the motion to postpone.

Whereupon, a division was called for, 24 gentlemen having voted in the affirmative and 86 in the negative.

The motion was not agreed to.

The SPEAKER. The question recurs,

Shall the bill pass?

Mr. HUMES. Mr. Speaker, in view of the situation that now confronts us, I want to absolutely challenge the good faith of the gentlemen who are contending that the purpose of this bill is to protect the physicians for the labor incident to making these reports. I say that the refusal of the sponsor of the bill and the others who are in its favor to permit this bill to be amended so as to provide for the payment of the physicians who make these reports from the proper and legitimate source is evidence conclusive

that their purpose is not to protect the physicians but to in this way undertake to increase the appropriation to the Health Department by forty thousand dollars. A vote for this measure is simply the increasing of that appropriation in this indirect way. I hope the House will defeat this bill.

Mr. McALEER. Mr. Speaker, it is just possible that the gentleman from Crawford, Mr. Humes, may be misjudging the motives of the sponsor of this bill and the men who are behind this bill. When the sponsor asked me to have this vote reconsidered he gave me his promise that he would try to have the bill come to a final vote to-night and be disposed of. Perhaps, the gentleman is trying to keep good faith and thus keep his promise with me, but insofar as I am concurened, I will release him.

Mr. O'NEILL Mr. Speaker, as a member of the Committee on Public Health and Sanitation, I wish to state that this bill was well discussed and well talked over from every point in every form in that committee and we all agreed upon it. It was originally fifty cents and this bill ought to pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—107.

Adams,	Ely,	Mannion,	Scott, J. R. K.,
Alworth,	Ewing,	Matt,	Scott, S. B.,
Aron,	Foster, J. D.,	McAleer,	Semmens,
Arthur,	Gans,	McAllister,	Sherwood,
Baldwin, R. J.,	Geary,	McCaig,	Smith, J. W.,
Bass,	Good,	McKay,	Smith, L.,
Berntheizel,	Goss,	Miller,	Snyder,
Bigger,	Gramley,	Missimer,	Speiser,
Bittles,	Hackett,	Mitchell,	Steedle,
Blair, W. A.,	Haggerty,	Moore,	Steele,
Brosius,	Heidinger,	Morrow,	Stein,
Brown,	Hemminger,	Moses,	Swartz,
Brownlee,	Heyburn,	Moulthrop,	Swift,
Campbell, C.M.,	Howard, J.,	Murphy,	Thomas,
Carter,	Isler,	Neely,	Ulerich,
Claycomb,	Irwin, G. C.,	Newbaker,	Walsh,
Cleary,	Irwin, H. H.,	North,	Walton,
Connin,	Jackson,	O'Neill,	Watson,
Conrade,	Keeport,	Pennegar,	Wettach,
Cox,	Kennedy,	Pennock,	Whitaker,
Currier,	Kern,	Redfield,	Whitman,
Curry,	Kuhn, H. P.,	Reese,	Wilson, W. H.,
Davis,	Lenker,	Reeser,	Wiltbank,
Dickinson,	Leslie,	Richards,	Young, J. H.,
Donahoe,	Letzkus,	Roney,	Alter,
Down,	Lowers,	Schaeffer, A. C	Speaker.
Dunn, J. A.,	Malie,	Schuck,	
Eichenberger,			

NAYS—46.

Allen,	DeFrees,	Latshaw,	Rhoads,
Baldwin, G. A.,	Dunn, H. B.,	Light,	Rothenberger,
Barner,	Ehrhardt,	Lohr,	Sassaman,
Benninger,	Geiser,	McClintock,	Shaffer, I. E.,
Benson,	Glenn,	McDermott,	Spillinger,
Bergey,	Hibshman,	Mellott,	Stone,
Blair, W. F.,	Hobbs,	Metzenbacher,	Strauss,
Body,	Humes,	Neel,	Ulman,
Carson,	Jones, J. R.,	Newton,	Walnut,
Cheeseman,	Keegan,	Peachey,	Williams,
Cochran	Kuhns, E.G.M.,	Post,	Zimmerman,
Collins,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1947 (Senate Bill No. 882), entitled:

An Act permitting and regulating the use of the several armory buildings of the National Guard of Pennsylvania for horticultural and poultry exhibits

On the question,

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. BERNTHEIZEL. Mr. Speaker, the custody and control of the State Armory is at present under the supervision of the State Board. I fear that this bill will take this control out of the hands of the State Board and I think the matter should be looked into. In order to enable us to do that, I move that the further consideration of this bill be postponed for the present.

Mr. WILTBANK. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1953 (Senate Bill No.832), entitled:

An Act regulating the number and election of members of borough councils

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

BILL STRICKEN FROM CALENDAR.

Mr. ALLEN. Mr. Speaker, I think we can save time on this bill by briefly stating its provisions and following that with a motion. Under the provisions of this bill which relates to boroughs, twenty citizens of a borough may apply to the court and the court on its own volition, without appeal or anything else, can reduce the number of councilmen from three in a ward or two in a ward to one in a ward, at the pleasure of the court. The bill is very corrupt and should be simply striken from the calendar, and I so move.

Mr. BERGEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1744, entitled:

A supplement to an act entitled "A supplement to an act entitled 'An Act to provide for the better government of cities of the first class in this Commonwealth' approved the first day of June one thousand eight hundred and eighty-five creating a Department of Wharves Docks and Ferries for the improvement regulation and supervision of the construction extension alteration maintenance and use of wharves piers bulkheads docks slips basins ferries harbors and harbor structures in cities of the first class and providing for the making and enforcement of rules and regulations and fixing certain penalties for violation thereof and providing for the acquisition of property by said cities by purchase and by condemnation for certain purposes" approved the eighth day of June Anno Domini one thousand nine hundred and seven

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—165.

Adams,	Ehrhardt,	Lohr,	Rothenberger,
Allen,	Eichenberger,	Lowers,	Runk,
Alworth,	Ely,	Malie,	Sassaman,
Aron,	Forster, I. G.,	Mather,	Savacool,
Arthur,	Foster, J. D.,	Matt,	Schaeffer, A. C
Baldwin, R. J.,	Frey,	McAleer,	Schuck,
Barner,	Gans,	McAllister,	Scott, J. R. K.,
Bass,	Geiser,	McCaig,	Scott, S. B.,
Bayle,	Gibson,	McClintock,	Semmens,
Benninger,	Glenn,	McKay,	Shaffer, I. E.,
Benson,	Good,	Mellott,	Sherwood,
Berntheizel,	Goss,	Metzenbacher,	Showalter,
Bigger,	Gramley,	Miller,	Smith, J. W.,
Bittles,	Gransback,	Missimer,	Smith, L.,
Blair, W. A.,	Hackett,	Mitchell,	Snyder,
Blair, W. F.,	Haggerty,	Moore,	Spangler,
Body,	Heidinger,	Morrow,	Spillinger,
Brosius,	Hemminger,	Moses,	Steedle,
Brown,	Heyburn,	Moulthrop,	Steele,
Brownlee,	Hibshman,	Murphy,	Stone,
Burnett,	Hobbs,	Musser,	Strauss,
Caldwell,	Hoffman,	Neel,	Swartz,
Campbell, C.M.,	Humes,	Neely,	Swift,
Carson,	Isler,	Newbaker,	Thomas,
Carter,	Irwin, G. C.,	Newton,	Trach,
Cheeseman,	Irwin, H. H.,	North,	Ulman,
Claycomb,	Jackson,	O'Neill,	Walnut,
Cleary,	Jones, J. R.,	Peachey,	Walsh,
Cochran,	Light,	Roney,	Walton,

Conner,	Keegan,	Pennegar,	Watson,
Conniff,	Keeport,	Pennock,	Wettach,
Conrade,	Kennedy,	Piper,	Whitaker,
Cox,	Kern,	Post,	Williams,
Currier,	Klepper,	Ramsey,	Wilson, J. H.,
Curry,	Kuhn, H. P.,	Redfield,	Wilson, W. H.,
Davis,	Kuhns, E.G.M.,	Reese,	Wiltbank,
DeFrees,	Latshaw,	Reeser,	Young, G. K.
Dickinson,	Lenker,	Rhoads,	Young, J. H.,
Donahoe,	Leslie,	Richards,	Zimmerman,
Down,	Letzkus,	Rockwell,	Alter,
Dunn, H. B.,			Speaker.
Dunn, J. A.,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1903 (Senate Bill No. 833), entitled:

An Act to consolidate the five courts of common pleas of Philadelphia county

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SPEISER. Mr. Speaker, a word in explanation of this bill. This bill was introduced in the Senate at the instigation of several leading members of the bar of Philadelphia who believed that it would have a tendency to help us in relieving the congestion of our business in the Philadelphia courts.

Mr. WALNUT. Mr. Speaker, I might add to that explanation. In 1909, an amendment to the constitution providing for the consolidation of the common pleas courts of Allegheny County was introduced and passed, and passed again at the session of 1911. It was afterwards adopted as an amendment to the Constitution by a referendum in November 1911. It is proposed now to give to Philadelphia by that statute exactly what Allegheny got by its constitutional amendment. I believe that the purpose of this bill is a good one and that the bill should pass.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—164.

Adams,	Eichenberger,	Malie,	Runk,
Allen,	Ely,	Martin,	Sassaman,
Alworth,	Ewing,	Mather,	Savacool,
Aron,	Forster, I. G.,	Matt,	Schaeffer, A. C.
Arthur,	Foster, J. D.,	McAleer,	Schuck,
Baldwin, G. A.,	Gans,	McAllister,	Scott, J. R. K.,
Baldwin, R. J.,	Geary,	McArdle,	Scott, S. B.,
Barner,	Geiser,	McCaig,	Semmens,
Bass,	Glenn,	McClintock,	Shaffer, I. E.,
Bayle,	Good,	McKay,	Sherwood,
Benninger,	Goss,	Mechling,	Showalter,
Bergey,	Gramley,	Mellott,	Smith, J. W.,
Berntheizel,	Gransback,	Metzenbacher,	Smith, L.,
Bigger,	Hackett,	Miller,	Snyder,
Bittles,	Haggerty,	Missimer,	Speiser,
Blair, W. A.,	Heidinger,	Mitchell,	Spillinger,
Blair, W. F.,	Hemminger,	Moore,	Sieedle,
Body,	Heyburn,	Morrow,	Steele,
Brosius,	Hibshman,	Moses,	Stein,
Brown,	Hobbs,	Moulthrop,	Stone,
Brownlee,	Hoffman,	Murphy,	Strauss,
Burnett,	Howard, J.,	Neel,	Swartz,
Caldwell,	Howard, R.,	Neely,	Thomas,
Campbell, C.M.,	Humes,	Newbaker,	Trach,
Carson,	Isler,	Newton,	Ulerich,
Carter,	Irwin, G. C.,	North,	Ulman,
Claycomb,	Irwin, H. H.,	O'Neill,	Walnut,
Cleary,	Jackson,	Peachey,	Walsh,
Collins,	Jones, J. R.,	Pennegar,	Walton,
Conner,	Keegan,	Pennock,	Watson,
Conniff,	Keeport,	Piper,	Whitaker,
Conrade,	Kennedy,	Post,	Whitman,
Cox,	Kern,	Ramsey,	Wildman,
Currier,	Kuhn, H. P.,	Redfield,	Williams,
Curry,	Kuhns, E.G.M.,	Reese,	Wilson, J. H.,
Davis,	Latshaw,	Reeser,	Wilson, W. H.,
DeFrees,	Lenker,	Rhoads,	Wiltbank,
Dickinson,	Leslie,	Richards,	Young, G. K.,
Donahoe,	Light,	Rockwell,	Young, J. H.,
Down,	Lohr,	Roney,	Zimmerman,
Dunn, H. B.,	Lowers,	Rothenberger,	Alter,
Ehrhardt,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1914, entitled:

An Act prohibiting the placing fixing or inserting of certain things in or on or to newspapers magazines periodicals or books without the consent of the owner or publisher and providing a penalty

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—137.

Adams,	Ely,	Martin,	Savacool,
Alworth,	Ewing,	Mather,	Schaeffer, A. C.
Aron,	Forster, I. G.,	Matt,	Schuck,
Baldwin, R. J.,	Foster, J. D.,	McAleer,	Scott, J. R. K.,
Bass,	Gans,	McAllister,	Scott, S. B.,
Bayle,	Geary,	McCaig,	Semmens,
Benninger,	Geiser,	McClintock,	Shaffer, I. E.,
Bergey,	Glenn,	McDermott,	Showalter,
Berntheizel,	Good,	McKay,	Smith, J. W.,
Bigger,	Goss,	McNichol,	Smith, L.,
Bittles,	Gramley,	Mechling,	Snyder,
Blair, W. A.,	Gransback,	Mellott,	Speiser,
Blair, W. F.,	Hackett,	Metzenbacher,	Steele,
Body,	Haggerty,	Miller,	Stein,
Brosius,	Hemminger,	Missimer,	Stone,
Brownlee,	Hobbs,	Mitchell,	Strauss,
Burnett,	Humes,	Morrow,	Swartz,
Caldwell,	Irwin, G. C.,	Moses,	Thomas,
Campbell, C.M.,	Irwin, H. H.,	Moulthrop,	Ulerich,
Carson,	Jackson,	Murphy,	Ulman,
Claycomb,	Jones, J. R.,	Newton,	Walnut,
Cleary,	Keegan,	North,	Walsh,
Conner,	Keeport,	O'Neill,	Walton,
Conniff,	Kennedy,	Pennegar,	Watson,
Conrade,	Kern,	Pennock,	Whitaker,
Cox,	Klepper,	Ramsey,	Whitman,
Currier,	Kuhn, H. P.,	Redfield,	Williams,
Curry,	Kuhns, E.G.M.,	Reese,	Wilson, W. H.,
Davis,	Latshaw,	Reeser,	Wiltbank,
DeFrees,	Lenker,	Richards,	Young, G. K.,
Dickinson,	Leslie,	Roney,	Young, J. H.,
Donahoe,	Lohr,	Rothenberger,	Zimmerman,
Down,	Lowers,	Runk,	Alter,
Dunn, J. A.,	Malie,	Sassaman,	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—3.

Baldwin, G. A.,	Neely,	Piper,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1901 (Senate Bill No. 773), entitled:

A supplement to an act entitled "An Act for the government of cities of the second class" approved the seventh day of March Anno Domini one thousand nine hundred and one authorizing cities of the second class for the purpose of preventing fires the spread of fire fire waste and loss of life from fire or a loss of life or damage to property from unsafe or improper construction or design of buildings to enact ordinances to provide for and regulate the construction equipment arrangements maintenance inspection alteration repair and removal of buildings and premises and appliances apparatus and conditions in and about them to provide for the regulation of the manufacture transportation storage sale and use of explosives gases inflammables and dangerous chemicals and substances to prohibit the manufacture of explosives and fireworks and the transportation storage sale and use of nitro-glycerine imposing on the Department of Public Safety the enforcement of ordinances relating thereto and authorizing such department to investigate fires providing for the service of orders made by the said department and for the appeals from and reviews of certain of its orders for the method of recovering money expended by the cities in remedying conditions and the method of obtaining a lien therefor providing that the Courts of

Common Pleas shall have jurisdiction to punish witnesses for disobedience of orders of the Director of said Department when holding investigations

On the question,
Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. RICHARDS. Mr. Speaker, I move that further consideration of this bill be postponed for the present.

Mr. RONEY. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1723, as follows:

An Act to amend an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fourteen hundred and six of an act approved the eighteenth day of May one thousand nine hundred and eleven entitled "An Act to establish a public school system in the Commonwealth of Pennnsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which reads as follows

"Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better gradation and classification or for economical or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That in any district of the fourth class pupils who belong to any such closed school and reside one and a helf miles or more from the school to which they are assigned shal lbe furnished proper transpor- which they are assigned shall be furnished proper transporto which they are assigned" is hereby amended to read as follows

Section 1406 The board of school directors of any school district in this Commonwealth may on account of the small number of pupils in attendance or the condition of the then existing school building or for the purpose of better gradation and classification or for economical or other reasons close and consolidate any one or more of the public schools in its district and upon such school or schools being so closed the pupils who belong to the same shall be assigned to other schools Provided That in any district of the fourth class pupils who belong to any such closed school and reside one and a quarter miles or more from the school to which they are assigned shall be furnished proper transportation at the expense of the district to and from the school to which they are assigned And provided further That where under the provisions of this section a school has been discontinued for any cause the word shall be construed to mean must

Section 2 But no Board of School Directors shall convey or cause to be conveyed from their homes to any school and children who are not of compulsory school age Provided however that nothing in this act shall be so construed as to prohibit any Board of School Directors from conveying said children if the Board of School Directors so elect

On the question,
Will the House agree to the bill on third reading?

Mr. GRAMLEY. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk.

The Clerk read the amendment as follows:

Sec. 1, line 35, strike out the word "quarter" and insert the word "half."

The SPEAKER. Will the House give unanimous consent to insert the amendment as read? Is there any objection? The Chair hears none and the amendment as read will be inserted in accordance with the instructions of the House.

The bill as amended was then agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1896 (Senate Bill No. 752), entitled:

A supplement to an act entitled "An Act to incorporate an academy or public schol in the town of Warren and for other purposes herein mentioned" approved the second day of April one thousand eight hundred and twenty-two providing authority to the trustees of the Warren Academy or their successors to sell and convey in fee simple certain lands

On the question,
Will the House agree to the bill on third reading?

Mr. DeFREES. Mr. Speaker, this bill is of purely local application and is designed to allow school boards to handle these lands to greater advantage.

And said bill having been read at length the third time, considered and agreed to,

On the question,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—171.

Adams,	Ely,	Malie,	Sassaman,
Allen,	Ewing,	Martin,	Savacool,
Alworth,	Forster, I. G.,	Mather,	Schaeffer, A. C
Aron,	Foster, J. D.,	Matt,	Schuck,
Arthur,	Frey,	McAleer,	Scott, J. R. K.,
Baldwin, R. J.,	Gans,	McAllister,	Scott, S. B.,
Barner,	Geary,	McArdle,	Semmens,
Bass,	Geiser	McCaig,	Shaffer, I. E.,
Bayle,	Gibson,	McClintock,	Shern,
Benninger,	Good,	McDermott,	Sherwood,
Benson,	Goss,	McNichol,	Showalter,
Bergey,	Grabe,	Mechling,	Smith, J. W.,
Berntheizel,	Gramley,	Mellott,	Smith, L.,
Bigger,	Gransback,	Metzenbacher,	Snyder,
Bittles,	Hackett,	Miller,	Speiser,
Blair, W. A.,	Haggerty,	Missimer,	Spillinger,
Blair, W. F.,	Heidinger,	Mitchell,	Steedle,
Body,	Hemminger,	Moore,	Steele,
Brosius,	Heyburn,	Morrow,	Stein,
Brown,	Hibshman,	Moses,	Stone,
Brownlee,	Hobbs,	Moulthrop,	Strauss,
Burnett,	Hoffman,	Murphy,	Swartz,
Caldwell,	Howard, J.,	Neel,	Swift,
Campbell, C.M.,	Howard, R.,	Neely,	Thomas,
Carson,	Humes,	Newbaker,	Trach,
Carter,	Isler,	Newton,	Ulerich,
Claycomb,	Irwin, G. C.,	North,	Ulman,
Cleary,	Jackson,	O'Neill,	Walnut,
Cochran,	Jones, J. R.,	Peachey,	Walsh,
Collins,	Kaiser,	Pennegar,	Walton,
Conner,	Keegan,	Pennock,	Watson,
Conniff,	Keeport,	Peters,	Whitaker
Conrade,	Kennedy,	Piper,	Whitman,
Cox,	Kern,	Post,	Wildman,
Currier,	Klepper,	Redfield,	Williams,
Curry,	Kuhn, H. P.,	Reese,	Wilson, J. H.,
Davis,	Kuhns, E.G.M.,	Reeser,	Wilson, W. H.,
DeFrees,	Latshaw,	Rhoads,	Wiltbank,
Dickinson,	Lenker,	Richards,	Young, G. K.,
Donahoe,	Letzkus,	Rockwell,	Young, J. H.,
Down,	Light,	Roney,	Zimmerman,
Dunn, H. B.,	Lohr,	Rothenberger,	Alter,
Dunn, J. A.,	Lowers,	Runk.	Speaker.
Ehrhardt,			
Eichenberger,			

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 904, as follows:

An Act fixing the pay of assessors in the several counties having population of one hundred and fifty thousand or over

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the pay of assessors in each county of this Commonwealth having a population of one hundred and fifty thousand or over shall be five dollars ($5.00) per day for each day actually spent in the performance of their duties

Section 2 All acts and parts of acts inconsistent with this act are repealed

On the question,
Will the House agree to the bill on third reading?

Mr. E. G. M. KUHNS. Mr. Speaker, I desire to interrogate the gentleman from Montgomery.

The SPEAKER. Will the gentleman from Montgomery permit himself to be interrogated?

Mr. KERN. Mr. Speaker, I will.

Mr. E. G. M. KUHNS. Mr. Speaker, I would like to ask the gentleman from Montgomery the difference in the work of assessors in counties of one hundred and forty-nine thousand and counties of one hundred and fifty thousand or over?

Mr. KERN. Mr. Speaker, I consider the work to be about the same. Some of the members asked me to have the bill amended with relation to the one hundred and fifty thousand population clause and that is why I had it amended to read one hundred and fifty thousand or over.

Mr. E. G. M. KUHNS. I desire to further interrogate the gentleman and ask him whether or not this does not simply take more days to complete the assessment.

Mr. KERN. Mr. Speaker, I do not understand the question and cannot answer it.

Mr. E. G. M. KUHNS. Mr. Speaker, I move that this bill be stricken from the calendar.

Mr. ROTHENBERGER. Mr. Speaker, I second the motion.

The motion was not agreed to.

On the question recurring.

Will the House agree to the bill on third reading?

BILL POSTPONED.

Mr. STEIN. Mr. Speaker, I move that the further consideration of this bill be postponed for the present.

Mr. KERN. Mr. Speaker, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1498, as follows:

An Act to amend the eleventh fifteenth and thirty-fourth sections of an act approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of an act approved the seventh day of June Anno Domini one thousand eight hundred and ninety-five entitled "An Act regulating the construction maintenance alteration and inspection of buildings and party walls in cities of the second class which reads as follows

"Section 11 All foundation walls and cellars shall be built of stone or brick laid in cement or lime mortar If constructed of stone they shall be at least six inches thicker than the wall next above them to the depth of twelve feet below said wall and shall be increased six inches in thickness for every additional ten feet in depth below the said twelve feet and if of brick they shall be of at least four inches thicker than the wall next above them to a depth of twelve feet below the said wall and shall be increased four inches in thickness for every additional ten feet below said twelve feet If there are cellars or excavations foundation walls shall start at least twelve inches below cellar bottom and those of all dwelling houses shall be at least six inches below cellar bottom

Minimum thickness of brick enclosing and division wall for business buildings shall be as follows

Enclosing division and party walls for business buildings shall be not less than the following dimensions namely

For buildings seventy-five to one hundred and fifty feet by thirty foot span or less

	1st story	2nd story	3rd story	4th story	5th story	6th story	7th story	8th story
One-story building,	13	..	..	..	..	..	..	..
Two-story building,	13	13	..	..	..	..	..	..
Three-story building,	13	13	13	..	..	..	..	..
Four-story building,	18	18	13	13	..	..	..	..
Five-story building,	22	18	18	13	13	..	..	..
Six-story building,	22	22	18	18	13	13	..	..
Seven-story building,	27	22	22	18	18	13	13	..
Eight-story building,	27	27	22	22	18	18	18	13

Walls built of small piers shall be increased at least four inches wider than the above table Where trusses or girders are used pilasters shall be added of sufficient area to support load For every addition of twenty-five feet or part thereof to the length of the truss over thirty feet the amount of the materials specified may be used either in piers or buttresses in outside and division or party walls Provided That the amount of the materials shall in no case be less than is specified in the aforesaid tables Provided That the superintendent of the bureau may if in his judgment occasion demands it require the walls increased to a greater thickness than above specified And provided further That in case of buildings constructed of a frame work of iron and steel carrying the structure and where the walls are simply used to enclose the building and do not carry its weight the superintendent of the bureau of building inspection shall have authority to fix the proper thickness of walls required in any particular case and may designate the thickness at pilasters and between pilasters as in his judgment may seem proper And provided further That nothing in this section shall prevent the erection of light walls constructed of a frame-work of iron or steel filled in with glass" be and the same is hereby amended so as to read as follows

Section 11 All foundation walls and cellars shall be built of stone or brick laid in cement mortar If constructed of stone they shall be at least six inches thicker than the wall next above them to the depth of twelve feet below said wall and shall be increased six inches in thickness for every additional ten feet in depth below the said twelve feet and if of brick they shall be at least four inches thicker than the wall next above them to a depth of twelve feet below the said wall and shall be increased four inches in thickness for every additional ten feet below said twelve feet. If there are cellars or excavations foundation walls shall start at least twelve inches below cellar bottom and those of all dwelling houses shall be at least six inches below cellar bottom

All foundation walls for dwellings shall be supported in footing courses of concrete or stone If footing course is constructed of concrete the concrete shall be composed of at least one part Portland cement two and one half parts clean sand and fire parts clean gravel or broken stone mixed in batch each time by careful measurement with the proper amount of clear water and be deposited and tamped in trenches Where the earth forming sides of trenches is loose plank forms firmly held in place must be used If footing course is constructed of stone large flat stones must be used each stone being wide enough to extend the entire width of footing course and all stones shall be bedded and slushed with Portland cement mortar

All concrete and stone footing courses shall be at least six inches thick and be at least ten inches wider than the foundation walls they support However before footing courses are laid or constructed the condition of the soil shall be inspected by the Bureau of Building Inspection and if additional width and depth of footing is found necessary by reason of loose or soft soil the Inspector of the Bureau of Building Inspection is hereby empowered to increase the width and depth of footings as in his judgment is necessary to properly carry and distribute the weight of the foundation walls and footings

All foundation walls for dwellings with sixteen feet front or less being not more than two stories high and having a floor area of first story not exceeding eight hundred square feet exclusive of porches may be constructed of stone or brick or of concrete If foundation walls are constructed of stone they shall not be less than eighteen inches thick and shall comply with the requirements above stated in this section for foundation walls of stone If foundation walls are constructed of brick they shall be built of hard burned brick laid in Portland cement mortar and shall not be less than twelve inches thick except for frame dwelling where nine inch foundation walls must be reinforced with brick pilasters not less than twelve inches wide and eight inches thick and spaced not more than ten feet from center to center of pilasters or foundation walls Where brick foundation walls exceed eight feet in height they shall be increased four inches in thickness for every additional five feet in height If foundation walls are constructed of concrete the concrete shall be composed of not less than one part Portland cement two and one-half parts clean sand and five parts of clean gravel or broken stone mixed in batch each time by careful measurement with the proper amount of clean water and be deposited and tamped in forms constructed of boards or planks or other material approved by the Bureau of Building Inspection All forms shall be firmly built and securely braced and held in place and shall not be removed until four days after concrete has been poured Concrete foundation walls shall not be less than twelve inches thick to the depth of nine feet and shall be increased four inches in thickness for every additional five feet in height

Minimum thickness of brick enclosing and division wall for business buildings shall be as follows

Enclosing division and party walls for business buildings shall be not less than the following dimensions namely

For buildings seventy-five to one hundred and fifty feet by thirty foot span or less

	1st story	2nd story	3rd story	4th story	5th story	6th story	7th story	8th story
One-story building,	13	..	..	..	..	..	..	..
Two-story building,	13	13	..	..	..	..	..	..
Three-story building,	13	13	13	..	..	..	..	..
Four-story building,	18	18	13	13	..	..	..	..
Five-story building,	22	18	18	13	13	..	..	..
Six-story building,	22	22	18	18	13	13	..	..
Seven-story building,	27	22	22	18	18	13	13	..
Eight-story building,	27	27	22	22	18	18	18	13

Walls built of small piers shall be increased at least four inches wider than the above table Where trusses or girders are used pilasters shall be added of sufficient area to support load For every addition of twenty-five feet or part thereof to the length of the truss over thirty feet the amount of the materials specified may be used either in piers or buttresses in outside and division or party walls Provided That the amount of the materials shall in no case be less than is specified in the aforesaid tables Provided That the superintendent of the bureau may if in his judgment occasion demands it require the walls increased to a greater thickness than above specified And provided further That in case of buildings constructed of a frame work of iron and steel carrying the structure and where the walls are simply used to enclose the building and do not carry its weight the superintendent of the bureau of building inspection shall have authority to fix the proper thickness of walls required in any particular case and may designate the thickness of walls at pilasters and between pilasters as in his judgment may seem proper And provided further That nothing in this section shall prevent the erection of light walls constructed of a frame work of iron or steel filled in with glass

Section 2 That section fifteen of the aforesaid act which now reads as follows

"Section 15 In all dwellings hereafter to be erected with a front of sixteen feet or less provided they do not exceed sixty feet in length and thirty-five feet in height the cellar or foundation wall shall not be less than eighteen inches in thickness the front and rear walls not less than nine inches and the party walls not less than nine inches Walls binding on the street lane or alley shall not be less than thirteen inches to the top of the first floor joist In all dwellings over sixteen and not over twenty feet front nor more than forty-five feet high the foundation walls shall not be less than eighteen inches in thickness the front walls shall not be less than thirteen inches the party walls not less than thirteen inches and for all dwellings over twenty feet front the party walls shall not be less than thirteen inches and the front and rear walls shall not be less than thirteen inches to entire height If there be a stone ashler used three inches thick or less it shall not be included in the thickness of any wall herein specified Where two or more dwelling houses of brick adjoin each other all floor joists on a level shall be disconnected on the party of division walls and filled with mortar and brick at the end of the joists No party wall where built of stone shall be less than sixteen inches in thickness Provided That when an application is made for a permit to erect an additional story upon a one or two story building used or to be used for a dwelling and the party walls of the said building are but nine inches thick the bureau of building inspection may in its judgment issue such permit without requiring any additional thickness for the party wall Provided further in all dwellings hereafter erected the cellars shall extend underneath the whole house and be ventilated from both ends and in low damp or made ground the bottom of all cellars shall be covered with brick concrete or asphalt at least three inches thick of such material as may be approved by the bureau of building inspection Every new dwelling house shall have at least fourteen feet front Provided however that this limitation shall not apply to lots of less than fourteen feet in width on which buildings are now erected nor to lots less than fourteen feet which are bounded on each side by ground belonging to other owners at the time of approval of this act and every such new dwelling house have an open space attached to it in the rear or at the side equal to at least one hundred and forty-four square feet clear space unobstructed by any overhanging structure" be and the same is hereby amended so as to read as follows

Section 15 In all dwellings hereafter to be erected with a front of sixteen feet or less provided they do not exceed sixty feet in length and thirty-five feet in height the cellar or foundation wall shall not be less than eighteen inches in thickness the front and rear walls not less than nine inches and the party walls not less than nine inches Walls binding on the street lane or alley shall not be less than thirteen inches to the top of the first floor joist

For dwellings with a front not exceeding sixteen feet being not more than two stories high and having a floor area not exceeding eight hundred square feet on each floor exclusive of porches the cellar shall not be less than six feet high the basement not less than eight high and the first and second story not be less than eight feet six inches high for each story and shall not be more than ten feet high for each story The exterior walls and the division or party walls may be built of brick frame or hollow title Exterior walls of brick or hollow title may start on foundation at grade line but no portions of these exterior walls shall be below the grade line Division or party walls of brick or hollow title may start on footing course of basement or cellar floors Exterior division or party walls constructed of brick shall be built of hard burned brick laid in Portland cement or lime mortar and shall not be less than nine inches thick Where exterior party or division walls of brick extend below the first floor line to a depth below that specified for foundation walls in Section eleven of this act then these exterior party or division walls shall be increased in thickness as called for under Section eleven for brick foundation walls

Exterior party or division walls constructed of hollow title shall meet the requirements and be constructed as herein provided

All hollow tile shall be hollow terra cotta well manufactured and free from checks and cracks each piece or block to be modeled square and true and to be hard burned so as to have a good clear ring when struck and not to absorb more than twelve per centum of its own weight in moisture Each of said blocks should develop an ultimate crushing strength of not less than three thousand pounds per square inch of avaible section or web area and shall not be loaded when in the wall more than eighty pounds per square inch of effective bearing area

Tiles shall have outer shells or walls not less than three-fourth inch thick and shall be additionally reinforced by continuous interior walls or webs which shall not be less than one-half inch thick and so arranged that no void shall exceed four inches in cross section at any point

It is further provided that the Superintendent of Building Inspection may require a test to be made of such blocks before allowing the same to be placed in the wall if in his judgment there be any doubt as to whether such blocks proposed to be used meet the requirements above specified

No foundation wall of any building shall be constructed of hollow blocks or terra cotta tiles and no hollow tiles or terra cotta wall or partition shall be supported in part or entirely by any wooden or other combustible beam girder or post

Hollow tile exterior party or division walls shall not be less than eight inches thick and where these walls extend below the first floor line on a two-story dwelling they shall not be less than twelve inches thick

No bearing wall or exterior wall shall be built of a single unit less than eight inches thick or more than twelve inches high when the voids are placed vertically And all such exterior walls shall be plastered on the outside three-fourth inch thick with Portland mortar

All openings over three feet in width in hollow tile walls shall have lintels composed of steel reinforced concrete or reinforced of sufficient strength to carry the load imposed

When the floor or roof load is applied to said bearing or exterior walls in concentration of two tons or more at one place a solid pier of brick reinforced concrete or concrete filled tile shall be used under each concentration Each of said piers to be not less than twice the thickness of the wall of which it is a part and no pier shall be loaded in excess of eighty pounds per square inch of its area

Whenever floor slabs or joists rest on a hollow terra cotta wall composed of tile with voids set vertically or wherever a change in thickness of wall occurs the course upon which the joists or slabs rest or upon which the tinner wall rests shall have the voids in the tiles or blocks in the course so bearing the load completely filled with Portland cement concrete so construced that no joists timber or other material whatsoever shall bear or transmit a load to the wall without having an iron first quality of hard brick or terra cotta bearing plate or concrete filled or solid block under the same at the point where the load is transmitted

And further provided that in no case shall the area of the block to which the load is transmitted be less than double the area of the beam or timber or other material transmitting the load

All walls hereinbefore referred to in the preceding section of this ordinance shall be constructed in the following manner The blocks will be set only in Portland cement mortar composed of not less than one part Portland cement to three parts clean sharp river sand This mortar may be tempered with one part lime paste to eight parts of mortar Tile blocks shall be thoroughly bonded one to another both vertically and longitudinally and all joints filled with mortar and when tiles are set in the wall the vertical web of one shall occur as nearly as practicable directly over the vertical web of the adjacent tile below The blocks may be built with voids horizontally and with mortar joints between all blocks or they may be built with voids vertical provided all horizontal bearings or joints are reinforced with metal fabric of from one-eighth to one-half inch mesh capable of holding the mortar This fabric shall be one-half inch less in width than the width of the wall of the course upon which it is applied and shall be double lapped at all corners Such web shall be spread on each horizontal course of tile before the mortar is put on and shall be completely covered with and imbedded in Portland cement mortar as the course of blocks upon it is being laid No cutting of blocks will be allowed to admit pipes in bearing walls The metal fabric hereinbefore specified may be omitted in non-bearing or curtain walls or where the tile is laid in bearing walls with the voids horizontal

Further that in all parts of the city within the fire limits no interior joist or wood work shall be within four inches of the outside of the exterior of the wall

In all dwellings over sixteen and not over twenty feet front nor more than forty-five feet high the foundation walls shall not be less than eighteen inches in tickness the front walls shall not be les sthan thirteen inches the party walls not less than thirteen inches and for all dwellings over twenty feet from the party walls shall not be less than thirteen inches and the front and rear walls shall not be less than thirteen inches to entire height If there be a stone ashler used three inches thick or less it shall not be included in the thickness of any wall herein specified Where two or more dwelling houses of brick adjoin each other all floor joists on a level shall be disconnected on the party or division walls and filled with mortar and brick at the end of the joists No party wall where built of stone shall be less than sixteen inches in thickness provided that when an application is made for a permit to erect an additional story upon a one or two story building used or to be used for a dwelling and the party walls of the said building are but nine inches thick the Bureau of Building Inspection may in its judgment issue such permit without requiring any additional thickness for the party wall Provided further in all dwellings hereafter erected there shall be a cellar underneath the whole house or a cellar and a basement underneath the whole house Where basements are provided and occupy a portion of the space underneath the dwelling the finished floor of basement must not be below the outside grade line at outside entrance to basement Cellars shall be ventilated from both ends and in low damp or made ground the bottom of all cellars shall be covered with brick concrete or asphalt at least three inches thick of such material as may be approved by the Bureau of Building Inspection Every new dwelling house shall have at least fourteen feet front Provided however that this limitation shall not apply to lots of less than fourteen feet in width which are bounded on each side by ground belonging to other owners at the time of approval of this act and every such new dwelling house shall have an open space attached to it in the rear or at the side equal to at least one hundred and forty-four square feet clear space unobstructed by any overhanging structure"

Section 3 That section thirty-four of the aforesaid act which reads as follows

"Section 34 In no building shall any wooden girders joists or timbers be placed nearer than four inches of the outside of any smoke hot-air or other flue and all joists or other timbers in the party walls of any building hereafter erected whether built of stone brick or iron shall be separated from the joists or timbers entering into the opposite side of the wall by at least four inches of solid mason work Every trimmer over four feet long except in a dwelling shall be hung in wrought or malleable iron stirrups of suitable dimensions and no timber shall be used in any wall of any building where stone brick or iron is commonly used except

bond timbers and lintels as hereinbefore provided or as may be approved by the inspector and no exposed bond timber in any wall shall in width and thickness exceed that of a course of brick Where stud partitions are parallel with the joists the joists supporting them are to be doubled also all stairways and other floor openings to be double and in addition the size of the joists to be used in dwelling houses twenty feet front or less shall be for the first floor not less than two by ten inches shall be for the first floor not less than two by ten inches and shall be no more than sixteen inches from center to center and for upper floor they shall not be less than two by nine inches and shall be placed not more than sixteen inches from center to center and must be properly bridged and all joists that are used must be sound and well seasoned No floor joists shall be blocked up or leveled on more than one dry course of brick" be and the same is hereby amended so as to read as follows

Section 34 In no building shall any wooden girders joists or timbers be placed nearer than four inches of the outside of any smoke hot-air or other flue and all joists or other timbers in the party walls of any building hereafter erected whether built of stone brick or iron shall be separated from the joists or timbers entering into the opposite side of the wall by at least four inches of solid mason work Every trimmer over four feet long except in a dwelling shall be hung in wrought or malleable iron stirrups of suitable dimensions and no timber shall be used in any wall of any building where stone brick or iron is commonly used except bond timbers and lintels as hereinbefore provided or as may be approved by the inspector and no exposed bond timber in any wall shall in width and thickness exceed that of a course of brick Where stud partitions are parallel with the joists the joists supporting them are to be doubled also all stairways and other floor openings to be double and in addition the size of the joists to be used in dwellings twenty feet front or less shall be for the first floor not less than two by ten inches and shall be no more than sixteen inches from center to center and for upper floors they shall not be less than two by nine inches and shall be placed not more than sixteen inches from center to center and must be properly bridged and all joists that are used must be sound and well seasoned No floor joists shall be blocked up or leveled on more than one dry course of brick For dwellings with a front of sixteen feet or less being not more than two stories high and having a floor area of first story not exceeding eight hundred square feet the floor joists shall be not less than two by eight inches in depth placed sixteen inches from center to center

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

Mr. NEELY. Mr. Speaker, this bill was suggested by the Housing Committee of the Pittsburgh Chamber of Commerce. The bill has been drafted as the result of a conference of the Housing Committee and the Building Code Commission of the City of Pittsburgh, Building Inspectors and numerous architects and contractors. The idea of the bill is to cheapen the construction of small houses and provide for the use of concrete, brick and hollow tile. The small house construction now is very dear in the City of Pittsburgh, and we want to get a provision in the Building Laws that will cheapen the construction of these small houses.

On the question recurring,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—150.

Adams,	Ehrhardt,	Lohr,	Runk,
Arthur,	Eichenberger,	Lowers,	Sassaman,
Baldwin, G. A.,	Ely,	Malie,	Savacool,
Baldwin, R. J.,	Flynn,	Martin,	Schaeffer, A. C
Barner,	Foster, J. D.,	Mather,	Scott, J. R. K.,
Bass,	Gans,	Matt,	Semmens,
Bayle,	Geiser,	McAleer,	Sherwood,
Benninger,	Gibson,	McCaig,	Showalter,
Berkey,	Glenn,	McClintock,	Smith, J. W.,
Berntheizel,	Good,	McDermott,	Smith, L.,
Bigger,	Gramley,	McKay,	Snyder,
Bittles,	Gransback,	McNichol	Speiser,
Blair, W. A.,	Hackett,	Mechling,	Spillinger,
Blair, W. F.,	Haggerty,	Metzenbacher,	Steedle,
Body,	Heidinger,	Miller,	Steele,
Brosius,	Hemminger,	Missimer,	Stein,
Brown,	Heyburn,	Mitchell,	Stone,
Brownlee,	Hibshman,	Moore,	Swartz,
Burnett,	Hobbs,	Morrow,	Swift,
Caldwell,	Howard, J.,	Moses,	Thomas,
Campbell, C.M.,	Isler,	Neel,	Ulerich,
Carson,	Irwin, G. C.,	Neely,	Ulman,
Carter,	Irwin, H. H.,	Newbaker,	Walnut,
Claycomb,	Jackson,	Newton,	Walsh,
Cleary,	Jones, J. R.,	North,	Walton,
Cochran	Kaiser,	O'Neill,	Wettach,
Conner,	Keegan,	Peachey,	Whitaker,
Conniff,	Keeport,	Pennock,	Whitman,
Conrade,	Kennedy,	Peters,	Wildman,
Cox,	Kern,	Piper,	Williams,
Currier,	Kitts,	Redfield,	Wilson, J. H.,
Curry,	Klepper,	Reese,	Wilson, W. H.,
Davis,	Kuhn, H. P.,	Reeser,	Wiltbank,
DeFrees,	Kuhns, E.G.M.,	Rhoads,	Young, G. K.,
Dickinson,	Latshaw,	Richards,	Young, J. H.,
Donahoe,	Lenker,	Rockwell,	Zimmerman,
Down,	Leslie,	Roney,	Alter,
Dunn, H. B.,	Letzkus,	Rothenberger,	Speaker.
Dunn, J. A.,			

NAYS—4.

Alworth,	Aron,	Cheeseman,	Scott, S. B.,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1904 (Senate Bill No. 855), entitled:

An Act relating to the reports of auditors of boroughs townships and poor districts and appeals therefrom giving certain powers to taxpayers in connection therewith and prescribing the practice to be pursued in all appeals from such auditors' reports

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—167.

Adams,	Ely,	Lohr,	Rothenberger,
Alworth,	Ewing,	Lowers,	Runk,
Aron,	Flynn,	Malie,	Sassaman,
Arthur,	Foster, J. D.,	Martin,	Savacool,
Baldwin, G. A.,	Gans,	Mather,	Schaeffer, A. C
Baldwin, R. J.,	Geary,	Matt,	Schuck,
Barner,	Geiser,	McAleer,	Scott, S. B.,
Bass,	Gibson,	McAllister,	Semmens,
Bayle,	Glenn,	McCaig,	Shaffer, I. B.,
Benninger,	Good,	McClintock,	Sherwood,
Berntheizel,	Goss,	McDermott,	Showalter,
Bigger,	Gramley,	McKay,	Smith, J. W.,
Bittles,	Gransback,	McNichol,	Smith, L.,
Blair, W. A.,	Hackett,	Mechling,	Snyder,
Body,	Haggerty,	Mellott,	Speiser,
Brosius,	Heidinger,	Metzenbacher,	Spillinger,
Brown,	Hemminger,	Miller,	Steedle,
Brownlee,	Heyburn,	Missimer,	Steele,
Burnett,	Hibshman,	Mitchell,	Stein,
Caldwell,	Hobbs,	Moore,	Stone,
Campbell, C.M.,	Howard, J.,	Morrow,	Swartz,
Carson,	Howard, R.,	Moses,	Thomas,
Carter,	Humes,	Neel,	Trach,
Cheeseman,	Isler,	Neely,	Ulerich,
Claycomb,	Irwin, G. C.,	Newbaker,	Ulman,
Cleary,	Irwin, H. H.,	Newton,	Walnut,
Cochran,	Jackson,	North,	Walsh,
Conner,	Jones, J. R.,	O'Neill,	Walton,
Conniff,	Keegan,	Peachey,	Watson,
Conrade,	Keeport,	Pennegar,	Whitaker,
Cox,	Kennedy,	Pennock,	Whitman,
Currier,	Kern,	Piper,	Wildman,
Curry,	Klepper,	Post,	Williams,
Davis,	Kuhn, H. P.,	Ramsey,	Wilson, J. H.,
DeFrees,	Kuhns, E.G.M.,	Redfield,	Wilson, W. H.,
Dickinson,	Latshaw,	Reese,	Wiltbank,
Donahoe,	Lenker,	Reeser,	Young, G. K.,
Down,	Leslie,	Rhoads,	Young, G. K.,
Dunn, J. A.,	Letzkus,	Richards,	Zimmerman,
Ehrhardt,	Light,	Rockwell,	Alter,
Eichenberger,		Roney,	Speaker.

NAYS—0.

The mjority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1851 (Senate Bill No. 633), entitled:

An Act providing for the organization enlistment and enrollment in the National Guard of Pennsylvania of an additional regiment of infantry to be composed of colored men authorizing an increase in the medical hospital and ambulance corps of the National Guard for the service in said regiment providing for said regiment a regimental band

On the question,
Will the House agree to the bill on third reading?
It was agreed to.
On the question,
Shall the bill pass?

Mr. GEARY. Mr. Speaker, I trust the members of the House wil see their way clear to vote in favor of the passing of this bill. No doubt this regiment will be located in Pittsburgh and be made up from the surrounding towns where there are at present hundreds of colored men who have served in the United States Army. The fifteenth Spanish Regiment was organized there and shortly afterwards mustered out of service for the lack of funds. The colored people throughout the State are greatly interested in this bill and I feel that we should support this measure as this is about the only legislation they have asked for and I think we should pass it.

Mr. GOSS. Mr. Speaker, I would like to make a few remarks in behalf of this bill. There have been some letters passed to the members of this House purporting to come from the Federation of Labor claiming that they are against the formation of this regiment. I wish to state to the members of this House as a member of different labor organizations that the railroad men's union and other unions do not oppose this measure and I wish to say further that we appreciate the treatment that has been accorded to us by the members of this race and we don't want to leave the impression with the members that we are so ungrateful as not to try to appreciate what has been done for us by interfering with something that don't concern us. I think that this is a very meritorious measure. I was a soldier in the Spanish-American War myself and during my term of service we had a battalion of colored men and I must say that they were composed of some of the most gentlemanly and soldierly men that we had in the service. I hope this bill will pass.

Mr. BASS. Mr. Speaker, American patriotism is not a delusion or an abstraction; it is not a partiality or a prejudice; it is more than any partisanship or any sectarianism or any class feeling or any family consideration. It is as broad as the land; it is as unselfish as the elements: it is as constant as the north star; it is as warm as love. pure as honor and dearer than life itself. Mr. Speaker, I am profoundly impressed with this bill. It is apparent that it was not drawn by or even suggested by the people in whose interest it speaks. This bill was drawn by a distinguished gentleman from the western part of the State: one of Pennsylvania's conspicuous men; a representative from that part of this State with its mountain heights burdened with fertile fields and splendid forests beneath which lie the veins of coal and iron ore in inexhaustible abundance. He comes from the western part of this great State where the American Eagle builds his nest on the summits of the mountains of Pennsylvania where it can overlook this vast domain over the heart of this broad State where enterprise extends everywhere her wings, making the land bloom; that sets the iron plows of the west and the vessels that plow the highways of the seas. Senator Kline is the man who drew this bill. He drew it for the people who have always been faithful to this government. The Federal Government at Washington could always rely upon the negro whenever national danger theatened the Capitol: whenever the old flag of your American liberty was assailed, the negroes were the first to march gaily and quickly to the red fields of war and to the line of battle. Senator Kline was mindful, doubtless, of the four thousand negroes who followed Anthony Wayne's forlorn hope at Stony Point and who ascended the Heights of Abraham and fought for liberty; he was mindful of the Battlefield of Yorktown. He was doubtless thinking of those negroes away back in the dark days of slavery who were profoundly interested in freedom when there was really no hope for them and who withstood like a wall those hosts of Cornwallis at Green Springs and then later in the great internal War that we had in the sixties, as you remember. when we were all alarmed; the weak men and the strong men as well. When the weak men were in fear and the strong men were in doubt. When it was perilous to change the negroes from slavery into freemen, but who charged into the very mouth of hell. These are among the facts doubtless that moved Senator Kline when he drew this bill. There are just one or two things that it is well for us to keep in mind. These people, as I have already intimated, never sought any distinction along any lines and especially military lines. It was never their hope or anticipation that they should occupy distinguished station. That was not the thing expected when Abraham Lincoln called the negro soldier to the front when they responded with the sentiment "We are coming, Father Abraham, one hundred thousand strong." They came from cities and mountains, they came from every locality, they came from youth to age and fought for the nation and not for fame. We must observe how they suffered at Fort Pillow, at Fort Fisher, the Battle of Lundy's Lane, and at Milligan's Point for the success of that flag over yonder (indicating an American Flag in the Hall). This is a splendid bill. I recognize, with you, that it is one that will last for time immemorial, giving the impression of the vicissitudes that time can never efface.

Now, Mr. Speaker, before we go to vote I would like to say that it seems to me that the men of the eastern section of this greatest State in the Union, where Penn called together his councils, where he organized this great Commonwealth of free speech and free liberty; where they engaged with the Indians under the Elm of old Shackamaxon, that place of interest, in that treaty of concord that was never sworn to and never broken. I mean that part of this great State, Mr. Speaker, where Betsy Ross wove with her own fingers yonder flag that floats on every wave and in every wind. It becomes the man of the east and the man of the west to meet here, as do we, on this great question as it appears in this bill; meet here and exchange patriotic congratulations, mingle together their gratitude and their vows and pledge a renewed faith to the great policies of this American empire. Mr. Speaker, I am proud that I am an American, notwithstanding the fact that my ancestors were slaves. I am proud that I am an American, because my own father back in the '60's followed the old flag through cold and storm, through sleet and wind, through vales and over mountains, over the sandy plains and the blazing heights of battle. And I am one of the remants to-day of that class of people who are enjoying liberty and American liberty; yea, the greatest of all liberties of all the people in the world; and I appreciate that kind of co-operation, and I want to say to those gentlemen who have just made their speeches that their speeches to my mind had the right ring which expressed that spirit of Americanism which has come right on down through the ages. Those men, Mr. Speaker, are patriotic citizens. I know how they feel when they hear that old song of ours: "The Star-Spangled Banner, long may she wave o'er the land of the free and the home of the brave." I know just how they feel, and I want them to know that we are with them, and by the passage of this bill, when man shall again ope the purple casement of war, you will see with this regiment of black soldiers one million other negroes who will be ever ready to march beneath yonder old flag in stern, serrated files against hostile strangers and against internal war.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Eichenberger,	Martin,	Sassaman,
Allen,	Ely,	Mather,	Savacool,
Alworth,	Fahey,	Matt,	Schaeffer, A. C.
Ambler,	Flynn,	McAleer,	Schuck,
Aron,	Foster, J. D.,	McAllister,	Scott, J. R. K.,
Arthur,	Gans,	McArdle,	Scott, S. B.,
Baldwin, G. A.,	Geary,	McCaig,	Semmens,
Baldwin, R. J.,	Gibson,	McClintock,	Shaffer, I. E.,
Barner,	Glenn,	McDermott,	Sherwood,
Bass,	Good,	McKay,	Showalter,
Bayle,	Goss,	McNichol,	Smith, J. W.,
Benninger,	Gramley,	Mechling,	Smith, L.,
Benson,	Gransback,	Mellott,	Snyder,
Bergey,	Hackett,	Metzenbacher,	Speiser,
Berntheizel,	Haggerty,	Miller,	Spillinger,
Bigger,	Heidinger,	Missimer,	Steed'e,
Bittles,	Hemminger,	Mitchell,	Steele,
Blair, W. A.,	Heyburn,	Moore,	Stein,
Blair, W. F.,	Hibshman,	Morrow,	Stone,
Body,	Hobbs,	Moses,	Strauss,
Brosius,	Howard, J.,	Moulthrop,	Swartz,
Brownlee,	Humes,	Murphy,	Swift,
Burnett,	Isler,	Neel,	Thomas,
Caldwell,	Irwin, G. C.,	Neely,	Trach,
Campbell, C.M.,			

Carter,	Irwin, H. H.,	Newbaker,	Ulerich,
Claycomb,	Jackson,	Newton,	Ulman,
Cleary,	Jones, J. R.,	North,	Walnut,
Collins,	Kaiser,	O'Neill,	Walsh,
Conner,	Keegan,	Peachey,	Walton,
Conniff,	Keeport,	Pennegar,	Watson,
Conrade,	Kennedy,	Pennock,	Wettach,
Cox,	Kern,	Piper,	Whitaker,
Currier,	Kitts,	Post,	Whitman,
Curry,	Kuhn, H. P.,	Ramsey,	Wildman,
Davis,	Kuhns, E.G.M.,	Redfield,	Wilson, J. H.,
DeFrees,	Latshaw,	Reese,	Wilson, W. H.,
Dickinson,	Lenker,	Reeser,	Wiltbank,
Donahoe,	Leslie,	Rhoads,	Young, G. K.,
Donnally,	Letzkus,	Richards,	Young, J. H.,
Down,	Light,	Roney,	Zimmerman,
Dunn, J. A.,	Lohr,	Rothenberger,	Alter,
Ehrhardt,	Malie,	Runk,	Speaker.
Lowers,			

NAYS—1.

Carson.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

The SPEAKER. The Chair desires to inform the House that the gavel now being used is made of a piece of the brig "Niagara," the flagship of Commodore Perry.

Agreeably to order,

The House proceeded to the consideration on third reading of H. R. bill No. 1950 (Senate Bill No. 585), as follows:

An Act making an appropriation for the commemoration of the building of the fleet at Erie with the Battle of Lake Erie was won by the restoration of he Brig Niagara Commodore Perry's flagship in that battle providing for its participation in the events of the celebration of the one hundredth anniversary thereof its care and aiding in the erection of a permanent marker arch or memorial at Erie

Whereas, The States of Pennsylvania New York Ohio Illinois Michigan Wisconsin Minnesota Rhode Island and Kentucky have through commissioners duly appointed for that purpose formed an association and proceeded to erect a memorial at Put-in-Bay, Ohio, to Commodore Oliver Hazard Perry and his brave men who fought with him at the Battle of Lake Erie and are proposing to hold a centennial celebration during the present year in commemoration of the one hundredth anniversary of that great victory; and

Whereas, The Brig Niagara to which Commodore Perry transferred his flag from the disabled Lawrence during the battle, and which for nearly one hundred years has lain at the bottom of Misery Bay an arm of Presque Isle Bay at Erie has been raised by the Commissioners appointed by the Governor of Pennsylvania to co-operate with the Commissioners of other States in the celebration of the centennial anniversary of the Battle of Lake Erie and is now the property of the State of Pennsylvania; and

Whereas, The larger cities upon the Great Lakes from Buffalo to Duluth are proposing to hold celebrations beginning at Erie on July sixth on this the centennial anniversary of that great battle and all of the States participating are very desirous that Commodore Perry's Flagship, the Niagara, may be one of the features of the celebrations and the people of the whole United States are deeply interested in and concerned about the disposition the State of Pennsylvania is to make of this old Flagship and the part it will take in the events of this centennial year; and

Whereas, Six of the nine ships constituting Commodore Perry's fleet were built at Erie to wit: The Niagara, Lawrence, Ariel, Scorpion, Porcupine and Tigress, bearing fifty of the fifty-five guns carried by the whole fleet and for the single purpose of fighting this battle and after winning it the fleet returned to Pennsylvania waters at Erie bringing with it all of the enemy's ships, it is fitting that a permanent marker arch or memorial be erected at Erie to commemorate not only the bravery of Commodore Perry and his gallant men but the part taken by Pennsylvanians in building the fleet and in fighting the battle including the conspicuous services of Captain Daniel Dobbins of Erie, who was instrumental in inducing the Government to build the fleet and was in charge of its construction when Perry arrived in March, one thousand eight hundred and thirteen.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That the sum of seventy-five thousand dollars be and the same is hereby appropriated from any money in the State treasury not otherwse appropriated to the Commssioners appointed by the Governor of Pennsylvania to co-operate with the Commissioners from other States in the celeoration of the centennial anniversary of the battle of Lake Erie for the purpose of restoring the aforesaid Brig Niagara to the condition she was in at the time said battle of Lake Erie was fought as nearly as said Commissioners can with the exercise of reasonable diligence restore it to its original conditon including rigging armory and equipment of every kind and for paying the expenses incident to the proper participation of said Brig in the events of this centennial year and the proper care therefor until further provided for by the Legislature and any balance of said sum hereby appropriated remaining after such restoration and equipment of said Brig and after paying the expenses incident to it participation in said centennial events and providing for care of same as aforesaid is to be paid and expended by said Commission toward the erection of a permanent marker arch or memorial at the City of Erie Pennsylvania commemorating the building of the fleet at that place as well as the splendid manner in which in the hands of the brave Commodore Perry and the gallant men who fought with him it performed its errand at the battle that followed its construction said balance to be expended in conjunction with moneys contributed by the citizens of Erie and others for the purpose of erecting said permanent marker arch or memorial and all of the money hereby appropriated to be paid on the warrant of the Auditor General upon requisition of the President of said Commission and itemized vouchers for all expenditures to be filed with the Auditor General within a reasonable time thereafter

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. E. G. M. KUHNS. Mr. Speaker, here is a bill that is asking for quite a slice of the State's money, and I understand from conversation that quite a few members of the House are not yet fully informed as to the needs and wants of the \$75,000. Therefore, Mr. Speaker, I desire to interrogate the gentleman from Erie, Mr. Bayle.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. BAYLE. Yes, sir, Mr. Speaker.

Mr. E. G. M. KUHNS. Mr. Speaker, in the first place. I should like to ask the gentleman from Erie whether this is to be a commemoration of this great battle out there. or whether it is simply to beautify the City of Erie.

Mr. BAYLE. Mr. Speaker, it is to commemorate the valor of Pennsylvanians. Was there ever a man that addressed such an assemblage of Pennsylvanians as this? I would not undertake it had I the persuasion of a Demosthenes or the eloquence of a Cicero. We have listened tonight to the most eloquent address that I have ever heard. namely the speech of the gentleman from Philadelphia, Mr. Bass. But I say to you, Mr. Speaker, that's what we ask tonight for the old City of Erie is not only for the City of Erie. It is an ingredient and essential element of the old State of Pennsylvania. Mr. Speaker, go back with me one hundred years in the history of the State of Pennsylvania, when your ancestors traveled across the mountains of Pennsylvania from the City of Brotherly Love, from Pittsburgh, over the Susquehanna Pike, through the counties of Erie and Crawford and the other counties and they hewed ships out of green timber and with them added glory on to glory and fought for true freedom an justice. Therefore, gentlemen, again I ask you to-night for a unanimous vote on this bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—172.

Adams,	Fahey,	Martin,	Runk,
Allen,	Flynn,	Mather,	Sassaman,
Alworth,	Foster, J. D.,	Matt,	Savacool,
Ambler,	Gans,	McAleer,	Schaeffer, A. C.
Aron,	Geary,	McAllister,	Schuck,
Arthur,	Gibson,	McArdle,	Scott, J. R. K.,
Baldwin, G. A.,	Glenn,	McCaig,	Scott, S. B.,
Baldwin, R. J.,	Good,	McClintock,	Semmens,
Barner,	Goss,	McDermott,	Shaffer, I. E.,
Bass,	Gramley,	McKay,	Sherwood,
Bayle,	Gransback,	McNichol,	Showalter,
Benninger,	Hackett,	Mechling,	Smith, J. W.,
Benson,	Haggerty,	Mellott,	Smith, L.,
Bergey,	Heidinger,	Metzenbacher,	Snyder,
Berntheizel,	Hemminger,	Miller,	Speiser,
Bigger,	Hess,	Missimer,	Spillinger,
Bittles,	Heyburn,	Mitchell,	Steedle,
Blair, W. A.,	Hibshman,	Moore,	Steele,
Blair, W. F.,	Hobbs,	Morrow,	Stein,
Body,	Howard, J.,	Moses,	Stone,
Brosius,	Humes,	Moulthrop,	Strauss,
Brownlee,	Isler,	Murphy,	Swartz,
Burnett,	Irwin, G. C.,	Neel,	Swift,
Caldwell,	Irwin, H. H.,	Neely,	Thomas,
Campbell, C.M.,	Jackson,	Newbaker,	Trach,
Carter,	Jones, J. R.,	Newton,	Ulerich,
Claycomb,	Kaiser,	North,	Ulman,
Cleary,	Keegan,	O'Neill,	Walnut,
Collins,	Keeport,	Peachey,	Walsh,
Conner,	Kennedy,	Pennegar,	Walton,
Conniff,	Kern,	Pennock,	Watson,
Conrade,	Kitts,	Perry, S. J.,	Wettach,
Cox,		Piper,	Whitaker,
Currier,			

Curry,	Kuhn, H. P.,	Price,	Whitman,
Davis,	Kuhns, E. G. M.,	Ramsey,	Wildman,
DeFrees,	Latshaw,	Redfield,	Williams,
Dickinson,	Lenker,	Reese,	Wilson, J. H.,
Donahoe,	Leslie,	Reeser,	Wilson, W. H.,
Donnally,	Letzkus,	Rhoads,	Wiltbank,
Down,	Light,	Richards,	Young, G. K.,
Dunn, J. A.,	Lohr,	Rockwell,	Young, J. H.,
Ehrhardt,	Lowers,	Roney,	Zimmerman,
Eichenberger,	Malie,	Rothenberger,	Alter,
Ely,			Speaker.

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed the same without amendments, in which the concurrence of the Senate is requested.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL NO. 1144.

The SPEAKER. On House Bill No. 1144 the Chair apoints as a Committee on Conference Messrs. Ambler, Semmens and R. J. Baldwin.

BILL ON THIRD READING.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1893 (Senate Bill No. 212), entitled:

An Act to amend section seventy-five of the act entitled "An Act to consolidate revise and amend the penal laws of this Commonwealth" approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED.

Mr. JOHN R. K. SCOTT. Mr. Speaker, I move that this bill be recommitted to the Judiciary Special Committee.

Mr. RONEY. Mr. Speaker, I second the motion.

On the question,

Will the House agree to the motion?

Mr. JOHN R. K. SCOTT. Mr. Speaker, the reason I make this motion is because in the bill it provides for death by hanging. A bill has just passed the Senate making electrocution the means of death and this bill can be properly amended in Committee to conform to the other bill.

The motion was agreed to.

ADJOURNMENT.

Mr. MITCHELL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to and (at 11:10 o'clock P. M.) the House adjourned until to-morrow morning at 10:00 o'clock.

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